



Heather Gardens Metropolitan District

HEATHER GARDENS METROPOLITAN DISTRICT SPECIAL MEETING

Friday, March 10, 2017

Amendment to the HGA/HGMD Management Agreement

The Special meeting of the Board of Directors of the Heather Gardens Metropolitan District was held in the office of the District, 2888 S. Heather Gardens Way, Arapahoe County, Colorado, on Friday, March 10, 2017.

The Secretary certified that all Directors have been duly notified and at least three notices of the meeting were posted in public places within the limits of the District, all in accordance with C.R.S. 32-903 (1973) as amended; that at least three copies of the agenda for the meeting were duly posted in designated places within the limits of the District, in accordance with C.R.S. 24-7-402(c); that a quorum was present; and that the meeting hence was duly constituted and could lawfully transact business as contemplated.

Acting President Craig Baldwin called the meeting to order at 9:00 AM. Directors Vincent Velasquez and Robert Gullion . Also in attendance was 45 observers, Mary Hafka of Heather 'n Yon, General Manager Calvin Eddy-White, and Recording Secretary Stephanie Wyche.

Residents wishing to address the Board on agenda items:

1. A resident spoke regarding the Golf Contractor Contract.
2. A resident spoke regarding the Auditor Contract.
3. A resident made a comment regarding the operations of Heather Gardens.
4. Another resident made a comment regarding the operations and employees of Heather Gardens.
5. A resident made a comment about the history of the two Board of Directors at Heather Gardens.
6. A resident spoke regarding members of the District becoming involved with the day to day operations of the staff.
7. A resident spoke regarding the Amendment to the Management Agreement.
8. A resident asked the Board why they would want to terminate the Management Agreement with HGMD.

NEW BUSINESS:

1. **Attorney Contractor:** Motion made by Gullion, seconded by Velasquez and passed that the Board authorize legal counsel, Jennifer Ivey of Icenogle Seaver Pogue, to provide the Heather Gardens Metropolitan District Treasurer copies of all correspondence between Heather Gardens Metropolitan District and the law firm from 2016 and 2017.

For: 2
Abstain: 1

2. **Attorney Contractor:** Motion by Gullion, seconded by Velasquez and passed unanimously that that the Board authorize legal Counsel, Jennifer Ivey of

Icenogle Seaver Pogue, to provide the Heather Gardens Metropolitan District Treasurer with copies of all correspondence between the Heather Gardens Association on behalf of Heather Gardens Metropolitan District and the law firm from 2016 and 2017.

3. **Attorney Contractor:** Motion made by Gullion, seconded by Velasquez and passed that the Board authorize legal Counsel, Jennifer Ivey of Icenogle Seaver Pogue, to immediately provide each and every member of the Heather Gardens Metropolitan District Board with copies of all correspondence between the Heather Gardens Metropolitan District and the law firm from this day forward.

For: 2
Abstain: 1

4. **Golf Contractor Contract:** Motion made by Velasquez, seconded by Gullion to leave the Golf Contractor Contract on the agenda.

For: 2
Against: 1

5. **Golf Contractor Contract:** Motion made by Velasquez, seconded by Gullion and passed that the Heather Gardens Metropolitan District Board of Directors remove the budget of the Golf Contractor effective immediately from the Heather Gardens Metropolitan District Budget. **Motion out of order**

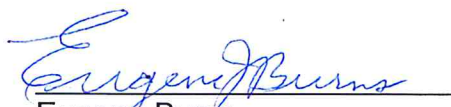
For: 2
Against: 1

Motion out of Order – In order to make changes to the HGMD Budget you must notify the public by publishing a notice.

6. **Management Agreement with HGA:** Motion made Gullion, seconded by Velasquez and passed that Heather Gardens Metropolitan District Board of Directors, in accordance with Section VI, of the Management Agreement dated 2nd day of September 2015 by and between Heather Gardens Metropolitan District and Heather Gardens Association, immediately provide written notice to Heather Gardens Association of Heather Gardens Metropolitan District's termination of said agreement.

For: 2
Against: 1

There being no further business the meeting was adjourned at 9:50 a.m. The next Regular meeting is Thursday, March 16, 2017 at 1:00 p.m.


Eugene Burns
Secretary