

BUCKHORN VALLEY METROPOLITAN DISTRICT NO 2

Regular Board Meeting Minutes

Meeting Date: Tuesday July 18, 2023

Meeting Time: 7:09pm to 9:35pm

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

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

I. Roll Call (7:09pm)

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
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 Walker motioned to approve the agenda as presented. Director Fiore seconded the motion and the Board voted 5-0 to approve the motion.
- 2) Review and consider minutes from the May 22, 2023 board meeting: The Board reviewed the draft of the minutes presented by the District Manager. Director Walker motioned to approve the minutes as presented. Director Heuman seconded the motion and the Board voted 4-0 to approve the motion. Director Fiore abstained from voting.

- 3) Status update – District email blast list: The District Manager reported that 77 homeowners representing approximately 50 homes within the District have signed up for the District’s email blast list.

V. Public Comments – None

VI. Director Matters

Director Viau discussed his desire to install “no motorized vehicles” signs near the path located on the south side of 112 Blackhawk Road. The Board noted the land tract bordering the home lot at 112 Blackhawk Road is owned by the District. Director Fiore expressed his support for installing signs. Director Viau indicated he will contact the HOA Board to see if the HOA would be willing to install the signs on behalf of the District.

VII. Executive Session

Director Viau motioned to open executive session at 7:36pm for the purpose of conferring with the District’s legal counsel pursuant to Section 24-6-402(4)(b), C.R.S. regarding existing litigation with Buckhorn Valley Metro District No 1 and other individually named defendants. 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. Mr. Rufien directed the District Manager to not record this executive session.

Director Viau motioned to close the executive session at 8:35pm. Director Viau seconded the motion and the Board voted 5-0 to approve the motion.

VIII. Financial and Contractual Matters

- 1) Payment of Claims: The Board reviewed and discussed the schedule of check payments (checks 100019 to 100022) totaling \$74,751.66. Director Rossier motioned to approve the payment of claims and Director Walker seconded the motion. The Board voted 5-0 to approve the motion.
- 2) Review June 30, 2023 financial statements: The District Manager reviewed with the Board the District’s Statement of Net Position as of June 30, 2023. Cash held by the District totaled \$98,928, receivables due from BVMD1 totaled \$262,598 and property taxes receivable totaled \$360,278. The District’s liabilities were comprised primarily of \$22.6 million in bond debt plus accrued interest. Through July 10th, 96% of property taxes levied for 2023 have been collected by the County Treasurer and remitted to the District.

Expenses in the operating fund are as follows:

Expense Category	Actual	Budget	\$ Difference	% of Budget Spent
Administrative costs	\$ 93,763	\$ 84,100	(\$ 9,663)	1111%
Landscaping costs	-	-	-	0%
Capital asset maint	-	-	-	0%
Media & recreation costs	1,068	-	(1,068)	(100%)
Storage lot management fees	-	-	-	0%
Capital fund contributions	-	-	-	0%
Total Costs	\$ 94,831	\$ 84,100	(\$ 10,731)	113%

- 3) Review and consider revised storage lot management agreement with the Carvers: The Board noted the Carvers have hired an attorney and are now requesting various changes to the contract the Carvers previously signed with the District on April 05, 2023. The District Manager noted the contract was signed by both Steve Carver and Director Viau through DocuSign, which automatically emailed the Carvers a copy of the fully executed contract.

Director Via motioned to direct the District Manager and Mr. Rufien to notify the Carvers that the Board is willing to amend the existing signed contract if the Carvers provide the District Manager with the current list of storage lot lessors and their lease agreements.

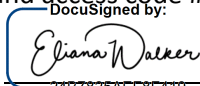
Action Item 1: District Manager will work with Mr. Rufien and the Carvers to draft an amendment to the existing contract and District manager will obtain the current list of storage lot lessors and their lease agreements.

Action Item 2: District Manager will obtain a certificate of insurance and W-9 from the Carvers.

- 4) 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.

IX. Adjournment (9:35pm)

There being no further business to come before the Board, and upon motion duly made by Director Fiore, seconded by Director Rossier, and unanimously carried, the meeting was adjourned. The next regular board meeting will be held on Tuesday October 10, 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

11/1/2023

 Date