

**SPECIAL MEETING OF THE BOARD OF MANAGERS
OF SPECIAL IMPROVEMENT DISTRICT #5
OF THE RIO GRANDE WATER CONSERVATION DISTRICT
March 23, 2021 at 5:00 p.m.
By Zoom/Teleconference**

Present: David Schmittel, President; George Whitten, Vice-President/Secretary/Treasurer; Corey Hill, Manager; Kit Caldon, Manager; Dale Gerstberger, Manager; and, Peggy Godfrey, Ex-Officio Member.

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

Guests: Cody Redden, Deb Sarason, David Hofmann, Chris Schaefer, Tim Lovato, C.J. Weis, Joann Ortega, Erica, Lynn Thompson, Stan Nielsen, Tyrell Mares, Ryan Unterreiner, Heather Ortega, Daryl Dinkla, Mike Dill, Joe Smesny, Monica McCafferty, and Everett Davey.

Meeting Called to Order

President Schmittel called the meeting to order at 5:04 p.m. A quorum was present.

Approval of the Agenda

President Schmittel added Tim Lovato discussion to the agenda and asked for approval of the agenda. A motion was made by Kit Caldon to approve the agenda as amended. The motion was seconded by George Whitten and unanimously approved.

Discussion on Different Ideas for Saguache Creek Remedies

President Schmittel asked for discussion on different ideas for Saguache Creek remedies. Chris Ivers updated the Board on the correspondence with the Colorado Cattlemen's Agricultural Land Trust regarding property with conservation easements and the 3 years out of 10 limit they placed on WIP agreements. Mr. Ivers presented a map of properties not under conservation easements.

Tim Lovato presented a map of his property, he reported he was attending the meeting as a water user and not a county commissioner. Mr. Lovato explained his plan of augmentation which is in progress and highlighted the water court proceedings. He further explained how the water flows on the Werner Arroyo and his idea to capture a portion of the water to get it back to Saguache Creek. Discussion was held on Mr. Lovato's proposal as well as if and how it could be accomplished. David Hofmann commented on the proposal and the number of questions and hurdles involved with the proposal but encouraged the Subdistrict to further investigate. President Schmittel reported on a drive along with Mr. Lovato and the poor conditions on Saguache Creek.

Clinton Phillips provided the limited information he has regarding the temporary pipe.

Executive Session

President Schmittel asked for a motion to enter into executive session to receive legal advice concerning the potential purchase of real property. A motion was made by George Whitten 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 discuss a potential purchase of real property. The Board would take no formal action or position during the executive session.

Direction for Staff

President Schmittel reported staff had received direction.

Next Meeting

A special meeting was scheduled for March 30, 2021 at 4:00 p.m. The annual meeting is scheduled for April 21, 2021.

Adjournment

The meeting was adjourned at 6:53 p.m.



President



Vice-President/Secretary/Treasurer