

**HEATHER GARDENS METROPOLITAN DISTRICT
SPECIAL MEETING
MONDAY, JUNE 12, 2023**

The special meeting of the Board of Directors of the Heather Gardens Metropolitan District was held in the Heather Gardens Boardroom at 2888 S. Heather Gardens Way, Aurora, Colorado 80014 and via video conference on Monday, June 12, 2023 at 8:00 a.m.

CALL TO ORDER: President Daniel Taylor called the meeting to order at 8:01 a.m. on June 12, 2023. A quorum was present.

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

BOARD MEMBERS ABSENT: Vice President Eloise Laubach.

STAFF PRESENT: Jerry Counts, HGA Chief Financial Officer; Jon Rea, HGA Chief Executive Officer.

GUESTS PRESENT: Forrest McClure, RV Lot Committee Chairperson.

NEW BUSINESS: Mr. Counts provided a report on the District's financial status and accounting. The Board discussed methods of tracking, collecting, and accounting for payments that HGA receives on behalf of the District and how those funds are accounted for.

DISTRICT TOUR: The Board toured the Heather Gardens properties with Mr. Rea and other participants. No action was taken.

PUBLIC COMMENT: Mr. McClure had questions regarding R.V. lot funds, and how it is allocated once collected. He expressed concern that the RV Lot funds are not separately accounted for, and that excess funds over expenses are not earmarked for RV lot capital reserves.

ADJOURNMENT: Upon motion by Director Craig Baldwin, second, and unanimous vote, the meeting was adjourned at 9:10 a.m.

Approved by the Heather Gardens Board of Directors on _____.

Daniel Taylor, President

Robin O'Meara, Secretary

**HEATHER GARDENS METROPOLITAN DISTRICT
SPECIAL MEETING
Saturday, July 15, 2023**

The special meeting of the Board of Directors of the Heather Gardens Metropolitan District was held in the Heather Gardens Boardroom at 2888 S. Heather Gardens Way, Aurora, Colorado 80014 and via video conference/telephone conference on Saturday, July 15, 2023 at 10:00 A.M.

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

CALL TO ORDER: President Daniel Taylor called the meeting to order at approximately 10:06 a.m. on Saturday, July 15, 2023. 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.

STAFF PRESENT: None.

GUESTS PRESENT: Approximately 15 members of the public were present.

PRESIDENT'S WELCOME: President Taylor welcomed the Board and guests.

HGMD BOARD UPDATE: President Taylor presented an update on the Heather Gardens Metropolitan District Board from May 15, 2023 to present. No action was taken.

COMMITTEE CHAIR APPOINTMENTS: The Board appointed the following committee chairs: Clubhouse Committee Chair: Treasurer Effler, Audit Finance Committee Chair: Treasurer Effler, Club Activities Committee Chair: Director Baldwin, Compliance Committee Chair: President Taylor, Foundation Committee Chair: Vice President Laubach, Golf Committee Chair: Bill Wolf, Restaurant Committee Chair: Secretary O'Meara.

OPEN FORUM: There was no public comment during the open forum.

EXECUTIVE SESSION: Upon motion by President Taylor, second by Treasurer Effler, and unanimous vote, the Board entered Executive Session, pursuant to Section 24-6-402(4)(e), C.R.S. for the purposes of determining positions relative to matters that may be subject to negotiations related to determining negotiation representatives and strategy for the joint board management agreement negotiation. Upon motion by President Taylor, seconded by Vice President Laubach and unanimous vote the Board



exited Executive Session at 11:09 A.M. and reconvened the public meeting. No action was taken.

ADJOURNMENT: Upon motion by President Taylor, and seconded by Vice President Laubach and passed unanimously, the meeting adjourned at 11:09 A.M.

Approved by the Heather Gardens Board of Directors on _____.

Daniel Taylor, President

Robin O'Meara, Secretary

**HEATHER GARDENS METROPOLITAN DISTRICT
STUDY SESSION
TUESDAY, AUGUST 15, 2023**

The study session of the Board of Directors of the Heather Gardens Metropolitan District was held in the Heather Gardens Boardroom at 2888 S. Heather Gardens Way, Aurora, Colorado 80014 and via video conference/via telephone conference on Tuesday, August 15, 2023 at 8:00 a.m.

CALL TO ORDER: President Daniel Taylor called the meeting to order on Tuesday, August 15, 2023, at 8:02 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.

STAFF PRESENT: None.

GUESTS PRESENT: Approximately 6 members of the public.

PRESIDENT REMARKS: President Daniel Taylor greeted the Board and guests, noting that Robin O'Meara will lead the Board in reciting the Pledge of Allegiance.

AGENDA: Following discussion, upon motion of Daniel Taylor, second of Eloise Laubach, and unanimous vote, the Board approved the agenda, as presented.

2024 BUDGET: HGA Chief Financial Officer Jerry Counts and HGA Chief Executive Officer Jon Rea reviewed the draft of the manager's budget.

ADJOURNMENT: Upon motion of President Taylor, second of Vice President Laubach, and unanimous vote, the meeting was adjourned at 11:20 A.M.

Approved by the Heather Gardens Metropolitan District Board of Directors on November 17, 2023.

Daniel Taylor, President

Robin O'Meara, Secretary

**HEATHER GARDENS METROPOLITAN DISTRICT
STUDY SESSION
TUESDAY, AUGUST 16, 2023**

The study session of the Board of Directors of the Heather Gardens Metropolitan District was held in the Heather Gardens Boardroom at 2888 S. Heather Gardens Way, Aurora, Colorado 80014 and via video conference and telephone conference on Tuesday, August 16, 2023 at 8:00 A.M.

CALL TO ORDER: President Daniel Taylor called the meeting to order on Tuesday, August 16, 2023, at 8:01 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.

STAFF PRESENT: None.

GUESTS PRESENT: Approximately 7 members of the public.

PRESIDENT REMARKS: President Daniel Taylor greeted the Board and guests, noting that Robin O'Meara will lead the Board in reciting the Pledge of Allegiance.

AGENDA: Following discussion, upon motion of Daniel Taylor, second of Eloise Laubach, and unanimous vote, the Board approved the agenda, as presented.

2024 BUDGET: The Board and participants reviewed the proposed 2024 in detail. HGMD directors worked with HGA CFO Jerry Counts and HGA CEO Jon Rea making changes to the 2024 proposed manager's budget to fund the restaurant for breakfast, lunch and dinner seven days a week. It was agreed that restaurant manager, Cormac Ronan would provide Jerry Counts with the number of part-time hours needed by the end of the week.

ADJOURNMENT: Upon motion of President Taylor, second of Vice President Laubach, and unanimous vote, the meeting was adjourned at 10:50 A.M.

Approved by the Heather Gardens Metropolitan District Board of Directors on November 17, 2023.

Daniel Taylor, President

Robin O'Meara, Secretary

**HEATHER GARDENS METROPOLITAN DISTRICT
STUDY SESSION
THURSDAY, AUGUST 24, 2023**

The study session of the Board of Directors of the Heather Gardens Metropolitan District was held at Windsor Gardens at 595 S. Clinton St., Denver, CO 80247, on Thursday, August 24, 2023, at 1:00 P.M.

CALL TO ORDER: President Daniel Taylor called the meeting to order. 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.

STAFF PRESENT: Jon Rea, Chief Executive Officer.

GUESTS PRESENT: No members of the public were in attendance.

TOUR: The attendees toured Windsor Gardens, held a discussion, and gathered information on the access control system. No action was taken.

ADJOURNMENT: Upon motion, second, and unanimous vote, the meeting was adjourned.

Approved by the Heather Gardens Metropolitan District Board of Directors on November 17, 2023.

Daniel Taylor, President

Robin O'Meara, Secretary

**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.

Daniel Taylor, President

Robin O'Meara, Secretary

**President's Statement September 27, 2023,
Rationale for Motion 1-9-27-2023**

On August 15th and August 16th, 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 fourth 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.

**HEATHER GARDENS METROPOLITAN DISTRICT
STUDY SESSION
WEDNESDAY, SEPTEMBER 20, 2023**

The special meeting of the Board of Directors of the Heather Gardens Metropolitan District was held in the Heather Gardens Boardroom at 2888 S. Heather Gardens Way, Aurora, Colorado 80014 and via video conference and telephone conference on Wednesday, September 20, 2023 at 1:00 P.M.

CALL TO ORDER: President Daniel Taylor called the meeting to order on Wednesday, September 20, 2023. 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.

STAFF PRESENT: None.

GUESTS PRESENT: Approximately 20 members of the public.

RV LOT: The Board discussed RV Lot Cameras with Dark Horse Industries. No action was taken.

ADJOURNMENT: Upon motion, second, and unanimous vote, the meeting was adjourned.

Approved by the Heather Gardens Metropolitan District Board of Directors on November 17, 2023.

Daniel Taylor, President

Robin O'Meara, Secretary

**HEATHER GARDENS METROPOLITAN DISTRICT
REGULAR MEETING
Thursday, September 21, 2023**

The regular meeting of the Board of Directors of the Heather Gardens Metropolitan District was held in the board room and via Zoom/Telephone in the Heather Gardens Clubhouse at 2888 S. Heather Gardens Way, Arapahoe County, Colorado, on Thursday, September 21, 2023 at 1:00 P.M.

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

CALL TO ORDER: President Daniel Taylor called the meeting to order at approximately 1:00 p.m. on Thursday, September 21, 2023. 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.

STAFF PRESENT IN THE BOARDROOM:

GUESTS PRESENT: Jennifer L. Ivey, Icenogle Seaver Pogue, P.C., seven members of the Heather Gardens Association Board, Lynn Donaldson with Heather 'n Yon, and approximately 38 members of the public were present.

APPROVAL OF MINUTES: President Taylor distributed a revised draft of the June 15, 2023, minutes to the Board members at the meeting.

Motion made by Treasurer Effler and seconded by Director Baldwin and passed unanimously to approve the minutes of June 1, 2023, Special Meeting, June 15, 2023, Regular Meeting, June 30, 2023, Special Meeting, July 20, 2023, Regular Meeting, and August 17, 2023, Regular Meeting as written.

PRESIDENT'S REPORT: None.

TREASURER'S REPORT: The Board received a copy of the Treasurer Report in the meeting packet. Treasurer Effler noted that the report is self-explanatory, and less money is being spent than projected. There were no questions/comments.

DIRECTOR COMMENTS/QUESTIONS REGARDING AUGUST FINANCIAL REPORTS FROM MANAGEMENT:

- a. Budget Exceptions Report – There were no questions/comments.
- b. Monthly Capital Reserves Report – There were no questions/comments.

- c. Foundation Donation Summary – Treasurer Effler asked if grant money was used on the Abilene project. Vice President Laubach responded that the Foundation used no grant funds. Treasurer Effler had other questions regarding inventory unrelated to the Foundation. Ms. Ivey noted that the Management Agreement does require the Association to prepare and periodically update an inventory of all furniture, fixture equipment, and machinery owned by the District. Director Baldwin confirmed that he assisted with inventory last year, and noted that there is documentation. Vice President Laubach also confirmed her spouse helped in the restaurant inventory.
- d. Investment/Restricted Cash Accounts Reports- it was noted that the report is in the Board Packet. There were no questions or comments.
- e. District P&L Statement- it was noted that the report is in the Board packet. There were no questions or comments.
- f. District Balance Sheet- it was noted that the report is in the Board packet. There were no questions or comments.
- g. Clubhouse P&L- it was noted that the report is in the Board packet. There were no questions or comments.
- h. Golf P&L- it was noted that the report is in the Board packet. There were no questions or comments.
- i. Golf Usage Report- it was noted that the report is in the Board packet. There were no questions or comments.
- j. Restaurant P&L- it was noted that the report is in the Board packet. There were no questions or comments.

DIRECTOR COMMENTS/QUESTIONS REGARDING AUGUST COMMITTEE REPORTS:

- a. Audit/Finance Report: The Board received a copy of the Audit/Finance Report. There were no questions/comments.
- b. Clubs and Activities Report: Director Baldwin reported that he had a discussion with the Frolics group regarding their concerns with the stage floor and sound system. He further reported that there was a discussion with Cindy Crockett regarding her management concerns. There was also a discussion regarding moving the Fruit Shak to a different location to allow more parking for those who attend church. The Committee also discussed forming a special committee to study the parking lot. There were no questions/comments.
- c. Clubhouse Report: The Board received a copy of the Clubhouse Report. There were no questions/comments.

- d. Compliance Report: There was no report. President Taylor noted that the Compliance Committee did not meet.
- e. Joint Long Range Planning Report: The Board received a copy of the Joint Long Range Planning Report. There were no questions/comments.
- f. Restaurant Report: The Board received a copy of the Restaurant Report. There were no questions/comments.
- g. Recreational Vehicle (RV) Lot Report: The Board received a copy of the RV Report. The Chair of the Committee, Forrest McClure, reported that AJI Fencing attempted to install the RV gate, but issues arose. Chair McClure reported that members of the Maintenance Department came at his request and said they would get a crew to fix the obstacle. Chair McClure hopes it gets done now before the opener is installed. There were no questions/comments.

UNFINISHED BUSINESS:

- a. Approval of the RV Lot Procedure Memorandum (PM) Attachments: Motion made by President Taylor and seconded by Director Baldwin and passed unanimously.

Text of Motion: Based on the recommendation of the RV Lot Committee, I move that the HGMD Board of Directors approve the attachments to the RV Lot PM-1 Attachments.

NEW BUSINESS:

- a. Approval of Adoption of Expenditure Policy: Motion made by President Taylor and seconded by Director Baldwin and passed (3-1).

Text of Motion: I move that the HGMD 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 preapprove 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.

Explanatory Comment: Whereas the Management Agreement between Heather Gardens Association "HGA" or "the Association" 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.

Discussion: Secretary O'Meara asked for an example of a recent capital expenditure not approved by the District Board to clarify. President Taylor reported that the asphalt repair project for the Maintenance Parking Lot was not approved by the District Board, and the Committee did not approve it, as they felt the money could be used elsewhere. Vice President Laubach stated the asphalt project was budgeted and approved by the prior Board and is the District's property. Director Baldwin said the Budget and Finance Committee recommended that the asphalt project be approved by the HGA Board, which the HGA Board approved on Tuesday, and the HGA Board will not bill the District as the HGA Board President voted it down. President Taylor said it is an issue for the HGA Board to authorize without the District's approval. Attorney Ms. Ivey explained that the motion refers to spending authority for non-capital projects; and the discussion on the asphalt project is a capital project. There was further discussion on the asphalt project that it needed to be done for safety, though President Taylor said it was not a safety or urgent matter that the Maintenance Department should be able to patch it up themselves. Director Baldwin clarified that the motion is to reduce the CEO spending authority from \$20,000, approved by the previous Board, to \$2,500.

- b.** Approval of the Audit/Finance Committee Procedure Memorandum 1: Motion made by Treasurer Effler and seconded by Director Baldwin and passed unanimously.

Text of Motion: Based upon the recommendation of the Audit/Finance Committee, I move that the Heather Gardens Metropolitan Board of Directors approve the Audit/Finance Committee PM-1.

- c. Approval of the Clubhouse Procedure Memorandum 1 attachment 5: Motion made by Treasurer Effler and seconded by Director Baldwin and passed unanimously.

Text of Motion: Based upon the recommendation of the Clubhouse Committee, I move that the Heather Gardens Metropolitan Board of Directors approve the Clubhouse Committee PM-1, Attachment 5.

OPEN FORUM:

A resident offered a suggestion regarding inventory: a photo can be taken to capture the inventory without spending much time. The resident also noted that in Building 223 the bushes were removed when the drains around their garages were done, and they have requested from Management that they be replaced. President Taylor noted that he would forward this request to the HGA Board, as this is a request for the Association.

A resident who is a member of the Woodshop Club commented that he met with the new Maintenance Manager, Richard Barowsky, who also has woodshop experience, and is helping the club maintain the equipment in the woodshop, which is very helpful. He reported that the next meeting for the Woodshop Club is Wednesday, October 4th at 1:00 p.m. in the Aspen/Blue Spruce Room, and all Board members are invited. Director Baldwin commented that Mr. Barowsky will be attending the meeting and expressed that we are fortunate to have a manager with experience in maintaining the woodshop equipment.

President Taylor announced that the District launched a new website page: www.HGMetroDist.org. The District Board will have new email addresses, and information can be found in the drop-down menu for the District, meeting dates, Government Documents, and other information about the District. A Pitera message will go out regarding this information.

President Taylor apologized for the difficulty signing up for classes this week and reported that CEO Rea is asking residents to contact the Clubhouse/Management if they cannot sign up for classes. He noted that he understood the residents' frustration but explained that the Clubhouse staff handled the issue as quickly as possible.

A resident thanked the Board for setting up the HGMD website.

EXECUTIVE SESSION: Upon motion by President Taylor, seconded by Director Baldwin, and unanimous vote, the Board entered into Executive Session at 2:04 p.m. pursuant to Section 24-6-402(4)(b) and/or 24-6-402(4)(e), C.R.S for the purpose of receiving legal advice on specific legal questions and/or determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators regarding the Management Agreement.

Upon motion by Vice President Laubach, seconded by Director Baldwin, and unanimous vote, the Board exited the Executive Session. The Board reconvened the public meeting at approximately 3:28 p.m.

- a) **Approval of Acceptance of HGA Mediation Request and Appointment of Mediator:** Motion made by President Taylor and seconded by Vice President Laubach and passed unanimously.

Text of Motion: I move that the HGMD enter into mediation with HGA pursuant to the management agreement's dispute resolution protocol. The District selects Mavis Richardson as its mediator.

- b) **Approval of Formalization of Budget & Management Requests:** Motion made by President Taylor and seconded by Treasurer Effler and passed unanimously.

Text of Motion: I move that the HGMD hereby formalize prior requests made to HGA and HGA Management through the District Board's President and additional requests as formal requests by the HGMD Board of Directors as follows:

1. The District Board directs that substantiation for the amount of wages and benefits requested in the 2024 manager's budget attributable to employees providing services to the District be provided by the number of employees per job title and by payment rate.
2. The management agreement reserves the right to approve any reassignment of the use of real estate to the District Board. Therefore, the District Board requests that HGA return the two parking spaces furthest to the east of the Clubhouse parking near the tennis courts, that are currently being used for security back to handicap parking spaces. The security parking shall be moved back to its original location on the west side of the Clubhouse.
3. The District Board directs that HGA employees park in the golf parking lot (Bldg. 250 parking) in the row closest to Heather Gardens Way, on the upper level of parking structure 1, or in the maintenance building parking lot.
4. The Fruit Shack has begun setting up in the clubhouse parking lot. The District Board directs that the outdoor booth vendors set up on the concrete area on the top of Parking Structure 1 as they have in the past. The outdoor booths take up 7 parking spaces during the church services on the weekend.

5. HGA has suspended replacing the wooden 4" by 4" bollards along the south side of Linvale Place, citing expense as the justification. The management agreement places the responsibility for repairing and maintaining the District properties on HGA to the condition and considering the duties in place in 2018 when the agreement was signed. The District directs that HGA replace the broken and missing bollards as soon as possible, as a safety concern for pedestrians walking on Linvale Place, but in no case later than October 31, 2023.
6. Management has stated that it will no longer do ornamental trimming for the same justification. The District Board directs that HGA resume trimming of the trees and bushes as it has in the past.
7. The District Board directs that management obtain proposals for a) additional signage at the sides of the entrance to the golf parking lot (Bldg. 250) designating it for Golf Parking and Tennis/Pickleball Parking to match the style of the signage in the center median of S. Heather Gardens Way for golf parking. Also, b) replacing the sign in the center median to reflect Golf and Pickleball/Tennis Parking and to place an additional duplicate sign in the center median facing the opposite way. The District Board directs that HGA c) replace the Golf Parking sign with an arrow at the west entrance to the clubhouse parking lot with a sign reflecting Golf and Pickleball/Tennis Parking to the east with an arrow and place a duplicate sign at the east entrance to the clubhouse parking lot. A diagram is attached. To get the proposal within 60 days.
8. The District Board directs that HGA repair the pool tables' felt, which should be under warranty, and have the tables leveled. The District directs that HGA locate the chairs that are missing from the billiards room, repair and re-paint the walls as necessary, and ensure that the chair rail is at the correct height for the chairs or provide an estimate for the cost of new chairs at the required height, whichever is most cost-effective. The Board also directs that a small handheld Dirt Devil vacuum be purchased for cleaning the felt and kept in the billiards room to be done within 30 days.
9. The District Board directs a list of fees for activities, dances, and clubhouse events and the expenses associated with those activities. Also, the Clubhouse Committee has received the 2024 list of classes and revenue but directs a list of teacher costs associated with the class list to be provided within 20 days.

Explanatory Comment: HGA has required HGMD to take formal board action when directing or requesting HGA to perform duties pursuant to the management agreement.

Ms. Ivey announced that the Board had not taken formal action to approve the budget schedule for the year, but because her office needed to move forward with the publication as it has been done in the past years, the meeting scheduled for October 12 had been published; however, she informed the Board that they are not required to adopt the budget at that meeting. Ms. Ivey wanted to clarify and did not need to take any action. Treasurer Effler asked why the publication did not state that the meeting would be held in person in the board room. Ms. Ivey responded that that information will be addressed in the formal agenda notice.

ADJOURNMENT: Upon motion by Director Baldwin, and seconded by President Taylor, and passed unanimously, the meeting adjourned at 3:51 P.M.

Robin O'Meara, Secretary



HEATHER GARDENS METROPOLITAN DISTRICT
Report of the Joint Meeting of Audit/Finance & Clubhouse Committees

To: HGMD BOARD OF DIRECTORS
From: Rita Effler
Subject: Report of October 10, 2023, Meeting

Clubhouse Committee Members: Rita Effler, Chair, Linda Worthey, Sandy McCurdy, Connie Burns attended in the boardroom. Debbie Parker and Carol Anne Mayne attended on Zoom. Carol Reed was absent.

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

The meeting was called to order at 1:00 p.m. A quorum was present for each committee.

Chair Rita Effler read a notice regarding class offerings and fees to dispel rumors. (Attached)

Financial reports: Chair Rita Effler read the Treasurer's Report prepared for October's Heather 'n Yon, but was not published. Zoom failed during the reading. (Attached)

1. The Clubhouse committee agreed that a fee increase for classes should be implemented beginning January 2024.
2. 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.
3. Daniel Taylor was also asked to make a formal request for check registers and ACH transfers beginning May 1, 2023, to the present.
4. 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, 2nd by Linda Worthey. Vote was unanimous.
5. 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, 2nd by Carol Anne Mayne. Vote was unanimous.



The meeting was adjourned at 3:00 pm.

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

Submitted by,
Rita Effler, Clubhouse Committee Chair

Attachment to Committee Report

I had a telephone call this morning to alert me there was an announcement at a class this morning that all classes would be 8 weeks, with 5 weeks between classes and an increase in fees.

That would have been Julie's decision, except for the increase in fees. Our Board is not aware of this change.

We have discussed shortening the class commitment to 8 weeks. That seems to be more typical for recreation districts. By shortening the sessions, residents could schedule vacations and obligations and not miss classes as often. We could keep the fee per class the same and add a session or two or three. More residents could participate.

I am not allowed to engage with employees. HGA management mandates that our Board members do not engage with employees. For 4 and a half months we have been trying to change that. Our Committee, clubhouse committee, has always maintained that we want a staff meeting. We do not know if teachers would prefer shorter sessions. We must know what they want to do. Right now there are 4 sessions of 11 weeks each. 44 weeks. Could we do 5 eight week sessions, 6? No decisions have been made because we have not been authorized to meet with the people we need to hear from, including how maintenance would work into shorter sessions. We have every intention of meeting with staff, including teachers, and getting resident input. We work for you.

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

RV Storage Lot Committee Report for November 6, 2023

A. Meeting called to order at 10:00 a.m. Members attending in person: Lee Nicholson, Lynn Nicholson, Glenn Riggs, John Guise, Roy Ferguson, Tom Sandquist, Forrest McClure (Chair) and Craig Baldwin (HGMD Director).

B. Motion by Tom Sandquist and seconded by Roy Ferguson to recommend that HGMD purchase one Dimgogo 3000W, 180,000 lumen solar powered streetlight for \$150.72. Motion approved unanimously.

1. The light has been mounted on a pole along the Army Corps of Engineer's fence since October 23, 2023, having been purchased by Forrest McClure from Amazon.
2. The light has performed according to expectations.
3. If purchase is approved by the Board, Forrest will submit a Request For Reimbursement.
4. Order Summary

Item(s) Subtotal	\$199.00
Shipping & Handling	\$0.00
Coupon Savings	- \$59.70
Total before tax	\$139.30
Tax collected	\$11.14
CO Retail Delivery Fees	\$0.28
Grand Total	\$150.72

C. Motion by Roy Ferguson and seconded by John Guise that HGMD purchase one OKPRO S-144XM 50W, 6,000 lumen solar powered motion detection light for \$22.95. Motion approved unanimously.

1. The light is being used to illuminate anyone approaching the fence near space #74 (an area that has experienced multiple intrusions). The light is off until it detects motion and turns on to 100% illumination when motion is detected.
2. The light was purchased by Forrest McClure from Amazon and is performing according to expectations.
3. If purchase is approved by the Board, Forrest will submit a Request For Reimbursement.
4. Order Summary

Item(s) Subtotal	\$20.99
Shipping & Handling	\$0.00
Total before tax	\$20.99
Tax collected	\$1.68
CO Retail Delivery Fees	\$0.28
Grand Total	\$22.95

D. Motion by Tom Sandquist and seconded by John Guise to recommend to the HGMD Board of Directors that they accept the proposal from AJI Fencing to cut off and haul away the existing RV Storage Lot galvanized chain link fence and furnish and install approximately 1,137' of 7' tall Ameristar Montage Plus Invincible Fence using 2-1/2" square steel posts installed in concrete footings and Montage Plus Invincible panels attached to posts with bracket assembly at a cost of \$106,025 with a reserve of \$3,975 for a total of \$110,000. Motion approved unanimously. **Rationale:**

RV Storage Lot Committee Report for November 6, 2023

1. The existing chain link fence is over 50 years old and has extensive damage. Its history shows that it is painfully unable to prevent trespassers and thieves from making entry into the lot. As a result, there have been continuous thefts of catalytic converters, batteries, property damage to RV windows and interiors, and even the theft of a camping trailer and a speed boat.
 2. The price of steel will undoubtedly increase significantly over the next few years. Therefor it will be less costly to secure the price this year.
- E. Motion by Tom Sanquist and seconded by Roy Ferguson to recommend to the HGMD Board of Directors that they accept the proposal from Sensera to purchase one SiteWatch Pro3 Camera Kit for \$4,749.05 and 12 months SiteCloud service for \$4,308.00 for a grand total of \$9,057.05. Motion approved unanimously. **Rationale:**
1. This is a proven and tested system that was successfully rented for three months in the lot. It has a 13 MP CMOS Sensor.
 2. The Security Department Manager, David Marris, would like a camera that provides an alert when motion is detected and at least one should be at the gate. He gives a high recommendation for the Sensera camera:
 - a. Picture clarity (resolution)? 4 stars
 - b. Latency (speed in providing notifications)? 4 stars
 - c. The cell phone app? 5 stars
 - d. IR quality? 4 stars
 - e. Overall rating? 4 stars
 3. This system is solar powered and uses 4G cellular connectivity. No power and no hardwire or Comcast connections (and accompanying costs) are needed.
- F. Moved by Glenn Riggs and seconded by John Guise to not make any recommendation at this time for the use of the triangular 3,000 sq. feet area next to the RV lot gate. Motion approved unanimously.
- G. Committee adjourned at 11:13 a.m.



HEATHER GARDENS METROPOLITAN DISTRICT
Foundation Committee Report

To: HGMD BOARD OF Directors, and CEO
From: Eloise Laubach
Subject: Report of November 8, 2023
Committee: Eloise Laubach, Chair, Becky Cole, Charlene Pluchek, Terry Schumacher, Mavis Richardson.

The meeting was called to order at 1:00 P.M. A quorum was present. All members attended.

Notes of the October 11, 2023, meeting were reviewed and accepted.

Financial reports were not available.

There was no unfinished business.

In new Business: We did receive a request from Matt Martella for \$5,000 to replace holiday lights. After much discussion the committee voted not to fund this project at this time. However, the committee voted to have me ask Matt for a detailed plan for lighting next year. I agree to contact him. As we were ending the meeting Matt Martella joined us and we shared the Committees' request for a more detailed plan. He shared some ideas he has and will develop a plan for next year.

The Foundation had no new funding requests;

The meeting ended at 2:35 pm.

There will be no December meeting.

Next meeting: January 10, 2024, at 1:00 pm in the Clubhouse Boardroom

Submitted by,
Eloise Laubach, Foundation Committee Chair



Heather Gardens

METROPOLITAN DISTRICT

HEATHER GARDENS METROPOLITAN DISTRICT ACTION

DATE: NOVEMBER 17, 2023

MOTION NO: 1-11-17-2023

MOTION: GOLF SIMULATOR MONITOR PURCHASE

Upon the recommendation of the Heather Gardens Golf Committee, I move that the Heather Gardens Metropolitan District Board of Directors approve the purchase of a new Uneekor QED overhead mounted launch monitor for the existing golf simulator.

ECONOMIC COST TO THE FOUNDATION: \$10,000

APPROPRIATED BY: LOTTERY FUNDS

Motion by: Daniel Taylor

Second by: _____

Rationale: The Golf Committee approved the motion by Ed Bradley and seconded by Linda Savage to replace and upgrade the current launch monitor for the golf simulator. Our current unit (SkyTrak) is a very basic consumer unit that lacks full accuracy and information of what the golf ball is really doing. Since we are charging for the use of the golf simulator, we should have a product that gives the highest grade of accuracy and information.

If we upgrade to the Uneekor QED unit, we will have exactly that. The current unit sits on the ground and is susceptible to damage. The proposed unit will be placed above the head and out of the way. The new unit we will not require an annual fee as the current unit does. The new unit will have more in-depth information, and a cleaner presentation which will support increasing the fees in the future. The golf pro believes the new unit will create more traffic flow in the winter, and he plans to collaborate with the restaurant for rental events or parties. The golf pro will be able to have more in-depth lessons that should also increase lesson revenue. The ultimate goal is to create more revenue during a period when we do not have revenue generated from the golf course during bad weather.

Debate: _____

Secondary Motion to : _____

Secondary Motion by: _____ Second by: _____

VOTE:

ORIGINAL MOTION

	Yes	No
Craig Baldwin		
Eloise Laubach		
Robin O'Meara		
Rita Effler		
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 Taylor, President
HGMD Board of Directors

Robin O'Meara, Secretary
HGMD Board of Directors

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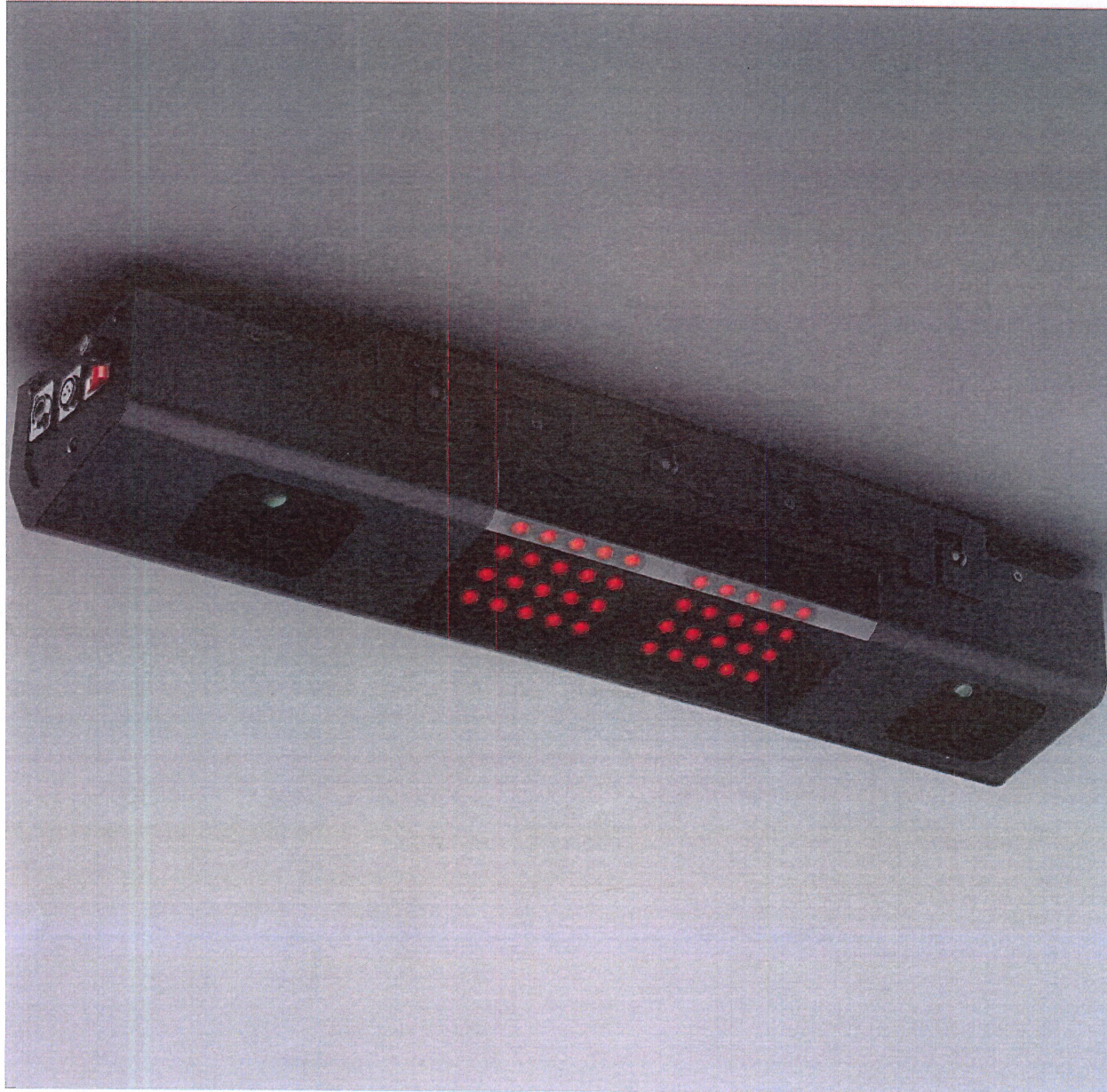
SHOP

SEARCH

ENTER

CART

Home Uneekor QED Launch Monitor



EVRROLL PUTTER PROMO CODE INCLUDED WITH PURCHASE (\$500 VALUE)

UNE EKOR QED LAUNCH MONITOR

\$9,000⁰⁰ ~~\$9,200⁰⁰~~

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NEED HELP?

QUANTITY

1

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CART

Details

- Overhead mounted launch monitor
- Requires marked balls
- Dual high-speed camera based technology
- Multiple simulator software options

What's included

- Uneekor QED Launch Monitor
- Uneekor QED Ceiling Mount
- Reflective Dots for Club Face
- (24) Non Branded Marked Balls



NEED HELP?



HEATHER GARDENS METROPOLITAN DISTRICT ACTION

DATE: NOVEMBER 17, 2023

MOTION NO: 2-11-17-2023

MOTION: END OF YEAR AUDIT CONTRACT

Upon the recommendation of the Heather Gardens Audit/Finance Committee, I move that the Heather Gardens Metropolitan District Board of Directors approve entering into a contract for audit services from Crady, Pucca & Associates for the year ending on December 31, 2023.

ECONOMIC COST TO THE DISTRICT: \$23,000 - \$28,000 based on an hourly rate of \$130 per hour.

Motion by: Rita Effler

Second by: _____

Rationale: The District believes that it is prudent to conduct an audit by a different CPA firm from prior audits periodically and separate from the audit performed by the Heather Gardens Association. This firm has experience in auditing metropolitan districts, and is an all women owned, Denver based firm.

Debate: _____

Secondary Motion to : _____

Secondary Motion by: _____ Second by: _____

VOTE:

ORIGINAL MOTION

	Yes	No
Craig Baldwin		
Eloise Laubach		
Robin O'Meara		
Rita Effler		
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 Taylor, President
HGMD Board of Directors

Robin O'Meara, Secretary
HGMD Board of Directors

Heather Gardens Metropolitan District

Proposal to Provide
Independent Auditing Services

For the Year Ending December 31, 2023



Crady, Puca & Associates
Certified Public Accountants & Consultants



Crady, Puca & Associates

Certified Public Accountants & Consultants

November 2, 2023

Rita Effler, Treasurer
Heather Gardens Metropolitan District
2888 S. Heather Gardens Way
Aurora, CO 80014

We are pleased to have the opportunity to submit this proposal to provide audit services for the Heather Gardens Metropolitan District for the year ending December 31, 2023.

We believe Crady, Puca & Associates is the District's best choice for professional auditing services. We are a partner only women-owned firm focused on meeting the needs of local governments and nonprofits. Since we are a partner only firm, all phases of the engagement will be performed by the Firm's partners. Therefore, you are ensured of consistency of staffing from year to year which results in the ability of Crady, Puca & Associates to establish long-term working relationships with management and the board.

In addition, when you select Crady, Puca & Associates you get seasoned professionals whose focus is to provide value to the District. As experienced professionals, Crady, Puca & Associates provides technical and specialized expertise in the governmental sector, quality control, partner attention, and ongoing communication and flexibility during the engagement process and throughout the year. We pride ourselves in our ability to work efficiently and effectively with local governments.

All Firm personnel are properly licensed as Certified Public Accountants in Colorado. We subscribe to monthly accounting and auditing updates which provide us with an in-depth analysis of new accounting standards and other developments in governmental and nonprofit accounting. In addition, all members of our Firm complete a minimum of 40 hours of continuing professional education each year with an emphasis placed on governmental and nonprofit entities.

As you can see, Crady, Puca & Associates is a firm committed to working with local governments. We offer partner expertise and are committed to developing a strong relationship with our clients. We appreciate the opportunity to submit this proposal and look forward to discussing it with you.

Sincerely,

Debbie Crady

DEBBIE L. CRADY, CPA

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FIRM BACKGROUND

Crady, Puca & Associates has over sixty years of combined experience in the accounting industry and was formed with the focus of meeting the needs of local governments and nonprofit entities throughout Colorado. The Firm provides auditing, accounting, tax, management and consulting services to these sectors.

Crady, Puca & Associates (Firm) is a women-owned, Denver area-based CPA firm. The Firm is authorized to practice in the State of Colorado as a general partnership under License No. 13131, issued by the State Board of Accountancy.

Our goal as a Firm is to provide the best service possible, both from a technical standpoint and a relationship standpoint. In this regard, we are committed to serving and partnering with our clients by completing engagements timely, returning phone calls promptly and serving as your advisor not only during the audit process but throughout the year.

We are also committed to ensuring our clients not only get the best possible service but receive this service at an affordable price. As we work primarily with nonprofit and governmental entities, we realize that cost is often a concern. We share certain expenses with another CPA firm which allows us to keep our overhead, such as audit, tax and research software, low. As a result, we are able to pass these savings on to you.

All Firm personnel are properly licensed as Certified Public Accountants in Colorado and are members of the American Institute of Certified Public Accountants (AICPA) and Colorado Society of Certified Public Accountants (CSCPA). The Firm also has memberships in the Government Finance Officers Association (GFOA) and the Special District Association (SDA).

Crady, Puca and Associates has received its independent peer review and the reviewers concluded that the Firm meets the quality control standards set by the AICPA. This indicates that our firm was found to have met or exceeded the high professional standards set by the AICPA regarding firm policies, procedures and work performed for our clients. A copy of our 2020 peer review is included in Appendix A.

BACKGROUND OF KEY PERSONNEL

Consistency of staff is of vital importance to you in keeping your audit work consistent from year to year. As we are a partner only firm, we are able to ensure a high level of engagement quality and continuity. Your engagement will be staffed by the Firm's two Audit Partners on a full-time basis. Debbie Crady will be the partner in-charge of the engagement. A brief description of the qualifications and experience of our partners follows:

Debbie Crady, CPA, audit partner, has over thirty years of extensive experience in audit, accounting and business consulting in a variety of industries. Her areas of expertise include financial audits of nonprofit organizations and local governmental audits including municipalities and special districts such as metropolitan, water and fire districts. She also has experience in the preparation of Long-Form Governmental Exemptions as well as the preparation of the Form 990 and 990-T. Additionally, she has provided consulting services to various nonprofit organizations and governments in areas such as financial reporting, budgeting and internal controls. Debbie's experience also includes serving as a controller for a multi-company corporation where she was responsible for all aspects of accounting to include financial statement preparation, financial statement review, consolidations, implementation of internal control policies and procedures, budget preparation and management of the accounting department. Debbie is a member of the AICPA, CSCP, and GFOA. Debbie is a Colorado native and a graduate of the University of Colorado with a Bachelor of Science degree in Accounting.

Laura M. Puca, CPA, audit partner, has over thirty years of accounting and consulting experience, over twenty-five of which have been in public accounting. She has extensive accounting, audit, tax and consulting experience in the not-for-profit industry, including social welfare organizations, foundations and associations. She also has several years' experience with units of local government, including municipalities and metropolitan, water and fire districts. Laura's experience includes all phases of audit fieldwork, internal control assessment and financial reporting as well as preparation of the Forms 990 and 990-T. In addition, she has three years of practical experience serving as a director of finance for a local multi-million-dollar foundation. Laura currently resides on the board of a metropolitan district in Elbert County. Laura is a member of the AICPA, the CSCP and the SDA. She is a graduate of the University of Virginia, with a Bachelor of Science in Accounting and a Master of Science in Accounting with a tax concentration. She is a Virginia native and has been a Colorado resident since 1997.

As noted above, both partners have extensive auditing and accounting experience. Both partners have worked with several metropolitan districts in the past. This prior experience as well as continuing professional education has provided us with the necessary skills to provide a timely and efficient audit of the financial statements of the District.

TRAINING, EXPERIENCE & CREDENTIALS

Training

In an effort to continually maintain the professional competence of our Firm, our partners complete a minimum of forty hours of Continuing Professional Education (CPE) each year. CPE courses include study programs in areas such as auditing and accounting, taxation, advisory services and ethics. Although several general courses may be chosen, we elect to complete formal educational programs that assist in developing our expertise primarily in governmental entities and nonprofits.

In addition to CPE, we subscribe to monthly accounting and auditing updates, which provide us with an in-depth analysis of new accounting standards and other developments in governmental and nonprofit accounting. Our membership in professional organizations listed above also assists the Firm in keeping abreast of the local laws and regulations that pertain to financial reporting as noted in the Colorado Revised Statutes.

Related Experience

Crady, Puca & Associates performs audit services for several governmental clients. The following is a list of some of these clients:

- Catamount Metropolitan District (2015 to present)
- Village East Metropolitan District No. 3 (2017 to present)
- Village at Dry Creek Metropolitan District No. 1 (2018 to present)
- Cherrylane Metropolitan District (2018 to present)
- Heritage Ridge Metropolitan District (2018 to present)
- Winter Farm Metropolitan District No. 2 (2018 to present)
- North Vista Highlands Metropolitan Districts No. 1 and No. 3 (2020 to present)
- Broadlands Metropolitan District No. 2 (2013 to present)
- Red Leaf Metropolitan District No. 2 (2014 to present)
- Vintage Reserve Metropolitan District (2013 to present)
- Snake River Water District (2010 to present)
- Green Mountain Water and Sanitation District (2019 to present)
- Ken-Caryl Ranch Water and Sanitation District (2021 to present)

FIRM REFERENCES

We believe a measure of the professional standing of any accounting firm is the quality of the clientele it has served. The following is a references which is provided to you on a confidential basis. We invite you to address your inquiries to any of the following:

Green Mountain Water and Sanitation District Governmental Annual Financial Audit Enterprise Fund	Doug Pavlich Financial Specialist	303.958.1581x200
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Snake River Water District Governmental Annual Financial Audit Enterprise Fund	Scott Price District Administrator	970.468.0328
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We are happy to provide additional references if requested.

AUDIT APPROACH AND TIMING OF SERVICES

We propose to audit the financial statements of the Heather Gardens Metropolitan District in accordance with generally accepted auditing standards as set forth by the AICPA.

During our audit, we will work with you as a partner. We understand that you do not want your operations disrupted in order to facilitate our needs during the audit and therefore, we staff our engagement with partners who are experienced and understand governmental entities. Debbie Crady will be the partner in charge of the engagement. We will perform all phases of the audit based on a schedule which is mutually convenient in order to meet both internal and external reporting deadlines. We anticipate that the District may need to extend their reporting deadline to September 30th due to our current client scheduling.

The audit engagement will be broken down into four segments which include planning, testing, supervision and review, and reports and finalization. The engagement partner will be involved in all segments of the engagement. The remaining partner will assist in performing testing, review, and reports and finalization.

As the basis for our audit approach, we will use the audit programs and audit checklists contained in *Guide to Audits of Local Governments*. This guide is updated and published annually by Practitioners Publishing Company (PPC). We subscribe to this information in an electronic format which allows us to tailor our audit programs based on our risk assessment of the organization and the environment in which it operates. In addition, we utilize paperless audit engagement software which incorporates our trial balance software as well as all facets of our workpapers, both client-prepared and auditor-prepared.

Planning

The planning portion of the engagement will begin prior to the start of actual testing. During the initial year of testing, we anticipate meeting with the District accounting staff in January, if scheduling permits, in order to begin the planning process. This process will include conversations with the District's accountant and others as deemed appropriate to obtain a basic understanding of the operations, internal controls, assess fraud risks and determine laws and regulations having a direct and material effect on the District. We will also take this time to discuss the audit process and provide a comprehensive list of proposed documents that the District will be requested to provide.

In addition, as required by auditing standards, we will discuss the audit process, at a minimum, with at least one member of the Board of Directors. This pre-audit discussion allows for any concerns to be brought to the auditor's attention as well as allowing for the required fraud discussions to take place.

During the planning process, we will take time to build our permanent files for agreements which are of continuing importance. We will request electronic copies of agreements such as lease and intergovernmental agreements, professional service contracts, bond documents, etc. These agreements can be in PDF, Word or paper if electronic media is not available. In addition, we will also read minutes of the board meetings.

AUDIT APPROACH AND TIMING OF SERVICES (continued)

We will obtain an understanding of operations and internal controls as well as laws and regulations of the District through inquiry of the accountant, board members, and observation of documents such as budgets, bond documents, etc. We will document our understanding of the internal controls of specific accounting systems in areas such as cash receipts, cash disbursements, debt, financial reporting and budgeting, and computer processing. To further our understanding of the controls, we will select samples of various types of transactions and “walk” the transactions through the system.

In order to assess fraud risks, we will perform inquiries of the accountant and others determined upon information gained during the planning phase. As noted above, we will also perform fraud inquiries of at least one member of the Board of Directors. This process will involve inquiries of these individuals regarding knowledge of fraud and evaluations of potential fraud risks of the District’s financial systems.

Prior to our arrival for fieldwork, we will also request the District prepare confirmations for bank and investment accounts and debt. Other confirmations may be requested based upon our discussions with the accountant during the planning process. In addition, we may request an attorney letter(s) as well.

After gaining an understanding of the operations and internal controls as noted above, we will begin with analytical reviews of assets, liabilities, revenues and expenditures for significant fluctuations from the prior year’s balances and the current year budget. This preliminary analytical review will serve to identify unexpected fluctuations and identify those areas that may have a higher risk of material misstatement. In order to assist in this process, we will request an electronic copy of the trial balance and the general ledger detail.

Materiality will also be determined during the planning phase. Material items are amounts in the financial statements which are considered sensitive and of great importance to the users of the statements. Generally, the materiality level is greatly dependent on the amount of the organization’s assets and revenues and upon the structure of the organization’s funds. Other qualitative items and those items which management or the Board of Directors has expressed concern for may also influence materiality.

Testing

After gaining an understanding of the District as noted above, an audit plan will be developed. This plan will be based on the risk areas identified during the planning phase of the audit. Testing will consist of analytic procedures, substantive tests of balances, and in some instances, test of controls. Procedures and samples will be selected based on an evaluation of the activity provided and materiality.

AUDIT APPROACH AND TIMING OF SERVICES (continued)

If, during the audit we discover an error which results in a potential audit adjustment, the error will be brought to the attention of the District Accountant as soon as the error is discovered. The error will not be posted without the District's approval. Once the adjustment is approved, we will post the necessary audit adjustment to the trial balance. As required under auditing standards, a discussion and recommendation will be included in either the management letter or internal control letter noted below.

Supervision and review

Debbie Crady will be the partner in-charge on the engagement to ensure proper planning of the audit. During this phase of the audit, the partners will perform reviews of each other's work to ensure no issues are overlooked and that proper documentation of procedures has been completed.

Reports and finalization

During this phase of the audit, we will assist the District in the preparation of the financial statements and prepare the opinion to be included in the financial statements. This process will include preparation of the financial statements and footnotes by the partner in-charge and a detailed review of the amounts, disclosures and overall presentation by the other partner. The review process will be facilitated through the use of a disclosure checklist.

We believe that the management letter is one of the most beneficial aspects of an audit. Our management letter will be addressed to Management and will involve suggestions for procedures that could increase efficiency, improve internal controls, or enhance reliability of financial information.

In accordance with auditing standards, if we identify significant deficiencies or material weaknesses in internal control, we will also issue a "Report on Internal Control Related Matters Identified in an Audit" ("internal control letter"). These types of issues will require some type of official action.

After obtaining all of the necessary facts and after final review, a draft of the management letter and/or internal control letter will be discussed with the District accountant to ensure that all parties fully understand the issues that have been raised and that the wording used in the letter is appropriate.

The draft audit and, if issued, the draft management and/or internal control letter will be reviewed with the District accountant prior to final presentation to the board. Once approved, the audit, management letter and/or internal control letter will be finalized for presentation to the board of directors. A formal presentation to the board will be performed by the auditors at the District's request. The final presentation materials will also include the communications required under auditing standards.

FEE ESTIMATE

Our fee estimate for the audit engagement is as follows:

Fee estimate for December 31, 2023 audit	\$23,000-\$28,000
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The above fee estimate is a range as this is our first year and the District has had employee turnover during the year. Our fee estimate does not include out of pocket expenses such as postage, parking, or mileage. We do not anticipate out of pocket expenses other than postage.

Our fee estimate is based on the assumption that accounting personnel will prepare account analyses of all important accounts, including reconciliations for accounts such as cash, investments, prepaid expenses, property and equipment, payables, leases and debt. In addition, accounting personnel will provide or make available copies of minutes, contracts, leases, bond documents, and other significant agreements and pull items selected for testing.

Should unforeseen events occur which would require additional time to complete our engagement in accordance with professional standards; we would discuss the additional time commitment with management and mutually agree on a fair and reasonable adjustment prior to beginning additional work.

Fees are adjusted each year for cost-of-living increases which are typically 3% to 5%. Should the scope of work change or the District activities increase, the fees may change accordingly.

The Partners are available throughout the year to respond to routine questions. These routine questions are answered at no additional charge. Partner rates for additional professional services, such as consulting type services (which would be identified upfront), will be billed at our standard hourly rate of \$130 per hour.

REPORT ON THE FIRM'S SYSTEM OF QUALITY CONTROL

January 20, 2021

To the Members of
Crady, Puca & Associates
and the Peer Review Committee of the Colorado Society of CPAs

We have reviewed the system of quality control for the accounting and auditing practice of Crady, Puca & Associates (the firm) in effect for the year ended April 30, 2020. Our peer review was conducted in accordance with the Standards for Performing and Reporting on Peer Reviews established by the Peer Review Board of the American Institute of Certified Public Accountants (Standards).

A summary of the nature, objectives, scope, limitations of, and the procedures performed in a System Review as described in the Standards may be found at www.aicpa.org/prsummary. The summary also includes an explanation of how engagements identified as not performed or reported in conformity with applicable professional standards, if any, are evaluated by a peer reviewer to determine a peer review rating.

Firm's Responsibility

The firm is responsible for designing a system of quality control and complying with it to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. The firm is also responsible for evaluating actions to promptly remediate engagements deemed as not performed or reported in conformity with professional standards, when appropriate, and for remediating weaknesses in its system of quality control, if any.

Peer Reviewer's Responsibility

Our responsibility is to express an opinion on the design of the system of quality control and the firm's compliance therewith based on our review.

Required Selections and Considerations

As a part of our peer review, we considered reviews by regulatory entities as communicated by the firm, if applicable, in determining the nature and extent of our procedures.

Opinion

In our opinion, the system of quality control for the accounting and auditing practice of Crady, Puca & Associates in effect for the year ended April 30, 2020 has been suitably designed and complied with to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Firms can receive a rating of *pass*, *pass with deficiency(ies)* or *fail*. Crady, Puca & Associates has received a peer review rating of *pass*.

Watson Coon Ryan, LLC

Watson Coon Ryan, LLC

Heather Gardens Metropolitan District
2888 S. Heather Gardens Way
Aurora, Colorado 80014
www.HGmetrodist.org

September 22, 2023

From: Rita Effler, Treasurer

RI_effler@hotmail.com

Heather Gardens Metropolitan District (HGMD) is a quasi-municipal corporation and political subdivision of the State of Colorado with those powers specifically authorized by, and in compliance with the Special District Act, Article 1 of Title 32, C.R.S. (Special District Act). The HGMD was established to provide and operate park and recreation facilities and to maintain Linvale Place within the District. The current activities of the HGMD consist of recreational services and operations, including the public golf course, the clubhouse, and the on-site restaurant.

Background

Heather Gardens is an age-restricted community of active, independent adults. It is located on 200 acres of land in the southeast Denver metro area. It consists of 2,426 condominium units, townhouses, and patio homes. Two separate organizations have been formed to administer the community properties and business activities. They are Heather Gardens Association (HGA) and the Heather Gardens Metropolitan District (HGMD). HGA is the homeowner association. The District has engaged HGA as their management company since 1985. HGMD is possibly the only special district, out of 4,400, in Colorado that is managed by an HOA.

Both entities have used the same audit firm for many years. The District feels it is prudent to have an independent Audit of the financial documents furnished by HGA management. The current CFO is retiring. Therefore, we are preparing and distributing this RPF to referred audit firms.

Scope of Service

- The audit will be for one year, for the year ended December 31, 2023. Deadline for completion of the audit and issuance of the audit report is June 30, 2024
- We need an independent audit of our financial statements for the year ended December 31, 2023. We do anticipate consultation services and/or administrative engagement.
- The audit must be submitted to the Board by the auditor by June 30, 2024, and filed within 30 days after receipt by the District.
- Please note that the HGA has elected NOT to change audit firms. Many of the same personnel will need to be available to both the HGA auditor and the HGMD auditor. Every effort will be made to meet the deadlines and requests of both auditors.
- The Board will be available to consult with the auditor as the audit engagement progresses.

Proposal Requirements

Please include the following information about your firm in the response to the RFP

Audit Experience

- Size, structure, and location of the firm
- Number of clients and work experience in your organization's industry
- Latest peer review report (with comments and firm's response, if applicable)
- References from similar organizations
- Disclosure of any auditors who may be subject to litigation, disbarment, or other disciplinary actions or complaints
- Unique qualities of the firm
- How the auditor's expertise in financial reporting will help HGMD to achieve our goals

Personnel

- Managing partner of this engagement
- Expected levels of staffing and review for this engagement
- Relevant training obtained by engagement staff in the last 3 years specific to our industry
- Bios and/or CVs of engagement staff members

Service Execution

- Proposed timeline and completion dates of each major section of the engagement
- Work space requirements, if in-office work is required, or a statement that the engagement will be completed remotely

Fee Calculation

- Detailed fee schedule according to the firm's billing structure
- How the firm charges (if at all) for consultation during the year, and at what rate

RFP Logistics

Please submit proposals by October 13, 2023. Once all proposals are received, the HGMD Board will review and analyze each proposal. Additional information may be needed from the audit firms during this review process.

The HGMD Board will make the decision about the audit by November 10, 2023.

Thank you in advance for your time and careful attention. If you have any further questions, please don't hesitate to contact Rita Effler, Treasurer, Heather Gardens Metropolitan District. Rl_effler@hotmail.com, 303-619-3515.

Please email your proposal directly to rl_effler@hotmail.com or mail to Rita Effler, 13952 E. Marina Dr, Unit 601, Aurora, Colorado 80014.

Sincerely,

Rita L. Effler, Treasurer



HEATHER GARDENS METROPOLITAN DISTRICT ACTION

DATE: NOVEMBER 17, 2023,

MOTION NO: 3-11-17-2023

MOTION: TERMINATE RV LOT LEASE SPACE 58

I move that the Heather Gardens Metropolitan District Board of Directors terminate the lease for space 59 in the RV Lot pursuant to paragraph 6 of the lease agreement allowing either party to terminate upon written notice provided at least 30 days prior to the last day of any calendar quarter. Such notice shall be provided on or before December 1, 2023.

ECONOMIC COST TO THE FOUNDATION: None.

APPROPRIATED BY:

Motion by: Daniel Taylor

Second by: _____

Rationale: An RV Lot lessee has been suspended from the use of the District properties for a period of one year from October 12, 2023, and was abusive to HGA employees. The termination of the RV lot space rental is the least restrictive way to minimize contact between the lease and HGA employees.

Debate: _____

Secondary Motion to : _____

Secondary Motion by: _____ Second by: _____

VOTE:

ORIGINAL MOTION

	Yes	No
Craig Baldwin		
Eloise Laubach		
Robin O'Meara		
Rita Effler		
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.

Robin O'Meara, Secretary
HGMD Board of Directors

Daniel Taylor, President
HGMD Board of Directors



HEATHER GARDENS METROPOLITAN DISTRICT ACTION

DATE: NOVEMBER 17, 2023,

MOTION NO: 6-11-17-2023

MOTION: PURCHASE RV LOT FENCING

Based on the recommendation of the RV Lot Committee, I move that the Heather Gardens Metropolitan District Board of Directors accept the proposal from AJI Fencing to cut off and haul away the existing RV Storage Lot galvanized chain link fence and furnish and install approximately 1,137' of 7' tall Ameristar Montage Plus Invincible Fence using 2-1/2" square steel posts installed in concrete footings and Montage Plus Invincible panels attached to posts with bracket assembly at a cost of \$106,025 with a reserve of \$3,975 for a total of \$110,000.

ECONOMIC COST TO THE FOUNDATION: \$110,000.

APPROPRIATED BY: Budgeted Capital Expenditure

Motion by: Daniel Taylor

Second by: _____

Rationale: The existing chain link fence is over 50 years old and has extensive damage. Its history shows that it is painfully unable to prevent trespassers and thieves from making entry into the lot. As a result, there have been continuous thefts of catalytic converters, batteries, property damage to RV windows and interiors, and even the theft of a camping trailer and a speed boat. The price of steel will undoubtedly increase significantly over the next few years. Therefore, it will be less costly to secure the price this year.

Debate: _____

Secondary Motion to : _____

Secondary Motion by: _____ Second by: _____

VOTE:

ORIGINAL MOTION

	Yes	No
Craig Baldwin		
Eloise Laubach		
Robin O'Meara		
Rita Effler		
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.

Robin O'Meara, Secretary
HGMD Board of Directors

Daniel Taylor, President
HGMD Board of Directors



HEATHER GARDENS METROPOLITAN DISTRICT ACTION

DATE: NOVEMBER 17, 2023,

MOTION NO: 7-11-17-2023

MOTION: PURCHASE OF SITEWATCH PRO 3 CAMERA AND STREETLIGHT REIMBURSEMENT

Based on the recommendation of the RV Lot Committee, I move that the Heather Gardens Metropolitan District Board of Directors 1) accept the proposal from Sensera to purchase one SiteWatch Pro3 Camera Kit for \$4,749.05 and 12 months SiteCloud service for \$4,308.00 for a total cost of \$9,057.05; 2) reimburse Forrest McClure for one Dimgogo 3000W, 180,000 lumen solar powered streetlight for \$150.72; and 3) reimburse Forrest McClure for one OKPRO S-144XM 50W, 6,000 lumen solar powered motion detection light for \$22.95. (Total reimbursement \$173.67)

ECONOMIC COST TO THE FOUNDATION: \$9,230.72.

APPROPRIATED BY: CAPITAL RESERVES

Motion by: Craig Baldwin

Second by: _____

Rationale: This is a proven and tested system that was successfully used for three months in the lot. It has a 13 MP CMOS Sensor. The Security Department Manager, David Marris, would like a camera that provides an alert when motion is detected and at least one should be at the gate. He gives a high recommendation for the Sensera camera: Picture clarity (resolution)? 4 stars, Latency (speed in providing notifications)? 4 stars, the cell phone app? 5 stars, IR quality? 4 stars, and Overall rating? 4 stars.

This light has been mounted on a pole along the Army Corps of Engineer's fence since October 23, 2023, having been purchased by Forrest McClure from Amazon. The light has performed according to expectations.

Order Summary:

Item(s) Subtotal	\$199.00
Shipping & Handling	\$0.00
Coupon Savings	- \$59.70
Total before tax	\$139.30
Tax collected	\$11.14
CO Retail Delivery Fees	\$0.28

Grand Total	\$150.72
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This light is being used to illuminate anyone approaching the fence near space #74 (an area that has experienced multiple intrusions). The light is off until it detects motion and turns on to 100% illumination when motion is detected. The light was purchased by Forrest McClure from Amazon and is performing according to expectations.

Order Summary:

Item(s) Subtotal	\$20.99
Shipping & Handling	\$0.00
Total before tax	\$20.99
Tax collected	\$1.68
CO Retail Delivery Fees	\$0.28
Grand Total	\$22.95

Debate: _____

Secondary Motion to : _____

Secondary Motion by: _____ Second by: _____

VOTE:

ORIGINAL MOTION

	Yes	No
Craig Baldwin		
Eloise Laubach		
Robin O'Meara		
Rita Effler		
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.

Robin O'Meara, Secretary
HGMD Board of Directors

Daniel Taylor, President
HGMD Board of Directors