



## KERN BOARD REGULAR MEETING

June 11, 2016 – 6:30 p.m. or immediately following the regular 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.

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### MINUTES

1. Call to Order  
President Melendez called the meeting to order at 8:27 p.m.
  
2. Roll Call of Directors Present  

	President Kristie Melendez
	Vice President Myles Baker
	Christian Morgan
	Ken Bennett
	Secretary/Treasurer Paul Rennemeyer
	Brenden Boudreau
	Ivan Adams

Also Present:	Town Manager	Kelly Arnold
	Town Attorney	Ian McCargar
	Town Clerk/Assistant to Town Manager	Patti Garcia
	Communications/Assistant to Town Manager	Kelly Unger
	Manager of Communications	Katie VanMeter
	Deputy Town Clerk	Krystal Eucker
  
3. Approval of Minutes of May 9, 2016 Board of Directors Meeting – K. Eucker  
**Board Member Rennemeyer motioned to approve the minutes as presented; Board Member Adams seconded the motion. Roll call on the vote resulted as follows: Yeas-Baker, Morgan, Rennemeyer, Boudreau, Adams, Melendez; Nays – None. Motion passed.**
  
4. Approval of Bills – D. Moyer  
**Board Member Morgan motioned to approve the bills as presented; Board Member Adams seconded the motion. Roll call on the vote resulted as follows: Yeas-Baker, Morgan, Rennemeyer, Boudreau, Adams, Melendez; Nays – None. Motion passed.**
  
5. Resolution 2016-KB02 - A Resolution Approving the 2016 Revision to the Kern Reservoir and Ditch Company Bylaws – I. McCargar

Per Ms. McCargar there has been no evidence provided to show official adoption of the

Kern Reservoir and Ditch Company bylaws in 2011. In order to assure clear Board governance, it is recommended formal adoption of the bylaws at this time.

The bylaws are fairly standard except for the recognition of the Town of Windsor's acquisition of all 100 shares of Kern Reservoir and Ditch Company.

**Board Member Adams motioned to approve Resolution No. 2016-KB02; Board Member Baker seconded the motion. Roll call on the vote resulted as follows: Yeas- Baker, Morgan, Rennemeyer, Boudreau, Adams, Melendez; Nays – None. Motion passed.**

6. Resolution 2016-KB03 - A Resolution Approving the 2016 Kern Reservoir Operating Agreement Between the Kern Reservoir and Ditch Company and New Cache La Poudre Irrigating Company – I. McCargar

Per Mr. McCargar the operation agreement being presented is a result of lengthy negotiations with New Cache Irrigating Company. Numerous Town staff was involved in the negotiation as well as general counsel for Kern.

The agreement is a historic agreement as it updates a series of agreements that began in 1934; bringing the agreement up to date. An important operational complement would be how the Rubicon Gate is managed which is the device that controls the amount of water that flows out of the reservoir; New Cache Irrigation Company is primarily responsible for the operation of the gate to serve it's downstream customers with the understanding that the lake is also an amenity for Boardwalk Park and part of the Town of Windsor's storm water plan.

The Kern general counsel has recommended the Town have a specific agreement regarding carriage rights for the Kern's junior water right; the agreement assures that the junior right can be carried through the canal from the river into the reservoir.

The target lake level is stated in the agreement which allows the Town to maintain the amenity of the lake for Boardwalk Park but also assure water can get out of the lake in the event of a storm water event but also assuring New Cache customers the irrigation water they need.

Ms. Melendez inquired about the equal sharing of costs and how is that determined if there are issues that arise.

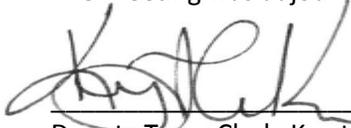
Mr. McCargar stated New Cache has a superintendent who is very much involved in operations; the superintendent will know when repairs or maintenance is needed and will consult with Town staff on the cost sharing. Costs that serve only the interest of the New Cache customers will be at the expense of New Cache.

**Board Member Rennemeyer motioned to approve Resolution No. 2016-KB03; Board Member Adams seconded the motion. Roll call on the vote resulted as follows: Yeas-Baker, Morgan, Rennemeyer, Boudreau, Adams, Melendez; Nays – None. Motion passed.**

7. Communications  
None

8. Adjourn  
**Board Member Boudreau motioned to adjourn; Board Member Morgan seconded the motion. Roll call on the vote resulted as follows: Yeas-Baker, Morgan, Rennemeyer, Boudreau, Adams, Melendez; Nays – None. Motion passed.**

The Meeting was adjourned at 8: p.m.



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Deputy Town Clerk, Krystal Eucker