

MINUTES – MARCH 13, 2014
BIG BEND GROUNDWATER MANAGEMENT DISTRICT #5
MEETING OF THE BOARD OF DIRECTORS

The monthly board meeting of the Big Bend Groundwater Management District #5 (District) was held at the District office in Stafford on Thursday March 13, 2014. Board members present were Darrell Wood, John Janssen, Curtis Tobias, Fred Grunder, Phillip Martin, Kent Lamb, Justin Gatz and Bob Standish. Board member Tom Taylor was not present. District staff present was Orrin Feril. Guests present were Jeff Lanterman, Greg Ebert and Ray Flickner.

The March regular board meeting was called to order at 1:14 p.m.

Curtis Tobias requested the addition of a discussion on Rice County's safe yield calculation be added to the agenda after the treasurer's report as he will need to leave the meeting early.

Bob Standish moved and Fred Grunder seconded to accept the February minutes as written. Motion carried 7-0-1.

Kent Lamb moved and Bob Standish seconded to accept the 2014 Annual meeting minutes as written. Motion carried 7-0-1.

Bob Standish moved and John Janssen seconded to accept the March treasurer's report. Following discussion, the motion carried 7-0-1.

Ray Flickner, GMD2 board member, introduced himself to the GMD5 board. Mr. Flickner earned his bachelor's and master's degree at Kansas State University. Currently, he manages a 750 acre farming operation in central Kansas, serves as a board member for Equus Beds Groundwater Management District 2 and the Kansas Agriculture and Rural Leadership Board. He is also a member of the Lower Arkansas River WRAPS Stakeholder Leadership Team. Mr. Flickner was recently appointed by Governor Brownback to represent GMD2 and GMD5 on the Kansas Water Authority.

Curtis requested a discussion on a motion passed in the August 2009 regular meeting which is as follows:

Curtis Tobias moved, Kevin Schultz seconded to amend K.A.R 5-25-4 to allow well development in Rice County at a sustainable yield amount of 4500 acre feet. Motion carried 6-0-1. Manager Falk was instructed to start drafting amendments to the regulation.

Due to time that has lapsed since this board action and the number of District board members that were not on the board at that time, Curtis Tobias moved and Justin Gatz seconded to amend K.A.R. 5-25-4 to allow well development in Rice County at a sustainable yield amount of 4500 acre feet. Motion failed 2-5-1. Following discussion, Phil Martin moved and Bob Standish seconded to obtain a scope of work from Balleau Groundwater Inc. to determine an accurate sustainable yield amount for Rice County by utilizing the District's groundwater model. Motion carried 7-0-1. Manager Feril will contact Balleau Groundwater Inc. to obtain the scope of work.

The board conducted an election of officers for the upcoming year. Bob Standish moved and Phil Martin seconded to re-elect the current officers for another one-year term.

Motion carried 7-1-0. The District board of directors' officers are Darrell Wood as President, Fred Grunder as Vice-President, Curtis Tobias as Secretary and John Janssen as Treasurer.

Bob Standish moved and Kent Lamb seconded to adopt the following resolution to conduct the 2014 audit using the cash basis and budget laws of Kansas. Motion carried 7-0-1.

RESOLUTION NO. 2014-1

WHEREAS the Big Bend Groundwater Management District No. 5, Stafford, Kansas, has determined that the financial statements and financial reports for the year ended 2014 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 2014.

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 13th day of March, 2014 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 2014.

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.

Manager Feril presented the 2014 maintenance quotation for the ESRI ArcGIS software. Bob Standish moved and John Janssen seconded to approve the quotation from ESRI for \$1000. Motion carried 7-0-1.

Fred Grunder moved and Bob Standish seconded to amend the Administrative Policy for Approval of Expenditures to reflect the manager being able to approve expenditures up to \$1500 without prior board approval. Motion carried 7-0-1. The Administrative Policy will be amended and submitted to the board for approval at the next regular board meeting.

Curtis Tobias left the meeting at 1:50 p.m.

Manager Feril presented a proposed calculation method from Kansas Department of Agriculture – Division of Water Resources (KDA–DWR) staff for the Multi-Year Flex Account (MYFA) program for the District area. Following discussion, Fred Grunder moved and Justin Gatz seconded to resubmit the District's original calculation method to the Chief Engineer with the added provision that the proposal is a 5-year pilot. Motion carried. 6-0-1. Manager Feril will draft the proposal for board review prior to submission to the Chief Engineer.

Kent Lamb requested which meters are chained & sealed within the District. Within the District, participants in the MYFA program and meters that have been tested by District staff have seals installed on them. Following discussion, no action was taken by the board at this time.

Manager Feril discussed staff activities for the past month and upcoming months. The recent correspondence from the United States Fish and Wildlife Service (USFWS) to the Chief Engineer was discussed by the board. It is important to maintain the open communication amongst the Rattlesnake Creek Partnership (Partnership) despite the ongoing impairment investigation being conducted by KDA–DWR. The board requested Manager Feril to draft a letter to the Partnership in order to maintain a transparent Partnership.

The status of the Walnut Creek Intensive Groundwater Use Control Area (IGUCA) public poll was discussed by the board. In early December 2013, the District sent correspondence to all landowners & water right owners within the IGUCA area in Barton County requesting feedback regarding the current allocations in the IGUCA. To date, the District has received approximately 45% of all postcards originally mailed out in December. Phil Martin moved and John Janssen seconded to amend the IGUCA allocations as follows:

<u>Category</u>	<u>Current Allocation</u>	<u>Proposed Allocation</u>
Vested Water Rights	Authorized Quantity	Authorized Quantity
Appropriation Water Rights Senior to WR# 439	12 inches per acre	Authorized Quantity
Appropriation Water Rights Junior to WR# 439 and before October 1, 1965	12 inches per acre	12 inches per acre
Appropriation Water Rights Junior to October 1, 1965	5.25 inches per acre	9 inches per acre

Following discussion the motion was amended to “obtain a scope of work from Balleau Groundwater Inc. to determine the hydrologic impact to the area should the IGUCA allocations be amended as previously stated.” The amended motion carried 6-0-1. Manager Feril will contact Balleau Groundwater Inc. to obtain the scope of work.

Next, the board discussed the Central Kansas Water Bank Association’s (CKWBA) deadline of December 31 for the establishment of a Safe Deposit Account while the District is closed per the Personnel policy. The board advised staff that the CKWBA procedures be amended to allow District staff to close the office for the week between December 25 and January 1. Additionally, CKWBA board asked the District board if they would like reimbursed for a special edition newsletter that was mailed out in December. The December edition focused solely on the CKWBA programs. By consensus, the District board agreed that as the CKWBA is only available within the District and is a part of the management program for the District, this type of newsletter

can be treated as an in-kind service by the District. Jeff Lanterman, representing the KDA–DWR, was on hand to update the board on current issues. KDA–DWR recently had a conference call with representatives from USFWS regarding the Rattlesnake Creek impairment investigation. This call was held in response to the recent correspondence KDA–DWR received from USFWS.

Ray Flickner noted the upcoming Kansas Water Authority (KWA) meeting in Garden City. Additionally, the recent activity regarding House Bill 2695 was discussed. Equus Beds GMD2 will be sending a letter to the legislative sponsor to address the issue in the proposed legislation through existing statute, regulations, and policies. Following discussion, the board requested that a letter be sent to the legislative sponsors echoing these objectives on behalf of the District. Manager Feril will draft this letter for board review.

Bob Standish moved and Justin Gatz seconded to go into executive session at 3:40 p.m. for 30 minutes for the purpose of discussing personnel matters of non-elected personnel. Executive session is required to protect the privacy interests of the parties involved. Motion carried 6-0-1. The board came out of executive session at 4:07 p.m. Justin Gatz moved and Bob Standish seconded to amend the Personnel Policy to increase the reimbursement from \$400 to \$550 per month effective April 1, 2014. Motion carried 6-0-1. The Personnel Policy will be amended and submitted to the board for approval at the next regular board meeting.

With no further items to discuss, the board adjourned at 4:09 p.m.