

## **BUCKHORN VALLEY METROPOLITAN DISTRICT NO 2**

### **Regular Board Meeting Minutes**

Meeting Date: Tuesday February 14, 2023

Meeting Time: 6:04pm to 7:24pm

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

<https://www.gotomeet.me/DistrictBoardMeetingRoom2>

#### **I. Roll Call (6:04pm)**

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:

<b>Directors</b>	<b>Office</b>	<b>Attendance</b>
Nickolas Viau	President	Present
David Fiore		Present
Kristine Rossier	Treasurer	Present
Eliana Walker	Secretary	Present
Angela Heuman		Present

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

#### **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 Fiore motioned to approve the agenda as presented. Director Viau seconded the motion and the Board voted 5-0 to approve the motion.
- 2) Review and consider minutes from the February 06, 2023 board meeting: The Board reviewed the draft of the minutes presented by the District Manager. Director Viau motioned to approve the minutes as amended. Director Heuman seconded the motion and the Board

voted 4-0 to approve the motion. Director Fiore stated he had not yet reviewed the minutes and therefore abstained from voting.

- 3) Status update – May 2023 board election: The District Manager reminded everyone that self-nomination forms are to be submitted to the District Manager by 5pm MST on Friday February 24<sup>th</sup>.
- 4) Review District’s new website at [www.buckhornvalleymetro2.org](http://www.buckhornvalleymetro2.org): The District Manager briefly reviewed with the Board the District’s new website. He noted the District’s former website is now solely used as the website for Buckhorn Valley Metro No 1.

**V. Public Comments – None**

**VI. Director Matters – None**

**VII. Financial and Contractual Matters**

- 1) Payment of Claims: The Board reviewed the schedule of check payments (checks 100012 to 100015) totaling \$93,730.40. The District Manager reviewed with the Board the District’s 2023 budget and related projected cash flows and the District’s cash balance as of December 31, 2022. Director Rossier motioned to approve the payment of claims and Director Heuman seconded the motion. The Board voted 5-0 to approve the motion.
- 2) 2022 Annual Financial Statements: The District Manager reported the annual financial statement draft has not yet been completed. He will send out the draft to the Board by the end of this week.
- 3) Review and consider proposed RV storage lot management agreement: The Board reviewed and discussed the draft of the RV Storage Lot Management Agreement. The District Manager reported that he spoke with Steve Carver today and Mr. Carter said he reviewed both the management agreement and the storage lease agreement template and had no recommended changes to these draft agreements. Mr. Carver apologized for not being able to attend tonight’s meeting. Director Fiore motioned to approve the management contract as presented and subject to any additional non-substantive changes to the contract resulting from Mr. Rufien’s final review of the agreement. Director Viau seconded the motion and the Board voted 5-0 to approve the motion.
- 5) Review and consider proposed RV storage lot lease agreement template: The Board reviewed and discussed the RV Storage Lot Lease Agreement template. Director Fiore motioned to approve the storage lot lease agreement as presented and subject to any additional non-substantive changes to the contract resulting from Mr. Rufien’s final review of the agreement. Director Viau seconded the motion and the Board voted 5-0 to approve the motion.

**Action Item #1**: The District Manager will forward both agreements to Mr. Rufien for final review. The District Manager will forward the final version of the management agreement to Director Viau and Steve Carver for review and signature. The District Manager will forward

the final version of the lease agreement template to Steve Carver to use when renewing lot leases.

- 6) Review and consider intergovernmental agreement with Eagle River Fire Protection District (ERFD): EFRD has not yet submitted a proposed agreement for the District to review and consider. Agenda item will be rolled forward to the next board meeting.

**VIII. Executive Session**

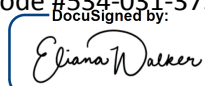
Director Viau motioned to open executive session at 6:46pm for the purpose of conferring with the District’s legal counsel pursuant to Section 24-6-402(4)(b), C.R.S. for purposes of conferring with District’s general counsel regarding existing litigation. Director Fiore seconded the motion and the Board voted 5-0 to approve the motion.

No actions were taken by the Board during executive session. Mr. Rufien directed the District Manager to not record this executive session.

Director Viau motioned to close the executive session at 7:23pm. Director Fiore seconded the motion and the Board voted 5-0 to approve the motion.

**IX. Adjournment (7:24pm)**

There being no further business to come before the Board, and upon motion duly made by Director Viau, seconded by Director Rossier, and unanimously carried, the meeting was adjourned. The next regular board meeting will be held on Tuesday May 16, 2023 at 6:00pm at the following online location: <https://www.gotomeet.me/DistrictBoardMeetingRoom2> Members of the public may also participate via phone using the dial-in number (646) 749-3112 and access code #534-031-373.

DocuSigned by:  
  
 24B7825AEF8F419  
 Secretary Eliana walker

4/3/2023  
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 Date