

**HEATHER GARDENS METROPOLITAN DISTRICT  
REGULAR MEETING  
Thursday, January 18, 2024**

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, January 18, 2024 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, January 18, 2024. 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:** Jennifer L. Ivey, Icenogle Seaver Pogue, P.C., five members of the Heather Gardens Association Board, Lynn Donaldson with Heather 'n Yon, and approximately 55 members of the public were present.

**APPROVAL OF MINUTES:** Motion made by Secretary O'Meara and seconded by Director Baldwin and passed unanimously to approve the minutes of August 3, 2023, Special Meeting, October 19, 2023, Regular Meeting, November 17, 2023, Special Meeting with two minor changes, and January 4, 2024, Special Meeting.

**PRESIDENT'S REPORT:** President Taylor said they held their first joint public work session with the HGA Board, which went well. They have been meeting since in different groups of two to discuss other topics and will continue to meet. The following work session is scheduled for February 8, 2024. More information to follow if there are any changes.

**TREASURER'S REPORT:** Treasurer Effler commented there is no report as Controller Carrie Toennis is working on completing the financials and is also working on the audit.

**COMMITTEE REPORTS:**

- a. Audit/Finance Report: The Audit/Finance report was in the packet. Treasurer Effler reported receiving information that entitles reimbursement of up to \$10,000 if the District spent \$20,000 on safety security equipment/items. She found items that qualify and will continue to look for others to apply for the money.



# Heather Gardens

METROPOLITAN DISTRICT

- b. Clubs and Activities Report: There was no meeting, but there was a report from the Woodshop Club, dated January 10, in the packet. Director Baldwin commented that the members of the woodshop club have been making progress in the last six months. There was a request from Treasurer Effler asking the club if they could add chair railings in the billiard room for the low chairs they use. Club member Pete Von Vett said they contacted HGA Maintenance to see if they had any material to help with the project. During the HGA 6-story chair railing project, Jon Howell said they had leftover material that he would look into and get back to him. Mr. Von Vett said If they can obtain the material from HGA Maintenance, the woodshop club will do the project and install it. The Woodshop Club meeting is on February 7.
- c. Clubhouse Report: No report in the packet.
- d. Compliance Committee: No meeting.
- e. Foundation Report: Vice President Laubach reported they did not have a meeting this month and that the next meeting will be on February 14. For 2023, they received \$3,985 in donations and expenditures of \$5,290.63 on landscaping, bench pads, assorted flowers, and four umbrellas for the restaurant patio.
- f. Golf Report: No meeting.
- g. **Restaurant Report:** Secretary O'Meara reported the Committee met on January 10. The meeting was to focus on marketing. There will be a lot of special events happening at the Rendezvous and getting marketed. There was a discussion about having an open house for the new equipment and letting the community know the changes they are making in the restaurant. They also discussed volunteers and what they can do at the restaurant and for the clubhouse activities. The restaurant has a new point of sale (POS) system called Toast that would save an estimated amount of \$7k and also reduce the processing fees on credit cards. They are still looking into leasing a coffee and an ice machine rather than owning them, as well as entertainment and bands for the restaurant. The next meeting is January 25.
- h. **Recreational Vehicle (RV) Lot Report:** The RV Lot report was in the packet. Director Baldwin commented that they are discussing a contract for changes to the fence. He also mentioned tree branches were hanging over the fence, which the City of Aurora said they would take care of when the weather permits.

Chair Forrest McClure joined the meeting a little later and provided an update that he met with two representatives from the Army Corp. of Engineers at the RV Lot. They said to send a letter of intent and get Aurora Parks and Recreation to agree, as they are the lessee to request to remove the Army Corp. fence and perhaps even get the two cottonwood trees that are a problem to the RV Lot. Chair McClure said he would draft a proposal for President Taylor to sign and submit to the Army Corp. of Engineers.



**UNFINISHED BUSINESS:**

- a. **Request Status of Directed Tasks (included in the packet):** The Board reviewed the items on this status task report with the Acting General Manager (AGM), Holly Shearer.
- Handicap Accessible Assessment - AGM will follow up with Jon Howell.
  - Replace Handicapped Parking Signs on two Spaces Vacated by Security – AGM will follow up with the Golf & Landscaping Dept.
  - HG Vehicles/Employees still Parking in Clubhouse Lot – AGM will send another notice to staff.
  - Parking Lot Signage - AGM will follow up with the Golf & Landscaping Dept.
  - Repair Pool Tables – AGM said the vendor came out to make repairs, but she will also follow up.
  - Submit Activities/Dances Income & Expenses – President Taylor said they received the ranges but needed more detailed information per class.
  - Submit Teacher Costs - President Taylor said they received the ranges but needed more detailed information.
  - Patch Maintenance Parking Lot Potholes - President Taylor said Maintenance should fill the potholes with dirt.
  - Remove Equipment from Golf Course - AGM will follow up with the Golf & Landscaping Dept.
  - Repair Women's Locker Room Tile – AGM said the Maintenance crew is doing repairs.
  - Repair Restroom Downstairs - AGM said the Maintenance crew is working on repairs.
  - Carpet Cleaning – AGM said the carpets were cleaned and continue to be cleaned.
  - Remove Moths from Light Fixtures – AGM said this has been done.
  - Correct Checking Accounts Signatories – AGM said it is being worked on.
  - Clubhouse Parking Lot Lights – AGM said this has been done.
  - Approved Directive to HGA Management to provide detailed accounting for all 2023 Expenditures on or before January 31, 2024 - AGM said it is being worked on.
  - Request to Review PS1 Garages for Golf Equipment – AGM said President Taylor can schedule a time and day to do a walk-through when weather permits.
  - Request for Recall Petition Circulation Rules – President Taylor skipped this.
  - Stained Carpet in Aspen Room and Mountain View Room – AGM has been done.
  - Microphones for Aspen/Blue Spruce Rooms not working – AGM will follow up with the Clubhouse Acting Manager.



# Heather Gardens

## METROPOLITAN DISTRICT

- Flat Screen TV fell off the stand – Secretary O’Meara said she knew this was fixed but wanted to ensure the TV was set up appropriately to avoid this from happening again. AGM said the screws on the back were loose and have been tightened.
- Long White Tables Stained in Blue Spruce Room & Auditorium – President Taylor asked they be cleaned. AGM noted.
- Auditorium Kitchen Carts filthy - President Taylor asked they be cleaned. AGM noted.

### **NEW BUSINESS:**

- a. **Approve to Adopt Annual Resolution:** Motion made by Director Baldwin to adopt the annual resolution and seconded by President Laubach and passed unanimously.
- b. **Approve Clubhouse Security Officer:** Motion made by President Taylor and seconded by Secretary O’Meara and passed as amended unanimously.

Text of Motion: I move that the Heather Gardens Metropolitan District Board of Directors investigate the feasibility of placing a one-armed security officer at a desk at the entrance of the Clubhouse. The Board will meet with the Clubhouse and SEC Committees by March 1, 2024, for further recommendations.

Noted by Secretary O’Meara, the Board of Directors will involve the Clubhouse and SEC Committee to get a feasibility and cost analysis and possibly alternatives for placing an armed security officer at a desk of the Clubhouse entrance to meet by March 1, 2024.

Explanatory Comment: HGA has reported that front desk employees don’t feel safe. During a recent incident in the management office, second-floor employees and attendees in the boardroom were evacuated into the locked management office. However, front desk employees, who are fully visible while exiting the building through any first-floor door from the management office, were not notified that there was a security threat. This officer could provide security as well as offer a service to visitors. Everyone entering the clubhouse lobby will be immediately aware that security is on duty.

- c. **Approve Clubhouse Reception Desk:** Motion made by President Taylor and seconded by Director Baldwin and passed unanimously.

Text of Motion: I move that the Heather Gardens Metropolitan District Board of Directors direct the Clubhouse Committee to coordinate with HGA to investigate the feasibility of moving the reception desk to the elevator wall so staff can view the Clubhouse hallway as well as the front and rear entrances. Storage cabinets with counter space for information should replace the current reception desk, which

would allow the new reception desk to have free counter space. A panic button to alert security shall be included in the cost estimate.

Explanatory Comment: Front desk staff have requested moving the reception desk, if possible, to have the elevator wall at their backs so they can see people approaching them.

- d. **Approve to Appoint Clubs/Activities Director:** Motion made by Director Baldwin and seconded by President Taylor and passed.

Text of Motion: I move that the Heather Gardens Metropolitan District Board of Directors appoint the nominee receiving a majority of the votes as chair for the Clubs/Activities Committee. The nominees are Cecilia Williams and Nancy Linsenbigler.

The nominees presented their reasoning for applying for the chair position.

The Board voted (4 For and 1 Abstain – Robin O'Meara), and Nancy Linsenbigler received the majority vote and was appointed Clubs/Activities Committee Chair.

Explanatory Comment: The position of Clubs/Activities Chair is vacant.

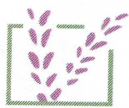
- e. **Approve to Allow Acting Clubhouse Manager to Waive Deposit for the Frolics Club:** Motion made by Treasurer Effler and seconded by Director Baldwin and passed unanimously.

Text of Motion: I move that the Heather Gardens Metropolitan District Board of Directors authorizes Management to waive the payment of the deposit required prior to scheduling the rental of rooms for the Annual Frolics spring show and that the rooms are reserved for said event.

Explanatory Comment: The Frolics Club, active for over 25 years, has no funds in reserve to pay to reserve the auditorium and other rooms needed for this event. They are currently providing free entertainment in the restaurant, increasing its revenue. They will pay the rental contract amount with ticket sales proceeds on/or before the day of the Event.

- f. **Approve the Pool Sand Filter (\$55,000 Project Cost):** Motion made by Treasurer Effler and seconded by Vice President Laubach and passed unanimously.

Text of Motion: I move that the Heather Gardens Metropolitan District Board of Directors approve the Request for Capital Expenditure in the amount of \$55,000, including the installation and removal of the old equipment and all necessary services for the new pool filter to function, including a change order reserve of \$5,800.96 with a contract amount of \$49,193.04. CEM is the contractor.



# Heather Gardens

METROPOLITAN DISTRICT

Explanatory Comment: The installation of a new sand filter will negate the twice-annual draining and cleaning of the pool. It will replace a labor-intensive filter system with a more economical operation. Maintenance reports that the 12-year-old system is obsolete, with parts unavailable for repair.

**PUBLIC COMMENT:**

Secretary O'Meara had a statement she read: "I did not know doing something with good intentions would be so hard. I and we are so determined to do what HG residents deserve and demand: accountability, transparency, and financial responsibility. Contracts is one area where we have shown financial responsibility because of our due diligence. Just on the contract alone for the point of sales system has saved the District thousands of dollars. We got the system for half price and the long-term benefit. The credit card processing fees have also been lowered. As far as attorney fees, Daniel has been working as an attorney our contracts that have saved a lot of money, I would not say thousands but at least a thousand or two as we go through the language. We have a policy, and we are looking at the contract with kind of a fine toothcomb. So, I just wanted to mention that again. Goal is to maintain the quality and reputation of the Heather Gardens Community by actively overseeing the District's properties and ensuring your money is used well to maintain and manage your investment. We are working hard for you. Thank you".

A resident commented that what Robin O'Meara read touched her heart.

**ADJOURNMENT:** Upon motion by Director Baldwin, and seconded by Vice President Laubach, and passed unanimously, the meeting adjourned at 3:15 p.m.

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Daniel Taylor, President

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Robin O'Meara, Secretary