

# **NORTHWEST KANSAS GROUNDWATER MANAGEMENT DISTRICT 4**

## **August 8, 2019 Board Meeting Minutes**

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

The August 8, 2019 board meeting was opened at the GMD 4 office in Colby, Kansas by Vice President, Shane Mann.

Board members present for some or all the meeting were:

Jeff Deeds, Nate Emig, Karen Flanagan, Lynn Goossen, Shane Mann,  
Ted Nighswonger, Brett Oelke, and Roger Zwegardt.

Board members absent: Monty Biggs and Brent Rogers.

Others present for some or all of the meeting were: Shannon Kenyon, Jody McCain and Dan Simmering – GMD 4 staff; Adam Dees – GMD 4 attorney via phone; Steven Walters –DWR; Armando Zarco and Earl Lewis – KWO; Darvin Strutt, Dennis Tubbs, and Case Rundel.

An addition to the agenda was noted: A.A.A.S. to the Manager's Report.

### **2. CONSENT AGENDA**

Shane Mann asked if there were any concerns over the consent agenda, consisting of the June 13<sup>th</sup>, 2019 minutes and the June and July expenditures. Receipt of the June and July financial reports were distributed showing monthly expenditures totaling \$44,606.87 in June, and \$30,566.81 in July were approved.

**Lynn Goossen moved the minutes for June and expenditures for June and July be accepted as presented. The motion was seconded by Nate Emig and passed unanimously by voice vote (no "nay" votes).**

### **3. OPEN FORUM**

Shannon included notes on the last pages of the board packet, which gives some background on the agenda items. It was noted that the board members liked this format and would like for it to continue.

### **4. MANAGER'S REPORT**

#### **a. Meter Seals**

McCrometer now requires a meter to be either sent in to be tested or a new kit installed for a missing security seal. The McCrometer seals are flimsy and easily come off. This now costs producers almost \$1000 for a seal that used to cost about \$2 depending on what vendor you went to. DWR will allow us to conduct a rate test if a meter is missing the seal, and if found within 6% of our meter, we can install our seal on it. Shannon has purchased some McCrometer screws and seals that we can put on meters, in the event the original McCrometer seal is missing, the meter will still be in compliance with our seal still intact. At the cost of about \$3 to GMD 4 per meter, we can be saving producers \$1000 per meter. We have approximately 3,000 McCrometer meters in the District.

**b. KWA**

Earl Lewis has been confirmed as the Director of the Kansas Water Office. Constance "Connie" Owens has been appointed the Chairman of the Kansas Water Authority (KWA). The Governor has requested that someone from GMD 4 board of directors be on the KWA. Jeff Deeds has graciously agreed to be the representative of the three western Kansas GMD's. The next KWA meeting has been moved to September 3rd in Goodland with the Ag Tech Expo/Water Tech Farm Field Day at NW Tech on September 4th.

**c. Shed**

We spend \$840 annually for a storage unit that is filled with old junk. Dan and Shannon went through it recently to note its contents. Discussion ensued, regarding the sample pump, air compressor, trailer, and bentonite sold to plug wells which is housed in the unit.

**Karen Flanagan moved to clean out the storage unit, and dispose of the unused equipment at the manager's discretion, and to look in to storage options for the bentonite on the GMD 4 premises. The motion was seconded by Nate Emig and passed unanimously by voice vote (no "nay" votes).**

**d. A.A.A.S.**

The film crew with the American Association for the Advancement of Science interviewed Brett Oelke last Saturday. They were gathering footage for the film titled "How We Respond." They wanted to put a face with the American farmer in the Midwest, using the technology and science being developed and applied to farming. After a 30-45 minute interview, they toured the farm and shadowed Brett to see what an ordinary day in farming looks like. The film will come out this fall, with a target date of September 15<sup>th</sup>, 2019.

**5. FIELD REPORT**

Dan reported that with the late start in pumping, his checks in SD-6 are running a bit behind. With the Stockton Field Office being very active in our area and staff finding many security seals missing, Dan has been going out to do a meter test on each one. If their meter is within 6% accuracy of our meter then the meter is considered in compliance and Dan can put another flimsy seal on it until we get the sturdy ones. He has tested approximately 10 meters, and 8 of them have checked out within the 6% accuracy. The other 2 were found to be greater than 6% off, and need repaired.

Nate Emig asked Dan to give some background information on the Yamaha four wheeler he uses for field work. The Yamaha is 13 years old, but has been serviced yearly. It has no hour meter (trip meter only that can get reset easily by accident). Also, it does not have power steering, and had a few repair/maintenance items done to it.

**6. UNFINISHED BUSINESS**

**a. GMD 4 LEMA**

Adam Dees called in by phone to report he had no updates on either of the court cases at this time.

Shannon reported the monthly conference call discussion was mostly on security seals, DWR's annual rotation plan for their compliance inspections in the District-Wide LEMA, and updating the website.

**Lynn Goossen moved to go into executive session for 10 minutes with the board of directors, staff, and Mr. Case Rundel to protect his trade secrets. The motion was seconded by Brett Oelke and passed unanimously by voice vote (no "nay" votes). The session expired.**

**Lynn Goossen moved to go into executive session for 10 minutes with the board of directors, staff, with Mr. Case Rundel available for discussion as needed to protect his trade secrets. The motion was seconded by Brett Oelke and passed unanimously by voice vote (no "nay" votes). The session expired.**

**Lynn Goossen moved to go into executive session for 10 minutes with the board of directors, staff, with Mr. Case Rundel available for discussion as needed to protect his trade secrets. The motion was seconded by Brett Oelke and passed unanimously by voice vote (no "nay" votes). The session expired.**

**Nate Emig moved to deny the Rundel appeal. The motion was seconded by Ted Nighswonger and passed by voice vote, 6 – 1 with Brett Oelke opposing.**

**b. Rob Aiken Model**

Shannon reported the output for Sheridan 6 showed how behavior trends changed, and allows us to see exactly who continues to use more water than what the crop demands. Those folks the model identifies are excellent candidates for education and cost-share probes, etc. She likes how it takes into consideration precipitation as we always hear that the reason SD 6 worked is that they got rain. This model disproves that. Shannon asked Rob what the cost would be to run the model for the District-Wide LEMA for years 2013-2017 and 2018-2020. This is for the colored townships only. It will cost \$35,000. No action was taken at this time.

**c. Logan County Board Position**

Shannon has reviewed the GMD Act, which requires that we have an 11 member board. Lynn Goossen reported that he has not contacted anyone yet. Shannon will get him a list of those who may be eligible to serve.

**d. Financials**

Shannon reported that Jody was able to set up the online banking to do payroll via electronic fund transfer. It worked smoothly for July. Shannon questioned if we should add Dan as another signer in case anything happened to her or Jody. The board was confident in the decision to add Lynn Goossen and Karen Flanagan, which was approved at the June 13<sup>th</sup> board meeting.

**e. Computers**

Dan contacted Will Dearden for bids on 3 new machines, since Windows will not support Windows7 Professional after January 14, 2020. With Will's set up cost, each machine will be approximately \$1000.

Lynn Goossen moved to purchase 3 machines, with Will setting them up. The motion was seconded by Jeff Deeds and passed unanimously by voice vote (no “nay” votes).

**7. NEW BUSINESS**

**a. PUBLIC HEARING ON PROPOSED BUDGET 2020**

At 10:30 am Shane Mann opened the Budget Hearing. There were members of the public present that gave no additional testimony. Shannon Kenyon provided testimony to the proposed budget.

Shane Mann asked if there was any additional testimony regarding the 2020 GMD4 Operating Budget and there was none. Lynn Goossen motioned to close the 2020 Budget Hearing. Ted Nighswonger seconded the motion which passed unanimously via voice vote (no “abstentions” or “nay” votes.)

**b. APPROVAL OF THE 2020 OPERATING BUDGET**

*Ted Nighswonger motioned to approve the following resolution for the 2020 Budget:*

***WHEREAS the district membership during the 44th Annual Meeting adopted the proposed 2020 operating budget of \$519,255.00 for consideration at a subsequent public hearing; and***

***WHEREAS the board scheduled, duly noticed and conducted a public hearing regarding the tentatively adopted, proposed 2020 operating budget on August 8, 2019; and***

***WHEREAS all testimony and public comment was duly considered;***

***BE IT THEREFORE RESOLVED THAT the 2020 operating budget for the Northwest Kansas Groundwater Management District No. 4 shall be approved for \$405,655.00 – as follows:***

	2020 Final Assessed	
<b>110 POSTAGE</b>		<b>\$5,000.00</b>
111 Newsletter	\$3,000.00	
112 General	\$2,000.00	
<b>120 PRINTING</b>		<b>\$3,600.00</b>
121 Newsletter	\$3,000.00	
122 Administrative	\$600.00	
<b>130 DUES</b>	<b>\$500.00</b>	<b>\$500.00</b>
<b>140 SUBSCRIPTIONS</b>	<b>\$2,500.00</b>	<b>\$2,500.00</b>
<b>150 INSURANCE</b>		<b>\$13,400.00</b>
151 Office	\$13,000.00	
152 Public Officials' Liability		
153 Auto		
154 Workmans' Comp.		
155 Inland Marine		
156 Unemployment	\$400.00	
<b>160 TELEPHONE</b>	<b>\$4,000.00</b>	<b>\$4,000.00</b>
<b>170 SALARIES AND BENEFITS</b>		<b>\$224,800.00</b>
171 Gross Sal, Kpers, SS, Etc.	\$224,800.00	

172 Health Insurance		
<b>180 TRAVEL</b>		<b>\$8,000.00</b>
181 Board	\$6,000.00	
182 Staff	\$2,000.00	
<b>190 VEHICLES</b>		<b>\$5,665.00</b>
191 Repairs/Maintenance	\$1,000.00	
192 Operation	\$4,500.00	
193 Tags	\$165.00	
194 Purchase/Lease		
<b>200 CONTRACTED SERVICES</b>		<b>\$90,700.00</b>
201 Accounting	\$6,700.00	
202 Legal	\$40,000.00	
203 Misc. Support	\$29,000.00	
204 Legislative Support	\$15,000.00	
205 Drilling		
206 Weather Modification		
<b>210 PUBLICATIONS</b>		<b>\$1,000.00</b>
211 Legal Notices	\$1,000.00	
<b>220 COOP PROGRAMS</b>		<b>\$2,000.00</b>
221 Administrative		
222 Equipment		
223 Contracted Studies		
224 Education Program	\$2,000.00	
<b>230 ADMINISTRATIVE</b>		<b>\$8,150.00</b>
231 Office Supplies	\$4,000.00	
232 Copy Machine	\$1,000.00	
233 Computer Maint	\$1,000.00	
234 Postage Meter Lease	\$650.00	
235 Bank Charges		
236 Field Supplies	\$1,500.00	
<b>240 NEW EQUIPMENT</b>		<b>\$14,500.00</b>
241 Field	\$10,000.00	
242 Office	\$4,500.00	
<b>250 CONTINGENCY RESERVE</b>		<b>\$0.00</b>
<b>260 FACILITY</b>		<b>\$21,840.00</b>
261 Rent	\$840.00	
262 Maintenance	\$14,000.00	
263 Remodel/Purchase		
264 Building Utilities	\$7,000.00	
<b>REIMBURSED EXPENSES</b>		
<b>300 FOUNDATION</b>		<b>\$0.00</b>
305 Foundation Subscriptions		
325 Foundation Telephone		
345 Foundation Accounting		
350 Foundation Legal		
370 Foundation Tech Support		
	<b>\$405,655.00</b>	<b>\$405,655.00</b>

**WHEREAS KSA 82a-1030 requires that a land assessment and/or water user charge be levied in order to fund the approved budget; and**

**WHEREAS there exists as of August 8, 2019 2,863,950 acres of land eligible for assessment and 846,940 acrefeet of water eligible for the water user charge for the 2020 operating budget; and**

**WHEREAS after due consideration of all testimony it is the board's decision that a 2020 budget of \$405,655.00 should be provided assessment support;**

**BE IT THEREFORE RESOLVED THAT the land assessment and water user charge for the 2020 operating budget shall be set at:**

**\$.05 per acre of assessable land; and  
\$.31 per assessable acrefoot of water.**

**Karen Flanagan seconded the motion which passed unanimously via voice vote (no "abstentions" or "nay" votes.)**

**c. Insurance – Darvin Strutt & Dennis Tubbs**

Darvin Strutt with Strutt Insurance Services and Dennis Tubbs with Kansas Insurance both presented insurance quotes for the board's approval. A short discussion on the comparison of the quotes ensued.

**Roger Zwegardt moved to approve the insurance package from Kansas Insurance, while keeping the workman's compensation insurance through Strutt Insurance Services. The motion was seconded by Lynn Goossen and passed unanimously by voice vote (no "nay" votes).**

**d. Newsletter**

The fall newsletter will be completed soon. Potential articles of interest suggested requirements for back up records, GMD4 can now replace missing seals with a qualifying rate test performed by staff, and the KWO is looking for more tech farms in the NW Kansas area.

**8. AGENCY REPORTS**

Steven Walters reported that DWR is in their 2<sup>nd</sup> year inspections of GMD4. He reported that August 19 is the migration date for the new WRIS, which is web based and should be more user friendly. The GMD5 LEMA has been denied. The Chief Engineer will begin administration on January 1, 2020. The GMD1 LEMA has fallen apart. They are now looking at a new District Wide LEMA. WCA regulations are being drafted off of new LEMA language and past due conservation, as well as GMD 3 & 5 opinion.

Earl Lewis was in the area for Tech farm field day tours. He reported on several personnel changes within the Kansas Water Office.

Armando Zarco reported that the tech farm field day tours start this evening in Tribune. The Northwest Tech field day will be held on Wednesday, September 4<sup>th</sup>.

**9. OPEN SESSNION – Public Questions/Comments:**


No comments received.

**10. SCHEDULING FUTURE MEETINGS:**

A board meeting was scheduled for September 5, 2019, 9 am.

**11. ADJOURNMENT**

***With no other business and no objections, Karen Flanagin moved to adjourn the meeting. The motion was seconded by Roger Zweygardt and passed unanimously by voice vote (no "nay" votes).***

  
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Jeff Deeds, Secretary

