

**EQUUS BEDS GROUNDWATER MANAGEMENT DISTRICT NO. 2**  
**JUNE 21, 2017**

The Board of Directors for the Equus Beds Groundwater Management District No. 2 held a monthly meeting June 21, 2017, 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 9:33 a.m.

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

Jeff Winter, President	Vin Kissick, Vice President
Alan Burghart, Secretary	Mike McGinn, Treasurer
David Bogner, Member	Joe Pajor, Member
Dale Schmidt, Member	David Stroberg, Member
Tom Adrian, Attorney	Tim Boese, Manager
Steve Flaherty, Hydrogeologist	Rebecca Wilson, Admin. Assistant

*Directors absent: Bob Seiler*

Others attending the meeting or portions thereof were:

Jeff Lanterman, KDA - DWR Stafford  
Lisa French, Cheney Lake Watershed  
Ron Graber, KSU  
Brian Meier, Burns & McDonnell  
Daniel Clement, Burns & McDonnell

**ITEM 1 -- APPROVAL OF MAY 10<sup>TH</sup> MEETING MINUTES**

Moved by Joe Pajor and seconded by David Stroberg to approve the Minutes. Motion carried with 7 Directors for, 0 Directors against, 0 Directors abstained, and 2 Directors absent.

**ITEM 2 -- APPROVAL OF AGENDA**

Moved by Vin Kissick and seconded by Alan Burghart to add Agenda Item 8(b) – Oath of Office and add Agenda Item 12 - Executive Session. Motion carried with 7 Directors for, 0 Directors against, 0 Directors abstained, and 2 Directors absent.

**ITEM 3 -- FINANCIAL REPORT**

**May Financial Report**

Moved by Vin Kissick and seconded by David Stroberg to approve the May Financial Report as amended. Motion carried with 7 Directors for, 0 Directors against, 0 Directors abstained, and 2 Directors absent.

**ITEM 4 -- APPROVAL OF EXPENDITURES**

Moved by David Stroberg and seconded by Alan Burghart to approve the June expenditures. Motion carried with 7 Directors for, 0 Directors against, 0 Directors abstained, and 2 Directors absent.

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

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

**ITEM 7 -- OLD BUSINESS**

**a) GMD2 SUSTAINABILITY ASSESSMENT/DISTRICT SAFE YIELD REVIEW**

Hydrogeologist Steve Flaherty presented the Board with the preliminary results from the GMD2 Sustainability Assessment/District Safe Yield Review, specifically for part of McPherson County. The District's review agreed with the KGS Sustainability Assessment report that this specific area is over pumped and over appropriated.

Discussion by the Board followed. District staff will continue to assess and review additional areas of the District and report those results to the Board at later meetings.

**b) LARRY L. STUCKY, APPLICATION NO. 48965, NE 10-21S-3W, MCPHERSON CO.**

Hydrogeologist Steve Flaherty presented information regarding application No. 48965. The applicant was present and provided information regarding the application. Discussion by the Board followed. Manager Tim Boese informed the Board that the Chief Engineer continues to review the District boundaries expansion request. Moved by Vin Kissick and seconded by Alan Burghart to table making a recommendation on the application until no later than the October, 2017, Board meeting to allow the Chief Engineer time to make a decision on the District's boundaries expansion request. Motion carried with 8 Directors for, 0 Directors against, 0 Directors abstained, and 1 Director absent.

**c) PROPOSED NICKERSON EFFLUENT TREATMENT/HOLDING CELLS**

Manager Tim Boese reviewed the correspondence the District received from KDHE regarding the modification of the original plans to include a bentonite and clay liner for the new cells to achieve a maximum seepage rate of 1/64 inch per day. Moved by Joe Pajor and seconded by David Stroberg for Manager Tim Boese to provide comments to KDHE stating that the District finds the proposed modifications acceptable and that the District appreciates KDHE addressing the District's concerns. Motion carried with 8 Directors for, 0 Directors against, 0 Directors abstained, and 1 Director absent.

**d) PROPOSED WILLOWBROOK EFFLUENT TREATMENT/HOLDING CELLS**

Manager Tim Boese reviewed the correspondence the District received from KDHE regarding the modification of the original plans to include a bentonite and clay liner for the new cell to achieve a maximum seepage rate of 1/64 inch per day. Moved by Alan Burghart and seconded by Vin Kissick for Manager Tim Boese to provide comments to KDHE stating that the District finds the proposed modifications acceptable and that the District appreciates KDHE addressing the District's concerns. Motion carried with 8 Directors for, 0 Directors against, 0 Directors abstained, and 1 Director absent.

**e) PROPOSED MODIFICATIONS TO K.A.R. 5-14-10 AND K.A.R. 5-14-12**

Manager Tim Boese advised he attended the public hearings for the proposed modifications to K.A.R. 5-14-10, civil penalties for violations other than exceeding the authorized quantity regulation, and K.A.R. 5-14-12, civil penalties for exceeding the authorized quantity regulation. Tim provided the Board with his written testimony that he presented at the hearing regarding K.A.R. 5-14-12 and that KDA/DWR appeared to be very open to the District's recommendation of including an expiration date on all civil penalties issued by the Chief Engineer for over-pumping violations.

**f) KGS GMD2 MODELING – PHASE II**

Manager Tim Boese reviewed the proposal for Phase II of the KGS GMD2 Model, and reported that KGS is willing to be flexible with the payment schedule. Manager Tim Boese recommended going forward with Phase II of the modeling with a plan to pay \$30,000 in 2017, \$0 in 2018, and \$27,500 in 2019. Discussion by the Board followed. Tim will present this proposal to KGS and, if acceptable, will request a contract from KGS for the Board's review.

**ITEM 8 -- NEW BUSINESS**

**a) REVIEW ADOPTED 2017 BUDGET & DRAFT FY 2018 BUDGET**

Manager Tim Boese presented a breakdown of the possible expenses and funding for the 2017, 2018, and 2019 fiscal years. Tim also informed the Board that he was approached by the owner of the building next door, as it is available for purchase.

Discussion by the Board followed, including potential financing and repayment options. Moved by Vin Kissick and seconded by Alan Burghart for Manager Tim Boese to inquire into the availability and feasibility of funds to purchase the property next door, as well as to incorporate the repair costs to the current District office building and the demolition/reconstruction costs for the building next door. Motion carried with 8 Directors for, 0 Directors against, 0 Directors abstained, and 1 Director absent.

The Board also discussed raising the out of district assessment rate to \$1.50 per acre foot, and Manager Tim Boese reminded the Board that they will set the assessment rates at the July 12, 2017 Board meeting following the Budget hearing.

**b) OATH OF OFFICE**

Attorney Tom Adrian issued the Oath of Office to Board members Jeff Winter, David Bogner, Joe Pajor, Dale Schmidt, and David Stroberg, as well as District staff member Rebecca Wilson.

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

**a) DIVISION OF WATER RESOURCES**

Jeff Lanterman, DWR - Stafford, stated that he had nothing new to report.

**b) KANSAS WATER AUTHORITY**

Board Vice President, Vin Kissick, informed the Board that the KWA met on May 17<sup>th</sup> and 18<sup>th</sup> in Garden City. They toured several facilities, including a tour of the ditch irrigation area and the Garden City Water Department. Vin reported that the City is working with the Dairy Farmers of America to build a new facility where they will dehydrate milk into powder, which will result in one million gallons of water per day available for potential use by the City. Vin stated that the KWA recommended and approved the Chair of each RAC to continue for a term of two additional years to allow for continuity. The KWA Chair also appointed Vice Chairs of each RAC. Vin also stated that there were a few RAC members whose terms would expire in September, and that the KWA is soliciting input for possible nominations for membership in RACs.

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

Joe Pajor, Member, informed the Board that the next meeting will be the Central Kansas Joint RAC Lower Quality Water Summit on July 18<sup>th</sup> at 10:00 a.m. at the Water Treatment Plant in Hutchinson. Manager Tim Boese reported that the District has been asked to provide information regarding current contamination sites in the District.

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

**a) ASR Project Report**

Tim Boese, Manager, advised the Recharge for May was: 0 acre-feet recharged in Phase I and Phase II. Cheney Reservoir: Conservation pool is 100% full and Flood pool is 6.16% full. Cheney release is 245 CFS. Flow today: Little Ark - Highway 50 is 28 CFS; Valley Center is at 78 CFS.

The letter from the City of Wichita to DWR regarding ASR permit condition modifications request has not yet been received by DWR or GMD2. District staff is meeting with the City of Wichita staff, the City of Wichita consultant, and DWR today at 1:30 p.m. to discuss modeling and possible permit condition modifications.

District staff previously reviewed the 2015 ASR Accounting Report and found multiple errors with additional information/clarification needed. District staff sent a letter to the City and to the consultant. A response letter was received from the consultant on April 13, 2017. A corrected 2015 report has not yet been furnished to the District.

**b) ADMINISTRATIVE FIELD TASKS**

Tim Boese, Manager, reported that in May, staff reviewed 1 new/change application, provided assistance for 5 applications, and processed a total of 145 files including VI cards, new applications, approvals, dismissals, and recommendation requests from DWR. Staff also completed 13 water permit consultations. Additionally, staff continues working on a new GMD2 website.

Manager Tim Boese provided the Board with an update to the monitoring well issue in the Eagle Drainage District. District staff is working with the City of Wichita to develop a plan to repair the wells, but the groundwater level is currently too high to begin work.

Manager Tim Boese advised that the Eagle Drainage District asked him to present information regarding high groundwater levels in the area and he presented to the drainage district board and audience on June 1, 2017. Board Vice President Vin Kissick advised that he received favorable comments from those that attended regarding the presentation.

**c) REVIEW OF TERM PERMIT APPLICATIONS**

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

**d) MONTHLY INFORMATION & SERVICE REPORT**

Tim Boese, Manager, presented customer service requests for the month of May.

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

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

Board Vice President Vin Kissick complimented Manager Tim Boese on directing District staff member David Randolph to remove the tall weeds from around several of the monitoring wells, as they were beginning to cause traffic concerns.

**ITEM 13 -- EXECUTIVE SESSION -**

Moved by Vin Kissick and seconded by David Bogner to recess into Executive Session for 10 minutes to discuss District matters with the District's attorney for the purpose of protecting the privacy of that information. Motion carried with 7 Directors for, 0 Directors against, 0 Directors abstained, and 2 Directors absent. Those present during this Executive Session were the members of the Board; Tim Boese, Manager; and Tom Adrian, Legal Counsel.


Time in Executive Session: 12:37 p.m.

Time out of Executive Session: 12:47 p.m.

No action was taken as a result of the Executive Session.

Moved by Vin Kissick and seconded by Alan Burghart to adjourn the meeting. Motion carried with 7 Directors for, 0 Directors against, 0 Directors abstained, and 2 Directors absent. Jeff Winter, President, adjourned the Board meeting at 12:47 p.m.

Alan Burghart  
Secretary  
AB/TDB/rsw

  
Acting Secretary