

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

Wednesday, December 8, 2021

9:30 a.m.

Note: Due to COVID-19, public seating is limited for in-person attendance.

A call-in number will be available for remote attendance.

Please contact the District for additional information.

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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. OLD BUSINESS

- a) City of Wichita Aquifer Storage & Recovery (ASR) Proposed Permit Modifications
- b) Review of Board Representation District Standard & Policy D.S.P. 8103.1
- c) GMDA Annual Conference – January 18-20, 2022, San Antonio, TX

8. NEW BUSINESS - NONE

- a) Josh Svaty, Wind Farm Representative - Discussion
- b) District Lobbyist - Discussion
- c) Knudsen Monroe & Company LLC Audit Engagement Letter
- d) Audit Accounting Resolution – GAAP Waiver

9. AGENCY & COMMITTEE REPORTS

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

10. MANAGER'S REPORT

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

11. ADDITIONS TO THE AGENDA

12. BOARD ROUND TABLE DISCUSSION

13. EXECUTIVE SESSION – Personnel

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

DECEMBER 8, 2021

The Board of Directors for the Equus Beds Groundwater Management District No. 2 held a monthly meeting December 8, 2021, 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 9:32 a.m.

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

Jeff Winter, President
David Bogner, Secretary
Joe Bergkamp, Member
Dale Schmidt, Member
David Stroberg, Member
Tim Boese, Manager
Brad Barton, Hydrologist

Vin Kissick, Vice President
Mike McGinn, Treasurer
Alan Burghart, Member, via phone
Bob Seiler, Member
Tom Adrian, District Attorney
Rebecca Wilson, Admin. Assistant

Others attending the meeting or portions thereof were:

Jeff Lanterman, DWR – Stafford, via phone
Laura Rainwater, REAP, via phone
Josh Svaty, Advanced Power Alliance

Don Henry, City of Wichita
Kent Askren, Farm Bureau

ITEM 1 -- APPROVAL OF NOVEMBER 16, 2021, BOARD MEETING MINUTES

Moved by Vin Kissick and seconded by David Stroberg to approve the November 16, 2021, meeting minutes. Motion carried with 7 Directors for, 0 Directors against, 0 Directors abstained, and 2 Directors absent (Alan Burghart and Mike McGinn).

ITEM 2 -- APPROVAL OF AGENDA

Moved by Joe Bergkamp and seconded by David Stroberg to approve the Agenda. Motion carried with 7 Directors for, 0 Directors against, 0 Directors abstained, and 2 Directors absent (Alan Burghart and Mike McGinn).

ITEM 3 -- FINANCIAL REPORT

November Financial Report

Manager Tim Boese reviewed the November Financial Report and answered questions from Board members. Moved by Dale Schmidt and seconded by Joe Bergkamp to approve the November Financial Report. Motion carried with 7 Directors for, 0 Directors against, 0 Directors abstained, and 2 Directors absent (Alan Burghart and Mike McGinn).

ITEM 4 -- APPROVAL OF EXPENDITURES

Manager Tim Boese reviewed the December 2021 Approval of Expenditures and answered questions from Board members. Moved by Dale Schmidt and seconded by David Stroberg to approve the December 2021 expenditures. Motion carried with 8 Directors for, 0 Directors against, 0 Directors abstained, and 1 Director absent (Alan Burghart).

ITEM 5 -- PUBLIC FORUM – NONE

ITEM 6 -- APPEAL REVIEW – NONE

ITEM 7 -- OLD BUSINESS

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

Manager Tim Boese informed the Board that the Hearing Officer has not yet submitted her decision to the Chief Engineer of the Division of Water Resources. Tim stated that there was no new information to report regarding the City of Wichita ASR proposed permit modifications.

b) REVIEW OF BOARD REPRESENTATION DISTRICT STANDARD & POLICY D.S.P. 8103.1

Manager Tim Boese reminded the Board that they tabled this Agenda item from the Board meeting last month. Tim again provided the Board with the current District policy, draft policy changes, and additional information that the Board had previously reviewed in recent Board meetings. Tim reviewed recent additions and changes to Option 1 and Option 2 of the draft policy changes. Discussion by the Board followed. Moved by Joe Bergkamp and seconded by Bob Seiler for the Board to not take any action on the Agenda item at this time. Motion carried with 7 Directors for, 2 Directors against (Dale Schmidt and Jeff Winter), 0 Directors abstained, and 0 Directors absent.

c) GMDA ANNUAL CONFERENCE – JANUARY 18-20, 2022, SAN ANTONIO, TX

Manager Tim Boese informed the Board that he is still uncertain if his schedule will allow him to attend the conference, but he would like to attend if possible. Board Vice President Vin Kissick expressed interest in attending the conference if Tim is also able to attend. Discussion by the Board followed. No additional action was taken by the Board.

ITEM 8 -- NEW BUSINESS

a) JOSH SVATY, WIND FARM REPRESENTATIVE - DISCUSSION

Josh Svaty, a representative for Advanced Power Alliance, the association for wind farm developers, presented information via phone to the Board regarding a developer, NextEra Energy Resources, and their preliminary interest in developing a local wind farm. Josh answered questions from Board members and District staff and reported that he was unaware of any potential negative impact to local water quality from wind farm development. Discussion by the Board followed. Josh informed the Board that he and/or a representative from NextEra will contact Manager Tim Boese to schedule a wind farm development presentation for a future Board meeting.

b) DISTRICT LOBBYIST - DISCUSSION

Manager Tim Boese informed the Board that three of the other four Groundwater Management Districts utilize a lobbyist for District representation in legislative issues. Tim questioned if the Board had any interest in contracting with a lobbyist for the upcoming legislative session. Discussion by the Board followed. Tim is unsure of the exact cost associated with such a contract, so he will research potential options and present them at the January Board meeting.

c) KNUDSEN MONROE & COMPANY LLC AUDIT ENGAGEMENT LETTER

Manager Tim Boese reviewed the Knudsen Monroe & Company, LLC (KMC) Audit Engagement Letter with the Board. Moved by David Bogner and seconded by David Stroberg to approve the KMC Audit Engagement letter terms. Motion carried with 8 Directors for, 0 Directors against, 0 Directors abstained, and 1 Director absent (Alan Burghart).

d) AUDIT ACCOUNTING RESOLUTION – GAAP WAIVER

Manager Tim Boese reviewed the Audit Accounting Resolution – GAAP Waiver with the Board. Discussion by the Board followed. Moved by Bob Seiler and seconded by Joe Bergkamp to approve the GAAP Waiver. Motion carried with 8 Directors for, 0 Directors against, 0 Directors abstained, and 1 Director absent (Alan Burghart).

ITEM 9 -- AGENCY & COMMITTEE REPORTS

a) DIVISION OF WATER RESOURCES

Jeff Lanterman, DWR – Stafford reported that DWR is currently preparing to complete their annual well measurements. DWR is also completing an extensive evaluation on the Walnut Creek IGUCA review and Jeff anticipates that DWR will have their report completed by the end of this month, with a hearing to follow sometime in 2022. Jeff mentioned that DWR has completed several prospective safe yields for the expansion areas and questioned if Manager Tim Boese is currently working on the applications and areas related to these safe yields. Tim confirmed that he received the list and will run safe yield evaluations for comparison soon. Tim also informed Jeff that District Hydrologist, Brad Barton, has several application reviews completed and ready for Tim to review, which will be sent to DWR.

b) KANSAS WATER AUTHORITY

Board member David Stroberg reported that the Kansas Water Authority (KWA) conducted a Zoom meeting on December 1, 2021. David reported that topics discussed at the meeting included water marketing contracts such as Marion Lake and the City of Hillsboro, as well as the Kansas Water Plan Update and the Annual Report to the Governor. David informed the Board that the next KWA meeting is scheduled for January 26-27, 2022.

c) EQUUS – WALNUT REGIONAL ADVISORY COMMITTEE

Board Secretary David Bogner informed the Board that the Equus-Walnut Regional Advisory Committee is currently in the process of scheduling a Directors Conference.

ITEM 10 -- MANAGER'S REPORT

a) ASR Project Report

Tim Boese, Manager, advised that the Phase I Recharge for October was 110.33 acre-feet with 93% into Recharge Basin 2. Phase II in October was 156.08 acre-feet with 100% into Recharge Basin 36. Cheney Reservoir: Conservation pool is 88.07% full (88.94% full in November). That is 1.97 feet below normal (top of conservation pool). No Cheney release. Flow today: Little Ark - Highway 50 is 14.4 CFS; Valley Center is 47.4 CFS. Tim reported that there were high river flows for about 5-10 days in the middle of October, and again at the end of October/beginning of November. The rest of November had low flow. Tim informed the Board that he received a response letter from Burns & McDonnell regarding the issues with the City of Wichita Aquifer Storage & Recovery (ASR) 2018 and 2019 Accounting Reports. Hydrologist Brad Barton reviewed both reports and response letters and will schedule a meeting with Burns & McDonnell. Tim also reported that Burns & McDonnell requested an extension until April 29, 2022, to submit the 2020 Annual Accounting Report due to not yet receiving the 2020 water use data from DWR.

b) ADMINISTRATIVE FIELD TASKS

Tim Boese, Manager, reported that in November, staff assisted with four extension requests, completed seven application reviews, performed 20 water permit consultations, completed 16 preliminary safe yield reviews/information requests, conducted 56 water level measurements, completed 35 meter inspections, and processed a total of 35 administrative files.

c) REVIEW OF TERM PERMIT APPLICATIONS

Tim Boese, Manager, advised that he and District Hydrologist Brad Barton reviewed a replacement term permit for fire protection for Worthington Cylinders Kansas near the city of Maize. Tim explained that this application would replace the term permit previously reviewed by the Board. Because the application only requested 1.51 acre-feet per year, a small use exemption could now be used, and the application should not require Board review.

d) MONTHLY INFORMATION & SERVICE REPORT

Tim Boese, Manager, presented customer service requests for November.

Tim informed the Board that the next Arbuckle Study Group Meeting is scheduled for December 6, 2021.

Tim also informed the Board that the McPherson BPU south well field wells are being drilled. Required pump tests will follow and the District will assist as needed.

Tim and the Board engaged in a lengthy discussion regarding meter inspections and inspection schedules.

ITEM 11 -- ADDITIONS TO THE AGENDA – NONE

ITEM 12 -- BOARD ROUND TABLE DISCUSSION – JEFF WINTER, PRESIDENT

Board Vice President Vin Kissick informed the Board that he recently learned that the federal government is looking into getting into the business of water management and he encouraged Manager Tim Boese to follow along with their progress. Tim thanked Vin for the information and reminded the Board that the District is fortunate to have the Groundwater Management Districts Association and the National Water Resources Association to keep the District updated on large scale issues such as this.

ITEM 13 -- EXECUTIVE SESSION – CONSULTATION WITH ATTORNEY

Moved by David Stroberg and seconded by Dale Schmidt to recess into Executive Session to discuss personnel matters relating to non-elected personnel regarding the District staff's annual performance review which would be deemed privileged in the non-elected personnel exception under the Kansas Open Meeting Act, and the open meeting will resume here in the conference room at 12:20 p.m. Those present in Executive Session are: Members of the Board, the District Manager Tim Boese, and the District Attorney Tom Adrian. Motion carried with 8 Directors for, 0 Directors against, 0 Directors abstained, and 1 Director absent (Alan Burghart).

Time in Executive Session: 11:50 a.m.

Time out of Executive Session: 12:20 p.m.

Moved by David Stroberg and seconded by Bob Seiler to extend the Executive Session for 30 minutes and to resume the open meeting at 12:50 p.m. Motion carried with 8 Directors for, 0 Directors against, 0 Director abstained, and 1 Director absent (Alan Burghart).

Time in Executive Session: 12:20 p.m.

Time out of Executive Session: 12:50 p.m.

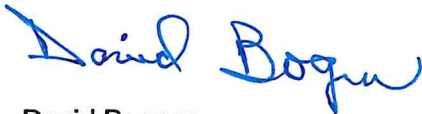
Moved by Dale Schmidt and seconded by Vin Kissick to give the District Administrative Assistant a six percent salary increase effective January 1, 2022, as well as a \$2,000 net bonus for additional responsibilities performed, to be paid out in 2021. Motion carried with 8 Directors for, 0 Directors against, 0 Directors abstained, and 1 Director absent (Alan Burghart).

Moved by Dale Schmidt and seconded by Vin Kissick to give the District Hydrologic Technician a six percent salary increase effective January 1, 2022, as well as a \$2,000 net bonus for additional responsibilities performed, to be paid out in 2021. Motion carried with 8 Directors for, 0 Directors against, 0 Directors abstained, and 1 Director absent (Alan Burghart).

Moved by Dale Schmidt and seconded by Mike McGinn to give the District Hydrologist a \$300 net bonus to be paid out in 2021. Motion carried with 8 Directors for, 0 Directors against, 0 Directors abstained, and 1 Director absent (Alan Burghart).

Moved by Dale Schmidt and seconded by Joe Bergkamp to give the District Manager a six percent salary increase effective January 1, 2022, as well as a \$5,000 net bonus for additional responsibilities performed, to be paid out in 2021. Motion carried with 8 Directors for, 0 Directors against, 0 Directors abstained, and 1 Director absent (Alan Burghart).

Moved by David Bogner and seconded by Bob Seiler to adjourn the meeting. Motion carried with 8 Directors for, 0 Directors against, 0 Directors abstained, and 1 Director absent (Alan Burghart). Jeff Winter, President, adjourned the Board meeting at 12:56 p.m.



David Bogner
Secretary
DB/TDB/rsw