



Heather Gardens

METROPOLITAN DISTRICT

NOTICE OF HGMD REGULAR BOARD MEETING April 18, 2024, at 1:00 P.M.

Pursuant to Section 24-6-402(2)(c), C.R.S., the Board of Directors of the Heather Gardens Metropolitan District hereby gives notice that it will hold a regular meeting at the Heather Clubhouse in the boardroom and via Zoom videoconference at **1:00 p.m.** on **April 18, 2024**. The meeting will be held for the purpose of conducting the business of the Heather Gardens Metropolitan District. This meeting is open to the public.

Join Zoom Meeting

<https://us06web.zoom.us/j/87241732625>

Meeting ID: 872 4173 2625

Passcode: Not Required

Or Dial-In:+1 346 248 7799

AGENDA

1. Pledge of Allegiance
2. Determine quorum present
3. Call meeting to order
4. Approve Prior Meeting Minutes
 - a. February 15, 2024
 - b. March 7, 2024
5. President's Report
 - a. Designated Election Official to deliver recall petitions to board. Pursuant to C.R.S. §32-1-910(4)(a)(II), within 30 days following the issuance of a final order finding the petitions are sufficient, the board will hold a regular or special meeting to set a date for the recall election not less than 75 days nor more than 90 days from the meeting date.

In the *Benzen v. City of Boulder* case cited by the DEO for other reasons, the district court entered a temporary restraining order enjoining the city from taking any steps toward setting a recall election date until the appeal had been resolved. HGMD intends to follow the statute, so no restraining order is needed in this case.
 - b. The Comcast Fiberoptic Project has been referred to litigation counsel who will notify Comcast that all further communication concerning fiberoptic cable be done through his office. I have forwarded the email dated December 6th, the same day as their purported agreement to install fiberoptic to the clubhouse to the litigation counsel, which refers to the District board meeting the following day Dec. 7th for the vote to remove the RV lot from the previous contract and states, ***“There was a form from the agreement for the clubhouse I just submitted. This is not a service contract. This allows us to survey, repair, and service the clubhouse. It is a MSA and does not bound the community to any to any additional services.”***
 - c. Regarding the litigation with HGA, HGA finally on Monday agreed to a trial date of September 30th. As I stated before, HGMD accepted the proposed date the court gave in June, but HGA refused and argued for a date in December. Given the assertions by HGA counsel that HGA will not negotiate or consider settlement offers



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until the conclusion of a recall election, if any, we pushed for the earlier date. But both parties must agree on the trial date, so September 30th was the best we could do.

6. Treasurer's Report – Included in Board Packet
7. Management Reports - None
8. Committee Reports
 - a. Audit/Finance Report – No meeting. No financial reports received from management.
 - b. Clubs/Activities Committee Report – Included in the supplemented packet
 - i. Frolics
 - ii. Garden Club
 - iii. Woodshop Club
 - c. Clubhouse Committee Report – included in Board Packet
 - d. Compliance Committee – No meeting
 - e. Foundation Committee Report – No meeting
 - f. Golf Committee Report
 - g. Restaurant Committee Report
 - h. RV Lot Committee Report – included in Board Packet
9. Unfinished Business
 - a. Assessment of Handicap Accessibility for District Facilities – Architect Hired
 - b. Proposal for Additional Clubhouse Parking Signs – Postponed Pending Architect
 - c. Evaluate Sound System – In Progress
 - d. Review Capital Expenditure Spreadsheet
10. New Business
 - a. Motion 1 – Amend RV Rental Agreement
 - b. Motion 2 – Directive Regarding Use of Lot on Marina Dr
 - c. Motion 3 – Use of Office Space and Hiring of Contract Labor
 - d. Motion 4 – Approval of Joint Long Range Planning Committee PM
 - e. Motion 5 – Adoption of Revised Audit/Finance PM-1
 - f. Motion 6 – Approval of Network Cable to Auditorium Stage
11. Public comment – Public comment is limited to 5 minutes.
12. Motion to Adjourn by _____ Seconded by _____
Passed ____ Failed ____ Adjournment at _____.

The next HGMD regular Board meeting will be held on Thursday, June 20, 2024,
at 1:00 P.M. in the Clubhouse Boardroom