

PROPOSED AGENDA  
BOARD OF DIRECTORS MEETING

**EQUUS BEDS GROUNDWATER MANAGEMENT DISTRICT NO. 2**

Conference room

6:00 p.m.

Tuesday June 12, 2007

313 Spruce Street • Halstead, KS 67056-1925

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1. APPROVAL OF MINUTES
2. APPROVAL OF AGENDA
3. FINANCIAL REPORT
  - a) May Financial Report
  - b) Bank Account Resolutions
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) 6:10 p.m. – City of Hesston, Application #46649, SW 10-22S-2W, Harvey County
  - b) 6:20 p.m. – City of Hesston, Application #46650, SW 10-22S-2W, Harvey County
7. OLD BUSINESS
  - a) KPERS Affiliation and Prior Service Liability Repayment Options
  - b) Summer Intern Status
8. NEW BUSINESS
  - a) Resolution ME 07-1 Adoption of Land and Water Assessment Rates and FY 2008 Budget
  - b) Manager Position
9. MANAGER'S REPORT
  - a) Administrative and Field Tasks
  - b) KGMDA Meeting Review
  - c) Monthly Hydrologic Condition Report
  - d) Monthly Information and Service Report
10. ADDITIONS TO THE AGENDA
11. BOARD ROUND TABLE DISCUSSION – Bob Seiler, President
12. EXECUTIVE SESSION – Personnel

**Notice:** A Board of Directors meeting and any portion thereof is 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

June 12, 2007

The Board of Directors for the Equus Beds Groundwater Management District No. 2 held a monthly meeting June 12, 2007, in the conference room of the Equus Beds Groundwater Management District No. 2 in Halstead, Kansas. Vice-President Frank Harper called the meeting to order at 6:02 p.m.

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

Robert Seiler, President	Dennis Gruenbacher, Member
Frank Harper, Vice-President	Tom Adrian, Attorney
Larry Jacob, Treasurer	Kirk Larson, Member
David Warren, Member	Tim Boese, Interim Manager / Hydrologist
Fred Seiler, Member	Dorinda Albrecht, Administrative Assistant
Don Koci, Member	

Directors absent: David Stroberg, Secretary

Others attending the meeting or portions thereof were:

John Carder, Hesston	Kirk Matz, Hesston
Jim Waltner, Hesston	Amy Bickel, Hutchinson News
Bruce Falk, DWR – Stafford	M.S. Mitchell, Wichita
Brian Meier, Wichita	

### Item 1 -- Approval of May 8<sup>th</sup> Minutes

Moved by Dennis Gruenbacher to add Randy Pankratz, Legal Counsel, as present to the minutes for the May 8<sup>th</sup> meeting and executive session, and approve the minutes as amended. Don Koci seconded the motion. Motion carried with 7 Directors for, 0 Directors against, 0 Directors abstained, and 2 Directors absent.

### Item 2 -- Approval of Agenda

Moved by Kirk Larson and seconded by David Warren to approve the June agenda. Motion carried with 7 Directors for, 0 Directors against, 0 Directors abstained, and 2 Directors absent.

### Item 3 -- Financial Report

#### a) The Financial Report for May was:

Cash Receipts	\$ 782.70
Beginning Balance	\$ 278,162.08
General Fund Interest	\$ 970.56
Grant Funds – Interest	\$ 131.06
Expenditures	\$ 17,514.33
Grant Funds Expenditures	\$ 0.00
Ending Balance	\$ 262,532.07

Moved by Larry Jacob to approve the May financial report. Kirk Larson seconded the motion. Motion carried with 7 Directors for, 0 Directors against, 0 Directors abstained, and 2 Directors absent.

**b) Bank Account Resolutions**

Tim Boese, Interim Manager / Hydrologist, advised the resolutions were necessary to designate the signatures of the District's bank accounts. Moved by David Warren and seconded by Don Koci to have the Board officers and Tim Boese sign the bank resolutions. Motion carried with 7 Directors for, 0 Directors against, 0 Directors abstained, and 2 Directors absent.

**Item 4 -- Approval of Expenditures**

Moved by David Warren and seconded by Kirk Larson to approve the June expenditures. Motion carried with 7 Directors for, 0 Directors against, 0 Directors abstained, and 2 Directors absent.

**Item 5 -- Public Forum**

Frank Harper, Vice-President, asked if any audience member wish to present any comments to the Board of Directors. There were none.

**Item 6 -- Appeal Review**

**a) City of Hesston, Application #46649, SW 10-22S-2W, Harvey County**

Tim Boese, Interim Manager / Hydrologist, reviewed information regarding the City of Hesston's application #46649. City of Hesston representatives—John Carder, Kirk Matz, and Jim Waltner—were present and provided information to the Board.

**FINDINGS:**

1. The application does not comply with the Well Spacing Rule and Regulation 5-22-2(a)(1);
2. The proposed well (Well No. 11) is located approximately 1003 feet northwest of the applicant's southeast well (Well No. 10) authorized by water right no. 23036;
3. Well No. 10 and Well No. 11 are both owned by the applicant and are authorized by water right no. 23036;
4. Operation of Well No. 10 and Well No. 11 has not caused an impairment of either well in the past;
5. Well No. 10 and Well No. 11 are not usually operated at the same time, reducing the chance of impairment;
6. The proposed well complies with minimum spacing requirements to all other domestic and non-domestic points of diversion;
7. The application does not propose an increase in the currently authorized maximum pumping rate of Well. No. 11;
8. The application complies with the Safe Yield Regulation 5-22-7(a); and
9. The application is subject to the metering regulation 5-22-4a.

Based on the findings, David Warren made a motion to recommend that an exception to the Well Spacing Regulation 5-22-2(a)(1) be granted and the application be approved, subject to the following conditions:

1. The applicant submit a corrected Municipal Application Supplemental Information Sheet to DWR and the District;
2. The proposed maximum pumping rate of 750 GPM is further limited to 750 GPM when combined with the maximum rate for Well No. 11 as authorized by water right no. 23036; and
3. The installation of a water flowmeter pursuant to District metering regulation K.A.R. 5-22-4a.

Larry Jacob seconded the motion. Motion carried with 7 Directors for, 0 Directors against, 0 Directors abstained, and 2 Directors absent.

**b) City of Hesston, Application #46650, SW 10-22S-2W, Harvey County**

Tim Boese, Interim Manager / Hydrologist, reviewed information regarding the City of Hesston's application #46650. City of Hesston representatives—John Carder, Kirk Matz, and Jim Waltner—were present and provided information to the Board.

**FINDINGS:**

1. The application does not comply with the Well Spacing Rule and Regulation 5-22-2(a)(1);
2. The proposed well (Well No. 10) is located approximately 1003 feet southeast of the applicant's northwest well (Well No. 11) authorized by water right no. 23036 and proposed by application no. 46649;
3. Well No. 10 and Well No. 11 are both owned by the applicant and are authorized by water right no. 23036;
4. Operation of Well No. 10 and Well No. 11 has not caused an impairment of either well in the past;
5. Well No. 10 and Well No. 11 are not usually operated at the same time, reducing the chance of impairment;
6. The proposed well complies with minimum spacing requirements to all other domestic and non-domestic points of diversion;
7. The application does not propose an increase in the currently authorized maximum pumping rate of Well. No. 10;
8. The applicant has requested that the proposed quantity be further limited to the maximum allowable of 1234.84 AF/Y when combined with the applicant's existing water rights and proposed senior application;
9. The application complies with the Safe Yield Regulation 5-22-7(a); and
10. The application is subject to the metering regulation 5-22-4a.

Based on the findings, Don Koci made a motion to recommend that an exception to the Well Spacing Regulation 5-22-2(a)(1) be granted and the application be approved, subject to the following conditions:

1. The applicant submit a corrected Municipal Application Supplemental Information Sheet to DWR and the District;
2. The proposed maximum pumping rate of 570 GPM is further limited to 570 GPM when combined with the maximum rate for Well No. 10 as authorized by water right no. 23036;
3. The proposed quantity of 296.18 AF/Y is further limited to a total of 1234.84 AF/Y when combined with the applicant's existing water right nos. 15166, 23036, and 25229, and application no. 46649; and
4. The installation of a water flowmeter pursuant to District metering regulation K.A.R. 5-22-4a.

Kirk Larson seconded the motion. Motion carried with 7 Directors for, 0 Directors against, 0 Directors abstained, and 2 Directors absent.

#### **Item 7 -- Old Business**

##### **a) KPERS Affiliation and Prior Service Liability Repayment Options**

*Moved to discuss after Agenda Item 10.*

##### **b) Summer Intern Status**

Tim Boese, Interim Manager / Hydrologist, advised he had talked with Dr. Sleezer, Emporia State University, regarding the summer intern for the District. Dr. Sleezer was unaware that the District had not yet purchased the ArcView software upgrade and suggested the District purchase the software prior to hiring an intern.

It was the consensus of the Board for District staff to gather cost estimates for the software, research grants to help fund the software, and to seek out help for training of the software.

#### **Item 8 -- New Business**

##### **a) Resolution ME 07-1 Adoption of Land & Water Assessment Rates and FY 2008 Budget**

*Moved to discuss after Agenda Item 10.*

##### **b) Manager Position**

The Board discussed the Manager's position and resignation of Lee Wheeler. More Board discussion was to take place regarding the Manager position during Executive Session.

Moved by Dennis Gruenbacher and seconded by Kirk Larson to accept Lee Wheeler's resignation letter, effective May 10, 2007. Motion carried with 7 Directors for, 0 Directors against, 0 Directors abstained, and 2 Directors absent.

## **Item 9 -- Manager's Report**

### **a) Administrative and Field Tasks**

Tim Boese, Interim Manager / Hydrologist, summarized District staff activity for the month of May, including website updates, assessment database maintenance and updates, application processing, and field inspections.

### **b) KGMDA Meeting Review**

Tim Boese, Interim Manager / Hydrologist, discussed the recent KGMDA meeting he attended in Hays, KS, and that the Attorney General Opinion 2002-24 had been discussed during the meeting but no action had yet been taken on it.

### **c) Monthly Hydrologic Condition Report**

Tim Boese, Interim Manager / Hydrologist, advised the monthly hydrologic condition reports could be found in the back of the Board booklets, and further advised that a new transducer had been ordered for the Pretty Prairie station, was expected to arrive shortly, and would be installed by District staff upon receipt.

### **d) Monthly Information and Service Report**

For the month of May, District staff responded to 163 requests, an average of 7.41 per day.

Frank Harper, Vice-President, recessed the regular meeting at 7:06 p.m.  
The Board returned to the regular meeting at 7:20 p.m.

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

There were none.

## **Item 7 -- Old Business**

### **a) KPERS Affiliation and Prior Service Liability Repayment Options**

Prior to discussion, Don Koci, member, removed himself from the meeting to avoid an appearance of impropriety.

Tim Boese, Interim Manager / Hydrologist, advised a spreadsheet showing the projected costs of KPERS to the District could be found in the Board booklets. Board discussion followed.

Moved by Fred Seiler and seconded by David Warren to approve the District's affiliation resolution for KPERS, effective January 1, 2008. Motion carried with 7 Directors for, 0 Directors against, 0 Directors abstained, and 2 Directors absent.

## **Item 8 -- New Business**

### **b) Resolution ME 07-1 Adoption of Land & Water Assessment Rates and FY 2008 Budget**

Tim Boese, Interim Manager / Hydrologist, advised the resolution was necessary to adopt the FY 2008 budget and set the land and water assessment rates.

Moved by David Warren and seconded by Larry Jacob to adopt a land assessment rate of \$0.05 per acre and a water assessment rate of \$0.82 per acre-foot, and to adopt Resolution ME 07-1. Motion carried with 8 Directors for, 0 Directors against, 0 Directors abstained, and 1 Director absent.

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

There was none.

**Item 12 -- Executive Session -- Personnel**

Moved by Larry Jacob and seconded by Don Koci to recess into Executive Session at 7:36 p.m. until 8:06 p.m. to discuss personnel matters for the purpose of protecting the privacy of that information. Those present during this executive session were the members of the Board and Tom Adrian, Legal Counsel. The open meeting was to reconvene at 8:06 p.m. Motion carried with 8 Directors for, 0 Directors against, 0 Directors abstained, and 1 Directors absent.

The Board returned to regular session at 8:06 p.m.

Moved by Larry Jacob and seconded by Don Koci to recess into Executive Session at 8:06 p.m. until 8:21 p.m. to discuss personnel matters for the purpose of protecting the privacy of that information. Those present during this executive session were the members of the Board and Tom Adrian, Legal Counsel. The open meeting was to reconvene at 8:21 p.m. Motion carried with 8 Directors for, 0 Directors against, 0 Directors abstained, and 1 Directors absent.

The Board returned to regular session at 8:15 p.m.

Moved by Fred Seiler and seconded by David Warren to adjourn the meeting. Motion carried with 8 Directors for, 0 Directors against, 0 Directors abstained, 1 Directors absent.

Bob Seiler, President, adjourned the Board meeting at 8:15 p.m.

Respectfully submitted,



David Stroberg  
Secretary

DS/DDA/da