

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

**Wednesday, April 10, 2019  
9:30 a.m.**

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

- a) March 5, 2019 Board Meeting
- b) Annual Meeting Review

**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

**9. NEW BUSINESS**

- a) Equus Walnut Regional Advisory Committee Board Nomination
- b) GMDA Summer Conference – June 5-7, 2019 – Salt Lake City, Utah
- c) Election of Board Officers

**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**

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

**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**

**APRIL 10, 2019**

The Board of Directors for the Equus Beds Groundwater Management District No. 2 held a monthly meeting April 10, 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 9:32 a.m.

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

Jeff Winter, President	Vin Kissick, Vice President
Mike McGinn, Treasurer	David Bogner, Member
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, Secretary, David Stroberg*

Others attending the meeting or portions thereof were:

Cameron Conant, DWR – Stafford	Scott Macey, City of Wichita
Randall Harris, CCUA	Byron Warta, Equus Walnut RAC
Ted Saranchuk, Public	

### **ITEM 1 -- APPROVAL OF MARCH 5, 2019 MEETING MINUTES**

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

### **ITEM 2 -- APPROVAL OF AGENDA**

Moved by David Bogner and seconded by Vin Kissick to approve the Agenda. Motion carried with 6 Directors for, 0 Directors against, 0 Directors abstained, and 3 Directors absent.

### **ITEM 3 -- FINANCIAL REPORT**

#### **March Financial Report**

Moved by Vin Kissick and seconded by Joe Pajor to approve the March 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 Bob Seiler and seconded by David Bogner to approve the April 2019 expenditures, except item 707 – SW KS GMD 3 in the amount of \$400, until the Board conducts further discussion on the matter. Motion carried with 7 Directors for, 0 Directors against, 0 Directors abstained, and 2 Directors absent.

### **ITEM 5 -- PUBLIC FORUM – NONE**

### **ITEM 6 -- APPEAL REVIEW – NONE**

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

Moved by Dale Schmidt 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 10:21 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 6 Directors for, 0 Directors against, 1 Director abstained (Joe Pajor), and 2 Directors absent.

Time in Executive Session: 9:51 a.m.

Time out of Executive Session: 10:21 a.m.

Moved by Dale Schmidt and seconded by Vin Kissick to extend the Executive Session for 10 minutes and to resume the open meeting at 10:31 a.m. Motion carried with 6 Directors for, 0 Directors against, 1 Director abstained (Joe Pajor), and 2 Directors absent.

Time in Executive Session: 10:21 a.m.

Time out of Executive Session: 10:31 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 Notice of Delegation and Temporary Postponement that was issued by Chief Engineer David Barfield on March 19, 2019. The motion delegated Constance M. Owens as the presiding officer over the City of Wichita Aquifer Storage and Recovery (ASR) Proposed Permit Modifications matter and temporarily postponed the remaining hearing dates in the matter, including the hearing previously scheduled for March 26 and March 27, 2019. Tim informed the Board that the interested parties have a conference call scheduled on April 12, 2019, to review the matter and discuss a potential new timeline.

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

### **a) EQUUS WALNUT REGIONAL ADVISORY COMMITTEE BOARD NOMINATION**

Manager Tim Boese reminded the Board that they needed to nominate either a Board member or a District staff member to represent the District on the Equus Walnut Regional Advisory Committee Board. Discussion by the Board followed. The Board consensus was to wait until the next meeting to make a formal nomination.

### **b) GMDA SUMMER CONFERENCE – JUNE 5-7, 2019 – SALT LAKE CITY, UTAH**

Manager Tim Boese informed the Board that the conference registration fees are \$400, and the travel fees will be approximately \$800 per person to attend the GMDA Summer Conference in Salt Lake City, Utah. Moved by Vin Kissick and seconded by Dale Schmidt to cover the expenses to send Tim to the GMDA Summer Conference if his scheduled so allows. Motion carried with 7 Directors for, 0 Directors against, 0 Directors abstained, and 2 Directors absent.

**c) ELECTION OF BOARD OFFICERS**

Moved by Bob Seiler and seconded by Joe Pajor for Jeff Winter to retain his position as Board President. Motion carried with 7 Directors for, 0 Directors against, 0 Directors abstained, and 2 Directors absent.

Moved by Mike McGinn and seconded by David Bogner for Vin Kissick to retain his position as Board Vice President. Motion carried with 7 Directors for, 0 Directors against, 0 Directors abstained, and 2 Directors absent.

Moved by Bob Seiler and seconded by Vin Kissick to elect David Bogner as Board Secretary. Motion carried with 7 Directors for, 0 Directors against, 0 Directors abstained, and 2 Directors absent.

Moved by Joe Pajor and seconded by Dale Schmidt for Mike McGinn to retain his position as Board Treasurer. Motion carried with 7 Directors for, 0 Directors against, 0 Directors abstained, and 2 Directors absent.

District staff will acquire new bank signature cards and District letterhead to reflect the new Board officers.

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

**a) DIVISION OF WATER RESOURCES**

Cameron Conant, DWR – Stafford Field Office, informed the Board that he had no report.

**b) KANSAS WATER AUTHORITY**

Board Vice President Vin Kissick informed the Board that the next Kansas Water Authority (KWA) meeting is on April 18, 2019, in Abilene. Vin also reported that Brad Loveless, who was previously a voting member of the KWA, was recently appointed as Secretary of the Kansas Department of Wildlife, Parks and Tourism, so his position on the KWA is now open.

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

Bob Seiler informed the Board that the next Equus-Walnut Regional Advisory Committee meeting is on June 5, 2019, at 9:00 a.m. The location is to be determined.

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

**a) ASR Project Report**

Tim Boese, Manager, advised the Phase I Recharge for January was 54.43 acre-feet, with 50% into Recharge Basin 2, and the Phase II Recharge from Phase I bank storage wells was 4.87 acre-feet. No water sample analysis was reported, so Tim will follow up with the City of Wichita and KDHE. The Phase I Recharge for February was 114.99 acre-feet, with 49% into Recharge Basin 2, and the Phase II Recharge was 0 acre-feet. The March recharge report has not yet been received. Cheney Reservoir: Conservation pool is 100.00% full and the flood pool is 5.56% full. Cheney release is 614 CFS. Flow today: Little Ark - Highway 50 is 120 CFS; Valley Center is at 223 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 March, staff assisted completing 12 new/change/division applications, 14 application reviews, performed 17 water permit consultations, completed six preliminary safe yields, and processed a total of 243 administrative requests including 197 verified claims, VI cards, compliance investigations, invoices, ownership and address changes, approvals, review requests.

**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 March.

**d) MONTHLY INFORMATION & SERVICE REPORT**

Tim Boese, Manager, presented customer service requests for the month of March.

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

**ITEM 13 -- BOARD ROUND TABLE DISCUSSION – JEFF WINTER, PRESIDENT**

Tim Boese, Manager, informed the Board that the Chief Engineer approved the extension of the processing suspension on new groundwater appropriation applications within the specified area of GMD2 until December 31, 2019.

**ITEM 14 -- EXECUTIVE SESSION**

Moved by Dale Schmidt and seconded by Bob Seiler to recess into Executive Session for consultation with the District Attorney regarding pending litigation 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 11:10 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 6 Directors for, 0 Directors against, 1 Director abstained (Joe Pajor), and 2 Directors absent.

Time in Executive Session: 11:05 a.m.

Time out of Executive Session: 11:10 a.m.

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

Moved by Bob Seiler and seconded by Dale Schmidt to adjourn the meeting. Motion carried with 7 Directors for, 0 Directors against, 0 Directors abstained, and 2 Directors absent. Jeff Winter, President, adjourned the Board meeting at 11:11 a.m.



Vin Kissick  
Acting Secretary  
VK/TDB/rsw