

MINUTES – MARCH 09, 2023
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 March 09, 2023. Board members present were Darrell Wood, John Janssen, Marlyn Spare, Kerry Froetschner, Tom Taylor, Fred Grunder, Craig Zwick, Joe Schlessiger, and Gary Hornbaker. District staffs present were Orrin Feril and John Hildebrand. Guests present were Jeff Lanterman, Pat Janssen, and David Stroberg. Guests present via Zoom were Jeff Crispin, Christina Hansen, Sarah Crawley, and Micah Schwalb.

The March regular board meeting was called to order at 9:00 a.m. by Darrell Wood.

John Janssen moved, and Craig Zwick seconded to approve the February minutes as presented. Motion carried 9-0. Tom Taylor moved, and John Janssen seconded to approve the February minutes as presented. Motion carried 9-0.

Orrin Feril provided the board and public with the March treasurer's report and highlighted the unique items for further board review. Craig Zwick moved, and Fred Grunder seconded to accept the March treasurer's report as presented. Motion carried 9-0.

Fred Grunder moved, and John Janssen seconded at 9:07 a.m. that the Board go into executive session for legal advice regarding on the status of the water transfer panel with an attorney for the public body and District manager which would be deemed privileged in the attorney-client relationship pursuant to the attorney consultation exception under KOMA, and the open meeting will resume in the meeting room at 9:17 a.m. Motion carried 9-0. The board came out of executive session at 9:17 a.m.

John Janssen moved, and Tom Taylor seconded at 9:20 a.m. that the Board go into executive session for legal advice regarding on the status of the USFWS discussion with an attorney for the public body and District manager which would be deemed privileged in the attorney-client relationship pursuant to the attorney consultation exception under KOMA, and the open meeting will resume in the meeting room at 9:40 a.m. Motion carried 9-0. The board came out of executive session at 9:40 a.m.

The board conducted an election of officers for the upcoming year. Following a brief discussion regarding the current officers, Fred Grunder moved, and John Janssen seconded to nominate Tom Taylor as President for a one-year term. Motion carried 9-0. Craig Zwick moved, and John Janssen seconded to elect Fred Grunder as Vice President, John Janssen as Treasurer and Marlyn Spare as Secretary. Motion carried 8-1. The District board officers are Tom Taylor as President, Fred Grunder as Vice-President, Marlyn Spare as Secretary, and John Janssen as Treasurer.

Vanessa Marks, Notary Public, administered the affirmation as required by K.S.A. 54-106 to all present board members. All board members raised their right hand and affirmed the following statement:

“I do solemnly affirm that I will support the constitution of the United States and the constitution of the state of Kansas, and faithfully discharge the duties of the board of directors of the Big Bend Groundwater Management District Number Five. So, help me God.”

Fred Grunder stepped out of the meeting momentarily.

John Janssen moved, and Marlyn Spare seconded to adopt Resolution 2023-1 utilize cash basis accounting for fiscal year 2023. Motion carried 8-0.

RESOLUTION NO. 2023-1

WHEREAS the Big Bend Groundwater Management District No. 5, Stafford, Kansas, has determined that the financial statements and financial reports for the year ended 2023 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 2023.

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 9th day of March 2023 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 2023.

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.

In the January board meeting, the board requested a scope of work from Balleau GW to implement an improved approach for defining the relationships for runoff and recharge that stem from precipitation and adding other enhancements to update the District's hydrologic model. BGW recently provided this scope of work with an estimated cost of \$38,220. John Janssen moved, and Kerry Froetschner seconded to accept the scope of work utilizing the most current data available. Motion carried 9-0.

Orrin Feril discussed staff activities for the past few weeks and upcoming months. The board appreciation dinner is approaching, and Vanessa Marks requested a RSVP from the board members soon. A brief legislative update was provided to the board regarding water in the Kansas statehouse.

Jeff Lanterman, KDA-DWR, noted that the field office is busy processing MYFA applications. David Stroberg, KWA, provided some additional comments on the legislative activity and noted the next KWA meeting is April 19 in Kansas City. Pat Janssen highlighted testimony provided to the House Water Committee on March 7. In addition, ACRES initiative is gaining more activity and looking for matching dollars for grant opportunities.

The next District board meeting was tentatively set for April 13, 2023, at 9:00 a.m. at the District office.

With no further items to discuss the board adjourned at 10:25 a.m.

Attest by:  Dated 4-13-23