

MINUTES – FEBRUARY 16, 2017
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 on Thursday February 16, 2017. Board members present were Darrell Wood, John Janssen, Justin Gatz, Phillip Martin, Curtis Tobias, Kent Lamb, Bob Standish and Tom Taylor. Board Member Fred Grunder was not present. District staff present was Orrin Feril. Guests present were Richard Wenstrom, Jeff Lanterman, Jerry Cullop, Berry Bortz, Calvin Kissick, Lance Higbie, Aaron Koehn, Brent Clarke, and Lynn Preheim (phone).

The February regular board meeting was called to order at 2:30 p.m. by Darrell Wood.

A board review of a Term Permit Application No. 20169100 was added to the agenda as item 8a.

Phil Martin moved and Bob Standish seconded to approve the January minutes as presented. Motion carried 6-0-1. Kent Lamb moved and Bob Standish seconded to approve the January special meeting minutes as presented. Motion carried 6-0-1.

Justin Gatz joined the meeting at approximately 2:35 p.m.

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

Aaron Koehn, representing VonFeldt, Bauer, & VonFeldt, Chartered presented the annual audit to the board for fiscal year 2016. Questions and comments from the board followed the presentation. Justin Gatz moved and Bob Standish seconded to accept the audit report as presented. Motion carried 7-0-1.

Justin Gatz moved and John Janssen seconded to adopt the following resolution to conduct the 2017 audit using the cash basis and budget laws of Kansas. Motion carried 7-0-1.

RESOLUTION NO. 2017-1

WHEREAS the Big Bend Groundwater Management District No. 5, Stafford, Kansas, has determined that the financial statements and financial reports for the year ended 2017 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 2017.

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 16th day of February, 2017 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 2017.

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 a draft 2018 budget for the board's review and discussion. The discussion focused on how the District funds the budget and the anticipated expenses in 2018. The public in attendance was encouraged to provide input in this discussion. Tom Taylor moved and Bob Standish seconded to present the following proposed budget to the public at the annual meeting for review. Motion carried by show of hands 5-1-2.

EXPENDITURES		
PERSONNEL SERVICES		
SALARIES	\$	180,000
EMPLOYEE BENEFITS		25,000
PAYROLL TAXES		15,000
ADMINISTRATION		
TRAVEL & CONFERENCE	\$	17,000
UTILITIES		9,000
PRINTING & PUBLICATIONS		7,000
OFFICE SUPPLIES		5,000
OFFICE EQUIPMENT		4,000
BUILDING EXPENSE		3,000
FIELD EQUIPMENT		3,000
OTHER EXPENSES		
WATER MANAGEMENT	\$	610,000
PROFESSIONAL FEES		200,000
WEATHER STATION EXPENSE		15,000
INSURANCE		11,000
DUES & MEMBERSHIPS		1,500
BUSINESS DINNERS		1,500
OTHER		1,500
POSTAGE		1,500
TOTAL BUDGET	\$	1,110,000
ASSESSMENT RATES		
PER ACRE	\$	0.05
PER ACRE-FOOT		1.00

The District received a change in application for point of diversion change for Water Right File No. 31452 recently. The proposed change will move quantity from the south well to the north well authorized by Water Right File No. 31452. The gross quantity authorized for this water right will not change. There will NOT be a new well proposed under the change application. Domestic well owners in the area have been notified regarding this proposed change with no responses received. The application fails to meet spacing to the applicant's Water Right File No. 15699. The applicant (Brent Clarke) was present to address the board's questions and participate in the discussion of this application. Following this discussion, Bob Standish moved and Phil Martin seconded to waive K.A.R. 5-25-2 and recommend approval of the application. Motion carried 7-0-1.

The District received a term permit application for fire protection for Trousdale and surrounding rural area. The application is for 20 AF per year over a 20 year term period. This application does not meet spacing to nearby domestic wells. The applicant has obtained Domestic Well Spacing Consent forms from all area domestic well owners. Additionally, K.A.R. 5-25-13 limits term permits to 1 year or less, with exception to permits for hydraulic dredging, aquifer remediation, or contaminated water use. Following discussion amongst the board and public present, John Janssen moved and Justin Gatz seconded to waive K.A.R. 5-25-2 & 5-25-13 and recommend approval of the application. Motion carried 7-0-1.

Mr. Feril provided a brief legislative update to the board regarding a few new water related bills that have been introduced in this session.

GMD2 has introduced a bill (SB194) to amend K.S.A. 82a-1030 (Groundwater Management District Act). This language would increase the maximum amount a GMD would be allowed to assess annually and would also allow each GMD board to decide if verified claims would be accepted annually. It was the consensus of the board to stay neutral at this time.

A bill was introduced (HB2272) to establish the 15 member Kansas water collaborative. The mission of the Kansas water collaborative is to ensure that state agencies maximize the value of agency actions for the state of Kansas and its water resources through collaborative strategic thinking, resource allocation and data-driven decision making. Since introduction, this bill has been amended to be a required subcommittee of the Kansas Water Authority to prioritize research projects with the State's universities. No action was taken by the board.

Manager Feril discussed staff activities for the past month and upcoming months. The Nature Conservancy has prioritized the Rattlesnake Creek watershed for the promotion of conservation through partnerships and incentive programs. The board and public in attendance were provided a handout describing this initiative in further detail. The recent AgLand article published by the Hutchinson News was discussed briefly. This article described the recent water level changes observed by the Kansas Geological Survey and KDA-DWR. These changes are in line with those the District has observed this year. The District's annual board appreciation dinner is quickly approaching and all board members were invited.

Jeff Lanterman, representing KDA-DWR provided a brief description of the changes in the Sheridan County LEMA (SD-6). This LEMA is pursuing renewal for another 5-year period and is allowing a portion of the water allocation to be carried over into the new allocation period.

Mr. Feril provided the USFWS' written report for the board's review and discussion.

Calvin Kissick, representing KWA, noted the recent meeting in Topeka and the KWA's stance on several of the legislative bills that have been introduced this session.

Berry Bortz, Great Bend Prairie RAC Chair, provided an update on the RAC's action plans and next steps to achieve their goals. A status update will be provided at the District's annual meeting.

Richard Wenstrom provided an overview of WaterPACK's annual meeting and noted the changes to WaterPACK's board of directors. Burke Griggs provided an overview of several high profile issues that are going on in the state.

Lynn Preheim joined the meeting at 3:40 p.m. via telephone.

Curtis Tobias moved and John Janssen seconded to go into executive session at 3:40 p.m. for twenty minutes for the purpose of preliminary discussion relating to the acquisition of real property. Executive session is required to protect the privacy interests of the parties involved. Motion carried 7-0-1. The board came out of executive session at 4:00 p.m.

John Janssen moved and Tom Taylor seconded to submit the second stakeholder proposal in connection with the USFWS impairment complaint to the Service. Motion carried 7-0-1.

The next District board meeting was tentatively set for March 9, 2017 at 10:00 am.

With no further items to discuss the board adjourned at 4:08 p.m.

Attest by:  Dated 4/13/17