

**SPECIAL MEETING OF THE BOARD OF MANAGERS
OF SPECIAL IMPROVEMENT DISTRICT #5
OF THE RIO GRANDE WATER CONSERVATION DISTRICT
September 7, 2023 at 5:00 p.m.
Rio Grande Water Conservation District Conference Room
And by Zoom/Teleconference**

Present: David Schmittle, President; George Whitten, Vice-President/Secretary/Treasurer; Kit Caldon, Manager; Corey Hill, Manager; and Dale Gerstberger, Manager.

Absent : Doug Gunnels, Ex Officio Member.

Staff and Consultants: Pete Ampe, Hill & Robbins P.C.; Chris Ivers, Program Manager; Amber Pacheco, Deputy General Manager; Rose Vanderpool, Program Assistant; Wylie Keller, Water Resource Specialist; Clinton Phillips, Davis Engineering; April Mondragon Administrative Assistant; and Michael Carson, Database Administrator.

Guests: William Myers, David Hofmann, Tim Lovato.

Meeting Called to Order

President Schmittle called the meeting to order at 5:04 p.m. A quorum was present for the meeting.

Approval of the Agenda

President Schmittle asked for changes, additions or a motion to approve the agenda. A motion was made by Kit Caldon to approve the agenda as presented. The motion was seconded by Corey Hill and unanimously approved.

Public Comment

President Schmittle asked for public comment. There was none.

Executive Session to Receive Legal Advice Concerning Potential Litigation, a Potential Acquisition of an Interest in Real Property, and to Receive Legal Advice Thereto

President Schmittle asked for executive session to receive legal advice concerning potential litigation, a potential acquisition of an interest in real property, and to receive legal advice thereto. A motion was made by Kit Caldon to enter into executive session. The motion was seconded by George Whitten and unanimously approved.

Mr. Ampe stated the Board was entering into executive session pursuant to section 24-6-402(4)(a) to receive legal advice concerning potential litigation, a potential acquisition of an interest in real property, and to receive legal advice thereto. The Board would take no formal action or position during the executive session.

Possible Action from Executive Session

President Schmittle asked for possible action from executive session. There was none.

Presentation and Possible Action on Preliminary 2024 Budget

President Schmittle asked for the presentation and possible action on preliminary 2024 budget. Chris Ivers presented the Subdistrict No. 5 2024 draft budget. He highlighted the 2023 Actual to date collections for administrative fee, groundwater withdrawal fee and the amount from the CWCB loan. Mr. Ivers provided the general administration budgeted and actual to date expenses and the budgeted amount for legal and engineering. Mr. Ivers highlighted the reimbursement to be made to the District and the Well Injury Payment budgeted amount. He also highlighted the remedy portfolio expenses and the projections to close out the year. Discussion was held on the expenses associated with the operation of the augmentation well. Mr. Ivers reported on additional loan expenses and the anticipated under budgeted admin fee. He provided the carry over amount from the groundwater withdrawal fee and projection for next year's revenue. Mr. Ivers reported on the increased budget amount for office expenses and highlighted the large increase to routine legal and engineering expenses due to issues raised by the Saguache County Board of County Commissioners. He explained leaving the stream impact expenditures the same and went over the water management projected expenses. Mr. Ivers highlighted the water management expenses owed to the district and the total projected ending fund balance. He provided the estimated Administrative Fees per active and inactive well and the estimated Groundwater Withdrawal fee for

the sprinkler, flood and other well categories. Mr. Ivers recommended scheduling another meeting in order to finalize the preliminary budget.

New Business

President Schmittel asked for new business. There was none.

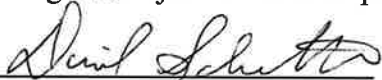
Next Meeting

A special meeting was scheduled for October 4, 2023 at 5:00 p.m.

The next quarterly meeting is October 18, 2023 at 5:00 p.m.

Adjournment

The meeting was adjourned at 5:47 p.m.



President

Vice-President/Secretary/Treasurer