

**HEATHER GARDENS METROPOLITAN DISTRICT  
SPECIAL MEETING WITH JOINT BUDGET & FINANCE COMMITTEE  
Wednesday, September 27, 2023, at 9:00 a.m.**

The special meeting of the Board of Directors of the Heather Gardens Metropolitan District was held in the boardroom and via Zoom/Telephone in the Heather Gardens Clubhouse at 2888 S. Heather Gardens Way, Aurora, Arapahoe County, Colorado, on Wednesday, September 27, 2023, at 9:00 a.m. with the Joint Budget & Finance committee for the purpose of reviewing the 2024 Manager's Budget.

**PLEDGE OF ALLEGIANCE:** The Board recited the Pledge of Allegiance.

**CALL TO ORDER:** President Daniel Taylor called the meeting to order at approximately 9:40 a.m. A quorum was present.

**BOARD MEMBERS PRESENT:** President Daniel Taylor, Vice President Eloise Laubach, Secretary Robin O'Meara, Treasurer Rita Effler, and Director Craig Baldwin.

**BOARD MEMBERS ABSENT:** None.

**GUESTS PRESENT:** Member of the Joint Budget & Finance Committee and residents in the boardroom and on Zoom.

**PRESIDENT'S REPORT:** President Taylor made a statement regarding the preparation of the Manager's Budget which is attached.

**NEW BUSINESS:**

President Taylor moved to direct HGA CEO Jon Rea to amend the Manager's Budget to include Restaurant Model 1, add an additional \$200,000 to capital expenditures, and increase line items to a minimum of the 2023 funding amounts.

The motion was seconded by Rita Effler. During public discussion, it was agreed that the committee and District Board would review the Manager's Budget by line item.

A secondary motion was made by Eloise Laubach to suspend the vote on the primary motion until after the line item review was complete. The secondary motion was seconded by Rita Effler, and passed by unanimous vote.

**DISCUSSION OF COST CENTER LINE ITEMS OF HGMD BUDGET:** Line item changes were made to the Manager's Budget. "Model 1" of the restaurant options was selected by the HGMD Board and additional changes were made to the restaurant marketing and for Colorado restaurant Association dues. Significant time was also spent on the clubhouse funding as well as the golf course funding.

**DISCUSSION OF HGMD CAPITAL RESERVE EXPENDITURES:** The Joint Budget and Finance Committee Members and HGMD Directors discussed the 2024 HGMD capital expenditures plan in the Manager's Budget. The Manager's Budget only allowed accounted for 12 projects for the year, excluding significant projects including changes to the restaurant kitchen and the fenced run off pond on the golf course. Funds for these projects was added. During these discussions HGA CFO Jerry Counts stated that he had little confidence in the scheduling for replacement of components on the HGMD Capital Reserve Reports. This schedule had not been updated in several years when it was being initially created. For example, the committee removed from the budget a piano that was scheduled for replacement in 2024, that was well maintained and had many more useful years. It was agreed that this would be an area for future work toward the end of the year.

**PUBLIC COMMENTS:** Questions were asked by participants in person and via video-conference as each line item was discussed, and on more general topics at intervals.

**RECESS:** At 4:10 p.m. a motion to recess until 10:00 a.m. on Thursday, September 28, 2023, was made by Vice President Eloise Laubach, which was seconded by Director Craig Baldwin, and was unanimously passed.

**RECONVENED:** The meeting reconvened at 10:00 a.m. on September 28, 2023, with a recap by HGA CEO Jerry Counts of the changes made the previous day, and incorporated by him overnight. The amendments to the Manager's Budget were confirmed by the committee and HGMD Directors.

**JOINT BUDGET & FINANCE COMMITTEE MOVED TO RECOMMEND:** The Joint Budget & Finance Committee moved to recommend the amended 2024 budget to each board.

**ADJOURNMENT:** A motion to adjourn was made by, and seconded by Director Balwin, and passed unanimously, the meeting adjourned at 4:42 P.M.

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Daniel Taylor, President

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Robin O'Meara, Secretary

## **Joint Budget & Finance Committee Meeting September 27, 2023, Rationale for Motion 1-9-27-2023**

On August 15<sup>th</sup> and August 16<sup>th</sup>, the full HGMD Board met with Jon Rea and Jerry Counts to discuss the 2024 budget. During those meetings, we agreed that HGMD would fully fund the restaurant for 2024 to be open 7 days a week, from 7 am to 9 pm serving breakfast, lunch and dinner, with food service stopping at 8 pm.

Jerry made many of the changes to his spreadsheet during the meeting. Several days later, Jon Rea sent me an email to confirm that agreement. There was some confusion when the Restaurant Committee discussed staggering the full opening. They were concerned that historically, if an idea was tried that wasn't successful in 2 or 3 months, the funding was pulled. We committed as a Board to fully funding the restaurant for 2024. After that commitment, they plan to meet and discuss a soft opening to iron out the kinks and get new staff trained vs. a staggered opening, increasing the hours gradually.

So, this email with Jon Rea confirmed this plan. This changed. The manager's budget does not reflect our agreement. Not only was the District Board not consulted about this change, we weren't even notified.

I heard a rumor that the manager's budget would reflect the restaurant's current level of funding. I confirmed that with Jon Rea. Jon said that he and Jerry agreed to fund the restaurant at the current level, and prepare two separate scenarios for your committee to consider.

First, as Mike Pula stated Monday, your committee only makes recommendation to the Board. It was disingenuous for management to include budget levels in the manager's budget that it clearly knew the District Board would not adopt.

Second, the manager's budget does not even fund the restaurant at the current level as stated. It reduces the part-time hours by 871. That is the equivalent of one part-time server position. And, despite our commitment to support the restaurant to increase revenue, the manager's budget anticipates that our restaurant sales will go down by 5.69%.

Fully funding the restaurant to be a true amenity to the community will cost about \$6 a month. Reducing the restaurant budget below its current funding is throwing good money after bad. It will cost money, and no one will be satisfied.

If the community wants to spend less on the restaurant than the current funding, we'd be better off to just close it, and lease it out to a contractor with specific terms to meet the community's requirements. But, the District Board believes that we owe it to our employees and the restaurant manager to give them a chance to make a go of it.

We have committed to fund the restaurant for a full year. If that doesn't work, we can deal with it then, but we have put together an impressive restaurant committee, so I think the odds are in our favor.

Third, Monday, Jon Rea said that he was able to meet with Montrell before he left and get the numbers for the budget. He also said that Montrell was able to save money on supplies by changing vendors and combining purchases.

I'd like you to turn to Tab 12, page 40, Pool Care Supplies were cut by 37% down the line. I don't believe that changing vendors would result in a cost reduction of exactly 37% in all categories. Or do we think residents will swim 37% less next year.

Turn the page to page 41. Outside Contractors. All except Trash Removal must have agreed to cut their fees by exactly 39%. Backflow testing is usually just done once a year. Did the contractor really agree to reduce the bill from \$249 to \$152? What about the Fitness Equipment Service Contract? The benefit of a service contract is a set fee. Elevator Maintenance - after our conversations yesterday, does that seem like a good one to cut - also by exactly 39%. Let's test the fire alarms 39% less.

Under Maintenance Charge Out - now that's only reduced by 25%, so despite yesterday's discussion about aging building, maintenance will only do 25% less work on the clubhouse in 2024.

Page 42 - Supplies - Cut across the board by 29%

Special Event Supplies - Cut across the board by 27%

Let's look at golf, page 42, Unleaded and Diesel Gas cut by 37%. Maybe we had a price decrease of 37%?

Page 48, Outside Contractors - those were only cut by 1% but, for every single contractor.

Now the big one, page 49, SUPPLIES -across the board a 43% cut.

Greens fertilizer - we don't really need to fertilize the greens I guess? Fungicides? Will just use 57% of what we used this year.

Ice Melt? We'll cut that 43% because I guess since we're paying more for insurance, management thinks we can accept the risk. Every one of these cuts, were 43% across the board.

The forth significant issue that we have involves our Capital Expenditures. We have two sets of reports that don't reconcile. So we can go through that when we get there. But, there are only 12 projects budgeted, so I think we've underestimated capital expenditures by around \$200,000.

I've listened to two days of justification for increased HGA expenses like "we're just giving employees a 3% raise this year" and "we're just bumping this amount or that amount by the 3.5% inflation rate."

HGMD will not allow HGA to slash its budget and services to offset increases in the HGA budget. I think with this budget plan, the District can't afford to let HGA maintain the golf course.

Since we were elected, every time we've made a request of HGA or management, I get an email from their attorney asking if the request was by a formal Board action. So, I don't want any surprises on Oct. 12th when HGMD meets to discuss the budget.

# HGMD Treasurer's Report

## September 9, 2023

Larry Davila, at a recent HGA candidate meeting, summed up why the Metro District exists. As a past president of HGA, he admits that HGA Boards did not raise the dues when needed. The developer (EDI) did not collect enough funds during the 10 years of construction to pay for the amenities they still held title to. The HOA did not have the reserved money to buy EDI out and, apparently, no ability to secure a loan for the \$2.5 million EDI wanted for the restaurant, clubhouse, maintenance facilities, golf course, swimming pool and other recreational facilities.

The District was formed, to be dissolved upon the repayment of the loan (bonds). But the subsequent boards of the HOA did not put enough money, if any, into either entities' Capital Reserve Account, to replace those facilities during the time they were paying off the original debt. Instead of burning the mortgage and dissolving the District, the original intent, the District took out another \$10 million loan. Those bonds are being retired with a mill levy, a tax, collected by Arapahoe County. Most special districts are financed completely by User Fees and tax assessments. We are unique, possibly the only District of over 4,400 special districts, managed by an HOA with the HOA collecting money from owners to subsidize all District amenities. To keep the total dues, collected monthly, as low as possible, the restaurant and the clubhouse have been gradually cutting services.

A fifty-year-old ongoing blunder culminates now. Because our previous boards chose to disregard fiscal responsibility and did not increase the dues and the recreation fee, which is the subsidy for maintaining and operating the amenities, we are faced with catch-up increases in dues. Slow, steady increases were warranted. Old timers are paying for the past. New owners are paying for the future. Heather Gardens is still the best value in senior housing in the Denver area, if not in the country.

Instead of each owner paying another \$720 in property taxes (normal avenue for special districts), HGA is collecting about \$60 a month from each unit. \$24 of your \$60 went to keeping the Clubhouse open in August. That is 83 cents a day for you to enjoy 2 swimming pools, a fitness center, billiard room, library, card rooms, auditorium, sports courts. Less than \$2 of your money kept the restaurant operating in August. None of your money went to subsidize the golf course in August. Average subsidy is less than \$9 per month for the golf course. Budgeted subsidy for 2023 is \$23.52 per month for the Clubhouse; \$8.79 per month is for Golf and \$3.57 for the Restaurant. \$36 of your \$60 subsidizes operating these enterprises; the other \$24 is used for capital expenses or capital reserves. The District operates on a shoestring, especially the restaurant. What do you think? Let your district Board members hear from you.

Rita Effler, Treasurer Heather Gardens Metropolitan District

CEO Department Report  
Statement of Work (SOW)  
October 17, 2023

End of Month Statement of Work Report - September 2023

HGMD

*These Projects & Objectives are currently in progress - long term projects will be reviewed once manager role is backfilled*

Clubhouse

Project Status & Objectives

Project Name	Objective	% Comp	On-Time	Late	Goal for Completion
Fall Class Schedule		100	X		9/1/23
Class Registration Seminar	Resident options for registration (Scheduled 9/18)	100	X		9/19/23
Fall Craft Fair	Event	100	X		9/29/23
Windscreens & Nets (Tennis)	Replacement	100	X		9/30/23
Complete 2024 Calendar		50		X	9/30/23
Auditorium/Gym flooring maintenance	Maintain appearance (Schedule November 16)	20	X		11/30/23

Golf

Project Status & Objectives

Project Name	Objective	% Comp	On-Time	Late	Goal for Completion
Conduct Safety Meeting	Maintenance	100	X		9/30/23
Host Ladies Club Championship	Customer Service	100	X		9/30/23
Host the Scramble Shamble	Customer Service	100	X		9/30/23
Perform Fall Aeration	Maintenance	100	X		9/30/23
Host Regis High School event	Customer Service	100	X		9/30/23
Host Rock Caynon High School Event	Customer Service	100	X		9/30/23
Host Tom Mahr Charity Event	Customer Service	100	X		9/30/23

Restaurant

Project Status & Objectives

Project Name	Objective	% Comp	On-Time	Late	Goal for Completion
Purchasing 3 new Rendezvous signs	Replace & Install	100	X		10/1/23
Thanksgiving & Holiday Prep/Planning	Holiday Parties - Planning w/ supplier	80	X		10/10/23
We are looking at New Signage for the restaurant entrances & Patio entrance		80	X		9/14/23
Working with servers on upselling that 2nd drink & desserts		75	X		10/30/23
Researching payment options for credit card residents, house acct :		75	X		10/30/23
Winter Menu,	we are working with Shamrocks corporate chefs	50	X		10/31/23
Researching food delivery options		30	X		11/1/23
Researching staffing options for 2024		20	X		1/1/24

HGA

CEO/General

Project Status & Objectives

Project Name	Objective	% Comp	On-Time	Late	Goal for Completion
Budget Workshops	Sept 25-28 Misc. Info & Prep	100	x		9/22/23
HGA/HGMD Camera Recommendation	Parking Structure 1-4 (Make Rec) Send HGMD Info to RV Committee	90	X		9/30/23
Insurance Claims	Fence & Gazebo	80	X		ASAP
Starry Phase 3 Addendum	Assemble Addendum w/ Feedback - Multiple Attempts to Contact	75	X		ASAP
Basement Insurance Claim	Maint --> Quote/Bids to Insurance	50	X		ASAP
Misc. Position Fill	Admin/Ops, Club, Maint Mgr.	25		X	ASAP
Declaration Revisions	Misc. Updates/Considerations	10		X	ASAP

Exit/Hand-Off	Current Activities/Pending Items	10	x		11/3/23
Membership/Budget Meeting	PowerPoint & Info	10	x		10/15/23

**CFO/Accounting**

*These Projects & Objectives are currently in progress - long term projects will be reviewed once manager role is backfilled*

**Project Status & Objectives**

Project Name	Objective	% Comp	On-Time	Late	Comp Date
Capital Reserve Database maintenance	Update current costs and components	100	X		9/30/23
Review each direct report processes	Sit down and review with each team member	100	X		9/30/23
AR/Billing/Prop Mgt in Jenark	General cleanup	100	X		9/30/23
Pilera enhancements	Improve residents' visibility of the account ledger. Additional payment options.	75	X		On-Hold
Association Audit		5	X		3/31/23
District Audit		0	X		7/15/23
Review POS system for work orders	Collect payment at time of service	0	X		On-Hold

**CHRO/Human Resources**

**Project Status & Objectives**

Project Name	Objective	% Comp	On-Time	Late	Comp Date
Hire new trash person	Market/Vet/Interview/Hire	100	X		09/11/23
Hire line cook	Market/Vet/Interview/Hire	100	X		09/13/23
Plan Summer Engagement/integrate with 50th	Improve Employee Morale & Recognition	100	X		09/01/23
Update the Handbook with PPC in various places	Transparency and Accuracy	99	X		10/13/23
Work on new forms for reviews on ADP site	easier for managers/fair for all	95	X		10/13/23
Employee recognition/reward program	Enhance Morale & Recognize (PPD)	75	X		09/30/23
Hire new person Ops Support	Market/Vet/Interview/Hire	75	X		09/30/23
ensure end of year compliance on multiple HR areas	Ensure Compliance	75	X		12/31/23
Hire in Maintenance (1 left)	Market/Vet/Interview/Hire	75	X		09/22/23
Work with Security Manager on safety program and trainings	Ensure Compliance and Safety	50	X		10/01/23
Plan End of Year Party, Halloween, and Pie and Cider	Enhance Morale	50	X		12/15/23
Labor Audit	Compliance	50	X		10/18/23
Hire new CFO	Market/Vet/Interview/Hire	25	X		asap
Hire new Manager & Misc. for Clubhouse/Custodial	Market/Vet/Panel Interview/Hire	25	X		09/30/23
Assist with 2024 Budget Mailings	Ensure accuracy and mailing on time	25	X		10/18/23
Hire CEO	Market/Vet/Panel Interview/Hire	10	X		asap

**Communications/Administration**

**Project Status & Objectives**

Project Name	Objective	% Comp	On-Time	Late	Comp Date
Communicate 2024 Budget Draft and Post on the Website	Compliance/Community Service	100	X		9/8/2023
2024 Election Candidates Posted on the Website	Information/Community Service	100	X		9/8/2023
Order 2024 Budget Supplies - Envelopes, Labels, Binders etc.	Compliance	80	X		10/17/2023
Set up and reinstall Board Room Mics	Fix the sound system in the board room	40	X		10/31/2023
Validate Pilera with Jenark for future set up payments online	Update to payment online	50	X		1/1/2024
Work on becoming a Notary	Improve Community Service	50	X		12/31/2023
Front Desk Receptionist to becoming a Notary	Improve Community Service	30	X		12/31/2023
CP Survey In progress - Survey closes on 9/30/23	Information/Community Service	75	X		10/31/2023
Team Building/Cross Training	Expectations/Responsibilities/Training	30	X		12/31/2023

**Contracts**

**Project Status & Objectives**

Project Name	Objective	% Comp	On-Time	Late	Goal for Completion
2023 Project Planning	Plan for the upcoming projects based on the approved budget.	100	X		8/1/23

2023 Building Exterior Painting	Paint Building to keep them looking aesthetically pleasing and water tight.	100	X		7/1/23
2023 Carpet Replacement Project	Replace Carpet in Select Building Corridors.	100	X		10/1/23
HGMD Garden Plot Upgrades	Provide upgrades to the Garden Plot Watering System and add Pavers for users to easier navigate through the garden.	100	X		7/1/23
2023 Trash and Recycling Contract	Provide Trash and Recycling Services Throughout the Community	99			11/1/23
Professional Engineer to complete design work for 2023 and 2024 projects. Complete repairs send Waterproofing on PS#3 and Drainage Project at PS#1.	To have a professional engineer conduct and conditions test and generate a report describing the current state of the parking structures.	98	X		12/31/23
2023 Roof Replacement - B215, 218, 220 and 241	Replace an HG 6-story building roof. To maintain the building being water tight	85	X		12/31/23
Rendezvous Restaurant Carpet Replacement	Replace existing Carpet in the Restaurant and Banquet Room	15	X		12/31/23
Plumbing Infrastructure	Re-pipe a 4 story building to eliminate rotting pipes	15	X		12/31/23
Clubhouse Access Control, Parking Structure Security Cameras, and RV Parking - Security Enhancement Projects	To help relieve community safety concerns	10		X	12/31/23
Atrium Building Waterproofing - B244	Xeriscape area over underground garage to prevent water cracking, water leaking, and structural damage.	10	X		10/1/23
Rendezvous Outdoor Freezer Replacement	Replace the Restaurants outdoor Freezer with a larger freezer	10	X		12/31/23
Maintenance Shop - Concrete/ Asphalt Repairs	Repair drainage issues by adding drain pans and remove and replacing curb and gutters. Add New Entry Gate	5	X		Cancelled

**These Projects & Objectives are currently in progress - long term projects will be reviewed once manager role is backfilled**

**Custodial**

**Project Status & Objectives**

Project Name	Objective	% Comp	On-Time	Late	Goal for Completion
Work Orders	The department is work order focused - General Cleaning & Carpet	100	X		On-Going
Cleaned Carpet Clubhouse	50th Anniversary	100	X		9/1/23
Tablet Set Up for Special Project Team	Work Order Tracking and Closure	100	X		9/30/23

**Facilities Maintenance Engineer**

**Project Status & Objectives**

**TOP 3 - 6 PROJECTS**

Building 219 slab swale	Part of 2023 cap res	95	X		10/29/23
Building 222 chair rail project	2023 cap res project	80	X		10/31/23
Continue 2023 capital projects	Part of 2023 cap res	75	X		12/31/23
Multiple leak related renovations in units	Insurance work	15	X		10/31/23
Building 217 recirculation	2023 cap res project	10	X		10/20/23
CP2 two units grade & drain	2023 cap res project	5	X		11/30/23

**MID-LEVEL PROJECTS**

Sewer mainlines - all property	Semi-Annual Jetting PM	35	X		10/31/23
B213, doors & jambs	Replace metal doors & jambs	50	X		Postponed until 2024
Club outdoor pool re-plaster	Getting proposals for replacement	20	X		Postponed until 2024
Club indoor pool filter system	Getting proposals for replacement	20	X		11/30/23
Basement Flooding	Quotes/Bids	90	X		ASAP

**LONG TERM PROJECTS**

All Multi-story roof safety protocol	Found Option (Safety) (Scheduling)	65	X		12/30/23
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**These Projects & Objectives are currently being reviewed as new Manager gets up to speed - New Maintenance Manager Started on 9/4/23**

**Maintenance**

**Project Status & Objectives**

Project Name	Objective	% Comp	On-Time	Late	Goal for Completion
2023 asbestos training	rec -certifications	95	X		12/01/23
September Reviews	Reviews	95	X		09/30/23



2023 chair rail projects	221,222,250	85	X		02/01/24
new training year 2023	training of different process	75	X		12/31/23
Optimization/Utilization Review Project	Work Order Distribution	20	X		ASAP
Oct reviews	Reviews	0	X		11/01/23

**Golf & Landscape Maintenance**

**Project Status & Objectives**

<i>Project Name</i>	<i>Objective</i>	<i>% Comp</i>	<i>On-Time</i>	<i>Late</i>	<i>Goal for Completion</i>
Linvale Bollards	replace missing bollards	95	X		10/31/23
Loop pruning	Raising canopy around loop	90	X		8/31/23
Foundation Projects	community LS projects	90	X		12/31/23
Pruning odd schedule	pruning odd buildings, cps, etc.	90	X		11/1/23
Spruce Removal Linvale	Remove dead trees	75	X		12/31/23
Atrium Tree Removal	Remove trees/rings	0	X		11/31/23

**Security**

**Project Status & Objectives**

<i>Project Name</i>	<i>Objective</i>	<i>% Comp</i>	<i>On-Time</i>	<i>Late</i>	<i>Goal for Completion</i>
Incident/Tracking Map	Push Pin Board to Track Incidents	100	X		ASAP
Tactics Application	Incident Reporting & Tracking System	100	X		ASAP
Tactics Deployment & Training	Incident Reporting & Tracking System	30	X		ASAP
Firearms Training	Proof of firearms proficiency	25	X		ASAP
Develop Training Schedule	Schedule for 2024 & Go Forward	15	X		ASAP
Emergency evacuation plan for Maintenance Shops and Clubhouse	Safety	0	X		TBD
Report Writing Course	Improve report writing skills	0	X		TBD

## **End of Quarter Report Quarter 3 - July through September 2023**

End of Quarter Reports are recaps directly from the Department Manager Summarizing the Quarterly Accomplishments, Go Forward Plans, & Goals.

### **HGMD**

### **Clubhouse**

#### **Accomplishments/Department Update**

- The Department Manager resigned, and the Assistant Manager is currently the interim Clubhouse Manager.
- The Pool remained open for an addition 2 weeks in September to capitalize on optimal weather.
- The Clubhouse has been working on the event calendar and adding events. We have dances planned, a Fall Craft Fair, and various events planned to finish out the year. Over the final quarter, we will be adding events and trips to the calendar.
- Collected Applications to hire for front desk staff.

#### **Next Quarter/Next 3-Months/Goals**

- Continue to Increase participation for upcoming trips and general activities.
  - October – Comedy Night (Event), Halloween Party (Event), Dazzle (Trip), Dreamgirls (Trip)
  - November – Casino (Trip)
  - December – Home for the Holidays (Trip), Holiday Lights (Trip)
  - January – Breckenridge (Trip), National Western Stock Show (Trip)
- Plan and organize Winter & Holiday Events
- Complete 2024 calendar year

#### **Budget/Projections/Expenses**

- Our sound equipment needed maintenance. We had the original installers come in and adjust all settings to provide optimal use of the equipment.
- We are researching and evaluating equipment needs.

### **Golf**

#### **Accomplishments/Department Update**

- At Heather Gardens Golf Course, the 3<sup>rd</sup> quarter is always the peak of our golf season, this is when our weather is the most consistent. 2023 did not surprise on that, it was a perfect

3 months for golf. In July and August, we were able to produce over \$80k of revenue each of those months, which has never been done before at HG. Last year was the first time we broke \$70k. For the quarter alone we did just under \$230k, compared to last year, at \$196k that is over \$31k which is a 15% increase in total revenue in 2023.

- Golf Carts were also up in the 3<sup>rd</sup> quarter in 2023 compared to 2022. In 2022 we did a total revenue of \$38k and in 2023 we did \$44k which was an increase of about 15% over 2022, considering 2022 was the best we had seen to 2023 crushed our previous record.
- Over the last few years lessons have been steadily increasing with that trend continuing in 2023. In the 3<sup>rd</sup> quarter alone, we did \$3,715 in lesson sales alone, that was 20% over lesson sales in the same quarter in 2022.
- Merchandise sales have also increased in 2023, for instance in 2022 we during the 3<sup>rd</sup> quarter we did a total of \$9,500 in sales but in 2023 we did \$11,500, which is about a 20% increase in sales for 2023. That is wonderful to see our merchandise moving so well.
- Golf rounds are up from 10 thousand in the 3<sup>rd</sup> quarter of 2022 to 11 thousand in the 3<sup>rd</sup> quarter this year. That is a 10% increase in players on the golf course! That increased revenue in green fees over \$22k, which is a 16% increase over 2022.
- Heather Gardens golf course hosted 2 high-level junior golf events and multiple high school tournaments during the 3<sup>rd</sup> quarter. The events were extremely well received by our residents, with several of them going out and following the groups.
- The Men's league hosted their club championship during the month of August this year. They had perfect weather and conditions for the event. We have a new club champion, and every participant had a wonderful time.
- We also hosted the Ladies Club Championship that took place in September. The ladies had wonderful fall weather temperatures for their event. The turnout was great, and everyone had a wonderful time.
- During the second week of September our golf course maintenance staff performed fall aeration on the golf course. They did such an amazing job within a few days customers couldn't even tell they had done anything to the greens.
- The maintenance staff are very busy this time of year. Primary golf maintenance operations during the 3<sup>rd</sup> quarter mowing greens 7 days a week, rotating pin positions 3 days a week, mowing tees, fairways, roughs, and bunkers 3 days a week.
- In the 3<sup>rd</sup> quarter we removed some old cotton wood trees on the golf course that were in dire need of removal.

### **Next Quarter/Next 3-Months/Goals**

- The 4<sup>th</sup> quarter can always be hit and miss with the weather. In 2022 we had a very rough start to fall, lots of frost and cooler temperatures slowed down the course. We are keeping our fingers crossed for a long warm fall to keep our golfers enjoying the course for a few more months.
- The golf shop will be reaching out to all those who have lockers to begin collecting looker fees for the 2024 golf season.
- We will be hosting an employee golf tournament for all HG employees in the month of October, it should be an enjoyable day, especially since it will be combined with our end

of the summer party.

- In November we will winterize the irrigation system, remove the lake fountain at the north pond.
- We will be preparing snowplow equipment for winter as well.
- Mowing frequency will slow but leaf mulching and sweeping will be necessary for golfers to see golf balls.
- We will look to clean up the shrubbery around the waterfall and make that look more of how it was intended when it was installed.
- More Tree pruning and removal will happen in the 4<sup>th</sup> quarter.
- We will be getting our golf simulator all polished up and ready for cooler temps so golfers can still enjoy the game even if they can't be outside.

### **Budget/Projections/Expenses**

- In terms of revenue projections, we have been doing amazingly well, after 3 quarters we are over \$60k below our budgeted subsidy and as long as the weather stays nice, we should be able to finish our budget out around there. Even if the weather gets bad, we feel we will still be able to come in under budget for the 2023 year.
- Depending on whether we have heavy snow in the last quarter, we may need to bring in some extra part-time hours for removal.
- We do not have anything left on Capital expenses to purchase for 2023.

## **Restaurant**

### **Accomplishments/Department Update**

- For the first time in quite a while we have daily cooking shifts covered.
- We are researching and developing menus for Thanksgiving and the Holidays, we have been getting pricing from other Aurora restaurants so we can compare prices.
- Banquets and parties have been busy lately and our new banquet/asst. manager has done a phenomenal job taking care of everyone.
- We are working with our supplier Shamrocks corporate chef on choosing some new menu items and menu items for 2024.
- We hosted the 50<sup>th</sup> anniversary last big party and buffet and the response was amazing, thank you all for your support.
- We have been showing the Bronco games and there has been a positive response from the residents, we will have a watch party on oct 12<sup>th</sup> showcasing two retired bronco players.
- Entertainment at the restaurant went very well and the dances were well attended.

### **Next Quarter/Next 3-Months/Goals**

- We are starting to get a lot of interest in holiday parties and event planning around the holidays.
- We are researching the possibility of delivery service; we are talking to a company and will have updates soon.
- We are booking entertainment for Friday nights during October and November.
- We joined the Colorado restaurant association and researched the things they offer from a dedicated job posting board to new items we can offer.
- We are talking to a local produce farm about getting some farm to table fresh produce.

### **Budget/Projections/Expenses**

- Overall, the restaurant continued the trend of running lean with staffing to minimize labor expenses and maintain an acceptable gross profit percentage.
- With the current POS system, we can track the most popular food and items and when we look at a new menu, we can delete the non sellers and replace them with new and exciting items.
- We are looking to replace the garbage disposable in the kitchen as the one in there is seized up and not fixable, it will cost approx. \$5470.
- With gas, electric and transportation prices rising, the cost of goods for food is increasing and menu prices will increase a little for the winter menu.

**HGA**

**Accounting**

### **Accomplishments/Department Update**

- Continuous improvements in efficiencies and processes have resulted in MOAs being completed and distributed to department heads by the third business day of the month. Financial Board reports are completed by the fifth business day of the month.
- Completed the Manager Budget and the Budget Workshops – Updated budget with recommended changes and suggestions from the budget workshops.
- Re-Issued Edited Budget for Review by Committee and Boards.
- Capital Reserve Report and Database have been updated to reflect any changes and componentry.
- The CFO resigned at the end of September. Accounting staff is keeping daily operations managed – Payroll, Payables, & Deliverables.

### **Next Quarter/Next 3-Months/Goals**

- Backfill CFO Role
- Communicate Budget Information to the Community

- HOA/Coupon Books
- Association Audit Prep for Spring

## Communications/Administration Office

### Next Quarter/Next 3-Months/Goals

- Country Place Fence Survey
- Continue to Train Assistant and Work Order Coordinator to Increase Bench Strength
- Continue Researching for Upgrades on the Website
- Start Working on the HG Census form for 2024

## Contracts/Facilities

### Accomplishments/Department Update

The Department is currently working on the following 2023 Capital Reserve Projects:

- 2023 Carpet Replacement Project – Complete.
- 2023 Roof Replacement Project; B215, 241 Complete. B218 Scheduled to be completed by October 13<sup>th</sup>, B220 is scheduled to be complete by November 10<sup>th</sup>.
- 2023 Building Paint Project; B233 – Complete
- 2023 Security Camera and Access Control; Working with HGMD and Comcast to have internet installed at locations cameras and access control are requested.
- 2023 Parking Structure Maintenance Plan – Parking Structure Slab Area Prep is complete and ready for stairs to be installed at PS#2 North Stair, PS#3 South Stair and PS#4 North Stair. The stair manufacturer is about a month out from installing these stairs. PS#1 North Stair and PS#4 Southeast Stair concrete slab prep is on-going and should take another month to complete.
- 2023 Atrium Xeriscape – Building Envelope Consultants (BEC) has provided 2024 budget pricing but is more expensive than we were anticipating. We are currently looking at alternative waterproofing solutions, including installing concrete swales around the perimeter section on the underground garage at B244. We are planning a meeting to discuss the details on October 5<sup>th</sup>, 2023.
- 2023 HGA/ HGMD Trash Contract – 5280 Waste Solutions has successfully delivered all necessary dumpsters and trash totes. 5280 Waste Solutions service commenced on October 2<sup>nd</sup>, 2023. Waste Management has picked up most of their dumpsters. We are still waiting on Waste Management to finalize their pick-up of the residential trash and recycling totes.
- 2023 HGMD Maintenance Building Parking Lot – Asphalt Project. Received pricing from Sunny Day Concrete and Asphalt Coatings. On hold. We are waiting for HGA and HGMD to decide who will fund the project.
- 2023 HGMD Rendezvous Restaurant Freezer Replacement; HGMD Board approved to

move forward with a freezer provided by Bargreen Ellingson, electrical connection will be provided by Positively Charged Electric and Sunny Day Concrete will extend the existing concrete pad to meet the size of the new freezer. Contracts have been sent. We have received the executed contracts from Sunny Day Concrete. We are waiting for Bargreen Ellingson and Positively Charged Electric to return their signed contract.

- 2023 HGMD Golf Shelter Re-Build Project – We received design documents from Level Engineering. Design Documents were distributed to R&M Constructors, Donohue Construction, 5280 Outdoor Designs, and Kona Contracting. Of the four vendors we received proposals from R&M Constructors and Donohue Construction. The proposals were sent to Sedgwick Insurance. Sedgwick selected R&M Construction to perform the work. R&M sent the drawings in to the City of Aurora for permit on October 2<sup>nd</sup>, 2023. We will receive notice from the City of Aurora in 7-10 business days. Construction will take approximately 3 weeks once started.
- Building 201 Plumbing Infrastructure Project – We met with the Building 201 AR and Bergeman Group to start scheduling the initial unit survey, noting existing finishes, and pipe condition as well as locations. The B201 AR will provide residents likely willing to provide access for Bergeman Group to perform their survey on October 17<sup>th</sup> and 18<sup>th</sup> 2023.
- Building 204; Restoration of 2 bathrooms, caused by water damage – Completed.
- Clubhouse Outdoor Pool: Boiler replacement – Completed.
- Fire Alarm Inspection - Battery Replacement; replaced 12-volt batteries in multiple building fire alarms identified as having lower than recommended amp hours. – Completed.
- Sewer Maintenance; NTH 2770-2774 - jetted cast iron pipes from new outside cleanouts. NTH 2740 installed new outside double cleanouts, NTH 2740-2746 jetted cast iron pipes from new cleanouts, NTH 2736 installed new outside double cleanouts. NTH 2736 – 2730 Jetted cast iron pipes from new outside cleanout. 13765 – installed double cleanouts outside of unit.
- 2023 Chair Rail Project; Project is board approved. B214 is chair rail is completed.
- 2023 Concrete / Railing Project - HGA Board approved.
- 2023 Backflow Testing – complete.
- 2023 Paint Department Vehicle Purchase – 2019 Nissan NV200 Van.
- 2023 Annual Fire Extinguisher Inspection – Inspected 700+ Fire Extinguishers.
- 14223 and 13896 – Installed roof exhaust vents at each unit.
- Building 209 – Installed new kitchen sewer mainline under concrete floor, providing proper drainage for 8 units.
- Railing Repairs – Completed repairs in-house, using recently purchased welding equipment at B220, PS#1 and 3.
- Lighting Upgrade – Building 236 common area hallway sconce lights.

### **Next Quarter/Next 3-Months/Goals**

- 2023 Roof Replacements; B215, 218, 220 and 241. Finalize the remaining two roof replacements at Buildings 218 and 220.
- 2023 Security Camera and Access Control – install internet at four parking structures and RV Parking lot.
- 2023 Parking Structure Maintenance Plan; Stair replacement project will be finishing up and beginning the PS#1 and 3 work.
- 2023 Atrium Xeriscape – Finalizing an alternate plan due to the original plan being deemed too expensive.
- 2023 HGA/ HGMD Trash Contract – This will be the first quarter with 5280 Waste Solutions providing trash and recycling services to the Heather Gardens Community.
- HGMD Maintenance Building Asphalt – Continue waiting for final approval to release the awarded contractor.
- 2023 HGMD Golf Shelter Re-Build Project – Complete Golf Course Shelter re-build by mid November 2023.
- 2023 Chair Rail Project – Start and finish chair rail at B221.
- Continue Concrete and Handrail replacements.
- Continue Mainline Sewer Repairs in CP's, Townhomes, and 4-story buildings.
- Continue Flood Damage Restoration in multiple locations.
- Replace metal doors at B213 and 214 Parking Garages.
- Replace Mailroom damaged Formica shelf at Building 220.
- Continue Plumbing Infrastructure Research at Multi-story buildings.
- Building 221 and 222 – Flooring and Stairwell renovations.
- Fire Extinguisher Maintenance – throughout the property.

**Budget/Projections/Expenses**

- Overbudget for 2023 Exterior Building Paint Project at B232 by \$2,300.
- Overbudget to replace 4 roofs in lieu of 3 by \$15,852. The recommendation is to move forward with 4 replacements.
- 2023 Parking Structure Maintenance Plan Stair Replacement Project is currently over budget by \$160,706.59. This was approved in the September 19<sup>th</sup> HGA Board meeting.

<b>Custodial</b>
------------------

**Accomplishments/Department Update**

- The Department Manager resigned, and the Assistant Manager of Clubhouse is currently the interim Manager with support from department lead in custodial.
- Custodial has been moving forward in the 3<sup>rd</sup> quarter continuing regular & routine cleaning along with their projects.
- The Department cleaned the Clubhouse carpets in preparation for the 50<sup>th</sup> Anniversary.
- The department has been work order focused to stay on top of the requests throughout the community. Performing general cleaning, spot carpet cleaning, and replacement.



### **Next Quarter/Next 3-Months/Goals**

- Backfill Manager/Supervisor Role

## **Maintenance**

### **Accomplishments/Department Update**

- All reviews done on time and Complete.
- Dryer vents cleaned, BLD 236,216,215,214,213-Completed
- Chair rail project Building 221- completed.
- Pools opened in May- Completed
- Swamp coolers start up- Completed.

### **Next Quarter/Next 3-Months/Goals**

- Continue to hire for 2 positions open in maintenance.
- complete Chair rail project in building 222
- Continue the asbestos training.
- Shutdown swamp coolers 2<sup>nd</sup> week October
- Close outdoor pools 1<sup>st</sup> week October- Completed
- Inspections of Residents mechanicals (plumbing etc..)
- Boiler inspection and prep for winter
- Outside light walks (WEEKLY)
- Cross training of techs
- Leaf cleanup (gutters) 1<sup>st</sup> week November
- Sept and Oct reviews on time.
- Review with Human Resources – Wages are Competitive.
- Component Project List & deferrals for 2024.

## **Golf & Landscape Maintenance**

### **Accomplishments/Department Update**

The third quarter of 2023 came and went in a flash. Our landscape crews continued their baseline operations (mowing, pruning, irrigation) while the golf course staff had their hands full with multiple irrigation issues, including a break in the 6-inch main line right off the pump house.

We began working to replace the missing bollards along Linvale and installed new landscaping on some county place units that needed regrading due to flooding.

A replacement for plow truck #500 finally arrived. Because the manufacturer was unable to build the truck that was initially ordered, we had to move to find a low mileage used truck that would suit our needs.

A Snowrator stand on snowplow was purchased (Capex expense) to aid with clearing snow around the clubhouse, perimeter loop, and drive ways.

The clubhouse landscaping was prepared for the 50<sup>th</sup> anniversary ceremonies. Trees and shrubs were pruned, mulch beds were turned, and new rock beds were installed to add color to the landscapes around the clubhouse.

**Pruning Crew:**

- Completed 2023 pruning schedule
- Pruning and removal of shrubs
- Tree removals
- Completing work orders

**Mow/Special Projects Crew:**

- Mowing, trimming and edging property.
- Installation of new landscaping due to flooding
- Began replacing missing bollards along Linvale

**Irrigation Crew:**

- Replacing leaking or nonoperational valves
- Replacing sprinkler heads that were broken during mowing operations.
- Replacing nozzles for more efficient water usage

**Golf**

- Removal of redundant irrigation heads
- Replace slow/leaking irrigation valves.
- Repairing multiple irrigation breaks, including a 6-inch main line break
- Work on playability of entire course
- Baseline operations (mowing, bunker raking, trimming, pruning, etc.)

**Next Quarter/Next 3-Months/Goals**

- Continue removing spruce trees affected by Tussock moth.
- Begin removal of landscaping above the atrium buildings' parking garages
- Aerate and fertilize property.
- Winterize residential and golf course irrigation systems.
- Fall garage sweeping project.
- Replace at least 2 failing retaining walls.
- Begin leaf removal process.
- Continue to fine tune snow removal procedures.
- Returning to overgrown areas to prune again before freezing.

**Budget/Projections/Expenses**

- Two replacement Toro workman's have been ordered; possibly delivered before the end of the year.

- Replacement of at least 2 failing retaining walls
- Possibly using liquid brine solutions on areas that are consistently icy to reduce the use of bagged and bulk Ice Slicer.
- Continue to search for a used 12" or larger chipper with low hours to replace the smaller, unreliable 6" chipper being used currently.
- If budget allows, replace rear discharge deck with a side discharge deck on the 61" zero turn mower.

## Security

### **Accomplishments/Department Update**

- Piler Violations and Covenant App Deployed
- Updated radio policy for security & etiquette
- Track Tiks Deployment & Online Training Occurring
- Report wiring training.
- 2 new vehicles
- Hired 2 New Full-Time officers to backfill.
  - Compliance Officer
  - Overnight Officer
- Deployed Response Tracking Map/Punch Pin Board

### **Next Quarter/Next 3-Months/Goals**

- Certified First Responder Course – Researching & Review of Opportunity
- Continued ongoing training – numerous skills IE Weapons, de-escalation, tabletop training (Crowd Control, Investigations) etc.
- Training with Track Tiks
- Emergency Water/ Utility Shut Off – Partner with Maintenance

### **Budget/Projections/Expenses**

- No Major Budgetary Concerns or Expenses outside of what was already mentioned (Vehicles & Applications)
- Review Assets & Equipment within the Department – scanners for vehicles

To: HGMD Board of Directors

HGMD Clubhouse Committee

HGMD Audit/Finance Committee

October 10, 2023

From: Rita Effler, Chair Both Committees

Report of Joint meeting held at 1:00 P.M. , October 10, 2023 in the HGMD Clubhouse Boardroom:

The Joint meeting of the Audit/Finance Committee and the Clubhouse Committee of Heather Gardens Metropolitan District was called to order at 1:00 P.M. in the Board room.

1. Clubhouse committee Members Present in the Board Room: Rita Effler, Chair, Linda Worthey, Sandy McCurdy, Connie Burns. Debbie Parker and Carol Anne Mayne were present via Zoom. Carol Reed was absent.

Audit/Finance Committee Members Present in the Board Room: Rita Effler, Chair, Craig Baldwin, Forest McClure, Lee Keene. Debbie Parker, Carol Anne Mayne and Nance Reid attended via Zoom.

A quorum for both committee was present.

2. The meeting was called to order at 1:00 P.M.
3. Chair Rita Effler read a notice, attached, to attempt to dispel rumors regarding class offerings and fees.

Chair Rita Effler read a Treasurer's Report prepared for the October Heather n Yon, but not published.

Zoom failed during the reading. Copy attached.

4. The Clubhouse committee agreed that a fee increase for classes should be implemented beginning January 2024.  
The Clubhouse committee agreed that all user fees for rooms and activities need reviewed, and requested that President Daniel Taylor, HGMD, again formally request information relating to income and fees relevant to HGMD business.  
Daniel was also asked to make a formal request for check registers and ACH transfers beginning May 1 to the present.
5. The Clubhouse committee made a motion and approved it to recommend to the HGMD Board to adopt that part of the proposed 2024 Budget related to the Clubhouse. Motion by Sandy McCurdy, 2<sup>nd</sup> by Linda Worthey. Unanimous

The Audit/Finance committee made a motion and approved it to recommend to the HGMD Board to adopt the proposed 2024 Budget. Motion by Forrest McClure, 2<sup>nd</sup> by Carol Anne Mayne. Unanimous

The meeting was adjourned at about 3:00 P.M.

The Audit/Finance Committee meeting for October 16<sup>th</sup> at 2:00 P.M. is cancelled. There will be no financial statements available. Other meetings will be announced.



HEATHER GARDENS METROPOLITAN DISTRICT  
Foundation Committee Report

To: HGMD BOARD OF Directors, and CEO

From: Eloise Laubach

Subject: Report of October 11, 2023

Committee: Eloise Laubach, Chair, Becky Cole, Charlene Pluchek, Terry Schumacher, Mavis Richardson. Rita Eifler attended.

The meeting was called to order at 1:00 P.M. A quorum was present. Terry Schumacher had an excused absence.

Notes of the August 9, 2023 meeting were reviewed and accepted.

Financial reports were not available.

In unfinished business the committee was updated on the \$8,900.00.+ that will be credited to the Foundation in 2024.

The Foundation had no new funding requests; however, a Committee member felt new holiday lights should be considered along with a "A fluid memorial in a park like setting combined with a landscape project." CEO Jon Rea joined the meeting and said he would contact Matt Martella about these projects.

The Committee would like to follow through with the Holiday Lights project and after input from Matt we will consider this at the November meeting. The other project will be discussed in 2024.

The meeting ended at 2:00.

Next meeting: Nov. 8 at 1:00.

Submitted by,  
Eloise Laubach, Foundation Committee Chair

**HEATHER GARDENS HOME OWNERS ASSOCIATION  
and METROPOLITAN DISTRICT**

**Joint Long Range Planning Committee Zoom Work Session  
Wednesday, October 4, 2023**

**Meeting Notes**

Chairpersons: HGA – David Kennedy Co-Chair; HGMD – TBD

Staff: Jon Rea (CEO)

- 1) Call work session to order by David Kennedy; 7 members in attendance: Corby Kasten, David Beck, Sid Vollema, John Schuler, Debbie Recob, Sue McBeth
- 2) Unfinished Business:
  - ARO and Community letter soliciting Planning Topics were discussed and refined. The first letter is to be distributed to members of the ARO at their next meeting. Further refinement of the request to be published in Heather & Yon and on Pitera is to be made by Mr. Beck
  - Pre-filter Screening Tool was reviewed and discussed. This will be put to the test when we receive suggestions from the community.
  - Closing the loop: Committee members were requested to develop a checklist of things that must be included in “closing the loop” on the planning process.
- 3) New Business: None
- 4) Residents wishing to speak on non-agenda items: Rita Effiler commented that she was surprised at what the committee was doing and would attempt to recruit a board member for our group.
- 5) Adjournment

**Restaurant Committee Meeting**  
**9/28/23**  
**REPORT**

- Pledge
- **Quorum is Present:** Gwen Alexander, Bob Bankirer, Nancy Linsenbigler, Tom Merges, Vicki Spillane, Robin O'Meara, Mike Thoma
- **Participants:** 7 - 9 members of the audience in the board room, 3 guests on Zoom

**Freezer Update - Contract Completed**

**2024 Budget**

- Daniel Taylor, Board President, explained the HGMD budget review process and the implications for the Rendezvous
- HGMD Board voted to fully fund the restaurant
- Budget based upon Model 1 Budget - see attached

**Sub-Committee Reports**

**Three Year Plan - Gwen Alexander, Bob Bankirer, Tom Merges**

- Kitchen renovation is immediate need
  - Outside Freezer - contract complete
  - Cooking equipment is in need of being replaced right now
  - Currently, kitchen is too small to support a major change in menu
- Market to our own people - New HGMD Website is a place to market the restaurant
- Review Rendezvous dining area and kitchen design for free - Gwen's son, Tom Crist

**Volunteers in the Restaurant - Nancy Linsenbigler**

- Connie assisted with Nancy on the volunteers
- Develop a Comprehensive Volunteer Program for the entire HG community
- Formalize the process to become a volunteer in Heather Gardens
- Suggestion: Assign a paid HG staff member to coordinate the volunteer group
- Begin the effort in January - research legalities now

**Culinary Arts Internships - Peggy and Robin**

- Colorado Restaurant Association Internship Program - works with Pitkins Technical College in Aurora
- October 19<sup>th</sup> 10AM - Zoom Call to see if the Rendezvous qualifies

### **Staffers and Bussers - Mike Thoma**

- 54 Developmentally Disabled Adults willing to work
- School Districts coordinate the training and supporting the adults who want to work
- Contact Person - Mike will provide the info to connect with the School District

### **Cormac's Report**

- Member of CO Rest. Association
- Credit Card on File at the Restaurant will be implemented
- Payment at the table - POS at the table
- New signage at patio near pool and front door
- Bronco games - pretty well staffed
- October 12<sup>th</sup> - Watch Party
  - Breckenridge beer promotion
  - Partnering with the Optimist Club
  - Advertising - Posters, website, Facebook
- Shamrock Foods Conference - Signature items for the menu, lots of ideas
- Kalera Farms - Local produce - Farm to Table Events - fresh produce year round
- Marketing Webpage and promotions every week - Facebook

### **Financials** (Reminder: Email September financials so Members may review prior to next meeting)

- Sales lower than payroll
- Lunch continues to serve the largest number of customers

### **Procedure Memorandum - Approval**

**Motion - Recommend to HGMD the Draft PM** - Gwen Alexander Second Nancy Linsenbigler  
All in favor - Aye - Motion passed unanimously

**Meeting Adjourned at 5:05**

**Next Meeting: October 26, 2023 at 3:00 in the Board Room**





# Heather Gardens

METROPOLITAN DISTRICT

**HEATHER GARDENS METROPOLITAN DISTRICT  
BOARD ACTION**

**DATE:** OCTOBER 19, 2023

**MOTION NUMBER:** 1-10-19-23

**MOTION: MOTION TO ADOPT HGMD OFFICIAL WEBSITE**

I move that the Heather Gardens Metropolitan District Board of Directors designate the URL Domain <https://www.HGmetroDist.org>, as the District’s official website and posting place for notices of meetings from this date forward pursuant to Sections 24-6-402(2)(c) and 32-1-104.5, C.R.S. Further, in compliance with Section 24-6-402(2)(III), C.R.S., the Board designates the Heather Gardens Clubhouse, 2888 South Heather Gardens Way, Aurora, Colorado, as the public place within the boundaries of the District at which it may post notices of meetings if it is unable to post a notice on the District’s official website.

In conjunction with this adoption, I move that the Heather Gardens Metropolitan District Board of Directors approve the agreement with Streamline and approve payment for the setup fee of \$500, and the annual hosting fee of \$2,988.

**ECONOMIC COST TO THE DISTRICT:** \$500 on time set-up fee; \$2,988 annual fee  
**APPROPRIATED BY:** C639 Software & IT

Motion by: Daniel Taylor

Second by: \_\_\_\_\_

Rationale: The District has no access to Pitera other than to publish the dates and times of meetings, District documents have been removed from the HG website, and Zoom links are only posted for 7 days. Therefore, the District needs a way to communicate with the community, safeguard and make District documents available to the public, and to store Zoom recordings of meetings permanently. This website has unlimited storage. It is live now, and we will be adding capabilities continually.

Debate: \_\_\_\_\_  
\_\_\_\_\_

Secondary Motion to : \_\_\_\_\_

Secondary Motion by: \_\_\_\_\_ Second by: \_\_\_\_\_

**VOTE:**

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	Yes	No
Craig Baldwin		
Rita Effler		
Eloise Laubach		
Robin O'Meara		
Daniel Taylor		
Total		

---

Yes	No

The secondary motion does/does not have a majority and passes/fails.

The main motion does/does not have a majority and passes/fails.

---

Daniel J. Taylor, President  
HGMD Board of Directors

---

Robin O'Meara, Secretary  
HGMD Board of Directors

# Invoice



Invoice number 652EF9CE-0001  
Date of issue July 5, 2023  
Date due August 4, 2023

## Streamline

United States  
+1 916-238-1811  
support@getstreamline.com

## Bill to

Daniel Taylor - Heather Gardens Metropolitan District  
2888 S Heather Gardens Way  
Aurora, Colorado 80014  
United States  
+1 303-552-7660  
danieltaylor@cotaxatty.com

**\$500.00 USD due August 4, 2023**

[Pay online](#)

Description	Qty	Unit price	Amount
Trial period for Streamline Web Member 1m-5m Jul 5 – Aug 1, 2023	1	\$0.00	\$0.00
One-time Website Migration Services Fee Jul 5 – Aug 1, 2023	1	\$500.00	\$500.00
Subtotal			\$500.00
Total			\$500.00
<b>Amount due</b>			<b>\$500.00 USD</b>

Need our W-9 for tax purposes? You can download it at [www.getstreamline.com/w9](http://www.getstreamline.com/w9). Streamline will be adjusting prices effective July 1, 2023, in accordance with the Bureau of Labor Statistics (BLS) Producer Price Index (PPI). Information on pricing can be found at: <https://getstreamline.com/pricing>. Questions? Call our customer hotline at (916) 238-1811 to speak to a friendly human!

## Pay with ACH or wire transfer

Bank transfers, also known as ACH payments, can take up to five business days. To pay via ACH, transfer funds using the following bank information.

Bank name WELLS FARGO BANK, N.A.  
Routing number 121000248  
Account number 40630125062821245  
SWIFT code WFBIUS6S

## Pay \$500.00 by check

Make payable to Streamline  
Memo 652EF9CE-0001  
PO Box 207561  
Mail to Dallas, TX 75320-7561

Please enclose a printed copy of this Invoice PDF and use USPS. (Courier services may not deliver to PO Boxes.) Once received, checks are processed within 3 business days.

# Invoice



Invoice number 652EF9CE-0002  
Date of issue August 1, 2023  
Date due August 31, 2023

## Streamline

United States  
+1 916-238-1811  
support@getstreamline.com

## Bill to

Daniel Taylor - Heather Gardens Metropolitan District  
2888 S Heather Gardens Way  
Aurora, Colorado 80014  
United States  
+1 303-552-7660  
danieltaylor@cotaxatty.com

**\$2,988.00 USD due August 31, 2023**

[Pay online](#)

Description	Qty	Unit price	Amount
Streamline Web Member 1m-5m Aug 1, 2023 – Aug 1, 2024	1	\$2,988.00	\$2,988.00
Subtotal			\$2,988.00
Total			\$2,988.00
<b>Amount due</b>			<b>\$2,988.00 USD</b>

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Account number 40630125062821245  
SWIFT code WFBIUS6S

## Pay \$2,988.00 by check

Make payable to Streamline  
Memo 652EF9CE-0002  
PO Box 207561  
Mail to Dallas, TX 75320-7561

Please enclose a printed copy of this Invoice PDF and use USPS. (Courier services may not deliver to PO Boxes.) Once received, checks are processed within 3 business days.

Paying with check?

Make payable to Streamline

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Routing number   121000248  
Account number   40630125062821245  
SWIFT code       WFBIUS6S

**Pay \$2,988.00 by check**

Make payable to   Streamline  
Memo               652EF9CE-0002  
                       PO Box 207561  
Mail to             Dallas, TX 75320-7561

Please enclose a printed copy of this Invoice PDF and use USPS. (Courier services may not deliver to PO Boxes.) Once received, checks are processed within 3 business days.



# Streamline Platform - Subscription Agreement

CUSTOMER: **Heather Gardens Metropolitan District**

ORDER DATE: **07 / 05 / 2023**

This Software as a Service Agreement (“Agreement”) is entered into on the start date listed below, between Streamline (DBA of Digital Deployment, Inc.) with a place of business at 2321 P St, Sacramento, CA 95816 (“Company”), and the Customer listed above (“Customer”). This Agreement incorporates the [Streamline Terms of Service](#). W9 is available online. **Most customers prefer annual billing for convenience, but all subscriptions are cancellable anytime with a written 30-day notice.**

DESCRIPTION OF SERVICES: See Page 2 for an overview of what Streamline Web includes, and for more information please review our [subscription-based website toolkit for local government](#) .

### SUBSCRIPTION ORDER:

Name	Price
Streamline Web Member	\$2,988.00

One-Time Migration Costs: **\$500**  
 Invoice Frequency: **Annually**  
 Additional Billing Details: **na**

Order #: **13940633905**  
 Original Order? **Original**  
 Billing Start Date: **08 / 01 / 2023**

Billing Person: Daniel Taylor  
 Billing Address: 2888 S Heather Gardens Way  
 City, State, Zip: Aurora, Colorado 80014

Phone: 303-552-7660  
 Email: danieltaylor@cotaxatty.com

### Streamline:

Name: Jacob Erickson  
 Title: Special District Manager  
 Date: 07 / 05 / 2023  
 Signature: *Jacob Erickson*

### Customer:

Name: Daniel Taylor  
 Title: President HGMD  
 Date: 07 / 05 / 2023  
 Signature: *Daniel Taylor*

## What Your Subscription Includes



### Technology

- **Easy-to-use website tool allows you to control your content** - no more waiting on a vendor or IT.
- **Built-in ADA compliance** (the platform is fully accessible out of the “box”).
- **State-specific transparency dashboard** with checkpoints for all posting requirements.
- **Meeting dashboard with agenda reminders**, one-click agenda and minute upload that takes seconds.
- **Ongoing improvements** to existing features included at no cost - your software will never be out of date.



### Setup and Training

- **Multiple options** for initial site build and migrating existing content.
- **Introduction to your state requirements** so you know what needs to be posted.
- **Training** for anyone on your staff via remote meeting to help you learn the system.
- **Free domain** included (acmemud.specialdistrict.org) or connect your own custom domain / web address.
- **Free SSL security certificate** so that your site is served over https and visitors are protected.



### Ongoing Support

- **Unlimited support** is included for anyone on your staff responsible for updating the website.
- **Support system is built into your website** - get help with the click of a button.
- **Unlimited hosting** of content and files so you never have to “upgrade” your account.
- **Extensive knowledge base** of how-to articles and getting started guides are available 24/7.
- **Can't figure out how to send your question? That's ok, you'll have our technical support number, too.**

*And if (when) your state passes additional website mandates, Streamline Web will be updated to help you comply as effortlessly as possible.*



# Signature Certificate

Reference number: RU33Z-VHKMR-SQZVI-IPZFU

## Signer

## Timestamp

## Signature

### Daniel Taylor

Email: danieltaylor@cotaxatty.com

Shared via link

Sent:

05 Jul 2023 19:11:03 UTC

Viewed:

05 Jul 2023 19:13:52 UTC

Signed:

05 Jul 2023 19:17:33 UTC



IP address: 67.190.165.11

Location: Denver, United States

### Jacob Erickson

Email: jacobe@getstreamline.com

Sent:

05 Jul 2023 19:11:03 UTC

Viewed:

05 Jul 2023 19:11:04 UTC

Signed:

05 Jul 2023 19:40:09 UTC



IP address: 67.58.245.142

Location: Sacramento, United States

Document completed by all parties on:

05 Jul 2023 19:40:09 UTC

Page 1 of 1



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# Heather Gardens

METROPOLITAN DISTRICT

**HEATHER GARDENS METROPOLITAN DISTRICT  
BOARD ACTION**

**DATE:** OCTOBER 19, 2023

**MOTION NUMBER:** 2-10-19-23

**MOTION: MOTION TO PROHIBIT MODIFICATION OF PARKING LOT**

I move that the Heather Gardens Metropolitan District Board of Directors direct that HGA refrain from replacing any asphalt in the maintenance building parking lot without the prior written approval of HGMD, and further notice HGA that HGMD will not be responsible for any costs incurred by the unauthorized replacement of asphalt. HGMD authorizes the filling of the potholes by maintenance personnel.

**ECONOMIC COST TO THE DISTRICT: \$0  
APPROPRIATED BY: N/A**

Motion by: Daniel Taylor

Second by: \_\_\_\_\_

Rationale: HGMD did not approve the capital expenditure request submitted by HGA. The Board referred it to the Joint Budget & Finance Committee which chose not to recommend it to the District Board. The District Board did discuss the project and did not move it forward as a priority over other existing and impending projects.

HGA determined at its Sept. 19<sup>th</sup> meeting to replace the asphalt on the District's property despite and acknowledging the District's had not approved the project.

First, the management agreement requires "specific approval of the District" to "upgrade, rehabilitate, retire, and/or replace the Properties."

Second, Motion 2-9-21-23 Adoption of Expenditure Policy adopted on September 21, 2023, requires that "Any contracts that bind or obligate the District or require the expenditure of District funds must be signed by the District President and the District Secretary." This policy including the requirement that the Treasurer approve all unbudgeted expenditures and budgeted expenditures over \$2,500 has been acknowledged by the HGA CEO on at least one occasion.

Third, although the HGA voted to pay for the replacement, its attorney sent an email dated September 20, 2023, wrongly stating that "our" B&F committee did not recommend the project, when it is a Joint B&F Committee; that HGA intends to undertake this work as agent, despite the foregoing; and that HGA reserves the right to seek reimbursement for expenses associated with the repairs, despite that not being the action of the HGA Board.

Fourth, at least 4 directors have toured the lot and agree that filling the potholes is sufficient at this time, and that maintenance is fully capable of doing that.

Debate: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Secondary Motion to : \_\_\_\_\_  
Secondary Motion by: \_\_\_\_\_ Second by: \_\_\_\_\_

**VOTE:**

	Yes	No
Craig Baldwin		
Rita Effler		
Eloise Laubach		
Robin O'Meara		
Daniel Taylor		
Total		

Yes	No

The secondary motion does/does not have a majority and passes/fails.  
The main motion does/does not have a majority and passes/fails.

\_\_\_\_\_  
Daniel J. Taylor, President  
HGMD Board of Directors

\_\_\_\_\_  
Robin O'Meara, Secretary  
HGMD Board of Directors



# Heather Gardens

## METROPOLITAN DISTRICT

### HEATHER GARDENS METROPOLITAN DISTRICT BOARD ACTION

DATE: SEPTEMBER 21, 2023

MOTION NUMBER: 2-9-21-2023

#### **MOTION: ADOPTION OF EXPENDITURE POLICY**

I move that the Heather Gardens Metropolitan District Board of Directors adopt the following policy with regard to oversight of expenditures on behalf of HGMD. All expenditures shall be approved by the HGMD Treasurer. The Treasurer may pre-approve reoccurring expenditures, and budgeted capital expenditures under \$2,500. All unbudgeted expenditures and budgeted capital expenditures over \$2,500 shall be approved by the District Board. Any contracts that bind or obligate the District or require the expenditure of District funds must be signed by the District President and the District Secretary.

**ECONOMIC COST TO THE DISTRICT: NONE**  
**APPROPRIATED BY: N/A**

Motion by: Daniel Taylor

Second by:

*Craig Baldwin*

Rationale:

Whereas the Management Agreement between HGA and HGMD, dated August 23, 2018, delegates to HGA "the authority to engage independent contractors, within District budget constraints, on behalf of the District and in the District's name or in the Association's name to assist with the execution of the Delegated Duties..."(IV.4.); and

Such HGA authority is limited "subject to the District's Board of Directors' policies, budgeting, finances, and oversight" (I.1.); and

The District established a policy in the Joint Budget & Finance Committee Procedure Memorandum (JPM B-1), dated April 20, 2023, regarding spending authority without prior review by the District; and

The District Board intending to preserve its oversight of the propriety and reasonableness of expenditures of public money, whether budgeted or unbudgeted, hereby adopts this policy intended to supersede any and all prior policies, and to define the District's policy regarding expenditures under the Management Agreement;

Therefore, the District Board of Directors hereby adopts the following policy regarding expenditures. All expenditures shall be approved by the HGMD Treasurer. The Treasurer may pre-approve reoccurring expenditures, and budgeted capital expenditures under \$2,500. All unbudgeted expenditures and budgeted capital

expenditures over \$2,500 shall be approved by the District Board. Any contracts that bind or obligate the District or require the expenditure of District funds must be signed by the District President and the District Secretary.

Debate: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Secondary Motion to : the  
 Secondary Motion by: \_\_\_\_\_ Second by: \_\_\_\_\_

**VOTE:**

	Yes	No
Craig Baldwin	✓	
Rita Effler	✓	
Eloise Laubach		✓
Robin O'Meara	✓	
Daniel Taylor	✓	
Total	4	1

Yes	No

The secondary motion does/does not have a majority and passes/fails.

The main motion does/does not have a majority and passes/fails.

Robin O'Meara  
 Robin O'Meara, Secretary  
 HGMD Board of Directors

Daniel Taylor  
 Daniel J. Taylor, President  
 HGMD Board of Directors

## Daniel Taylor

---

**From:** Jennifer Ivey <jivey@isp-law.com>  
**Sent:** Wednesday, September 20, 2023 4:55 PM  
**To:** Suzanne Leff  
**Subject:** RE: Letter Regarding District Properties

Suzanne,

I will have to gather information about the asphalt contract before I can address that matter.

In the meantime, can you advise on the status of the meeting requested from my letter? I know a meeting with Darkhorse occurred today but it seemed that it may have a limited scope so an additional meeting may be necessary, do you have additional information about that?

*Jennifer L. Ivey*

[jivey@isp-law.com](mailto:jivey@isp-law.com)

Direct: 303.867.3003 Mobile: 810.287.1978

Facsimile: 303.292.9101

4725 South Monaco Street, Suite 360

Denver, Colorado 80237



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**From:** Suzanne Leff <sleff@wlpplaw.com>  
**Sent:** Wednesday, September 20, 2023 4:44 PM  
**To:** Jennifer Ivey <jivey@isp-law.com>  
**Subject:** RE: Letter Regarding District Properties

Jennifer,

I have provided my client with your correspondence related to HGMD properties and have some follow up on this topic based on meeting decisions that I understand have occurred this week. Namely, my client has informed me that HGMD's Budget and Finance Committee did not recommend entering into a contract to resurface the asphalt on HGMD property at the maintenance building, despite the apparently degraded and hazardous condition of the asphalt and previously contemplated expenditure of HGMD funds for this purpose. It is my understanding that committee members recommended that HGA pay for and fix the asphalt rather than having HGMD incur this expense. Whatever the circumstances, HGA's Board subsequently determined that inaction on the asphalt stands to create liability for HGA and decided to contract for asphalt work in this area at the September 19<sup>th</sup> HGA Board meeting.

While HGA has the authority to undertake this work as agent for HGMD, HGA does not hold any obligation to incur expenses to resurface HGMD property. However, due to safety issues, concern for the well-being of HGA employees who frequent the maintenance property site, and recognition that cost for this work will only increase over time, the HGA Board approved asphalt repairs in this area. HGA currently intends to undertake this repair work as agent for

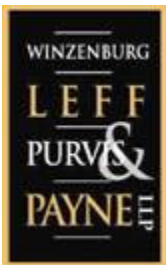
HGMD and reserves the right to seek reimbursement for expenses associated with work. HGA expects to complete the work before the end of the season.

If HGMD plans to move forward with the asphalt repairs on the property near the maintenance building, please advise on anticipated timing for contract approval. If HGMD does not plan to move forward with asphalt repairs and does not permit HGA to proceed with this work, please allow this communication to serve as notice of concern about hazardous conditions on HGMD property and the fact that HGA will not bear responsibility for any damages or injuries that result from inaction by HGMD.

Thank you,

Suzanne

[Click here](#) for the latest commentary and opinions on the law affecting homeowners associations. Sign up for e-mail updates, or subscribe to our convenient [RSS feed](#) for automatic updates.



**Suzanne M. Leff**  
*Attorney at Law*  
[sleff@wlpplaw.com](mailto:sleff@wlpplaw.com)  
8020 Shaffer Parkway, Suite 300  
Littleton, CO 80127  
Phone: 303.863.1870 ext 112  
Mobile: 303.653.6334  
Fax: 303.863.1872

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**From:** Jennifer Ivey <[jivey@isp-law.com](mailto:jivey@isp-law.com)>  
**Sent:** Wednesday, September 13, 2023 3:24 PM  
**To:** Suzanne Leff <[sleff@wlpplaw.com](mailto:sleff@wlpplaw.com)>  
**Cc:** Noel Nail <[nnail@isp-law.com](mailto:nnail@isp-law.com)>  
**Subject:** Letter Regarding District Properties

Suzanne,

Please find attached a letter related to requests of the District related to HGA activities regarding its properties.

Thank you

**Jennifer L. Ivey**  
[jivey@isp-law.com](mailto:jivey@isp-law.com)  
Direct: 303.867.3003 Mobile: 810.287.1978  
Facsimile: 303.292.9101  
4725 South Monaco Street, Suite 360  
Denver, Colorado 80237



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# Heather Gardens

METROPOLITAN DISTRICT

**HEATHER GARDENS METROPOLITAN DISTRICT  
BOARD ACTION**

**DATE:** OCTOBER 19, 2023

**MOTION NUMBER:** 3-10-19-23

**MOTION: MOTION TO DIRECT PARKING LOT CLEAN UP**

I move that the Heather Gardens Metropolitan District Board of Directors direct that HGA remove all broken and unused property, trash, landscape debris and equipment from the parking lot at the maintenance building, including the emptying of roll off trash containers. Additionally, remove the storage of tires and other flammable items at least 20 feet from the fuel pumping station, and store all equipment in an orderly and safe condition on or before December 1, 2023.

**ECONOMIC COST TO THE DISTRICT:** Undetermined  
**APPROPRIATED BY:** N/A

Motion by: Daniel Taylor

Second by: \_\_\_\_\_

Rationale: Inspection of the maintenance building parking lot has uncovered that an unsafe condition exists for employees by the haphazard storage of junk and debris encompassing most of the parking lot area. Items include old, discarded office chairs, a microwave, dishwasher, unused and now unusable plywood, a trash pile as high as the overflowing roll-off of dirt, tree limbs and other debris.

Debate: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Secondary Motion to : \_\_\_\_\_

Secondary Motion by: \_\_\_\_\_ Second by: \_\_\_\_\_

**VOTE:**

---

	Yes	No
Craig Baldwin		
Rita Effler		
Eloise Laubach		
Robin O'Meara		
Daniel Taylor		
Total		

---

Yes	No

The secondary motion does/does not have a majority and passes/fails.  
The main motion does/does not have a majority and passes/fails.

---

Daniel J. Taylor, President  
HGMD Board of Directors

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Robin O'Meara, Secretary  
HGMD Board of Directors





# Heather Gardens

METROPOLITAN DISTRICT

**HEATHER GARDENS METROPOLITAN DISTRICT  
BOARD ACTION**

**DATE:** OCTOBER 19, 2023

**MOTION NUMBER:** 4-10-19-23

**MOTION: MOTION TO PROHIBIT THE PARKING OF EQUIPMENT ON THE GOLF COURSE**

I move that the Heather Gardens Metropolitan District Board of Directors direct that HGA remove all equipment from the golf course on or before December 1, 2023, and prohibit equipment from be parked on the golf course overnight except in cases of emergency or broken down equipment which must be removed within 24 hours.

**ECONOMIC COST TO THE DISTRICT: N/A**  
**APPROPRIATED BY: N/A**

Motion by: Daniel Taylor

Second by: \_\_\_\_\_

Rationale: Equipment stored on the golf course presents an unsafe condition and is unsightly. Even residents who don't play golf view the golf course as an amenity worthy of financial support because of the park like atmosphere and beautiful views. Tractors with flat tires covered in tree branches or mowing equipment stored on the golf course detract from those views.

Debate: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Secondary Motion to : \_\_\_\_\_  
Secondary Motion by: \_\_\_\_\_ Second by: \_\_\_\_\_

**VOTE:**

---

	Yes	No
Craig Baldwin		
Rita Effler		
Eloise Laubach		
Robin O'Meara		
Daniel Taylor		
Total		

---

Yes	No

The secondary motion does/does not have a majority and passes/fails.  
The main motion does/does not have a majority and passes/fails.

---

Daniel J. Taylor, President  
HGMD Board of Directors

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Robin O'Meara, Secretary  
HGMD Board of Directors



**HEATHER GARDENS METROPOLITAN DISTRICT  
BOARD ACTION**

**DATE:** OCTOBER 19, 2023

**MOTION NUMBER:** 5-10-19-23

**MOTION: MOTION TO APPROVE GOLF COURSE PM G-1**

Upon the recommendation of the Golf Committee, I move that the Heather Gardens Metropolitan District Board of Directors approve Golf PM G-1.

**ECONOMIC COST TO THE DISTRICT:** N/A

**APPROPRIATED BY:** N/A

Motion by: Craig Baldwin

Second by: \_\_\_\_\_

Rationale: The golf committee has reviewed and revised its procedure memorandum as attached.

Debate: \_\_\_\_\_

Secondary Motion to : \_\_\_\_\_

Secondary Motion by: \_\_\_\_\_ Second by: \_\_\_\_\_

**VOTE:**

	Yes	No
Craig Baldwin		
Rita Effler		
Eloise Laubach		
Robin O'Meara		
Daniel Taylor		
Total		

	Yes	No

The secondary motion does/does not have a majority and passes/fails.  
The main motion does/does not have a majority and passes/fails.

\_\_\_\_\_  
Daniel J. Taylor, President  
HGMD Board of Directors

\_\_\_\_\_  
Robin O'Meara, Secretary  
HGMD Board of Directors



**HEATHER GARDENS METROPOLITAN DISTRICT  
GOLF COMMITTEE  
PROCEDURE MEMORANDUM G-1**

**ADOPTED AND EFFECTIVE OCTOBER 19, 2023**

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**GOLF COMMITTEE  
PROCEDURE MEMORANDUM**

Proposed on August 17, 2023

Adopted by Committee on , 2023

Adopted by HGMD Board on August 17, 2023

*This Procedure Memorandum shall supersede all previous versions of the Procedure Memorandum and Functions and Policy Manuals for the Golf Committee, as well as all previous resolutions, actions and informal practices and policies of the District or portions thereof which may be in conflict with the provisions hereof.*

**ARTICLE I - PURPOSE**

The Golf Committee is a standing committee authorized by the Board of Directors (Board) of the Heather Gardens Metropolitan District (District).

The purpose of the Golf Committee is to serve in an advisory role and propose policy, operational, and financial recommendations to the Board related to the Heather Gardens Golf Course consistent with the Bylaws, Rules and Regulations, and Administrative or Policy Procedure Memoranda.

The Golf Committee shall review the monthly financial and operational reports; pursue revenue producing projects; monitor the quality of services provided to residents and the public; make recommendations for utilization of facilities, review fees and costs; and coordinate activities with other District Committees.

The Golf Committee shall work with the Board and the District's Manager to monitor and maximize the activities conducted within the Golf Course.

All capitalized terms not herein defined shall be defined as presented in the District's Bylaws or Rules and Regulations.

**ARTICLE II - COMPOSITION**

The Golf Committee shall be composed of the Chairperson appointed to the Golf Committee by the District Board President, the Golf Course and Landscaping Department representative (without vote), the District's Manager (without vote), the Golf

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Professional (without vote), the Presidents of the Heather Gardens Ladies Golf Club and the Men's Golf Club, or their representatives, and a minimum of (4) four and a maximum of (9) nine eligible electors of the District, which is in addition to the representatives of the Heather Gardens Ladies Golf Club and the Men's Golf Club. The Golf Committee Chair shall appoint the committee members consistent with the Bylaws, Article VII, Section 4.

### ARTICLE III - PROCEDURES

**Section 1. Committee Chairperson.** The chairperson chairs all meetings of the Golf Committee and appoints all Golf Committee members from eligible electors of the District that have applied for membership. The chairperson also counsels with residents, the Golf Professional, and interested parties regarding the Golf Course. The chairperson reports to the Board.

**Section 2. Committee Duties and Responsibilities.**

- A. Reviews the Golf Course policies at least once a year and makes recommendations for any policy changes to the Board.
- B. Reviews the District Manager's proposed annual budget for the golf course and makes recommendations to the Board prior to its inclusion in the annual budget.
- C. Annually review fees charged for use of the Golf Course, equipment rental fees, club storage fees, lesson fees, and any other applicable fees and recommends changes to the Board.
- D. Annually review rules and regulations applicable to the Golf Course and recommend changes thereto, as needed, to the Board.

### ARTICLE IV - RULES AND REGULATIONS

*Article VI of the District's General Rules and Regulations regarding Enforcement, Violations, and Penalties are applicable to non-compliance with these Rules and Regulations. In addition, the District's General Rules and Regulations are applicable to all Residents, Owners, and Users of District Facilities and these Rules and Regulations are supplemental thereto.*

**Section 1. Golf Course.**

- A. **Hours of Operation.** The Golf Course is open year-round, provided, however, the golf course may be closed if weather conditions make it impractical; however, the Pro Shop will remain open during normal business hours. Additionally, the Golf Course will be closed on Thanksgiving, Christmas and New Year's days and may occasionally be closed for

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maintenance purposes. Hours of operation will depend on the season and will be posted in the Pro Shop and on the Heather Gardens website.

- B. Rain Checks.** Rain checks will be issued to players of the Golf Course as a result of Golf Course closure for inclement weather only if the player has not completed 5 holes and did not start in inclement weather. Rain checks expire on December 31 of the year issued.
- C. Discounted/Complimentary Play.** Resident discount cards and gift certificates must be presented prior to play. Valid identification may be required as proof of Heather Gardens residency. Golf course maintenance employees may be granted complimentary plays limited to two per week as tee times may be available. The Golf Professional, as may benefit the Golf Course operations, can grant complimentary play (including cart) at their discretion, not to exceed a total of ninety (90) rounds for the calendar year.
- D. Golf Attire.** Golf attire is at the discretion of the Pro Shop.
- E. Assumption of Risk.** The district and its agents expressly deny responsibility for the play of any user on the golf course. Damage to a person or animal or structure by a golf Users errant shot is an issue between the golfer and the damaged party.

## **Section 2. Golf Course Reservations.**

- A.** Resident players may make reservations up to fourteen (14) days in advance. Non-resident players may make reservations up to seven (7) days in advance.
- B.** Players are required to check in fifteen (15) minutes prior to tee time. Failure to do so may result in loss of reservation.
- C.** Individual tee times will not be accepted during Men's and Ladies' club events, league and/or non-resident tournaments.
- D.** An opening tee time reservation delayed by frost or inclement weather will lose the reservation but will be given priority on the next stand-by list.
- E.** A playing adult must accompany individuals under sixteen (16) years of age. The Golf Professional has the discretion to waive this rule.
- F.** Minimum play age is eight (8) years old.



**Section 3. Golf Cart Rental.**

- A. Rental of a golf cart allows the use of a golf cart for one round of golf for each player, not to exceed two persons per cart.
- B. A valid driver's license is required for all drivers of golf carts
- C. No motorized golf carts may be on the Golf Course when the Pro Shop is closed.
- D. The last rental time for a golf cart will be two (2) hours prior to the closing time of the Pro Shop.
- E. All motorized carts are to be kept off tee boxes, greens, and on paths where a path is roped. Pull carts are to be kept off the greens.

**Section 4. Golf Clubs, Tournaments, and Leagues.**

- A. The golf clubs' Tournament Chairs shall schedule their tournaments with the Golf Professional no later than March 15 or at the discretion of the Golf Professional.
- B. Tournaments cancelled due to inclement weather may be made up on another date.
- C. Ladies Golf Club tournaments will be scheduled for Wednesday mornings and occasionally on other days.
- D. Men's Golf Club tournaments will be scheduled for Friday and occasionally on other days.
- E. Two-day Men's and Ladies golf tournaments may take place at the discretion of the Golf Professional.
- F. Non-resident golf tournaments will be at the discretion of the Golf Professional to be scheduled at times with the least resident play.
- G. Requests for league play must be made no later than March 15 or at the discretion of the Golf Professional.

**Section 5. Golf Course Use.**

- A. Practicing/playing on the Golf Course is prohibited except in designated areas. Violators shall be reported to security.

- 
- B. Players will play one (1) ball only, except where rules of golf allow a second ball.
  - C. Fivesomes are not allowed. The Golf Professional has the discretion to waive this rule.
  - D. No private carts will be permitted except pull type or non-riding type.
  - E. The Pro Shop staff have the authority to complete a foursome with a casual or other player(s) as needed.
  - F. A 9-hole round should be played in two (2) hours. The players who are deemed to be too slow will be asked first to speed up, and second, asked to advance to the next hole. Third, they may be asked to leave the course by the Golf Professional or a Security Officer.
  - G. Only the Heather Gardens Golf Professional is allowed to give lessons for hire.
  - H. The golf simulator rental will be available during normal Pro Shop business hours.
  - I. Golf balls in the lakes are the sole property of the District. A player is permitted to recover a ball only if it is easily retrievable without climbing on rocks and without holding up play.

Adopted the 20th day of July 2023, by the Board of Directors of the Heather Gardens Metropolitan District.

---

Daniel Taylor, President

ATTEST:

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Robin O'Meara, Secretary

**ATTACHMENT 5  
HEATHER GARDENS METROPOLITAN DISTRICT  
GOLF FEE SCHEDULE**

**RESIDENTS:**

\$11.00

**NON-RESIDENTS:**

\$18.00 WEEKDAYS      \$23.00 WEEKENDS

**85+ RESIDENTS:**

\$10.00

**NON-RESIDENT SENIOR (65+)**

\$15.00 WEEKDAY      \$19.00 WEEKENDS

**100+ RESIDENTS:**

FREE

**100+ NON-RESIDENTS**

\$10.00

**40 PLAY CARD:**

\$396.00

**LEAGUE FEE:**

\$15.00 WEEKDAYS      \$19.00 WEEKENDS

**2 FOR 26 (MON - FRI 12PM 3 PM)**

\$26.00

**GUEST OF RESIDENT:**

\$14.00 WEEKDAYS      \$18.00 WEEKENDS

**PULL CART FEE:**

\$6.00

**JUNIORS:**

\$10.00 WEEKDAYS      \$13.00 WEEKENDS

**RESIDENT RIDING CART FEE:**

\$8.00 PER RIDER

**NON-RESIDENT CART FEE:**

\$9.00 PER RIDER

**GOLF SIMULATOR RESIDENT FEE:**

\$20/HR. (MAXIMUM OF 4 GOLFERS)

**GOLF SIMULATOR NON-RESIDENT FEE:**

\$30/HR. (MAXIMUM OF 4 GOLFERS)

**INSTRUCTION**

\$50.00 1/2 HR.

**CLUB RENTAL:**

\$14.00

**GREG KOHR  
PGA DIRECTOR OF GOLF AND HEAD PROFESSIONAL**

**HEATHER GARDENS METROPOLITAN DISTRICT  
BOARD ACTION**

**DATE: OCTOBER 9, 2023**

**MOTION NUMBER:     10-9-23**

**MOTION: FORMALIZATION OF MANAGEMENT REQUESTS**

I move that the Heather Gardens Metropolitan District hereby formalize prior requests made to HGA and HGA management through the District Board'd President and by the HGMD Board of Directors as follows:

1. The District Board requests that the crack in the shower stall wall, located in the women's locker room, be repaired immediately as water is seeping behind the concrete board of the tiled wall.
2. The District Board requests that the toilet in the men's bathroom, located closest to the reception area in the clubhouse, be repaired as it has been "Out of Order" for at least a month.
3. The District Board requests that the carpet underneath the white board located in the Aspen Room be thoroughly cleaned as the dark stains are unsightly.
4. The District Board requests that all dead moths/insects in the hanging style light fixtures located in the meeting rooms on the second floor of the clubhouse, be removed by thoroughly vacuuming the interior of each fixture.
5. The District Board requests that the temperature of the indoor pool be monitored on a regular basis. As of October 8, 2023 at 5:00 PM the temperature is 84 degrees which is too cold for most swimmers using the pool.

Motion by:

Second by:

Debate: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Secondary Motion to :

Secondary Motion by:

Second by:

**VOTE:**

	<b>YES</b>	<b>NO</b>
Craig Baldwin		
Rita Effler		
Eloise Laubach		
Robin O'Meara		
Daniel Taylor		
Total		

<b>YES</b>	<b>NO</b>

The secondary motion does/does not have a majority and passes/fails.

The main motion does/does not have a majority and passes/fails.

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Robin O'Meara, Secretary  
HGMD Board of Directors

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Daniel J. Taylor, President  
HGMD Board of Directors