

**MINUTES OF A REGULAR MEETING OF
THE BOARD OF THE
HAWTHORN METROPOLITAN DISTRICT
HELD MARCH 2, 2026 AT 2:00 P.M.
VIA TELECONFERENCE**

The regular meeting of the Board of Directors of Hawthorn Metropolitan District was called and held in accordance with the applicable laws of the State of Colorado. The following Directors, having confirmed their qualifications to serve, were in attendance:

Attendance

Krystal Bigley, President
Andrea Stewart, Assistant Secretary
Gary Silverman, Treasurer
Stephen Bonneau, Assistant Secretary

Also present were Trisha K. Harris, Esq. and Matt R. Fegan, Esq., WBA, PC, District General Counsel; Allison Willians, CliftonLarsonAllen, LLP, District Accountant; Mark Becker, MSI, LLC, District Manager; Jeremy Fletcher, Altitude Law; Noah Kaplan, Compost Colorado (*for a portion of the meeting*).

Call to Order/Declaration of Quorum

It was noted that a quorum of the Board was present, and Ms. Bigley called the meeting to order at 2:00 p.m.

Conflict of Interest Disclosures

Ms. Bigley advised the Board that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Ms. Bigley reported that disclosures for those directors that provided WBA, PC, with notice of potential or existing conflicts of interest were filed with the Secretary of State's Office and the Board at least 72 hours prior to the meeting, in accordance with Colorado law, and those disclosures were acknowledged by the Board. Ms. Bigley inquired into whether members of the Board had any additional disclosures of potential or existing conflicts of interest with regard to any matters scheduled for discussion at the meeting. No additional disclosures were noted.

Approval of Agenda

The Board reviewed the proposed agenda. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the agenda as amended, subject to moving the executive session to after Approval of the Agenda and moving the Public Comment to the end of the meeting.

Executive session of the Board of Directors for the purpose of receiving legal advice pursuant to Section 24-6-402(4)(b), Colorado Revised Statutes as it relates to a swing installed on District-owned property.

Upon a motion duly made and seconded, followed by an affirmative vote of at least two-thirds of the quorum present, the Board enter into executive session at 2:05 p.m. for the purpose of receiving legal advice as it relates to covenant enforcement matter turned over to covenant enforcement counsel pursuant to Section 24-6-402(4)(b), C.R.S.

Pursuant to Section 24-6-402(2)(d.5)(II)(B), C.R.S., no record will be kept of the portion of this executive session that, in the opinion of legal counsel to the District(s), constitutes privileged attorney-client communication pursuant to Section 24-6-402(4)(b), C.R.S.

**ATTORNEY STATEMENT
REGARDING PRIVILEGED ATTORNEY-CLIENT COMMUNICATION**

Pursuant to Section 24-6-402(2)(d.5)(II)(B), C.R.S., I attest that, in my capacity as the attorney representing Hawthorn Metropolitan District, I attended the executive session at the regular meeting of Hawthorn Metropolitan District convened at approximately 2:00 p.m. on March 2, 2026 for the sole purpose of discussing covenant enforcement matter turned over to covenant enforcement as authorized by Section 24-6-402(4)(b), C.R.S. I further attest it is my opinion that all of the executive session discussion constituted a privileged attorney-client communication as provided by Section 24-6-402(4)(b), C.R.S. and, based on that opinion, no further record, written or electronic, was kept or required to be kept pursuant to Section 24-6-402(2)(b), C.R.S. or Section 24-6-402(2)(d.5)(II)(B), C.R.S.

Trisha K. Harris, Esq.

Following adjournment of the Executive Session, upon a motion duly made and seconded, the Board unanimously approved closing the covenant enforcement file related to the light that was turned over to Altitude Community Law, and to waive all fees and fines related to the same.

Discuss Board and ARC Vacancies

- Consider Appointment of Director – The Board discussed that two individuals have expressed an interest in being on the Board – Colby Everett and Brittany Lutz. After discussion, upon a motion duly made and seconded, the Board unanimously appointed Colby Everett to the Board.
- Consider Election of Officers – The Board engaged in general discussion regarding the election of officers. Following discussion, upon a motion duly made and seconded, the Board unanimously elected Director Bonneau as Secretary. No other officer positions were changed.

- Consider Appointment of an ARC Member – The Board engaged in general discussion regarding the appointment of architectural review committee members. Following discussion, upon a motion duly made and seconded, the Board appointed Roy Mitchell and Stephen Bonneau to the ARC

Consent Agenda

Ms. Bigley reviewed the items on the consent agenda with the Board. Ms. Bigley advised the Board that any item may be removed from the consent agenda to the regular agenda upon the request of any director. Upon a motion duly made and seconded, the Board unanimously approved the consent agenda:

- Approval of Board Meeting Minutes from December 1, 2025 Meeting
- Approval of Board Meeting Minutes from December 1, 2025 Annual Meeting
- Approval of Resolution Designating a Meeting Notice Posting Location
- Ratify the Supplement to the 2024 Annual Report

Financial Matters

- Review and Consider Acceptance of Unaudited Financials – Ms. Williams presented the Unaudited Financials. Following discussion, upon a motion duly made and seconded, the Board unanimously accepted the Unaudited Financial Statements.
- Review and Consider Approval of Claims – Ms. Williams presented the Claims to the Board. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the Claims.

Legal Matters

- Discuss Permanent Generators – The Board engaged in general discussion regarding the possible increase in requests from owners for approval to install permanent generators.

ACTION ITEM: WBA to prepare an amendment to the Design Guidelines regarding parameters for the installation of permanent generators, to be reviewed by Directors Bonneau and Silverman, and then to be presented to the Board for approval at the next meeting.

- Discuss Purchase of Dog Kennel Property – The Board engaged in further discussion regarding the purchase of the dog kennel property by the District. The Board will continue to monitor this matter, with it to be discussed again at the next meeting.
- Discuss Process for Approving Costs or Contracts Between Meetings – The Board engaged in general discussion regarding the process by which the District can approve costs or the approval of work between meetings, such as the recent matter of approving winter watering of the trees. The Board discussed the resolution the District has in place that authorizes the President and one other director to approve such matters, subject to legal counsel and

accountant review. The Board also discussed that there may be things that Environmental Landworks does each year as an add-on to the standard maintenance agreement that might be better include in the routine scope of work that is part of the standard cost.

- ACTION ITEM: Director Silverman and Mr. Becker will review the existing agreement with Environmental Landworks and present suggested revisions to the Board at the next meeting.

Facilities/Management Matters

- Management Update – Mr. Becker reported that there were two covenant violations noted recently, both of which have been resolved. Mr. Becker also reported that the ARC has received two recent requests for paint approval.

The Board also discussed the e-mail from an owner about concerns with mowing or other action needed relative to fire mitigation related to the Eldora Hillside. It was determined that mowing of the native areas and clearing out the clippings is not healthy for the native areas.

ACTION ITEM: Director Bigley to work with Mr. Becker to draft a response to the owner who sent the e-mail to Mark regarding this matter.

- Discuss Compost Bin and Continuation of Providing the Service – Noah Kaplan with Compost Colorado was in attendance and discussed the composting service provided to the District by Compost Colorado. After discussion, the Board determined to continue the service for the present, and to add the matter to the agenda for continued discussion at the next meeting.
- Discuss Soccer Goal Net Replacement – Director Bonneau reported that the upper cross bar is not necessary. Directors Bonneau and Silverman will put the nets back up without the top cross bar around May 1.

ACTION ITEM: Stephen and Gary to replace the nets around May 1.

- Discuss and Consider Approval of Proposals for Trail Erosion Repair – The Board engaged in general discussion regarding the trail erosion, and reviewed proposals provided by Environmental Landworks. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the two proposals for the trail work – one for berm work in the amount of \$3,375 and one for cement work in the amount of \$6,545.

ACTION ITEM: WBA to put the proposals into the District's standard contract format for execution.

- Discuss and Consider Approval of Proposals for Mulch at the Swing Set – The Board reviewed the proposal from Environmental Landworks for mulch at the playground and

along the trail and discussed that the proposal for 8” of mulch at the playground may be more than necessary. The Board directed Mr. Becker to go back to Environmental Landworks to work with them on a proposal with less mulch, not to exceed \$7,000.

ACTION ITEM: Mr. Becker is to work with Environmental Landworks on a revised proposal. As long as the revised proposal does not exceed \$7,000, WBA will put the proposal into the District’s standard contract form for execution.

Other Business

- Update on discussions with CDOT regarding erosion to the north – Mr. Bonneau reported that CDOT has done what they are going to do in the area, and that at this point, it is a matter of waiting to see if the grass grows in. No action taken.

Public Comment

- Brittany Lutz commented on the composting service provided through the District.

Adjourn

There being no further business to come before the Board, following discussion and upon a motion duly made, seconded, and unanimously carried, the Board determined to adjourn the meeting at 4:41 p.m.

The foregoing constitutes a true and correct copy of the minutes of the above-referenced meeting.

Stephen Bonneau

[Stephen Bonneau \(Jun 9, 2026 11:52:55 MDT\)](#)

Secretary for the Meeting

The foregoing minutes were approved on the 1st day of June, 2026

Gilbert St Park Playground Mulch Fill

Date 5/14/2026
Customer Krystal Bigley | Hawthorn Metropolitan District No. 2 | 11022 Benton St. | Westminster, CO 80020
Property Hawthorn MD | 19583 W 58th Place | Golden, CO 80403

ELCI will install engineered wood fiber mulch to match the existing material within the playground areas. Installation will include an average 3" depth of material throughout the designated areas. Material will be delivered to the site via tandem truck and staged in a coned-off area after 9:00 AM.

Softscapes

Play Ground Fibar Install

Play Ground Fibar Install: \$2,734.00

Subtotal	\$2,734.00
Estimated Tax	\$0.00
Total	\$2,734.00

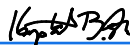
Terms & Conditions

By _____

Marco Buttram

Date 5/14/2026

**Environmental Landworks
Company, Inc.**

By 
Krystal L. Bigley (Jun 17, 2026 06:31:33 MDT)

Date _____

Hawthorn MD



May 14, 2026
Hawthorn MD

Contract No. - 4042

ELCI will repair and clean up the crusher fines paths around the area, adding stabilized material to reduce erosion caused by foot traffic and weather. This will be an average of 1" fill, Stabilizer, and Compaction. We will also clean up the edges of the paths to remove the overgrowth of turn on to the path.

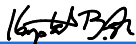
ITEM	QTY	UNIT PRICE	TOTAL PRICE
Tan Crusher Fines 1" Fill	10.00	\$42.00	\$420.00
Labor - Stabilized Crusher Fines Install	10.00	\$70.00	\$700.00
Material Pick Up	3.00	\$70.00	\$210.00
Labor - Trail Edging and Cleanup	6.00	\$70.00	\$420.00
Stabilizer	1.00	\$240.00	\$240.00
Enhancements Mobilization	1.00	\$70.00	\$70.00
			\$2,060.00

WORK ORDER SUMMARY

SERVICES	SALES TAX	TOTAL PRICE
Trail Rehab	\$0.00	\$2,060.00
		\$0.00
		\$2,060.00

Sale	\$2,060.00
Sales Tax	\$0.00
Total	\$2,060.00

By _____
Marco Buttram

By 
Krystal L. Bigley (Jun 17, 2026 06:31:33 MDT)

Date 5/14/2026

Date _____

**Environmental Landworks
Company Inc**

Hawthorn MD

Native.Forrest area cleanup 2026

Date 5/14/2026

Customer Krystal Bigley | Hawthorn Metropolitan District No. 2 | 11022 Benton St. | Westminster, CO 80020

Property Hawthorn MD | 19583 W 58th Place | Golden, CO 80403

3 guys at 8 hours ea. for a full day work with travel and dump. We will bring in a dump trailer, chainsaws and other material to help us clean out larger dead or fallen branches obstructing paths. Also beautification. Cleaning up any building debris/trash that has accumulated. (tree branches taken out will only be what can be carried or wheel barrowed out. No huge logs or stumps.)

Default Group

Maintenance Extra T&M | 2025

Items	Quantity	Unit	Price/Unit	Price
Labor - Extras	8.00	hr	\$70.00	\$560.00
Labor - Extras	16.00	hr	\$65.00	\$1,040.00
Dump Fee	1.00	ea	\$250.00	\$250.00
Maintenance Extra T&M 2025:				\$1,850.00

Subtotal	\$1,850.00
Estimated Tax	\$0.00
Total	\$1,850.00

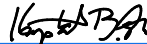
Terms & Conditions

By _____

Marco Buttram

Date 5/14/2026

**Environmental Landworks
Company, Inc.**

By 
Krystal L. Bigley (Jun 17, 2026 06:31:33 MDT)

Date _____

Hawthorn MD

**SECOND AMENDMENT TO THE
SECOND AMENDED AND RESTATED RESIDENTIAL IMPROVEMENT
GUIDELINES AND SITE RESTRICTIONS FOR HAWTHORN METROPOLITAN
DISTRICT**

WHEREAS, Hawthorn Metropolitan District (the “**District**”), a quasi-municipal corporation and political subdivision of the State of Colorado, was organized to provide various services, including design review and covenant enforcement services, in and around the Hawthorn development in Jefferson County, Colorado; and

WHEREAS, pursuant to the Covenants and Restrictions of Hawthorn recorded in the real property records of the Clerk and Recorder of Jefferson County, Colorado at Reception No. 2013012640, on February 1, 2013 (the “**Covenants**”), the Architectural Review Committee (the “**ARC**”) has the authority to promulgate, adopt, enact, modify, amend, repeal, and re-enact architectural standards, rules and/or guidelines to interpret and implement the provisions of Article 2 of the Covenants, subject to the written approval of the Board of Directors of the District (the “**Board**”); and

WHEREAS, there is currently in place the Second Amended and Restated Residential Improvement Guidelines and Site Restrictions for Hawthorn Metropolitan District, dated September 11, 2023, as amended by the First Amendment to the Second Amended and Restated Residential Improvement Guidelines and Site Restrictions for Hawthorn Metropolitan District, dated January 8, 2025 (collectively, the “**Guidelines**”); and

WHEREAS, Section 3.78 of the Guidelines regulates the use of Wind Electric Generators within the District; and

WHEREAS, the ARC, with the written consent of the Board, desires to amend Section 3.78 of the Guidelines to include regulations for permanent generators; as set forth herein.

NOW, THEREFORE, BE IT RESOLVED BY THE ARC, WITH THE APPROVAL OF THE BOARD, THAT THE GUIDELINES ARE AMENDED AS FOLLOWS:

1. Amendment to Section 3.78. Section 3.78 of the Guidelines is hereby repealed in its entirety and replaced with the following Section 3.78:

3.78 Wind Electric and Permanent Generators

3.78.1 Wind Electric Generators

Approval is required. In addition to ARC approval, windmills and any other type of fixture which fall under the criteria of a wind generator must meet the requirements of C.R.S. § 40-2-124 governing wind electric generators, and any applicable regulations of the Colorado Public Utilities Commission.

3.78.2 Permanent Generators

Approval is required for all home standby generators which are permanently wired and installed to generate power for the home in the event of a power failure. No such generators may be placed or installed on rooftops or extended from windows. Ground mounted generators may only be installed in a rear or side yard and must be located and installed in a manner so as to minimize visibility from the street, minimize noise, and minimize potential carbon monoxide exposure to adjacent property Owners. Owners are responsible for ensuring that any applicable Jefferson County regulations related to such generators are adhered to.

Temporary, movable generators may be placed outside of a home only while in use, and must be stored inside of the home or garage on the Site when not in use.

2. Board Consent. The Board, by execution hereof, hereby consents to the adoption of this Second Amendment by the ARC.
3. Effective Date. The Amended Guidelines shall be effective as of June 1, 2026.

[The remainder of this page intentionally left blank.]

APPROVED AND ADOPTED BY THE ARC ON THIS 1st DAY OF June, 2026.

ARCHITECTURAL REVIEW COMMITTEE OF
HAWTHORN METROPOLITAN DISTRICT

By: *Krystal Bigley*
Krystal Bigley (Apr 13, 2026 08:53:53 MDT)

Krystal Bigley

By: *Stephen Bonneau*
Stephen Bonneau (Mar 23, 2026 13:08:19 MDT)

Stephen Bonneau

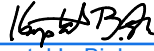
By: *Roy Mitchell*
Roy Mitchell (Mar 16, 2026 17:18:07 MDT)

Roy Mitchell

ACKNOWLEDGEMENT OF THE DISTRICT

By execution below, the undersigned acknowledge that the Board of Directors of the District has approved the adoption of the Second Amendment by the ARC at a duly called meeting of the Board held on June 1, 2026.

**HAWTHORN METROPOLITAN
DISTRICT**

By: 
Krystal L. Bigley (Jun 17, 2026 06:31:33 MDT)
Officer of the District