

Minutes: _____ Northwest Kansas Groundwater Management District 4 December 18, 2008 Board Meeting

1. OPEN MEETING, ATTENDANCE AND AGENDA

The December board meeting was opened at 10:10 A.M. CDT, December 18, 2008 in the district offices, Colby, KS by President Scott Maurath.

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

Jon Friesen	Scott Maurath	Lon Frahm
Roger Zwegardt	Mitch Baalman	Shane Mann
Dave Rietcheck	Doug David	

Board Members absent were:

Bill Nondorf	Jeff Deeds	Monty Biggs
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Others present for some or all of the meeting were: Wayne Bossert, Ray Luhman, Dan Simmering – GMD 4 staff; Jeff Mason – GMD 4 Attorney; and Scott Voss– DWR.

2. CONSENT AGENDA

Dave Rietcheck moved for approval of the consent agenda including: 1) the August 7, 2008 minutes; and 2) receipt of the August, September, October and November financial reports including the August, 2008 expenditures totaling \$34,312.16; the September, 2008 expenditures totaling \$28,809.74; the October, 2008 expenditures totaling \$29,391.04; and the November, 2008 expenditures totaling \$17,794.55. Lon Frahm seconded the motion which passed unanimously.

3. MANAGER'S REPORT

Manager covered the items contained in the board meeting packet. Also reported on was the EQIP program. The signup period has been extended until January 30th, 2009 and there have been changes in the incentive payment rates.

4. UNFINISHED BUSINESS

a. Management Program Updates: The first issue was the possible addition of a "funding issues" section to the management program. This is one of the 7 issues the board earlier (December, 2007 meeting) had decided to develop proposals for possible inclusion into the next revised management program. Staff had drafted for board consideration a new management program section dealing with the funding issue (variable assessment rate authority) and suggested statutory amendments to KSA 82a-1030 (current assessment authority act). Following staff presentation of both sections, board discussion began. There were comments made concerning: the specific target rates proposed; the addition of special management area enhanced rates; and the verified claims process. Following full discussion, *Dave Rietcheck moved to adopt the proposed draft just to take it to the next step – floating it by the other 4 Kansas GMDs for their comments. Mitch Baalman seconded the motion which passed unanimously.*

The second issue was the re-adoption of the current Management Program. Following discussion, *Mitch Baalman moved to re-adopt the current Management Program, effective date of March 9, 2006, for another year. Roger Zwegardt seconded the motion which passed unanimously.*

5. NEW BUSINESS

a. DWR Proposed Regulations – IGUCAs and Fee Changes: The proposed IGUCA regulations of DWR (KARs 5-20-1 through 5-20-3) were reviewed after staff again covered the background and essence of these regulations. The DWR public hearing was scheduled for February 12, 2009 in Topeka. Following discussion, *Jon Friesen moved to oppose KAR 5-20-3 as we have done so in the past. Mitch Baalman seconded the motion which passed unanimously.*

The proposed regulation for water right application fee increases was considered next. Following discussion it was decided to not comment on the proposed fee increase regulations.

b. WTAP Application Review Process: Staff presented the board with a complete listing of all 38 applications coming from within the GMD 4 six high priority areas – with names, HPAs and water right numbers omitted – and a copy of the SCC letter requesting our comments and prioritization recommendations by December 22, 2008. The board looked at six sorts of the applications which each sort considering a different evaluation variable. Following discussion, *Lon Frahm moved to sort all 38 applications on their HCWU Bid price – from lowest to highest – and then on the total contract price – from lowest to highest – and submit this listing to SCC as our prioritization recommendation. This approach guarantees the maximum HCWU AF retired for the least amount of program money and that the maximum number of applications get approved should the funding limit cutoff be in the middle of a group of equal bid price applications. Doug David seconded the motion which passed unanimously.*

c. Conservation Projects Alliance Discussions – proposed GMD 4 Projects: Staff gave background information on the Alliance process again and presented 5 proposals that Wayne Bossert had conditionally presented to the full Alliance meeting the day before the board meeting – on December 17, 2008. These proposals were offered for comment to the full Alliance with the understanding that the GMD 4 board would be seeing them for the first time the following day. Following a short review of each proposal, and questions and answers, the board generally agreed to leave all 5 for Alliance consideration at this time.

d. Employee Contracts: Jeff Mason presented his annual contract to the board for consideration. He reported no change from last years contract. *Mitch Baalman moved to approve the contract as presented. Doug David seconded the motion which passed unanimously.*

Mitch next made a motion to enter into executive session at 4:00 P.M. for 15 minutes to discuss staff contracts with manager Wayne Bossert to remain in the executive session. Roger Zewygardt seconded the motion which passed unanimously.

At 4:15 P.M. President Scott Maurath declared the board meeting back in regular session, and that no decisions or board action was taken in executive session.

Mitch Baalman moved that Manager Wayne Bossert's 2009 contract reflect a 5% pay raise over his 2008 contract, and that Wayne be authorized to provided 3% of the remaining staffs' 2008 contract amounts toward their 2009 contracts at his discretion. Dave Rietcheck seconded the motion which passed unanimously.

e. Annual Meeting Issues: Staff reported that the upcoming annual meeting has been scheduled for February 18, 2009 in the Student Union of Colby Community College. By general board consensus the following presenters were chosen: Jeff Deeds – 2010 Proposed Budget; Bill Nondorf – the 2008 Meeting minutes; Jon Friesen – 2009 Board elections; and Monty Biggs – 2008 Financial Audit. Otherwise the board desired a traditional annual meeting.

f. Golden Request: Tabled until Bill Golden can provide additional request detail.

g. Kansas Water Congress Dues: The KWC dues of \$1000.00 have been requested. Following discussion, *Dave Rietcheck moved to approve the dues as requested. Lon Frahm seconded the motion which passed unanimously.*

6. DWR REPORT

Scott Voss (DWR) reported that Mark Billinger is leaving DWR to assume a new job at Webster State Park. Also the annual water level measurements are about to begin soon. A question was asked about the ability to e-file annual water use reports? It was answered that a beta program should be available this year (for the 2008 water use reports) as a trial effort, but that the normal water use report cards would also need to be filed.

7. OPEN SESSION - PUBLIC QUESTIONS/COMMENTS

None

8. SET NEXT MEETING DATE AND CONSIDER FUTURE AGENDA ITEMS

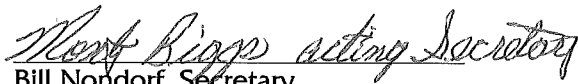
The January meeting was scheduled for WEDNESDAY, January 21, 2009.

The Annual meeting is next on February 18, 2009.

9. ADJOURNMENT

Without no other business, and no objections, President Scott Maurath adjourned the meeting at 4:30 PM, CST, December 18, 2008.

Respectfully submitted:


Bill Nondorf, Secretary