

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

**Wednesday, June 26, 2019  
8:30 a.m.**

313 Spruce Street • Halstead, KS 67056-1925  
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**1. APPROVAL OF MINUTES**

**2. APPROVAL OF AGENDA**

**3. FINANCIAL REPORT**

**4. APPROVAL OF EXPENDITURES**

**5. PUBLIC FORUM –** *Persons may present written or verbal comments concerning non-agenda business. Presentations are limited to five minutes.*

**6. APPEAL REVIEW – None**

**7. EXECUTIVE SESSION – Consultation with Attorney**

**8. OLD BUSINESS**

- a) City of Wichita Aquifer Storage & Recovery (ASR) Proposed Permit Modifications
- b) National Water Resources Association Membership

**9. NEW BUSINESS**

- a) Review Draft FY 2020 Budget

**10. AGENCY & COMMITTEE REPORTS**

- a) Division of Water Resources
- b) Kansas Water Authority
- c) Equus - Walnut Regional Advisory Committee

**11. MANAGER'S REPORT**

- a) ASR Project Report
- b) Administrative and Field Tasks
- c) Review of Term Permit Applications
- d) Monthly Information and Service Report

**12. ADDITIONS TO THE AGENDA**

**13. BOARD ROUND TABLE DISCUSSION**

**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. Please complete a meeting notice form, if you wish to be notified of Board of Directors meetings, hearings, work sessions or other business meetings. Notice forms may be obtained by contacting the Equus Beds Groundwater Management District No. 2.

**EQUUS BEDS GROUNDWATER MANAGEMENT DISTRICT NO. 2**  
**JUNE 26, 2019**

The Board of Directors for the Equus Beds Groundwater Management District No. 2 held a monthly meeting June 26, 2019, in the conference room of the Equus Beds Groundwater Management District No. 2 in Halstead, Kansas. President Jeff Winter called the meeting to order at 8:32 a.m.

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

Jeff Winter, President	Vin Kissick, Vice President
David Bogner, Secretary	Mike McGinn, Treasurer
Joe Pajor, Member	Dale Schmidt, Member
Bob Seiler, Member	David Stroberg, Member
Tom Adrian, Attorney	Tim Boese, Manager
Rebecca Wilson, Admin. Assistant	

*Directors absent: Alan Burghart*

Others attending the meeting or portions thereof were:

Scott Macey, City of Wichita	Byron Warta, Equus Walnut RAC
Scott Miller, Rabo Agrifinance – Wichita	Reece Hiebert, Adrian & Pankratz Intern
Ted Saranchuk, Public	

**ITEM 1 -- APPROVAL OF MAY 8, 2019 MEETING MINUTES**

Moved by David Bogner and seconded by David Stroberg to approve the Minutes. Motion carried with 6 Directors for, 0 Directors against, 0 Director abstained, and 3 Directors absent.

**ITEM 2 -- APPROVAL OF AGENDA**

Moved by Vin Kissick and seconded by David Bogner to remove Item #14 Executive Session and to approve the Agenda as amended. Motion carried with 6 Directors for, 0 Directors against, 0 Directors abstained, and 3 Directors absent.

**ITEM 3 -- FINANCIAL REPORT**

**May Financial Report**

Moved by David Stroberg and seconded by Joe Pajor to approve the May Financial Report. Motion carried with 6 Directors for, 0 Directors against, 0 Directors abstained, and 3 Directors absent.

**ITEM 4 -- APPROVAL OF EXPENDITURES**

Moved by Vin Kissick and seconded by David Stroberg to approve the June 2019 expenditures. Motion carried with 8 Directors for, 0 Directors against, 0 Directors abstained, and 1 Director absent.

**ITEM 5 -- PUBLIC FORUM – NONE**

**ITEM 6 -- APPEAL REVIEW – NONE**

#### **ITEM 7 -- EXECUTIVE SESSION**

Moved by David Stroberg and seconded by David Bogner to recess into Executive Session for consultation with the District Attorney regarding the ASR Hearing for the public body which would be deemed privileged in the attorney-client relationship pursuant to the attorney consultation exception under the Kansas Open Meeting Act, and the open meeting will resume in the conference room at 9:00 a.m. Those present in Executive Session are: Members of the Board (except Joe Pajor), the District Manager Tim Boese, and the District Attorney Tom Adrian. Motion carried with 7 Directors for, 0 Directors against, 1 Director abstained (Joe Pajor), and 1 Director absent.

Time in Executive Session: 8:40 a.m.

Time out of Executive Session: 9:00 a.m.

There was no action by the Board as a result of the Executive Session.

#### **ITEM 8 -- OLD BUSINESS**

##### **a) CITY OF WICHITA AQUIFER STORAGE & RECOVERY (ASR) PROPOSED PERMIT MODIFICATIONS**

Manager Tim Boese reviewed for the Board the hearing for oral arguments on the pending motions, which was conducted on May 28, 2019, at the Harvey County Courthouse in Newton. Tim reported that the Hearing Officer is now considering the motions. District Attorney Tom Adrian informed the Board that the telephone conference to address potential rulings on the pending motions and related issues as may arise has been postponed to July 22, 2019. Tom anticipates that the Hearing Officer will issue rulings on all the motions at that time. Discussion by the Board followed. Manager Tim Boese will keep the Board apprised of any rulings.

##### **b) NATIONAL WATER RESOURCES ASSOCIATION MEMBERSHIP**

Manager Tim Boese informed the Board that the District managers have not yet been able to meet regarding the National Water Resources Association (NWRA) annual membership, so he recommended that the agenda item be tabled until after the meeting has occurred and he can report back to the Board with additional information. Discussion by the Board followed. Moved by Bob Seiler and seconded by Vin Kissick to table the agenda item until Tim can report back from his meeting with the other District managers. Motion carried with 8 Directors for, 0 Directors against, 0 Directors abstained, and 1 Director absent.

#### **ITEM 9 -- NEW BUSINESS**

##### **a) REVIEW DRAFT FY 2020 BUDGET**

Manager Tim Boese advised the Board that there will be a Budget Hearing on July 17, 2019, at 10:30 a.m. Following the hearing, the Board will need to set the 2020 budget assessment rates. Tim reviewed the draft fiscal year 2020 budget, including a proposed increase in the assessment rate due to additional legal fees and consulting fees related to the City of Wichita ASR Proposed Permit Modifications. Tim also reported that the District needs computer upgrades, office maintenance, and a vehicle purchase, which will most likely need to be deferred to next year. Discussion by the Board followed. Several Board members commented that they believe the District members will understand an increase in the assessment rate due to the ongoing legal and consulting fees related to the City of Wichita ASR proposed permit modifications and hearing. Board consensus was for Tim to revise the budget for the budget hearing to include the

anticipated increased legal and consulting fees, as well as an increased assessment rate.

**ITEM 10 -- AGENCY & COMMITTEE REPORTS**

**a) DIVISION OF WATER RESOURCES**

DWR staff were not in attendance and did not provide a report.

**b) KANSAS WATER AUTHORITY**

Board Vice President Vin Kissick informed the Board that the next Kansas Water Authority (KWA) meeting is scheduled for July 29<sup>th</sup> and 30<sup>th</sup> in Goodland. The schedule includes tours of Little Jerusalem Badlands State Park and nearby water technology farms.

**c) EQUUS – WALNUT REGIONAL ADVISORY COMMITTEE**

Board member Joe Pajor informed the Board that the Equus-Walnut Regional Advisory Committee (RAC) has a conference call scheduled soon to discuss budget input for the Kansas Water Authority's budget setting process that will happen at the KWA meeting next month in Goodland. Joe reported that the KWA has engaged the 14 RACs more formally and more completely and earlier in the process to allow the RACs to provide meaningful input. In theory, this should allow the KWA to have a recommendation not only from their budget committee, but also up to 14 sets of recommendations from the RACs. Board Vice President Vin Kissick reported that regarding RAC membership, the KWA operations committee is conducting a conference call meeting in order to review the new member nominations and will most likely provide the KWA with a recommendation for new RAC members at the next KWA meeting.

**ITEM 11 -- MANAGER'S REPORT**

**a) ASR Project Report**

Tim Boese, Manager, advised the Phase I Recharge for April was 79.43 acre-feet, with 57.4% into Recharge Basin 2, and the Phase II Recharge was 126.75 acre-feet, with 74.2% into Recharge Basin 36. Cheney Reservoir: Conservation pool is 100.00% full and the flood pool is 69.75% full. Cheney release is 516 CFS. Flow today: Little Ark - Highway 50 is 6500 CFS; Valley Center is at 2380 CFS.

GMD2 received the 2017 ASR Accounting Report on January 2, 2019 (electronically received on December 27, 2018). District staff will begin reviewing the report and will schedule it for Board review.

**b) ADMINISTRATIVE FIELD TASKS**

Tim Boese, Manager, reported that in May, staff assisted completing one new/change/division application, nine application reviews, performed 18 water permit consultations, completed four preliminary safe yields, and processed a total of 52 administrative files.

**c) REVIEW OF TERM PERMIT APPLICATIONS**

Tim Boese, Manager, advised that there were no term permit replacement/renewal applications reviewed by the District staff in May.

**d) MONTHLY INFORMATION & SERVICE REPORT**

Tim Boese, Manager, presented customer service requests for the month of May. Tim and Board Vice President Vin Kissick provided the Board with a review of the Kansas Geological Survey 2019 Kansas Field Conference that they attended earlier in June. Tim

notified the Board that the District posted the ad for the hydrogeologist position and has received 15 resumes so far. Tim will begin reviewing the applicants for interviews and will keep the Board updated on the progress.

**ITEM 12 -- ADDITIONS TO THE AGENDA – NONE**

**ITEM 13 -- BOARD ROUND TABLE DISCUSSION – JEFF WINTER, PRESIDENT - NONE**

Moved by Bob Seiler and seconded by Dale Schmidt to adjourn the meeting. Motion carried with 8 Directors for, 0 Directors against, 0 Directors abstained, and 1 Director absent. Jeff Winter, President, adjourned the Board meeting at 10:00 a.m.



David Bogner  
Secretary  
DB/TDB/rsw