

MINUTES – JANUARY 14, 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 January 14, 2016. Board members present were Darrell Wood, John Janssen, Kent Lamb, Bob Standish, Fred Grunder, Tom Taylor, Phillip Martin, Curtis Tobias and Justin Gatz. District staff present was Orrin Feril. Guests present were Calvin Kissick, Richard Wenstrom, Mike Oldham, Kent Roth, Roger Stotts, Justin Vosburgh and Cameron Conant.

The January regular board meeting was called to order at 1:00 p.m.

A discussion on the R9 Ranch Transfer application was added to the agenda as item 8a. Kent Roth requested a discussion with the board, which was added to the agenda as item 8b. An executive session for personnel issues was added to the agenda as item 14a.

Curtis Tobias read the December minutes. Kent Lamb moved and John Janssen seconded to accept the December minutes as read. Motion carried 8-0-1.

Tom Taylor moved and Bob Standish seconded to accept the January treasurer's report as presented. Following discussion, the motion carried 8-0-1.

Manager Feril presented the audit engagement letter from VonFeldt, Bauer, & VonFeldt, Chartered for review by the board. Fred Grunder moved and Bob Standish seconded to accept the engagement letter in order to conduct the District's financial audit. Motion carried 8-0-1.

Manager Feril presented a draft 2017 budget for the board's review and discussion. The draft budget will be reviewed again at the February board meeting before being presented to the public for review at the annual meeting. No further action was taken by the board at this time.

The District participates in a Groundwater Management District roundtable event and Legislative reception every year in Topeka. Manager Feril requested, by show of hands, which of the board were planning on attending.

John Janssen moved and Phil Martin seconded to approach Kent Askren to provide legislative monitoring for the District for \$5000. Following brief discussion, the motion carried 5-4-0.

The Kansas Department of Agriculture is proposing a set of regulations for the District's review and recommendation. The first regulation deals with the demonstration an applicant must provide when applying for a change in point of diversion. The second regulation is in regards to the civil penalties for exceeding the annual amount authorized in addition to other infractions on the water right. The third regulation is to clarify the authority of the chief engineer to seal water flow meters to the flow pipe. Following discussion, no action was taken by the board.

The Chief Engineer for Kansas Department of Agriculture – Division of Water Resources (KDA-DWR) has extended the comment period on the initial report on the Quivira National Wildlife Refuge impairment investigation to April 15, 2016. At this point, the District has not yet submitted comments on this report. No further action was taken by the board.

Recently the Cities of Hays and Russell filed an “Application to Transfer Water from Edwards County Kansas to the Cities of Hays and Russell Kansas” with the Chief Engineer. The filing of this application was noted to the board, but the application was not presented to the board for comment. No further action was taken by the board.

Kent Roth, Roth Law Office, requested the addition of an article in the District’s newsletter. This request is in conflict with District’s newsletter editorial policy. The board discussed the nature of the article submission. It was consensus of the board to not publish the article in the newsletter, but to allow Mr. Roth to set up a booth at the annual meeting along with other vendors.

Manager Feril discussed staff activities for the past month and upcoming months. Staff is collecting the annual water level measurements throughout the District for public presentation at the annual meeting. Recently, the Chief Engineer held the public hearing on the proposed regulation that would implement the alternative calculation method for the Multi-Year Flex Account program. There were no opponents to the regulation at that hearing. Additionally, Mr. Feril recently attended the GMDA conference in Sacramento, CA. The board heard a brief synopsis of some of the topics discussed at that conference.

Cameron Conant, representing KDA–DWR, stated the annual water use reports have been mailed to water users and encouraged users to file these reports online. As noted in the public meeting in St John on the Quivira NWR impairment investigation, the entire file for Water Right File No. 7571 is being scanned for publication on KDA–DWR’s website. This should be complete by the end of next week. No further information was provided at this time.

Mike Oldham, representing the US Fish and Wildlife Service, stated that the water features at the refuge are iced over and as a result few birds are present. No further information was provided at this time.

Calvin Kissick, representing the Kansas Water Authority, attended a recent meeting in Ellsworth on December 17th. 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 on January 28 in Topeka.

Justin Vosburgh arrived at 3:00 p.m.

Richard Wenstrom, representing WaterPACK, noted the meeting of the Regional Advisory Committee earlier in the day. It was the consensus of the meeting that “No one in the area is against sustainability”.

In other business, the annual meeting is coming up next month and the board member positions that are up for election are Stafford, Reno and Pratt counties. The board members representing those counties were each asked if they were interested in running as incumbent. This meeting will be held at the Stafford County Annex in St John at 7:00 p.m. on February 18, 2016.

John Janssen moved and Justin Gatz seconded to go into executive session at 3:15 p.m. for 15 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 8-0-1. The board came out of executive session at 3:30 p.m.

The next District board meeting was tentatively set February 18, 2016 at 1:00 p.m.

With no further items to discuss, the board adjourned at 3:35 p.m.

Attest by: Curtis Tobias Dated 2-18-2016