

**RECORD OF PROCEEDINGS  
MURPHY CREEK METROPOLITAN DISTRICT NO. 3  
BOARD OF DIRECTORS MEETING  
April 17, 2019**

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 April 17, 2019 at 23801 East Florida Avenue, Aurora, CO 80018.

**Pledge of Allegiance**

Douglas Schriner led the Pledge of Allegiance.

**Call to Order**

Doug Schriner called the meeting to order at 8:00 p.m. The following Directors were present: Douglas W. Schriner, Margaret A. Rash, Justin Bregenzer, Daniel Adema, and Charles Marlow. Elizabeth Hubbard was present from Cherry Creek HOA Professionals, Brian Matise was present from Burg Simpson, Andy Carroll was present from Metropolitan District Public Safety, Bob Colwell was present from Colwell and Company, and Jake Willett was present from ColoradoScapes.

**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 by Director Marlow, seconded by Ms. Rash, 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 Bregenzer, seconded by Mr. Marlow, and carried to approve the March 27, 2019 regular meeting minutes as written.

**Public Comments**

The Board invited members of the public to comment on items that were not on the agenda. No items were discussed.

**Financial Report**

Bob Colwell provided a review of the March financials. The Board agreed that Mr. Colwell should provide a quarterly report that should be posted on the district's website.

**Legal Report**

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

- Murphy Creek Metropolitan District No 3 needs to file an answer to the lawsuit filed by Murphy Creek LLC in District Court for operations and maintenance fees by Friday, April 19, 2019. It was noted that fees continue to accrue.
- Brian Matise recommended the Board approve a separate Hourly Fee Agreement with Burg Simpson Eldredge Hersh & Jardine, P.C. for the litigation issue with Murphy Creek LLC.

The fee agreement will have the same fee structure currently in place and will be in order to keep the district's general legal fees separate from the lawsuit. A motion was made by Director Rash, seconded by Mr. Marlow, and carried to approve the Hourly Fee Agreement with Burg Simpson Eldredge Hersh & Jardine, P.C. for the litigation issue with Murphy Creek LLC.

- As of April 1, 2019, Burg Simpson's office received 94 accounts, and sent 94 demand letters. Five accounts have paid in full and the balance remaining is \$35,486.35.

### **Old Business**

There is no old business to discuss.

### **New Business**

- Douglas Schriner reported that on April 12, 2019 the clubhouse entry door was vandalized. The Aurora Police Department was there in 15 minutes and Metropolitan District Public Safety was there in 4 minutes. Douglas Schriner would like to replace the door with steel doors and requested bids.

### **Landscaping Report**

Jake Willett from ColoradoScapes provided a report and the following was discussed.

- The grasses and bushes were pruned this week and the sod was aerated.
- Tree pruning will be completed this week and will begin at the clubhouse.
- Irrigation is in the process of being started up and checked for irrigation repairs. By the end of next week all repairs should be completed and water ready to be turned on.
- ColoradoScapes is working with the Board to get grant money from the City.
- The recent snowstorm did not reach trigger depth for snow removal.
- There is a large tree that was damaged by prairie dogs.
- Tree sprays will be performed in mid-May.
- The Board and Jake Willett discussed converting the island on the North side of Jewell to native due to watering issues.

### **Construction Committee Report**

Maggie Rash provided a report and the following was discussed.

- The mechanical room is now functional, and the water heater has been installed.
- The restroom repairs will be completed by pool opening. Demo has been completed and the project is moving forward on budget.
- Front Range will have from May 15<sup>th</sup> to have the pool open. The Board understands that water may be cold due to the time constraints.
- The Board agreed the chimney cap will be removed and the fireplace will be repaired.

### **Safety Report**

Andy Carroll from Metropolitan District Public Safety provided a report and the following was discussed.

- Video Cameras for the Clubhouse – Douglas Schriner provided an update on the Verizon contract for an Intelligent Video package. Ten cameras will be installed before the pool is open. Brian Matise volunteered to help submit for the Safety and Loss Prevention Grant.

### **Property Manager Report**

Elizabeth Hubbard provided a report. The following was discussed.



- Coupon Payments – 534 Owners have now registered for ACH. There were 88 accounts delinquent and an additional 93 accounts have been turned over to Burg Simpson for collections.
- Defibrillators will be installed by Andy Carroll.
- Glass door repair will be completed in the next 5-10 days.
- Pool rules are being revised and will be submitted to the Board for approval. Once approved, new signage will be made for the pool area. Signage for the pool gate doors will also be made.
- Pool packets will be revised and mailed to owners in May. Key Rite will aid with registration days at the pool.
- ColoradoScapes will install the Chanticleer Pear trees within the next three weeks, as weather allows.
- We will receive a Safety and Loss Prevention Grant allocation of \$1,614.67 for 2019. This brings our balance to \$2,320.00. The funds can be used to reimburse up to 50% of eligible safety and loss prevention purchases. Brian Matise will assist in the process of requesting the grant money for the defibrillators and surveillance equipment.
- Working on proposals for marquee signage repair.

#### **For the Good of The Order**

- M. Sobey invited owners to attend the Lowry Landfill meeting on April 25, 2019.
- M. Sobey invited owners to attend the Ward II Town Hall meeting on April 25, 2019, 6:30 p.m. at the Beck Recreation Center.
- M. Sobey stated the EPA is interviewing people about the Lowry Landfill Superfund Site.

#### **Next Meeting**

May 15, 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 9:20 p.m.



Secretary for the District