



KERN BOARD REGULAR MEETING

January 14, 2019 - 6:45 PM or following the Town Board Regular Meeting
Town Board Chambers 301 Walnut Street Windsor, CO 80550

MINUTES

1. Call to Order

President Melendez called the meeting to order at 6:54 p.m.

2. Roll Call of Directors Present

President Kristie Melendez
Vice President Ken Bennett
Myles Baker
Barry Wilson
Secretary/Treasurer Paul Rennemeyer
Tom Jones
David Sislowski

Also Present:

Shane Hale, Town Manager
Ian McCargar, Town Attorney,
Kim Emil, Assistant Town Attorney
Rick Klimek, Chief of Police
Dean Moyer, Director of Finance
John Thornhill, Water Resource Manager
Krystal Eucker, Town Clerk

3. Approval of November 26, 2018 Board of Directors Meeting Minutes - K. Eucker

Secretary/Treasurer Rennemeyer moved to approve the minutes as presented, Board Member Wilson seconded the motion. Roll Call on the vote resulted as follows; Yeas - Baker, Bennett, Jones, Melendez, Rennemeyer, Sislowski, Wilson; Motion Passed.

4. Resolution No. 2019-KB01 - A Resolution Approving the Carriage Agreement Between the Kern Board Reservoir and Ditch Company and Diamond Valley, LLC.

- John Thornhill, Water Resource Manager

Per Mr. Thornhill, in September of 2018, the Kern Board approved the Kern Excess Capacity Policy and Agreement as to form. This policy reserves the first use of the capacity for delivery of Kern Reservoir water to its shareholders. Any excess capacity in the system above the shareholders demand can be made available to other users. The Town Board, at its December 10th meeting, approved a transfer of water rights to Diamond Valley, LLC as previously agreed in the First Amended Altergott Annexation Agreement. The agreement transferred one-half (1/2) of the water rights originally conveyed by the Annexor to the Town. Diamond Valley has requested that the water right (1 cfs) be delivered to an alternate location from the historical water right. This Carriage Agreement outlines the operating protocols so that Diamond Valley water rights can be delivered by Kern via other laterals to be used on Diamond Valley lands. Diamond Valley can carry a maximum of 1 cfs per day during the irrigation season (April 15 to October 31), not to exceed 240 acre-feet in any year.

Mr. Rennemeyer inquired if this is a renewal of the carriage agreement from last year.
Mr. Thornhill stated the carriage agreement was in the development states last year and this is the first being being presented.

Mr. Sislowski inquired as to how often will this agreement come into play.
Mr. Thornhill stated there are times when it fluctuates because of the way the system is designed. Chimney Park is below the reservoir so sometimes in the middle of summer when the parks are pulling hard, it is hard for Windsor to deliver that one cfs over the course of that day but then that water can be made up through the month.

Board Member Sislowski moved to approve Resolution No. 2019-KB-01, Secretary/Treasurer Rennemeyer seconded the motion. Roll Call on the vote resulted as follows; Yeas - Baker, Bennett, Jones, Melendez, Rennemeyer, Sislowski, Wilson; Motion Passed.

5. Kern Superintendent Discussion

Per Mr. Thornhill, as part of the Kern Bylaws, employees can be hired to help run the system; one being the secretary and one being the superintendent. The previous superintendent was the previous Town Manager and once he left his position, the Kern Board temporary assigned that role to Dennis Wagner until the new Town Manager was on board.

The superintendent shall manage the Reservoir, ditches and real property under corporation and attend to the distribution of waters to those entitled thereto and also be knowledgeable concerning stockholders and various contracts that pertain to the operation of the reservoir and ditches. It is at the discretion of the Board if they wish to continue with Mr. Wagner in that position, appoint Mr. Hale or Mr. Thornhill.

Secretary/Treasurer Rennemeyer moved to appoint Mr. Thornhill as the Kern Reservoir and Ditch Company Superintendent, Vice President Bennett seconded the motion. Roll Call on the vote resulted as follows; Yeas - Baker, Bennett, Jones, Melendez, Rennemeyer, Sislowski, Wilson; Motion Passed.

6. Report of Bills

Mr. Moyer provided an overview of the report of bills that was included in packet material.

Secretary/Treasurer Rennemeyer moved to approve the report of bills, Board Member Jones seconded the motion. Roll Call on the vote resulted as follows; Yeas - Baker, Bennett, Jones, Melendez, Rennemeyer, Sislowski, Wilson; Motion Passed.

7. Adjourn

Secretary/Treasurer Rennemeyer moved to adjourn, Board Member Baker seconded the motion. Roll Call on the vote resulted as follows; Yeas - Baker, Bennett, Jones, Melendez, Rennemeyer, Sislowski, Wilson; Motion Passed.



Krystal Eucker, Town Clerk