

**SPECIAL MEETING OF THE BOARD OF MANAGERS
OF SPECIAL IMPROVEMENT DISTRICT #2 AND
SPECIAL IMPROVEMENT DISTRICT #6
OF THE RIO GRANDE WATER CONSERVATION DISTRICT
June 28, 2023, 4:00 p.m.
Rio Grande Water Conservation District Conference Room
Alamosa, CO 81101
And by Zoom/Teleconference**

Present Subdistrict No. 2 Board of Managers: Karla Shriver, President; Scot Schaefer, Secretary/Treasurer; Harold Stoeber, BOM; Michael Schaefer, BOM; Gerald Ziegler, BOM; and, Mark Deacon, BOM.

Present Subdistrict No. 6 Board of Managers: Tyler Faucette, President; Virgil Valdez, Vice-President; Ronald Reinhardt, Secretary/Treasurer; Mario Curto, Manager; Rodney Reinhardt, Manager; Gerald; Faucette, Manager; Peter Clark, Manager; Kenneth Reynolds, Manager; Austin Miller, Manager; Robert Middlemist, Manager; and, Armando Valdez, Ex-Officio Member.

Absent: Eric Hinton, Vice-President; and, Greg Higel, Ex-Officio.

Staff and Consultants: Pete Ampe, and Matt Montgomery, Hill & Robbins P.C.; Amber Pacheco, Deputy General Manager; Rose Vanderpool, Program Assistant; and, April Mondragon, Administrative Assistant.

Guests: Michelle Lanzoni.

Meeting Called to Order

President Shriver presided over the meeting. She called the meeting to order at 4:06 p.m. A quorum was present. The Pledge of Allegiance was recited.

Approval of the Agenda

President Shriver asked for changes or a motion to approve the agenda. A motion was made by Mark Deacon to approve the agenda as presented. The motion was seconded by Gerald Ziegler and unanimously approved.

Public Comment

President Shriver asked for public comment. There was none.

Executive Session to Receive Legal Advice Concerning the Lease/Purchase of Real Property

President Shriver asked for a motion to enter into executive session to receive legal advice concerning the lease/purchase of real property. A motion was made to enter into executive session. The motion was seconded 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.

Possible Action from Executive Session-Subdistrict No. 2

President Shriver asked for possible action from executive session.

A motion was made by Michael Schaefer to approve the Memorandum of Understanding between Subdistrict No. 2 and Subdistrict No. 6 for the purpose of purchasing real property for ten (10) years at zero (0) percent. The motion was seconded by Scot Schaefer, Mark Deacon abstained, the motion passed.

A motion was made by Scot Schaefer to move forward with the purchase agreement contract with Rocky Mountain High Development to purchase water rights. The motion was seconded by Gerald Ziegler, Mark Deacon abstained, the motion passed.

A motion was made by Harold Stoeber to approve Subdistrict No. 2's portion of the dry up purchase agreement with Mark Deacon. The motion was seconded by Michael Schaefer, Mark Deacon abstained, the motion passed.

A motion was made by Scot Schaefer to direct staff to draft an agreement for buy back for the purchase of Subdistrict No. 2's portion of the agreement that Mark Deacon has conceptually agreed to. The motion was seconded by Harold Stoeber, Mark Deacon abstained, the motion passed.

Possible Action from Executive Session-Subdistrict No. 6

President Faucette asked for possible action from executive session.

A motion was made to enter into the contract with Rocky Mountain High Development LLC to purchase water rights. The motion was seconded and unanimously approved.

A motion was made to approve the Memorandum of Understanding (MOU) between Subdistrict No. 6 and Subdistrict No. 2 to split the benefits of the said purchase and all of the agreements that come with the MOU. The motion was seconded and unanimously approved.

A motion was made to approve the dry up covenant with Mark Deacon who has agreed to in concept that would be for half of the percentage of the said purchase of water rights. The motion was seconded and unanimously approved.

A motion was made to direct legal staff to draft a contract that Mark Deacon has agreed to in concept to purchase back the water right from Rocky Mountain High Development, LLC if certain conditions occur. The motion was seconded and unanimously approved.

Direction for Staff

President Shriver asked for direction for Staff. There was none.

Adjournment

A motion was made to adjourn the meeting. The motion was seconded and unanimously approved.

The meeting was adjourned at 5:38 p.m.



President

Secretary/Treasurer