

BUCKHORN VALLEY METROPOLITAN DISTRICT NO 2

Special Board Meeting Minutes

Meeting Date: Tuesday May 31, 2022

Meeting Time: 6:02pm to 8:20pm

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

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

I. Roll call (6:02pm)

A special 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
Kristine Rossier	Treasurer	Present
Eliana Walker	Secretary	Present
Vacancy		

Also, in attendance was Charles Wolfersberger (District Manager), with Wolfersberger, LLC; Paul Rufien (District General Counsel) with Rufien Law, PC and no homeowners.

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 special 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 with an amendment to remove from the agenda review of the District's financial statements (which will be distributed to the Board later this week). Director Fiore seconded the motion and the Board voted 4-0 to approve the agenda as amended.
- 2) Review and consider minutes from the March 21, 2022 board meeting: The Board reviewed the draft of the minutes presented by the District Manager. Director Fiore moved to approve

the minutes as presented. Director Viau seconded the motion and the Board voted 4-0 to approve the motion.

V. Public comments – None

VI. Director matters

Director Fiore briefly reported on the RTA formation committee and indicated that he is serving on the committee as well as Mark Hoblitzell a resident of Buckhorn Valley. The RTA is interested to present their findings and obtain input from the District. The District Manager reported that Kristin Williams may attend the next Board meeting and review the goals of this committee with the Board. They are looking to obtain input from communities including metro districts in the Vail Valley by August.

VII. Operations matters

- 1) Status update – CSDPLP insurance membership: The Board reviewed and discussed property, liability and directors/officers insurance policies submitted by the Colorado Special District Property and Liability Pool (CSDPLP). The Board agreed to continue the District’s liability and directors and officers insurance coverage through Moody’s Insurance at this time but agreed to revisit the District’s insurance coverage before the end of this year.
- 2) Review and discuss the District’s storage lot leases and management agreement: The Board noted the Mr. Rufien is still working on reviewing the draft agreements – storage lot management agreement, model storage lot lease agreement and storage lot rules and regulations – and he will forward his draft comments to the Board at a later date. Director Viau noted that because the District owns the land on which the storage lot is located, the storage lot management agreement should be between the District and the storage lot manager – District 1 should not be a party to this agreement. The Board also discussed the ongoing situation with abandoned property left in the lot.

Action Item 1: Mr Rufien will submit comments on the draft storage lot agreement to the Board for review.

VIII. Financial matters

1. Status update – Opening a checking account with Alpine Bank: The District Manager reported that the checking account with Alpine Bank has been opened.
2. Payment of Claims: The Board reviewed the schedule of check payments (checks 100000 to 100003) totaling \$23,968.58. Director Rossier motioned to approve the payment of claims and Director Walker seconded the motion. The Board voted 4-0 to approve the motion.

IX. Executive Session

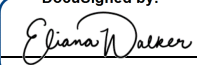
Director Viau motioned to open executive session at 7:23pm for the purpose of conferring with the District’s legal counsel pursuant to Section 24-6-402(4)(e), C.R.S. for purposes of determining positions relative to matters that may be subject to negotiations; developing strategy for negotiations; instructing 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 Fiore seconded the motion and the Board voted 4-0 to approve the motion.

No actions were taken by the Board during executive session.

Director Fiore motioned to close the executive session at 8:19pm. Director Viau seconded the motion and the Board voted 4-0 to approve the motion.

X. Adjournment (8:20pm)

There being no further business to come before the Board, and upon motion duly made by Director Fiore, 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 Eliana Walker

11/28/2022
Date