



KERN BOARD REGULAR MEETING

September 9, 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 6:56 p.m.

2. Roll Call of Directors Present

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

Also Present:

Shane Hale, Town Manager
Ian McCargar, Town Attorney
Dean Moyer, Director of Finance
John Thornhill, Water Resource Manager
Kim Emil, Assistant Town Attorney/Town Prosecutor
Eric Lucas, Director of Parks, Recreation and Culture
Rick Klimek, Chief of Police
Krystal Eucker, Town Clerk

3. Approval of the July 8, 2019 Board of Directors Meeting Minutes - K. Eucker

Secretary/Treasurer Rennemeyer moved to approve the minutes of the July 8, 2019 Board of Directors meeting, Board Member Wilson seconded the motion. Roll Call on the vote resulted as follows; Yeas - Baker, Jones, Melendez, Rennemeyer, Sislowski, Wilson; Motion Passed.

4. Resolution KB 03, A Resolution Approving the Second Amended Carriage Agreement Between the Kern Reservoir and Ditch Company and Diamond Valley, LLC

- Staff presentation: Ian D. McCargar, Windsor Town Attorney

Per Mr. McCargar, in order to facilitate a lender transaction for the benefit of Diamond Valley, LLC, we have been asked to approve a collateral assignment of the Amended Agreement dated May 30, 2019. We have negotiated additional language to protect the Kern's interests in this collateral transaction into the Indemnification clause found in Section 7. Specifically, we have added indemnification language in favor of the Kern in the event there are any claims that arise in the context of the lender stepping into the shoes of Diamond Valley, LLC. The former language did not contemplate nor cover such an event.

Secretary/Treasurer Rennemeyer moved to approve Resolution 2019-KB03, Board Member Jones seconded the motion. Roll Call on the vote resulted as follows; Yeas - Baker, Jones, Melendez, Rennemeyer, Sislowski, Wilson; Motion Passed.

5. Report of Bills - July 1, 2019 through August 31, 2019

Mr. Moyer gave an overview of the list of bills included in packet material.

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

6. Adjourn

Secretary/Treasurer Rennemeyer moved to adjourn, Board Member Jones 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