



# Heather Gardens

## METROPOLITAN DISTRICT

### NOTICE OF HGMD BOARD OF DIRECTORS REGULAR MEETING

February 20, 2025, at 1:00 P.M.

Pursuant to Section 24-6-402(2)(c), C.R.S., the Board of Directors of the Heather Gardens Metropolitan District hereby gives notice that it will hold a regular meeting at the at the Heather Gardens Clubhouse in the boardroom and via Zoom video conference at **1:00 p.m.** on **February 20, 2025**. The meeting will be held for the purpose of conducting the business of the Heather Gardens Metropolitan District. This meeting is open to the public.

#### Join Zoom

<https://us06web.zoom.us/j/81601701147>

Meeting ID: 816 0170 1147

Pass code: Not Required

Or Dial-In: +1 346 248 7799

#### AGENDA

1. Pledge of Allegiance
2. Determine quorum present
3. Call meeting to order
4. Consider Approval of/Additions To/Deletions from the Agenda
5. President's Report
6. Treasurer's Report
7. District Manager's Report
8. Consider Approval of Meeting Minutes
  - a) December 2, 2024 Special Meeting
  - b) December 19, 2024 Regular Meeting
  - c) January 9, 2025 Special Meeting
  - d) January 16, 2025 Special Meeting
  - e) January 20, 2025 Study Session
  - f) January 23, 2025 Study Session
  - g) January 27, 2025 Special Meeting
  - h) January 30, 2025 Special Meeting
  - i) February 3, 2025 Study Session
  - j) February 10, 2025 Study Session
  - k) February 11, 2025 Special Meeting
9. Committee Chair Reports
  - a) Audit/Finance Report
  - b) Capital Program Committee
  - c) Clubhouse Committee Report
  - d) Foundation Committee – Report Attached
  - e) Golf Committee Report
  - f) Restaurant Committee – Report Attached
  - g) RV Lot Committee – Report Attached
10. Consultant/Advisor Reports
11. Review of Financial Reports

12. Unfinished Business

13. New Business

- a) Discussion and Consider Action on Termination/Addendum to Forensic Audit by Eide Bailly LLP
- b) Discussion and Consider Action on Resolving Outstanding Balance for Services Request from Heather Gardens Association
- c) Discussion and Consider Action Related to the Management Agreement with Heather Gardens Association
- d) Discussion and Consider Action on having the Heather Gardens Association Civic Affairs committee arrange for public introductions and presentation of candidates for HGMD Elections, commonly known as "Meet the Candidates"
- e) Discussion and Consider Action on Providing Irrigation, Wooden Perimeters to New Plots in Garden Area and Provide New Garden Plot Numbers throughout the Garden
- f) Discussion and Consider Action on Change Order for Golf Course Irrigation Pump

14. Public Comments on Non-Agenda Items (time limit of 5 minutes per speaker)

15. Announcements

16. Adjournment

The next HGMD regular Board meeting will be held on Thursday, March 20, 2025, at 1:00 PM.

*2888 S. Heather Gardens Way • Aurora, CO 80014 • (303) 755-0652 (Office) • (303) 745-5253 (Fax)  
www.heathergardens.org*

**HEATHER GARDENS METROPOLITAN DISTRICT  
SPECIAL MEETING, MONDAY, DECEMBER 2, 2024  
MINUTES**

The special meeting of the Board of Directors of the Heather Gardens Metropolitan District (HGMD) was held in the Heather Gardens Clubhouse Boardroom at 2888 S. Heather Gardens Way, Aurora, Colorado 80014 on December 2, 2024 at 2:00 p.m.

CALL TO ORDER: President Daniel Taylor called the meeting to order on December 2, 2024 at 2:00 p.m. A quorum was present.

BOARD MEMBERS PRESENT: President Daniel Taylor, Vice President Eloise Laubach, Secretary Robin O’Meara, Director Forrest McClure, and director Steve Stratton via Zoom.

GUESTS PRESENT: Not recorded.

APPROVAL OF THE AGENDA: There were no changes to the agenda.

APPROVAL OF THE MINUTES: There being no corrections to the minutes, the minutes stand as approved.

- |                       |                      |                       |
|-----------------------|----------------------|-----------------------|
| a. Minutes 2023-9-7   | g. Minutes 2024-2-1  | m. Minutes 2024-9-4   |
| b. Minutes 2023-10-12 | h. Minutes 2024-3-21 | n. Minutes 2024-10-1  |
| c. Minutes 2023-11-4  | i. Minutes 2024-4-3  | o. Minutes 2024-10-3  |
| d. Minutes 2023-12-8  | j. Minutes 2024-6-6  | p. Minutes 2024-11-7  |
| e. Minutes 2024-1-11  | k. Minutes 2024-7-19 | q. Minutes 2024-11-21 |
| f. Minutes 2024-1-24  | l. Minutes 2024-8-1  |                       |

PRESIDENT’S REPORT: “After much negotiation and providing documentation of the District’s financial health, Moody’s has delayed the review from 60 to 90 days.” (See full President’s report here: [Moody's Rating Review](#))

NEW BUSINESS:

- a. Motion 2024-12-2-1 Purchase Aspen Room Monitor: Motion by Robin O’Meara, seconded by Forrest McClure, approved unanimously.
- b. Motion 2024-12-2-2 Payment of Eide Bailley Invoice: Motion by Daniel Taylor, seconded by Steve Stratton, the motion was approved with 4 directors voting yes, and Eloise Laubach voting no.
- c. Motion 2024-12-2-3 Purchase Patio Furniture: Motion by Robin O’Meara, seconded by Steve Stratton, the motion was approved with 4 directors voting yes, and Eloise Laubach voting no.

d. Motion 2024-12-2-4 Purchase Mountain View Room Tables: Motion by Robin O'Meara, seconded by Daniel Taylor, the motion was approved with 4 directors voting yes, and Eloise Laubach abstained.

e. Motion 2024-12-2-5 Purchase of Banquet Room Tables: Motion by Robin O'Meara, seconded by Steve Stratton, the motion was approved with 4 directors voting yes, and Eloise Laubach voting no.

ADJOURNMENT: Motion by Eloise Laubach, seconded by Steve Stratton, approved unanimously to adjourn at 2:55 p.m.



Forrest McClure, Director (substituting for lack of a Secretary)  
Heather Gardens Metropolitan District  
Board of Directors

**HEATHER GARDENS METROPOLITAN DISTRICT  
REGULAR MEETING, THURSDAY, DECEMBER 19, 2024  
MINUTES**

The regular meeting of the Board of Directors of the Heather Gardens Metropolitan District (HGMD) was held in the Heather Gardens Clubhouse Boardroom at 2888 S. Heather Gardens Way, Aurora, Colorado 80014 on December 19, 2024, at 1:00 p.m.

CALL TO ORDER: Acting President Eloise Laubach called the meeting to order on December 19, 2024, at 1:00 p.m. A quorum was present.

BOARD MEMBERS PRESENT: Acting President Eloise Laubach, Director Forrest McClure, Treasurer Steve Stratton, Director Bill Gold, Director David Kennedy. Each introduced themselves to the audience.

GUESTS PRESENT: Approximately 40 in audience and 30 on Zoom.

CHANGE TO THE AGENDA: By unanimous consent, V.P. Eloise Laubach removed items c. d. e. and f. from the agenda upon recommendation in an email from attorney Jennifer Ivey “that no formal changes of course should be authorized until” the board has consulted with her and attorney Peter Forbes.<sup>1</sup>

APPROVAL OF THE MINUTES: There being no corrections to the December 2, 2024, minutes, the minutes stand as approved.

PRESIDENT’S REPORT: See attachment.

ELECTION OF OFFICERS:

1. David Kennedy nominated Bill Gold for President with Steve Stratton seconding with no one else nominated Bill Gold was elected by acclamation.
2. David Kennedy nominated Eloise Laubach for Vice-President with Bill Gold seconding with no one else nominated Eloise Laubach was elected by acclamation.
3. David Kennedy nominated Forrest McClure for Secretary with Eloise Laubach seconding with no one else nominated Forrest McClure was elected by acclamation.
4. Eloise Laubach nominated Steve Stratton for Treasurer with Steve Stratton nominating David Kennedy. David Kennedy was elected Treasurer with three votes out of five by paper ballot.

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<sup>1</sup> HGMD Bylaw, Section 9. Conduct of Meeting, D. Order of Business (5). Consider changes to the agenda such as additions, deletions, or items requiring action by the Board – a motion, second, and a majority vote is required.

TREASURER'S REPORT: See page 3 to 13. Eloise Laubach questioned why and asked who transferred \$48,747.56 out of the Foundation's Key Bank account. The Board's accounting firm, Community Resource Services (CRS), moved the money to Colorado Trust's Foundation Funding account as was previously approved by the board. It was noted that new check signature authorizations are required for President Gold and Treasurer Kennedy.

Manager's Report: GM Lary Herkal reported that there is an unresolved electrical issue with the new pump recently installed in the Golf Course well but is assured that it will be ready for Spring.

NEW BUSINESS:

- a. Motion 2024-12-19-1 Consider the extension of the Management Agreement: Motion by Eloise Laubach and seconded by David Kennedy. Motion to amend by David Kennedy to replace the word "of" after words "for a period" with the words "up to", seconded by Bill Gold, approved by majority vote. A motion to amend the main motion by Forrest McClure to reduce "120 days" to "60 days" failed. The amended main motion to "extend the existing Management Agreement between the Heather Gardens Metropolitan District and the Heather Gardens Association and Management for a period up to 120 days commencing upon the acceptance of this proposal by the Heather Gardens Association Board of Directors" was approved by a majority vote with Bill Gold, David Kennedy and Eloise Laubach voting yes, and Forrest McClure and Steve Stratton voting no.
- b. MOTION 2024-12-19-2 to "reinstate Jennifer Ivey, attorney at law, to represent the District for legal purposes on an as-needed basis." Motion by Eloise Laubach, seconded by David Kennedy. Motion to amend by David Kennedy to replace the word "reinstate" with the word "reaffirm" agreed to by Eloise Laubach. The amended main motion to "reaffirm Jennifer Ivey, attorney at law, to represent the District for legal purposes on an as needed basis," was adopted by unanimous vote.

DISCUSSION: An executive session with attorneys Jenifer Ivey and Peter Forbes was set for January 9, 2025, from 9 to 10 a.m. or alternatively 11 to 12 noon.

ADJOURNMENT: Motion by Forrest McClure, approved unanimously to adjourn at 3:18 p.m.



Forrest McClure, Secretary  
Heather Gardens Metropolitan District  
Board of Directors

# HGMD Partial - Treasurer's Report

From: Steve Stratton, Treasurer HGMD

December 19, 2024

Highlights of District Operations:

	Actual	Budget
Clubhouse Profit (Loss)	(\$0)	(\$0)
Golf Profit (Loss)	(\$0)	(\$0)
Restaurant Profit (Loss)	(\$0)	(\$0)

**Clubhouse:** The new sound board is in, and training has commenced. The floor replacement is underway as of this writing and should be completed by December 20th. The events and room booking continues to be an issue with double bookings, incorrect setups and other issues. The repair of walls and equipment must be addressed along with the poor management of the facility.

**Golf:** The golf course P&L is skewed by the replacement of the pump and need to use city water at an expensive rate. Other than water cost, the golf course continues its march to operating in the black. Kudo's the golf team.

**Restaurant:** Management is excited about their ability to exceed budgeted revenue for the year. Several of the new initiatives are working well. That said, we need to review the upcoming financials reports to insure we trim/stop those things that do not add value or break close to even.

**Enterprise Fund:** This is really our operating fund. What accumulates over operational expenses will pay for capital projects.

**Conservation Trust Funds:** These funds come from the State lottery profit. We've received about \$12,000 this year and should get that much one more time. \$151,845 is the current balance. These funds accumulated over many years. A report must be made annually on their use. Restrictions are minimal for the use of the funds. We are using them primarily for recreational enhancements, which is what they are supposed to be used for.

**Debt Service Fund:** Both interest and the principal payments were made for 2024. We owe \$6.815 million to bond holders. Principle is paid from property tax revenue, as is interest.

**Foundation Fund:** The current balance is \$ 48,747.56. The Foundation began in the early 90's. Its main purpose is to use the funds donated by those who love our community in a way that honors them and our community.

Steve Stratton, Treasurer







6455 S Yosemite St STE 225  
Greenwood Village, CO 80111  
RETURN SERVICE REQUESTED

Account Number XXXXXX5501  
Statement Date 11/29/2024  
Statement Thru Date 12/01/2024  
Check/Items Enclosed 2  
Page 1

00003361 0010021 0001-0002

00003361 TIBSTMNT113024003931 01 00000000 0000000 003  
HEATHER GARDENS METROPOLITAN DISTRICT  
2888 S HEATHER GARDENS WAY  
AURORA CO 80014

**Customer Service Information**

-  **Customer Support Number:** (575) 445-2321
-  **Visit Us Online:** [www.inbank.com](http://www.inbank.com)
-  **Lost/Stolen Debit Card:** (575) 445-2321  
**After Hours:** (800) 523-4175
-  **Bank Number:** (877) 550-2321

**INBUS ANALYSIS (PUB)- BAP**

Account Number: XXXXXX5501

Account Owner(s): HEATHER GARDENS METROPOLITAN DISTRICT

**Balance Summary**

<b>Beginning Balance as of 11/01/2024</b>	<b>\$0.00</b>
+ Deposits and Credits (2)	\$1,162,125.33
- Withdrawals and Debits (0)	\$0.00
<b>Ending Balance as of 11/30/2024</b>	<b>\$1,162,125.33</b>
Service Charges for Period	\$0.00

**DEPOSITS & MISC CREDITS**

Date	Description	Deposits
Nov 12	DEPOSIT	1,162,004.61
Nov 22	RDC DEPOSIT	120.72

**DAILY BALANCE SUMMARY**

Date	Balance	Date	Balance
Nov 12	1,162,004.61	Nov 22	1,162,125.33

00003361 0010021 0001-0002





**BALANCE YOUR ACCOUNT**

To keep track of all your transactions, you should balance your account every month. Please examine this statement immediately. We will assume that the balance and transactions shown are correct unless you notify us of an error.

**Outstanding Deposits**

DATE	AMOUNT
<b>TOTAL</b>	<b>\$</b>

**Outstanding Withdrawals**

DATE	AMOUNT
<b>TOTAL</b>	<b>\$</b>

- List any deposits that do not appear on your statement in the Outstanding Deposits section at the left. Record the total.
- Check off in your checkbook register all checks, withdrawals (including Debit Card and ATM) and automatic payments that appear on your statement. Withdrawals that are NOT checked off should be recorded in the Outstanding Withdrawals section at the left. Record the total.
- Enter the ending balance shown on this statement. \$ \_\_\_\_\_
- Enter the total deposits recorded in the Outstanding Deposits section. \$ \_\_\_\_\_
- Total lines 3 and 4. \$ \_\_\_\_\_
- Enter the total withdrawals recorded in the Outstanding Withdrawals section. \$ \_\_\_\_\_
- Subtract line 6 from line 5. This is your balance. \$ \_\_\_\_\_
- Enter in your register and subtract from your register balance any checks, withdrawals or other debits (including fees, if any) that appear on your statement but have not been recorded in your register.
- Enter in your register and add to your register balance any deposits or other credits (including interest, if any) that appear in your statement but have not been recorded in your register.
- The balance in your register should be the same as the balance shown in #7. If it does not match, review and check all figures used, and check the addition and subtraction in your register. If necessary, review and balance your statement from the previous month.

**IMPORTANT DISCLOSURES TO OUR CONSUMER CUSTOMERS**

**In Case of Errors or Questions About Your Checking, Savings, ATM, Debit Card, ACH, Bill Pay and Other Electronic Transfers**

If you think your statement or receipt is wrong or if you need more information about a transfer on the statement or receipt, we must hear from you no later than 60 days\* after we sent you the FIRST statement on which the error or problem appeared. Telephone us at 877-550-2321 or write to us at InBank 6455 S Yosemite St STE 225 Greenwood Village, CO 80111

ATTN: Deposit Operations.

- Tell us your name and account number.
- Describe the error or the transfer you are unsure about, and explain as clearly as you can why you believe there is an error or why you need more information.
- Tell us the dollar amount of the suspected error.

We will determine whether an error occurred within 10 business days after we hear from you and will correct any error promptly. If we need more time, we may take up to 45 days to investigate your complaint. For errors involving new accounts, point-of-sale, or foreign-initiated transactions, we may take up to 90 days to investigate your complaint. If we decide to do this, we will credit your account within 10 business days for the amount you think is in error, so that you will have the use of the money during the time it takes us to complete our investigation. If we ask you to put your complaint or question in writing and we do not receive it within 10 business days, we may not credit your account.

\*Please note: Paper draft and paper check claims must be disputed within 30 days per Your Deposit Account Agreement.

**IMPORTANT DISCLOSURES TO OUR BUSINESS CUSTOMERS**

Errors related to any transaction on a business account will be governed by any agreement between us and/or all applicable rules and regulations governing such transactions, including the rules of the National Automated Clearing House Association (NACHA Rules) as may be amended from time to time. If you think this statement is wrong, please telephone us 877-550-2321

**CONSUMER BILLING RIGHTS SUMMARY REGARDING YOUR READY RESERVE LINE**

**What To Do If You Think You Find A Mistake on Your Statement**

If you think there is an error on your statement, write to us at:

InBank 6455 S Yosemite St STE 225 Greenwood Village, CO 80111

In your letter, give us the following information:

- **Account information:** Your name and account number.
- **Dollar Amount:** The dollar amount of the suspected error.
- **Description of problem:** If you think there is an error on your bill, describe what you believe is wrong and why you believe it is a mistake. You must contact us within 60 days after the error appeared on your statement.

You must notify us of any potential errors *in writing*. You may call us, but if you do we are not required to investigate any potential errors and you may have to pay the amount in question.

While we investigate whether there has been an error, the following are true:

- We cannot try to collect the amount in question, or report you as delinquent on that amount.
- The charge in question may remain on your statement, and we may continue to charge you interest on that amount. But, if we determine that we made a mistake, you will not have to pay the amount in question or any interest or other fees related to that amount.
- While you do not have to pay the amount in question, you are responsible for the remainder of your balance.
- We can apply any unpaid amount against your credit limit.

**Reserve Line Balance Computation Method:** To determine your **Balance Subject to Interest Rate**, use the dates and balances provided in the Reserve Line Balance Summary section.

The date next to the first Balance Subject to Interest is day one for that balance and is applicable up to (but not including) the date of the next balance (if there is one). We multiply the Balance Subject to Interest by the number of days it is applicable and add them up to get the same number of days in the billing cycle. We then divide the result by the number of billing days in the cycle. This is your **Balance Subject to Interest Rate**. Any unpaid interest charges and unpaid fees are not included in the Balance Subject to Interest. The **\*\*\*INTEREST CHARGE\*\*\*** begins from the date of each advance.

**REPORTS TO AND FROM CREDIT BUREAUS FOR RESERVE LINES**

We may report information about your account to credit bureaus. Late payments, missed payments or other defaults on your account may be reflected in your credit report.

**CONSUMER REPORT DISPUTES**

We may report information about account activity on consumer and small business deposit accounts and consumer reserve lines to Consumer Reporting Agencies (CRA). As a result, this may prevent you from obtaining services at other financial institutions. If you believe we have inaccurately reported information to a CRA, you may submit a dispute by calling 877-550-2321 or by writing to: InBank 6455 S Yosemite St STE 225 Greenwood Village, CO 80111 ATTN: Consumer Credit Reports. In order for us to assist you with your dispute, you must provide: your name, address and phone number; the account number; the specific information you are disputing; the explanation of why it is incorrect; and any supporting documentation (e.g., affidavit of identity theft), if applicable.

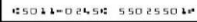


Member FDIC


Account Number XXXXXX5501  
 Statement Date 11/29/2024  
 Statement Thru Date 12/01/2024  
 Page 2

**CHECK IMAGES**

ABBEY BANK  
 ABBEY BANK  
 ABBEY BANK  
 ABBEY BANK  
 ABBEY BANK

Checking Deposit	
DDA DEP	
Customer Name: HEATHER GARDENS METROPOLITAN DISTRICT	
Date: 11/12/2024	Drawer #: 501
TransSeq: 19	Item Seq: 55001746170
Amount: \$ 1,162,004.61	
	

11/12/2024 Deposit \$1,162,004.61

Remote Business Deposit Slip	
Heather Gardens Metro District	
Deposit amount: 120.72	
	

11/22/2024 Deposit \$120.72

00003361 0010023 0002-0002

ABBEY BANK  
 ABBEY BANK  
 ABBEY BANK  
 ABBEY BANK  
 ABBEY BANK



Report Generated: 12-17-2024 03:00:41 PM

**Order Details**

<b>Confirmation Number:</b>	8945260
<b>Transaction Status:</b>	Pending Processing
<b>From Account:</b>	55**5501
<b>Transaction Type:</b>	Contribution
<b>Method:</b>	ACH
<b>Amount:</b>	\$2,517.29
<b>Internal Memo:</b>	Cap Project funding
<b>To Account:</b>	CO-01-2477-8002
<b>To Account Name:</b>	Capital Projects
<b>To Fund Name:</b>	PLUS+
<b>Trade Date:</b>	12/18/2024
<b>Settlement Date:</b>	12/19/2024
<b>Entered By:</b>	katherine.kohnen1
<b>Approved By:</b>	N/A



Report Generated: 12-17-2024 03:01:59 PM

### Order Details

<b>Confirmation Number:</b>	8945262
<b>Transaction Status:</b>	Pending Processing
<b>From Account:</b>	55**5501
<b>Transaction Type:</b>	Contribution
<b>Method:</b>	ACH
<b>Amount:</b>	\$48,747.56
<b>Internal Memo:</b>	Foundation funding
<b>To Account:</b>	CO-01-2477-8004
<b>To Account Name:</b>	Foundation
<b>To Fund Name:</b>	PLUS+
<b>Trade Date:</b>	12/18/2024
<b>Settlement Date:</b>	12/19/2024
<b>Entered By:</b>	katherine.kohnen1
<b>Approved By:</b>	N/A



**Mill Levy Public Information**

Pursuant to 39-1-125 C.R.S.

Counties can ask local governments to submit this form to the county by December 15<sup>th</sup> pursuant to 39-1-125 (1) (c) C.R.S. Local governments, please verify with the county whether they would like you to use this form or a different process to provide this information.

**Taxing Entity Information**

Taxing Entity: Heather Gardens Metropolitan District

County: Arapahoe

DOLA Local Government ID Number: 03024

Subdistrict Number (if applicable): \_\_\_\_\_

Budget/Fiscal Year: 2025

**Mill Levy Information**

1. Mill Levy Name or Purpose: General Obligation Refunding Bonds Series 2017
2. Mill Levy Rate (Mills) : 11.105 mills
3. Previous Year Mill Levy Rate (Mills) : 10.539 mills
4. Previous Year Mill Levy Revenue Collected : \$484,572
5. Mill Levy Maximum Without Further Voter Approval: 11.105 mills
6. Allowable Annual Growth in Mill Levy Revenue : \$548,102
7. Actual Growth in Mill Levy Revenue Over the Prior Year: \$63,530
8. Is revenue from this mill levy allowed to be retained and spent as a voter-approved revenue change pursuant to section 20 (7)(b) of Article X of the State Constitution (TABOR)? Yes, to the best of our knowledge
9. Is revenue from this mill levy subject to the Statutory Property Tax (5.5%) Limit in 29-1-301 C.R.S.? N/A

10. Is revenue from this mill levy subject to any other limit on annual revenue growth enacted by the local government or another local government? Not to our actual knowledge

\_\_\_\_\_

11. Does the mill levy need to be adjusted or does a temporary mill levy reduction need to be used in order to collect a certain amount of revenue? If “Yes”, what is the amount?

N/A

\_\_\_\_\_

12. Other or additional information:

N/A

\_\_\_\_\_

\_\_\_\_\_

**Contact Information**

Contact Person: Steve Stratton

Title: Treasurer

Phone: 720-519-3955

Email: stevestratton@hgmetrodist.org

County Tax Entity Code \_\_\_\_\_ DOLA LGID/SID \_\_\_\_\_

**CERTIFICATION OF TAX LEVIES for NON-SCHOOL Governments**

TO: County Commissioners<sup>1</sup> of Arapahoe County, Colorado.

On behalf of the Heather gardens Metropolitan District,  
(taxing entity)<sup>A</sup>

the Board of Directors  
(governing body)<sup>B</sup>

of the Heather gardens Metropolitan District  
(local government)<sup>C</sup>

Hereby officially certifies the following mills to be levied against the taxing entity's GROSS \$ 46,148,093 assessed valuation of: (GROSS<sup>D</sup> assessed valuation, Line 2 of the Certification of Valuation Form DLG 57<sup>E</sup>)

Note: If the assessor certified a NET assessed valuation (AV) different than the GROSS AV due to a Tax Increment Financing (TIF) Area<sup>F</sup> the tax levies must be calculated using the NET AV. The taxing entity's total property tax revenue will be derived from the mill levy multiplied against the NET assessed valuation of: \$ 46,148,093 (NET<sup>G</sup> assessed valuation, Line 4 of the Certification of Valuation Form DLG 57)  
USE VALUE FROM FINAL CERTIFICATION OF VALUATION PROVIDED BY ASSESSOR NO LATER THAN DECEMBER 10

Submitted: December 4, 2024 for budget/fiscal year 2025  
(no later than Dec. 15) (mm/dd/yyyy) (yyyy)

PURPOSE (see end notes for definitions and examples)	LEVY <sup>2</sup>	REVENUE <sup>2</sup>
1. General Operating Expenses <sup>H</sup>	<u>0</u> mills	\$ <u>0</u>
2. <Minus> Temporary General Property Tax Credit/ Temporary Mill Levy Rate Reduction <sup>I</sup>	< <u>0</u> > mills	\$ < <u>0</u> >
<b>SUBTOTAL FOR GENERAL OPERATING:</b>	<b>0</b> mills	\$ <b>0</b>
3. General Obligation Bonds and Interest <sup>J</sup>	<u>11.105</u> mills	\$ <u>512,475</u>
4. Contractual Obligations <sup>K</sup>	_____ mills	\$ _____
5. Capital Expenditures <sup>L</sup>	_____ mills	\$ _____
6. Refunds/Abatements <sup>M</sup>	_____ mills	\$ _____
7. Other <sup>N</sup> (specify): _____	_____ mills	\$ _____
<b>TOTAL:</b> [ Sum of General Operating Subtotal and Lines 3 to 7 ]	<b>11.105</b> mills	\$ <b>512,475</b>

Contact person: (print) Daniel Taylor Daytime phone: (303) 552-7660  
Signed: Daniel Taylor Title: President, HGMD Board of Directors

*Include one copy of this tax entity's completed form when filing the local government's budget by January 31st, per 29-1-113 C.R.S., with the Division of Local Government (DLG), Room 521, 1313 Sherman Street, Denver, CO 80203. Questions? Call DLG at (303) 864-7720.*

<sup>1</sup> If the taxing entity's boundaries include more than one county, you must certify the levies to each county. Use a separate form for each county and certify the same levies uniformly to each county per Article X, Section 3 of the Colorado Constitution.  
<sup>2</sup> Levies must be rounded to three decimal places and revenue must be calculated from the total NET assessed valuation (Line 4 of Form DLG57 on the County Assessor's FINAL certification of valuation).

**CERTIFICATION OF TAX LEVIES, continued**

**THIS SECTION APPLIES TO TITLE 32, ARTICLE 1 SPECIAL DISTRICTS THAT LEVY TAXES FOR PAYMENT OF GENERAL OBLIGATION DEBT (32-1-1603 C.R.S.).** Taxing entities that are Special Districts or Subdistricts of Special Districts must certify separate mill levies and revenues to the Board of County Commissioners, one each for the funding requirements of each debt (32-1-1603, C.R.S.) Use additional pages as necessary. The Special District's or Subdistrict's total levies for general obligation bonds and total levies for contractual obligations should be recorded on Page 1, Lines 3 and 4 respectively.

**CERTIFY A SEPARATE MILL LEVY FOR EACH BOND OR CONTRACT:**

**BONDS<sup>J</sup>:**

- |    |                   |                                    |
|----|-------------------|------------------------------------|
| 1. | Purpose of Issue: | General Obligation Refunding Bonds |
|    | Series:           | Series 2017                        |
|    | Date of Issue:    | November 27, 2017                  |
|    | Coupon Rate:      | 3.98% to 4.0%                      |
|    | Maturity Date:    | December 1, 2040                   |
|    | Levy:             | 11.105                             |
|    | Revenue:          | \$512,475                          |
|    |                   |                                    |
| 2. | Purpose of Issue: | _____                              |
|    | Series:           | _____                              |
|    | Date of Issue:    | _____                              |
|    | Coupon Rate:      | _____                              |
|    | Maturity Date:    | _____                              |
|    | Levy:             | _____                              |
|    | Revenue:          | _____                              |

**CONTRACTS<sup>K</sup>:**

- |    |                      |       |
|----|----------------------|-------|
| 3. | Purpose of Contract: | _____ |
|    | Title:               | _____ |
|    | Date:                | _____ |
|    | Principal Amount:    | _____ |
|    | Maturity Date:       | _____ |
|    | Levy:                | _____ |
|    | Revenue:             | _____ |
|    |                      |       |
| 4. | Purpose of Contract: | _____ |
|    | Title:               | _____ |
|    | Date:                | _____ |
|    | Principal Amount:    | _____ |
|    | Maturity Date:       | _____ |
|    | Levy:                | _____ |
|    | Revenue:             | _____ |

Use multiple copies of this page as necessary to separately report all bond and contractual obligations per 32-1-1603, C.R.S.







**HEATHER GARDENS METROPOLITAN DISTRICT  
SPECIAL MEETING, THURSDAY, JANUARY 9, 2025  
MINUTES**

1. Pledge of Allegiance
2. Quorum present: Bill Gold (President), David Kennedy (Treasurer), Eloise Laubach (Vice President), Forrest McClure (Secretary), Steve Stratton (Director) present in person.
3. Also attending: Jennifer Ivey (District's attorney) attending in person, Peter Forbes (District's litigation attorney) attending via Zoom. Lary Herkal (HGA GM) attending in person. And approximately ten members of the public attending via Zoom.
4. Meeting called to order at 9:04 a.m.
5. Mr. Forbes provided an overview of the parties to, issues in dispute, and status of the ongoing litigation with the Heather Gardens Association and Ms. Ivey advised that the Management Agreement has been extended for up to an additional 120 days with some clarifications that the parties will continue performing the services that have not otherwise been contracted for.
6. Motion by David Kennedy to go into Executive session pursuant to 24-6-402(4)(b) and 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 with the Heather Gardens Association (HGA), the ongoing litigation between the District and the (HGA), consultants engaged by the District related to the foregoing, and other related matters. Seconded by Eloise Laubach and approved unanimously. Lary Herkal and public attendees were separated from this portion of the meeting.
7. Motion by David Kennedy and seconded by Eloise Laubach to return to public session and approved unanimously at 10:42 a.m. At that time all remaining members of the public rejoined the meeting.
8. Motion by Eloise Laubach and seconded by David Kennedy to adjourn and approved unanimously at 10:44 a.m.

The HGMD regular Board meeting will be held on Thursday, January 16, 2025, at 1:00 p.m.

*Forrest McClure*

Forrest McClure, Secretary  
Heather Gardens Metropolitan District  
Board of Directors



# Heather Gardens

## METROPOLITAN DISTRICT

### *HGMD Partial - Treasurer's Report*

From: Steve Stratton, Treasurer HGMD

December 19, 2024

Highlights of District Operations:

	Actual	Budget
Clubhouse Profit (Loss)	(\$0)	(\$0)
Golf Profit (Loss)	(\$0)	(\$0)
Restaurant Profit (Loss)	(\$0)	(\$0)

**Clubhouse:** The new sound board is in, and training has commenced. The floor replacement is underway as of this writing and should be completed by December 20th. The events and room booking continues to be an issue with double bookings, incorrect setups and other issues. The repair of walls and equipment must be addressed along with the poor management of the facility.

**Golf:** The golf course P&L is skewed by the replacement of the pump and need to use city water at an expensive rate. Other than water cost, the golf course continues its march to operating in the black. Kudo's the golf team.

**Restaurant:** Management is excited about their ability to exceed budgeted revenue for the year. Several of the new initiatives are working well. That said, we need to review the upcoming financials reports to insure we trim/stop those things that do not add value or break close to even.

**Enterprise Fund:** This is really our operating fund. What accumulates over operational expenses will pay for capital projects.

**Conservation Trust Funds:** These funds come from the State lottery profit. We've received about \$12,000 this year and should get that much one more time. \$151,845 is the current balance. These funds accumulated over many years. A report must be made annually on their use. Restrictions are minimal for the use of the funds. We are using them primarily for recreational enhancements, which is what they are supposed to be used for.

**Debt Service Fund:** Both interest and the principal payments were made for 2024. We owe \$6.815 million to bond holders. Principle is paid from property tax revenue, as is interest.

**Foundation Fund:** The current balance is \$ 48,747.56. The Foundation began in the early 90's. Its main purpose is to use the funds donated by those who love our community in a way that honors them and our community.

Steve Stratton, Treasurer



# Heather Gardens





## METROPOLITAN DISTRICT



Account Number XXXXXX5501  
Statement Date 11/29/2024  
Statement Thru Date 12/01/2024  
Check/Items Enclosed 2  
Page 1

00003361 TIBSTMNT113024003931 01 00000000 0000000 003  
HEATHER GARDENS METROPOLITAN DISTRICT  
2888 S HEATHER GARDENS WAY  
AURORA CO 80014

### Customer Service Information

 Customer Support Number: (575) 445-2321  
 Visit Us Online: [www.inbank.com](http://www.inbank.com)  
 Lost/Stolen Debit Card: (575) 445-2321  
After Hours: (800) 523-4175  
 Bank Number: (877) 550-2321

00003361 0010021 0001-0002

### INBUS ANALYSIS (PUB)- BAP

Account Number: XXXXXX5501

Account Owner(s): HEATHER GARDENS METROPOLITAN DISTRICT

### Balance Summary

<b>Beginning Balance as of 11/01/2024</b>	<b>\$0.00</b>
+ Deposits and Credits (2)	\$1,162,125.33
- Withdrawals and Debits (0)	\$0.00
<b>Ending Balance as of 11/30/2024</b>	<b>\$1,162,125.33</b>
Service Charges for Period	\$0.00

### DEPOSITS & MISC CREDITS

Date	Description	Deposits
Nov 12	DEPOSIT	1,162,004.61
Nov 22	RDC DEPOSIT	120.72

### DAILY BALANCE SUMMARY

Date	Balance	Date	Balance
Nov 12	1,162,004.61	Nov 22	1,162,125.33

00003361 0010021 0001-0002

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# Heather Gardens

## METROPOLITAN DISTRICT



### BALANCE YOUR ACCOUNT

To keep track of all your transactions, you should balance your account every month. Please examine this statement immediately. We will assume that the balance and transactions shown are correct unless you notify us of an error.

#### Outstanding Deposits

DATE	AMOUNT
TOTAL	\$

#### Outstanding Withdrawals

DATE	AMOUNT
TOTAL	\$

- List any deposits that do not appear on your statement in the Outstanding Deposits section at the left. Record the total.
- Check off in your checkbook register all checks, withdrawals (including Debit Card and ATM) and automatic payments that appear on your statement. Withdrawals that are NOT checked off should be recorded in the Outstanding Withdrawals section at the left. Record the total.
- Enter the ending balance shown on this statement. \$ \_\_\_\_\_
- Enter the total deposits recorded in the Outstanding Deposits section. \$ \_\_\_\_\_
- Total lines 3 and 4. \$ \_\_\_\_\_
- Enter the total withdrawals recorded in the Outstanding Withdrawals section. \$ \_\_\_\_\_
- Subtract line 6 from line 5. This is your balance. \$ \_\_\_\_\_
- Enter in your register and subtract from your register balance any checks, withdrawals or other debits (including fees, if any) that appear on your statement but have not been recorded in your register.
- Enter in your register and add to your register balance any deposits or other credits (including interest, if any) that appear in your statement but have not been recorded in your register.
- The balance in your register should be the same as the balance shown in #7. If it does not match, review and check all figures used, and check the addition and subtraction in your register. If necessary, review and balance your statement from the previous month.

### IMPORTANT DISCLOSURES TO OUR CONSUMER CUSTOMERS

#### In Case of Errors or Questions About Your Checking, Savings, ATM, Debit Card, ACH, Bill Pay and Other Electronic Transfers

If you think your statement or receipt is wrong or if you need more information about a transfer on the statement or receipt, we must hear from you no later than 60 days\* after we sent you the FIRST statement on which the error or problem appeared. Telephone us at 877-550-2321 or write to us at InBank 6455 S Yosemite St STE 225 Greenwood Village, CO 80111 ATTN: Deposit Operations.

- Tell us your name and account number.
- Describe the error or the transfer you are unsure about, and explain as clearly as you can why you believe there is an error or why you need more information.
- Tell us the dollar amount of the suspected error.

We will determine whether an error occurred within 10 business days after we hear from you and will correct any error promptly. If we need more time, we may take up to 45 days to investigate your complaint. For errors involving new accounts, point-of-sale, or foreign-initiated transactions, we may take up to 90 days to investigate your complaint. If we decide to do this, we will credit your account within 10 business days for the amount you think is in error, so that you will have the use of the money during the time it takes us to complete our investigation. If we ask you to put your complaint or question in writing and we do not receive it within 10 business days, we may not credit your account.

\*Please note: Paper draft and paper check claims must be disputed within 30 days per Your Deposit Account Agreement.

### IMPORTANT DISCLOSURES TO OUR BUSINESS CUSTOMERS

Errors related to any transaction on a business account will be governed by any agreement between us and/or all applicable rules and regulations governing such transactions, including the rules of the National Automated Clearing House Association (NACHA Rules) as may be amended from time to time. If you think this statement is wrong, please telephone us 877-550-2321

### CONSUMER BILLING RIGHTS SUMMARY REGARDING YOUR READY RESERVE LINE

#### What To Do If You Think You Find A Mistake on Your Statement

If you think there is an error on your statement, write to us at:  
InBank 6455 S Yosemite St STE 225 Greenwood Village, CO 80111

In your letter, give us the following information:

- Account information:** Your name and account number.
- Dollar Amount:** The dollar amount of the suspected error.
- Description of problem:** If you think there is an error on your bill, describe what you believe is wrong and why you believe it is a mistake. You must contact us within 60 days after the error appeared on your statement. You must notify us of any potential errors *in writing*. You may call us, but if you do we are not required to investigate any potential errors and you may have to pay the amount in question. While we investigate whether there has been an error, the following are true:
  - We cannot try to collect the amount in question, or report you as delinquent on that amount.
  - The charge in question may remain on your statement, and we may continue to charge you interest on that amount. But, if we determine that we made a mistake, you will not have to pay the amount in question or any interest or other fees related to that amount.
  - While you do not have to pay the amount in question, you are responsible for the remainder of your balance.
  - We can apply any unpaid amount against your credit limit.

**Reserve Line Balance Computation Method:** To determine your **Balance Subject to Interest Rate**, use the dates and balances provided in the Reserve Line Balance Summary section. The date next to the first Balance Subject to Interest is day one for that balance and is applicable up to (but not including) the date of the next balance (if there is one). We multiply the Balance Subject to Interest by the number of days it is applicable and add them up to get the same number of days in the billing cycle. We then divide the result by the number of billing days in the cycle. This is your **Balance Subject to Interest Rate**. Any unpaid interest charges and unpaid fees are not included in the Balance Subject to Interest. The \*\*\*INTEREST CHARGE\*\*\* begins from the date of each advance.

### REPORTS TO AND FROM CREDIT BUREAUS FOR RESERVE LINES

We may report information about your account to credit bureaus. Late payments, missed payments or other defaults on your account may be reflected in your credit report.

### CONSUMER REPORT DISPUTES

We may report information about account activity on consumer and small business deposit accounts and consumer reserve lines to Consumer Reporting Agencies (CRA). As a result, this may prevent you from obtaining services at other financial institutions. If you believe we have inaccurately reported information to a CRA, you may submit a dispute by calling 877-550-2321 or by writing to: InBank 6455 S Yosemite St STE 225 Greenwood Village, CO 80111 ATTN: Consumer Credit Reports. In order for us to assist you with your dispute, you must provide: your name, address and phone number; the account number; the specific information you are disputing; the explanation of why it is incorrect; and any supporting documentation (e.g., affidavit of identity theft), if applicable.



Member FDIC

00003361 0010022 0000-0002 TIBSTMNT113024003931 01 L 00000000



# Heather Gardens

## METROPOLITAN DISTRICT

Account Number XXXXXX5501  
 Statement Date 11/29/2024  
 Statement Thru Date 12/01/2024  
 Page 2

### CHECK IMAGES

AMERICAN BANK  
 AMERICAN BANK  
 AMERICAN BANK  
 AMERICAN BANK  
 AMERICAN BANK

00003361 0010023 0002-0002

**Checking Deposit**  
DDADEP

Customer Name: HEATHER GARDENS METROPOLITAN DISTRICT

Date: 11/12/2024    Drawer #: 501    TranSeq: 49    Item Seq: 55001746170

**Amount: \$ 1,162,004.61**

\*5501 1 0 24 54 550 2550 1\*

11/12/2024    Deposit    \$1,162,004.61

**Remote Business Deposit Slip**

**Heather Gardens Metro District**  
Deposit amount: 120.72

\*5566\*\*6844: 550 2550 1\*400 2 /00000 12072\*

11/22/2024    Deposit    \$120.72

AMERICAN BANK  
 AMERICAN BANK  
 AMERICAN BANK  
 AMERICAN BANK  
 AMERICAN BANK



Report Generated: 12-17-2024 03:00:41 PM

## Order Details

Confirmation Number:	8945260
Transaction Status:	Pending Processing
From Account:	55**5501
Transaction Type:	Contribution
Method:	ACH
Amount:	\$2,517.29
Internal Memo:	Cap Project funding
To Account:	CO-01-2477-8002
To Account Name:	Capital Projects
To Fund Name:	PLUS+
Trade Date:	12/18/2024
Settlement Date:	12/19/2024
Entered By:	katherine.kohnen1
Approved By:	N/A



# Heather Gardens

METROPOLITAN DISTRICT



Report Generated: 12-17-2024 03:01:59 PM

## Order Details

Confirmation Number:	8945262
Transaction Status:	Pending Processing
From Account:	55**5501
Transaction Type:	Contribution
Method:	ACH
Amount:	\$48,747.56
Internal Memo:	Foundation funding
To Account:	CO-01-2477-8004
To Account Name:	Foundation
To Fund Name:	PLUS+
Trade Date:	12/18/2024
Settlement Date:	12/19/2024
Entered By:	katherine.kohnen1
Approved By:	N/A





**Mill Levy Public Information**

Pursuant to 39-1-125 C.R.S.

Counties can ask local governments to submit this form to the county by December 15<sup>th</sup> pursuant to 39-1-125 (1) (c) C.R.S. Local governments, please verify with the county whether they would like you to use this form or a different process to provide this information.

**Taxing Entity Information**

Taxing Entity: Heather Gardens Metropolitan District

County: Arapahoe

DOLA Local Government ID Number: 03024

Subdistrict Number (if applicable): \_\_\_\_\_

Budget/Fiscal Year: 2025

**Mill Levy Information**

1. Mill Levy Name or Purpose: General Obligation Refunding Bonds Series 2017
2. Mill Levy Rate (Mills) : 11.105 mills
3. Previous Year Mill Levy Rate (Mills) : 10.539 mills
4. Previous Year Mill Levy Revenue Collected : \$484,572
5. Mill Levy Maximum Without Further Voter Approval: 11.105 mills
6. Allowable Annual Growth in Mill Levy Revenue : \$548,102
7. Actual Growth in Mill Levy Revenue Over the Prior Year: \$63,530
8. Is revenue from this mill levy allowed to be retained and spent as a voter-approved revenue change pursuant to section 20 (7)(b) of Article X of the State Constitution (TABOR)? Yes, to the best of our knowledge
9. Is revenue from this mill levy subject to the Statutory Property Tax (5.5%) Limit in 29-1-301 C.R.S.? N/A



# Heather Gardens

## METROPOLITAN DISTRICT

10. Is revenue from this mill levy subject to any other limit on annual revenue growth enacted by the local government or another local government? Not to our actual knowledge

---

11. Does the mill levy need to be adjusted or does a temporary mill levy reduction need to be used in order to collect a certain amount of revenue? If "Yes", what is the amount?  
N/A

---

12. Other or additional information:  
N/A

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### Contact Information

Contact Person: Steve Stratton

Title: Treasurer

Phone: 720-519-3955

Email: stevestratton@hgmetrodist.org



# Heather Gardens METROPOLITAN DISTRICT

County Tax Entity Code \_\_\_\_\_

DOLA LGID/SID \_\_\_\_\_

## CERTIFICATION OF TAX LEVIES for NON-SCHOOL Governments

TO: County Commissioners<sup>1</sup> of Arapahoe County, Colorado.

On behalf of the Heather gardens Metropolitan District,

(taxing entity)<sup>A</sup>

the Board of Directors

(governing body)<sup>B</sup>

of the Heather gardens Metropolitan District

(local government)<sup>C</sup>

Hereby officially certifies the following mills

to be levied against the taxing entity's GROSS \$ 46,148,093

assessed valuation of:

(GROSS<sup>D</sup> assessed valuation, Line 2 of the Certification of Valuation Form DLG 57<sup>E</sup>)

Note: If the assessor certified a NET assessed valuation (AV) different than the GROSS AV due to a Tax Increment Financing (TIF) Area<sup>F</sup> the tax levies must be calculated using the NET AV. The taxing entity's total property tax revenue will be derived from the mill levy multiplied against the NET assessed valuation of:

\$ 46,148,093

(NET<sup>G</sup> assessed valuation, Line 4 of the Certification of Valuation Form DLG 57)  
USE VALUE FROM FINAL CERTIFICATION OF VALUATION PROVIDED BY ASSESSOR NO LATER THAN DECEMBER 10

Submitted: December 4, 2024

for budget/fiscal year 2025

(no later than Dec. 15)

(mm/dd/yyyy)

(yyyy)

PURPOSE (see end notes for definitions and examples)	LEVY <sup>2</sup>	REVENUE <sup>2</sup>
1. General Operating Expenses <sup>H</sup>	<u>0</u> mills	\$ <u>0</u>
2. <Minus> Temporary General Property Tax Credit/ Temporary Mill Levy Rate Reduction <sup>I</sup>	< <u>    </u> > mills	\$ < <u>    </u> >
<b>SUBTOTAL FOR GENERAL OPERATING:</b>	<u>0</u> mills	\$ <u>0</u>
3. General Obligation Bonds and Interest <sup>J</sup>	<u>11.105</u> mills	\$ <u>512,475</u>
4. Contractual Obligations <sup>K</sup>	_____ mills	\$ _____
5. Capital Expenditures <sup>L</sup>	_____ mills	\$ _____
6. Refunds/Abatements <sup>M</sup>	_____ mills	\$ _____
7. Other <sup>N</sup> (specify): _____	_____ mills	\$ _____
_____	_____ mills	\$ _____
<b>TOTAL:</b> [ Sum of General Operating Subtotal and Lines 3 to 7 ]	<u>11.105</u> mills	\$ <u>512,475</u>

Contact person:  
(print) Daniel Taylor

Daytime  
phone: (303) 552-7660

Signed: Daniel Taylor

Title: President, HGMD Board of Directors

Include one copy of this tax entity's completed form when filing the local government's budget by January 31st, per 29-1-113 C.R.S., with the Division of Local Government (DLG), Room 521, 1313 Sherman Street, Denver, CO 80203. Questions? Call DLG at (303) 864-7720.

<sup>1</sup> If the taxing entity's boundaries include more than one county, you must certify the levies to each county. Use a separate form for each county and certify the same levies uniformly to each county per Article X, Section 3 of the Colorado Constitution.

<sup>2</sup> Levies must be rounded to three decimal places and revenue must be calculated from the total NET assessed valuation (Line 4 of Form DLG57 on the County Assessor's FINAL certification of valuation).



# Heather Gardens

## METROPOLITAN DISTRICT

### CERTIFICATION OF TAX LEVIES, continued

**THIS SECTION APPLIES TO TITLE 32, ARTICLE 1 SPECIAL DISTRICTS THAT LEVY TAXES FOR PAYMENT OF GENERAL OBLIGATION DEBT (32-1-1603 C.R.S.).** Taxing entities that are

Special Districts or Subdistricts of Special Districts must certify separate mill levies and revenues to the Board of County Commissioners, one each for the funding requirements of each debt (32-1-1603, C.R.S.) Use additional pages as necessary. The Special District's or Subdistrict's total levies for general obligation bonds and total levies for contractual obligations should be recorded on Page 1, Lines 3 and 4 respectively.

**CERTIFY A SEPARATE MILL LEVY FOR EACH BOND OR CONTRACT:**

**BONDS<sup>1</sup>:**

1. Purpose of Issue: General Obligation Refunding Bonds  
 Series: Series 2017  
 Date of Issue: November 27, 2017  
 Coupon Rate: 3.98% to 4.0%  
 Maturity Date: December 1, 2040  
 Levy: 11.105  
 Revenue: \$512,475
  
2. Purpose of Issue: \_\_\_\_\_  
 Series: \_\_\_\_\_  
 Date of Issue: \_\_\_\_\_  
 Coupon Rate: \_\_\_\_\_  
 Maturity Date: \_\_\_\_\_  
 Levy: \_\_\_\_\_  
 Revenue: \_\_\_\_\_

**CONTRACTS<sup>2</sup>:**

3. Purpose of Contract: \_\_\_\_\_  
 Title: \_\_\_\_\_  
 Date: \_\_\_\_\_  
 Principal Amount: \_\_\_\_\_  
 Maturity Date: \_\_\_\_\_  
 Levy: \_\_\_\_\_  
 Revenue: \_\_\_\_\_
  
4. Purpose of Contract: \_\_\_\_\_  
 Title: \_\_\_\_\_  
 Date: \_\_\_\_\_  
 Principal Amount: \_\_\_\_\_  
 Maturity Date: \_\_\_\_\_  
 Levy: \_\_\_\_\_  
 Revenue: \_\_\_\_\_

Use multiple copies of this page as necessary to separately report all bond and contractual obligations per 32-1-1603, C.R.S.



**HEATHER GARDENS METROPOLITAN DISTRICT  
REGULAR MEETING, THURSDAY, JANUARY 16, 2025  
MINUTES**

Pursuant to Section 24-6-402(2)(c), C.R.S., the Board of Directors of the Heather Gardens Metropolitan District held a regular meeting at the Heather Gardens Clubhouse, 2888 S. Heather Gardens Way, Aurora, Colorado in the boardroom and via Zoom video conference.

1. Pledge of Allegiance
2. Quorum present: Bill Gold (President), David Kennedy (Treasurer), Eloise Laubach (Vice President), Forrest McClure (Secretary), Steve Stratton (Director) present in person.
3. Also attending: Jennifer Ivey (District’s attorney) attending via Zoom. The public in attendance approximately fourteen (14) in audience and twenty two (22) via Zoom.<sup>1</sup>
4. Meeting called to order at 1:00 p.m.
5. Consider Approval of Additions To or Deletions From the Agenda:
  - a. Director Stratton moved to add to the agenda a motion to consider “irrigation and wooden perimeters to new plots in garden area and provide new garden plot numbers”. Attorney Jennifer Ivey recommended that only emergency matters be considered and the Board voted unanimously to not add the motion to the agenda.
6. The President gave an oral report about working through legal issues and other matters.
7. The Treasurer gave an oral report regarding the transition to Community Resource Services (CRS), installation of a drop box in the Club House lobby (for checks, ACH forms, etc.) for pickup by CRS and other matters.
8. The District Manager gave an oral report mentioning that HGA is interviewing candidates for the Club House manager position, has hired Gary Woolridge for woodshop equipment maintenance, installed a panic button for the Club House activities desk, hired a tenth security officer and other matters.
9. Committee Chair Reports
  - a. Audit/Finance Report – No meeting.
  - b. Capital Program Committee – No Report
  - c. Clubhouse Committee Report – Director Stratton gave an oral report that the committee had its first meeting of the year and clubs, forms, and audio system were discussed. The next meeting of the committee will be February 11<sup>th</sup>.



# Heather Gardens

## METROPOLITAN DISTRICT

- d. Foundation Committee Report – No meeting – VP Laubach expressed her concern about the committee’s investments maturing at the same time on January 23<sup>rd</sup> but it wasn’t clear if those investments are still deposited in Key bank. Treasurer Kennedy stated he would look into that.
  - e. Golf Committee Report – No Report
  - f. Restaurant Committee Report – President Gold gave an oral report stating how please he was with the restaurant’s performance and thanked committee member, Crystal Guise, for the work she has done.
  - g. RV Lot Committee Report – No meeting – Secretary McClure gave an oral report stating that the committee is in standby mode and unable to proceed until CRS delivers copies of leasing contracts.
10. Consultant/Advisor Reports – Attorney Ivey gave a brief oral report.
11. Review of Financial Reports – The November 2024 financial report has been provided to the Audet/Finance committee members and may be discussed at a special meeting as yet undetermined.
12. No unfinished Business
13. New Business
- a. Attorney Ivey spoke on Status of Completion of Annual Compliance Items after which it was moved by VP Laubach and seconded by Treasurer Kennedy to Approve the Annual Administrative Resolution and it was approved unanimously.
  - b. Election Resolution: Moved by VP Laubach and seconded by Treasurer Kennedy to approve the Election Services Agreement with Public Alliance, LLC. President Gold, VP Laubach, and Treasurer Kennedy voted in the affirmative and Secretary McClure and Director Stratton voted in the negative. Motion approved.
  - c. Memorandum re HB 21-1110 and Rules Establishing Technology Accessibility Standards was discussed.
    - i. President Gold moved to approve the Resolution Adopting Technology Accessibility Statement. Seconded by Director Stratton. Item approved unanimously.
    - ii. President Gold moved to approve Motion 2025-01-16-1 to archive old/unnecessary information from the HGMD Website. Seconded by Director Stratton. Item approved unanimously.
  - d. President Gold moved to approve Motion 2025-01-16-3 Engagement of Rubin Brown to do the 2023 HGMD Audit. Seconded by Treasurer Kennedy. Secretary McClure moved to amend the motion to include termination of the forensic audit, seconded by VP Laubach. After some debate the motion to amend was withdrawn by Secretary McClure and the main motion was approved unanimously.
  - e. Treasurer Kennedy moved to table the Engagement of Auditor Rubin Brown for the 2024 HGMD Audit. Seconded by VP Laubach. Tabled unanimously.
14. There were no Public Comments on Non-Agenda Items.



# Heather Gardens

## METROPOLITAN DISTRICT

15. Announcements:

- a. HGMD Board will hold a study session in the board room and via Zoom videoconference January 20, 2025 at 1 pm.

16. Meeting adjourned at 4:30 p.m.

The next HGMD regular Board meeting will be held on Thursday, February 20, 2025, at 1:00 PM.

*Forrest McClure*

Forrest McClure, Secretary  
Heather Gardens Metropolitan District  
Board of Directors

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<sup>1</sup> The meeting was interrupted numerous times by Comcast Xfinity outages requiring the Board to pause its meeting until Zoom could be restored. The meeting only resumed once all remaining members of the public rejoined the meeting.



**HEATHER GARDENS METROPOLITAN DISTRICT  
STUDY SESSION MEETING, MONDAY, JANUARY 20, 2025  
MINUTES**

Pursuant to Section 24-6-402(2)(c), C.R.S., the Board of Directors of the Heather Gardens Metropolitan District held a Study Session at the Heather Gardens Clubhouse in the boardroom and via Zoom video conference. The meeting was open to the public.

1. Pledge of Allegiance
2. Quorum present: Bill Gold (President), David Kennedy (Treasurer), Eloise Laubach (Vice President), Forrest McClure (Secretary), Steve Stratton (Director) present in person.
3. Also attending: Invited guest: Russel White, representing RubinBrown Assurance Services and Carrie Toennis HGA Controller. In audience: Mike Pula, Larry Davila, Sue McBeth, Bill Archambault. And approximately twenty members of the public attending via Zoom.
4. Meeting called to order at 1:05 p.m.
5. President's Report: Carrie Toennis was asked to talk about her professional background.
6. Carrie Toennis conducted a review of accounting matters and provided board members with a copy of her Power Point presentation: Accounting & Structure Overview.
  - a. A Tale of Two Entities – HGA & HGMD
  - b. Accounting Overview
7. Brief discussion on the status of transition of services to Community Resource Services of Colorado, LLC
8. Discussion with Russel White on services provided by RubinBrown, timing of audit, etc.
9. Meeting adjourned at 3:43 p.m.

The HGMD regular Board meeting will be held on Thursday, February 20, 2025, at 1:00 p.m.

*Forrest McClure*

Forrest McClure, Secretary  
Heather Gardens Metropolitan District  
Board of Directors





**HEATHER GARDENS METROPOLITAN DISTRICT  
STUDY SESSION MEETING, THURSDAY, JANUARY 23, 2025  
MINUTES**

Pursuant to Section 24-6-402(2)(c), C.R.S., the Board of Directors of the Heather Gardens Metropolitan District held a Study Session at the at the Heather Gardens Clubhouse in the boardroom and via Zoom video conference. The meeting was open to the public.

1. Pledge of Allegiance
2. Quorum present: Bill Gold (President), David Kennedy (Treasurer), Eloise Laubach (Vice President), Forrest McClure (Secretary), Steve Stratton (Director) present in person.
3. Also attending: HGA Board members, Sue McBeth (President), Larry Davila (Vice-President), Linda Hileman (Secretary), Mike Pula (Treasurer), and directors David Baxter, Bill Archambault, John Harvey. Director John Recob and approximately twenty-eight members of the public attended via Zoom.
4. Meeting called to order at 2:00 p.m.
5. President Bill Gold discussed the “Ground Rules” for the joint meeting with HGA.
6. Discussions ensued on how to proceed with HGMD accounting with perhaps having Community Resource Services and Controller Carrie Toennis meet to coordinate their efforts.
7. Discussion on how to move forward resulted in a poll indicating support for a lease option, whereby all HGMD property would be leased to HGA. The concept requires review by each board’s attorney and by other experts.
8. There were no further questions and comments from the directors, but it was agreed that another joint meeting should take place as soon as possible.
9. Meeting adjourned at about 3:10 p.m.

The HGMD regular Board meeting will be held on Thursday, February 20, 2025, at 1:00 p.m.

*Forrest McClure*

Forrest McClure, Secretary  
Heather Gardens Metropolitan District  
Board of Directors



**HGMD BOARD OF DIRECTORS SPECIAL MEETING**  
**January 27, 2025**

Pursuant to Section 24-6-402(2)(c), C.R.S., the Board of Directors of the Heather Gardens Metropolitan District held a special meeting at the Heather Gardens Clubhouse, 2888 S. Heather Gardens Way, Aurora, CO in the boardroom and via Zoom video conference at 2:00 p.m. on January 27, 2025. The meeting was held for the purpose of conducting the business of the Heather Gardens Metropolitan District was open to the public (the executive session was not open to the public).

**AGENDA**

1. Pledge of Allegiance
2. A quorum was present. Attending: President Bill Gold, Vice-President Eloise Laubach, Secretary Forrest McClure, Treasurer David Kennedy, Director Steve Stratton. Attorney Jennifer Ivey present in person and attorney Peter Forbes via Zoom. About ten members of the public attended via Zoom and one in person.
3. Meeting called to order at 2:02 p.m.
4. Treasurer Kennedy moved to go into executive session pursuant to Sections 24-6-402(4)(b) and 24-6-402(4)(e), C.R.S. for the purpose of receiving legal advice on specific legal questions and determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators regarding the Management Agreement with the Heather Gardens Association (HGA), the ongoing litigation between the District and the (HGA), consultants engaged by the District related to the foregoing, and other related matters. Seconded by Vice-President Laubach. Motion was approved unanimously and the public was then excluded from the meeting.
5. At 3:14 p.m. Vice-President Laubach moved to close executive session and return to public session. Second, by Treasurer Kennedy. Motion approved unanimously. Those remaining members of the public rejoined the meeting via Zoom.
6. Motion by Treasurer Kennedy to adjourn the meeting, seconded by Director Stratton. Motion approved unanimously. Meeting adjourned at 3:16 p.m.

The next HGMD regular Board meeting will be held on Thursday, February 20, 2025, at 1:00 PM.

*Forrest McClure*

Forrest McClure, Secretary

Heather Gardens Metropolitan District Board of Directors



**HGMD BOARD OF DIRECTORS SPECIAL MEETING MINUTES**  
**January 30, 2025, at 4:00 P.M.**

Pursuant to Section 24-6-402(2)(c), C.R.S., the Board of Directors of the Heather Gardens Metropolitan District held a special meeting at the Heather Gardens Clubhouse in the boardroom and via Zoom video conference on January 30, 2025. The meeting was held for the purpose of conducting the business of the Heather Gardens Metropolitan District. The meeting was open to the public in person and via electronic communication (Zoom and telephonically).

1. Pledge of Allegiance recited at 4:00 p.m.
2. A quorum was present. Directors attending: President Bill Gold, Vice-President Eloise Laubach, Secretary Forrest McClure, Treasurer David Kennedy, Director Steve Stratton. Also, attending: Attorney Jennifer Ivey (via Zoom), about 18 members of the public in person and another 35 via Zoom.
3. The meeting was called to order at 4:02 p.m.
4. There were no additions to or deletions from the Agenda and it was moved to approve the agenda by Treasurer Kennedy and seconded by Vice-President Laubach. Approved unanimously.
5. President Gold had no report for this meeting.
6. New Business
  - a. Motion 2025-01-30-1 to Approve Addendum to Forensic Audit Engagement Letter made by President Gold and seconded by Treasurer Kennedy. Motion to amend the main motion by Secretary McClure and seconded by Vice-President Laubach to terminate the forensic audit. After some discussion Secretary McClure withdrew his motion to amend, and President Gold withdrew the main motion. Subject to be taken up at a later date.
  - b. Motion 2025-01-30-2 to Approve Action Related to Litigation with Heather Gardens Association made by Secretary McClure to authorize legal counsel to take all actions and make all necessary filings in order to obtain the agreement of the Heather Gardens Association (the "Association") to dismiss Case Number 2023cv32439 Heather Gardens Metropolitan District v. The Heather Gardens Association, a Colorado nonprofit corporation with prejudice, all parties to bear their own fees and costs. Seconded by Vice-President Laubach. Approved by majority vote. Vice-President Laubach, Secretary McClure, Treasurer Kennedy, voting yes, and President Gold and Director Stratton voting no.



# Heather Gardens

## METROPOLITAN DISTRICT

- c. A five-minute recess was taken at about 5:13 p.m. and the meeting readjourned at about 5:18 p.m. with members of the public present in person and via Zoom.
- d. Motion 2025-01-30-3 to approve Engagement of Rubin Brown for the District's 2024 Audit made by President Gold and seconded by Treasurer Kennedy. Approved unanimously.
7. There were no Public Comments on Non-Agenda Items.
8. There were no Announcements
9. Motion by Vice-President Laubach to adjourn at about 5:23 p.m. and seconded by Director Stratton, approved unanimously.

The HGMD regular Board meeting will be held on Thursday, February 20, 2025, at 1:00 PM.

*Forrest McClure*

Forrest McClure, Secretary

Heather Gardens Metropolitan District Board of Directors



**HGMD BOARD OF DIRECTORS STUDY SESSION MINUTES**  
**February 3, 2025, at 2:30 PM**

Pursuant to Section 24-6-402(2)(c), C.R.S., the Board of Directors of the Heather Gardens Metropolitan District held a Study Session at the Heather Gardens Clubhouse in the boardroom and via Zoom video conference for the purpose of conducting the business of the Heather Gardens Metropolitan District. The meeting was open to the public.

1. Pledge of Allegiance
2. A quorum was present. In attendance: President Bill Gold, Vice-President Eloise Laubach, Secretary Forrest McClure, Treasurer David Kennedy and Director Steve Stratton (via Zoom). Also attending was the HGA Board of Directors: President Sue McBeth, Vice-President Larry Davila, Secretary Linda Hileman, Treasurer Mike Pula, and directors David Baxter, John Recob (via Zoom), John Harvey and Bill Archambault. GM Lary Herkal, and about 6 others from the public present in person and another 10 via Zoom.
3. Meeting called to order by President Gold at 2:31 p.m.
4. Meeting turned over to President McBeth to officiate the joint meeting.
5. "Ground Rules" for the joint meeting were reiterated.
6. Update on meeting with CRS by President Gold & Treasurer Kennedy.
  - a. The meeting went well on Monday 1/27. The recommended processes from the last joint meeting were discussed and CRS will meet with HGA Accounting team on February 6<sup>th</sup> at 10:00 a.m.
7. Planning for new "agreement"
  - a. Legal counsel is still reviewing "lease option #1."
  - b. Open discussion resulted in the realization that legal counsel alone will take more than 120 days which creates issues for HGA employees. It was noted that due to the 120-day extension of the current Management Agreement employees will again need to be given 60-day notice of possible layoffs. Secretary McClure suggested that both organizations enter into an agreement that no employees will be laid off regardless of what agreement between the organizations is adopted. A motion to address that issue will be prepared for the boards to consider at their next regular meetings.
8. The next Study Session for both boards will take place on Monday, February 10, 2025, in the Board Room from 2:30 to 4:30 p.m.
9. Meeting adjourned at 4:25 p.m.

The next HGMD regular Board meeting will be held on Thursday, February 20, 2025, at 1:00 p.m.

*Forrest McClure*

Forrest McClure, Secretary  
Heather Gardens Metropolitan District Board of Directors



**HGMD BOARD OF DIRECTORS STUDY SESSION MINUTES**  
**February 10, 2025**

Pursuant to Section 24-6-402(2)(c), C.R.S., the Board of Directors of the Heather Gardens Metropolitan District held a Study Session at the at the Heather Gardens Clubhouse in the boardroom and via Zoom video conference at 2:30 pm. on February 10, 2025. The meeting will be held for the purpose of conducting the business of the Heather Gardens Metropolitan District. This meeting is open to the public.

1. Pledge of Allegiance
2. A quorum was present with President Bill Gold, Vice-President Eloise Laubach, Secretary Forrest McClure, Treasurer David Kennedy. Also, attending in person from the HGA Board of Directors, President Sue McBeth, Vice President Larry Dávila, Secretary Linda Hileman, Treasurer Mike Pula, Directors David Baxter, John Harvey, Bill Archambault, and John Recob (via Zoom). Several members of the public attended in person and about fourteen via Zoom.
3. Meeting called to order at 2:32 p.m.
4. "Ground Rules" for the joint meeting with HGA & HGMD were reviewed.
5. Update on "Lease Option" or "Asset Management Agreement" by President Gold and Secretary McClure.
6. Discussed Option 2: "Shared Services" and picked the following break out groups to study:
  - a. Human Resources: Eloise Laubach, Larry Dávila (leader), Forrest McClure, David Baxter.
  - b. Finance/Accounting: Bill Archambault, Mike Pula (leader), David Kennedy.
  - c. Facilities Management: Sue McBeth, Forrest McClure, Bill Gold, John Recob (leader).
  - d. Communication: Linda Hileman (leader), Bill Gold, John Harvey.
  - e. Other areas to be explored perhaps at a later date: IT, Procurement, Marketing, Project Management, Data Analysis, Administration & GM, Security.
7. The next joint study session is scheduled for Monday, February 24<sup>th</sup> at 2:30 p.m.
8. Motion to adjourn made by Treasurer Kennedy, second by Vice-President Laubach, vote was unanimous. Meeting adjourned at 4:02 p.m.

The next HGMD regular Board meeting will be held on Thursday, February 20, 2025, at 1:00 PM.

*Forrest McClure*

Forrest McClure, Secretary

Heather Gardens Metropolitan District Board of Directors



**HGMD BOARD OF DIRECTORS SPECIAL MEETING MINUTES  
February 11, 2025**

Pursuant to Section 24-6-402(2)(c), C.R.S., the Board of Directors of the Heather Gardens Metropolitan District held a special meeting at the Heather Gardens Clubhouse, 2888 S. Heather Gardens Way, Aurora, CO in the boardroom and via Zoom video conference at 4:00 p.m. on February 11, 2025. The meeting was held for the purpose of conducting the business of the Heather Gardens Metropolitan District was open to the public (the executive session was not open to the public).

1. Pledge of Allegiance
2. A quorum was present. Attending: President Bill Gold, Vice-President Eloise Laubach, Secretary Forrest McClure, Treasurer David Kennedy, Director Steve Stratton, and Attorney Jennifer Ivey. Several members of the public were present via Zoom.
3. Meeting called to order at 4:01 p.m.
4. At 4:03 p.m. Vice-President Laubach moved to go into executive session pursuant to Sections 24-6-402(4)(b) and 24-6-402(4)(e), C.R.S. for the purpose of receiving legal advice on specific legal questions and determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators regarding the Management Agreement with the Heather Gardens Association (HGA), the ongoing litigation between the District and the (HGA), consultants engaged by the District related to the foregoing, and other related matters. Seconded by Treasurer Kennedy. Motion was approved unanimously, and the public was then excluded from the meeting.
5. At 5:23 p.m. Treasurer Kennedy moved to close executive session and return to public session. Second, by Director Stratton. Motion approved unanimously. Those remaining members of the public rejoined the meeting via Zoom.
6. Motion by Treasurer Kennedy to adjourn the meeting, seconded by Vice-President Laubach. Motion approved unanimously. Meeting adjourned at 5:26 p.m.

The next HGMD regular Board meeting will be held on Thursday, February 20, 2025, at 1:00 PM.

*Forrest McClure*

Forrest McClure, Secretary

Heather Gardens Metropolitan District Board of Directors

## HGMD FOUNDATION NOTES FOR FEB. 12, 2025 MEETING

All five Committee members were present.

The meeting was called to order at 12:59 P.M.

### Discussion about the Foundation account concerns.

#### CHECKING ACCOUNT

On Dec. 31 I received an email from Carrie stating that as of Nov. 31 the balance in the Foundation account was \$0. On 11/13/2024 \$48,747.56 in Foundation funds was taken out of Key Bank and deposited in an unknown account at INBank.

#### FOUNDATION INVESTMENTS TBILLS

The UST Bills are still separated into two investments – one for \$100,000 and one for \$50,000. The maturities on both now set for the same day. Both matured on 01/23/2025.

This is a concern because the maturity dates of the investments were changed to mature on the same date. Unknown who authorized this change.

Until just recently Dave Kennedy and Carrie were not allowed to access the accounts.

### **DURING THE MEETING CARRIE GAVE ME AN EMAIL SHOWING THIS HAS BEEN CORRECTED (ONE TBILL TO MATURE 8/7/25 & ONE TO MATURE 2/25/26**

#### UPDATE FROM CRS (Now doing accounting or HGMD

According to the information sent by CRS the Foundation has \$110,725.95 in a checking account in the ColoTrust.

There is no mention of the \$150,000 in investments (T Bills) at Key Bank. This is obviously not correct. Dave Kennedy is working on getting this corrected.

Chair shared 2 questions from residents: One wanting to donate a statue ( we do not accept donations in-kind donations) and another requesting the Foundation purchase squirrel proof garbage cans, this was referred to the Restaurant Committee.

Matt Martella will be invited to the March meeting to present possible projects for 2025. Holiday Lighting project and Landscaping projects focusing on permanent items and not on consumable materials.

Meeting adjourned at 1:30

Next Meeting March 12 at 1:00.



**Heather Gardens Metropolitan District Restaurant Committee Minutes**  
**Thursday, February 13, 2025**

Recording of this meeting can be found at: <https://youtu.be/1BgazBxjf9Q>

1. Pledge of Allegiance
2. Determine quorum present

<b>Member</b>	<b>Attendance</b>
Bill Gold - Chair	Present
Cormac Ronan – Rest. Mgr.	Present
Nancy Linsenbigler	Present
Crystal Guise	Present
Bob Bankirer	Present
Tom Merges	Present
Mavis Richardson	Absent
Vicki Spillane	Present
Michael Thoma	Absent
Gwen Alexander	Present

3. Call meeting to order at 15:00
4. Addition to the agenda – Need for Profit & Loss statements for all meetings
5. Chair Remarks
  - a) Not much has changed from previous meeting – Finances continue to be an issue and are being worked on with CRS.
  - b) Very pleased with the work that has been done with the entertainment. This work needs to continue. Hoping for P&L at next meeting.
  - c) Would like to see the Facebook account managed by 240 Group create “Facebook Events” for the times the restaurant has any entertainment.
  - d) Website for restraint/golf course: <https://rendezvousrestaurantandgolf.com/>
  - e) Discussed current issues with the HGMD finances from 2024 and the transfer of work to CRS. Additional comments from Mike Pula, David Kenedy and other on this committee regarding concerns and issues.
6. Restaurant Manager's Report – Cormac
  - a) Provided an update on increased prices for food & supplies at the Restaurant and trying to not increase prices.
  - b) Conversation about the “Grab & Go” meals and how well this is going.
  - c) The events are continuing to increase the number of people coming into the restraint
  - d) Conversation by members to look at a plan to implement a “Delivery System” in 2025. The committee will continue to work on this and make it a goal for 2025.
  - e) New Manager Position – interview will continue next week. The process needs to be sped up so that we don't lose candidates.
  - f) Furniture Updates – this continues to be on hold.
7. Old Business
  - a) Restaurant Committee PM – Gwen – this has been completed
  - b) Architectural Upgrade – Tom, Gwen and Cormac – this had been put on hold until issues with the 2025 finances have been resolved. Need to inform the architect what the status is currently.

- c) Entertainment – Crystal
    - Schedule for 2025.
    - Revenue and attendance stats for the nights that entertainment is in the restaurant.
    - David Kennedy (HGMD Board Member and Treasurer) offered thanks to Crystal for all the work she continues to do.
    - Conversation among committee – options to add cover charge or increase the charge of the buffet Wednesdays.
    - Conversation among committee – what is the mission of the Restaurant? Is it to provide an amenity to the community or become a profit center? Bill provided an answer – this is an amenity to the community and should be managed to prevent loss and not make a profit.
  - d) Volunteers – Nancy provided updates on the activities of the HGMD volunteer group
    - The group purchased “Reserved Table Markers” for the nights that the restaurant is busy and these will help the volunteer find the tables.
    - The library group has 4 volunteers now. Looking to increase exposure to the community by posting to Hn’Y and also look into adding to the existing websites with more information about the library.
    - This group has started tours of the clubhouse and have had 2 so far. They will continue to provide this service.
8. New Business
- a) General Maintenance
    - New flooring – this had been put on hold until issues with the 2025 finances have been resolved
    - Cleaning – we are coming up on the one-year anniversary of the last professional cleaning. Cormac will investigate having this redone next month. This needs to be arranged at least yearly if not every quarter.
    - Generator – this had been put on hold until issues with the 2025 finances have been resolved
    - Message from the Foundation Committee – members of the community have asked to have “Squirrel proof” garbage cans placed at the restaurant. The committee needs more information on the need and will ask that the person or persons that made this request bring it to the Restaurant Committee at a future meeting.
9. Public Comment on Non-Agenda Items – None at this time
10. Adjournment at 16:06

**Next Meeting: 3:00 PM, Thursday, March 13, 2025**

# RV Storage Lot Committee Report for February 10, 2025

- I. Meeting called to order at 1:00 p.m.
  - A. Members attending in person: Forrest McClure (chair), Roy Ferguson, Tom Sandquist, Lynn Nicholson, Lee Nicholson and Tom Parko. Absent: Len Robinson. Several members of the public attending in person and via Zoom.
  
- II. Chair's Opening Remarks
  - A. Negotiations with HGA for a new agreement are in progress.
  - B. The Committee's PM needs revision to outline its management participation.
  - C. The next HGMD regular election is May 6<sup>th</sup>, 2025. The committee should look for someone to be the new committee chair.
  - D. HGMD Treasurer David Kennedy related that CRS has assigned a full-time staff member to HGMD's account. A locked drop box for rent payments, rental agreements and ACH forms has been purchased and is located under the Activities Desk in the Clubhouse lobby (ask staff for assistance). A courier will take the contents to CRS every Wednesday and Friday.
  
- III. Unfinished business
  - A. Motion by Tom Parko to order from Amazon six (6) [Voojoy](#) solar powered streetlights for the lot. Second by Tom Sandquist. Approved unanimously. The cost is \$560 which is less than the \$1,200 approved by the board on 10/17/2024. See attached documents on page 2 and 3.
  - B. Some rehab of the dump station will be accomplished via work orders to HGA.
  
- IV. New business
  - A. The committee discussed making the approval of lease agreements and space assignments a part of the committee's PM.
  
- V. Public comments on non-agenda items – a Zoom attendee asked and commented on the wait list to get a space in the lot.
  
- VI. Meeting adjourned at 2:15 p.m.

Report prepared by Forrest McClure, HGMD Secretary

# RV Storage Lot Committee Report for February 10, 2025



## HEATHER GARDENS METROPOLITAN DISTRICT BOARD ACTION

DATE: October 17, 2024

MOTION NUMBER: 2024-10-17-2

### MOTION: PURCHASE SOLAR STREET LIGHTS

Upon the recommendation of the RV Lot Committee, I move that the Heather Gardens Board of Directors approve the purchase of six motion activated solar street lights from Amazon for \$1,200, brand WYWNA Store.

**ECONOMIC COST TO THE DISTRICT: \$1,200**

**APPROPRIATED BY:** Capital Expenditure – Operating Account

Motion by: Forrest McClure

Second by: Robin O'Meara

**RATIONALE:** The street lights will be installed on three light poles in the RV Lot for additional security.

**DISCUSSION:** \_\_\_\_\_

**Secondary Motion:** \_\_\_\_\_

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

#### PRIMARY MOTION VOTE:

#### SECONDARY MOTION VOTE:

	YES	NO
Eloise Laubach	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Forrest McClure	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Robin O'Meara	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Daniel Taylor	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Total	4	

YES	NO
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>

The main motion does have a majority and passes.

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

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


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

# RV Storage Lot Committee Report for February 10, 2025

amazon Delivering to Centennial 80121 **Update location**

All

EN



3 pack

Roll over image to zoom in

## 8000W Solar Street Light, 3 Pack Dusk to Dawn Solar Lights Outdoor with Motion Sensor and Remote Control for Yard Parking Lot, Garage, Street

Visit the VOOJOY Store

4.6  102 ratings | Search this page

**Amazon's Choice**

200+ bought in past month

**\$279.99**

FREE Returns

**Coupon:**  Apply \$30 coupon [Terms](#)

Save 5% on 2 select item(s) [Shop items >](#)

Up to 9% off if you qualify [Shop items >](#)

30-day refund/replacement  | Product support included

Size: **8000W\*3PACK**

<b>8000W*3PACK</b> K	\$279.99 FREE delivery Wednesday
<b>5000W*2PAC</b> K	\$239.99 (\$120.00 / Count) FREE delivery Wednesday
<b>8000W*2PAC</b> K	\$259.99 (\$130.00 / Count) FREE delivery Wednesday
<b>8000W*4PAC</b> K	\$449.99 (\$112.50 / Count) FREE delivery Tue, Feb 25

Color: **Black**

Brand: **VOOJOY**

Color: **Black**

Material: **Aluminum, Acrylonitrile Butadiene Styrene**

Add Prime to get Fast, Free delivery

**\$279.99**

FREE Returns

FREE delivery **Wednesday, February 19**

Or Prime members get FREE delivery **Monday, February 17. Order within 36 mins.** [Join Prime](#)

Delivering to Centennial 80121 - [Update location](#)

**In Stock**

Quantity: 1

Ships from Amazon

Sold by [Sunshine Select](#)

Returns: 30-day refund/replacement

Support: Product support included

## **Current Status and Updates on Forensic Audit by Eide Bailly**

- We (Eide Bailly) are still hoping to receive monthly reconciliation invoices from HGA for 2022 and 2023. It is our understanding these reconciliations break down what is owed to HGA from the District.
- Billing information
  - ◆ Outstanding balance as of today \$14,644.88
  - ◆ Retainer on file of \$15,000 that has not yet been applied
- Estimate of remaining work effort for 2023 Audit – It is hard to estimate exact costs for the remaining work as much of it will depend on the quality/condition of the remaining records, but I would guess another \$15,000 for 2023 analysis with an additional \$5,000 to \$7,500 to draw up a report.
- Timing for the remainder of work for 2023 Audit – Once records are produced, I think we can provide a written deliverable within 30 to 45 days.

[The 2022 & 2023 monthly reconciliation invoices have been turned over to the HGDM Board]



**HEATHER GARDENS METROPOLITAN DISTRICT  
BOARD ACTION**

**DATE: FEBRUARY 20, 2025**

**MOTION NUMBER: 2025-02-20-2**

**MOTION: PAYMENT PLAN AGREEMENT**

I move that the Heather Gardens Metropolitan District (District) Board of Directors enter into an agreement with the Heather Gardens Association (Association) that establishes a payment plan to pay the Association the outstanding balance due the Association from the District as detailed in the following attachment.

**ECONOMIC COST TO THE DISTRICT: Currently estimated at \$1,295,199**

Motion by: David Kennedy

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

Rationale: The Heather Gardens Metropolitan District has withheld funds due the Association during the 2024 year and due the magnitude of the outstanding amount a payment plan is necessary.

Motion to amend:

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

Vote:	Yes	No
Bill Gold		
Eloise Laubach		
Forrest McClure		
David Kennedy		
Steve Stratton		
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.

Bill Gold, \_\_\_\_\_  
President HGMD Board of Directors

Forrest McClure, \_\_\_\_\_  
Secretary HGMD Board of Directors

**PAYMENT PLAN AGREEMENT**  
**BETWEEN**  
**HEATHER GARDENS METROPOLITAN DISTRICT AND HEATHER GARDENS**  
**ASSOCIATION**

WHEREAS, HEATHER GARDENS METROPOLITAN District, a quasi-municipal corporation and political subdivision of the State of Colorado ("District"), and the HEATHER GARDENS Association, a non-profit Colorado corporation ("Association") (collectively, District and Association are referred to herein as the "Parties" or individually as a "Party") entered into a Management Agreement dated August 23, 2018 ("Management Agreement").

WHEREAS, on December 7, 2023, the District's Board of Directors resolved to terminate the Management Agreement effective December 31, 2024.

WHEREAS, Article 1, Section 1, of the Parties' Management Agreement requires the Association to "operate and manage the affairs of the District, including performance of all duties of the District[.]"

WHEREAS, Article III, Section 1(e), of the Management Agreement "authorizes the Association to make District deposits in deposit accounts suitable for a public entity under State law, and to arrange, as agent, for payments authorized by the District's budget and this Agreement."

WHEREAS, on or about April 18, 2024, the District had revoked the Association's authorization to initiate transfers from or between any of the District's financial accounts.

WHEREAS, the inability to transfer funds between the District's financial accounts has severely inhibited the Association's ability to fulfill its obligations under the Management Agreement.

WHEREAS, without authority to transfer funds, the Association has resorted to paying amounts owed by the District out of Association funds.

WHEREAS, the Parties have subsequently agreed upon a payment plan for the District to reimburse the Association for payments made by the Association on behalf of the District.

NOW, THEREFORE, in consideration of the covenants contained herein, plus other good and valuable consideration passing between the Parties hereto, the sufficiency and receipt of which is hereby acknowledged, the Parties mutually agree as follows:

1. Through December 31, 2024, the District owes the Association \$1,295,199.
2. Upon execution of this Agreement, the District will pay the Association \$431,733.
3. The District shall pay the Association \$431,733 on March 15, 2025.



4. The District shall pay the Association \$431,733 on April 15, 2025.
5. The District shall pay the Association the amount owed for January through March 2025, as invoiced by the Association, on or before May 15, 2025 depending sufficiency of funds available.
6. Except as otherwise agreed upon in writing, the Parties reserve all rights under the Management Agreement and all rights at law and in equity.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed by their duly authorized officers as of the \_\_\_ day of February 2025.

HEATHER GARDENS METROPOLITAN DISTRICT

By: \_\_\_\_\_  
President

ATTEST

By: \_\_\_\_\_  
Secretary

HEATHER GARDENS ASSOCIATION

By: \_\_\_\_\_  
President

ATTEST

By: \_\_\_\_\_  
Secretary



# Heather Gardens METROPOLITAN DISTRICT

**HEATHER GARDENS METROPOLITAN DISTRICT**

**BOARD ACTION**

**DATE: FEBRUARY 20, 2025**

**MOTION NUMBER: 2025-02-20-3**

**MOTION: Authorization to Pay for Electrical Work on Irrigation Pump**

I move that the Heather Gardens Metropolitan District (District) Board of Directors authorize payment of a change order to the replacement and installation of the golf course irrigation pump as detailed in the following attachment.

**ECONOMIC COST TO THE DISTRICT: Currently estimated at \$18,500**

Motion by: David Kennedy

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

Rationale: The Heather Gardens Metropolitan District has withheld funds due the Association during the 2024 year and due the magnitude of the outstanding amount a payment plan is necessary.

Motion to amend:

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

Vote:	Yes	No
Bill Gold		
Eloise Laubach		
Forrest McClure		
David Kennedy		
Steve Stratton		
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.

Bill Gold, \_\_\_\_\_  
President HGMD Board of Directors

Forrest McClure, \_\_\_\_\_  
Secretary HGMD Board of Directors

**FW: Well Pump**

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**From** Lary Herkal <lary.herkal@HeatherGardensmail.com>

**Date** Tue 1/28/2025 8:48 AM

**To** Bill Gold <bill.gold@HeatherGardensmail.com>; David Kennedy <dkennedy@HeatherGardensmail.com>; Steve Stratton <stevestratton@hgmetrodist.org>

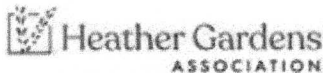
 1 attachment (206 KB)

Layne Heather Gardens A1 VFD Relocation Change Order Request 1\_27\_25.pdf;

Attached is a change order request from Layne Christensen Company in the amount of \$18,500. The work will be to bring the VFD and electrical installation to code. The existing electrical has no disconnect after the power meter and must be updated.

I talked to Nathan their Account Manager, he stated they reluctant to start this work until they are paid for previous work they have performed. This is the last item required to complete the project. Matt feels this proposal is reasonable.

*Lary Herkal*  
**General Manager**



2888 S Heather Gardens Way, Aurora, CO 80014

Direct: (303) 755-0652 Fax: (303) 745-5253

[Lary.herkal@heathergardensmail.com](mailto:Lary.herkal@heathergardensmail.com) | [www.heathergardens.org](http://www.heathergardens.org)

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Our electrical contractor will need to provide engineered drawings/permits, install a new disconnect and transformer feeder and relocate the existing stepdown transformer to provide room for the VFD. Layne's change order request is attached.

Let me know if you have time to meet this week to go over the proposed changes. Thank you.

**Nathan Anderson**



Office  
5810 East 77<sup>th</sup> Avenue  
Commerce City, CO 80022

T (303-755-1281)  
graniteconstruction.com

Heather Gardens Association  
2888 S Heather Gardens Way  
Aurora, CO 80014

1/27/25

Subj: Well A1 – VFD Relocation and Installation

Layne Christensen Company is providing this change order request relocate and bring the VFD and electrical installation to code. The existing electrical has no disconnect after the power meter and must be updated.

Total Change Order Request = \$18,500.00

- Existing electrical system will not meet code. Change order request to update.
  - Electrical Feed Transformer Updated & Relocated
  - Engineered Drawings to Obtain Permits

**Included:** Demolish Existing RVSS and return to owner  
Provide engineering for electrical permit, procure COA electrical permit  
Provide and install new 200amp main disconnect for transformer feeder on pump station wall  
Relocated existing stepdown transformer to allow for VFD installation build rack and mount on wall  
Build rack on building exterior and mount new sinewave filter  
Provide conduit and wiring as required  
Connect existing underground to new sinewave filter  
Coordinate with Xcel for disconnect/reconnect

This proposal is subject to the following attached terms and conditions. If acceptable, please sign below and the work will be scheduled. If you have any questions, please contact our office. Layne Christensen Company has appreciated this opportunity to be of service and looks forward to the possibility of working with you and your team on this project.

Sincerely,  
**LAYNE CHRISTENSEN COMPANY**

Nathan Anderson, Account Manager III

Accepted: \_\_\_\_\_ Date: \_\_\_\_\_