

**RECORD OF PROCEEDINGS
MURPHY CREEK METROPOLITAN DISTRICT NO. 3
BOARD OF DIRECTORS MEETING
February 27, 2019**

Draft 3

The regular meeting of the Board of Directors for Murphy Creek Metropolitan District No. 3 was called and held, as shown, in accordance with Colorado law on February 27, 2019 at Engine 15 Meeting Room, 1880 S Flatrock Trail, Aurora, CO 80018.

Call to Order

Doug Schriner called the meeting to order at 6:01 p.m. The following Directors were present: Douglas W. Schriner, Margaret A. Rash, and Charles Marlow. Elizabeth Hubbard was present from Cherry Creek HOA Professionals. Brian Matise was present from Burg Simpson, Bob Colwell was present from Colwell & Company. A motion was made, seconded, and carried to excuse Justin Bregenzer and Daniel Adema from the meeting.

Pledge of Allegiance

Douglas Schriner led the Pledge of Allegiance.

Declaration of Quorum/ Disclosures of Potential Conflicts of Interest

Douglas Schriner noted that a quorum of the Board was present and the Directors confirmed their qualifications to serve. No potential conflicts of interest or disclosures other than those previously filed with the Secretary of State were reported.

Approval of Agenda

Douglas Schriner asked if there were any additions or corrections to the agenda. There were none. A motion was made, seconded, and unanimously carried to approve the agenda.

Approval of Minutes

Douglas Schriner asked if there were any additions or corrections to the meeting minutes that were submitted for approval. There were none. A motion was made by Director Marlow, seconded by Mr. Schriner, and carried to approve the minutes listed below as written.

- May 30, 2018
- June 27, 2018
- July 25, 2018
- August 22, 2018
- September 26, 2018
- October 24, 2018
- December 20, 2018
- January 23, 2019

Public Comments

The Board invited members of the public to comment on items that were not on the agenda. The following items were discussed.

No items were discussed.

Old Business

- Review and Approve Pool Contract – A motion was made by Director Rash, seconded by Mr. Schrinier and carried to approve the Front Range 2019 Pool Management Agreement on the condition that the agreement is for one (1) year and the agreement will be changed to disallow pool parties.
- Decision on Defibrillator and Case – A motion was made by Director Schrinier, seconded by Ms. Rash and carried to approve two (2) Phillip HeartStart Onsite AED defibrillator units for \$1,275 each, two (2) wall cabinets for \$139 each, and one (1) Arch AED Medical Direction and Program Management for \$149, totaling \$2,977.00. Andy Carroll from Metropolitan Public Safety will purchase and coordinate installation. The Board requested signage be made instructing users to call 911.
- Review and Approve Auditors Contract – At the January meeting the Board approved the Logan and Associates proposal for a three-year contract to perform the District's annual audit (subject to annual appropriations), totaling \$5,200 for 2018 and \$4,800 for 2019 and 2020. Bob Colwell stated he will send Logan and Associates an engagement letter.
- Status of Review on \$232,170.00 Transferred from District 3 to District 1 – Brian Matise stated the transfer does not appear to be fraudulent and took place in 2017 during the separation of districts. Bob Colwell stated he will review accounting records.

Construction Committee Report

Margaret Rash provided a report and the following was discussed.

- Interstate Restoration has completed the mechanical room repairs, the heaters have been re-installed, and there will be an inspection performed with Margaret Rash, Elizabeth Hubbard, and Interstate Restoration on March 21, 2019.
- It appears that the wrong type of PVC pipe was used on the heater exhaust vent and the water heater and repairs will be needed and may cost up to \$8,000.
- The committee has not made a decision on water heaters. Todd Welch provided information to the Board on the water heaters being considered.
- New Rome Enterprises will have the stamped architectural and structural drawings by the end of this week. Bid requests will then be re-sent to general contractors for bidding with a two-week deadline.
- A motion was made by Director Schrinier, seconded by Mr. Marlow, and carried to give the Construction Committee authority to approve change orders, not to exceed 20% of the already approved project.
- A motion was made by Director Schrinier, seconded by Mr. Marlow, and carried to approve the following repairs. The Construction Committee will coordinate these items with management.
 - Piping repairs, including water heater and furnaces, not to exceed \$10,000.00.
 - Architect design work, not to exceed 20% of total contract.
 - Hot water heater, not to exceed \$13,000.00.

Financial Report

Bob Colwell provided a report the following was discussed.

- Bob Colwell stated he will provide a financial report electronically.

Legal Report

Brian Matise presented the legal report. The following was discussed.

- Brian Matise stated he has finished filing disclosures.
- The Board has Board Member Only Workers' Compensation Insurance, effective January 30, 2019. The Board will need to disclose if they perform any volunteer work.
- Brian Matise has received a phone call from a prospective purchaser.

New Business

- Discussion on Tax Deductions for District Officers – District Officers can deduct out of pocket expenses and mileage. Time and reimbursements are not deductible.

Safety Report

Andy Carroll from Metropolitan Public Safety was not present, Douglas Schriner provided a report and the following was discussed.

- Status on Cameras for Clubhouse - Douglas Schriner met with Verizon and received a quote for ten (10) cameras, \$27,000 in equipment, \$27,000 installation, and \$1,485 monthly service fee. Three total (3) bids have been received and are being reviewed.
- Neighborhood Watch - Douglas Schriner reported that Murphy Creek Metro District No 3 is now an approved member of the Neighborhood Watch program. The approved signage will be posted throughout the community.

Property Manager Report

Elizabeth Hubbard provided a report. The following was discussed.

- Coupon Payments – 477 Owners have now registered for ACH, 226 owners were mailed late payment notices. Of those 226, 185 have not made a payment to date, but have received warning letters, and 41 made their first payment were late in February.
- Furnace Repairs – A motion was made by Director Schriner, seconded by Mr. Marlow, and carried to approve the proposal from Steele Bros Heating for furnace repairs, totaling \$1,157.00.
- Fire Alarm Services performed their annual fire safety inspection and testing and reported two (2) emergency/exit lights do not function and need repair, totaling \$545.00. The Board requested Andy Carroll inspect and provide a recommendation.
- Tree Damage/ Car Accident – Nationwide Insurance Company paid the claim in full totaling \$9,530 for the damaged tree. The Board indicated they would like three (3) trees planted to match existing trees.
- Lightning Detector – This item has been tabled.
- Email Ratification Decisions - The following items were approved throughout the month. After review, a motion was made, seconded, and carried to ratify the items listed below.
 - Construction Committee approved Interstate Restoration to revise the scope of work for additional repairs to the mechanical room, totaling \$2,230.55.
 - Board approved repairing the broken fence repaired on Tom Morris Road, in front of the Townhouses, totaling \$625.
 - Doug Schriner approved the proposal from Colorado Special Districts Property and Liability Pool for 2019 Workers' Compensation coverage with a premium of \$322.

For the Good of The Order

- Board will consider lighting billboard at entryway.
- Board encouraged owners to contact Access Aurora to report street lights out.

Next Meeting

March 27, 2019, 6:00 p.m., Murphy Creek Clubhouse, 23801 E Florida Avenue, Aurora, CO 80018

Adjournment

There being nothing further brought up for discussion; the meeting was adjourned at 7:32 p.m.

Reconvened Meeting

Doug Schriner reconvened the meeting at 8:40 p.m. The following Directors were present: Douglas W. Schriner, Margaret A. Rash, and Charles Marlow. Elizabeth Hubbard was present from Cherry Creek HOA Professionals. Brian Matise was present from Burg Simpson, Bob Colwell was present from Colwell & Company.

The following Directors and legal counsel from Parkways at Murphy Creek were present: Jerome Gomez, Dan Kolbeck, and Bob Schoemer. Suzanne M. Leff from Winzenburg, Leff, Purves and Payne was present.

Continuation of New Business

- Parkway Alley Snow Removal – A motion was made by Director Schriner, seconded by Mr. Marlow, and carried to enter into a licensing agreement with Parkways at Murphy Creek from January 1, 2019 to December 31, 2019 where Murphy Creek Metro District No 3 will perform snow removal in the alleyways and pay for 50% of the costs. Brian Matise will prepare the licensing agreement.

Adjournment

There being nothing further brought up for discussion; the meeting was adjourned at 8:50 p.m.



Secretary for the District