



KERN BOARD REGULAR MEETING

September 28, 2015

Immediately before the Regular Town Board Meeting

Town Board Chambers

301 Walnut Street, Windsor, CO 8055

The Town of Windsor will make reasonable accommodations for access to Town services, programs, and activities and will make special communication arrangements for persons with disabilities. Please call (970) 674-2400 by noon on the Thursday prior to the meeting to make arrangements.

MINUTES

1. Call to Order

President Vazquez called the meeting to order at 6:00 pm.

2. Roll Call of Directors Present

President John Vazquez
Myles Baker arrived at 6:04 p.m.
Robert Bishop-Cotner
Ivan Adams
Secretary/Treasurer Christian Morgan
Jeremy Rose
Vice President Kristie Melendez

Absent

Also Present:	Town Attorney	Ian McCargar
	Town Clerk/Assistant to Town Manager	Patti Garcia
	Parks/Open Space Manager	Wade Willis
	Director of Planning	Scott Ballstadt
	Associate Planner	Paul Hornbeck
	Director of Finance	Dean Moyer
	Deputy Town Clerk	Krystal Eucker

3. Approval of Minutes of July 13, 2015 Board of Directors Meeting – K. Eucker
Board Member Bishop Cotner motioned to approve the minutes as presented; Board Member Adams seconded the motion. Roll call on the vote resulted as follows: Yeas-Rose, Morgan, Bishop-Cotner, Adams, Vazquez; Nays – None. Motion passed.

4. Approval of Bills – D. Moyer

Director of Finance Dean Moyer provided an overview of the bills within the Kern Board packet.

Mr. Vazquez inquired as to what the consulting fees are to Clear Water Solutions.
Mr. Moyer stated they are associated with the water rights that we own.

Mr. Vazquez inquired if it is management of existing water rights.
Mr. Moyer stated that is correct.

Board Member Bishop- Cotner motioned to approve the bills as presented; Board Member Morgan seconded the motion. Roll call on the vote resulted as follows: Yeas –Rose, Morgan, Bishop-Cotner, Adams, Vazquez; Nays – None. Motioned passed.

Board Member Baker joined the meeting.

5. Water Court Filing, New Cache Shares – K. Arnold/ Ian McCargar

Town Attorney Ian McCargar provided a summary of a memorandum provided to the Kern Board from Lawrence, Jones, Custer and Grasmick LLC. Mr. Grasmick recommends starting the process to change the use of eight shares of New Cache La Poudre Irrigation Company stock that the Kern Reservoir and Ditch Company own. Mr. Grasmick is recommending starting the process for changing those shares so they can go from irrigation to other purposes such as municipal, industrial and recreation. The process starts with getting approval from New Cache La Poudre Irrigation Company Board of Directors or referred to as the Catlin approval. Once that approval is received, the change can be filed in district court. Mr. Grasmick would like to do that in 2016 and is recommending the change to add flexibility to the Kern Reservoir water portfolio and to enable use in conjunction not only with Kern Reservoir, but perhaps with the Town owned Kyger Reservoir.

Mr. Vazquez inquired as to why go through change in case.

Mr. McCargar stated augmentation in this setting is a distinct use over irrigation.

The goal is to gain as much flexibility as possible with from the eight shares.

Another benefit of going through the proves to change the use of the shares is that if new shares are added to that decree and get a change of use, it is a lot easier.

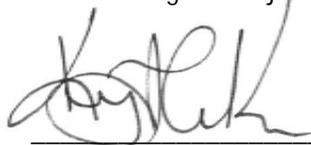
Board Member Baker motioned to Authorize Council to Move Forward with the Change of Use on Eight Shares of New Cache La Poudre; Board Member Bishop-Cotner seconded the motion. Roll call on the vote resulted as follows: Yeas – Baker, Rose, Morgan, Bishop-Cotner, Adams, Vazquez; Nays – None. Motioned passed.

6. Communications
None

7. Adjourn

Board Member Bishop-Cotner motioned to adjourn; Board Member Morgan seconded the motion. Roll call on vote resulted as follows: Yeas – Baker, Rose, Morgan, Bishop-Cotner, Adams, Vazquez; Nays – None. Motioned passed.

The meeting was adjourned at 6:09 p.m.



Krystal Eucker, Deputy Town Clerk