

MINUTES – FEBRUARY 21, 2019  
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 21, 2019. Board members present were Darrell Wood, John Janssen, Phil Martin, Fred Grunder, Justin Gatz, Tom Taylor and Kerry Froetschner. Board members Kent Lamb and Jerry Cullop were not present. District staff present was Orrin Feril. Guests present were Aaron Koehn, Jeff Lanterman, Leah Chadd, Marlyn Spare, Roger Stotts, Kent Moore, Calvin Kissick, Matt Unruh, Richard Rockel, Justin Vosburgh, Lynn Preheim, and John Donley.

The February regular board meeting was called to order at 2:00 p.m. by Darrell Wood.

Fred Grunder moved, and Kerry Froetschner seconded to approve the January minutes as presented. Motion carried 4-0-1.

Orrin Feril provided the board and public with the February treasurer's report and highlighted the unique items for further board review. Phil Martin moved, and John Janssen seconded to accept the February treasurer's report as presented. Following discussion, the motion carried 4-0-1.

Tom Taylor and Justin Gatz joined the meeting at approximately 2:05 p.m.

Aaron Koehn, VonFeldt, Bauer, & VonFeldt, Chartered, presented the audit report to the board for fiscal year 2018. A few questions were answered before John Janssen moved, and Justin Gatz seconded to accept the audit report as presented. Motion carried 6-0-1.

Fred Grunder moved, and John Janssen seconded to adopt Resolution 2019-1 to conduct the 2019 audit using the cash basis and budget laws of Kansas. Motion carried 6-0-1.

RESOLUTION NO. 2019-1

WHEREAS the Big Bend Groundwater Management District No. 5, Stafford, Kansas, has determined that the financial statements and financial reports for the year ended 2019 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 2019.

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 21st day of February 2019 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 2019.

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.

John Donley joined the meeting at approximately 2:15 p.m.

Orrin Feril presented the board with an updated FY2020 budget in preparation for discussion at the annual meeting. Following discussion in the January meeting, the water assessment rate was adjusted from \$1.20 per acre-foot to \$2.00 per acre-foot in preparation of funding the District activities in the coming years. The presentation to the public at the annual meeting will be very beneficial to gather input from the stakeholders on the proposed budget.

EXPENDITURES

PERSONNEL SERVICES

SALARIES	\$	225,000
EMPLOYEE BENEFITS		45,000
PAYROLL TAXES		22,500

ADMINISTRATION

TRAVEL & CONFERENCE	\$	20,000
FIELD EQUIPMENT		10,000
UTILITIES		12,000
PRINTING & PUBLICATIONS		8,000
OFFICE SUPPLIES		5,000
OFFICE EQUIPMENT		5,000
BUILDING EXPENSE		3,000

OTHER EXPENSES

WATER MANAGEMENT	\$	1,000,000
PROFESSIONAL FEES		500,000
WEATHER STATION EXPENSE		15,000
INSURANCE		13,000
POSTAGE		2,000
OTHER		2,000
BUSINESS DINNERS		1,500
DUES & MEMBERSHIPS		500

TOTAL BUDGET \$ 1,889,500

ASSESSMENT RATES

PER ACRE	\$	0.05
PER ACRE-FOOT		2.00

The agenda for the annual meeting was reviewed and discussed by the board. Minor adjustments were made based on availability of various board members. As noted previously, the Chief Engineer was invited to present at the meeting but declined the invitation.

Over the past several months, the board has been considering a set of regulatory modifications for the District. There are two draft revisions to existing regulations (K.A.R. 5-25-2 and K.A.R. 5-25-4) to ensure the proper implementation of an augmentation wellfield along with a new draft regulation (K.A.R. 5-25-22) to provide the mechanism for moving water out of the Rattlesnake Creek "high impact area." The revisions recommended by the board over the past several months have been implemented into the drafts. Following thorough discussion, Justin Gatz moved, and John Janssen seconded to submit these regulations to the Chief Engineer for adoption. Motion carried 5-0-2.

John Donley, Devine Donley & Murray Governmental Affairs, LLC, provided an update to the board and public concerning to the legislative activities in Topeka. At this point, there is one bill that has been introduced that is related to water.

- SB182 – [Providing for water measuring device inspections and limiting the liability of water right owners regarding water measuring devices and the use of water measuring device technicians] – This bill had a hearing in the Senate Agriculture and Natural Resources committee. Two of the groundwater districts, as well as KDA, testified in opposition to this bill. This bill’s future is uncertain.

Orrin Feril discussed staff activities for the past month and upcoming months. The legislative reception held in Topeka was well attended and provided an opportunity to discuss central Kansas issues with new legislators. Orrin also attended the WaterPACK annual meeting and provided the board with a brief synopsis of that meeting. The majority of the past months’ time has been occupied in preparation for the annual meeting and LEMA discussion.

The LEMA committee updated the board on the status of the proposed Quivira NWR LEMA and provided all in attendance an updated draft document for review and consideration. Lynn Preheim and Orrin Feril provided additional details regarding the revisions to this document. The document will be posted to the District’s website as well as handed out at the annual meeting. Following these discussions, Fred Grunder moved, and Tom Taylor seconded to approve the proposed Quivira NWR LEMA plan as amended and to submit it to the Chief Engineer for review in preparation for public hearings. The motion carried 5-0-2.

Jeff Lanterman, KDA–DWR, stated that KDA–DWR is finalizing the review of the record for the Cities of Hays and Russell change applications. This will likely be completed in weeks not months.

Calvin Kissick provided an update on the KWA activities to the board. The KWA met in Topeka where they had the opportunity to meet with state legislators. These discussions went well and there is a great need for further follow up with legislators to keep the water issues on their radar.

Matt Unruh provided a brief update on the Great Bend Prairie RAC activities. The next meeting will be in the District’s office on March 13 at 10:00 am.

Kent Moore, WaterPACK, noted that Keller/Bleisner has been contracted to conduct a peer review of the LEMA work by KDA–DWR and the District. Additionally, the economic analysis of irrigation to this region is available on the District’s website again.

In other business, the Orrin Feril highlighted a recent letter received from the Mid Ark Subbasin Protection Group requesting that the board revisit the recommendations made to the Chief Engineer to “insure that these issues have been dealt with to the satisfaction of GMD5 staff, directors, and consultants.” Orrin Feril stated he has followed up with KDA staff and offered direct discussion with consultants if there are any questions. No action was taken by the board.

The next District board meeting was tentatively set for March 14, 2019 at 1:00 p.m.

With no further items to discuss the board adjourned at 3:30 p.m.

Attest by:  Dated 3/14/19