

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

**Wednesday, October 27, 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**

**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

**8. NEW BUSINESS**

- a) Gina Bell, Harvey County Planning, Zoning, and Environmental Department Director
- b) District Computer Upgrades Quote Review
- c) LEMA Regulations Update

**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**

**OCTOBER 27, 2021**

The Board of Directors for the Equus Beds Groundwater Management District No. 2 held a monthly meeting October 27, 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 9:30 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  
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    Don Henry, City of Wichita  
Suzanne Loomis, City of Newton, via phone    Laura Rainwater, REAP, via phone  
Gina Bell, Director of Harvey County Planning, Zoning, and Environmental

### **ITEM 1 -- APPROVAL OF SEPTEMBER 8, 2021, BOARD MEETING MINUTES**

Moved by David Stroberg and seconded by Vin Kissick to approve the September 8, 2021, meeting minutes. Motion carried with 8 Directors for, 0 Directors against, 0 Directors abstained, and 1 Director absent (Bob Seiler).

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

Moved by David Bogner and seconded by David Stroberg to approve the Agenda. Motion carried with 8 Directors for, 0 Directors against, 0 Directors abstained, and 1 Director absent (Bob Seiler).

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

#### **September Financial Report**

Manager Tim Boese reviewed the September Financial Report. Moved by David Bogner and seconded by Dale Schmidt to approve the September Financial Report. Motion carried with 9 Directors for, 0 Directors against, 0 Directors abstained, and 0 Directors absent.

### **ITEM 4 -- APPROVAL OF EXPENDITURES**

Manager Tim Boese reviewed the October Approval of Expenditures. Moved by Vin Kissick and seconded by Joe Bergkamp to approve the October 2021 expenditures. Motion carried with 9 Directors for, 0 Directors against, 0 Directors abstained, and 0 Directors absent.

### **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 District's Response Briefs were submitted to the Hearing Officer by the extended deadline and that the City of Wichita and DWR also submitted Response Briefs. Tim will forward the District's and the other parties' Response Briefs to the Board members. The Hearing Officer will now review all the information submitted by the interested parties and she will submit her decision to the Chief Engineer for review and either acceptance, modification, or rejection. Neither Tim nor District Attorney Tom Adrian have received any indication of when the Hearing Officer's decision will be sent to the Chief Engineer.

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

Manager Tim Boese provided the Board with the Board Representation draft policy from the Board subcommittee. Discussion by the Board followed. Board subcommittee members answered questions from Board members. Board Vice President Vin Kissick advised that a summary of any action or changes adopted by the Board be provided to all District members for review. Board member Bob Seiler asked for audience input regarding the matter. City of Wichita employee Don Henry commented that all District users should be represented by the District Board and that a policy should be put in place to ensure such representation. Laura Rainwater of REAP voiced appreciation of the Board's efforts to provide equal representation and stated that REAP is supportive of having two municipal representatives on the District Board. Manager Tim Boese reminded the Board that any changes to District administrative policy requires two separate readings and approvals by the Board before becoming effective. Moved by Mike McGinn and seconded by Vin Kissick to table the agenda item to the next meeting. Motion carried with 9 Directors for, 0 Directors against, 0 Directors abstained, and 0 Directors absent.

Moved by Joe Bergkamp and seconded by David Stroberg to move the November Board meeting to Tuesday, November 16, 2021, at 9:30 a.m. Motion carried with 9 Directors for, 0 Directors against, 0 Directors abstained, and 0 Directors absent.

## **ITEM 8 -- NEW BUSINESS**

### **a) GINA BELL, HARVEY CO. PLANNING, ZONING, AND ENVIRONMENTAL DEPARTMENT DIRECTOR**

Gina provided the Board with a handout regarding the 2022 Harvey County Comprehensive Plan and encouraged Board members to help develop the new Comprehensive Plan by completing an online survey and attending community meetings.

Gina also informed the Board that a representative from NextEra Energy recently informed the Harvey County Commission that they are exploring Harvey County as a possible location for a wind energy farm. Gina stated that the county has regulations in place and because of those regulations, she is directing NextEra representatives to discuss with the District the potential placement of wind towers over the Equus Beds. Gina asked that the District communicate with her regarding any information it receives. Discussion by the Board followed, and Gina answered questions from the Board. Manager Tim Boese stated that there are currently no GMD2 regulations in place regarding placing wind towers over the Equus Beds. Tim also reported that he had a conversation with a wind energy representative/lobbyist regarding potential issues with shallow groundwater levels that may of concern impact wind tower construction. Gina informed the Board that the county regulations are available online for review.

### **b) DISTRICT COMPUTER UPGRADES QUOTE REVIEW**

Manager Tim Boese provided the Board with and reviewed the District computer upgrades quote from Network Management Group, Inc (NMGI). Discussion by the Board followed. Moved by Mike McGinn and seconded by Joe Bergkamp to accept the quote from NMGI

and to allow the District Manager discretion to discuss the stated \$10,000 installation labor fee and to move forward with the upgrades in 2021. Motion carried with 9 Directors for, 0 Directors against, 0 Directors abstained, and 0 Directors absent.

**c) LEMA REGULATIONS UPDATE**

Manager Tim Boese informed the Board that he is hoping to have a conference call next week with the other four District Managers to discuss the proposed LEMA regulations. Tim stated that he does not believe the proposed LEMA regulations will have significant impact on the District. Tim reported that the public hearing for the proposed regulations is on November 22, 2021, so he will bring the issue back to the Board for additional discussion and review at the November 2021 Board meeting.

**ITEM 9 -- AGENCY & COMMITTEE REPORTS**

**a) DIVISION OF WATER RESOURCES**

Jeff Lanterman, DWR-Stafford, informed the Board that the individual hired by DWR for the change application position starts on November 15, 2021. Jeff also informed the Board that Lane Letourneau provided the District with a blanket extension until the end of the year for the District to provide recommendations regarding the pending recommendation requests currently being reviewed by the District. Jeff asked that District staff start with the oldest requests and then move forward.

**b) KANSAS WATER AUTHORITY**

Board member David Stroberg informed the Board that the Kansas Water Office (KWO) is now reviewing public comments regarding the draft Kansas Water Plan and could possibly approve the plan sometime in December 2021. Manager Tim Boese provided the KWO with 18 comments clarifying inaccuracies about the District that were reported in the draft. David informed the Board that the Kansas Governor's Conference will be online only on November 17-18, 2021.

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

Board Secretary David Bogner informed the Board that there was nothing new to report regarding the Equus-Walnut Regional Advisory Committee since the last meeting.

**ITEM 10 -- MANAGER'S REPORT**

**a) ASR Project Report**

Tim Boese, Manager, advised that Phase I Recharge for August was 30.28 acre-feet with 88% into Recharge Basin 2. Phase II in August was 72.34 acre-feet with 100% into Recharge Basin 36. Phase I Recharge for September was 13.82 acre-feet with 87% into Recharge Basin 2. Phase II in September was 63.47 acre-feet with 100% into Recharge Basin 36. Cheney Reservoir: Conservation pool is 89.40% full (92.21% full in September). No Cheney release. Flow today: Little Ark - Highway 50 is 210 CFS; Valley Center is 128 CFS. Tim reported that there were high river flows for about 7-10 days in the first half of September, and for a short duration in the second half of September. 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 is reviewing both reports and response letters and will schedule a meeting with Burns & McDonnell.

**b) ADMINISTRATIVE FIELD TASKS**

Tim Boese, Manager, reported that in September, staff assisted with two applications, completed eight application reviews, performed 25 water permit consultations, completed eight preliminary safe yield reviews/information requests, conducted 178 water level



measurements, collected 127 water samples, investigated one waste of water report, and processed a total of 36 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 September.

**d) MONTHLY INFORMATION & SERVICE REPORT**

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

Tim informed the Board that the National Groundwater Management District Association (GMDA) Conference is scheduled for January 18-20, 2022, in San Antonio, Texas. Tim will provide the Board with additional information as he receives it.

**ITEM 11 -- ADDITIONS TO THE AGENDA – NONE**

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

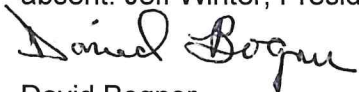
David Bogner asked for an update regarding the new and change applications related to the construction on Highway 14. Manager Tim Boese informed the Board that other than two applications that DWR just sent yesterday, he believed that all the application reviews have been completed.

Board Vice President Vin Kissick mentioned that he would appreciate a tour of the new City of Wichita water treatment plant once it is up and running. Manager Tim Boese agreed that a tour would be beneficial and stated that he was informed the plant should be completed in 2024.

Board Vice President Vin Kissick questioned whether any other Board members would be interested in an additional Water Bank presentation from GMD5 Manager, Orrin Feril. Manager Tim Boese will contact Orrin to schedule a presentation for the Board.

Board Vice President Vin Kissick also questioned Manager Tim Boese about an update to the District Management Plan. Tim responded that the District Management Plan can be updated once the District Safe Yield and District Board Representation matters are finalized.

Moved by Mike McGinn and seconded by David Stroberg to adjourn the meeting. Motion carried with 9 Directors for, 0 Directors against, 0 Directors abstained, and 0 Directors absent. Jeff Winter, President, adjourned the Board meeting at 11:54 a.m.



David Bogner  
Secretary  
DB/TDB/rsw