

**MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE
MURPHY CREEK METROPOLITAN DISTRICT NO. 3
HELD FEBRUARY 21, 2024**

A regular meeting of the Board of Directors of the Murphy Creek Metropolitan District No. 3 was held on Wednesday, February 21, 2024, at 6:00 p.m. at the Murphy Creek Community Center/Clubhouse at 23801 East Florida Avenue, Aurora, Colorado 80018. The meeting was open to the public.

Attendance

In attendance were the following Directors:

Dennis Lyon

Margaret Booker

Glen Muller

Joshua Rodriguez

Alex Ortiz

Also, in attendance were:

Shannon Torgerson, Goodwin & Company

Bob Colwell, Colwell & Company Inc.

Paul Rufien, Rufien Law

Margie Sobey, The Consulting Source, Inc.

Carlos Esquivel, LMI

Andy Carroll, Metropolitan District Public Security Group

Several constituents were also in attendance.

Executive Session

Following a motion made by Director Booker, seconded by Director Rodriguez and, upon vote, the Board entered Executive Session pursuant to C.R.S. §24-6-402(4)(b) to discuss legal negotiations on the outstanding lawsuits against the District at 5:01 p.m. Following discussion, upon a motion by Director Rodriguez, seconded by Director Muller and, upon vote, unanimously carried, the Board adjourned Executive Session at 5:50 p.m.

Administrative Matters

Call to Order/Declaration of Quorum – Director Lyon called the meeting to order at 6:00 p.m. Quorum was declared with all Board members in attendance.

Approval of Agenda, Meeting Location and Posting Location – Following discussion, upon a motion made by Director Rodriguez, seconded by Director Booker and, upon vote, unanimously carried, the Board approved the agenda as presented. Ms.

Torgerson noted the agenda and notice of meeting was posted to the District's website on Friday, February 16, 2024, prior to 6:00 p.m.

Public Comment – Craig Lyle, with Aurora Public Schools, provided a short presentation regarding the Aurora Public Schools and answered questions from members of the public.

A member of the public asked for approval from the Board to obtain quotes for resurfacing of the tennis courts and to add pickle ball lines to it. She also indicated she would meet with the City of Aurora to determine what grants could be available to the District to assist with the resurfacing costs.

A member of the public requested more District information in the Murphy Creek Messenger. The Board will discuss this as an option with the Murphy Creek Master Association.

Consider Approval of Prior Meeting Minutes – January 17, 2024 Regular Meeting Minutes – Following discussion, upon a motion made by Director Booker, seconded by Director Ortiz and, upon vote, unanimously carried, the Board approved the January 17, 2024 Regular Meeting Minutes as presented.

Consider Rescheduling of May 15, 2024 Regular Board Meeting due to Conflict – Following discussion, upon a motion made by Director Booker, seconded by Director Rodriguez and, upon vote, unanimously carried, the Board rescheduled the May 15, 2024 Regular Board meeting to May 22, 2024.

Discussion on Proposed HB24-1168 Regarding Remote Participation in Meetings – Following discussion, upon a motion made by Director Booker, seconded by Director Rodriguez and, upon vote, unanimously carried, the Board approved the purchase of a Meeting Owl 3 Camera/Speaker/Microphone at the cost of \$1049 if the legislation passes.

Consultant Matters

Legal Update – Paul Rufien - Mr. Rufien indicated the legal suit against the District with the Developer is still in early stages however a mediation has been scheduled for April 3, 2024.

Security Update – Andy Carroll – Mr. Carroll provided an update to the Board, thanking Ms. Sobey for posting a nightly reminder at 9 pm regarding closing garage doors and leaving exterior lights on. There was no new criminal activity within the District's boundaries other than a domestic violence call. New solar lights have been added along Grand Baker. A member of the public

requested information regarding the Flock cameras be included in the next newsletter.

Landscape Update – Carlos Esquivel – Mr. Esquivel provided an update to the Board and indicated spring cleanup, including pre-emergent weed control in planting and rock beds.

The Board discussed proposal 9359 – Annual Flower Installation at a cost of \$18,690, proposal 9364 – Tree Installation at a cost of \$18,151.62 and proposal 9740 – Mulch Ring Installation at a cost of \$11,655 in detail. Following discussion, upon a motion made by Director Booker, seconded by Director Muller and, upon vote, unanimously carried, the Board approved the 3 proposals at a cost not to exceed \$48,496.62. Mr. Esquivel and Director Ortiz are to review the tree installation locations prior to the trees being planted.

Communications Update – Margie Sobey – Ms. Sobey indicated the website has been updated at Ms. Torgerson’s direction. She also requested approval to have the marquee sign at Old Tom Morris and Jewell reviewed by a locksmith to determine other options as the locks are not holding and the track needs to be repaired/replaced. The Board requested Ms. Sobey work with Director Rodriguez on the sign repairs needed.

Financial Matters

Review and Acceptance of January 31, 2024 Financial Statements – Ms. Torgerson reviewed the financial statements for the period ended January 31, 2024 with the Board. Following discussion, upon a motion made by Director Ortiz, seconded by Director Booker and, upon vote, the Board unanimously approved the closure of the First Citizens and CIT Bank accounts that are no longer being used for District Funds. These funds are to be deposited into the Western Alliance Account then Director Ortiz and Ms. Torgerson will investigate Certificate of Deposits to earn a bit more interest.

Consider Approval of Updated Collection Policy – Ms. Torgerson reviewed the Updated Collection Policy with the Board. Following discussion, upon a motion made by Director Booker, seconded by Director Muller and, upon vote, unanimously carried, Directors Booker and Muller will act as a Committee to review the Collection Policy and will provide the Board with recommendations.

Review and Consideration of Sending Delinquent Accounts to Collections – Following discussion, upon a motion made by

Director Lyon, seconded by Director Booker and, upon vote, unanimously carried, the Board approved turning over all delinquent accounts with a balance of \$500 or more to Western Law.

2023 Audit Proposal from Logan and Associates – Following discussion, upon a motion made by Director Booker, seconded by Director Ortiz and, upon vote, unanimously carried, the Board approved the proposal for the 2023 Audit Proposal from Logan and Associates at a cost of \$5,500.

Other Business

2024 Pool Management Agreement with Doherty Pool Management – Ms. Torgerson noted she has not found another vendor to provide a proposal for pool management at this time and asked for assistance from the Board in making sure the pool looks as good as possible during the swim season if Doherty is approved. Following discussion, upon a motion made by Director Rodriguez, seconded by Director Muller and, upon vote, unanimously carried, the Board approved Doherty Pool Management at a cost of \$68,768.17.

Consider Adoption of Resolution Calling for a Special District Election and Appointment of Fritsche Law as Designated Election Official – Following discussion, upon a motion made by Director Booker, seconded by Director Ortiz and, upon vote, unanimously carried, the Board adopted the Resolution Calling for a Special District Election and appointing Fritsche Law as the District’s Designated Election Official.

Consider Adoption of Board Member Responsibilities – Following discussion, upon a motion made by Director Lyon, seconded by Director Muller and, upon vote, unanimously carried, the Board adopted the Board Member Responsibilities as drafted by Director Lyon.

Consider Approval of Reliant Cleaning as Cleaning Vendor for the Clubhouse - \$7000 Annually – Following discussion, upon a motion made by Director Booker, seconded by Director Ortiz and, upon vote, unanimously carried, the Board approved Reliant Cleaning as the clubhouse cleaning vendor.

Consider Approval of Basement Storage Space for Master HOA – Following discussion, upon a motion made by Director Booker, seconded by Director Ortiz and, upon vote, unanimously carried, the Board approved the Master HOA to use a portion of the basement room as storage space.

Board Member Comments There were no Board member comments.

Other Items to Discuss There were no other items to discuss.

Confirm Quorum for Next

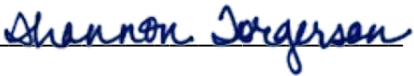
Scheduled Meeting

Board members in attendance confirmed their attendance at the next scheduled meeting on March 20, 2024 at 6:00 p.m.

Adjournment

With no further business to discuss, upon a motion made by Director Ortiz, seconded by Director Booker and, upon vote, unanimously carried, the meeting adjourned at 8:02 p.m.

Respectfully submitted,



Secretary for the Meeting