

**SPECIAL MEETING OF THE BOARD OF MANAGERS
OF SPECIAL IMPROVEMENT DISTRICT #5
OF THE RIO GRANDE WATER CONSERVATION DISTRICT
October 4, 2023 at 5:00 p.m.
Rio Grande Water Conservation District Conference Room
And by Zoom/Teleconference**

Present: David Schmittel, President; George Whitten, Vice-President/Secretary/Treasurer; and, Dale Gerstberger, Manager.

Absent: Kit Caldon, Manager; Corey Hill, Manager; and, Doug Gunnels, Ex Officio Member.

Staff and Consultants: Pete Ampe, Hill & Robbins P.C.; Chris Ivers, Program Manager; Rose Vanderpool, Program Assistant; April Mondragon, Administrative Assistant; and, Linda Ramirez, Program Assistant.

Guests: Deb Sarason.

Meeting Called to Order

President Schmittel called the meeting to order at 5:00 p.m. A quorum was present for the meeting.

Approval of the Agenda

President Schmittel asked for changes, additions or a motion to approve the agenda. A motion was made by Dale Gerstberger to approve the agenda as presented. The motion was seconded by George Whitten and unanimously approved.

Public Comment

President Schmittel 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 Schmittel 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 Dale Gerstberger 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 Schmittel asked for possible action from executive session. A motion was made by Dale Gerstberger to direct staff to contact Mr. Case to discuss the prairie dog situation on the property. The motion was seconded by George Whitten and unanimously approved.

Presentation and Possible Action on Preliminary 2024 Budget

President Schmittel asked for presentation and possible action on the preliminary 2024 budget. Chris Ivers reported accurate numbers had been added to the budget since the last time it was presented. He reported on the changed layout, the new line item which breaks out the interest on fees and the new other expenses item. Mr. Ivers highlighted the CWCB Loan payment and reserve fund total. He also highlighted the items to be paid off in connection with the loan and expenses. Mr. Ivers provided the estimated administrative fee for active and inactive wells, the groundwater withdrawal fee for the sprinkler, flood and other categories.

A motion was made by Dale Gerstberger to approve the preliminary budget as presented. The motion was seconded by George Whitten and unanimously approved.

New Business

President Schmittel asked for new business. Chris Ivers updated the Board on the final approval of the revised response function and depletion schedule. He reported he would run another report soon. George Whitten suggested creating a timeline and moving projects forward in order to avoid

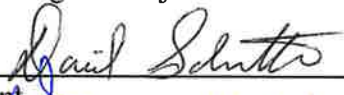
coming up against close deadlines. Discussion was held on possible projects that would need to be done in the event of large snow fall. They also discussed potential areas to drill another well. Mr. Ivers reported he would investigate the potential sites to drill a well and report on his findings at the next meeting.

Next Meeting

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

Adjournment

The meeting was adjourned at 5:39 p.m.



President



Vice-President/Secretary/Treasurer