

Approved April 27, 1989  
Date

MINUTES OF THE SENATE COMMITTEE ON LOCAL GOVERNMENT

The meeting was called to order by Sen. Don Montgomery at  
Chairperson

9:00 a.m./~~p.m.~~ on March 23, 1989 in room 531-N of the Capitol.

All members were present except:

Sen. Gaines - Excused

Committee staff present:

Mike Heim, Legislative Research  
Theresa Kiernan, Revisor of Statutes  
Shirley Higgins, Committee Secretary

Conferees appearing before the committee:

Dr. D. D. Griffiths  
Sen. Dave Kerr

The Chairman called on Dr. D. D. Griffiths of Holton to testify on HB 2023 regarding a countywide election in Jackson County to levy a countywide sales tax for financing the Banner Creek Reservoir. The bill had been previously heard, but Dr. Griffiths had not testified at that hearing. He is in opposition to the bill. (See Attachments I through III).

Attention then was turned to HB 2372 concerning the election of supervisors of certain drainage districts. Sen. Dave Kerr testified in support of the bill. He said the need for the bill arose when it was discovered that a mistake was made several years ago. The bill will correct the mistake on page 2, Section 1 (b). The certification required by the Clerk of the District Court has proven to be quite cumbersome and so it was suggested that it go back to annual elections of board members. The other correction involves the fact that board members are elected for three year terms, but the statute read the election is to be held every four years. Sen. Kerr also had an amendment regarding vacancies on the board. (See Attachment IV). Sen. Kerr felt this should be addressed at this time instead of waiting until a problem arises.

Sen. Burke made a motion to include the amendment and to recommend HB 2372 favorable for passage, Sen. Langworthy seconded, and the motion carried.

Returning attention to HB 2023, the Chairman asked if any member of the committee wished to reconsider the previous action taken on it. It was the consensus of the committee that all the bill deals with is making the election which was held legal. It does not deal with the decision as to if the reservoir is needed or not.

The minutes of March 22 were approved.

The meeting was adjourned.



HB2023 BANNER CREEK RESERVOIR OPPOSITION  
D D GRIFFITHS HOLTON KS.

Circumvention of an existing state statute; the voters were not fully informed of at the time of the election.

- 1 It may have altered the way they voted.
- 2 Increased the numbers that voted.

The influence of the only media published within the county.

- 1 Publisher was the chairmen of the Holton Industrial Development Committee, a strong proponent.
- 2 A resource not available to other individuals or groups.
- 3 Advertisement and front page article.
- 4 Voluntary water rationing and mysterious industry lost.
- 5 Implying that the source of water wasn't there.
  - a 1.2 million gallons available, 1 million gallon treatment plant, 800,000 gallons storage and conveyance.
  - b Underground river, missile site encounter,
  - c Formation of another RWD to tap into the underground river.
- 6 Flood control
  - a Delaware watershed history
  - b Options
7. 3.1 million dollar water treatment plant.

Rural Water District #3.

- 1 Aggressiveness
  - a Organizers intentions, early patrons suffer.
  - b Have located productive wells.
- 2 Jackson county would be taxed to build a water source to be used portions of At., Br., Nm., and Pt. counties.
3. Option one would place the financing in the users hands.

Economic Development

- 1 Agribusiness not represented on the HIDC.
2. Negative economic impact study not conducted.
- 3 KSU Extension Economic Development assistance study.
4. Justify their committee.
5. How many industries actually need large quantities of water?
- 6 Feasibility of losing an on going industry in hopes of attracting another.

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3 - 23 - 89  
Attachment I*

As concerned individuals with regards to the proposed Banner Creek reservoir, we are presenting the following items to be considered by the voters to intelligently assess the sales tax increase proposal.

- A. City of Holton source and usage of water.
  - 1. The City of Holton has the capabilities of pumping approximately 1.2 million gallons of water per day.
    - a. Approximately 3/5 of this comes from the Kehler wells.
    - b. 1/5 from other wells.
    - c. The balance from Prairie Lake.
  - 2. The City of Holton uses 600,000 gallons of water normally, 800,000 gallons at the peak. (Approximately 1/3 more water is available if the handling capabilities were present. Restriction of water useage this summer did not come from lack of water.)
  - 3. Prairie Lake Source of water is currently only surface drainage.
    - a. Nearby wells built and previously used to replenish prairie lake are not being used.
    - b. Kehler wells are not being used in low water consumption periods to replenish lake.
- B. Rural Water District #3.
  - 1. Primary source of water is old missile site wells.
  - 2. 400,000 gallons per day.
  - 3. Water is treated as it leaves well site. No water treatment plant is utilized.
  - 4. The current production capacity of RWD 3 and Holton is 1.6 million gallons per day. This is in excess of the 1.5 million gallons sought from the reservoir; the revervoir water will need to be handled through a water treatment plant.
- C. Original proposals from Deleware Watershed.
  - 1. Proposal One, if there were water users that wished to avail themselves of the reservoir, then the structure would be elevated to provide the impoundment of water for this purpose. The additional cost would be assessed to the users of the water.
  - 2. Proposal Two, if recreational areas abutting the reservoir were desired, then the county as a whole would need to finance this phase of the project through bond issue, or sales tax increase.
  - 3. The people that were to be users of the water opted for the second proposal naturally as it is their least expensive option and passing the major financing of the project to the county as a whole.
  - 4. Proposal Two obviously would result in an increase in the amount of land lost to property owners in the area as well as to the County as a Real Estate Tax Base.
- D. Sales Tax - With the possibility that Shawnee County will raise their sales tax one cent and Jackson County sales tax is defeated, this should be an inducement for purchasing more items in this county.

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Attachment II

- E. Humanitarian.
  1. People will be deprived of homes and land they have lived on over 30 years.
  2. Very disruptive for those that lose land, but retain their dwellings.
- F. Saffrey's Statement - September 5, 1979 (Holton Recorder)
 

Milton Saffrey told the city commissioners that core samples taken of the proposed dam site had shown that the ground was far too soft to support the weight of the dam.
- G. Liability - September 20, 1976, (Holton Recorder)
  1. City Commission voted against the city being liable for any dam structure failure resulting in damages to property, individuals, etc. below the dam site. Has this been resolved?
  2. Do you want to live down-stream from a structure retaining millions of gallons of water?
- H. Water from one source. The havoc created if (as experienced by a nearby city) the nitrate level becomes too high or if a chemical spill occurs that drains into the reservoir. Virtually no water would be available to most of the county. The current method of several sources assures the availability of some water.
- I. EPA and Kansas Department of Health and Environment.
  1. Increasing stringent regulations involving use of farm chemicals will probably involve everyone in the drainage area. Refer to Representative Eckert's statement in Voter's Guide '88.
  2. Livestock feedlots, containment facilities and dairy farms may have to cease or develop waste treatment facilities.
  3. Septic tank usage: most residents in drainage areas may have to build lagoons.
- J. Cooperative Concept. There is an effort being studied that would create a cooperative of water users to build a water treatment plant near Lake Perry using it as a source and delivering water to the surrounding counties. This should be investigated.
- K. Geological Study. The state has recently completed a Geological Study of ground water resources. City of Holton and RWD #3 stated that they had not availed themselves of this information.
- L. Cost of Rural Water would be too expensive for routine livestock watering.
- M. The negative economic impact upon a community.
  1. Not studied by HIDC.
  2. Loss of over 1 million dollars worth of productive land, amounting to \$100,000 loss to community in crop production expenses per year.
  3. Loss of revenue from sale of crops, livestock etc., produced on the land.
  4. Loss of Tax Revenue from Real Estate Taxes.

Senate L.G.  
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# THE HOLTON RECORDER

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Our liberty depends on the freedom of the press and that cannot be limited without being lost - Thomas Jefferson

## Water: area supply, quality questioned

By SANDRA M. SIEBERT  
Recorder Staff

"Water, water everywhere, and not a drop to drink." That well-worn phrase may first have been uttered at sea. But it may also be uttered by people on dry land, surrounded by neatly dug wells yielding an abundance of water that is also unpalatable to humans. It may even be said in some portions of Jackson County.

While many have said that the county has a large quantity of water, it is often far less than ideal. According to various sources, the well water in Jackson County ranges from fair to poor quality. Water in this area contains many minerals, especially iron, magnesium, calcium and manganese. Those minerals are not necessarily dangerous to humans, but can make the water unpalatable and hard on plumbing.

Ground water (water from underground sources, such as wells) in the Banner and Elk creek valleys is plagued by a particularly unattractive mineral combination -- iron sulfate, said Larry Robins of the Delaware Watershed office. Iron sulfate gives the water a dark orange color and a rotten egg smell, Robins said. It can't be used for washing because it stains clothing and fixtures and the smell makes it unpalatable for drinking. Though livestock will drink it and it is not hazardous to humans, he said, the color and smell might "make a person sick." If that water were used for public distribution, it is unlikely it could be treated completely enough to meet standards set by the Department of Health and Environment, he said.

"Where they're bragging that they've got so much water -- well, they've got a lot of water, but it's not very good," Robins said. However, he said, ground water quality would not affect the quality of surface water, such as ponds or the proposed Banner Creek reservoir.

Most of the minerals in Jackson County water are not health hazards, but can make drinking the water unpleasant and can cause damage to pipes and fixtures. Iron and manganese in water can stain clothing and plumbing fixtures and leave deposits in pipes. A high concentration of manganese is responsible for an oily film on water in glass and can cause black specks in the water, said Jean Harold of the Kansas Department of Health and Environment Bureau of Wa-

ter Protection.

Calcium and magnesium determine the water's hardness. Hard water leaves deposits in pipes that can sometimes build to the point of blocking pipes completely, Harold said. Water that is too soft can be corrosive.

Jackson County water, with some exceptions, contains elevated levels of all these minerals. Boiling will not remove any minerals, Harold said, but concentrate them as the water evaporates. Only bacteria and living organisms are neutralized when water is boiled.

Removing minerals from water is a relatively expensive procedure, Robins said. A filtration plant to remove sediment from lake water is expensive to build, but not as expensive to operate as mineral removal, he said. Minerals can be removed only "to a certain extent,"

Robins said, and in some instances (such as with the high levels of iron sulfate mentioned earlier) it is impossible to remove enough of the minerals to make the water drinkable.

Other wells in the county contain a large amount of salt, Robins said. In one instance, a well was dug that produced a great deal of water, but the salt content was so high that the water was unusable. High levels of sodium, one component of salt, are dangerous, especially to those with high blood pressure and some other health conditions.

Most of the water in Jackson County is found in its northern section where glaciers covered over many surface streams and rivers with gravel, said hydrologist Tom McClain of the Kansas Geological Survey in Lawrence. It is surmised that the Kehler Wells that sup-

ply Holton were built over a large underground river, McClain said that Jackson County has an adequate supply of water for the existing population and small industry, but not large amounts for irrigation, which could become a serious problem if future years produce no more moisture than the past year. Even if a farmer thinks he has wells that are currently producing enough water now, that may not be true in the future, he said. Just like surface water sources, underground water levels are maintained by precipitation, McClain said. The deeper the water, the longer an unground source to go dry. But given a long enough period without rain, even a deep well can dry up, he said. Most of the water in Jackson County is "pretty shallow," he added.

"These old timers that say 'Oh, I've got

a spring on my land that's never dry, -- well they just haven't had enough dry spell," McClain said. In many places in Kansas the water table, the depth at which you strike water, has dropped. One test well dug near Lawrence by the Geologic Survey dropped seven feet between May 1987 and August of this year, he said.

The dropping water table level and increased dependence on wells rather than surface water has created greater concern for the water quality and availability. The harder and faster a well is pumped, the more minerals its water contains, Robins said. Water picks minerals up by flowing through ground that contains them. "There's a lot of iron in the formations (Jackson County) water comes from," he said.

"It's just like if you pour water across sugar -- it'll melt and combine with the water. Only this (iron) is not as sweet," Robins said.

As a well is pumped harder, the water picks up more minerals, Robins said. In the same manner, the faster the water is poured, the more sugar (or iron) it will pick up. Not only will people be drinking more minerals, but it also creates the danger of sealing the well casings. If more water with a higher concentration of minerals is pumped through a well, those minerals may collect on the casing and eventually seal it, meaning that no more water will seep into the well, Robins said. If that happens, it could mean costly replacement of the casing or digging another well.

The water of Rural Water District #3 is showing signs of this strain. While it is softer than Holton's water, it is getting harder because of the increased pumping, said Ed Dunn, manager of RWD #3. Though the water district is searching for places to establish more wells, good water is hard to come by, he said.

Water is becoming a scarce and precious commodity all across Kansas and in other places throughout the state, McClain said he has received many calls this year already concerning wells going dry.

People must become aware, McClain said, that "water is not a guaranteed resource. It comes and goes."

## City water needs heavy treatment, some potential well water unusable

By SANDRA M. SIEBERT  
Recorder Staff

While Jackson County has had enough water to meet needs in the past, the quality of its water comes into question. Its water contains large levels of many minerals.

Holton's water has a hardness of 263 milligrams per liter, compared to the Environmental Protection Agency's maximum recommended level of 400 mg/l. (A milligram is .001 of a gram, or .00035 of an ounce. A liter is 1.06 of a liquid quart.) That makes the city's water supply relatively hard, said Gene Williams, Holton City manager. That level is reached after the water has been treated. Williams said that the city's wells contain a high level of iron and manganese as well, though some of that can be removed during treatment.

The city has run into problems treating its water recently because of the diminishing supply from Prairie Lake, said Lyle Lee, superintendent of Holton's water plant. Usually, water from the wells and lake are blended, Lee said, making it easier to treat. Lake water is softer and doesn't contain the minerals found in well water. Filtration

(to remove sediment) and disinfection is basically all that is needed to treat lake water, Lee said. To remove the iron and manganese from well water, potassium is added. Potassium combines with those two minerals and some of it settles out.

The water supplied by Rural Water District #3 is not as hard as Holton's water sources. Water for the other water districts in Jackson County come from sources outside the county.

In the search for water, intensified by the recent drought, many areas of Jackson County are being tested as possible sites for wells. But where there is a quantity of water, the quality must also be considered for public distribution. The Kansas Department of Health and Environment requires that water distributed to the public must meet standards set by the Environmental Protection Agency.

Jean Harold of the Bureau of Water Protection said that two private wells in the far northern section of Jackson County were tested recently to see if that area might provide good water.

But the wells contained levels of

some minerals that far exceeded the EPA's recommended maximum levels. Up to four times the maximum level of manganese was found. One well contained and iron level of 2.3 mg/l -- the recommended maximum is .05 mg/l -- and a sodium level that exceeded the maximum of 100 mg/l. (Those who are on restricted sodium diets should drink water with 20 mg/l or less, Harold said.) The well's hardness level, at 398 mg/l, neared the maximum. The other well contained an iron level of 11.89 mg/l, far above the recommended maximum.

On a more positive note, Harold said, Jackson County water is free of cancer-causing volatile organic chemicals, which come from such things as household cleaners and solvents leaching into the water supply. And, though they are a problem in areas north of Jackson County, nitrates are not generally found in the county, she said. Nitrates can be harmful to small animals and infants, causing "the blue baby syndrome," where nitrogen replaces the oxygen carried by the blood and starves the brain of oxygen. It has no known effects on older children and adults.

Senate L.M. 3-25-89  
Attachment #1

Proposed Amendment to House Bill No. 2372  
(As Amended by House Committee)

On page 2, following line 48, by inserting a new paragraph:

"If a vacancy occurs at any time in the office of a director of any such drainage district, the remaining directors shall appoint from the qualified residents in the district a person to hold the office of director until the next election.";

*Senate Local Gov't*  
*3-23-89*  
*Attachment IV*