

**SPECIAL MEETING OF THE BOARD OF MANAGERS
OF SPECIAL IMPROVEMENT DISTRICT #5
OF THE RIO GRANDE WATER CONSERVATION DISTRICT
August 31, 2020 at 1:00 p.m.
By Zoom/Teleconference Only**

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

Absent: Corey Hill, Manager.

Staff and Consultants: Pete Ampe, Hill & Robbins, P.C.; Cleave Simpson, General Manager; Chris Ivers, Program Manager; Program Assistant; Allen Davey, Davis Engineering; Michael Carson, Data Base Administrator; and, April Mondragon, Administrative Assistant.

Guests: Deb Sarason, David Hofmann, Rebie Hazard, Tim Lovato, Calvin Coleman, William Myers, Tyrell Mares.

Meeting Called to Order

President Schmittle called the meeting to order at 1:11 p.m. A quorum was present.

Approval of the Agenda

President Schmittle asked for 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.

Discussion of Contract Fees

President Schmittle asked for discussion on contract fees. Chris Ivers stated the Board needed to come up with and approve a contract fee for the Rules and Regulations. He highlighted what the fee would cover and provided an example of what other Subdistricts are charging. Pete Ampe asked if there were any pending contracts and stated they would add contract fees as an agenda item for the next quarterly meeting.

Executive Session

President Schmittle asked for a motion to enter into executive session to receive legal advice regarding a potential real property purchase. A motion was made by Kit Caldon to enter into executive session. The motion was seconded by Dale Gerstberger and unanimously approved.

Mr. Ampe stated the Board was entering into executive session to discuss a potential real property purchase. The Board would take no formal action or position during the executive session.

Action on Executive Session Discussion

Pete Ampe stated the Board was in executive session and had voted to come out. Discussion was related to potential property purchases.

Direction for Staff

Direction was given to staff to move forward with what was discussed.

New Business

President Schmittle asked Peggy Godfrey to update the Board on a meeting she attended with the Englert's. Ms. Godfrey reported that Thad Englert is willing to do a presentation for the Board and share the findings from his studies. Ms. Godfrey highlighted Mr. Englert's suggestion regarding Subdistrict No. 5 possibly using Closed Basin Project water to pay depletions rather than purchasing Rio Grande water. George Whitten and Allen Davey commented on Mr. Englert's theories. Mr. Ivers reported the discussions of possibly using Closed Basin Project water to benefit the Subdistrict has been ongoing. Cleave Simpson explained that Mr. Englert's analysis was not a Glover analysis as well as how Mr. Englert's theory works. It was agreed that the Board would invite Thad Englert to present to the Board at the next quarterly meeting. George Whitten asked for a conversation on how the model calculates the wells on wet years vs. dry years. Allen Davey stated he and Chris Ivers would get together and run response functions on different scenarios. Mr. Ivers reported on the calls to the creek and provided the last year total irrigation injury. Mr. Davey expressed the importance of Well Injury Payment agreements.

President Schmittel asked the public for questions. Rebie Hazard asked if the public would be allowed to attend Thad Englert's presentation. Tim Lovato asked what portion of the numbers Chris Ivers gave on the recharge structure was wet water. Mr. Ivers explained how it was calculated. Discussion was held on the amount of water received last year and the water that ran through the recharge structure. Mr. Ivers explained the Subdistricts role and the Division of Water Resources role. Mr. Lovato asked how water from stage 5 of the Closed Basin Project could be used as replacement water for Subdistrict No. 5 pumping from the confined aquifer. Mr. Ampe explained that depletions were to the streams, so they were taking water from the unconfined aquifer to replace those depletions to streams.

Next Meeting

President Schmittel asked for the next meeting. A budget work session was scheduled for September 10, 2020 at 7:00 p.m. The next quarterly meeting is scheduled for October 21, 2020 at 1:00 p.m.

Adjournment

A motion was made by Dale Gerstberger to adjourn the meeting. The motion was seconded by Kit Caldon and unanimously approved.

The meeting was adjourned at 2:35 p.m.



President



Vice-President/Secretary/Treasurer