

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

**Wednesday, May 12, 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) KDA/DWR Draft Legislation and Regulations
- c) Annual Meeting Date

8. NEW BUSINESS

- a) 2018 City of Wichita ASR Accounting Report
- b) 2019 City of Wichita ASR Accounting Report
- c) Repair/Replacement Options for 2009 Chevrolet Equinox
- d) Review of District's Maximum Reasonable Quantity for Beneficial Use Reg. K.A.R. 5-22-14

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

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

MAY 12, 2021

The Board of Directors for the Equus Beds Groundwater Management District No. 2 held a monthly meeting May 12, 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 9:34 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 Bergkamp, Member	Alan Burghart, Member, via phone
Dale Schmidt, Member	David Stroberg, Member
Tom Adrian, District Attorney	Tim Boese, Manager
Rebecca Wilson, Admin. Assistant	

Directors absent: Bob Seiler, Member

Others attending the meeting or portions thereof were:

Cameron Conant, DWR-Stafford, via phone
Don Henry, City of Wichita
Suzanne Loomis, City of Newton

ITEM 1 -- APPROVAL OF MINUTES

Board Vice President Vin Kissick asked that Manager Tim Boese clarify the use of a brand name of a commercial product in the minutes pertaining to Item 7a – Woodard, LLC, Appropriation Application No. 50310, Sedgwick County, as Vin did not want it to appear that the Board was endorsing a specific product. Tim stated that he would review the notes from the previous meeting and bring revised minutes to the Board next month if the current information is incorrect. Moved by Vin Kissick and seconded by David Stroberg to approve the March 10, 2021, meeting minutes subject to Tim's review of the Board meeting notes. Motion carried with 6 Directors for, 0 Directors against, 1 Director abstained (Dale Schmidt), and 2 Directors absent (Mike McGinn and Bob Seiler).

ITEM 2 -- APPROVAL OF AGENDA

Manager Tim Boese recommended that Item 8a – 2018 City of Wichita ASR Accounting Report and Item 8b – 2019 City of Wichita ASR Accounting Report be removed from the Agenda. Moved by Vin Kissick and seconded by Alan Burghart to approve the Agenda with the recommended change. Motion carried with 8 Directors for, 0 Directors against, 0 Directors abstained, and 1 Director absent (Bob Seiler).

ITEM 3 -- FINANCIAL REPORT

a) March Financial Report

Manager Tim Boese reviewed the March Financial Report. Moved by Dale Schmidt and seconded by David Stroberg to approve the March Financial Report. Motion carried with 7 Directors for, 0 Directors against, 0 Directors abstained, and 2 Directors absent (Mike McGinn and Bob Seiler).

b) April Financial Report

Manager Tim Boese reviewed the April expenses and Financial Report. Moved by Vin Kissick and seconded by David Stroberg to approve the April expenses and Financial Report. Motion carried with 8 Directors for, 0 Directors against, 0 Directors abstained, and 1 Director absent (Bob Seiler).

ITEM 4 -- APPROVAL OF EXPENDITURES

Manager Tim Boese reviewed the May Approval of Expenditures. Moved by Dale Schmidt and seconded by Joe Bergkamp to approve the May 2021 expenditures. Motion carried with 8 Directors for, 0 Directors against, 0 Directors abstained, and 1 Director absent (Bob Seiler).

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 reminded the Board that the deadline for the District to submit their Findings of Facts and Conclusions and legal briefs is June 18, 2021. Tim also reminded the Board that each party then has up to 45 days after that to submit response briefs. District Attorney Tom Adrian reminded the Board that the hearing officer will then review all the information and render an opinion.

b) KDA/DWR DRAFT LEGISLATION AND REGULATIONS

Manager Tim Boese informed the Board that the House bill amending the Multi Year Flex Account (MYFA) statute to allow newer water rights the option of applying for a MYFA was passed and approved by the Governor last month. Tim also stated that the draft Water Conservation Area (WCA) regulations were pulled back due to several concerns and will not move forward at this time. Tim continues to monitor all other proposed water-related regulations and legislation and will provide the Board with additional information as needed.

c) ANNUAL MEETING DATE

Board discussion regarding the Annual Meeting date resulted with a Board consensus to schedule the Annual Meeting either July 13, 14, or 15, 2021, at 7:00 p.m., depending on the availability of the meeting location. Board consensus was also to move the July Board meeting to July 20, 2021, at 9:30 a.m. with the Annual Budget Hearing scheduled for the same day at 10:30 a.m.

ITEM 8 -- NEW BUSINESS

a) REPAIR/REPLACEMENT OPTIONS FOR 2009 CHEVROLET EQUINOX

Manager Tim Boese reviewed for the Board the repairs needed and potential trade-in options for the 2009 Chevrolet Equinox. Discussion by the Board followed.

Moved by Vin Kissick and seconded by David Stroberg to purchase the 2021 Ford F-150 4x4 XL Super Crew option #3 for \$32,015 (trade-in of 2009 Chevrolet Equinox) from Midway Motors Super Center. Board discussion followed.

Moved by David Stroberg and seconded by Alan Burghart to recess into Executive Session to discuss personnel matters relating to non-elected personnel regarding the District Manager's employment contract which would be deemed privileged in the non-elected personnel exception under the Kansas Open Meeting Act, and the open meeting will resume in the conference room at 10:45 a.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 (Bob Seiler).

Time in Executive Session: 10:30 a.m.
Time out of Executive Session: 10:45 a.m.

Moved by David Stroberg and seconded by Alan Burghart to extend the Executive Session for 15 minutes and to resume the open meeting at 11:01 a.m. Motion carried with 8 Directors for, 0 Directors against, 0 Directors abstained, and 1 Director absent (Bob Seiler).

Time in Executive Session: 10:46 a.m.
Time out of Executive Session: 11:01 a.m.

Following the Executive Session, Vin Kissick withdrew his previous motion to purchase the 2021 Ford F-150 4x4 XL Super Crew option #3 for \$32,015 (trade-in of 2009 Chevrolet Equinox) from Midway Motors Super Center. David Stroberg withdrew his second of Vin's previous motion.

Moved by Dale Schmidt and seconded by Alan Burghart to attempt to trade in the 2009 Chevrolet Equinox with the previously Board approved purchase of the 2021 Ford F-150 XL 4x4 half ton regular cab truck option #2 (trade-in of 2011 Ford F-250) from Mel Hambelton Ford. Motion carried with 8 Directors for, 0 Directors against, 0 Directors abstained, and 1 Director absent (Bob Seiler).

Moved by Dale Schmidt and seconded by David Bogner to amend the District Manager's employment contract to include a \$600 monthly stipend for vehicle usage. Motion carried with 8 Directors for, 0 Directors against, 0 Directors abstained, and 1 Director absent (Bob Seiler).

**b) REVIEW OF DISTRICT'S MAXIMUM REASONABLE QUANTITY FOR BENEFICIAL USE REG.
K.A.R. 5-22-14**

Manager Tim Boese reviewed for the Board the current regulation and discussed possible modifications to the maximum quantity for specialty crops and turf grasses. Board discussion followed. Cameron Conant, DWR-Stafford provided additional insight. Board consensus was for Tim to continue to research various options and bring additional information to a future meeting.

ITEM 9 -- AGENCY & COMMITTEE REPORTS

a) DIVISION OF WATER RESOURCES

Cameron Conant, DWR-Stafford, informed the Board that the Stafford Field Office is currently working on enforcements for over pumping. Over pumping was up last year from the previous two years, and they are issuing 40 water and monetary penalties and 15 first time warnings for the Stafford Field Office area. In addition, the Stafford DWR staff continues focusing on completing field work for new applications.

b) KANSAS WATER AUTHORITY

Board member David Stroberg informed the Board that the Kansas Water Authority (KWA) had a meeting on April 26, 2021, during which time they reviewed the 2022 legislative budget and the state water plan fund. The next meeting is scheduled for May 18, 2021. David stated that the KWA also has a meeting scheduled for June 9, 2021, which is the same day as the District's Board meeting. Board consensus was to move the June Board meeting to June 8, 2021, at 9:30 a.m. David also informed the Board that the Governor's Water Conference will be held November 17 and 18, 2021, in Manhattan.

c) EQUUS – WALNUT REGIONAL ADVISORY COMMITTEE

Board Secretary David Bogner reported that the last committee meeting was a zoom meeting held on March 17, 2021. David informed the Board that Gary Koons of the Kansas Water Office resigned, as he accepted a new position in the private industry. David stated that the committee reviewed the legislative budget and the state water plan fund, each region provided an update, and the committee discussed the recent KDHE grant as well as the University of Kansas lab studying wastewater effluents for new COVID-19 variants. The next meeting is scheduled for May 12, 2021, at 1:00 p.m.

ITEM 10 -- MANAGER'S REPORT

a) ASR Project Report

Tim Boese, Manager, advised that Phase I Recharge for February was 41.1 acre-feet, with 60% into Recharge Basin 2. There was no recharge in Phase II in February. Phase I Recharge for March was 133.9 acre-feet, with 74% into Recharge Basin 2. There was no recharge in Phase II in March. Cheney Reservoir: Conservation pool is 100% full. Cheney release is 0 CFS. Flow today: Little Ark - Highway 50 is 31.6 CFS; Valley Center is 45 CFS. Tim reported that there were high flows mid-March to Mid-April. Tim informed the Board that he is waiting for updated City of Wichita Aquifer Storage & Recovery (ASR) 2018 and 2019 Accounting Reports.

b) ADMINISTRATIVE FIELD TASKS

Tim Boese, Manager, reported that in March, staff aided with 17 applications, completed four application reviews, performed 19 water permit consultations, completed eight preliminary safe yield reviews and two information requests, conducted 230 water level measurements, completed nine abandoned/inactive well inspections and 16 meter inspections, repaired five meters, and processed a total of 31 administrative files and 274 verified claims.

Tim Boese, Manager, reported that in April, staff aided with seven applications, completed six application reviews, performed 16 water permit consultations, completed nine preliminary safe yield reviews and five information requests, conducted 448 water level measurements, completed 20 abandoned/inactive well inspections and 21 meter inspections, repaired three meters, and processed a total of 42 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 April.

d) MONTHLY INFORMATION & SERVICE REPORT

Tim Boese, Manager, presented customer service requests for March and April.

Tim informed the Board that he is still coordinating with the Kansas Corporation Commission (KCC) regarding installation of new and replacement of old monitoring wells in the Burtron area.

Tim also informed the Board that he and the other GMD Managers presented to the House Water Committee on March 17, 2021. Tim stated that the presentation lasted over an hour and that the committee was very engaged in the presentation.

Tim notified the Board of new K-14 highway construction from Nickerson to Lyons. The construction is forcing changes to be made to multiple water permits along the route, and Tim has received and anticipates receiving several additional change applications within the District. Tim mentioned that a special Board meeting may be necessary to review the multitude of change applications if exceptions to District regulations are needed.

ITEM 11 -- ADDITIONS TO THE AGENDA – NONE

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

Vice President Vin Kissick questioned if it was possible to invite the new Chief Engineer to the District Annual Meeting to allow Board and District members to meet him and hear from him directly. Manager Tim Boese stated that he would extend the meeting invitation to the Chief Engineer and ask if he would also be willing to make a short presentation at the Annual Meeting. Vin also informed the Board that he and Tim had previously discussed Tim researching and presenting to the Board new modern meter technology and alternatives to current meters. This information could then be made available to District members, in hopes of potentially reducing current meter repair expenses. Tim stated that he and District Hydrologic Technician, David Randolph, recently attended a virtual meeting through McCrometer regarding new meter technology. Tim stated that District staff will continue to research options and will bring the information to the Board at a future meeting.

Moved by David Stroberg and seconded by David Bogner to adjourn the meeting. Motion carried with 8 Directors for, 0 Directors against, 0 Directors abstained, and 1 Director absent (Bob Seiler). Jeff Winter, President, adjourned the Board meeting at 12:03 p.m.


David Bogner
Secretary
DB/TDB/rsw