

Minutes: Northwest Kansas Groundwater Management District 4 February 13, 2019 Board Meeting

1. OPEN MEETING, ATTENDANCE AND AGENDA

The February 13th, 2019 board meeting was opened at the Hoxie Elks Lodge in Hoxie, Kansas by President, Brent Rogers

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

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

Others present for some or all of the meeting was: Ray Luhman, Shannon Kenyon, Jody McCain and Dan Simmering – GMD 4 staff; Adam Dees – GMD 4 attorney; Kelly Stewart & Steven Walters– DWR; Armando Zarco – KWO; Brownie Wilson – KGS

2. CONSENT AGENDA

Brent Rogers asked if there were any concerns over the consent agenda, consisting of the January 10th, 2019 Minutes and January expenditures. Receipt of the January financial report was previously distributed showing monthly expenditures totaling \$42,791.53 in January were approved.

Mitchell Baalman moved the minutes for January and expenditures be accepted as presented. The motion was seconded by Shane Mann and passed unanimously by voice vote (no “nay” votes).

3. OPEN FORUM

Karen Flanagan inquired about the GMD 4 LEMA Advisory Committee. It was reported to her that the committee met in the fall of 2018 as just a welcome meeting and that once water use and water level data was available another meeting would be scheduled.

Several questions were asked pertaining to the upcoming GMD 1 meeting as two board members could change. They will be presenting a LEMA for Wichita County at that meeting and a vote will not be taken.

Brent Rogers introduced Brett Oelke, nominee for the Sheridan County position, to everyone present.

4. MANAGER’S REPORT

Shannon Kenyon participated in the joint RAC committee meeting of the Upper Republican and Upper Smoky. She reported that it was productive in learning what the

other committee is doing and their focus. She also was asked to speak at the Upper Arkansas and Cimmaron joint RAC meeting. Many questions were asked about the SD 6 and GMD 4 LEMA from the group members.

Shannon, along with Jeff Deeds, went to NW Tech and presented to the students in the Precision Ag program. She presented on the history of the district and problems facing the future of water in NW Kansas. There were about 40 students in attendance that asked a lot of good questions.

A question was asked about how the online filing of water use reports was progressing. Kelly Stewart reported that 44% have been reported online statewide. They are still receiving a few paper reports.

Ray Luhman reported that the new kitchen floor will be started in the next couple of weeks.

With the change of administration, the make-up of the Kansas Water Authority (KWA) was discussed. Currently Greg Graff represents the three western Kansas GMD's and his term has expired. It was suggested by Armando Zarco to wait for a new chair to have more understanding on how the other positions on the KWA will fall. In the meantime, we should consider individuals who would be a good representative of the three western GMD's.

Ray Luhman reported that he and Shannon Kenyon went to the annual Legislative Retreat in Topeka. They talked with legislators early one morning as they came into the Capitol while offering breakfast. They also attended a roundtable of the GMD's and another legislative reception in the evening. Another roundtable was had with the GMD's and state agencies before returning home. A water meter bill has been introduced but not much legislation on water is currently happening.

5. UNFINISHED BUSINESS:

a. District LEMA

Adam Dees gave an update on the two pending lawsuits. Petitioners filed a brief in the case with the intervenors and we have until March to respond. In the Thomas case, a motion for reconsideration was filed. GMD 4 filed with KDA a response and they now have seven days to respond. After that we will hear from the judge.

b. Model Update

Brownie Wilson of KGS gave an update on the development of the new GMD 4 model. He showed the board the various data sources being used and what to expect in a timeline. He is predicting the model to be complete in the summer of 2020. He also showed some preliminary water table data and will provide official data once the numbers have been confirmed.

6. NEW BUSINESS

a. Annual Meeting

A brief overview of how the annual meeting will be conducted was discussed.

b. Voting Procedure

Ray reported that GMD 1 and GMD 3 do not allow nominations from the floor during their annual meetings. They also require all nominating petitions to be filed 20 days in advance of their annual meeting.

Monty Biggs moved to proceed with a resolution to not allow nominations from the floor and establish a pre-file date for nominating petitions. The motion was seconded by Lynn Goossen and passed unanimously by voice vote (no abstentions or “nay” votes).

c. Newsletter

Shannon is gearing up to produce the spring newsletter and entertained ideas for inclusion. Suggestions included an article on the new model, notice of water use reports, money saved through water use reductions, water table data, and meter repair/replace protocol.

d. Audit

A copy of the audit was distributed to board members. Discussion was had on the suggestions by Adams, Brown, Beran & Ball.

Scott Maurath moved to make a monthly report on encumbrances. The motion was seconded by Mitchell Baalman and passed unanimously by voice vote (no abstentions or “nay” votes).

e. Election of Officers

At 11:05 am, Jeff Deeds moved to recess the monthly board of directors meeting until after the annual meeting. The motion was seconded by Ted Nighswonger and passed unanimously by voice vote (no abstentions or “nay” votes).

At 2:39 pm, the monthly board of directors meeting resumed.

Monty Biggs moved that board members retain offices previously held. The motion was seconded by Ted Nighswonger and passed unanimously by voice vote (no abstentions or “nay” votes).

Scott Maurath submitted a resignation letter to the board.

Lynn Goossen moved to accept Scott Marauth’s board resignation with regrets. The motion was seconded by Shane Mann and passed unanimously by voice vote (no abstentions or “nay” votes).

With the absence of representation in Logan County on the board of directors, Ray Luhman suggested the possibility of redistribution of board representation. For the time being, an ad for the position will be posted.

7. Agency Reports

Armando Zarco of KWO informed the board that the GMD 1 Annual Meeting is on February 20th @ 1:30 pm in Leoti. They will be discussing a LEMA proposal for Wichita County. The KWA position that represents the three western GMD's expired on January 15th. He suggested we wait until a director was appointed and that discussion needed to be had with the other GMD's.

8. OPEN SESSION-Public Questions/Comments:

Brent Rogers asked Kelly what the inflows to Webster were. Kelly stated that he had not checked lately, but flows were still above average. He also inquired about ownership issues with multiple landowners and signatures needed for changes. Kelly informed him that the law would need to be changed.

9. Scheduling Future Meetings:

A board meeting was scheduled for March 7th at 9 am in Colby at the GMD 4 office.

10. ADJOURNMENT

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

Respectfully submitted:



Jeff Deeds, Secretary