

NORTHWEST KANSAS GROUNDWATER MANAGEMENT DISTRICT 4

June 13, 2019 Board Meeting Minutes

1. OPEN MEETING, ATTENDANCE AND AGENDA

The June 13, 2019 board meeting was opened at the GMD 4 office in Colby, Kansas by President, Brent Rogers.

Board members present for some or all the meeting were:

Brent Rogers, Nate Emig, Jeff Deeds, Karen Flanagin, Lynn Goossen,
Ted Nighswonger, and Roger Zwegardt.

Board members absent: Monty Biggs, Shane Mann, and Brett Oelke.

Others present for some or all of the meeting were: Ray Luhman, Shannon Kenyon, Jody McCain and Dan Simmering – GMD 4 staff; Adam Dees – GMD 4 attorney; Steven Walters – DWR; Brownie Wilson – KGS; and Dave Rietcheck.

Several additions to the agenda were noted: RAC Meeting to the Manager's Report; Letters of Support for Rob Aiken and KWA Position to Unfinished Business; and NWKS Library System Representative to New Business. Landon Marston with K-State was not available to attend the meeting, so he was taken off of New Business.

2. CONSENT AGENDA

Brent Rogers asked if there were any concerns over the consent agenda, consisting of the April 4th, 2019 minutes and the April and May expenditures. Receipt of the April and May financial reports were distributed showing monthly expenditures totaling \$37,969.57 in April, and \$34,703.80 in May were approved.

Ted Nighswonger moved the minutes for April and expenditures for April and May be accepted as presented. The motion was seconded by Karen Flanagin and passed unanimously by voice vote (no "nay" votes).

3. OPEN FORUM

Nothing was presented.

4. MANAGER'S REPORT

Ray Luhman reported he and Shannon Kenyon attended a meeting with new Secretary of Agriculture, Mike Beam, on May 14th in Ellsworth. The meeting was sponsored by Farm Bureau. Managers and several board members from the five GMD's were in attendance. There were a few questions regarding the LEMA. Ray and Shannon felt that it was a positive first meeting with Secretary Beam.

Ray reported on the annual Index Well conference call that took place on Wednesday, May 22nd. Jim Butler with KGS presented information on the well findings regarding how the aquifer is

responding. Presently there are approximately 30 index wells across the state. Shannon shared a handout of an example of the information shared.

In May a film crew with the American Association for the Advancement of Science shadowed Shannon for approximately three days. They were gathering footage for a film titled "How We Respond." The film will focus on how science drives decisions. Shannon explained the science behind how the LEMA was designed. The film will come out this fall, with a target date in September.

Shannon reported on the RAC meeting held on June 5th, 2019 at Fort Wallace. She shared a condensed version of the data Rob Aiken, of K-State Research and Extension, had prepared using a new model he has been collaborating with Dr. Ramesh Dhungel on.

Armando Zarco was unable to attend the meeting today, but Shannon did share the dates for the next Kansas Water Authority meeting on July 30th and 31st in Goodland at the Northwest Kansas Technical College. The times were not available. Earl Lewis is still serving as Interim Director. There has been no information on his appointment or the Water Authority positions.

5. UNFINISHED BUSINESS

a. GMD 4 LEMA

Ray and Shannon attended the hearing May 24th, 2019 in Hays. Both felt that the hearing went well. Justin Sloan did not show during any part of the meeting for the board to hear his appeal.

Lynn Goossen moved to deny the Sloan appeal. The motion was seconded by Ted Nighswonger and passed unanimously by voice vote (no "nay" votes).

Adam Dees reported that the judge should issue a decision within the next five weeks. He reminded the board that it is a lengthy process. He believes that no matter what the decision, there will be appeals - probably two more rounds through the Court of Appeals and the Supreme Court.

Shannon reported that the LEMA Advisory Committee met on April 10, 2019. A hand out of the meeting minutes was distributed. It was noted that those in attendance walked away with plenty of information, as several handouts were distributed.

Karen Flanagan moved to go into executive session for 10 minutes at 9:40 a.m. with the board of directors, staff, attorney, and DWR staff to discuss the Briney appeal requested by staff. The motion was seconded by Lynn Goossen and passed unanimously by voice vote (no "nay" votes).

Ted Nighswonger moved to go into executive session for an additional 10 minutes at 9:51 a.m. with the board of directors, staff, attorney, and DWR staff. The motion was seconded by Lynn Goossen and passed unanimously by voice vote (no "nay" votes).

Nate Emig moved to deny the Briney appeal based on the expiration of the appeal date. The motion was seconded by Lynn Goossen and passed unanimously by voice vote (no "nay" votes).

Lynn Goossen moved to make Water Right #10,614 and #15,697 D1 a LEMA group with a total of 169 acre LEMA allocation. The motion was seconded by Jeff Deeds and passed unanimously by voice vote (no "nay" votes).

b. Model Update

Brownie Wilson with KGS presented an update on the GMD4 model in development, as per the GMD4/KGS/KWO contract. Examples of the data collected from drillers' logs and how it incorporates into the model were shown. Work on the model is on target for the completion date in 2020.

c. Logan County Board Position

Ray has been in contact with several people to find a board member candidate. At this time, the interest is not there. The board may need to look at revising the board setup to include a member at large position. The board will continue to seek out someone in the Logan county area.

d. Letters of Support for Rob Aiken

Rob Aiken with Kansas State Research & Extension has requested letters of support, to be sent to the Kansas Water Office for continuation of an information service provided by the crop water use model he has been collaborating on with Dr. Ramesh Dhungel. The second letter would be to the NRCS for a grant to help pay for the expansion of this model. Rob had forwarded a copy of the letter he had drafted for the KWO. Karen Flanagan suggested we proof read and reformat the letters before sending.

Ted Nighswonger moved to send a reformatted version of the letter to the KWO. The motion was seconded by Jeff Deeds and passed unanimously by voice vote (no "nay" votes).

Jeff Deeds moved that we send a reformatted version of the letter to NRCS. The motion was seconded by Roger Zweygardt and passed unanimously by voice vote (no "nay" votes).

e. KWA Position

Shane Mann has withdrawn his name as a candidate for a position on the Kansas Water Authority. Discussion ensued, and it was decided to not pursue a candidate replacement.

6. NEW BUSINESS

a. Governor's Conference Sponsorship

After discussion, no action was taken on sponsorship for the Governor's Conference.

b. Computers

Shannon noted that 3 of the 4 computers in the office are still running on Windows 7, and they will not be supported after January 2020. She would like to see those three replaced, and then put the computers on a replacement rotation, so that the cost is not all at one time. The board asked Shannon to get quotes for the next meeting.

c. NWKLS Representative

Jody reported that each library within the Northwest Kansas Library System may have a representative attend the Full System Board Meeting each year to represent and convey

pertinent information to the local board. We are designated as a Library, small as it may be. Wynn Duffey has been our designated representative for the last four years. She can serve an additional 4 year term, and is willing to be our representative again.

Jeff Deeds moved to reappoint Wynn Duffey as our NWKLS representative for a second-4 year term. The motion was seconded by Lynn Goossen and passed unanimously by voice vote (no "nay" votes).

d. Staff Contracts

At 11:20 am Jeff Deeds moved the board of directors go into executive session until 11:50 am with individual staff members as needed to discuss salary contracts. The motion was seconded by Lynn Goossen and passed unanimously by voice vote (no "nay" votes).

At 11:50 am Jeff Deeds moved to extend the executive session until 12:20 pm with individual staff members as needed to discuss salary contracts. The motion was seconded by Lynn Goossen and passed unanimously by voice vote (no "nay" votes).

At 12:20 pm Roger Zwegardt moved to extend the executive session until 12:30 with individual staff members as needed to discuss salary contracts. The motion was seconded by Lynn Goossen and passed unanimously by voice vote (no "nay" votes).

At 12:30 pm Lynn Goossen moved to extend the executive session until 12:35 pm with individual staff members as needed to discuss salary contracts. The motion was seconded by Ted Nighswonger and passed unanimously by voice vote (no "nay" votes).

At 12:45 pm Ted Nighswonger moved to extend the executive session until 12:55 pm with individual staff members as needed to discuss salary contracts. The motion was seconded by Jeff Deeds and passed unanimously by voice vote (no "nay" votes).

At 12:55 pm Jeff Deeds moved to extend the executive session until 1:00 pm with individual staff members as needed to discuss salary contracts. The motion was seconded by Ted Nighswonger and passed unanimously by voice vote (no "nay" votes).

Karen Flanagan moved to offer staff contracts as discussed in executive session. The motion was seconded by Lynn Goossen and passed unanimously by voice vote (no "nay" votes).

e. District Financials

It was noted that with Ray Luhman's retirement at the end of the month, his name will need to be taken off of the District accounts. The board felt it was in the best interest to add Karen and Lynn as signers, since they live in Thomas County and may be more accessible for signatures.

Roger Zwegardt moved to remove Ray from the District's financial accounts effective June 30, 2019, and to add Karen Flanagan and Lynn Goossen as signers. The motion was seconded by Ted Nighswonger and passed unanimously by voice vote (no "nay" votes).

f. NWRA Membership

Discussion was held as to whether or not to join the National Water Resources Association. Membership cost is \$13,000 annually. No action was taken.

7. AGENCY REPORTS

Steven Walters reported that field work has been slow, given the rainfall received. He has put together the over pump list, which consist mainly of small users. Steven has sent letters to those that noted meter repairs were made. The Hays R9 changes have been approved, and are being challenged.

8. OPEN SESSNION – Public Questions/Comments:

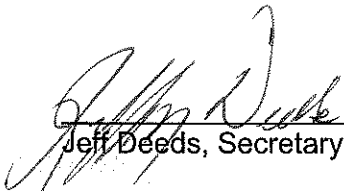
Ted Nighswonger noted that KWA had a 60/40 cost share program for purchasing probes, VRI, and subscription based programs. This program was for producers in WCA's, and Townsend WCA was a recipient. To participate, producers must report back to show use of the services and provide data.

9. Scheduling Future Meetings:

A board meeting was scheduled for July 11, 2019, as the 1st Thursday next month is Fourth of July. This regular meeting will begin at 9 am, with the budget hearing starting at 10:30 am. Thursday, July 18th will be the backup date.

10. ADJOURNMENT

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



Jeff Deeds, Secretary

