

**PROPOSED AGENDA  
BOARD OF DIRECTORS MEETING  
EQUUS BEDS GROUNDWATER MANAGEMENT DISTRICT NO. 2**

**Conference room**

6:00 p.m.

Tuesday April 12, 2005

313 Spruce Street

Halstead, Kansas, 67056-1925

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1. APPROVAL OF MINUTES
2. APPROVAL OF AGENDA
3. FINANCIAL REPORT
  - a) Financial audits - Jack Blazer, Knudsen and Monroe Company
4. APPROVAL OF EXPENDITURES
5. PUBLIC FORUM - *Persons may present written or verbal comments concerning non-agenda business. Please limit presentation to five minutes.*
6. APPEAL REVIEW
  - a) None Pending
7. OLD BUSINESS
  - a) None Pending
8. NEW BUSINESS
  - a) Water flow meter requirement regulation K.A.R. 5-22-4a
  - b) Arsenic concerns aquifer storage and recovery program
  - c) KDHE animal waste control regulations
  - d) Health Insurance review
9. MANAGER'S REPORT
  - a) Status administrative assistant position
  - b) Status Voshell and Johnson water quality monitoring networks
  - c) Customer survey report
  - d) Monthly hydrologic condition report
  - e) Monthly information and service report
10. ADDITIONS TO THE AGENDA
11. BOARD ROUND TABLE DISCUSSION – Bob Seiler, President
12. EXECUTIVE SESSION – Personnel and Legal

**Notice: All Board of Directors meeting and any portion thereof are open to the public, except for closed or executive meetings, as prescribed by K.S.A. 75-4319.**

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## EQUUS BEDS GROUNDWATER MANAGEMENT DISTRICT NO. 2

April 12, 2005

The Board of Directors for the Equus Beds Groundwater Management District No. 2 held a monthly meeting April 12, 2005, in the conference room of the Equus Beds Groundwater Management District No. 2 in Halstead, Kansas. President, Bob Seiler, called the meeting to order at 6:02 P.M.

Directors and staff present during all or portions of the meeting:

Robert Seiler, President  
Frank Harper, Vice President  
David Stroberg, Secretary  
Clarke Dixon, Treasurer  
Larry Jacob, Member

Kirk Larson, Member  
Fred Seiler, Member  
Nadine Stannard, Member  
Tom Adrian, Attorney  
Mike Dealy, Manager  
Tim Boese, Hydrologic Technician and  
meeting recorder

Directors absent: David Warren

Others attending the meeting or portions thereof were:

Steve Bond, DWR, Stafford  
Ed Combs, Burrton  
Jack Blazer, Newton  
Anita McQueen, Burrton

Amy Bickel, Hutchinson  
John A. Young, Burrton  
Wilbur Kurr, Sedgwick

### Item 1 -- Approval of Minutes

Moved by Nadine Stannard and seconded by Larry Jacob to approve the March 8, 2005, and March 29, 2005, Board minutes. Motion carried with 7 Director(s) for, 0 Director(s) against, 0 Director(s) abstained, and 2 Director(s) absent.

### Item 2 -- Approval of Agenda

Moved by Nadine Stannard and seconded by David Stroberg to move the legal section of Agenda Item 12 – Executive Session, to the next item (Item 2A). Motion carried with 7 Directors for, 0 Directors against, 0 Directors abstained, 2 Director absent.

### Item 2A – Executive Session - Legal

It was moved by Frank Harper to recess into executive session at 6:05 p.m. for 20 minutes to discuss legal matters, to protect the privacy of those discussions, to permit consultation with the Board, and to protect the confidentiality of the privileged nature of those communications. Those present during this executive session would be members of the Board, Mike Dealy, District Manager, Tom Adrian, Legal Counsel, and Jack Blazer, Knudsen and Monroe Company. The open meeting was to reconvene at 6:25 p.m. Clarke Dixon seconded the motion. Motion carried with 7 Director(s) for, 0 Director(s) against, 0 Director(s) abstained, 2 Director(s) absent.

The Board returned to regular session at 6:25 p.m.

**Item 3 – Financial Report**

**a) Annual Financial Audit**

Jack Blazer, Knudson and Monroe Company, reviewed the 2004 annual audit with the Board. Moved by Nadine Stannard and seconded by Kirk Larson to approve the annual financial audit report as presented. Motion carried with 8 Directors for, 0 Directors against, 0 Directors abstained, 1 Director absent.

**b) March Financial Report**

**The Financial Report for March was:**

Cash Receipts	\$ 9,510.93
Beginning Balance	\$205,057.75
Money Market Account Interest	\$ 373.18
General Fund Interest	\$ 20.84
Grant Funds – Interest	\$ 12.80
Expenditures	\$ 18,593.46
Grant Funds Expenditures	\$ 0.00
Ending Balance	\$196,382.04

Moved by Frank Harper and seconded by Larry Jacob to approve the March financial report. Motion carried with 8 Director(s) for, 0 Director(s) against, 0 Director(s) abstained, 1 Director(s) absent.

**Item 4 -- Approval of Expenditures**

Moved by Kirk Larson and seconded by Fred Seiler to approve the April expenditures. Motion carried with 8 Director(s) for, 0 Director(s) against, 0 Director(s) abstained, 1 Director(s) absent.

**Item 5 -- Public Forum**

Bob Seiler, President, asked if any audience member had comments to present to the Board of Directors. Wilbur Kurr, Sedgwick, advised he wanted to provide comments concerning the Kansas Department of Health and Environment's proposed livestock lagoon regulations. Mr. Kurr advised he would provide his comments when the Board reviewed the issue during Agenda Item 8(c). Anita McQueen, Burrton, advised the Board that she believes all of the District's monitoring wells should be equipped with locking caps to prevent access by unauthorized personnel and reduce the risk of contamination. Mike Dealy, Manager, advised the Board that many of the District's monitoring wells were already equipped with locking caps, especially those wells close to urban areas. The Board directed District staff to provide to the Board, at the June 14, 2005, meeting, a cost estimate to equip the remaining wells with locking caps.

**Item 6 – Appeal Review**

**a) None were pending.**

**Item 7 – Old Business**

**a) None were pending.**

## **Item 8 – New Business**

### **a) Water flow meter requirement regulation K.A.R. 5-22-4a**

Mike Dealy, Manager, reviewed with the Board the District's water meter regulations, enforcement procedures and appeal process. Board discussion followed. It was the consensus of the Board to not make any changes to the meter requirement regulations or enforcement procedures at this time. The Board directed District staff to provide a draft appeal form to the Board at the next available meeting.

### **b) Arsenic concerns aquifer storage and recovery program**

Clarke Dixon, treasurer, advised he was providing information about arsenic in groundwater at the request of David Warren, member. It was moved by Frank Harper to table the item until the May 10, 2005, meeting due to Mr. Warren's absence. Kirk Larson seconded the motion. Motion carried with 8 Director(s) for, 0 Director(s) against, 0 Director(s) abstained, 1 Director(s) absent.

### **c) KDHE animal waste control regulation**

The Board discussed the proposed KDHE animal waste control regulations. Wilbur Kurr, Sedgwick, provided comments to the Board concerning the proposed regulations. Mike Dealy, Manager, reviewed with the Board a draft letter to the KHDE Secretary expressing the Board's support of the proposed regulations. The letter was drafted at the request of Bob Seiler, President. It was moved by Kirk Larson to send the letter as written, minus additional recommendation number 2. Clarke Dixon seconded the motion. Nadine Stannard made a motion to amend the motion to include deleting more of the letter. The letter would be reduced to simply stating that the Board of Directors support the proposed regulations. Frank Harper seconded the motion. The amended motion carried with Directors Clarke Dixon, Frank Harper, Larry Jacob, Kirk Larson, Bob Seiler, Fred Seiler, Nadine Stannard, and David Stroberg, voting for the motion, 0 Director(s) against, 0 Director(s) abstained, 1 Director(s) absent.

### **d) Health insurance review**

Mike Dealy, Manager, reviewed the District's current health insurance coverage and premiums and advised the Board the 2005 health insurance expense will be considerably less than the budgeted amount due to two staff vacancies. Board discussion followed. It was the consensus of the Board to table any action until the May 10, 2005, meeting and directed District staff to provide information concerning flexible spending accounts/cafeteria plans to the Board at the May meeting.

## **Item 9 – Manager's Report**

### **a) Status administrative assistant position**

Mike Dealy, Manager, advised the position opening announcements would be sent out soon.

**b) Status Voshell and Johnson Water Quality Monitoring Networks**

Mike Dealy, Manager, advised that one of the two remaining wells in the Johnson monitoring network was drilled, abandoned and plugged due to a lack of aquifer. The drilling of the last well was delayed by weather and will be completed as soon as conditions allow.

**c) Customer survey report**

Mike Dealy, Manager, reviewed the 1<sup>st</sup> quarter customer survey report and advised all received surveys indicated excellent service.

**c) Monthly Hydrologic Condition Report**

Mike Dealy, Manager, reviewed the Hydrologic Condition Reports. He advised that the Darlow Station was now functioning properly, the Hutchinson Station's rain gauge was repaired, and Pretty Prairie Station's water-level transducer is scheduled for replacement.

**d) Monthly Information and Service Report**

Mike Dealy, Manager, advised that District staff responded to 321 requests for information or assistance in March for an average of over 14.5 per day. Many of the requests were due to verified claims being processed by District staff.

**Item 10-- Additions to the Agenda**

There were no additions to the agenda.

**Item 11 – Board Round Table Discussion – Bob Seiler, President**

There was no discussion.

**Item 12 – Executive Session – Personnel**

**a) Personnel**

It was moved by Nadine Stannard to recess into executive session at 9:45 p.m. for 15 minutes to discuss personnel matters of non-elected personnel, for the purpose of protecting the privacy of that information. Those present during this executive session would be the members of the Board, and Tom Adrian, Legal Counsel. The open meeting was to reconvene at 10:00 p.m. David Stroberg seconded the motion. The motion carried with 8 Director(s) for, 0 Director(s) against, 0 Director(s) abstained, and 1 Director(s) absent.

The Board returned to regular session at 10:00 p.m.

It was moved by Nadine Stannard to recess into executive session at 10:00 p.m. for 30 minutes to discuss personnel matters of non-elected personnel, for the purpose of protecting the privacy of that information. Those present during this executive session would be the members of the Board and Tom Adrian, Legal Counsel. The open meeting was to reconvene at 10:30 p.m. Clarke Dixon seconded the motion. The motion carried with 8 Director(s) for, 0 Director(s) against, 0 Director(s) abstained, and 1 Director(s) absent.

The Board returned to regular session at 10:24 p.m.

Moved by Frank Harper and seconded by David Stroberg to adjourn the meeting. Motion carried with 8 Director(s) for, 0 Director(s) against, 0 Director(s) abstained, and 1 Director(s) absent.

Bob Seiler, President, adjourned the Board meeting at 10:24 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "David Stroberg".

David Stroberg  
Secretary  
DS/MTD/tdb