

**SPECIAL MEETING OF THE BOARD OF MANAGERS
OF SPECIAL IMPROVEMENT DISTRICT #3
OF THE RIO GRANDE WATER CONSERVATION DISTRICT
January 14, 2019 at 6:00 p.m.
Rio Grande Water Conservation District Conference Room
Alamosa, Colorado 81101**

Present: LeRoy Salazar, President; Nathan Coombs, Vice-President/Secretary/Treasurer; Sam Vance, Manager; Jack Gilleland, Manager; Ruben Sandoval, Manager; Warren Crowther, Manager; and Armando Valdez, Ex-Officio Member.

Staff and Consultants: Pete Ampe, Attorney; Cleave Simpson, General Manager; Clinton Phillips, Davis Engineering; Amber Pacheco, Program Manager; Chris Ivers, Deputy Program Manager; and, April Mondragon, Administrative Assistant.

Guests: Deb Sarason, David Hofmann, Representative Donald Valdez (by telephone), Fred Velasquez, Kevin Jones, Pam Jones, Jimmy Dunn, Clayton Sowards, James Sowards, Wayne Quinlon, JC Gilleland, Dennis Moeller, Gary Sandoval, Leroy Martinez, Toby Willet, Virgil Ruybal, Pat Abeyta, Dwight Martin, Toni Aloia, Wayne Crowther, Ryan Unterreiner, Loren Mortensen, Charlie Mestas, Robert Ganler, Elliot Salazar, James Sowards, Clint Sowards, Tom Martinez, Chuck Finnegan

Meeting Called to Order

President Salazar called the meeting to order at 6:06 p.m. A quorum was present. The Pledge of Allegiance was recited.

Approval of Agenda

President Salazar asked for a motion to approve the agenda. A motion was made by Nathan Coombs to approve the Agenda. The motion was seconded by Sam Vance and unanimously approved.

Discussion on 2019 Forbearance Agreements

President Salazar asked for discussion regarding forbearance agreements. Pete Ampe provided the Board and audience an explanation of what a forbearance agreement is. Mr. Ampe stated a forbearance agreement was a voluntary agreement between a ditch company or canal company and a Subdistrict. Mr. Ampe said forbearance allows the subdistrict to pay money, or some other form of agreed upon payment, to a ditch or canal company instead of providing wet water to replace injurious depletions. Examples and different situations were discussed for a wet year, average year and a dry year. Nathan Coombs stated forbearance is paid according to the actual numbers and the Subdistrict does not have any authority over anyone's head gate. Mr. Coombs provided a general explanation of how the calculations would work. Pete Ampe added the Subdistrict staff reports the injuries and remedies to the Division of Water Resources monthly and replacement source and amount are tracked each day. Armando Valdez emphasized that when ditch companies indicate that wet water is wanted, it will be paid to the top of the reach and not the diversion. Mr. Coombs reported on potential water sources and where they could be purchased in the future. The Board took questions from audience members. President Salazar provided the average dollar amounts the ditch companies have been saying they are willing to forbear for.

Discussion on Contracting with the Bureau of Land Management

President Salazar asked for a discussion on contracting with the Bureau of Land Management. Amber Pacheco stated the BLM expressed interest in contracting with Subdistrict No. 3 and asked for the Board to think about how to create a contract with no dollars exchanged.

Banking Resolution

President Salazar asked for the banking resolution. Amber Pacheco asked the Board if they had a recommendation on a bank to deposit the Subdistrict's funds. Sam Vance suggested using Community Banks of the Rockies which is a bank in their county with local employees. Leroy Salazar read the proposed banking resolution into the record. A motion was made by Nathan Coombs to pass the banking resolution. The motion was seconded by Sam Vance and unanimously approved. A motion was made by Sam Vance to use Community Banks of the Rockies for the Subdistrict's banking needs. The motion was seconded by Nathan Coombs and unanimously approved. Banking signatories allowed by the banking resolution are: the General Manager of the Rio Grande Water Conservation District, Cleave Simpson; the Program Manager, Amber Pacheco; the Board President, LeRoy Salazar; and, the Vice-President/Secretary/Treasurer, Nathan Coombs.



New Business

President Salazar asked for new business. David Hofmann reported Division of Water Resources is working on a set of forbearance guidelines for the Conejos River. They will meet to discuss them with Subdistrict No. 3 Board Members once they are finalized. Armando Valdez stated he and Conejos County Director Dwight Martin have discussed switching positions as ex-officio members for SD #3 and Subdistrict No. 6. Armando Valdez would move to the Ex-Officio Member of Subdistrict No. 6 and Mr. Martin would move to Ex-Officio for Subdistrict No. 3. Mr. Valdez he and Dwight will be proposing the potential change at the next District meeting.

Executive Session

Pete Ampe read into record the statute which allows the Board to enter into executive session for the purpose of discussing the acquisition of real property. A motion was made by Armando Valdez to go into executive session. The motion was seconded by Nathan Coombs and unanimously approved.

Action on Executive Session Discussions

Pete Ampe stated the Board was in Executive Session and had voted to come out. Discussion was related to potential water purchases. A motion was made by Nathan Coombs to request Subdistrict No. 3 staff engage in hiring an appraiser. The motion was seconded by Armando Valdez and unanimously approved.

Jack Gilleland reported he would be resigning from the Board mid-March. Amber Pacheco stated she would review his term and the requirements in the rules for a board member vacancy. She will update the Board on what will need to happen to replace Jack once she has a chance to review the rules.

Next Meeting

A special meeting is scheduled for February 13, 2019, at 8:00 a.m. and the next quarterly meeting is scheduled for March 7, 2019, at 8:00 a.m.

Adjournment

The meeting was adjourned at 9:35 p.m.



President



Vice-President/Secretary/Treasurer

