

**Minutes of the
Arkansas Water Well Construction Commission Meeting
December 4, 2014**

The regular meeting of the Arkansas Water Well Construction Commission was held on December 4, 2014 at 9:00 AM in the Sparta Room at Arkansas Natural Resources Commission, 101 East Capitol, Suite 350, Little Rock, Arkansas.

Commissioners in attendance: Chairman Washington; Vice-Chairman Jones; Commissioners Pender, McDermott, Hunt, Gilbert, and Randy Young, Executive Director of ANRC.

Arkansas Natural Resources Commission staff in attendance included: Crystal Phelps, General Counsel; Deanna Ray, Associate General Counsel; Jessica Wallace, ANRC Administrative Services Manager; Jacob Harvey, Water Well Inspector; Perry Dotson, Water Well Inspector; and Jackie Broach, Ground-Water Administrative Analyst.

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

Approval of Minutes:

Chairman Washington presented the October 3, 2014 Commission Minutes. Commissioner McDermott made a motion to accept the Minutes as presented, seconded by Commissioner Gilbert. Motion carried.

Executive Secretary's Report:

Executive Secretary Young stated that staff is still working on drafting proposed changes to rules based on the last commission meeting and should have recommendations to present based on the committee report at the last meeting. Mr. Young then asked Ms. Jessica Wallace, to present the financial report.

Financial Report:

Jessica Wallace, ANRC Administrative Services Manager, presented the monthly financial report ending November 30, 2014. She reported Total Revenue of \$176,112.98; Total Expenses of \$67,496.87; and YTD Net Revenue of \$108,616.11, leaving a Total Fund Balance of \$395,315.03. Ms. Wallace reported that finances are within \$2,000.00 reported at this same time last year.

Financial Report was approved.

Legal:

Associate General Counsel Deanna Ray reported that she is in the process of finishing the recommendations of the Rules, Regulations and Fees Committee, but encountered a problem on number 4 of the changes the committee recommended requiring contractors having their name and license number on their service vehicle. She stated there is no legislative authority to do so. She asked if the Commission would like to try to obtain this authority, since some of the other recommendations require legislative changes. The commission unanimously agreed they would like to address this with the contractors in the state before deciding on this recommendation. Associate General Counsel Deanna Ray also stated that the rules regarding the rig permits aren't addressed in the section under statutes and recommended adding it in. She stated the only thing addressed in the rules and regulations regarding this is the amount of the rig fee and felt it should be added along with the commission's authority to confiscate a contractor's rig, if needed. She stated it is in the statute, but is not spelled out in the rules. Director Young stated that staff would present the specific wording that is being proposed at the next commission meeting. Associate General Counsel Ray asked if a conference call should be scheduled after this was presented to the contractors at the AWWCA meeting. The commission asked that she provide the wording Chairman Washington and Commissioner Pender so they can present it at the January 29th AWWCA meeting and then they will report on their response at the February 6th AWWCC meeting.

Consideration of Applicants:

Jackie Broach presented the following applicants for Commission approval:

STATUS OF THOSE ALREADY APPROVED

<u>EXAM</u>	<u>EMPLOYER NAME</u>	<u>CITY/STATE</u>
Brian K. Bauer (D) Passed	Booth Heating and Air	Quincy, IL
Larry W. Rome (D) Passed	Eustis Engineering	Metairie, LA
Robin Munzner (PI) Passed	Munzner Pump Company	Harrison, AR

NEW DRILLER APPLICANT

	<u>EMPLOYER NAME</u>	<u>CITY/STATE</u>
Jody B. Adams	Terracon Consultants	Bryant, AR
Eric T. Kennedy	Hardwick Well Supply	Wheatley, AR

Commissioner Pender made a motion to approve these applicants, seconded by Commissioner McDermott. Motion carried.

NEW PUMP INSTALLER APPLICANT

	<u>EMPLOYER NAME</u>	<u>CITY/STATE</u>
Eric T. Kennedy	Hardwick Well Supply	Wheatley, AR

Commissioner McDermott made a motion to approve this applicant, seconded by Commissioner Jones. Motion carried.

NEW DRILLER APPRENTICE APPLICANT

	<u>EMPLOYER NAME</u>	<u>CITY/STATE</u>
Phillip B. Hornaday	Abbott Supply Company	McGehee, AR
James C. Ross, III	Collins Water Well Company	Hamburg, AR
Shawn Faulkner	Cart Well Company	Weiner, AR
Roy Chambers	Cart Well Company	Weiner, AR

Commissioner Gilbert made a motion to approve these applicants, seconded by Commissioner Pender. Motion carried.

NEW PUMP INSTALLER APPRENTICE APPLICANT

	<u>EMPLOYER NAME</u>	<u>CITY/STATE</u>
James C. Ross, III	Collins Water Well Company	Hamburg, AR
Shawn Faulkner	Cart Well Company	Weiner, AR
Roy chambers	Cart Well Company	Weiner, AR

Commissioner Gilbert made a motion to approve these applicants, seconded by Commissioner Pender. Motion carried.

Mrs. Broach asked for commission guidance on eligibility for supervision for a pump installer who held registration for a number of years, then retires and lets it lapse for over 10 years, renews again by going through the apprenticeship program and obtains his pump installer registration again and has held them now for a few months, is he eligible to supervise. The rules and regulations state that they must have held a registration for five years in order to supervise, but both she and Associate General Counsel Deanna Ray stated that the rules do not state that they have to have been in the last five immediate years. Executive Secretary Young asked if we had an application. Mrs. Broach responded that we did not, and that it was just a question at this point from the pump installer. Executive Secretary Young made a motion to await ruling on this until an application has been submitted. The commission unanimously agreed.

Inspectors Report:

- Illegal Drilling and Pump Installers inspections
 - Baxter Co. – On going
 - Madison Co.- On going
 - Pulaski Co.- On going
 - Searcy Co. – On going
- Excessive Sediment Inspection
 - Pike Co.- Samples taken to U of A-On going
- Contractor Visits
 - Arkansas Co.

- Conway Co.
- Lonoke Co.
- Marion Co.
- Sharp Co.
- Randolph Co.
- Anonymous calls on unlicensed contractors (0)
- 40 well reports were entered by staff October- December 3rd.
- 230 well reports were entered by (48) contractors October-December 3rd

***2014 NON Renewal Update**

Only 1 contractor has decided to renew their license.

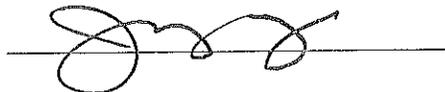
Commissioner Pender asked what the procedures were for taking samples for excessive sediment were taken. He stated that only a professional, such as an engineer, can take samples according to written and accepted standard procedures in order for a lab to give correct analysis. After discussion, Executive Secretary Young asked staff to write procedures for this and present it at the next meeting.

Other Business:

The nominating committee recommended Commissioner Washington to act as Chairman and Commissioner Jones to act as Vice-Chairman of the AWWCC for the 2015 year. Committee Chairman made a motion to accept these recommendations, seconded by Commissioner Gilbert. Motion approved.

Commissioner Hunt made a suggestion to appoint someone from the Geothermal Industry to serve on the AWWCC. He suggested that staff research information in Geothermal rules written into the law in order to protect the aquifers in the state. Commissioner Gilbert stated that he also believes that staff should research it because he believes it will bring more industry to Arkansas. After much discussion, Commissioner Pender stated that rules should state that applicants be required to go through the apprentice program to learn about the Arkansas aquifers and procedures on drilling. Executive Secretary Young directed staff to do the research on this and report back at the next meeting.

Meeting adjourned.



J. Randy Young, P.E.
Executive Secretary

2-19-15

Date