

**NORTHWEST KANSAS GROUNDWATER MANAGEMENT DISTRICT 4
August 5, 2020 Board Meeting Minutes**

1. OPEN MEETING, ATTENDANCE AND AGENDA

The August 5, 2020 board meeting was opened at the GMD4 office in Colby, Kansas by acting President, Nate Emig and via teleconference.

Board members present for some or all the meeting were:

Jeff Deeds, Nate Emig, Karen Flanagin, Lynn Goossen, Dylan Loyd, Shane Mann (via video), Ted Nighswonger, Brent Rogers & Marsha Schilling.

Board members absent: Monty Biggs & Brett Oelke

Others present for some or all of the meeting were: Shannon Kenyon, Jody McCain and Dan Simmering – GMD 4 staff and Taylor Van Eaton – GMD4 Intern; Adam Dees – GMD 4 attorney; Kelly Stewart and Rebecca Hageman – DWR; Sean Miller and David Barfield (via video).

After the meeting last month, it was determined that an acting secretary had not been appointed.

Brent Rogers moved to appoint Karen Flanagin as acting secretary for the July 8, 2020 monthly board meeting. The motion was seconded by Lynn Goossen and passed unanimously by voice vote (no “nay” votes).

2. CONSENT AGENDA

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

Nate Emig asked if there were any concerns over the consent agenda, consisting of the July 8, 2020 minutes and July expenditures. Receipt of the July financial report showing monthly expenditures totaling \$33,589.13 were approved.

Brent Rogers moved the minutes of the July 8, 2020 board meeting be accepted as presented. The motion was seconded by Ted Nighswonger and passed unanimously by voice vote (no “nay” votes).

Karen Flanagin moved that the financial report and expenditures for the month of July be accepted as presented. The motion was seconded by Brent Rogers and passed unanimously by voice vote (no “nay” votes).

3. OPEN FORUM

Shannon distributed copies of an article in the July 26, 2020 Hays Daily Newspaper regarding the Quivira water situation, along with a copy of the GMD 5 Newsletter that had more information regarding the resolution of the matter.

4. MANAGER'S REPORT

a. TAPPH2O UPDATE

Postcards promoting TAPPH2O were mailed out in mid-July. Richael was here to meet with some of the producers using the app to discuss issues, as well as preview a website "dashboard" that Mammoth would like to incorporate into it.

Jeff Deeds noted that he has talked to some producers who think this is a way to regulate them and that the data is shared with the State. He wants us to be sure to reiterate that the data is for their use only and is only shared with the individuals the users authorize to receive it.

b. gWORKS

We are currently in year 3 of a contract with gWORKS, for a program to track field work in the district. We have run into several ongoing issues with the program, especially when used on a tablet in the field.

Jeff Deeds moved to go into executive session for 10 minutes with the board of directors, the manager, and attorney for attorney client privileges. The motion was seconded by Dylan Loyd and passed unanimously by voice vote (no "nay" votes).

It was suggested that we continue using the product and Shannon to write a letter to gWORKS with the attorney's assistance.

c. KGS LEGISLATIVE TOUR FILMING

The legislative bus tour that had been scheduled for this fall will not take place and now be held virtually on October 16, 2020. The tour will include different sites around Northwest Kansas. Shannon was interviewed last Tuesday at NWKTC along with Weston McCary. They will both serve on a live panel for the virtual tour as well.

FIELD REPORT

Dan has been cleared to go back out to the field, with limited lifting restrictions. He has started working on 5-5-11 checks. Taylor distributed a map which depicts all of the seals (approximately 670) she has placed within the district. She noted that there were about 40 others meters checked that had an issue of some sort, which she had brought back to Dan. Today is the last day of her internship.

5. UNFINISHED BUSINESS

a. GMD 4 LEMA

There was no monthly conference call.

Adam Dees reported that the docketing date deadline had passed Monday, without any filing. At this time we are waiting to see if a dismissal will be filed. Kelly Stewart noted that he sent a text message to Kenny Titus (KDA attorney) and his reply indicated that a dismissal would be coming soon.

b. CERTIFIED IRRIGATOR PROGRAM

Shannon met with Weston McCary of NWKTC on July 22nd, to go through the curriculum. Shannon now has access to Moodle, to upload videos, documents, etc.

which will be used to access the online modules and additional information. Shannon dispersed another draft copy of the curriculum, along with a timeline and additional needs list. She also presented information given at the latest KWA meeting and discussed the need for audio visual equipment and possible funding sources. Board members and meeting attendees were asked to review the curriculum then given post-it notes to identify anyone they thought would a good speaker for any of the topics and to put them on the designated posters scattered throughout the office.

Lynn Goossen moved to purchase audio/visual equipment needed. The motion was seconded by Dylan Loyd and passed unanimously by voice vote (no “nay” votes).

6. NEW BUSINESS

a. EXECUTIVE SESSION – PERSONNEL

Dylan Loyd moved to go into executive session for 15 minutes with the board of directors, the manager, personnel as needed, and attorney for attorney client privileges. The motion was seconded by Ted Nighswonger and passed unanimously by voice vote (no “nay” votes).

Lynn Goossen moved to approve a part-time contract for Taylor Van Eaton as amended. The motion was seconded by Brent Rogers and passed unanimously by voice vote (no “nay” votes).

b. NEWSLETTER

Topics to be included in the next newsletter include:

TAPPH2O, Certified Irrigator Program, and the LEMA Calculator. Emphasis was given to note that data from TappH2O is not distributed to anyone not authorized by the user. That GMD 4 is providing tools to assist them in their water budgeting and that the program is catching errors before those errors become problematic. It was also suggested to include a discussion on the difference between their LEMA allocation and their certified annual quantity.

c. PUBLIC HEARING ON PROPOSED BUDGET 2021

Lynn Goossen moved to open the 2021 Budget Hearing. Brent Rogers seconded the motion which passed unanimously by voice vote (no “abstentions” or “nay” votes.)

At 10:32 am Nate Emig 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. Nate Emig asked if there was any additional testimony regarding the 2021 GMD4 Operating Budget. There were no members of the public present that gave additional testimony.

Lynn Goossen moved to close the 2021 Budget Hearing. Dylan Loyd seconded the motion which passed unanimously by voice vote (no “abstentions” or “nay” votes.)

d. APPROVAL OF THE 2021 OPERATING BUDGET

Karen Flanagan moved to approve the following resolution for the 2021 Budget:

WHEREAS the district membership during the 45th Annual Meeting adopted the proposed 2021 operating budget of \$423,515.00 for consideration at a subsequent public hearing; and

WHEREAS the board scheduled, duly noticed and conducted a public hearing regarding the tentatively adopted, proposed 2021 operating budget on August 5, 2020; 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 \$408,301.00 – as follows:

	2021 Proposed		2021 Final Assessed	
110 POSTAGE		\$5,000.00		\$5,000.00
111 Newsletter	\$3,000.00		\$3,000.00	
112 General	\$2,000.00		\$2,000.00	
120 PRINTING		\$3,600.00		\$3,100.00
121 Newsletter	\$3,000.00		\$2,500.00	
122 Administrative	\$600.00		\$600.00	
130 DUES	\$500.00	\$500.00	\$500.00	\$500.00
140 SUBSCRIPTIONS	\$2,500.00	\$2,500.00	\$2,000.00	\$2,000.00
150 INSURANCE		\$13,400.00		\$13,400.00
151 Office	\$13,000.00		\$13,000.00	
152 Public Officials' Liability				
153 Auto				
154 Workman's Comp.				
155 Inland Marine				
156 Unemployment	\$400.00		\$400.00	
160 TELEPHONE	\$5,500.00	\$5,500.00	\$5,500.00	\$5,500.00
170 SALARIES AND BENEFITS		\$232,000.00		\$240,036.00
171 Gross Sal, Kpers, SS, Etc.	\$232,000.00		\$240,036.00	
172 Health Insurance				
180 TRAVEL		\$14,000.00		\$14,000.00
181 Board	\$8,000.00		\$8,000.00	
182 Staff	\$6,000.00		\$6,000.00	
190 VEHICLES		\$7,665.00		\$7,665.00
191 Repairs/Maintenance	\$3,000.00		\$3,000.00	
192 Operation	\$4,500.00		\$4,500.00	
193 Tags	\$165.00		\$165.00	
194 Purchase/Lease				
200 CONTRACTED SERVICES		\$91,700.00		\$76,700.00
201 Accounting	\$6,700.00		\$6,700.00	
202 Legal	\$40,000.00		\$40,000.00	
203 Misc. Support	\$30,000.00		\$15,000.00	
204 Legislative Support	\$15,000.00		\$15,000.00	
205 Drilling				
206 Weather Modification				
210 PUBLICATIONS		\$1,000.00		\$750.00

211 Legal Notices	\$1,000.00		\$750.00	
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		\$8,150.00		\$8,150.00
231 Office Supplies	\$4,000.00		\$4,000.00	
232 Copy Machine	\$1,000.00		\$1,000.00	
233 Computer Maint	\$1,000.00		\$1,000.00	
234 Postage Meter Lease	\$650.00		\$650.00	
235 Bank Charges				
236 Field Supplies	\$1,500.00		\$1,500.00	
240 NEW EQUIPMENT		\$14,500.00		\$10,500.00
241 Field	\$10,000.00		\$8,000.00	
242 Office	\$4,500.00		\$2,500.00	
250 CONTINGENCY RESERVE		\$0.00		\$0.00
260 FACILITY		\$22,000.00		\$19,000.00
261 Rent				
262 Maintenance	\$15,000.00		\$12,000.00	
263 Remodel/Purchase				
264 Building Utilities	\$7,000.00		\$7,000.00	
REIMBURSED EXPENSES				
300 FOUNDATION		\$0.00		\$0.00
305 Foundation Subscriptions				
325 Foundation Telephone				
345 Foundation Accounting				
350 Foundation Legal				
370 Foundation Tech Support				
	\$423,515.00	\$423,515.00	\$408,301.00	\$408,301.00

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 5, 2020 2,870,706 acres of land eligible for assessment and 847,875 acrefeet of water eligible for the water user charge for the 2021 operating budget; and

WHEREAS after due consideration of all testimony it is the board's decision that a 2021 budget of \$408,301.00 should be provided assessment support;

BE IT THEREFORE RESOLVED THAT the land assessment and water user charge for the 2021 operating budget shall be set at:

**\$.05 per acre of assessable land; and
\$.313 per assessable acrefoot of water.**

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

7. AGENCY REPORTS

Kelly Stewart reported that the scattered precipitation throughout the district has slowed down their field work. He reported that he did have a settlement conference, which resulted in a \$3,000 penalty and 1 year suspension for 2021. He also reported that the 1st initial LEMA hearing in Wichita County will be taking place virtually on August 14th at 9 a.m. A link to the meeting is on the Kansas Department of Ag website.

Rebecca Hageman reported that the Chuck Thomas WCA has been approved by the acting Chief Engineer. This makes WCA #6 within the district.

8. OPEN SESSION – Public Questions/Comments:

David Barfield discussed the LEMA hearing information for GMD 1 to be conducted in person as well as virtually in Leoti on August 14th, 2020.

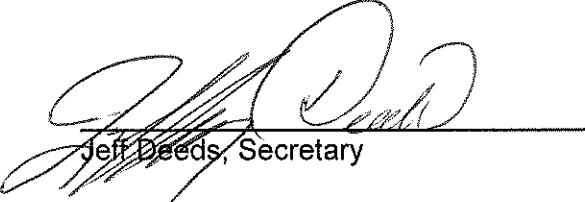
9. SCHEDULING FUTURE MEETINGS:

The next board meeting is scheduled for Wednesday, September 2, 2020 at 9 am CDT at the GMD 4 office in Colby. Teleconferencing will continue, the meeting details will be sent to board members and agencies, as well as posted on the website.

ADJOURNMENT

With no other business and no objections the meeting adjourned.

Respectfully submitted:



Jeff Deeds, Secretary