

Buckhorn Valley Metropolitan District #1

Meeting Minutes for Special Meeting of the Board of Directors

Date: Tuesday May 13, 2025 **Time:** 6:00 PM **Location:** Online Via Zoom

Present:

Nicholas Richards, President
Maxine Hepfer, Secretary/Treasurer
John Hill, Asst. Secretary
Anna Marie Ray, Asst. Secretary, Absence, whose absence was excused
Hugh Fairfield-Smith, Asst. Secretary

David Fiore, Buckhorn Valley Metropolitan District #2 Board Member
Angela Heuman, Buckhorn Valley Metropolitan District #2 Board Member
Nick Viau, Buckhorn Valley Metropolitan District #2 Board Member
Peter Wehrenberg, Buckhorn Valley Metropolitan District #2 Board Member
Eliana Walker, Buckhorn Valley Metropolitan District #2 Board Member
Paul Rufien, Buckhorn Valley Metropolitan District #2 Counsel
Charles Wolfersberger, Buckhorn Valley Metropolitan District #2 Manager

David McConaughy, Garfield & Hecht
Tiffany Toomey, SGR, LLC
Peter Kline, Circuit Rider of Colorado
Sarah Shepherd, Circuit Rider of Colorado
Kenny Slaughter, District Operator
Rick Goncalves, District Engineer

Public:

Erin Gallimore
Jen Quinlin
Michelle Caster-Viater
Josiah Maner
Christiane
Rebecca B.
Brandy Dodd
Yvonne Stone
Chris' iPhone

Call to order and Declaration of Quorum:

Director Richards called the meeting to order at 6:09PM. A quorum was declared.

Disclosure of Potential Conflicts:

No new conflicts were declared.

Approval of Amendment to the Agenda:

Motion was made by Director Hepfer to approve agenda, as amended, with a seconded by Director Richards, passed 2-0.

Public Comment regarding items not on the agenda Report (3-minute Limit Per Person):

No Public Comments were made at this time.

Public Hearing to Consider the Adoption of Irrigation Tap Fees.

At 6:15pm the Board opened the public hearing for the Irrigation Tap Fees. The notice was properly made for the hearing.

David Fiore gave a presentation of the IGA terms and conditions.

Public comment and Board comment followed.

Director Richards moved to close public comment at 6:33 p.m. Director Hepfer seconded the motion, which was approved 2-0.

Consider Resolution to adopt Irrigation Tap Fees

David McConaughy presented the resolution to adopt the Tap Fee Increases.

Upon a motion by Director Hepfer, with a second by Director Richards, the Board approved the resolution to adopt the Irrigation Tap Fees.

Consider Approval of the Settlement Agreement between Buckhorn Valley Metropolitan District No. 1 and Buckhorn Valley Metropolitan District No. 2 and the Second Amended and Restated District Facilities Construction and Service Agreement between Buckhorn Valley Metropolitan District No. 1 and Buckhorn Valley Metropolitan District No. 2

Upon a motion by Director Hepfer with a second by Director Richards, the Board voted 2-0 to approve both the Settlement Agreement and the Facilities Construction and Service Agreement between Buckhorn Valley Metropolitan District No. 1 and Buckhorn Valley Metropolitan District No. 2, subject to final drafting revisions by District counsel.

Discussion followed regarding questions as to the process of filings of the settlement agreement and Intergovernmental agreement.

At this time the joint meeting concluded at 6:51 p.m. The District 2 Board members adjourned to a different virtual meeting room for their business meeting and the District 1 Board meeting continued their business meeting.

Operator Report: turn on date for 2025 irrigation system.

The irrigation system will be turned on as soon as the pump replacements and associated repairs have been completed. Significant pump repair is pending the work schedule of the repair service provider, and parts manufacturing and sourcing. Both the midway pump and river pump are both inoperable due to age and sediment conditions. Once installed within 2-4 weeks, the system will be started up for the summer.

Rick Goncalves, the District's engineer, was welcomed by the Board and provided an update of his review of the system. He gave an overview of the repairs and improvements needed in the 2025 season and beyond. His report and rate study will be presented at the next Board meeting for consideration.

The Board commented that they are hopeful for contributions by District 2 to help District perform critical irrigation system repairs this season as well as to help funding reserves for near-future needs. The cost and funding mechanisms for these repairs will need to be reviewed in the near future by both boards.

Administrative Items:

Consider appointment to Vacancies of the Directors of the Board

Upon motion by Director Richards and seconded by Director Hepfer, the Board voted 2-0 to appoint John Hill to the Board of Directors.

Upon motion by Director Richards and seconded by Director Hepfer, the Board voted 2-0 to appoint Hugh Fairfield-Smith to the Board of Directors.

Upon motion by Director Richards and seconded by Director Hepfer, the Board voted 2-0 to appoint Anna Maria Ray to the Board of Directors.

Both John Hill and Hugh Fairfield-Smith introduced themselves to the community members.

Legal Items:

Executive Session:

Upon motion by Director Richards to open Executive Session for a conference with the District's attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b), specifically regarding Eagle River Pump Station utility cost. The motion was seconded by Director Hepfer. The Board voted 4-0 to enter into Executive Session.

Executive Session began at 7:11p.m.

Executive Session concluded at 7:34p.m.

Additional Board Member Items:

The next meeting will be held on May 20, at 6:00 p.m. via Zoom to consider rates and fees needed to continue operating the system and to provide needed repairs to the system.

Upon a motion by Director Richards with a second by Director Hepfer, the Board voted 4-0 to continue the rate hearing until Tuesday May 20, 2025.

ADJOURNMENT:

The meeting adjourned at 7:56 p.m. by acclamation.

Sarah Shepherd

Signed by Secretary for the Meeting