



KERN BOARD REGULAR MEETING

July 20, 2020 - 5:00 PM or following the Town Board Regular Meeting
Town Board Chambers, 301 Walnut Street, Windsor, CO 80550

MINUTES

1. Call to Order

President Rennemeyer called the meeting to order at 3:50 p.m.

2. Roll Call

President Paul Rennemeyer
Vice President Ken Bennett
Scott Charpentier
Barry Wilson
Julie Cline
Victor Tallon
David Sislowksi - Secretary

Also Present:

Shane Hale, Town Manager
Ian McCargar, Town Attorney
Dean Moyer, Director of Finance
Jess Humphries, Administrative Services Director
John Thornhill, Community Development Director
Leif Lesoing, Water Resource Administrator
Brad Grasmick, General Council to Kern Board
McKenzie Paine, Visual Media Coordinator

3. Resolution No. KB2020-02 -- A Resolution Approving the Assignment of the Diamond Valley Amended Carriage Agreement to the Raindance Metropolitan District No. 1 - - Ian D. McCargar, Town Attorney

Per Mr. McCargar, the Diamond Valley LLC general council has asked the Kern Board to consent to an assignment of the carriage agreement that the Board has with Diamond Valley LLC to the Raindance Metropolitan District that is part of a transaction that is being undertaken to ensure that the Raindance Metro District has what it needs in terms of water. The water rights are also being assigned and at that point, Raindance will have the water rights plus the right to carry that right under our system under the carriage agreement. Mr. McCargar stated that he doesn't see any problem with the agreement that the Board has with them and it authorized consent to the agreement. Mr. McCargar stated that he recommends the consent for the assignment.

Secretary Sislowksi stated that when he looks through the agreement and the association with Diamond Valley, the carriage agreement maps out how this particular water right will transit the Kern system and make its way to Diamond Valley and that is on the East side of town. Secretary Sislowksi asked if they are assigning the carriage agreement which allows the assignee now to use the current system to carry the water, how does it get to Raindance and will there be a new map? Mr. McCargar responded that the deed under which the Board transferred the one cfs to Diamond Valley LLC contains a point of delivery that will work for Raindance. When negotiating that deed, it was made certain that the point of delivery was acceptable to the Raindance developer. Mr. McCargar stated that to the extent it is carried in

the system, it can be carried under the carriage agreement and will be delivered to that point and then it is up to them to get it to where it needs to go.

Board Member Cline moved to approve Resolution No. KB2020-02, Board Member Tallon seconded the motion. Roll Call on the vote resulted as follows; Yeas - Bennett, Charpentier, Rennemeyer, Sislowski, Tallon, Wilson; Motion Passed.

4. Report of Bills

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

Board Member Sislowski moved to bills as submitted be approved, Board Member Tallon seconded the motion. Roll Call on the vote resulted as follows; Yeas - Bennett, Charpentier, Rennemeyer, Sislowski, Tallon, Wilson; Motion Passed.

5. Introduction of Kern General Counsel, Presentation - - Brad Grasmick
Information item

Per Mr. McCargar, Brad was asked to come tonight to introduce himself and his firm to the new Board members, but also give an update to the work he has been doing for both the Kern and the Town of Windsor.

Brad Grasmick presented to the Board about what the Kern Reservoir and Ditch Company encompasses and the augmentation plan.

6. Adjourn

Upon a motion duly made, the meeting was adjourned at 4:26 p.m.

Board Member Wilson moved to Motion, Secretary Sislowski seconded the motion. Roll call on the vote resulted as follows; Yeas - Bennett, Charpentier, Cline, Rennemeyer, Sislowski, Tallon, Wilson; Motion Passed.



Karen Frawley, Town Clerk