

Minutes: _____ **Northwest Kansas Groundwater Management District 4**
February 18, 2009 Board Meeting

1. OPEN MEETING, ATTENDANCE AND AGENDA

The February board meeting was opened at 10:00 A.M. CST, February 18, 2009 in the district offices, Colby, KS by President Scott Maurath.

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

Bill Nondorf	Scott Maurath	Jeff Deeds
Roger Zweygardt	Mitch Baalman	Shane Mann
Monty Biggs	Lon Frahm	Doug David
Dave Rietcheck	Jon Friesen	

Board Members absent were: None

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

2. CONSENT AGENDA

Jeff Deeds moved for approval of the consent agenda including: 1) the January 28, 2009 minutes; and 2) receipt of the January financial reports including the January, 2009 expenditures totaling \$30,441.33. Shane Mann seconded the motion which passed unanimously.

3. MANAGER'S REPORT

Manager covered the items contained in the board meeting packet concerning an update on the HPA process – including the AWEP proposal; the DWR IGUCA Regs process; and the IGUCA Legislation status (HB 2272). The AWEP proposal is on schedule for submitting to NRCS on February 26, 2009. The water right owners meeting held in Goodland on February 16, 2009 was very helpful and decided many of the last program issues needing to be decided – including: the submission of our own proposal (rather than including our proposal into a statewide effort being promoted by the KWO); setting the incentive rate at \$2,000.00 per HCWU; capping the request at 2,000 AF of HCWU; and in all other regards mirror the Kansas WTAP program.

The Republican River Conservation Projects Alliance effort was also reported on. The next meeting is March 18 to continue discussion of potential projects. The Oberlin Reverse Osmosis (RO) proposal is getting much attention and manager Wayne Bossert will be attending a meeting with the Oberlin City Council, KDHE and KGS on March 5 to discuss this proposal further.

4. UNFINISHED BUSINESS: None

5. NEW BUSINESS

a. 2010 Budget Approval: Following review of the staff proposed 2010 proposed budget *Shane Mann moved to approve this budget for presentation at the annual meeting. Monty Biggs seconded the motion which passed unanimously.*

b. GAAP Waivers – 2008 and 2009: Staff presented the board with two resolutions to waive the generally accepted accounting procedures (GAAP) – one for calendar year 2008 and the second for calendar year 2009. *Lon Frahm moved to adopt the following resolution, numbered AR-09-01:*

Northwest Kansas Groundwater Management District No. 4

Resolution AR-09-1

GAAP Waiver Resolution for Calendar Year 2008

WHEREAS the Northwest Kansas Groundwater Management District No. 4 (GMD 4), Colby, Kansas, has determined that the financial statements and financial reports for the year ended 2008 to be prepared in conformity with the requirements of K.S.A. 75-1120a(a) are not relevant to the requirements of the cash basis and budget laws of this state and are of no significant value to the GMD 4 board of directors or the members of the general public of GMD 4; and

WHEREAS there are no revenue bond ordinances or resolutions or other ordinances or resolutions of the GMD 4 which require financial statements and financial reports to be prepared in conformity with K.S.A. 75-1120a(a) for the year ended 2008.

NOW, THEREFORE BE IT RESOLVED, by the board of directors of the Northwest Kansas Groundwater Management District No. 4, Colby, Kansas, in regular meeting duly assembled this 18th day of February, 2009 that the board of directors waives the requirements of K.S.A. 75-1120a(a) as they apply to GMD 4 for the year ended 2008.

BE IT FURTHER RESOLVED that the board of directors shall cause the financial statements and financial reports of GMD 4 to be prepared on the basis of cash receipts and disbursements as adjusted to show compliance with the cash basis and budget laws of this State.

Approved: February 18, 2009

Jeff Deeds seconded the motion which passed unanimously.

Jon Friesen next moved to adopt the following resolution, numbered AR-09-02:

Northwest Kansas Groundwater Management District No. 4

Resolution AR-09-2

GAAP Waiver Resolution for Calendar Year 2009

WHEREAS the Northwest Kansas Groundwater Management District No. 4 (GMD 4), Colby, Kansas, has determined that the financial statements and financial reports for the year ended 2009 to be prepared in conformity with the requirements of K.S.A. 75-1120a(a) are not relevant to the requirements of the cash basis and budget laws of this state and are of no significant value to the GMD 4 board of directors or the members of the general public of GMD 4; and

WHEREAS there are no revenue bond ordinances or resolutions or other ordinances or resolutions of the GMD 4 which require financial statements and financial reports to be prepared in conformity with K.S.A. 75-1120a(a) for the year ended 2009.

NOW, THEREFORE BE IT RESOLVED, by the board of directors of the Northwest Kansas Groundwater Management District No. 4, Colby, Kansas, in regular meeting duly assembled this 18th day of February, 2009 that the board of directors waives the requirements of K.S.A. 75-1120a(a) as they apply to GMD 4 for the year ended 2009.

BE IT FURTHER RESOLVED that the board of directors shall cause the financial statements and financial reports of GMD 4 to be prepared on the basis of cash receipts and disbursements as adjusted to show compliance with the cash basis and budget laws of this State.

Approved: February 18, 2009

Dave Rietcheck seconded the motion which passed unanimously.

c. 2008 Audit Approval: Manager covered the 2008 audit conducted by Adams, Brown, Beran and Ball and discussed each point of the management letter provided. Following discussion, *Jon Friesen moved to accept the audit report as presented. Monty Biggs seconded the motion which passed unanimously.*

President Maurath recessed the February 18, 2009 regular board meeting at 11:10 A.M., February 18, 2009 until after the adjournment of the 34th annual meeting.

President Maurath reconvened the February 18, 2009 regular board meeting at 2:10 P.M., February 18, 2009 to conclude the business items remaining on the agenda.

Congratulations were given to new board member Brent Rogers now filling Position 7, Sheridan County.

d. Election of Officers: *Monty Biggs moved to retain Scott Maurath, Mitch Baalman and Dave Rietcheck as President, Vice President and Treasurer (respectively) and that Jeff Deeds be installed as Secretary – all officers to preside through the adjournment of the 35th annual meeting. Lon Frahm seconded the motion which passed unanimously.*

6. DWR REPORT

Scott Ross reported on two items: 1) that the arbitration process continues on the Republican River in Kansas City next week with expert witnesses being lined up. The following week the trial will begin – slated for March 9 through March 20. There appear to still be issues concerning “witness time”. At the conclusion of the trial there will be time for rebuttal, then an interim arbitrator report will be released. The final step is the final arbitrator report – expected by mid-June, 2009.

2) The metering program continues to go well and will be wrapping up this summer.

Scott asked if the modeling support for the HPA process was going well or not? Staff responded that GMD 4 has been working with Andy Lyon on the possibility of running a reduced pumpage regime as a model scenario (as opposed to reconstructing the model), but have not heard back yet. Ray Luhman also stated that he has asked Andy Lyon to run a fairly simple scenario for the SH-1 HPA (a 10% pumpage reduction) but has also not heard back yet.

7. OPEN SESSION - PUBLIC QUESTIONS/COMMENTS

None

8. SET NEXT MEETING DATE AND CONSIDER FUTURE AGENDA ITEMS

March – March 5, 2009.

April – April 2, 2009.

9. ADJOURNMENT

With no other business and no objections, President Maurath declared the February 18, 2009 board meeting adjourned at 2:15 P.M., CST, February 18, 2009.

Respectfully submitted:

Monty Biggs for Jeff Deeds
Jeff Deeds, Secretary