

MINUTES OF THE SPECIAL MEETING OF THE BOARD OF DIRECTORS OF

HAWTHORN METROPOLITAN DISTRICT NO. 2

Held: Monday, June 1, 2020, at 2:00 p.m. via Teleconference

Due to the Executive Order issued by Governor Polis on March 25, 2020, requiring all residents of the State of Colorado to stay-at-home to minimize the spread and impact of COVID-19, and the Updated Public Health Order 20-24 implementing the Executive Order, issued by the Colorado Department of Health and Environment (CDPHE) on March 26, 2020, the meeting was held via teleconference.

**Attendance**

The special meeting of the Board of Directors of the Hawthorn Metropolitan District No. 2, was called and held as shown above and in accordance with the applicable statutes of the State of Colorado. The following Directors, having confirmed their qualification to serve on the Board, were in attendance:

Krystal Bigley  
Carly Fenton  
Matthew Cavanaugh  
Andrea Stewart  
Brittany Lutz

Also present was Megan J. Murphy, Esq., White Bear Ankele Tanaka & Waldron, Attorneys at Law, District General Counsel; Alex Fink, CliftonLarsonAllen LLP, District Accountant; and Peggy Ripko, Special District Management Services, Inc., District Manager.

**Call to Order**

It was noted that a quorum of the Board was present and the meeting was called to order.

**Conflict of Interest Disclosures**

Ms. Murphy advised the Board that, pursuant to Colorado law, certain disclosures might be required prior to taking official action at the meeting. Ms. Murphy reported that disclosures for those directors that provided White Bear Ankele Tanaka & Waldron with notice of potential or existing conflicts of interest were not filed with the Secretary of State's Office and the Board at least 72 hours prior to the meeting due to a clerical error. The Board acknowledged the disclosures. Ms. Murphy inquired into whether members of the Board had any potential or existing

conflicts of interest with regard to any matters scheduled for discussion at the meeting and each director noted no conflicts of interest existed. The participation of the members present was necessary to obtain a quorum or to otherwise enable the Board to act.

**Approval of Agenda**

Ms. Murphy presented the agenda to the Board for consideration. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the agenda as amended.

**Public Comment**

None.

**Consent Agenda**

Following a summary by Ms. Murphy, the items on the consent agenda were approved and/or adopted by one motion duly made and seconded, and unanimously carried.

1. Minutes from May 11, 2020 Special Meeting
2. Resolution Declaring Emergency Procedures and Authorizing Teleconferencing for Regular and Special Meetings
3. Resolution Establishing Electronic Signature Policy

**Facilities Management**

**District Manager Update**

Ms. Ripko stated that Special District Management Services, Inc. (“SDMS”) is sending weekly emails blasts to residents and is limited to sending four per month on the website. Ms. Ripko also noted that landscaping maintenance is going well and the backflow testing has been completed and passed.

**Covenant Enforcement Update**

No update.

**Discussion of Architectural Review Submissions**

Ms. Ripko stated that SDMS has been up to date on reviewing and responding to all architectural review submissions. Ms. Ripko also noted that a few requests have been sent to the Architectural Review Committee for review.

**Landscape Proposal**

Ms. Ripko presented a proposal to mow a beauty band behind the homes that back up to native areas which is estimated at \$1,500, NTE \$2,250 for a one time service throughout the entire neighborhood. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the proposal and appointed Ms. Bigley to be the point contact.

## **Legal Matters**

Update on Davey Tree  
Resolution

Ms. Murphy presented. Davey Tree is processing a check and Mr. Fink will confirm receipt and email the Board once received. Ms. Murphy and Director Cavanaugh will work on the tree planting once the funds have been received.

## **Financial Matters**

Consider Approval of 2019  
Audit

Mr. Fink presented the Board with the 2019 audit for consideration. Director Stewart asked about the website payments. Director Bigley responded that she had submitted her receipts late so there were years of payments reflected in 2019.

Director Bigley asked about accelerating debt service payments. Ms. Fink responded there is a redemption premium if the bonds are redeemed sooner than provided for in the bond documents. Following discussion, upon a motion duly made and seconded, the Board unanimously accepted the 2019 Audit, subject to legal review, auditor comments and receipt of a clean opinion from the auditor.

**Other Business**

None.

**Next Meeting**

The next meeting is scheduled for Monday, September 14, 2020 at 2:00 p.m.

**Adjournment**

There being no further business to come before the Board and following discussion and upon motion duly made, seconded and unanimously carried, the Board determined to adjourn the meeting.

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

*Carly Fenton*

Carly Fenton (Sep 24, 2020 15:58 MDT)

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Secretary for the Meeting

The foregoing minutes were approved by the Board of Directors on the 14th day of September, 2020.