

MINUTES OF THE SPECIAL MEETING OF THE BOARD OF DIRECTORS OF

HAWTHORN METROPOLITAN DISTRICT NO. 2

Held: Monday, January 20, 2020, at 12:00 p.m. at 17685 W. 83<sup>rd</sup> Drive, Arvada, Colorado.

**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  
Andrea Stewart

Via Phone:  
Brittany Lutz  
Matthew Cavanaugh

All Director absences are deemed excused unless otherwise specified.

Also present was Megan J. Murphy, Esq., White Bear Ankele Tanaka & Waldron, Attorneys at Law, District General Counsel.

**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 with 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. Murphy noted that a quorum was present and 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. The Board determined that 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**

The following items on the consent agenda were considered routine or administrative. Following a summary by Ms. Murphy and discussion by the Board, the item on the consent agenda was deferred. No action was taken.

**Facilities Management**

District Manager Update No update.

Covenant Enforcement Update No update.

Architectural Review Committee Update No update.

Consider Approval of Amendment to Amended and Restated Residential Improvement Guidelines and Site Restrictions regarding District Lot Fence Specification Ms. Murphy presented the Board with the an Amendment guidelines regarding district lot fencing for consideration. Director Cavanaugh commented that the 28 feet reflected in the Amendment is based on the garage to sidewalk measurement as approved by the County. Following discussion, upon a motion duly made and seconded, the Board unanimously approved the Amendment.

Discuss 2020 Contract Renewals/Proposals

Consider Approval of Independent Contractor Agreement with Special District Management Services, Inc. for District Management and Covenant Enforcement Services The Board engaged in general discussion regarding the proposals for district management and covenant enforcement from CliftonLarsonAllen (“CLA”) and Community Preservation Specialists and Special District Management Services, Inc. (“SDMS”).

Director Bigley commented that the SDMS proposal is for a flat fee that includes newsletters no additional cost. SDMS will provide website management at a minimal cost. Billing services (not within the flat fee or hourly fee) would be up to \$2,500, then an additional fee per month. SDMS estimates this to be \$1250/month plus the per hourly rate for the call center. SDMS will provide welcome packets to all new residents. CLA will continue to collect operations fees because they distributed the operations fee bills.

Following discussion, upon a motion duly made and seconded, the Board unanimously approved the proposal for SDMS subject to legal counsel review. The Board would like SDMS to start on February 24, 2020 with a pro-rated fee for the month of February.

Discussion regarding Davey Tree Contract The Board engaged in general discussion regarding the Davey Tree contract and the number of dead trees in the community. Following discussion, upon a motion duly made and seconded, the Board directed legal counsel to send a letter to Davey Tree requesting Davey Tree pay the District for 17 dead trees now, perform a walkthrough of the community in the Spring, and provide one more check for any additional dead trees.

Consider Proposal from Environmental Landworks for Landscape Management Services

Director Cavanaugh presented the proposal from Environmental Landworks for Landscape Management Services. Director Cavanaugh noted the bid was competitive with other contractors and Environmental Landworks has offered to install trees at no cost if the District purchases the trees using the funds from Davey Tree. Following discussion, upon a motion duly made and seconded, the Board unanimously approved engaging Environmental Landworks as the landscape contractor for 2020 subject to final legal review. The Board directed legal counsel to notify Metco that they will continue to provide snow removal through the 2019-2020 season and provide be a 30day termination notice to Metco for landscaping and to stop providing snow removal for Winter 2020-2021.

**Legal Matters**

None.

**Financial Matters**

None.

**Other Business**

Ms. Murphy noted that the May 5, 2020 election Call for Nominations will be published in the newspaper and information will be posted on the District's website.

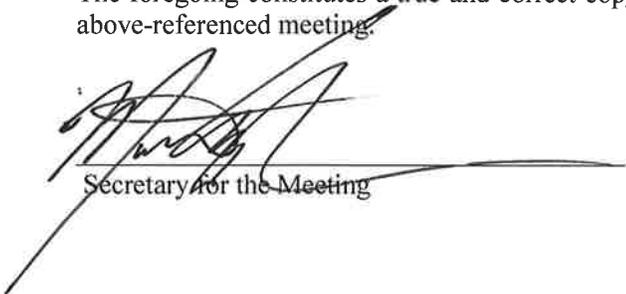
**Next Meeting**

The next meeting is scheduled for Monday, March 2, 2020 at 2:00 p.m. at 17685 W. 83rd Drive, Arvada, Colorado.

**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.



Secretary for the Meeting