

MINUTES – FEBRUARY 09, 2024  
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 Friday February 09, 2024. Board members present were Tom Taylor, Darrell Wood, John Janssen, Marlyn Spare, Fred Grunder, Craig Zwick, and Gary Hornbaker. Board members Kerry Froetschner and Joe Schlessiger were not present. District staffs present were Orrin Feril, John Hildebrand, and Vanessa Marks. Guests present were Jeff Lanterman and Aaron Koehn. Guests present via Zoom were Jeff Crispin, Collin Bielser, Jon Quinday, Aimee Davenport, and Lynn Preheim.

The February regular board meeting was called to order at 9:00 a.m. by Tom Taylor.

Orrin Feril requested a review of Resolution 2024-2 to the agenda at Item 4a.

Craig Zwick moved, and Gary Hornbaker seconded to approve the January minutes as presented. Motion carried 7-0.

Orrin Feril provided the board and public with the February treasurer’s report and highlighted the unique items for further board review. Craig Zwick moved, and John Janssen seconded to accept the February treasurer’s report as presented. Motion carried 7-0.

Aaron Koehn, Adams Brown, presented the audit report to the board for fiscal year 2023. A few questions were answered before Darrell Wood moved, and John Janssen seconded to accept the audit report as presented. Motion carried 7-0.

John Janssen moved, and Marlyn Spare seconded to adopt Resolution 2024-2 to conduct the 2024 audit using the cash basis and budget laws of Kansas. Motion carried 7-0.

RESOLUTION NO. 2024-2

WHEREAS the Big Bend Groundwater Management District No. 5, Stafford, Kansas, has determined that the financial statements and financial reports for the year ended 2024 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 2024.

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 February 2024 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 2024.

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.

The board reviewed the draft 2025 budget and financial report in preparation for discussion with the public at the annual meeting. Contingency reserve is an item that is necessary for potential large projects that require upfront investment beyond the amount the District can collect in a single calendar year with the current statutory restrictions. The proposed FY2025 budget will be presented at the budget hearing that is held in July.

John Janssen moved, and Fred Grunder seconded at 9:15 a.m. that the Board go into executive session for legal consultation regarding the Rattlesnake Creek activities 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 10:00 a.m. Motion carried 7-0. The board came out of executive session at 10:00 a.m.

Orrin Feril provided an update on the legislative activity in Topeka. Several hearings have been held regarding topics involving Kansas GMDs which required that the District provide testimony. Recently, HB 2678 was introduced to address revisions to the Kansas Water Banking Act. It was the consensus of the board to support the bill and provide testimony to that effect.

Orrin Feril discussed staff activities for the past few weeks and upcoming months. The most significant item recently are the letters sent out to area water users in the Rattlesnake Creek region providing them with information only. Specifically, these letters outlined a potential administration plan if “measurable progress” is not made in 2024 with the working group. Within the past week, the administrative assistant position was filled by Fay Reed. All were encouraged to get to know her as she is getting acclimated to the office and her job responsibilities. In review of the District’s records for the annual report, specifically regarding the District’s office building, the ground lease is expiring in 2024. It was the desire of the board to either extend the lease for an additional 40 years or purchase the ground for \$1. Finally, in regard to the R9 Ranch water transfer, recently the hearing officer filed the initial order to the water transfer panel.

Jeff Lanterman, KDA–DWR, noted that the Stafford field office is wrapping up area water level measurements and is currently assisting several water users with filing their water use reports. Of note, the field office recently filled two open positions in the office.

Vanessa Marks, CKWBA, noted the charter revisions have recently been approved by the Association board and she is finalizing the supporting documents to submit them to the Chief Engineer for review and approval. She stated she is ready to provide an update to the public at the annual meeting on these revisions.

The board discussed the timing of the next board meeting as it relates to the annual meeting. The next District board meeting was tentatively set for February 15, 2024, at 2:00 p.m. at the District office.

With no further items to discuss the board adjourned at 11:00 a.m.

Attest by: 

Dated 3-14-24