



# Heather Gardens Metropolitan District

## HEATHER GARDENS METROPOLITAN DISTRICT REGULAR MEETING Thursday, April 18, 2019

A regular meeting of the Board of Directors of the Heather Gardens Metropolitan District was held in the office of the District, 2888 S. Heather Gardens Way, Arapahoe County, Colorado, on Thursday, April 18, 2019 at 1:00 P.M.

The Secretary certified that all Directors have been duly notified and at least three notices of the meeting were posted in public places within the limits of the District, all in accordance with Section 32-1-903, C.R.S. as amended; that a copy of the agenda with specific agenda items where possible for the meeting was duly posted in designated places within the limits of the District, in accordance with Section 24-6-402(2)(c), C.R.S.; that a quorum was present; and that the meeting hence was duly constituted and could lawfully transact business as contemplated.

**CALL TO ORDER:** President Baldwin called the meeting to order at approximately 1:00 P.M. on Thursday, April 18, 2019. A quorum was present.

**BOARD MEMBERS PRESENT:** President Craig Baldwin, and Directors Bill Archambault, Bonnie McMullen, David Funk and Sandra Rosenberg.

**BOARD MEMBERS ABSENT:** None.

**STAFF PRESENT:** General Manager Calvin White, Controller Brett Miller, Executive Assistant Alicia Murray.

**GUESTS PRESENT:** Jennifer L Ivey with Icenogle, Seaver and Pogue, Lynn Donaldson and Mary Hafka with Heather n' Yon, and approximately 18 guests.

**APPROVAL OF MINUTES:**

Motion made by Director McMullen and seconded by Treasurer Archambault to approve the February 21, 2019 study session minutes as written. Motion passed unanimously.

Motion made by Secretary Rosenberg and seconded by Treasurer Archambault to approve the February 21, 2019 regular meeting minutes as amended. Motion passed unanimously.

Motion made by Treasurer Archambault and seconded by Secretary Rosenberg to approve the March 15, 2019 minutes as written. Motion passed unanimously.

**GENERAL MANAGER'S REPORT:** General Manager Calvin White asked if there were any questions on his March and April reports. Treasurer Archambault requested clarification on the Controller's report. No other questions were asked.



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## REPORTS OF DIRECTORS COMMITTEES AND PROFESSIONAL CONSULTANTS:

**Treasurer's Report:** Treasurer Bill Archambault stated that, due to previously received incomplete financial information, he is not able to submit a March report. Copies of the February report have been published in Heather n' Yon.

**Clubhouse/Restaurant Committee:** Secretary Rosenberg reported that the restaurant manager had submitted new menu items. The Clubhouse, Restaurant, and Golf Committees have been discussing how to promote their events. The Clubhouse has added summer concerts in the auditorium and is attempting to draw more customers in with new events. The Restaurant will be expanding their hours and happy hour to attempt to generate more business. The Committee has also begun planning their community holiday party and expressed concerns about partition installation in the Restaurant. Secretary Rosenberg stated that the Restaurant manager was moving forward with the purchase of patio umbrellas that show product advertising. There was open discussion regarding advertising laws, and it was decided to take the discussion back to the committee level and make a motion at a later date.

**Golf Committee:** Treasurer Archambault recognized Brian Benko for being awarded Employee of the Year. Due to weather conditions, the Golf course saw a decrease in revenue in February. Treasurer Archambault commented that he plans to make a motion regarding use of the logo in the Golf shop later in the meeting. The Golf Committee is currently reviewing the Golf Course rates in detail.

**Foundation Committee:** Director McMullen commented that there was no February meeting. Instead, the committee held a bake and flower sale to raise money for furniture for the Golf patio. The Committee also held a soup sale to raise money and both events were a success. It was decided to appoint a committee member to update the kiosk with foundation donation information. The committee is working with the Golf Committee on the release of the logo. A temporary hold has been placed on purchasing patio furniture until a future date. The committee approved the recent changes to the Foundation Procedure Memorandum and will make a motion of approval later in the meeting. The committee held an email vote to approve a \$500.00 donation to the restaurant for herb planters. The vote was unanimously approved, and Director McMullen will make a motion of approval later in the meeting. Due to insurance covering the recent loss of trees, the Foundation Committee did not make any recommendation in covering the expenses at this time.

President Baldwin asked for a status on the lost trees. General Manager White commented that he was still waiting on the claim inquiry though the deductible will be \$1,000.00. The adjustor has not provided the adjusting settlement. Once the settlement is received the damaged trees will be replaced. There was a total of seven trees on HGMD property that were damaged and will need to be replaced. There is some limitation in the policy on how much of the value of the claim can be for the trees and how much will be for cleanup.



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**Subcommittee on Reserves:** President Baldwin commented that Secretary Rosenberg was not at the last Reserve Subcommittee meeting and that he attended in her absence. Because of the Reserves presented today, President Baldwin went on to say that there is no need to mention Reserves at this time.

**Property Policy Committee:**

Director Funk commented that the Property Policy Committee did not meet in March. The February report was included in the packet discusses the request by Chief Officer Jones for funding for repair of security surveillance cameras in the Clubhouse The April report was also included in the packet and many of the items that were discussed in the Property Policy meeting will be discussed as part of the agenda items. The Board did not have any questions.

**President's Report:**

President Baldwin commented he will not discuss Transparency as the information is available in the Heather 'n Yon this month. The Audit schedule was included in the packet and he will provide updates in the next couple of months from now through June. An SDA workshop is scheduled June 7<sup>th</sup> and if anyone in the Board wants to attend, they will need to notify Alicia to get you registered. President Baldwin will be driving and leaving at 7:30 AM if anyone needs a ride. The SDA magazine provides the agenda for that week. The May District meeting will include the election of new officers.

**UNFINISHED BUSINESS:** A work session has been scheduled for May 9, 2019 at 9:00 AM to discuss updates to the Table of Contents, Bylaws, Rules and Regulations, Schedule of Fees and Charges, and Procedure Memoranda. After the work session discussion, the updates will be posted on the website for 30 days for any comments and thereafter will be sent for legal review to attorney Jennifer Ivey. General Manager White requested if the rental and contract forms which are not part of the updates can be sent for legal review now for consistency in the language. President Baldwin and Director Archambault agreed. Secretary Rosenberg received a request from a resident for a reservation agreement for a group party. There is no form for these types of requests. General Manager White and Attorney Jennifer Ivey discussed that there should be a form for any type of function at a department level. Secretary Rosenberg will work with the restaurant form for legal review and language consistency.

Property Policy Committee members Gary Ford and Mike Pula volunteered to share work to date by the special committee regarding the installation of an electric vehicle charging station. The committee is in the formation stages. Ford is looking at whether it will make sense to install electronic vehicle stations at Heather Gardens. Ford prepared a list of ten questions that were forwarded to President Baldwin. Ford's stated that after consideration from their research that the electric vehicle charging station is unfavorable and unbeneficial for the residents at this time. Ford and Pula will have a proposal to



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present a strong case to not install the electric vehicle charging station for the next meeting to be voted.

**Motion: Appoint special subcommittee to study installation of electric vehicle charging station:** Motion made by Director Funk, seconded by Treasurer Archambault and passed unanimously. This committee will report directly to HGMD.

**Motion: Replace Rendezvous trash pad and clean up:** Based on recommendation of the Maintenance Department, Secretary Rosenberg made a motion that the HGMD Board approve the replacement of the Rendezvous trash pad, move the sidewalks and light fixtures using Sunny Day Concrete at a cost of \$7,482.58 with a change order reserve of \$1,496.42 for a total price of \$8,979.00. This vendor is a preferred Heather Gardens contractor. Motion seconded by Director McMullen. After further discussion and questioning of the price and how this will be paid, Secretary Rosenberg withdrew the motion.

President Baldwin commented that there is discussion that dumpsters are overflowing and creating extra charges. He suggested switching the trash bins sizes from 1-4 to 2-6 to prevent them from overflowing and extra charges. General Manager White will look into this further and will follow up on the next meeting.

**Motion: Buffet Table wiring:** Based on recommendation of the Maintenance Department, Secretary Rosenberg made a motion that the HGMD Board award a contract to A&A Electrical LLC to install wiring for the Rendezvous buffet table for \$2,598.00 with a change order of \$262.00 for a total price of \$2,860.00. The installation will comply with the requirement of the manufacturer. Motion seconded by Director Funk and passed unanimously.

Secretary Rosenberg also stated that the Chef Table was approved in January 2019 and is a budgeted item for the District for this calendar year. The Chef Table has many components that will require electrical work. There were two proposals in the packet, but A&A Electrical LLC is the lowest of the two. The proposal outlines the specific work that will be done. The Chef Table is on hold for ordering until this work is approved. President Baldwin commented that this is a three-phase system. General Manager White confirmed A&A Electrical LLC is a preferred contractor to Heather Gardens.

## **Open Forum:**

A resident suggested that the dumpsters have locks to lock up at night.

A resident suggested the cost of the restaurant umbrellas and furniture be the beer company's responsibility.

A resident agreed that the restaurant expansion of hours will attract more of the population here and outside.



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President Baldwin commented the Clubhouse and Restaurant committee is handling the umbrellas and General Manager White will looking into the dumpsters.

## NEW BUSINESS:

**Motion: Letter supporting Green Team Grant Application:** President Baldwin moved to approve, seconded by Secretary Rosenberg and passed unanimously.

**Motion: Consider Building 250, Golf Parking Sealcoat:** Director Funk moved to approve, seconded by Rosenberg and passed unanimously.

**Motion: Consider the use of 13692 E. Marina Drive parking:**

President Baldwin moved to bring this to the Property Policy Committee to take this up at their next meeting, to post on their agenda, and on the three bulletin boards and have Lewis Boeve send a distribution email.

## Open Forum:

A resident commented that the cleanup issue in the property has been brought up for weeks and there has been no information or dates provided.

President Baldwin responded that was not true.

Director Funk commented this came before the Property Policy Committee on the first week of April. There was an agreement that the General Manager White will reach out to Comcast to get this taken care of. As of two weeks ago, Comcast subcontractors removed their heavy equipment which left the sandbags and dirt piles that are scheduled to be removed on Monday.

A resident commented that they noticed dumping in the property.

A resident suggested to put up signs that say no dumping.

Attorney Ivey commented that the property belonging to the District is public property that must be open to the public. There can be reasonable restrictions but cannot be closed off to the public.

A resident suggested that the HGA and HGMD work together for a solution and not to have it fenced in.

Secretary Rosenberg suggested moving the tennis courts by the clubhouse to that property and using that slab for additional parking.

A resident commented that if they move the tennis courts, where would the residents or their guest park if this is parking that is for the use of the residents?



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President Baldwin commented that the property belongs to District and not the Association and there was plenty of parking on the street.

A resident asked that the Board please ask for the input of the residents that live in that building when the Board works on a resolution.

Director Funk recommended and encouraged the residents to bring their input to the Property Policy Committee meeting.

## **Clubhouse parking:**

Director Funk discussed the two proposal options and the pro and cons. The first proposal is a two-level parking garage structure adding about 100 parking spaces that will be a very costly project estimated at from \$2.7million to \$4.1 million. The second is a surface level parking lot adding about 50 parking spaces with an estimated cost of \$500,000.00 that would require relocating the existing tennis courts. These two projects proposed are more into the future and they are looking for a solution now to help alleviate the parking problem. There was a discussion to explore the concept of electric autonomous vehicles as a possible solution.

**Motion: Use of new logo for Golf merchandise:** Based on recommendation of the Golf Committee, Treasurer Archambault moved that the HGMD Board approve the use of the Heather Gardens Golf Course logo for the Golf Pro Shop merchandise. Motion seconded by Director McMullen. After further discussion, vote was 3 yes and 2 no; motion passed.

**Motion: Use of new logo for Foundation merchandise:** Based on recommendation of the Foundation Committee, Director McMullen moved that the HGMD Board approve the use of the new logo on sweatshirts to be sold in the Golf Shop. After further discussion, the logo that will be used is the Golf Course logo. There are two types of sweatshirts. Order of the sweatshirts will need to be discussed with General Manager White before placing an order.

## **Open Forum:**

A resident commented to make sure to get the right information such as the color number and file number in order to reproduce the logo.

A resident commented that is very important to stay consistent with the logo.

**Motion: Purchase herb planters for Rendezvous:** Based on recommendation of the Foundation Committee, Director McMullen moved that the HGMD Board to approve the purchase of herb planters for food for the Rendezvous restaurant at a cost not to exceed \$500.00. Seconded by Secretary Rosenberg and passed unanimously.



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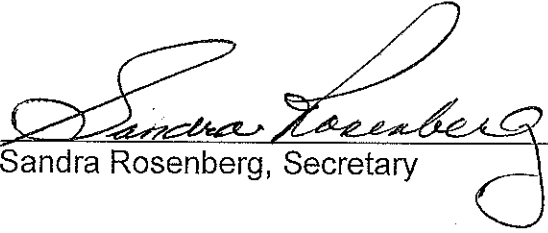
**Motion: Purchase of Golf Shop patio furniture:** Based on the recommendation of the Foundation Committee, Director McMullen moved that the HGMD Board approve the purchase of the patio furniture for the Golf Shop patio at a cost not to exceed \$2,400.00. Seconded by Treasurer Archambault and passed unanimously.

**Open Forum:**

None.

**OTHER BUSINESS:** HGA Treasurer John Coil presented information on HGMD Capital Reserve Components. Motion made by Secretary Rosenberg and seconded by Treasurer Archambault to approve the HGMD Capital Components List and request that the Reserve Subcommittee prepare a recommended financing plan for the approved capital components. Secretary Rosenberg commented that the component list is an ever-changing document that will be updated continuously. The motion passed unanimously.

**ADJOURNMENT:** 4:00 PM

  
Sandra Rosenberg, Secretary

