

MINUTES - FEBRUARY 17, 2011
BIG BEND GROUNDWATER MANAGEMENT DISTRICT #5
MEETING OF THE BOARD OF DIRECTORS

The monthly board meeting of the Big Bend Groundwater Management District #5 was held at the District office in Stafford on Thursday, February 17, 2011. Board members present were Kent Lamb, John Janssen, Curtis Tobias, Kevin Schultz, Darrell Wood, Phillip Martin, Vernon Hirt and Ed Shultz. Kraig Froetschner was absent. District staff present was Wes Essmiller. Guests present were Jeff Lanterman, Sam Stout, Mason Stout and Mark Bauer.

President Darrell Wood called the meeting to order at 2:36 p.m.

Director Kent Lamb arrived at 2:40 p.m.

Manager Essmiller asked to amend the agenda to include the 2012 proposed budget.

Phillip Martin made a motion and John Janssen seconded to approve the January minutes as mailed. Motion carried 7-0.

Ed Shultz arrived at 2:50 p.m.

Kevin Schultz moved, Ed Shultz seconded to accept the treasurer's report. Motion carried 8-0.

The 2012 proposed budget was presented and discussed, Curtis Tobias moved, Fred Grunder seconded to approve the proposed budget for 2012 motion carried 8-0

Mark Bauer, accountant for VonFeldt, Bauer and VonFeldt Chtd, gave the board an overview of the annual audit for fiscal year 2010. Questions and comments from the board followed the presentation. Kevin Schultz moved and Fred Grunder seconded to accept the 2010 audit report and adopt the following resolution to conduct the 2011 audit using the cash basis and budget laws of Kansas. Motion carried 8-0.

RESOLUTION NO. 2011-1

WHEREAS the Big Bend Groundwater Management District No. 5, Stafford, Kansas, has determined that the financial statements and financial reports for the year ended 2010 to be prepared in conformity with the requirements of K.S.A. 75-1120a(a) (as amended) are not relevant to the requirements of the cash basis and budget laws of this state and are of no significant value to the Board of Directors or the members of the general public of the Big Bend Groundwater Management District No. 5 and

WHEREAS there are no revenue bond ordinances or other ordinances or resolutions of the municipality which require financial statements and financial reports to be prepared in conformity with K.S.A. 75-1120a(a) (as amended) for the year ended 2010.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Directors of Big Bend Groundwater Management District No. 5, Stafford, Kansas, in the regular meeting duly assembled this 17th day of

February, 2011 that the Board of Directors waives the requirements of K.S.A. 75-1120a(a) (as amended) as they apply to the Big Bend Groundwater Management District No. 5 for the year ended 2010.

BE IT FURTHER RESOLVED THAT THE Board of Directors shall cause the financial statements and financial reports of the Big Bend Groundwater Management District No. 5 to be prepared on the basis of cash receipts and disbursements as adjusted to show compliance with the cash basis and budget laws of this State.

John Jansen moved, Curtis Tobias seconded at 3:23 p.m. to go into executive session for the purpose of discussing personnel matters of non-elected personnel. Executive session is required to protect the privacy interests of the parties involved. Motion carried 8-0. The board came out of executive session at 3:37 p.m.

Curtis Tobias moved, John Jansen seconded to waive the Generally Accepted Accounting Principles. Motion carried 8-0.

Water right # 47,573 was up for discussion. Sam Stout the water right owner asked for a waiver to rule K.A.R 5-25-15c4. The rule states that the new point of diversion may not be closer to stream than the water right being used for an offset. After discussion Phillip Martin moved, Kent Lamb seconded to grant a waiver to K.A.R. 5-25-15c4 Motion carried 8-0.

Jeff Lanterman, DWR spoke about the Impairment issues DWR addressed in GMD #2 and the meter order being implemented in GMD #5.

Curtis Tobias spoke about the Kansas Water Authority meeting held in Topeka on January 26th. He also spoke about the Legislative Reception co-sponsored by the district.

John Janssen moved, Kevin Schultz seconded at 4:35 p.m. to go into executive session for the purpose of discussing personnel matters of non-elected personnel. Executive session is required to protect the privacy interests of the parties involved. Motion carried 8-0. The board came out of executive session at 4:46 p.m.

Curtis Tobias moved, John Janssen seconded at 4:47 p.m. to go into executive session for the purpose of discussing personnel matters of non-elected personnel. Executive session is required to protect the privacy interests of the parties involved. Motion carried 8-0. The board came out of executive session at 4:58 p.m.

The board meeting reconvened at 4:58 p.m.

With no further items to discuss, the board adjourned at 4:58 p.m.