

**RIO GRANDE WATER CONSERVATION DISTRICT
BOARD OF DIRECTORS SPECIAL MEETING
April 13, 2020 at 3:00 P.M.
By Zoom Teleconference Only**

Present: Greg Higel, President; Brian David, Vice-President; Dwight Martin, Secretary/
Treasurer; Peggy Godfrey, Bill McClure Director; Director; Armando Valdez, Director; Cory
Off, Director; and Mike Kruse, Director.

Absent: Mike McClure, Director

Staff and Consultants: David Robbins, Hill & Robbins. P.C.; Cleave Simpson, General
Manager; Amber Pacheco, Program Manager; Marisa Fricke, Program Manager; Clinton
Phillips, Davis Engineering; and April Mondragon, Administrative Assistant.

Guests: Deb Sarason, and David Hofmann.

CALL TO ORDER

President Greg Higel called the meeting to order at 3:04 a.m.

APPROVE AGENDA

President Higel asked for any changes or additions to the agenda. A motion was made by Dwight
Martin to approve the agenda as presented. The motion was seconded by Armando Valdez and
unanimously approved.

PUBLIC COMMENT:

President Higel asked for public comment. There were none.

CONSIDERATION OF RESOLUTION COVID 19

President Higel asked for the COVID 19 Resolution. Cleave Simpson explained the purpose of
the resolution is to allow the Rio Grande Water Conservation District to conduct meetings via
phone or the internet due to the COVID 19 pandemic.

A motion was made by Bill McClure to approve the resolution as presented. The motion was
seconded by Mike Kruse and unanimously approved.

REVIEW AND ACTION SUBDISTRICT NO. 1 2020 ANNUAL REPLACEMENT PLAN

President Higel asked for the review and action Subdistrict No. 1 2020 Annual Replacement
Plan.

- *Resolution to allow Subdistrict No. 1 to use a portion of the Closed Basin Project for the replacement of injurious depletions.*

A motion was made by Dwight Martin to approve the resolution to allow Subdistrict No. 1 to use
a portion of the Closed Basin Project water for the replacement of injurious depletions as
presented. The motion was seconded by Armando Valdez and passed all in favor with the
exception of Mike Kruse and Peggy Godfrey who voted against.

Mike Kruse announced he would vote no on all resolutions for the allocation of the Closed Basin
Water and requested further discussion in the next year.

- *Resolution for Approval of the Subdistrict No. 1 2020 Annual Replacement Plan*

Cleave Simpson provided the Board with the projected pumping which included the additional
pumping of the seventy-five (75) wells that contracted into the Subdistrict. Mr. Simpson also
reported the 2020 Annual Replacement Plan was approved by the Subdistrict No. 1 Board of
Managers.

A motion was made by Mike Kruse to approve the Subdistrict No. 1 2020 Annual Replacement
plan. The motion was seconded by Brian David and unanimously approved.

REVIEW AND ACTION SUBDISTRICT NO. 2 2020 ANNUAL REPLACEMENT PLAN

President Higel asked for the review and action Subdistrict No. 2 2020 Annual Replacement Plan.

- Resolution to allow Subdistrict No. 2 to use a portion of the Closed Basin Project for replacement of injurious depletions.

A motion was made by Armando Valdez to approve the resolution to allow Subdistrict No. 2 to use a portion of the Closed Basin Project water for replacement of injurious depletions. The motion was seconded by Dwight Martin and passed all in favor with the exception of Peggy Godfrey and Mike Kruse who voted against.

- Resolution to approve the Rio Grande Water Conservation District to act as a financial guarantor for post plan depletions while the Subdistrict builds up its own portfolio.

Discussion was held on the financial guarantor including the amount. Amber Pacheco explained why the Rio Grande Water Conservation District would act as financial guarantor for a few more years. David Robbins further explained that the Subdistricts are sub entities of the Rio Grande Water Conservation District and they obtain authority by the District's actions.

A motion was made by Mike Kruse to approve the resolution for the Rio Grande Water Conservation District to act as a financial guarantor for post plan depletions while Subdistrict No. 2 builds up its own portfolio. The motion was seconded by Armando Valdez and unanimously approved.

Ms. Pacheco reported Subdistrict No. 2 is actively seeking permanent water sources as well as working to continue to build on their pool of money.

- Resolution for Approval of the Subdistrict No. 2 2020 Annual Replacement Plan

Cleave Simpson reported the Board of Managers of Subdistrict no. 2 met and approved the Annual Replacement Plan. Mr. Simpson provided the total impacts as well as post impacts and stated the Subdistrict did not have a sustainability component.

A motion was made by Cory Off to approve the resolution to approve Subdistrict No. 2 2020 Annual Replacement Plan. The motion was seconded by Dwight Martin and unanimously approved.

REVIEW AND ACTION SUBDISTRICT NO. 3 2020 ANNUAL REPLACEMENT PLAN

President Higel asked for the review and action Subdistrict No. 3 2020 Annual Replacement Plan.

- Resolution to allow Subdistrict No. 3 to use a portion of the Closed Basin Project for the replacement of injurious depletions.

A motion was made by Dwight Martin to approve the resolution to allow Subdistrict No. 3 to use a portion of the Closed Basin Project for the replacement of injurious depletions. The motion was seconded by Bill McClure and passed all in favor with the exception of Peggy Godfrey and Mike Kruse who voted against.

- Resolution for Approval of the Subdistrict No. 3 2020 Annual Replacement Plan

Cleave Simpson provided the projected pumping, impacts to three (3) different river systems and the total post plan depletions. Mr. Simpson reported that Subdistrict No. 3 does not need a resolution for a financial guarantor. Amber Pacheco stated the Subdistrict is considered sustainable.

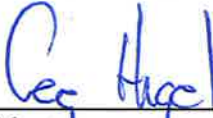
A motion was made by Mike Kruse to approve the resolution for approval of the Subdistrict No. 3 2020 Annual Replacement Plan. The motion was seconded by Armando Valdez and unanimously approved.

Cleave Simpson provided some information on how Zoom works and stated the next quarterly meeting will be held by Zoom/Teleconference. Dwight Martin and Mr. Simpson announced they would arrange to sign all of the resolutions. Deb Sarason asked that the approved resolutions be included with the Annual Replacement Plans when they are submitted to the state. Mike Kruse commented on the nay votes on the Closed Basin Project allocations.


ADJOURN

The meeting was adjourned at 3:55 p.m.

The next scheduled quarterly meeting will be held on April 21, 2020 at 10:00 a.m.



President



Secretary/Treasurer

**RESOLUTION
OF THE BOARD OF DIRECTORS OF THE
RIO GRANDE WATER CONSERVATION DISTRICT**

**TO ALLOW SPECIAL IMPROVEMENT DISTRICT NO. 2 TO USE A PORTION OF
THE PRODUCTION OF THE CLOSED BASIN PROJECT FOR THE REPLACEMENT
OF INJURIOUS DEPLETIONS UNDER ITS 2020 ANNUAL REPLACEMENT PLAN**

The Board of Directors of the Rio Grande Water Conservation District at a special meeting held on April 13, 2020, in Alamosa, Colorado does hereby resolve that:

WHEREAS, Special Improvement District No. 2 of the Rio Grande Water Conservation District (“Subdistrict No. 2”) was created to conserve and stabilize the water supply and groundwater storage for irrigation, domestic, municipal and other beneficial uses for the water users within the boundaries of Subdistrict No. 2 and to remedy injurious depletions caused by groundwater withdrawals from Subdistrict Wells; and

WHEREAS, Subdistrict No. 2 is operating under an approved Plan of Water Management which requires the development of an Annual Replacement Plan (“ARP”) showing, among other things, the predicted injurious depletions caused by Subdistrict Well groundwater withdrawals and the manner in which the Subdistrict will remedy those depletions; and

WHEREAS, the production from the Closed Basin Project can and should be used as a source of water to remedy injurious depletions caused by groundwater withdrawals from wells included in the Subdistrict’s 2020 ARP.

RESOLUTION

NOW, THEREFORE, be it resolved by the Board of Directors of the Rio Grande Water Conservation District that:

1. The District anticipates that the vast majority of this Project Water will be used to replace non-irrigation season depletions from November 1 through March 31. There may be circumstances during the irrigation season when Subdistrict No. 2 cannot deliver water to the Rio Grande below the Chicago Ditch due to intervening dry stream reaches or excessive losses in deliveries. In those circumstances, the District believes Project Water is an appropriate replacement source, but intends that its use during the irrigation season be minimized.

2. The inclusion of 855 acre-feet of water from the production of the Closed Basin Project as a source of supply in the Subdistrict No. 2 2020 Annual Replacement Plan and the use of said water under the 2020 ARP to remedy injurious stream depletions is approved.

ATTEST:

RIO GRANDE WATER
CONSERVATION DISTRICT

By: *Dwight Martin*
Dwight Martin
Secretary/Treasurer

By: *Greg Higel*
Greg Higel
President

COUNTY OF ALAMOSA)
) ss
STATE OF COLORADO)

Subscribed and sworn to me this 13th day of April, 2020, by Greg Higel, President, Board of Directors of the Rio Grande Water Conservation District.

Witness my hand and seal.

My commission expires: 6-15-21



April Mondragon
Notary Public

RIO GRANDE WATER CONSERVATION DISTRICT

April 13, 2020

**RESOLUTION
FOR THE DISTRICT TO ACT AS FINANCIAL GUARANTOR OF THE
REPLACEMENT OBLIGATIONS OF SUBDISTRICT NO. 2**

The Board of Directors of the Rio Grande Water Conservation District (“District”) does hereby resolve that:

WHEREAS, Special Improvement District No. 2 of the Rio Grande Water Conservation District (“Subdistrict No. 2”) was created to ensure remedy of injurious stream depletions to senior water rights resulting from the withdrawal of groundwater from wells in Subdistrict No. 2 and to conserve and stabilize the water supply and amount of groundwater in storage for irrigation and other beneficial uses for the water users within the boundaries of Subdistrict No. 2; and

WHEREAS, Subdistrict No. 2 is operating under an approved Plan of Water Management which requires the development of an Annual Replacement Plan (“ARP”) showing, among other things, the predicted injurious stream depletions caused by Subdistrict Well pumping and the manner in which Subdistrict No. 2 will remedy those stream depletions; and

WHEREAS, Subdistrict No. 2 continues to work diligently to obtain permanent and/or renewable supplies to remedy future stream depletions caused by present or future groundwater withdrawals by Subdistrict No. 2 wells, and

WHEREAS, at the present time it is impossible for Subdistrict No. 2 to acquire a sufficient quantity of water as a permanent supply, and sufficient reservoir storage space available for that quantity of water, to cover total post-plan injurious stream depletions after this Plan Year.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the District on the 13th day of April, 2020 that:

1. In order to address the issue identified above, the District, which is created by statute and has a mill levee which provides an annual and consistent stream of monies, will act as a financial guarantor itself if Subdistrict No. 2 were to fail or otherwise be unable to replace injurious stream depletions caused by the lagged effects of past and present groundwater withdrawals by Subdistrict No. 2 wells.

2. The District will provide funds to acquire water or compensate parties directly to insure injured parties are kept whole. This mechanism will act as a temporary measure to assure future replacement of injurious stream depletions until Subdistrict No. 2 is able to obtain permanent and/or renewable supplies to remedy future stream depletions caused by present or future groundwater withdrawals.

3. If Subdistrict No. 2 were to fail, the individual well owners of the former Subdistrict No. 2 would have to obtain plans for augmentation or take other measures to comply with rules and regulations governing existing groundwater withdrawals. Presumably, those plans would be required to replace these post-pumping stream depletions into the future. In the interim, the District would protect senior surface rights as explained in this Resolution.

ATTEST:

RIO GRANDE WATER
CONSERVATION DISTRICT

By: *Dwight Martin*
Dwight Martin
Secretary/Treasurer

By: *Greg Higel*
Greg Higel
President

COUNTY OF ALAMOSA)
) ss
STATE OF COLORADO)

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Witness my hand and seal.

My commission expires: 6-15-21



April Mondragon
Notary Public

**RESOLUTION OF THE BOARD OF DIRECTORS
OF THE
RIO GRANDE WATER CONSERVATION DISTRICT**

April 13, 2020

**APPROVING 2020 ANNUAL REPLACEMENT PLAN
OF SPECIAL IMPROVEMENT DISTRICT NO. 2
OF THE RIO GRANDE WATER CONSERVATION DISTRICT**

The Board of Directors of the Rio Grande Water Conservation District (“District”) at a special meeting held on April 13, 2020, in Alamosa, Colorado does hereby resolve that:

WHEREAS, Special Improvement District No. 2 of the Rio Grande Water Conservation District (“Subdistrict No. 2”) was created to conserve and stabilize the water supply and groundwater storage for irrigation, domestic, municipal and other beneficial uses for the water users within the boundaries of Subdistrict No. 2 and to remedy injurious depletions caused by groundwater withdrawals from Subdistrict Wells; and

WHEREAS, Subdistrict No. 2 is operating under an approved Plan of Water Management which requires the development of an Annual Replacement Plan showing, among other things, the predicted injurious depletions caused by Subdistrict Well groundwater withdrawals and the manner in which the Subdistrict will remedy those depletions; and


NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the District on the 13th day of April, 2020, that:

The District hereby accepts and approves the Subdistrict No. 2 2020 Annual Replacement Plan.

ATTEST:

RIO GRANDE WATER CONSERVATION
DISTRICT

By: 
Dwight Martin
Secretary/Treasurer

By: 
Greg Higel,
President

COUNTY OF ALAMOSA)
) ss
STATE OF COLORADO)

Subscribed and sworn to me this 13th day of April, 2020, by Greg Higel, President, Board of Directors of the Rio Grande Water Conservation District

Witness my hand and seal.

My commission expires: 6-15-21



April Mondragon
Notary Public

**RESOLUTION
OF THE BOARD OF DIRECTORS OF THE
RIO GRANDE WATER CONSERVATION DISTRICT**

**TO ALLOW SPECIAL IMPROVEMENT DISTRICT NO. 3 TO USE A PORTION OF
THE PRODUCTION OF THE CLOSED BASIN PROJECT FOR THE REPLACEMENT
OF INJURIOUS DEPLETIONS UNDER ITS 2020 ANNUAL REPLACEMENT PLAN**

The Board of Directors of the Rio Grande Water Conservation District at a special meeting held on April 13, 2020, in Alamosa, Colorado does hereby resolve that:

WHEREAS, Special Improvement District No. 3 of the Rio Grande Water Conservation District (“Subdistrict No. 3”) was created to conserve and stabilize the water supply and groundwater storage for irrigation, domestic, municipal and other beneficial uses for the water users within the boundaries of Subdistrict No. 3 and to remedy injurious depletions caused by groundwater withdrawals from Subdistrict Wells; and

WHEREAS, Subdistrict No. 3 is operating under an approved Plan of Water Management which requires the development of an Annual Replacement Plan (“ARP”) showing, among other things, the predicted injurious depletions caused by Subdistrict Well groundwater withdrawals and the manner in which the Subdistrict will remedy those depletions; and

WHEREAS, the production from the Closed Basin Project can and should be used as a source of water to remedy injurious depletions caused by groundwater withdrawals from wells included in the Subdistrict’s 2020 ARP.

RESOLUTION

NOW, THEREFORE, be it resolved by the Board of Directors of the Rio Grande Water Conservation District that:

1. The District anticipates that the vast majority of this Project Water will be used to replace non-irrigation season depletions from November 1 through March 31. There may be circumstances during the irrigation season when Subdistrict No. 3 cannot deliver water to the Rio Grande below the Chicago Ditch due to intervening dry stream reaches or excessive losses in deliveries. In those circumstances, the District believes Project Water is an appropriate replacement source, but intends that its use during the irrigation season be minimized.

2. The inclusion of 1,130 acre-feet of water from the production of the Closed Basin Project as a source of supply in the Subdistrict No. 3 2020 Annual Replacement Plan in the amount of 200 acre-feet to the Rio Grande River and 930 acre-feet to the Conejos River and the use of said water under the 2020 ARP to remedy injurious stream depletions is approved.

ATTEST:

RIO GRANDE WATER
CONSERVATION DISTRICT

By: *Dwight Martin*
Dwight Martin
Secretary/Treasurer

By: *Greg Higel*
Greg Higel
President

COUNTY OF ALAMOSA)
) ss
STATE OF COLORADO)

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Witness my hand and seal.

My commission expires: 6-15-21



April Mondragon
Notary Public

**RESOLUTION OF THE BOARD OF DIRECTORS
OF THE
RIO GRANDE WATER CONSERVATION DISTRICT**

April 13, 2020

**APPROVING 2020 ANNUAL REPLACEMENT PLAN
OF SPECIAL IMPROVEMENT DISTRICT NO. 3
OF THE RIO GRANDE WATER CONSERVATION DISTRICT**

The Board of Directors of the Rio Grande Water Conservation District ("District") at a special meeting held on April 13, 2020, in Alamosa, Colorado does hereby resolve that:

WHEREAS, Special Improvement District No. 3 of the Rio Grande Water Conservation District ("Subdistrict No. 3") was created to conserve and stabilize the water supply and groundwater storage for irrigation, domestic, municipal and other beneficial uses for the water users within the boundaries of Subdistrict No. 3 and to remedy injurious depletions caused by groundwater withdrawals from Subdistrict Wells; and

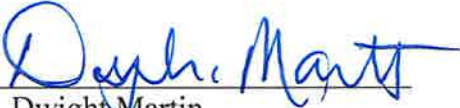
WHEREAS, Subdistrict No. 3 is operating under an approved Plan of Water Management which requires the development of an Annual Replacement Plan showing, among other things, the predicted injurious depletions caused by Subdistrict Well groundwater withdrawals and the manner in which the Subdistrict will remedy those depletions; and


NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the District on the 13th day of April, 2020 that:

The District hereby accepts and approves the Subdistrict No. 3 2020 Annual Replacement Plan.

ATTEST:

RIO GRANDE WATER CONSERVATION
DISTRICT

By: 
Dwight Martin
Secretary/Treasurer

By: 
Greg Higel,
President

COUNTY OF ALAMOSA)
) ss
STATE OF COLORADO)

Subscribed and sworn to me this 13th day of April, 2020, by Greg Higel, President, Board of Directors of the Rio Grande Water Conservation District

Witness my hand and seal.

My commission expires: 6-15-21



April Mondragon
Notary Public

**RESOLUTION
OF THE BOARD OF DIRECTORS OF THE
RIO GRANDE WATER CONSERVATION DISTRICT**

**TO ALLOW SUBDISTRICT NO. 1 TO USE A PORTION OF THE CLOSED BASIN
PROJECT FOR THE REPLACEMENT OF INJURIOUS DEPLETIONS UNDER THE
2020 ANNUAL REPLACEMENT PLAN**

The Board of Directors of the Rio Grande Water Conservation District at a special meeting held on April 13, 2020, in Alamosa, Colorado does hereby resolve that:

WHEREAS, Special Improvement District No. 1 of the Rio Grande Water Conservation District (“Subdistrict No. 1”) was created to conserve and stabilize the water supply and groundwater storage in the unconfined aquifer of the Closed Basin for irrigation, domestic, municipal and other beneficial uses for the water users within the boundaries of Subdistrict No. 1; and

WHEREAS, Subdistrict No. 1 is operating under an approved Plan of Water Management which requires the development of an Annual Replacement Plan (“ARP”) showing, among other things, the predicted injurious depletions caused by Subdistrict Well pumping and the manner in which the Subdistrict will remedy those depletions; and

WHEREAS, the production from the Closed Basin Project can and should be used as a source of water to remedy injurious depletions caused by Subdistrict Well Pumping;

RESOLUTION

NOW, THEREFORE, be it resolved by the Board of Directors of the Rio Grande Water Conservation District that:

1. The District anticipates that the vast majority of this Project Water will be used to replace non-irrigation season depletions from October 31 through March 31. There may be circumstances during the irrigation season when Subdistrict No. 1 cannot deliver water to the Rio Grande below the Chicago Ditch due to intervening dry stream reaches or excessive losses in deliveries. In those circumstances, the District believes Project Water is an appropriate replacement source, but intends that its use during the irrigation season be minimized.

2. The inclusion of 308 acre-feet of water from the production of the Closed Basin Project as a source of supply in the Subdistrict No. 1 2020 Annual Replacement Plan (“2020 ARP”) and the use of said water under the 2020 ARP to remedy injurious depletions is approved.

ATTEST:

RIO GRANDE WATER
CONSERVATION DISTRICT

By: *Dwight Martin*
Dwight Martin
Secretary/Treasurer

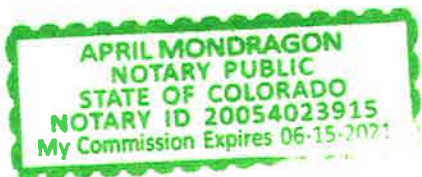
By: *Greg Higel*
Greg Higel
President

COUNTY OF ALAMOSA)
) ss
STATE OF COLORADO)

Subscribed and sworn to me this 13th day of April, 2020, by Greg Higel, President,
Board of Directors of the Rio Grande Water Conservation District.

Witness my hand and seal.

My commission expires: 6-15-21



April Mondragon
Notary Public

**RESOLUTION
OF THE BOARD OF DIRECTORS OF THE
RIO GRANDE WATER CONSERVATION DISTRICT**

**APPROVING THE 2020 ANNUAL REPLACEMENT PLAN
OF SPECIAL IMPROVEMENT DISTRICT NO. 1
OF THE RIO GRANDE WATER CONSERVATION DISTRICT**

The Board of Directors of the Rio Grande Water Conservation District at a special meeting held on April 13, 2020, in Alamosa, Colorado does hereby resolve that:

WHEREAS, Special Improvement District No. 1 of the Rio Grande Water Conservation District ("Subdistrict No. 1") was created to conserve and stabilize the water supply and groundwater storage in the unconfined aquifer of the Closed Basin for irrigation, domestic, municipal and other beneficial uses for the water users with the boundaries of Subdistrict No. 1; and

WHEREAS, Subdistrict No. 1 is operating under an approved Plan of Water Management which requires the development of an Annual Replacement Plan showing, among other things, the predicted injurious depletions caused by Subdistrict Well groundwater withdrawals and the manner in which the Subdistrict will remedy those depletions.

RESOLUTION

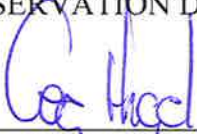
NOW, THEREFORE, be it resolved by the Board of Directors of the Rio Grande Water Conservation District that:

1. The Board of Directors of the Rio Grande Water Conservation District hereby accepts and approves the 2020 Annual Replacement Plan of Special Improvement District No. 1 of the Rio Grande Water Conservation District.

ATTEST:

By: 
Dwight Martin
Secretary/Treasurer

RIO GRANDE WATER
CONSERVATION DISTRICT

By: 
Greg Higel
President

COUNTY OF ALAMOSA)
) ss
STATE OF COLORADO)

Subscribed and sworn to me this 13th day of April, 2020, by Greg Higel, President,
Board of Directors of the Rio Grande Water Conservation District.

Witness my hand and seal.

My commission expires: 6-15-21



April Mondragon
Notary Public

Rio Grande Water Conservation District

Board of Directors

April 13, 2020

RESOLUTION No. 2020-01

The Board of Directors of the Rio Grande Water Conservation District, at a special meeting on April 13, 2020, adopts the following resolution to address the public health crisis poised by the COVID 19 virus pandemic.

WHEREAS, pursuant to the provisions of CRS 37-48-106 the regular quarterly meetings of the Board "shall be held within the District during the months of January, April, July and October" and are normally held on the third Tuesday at the offices of the District located in Alamosa, Colorado, which is within the boundaries of the District as required by statute; and

WHEREAS, the State of Colorado along with the rest of the United States and the rest of the world is wrestling with a pandemic caused by a coronavirus referred to as COVID-19 which is highly infectious and poises the threat of death for some who are infected. As a result of the pandemic reaching Colorado the Governor, Jared Polis, has issued orders designed to limit the spread of the virus. Including a 'stay at home' order, an order requiring all people to practice 'social distancing' by keeping at least 6 feet distance between people, an order limiting any gathering to no more than ten (10) persons and orders designed to limit the use of public transportation and public travel for non-essential reasons; and

WHEREAS, as an instrumentality of the State of Colorado, the District's Board of Directors desires to implement policies for the Board, its employees and the interested public that support the efforts to limit and control the spread of the COVID-19 virus, including the limitation of the use of District facilities, the requirement that District employees work from home to the greatest extent possible and the need to rely on electronic communications, including conducting virtual meetings; and

WHEREAS, in order to implement these responsive actions, the Board does RESOLVE:

1. The District office building will be closed to the public until further notice. The decision to re-open the building will be subject to a determination made by the General Manager.
2. The District employees will comply with the previously issued directives from the General Manager including working from home to the greatest extent possible and are expected to respect the provisions of the Governor's orders and the orders of the local Public Health authorities.
3. All District meetings, including the regular and special meetings of the Board of Directors, will be conducted using electronic meeting platforms by which the Board, necessary staff members, consultants, representatives of other public agencies and members of the public are afforded an opportunity to listen in and, as appropriate, participate. The decision on how to allow this to occur and what platform or platforms to employ (as examples: Zoom, Skype, Microsoft Team) will be the responsibility of the General Manager.

4. To the extent the District's statutes, in particular CRS 37-48-106 "Principal office - meetings", can be read to require Board meetings to be held in person at the District office, the Board of Directors specifically determines that to do so would be in violation of the Governor's orders; would place the public, the District employees and the Board at significant risk of contracting or spreading COVID - 19; and, would represent monumental bad judgement in the face of this pandemic.

5. The terms and conditions of this Resolution shall remain in effect until specifically withdrawn, in whole or in part, by the General Manager and subsequently confirmed by the Board of Directors. The General Managers decision shall be based upon the status of the orders of the Governor, Public Health orders from State or Local officials, and the risk that would be poised for the public and the District's employees.

6. If new or additional restrictions are imposed by State and local officials the General Manager is instructed to consult with the Board's President and the District's counsel and to take whatever actions are required to respond to the changed conditions.

DONE, this 13 day of April, 2020

Greg Higel, President

