



## **KERN BOARD REGULAR MEETING**

January 9, 2017 – 6:45 p.m. or 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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### **AGENDA**

1. Call to Order
2. Roll Call of Directors Present
3. Approval of Minutes of November 14, 2016 Board of Directors Meeting – K. Eucker
4. Approval of Bills – D. Moyer
5. Communications
6. Adjourn



None

6. Adjourn

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

The Meeting was adjourned at 9:00 p.m.

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Deputy Town Clerk, Krystal Eucker



TOWN OF WINDSOR  
301 WALNUT STREET  
WINDSOR, CO 80550  
WWW.WINDSORGOV.COM  
(970) 674-2400  
MON-FRI 8AM TO 5PM

**KERN REPORT OF BILLS  
NOVEMBER 1, 2016 THRU DECEMBER 31, 2016**

Account Number	Vendor	Description	GL Date	Check No	Amount
01-418-6253-605	LAWRENCE JONES CUSTER GRASMICK	AUG PLAN 02CW301	12/02/2016	78896	50.00
01-418-6253-605	LAWRENCE JONES CUSTER GRASMICK	05CW226	12/02/2016	78896	150.00
01-418-6253-605	LAWRENCE JONES CUSTER GRASMICK	05CW226	12/02/2016	78896	950.00
01-418-6253-605	LAWRENCE JONES CUSTER GRASMICK	05CW226	12/22/2016	79162	325.00
01-418-6253-605	LAWRENCE JONES CUSTER GRASMICK	AUG PLAN 02CW301	12/22/2016	79162	232.50
Vendor Subtotal for Department:418					1,707.50
Subtotal for Fund: 01					1,707.50
06-484-6246-605	GLATFELTER PUBLIC PRACTICE	KERN LIABILITY INSURANCE	12/02/2016	78911	2,288.00
Vendor Subtotal for Department:484					2,288.00
06-484-6253-605	WHITNEY IRRIGATION COMPANY	DITCH MANAGEMENT	11/04/2016	78622	2,085.00
Vendor Subtotal for Department:484					2,085.00
06-484-6253-605	CLEAR WATER SOLUTIONS INC	KERN GENERAL WATER	11/10/2016	78734	92.50
06-484-6253-605	CLEAR WATER SOLUTIONS INC	KERM / WCSD RE4 AUGMENTATION PLAN	11/10/2016	78734	2,295.00
Vendor Subtotal for Department:484					2,387.50
06-484-6260-605	XCEL ENERGY	UTILITIES	11/10/2016	78701	62.85
06-484-6260-605	XCEL ENERGY	UTILITIES	12/16/2016	79030	62.99
Vendor Subtotal for Department:484					125.84
Subtotal for Fund: 06					6,886.34
Report Total					<u><u>\$8,593.84</u></u>



**LAWRENCE JONES CUSTER GRASMICK LLP**

Attorneys at Law  
5245 Ronald Reagan Blvd., Suite 1  
Johnstown, CO 80534

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*Invoice submitted to:*  
Kern Reservoir and Ditch Company  
301 Walnut Street  
Windsor, CO 80550

November 7, 2016

*In Reference To* Aug Plan 02CW301

*Invoice #*49437

Professional Services

	<u>Hours</u>	<u>Amount</u>
9/20/2016 BG    Review approval of notice of use for Kyger Reservoir within Kern augmentation plan and instruct Autumn to provide same to Town	0.20	50.00
<b>For professional services rendered</b>	<u>0.20</u>	<u>\$50.00</u>
<b>Previous balance</b>		<b>\$288.50</b>
9/30/2016 Payment - thank you Check No 78194		(\$288.50)
<b>Total payments and adjustments</b>		<u>(\$288.50)</u>
<b>Balance due</b>		<u><u>\$50.00</u></u>

**PLEASE MAKE CHECKS PAYABLE TO LAWRENCE JONES CUSTER GRASMICK LLP.**

**PLEASE NOTE THE NEW TELEPHONE NUMBER (970)822-8181.**

**DUE UPON RECEIPT 1.5% PER MONTH INTEREST CHARGED ON ALL PAST DUE BILLS REFLECTS ONLY PAYMENTS AND CHARGES THROUGH ABOVE DATE**



301 Walnut Street  
 Windsor, CO 80550  
 Office 970-674-2400  
 Fax 970-674-2456



Vendor #	106424
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## PAYMENT REQUEST

<b>INVOICE NUMBER:</b> 49438	Notes:
<b>VENDOR:</b> Lawrence Jones Custer Grasmick LLP	
<b>DBA:</b>	
(IF OTHER THAN VENDOR)	<b>KRDC EXPENSE</b>
<b>Address:</b> 5245 Ronald Reagan Blvd., Ste 1 Johnstown, CO 80534	
<b>Phone:</b> 970-622-8181	
<b>Fax:</b>	
<b>Email:</b>	

INVOICE DATE	PROCESSED BY	SUPERVISOR APPROVAL	DEPT. HEAD APPROVAL
11/08/16	Jess Scheopner		

BUDGET LINE ITEM					
FUND	DEPT.	FUNCTION	PROJECT	DESCRIPTION	TOTAL
01	418	6253	605	05CW226	\$ 150.00
<b>TOTAL</b>					<b>\$ 150.00</b>

**LAWRENCE JONES CUSTER GRASMICK LLP**

Attorneys at Law  
5245 Ronald Reagan Blvd., Suite 1  
Johnstown, CO 80534

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*Invoice submitted to:*  
Kern Reservoir and Ditch Company  
301 Walnut Street  
Windsor, CO 80550

November 7, 2016

*In Reference To* 05CW226

*Invoice #*49438

Professional Services

	<u>Hours</u>	<u>Amount</u>
9/9/2016 BG Participate in telephone status conference with parties and Court, Telephone conference with Ian regarding update on Court's instructions to FRE and how same relates to our agreement	0.60	150.00
<b>For professional services rendered</b>	<b>0.60</b>	<b>\$150.00</b>
<b>Previous balance</b>		<b>\$275.00</b>
9/30/2016 Payment - thank you Check No 78194		(\$275.00)
<b>Total payments and adjustments</b>		<b>(\$275.00)</b>
 Balance due		 <b>\$150.00</b>

**PLEASE MAKE CHECKS PAYABLE TO LAWRENCE JONES CUSTER GRASMICK LLP.**

**PLEASE NOTE THE NEW TELEPHONE NUMBER (970)622-8181.**

**DUE UPON RECEIPT 1.5% PER MONTH INTEREST CHARGED ON ALL PAST DUE BILLS REFLECTS ONLY  
PAYMENTS AND CHARGES THROUGH ABOVE DATE**



**LAWRENCE JONES CUSTER GRASMICK LLP**

Attorneys at Law  
5245 Ronald Reagan Blvd., Suite 1  
Johnstown, CO 80534

*Invoice submitted to:*  
Kern Reservoir and Ditch Company  
301 Walnut Street  
Windsor, CO 80550

November 8, 2016

*In Reference To:* 05CW226

*Invoice #*49443

Professional Services

	<u>Hours</u>	<u>Amount</u>
10/3/2016 BG    Review emails from Zach and Ian on Agreement.	0 20	50.00
10/4/2016 BG    Email correspondence with Ian regarding issues with Zach's changes to agreement; Draft response email to Zach Miller.	0 90	225.00
10/17/2016 BG    Review emails from Ian and Zach; review Zach's attachments and respond to Ian.	0 40	100.00
10/21/2016 BG    Telephone conference with Ian on FRE amendment issues, Draft lengthy email to Zach regarding same; Email Kelly regarding status	1 80	450.00
10/24/2016 BG    Review email from Zach, Search file for decrees with municipal water lease information and respond to Zach and send copies of decrees to him	0 50	125.00
<b>For professional services rendered</b>	<b>3.80</b>	<b>\$950.00</b>
<b>Previous balance</b>		<b>\$150.00</b>
<b>Balance due</b>		<b>\$1,100.00</b>

**PLEASE MAKE CHECKS PAYABLE TO LAWRENCE JONES CUSTER GRASMICK LLP.**

**PLEASE NOTE THE NEW TELEPHONE NUMBER (970)622-8181.**

(970)622-8181



**LAWRENCE JONES CUSTER GRASMICK LLP**

Attorneys at Law  
5245 Ronald Reagan Blvd., Suite 1  
Johnstown, CO 80534

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Invoice submitted to:  
Kern Reservoir and Ditch Company ✓  
301 Walnut Street  
Windsor, CO 80550

December 6, 2016

In Reference To:05CW226

Invoice #49602

Professional Services

	<u>Hours</u>	<u>Amount</u>
11/1/2016 BG Participate in status conference; Discuss finalizing agreements for Board approval with Ian.	0 80	200.00
11/3/2016 BG Telephone conference with Ian; Email Zach regarding finalizing agreement for approval and signature by Town Board. Review and approve Zach's corrections to agreement.	0 40	100.00
11/15/2016 BG Review emails from Ian and Zach regarding FRE Lease Amendment approval	0 10	25.00
<b>For professional services rendered</b>	<u>1.30</u>	<u>\$325.00</u>
<b>Previous balance</b>		<b>\$1,100.00</b>
11/30/2016 Payment - thank you Check No 78896		(\$1,100.00)
<b>Total payments and adjustments</b>		<b>(\$1,100.00)</b>
<b>Balance due</b>		<u><u>\$325.00</u></u>

**PLEASE MAKE CHECKS PAYABLE TO LAWRENCE JONES CUSTER GRASMICK LLP.**

**PLEASE NOTE THE NEW TELEPHONE NUMBER (970)622-8181.**

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(970)622-8181



301 Walnut Street  
 Windsor, CO 80550  
 Office 970-674-2400  
 Fax 970-674-2456



Vendor # 106424

# PAYMENT REQUEST

INVOICE NUMBER: ~~49437~~ 49600 Notes:

VENDOR: Lawrence Jones Custer Grasmick LLP

POBA: (IF OTHER THAN VENDOR) KRDC EXPENSE

Address: 5245 Ronald Reagan Blvd., Ste 1  
 Johnstown, CO 80534

Phone: 970-622-8181

Fax:

Email:

INVOICE DATE	PROCESSED BY	SUPERVISOR APPROVAL	DEPT. HEAD APPROVAL
12/06/16	Jess Scheopner		

BUDGET LINE ITEM				DESCRIPTION	TOTAL
FUND	DEPT.	FUNCTION	PROJECT		
01	418	6253	605	AUG Plan 02CW301	232.50
TOTAL					232.50

**LAWRENCE JONES CUSTER GRASMICK LLP**

Attorneys at Law  
5245 Ronald Reagan Blvd., Suite 1  
Johnstown, CO 80534

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Invoice submitted to:  
Kern Reservoir and Ditch Company ✓  
301 Walnut Street  
Windsor, CO 80550

December 6, 2016

In Reference To: Aug Plan 02CW301

Invoice #49600

Professional Services

	<u>Hours</u>	<u>Amount</u>
11/7/2016 BG Review dry up report from Rachel	0.20	50.00
11/23/2016 WK Drafted Application to adjudicate wells and add them into Kern Aug plan	0.70	119.00
11/28/2016 BG Review water court application to add wells to augmentation plan and to decree water rights and approve same	0.20	50.00
<b>For professional services rendered</b>	<b>1.10</b>	<b>\$219.00</b>
Additional Charges		
11/9/2016 ICCES Filing Fees Notice of Annual Dry-Up		13.50
<b>Total costs</b>		<b>\$13.50</b>
<b>Total amount of this bill</b>		<b>\$232.50</b>
<b>Previous balance</b>		<b>\$50.00</b>
11/30/2016 Payment - thank you. Check No 78898		(\$50.00)
<b>Total payments and adjustments</b>		<b>(\$50.00)</b>
<b>Balance due</b>		<b>\$232.50</b>



301 Walnut Street  
 Windsor, CO 80550  
 Office 970-674-2400  
 Fax 970-674-2456



Finance Department  
 Vendor # 107405  
 Obligation #

## PAYMENT REQUEST

<b>INVOICE NUMBER: 183349111</b>	<b>Notes:</b>
<b>VENDOR: Glatfelter Public Practice</b>	
<b>DBA:</b> (IF OTHER THAN VENDOR)	
<b>Address: c/o M&amp;T Bank</b> PO Box 64904 Baltimore, MD 21264-4904	
<b>Phone:</b>	
<b>Fax:</b>	

INVOICE DATE	PROCESSED BY	SUPERVISOR APPROVAL	DEPT. HEAD APPROVAL
November 11, 2016	D. Wagner		<i>Dennis Wagner</i>

BUDGET LINE ITEM				DESCRIPTION	TOTAL
FUND	DEPT.	FUNCTION	PROJECT		
06	484	6246	<del>000</del> 605	Kern Reservoir & Ditch Co. liability insurance  Policy No. GPPA-PF-9000037-07	\$2,288.00
<b>TOTAL</b>					<b>\$2,288.00</b>

KERN RESEVOIR AND DITCH COMPANY  
 C/O DENNIS WAGNER  
 301 WALNUT STREET  
 WINDSOR, CO 80550-0000

# INVOICE

<b>Remit Payment To:</b>  GPP c/o M&T Bank PO Box 64904 Baltimore, MD 21264-4904	<b>Customer #</b> C32299 <b>PB #</b> 16901 <b>Named Insured</b> KERN RESEVOIR AND DITCH COMPANY <b>Policy Type</b> Portfolio <b>Policy Number</b> GPPA-PF-9000037-07 <b>Contract Dates</b> 01/01/2017 TO 01/01/2018 <b>Trans Type</b> Renew <b>Effective Date</b> 01/01/2017						
	<table border="1"> <thead> <tr> <th>Invoice Date</th> <th>Invoice Number</th> <th>Payment Due Date</th> </tr> </thead> <tbody> <tr> <td>11/11/2016</td> <td>183349111</td> <td>01/31/2017</td> </tr> </tbody> </table>	Invoice Date	Invoice Number	Payment Due Date	11/11/2016	183349111	01/31/2017
	Invoice Date	Invoice Number	Payment Due Date				
11/11/2016	183349111	01/31/2017					
<i>Please make checks payable to GPP.</i>							

Description	Effective Date	Due Date	Future	Current
Policy Premium	01/01/2017	01/31/2017		\$2,288.00
<b>Total Amount Due:</b>				<b>\$2,288.00</b>

If any policy or coverage is not wanted, please notify us immediately. Otherwise, an earned premium will be due the company for the time the policy was in force. Failure to remit payment will result in a cancellation of coverage.



301 Walnut Street  
 Windsor, CO 80550  
 Office 970-674-2400  
 Fax 970-674-2456



<u>Finance Department</u>	
Vendor #	100031
Obligation #	

## PAYMENT REQUEST

**INVOICE NUMBER:** 1464

**VENDOR:** Whitney Irrigation Company

**DBA**  
 (IF OTHER THAN VENDOR)

**Address:** 30951 Weld County Road 27  
 Greeley, CO 80631

**Phone:** (970) 686-2338

**Fax:**

Notes:

INVOICE DATE	PROCESSED BY	SUPERVISOR APPROVAL	DEPT. HEAD APPROVAL
10/30/2016	Wade Willis		

BUDGET LINE ITEM					
FUND	DEPT.	FUNCTION	PROJECT	DESCRIPTION	TOTAL
<del>06</del>	<del>477</del>	<del>6253</del>	N/A	DITCH MANAGEMENT SERVICE-OCTOBER	\$2,085.00
06	484	6253	605		
				<b>TOTAL</b>	<b>\$2,085.00</b>





301 Walnut Street  
 Windsor, CO 80550  
 Office 970-674-2400  
 Fax 970-674-2456



<u>Finance Department</u>	
Vendor #	105551
Obligation #	

## PAYMENT REQUEST

**INVOICE NUMBER:** 5059

**VENDOR:** Clear Water Solutions

**DBA**  
 (IF OTHER THAN VENDOR)

**Address:** 8010 S. County Road 5, Ste. 105  
 Windsor, CO 80528

**Phone:** (970) 223-3706

**Fax:**

**Notes:**

INVOICE DATE	PROCESSED BY	SUPERVISOR APPROVAL	DEPT. HEAD APPROVAL
11/2/2016	Wade Willis	<i>[Signature]</i>	

BUDGET LINE ITEM					
FUND	DEPT.	FUNCTION	PROJECT	DESCRIPTION	TOTAL
06	484	6253	605	KRDC GENERAL WATER 08-210	\$92.50
				<b>TOTAL</b>	<b>\$92.50</b>



**clear WATER solutions**  
water rights • planning • engineering

**Clear Water Solutions**  
8010 South County Road 5  
Suite 105  
Windsor, CO 80528  
970-223-3706

Kern Reservoir & Ditch Co  
301 Walnut Street  
Windsor, Co 80550  
Wade Willis

Invoice number 5059  
Date 11/02/2016

Project **08-210 KRDC GENERAL WATER RIGHTS SERVICES 2016**

Billing Period: 10/03/16 – 10/30/16

A detail of the value provided by Clear Water Solutions, Inc during this billing period is as follows:

- Phase A: Decree Accounting  
- Review CBT cost to backfill reservoir  
- Review decree accounting

Please do not hesitate to contact us with any questions regarding this invoice or your project

**Invoice Summary**

Description	YTD Billed	Current Billed
<b>A DECREE ACCOUNTING</b>		
<b>B MISCELLANEOUS</b>	2,440 00	92 50
<b>ADMINISTRATION</b>	0 00	0 00
<b>EQUIPMENT, SUPPLIES &amp; GENERAL EXPENSES</b>	122 50	0 00
<b>REIMBURSABLE EXPENSES</b>	214 28	0 00
	0 00	0 00
<b>Total</b>	<b>2,776 78</b>	<b>92 50</b>

Decree Accounting  
Professional Fees

Principal	Hours	Rate	Billed Amount
	0 50	185 00	92 50

Description	Prior Billed	Current Billed
<b>ADMINISTRATION</b>		
<b>EQUIPMENT, SUPPLIES &amp; GENERAL EXPENSES</b>	122 50	0 00
	214 28	0 00
<b>Total</b>	<b>330 78</b>	<b>0 00</b>

Invoice total **92.50**



301 Walnut Street  
 Windsor, CO 80550  
 Office 970-674-2400  
 Fax 970-674-2456



<u>Finance Department</u>	
Vendor #	105551
Obligation #	

# PAYMENT REQUEST

INVOICE NUMBER: 5048

Notes:

VENDOR: Clear Water Solutions

DBA

(IF OTHER THAN VENDOR)

Address: 8010 S. County Road 5, Ste. 105  
 Windsor, CO 80528

Phone: (970) 223-3706

Fax:

INVOICE DATE	PROCESSED BY	SUPERVISOR APPROVAL	DEPT. HEAD APPROVAL
11/2/2016	Wade Willis	<i>[Signature]</i>	<i>[Signature]</i>

BUDGET LINE ITEM					
FUND	DEPT.	FUNCTION	PROJECT	DESCRIPTION	TOTAL
06	484	6253	005	KERN/WCSD RE-4 12-120	\$2,295.00
				TOTAL	\$2,295.00



**clear WATER solutions**  
 water rights • planning • engineering

**Clear Water Solutions**  
 8010 South County Road 5  
 Suite 105  
 Windsor, CO 80528  
 970-223-3706

**Kern Reservoir & Ditch Co**  
 301 Walnut Street  
 Windsor, CO 80550

Invoice number 5048  
 Date 11/02/2016

Project **12-120 KERN/WCSD RE-4  
 AUGMENTATION PLAN 2016**

Billing Period: 10/03/16 – 10/30/16

A detail of the value provided by Clear Water Solutions, Inc. during this billing period is as follows:

- Phase A: Kern Reservoir & Ditch Company
- Complete final reservoir balance calculations and projections
  - Correspondence with Wade and Dennis regarding CBT
  - Coordinate Kern and Kyger accounting
  - Research overpumping at Boardwalk for Wade
  - Complete and submit September 2016 accounting
  - Answer questions from Wade regarding potential water sale

Please do not hesitate to contact us with any questions regarding this invoice or your project

**Invoice Summary**

Description	Current Billed
<b>KERN RESERVOIR &amp; DITCH COMPANY</b>	
<b>A KERN RESERVOIR &amp; DITCH COMPANY</b>	2,295 00
<b>KERN REIMBURSABLE EXPENSES</b>	0 00
<b>Subtotal</b>	<b>2,295 00</b>
<b>Total</b>	<b>2,295 00</b>





MAILING ADDRESS	ACCOUNT NUMBER	DUE DATE
TOWN OF WINDSOR KERN 301 WALNUT ST WINDSOR CO 80550-5141	53-0029078-2	12/23/2016
	STATEMENT NUMBER	STATEMENT DATE
	526430368	12/05/2016
		AMOUNT DUE
		\$62.99

**QUESTIONS ABOUT YOUR BILL?**

See our website [xcelenergy.com](http://xcelenergy.com)  
 Email us at [Customerservice@xcelenergy.com](mailto:Customerservice@xcelenergy.com)  
 Please Call 1-800-481-4700  
 Hearing Impaired 1-800-895-4949  
 Fax 1-800-311-0050  
 Or write us at XCEL ENERGY  
 PO BOX 8  
 EAU CLAIRE WI 54702-0008

**ACCOUNT BALANCE**

Previous Balance	As of 10/21	\$62.85
Payment Received	Check 11/14	-\$62.85 CR
Balance Forward		\$0.00
Current Charges		\$62.99
<b>Amount Due</b>		<b>\$62.99</b>

**PREMISES SUMMARY**

PREMISES NUMBER	PREMISES IDENTIFIER	PREMISES DESCRIPTOR	CURRENT BILL
304241524	107A N CHIMNEY PARK DR UNIT KERN		\$16.27
304241529	1A MAIN ST UNIT KERN		\$15.38
304241530	561 E GARDEN DR		\$15.77
304331438	10A E GARDEN DR		\$15.57
<b>Total</b>			<b>\$62.99</b>

001806 1/4



**INFORMATION ABOUT YOUR BILL**

Thank you for your payment.

For your convenience at your service - Pay your bills electronically-fast and easy with Electronic Funds Transfer. Call us at 1-800-481-4700 or visit us at [www.xcelenergy.com](http://www.xcelenergy.com).

PLEASE DO NOT USE STAPLES, TAPE OR PAPER CLIPS



COUNT NUMBER

**Pop quiz**

Dimmer switches can help bulbs last up to \_\_\_\_\_ times longer if dimmed to half the brightness. Install dimmers and replace scones when possible to help your business save energy and money.

A. 5 B. 10 C. 20 D. 50

12/05/2016

53 0029078 2