

MINUTES – JUNE 09, 2022
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, Kansas on Thursday June 09, 2022. Board members present were Darrell Wood, Fred Grunder, John Janssen, Craig Zwick, Marlyn Spare, Kerry Froetschner, Phil Martin, and Gary Hornbaker. Board member Tom Taylor was absent. District staffs present were Orrin Feril and Devan Cooper. Guests present were Cameron Conant, David Stroberg, and Kent Lamb. Guest present via zoom was Aimee Davenport.

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

A brief executive session regarding attorney-client relationship was added to the agenda as item 5a. A discussion regarding the change applications for 22164/23484 were added to the agenda as item 4a.

John Janssen moved, and Phil Martin seconded to approve the May minutes as presented. Motion carried 8-0.

Orrin Feril provided the board and public with the June treasurer's report and highlighted the unique items for further board review. Craig Zwick moved, and John Janssen seconded to accept the June treasurer's report as presented. Motion carried 8-0.

Orrin Feril discussed staff activities for the past few weeks and upcoming months. The new conservation specialist (Veronica Whitlock) has started with the District. A brief update on the Watershed Plan-EA was provided to all in attendance. The board was reminded that next month the board will hold the FY2023 budget hearing.

The District received a set of applications (22164 & 23484) in the April meeting that propose to move water within the Rattlesnake Creek region. The proposal is to reconfigure the places of use for these to file to irrigate better ground more efficiently along the Rattlesnake Creek in Southwest Stafford county. Further discussion regarding the implications of waiving provisions of K.A.R. 5-25-18. Marlyn Spare moved, and John Janssen seconded to table the discussion until the board has had a chance to review and possibly revise K.A.R. 5-25-18. Motion carried 7-1.

Orrin Feril provided a report from USFWS highlighting the rehabilitation of 12 water control structures that is slated to begin mid-July. Cameron Conant, KDA-DWR, stated that the field staff have been completing several compliance checks throughout the region. Recently KDA-DWR lifted the MDS restrictions in the Little Ark region. David Stroberg, KWA, provided an update on the recent meeting in Pittsburg and noted an upcoming KGS tour in southeast Kansas.

Craig Zwick moved, and John Janssen seconded at 8:05 p.m. that the Board go into executive session for legal advice regarding the Audubon of Kansas-USFWS case 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. The open meeting will resume here in the meeting room at 8:15 p.m. Motion carried 8-0. The board came out of executive session at 8:15 p.m.

Fred Grunder moved, and Marlyn Spare seconded to have Stinson file an amicus brief in the Audubon of Kansas appeal on behalf of Big Bend Groundwater Management District No. 5. Motion carried 8-0.

