

**HEATHER GARDENS METROPOLITAN DISTRICT
REGULAR MEETING
Thursday, January 16, 2020**

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, January 16, 2020 at 1:00 p.m.

CALL TO ORDER: President Craig Baldwin called the meeting to order at approximately 1:00 p.m. on Thursday, January 16, 2020. A quorum was present.

BOARD MEMBERS PRESENT: President Craig Baldwin, Vice President David Funk, Treasurer and Secretary Bill Archambault, Directors Sandra Rosenberg and Michael George.

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., 5 members of the HGA Board, Lynn Donaldson and Mary Hafka with Heather n' Yon, and approximately 15 members of the public were present.

President's Report: President Baldwin reported in the Special Meeting held in the morning, he was elected president. The Board went over the reports and the December 2019 monthly operation analysis as well.

UNFINISHED BUSINESS:

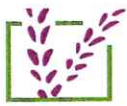
Motion to Approve the Policy Manual and the Procedure Memorandum for the Clubhouse/Rendezvous Restaurant, Foundation, Golf Course, and Property Policy:

Motion made by Treasurer and Secretary Archambault, seconded by Director George, and passed unanimously.

Ms. Ivey clarified the cleanup items after the procedure memorandums (PM) were approved in August stemmed up from adding and clarifying owner and non-owner, inserting the Clubhouse/Restaurant contract components in the PMs, and capturing the golf fee changes implemented in July for the year 2020.

NEW BUSINESS:

Motion to Approve the 2020 Annual Administrative Resolution and to include the new officers elected: Motion made by Vice President Funk, seconded by Director Rosenberg, and passed unanimously. The Board had an election for president in the



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Special meeting held this morning to include the new officers as follows in the annual administrative resolution:

- President – Craig Baldwin
- Vice President – David Funk
- Treasurer/Secretary – Bill Archambault
- Director – Sandra Rosenberg
- Director – Michael George

Motion to Approve the Regular Special District Election Resolution: Motion made by Director Rosenberg, seconded by Director George, and passed unanimously.

Ms. Ivey confirmed that President Baldwin, Treasurer and Secretary Archambault, and Vice President Funk seats are up for a 3-year term for re-election that runs through 2023 and Director George's seat is up for a 2-year term for re-election that runs through 2022, and should Director Rosenberg's seat become vacant and depending on time, her seat would be up for a 2-year term.

Self-Nomination applications must be submitted by February 28 and returned to the Designated Election Official, Evelyn Ybarra. March 2 is the deadline for write-in candidates. Applications would be available with Ms. Ybarra in the Management Office. If there are only as many people running as there are seats available, the election will be canceled.

President Baldwin commented 2 years ago the Board hired a company to do the election that cost them \$20,000. The same amount has been budgeted for this year, and if there is an election that Ms. Ivey's cost would be billed under election. Ms. Ivey confirmed her time is charged by matter, and the election cost would be coded and billed for election.

Motion to Approve the Resolution Amending the 2019 Budget: Motion made by Treasurer and Secretary Archambault to open the Public Hearing on proposed Amendment to 2019 Budget, seconded by Director Rosenberg, and passed unanimously.

Treasurer and Secretary Archambault commented the 2019 budget amended as follows:

- Enterprise Fund Revenue \$2,771,503
- Enterprise Fund Expenditures \$2,771,503
- Conservation Fund (Lottery) Expenditures \$1,400
- Foundation Fund Revenue \$9,300
- Foundation Fund Expenditures \$9,300

There were no questions or comments.

Motion made by Director Rosenberg to close the Public Hearing on proposed Amendment to 2019 Budget, seconded by Director George, and passed unanimously.



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Motion made by Secretary and Treasurer Archambault, seconded by Director Rosenberg, and passed unanimously.

Consider Security at R.V. Lot:

Vice President Funk commented there was a break-in at the Heather Gardens secure R.V. Lot in December 2019 that involved 14 units with property damaged and theft. The R.V. renters formed a group club and expressed concern about how Security managed the incident. To understand and help in this incident, he has requested from General Manager White the reports, memos, and written documentation for the R.V. Lot incidents. Also, he asked for the Security operations manuals that reflect the duty of Security staff, and any activity logs from Security related to the incident in the month of December. The information requested would be provided to the Property Policy Committee to review and suggest putting together a plan on how to better reporting the incidents. He is also working on gathering pricing and associated cost for additional lighting, installing cameras that will connect with Heather Gardens systems for monitoring, and the possibility of reinstating the fence alarm installed several years ago.

Consider Replacing the Fuel Tanks:

President Baldwin commented that the reason for considering replacing the fuel tanks is the high insurance and to continue to have insurance coverage. There are two storage tanks, one above ground that holds 300 gallons of diesel, and the other one is underground that holds 4,000 gallons of gasoline. The tanks are both located in the maintenance building area.

Vice President Funk commented that both tanks are noncompliant and will need to be replaced to continue to be insured. There will be two separate projects to replace the tanks. Don O'Gorman, in contracts, is waiting to hear back from two vendors with the cost of replacing the tanks.

Motion to Approve the use of Conservation Trust Funds (Lottery) for Golf Simulator Cassette in the amount of \$1,695: Motion made by Treasurer and Secretary Archambault, seconded by Director Rosenberg, and passed unanimously.

Consider Replacing HVAC unit in the Rendezvous:

President Baldwin commented Jon Howell explained the problem the restaurant was having with the HVAC and the cost to fix it.

General Manager White commented when the HVAC system in restaurant was installed, it was installed by the company with different brand controls than the brand of the rooftop unit. The unit was custom-built by Train that has specific electrical (VAV) boxes in the vent system to warm the air for distribution through the restaurant. There have been problems with the compressor that continue to leak after the repairs.

After further discussion on the HVAC, it was decided that the General Manager White will work with Jon Howell, Maintenance System Engineer, to get more information and detail

on the repairs of the HVAC along with a timeline and will report back to the Board after he meets with his Committee.

Consider the usage of 13692 E Marina Dr.:

Vice President Funk commented he had not had a chance to get with Ms. Ivey or the Committee on the utilizing of the lot. He will work with Ms. Ivey on the legal wording to go with General Manager White's contracts on the lot usage and making sure to maintain at least 15 parking spaces during construction.

OTHER BUSINESS:

President Baldwin commented there would be a delay on the Kiosk since there is a new Chair.

OPEN FORUM:

A resident commented that he was not notified by Security when his R.V. was broken in.

A resident asked if it is required to take out the underground tank.

A resident asked if the software (cassette) for the golf course will need to be updated annually.

A resident commented that in December, his food at the restaurant got cold pretty quick and now understands it has to do with the HVAC issue.

A resident asked if the original specs for the HVAC were available for bidding.

A resident asked how many years has the company Long been involved with the HVAC unit.

A resident asked if the delay for the crosswalk has to do with the contracts.

A resident asked what goals does the Board have for the District. The resident also thank the Board for their time and efforts.

A resident asked which Committee is responsible for the sauna repairs.

EXECUTIVE SESSION: Motion made by Treasurer and Secretary Archambault to convene into an Executive Session pursuant to Sections 24-6-402(4)(b) and 24-6-402(4)(e), C.R.S. for the purpose of determining positions relative to matters that may be subject to negotiation, developing strategy for negotiations, and instructing negotiators and/or conferencing with an attorney to receive legal advice on specific legal issues regarding the Management Agreement, seconded by Director Rosenberg and passed unanimously. All members of the public existed the meeting and the Board convened into Executive Session at approximately 3:00 p.m.



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Motion made by Treasurer and Secretary Archambault to close the Executive Session and reconvene the public meeting, seconded by Director Rosenberg, and passed unanimously. The Board reconvened the public meeting at approximately 3:47 p.m.

ADJOURNMENT: There being no further business, the meeting adjourned at 3:47 p.m.

The next regular HGMD Meeting is Thursday, February 20, 2020 at 1:00 p.m.

Bill Archambault, Treasurer and Secretary

