

BUCKHORN VALLEY METROPOLITAN DISTRICT NO 2

Special Board Meeting Minutes

Meeting Date: Wednesday October 10, 2024

Meeting Time: 6:03pm to 7:00pm

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

<https://meet.goto.com/Wolfersberger>

I. Roll Call (6:03pm)

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
Eliana Walker	Secretary/Treasurer	Present
Angela Heuman		Present
Vacancy		

Also, in attendance was Charles Wolfersberger (District Manager), with Wolfersberger, LLC; Paul Rufien (General Counsel) with Rufien Law, PC; the following homeowners were in attendance: (1) Michelle Castor-Viator and (2) Katie.

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 as amended. Director Fiore seconded the motion and the Board voted 4-0 to approve the motion.

V. Public Comments – None

VI. Director Matters

Director Fiore indicated that he would like to see a trail installed on the District-owned land tract on the west side of the District. Director Fiore asked the District Manager to evaluate other online meeting platforms (e.g. Zoom, Teams rather than GoToMeeting) as requested at a prior Board meeting.

VII. Litigation status update

Mr. Rufien provided a brief update regarding the litigation between (a) the District and (b) District 1 and several individuals who previously served on the District 1 and 2 boards. He reported the mediation meeting that occurred on September 12th was productive and positive. The District and District 1 continue to work towards a potential settlement agreement. In the meantime, the “Rule 106” matter in District Court that awaits the judges ruling is now on hold.

VIII. Executive Session

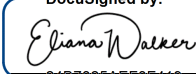
Director Viau motioned to open executive session at 6:14pm for the purpose of conferring with the District’s legal counsel pursuant to Section 24-6-402(4)(b), C.R.S. regarding (1) existing litigation with Buckhorn Valley Metro District No 1 (BVMD1) and other individually named defendants, (2) mediation with BVMD1, (3) negotiations with David Garton regarding the District’s 2008 bonds owned by David Garton and (4) delinquent property taxes. 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. Executive session was not recorded. Director Viau motioned to exit executive session at 6:53pm. Director Heuman seconded the motion and the Board voted 4-0 to approve the motion.

Post executive session action items: Director Viau motioned to direct the District Manager to pay the delinquent taxes (totaling \$674) due on land tract R069243, which was deeded to the District from BV Firewheel in October 2023 without any notice provided to the District. Director Fiore seconded the motion and the Board voted 4-0 approving the motion.

IX. Adjournment (7:00pm)

There being no further business to come before the Board, and upon motion duly made by Director Fiore, seconded by Director Walker, and unanimously carried, the meeting was adjourned. The next board meeting will be held on Tuesday October 22, 2024 at 6:00pm at the following online location: <https://meet.goto.com/Wolfersberger>

DocuSigned by:

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Secretary Eliana walker

10/23/2024
Date