

BUCKHORN VALLEY METROPOLITAN DISTRICT NO 2

Regular Board Meeting Minutes

Meeting Date: Tuesday March 08, 2022

Meeting Time: 6:07pm to 9:21pm

Meeting Location: The meeting was held online at the following location:

<https://www.gotomeet.me/Wolfersberger>

I. Roll call (6:07pm)

A regular meeting of the Board of Directors of the Buckhorn Valley Metropolitan District No. 2 (District) was called and held as shown above and in accordance with the statutes of the State of Colorado. The following Directors were in attendance:

Directors	Office	Attendance
Nickolas Viau	President	Present
David Fiore		Present
Brandon McGlamrey		Present
Kristine Rossier	Treasurer	Present
Eliana Walker	Secretary	Present

Also, in attendance was Charles Wolfersberger (District Manager), with Wolfersberger, LLC; John Hill (Board member Buckhorn Valley Metro District No 1), Christiane Hepfer (Manager of BV Firewheel, LLC) and the following homeowners: (1) Gina Demarest, (2) Rabecca & Xander, (3) Jeff Roberts, (4) Michael Pukas, (5) Gail Baker, (6) Ben Shirley, (7) Jeremy Follett, (8) Erin Gallimore, (9) Amy Wolf, (10) Mark Renna, (11) Cheryl Battomley, (12) Mackenzie Krause, (13) Kendra Powell, (14) Craig Walker, (15) Alaina, (16) Greg, (17) Katy C, (18) Rose, (19) Becky and three callers (no names provided).

II. Call to order

The meeting was called to order by Director Viau. Director Viau noted that a quorum of the Board was present, the Directors confirmed their qualification to serve and, therefore, called the regular meeting of the Board of Directors of the District to order.

III. Present disclosures of potential conflicts of interest

The Board reviewed the agenda for the meeting, following which all directors disclosed no conflicts of interest with the business to be discussed and conducted at the meeting.

IV. Administrative Matters

- 1) Meeting Agenda: The Board reviewed the meeting agenda presented by the District Manager. Director Viau motioned to approve the agenda as presented. Director Walker seconded the motion and the Board voted 5-0 to approve the agenda.

- 2) Review and consider minutes from the January 26, 2022 board meeting: The Board reviewed the draft of the minutes presented by the District Manager. Director Viau moved to approve the minutes as presented. Director Walker seconded the motion and the Board voted 5-0 to approve the motion.

V. Public comments

Christiana Hepfer addressed the Board and indicated the water system fees charged by District 1 on the undeveloped lots owned by BV Firewheel are illegal and stated the Board has violated the service plan and the terms of the 2003 Facilities Construction and Service Agreement between District 2 and District 1 by not forwarding all property tax revenue collected by District 2 to District 1.

The Board noted BV Firewheel had posted a notice making similar statements on all homeowners' doors on March 5th.

VI. Director matters

Director Viau reported that David Garton (the owner of the District's 2008 bonds totaling \$8.5 million plus \$3.2 million in unpaid accrued interest) contacted Director Viau expressing interest in working with the Board to help the Board refinance all of the District's outstanding debt. Director Fiore indicated he would be interested in considering David Garton's proposals.

Director McGlamrey noted he will not be re-running to renew his term on the Board due to personal and work conflicts. Director McGlamrey's term on the Board expires May 3rd.

VII. Operations matters

- 1) Review and consider installing a message board within the District: This topic was deferred to the next board meeting.
- 2) Status Update – Board Election: The District Manager reported that the election notice and District newsletter draft was mailed out to residents on February 5th and posted on the neighborhood's Facebook page on the Board. Four of the current directors serving on the board submitted self-nomination forms to the District by February 25th. No other homeowners submitted self-nomination forms to run for election to serve on the District's board. Because there are not more individuals running for the board than open board seats, the May 3rd election will be cancelled.

Action Item #1: The District Manager will publish the May 2022 election cancellation notice.

- 3) Status Update – CSDPLP insurance membership: The District Manager did not provide any updates on this topic. The application has been submitted to CSDPLP for review.
- 4) Review and consider the Eagle River Watershed Council's \$1,000 grant request: The Board agreed to defer discussion of this item to the next board meeting.

- 5) Review and consider pump station operations and maintenance agreement: The Board agreed to defer discussion of this item to the next board meeting.

VIII. Financial matters

- 1. Status update – Opening a checking account with Alpine Bank: The District Manager reported that certain board members still need to go to the Alpine Bank branch and sign the signature cards.

IX. Executive Session

Director Viau motioned to open executive session at 6:57pm for the purpose of conferring with the District’s legal counsel pursuant to Section 24-6-402(4)(e), C.R.S. for purposes of determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; instructing negotiators regarding disputes related to the 2003 First Amended & Restated District Facilities Construction & Service Agreement; and evaluating the operations and funding of the public irrigation system within the District’s boundaries. Director Rossier seconded the motion and the Board voted 5-0 to approve the motion.

No actions were taken by the Board during executive session.

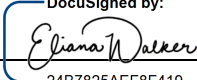
Director Viau motioned to close the executive session at 9:16pm. Director Fiore seconded the motion and the Board voted 5-0 to approve the motion.

X. Other Business

- 1) Review and consider publication of a notice to homeowners in response to BV Firewheel, LLC’s March 5th notice and BV Metro District 1’s March 4th notice distributed to residents of the District: The Board reviewed the proposed draft of the Board’s response. Director Fiore motioned to approve the response as drafted, publish and distribute the Board’s response to the homeowners (in print form, email and posted on the neighborhood Facebook page) and translate the Board’s response into Spanish to include with the English version of the response. Director Viau seconded the motion and the Board voted 5-0 to approve the motion:

XI. Adjournment (9:21pm)

There being no further business to come before the Board, and upon motion duly made by Director Viau, seconded by Director Viau, and unanimously carried, the meeting was adjourned. The next regular board meeting will be held on Tuesday July 19, 2022 at 6:00pm at the following online location: <https://www.gotomeet.me/Wolfersberger> Members of the public may also participate via phone using the dial-in number (571) 317-3112 and access code #937-865-597.

DocuSigned by:

 Secretary _____
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3/22/2022
 Date _____