

MINUTES – NOVEMBER 20, 2014
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 November 20, 2014. Board members present were Darrell Wood, Curtis Tobias, John Janssen, Kent Lamb, Justin Gatz, Fred Grunder, Phillip Martin, and Bob Standish. Board member Tom Taylor was not present. District staff present was Orrin Feril. Guests present were John Likes, Ray Flickner, Richard Wenstrom, and Mike Oldham.

The November regular board meeting was called to order at 7:00 p.m.

Manager Feril requested that a review of Term Permit application #20149053 and an executive session for personnel be added to the agenda. The review of the application was added as item 3a and the executive session was added as 9a.

Justin Gatz moved and Bob Standish seconded to accept the October minutes. Motion carried 6-0-1.

Bob Standish moved and Justin Gatz seconded to accept the November treasurer's report. Following discussion, the motion carried 6-0-1.

Term permit application #20149053 is for 2 million gallons for Redbarn Pet Products LLC. This permit will replace an expired term permit for fire protection. The application does not meet minimum well spacing requirements per K.A.R. 5-25-2 to wells owned by the applicant. Additionally, the application does not meet the requirements for safe yield exemption per K.A.R. 5-25-13 to allow for a term permit in excess of one year. Following discussion with the applicant, Curtis Tobias moved and Bob Standish seconded to waive K.A.R. 5-25-2 and 5-25-13 to recommend approval of the term permit for a term of twenty (20) years. Motion carried 6-0-1.

The board next reviewed draft District policy regarding the District's groundwater model. This policy has been discussed in open meetings several months. Following further discussion, Fred Grunder moved and Kent Lamb seconded to adopt the policy below. Motion carried 6-0-1

V. Groundwater Model Data

Adopted November 20, 2014

It shall be the policy of Big Bend GMD #5 (District) that requests for access to the District's groundwater model shall be handled using the following procedure.

1. The District shall require a written request for access to any hydrologic report generated by the District's groundwater model (BBGMDMOD, 2010). All written requests shall include the name and address of the requestor and a description of the intended use for the report.
2. A fee of \$45.00 per copy will be charged.
3. A fee of \$35.00 per hour (\$20.00 minimum) custodial time will be charged for time spent to supervise and produce the report. Prepayment is required.

Should a request be received to produce a new model run the following procedure shall be followed.

1. Every request for model scenario shall be submitted to the District board of directors for approval by formal action.
2. The option to utilize District funds to pay for all or part of the proposed model run and corresponding analysis shall be at the discretion of the board of directors at the time of approval.
3. The District retains the intellectual property rights for any information obtained from any model run and corresponding report(s) made using the District's groundwater model.
4. Only eligible voters of the District as defined by K.S.A. 82a-1021, shall be allowed to submit model run requests to the District board of directors.

John Janssen arrived at 7:23pm.

At the Governor's conference in Manhattan, Governor Brownback along with the Kansas Water Office established a regional goal setting system for addressing the items in the latest draft of the Vision for the Future of Kansas Water Supply. In light of the potential impact the regional goal setting team on the District, Kent Lamb moved and Curtis Tobias seconded to recommend the following people for the Great Bend Prairie region; District President – Darrell Wood, District Vice President – Fred Grunder, Water Pack President – Richard Wenstrom, and District Manager – Orrin Feril. Motion carried 4-3-1.

Manager Feril noted the upcoming GMDA conference in Scottsdale, AZ. Each board member was encouraged to attend this annual conference. District staff is currently conducting a blanket visual inspection of end guns throughout the District. The goal is to complete this survey before the beginning of the next season.

No representation was present for the Division of Water Resources to give a report.

Mike Oldham, representing USFWS, gave an update of the activities at Quivira NWR. The recent grant application to remove invasive woody species from the Rattlesnake Creek subbasin upstream of Quivira NWR was not approved by the National Fish and Wildlife Foundation.

Ray Flickner gave an overview of the items discussed Governor's conference in Manhattan.

Ray Flickner noted the discussion by the GMD2 board of having someone in Topeka to keep an eye out for proposed legislation that could affect our area. The board felt it would be good to have someone present during session, but to not represent the District's interests directly. Justin Gatz moved and Fred Grunder seconded to have the manager work with the GMD2 manager to explore potential representation and determine potential costs for the service. Motion carried 7-0-1.

Richard Wenstrom, representing Water Pack, requested a copy of the Model policy that the board adopted earlier. Water Pack will be having their annual meeting on February 7 and will be having Secretary of Agriculture Jackie McClaskey as the keynote speaker. Additionally, Water Pack has been meeting with county Farm Bureau boards to discuss the items in the Vision for Kansas Water document.

Bob Standish moved and Justin Gatz seconded to go into executive session at 8:25 p.m. for 15 minutes 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 7-0-1. The board came out of executive session at 8:38 p.m.

The board discussed briefly the status of the Rattlesnake Creek impairment investigation. No action was taken by the board at this time.

With no further items to discuss, the board adjourned at 9:25 p.m.

Attest by: _____ Dated _____