

**ANNUAL MEETING OF THE BOARD OF MANAGERS
OF SPECIAL IMPROVEMENT DISTRICT #5
OF THE RIO GRANDE WATER CONSERVATION DISTRICT**

**April 21, 2021 at 5:00 p.m.
8805 Independence Way
Alamosa, CO 81101
And by Zoom/Teleconference**

Present: David Schmittel, President; George Whitten, Vice-President/Secretary/Treasurer; Kit Caldon, Manager; Dale Gerstberger, Manager; Corey Hill, Manager; and, Peggy Godfrey, Ex-Officio Member.

Staff and Consultants: Pete Ampe, Hill & Robbins, P.C.; Chris Ivers, Program Manager; Amber Pacheco, Program Manager; Rose Vanderpool, Program Assistant; Allen Davey and Clinton Phillips, Davis Engineering; Michael Carson, Database Administrator; and, April Mondragon, Administrative Assistant.

Guests: Deb Sarason, David Hofmann, CJ Weis, JoAnn Ortega, Phil Ortega, Greg Peterson, Lynn Thompson, John Gerstle, Tom McCracken, Jason Davenport, Jared Myers, Ray Newmyer, Ryan Unterreiner, and Ryan Fox.

Meeting Called to Order

President Schmittel called the meeting to order at 5:02 p.m. A quorum was present.

Approval of the Consent Agenda

President Schmittel asked for approval of the consent agenda including the following minutes:

- January 20, 2021-Quarterly Meeting
- January 20, 2021-Executive Session
- February 4, 2021-Special Meeting
- February 4, 2021-Executive Session
- February 24, 2021-Special Meeting
- February 24, 2021-Executive Session
- March 1, 2021-Special Meeting
- March 1, 2021-Executive Session

A motion was made by George Whitten to approve the consent agenda as presented. The motion was seconded by Kit Caldon and unanimously approved.

Election of Officers

President Schmittel asked for election of officers. Chris Ivers announced that David Schmittel and George Whitten were reappointed to the Board of Managers of Subdistrict No. 5 by the Board of Directors of the Rio Grande Water Conservation District at their last meeting. Pete Ampe conducted the election of officers and asked for nominations including self-nominations for President of the Subdistrict Board of Managers and or nominations to maintain the current slate of officers.

A motion was made by Dale Gerstberger to keep the current slate of officers. The motion was seconded by Kit Caldon and unanimously approved.

Public Comment

President Schmittel asked for public comment. Peggy Godfrey reported on a couple of articles written by John Mattingly that were published in a magazine and offered copies to anyone that wanted them.

Attorney's Report

President Schmittel asked for the Attorney's report. Pete Ampe reported working on various Annual Replacement Plans and beginning to work on the Rules and Regulations to allow the Board of Managers to establish groundwater withdrawal allocations throughout the Subdistrict. Mr. Ampe also provided an update on the Subdistrict No. 1 ongoing litigation.

Program Manager's Report

President Schmittel asked for the Program Manager's report. Chris Ivers presented the financial report. He highlighted the Profit and Loss statement, legal fees, engineering fees, checking account balance, amount to be collected, total assets and the total liabilities.

A motion was made by George Whitten to approve the financial report as presented. The motion was seconded by Kit Caldon and unanimously approved.

Mr. Ivers reported the District Board voted and passed the Subdistrict No. 5 Annual Replacement Plan, however a discussion on whether or not they would pass another Subdistrict Annual Replacement Plan without a full source of remedies was held. Mr. Ivers reported he does not think they will pass another Plan if the Subdistrict fails to secure a full source of remedies.

Saguache Creek Remedies

President Schmittle asked for Saguache Creek Remedies. There were no updates since the last meeting.

Presentation from Greg Peterson

President Schmittle asked for the presentation from Greg Peterson. Mr. Peterson from Colorado Ag. Water Alliance presented and explained the goals of his organization. He reported they were seeking interest from individuals to participate in an advisory committee. Mr. Peterson said he would come back to this Board after visiting with the other Subdistricts and conservancy districts to see who had interest in signing up to be on the advisory board.

Presentation from Ray Newmyer

President Schmittle asked for the presentation from Ray Newmyer. Mr. Newmyer presented and provided the objective of the geomagnetic survey study and where the study was conducted. Mr. Newmyer gave his opinion on why he believes groundwater continues to decline and what information a glover analysis would provide. He encouraged monitoring holes be drilled no more than thirty (30) feet deep, and explained what the data he provided could be used for.

Executive Session

President Schmittle asked for a motion to enter into executive session to receive legal advice concerning the potential purchase of real property. A motion was made by Kit Caldon to enter into executive session. The motion was seconded by Corey Hill and unanimously approved.

Mr. Ampe stated the Board was entering into executive session pursuant to section 24-6-402(4)(a) to discuss a potential purchase of real property. The Board would take no formal action or position during the executive session.

Next Meeting


A special meeting was scheduled for April 27, 2021 at 5:00 p.m., the next quarterly meeting is scheduled for July 21, 2021.

Adjournment

The meeting was adjourned at 7:17 p.m.



President



Vice-President/Secretary/Treasurer