

**MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE
MURPHY CREEK METROPOLITAN DISTRICT NO. 3
HELD MARCH 20, 2024**

A regular meeting of the Board of Directors of the Murphy Creek Metropolitan District No. 3 was held on Wednesday, March 20, 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

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 Ortiz 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 5:04 p.m. Following discussion, upon a motion by Director Ortiz, seconded by Director Booker and, upon vote, unanimously carried, the Board adjourned Executive Session at 5:53 p.m.

Administrative Matters

Call to Order/Declaration of Quorum – Director Lyon called the meeting to order at 6:02 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 Ortiz, 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 Thursday, March 14, 2024.

Public Comment – Christy Cummings requested the Board consider approval of a swim team consisting of children who attend the school in the community and who live in the community or adjacent communities. The Board requested management request insurance information from the Special District Pool and obtain information regarding the pool size, occupancy limits and lane lines from Front Range Recreation. Christy will work with Director Lyon on filling out the paperwork once information is obtained. This will be on the agenda for consideration at the April meeting.

Consider Approval of Prior Meeting Minutes – February 21, 2024 Regular Meeting Minutes – Following discussion, upon a motion made by Director Muller, seconded by Director Ortiz and, upon vote, unanimously carried, the Board approved the February 21, 2024 Regular Meeting Minutes as presented.

Acknowledgment of Special Election Cancellation Due to Lack of Candidates – The Special Election scheduled for May 7, 2024 has been cancelled as there were five candidates for either 1 or 3 year terms aligning with the requirements of the District. Notice of cancellation was published in the Aurora Sentinel, posted on Town Sq and added to the District’s website.

Consultant Matters

Legal Update – Paul Rufien - Mr. Rufien confirmed mediation has been scheduled for April 3, 2024 in the legal suit with the Developer.

Security Update – Andy Carroll – Mr. Carroll provided an update to the Board, noting there were a few tool thefts and 1 stolen vehicle recovered in the District since the last meeting. Mr. Carroll requested the Flock Camera at Old Tom Morris and Jewell be reinstalled, if possible, as there is a blind spot in the camera system since this was removed due to the construction of the apartments. Finally, Mr. Carroll indicated the District had approved a space to be built out for the lifeguards in the basement that was put on hold due to the flooding. The Board requested a proposal for this work for consideration at the April meeting.

Landscape Update – Carlos Esquivel – LMI provided an update to the Board and indicated aeration is scheduled for the next couple of weeks.

Irrigation Rebate Information from City of Aurora - The Board discussed the need to continue improving the District’s irrigation

control system. Mr. Esquivel noted he had heard back from the City of Aurora that the District would be eligible for rebates of \$38,700 if new controllers are installed. Discussion continued with information being provided about the need for quick action if a leak is detected. Following discussion, upon a motion made by Director Booker, seconded by Director Rodriguez and, upon vote, unanimously carried, the Board approved proposal #8783 at a not to exceed cost of \$165,000. This proposal is for the labor and materials to install 5 new Weather Trak controllers, which will replace 10 old controllers.

Proposal 6105 – Tree Pruning - \$36,271.17 – Following discussion, upon a motion made by Director Booker, seconded by Director Ortiz and, upon vote, unanimously carried, the Board approved LMI to prune 221 trees throughout the District at a cost not to exceed \$38,000.

Communications Update – Margie Sobey – Ms. Sobey indicated the website has been updated at Ms. Torgerson’s direction, a District Dialogue has been drafted and reviewed by Ms. Torgerson and Mr. Carroll regarding safety and a different 9 pm post on Facebook has been posted on a regular basis. The marquee sign locks have been repaired and keys provided to the Social Committee and Ms. Torgerson.

Financial Matters

Review and Acceptance of February 29, 2024 Financial Statements – Ms. Torgerson reviewed the financial statements for the period ended February 29, 2024 with the Board. The First Citizens and CIT Bank accounts are in the process of being closed, after due diligence is being done to ensure no checks cut on the accounts will bounce.

Collections Discussion – Certification of Delinquent Charges and Assessments – Ms. Torgerson reviewed a process through which delinquent accounts that are more than 6 months behind and a balance of \$150 or more can be turned over to Arapahoe County as a Special Tax Assessment on individual properties. The Board discussed the need to educate owners on the process and that the accounts turned over to Counsel at the February meeting need to be kept at Goodwin & Company as part of this process. It was noted that a lien filing fee of \$275 would be billed to each account as part of the process as the District must have a valid lien to proceed through the process.

Other Business

Ratification of 2024 Pool Management Agreement with Front Range Recreation – Ms. Torgerson explained that Mr. Carroll had spoken with Front Range Recreation shortly after the February 17 Board meeting and they were willing to come back to the District as the pool management consultant. Following discussion, upon a motion made by Director Rodriguez, seconded by Director Booker and, upon vote, unanimously carried, the Board ratified approval of the 2024 Pool Management Agreement with Front Range Recreation at a cost of \$80,200.

Tennis Court Resurfacing Discussion – Following discussion, upon a motion made by Director Booker, seconded by Director Muller and, upon vote, unanimously carried, the Board authorized Director Ortiz to continue to work with Ms. Plant and Ms. Torgerson and to approve one of the three vendors who provided proposals at a cost not to exceed \$50,000 depending on warranty and availability.

Bi-Annual Newsletter/Community Update – The Board discussed writing a newsletter for the Community that is separate from the Master Association to avoid further confusion. Director Booker will work with Ms. Sobey and Ms. Torgerson on the first edition. An email and Town Sq announcement will be sent to owners asking for naming ideas.

Discussion Regarding Billing Account 576495 – Following discussion, upon a motion made by Director Booker, seconded by Director Ortiz and, upon vote, carried by a vote of 3 to 2, the Board approved a charge of \$4052.50 be added to account 576495 for concrete repairs completed by the District.

Speed Hump In Alleyway Discussion – A constituent requested information from the District on how to get a speed hump installed in the alleyway. Management advised the constituent to contact the City of Aurora first to obtain approval and noted approval would also have to be obtained, after granted by the City, by the Master Association and Parkways at Murphy Creek Association. The District doesn't have approval authority on property not owned or maintained by the District.

SDA Annual Conference Participation – Ms. Torgerson noted the prior Board had indicated it would like to sponsor her participation at the SDA Annual Conference in the fall of 2024. The Board indicated they would consider the sponsorship of Ms. Torgerson and potentially another Board member once pricing is released.

Review and Approval of 2024 Amenity Access Packet – Ms. Torgerson provided the Board with the draft Amenity Access Packet for 2024 for consideration. Following discussion, upon a motion made by Director Ortiz, seconded by Director Booker and, upon vote, unanimously carried, the Board approved the Out-of-District fee to remain at \$1800

and for the Amenity Access Packet to be sent to all properties within the District via USPS.

Board Member Comments

Director Booker requested proposals for a reserve/capital improvement study be obtained for consideration by the District. She would like the District to start putting funds away for necessary improvements. Another idea is to determine if the existing pool can be expanded/made larger given the foot print of the pool area.

Other Items to Discuss

There were no other items to discuss.

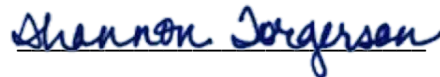
Confirm Quorum for Next Scheduled Meeting

Board members in attendance confirmed their attendance at the next scheduled meeting on April 17, 2024 at 6:00 p.m.

Adjournment

With no further business to discuss, upon a motion made by Director Ortiz, seconded by Director Muller and, upon vote, unanimously carried, the meeting adjourned at 8:20 p.m.

Respectfully submitted,



Secretary for the Meeting