

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

**Tuesday, November 16, 2021
12:30 p.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) Review of Board Representation District Standard & Policy D.S.P. 8103.1
- c) LEMA Regulations Update

8. NEW BUSINESS - NONE

- a) GMDA Annual Conference – January 18-20, 2022, San Antonio, TX

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

NOVEMBER 16, 2021

The Board of Directors for the Equus Beds Groundwater Management District No. 2 held a monthly meeting November 16, 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 12:31 p.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	Bob Seiler, Member
David Stroberg, Member	Tom Adrian, District Attorney
Tim Boese, Manager	Rebecca Wilson, Admin. Assistant
Brad Barton, Hydrologist	

Others attending the meeting or portions thereof were:

Suzanne Loomis, City of Newton, via phone
Laura Rainwater, REAP, via phone

ITEM 1 -- APPROVAL OF OCTOBER 27, 2021, BOARD MEETING MINUTES

Moved by David Stroberg and seconded by Vin Kissick to approve the October 27, 2021, meeting minutes. Motion carried with 9 Directors for, 0 Directors against, 0 Directors abstained, and 0 Directors absent.

ITEM 2 -- APPROVAL OF AGENDA

Moved by Mike McGinn and seconded by David Stroberg to amend the Agenda to add Agenda Item 13 - Executive Session - Consultation with Attorney to the Agenda and to approve the Agenda as amended. Motion carried with 9 Directors for, 0 Directors against, 0 Directors abstained, and 0 Directors absent.

ITEM 3 -- FINANCIAL REPORT

October Financial Report

Manager Tim Boese reviewed the October Financial Report for the Board. As requested, Tim also provided the Board with graphs outlining the District year-to-date expenses separated by type of expense and month incurred. Discussion by the Board followed. Moved by David Bogner and seconded by Dale Schmidt to approve the October 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 November 2021 Approval of Expenditures. Moved by David Bogner and seconded by Joe Bergkamp to approve the November 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 Hearing Officer has not yet submitted her decision to the Chief Engineer of the Division of Water Resources. Tim stated that there was no new information to report regarding the City of Wichita ASR proposed permit modifications.

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

Manager Tim Boese reminded the Board that they tabled this Agenda item from the Board meeting last month. Tim again provided the Board with the current District policy, draft policy changes, and additional information that the Board had previously reviewed in recent Board meetings. Discussion by the Board followed. District Attorney Tom Adrian informed the Board that any change to District administrative policy requires two separate readings as well as approvals by the Board before becoming effective. A motion to approve a first reading of the policy changes would be the first step in the formal policy change process. Board Secretary David Bogner asked Laura Rainwater of the Regional Economic Area Partnership of South Central Kansas (REAP) for information regarding the makeup of the members of REAP. Laura provided the Board with the requested information and emailed Tim a detailed list of the members of REAP, which Tim read to the Board. Moved by Vin Kissick and seconded by Dale Schmidt to incorporate the comments made during the discussion today into the draft policy discussion and to table the Agenda item to the next Board meeting. Motion carried with 8 Directors for, 1 Director against (Mike McGinn), 0 Directors abstained, and 0 Directors absent.

c) LEMA REGULATIONS UPDATE

Manager Tim Boese informed the Board that after thorough review, he does not believe the proposed LEMA regulations will have significant impact on the District. Tim stated that he visited with the other District Managers and that their Districts are generally supportive or neutral regarding the proposed LEMA regulations. Tim informed the Board that K.S.A. 82a-1042 requires the District Board to respond to the proposed LEMA regulations with intended Board actions. Tim recommended that the District support the proposed LEMA regulations and that the District response include that the District reviewed the proposed LEMA regulations and determined that no significant impact to the District's Management Program is anticipated, and that the District will incorporate the LEMA information and rules and regulations in its revised Management Program. Discussion by the Board followed. Moved by David Bogner and seconded by David Stroberg for the District to generally support the proposed LEMA regulations and for Tim to send a response letter to the Chief Engineer of the Division of Water Resources indicating that the District does not anticipate that the proposed LEMA regulations will significantly impact the District's Management Program and that the District will include the LEMA information and rules and regulations in revisions to the Management Program. Motion carried with 9 Directors for, 0 Directors against, 0 Directors abstained, and 0 Directors absent.

ITEM 8 -- NEW BUSINESS

a) GMDA ANNUAL CONFERENCE – JANUARY 18-20, 2022, SAN ANTONIO, TX

Manager Tim Boese reminded the Board that the National Groundwater Management District Association (GMDA) Conference is scheduled for January 18-20, 2022, in San Antonio, Texas, and provided the Board with a draft agenda for the conference. Tim is a Board member of the GMDA, and he provided the District Board with an update from the recent GMDA Board meeting. Tim is uncertain if his schedule will allow him to attend the

conference, but he would like to attend if possible. Discussion by the Board followed. Moved by Mike McGinn and seconded by David Bogner for the District to pay for the District Manager and one Board member to attend the conference. Motion carried with 9 Directors for, 0 Directors against, 0 Directors abstained, and 0 Directors absent.

ITEM 9 -- AGENCY & COMMITTEE REPORTS

a) DIVISION OF WATER RESOURCES

DWR was not in attendance and did not provide a report.

b) KANSAS WATER AUTHORITY

Board member David Stroberg reminded the Board that the Governor's Water Conference will be presented in a virtual format November 17-18, 2021. David reported that the next Kansas Water Authority (KWA) meeting is scheduled for December 1, 2021. David also informed the Board that there is an Arbuckle Group Study meeting scheduled for December 6, 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 he has not yet received the October report. Cheney Reservoir: Conservation pool is 88.94% full (89.40% full in October). No Cheney release. Flow today: Little Ark - Highway 50 is 19.7 CFS; Valley Center is 59.3 CFS. Tim reported that there were high river flows for about 5-10 days in the middle of October, and again at the end of October/beginning of November. 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 October, staff assisted with four applications, completed three application reviews, performed 19 water permit consultations, completed 15 preliminary safe yield reviews/information requests, conducted 564 water level measurements, collected nine water samples, and processed a total of 38 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 October.

d) MONTHLY INFORMATION & SERVICE REPORT

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

ITEM 11 -- ADDITIONS TO THE AGENDA – NONE

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

There was no Board round table discussion.

ITEM 13 -- EXECUTIVE SESSION – CONSULTATION WITH ATTORNEY

Moved by David Stroberg and seconded by Dale Schmidt to recess into Executive Session for the purpose of consultation with the District Attorney which would be deemed privileged in the non-elected personnel exception under the Kansas Open Meeting Act, and the open meeting will resume here in the conference room at 2:40 p.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 (Alan Burghart).

Time in Executive Session: 2:25 p.m.

Time out of Executive Session: 2:40 p.m.

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

Moved by Bob Seiler 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 (Alan Burghart). Jeff Winter, President, adjourned the Board meeting at 2:41 p.m.



David Bogner
Secretary
DB/TDB/rsw