

**SPECIAL MEETING OF THE BOARD OF MANAGERS  
OF SPECIAL IMPROVEMENT DISTRICT #5  
OF THE RIO GRANDE WATER CONSERVATION DISTRICT  
April 14, 2022 at 3:00 p.m.  
Rio Grande Water Conservation District Conference Room  
And by Zoom/Teleconference**

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

**Absent:** Corey Hill, Manager.

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

**Guests:** David Hofmann, Deb Sarason, Joann Ortega, Phillip Ortega, Jr, Willie Hoffner, William Myers, Steve Keller, Mirko Kruse, Darrel, Ryan Unterrainer, Hayden Strickland, Monica McCafferty, Dee Greeman.

**Meeting Called to Order**

President Schmittel called the meeting to order at 3:07 p.m. A quorum was present for the meeting.

**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. Willie Hoffner asked about the events that lead to the Subdistrict shut down last year. Chris Ivers explained the judicial review and where it could be found in the Groundwater Rules.

**Executive Session**

President Schmittel asked for a motion to enter into executive session to receive legal advice concerning the lease/purchase of real property. A motion was made by Dale Gerstberger to enter into executive session. The motion was seconded by Kit Caldon 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 the lease/purchase of real property. The Board would take no formal action or position during the executive session.

**Approval of the 2022 Annual Replacement Plan**

President Schmittel asked for approval of the 2022 Annual Replacement Plan (ARP). Chris Ivers reported the Subdistrict would be asking for a variance. Discussion was held on the groundwater allocation and when it would take effect. Pete Ampe explained why the Subdistrict would be asking for a variance rather than submitting an incomplete ARP. Willie Hoffner asked the Board of Managers if they were aware of the letter from the Saguache County Commissioners to Kevin Rein and if there was any ground in Subdistrict No. 5 outside of Saguache County. Dale Gerstberger highlighted the reduction in pumping last year.

A motion was made by Kit Caldon to file a one-week extension of the ARP deadline. The motion was seconded by Dale Gerstberger and unanimously approved.

**Other Director Reports/Comments/Questions**

President Schmittel asked for other director reports/comments/questions. Discussion was held on when the Subdistrict would be able to pump and if they were working on options in order to get the ARP approved.

**New Business**

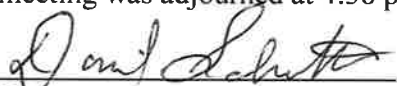
President Schmittel asked for new business. Hayden Strickland asked if the Subdistrict was involved in discussions with the Town of Saguache regarding leasing water.

**Next Meeting**

The annual meeting is scheduled for April 20, 2022.

**Adjournment**

The meeting was adjourned at 4:38 p.m.

  
President

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Vice-President/Secretary/Treasurer