

MINUTES – JULY 11, 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 Thursday July 11, 2024. Board members present were Tom Taylor, John Janssen, Marlyn Spare, Craig Zwick, Kerry Froetschner, Darrell Wood, and Fred Grunder. Board members Joe Schlessiger and Gary Hornbaker were not present. District staff present was Orrin Feril and Vanessa Marks. The guest present was David Stroberg. Guests present via Zoom were Jeff Lanterman, Aimee Davenport, Paul Poister, Jeff Crispin, Lane Letourneau, Chris Smith, Earl Lewis, and Kent Moore.

The July regular board meeting was called to order at 7:00 p.m. by Tom Taylor.

A brief executive session was added to the agenda as item 4a. A discussion on the KWA strategic planning comments was added to the agenda as item 4b.

Craig Zwick moved, and John Janssen seconded to approve the June minutes as presented. Motion carried 7-0.

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

The board continued its previous discussion regarding the proposed revised regulation regarding impairment investigations. Along with the proposed K.A.R. 5-4-1b regulation, KDA-DWR provided a supplement to describe why this revision is needed. The board took the opportunity to review the provided documents and had a brief discussion. The Chief Engineer Earl Lewis and Lane Letourneau were available to address questions of the board and provide additional background information. A draft set of comments was provided to the board for consideration as well. According to Lane Letourneau, the deadline for comments on the draft regulation has been extended to September 1. As such, no action was taken by the board.

John Janssen moved, and Darrell Wood seconded at 7:40 p.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 8:00 p.m. Motion carried 7-0. The board came out of executive session at 8:00 p.m.

Tom Taylor recessed the regular board meeting and opened the budget hearing at 8:00 p.m. to consider the 2025 budget. Orrin Feril provided proof of publication for the hearing and provided copies of the proposed budget to all in attendance. Mr. Feril read the proposed 2025 budget noting any proposed changes from the adopted 2024 budget. President Taylor then asked for any comments and questions from the audience including those attending via Zoom. Hearing no comments or concerns from the audience or board members, President Taylor called for the hearing to close and reconvened the regular meeting at 8:15 p.m.

John Janssen moved, and Craig Zwick seconded to adopt the proposed 2025 budget and Resolution 2024-3 as presented. Motion carried 7-0.

RESOLUTION NO. 2024-3

WHEREAS the Big Bend Groundwater Management District No. 5 (“the District”), Stafford, Kansas, was established under the authority of K.S.A. 82a-1020 for the proper management of groundwater resources of the state; and

WHEREAS, the District is a body politic and corporate and has the authority to levy a water user charge and land assessment under K.S.A. 82a-1028 (h) to finance the operations of the District; and

WHEREAS, the Board of Directors proposed the budget at this year's annual meeting; and

WHEREAS, the Board of Directors has submitted the proposed budget for FY2025 to the eligible voters of the District at a budget hearing called for that purpose; and

WHEREAS, at least one (1) budget hearing notice was published in a newspaper or newspapers of general circulation within the District at least twenty-eight (28) days prior to the budget hearing;

NOW, THEREFORE BE IT RESOLVED, that the Board of Directors of the Big Bend Groundwater Management District No. 5 hereby adopts the proposed FY2025 budget as submitted at the budget hearing.

BE IT FURTHER RESOLVED THAT THE land assessment is hereby set at five (\$0.05) cents per acre for eligible tracts of land as defined by K.S.A. 82a-1030 (a).

BE IT FURTHER RESOLVED THAT THE water users charge is hereby set at one (\$2.00) dollar for each acre-foot of groundwater as defined by K.S.A. 82a-1030 (a).

ADOPTED the 11th day of July, 2024 by the Board of Directors of the Big Bend Groundwater Management District No. 5 at a regular meeting.

The Kansas Water Office, KDHE, and KDA have facilitated six local consult meetings over the past month. Orrin Feril and Vanessa Marks attended the Wichita consult meeting on June 25. The board was provided with the materials from these meetings for review. A draft letter was provided to the board for consideration. Following further discussion, Marlyn Spare moved, and John Janssen seconded to approve the letter and submit it to the Kansas Water Authority through the Great Bend Prairie RAC. Motion carried 7-0.

The District has three parcels that are coming available for farm lease. Per K.S.A. 82a-1045, the District must request proposals prior to entering into agreement for these parcels. A draft RFP packet that has been reviewed by legal counsel was discussed by the board. This RFP was updated following revisions requested by the board in the June board meeting. ^{DARRILL WOOD} DW moved, and John Janssen seconded to approve RFP 202407001 for publishing to the website. Motion carried 7-0. ^{MES}

Orrin Feril discussed staff activities for the past few weeks and upcoming months. The areas of concern report was submitted to the Chief Engineer per K.S.A. 82a-1044 and the Chief Engineer has recently provided an acknowledgement letter to the District. The District is in the midst of the assessment process. A brief update on the Watershed Plan-EIS as well as the Rattlesnake Creek working group was provided to those in attendance.

David Stroberg, Kansas Water Authority, noted that the KWA met in Manhattan on June 11. He also noted some of the discussions he felt pertinent in the local consult meetings he attended.

Vanessa Marks, CKWBA, provided an update on the CAMP project and addressed questions and concerns from the board.

The next District board meeting was tentatively set for August 8, 2024, at 7:00 p.m. at the District office.

With no further items to discuss the board adjourned at 9:20 p.m.

Attest by:  Dated: 8-8-24