

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

**Wednesday, February 21, 2024**

**9:30 a.m.**

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

**Please contact the District for additional information.**

**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 Pending**

**7. OLD BUSINESS**

- a) The Moorings HOAs, Appropriation Application No. 50778, Sedgwick County

**8. NEW BUSINESS**

- a) District Health & Dental Insurance Renewal Premiums
- b) Draft FY 2025 Budget Review
- c) Annual Meeting Date and March Board Meeting Date
- d) Annual Meeting Agenda Review

**9. AGENCY & COMMITTEE REPORTS**

- a) Division of Water Resources
- b) Kansas Water Authority
- c) Equus - Walnut Regional Advisory Committee
- d) Regional Economic Area Partnership of South-Central Kansas

**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
- e) Legislative Update

**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**

**FEBRUARY 21, 2024**

The Board of Directors for the Equus Beds Groundwater Management District No. 2 held a monthly meeting February 21, 2024, in the conference room of the Equus Beds Groundwater Management District No. 2 in Halstead, Kansas. President Dale Schmidt called the meeting to order at 9:31 a.m.

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

Dale Schmidt, President	Vin Kissick, Vice President
David Bogner, Secretary	Mike McGinn, Treasurer
Michael Baalmann, Member	Joe Bergkamp, Member
Alan Burghart, Member	Jake Martin, Member, via phone
Ethan Reimer, Member, via phone	David Stroberg, Member
Reece Hiebert, District Attorney	Tim Boese, Manager
Brad Barton, Hydrogeologist	Rebecca Wilson, Admin. Assistant

Directors absent: Rodney Eggleston

Others attending the meeting or portions thereof were:

Scott Macey, City of Wichita, via phone	Gary Janzen, City of Wichita
Jeff Lanterman, DWR, via phone	Kurt Bachman, Kurt Bachman Building, Inc.

### **ITEM 1-- APPROVAL OF JANUARY 23, 2024, BOARD MEETING MINUTES**

Moved by David Stroberg and seconded by Joe Bergkamp to approve the January 23, 2024, Board meeting minutes as presented. Motion carried with 8 Directors for, 0 Directors against, 1 Director abstained (David Bogner), and 2 Directors absent (Rodney Eggleston and Mike McGinn).

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

Manager Tim Boese informed the Board that the District Audit is not yet available, so Agenda Item 3a: Annual Financial Audit needs to be removed from the Agenda. Moved by Vin Kissick and seconded by Alan Burghart to remove Agenda Item 3a: Annual Financial Audit from the Agenda and to approve the Agenda as amended. Motion carried with 9 Directors for, 0 Directors against, 0 Directors abstained, and 2 Directors absent (Rodney Eggleston and Mike McGinn).

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

#### **January Financial Report**

Manager Tim Boese reviewed the January 2024 Financial Report and answered questions from the Board. Moved by Joe Bergkamp and seconded by David Stroberg to approve the January 2024 Financial Report. Motion carried with 9 Directors for, 0 Directors against, 0 Directors abstained, and 2 Directors absent (Rodney Eggleston and Mike McGinn).

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

Manager Tim Boese reviewed the February 2024 Expenditures to Approve and answered questions from the Board. Moved by Vin Kissick and seconded by Mike McGinn to approve the February 2024 expenditures. Motion carried with 10 Directors for, 0 Directors against, 0 Directors abstained, and 1 Director absent (Rodney Eggleston).

**ITEM 5 -- PUBLIC FORUM - NONE**

**ITEM 6 -- APPEAL REVIEW - NONE**

**ITEM 7 -- OLD BUSINESS**

**a) THE MOORINGS HOAs, APPROPRIATION APPLICATION No. 50778, SEDGWICK COUNTY**

District Manager Tim Boese provided the Board with an update to this previously tabled Agenda Item, including information gathered and photos taken during a site visit by District staff on February 8, 2024. Kurt Bachman, representing the applicant, was present, and answered questions and provided additional information to the Board. Discussion by the Board followed.

**FINDINGS:**

1. The application does not comply with Well Spacing Rule and Regulation K.A.R. 5-22-2(c). The existing groundwater pit is located closer than the minimum spacing requirements to numerous domestic wells and the groundwater pit authorized by Water Right No. 43,471;
2. This groundwater pit appears to have been mostly constructed prior to the domestic wells that have been installed by the homeowners surrounding the pit;
3. This groundwater pit appears to have been mostly constructed prior to the Non-Domestic groundwater pit authorized by Water Right #43,471;
4. The existing groundwater pit was constructed as a sand and gravel pit in the early 1950s through the 1970s for sand and gravel operations;
5. The application does not comply with the Safe Yield Rule and Regulation 5-22-7(a);
6. Existing and proposed consumptive appropriations exceed the safe-yield allowable by 2912.93 AF/Y;
7. The Division of Water Resources did not administratively require sand and gravel operations (groundwater pits) to be authorized by approved water permit applications until September 17, 1986;
8. The application does not propose any expansion or modification in size or shape of the existing groundwater pit;
9. For proper management of the Equus Beds Aquifer, all non-domestic groundwater use in the District, including evaporative loss from un-permitted groundwater pits, should be accounted for;
10. The District conducted a site inspection to document site drainage on February 8, 2024, which indicated that all drainage from offsite is likely being diverted around the groundwater pit. The District inspection found that some storm drains along the roads in the development likely discharge in the groundwater pit, and some drain pipes from houses drain directly into the groundwater pit; and
11. The District Board of Directors reviewed a similar application and recommended an exception to the Safe Yield Rule and Regulation and recommended the application for approval, subject to certain conditions.

Moved by David Bogner and seconded by Alan Burghart to recommend that the application be granted exceptions to the Safe Yield Rule and Regulation K.A.R. 5-22-7(a), and to the Well Spacing Rule and Regulation K.A.R. 5-22-2(c), and that the application be recommended for approval, subject to:

1. A permit condition be added requiring the area around the groundwater pit be maintained to prohibit any offsite untreated surface drainage from entering the aquifer through the excavated pit; and
2. That the groundwater pit shall be constructed, maintained, and operated in a manner that will prevent degradation to the water quality of the source of supply and shall not cause an unreasonable deterioration of the water quality for existing water users.

Motion carried with 10 Directors for, 0 Directors against, 0 Directors abstained, and 1 Director absent (Rodney Eggleston).

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

##### **a) DISTRICT HEALTH & DENTAL INSURANCE RENEWAL PREMIUMS**

Manager Tim Boese reviewed the Blue Cross and Blue Shield medical and dental insurance renewal premiums. Discussion by the Board followed, and Tim answered questions from the Board. Moved by Michael Baalmann and seconded by Alan Burghart to accept the Blue Cross and Blue Shield medical and dental insurance renewal premiums and for the District to continue to pay 100% of the premium contribution rate for employee coverage and to continue to subsidize 65% of the premium contribution rate for employees' share of dependent coverage. Motion carried with 10 Directors for, 0 Directors against, 0 Directors abstained, and 1 Director absent (Rodney Eggleston).

##### **b) DRAFT FY 2025 BUDGET REVIEW**

Manager Tim Boese reviewed with the Board a draft FY 2025 Budget. Discussion by the Board followed, and Tim answered questions from the Board. Consensus of the Board was to increase the Lodging line item to \$8,000 to allow Board members and/or District staff to attend additional conferences and trainings next year. Tim will revise the draft FY 2025 Budget with the Board recommendation prior to its proposal at the Annual meeting.

##### **c) ANNUAL MEETING DATE AND MARCH BOARD MEETING DATE**

Manager Tim Boese informed the Board that the Annual Meeting has been scheduled for Wednesday, March 27, 2024, at 7:00 p.m. at the Halstead High School auditorium. Discussion by the Board followed. Board consensus was to schedule the March regular Board meeting for Wednesday, March 13, 2024, at 9:30 a.m.

##### **d) ANNUAL MEETING AGENDA REVIEW**

Manager Tim Boese reviewed for the Board a draft Agenda for the Annual Meeting scheduled for March 27, 2024. Discussion by the Board followed. Tim informed the Board that Connie Owen, Director of Kansas Water Office, will be a special speaker.

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

##### **a) DIVISION OF WATER RESOURCES**

Jeff Lanterman, Water Commissioner at Division of Water Resources (DWR) Stafford, reported that the DWR Stafford field office hired two individuals for the open positions at their office, and that the office will be fully staffed next month. Jeff informed the Board that his staff completed the annual Kansas Geological Survey (KGS)/DWR cooperative water-level measurements, but that they were delayed due to the recent weather. Jeff anticipates that the measurement data will be available soon. Jeff reminded the Board that annual Water Use Reports are due by March 1, 2024, and he reported that 60% of all reports have been completed online so far this year.

**b) KANSAS WATER AUTHORITY**

David Stroberg informed the Board that the Kansas Water Authority (KWA) met in Topeka on January 24, 2024. David reported that the Public Water Supply Committee met regarding water contracts for Wolf Creek, a Regional Advisory Committee member from the Marais des Cygnes RAC provided an update on their area, and Governor Kelly gave a speech on strategic planning for water resources, which David provided to Board members. Additionally, David reported that the state has plugged 1,932 abandoned oil and gas wells with 518 more to plug as part of federal funding. The next KWA meeting is scheduled for April 17, 2024, in Garden City.

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

Board Secretary David Bogner informed the Board that the next Equus-Walnut Regional Advisory Committee (RAC) meeting is scheduled for today at 2:00 p.m. at McPherson BPU.

**d) REGIONAL ECONOMIC AREA PARTNERSHIP OF SOUTH CENTRAL KANSAS**

Manager Tim Boese informed the Board that he was unable to attend the Regional Economic Area Partnership of South Central Kansas (REAP) meeting on January 25, 2024, due to a scheduling conflict. Tim informed the Board that the next REAP meeting is scheduled for February 22, 2024.

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

**a) ASR Project Report**

Manager Tim Boese advised that Phase I recharge for January was 12.6 acre feet into Recharge Basin 2. There was no Phase II recharge in January. Cheney Reservoir: Conservation pool is 70.16% full (68.17% full in January). The level is 5.25 feet below normal (5.64 feet below normal in January). No Cheney release. Flow today: Little Ark - Highway 50 is 5.75 CFS (5.75 CFS in January); Valley Center is 28.6 CFS (No reading in December due to ice). Tim reported that there were low flows for most of January, with a spike the last few days of January.

**b) ADMINISTRATIVE FIELD TASKS**

Manager Tim Boese reported that in January, staff completed five application reviews, assisted with 15 applications (change applications, new applications, cathodic protection borehole applications, and notices of completion), performed 25 water permit consultations, completed 23 preliminary safe yield evaluations, sold three new meters, conducted 690 water level measurements, assisted with 13 abandoned and inactive well inspections, and processed a total of 70 administrative files.

**c) REVIEW OF TERM PERMIT APPLICATIONS**

Manager Tim Boese advised that there were no term permit replacement/renewal applications reviewed by District staff in January.

**d) MONTHLY INFORMATION & SERVICE REPORT**

Manager Tim Boese presented customer service requests for January.

Tim informed the Board that he presented the GMD2 Annual Report to the House Water Committee on Thursday, January 25, 2024. Tim also informed the Board that he presented at the Kansas Natural Resource Conference in Manhattan on February 8, 2024. Tim reminded the Board that he will participate on the water quality panel at the Sedgwick County Conservation District Annual Meeting on February 22, 2024, in Wichita. Additionally, Tim provided the Board with an update on the Burrton Chloride Study. Tim reported that Burns and McDonnell will be updating the study that they completed a few years ago, and that

District staff provided Burns and McDonnell with all the District's relevant water quality data and water level measurements for the update. Board discussion followed, and Tim answered questions from the Board.

**e) LEGISLATIVE UPDATE**

Manager Tim Boese provided the Board with updates on four recent House bills. On February 1, 2024, Tim testified in opposition to HB 2459. On February 13, 2024, Tim testified in opposition to both HB 2696 and HB 2697. On February 20, 2024, Tim testified in opposition to HB 2695. Tim advised that all four bills did not make it out of the House Water Committee and were essentially “dead” unless they were moved to an exempt committee. Tim reported that the GMD Legislative Retreat went well and was well attended. Tim will continue to send the Board the weekly legislative updates provided by the District lobbyist.

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

**ITEM 12 -- BOARD ROUND TABLE DISCUSSION**

Board President Dale Schmidt suggested that District staff research additional possible venue options for future Annual Meetings, with a set timeframe each year of the end of February or early March. Board Vice President Vin Kissick informed the Board that he is planning an informational meeting and discussion regarding all aspects of the water bank process. Vin would like District members to receive all the information available, to then be able to decide whether to pursue establishing a water bank in this area. Vin reiterated that this meeting would be separate from the GMD2 Board and that no Board information would be discussed at the water bank meeting. Vin stated that he will send out invitations to the meeting, which will most likely be held one evening in March at the school building in Mt. Hope.

Moved by David Stroberg and seconded by Mike McGinn to adjourn the meeting. Motion carried with 10 Directors for, 0 Directors against, 0 Directors abstained, and 1 Director absent (Rodney Eggleston). Dale Schmidt, President, adjourned the Board meeting at 11:39 a.m.



David Bogner  
Secretary  
DB/TDB/rsw