

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

**Wednesday, May 8, 2019
9:30 a.m.**

313 Spruce Street • Halstead, KS 67056-1925
Phone: (316) 835-2224 • Fax: (316) 835-2225 • E-mail: equusbeds@gmd2.org

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) Equus Walnut Regional Advisory Committee Board Nomination

9. NEW BUSINESS

- a) Oath of Office
- b) June Meeting Date and Time
- c) GMD2 Water Technology Farms Update

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
MAY 8, 2019

The Board of Directors for the Equus Beds Groundwater Management District No. 2 held a monthly meeting May 8, 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 9:31 a.m.

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

Jeff Winter, President	Vin Kissick, Vice President
David Bogner, Secretary	Alan Burghart, 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: Mike McGinn, Treasurer

Others attending the meeting or portions thereof were:

Jeff Lanterman, DWR – Stafford	Matt Unruh, Kansas Water Office
Gary Koons, Kansas Water Office	Scott Macey, City of Wichita
Ron Graber, KSRE	Byron Warta, Equus Walnut RAC
Ted Saranchuk, Public	

ITEM 1 -- APPROVAL OF APRIL 10, 2019 MEETING MINUTES

Moved by Vin Kissick and seconded by Dale Schmidt to approve the Minutes. Motion carried with 6 Directors for, 0 Directors against, 1 Director abstained, and 2 Directors absent.

ITEM 2 -- APPROVAL OF AGENDA

Moved by Vin Kissick 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.

ITEM 3 -- FINANCIAL REPORT

April Financial Report

Moved by Bob Seiler and seconded by Alan Burghart to approve the April Financial Report. Motion carried with 7 Directors for, 0 Directors against, 0 Directors abstained, and 2 Directors absent.

ITEM 4 -- APPROVAL OF EXPENDITURES

Moved by Bob Seiler and seconded by Alan Burghart to approve the May 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 Vin Kissick 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 10:10 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 7 Directors for, 0 Directors against, 1 Director abstained (Joe Pajor), and 1 Director absent.

Time in Executive Session: 9:40 a.m.

Time out of Executive Session: 10:10 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 Prehearing Order that was issued by the Presiding Officer, Constance C. Owen, on May 1, 2019. The Order outlined several important upcoming dates and deadlines. Oral arguments on the pending motions will be conducted in person on May 28, 2019, at 10:00 a.m. at the Harvey County Courthouse in Newton. Additionally, a status conference to address potential rulings on the pending motions and related issues as may arise will be conducted by telephone at 1:00 p.m. on June 27, 2019.

b) EQUUS WALNUT REGIONAL ADVISORY COMMITTEE BOARD NOMINATION

Board discussion regarding nominations for the Equus Walnut Regional Advisory Committee (RAC). Current RAC members and Matt Unruh of the Kansas Water Office answered questions. Moved by Bob Seiler and seconded by David Stroberg to nominate David Bogner to be the Groundwater Management representative on the Equus Walnut RAC. Motion carried with 6 Directors for, 0 Directors against, 2 Directors abstained (Joe Pajor, current RAC member, and Vin Kissick, current KWA member), and 1 Director absent.

ITEM 9 -- NEW BUSINESS

a) OATH OF OFFICE

Attorney Tom Adrian issued the Oath of Office to Board members Alan Burghart, Bob Seiler, and David Stroberg.

b) JUNE MEETING DATE AND TIME

Moved by David Bogner and seconded by David Stroberg to move the June Board meeting to Thursday, June 6, 2019, at 8:30 a.m. Motion carried with 8 Directors for, 0 Directors against, 0 Directors abstained, and 1 Director absent.

c) GMD2 WATER TECHNOLOGY FARMS UPDATE

Manager Tim Boese reviewed the 2018 Growing Season Water Technology Farm Report from the Kansas Water Office. The District has two active technology farms, the Weber Farm and the Jacob Farm, as well as a new farm being added in 2019, the R&E Goering Farm. Matt Unruh of the Kansas Water Office informed the Board that they are

in the process of scheduling field dates and he hopes to be able to share that information at the next Board meeting. Ron Graber of Kansas State Research and Extension informed the Board that there are efforts to implement soil health studies, infiltration, fertilizer application rates, till/no till comparisons, etc. later this summer.

ITEM 10 -- AGENCY & COMMITTEE REPORTS

a) DIVISION OF WATER RESOURCES

Jeff Lanterman, DWR – Stafford Field Office, informed the Board that DWR has received complaints of groundwater decline from a homeowners' association and nearby residents regarding the water-levels in the housing addition groundwater pit and that there were recent groundwater permits developed in the area, and more groundwater permit applications in the area pending. Jeff recommended that the Board review new applications in that area very carefully. Manager Tim Boese agreed with Jeff and assured him that the District continues to review that issue as well as the safe yield calculations throughout the District. Jeff also informed the Board that at the water commissioner meeting last week, an issue was discussed involving permit owners submitting change applications during the same year that their permits are approved. Jeff mentioned that at least one of these situations is within the district. Jeff stated that DWR is considering restricting movements of wells during the perfection period to 300 feet, or the permit would have to meet safe yield at the location of the change. Discussion by the Board followed. Tim asked that Jeff keep him involved in future discussions and meetings regarding this issue.

b) KANSAS WATER AUTHORITY

Board Vice President Vin Kissick informed the Board that the Kansas Water Authority (KWA) met on April 18, 2019, in Abilene. Vin reviewed several FY 2020 budget requests including irrigation technology, water technology farms, and chloride plume projects. Vin reported that the Governor and several state agencies, including the Kansas Water Office, signed off on the Waters of the US update. Vin also mentioned that there was discussion regarding the GMD5 area Water Bank evaluation and the proposed GMD5 LEMA. Vin reported that the Governor is supportive of the Vision for the Future of Water in Kansas, and that further guidance will be supplied to the Regional Advisory Committees to review and modify as needed. Vin also reported that the Chief Engineer provided members with an update on the City of Hays/Russell R9 Ranch Water Right Change Applications, the Quivira National Wildlife Refuge, and information regarding the new hearing officer he appointed to preside over the City of Wichita ASR Proposed Permit Modifications. Vin reported that the next meeting is scheduled for July 30, 2019, in Goodland.

c) EQUUS – WALNUT REGIONAL ADVISORY COMMITTEE

Bob Seiler informed the Board that the next Equus-Walnut Regional Advisory Committee (RAC) meeting is on June 5, 2019, at 9:00 a.m. The location is to be determined. Gary Koons of the Kansas Water Office informed the Board that the meeting topics will include an update of where the RAC stands with current goals and budget recommendations to the Kansas Water Authority.

ITEM 11 -- MANAGER'S REPORT

a) ASR Project Report

Tim Boese, Manager, advised the Phase I Recharge for March was 181.04 acre-feet, with 62.5% into Recharge Basin 2, and the Phase II Recharge was 309.75 acre-feet, with 59.1% into Recharge Basin 36. Cheney Reservoir: Conservation pool is 100.00%

full and the flood pool is 26.76% full. Cheney release is 0 CFS. Flow today: Little Ark - Highway 50 is 5280 CFS; Valley Center is at 2700 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 April, staff assisted completing seven new/change/division applications, 1 application review, performed 15 water permit consultations, completed three preliminary safe yields, and processed a total of 67 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 the month of April.

ITEM 12 -- ADDITIONS TO THE AGENDA – NONE

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

Manager Tim Boese informed the Board that he continues to work on a scope of services for the Burton Chloride Plume, and that Kansas Water Office plans to submit the RFP later in May. Tim also informed the Board that the Kansas Geological Survey 2019 Kansas Field Conference is scheduled for June 10-12, 2019, and GMD2 was approached about sponsoring one of the social nights. Discussion by the Board followed. Board consensus was to decline the request to sponsor the social night. Tim also informed the Board and provided them with a handout regarding an inquiry from GMD3 for the District to possibly contribute to a National Water Resources Association (NWRA) annual membership fee of \$13,000. Discussion by the Board followed. Tim will discuss the issue further with GMD3 and other District managers and will report back to the Board next month. Tim notified the Board that the District is in the process of posting the ad for the hydrogeologist opening both online and at local colleges and universities. Board Vice President Vin Kissick informed the Board that he spoke to Earl Lewis, Acting Director of the Kansas Water Office, and he indicated that the District should look into possible state funding to upgrade the weather stations. Tim agreed with Vin and informed the Board that staff from the Kansas Geological Survey (KGS) is schedule to tour the District weather stations later this month, as KGS is planning to install new water-level transducers in some of the weather stations' monitoring wells at no cost to the District. Tim also thanked Board member Joe Pajor for sending him information regarding a possible wireless phone carrier for the weather stations.

ITEM 14 -- EXECUTIVE SESSION

Moved by David Stroberg and seconded by Vin Kissick 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 11:20 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: 11:15 a.m.
Time out of Executive Session: 11:20 a.m.

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

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. Jeff Winter, President, adjourned the Board meeting at 11:21 a.m.



David Bogner
Secretary
DB/TDB/rsw