

MINUTES – FEBRUARY 18, 2016  
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 18, 2016. Board members present were John Janssen, Kent Lamb, Bob Standish, Fred Grunder, Tom Taylor, Phillip Martin, Curtis Tobias and Justin Gatz. Board member Darrell Wood was not present. District staff present was Orrin Feril. Guests present were Leah Chadd, Shaine Chadd, Terry Studer, Aaron Koehn, Lane Letourneau, Calvin Kissick, Richard Wenstrom and Jeff Lanterman.

The February regular board meeting was called to order at 1:00 p.m. by Fred Grunder.

Terry Studer and Leah Chadd requested discussions with the board, which were added to the agenda as items 5a and 5b, respectively.

Justin Gatz moved and Bob Standish seconded to accept the January minutes as mailed. Motion carried 7-0-1.

Bob Standish moved and Kent Lamb 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 2015. Questions and comments from the board followed the presentation. The board accepted the report by consensus.

Justin Gatz moved and Bob Standish seconded to adopt the following resolution to conduct the 2016 audit using the cash basis and budget laws of Kansas. Motion carried 7-0-1.

RESOLUTION NO. 2016-1

WHEREAS the Big Bend Groundwater Management District No. 5, Stafford, Kansas, has determined that the financial statements and financial reports for the year ended 2016 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 2016.

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 18th day of February, 2016 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 2016.

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.

Terry Studer is the landowner of the property where the District has three observation wells installed known as Water Quality Site 38 (WQS38). Mr. Studer requested financial compensation from the District to have those wells installed on his property, noting the potential liability for contamination to the aquifer from those wells. Manager Feril stated it has not been the policy of the District to compensate the landowners for those land use agreements and by doing so in this case would create a precedent for the future. The purpose and history of those wells was explained to the board. Following thorough discussion by the board, Tom Taylor moved and John Janssen seconded to plug the three observation wells at WQS38. Motion carried 7-0-1. Further discussion followed in regards to the replacement of those wells at a nearby location. Tom Taylor moved and Phil Martin seconded to explore landowner interest in the surrounding area near WQS38. Motion carried 7-0-1.

Terry Studer left the meeting at 1:30 p.m.

Leah Chadd and Shaine Chadd requested further information from the board on its stance in regards to the Quivira NWR impairment investigation. Manager Feril stated that the District has not formally presented any comments on the initial report and that any comments made at this point by the board members were not necessarily the view of the board as a whole. Furthermore, there are items that are protected by attorney-client privilege that the District cannot make public at this point. With that understanding, there was a general discussion on the initial report and the possible implications to the area. No action was taken by the board.

Manager Feril presented the proposed 2017 budget for the board's review and discussion. Following discussion, the board agreed by consensus to present the proposed budget to the public at the annual meeting for review.

Lane Letourneau, Kansas Department of Agriculture – Division of Water Resources (KDA–DWR), gave a summary of the recent legislative activity in regards to water issues. Additionally a brief discussion on the proposed rules and regulations for KDA–DWR was held. No action was taken by the board at this time.

Manager Feril discussed staff activities for the past month and upcoming months. KDA–DWR will be holding a brief webinar to discuss the proposed regulations and the board was encouraged to participate. The District has recently hired a new administrative assistant that started on February 16. Further updates on the projects around the District will be presented at the annual meeting.

Jeff Lanterman, representing KDA–DWR, stated noted the recent retirement of Jan Stryker from the Stafford field office. Mr. Lanterman also reminded the board that the deadline to file water use reports is March 1 and these reports can be completed online at the user's convenience.

Calvin Kissick, representing the Kansas Water Authority, attended a recent meeting on January 28. Mr. Kissick provided a brief summary of this meeting. A public hearing on the proposed statewide regulations for aquifer storage and recovery projects was also held recently. Mr. Kissick encouraged the board to consider the implications of such a regulatory change might have for current and future projects. The next KWA meeting will be in May in Oakley.

Richard Wenstrom, representing WaterPACK, noted the recent presentation at the Kansas Water Congress by Burke Griggs on the relationship between the Kansas Water Appropriation Act and the Groundwater Management Act.

The next District board meeting was tentatively set March 10, 2016 at 7:00 p.m.

With no further items to discuss, the board adjourned at 3:21 p.m.

Attest by: Antis Fabus Dated Apr. 7, 2016