

MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS

OF

MURPHY CREEK METROPOLITAN DISTRICT NO. 3

Held: September 18, 2019 at 23801 East Florida Ave.,  
Aurora, CO 80018

Attendance

A meeting of the Board of Directors of Murphy Creek Metropolitan District No. 3 was called and held, as shown, in accordance with Colorado law. The following directors confirmed their qualification to serve on the Board:

Douglas W. Schriener  
Margaret A. Rash  
Justin Bregenzer  
Chuck Marlow

Also present were: District accountant Bob Colwell, District managers David Prieto and Lee Stanley, District counsel Brian Matisse, District security Andy Carroll, and District landscape contractors Jake Willett and Brett Pothoff.

Call to Order

Mr. Schriener, as President, called the meeting to order at 6:01 p.m.

Pledge of Allegiance

Mr. Schriener led the Pledge of Allegiance.

Board members and consultants introduced themselves to the public.

Declaration of  
Quorum/Disclosures of  
Potential Conflicts of Interest

Mr. Schriener noted that a quorum of the Board was present and the Directors confirmed their qualification to serve.

Mr. Schriener moved to excuse Director Adema, who previously informed the Board that he was out of town and unable to attend. Seconded by Mr. Marlow and unanimously carried (4-0).

No potential conflicts of interest or disclosures other than those previously filed with the Secretary of State were reported. Mr. Schriener completed a new disclosure indicating that he had no conflicts of interests. Mr. Matisse advised Board members that they should periodically review their disclosures to be sure they are up to date.

Approval of Minutes of August 21, 2019 Meeting Mr. Schriener asked if there were any additions or corrections to the minutes of the August 21, 2019 meeting. Ms. Rash noted that there was an error in the minutes, as there were two corrections to the prior (July) minutes that were made. It was moved by Ms. Rash, seconded by Mr. Schriener, and carried (4-0) to approve the minutes as amended with that change.

Approval of Agenda Mr. Schriener asked if there were any changes to the agenda. It was moved by Mr. Marlow, seconded by Mr. Bregenzer, and carried (4-0) to approve the agenda as presented.

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

Ms. Sobey commented on upcoming meetings including the Lowry Advisory Committee Meeting on September 19, the neighborhood meeting on the Toll Brothers townhomes scheduled for September 23, and the City of Aurora Planning Committee public hearing on the townhomes on September 25. There was public discussion on the townhomes and HOA matters.

Old Business No old business was presented.

Legal Report Mr. Matisse presented the legal report. The status of collections was discussed.

Two property owners requested waivers of late fees and collection costs for the property at 1479 S. DeGaulle and 1317 S. Duquesne. The Board discussed the requests. On a motion by Ms. Rash, seconded by Mr. Schriener and unanimously carried (4-0), the Board denied the waiver request for the property at 1479 S. DeGaulle. On a motion by Mr. Schriener, seconded by Mr. Marlow and unanimously carried (4-0), the Board denied the waiver request for the property at 1317 S. Duquesne.

Mr. Matisse discussed the status of the legal action with the developer. The matter is set for trial on March 23, 2020. Mr. Matisse discussed that depositions would be taken in the next few months. The Court also requires a settlement conference.

## Financial Report

Mr. Colwell presented the financial report. The Board unanimously approved the financial report.

The auditor has only a few more requests for documents regarding the 2018 audit and it should be complete once those items are received.

## Landscape Report

Brett Pothoff from ColoradoScapes presented the landscape report.

- 1) He will put together a proposal for smart controllers that are expected to save water.
- 2) A boring contractor bored through a main line. That will be repaired, and the District should bill the cost to the contractor.
- 3) Water usage has been lower this year than last year. But September may be higher due to the record warm temperatures.
- 4) Bushes have been pruned.
- 5) A new dog station is being added by the beautification committee.
- 6) Dead trees have been removed.

## Property Manager Report

David Prieto gave the property managers' report. He presented their financial statement for the operating account. There is around \$150,000 account balance.

Marvelous Maids submitted their contract for clubhouse maintenance. Awaiting Legal to prepare the formal contract document.

The fire department has not yet scheduled a follow up inspection but all deficiencies noted are being corrected.

The Board discussed replacing dead bolts on the pool gates. Bids have been obtained for HVAC maintenance. The Board deferred consideration until a decision is made about whether to replace the units with new units.

The Board reviewed the proposed clubhouse rental policy draft. It was moved by Mr. Schriener, seconded by Mr. Bregenzer, and carried (3-0, Mr. Marlow abstaining) to approve the new clubhouse rental policy.

Safety Report

Mr. Carroll presented the safety report. He advised against posting on social media about police enforcement actions. Social media posts about police enforcement actions can deter their effectiveness.

Lighting has been added to the pool area which should improve safety.

Construction Committee Report

Ms. Rash gave the report. The project is complete except for installation of the doors. The vendor that originally submitted a bid to install the doors added other items to the bid that were not needed. The vendor was asked for a revised bid for installation but never responded. They have obtained a quote from a different vendor for installing the doors and are moving forward.

For the Good of the Order

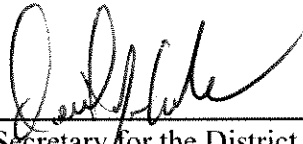
No matters were brought before the Board.

Next Meeting

The next regular meeting is scheduled for Wednesday, October 16, 2019 at 6:00 p.m. at the community clubhouse, 23801 East Florida Ave., Aurora, CO 80018.

Adjournment

There being no further business, on a motion by Mr. Schriener, seconded by Ms. Rash, and unanimously carried (4-0), the Board decided to adjourn at approximately 7:53 p.m.



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Secretary for the District