

**MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE  
MURPHY CREEK METROPOLITAN DISTRICT NO. 3  
HELD APRIL 17, 2024**

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A regular meeting of the Board of Directors of the Murphy Creek Metropolitan District No. 3 was held on Wednesday, April 17, 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.  
Ben Randall, LMI

Several constituents were also in attendance.

Executive Session

Following a motion made by Director Rodriguez, 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 5:14 p.m. Following discussion, upon a motion by Director Rodriguez, seconded by Director Ortiz and, upon vote, unanimously carried, the Board adjourned Executive Session at 5:52 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 Booker, seconded by Director Muller 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, April 12, 2024.

Public Comment – There were questions regarding the traffic at Gun Club and Jewell and a request to set up a meeting with the City of Aurora traffic engineers to discuss the issues impacting residents.

Jim Schafer, Chair of the Garden Club, was in attendance to update the Board on the Community Garden and to request information from LMI. The questions asked will be passed on to Ben Randall of LMI. Director Rodriguez will work with Mr. Schafer regarding the needs of the Garden Club and how to direct District funds into what they need since the Garden plots are on District property.

Consider Approval of Prior Meeting Minutes – March 20, 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 March 20, 2024 Regular Meeting Minutes as presented.

#### Consultant Matters

Legal Update – Paul Rufien - Mr. Rufien confirmed mediation occurred on April 3 and indicated there is no other update since the matter is on-going.

Security Update – Ms. Torgerson noted Mr. Carroll was unable to attend but indicated there was no update from the February meeting.

Landscape Update – Ben Randall – Mr. Randall introduced himself as the General Manager of the LMI South Denver branch and explained that Carlos moved on to another opportunity. The tree pruning approved in late 2023/early 2024 is about halfway completed and the irrigation system is being checked for leaks and broken parts. Mr. Randall was requested to look at the trees in the community garden, leaf/fall clean up that didn't take place in the Parkways on District property and to let the Garden Club know when the irrigation system is going to be turned on and programmed for the season.

Communications Update – Margie Sobey – Ms. Sobey indicated work has been on going regarding a District Dialogue.

#### Financial Matters

Review and Acceptance of March 31, 2024 Financial Statements – Ms. Torgerson reviewed the financial statements for the period ended March 31, 2024 with the Board. The CIT bank account has been closed; however, the First Citizens account has not been closed as a former Board member must approve this to be done.

Following discussion, upon a motion made by Director Ortiz, seconded by Director Booker and, upon vote, unanimously carried, the Board accepted the financials for the period ended March 31, 2024, as presented.

## Other Business

Discussion Regarding Murphy Creek Swim Team – Ms. Cummings was in attendance to answer questions posed by the Board. After discussion, the Board determined, due to the required tight timeframe, that a Swim Team based in Murphy Creek would not be able to hold meets but could hold practice at the pool before normal swim hours. Ms. Cummings will discuss this further with the other organizer and let the Board know if anything else is needed.

Newsletter Update – Ms. Booker provided the suggested names to the Board and audience for review. The Communications Committee will select a name and provide it to the Board at the next meeting.

Board of Directors Mission Statement and Code of Ethics Discussion – The Board reviewed the draft Mission Statement and Code of Ethics as proposed by Director Lyon. Following discussion, upon a motion made by Director Muller, seconded by Director Rodriguez and, upon vote, unanimously carried, the Board approved the Mission Statement as proposed. Following discussion, upon a motion made by Director Booker, seconded by Director Ortiz and, upon vote, unanimously carried, the Board approved the Code of Ethics as amended. These items will be added to the District's website and TownSq when finalized.

District Committees – The Board discussed the Committee's proposed by Director Lyon in detail. These committees include:

- Communication
- Budget
- Recreation
- Clubhouse
- Projects
- Landscape

Following discussion, upon a motion made by Director Booker, seconded by Director Rodriguez and, upon vote, unanimously carried, the Board approved the creation of the committees noted above. Each Board member will serve on a Committee and provide updates at the monthly meeting. No more than 2 Board members can serve on any Committee. Committee size and charters will be discussed at the May 22, 2024 Board meeting.

District/HOA Community Center Project – The Board reviewed the proposed acoustic updates to the clubhouse as presented by Logan Noll, President of the Murphy Creek Master Association. This project is intended to improve the acoustics within the clubhouse and increase

use. Following discussion, upon a motion made by Director Muller, seconded by Director Rodriguez and, upon vote, unanimously carried, the Board approved the proposal from Listen Up at a cost of \$84,806.55 provided the Master Association agree to pay for the labor and materials proposed. Mr. Noll will present the District's approval at the Master Association meeting and will let Ms. Torgerson know how to proceed. If approved, the District will contract with Listen Up directly and oversee the project.

Board Member Comments

Apartment Traffic Issues – The Board reviewed the information provided to Director Lyon regarding issues surrounding traffic at Old Tom Morris and Jewell. Since questions were asked and responded to earlier in the meeting, no further discussion was held.

Other Items to Discuss

There were no other items to discuss.

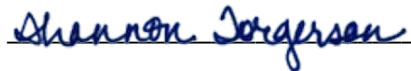
Confirm Quorum for Next Scheduled Meeting

Board members in attendance confirmed their attendance at the next scheduled meeting on May 22, 2024 at 6:00 p.m.

Adjournment

With no further business to discuss, upon a motion made by Director Booker, seconded by Director Ortiz and, upon vote, unanimously carried, the meeting adjourned at 8:03 p.m.

Respectfully submitted,



Secretary for the Meeting