

**SPECIAL MEETING OF THE BOARD OF MANAGERS
OF SPECIAL IMPROVEMENT DISTRICT #1
OF THE RIO GRANDE WATER CONSERVATION DISTRICT
October 10, 2023 at 5:00 p.m.
8805 Independence Way, Alamosa CO 81101
And by Zoom/Teleconference**

Present: Jake Burris, President; Clay Mitchell, Vice President; Sheldon Rockey, Secretary/Treasurer; Tony Holcomb, BOM; Chris Miner, BOM; Miguel A. Diaz, BOM; James Cooley, BOM; and, Mike Kruse, Ex-Officio Member.

Absent: Jamie Hart, BOM; Brett Hemmerling, BOM; and, Michael Jones, BOM.

Staff and Consultants: Pete Ampe, Hill & Robbins P.C.; Amber Pacheco, Deputy General Manager; Taylor Chick, Program Manager; Linda Ramirez, Program Assistant; Wylie Keller, Water Resource Specialist; Rose Vanderpool, Program Assistant; Clinton Phillips, Davis Engineering; and April Mondragon, Administrative Assistant.

Guests: Steve Keller, Brian Rue, Peggy Godfrey, Deb Sarason, Greg Higel.

Meeting Called to Order

President Burris called the meeting to order at 5:02 p.m. A quorum was present, the Pledge of Allegiance was recited.

Approval of the Agenda

President Burris asked for changes, additions or a motion to approve the agenda. A motion was made by Miguel Diaz to approve the agenda as presented. The motion was seconded by Chris Miner and unanimously approved.

Public Comment

President Burris asked for public comment. There was none.

Discussion and Possible Action Items

President Burris asked for discussion and possible action items.

- Potential for bids that were accepted under our Well Purchase Program (WPP) to opt out and enter into the SB22-028 Program with the Subdistrict No. 1 Incentives

President Burris reported discussion would be held on the wells accepted in the Well Purchase Program that are compliant and could be transferred to the senate bill program. He asked the Board if they had interest in allowing the participants to opt out of the WPP and enter in to the senate bill program, include the incentives that were discussed at the last meeting and free up more of Subdistrict No. 1's budget. Pete Ampe reminded anyone with an accepted or pending well in the program would be a conflict of interest. Mike Kruse, Jake Burris and James Cooley reported they would address the Board as members of the public, and will recuse themselves. Clay Mitchell, Vice President, presided over the meeting. Taylor Chick presented a summary and the signed last pages of the contracts/received bids which were used for the ranking system. Mr. Chick asked Mr. Ampe to elaborate on the irrevocable clause of the contract. Mr. Ampe explained binding contracts can be changed if both parties agree. He further explained if the Board chooses to allow and both parties agree, the contracts to be revoked on the condition they are accepted into the SB22-028 program. He further explained any funds to return to the Subdistrict should be used for that program to show the funds were used to increase conservation. Mr. Chick asked the Board how to proceed with the four (4) WPP bids that were received and declined. He presented the monetary chart of qualifiers and provided the total SB22-028 price with the Subdistrict No. 1 incentives. Mr. Chick reported on the WPP to SB22-028 total amount of money that would go back to the WPP. Chris Ivers reported on an inconsistency. Mr. Ampe described the legal process in the event a participant should back out of the contract. Vice President Mitchell highlighted the point to retire as much groundwater pumping as possible, which the Subdistrict could do if they had access to additional funds. Sheldon Rockey suggested the Subdistrict start the program over and have individuals interested reapply. Mike Kruse asked if the budget funds would be applied to the bonus money this year. Mr. Chick reported the change could not be done. Discussion was held on whether or not left over funds could be carried over into the next year. Mr. Chick presented the 2023 WPP bid ranking on thirteen (13) wells. He highlighted the asking price, average diversion record, price per acre foot, number of acres, aquifer location and the total rank for each well. Tony Holcomb reported it would be unfair to make the wells that had already applied start over. Discussion was held on whether the Board would

have a quorum due to Mr. Holcomb being a potential participant in the WPP. Amber Pacheco cautioned the Board with the use of senate bill money. She highlighted the funds could not be a part of the Subdistrict budget. Mike Kruse asked about the conflict-of-interest policy in order to address the situation. Discussion was held on how to handle a vote without conflict. Taylor Chick was directed to contact Michael Jones and bring him update on the discussions held. Linda Ramirez was directed to contact the Board of Managers not present and bring them up to date on the discussions held. Another meeting would be set in the near future.

Board of Managers Open Discussion

President Burris asked for Board of Managers open discussion. There was none.

New Business

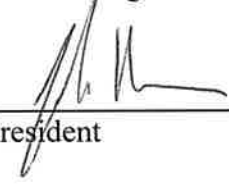
President Burris asked for new business. There was none.

Next Meeting

The next quarterly meeting is scheduled for December 5, 2023 at 1:30 p.m.

Adjournment

The meeting was adjourned at 5:49 p.m.



President



Secretary/Treasurer