

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

### **Special Board Meeting Minutes**

Meeting Date: Tuesday December 12, 2023

Meeting Time: 9:00am to 4:50pm

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

<https://jamsdenver.zoom.us/j/84369438541> meeting code #843-6943-8541 and Passcode 34302.

#### **I. Roll Call (9:00am)**

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:

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

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

#### **II. Call to Order**

The meeting was called to order by Director Fiore. Director Fiore 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 Fiore motioned to approve the agenda as presented. Director Rossier seconded the motion and the Board voted 3-0 to approve the motion.

#### **V. Executive Session**

Director Fiore motioned to open executive session at 9:10am for the purpose of conferring with the District’s legal counsel pursuant to Section 24-6-402(4)(b), C.R.S. regarding today’s mediation and negotiations with Buckhorn Valley Metro District No 1. Director Heuman seconded the motion and the Board voted 3-0 to approve the motion.

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

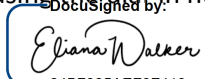
Director Fiore motioned to close the executive session at 10:05am. Director Heuman seconded the motion and the Board voted 3-0 to approve the motion.

**VI. Mediation matters regarding current litigation between the District and Buckhorn Valley Metro District No 1 (BVMD1)**

- 1) Review and consider settlement offers extended by BVMD1: The Board reviewed and considered the terms of certain potential offers extended by BVMD1 but was unable to reach an agreement. The Board agreed to submit a request to BVMD1 under the Colorado Open Records Act (CORA) to obtain BVMD1’s accounting records supporting BVMD1’s revenues and expenditures for the current year and for several prior years.
- 2) Review and consider extending settlement offer(s) to BVMD1: The Board extended certain potential offers and related terms to BVMD1 but was unable to reach an agreement.

**VII. Adjournment (4:50pm)**

There being no further business to come before the Board, and upon motion duly made by Director Fiore, seconded by Director Heuman, and unanimously carried, the meeting was adjourned. The next board meeting is scheduled for Tuesday February 06, 2024 at 6:00pm. The online video conference site will be held 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:  
  
2487025AEF8F419...  
 Secretary Eliana walker

2/12/2024  
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 Date