

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

**Tuesday, December 8, 2015
1:00 p.m.**

313 Spruce Street • Halstead, KS 67056-1925
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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. Please limit presentation to five minutes.*
6. **APPEAL REVIEW** - None Pending
7. **OLD BUSINESS**
 - a) GMD2 Modeling Proposals
 - b) KDA/DWR Proposed Rules & Regulations
8. **NEW BUSINESS**
 - a) DWR/GMD2 Proposed Rules & Regulations Public Hearing
 - b) District Attorney Fees Proposal
 - c) GMDA Annual Conference – January 5-8, 2016 - Sacramento, CA
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) Monthly information and service report
11. **ADDITIONS TO THE AGENDA**
12. **BOARD ROUND TABLE DISCUSSION** – Fred Seiler, President
13. **Executive Session** – Annual Staff Performance Reviews

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
DECEMBER 8, 2015

The Board of Directors for the Equus Beds Groundwater Management District No. 2 held a monthly meeting December 8, 2015, in the conference room of the Equus Beds Groundwater Management District No. 2 in Halstead, Kansas. President Fred Seiler called the meeting to order at 1:00 p.m.

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

Fred Seiler, President	David Stroberg, Member
Vin Kissick, Vice-President	Joe Pajor, Member
Mike McGinn, Treasurer	Bob Seiler, Member
Jeff Winter, Secretary	Tom Adrian, Attorney
David Bogner, Member	Tim Boese, Manager
	Steve Flaherty, Hydrogeologist
	Shelly Watkins, Administrative Assistant

Directors absent: Alan Burghart

Others attending the meeting or portions thereof were:

Daniel Clement - Burns & McDonnell	Cameron Conant – Stafford DWR
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ITEM 1

a) APPROVAL OF NOVEMBER 10TH MINUTES

Moved by Joe Pajor to approve the minutes as written. David Bogner seconded the motion. Motion carried with 5 Directors for, 0 Directors against, 0 Directors abstained, and 4 Directors absent.

ITEM 2 -- APPROVAL OF AGENDA

Moved by Vin Kissick to approve the agenda as presented. David Stroberg seconded the motion. Motion carried with 5 Directors for, 0 Directors against, 0 Directors abstained, and 4 Directors absent.

ITEM 3 -- FINANCIAL REPORT

Moved by Vin Kissick to approve the November financial report as submitted, with additions to be reviewed next month. David Stroberg seconded the motion. Motion carried with 6 Directors for, 0 Directors against, 0 Directors abstained, and 3 Directors absent.

ITEM 4 -- APPROVAL OF EXPENDITURES

Moved by Mike McGinn to approve the December expenditures. Joe Pajor seconded the motion. Motion carried with 6 Directors for, 0 Directors against, 0 Directors abstained, and 3 Directors absent.

ITEM 5 -- PUBLIC FORUM- NONE

ITEM 6 -- APPEAL REVIEW – NONE

ITEM 7 – OLD BUSINESS- GMD2 MODELING PROPOSALS

a) GMD2 MODELING PROPOSALS

Fred Seiler proposed an amendment to the agenda to delay this item until all members were present. Moved by Vin Kissick to approve a modification to the agenda. Mike McGinn seconded the motion. Motion carried with 6 Directors for, 0 Directors against, 0 Directors abstained, and 3 Directors absent.

b) KDA/DWR Proposed Rules & Regulations

Tim Boese presented updated proposed rules and regulations received from KDA/DWR. Vin Kissick made a motion to submit the updated over-pumping enforcement matrix created by the GMD2 Board to DWR, recommend to DWR that the map showing areas with 20% or more reduction in saturated thickness is reviewed and revised, and request that DWR clarify the meaning of zero effect on neighboring wells not owned by the applicant after 30 years of pumping for proposed point of diversion moves of more than 300 feet in the proposed restricted areas. David Stroberg seconded the motion. Motion carried with 8 Directors for, 0 Directors against, 0 Directors abstained, and 1 Directors absent.

a) GMD2 MODELING PROPOSALS

Tim Boese presented information regarding the KGS and USGS modeling proposals. Moved by Joe Pajor to enter into an agreement with KGS to complete Tasks #s 1 & 2 of the KGS modeling proposal, subject to a maximum District cost of \$72,500 and District staff is involved in the review of the data and model configuration. Motion was seconded by David Stroberg. Joe Pajor moved to amend the original motion by including that the Board would have to approve a separate notice to proceed for Task #2. Bob Seiler seconded the motion. Motion amendment carried with 8 Directors for, 0 Directors against, 0 Directors abstained, and 1 Directors absent. Original motion, as amended, then carried with 8 Directors for, 0 Directors against, 0 Directors abstained, and 1 Directors absent.

ITEM 8 -- NEW BUSINESS

a) DWR/GMD2 Proposed Rules & Regulations Public Hearing

Tim Boese, Manager, reviewed with the Board the proposed rules and regulations that will be heard at a KDA/DWR public hearing on January 11, 2016. Moved by Bob Seiler to oppose the changes to the Aquifer Storage and Recovery Rules and Regulations K.A.R. 5-1-1 and K.A.R. 5-12-1, which propose to change the minimum water level elevation to bedrock in which recharge credits can be pumped, due to the following concerns with changing the regulations as it relates to the City of Wichita ASR Project:

1. Potential negative impacts to the aquifer's quantity and quality;
2. Potential negative impacts to other groundwater users in the area;
3. Original ASR permit conditions set a historic low water level elevation as the 1993 water-level that must be exceeded for recharge credits to be able to be pumped; and
4. The ASR Project was originally presented to the public with the current requirement that recharge credits can only be pumped when the water level is above the 1993 water level elevation.

Mike McGinn seconded the motion. Motion carried with 7 Directors for, 1 Directors against, 0 Directors abstained, and 1 Directors absent.

b) District Attorney Fees Proposal

Attorney Tom Adrian explained the basis of Adrian & Pankratz's charges for attending Board meetings and submitted proposals based on the current practice of a per hour fee and possible change to a flat fee per meeting.

Moved by Mike McGinn to leave attorney fees as is as a per hour fee and to have attorney/firm submit the next year's proposed billing rate at the beginning of each year, and an annual review by the GMD2 Board. David Stroberg seconded the motion. Motion carried with 8 Directors for, 0 Directors against, 0 Directors abstained, and 1 Directors absent.

c) GMDA Annual Conference

Motion by Bob Seiler to have Board President Fred Seiler (or alternative Board member) and the District Manager, Tim Boese, attend the meeting in Sacramento, CA, on January 5-8, 2016.

Vin Kissick seconded the motion. Motion carried with 8 Directors for, 0 Directors against, 0 Directors abstained, and 1 Directors absent.

ITEM 9 – AGENCY & COMMITTEE REPORTS

a) DIVISION OF WATER RESOURCES

Cameron Conant, DWR, informed the Board of an upcoming meeting on December 10, 2015, to review the DWR initial report for the Quivira National Wildlife Refuge water impairment claim located in the Rattlesnake Creek Basin in GMD5.

b) KANSAS WATER AUTHORITY

Vin Kissick reported the KWA will meet on December 17th, 2015 in Ellsworth and it will be his first meeting as a KWA member.

c) EQUUS – WALNUT REGIONAL ADVISORY COMMITTEE

Vin Kissick reported that Bob Seiler had been recommended to replace him on the committee and that KWA would have to approve the appointment.

ITEM 10 – MANAGER'S REPORT

a) ASR Project Report

Tim Boese, Manager, advised November recharge reports not yet received. Cheney Reservoir is up a little bit at 94.5% full conservation pool. The Little Arkansas River had good flow for a few weeks but has dropped back down to 34 cfs on HWY 50 138 cfs at Valley Center. Further advised that the 2014 ASR Accounting Report had been received and staff will review and schedule for upcoming Board meeting.

b) Administrative Field Tasks

Tim Boese, Manager, reported for the month of November that District staff worked on 7 new/change application reviews; 12 application assistance, 15 water permit consultations, assessment corrections and ownership updates, several notice of completions and extensions and northwest quarter meter inspections.

c) Monthly Information & Service Report

Tim Boese, Manager, advised the December report was in the Board booklet and reviewed information with the Board.

ITEM 11- Additions to the Agenda

See Item 14.

ITEM 12 -- BOARD ROUND TABLE DISCUSSION – FRED SEILER, PRESIDENT

Fred Seiler asked who was up for re-election. Tim Boese advised that Bob Seiler, David Stroberg, and Alan Burghart terms expire in March, 2016. Fred Seiler requested the item be placed on the January agenda. Cameron Conant informed the Board that longtime DWR Stafford employee Jan Stryker was retiring.

Tim Boese, Manager, advised that the District received an estimate to repair the area around five District monitoring wells in the Eagle Drainage District. It was the consensus of the Board to add an Executive Session to the agenda to discuss the matter with the District's attorney.

ITEM 13- Executive Session

Moved by Vin Kissick and seconded by David Stroberg to recess into Executive Session for thirty minutes to discuss personnel matters with the District's attorney for the purpose of protecting the privacy of that information. Those present during this Executive Session were the members of the Board; Tim Boese, Manager; and Tom Adrian, Legal Counsel. Motion carried with 7 Directors for, 0 Directors against, 0 Directors abstained, and 2 Director absent.

Time in Executive Session: 4:25 p.m.
Time out of Executive Session: 4:55 p.m.

Moved by David Stroberg and seconded by Jeff Winter to extend the executive session ten minutes

Time in Executive Session: 4:55 p.m.
Time out of Executive Session: 5:05 p.m.

Joe Pajor made a motion for all non-probationary staff (Steve Flaherty, David Randolph, and Tim Boese) salaries to be increased 4%, effective January 1, 2016, and to issue a two-part bonus for all non-probationary employees consisting of \$500.00 each and a gift card of \$500.00 each, with the gift card location to be determined by the District Manager. David Stroberg seconded the motion. Motion carried with 7 Directors for, 0 Directors against, 0 Directors abstained, 2 Directors absent.

ITEM 14- Executive Session

Moved by Vin Kissick and seconded by David Stroberg to recess into Executive Session for ten minutes to discuss legal matters with the District's attorney for the purpose of protecting the privacy of that information. Those present during this Executive Session were the members of the Board; Tim Boese, Manager; and Tom Adrian, Legal Counsel. Motion carried with 7 Directors for, 0 Directors against, 0 Directors abstained, and 2 Director absent.

Time in Executive Session: 5:09 p.m.
Time out of Executive Session: 5:19 p.m.

There was no motion made as a result of the executive session.

Fred Seiler, President, adjourned the Board meeting at 5:25 p.m.

Respectfully submitted,


Jeff Winter
Secretary
JW/TDB/db