

**HEATHER GARDENS METROPOLITAN DISTRICT
SPECIAL MEETING
Tuesday, June 2, 2020**

The special meeting of the Board of Directors of the Heather Gardens Metropolitan District was held via Zoom/Telephone in the office of the District, 2888 S. Heather Gardens Way, Arapahoe County, Colorado, on Tuesday, June 2, 2020 at 1:00 P.M.

CALL TO ORDER: President Funk called the meeting to order at approximately 1:02 P.M. on Tuesday, June 2, 2020. A quorum was present.

BOARD MEMBERS PRESENT: President David Funk, Vice President Michael George, Treasurer and Secretary William Archambault, and Directors Rita Effler and Fran Clemens.

BOARD MEMBERS ABSENT: None.

STAFF PRESENT: General Manager Calvin White, Controller Brett Miller, Operations Manager Jon Rea, Contracts Don O’Gorman, and Board Assistant Evelyn Ybarra.

GUESTS PRESENT: Jennifer Ivey, Icenogle Seaver Pogue, P.C., five members of the Heather Gardens Association Board, Lynn Donaldson with Heather ‘n Yon, and approximately 18 guests.

UNFINISHED BUSINESS:

Motion to approve to contract with Eaton Sales and Service LLC to remove the underground storage tank and apply for credit from the State of Colorado and determine budget for action: Motion made by President Funk, seconded by Treasurer and Secretary Archambault and passed unanimously.

Text of the Motion: Based on the recommendation of the Property Policy Committee, I move that the Heather Gardens Metropolitan District Board of Directors approve to contract with Eaton Sales and Service LLC to remove the Underground Storage Tank located near the Maintenance Building at cost of \$20,700 and to apply for the quoted \$4,000 credit from the State of Colorado. This is an unbudgeted operating expense.

Further based on the recommendation of the Budget and Finance Committee, I move that the budget for removal of the underground storage tank be as follows: Reduce the 2020 operating expense budget for Election Expense (D525.1) by \$16,700 and establish a new operating expenses line item entitled “Underground Storage Tank Removal” for \$16,700.

Explanatory Comment: The State of Colorado has ordered that the tank not be refilled and must be removed. There is a possibility of ground contamination if there is a leak in the tank. Currently, the District has pollution insurance; however, the carrier

of the insurance policy has stated that the policy will not be renewed. The removal is a no choice item.

The Board discussed the unsatisfactory terms of the contract that Eaton Sales and Service LLC proposed. President Funk advised that Ms. Ivey had provided alternate contract language that would be sent to Eaton Sales and Service LLC for purposes of entering into the contract.

OPEN FORUM:

Director Effler asked for an update from management on the status of the Clubhouse, Restaurant, and Tennis Courts opening for the general public. Director Clemens and President Funk confirm there was an announcement sent from the General Manager White with an update. General Manager White confirmed since the opening of the Woodshop, the reservation slots have been booked. The Tennis Courts have not had much play due to the restriction rule of two people allowed to play single games. The Golf Course has been booked every day. There will be further updates to come.

ADJOURNMENT: The meeting adjourned at 1:17 P.M.



William Archambault, Treasurer and Secretary