

**HEATHER GARDENS METROPOLITAN DISTRICT  
REGULAR MEETING  
Thursday, July 18, 2019**

The regular meeting of the Board of Directors of the Heather Gardens Metropolitan District was held in the office of the District, 2888 S. Heather Gardens Way, Arapahoe County, Colorado, on Thursday, July 18, 2019 at 1:00 P.M.

**CALL TO ORDER:** President Rosenberg called the meeting to order at approximately 1:00 P.M. on Thursday, July 18, 2019. A quorum was present.

**BOARD MEMBERS PRESENT:** President Sandra Rosenberg, Directors Craig Baldwin, Bill Archambault, and David Funk.

**BOARD MEMBERS ABSENT:** None.

**STAFF PRESENT:** General Manager Calvin White, Controller Brett Miller, and Board Assistant Evelyn Ybarra.

**GUESTS PRESENT:** Jennifer Ivey, Icenogle Seaver Pogue, P.C., Four members of the HGA Board, Lynn Donaldson and Mary Hafka with Heather 'n Yon, and approximately 25 members of the public were present.

**APPROVAL OF MINUTES:** Motion made by Director Baldwin, seconded by Treasurer Archambault, and passed unanimously to approve the minutes of the May 16, 2019 Regular Meeting with four changes and it was noted there was no vote for Treasurer at the May 16, 2019 Regular meeting and therefore the Board will consider ratifying that election later in the agenda.

**GENERAL MANAGER'S REPORT:** General Manager White's Report was included in the packet. There were no comments or questions.

**REPORTS OF DIRECTORS COMMITTEES AND PROFESSIONAL CONSULTANTS:**

**Treasurer's Report:** Treasurer Archambault distributed the Report to the Board members at the meeting. There were no comments or questions.

**Clubhouse/Restaurant Committee:** Director Baldwin distributed the Report to the Board members at the meeting. There are two motions that will be discussed later in the agenda and the Clubhouse/Restaurant Committee meeting date has changed to the 3<sup>rd</sup> Monday of the month. There were no comments or questions.

**Golf Committee:** Treasurer Archambault's Report was included in the packet. The emergency golf cart motion was withdrawn. One member resigned from the Committee and there is an opening. The finances have been good.

**Foundation Committee:** The Report was included in the packet. President Rosenberg mention there will be one motion discuss later in the agenda. The expenses for June were \$485.71 for the Herb Garden Containers for Rendezvous. There were no donations in June.

**Reserve Subcommittee:** President Rosenberg distributed the Subcommittee's Report to the Board members at the meeting. The Subcommittee presented two options for proposed funding for the HGMD Capital Finance Plan. The Subcommittee made a recommendation to the Board to accept one of the proposals. John Coil from Budget & Finance will give a short presentation on the options and the Subcommittee's recommended proposal that the Board will have the option to consider later in the meeting.

**Property Policy Committee:** Director Funk did not have a meeting report for June and July due to cancellation of Property Policy Committee meetings. Director Funk commented that he attended a recent workshop put on by the Special District Association of Colorado (SDA) and the updated 2019 Board Member Manual he received was distributed to the Board members.

**President's Report:** President Rosenberg reported that on July 1<sup>st</sup> Bonnie McMullen submitted a letter of resignation from the HGMD Board. The Director vacancy on the Board was posted on the HG website, sent out on the Constant Contact email on July 11<sup>th</sup>, and there will be an article in August in Heather 'n Yon. Applications will be accepted through August 9<sup>th</sup>. The applicants will be asked to attend the August 15, 2019 Regular Board Meeting to introduce themselves and answer brief questions. At that time the Board will consider appointing an applicant to fill the vacancy and be the new Director.

#### **UNFINISHED BUSINESS:**

- 1.) **Review Legal Counsel revisions written in the June 6<sup>th</sup> draft and approve the Bylaws:** Motion made by Director Funk, seconded by Treasurer Archambault to approve the Bylaws with one revision provided by Treasurer Archambault. This motion passed unanimously.
- 2.) **Review Legal Counsel revisions written in the May 29<sup>th</sup> draft Procedure Memoranda for Foundation and Golf, and the June 5<sup>th</sup> draft for Property Policy and consider approval:** Motion was made by Director Archambault, seconded by Director Baldwin to approve the Foundation and Golf PMs effective as of the date of final approval of the Heather Gardens Rules and Regulations. Director Funk felt the Property Policy PMs needed further review before approval. This motion passed unanimously.
- 3.) **Review Legal Counsel revisions written in the June 5<sup>th</sup> draft for General Rules and Regulations for acceptance:** Motion made by Treasurer Archambault, seconded by Director Craig to accept the changes made to date, noting that final revisions are pending legal counsel's review of Heather Gardens





# Heather Gardens

## METROPOLITAN DISTRICT

Association's revised Legal Policy and appeal process which is still pending. This motion passed unanimously.

House Bill 19-1087 is effective August 2<sup>nd</sup> and revises the legal requirements for posting notices of special district meetings, including, allowing posting on a district website in lieu of a physical posting. A sample of how HGMD could accomplish website notices was included in the packet. The Board directed that staff continue to post notices on the three bulletin boards in the Clubhouse and to stop sending notices to the Arapahoe County Clerk and City Clerk. Ms. Ivey recommended using a URL not specific to Heather Garden Association if the Board starts using the website for posting notices in lieu of a physical posting.

### NEW BUSINESS:

- a.) **Motion to request extension for filing annual audit report to the State Auditor:** Motion made by Treasurer Archambault, seconded by Director Baldwin and passed unanimously. The State deadline for submitting to the State Auditor an annual audit report or request for an extension is July 31, 2019. Since our audit report is not ready for the review and submission, an extension is required.
- b.) **Motion to accept the 2020 Budget Development Schedule:** Motion made by Treasurer Archambault, seconded by Director Baldwin and passed unanimously. HGA and HGMD Budget Development Schedule for 2020 budget year.
- c.) **Motion for approval of the HGMD Capital Project Financing Plan:** Motion made by Treasurer Archambault, seconded by Director Baldwin and passed unanimously. The Budget & Finance Committee recommended a proposal to finance the Heather Gardens Metropolitan District's Capital Project Financing Plan.
- d.) **Consider accepting the July 3<sup>rd</sup> draft of the Procedure Memoranda for Clubhouse/Restaurant excluding the fee schedule and rental facilities agreement and Restaurant Catering agreement:** Motion made by Director Baldwin, seconded by Treasurer Archambault and passed unanimously.
- e.) **Motion for approval to purchase Auditorium chairs:** Motion made by Director Baldwin, seconded by Treasurer Archambault and passed unanimously. The purchase of 350 stackable chairs from Church Partners for a cost of \$13,720 and 50 chairs with arms from Shamrock Foods for a cost of \$4,308 plus an estimated freight charge of \$2,462 for a total price of \$20,490. This is \$8,310 under budget.
- f.) **Motion to approve the proposed expenditure of \$5,000 to Roads & Grounds for trees:** Motion by Treasurer Archambault, seconded by Director Baldwin after discussion the motion was withdrawn.

### OTHER BUSINESS:

**Election of Officers:**

- 1.) In the last meeting, the action to elect a Treasurer was not voted on. Motion made by Director Funk, seconded by Director Baldwin to Ratify the election of Bill Archambault as Treasurer. This motion passed unanimously.
- 2.) President Rosenberg opened the nominations for Vice President. Treasurer Archambault made a motion to nominate Director Baldwin as Vice President which was seconded by Baldwin. There being no other nominations, the Board voted unanimously to elect Director Baldwin as Vice President.
- 3.) President Rosenberg moved forward for nominations for Secretary. Treasurer Archambault made a motion to nominate Director Funk which was seconded by Director Baldwin. Director Funk commented that the office of the Secretary and Treasurer can be held by one-person as written in the Bylaws and made a motion to nominate Treasurer Archambault as Secretary. Baldwin seconded the motion. Treasurer Archambault withdrawn his nomination of Director Funk. There being no other nominations, the Board voted unanimously to elect Treasurer Archambault as Secretary.

**OPEN FORUM:**

A resident suggested to display the new logo products and prices.

A resident commented on the motto "Ladies and Gentlemen serving Ladies and Gentlemen".

A resident had a question regarding check signing.

A resident inquired as to what measures are being taken to resolve the mosquito problem.

A resident from Green Team commented that the next grant request in 2020 will be for bat houses to help with the mosquitoes.

A resident suggested to have a golf cart driver serve beverages around the golf course to increase revenue.

**ADJOURNMENT:** The Board adjourned at 3:10 P.M.

The next regular HGMD Meeting is Thursday, August 15, 2019 at 1:00 P.M.

  
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Bill Archambault, Treasurer and Secretary