

**SPECIAL MEETING OF THE BOARD OF MANAGERS
OF SPECIAL IMPROVEMENT DISTRICT #5
OF THE RIO GRANDE WATER CONSERVATION DISTRICT
June 14, 2021 at 4:30 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; and, Peggy Godfrey, Ex-Officio Member.

Absent: Corey Hill, Manager.

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

Guests: David Hofmann, Warren Collins, Anthony Lobato, Rebie Hazard, William Myers, John Gerstle, Chris Schaefer, Mark Allen, Tom McCracken, Iris, Donald Valdez.

Meeting Called to Order

President Schmittel called the meeting to order at 4:35 p.m. A quorum was present.

Approval of the Agenda

President Schmittel asked for any 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 Dale Gerstberger and unanimously approved.

Public Comment

President Schmittel asked for public comment. There were none.

Executive Session to Receive Legal Advice Regarding Potential Litigation

President Schmittel asked for a motion to enter into executive session to receive legal advice regarding potential litigation. 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)(b) to receive legal advice regarding potential litigation. The Board would take no formal action or position during the executive session.

Possible Action from Executive Session

Pete Ampe stated the Board was in executive session and had voted to come out. Discussion was related to potential litigation.

A motion was made by Kit Caldon to instruct Pete Ampe to proceed to challenge the denial of 2021 Annual Replacement Plan under the Groundwater Use Rules. The motion was seconded by Dale Gerstberger and unanimously approved.

Direction for Staff

President Schmittel asked for direction for staff. Chris Ivers reported approaching the deadline and not receiving any well driller bid packets back yet. He asked the Board how they felt about extending the deadline. Mr. Ivers also provided an update on conversations with Mr. Baxter.

George Whitten asked what the process would be to replace a Board Member, he highlighted Corey Hill's lack of participation. Pete Ampe suggested the concerns be brought to Mr. Hill's attention. Mr. Whitten also highlighted potentially replacing Peggy Godfrey as the Ex-Officio member of the Subdistrict and hiring additional legal counsel to assist with the 1041 regulations.

New Business

President Schmittel asked for new business. Representative Donald Valdez reported he was holding a meeting in Saguache to hear the concerns of the public.

Next Meeting

A special meeting was scheduled for June 17, 2021 at 5:00 p.m.

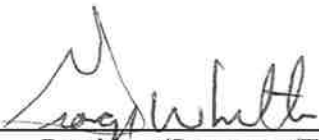
The next quarterly meeting is scheduled for July 21, 2021.

Adjournment

The meeting was adjourned at 5:05 p.m.



President



Vice-President/Secretary/Treasurer