

MINUTES OF A REGULAR MEETING OF THE BOARD OF
DIRECTORS

OF

MURPHY CREEK METROPOLITAN DISTRICT NO. 3

Held: April 15, 2020 via videoconference.

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:

Doug Schriner
Margaret Rash
Dan Adema
Justin Bregenzer
Charles Marlow

Also present were: Bob Colwell, District managers Shannon Torgerson, Angela Meyer and David Prieto, District landscape contractor Brett Potthoff, District counsel Brian Matise, and District communications contractor Margie Sobey.

Call to Order

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

Pledge of Allegiance

Mr. Schriner led the Pledge of Allegiance.

Board members and consultants introduced themselves to the public

Declaration of Quorum/Disclosures of
Potential Conflicts of Interest

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

No new conflicts of interest were disclosed.

Approval of Minutes of February 19,
2020 Meeting

Mr. Schriner asked if there were any additions or corrections to the minutes of the February 19, 2020

meeting. It was moved by Ms. Rash, seconded by Mr. Schriner, and carried (5-0) to approve the minutes.

Approval of Agenda

Mr. Schriner asked if there were any changes to the agenda. It was moved by Mr. Schriner, seconded by Ms. Rash and carried (5-0) to approve the agenda

Public Comments

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

Ms. Sobey reported that three development applications were approved administratively on March 26. City Councilor Nicole Johnston proposes to call it up. Ms. Sobey has reached out to Curtis Gardner to agree to call it up.

Taylor Morrison may be withdrawing from its purchase of the property according to Mr. Schriner. No confirmation regarding the status as of now, but the District has not heard back from them after discussion on fees.

Financial Report

Shannon Torgerson reported on the status of the operating account. As of March 30, there was \$207,599 in the Mutual of Omaha operating account. This does not include funds in the escrow account. Escrowed funds with the title company Toll brothers is making monthly payments on the lots

.Mr. Colwell discussed his financial report for Feb and March 2020. First large tax payment of \$879,000 for debt service taxes has been received. Bond payment is due June 1 and there are sufficient funds to make payment.

Monthly fees of approx. \$44,000 per month for vacant land operating payments continue to accrue.

Legal Report

Mr. Matisse presented the legal report:

1) License agreement with City of Aurora is still

being worked on. This will be deferred to a future meeting.

2) There were only two self-nomination forms received for the two vacant Board positions. Therefore, the election will be canceled. Jeremy Smallwood will be replacing Chuck Marlow whose term expired.

3) The trial against Murphy Creek, LLC and Murphy Creek Development was vacated due to the Court order that vacated most trials due to the coronavirus.

4) Collections activity was discussed. Some homeowners may be requesting payment plans due to recent layoffs or closures of small businesses. The Board discussed whether to adopt a new policy regarding payment plans. Ms. Rash suggested that the District manager (Shannon Torgerson) or legal counsel (Brian Matisse) be authorized to enter into payment plans with homeowners that want to work with the District to pay off outstanding accounts. Mr. Bregenzer and Mr. Marlow agreed that this would be a good idea for homeowners who want to work with the District. Ms. Torgerson stated that if communicated in writing, this allowed flexibility for homeowners who reached out to try to resolve the problem.

5) It was moved by Ms. Rash, seconded by Mr. Marlow, and unanimously approved (5-0) that the district manager or district counsel be authorized to enter into payment plans with homeowners provided that: 1) the plan be in writing; 2) the homeowner must provide a reasonable explanation for the need for the plan; 3) the homeowner must make at least \$1 monthly payment; and 4) the manager or counsel use their discretion, on a case-by-case basis, whether it is in the District's best interest to do so.

Safety Report

Mr. Carroll was absent but Mr. Schrinier gave Mr. Carroll's report.

1) Homeowners are warned to watch mailboxes due to stimulus checks arriving in the next few weeks.

2) In Traditions neighborhood, a neighbor died and no one knew about it. Be aware of your neighbors and ask police for a welfare check if needed.

3) The young man who damaged District property is no longer in custody and it is believed that he and his family have left the neighborhood. Thus there may be no further recourse reasonably available.

4) Aurora police are deferring their response to most non-violent criminal activity due to the coronavirus, therefore do not expect a response to most reports of property damage or thefts.

5) The Verizon camera software was discussed. It only works with Internet Explorer software (which is soon to be obsolete).

Landscaping Report

Mr. Potthoff gave the landscaping report. Spring cleanup and aeration are done. Weed control should be done in 2-3 weeks. About \$5,000 in irrigation system repairs are needed.

Pruning of trees at the clubhouse is done.

Weathertrac controllers – he has 4 that are ready to be installed now. \$45,500 cost for the 4 controllers. There is money in the budget for this.

Some damage to the irrigation system was done by contractors on Mississippi.

Chuck Marlow reported that trees near Louisiana need mulch around them due to roots being exposed. Mr. Potthoff will look into that.

Property Manager Report

Ms. Torgerson gave the property manager's report. The cost for wind screen by tennis courts is approx. \$500; 2-3 week process to install. This was unanimously approved.

Clubhouse reservations have been canceled through end of April pursuant to state law.

Angela Meyers – have had cancellations for graduation in May.

Pool mats in locker room – work is being done although it is unsure when the pool will open.

Pool- Front Range made repairs to lights, do we want to put lights on timer? Front Range is willing to work with the District on opening the pool depending on what the state orders and the Board's recommendations.

Mr. Bregenzer questioned if there should be a higher cleaning standard for the clubhouse due to the coronavirus? Ms. Torgerson reported that we can have the clubhouse cleaned. However, CDC is not sure how the cleaning solution will treat the virus (whether it will kill or not).

Ms. Rash stated that we should consider getting UV to disinfect the bathroom/showers. Suggest asking Front Range for guidance

The District is awaiting word from the state as to whether or not the pool can open, but in the meantime, the District is gearing up for opening. The District can issue clubhouse cards if the homeowner sends a picture. They will proceed that way

Trash enclosure – suppliers do not have 10 foot panels for the enclosure. May have to use 2 smaller panels. Board approved to move forward.

Communications Report

Ms. Sobey reported that the Facebook page has been prepared and she is awaiting feedback. Mr. Marlow was able to access the page and liked it.

Ms. Sobey can have it ready by end of the month and would like someone to test it and provide critical feedback. Board unanimously agreed to have her reach out to “testers” to test the Facebook page

Logos- Ms. Sobey needs District Counsel's assistance registering marks.

For the Good of the Order

Mr. Marlow asked whether there will be signs re: video recording? Yes there will.

Entrance signs – new back panels for the entrance signs. Mr. Schriner suggested Metro District pay for it. The cost estimate is \$1,400. Moved by Mr. Schriner, seconded by Mr. Bregenzer, and unanimously approved (5-0) to pay for that

Mr. Schriner expressed his appreciation for Chuck Marlow's service as a Board member. The other Board members unanimously agreed. Mr. Marlow said he is still interested in helping especially with landscaping.

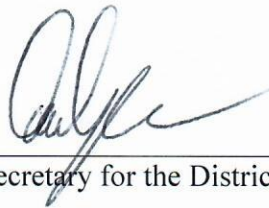
Ms. Sobey reported that the City will be holding a virtual meeting on Metro Districts, set for April 30. Unfortunately there will be no in-person meeting despite multiple requests for meetings after April 30.

Next Meeting

The next regular meeting is scheduled for Wednesday, May 20, 2020 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. Schriner, seconded by Ms. Rash, and unanimously carried (5-0), the Board decided to adjourn at approximately 7:10 p.m.



Secretary for the District