

MINUTES OF A JOINT SPECIAL MEETING OF THE
BOARDS OF DIRECTORS

OF

MURPHY CREEK METROPOLITAN DISTRICT NOS. 1, 2, 4
& 5

Held: November 13, 2019, at 1:00 P.M., at 20105 East Main
Street, Room 154, Parker, Colorado.

ATTENDANCE

The meeting was held in accordance with the laws of the State of
Colorado. The following directors were in attendance:

District No. 1

Tanya Alpert
Rodney Alpert
Michael Alpert

District No. 2

Tanya Alpert
Rodney Alpert
Michael Alpert

District No. 4

Tanya Alpert
Rodney Alpert
Michael Alpert

District No. 5

Tanya Alpert
Rodney Alpert
Michael Alpert

Also present were: Jennifer Gruber Tanaka, Esq., WHITE BEAR
ANKELE TANAKA & WALDRON, District general counsel; John
Simmons, Simmons & Wheeler, District Accountant; and Neill
Alpert.

**ADMINISTRATIVE
MATTERS**

Call to Order

The meeting was called to order.

Declaration of Quorum and
Confirmation of Director
Qualifications

Ms. Tanaka noted that a quorum for each of the Boards was
present and that the directors had confirmed their qualification to
serve.

Reaffirmation of Disclosures
of Potential or Existing
Conflicts of Interest

Ms. Tanaka advised the Boards that, pursuant to Colorado law,
certain disclosures might be required prior to taking official
action at the meeting. Ms. Tanaka reported that disclosures for
those directors with potential or existing conflicts of interest were
filed with the Secretary of State's Office and the Boards at least
72 hours prior to the meeting, in accordance with Colorado law,
and those disclosures were acknowledged by the Boards. Ms.
Tanaka noted that a quorum was present and inquired into
whether members of the Boards had any additional disclosures of
potential or existing conflicts of interest with regard to any

matters scheduled for discussion at the meeting. No additional disclosures were noted. The Boards determined that the participation of the members present was necessary to obtain a quorum or to otherwise enable the Boards to act.

Combined Meetings The Districts are meeting in a combined Board meeting. Unless otherwise noted below, the matters set forth below shall be deemed to be the actions of the Murphy Creek Metropolitan District Nos. 1, 2, 4 and 5, collectively.

Excusal of Absences The Boards noted the absences of Mr. B. Alpert and Mr. H. Alpert. Upon motion of Mr. R. Alpert, seconded by Mr. M. Alpert, the Boards unanimously excused their absences.

Agenda Ms. Tanaka presented the Boards with the agenda for the meeting. Upon motion of Mr. R. Alpert, seconded by Mr. M. Alpert, the Boards unanimously approved the agenda as presented.

PUBLIC COMMENT None.

CONSENT AGENDA The Boards were presented with the consent agenda items. Upon motion of Mr. R. Alpert, seconded by Mr. M. Alpert, the Boards unanimously took the following actions:

- a. Approval of Board Meeting Minutes from November 14, 2018 Joint Special Meeting (District Nos. 1, 2, 4, and 5) and Minutes from July 30, 2019 Special Meeting (District No. 1)
- b. Approval of Third Amendment to Establishment Agreement for ARI Authority No. 5 (District Nos. 1, 2, 4, and 5)
- c. Ratification of Payment of Claims as of November 13, 2019 (\$29,367.43)
- d. Approval of Payment of Claims as of November 13, 2019 (\$12,219.95)
- e. Acceptance of Unaudited Financial Statements as of September 30, 2019
- f. Approval of Engagement Letter with Stratagem CPA for 2019 Audit (NTE \$4,350) (District No. 1)
- g. Adoption of Resolution No. 2019-11-01: 2020 Joint Annual Administrative Resolution
- h. Adoption of Resolution No. 2019-11-02: Calling the May 5, 2020 Election
- i. Adoption of Resolution No. 2019-11-03: Establishing Guidelines for Processing and Collection of Delinquent Fees and Charges
- j. Renewal of Independent Contractor Agreement with Summit

DIRECTORS' MATTERS

Appointment of Director to
Boards

Ms. Tanaka noted that there is currently a vacancy on each of the Boards and noted that Mr. Harvey Alpert expressed his interest in being appointed. Upon motion of Mr. R. Alpert, seconded by Mr. M. Alpert, the Boards unanimously appointed Mr. Harvey Alpert to the Boards. Mr. H. Alpert will be administered his oaths of office and the Boards directed Ms. Tanaka to file the certificates of appointment and oaths of office pursuant to Colorado law. The Boards further appointed Mr. H. Alpert to an Assistant Secretary position.

FINANCIAL MATTERS

Public Hearings on 2020
Budgets and Adoption of
Resolution Nos. 2019-11-04
(District No. 1), 2019-11-05
(District No. 2), 2019-11-06
(District No. 4), 2019-11-07
(District No. 5): Adoption
2020 Budget, Imposing Mill
Levy and Appropriating
Funds

Ms. Alpert opened the public hearings on the 2020 budgets. Ms. Tanaka noted that notices of the public hearings were provided in accordance with Colorado law and noted that no written objections were received prior to the hearings. Mr. Simmons reviewed the budgets with the Boards. There being no public comments, Ms. Alpert closed the public hearings.

Upon motion of Mr. R. Alpert, seconded by Mr. M. Alpert, the Boards unanimously approved the budgets and adopted Resolution Nos. 2019-11-04 (District No. 1), 2019-11-05 (District No. 2), 2019-11-06 (District No. 4), 2019-11-07 (District No. 5): Adoption 2020 Budget, Imposing Mill Levy and Appropriating Funds.

LEGAL MATTERS

None.

HB19-1087 and Meeting
Notice Posting
Requirements

Ms. Tanaka updated the Boards with regarding to new legislation that became effective as of August 2, 2019, which allows districts to post notices of meetings electronically on a district-dedicated website. Ms. Tanaka noted an option for the hosting for the website, which is free to public entities, is the Statewide Internet Portal Authority ("SIPA"). Upon motion of Mr. R. Alpert, seconded by Mr. M. Alpert, the Boards determined to create a website for the Districts and adopted Resolution No. 2019-11-08, approved the Government Entity Eligibility Agreement, and directed legal counsel to work with SIPA to set up the website.

Status of Collection Matters

Ms. Tanaka provided the Boards with an update on the outstanding collection matters.

DISTRICT MANAGER

None.

MATTERS

OTHER BUSINESS

Next Meeting

The next regular meeting is scheduled for July 22, 2020, at 1:00 P.M. (District No. 1)

ADJOURNMENT

There being no further business to be conducted, the meeting was adjourned.

The foregoing constitutes a true and correct copy of the minutes for the above-referenced meeting.

Brian Alpert

Brian Alpert (Nov 17, 2020 15:16 MST)

Secretary for the Meeting









Execution Packet - Murphy Creek MD Nos. 1,2,4 & 5

Final Audit Report

2020-11-17

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