

**MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE  
MURPHY CREEK METROPOLITAN DISTRICT NO. 3  
HELD SEPTEMBER 18, 2024**

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A special meeting of the Board of Directors of the Murphy Creek Metropolitan District No. 3 was held on Wednesday, September 18, 2024, at 5:00 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

Alex Ortiz

Also, in attendance were:

Shannon Torgerson, Goodwin & Company

Paul Rufien, Rufien Law

William O'Connell, Wells, Anderson & Race, LLC

Several constituents were also in attendance.

Administrative Matters

Call to Order/Declaration of Quorum – Director Lyon called the meeting to order at 5:07 p.m. Quorum was declared with 3 of 5 Board members in attendance.

Executive Session

A motion was made by Director Booker, seconded by Director Ortiz and, upon vote, unanimously carried to enter Executive Session at 5:07 pm pursuant to Colorado Revised Statutes 24-6-402(4)(b) to confer with District Counsel Regarding ongoing Litigation.

Following discussion, upon a motion made by Director Booker, seconded by Director Ortiz and, upon vote, unanimously carried, the Board adjourned Executive Session at 5:44 pm.

Administrative Matters

Pledge of Allegiance – Director Booker led those in attendance in reciting the Pledge of Allegiance.

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, September 11, 2024.

Public Comment – There were no public comments.

Consider Approval of Prior Meeting Minutes – August 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 August 21, 2024 Regular Meeting minutes as presented.

Public Hearing to Consider the Proposed Resolution for the Processing and Collection of Delinquent Charges and Reimbursement Assessments –

Following discussion, upon a motion made by Director Booker, seconded by Director Ortiz and, upon vote, unanimously carried, the Board opened the Public Hearing to consider the proposed Resolution for the Processing and Collection of Delinquent Charges and Reimbursement Assessments at 6:05 pm.

The proposed Resolution was reviewed in detail, noting the addition of the ability to turn delinquent accounts over to Arapahoe County if the account balance is more than \$150 and 6 months in arrears.

Following discussion, upon a motion made by Director Booker, seconded by Director Ortiz and, upon vote, unanimously carried, the Board closed the Public Hearing to consider the proposed Resolution for the Processing and Collection of Delinquent Charges and Reimbursement Assessments at 6:16 pm.

Following discussion, upon a motion made by Director Booker, seconded by Director Muller and, upon vote, unanimously carried, the Board approved the adoption of the Resolution for the Processing and Collection of Delinquent Charges and Reimbursement Assessments as proposed.

## Financial Matters

Review and Approved Draft 2023 Audit – Ms. Torgerson noted a few issues have been discovered with the draft audit that is requiring more time to review. Once it has been finalized, the Board will be asked to review and approve the document.

Review and Acceptance of August 31, 2024 Financial Statements – Ms. Torgerson reviewed the financial statements for the period ended August 31, 2024 with the Board. Following discussion, upon a motion made by Director Ortiz, seconded by Director

Muller and, upon vote, unanimously carried, the Board accepted the financials for the period ended August 31, 2024, as presented.

### Consultant Matters

Legal Update – Mr. Rufien noted the trial has been delayed to June 2025.

Security Update – Mr. Carroll provided an update to those in attendance.

Landscape Update – Neither Mr. Randall nor Ms. Asbeck were in attendance to provide an update.

Proposal 21888 – Lawn Winterizer - \$4185 – Following discussion, upon a motion made by Director Lyon, seconded by Director Booker and, upon vote, unanimously carried, the Board approved proposal 21888 for Lawn Winterizer at the cost of \$4185.

Proposal 21975 – Holiday Lights - \$15,990 – The Board tabled action on this item as Director Ortiz is working on obtaining additional proposals for this work.

### District Committee Updates

Clubhouse – The Board requested this committee be renamed the Community Center Committee as the Golf Course has a clubhouse.

Communication – The Communication Committee reviewed the new website, noting they would like it to go live by October 15. Following discussion, upon a motion by Director Booker, seconded by Director Ortiz and, upon vote, unanimously carried, the Board approved the Communications Committee to move forward with the new website.

Garden – The Board tabled consideration of the proposed Garden Committee Charter until Director Rodriguez is in attendance.

Landscape - The Board tabled consideration of the proposed Landscape Committee Charter until Director Rodriguez is in attendance.

Recreation – Director Lyon provided an update on recreation operations. Director Ortiz noted the tennis courts have been resurfaced and he will be working to get the needed accessories to make the pickle ball courts usable.

Projects – It was noted the clubhouse was painted and looks fantastic. Ms. Torgerson has followed up regarding the acoustic

project and will provide the Board with an update as soon as one is received.

Other Business

Replacement of Pool Furniture – Ms. Torgerson noted she has included this item in the 2025 budget so it can be purchased prior to the 2025 swim season.

Pool Shade Structure Proposal from Playwell Group – Ms. Torgerson noted she is waiting on a proposal to remove the existing pergolas and to replace them with true shade structures. This has been included in the amended budget for 2024.

Review Draft 2024 Amended Budget and 2025 Draft Budget – Ms. Torgerson reviewed the draft amended 2024 budget and draft 2025 budget with the Board, requesting feedback prior to the October meeting due to the hearing that is already scheduled for the October 16 Board Meeting.

Board Member Comments

The Board requested constituents use Access Aurora for traffic or parking concerns.

Other Items to Discuss

There were no other items to discuss.

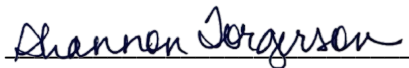
Confirm Quorum for Next Scheduled Meeting

The Board members in attendance confirmed their attendance at the next scheduled meeting on October 16, 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 7:49 p.m.

Respectfully submitted,



Secretary for the Meeting