

MINUTES – OCTOBER 11, 2018  
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, October 11, 2018. Board members present were Darrell Wood, John Janssen, Kent Lamb, Tom Taylor, Fred Grunder, Justin Gatz, Jerry Cullop and Phil Martin. Board member Kerry Froetschner was not present. District staff present was Orrin Feril. Guests present were Shaine Chadd, David Essmiller, Vernon Hirt, Jim Schneider, Matt Unruh, Alan Crane, Brian Klager, Keith Miller, Jeff Lanterman, Leah Chadd, Marlyn Spare, Robert Neeland, Calvin Kissick, Richard Wenstrom, Pat Janssen, Berry Bortz, Justin Vosburgh, Ron Ashworth, John McClure and Lynn Preheim (phone).

The October regular board meeting was called to order at 7:00 p.m. by Darrell Wood.

The meeting's agenda was modified to add an executive session for discussion of attorney-client privileged information at approximately 8:00 p.m.

John Janssen moved, and Tom Taylor seconded to approve the September minutes as presented. Motion carried 7-0-1.

Orrin Feril provided the board and public with the October treasurer's report and highlighted the unique items for further board review. Tom Taylor moved, and John Janssen seconded to accept the October treasurer's report as presented. Following discussion, the motion carried 7-0-1.

In the September meeting, the District's revised management program was discussed briefly. Over the past month the updated proposed management program was posted to the website for public review and comment as well as provided directly to each board member. The revised management program has been updated to accommodate current activities. Following discussion, Kent Lamb moved, and John Janssen seconded to submit the revised management program as presented to the Chief Engineer for approval in accordance with K.S.A. 82a-1029. Motion carried 7-0-1.

Orrin Feril discussed staff activities for the past month and upcoming months. District staff has been busy working with a few of the counties in correcting the assessments assigned to a small percentage of parcels in the District. In addition, the District's website is getting good web traffic indicating 40-50 unique users accessing the website daily. The primary focus of the traffic is on the proposed LEMA page with the weather station data bringing up a close second.

John McClure joined the meeting at approximately 7:45 p.m.

The LEMA committee updated the board on the status of the proposed Rattlesnake Creek LEMA. There was good discussion with the public present regarding the details of the plan. Alan Crane suggested the District shift its focus back to the Rattlesnake Creek management program signed in 2000. Other concerns were regarding the interaction KDA has had with the LEMA committee. No action was taken by the board.

Jeff Lanterman, representing KDA-DWR, did not provide a report.

Lynn Preheim joined the meeting via phone at 8:10 p.m. John Janssen made the following motion at 8:10 p.m.: "I move that the Board go into executive session for legal advice on the potential failure of the LEMA with an attorney for the public body which would be deemed privileged in the attorney-client relationship pursuant to the attorney consultation exception under KOMA, and

the open meeting will resume here in the meeting room at 8:40 p.m.” Phil Martin seconded. Motion carried 7-0-1. The board came out of executive session at 8:40 p.m.

When open session of the meeting resumed, John Janssen moved, and Fred Grunder seconded to determine the general specifications for the proposed LEMA as:

- LEMA area set at area having 10% or greater impact at Zenith gage (Zone A);
- Within LEMA area, the target use for the area is 166,000 AFY;
- Require removal of endguns;
- Augmentation of up to 15cfs;
- Require securing of water flowmeters to the pipes;
- Years 1-5 prioritize water retirement/movement out of the High Impact Area with the hydrologic equivalent of 4000 AF;
- Promote the flexibility to move water within and out of the LEMA area;
- The water use targets are 5-year targets with flexibility to use more water in some years but average the water use target at year 5.

Following a brief clarification of the motion, the motion carried by show of hands 6-1-1.

Calvin Kissick provided an update on the KWA activities to the board. The KWA met recently in Manhattan. There is general agreement from all regional advisory committees that they need guidance from the KWA regarding the pathway forward. The next KWA meeting will be in Wichita in December.

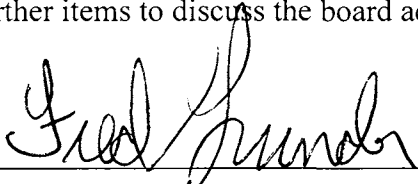
Berry Bortz provided a brief update on the Great Bend Prairie RAC activities. The next RAC meeting will be on October 25 in Great Bend. In this meeting, there is likely to be a discussion on the state of the resource document produced by KWO as well as a discussion on the ability to modify the goals for the RAC.

Kent Moore, representing WaterPACK, noted the continued support of the District’s efforts to provide a remedy for the alleged impairment at Quivira. Recently, WaterPACK has been meeting with every lieutenant governor candidate to discuss the issues effecting Central Kansas. No action was taken by the board.

In other business, Orrin Feril noted the upcoming Governor’s conference in Manhattan and requested attendance confirmation from the board members for that conference.

The next District board meeting was tentatively set for November 8, 2018 at 10:00 a.m.

With no further items to discuss the board adjourned at 9:00 p.m.

Attest by:  Dated 11-8-18