

# **Minutes: Northwest Kansas Groundwater Management District 4 October 5th, 2017 Board Meeting**

## **1. OPEN MEETING, ATTENDANCE AND AGENDA**

The October 5th board meeting was opened at the GMD 4 office in Colby, Kansas by President, Brent Rogers.

Board members present for some or all of the meeting were:

Jeff Deeds, Lynn Goossen, Roger Zwegardt, Mitchell Baalman, Brent Rogers, Scott Maurath, Karen Flanagan, Monty Biggs, Nate Emig, and Shane Mann

Board members absent:

Doug David

Others present for some or all of the meeting were: Ray Luhman, Shannon Kenyon, Rita Wade and Dan Simmering – GMD 4 staff; Adam Dees – attorney; Kelly Stewart and Steven Walters- DWR; Aaron Popelka – KLA; Jon Friesen; Bert Stramel; Dwayne Kersenbrock; Sharon Stramel; Jerry McKenna; Mike McKenna.

Ray Luhman requested that under New Business “c. Administrative Assistant Position” should be added.

## **2. CONSENT AGENDA**

Brent Rogers asked if there were any concerns over the consent agenda, consisting of the September 7, 2017, Minutes and Expenditures for the month of September. A receipt of the September financial report was previously distributed showing monthly expenditures totaling \$36,805.99 in September were approved.

**Scott Maurath moved the minutes and expenditures for the month of September be accepted. The motion was seconded by Mitchell Baalman and passed unanimously by voice vote (no “nay” votes).**

## **3. OPEN FORUM**

Sharon Stramel gave testimony at the District-Wide LEMA hearing in August. She felt she had been misunderstood after reading the Order issued by DWR stating that she was in support of the LEMA. Ray Luhman informed her that she needed to contact DWR and/or Connie Owens to address that issue.

Jon Friesen expressed concern with the date of the second hearing scheduled for November 14<sup>th</sup>, as many stakeholders will be harvesting. He requested the date be moved back.

## **4. MANAGER’S REPORT**

Ray reported that the hearing officer issued a final order on the first LEMA hearing. He also mentioned the Governor’s Conference coming up in November.

## **5. UNFINISHED BUSINESS:**

### **a. District LEMA**

Ray Luhman reported that the second hearing had been set for November 14<sup>th</sup> and 15<sup>th</sup> if a second day is needed. The hearing officer will be David Barfield. Ray is currently working on written testimony and will present it to

the Board of Directors at the November 2<sup>nd</sup> meeting. Discussion was had on moving the date back to accommodate harvest.

**Shane Mann moved to request to DWR the hearing date be moved back to November 28<sup>th</sup>. The motion was seconded by Lynn Goossen and did not pass with six members opposed.**

**b. GIS Workshops**

They are still developing the items agreed to on the contract addendum.

**c. Building Projects**

This item can be taken off the agenda as there is nothing more to discuss.

**d. Governor's Water Conference**

None of the Board of Directors was interested in going.

**e. Graham County Board of Directors Position**

Brent Rogers contacted Doug David about his attendance at the meetings. Doug was open to the idea of resigning if someone could be found to replace him. Brent has asked several people in the area, but there has not been much interest.

**6. NEW BUSINESS**

**a. Education Panels**

Shannon Kenyon acquired the used paper panels from the Prairie Museum's Water Ways exhibit. She also had four more banners made as there was interest in an educational display in the main office area.

**b. Consumptive Use Regulation**

With the recent regulation change on use made of water, the question of did GMD 4 wish to create a regulation. KLA submitted a letter to GMD 4 that was distributed to the Board requesting no action from GMD 4.

**Shane Mann moved to table the discussion until March 2018. The motion was seconded by Mitchell Baalman and passed unanimously by voice vote (no "nay" votes).**

**Jeff Deeds moved to enter executive session with the Board of Directors, staff, and attorney at 9:40 for 30 minutes to discuss the administrative assistant position. The motion was seconded by Lynn Goossen and passed unanimously by voice vote (no "nay" votes).**

**Shane Mann moved to go into recess for 10 minutes. The motion was seconded by Karen Flanigan and passed unanimously by voice vote (no "nay" votes).**

\* **Shane Mann moved to go into executive session at 10:20 am for 30 minutes. The motion was seconded by Karen Flanigan and passed unanimously by voice vote (no "nay" votes).**

*Amend - enter executive session with the Board of Directors, staff and attorney to discuss the administrative position.*

**c. Administrative Assistant Position**

Brent Rogers appointed Karen Flanigan, Mitchell Baalman, and Lynn Goossen to the hiring committee for an administrative assistant.

**Scott Maurath moved to delegate authority to the committee to conduct interviews and hire as discussed. The motion was seconded by Nate Emig and passed unanimously by voice vote (no "nay" votes).**

## **7. Agency Reports**

Pat Haffner had applied for a new water right before the moratorium that GMD 4 recommended for approval. Kelly Stewart has had impairment concerns with the application as Theis has shown to have significant impact. Pat Haffner will have to prove there will be no impact for the application to be approved.

## **8. OPEN SESSION-Public Questions/Comments:**

Nate Emig wanted to make sure the postcard that will be sent out for the second hearing mentions that both oral and written testimony will be options.

Bert Stramel thought that we were dismissive to Sharon Stramel earlier in the Open Forum and he was disappointed in how it was handled.

Mike McKenna is concerned about using the Cultural Arts Center again for the second hearing for multiple reasons. He was informed that the second hearing would not be conducted there, but at the City Limits Convention Center.

Lynn Goossen stated that if anyone were to give oral testimony at the second hearing, they should have it written ahead of time.

Scott Maurath reminded everyone the resumes received are privileged information. Everyone that is not on the hiring committee turned them over to staff for shredding.

## **9. Scheduling Future Meetings:**

A board meeting was scheduled for November 2<sup>nd</sup>, 14<sup>th</sup>, and 15<sup>th</sup>.

## **10. ADJOURNMENT**

*With no other business and no objections, Scott Maurath moved to adjourn the meeting. The motion was seconded by Monty Biggs and passed unanimously by voice vote (no "nay" votes).*

Respectfully submitted:

  
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Jeff Deeds, Secretary