

NORTHWEST KANSAS GROUNDWATER MANAGEMENT DISTRICT 4
August 3, 2022

1. OPEN MEETING, ATTENDANCE AND AGENDA

The August 3, 2022 board meeting was opened at the GMD4 office in Colby, Kansas by President, Brett Oelke and via teleconference.

Board members present for some or all the meeting were:

Jerry Binning, Jeff Deeds, Nate Emig, Lynn Goossen, Shane Mann (virtually), Ted Nighswonger, Brett Oelke, Brent Rogers and Marsha Shilling.

Board members absent: Karen Flanagan and Dylan Loyd.

Others present for some or all of the meeting were: Shannon Kenyon, Jody McCain and Colter Stoll – GMD 4 staff; Adam Dees – GMD 4 attorney; Kelly Stewart and Rebecca Hageman – DWR; Keadron Pearson – KWO; Tallee Davis – NWKTC; Richael Young (virtually) – ERA Economics; Sean Miller (virtually) - Capitol Strategies; and Chase Larson (virtually).

Changes to the agenda were noted:

- Add **8. c.** Term Permits
- d.** NWKTC – Tallee
- e.** Chase Larson @ 9:45 a.m.

2. CONSENT AGENDA

Ted Nighswonger moved that the consent agenda be accepted as amended. The motion was seconded by Jerry Binning and passed unanimously by voice vote (no “nay” votes.)

Ted Nighswonger moved the minutes of the July 13, 2022 board meeting be accepted as presented. The motion was seconded by Marsha Schilling and passed unanimously by voice vote (no “nay” votes).

Shannon distributed a copy of the updated financials.

Jerry Binning moved that the financial reports and expenditures for the month of July be accepted as presented. The motion was seconded by Nate Emig and passed unanimously by voice vote (no “nay” votes).

3. OPEN FORUM

Brent Rogers noted that the courtesy memo sent out regarding LEMA penalties was perceived as a “nasty letter” by some producers.

4. AGENCY REPORTS

Kelly Stewart noted that the field office has been busy with "all things LEMA." Rebecca Hageman reiterated that they have also had several phone calls relating to LEMA balances and questions regarding MYFAs, as well as following up on all of the meter repair forms coming in.

Keadron Pearson reported that the in-person only Kansas Water Authority policy meeting is scheduled for Wednesday, August 10th in Salina; with the regularly scheduled meeting taking place on August 17th in Manhattan. Her office is in the process of budget recommendation for next year. Keadron noted that this is the first time since 2008 that the Water Plan has been fully funded. They will not be doing a Winter Water Technology Expo in 2023. Instead they will concentrate on doing regional events.

Sean Miller reported that the interim House Water Committee will meet August 29th and 30th in Topeka. They will be sending out the GMD Audits, which will then be presented in January or February of 2023. He feels that most of the discussion will center on how we are dealing with the decline of water in Kansas.

Richael Young gave a report on TAPPH2O, noting she has been receiving call on updates. Discussion ensued on some of the issues producers are running into, as well as meter repairs/replacements causing some issues on her end.

5. MANAGER'S REPORT

Shannon reported that the office has been quite busy with producers coming in or calling to check LEMA balances, making changes through change applications, bringing in meter repair forms, etc. She has also been preparing for the LEMA hearings and putting together written testimony.

Shannon noted that with the increased phone and walk-in traffic, we have started documenting LEMA balances, or any other pertinent information given to producers. With the increase in memos, we are again needing more space in the file room. She requested disposing of the map case to make room for more shelving. The board told her to use her discretion on the shelving and map case.

Shannon brought to the board's attention the guide pole damage out front. The board consensus was to pull it out, and not bother with the repair, as it will probably cost less than the deductible.

The Kansas Water Congress scheduled for August 24th and 25th has been postponed to a later date to be determined. Shannon has been asked to present.

Shannon plans to attend the Republican River Compact meeting in Burlington, Colorado on August 31st.

6. FIELD REPORT

Colter reported that in the last three weeks since the board meeting, he worked 104 hours, with 20 of them being in the field checking 22 SD-6 wells and 2 rate tests. Per Shannon's request he has been in the office to help with the increased phone and walk-in traffic. He also has been working on change applications and a term permit, as well as attended the LEMA hearings. Colter will start 5-5-11 checks next week.

7. UNFINISHED BUSINESS

a. GMD 4 LEMA

Approximately 70 people attended the LEMA hearing last Wednesday. Shannon testified on behalf of GMD 4. She is almost finished with the written testimony to be submitted. Adam reminded everyone that August 9th is the last day to submit written testimony.

A courtesy memo was sent out to all water use correspondents, reminding them of the penalties for overpumping.

b. SD-6

Approximately 10 people attended the SD-6 LEMA hearing last Tuesday. Shannon testified on behalf of GMD 4. Shannon finished the written testimony and submitted it on August 2nd. August 8th is the last day to submit written testimony.

8. NEW BUSINESS

a. 2023 BUDGET HEARING @ 10:30 a.m.

At 10:35 a.m. Brett Oelke opened the Budget Hearing. Shannon Kenyon noted that there was no previous testimony submitted to the district office before the hearing. She provided testimony to the proposed budget. Brett Oelke asked if there was any additional testimony regarding the 2023 GMD4 Operating Budget. There were no members of the public present that gave additional testimony. The hearing was closed at 10:37 a.m.

b. SET ASSESSMENTS

Brent Rogers moved to approve the following resolution for the 2023 Budget:

WHEREAS the district membership during the 47th Annual Meeting adopted the proposed 2023 operating budget of \$417,339.00 for consideration at a subsequent public hearing; and

WHEREAS the board scheduled, duly noticed and conducted a public hearing regarding the tentatively adopted, proposed 2023 operating budget on August 3, 2022; and

WHEREAS all testimony and public comment was duly considered;

BE IT THEREFORE RESOLVED THAT the 2023 operating budget for the Northwest Kansas Groundwater Management District No. 4 shall be approved for \$439,109 – as follows:

	2023 Proposed		2022 Final Assessed	
110 POSTAGE		\$6,000.00		\$4,000.00
111 Newsletter	\$3,000.00		\$2,000.00	
112 General	\$3,000.00		\$2,000.00	
120 PRINTING		\$4,000.00		\$4,000.00
121 Newsletter	\$3,000.00		\$3,000.00	
122 Administrative	\$1,000.00		\$1,000.00	

130 DUES	\$600.00	\$600.00	\$600.00	\$600.00
140 SUBSCRIPTIONS	\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00
150 INSURANCE		\$11,400.00		\$11,400.00
151 Office	\$11,000.00		\$11,000.00	
152 Public Officials' Liability				
153 Auto				
154 Workmans' Comp.				
155 Inland Marine				
156 Unemployment	\$400.00		\$400.00	
160 TELEPHONE	\$6,000.00	\$6,000.00	\$5,000.00	\$5,000.00
170 SALARIES AND BENEFITS		\$230,024.00		\$230,024.00
171 Gross Sal, Kpers, SS, Etc.	\$230,000.00		\$230,000.00	
172 Health Insurance	\$24.00		\$24.00	
180 TRAVEL		\$14,000.00		\$16,000.00
181 Board	\$8,000.00		\$10,000.00	
182 Staff	\$6,000.00		\$6,000.00	
190 VEHICLES		\$10,165.00		\$10,165.00
191 Repairs/Maintenance	\$3,000.00		\$3,000.00	
192 Operation	\$7,000.00		\$7,000.00	
193 Tags	\$165.00		\$165.00	
194 Purchase/Lease				
200 CONTRACTED SERVICES		\$81,800.00		\$51,800.00
201 Accounting	\$6,800.00		\$6,800.00	
202 Legal	\$40,000.00		\$20,000.00	
203 Misc. Support	\$20,000.00		\$10,000.00	
204 Legislative Support	\$15,000.00		\$15,000.00	
205 Drilling				
206 Weather Modification				
210 PUBLICATIONS		\$1,200.00		\$700.00
211 Legal Notices	\$1,200.00		\$700.00	
220 COOP PROGRAMS		\$2,000.00		\$2,000.00
221 Administrative				
222 Equipment				
223 Contracted Studies				
224 Education Program	\$2,000.00		\$2,000.00	
230 ADMINISTRATIVE		\$9,150.00		\$9,150.00
231 Office Supplies	\$4,000.00		\$4,000.00	
232 Copy Machine	\$1,500.00		\$1,500.00	
233 Computer Maint	\$1,500.00		\$1,500.00	
234 Postage Meter Lease	\$650.00		\$650.00	
235 Bank Charges				
236 Field Supplies	\$1,500.00		\$1,500.00	
240 NEW EQUIPMENT		\$16,000.00		\$17,000.00
241 Field	\$10,000.00		\$10,000.00	
242 Office	\$6,000.00		\$7,000.00	
250 CONTINGENCY RESERVE		\$0.00		\$0.00
260 FACILITY		\$23,000.00		\$23,000.00
261 Rent				
262 Maintenance	\$16,000.00		\$16,000.00	
263 Remodel/Purchase				
264 Building Utilities	\$7,000.00		\$7,000.00	
REIMBURSED EXPENSES				
300 FOUNDATION		\$0.00	\$52,270.00	\$52,270.00
305 Foundation Subscriptions				

325 Foundation Telephone
 345 Foundation Accounting
 350 Foundation Legal
 370 Foundation Tech Support

\$417,339.00	\$417,339.00	\$439,109.00	\$439,109.00

wtr_rt =	847,607
land =	2,865,890
wtr (0.349)	295,815
land (.05) =	143,295
	439,109.50
surplus	\$0.00

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 3, 2022 2,865,890 acres of land eligible for assessment and 847,607 acrefeet of water eligible for the water user charge for the 2023 operating budget; and

WHEREAS after due consideration of all testimony it is the board's decision that a 2023 budget of \$439,109 should be provided assessment support;

BE IT THEREFORE RESOLVED THAT the land assessment and water user charge for the 2023 operating budget shall be set at:

- \$.05 per acre of assessable land; and**
- \$.349 per assessable acrefoot of water.**

Jerry Binning seconded the motion which passed unanimously via voice vote (no "abstentions" or "nay" votes.)

- c. **TERM PERMITS**
No action was taken.
- d. **NWKTC - TALLEE**
Tallee Davis is the new NWKTC Precision Agriculture Workshop Coordinator. She introduced herself to the board, and gave a brief history of her background and what her job entails.
- e. **CHASE LARSON @ 9:45 a.m.**

Lynn Goossen moved to go into executive session at 9:45 am for 30 minutes with the board of directors, Adam Dees, staff and Agency representatives to protect trade secrets. The motion was seconded by Jeff Deeds and passed unanimously by voice vote (no "nay" votes).

Lynn Goossen moved to go into executive session for an additional 15 minutes at 10:15 a.m. with the board of directors, Adam Dees, staff and Agency representatives to protect trade secrets. The motion was seconded by Jeff Deeds and passed unanimously by voice vote (no "nay" votes).

No action taken.

9. OPEN SESSION – Public Questions/Comments:

There was nothing.

10. SCHEDULING FUTURE MEETINGS:

The next board meeting is scheduled for Wednesday, September 7, 2022 at 9 a.m. CDT at the GMD 4 office in Colby.

ADJOURNMENT

With no other business and no objections the meeting adjourned.

Respectfully submitted:



Jeff Deed, Secretary