

**HEATHER GARDENS METROPOLITAN DISTRICT  
REGULAR MEETING  
Thursday, November 19, 2020**

The regular 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 Thursday, November 19, 2020 at 1:00 P.M.

**CALL TO ORDER:** President Funk called the meeting to order at approximately 1:00 P.M. on Thursday, November 19, 2020. A quorum was present.

**BOARD MEMBERS PRESENT:** President David Funk, Vice President Michael George, and Director Rita Effler.

**BOARD MEMBERS ABSENT:** Excused Treasurer and Secretary William Archambault.

**STAFF PRESENT:** General Manager Calvin White, Controller Jon Rapacki, Operations Manager Jon Rea, and Board Assistant Evelyn Ybarra.

**GUESTS PRESENT:** Jennifer Ivey, Icenogle Seaver Pogue, P.C., two members of the Heather Gardens Association Board, Lynn Donaldson, with Heather 'n Yon, and approximately 32 members of the public were present.

**President Remarks:** President Funk commented Treasurer and Secretary Archambault is not attending the meeting due to personal reasons.

**APPROVAL OF MINUTES:** Motion made by Vice President George and seconded by Director Effler and passed unanimously to approve the minutes of the October 15, 2020 Special Meeting as written.

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

**President Report:** No Report.

**General Manager's Report:** The Board received a copy of the General Manager's Statement of Work (SOW) Report. General Manager White reported the county's COVID level would change tomorrow to code level "red." Steps are being taken in closing the Clubhouse through January 4. There is no in-house dining in the restaurant, but delivery will be available soon. The golf activity will remain the same until further notice. There have been COVID cases rising in the community. A new code level color added, "purple," which is similar to the stay at home closure and shut down. Communication has gone out about the COVID level code red and the changes and restrictions that will be happening in the different departments and the community. There were no questions or comments.

**Clubhouse/Restaurant Committee:** No Meeting. President Funk commented an update was provided in the General Manager report.

**Foundation Committee:** No Meeting. President Funk commented a motion brought forward from last month's meeting would be discussed in new business.

**Golf Committee:** The Board received a copy of the Golf Report. Vice President George reported that the golf is doing good and is getting ready for winter closure. Wall #2 was damaged again after it was repaired about two weeks ago, but the person who ran into it has taken responsibility for the cost of repairs. There will be no meetings through February and meetings will start up again in March. There were no questions or comments.

**Property Policy Committee:** The Board received a copy of the Property Policy Report. President Funk reported an update on the ADA compliance that needs to be done on our part and the two signs installed that provide notice of the crosswalk approaching from both sides on Heather Gardens Way. President Funk also explained the continued work on the security enhancement process for the RV lot and the parking lot repaint. There were no questions or comments.

**Treasurer's Report:** The Board received a copy of the Treasurer Report. President Funk commented Treasurer and Secretary Archambault asked that you email him directly if there were any questions or comments.

**October 2020 Monthly Operating Analysis (MOA):** The Board received a copy of the MOAs. President Funk commented that Treasurer and Secretary Archambault asked that you email him directly if there were any questions or comments.

**UNFINISHED BUSINESS:** None.

**NEW BUSINESS:**

- a.) **Motion to approve the purchase of the Teak Bench from Parwest Turf:** Motion made by President Funk, and seconded by Vice President George and passed unanimously.

Text of Motion: Based on the recommendation of the Foundation Committee, I move to purchase a Teak Bench from Parwest Turf (photo attached) for placement on/near the walking path between the No. 6 Green and No. 7 Tee Box in the amount of \$515; \$345 will be donated to the Foundation by the Mask Warrior Project with the remaining \$170 to be funded from the Foundation Committee unallocated funds.

Explanation: The Mask Warrior Project was formed to sew and distribute protective masks for use by healthcare workers, residents, and others in an effort to further curb the spread of COVID-19. The Mask Warrior Project has received



cash donations, donated materials, and time from the members. The Mask Warrior Project has asked that the efforts of those participating be remembered in this way. The Foundation Committee has asked Golf to recommend what bench to purchase. Because the cost exceeds the available funds from the Mask Warrior Project, the Foundation Committee feels it appropriate to provide the additional funds and to acknowledge the efforts of those who participated.

- b.) Motion to approve using Lottery Funds up to \$2,000 to enhance the Golf Stimulator:** Motion made by Vice President George and seconded by President Funk and passed unanimously.

Text of Motion: Based on the Golf Committee's recommendation, I move that the Heather Gardens Metropolitan District Board of Directors approve the enhancement of the Golf Simulator at a cost not to exceed \$2,000 using funds available from the Lottery Funds.

Explanatory Comment: We would like to use up to, but not exceeding, \$2,000 to replace/improve the simulator's flooring, add curtains to block the view of golf carts, and blackout the windows to help create a true golf simulator feel.

- c.) Motion to make Appointment to the vacancy on Board of Directors (Eloise Laubach):** Motion made by Vice President George and seconded by Director Effler and passed unanimously to appoint Eloise Laubach to the Board of Directors.

Ms. Labach spoke about her background and the interest in serving on the Board.

Ms. Ivey's office will be filing and tracking the oath of office that must be completed and filed with the court, the state, and the county within 30 days of the Appointment.

#### **OPEN FORUM:**

A resident asked why the HGMD last month's minutes and Board packet were not available on the Heather Gardens resource website. President Funk commented the minutes for the previous month were approved in this meeting, and it will be posted on the website as soon as possible. Historically the Board packets were not posted on a website, but this is something he will look at in the future.

#### **Executive Session:**

- a.) Motion to approve for the Board of Directors to go into Executive Session:** Motion made by Vice President George to convene into an Executive Session pursuant to Sections 24-6-402(4)(b) and 24-6-402(4)(e) for the purpose of determining positions relative to matters that may be subject to negotiation,



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developing a strategy for negotiations, and instructing negotiators in connection with and conferencing with an attorney to receive legal advice on specific legal issues regarding the District's Management Agreement. Director Effler seconded the motion. The motion passed unanimously. The Board members exited the meeting and convened into Executive Session meeting at approximately 1:25 P.M.

Motion made by Vice President George to close the Executive Session and reconvene the public meeting, seconded by Director Effler, and passed unanimously. The Board reconvened the public meeting at approximately 2:46 P.M.

**ADJOURNMENT:** The meeting adjourned at 2:46 P.M.



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David Funk, President