

**Minutes of the
Arkansas Water Well Construction Commission Meeting
April 1, 2011**

The regular meeting of the Arkansas Water Well Construction Commission was held Friday, April 1, 2011 at 9:00 AM, in the Arkansas River Room of ANRC, 101 East Capitol, Suite 350, Little Rock, Arkansas.

Commissioners in attendance: Chairman Pender, Vice Chairman Gilbert, Commissioners Walden, McDermott, Hart, Washington, and Commissioner Young, Executive Secretary.

Arkansas Natural Resources Commission staff in attendance included: Cynthia Bearden, ANRC Agency Controller; Edward Swaim, Chief of Water Resources Management Division; Crystal Phelps, General Counsel; Todd Fugitt, ANRC Geology Supervisor; Perry Dotson, Water Well Inspector; Jay Johnston, Professional Registered Geologist; and Jackie Broach, Ground-Water Administrative Specialist III.

Chairman Pender called the regular meeting of the Arkansas Water Well Commission to order.

Recognition of Guests: Chairman Pender recognized guests, Perri Washington, wife of Commissioner Washington; Tim Kresse, Hydrologist with USGS; and Frank Elder of Elder Drilling and Supply Company, Inc., Carlisle, AR.

Approval of Minutes:

Chairman Pender presented the January 28, 2011 Minutes. Motion was made by Commissioner McDermott to approve and Commissioner Walden seconded. Motion carried.

Executive Secretary's Report:

Commissioner Young announced that ANRC is in the process of hiring an entry level Geologist who will also act as an Inspector for ANRC Ground-Water section. Because of the current hiring freeze, the request is waiting for approval from Governor Beebe.

Commissioner Young also announced the annual Ground-Water Report for the year 2009-2010 has been completed and asked Todd Fugitt for comments regarding the report.

Mr. Fugitt commented that the Ground-Water Report is a summary of ground-water trends and activities from previous years and is available in Hard Copy, CD, and also on our agency website. He pointed out that the report data is from Spring, 2009 to Spring, 2010, and when looking at the report, the number of plus signs on water-level changes is unusual. Mr. Fugitt stated that Spring of 2009 was the wettest year in Arkansas history and there was a 1.6 ft. increase in water level, followed by 2010 being one of the driest in Arkansas history, and a 1ft. decline in water level. Overall, there is a long-term general decline of .3 ft. in water levels. He cautioned that, even though we gained a little because of 2009 rainfall, one wet year really does not help groundwater levels. Mr. Fugitt stated there is a lot of interesting data in the Ground-Water Report, too much to cover in the meeting, but if anyone has any questions while reviewing the report to feel free to call him.

Financial Report:

Cynthia Bearden, ANRC Agency Controller, reported the fund balance as of March 28, 2011 is \$160,763.47; the Investment balance is \$35,127.79; and total fund balance is \$195,891.26. She also reported that the revenue projected to come in, mainly through Registrations and Permits, and what was actually taken in revenue, shows there was more than anticipated at the start of the fiscal year. There was a Total Revenue of \$181,379.36. In the Expense Section, there was a Budget of \$144,801.00 and actual expenses of \$117,692.42, which was \$27,000 less than budgeted. Mrs. Bearden stated there were three months left till the end of the fiscal year, which ends June 30, 2011, and expected \$27,000.00 in expenses for those three months, leaving us with a projected cash balance of \$168,000.00.

Commissioner Pender asked Mrs. Bearden what salaries were paid out of that fund and she responded the two Inspector positions.

Commissioner Walden made a motion to approve the Financial Report, seconded by Commissioner Washington. Motion carried.

Commissioner Young reported that Legislature would adjourn on Friday, April 1, 2011, and General Counsel, Crystal Phelps would issue the last Legislative Report. He stated that Legislators would come back on April 26 or 27 and finish the Redistricting issue. He further stated that the ANRC budget will be flat. Commissioner Pender asked if AWWCC falls under the hiring freeze since they were a self-funded agency. Commissioner Young responded that they do.

Inspectors Report:

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- Answering Phone Questions
- Investigation of Illegal Drilling (1)
- Entering Well Reports
- Inspection of Abandonment (2)
- Compiled Book of Well Drillers
- Location By County Maps
- Contractor Visits
- Water Level Measurements

Perry Dotson stated that he had been covering all of the Inspector duties for the state since he was currently the only Inspector.

The Inspectors Report was approved.

Consideration of Applicants:

Todd Fugitt presented the following applicants for Commission approval:

STATUS OF THOSE ALREADY APPROVED

<u>EXAM</u>	<u>EMPLOYER NAME</u>	<u>CITY/STATE</u>
McCloud, Joseph C PASSED TEST	Miller Drilling Company	Lawrenceburg, TN

NEW DRILLER APPRENTICE APPLICANT

<u>EXAM</u>	<u>EMPLOYER NAME</u>	<u>CITY/STATE</u>
Kramer, Larry D. Unconsolidated	Cart Well Company, Inc.	Weiner, AR
Bly, Alvis C. Unconsolidated	Cart Well Company, Inc.	Weiner, AR

NEW PUMP INSTALLER APPRENTICE APPLICANT

<u>EXAM</u>	<u>EMPLOYER NAME</u>	<u>CITY/STATE</u>
Kramer, Larry D.	Cart Well Company, Inc.	Weiner, AR
Bly, Alvis C.	Cart Well Company, Inc.	Weiner, AR
Bishop, Billy J.	Cart Well Company, Inc.	Weiner, AR

Commissioner Washington made a motion to approve the recommendations, seconded by Commissioner Gilbert. Motion carried.

Other Business:

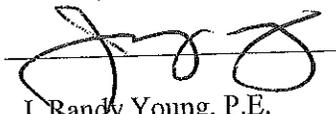
Commissioner Pender introduced Tim Kresse, a Hydrologist with USGS. Mr. Kresse gave a power-point presentation on the hydrogeology and existence of salinity in southeastern Arkansas. This report serves as a template for future ground-water resources studies that are essential for overall water-quality programs in Arkansas, as well as for determination of ground-water quality identification for the State's aquifers. This study identifies the sources of high chlorides in southeastern Arkansas to be naturally occurring as a result of back swamp deposits or wrench faults in the subsurface. The AWWCC program should utilize such reporting efforts as it considers co-mingling regulations promulgated for the purpose of protection of the State's aquifers.

A request was made that copies of this report be sent to all the Commissioners.

Commissioner Pender brought up the issue of Enforcement Practices. There was discussion in reference to the possibility that there are significant problems with illegal operators that would warrant changes in our enforcement practices.

Commissioner Young stated that AWWCC would do a better job of training our Inspectors, and suggested that a training program to schedule new employees to work with various contractors might be beneficial. Commissioner Pender agreed that an organized seminar with presentations given by various Drillers would be beneficial to all. He also suggested a committee be appointed to look into the problem with illegal operators and the possibility of retired law enforcement officers being hired on a per diem basis for investigation work for the Commission. After discussion on this, Commissioner Pender appointed Commissioner McDermott, Commissioner Gilbert, and Commissioner Young to this committee, with Commissioner McDermott acting as Chair. Commissioner Young asked that General Counsel, Crystal Phelps also work with this committee. Mr. McDermott will advise when the committee will meet.

Meeting was adjourned.



J. Randy Young, P.E.
Executive Secretary

6-3-11
Date