

**Minutes of the
Arkansas Water Well Construction Commission Meeting
June 3, 2011**

The regular meeting of the Arkansas Water Well Construction Commission was held Friday, June 3, 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 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; Jessica Wallace, Agency Fiscal Administrator; Todd Fugitt, ANRC Geology Supervisor; Perry Dotson, Water Well Inspector; 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 Jessica Wallace as the new Agency Fiscal Administrator, replacing Garry Kuykendall.

Approval of Minutes:

Chairman Pender presented the April 1, 2011 Minutes. Motion was made by Commissioner McDermott to approve and Commissioner Washington seconded. Motion carried.

Executive Secretary's Report:

Commissioner Young introduced Jessica Wallace as our new Agency Fiscal Administrator, having come from the Department of Finance and Administration as a Budget Analyst. Commissioner Young stated that Ms. Wallace has a great deal of experience working with Arkansas Natural Resources Commission, as well as with over thirty other agencies.

Financial Report:

Cynthia Bearden, ANRC Agency Controller, reported the total revenue as of May 31, 2011 is \$183,979.56, which is more than anticipated when the budget was first prepared. Expenses were \$141,066.44, which is less than anticipated. She stated part of the reason for that was having one less staff person, which leaves us with a profit of \$42,913.12 as of May 31, 2011. She projects that with operating and salary expenses running about \$7,000.00 per month, we should have a profit of \$35,000.00, which means we should end the fiscal year with \$168,000.00 cash in the bank.

Commissioner Young asked Ms. Bearden where we stood on filling the vacant Inspector position. Ms. Bearden responded that it has been approved and deferred to Mr. Edward Swaim, Chief of Water Resources Management Division. Mr. Swaim responded that we have interviewed three applicants and should have a recommendation to Director Young shortly.

Financial Report was approved.

Consideration of Applicants:

Todd Fugitt presented the following applicants for Commission approval:

NEW PUMP INSTALLER APPRENTICE APPLICANT

	<u>EMPLOYER NAME</u>	<u>CITY/STATE</u>
Frank P. Campbell	Reliable Pump Service, Inc.	Berryville, AR
Charles R. Anderson	W.E. Pender & Sons, Inc.	Texarkana, AR
Clyde D. Cranford	White River Pump Co., Inc.	Calico Rock, AR

Commissioner McDermott made a motion to approve the applicants, seconded by Commissioner Gilbert. Motion carried.

INSEPECTOR'S REPORT – JUNE 3, 2011:

- Entering Well Reports (75)
- Answering Phone Questions
- Inspection of Illegal Drilling and Pump Installers (2)-Benton Co., Miller Co.
- Inspections of Open Wells & Plugging (2)-Arkansas Co., Greene Co.
- Contractor Visits (8) - Boone Co., Arkansas Co.
- Water Level Measurements
- County Health Office Visits (2) Ozark, Harrison

Other Business:

Commissioner Pender asked Commissioner McDermott, Chairman of the Enforcement Committee, to report on the recommendations of the committee. Commissioner McDermott stated that the committee discussed how to identify unlicensed contractors and what the procedure should be in reporting them. The recommendations of the committee are:

- 1.) A letter and a Commissioner address and phone number list will be sent to all contractors with the annual renewal packet stating that if an unlicensed contractor is operating in their area, to report them to a Commissioner. The Commissioner will then report it to Commissioner Young via his cell phone.
- 2.) A list of County Environmental Health Specialist will also be sent with the annual renewal packet so that whatever county a contractor was working in, he would know who to contact. He stated they would be a valuable resource for their particular county.
- 3.) Our staff to provide Commissioners with a report of contractors who did not renew their license; that our Inspectors should call and visit them; and follow up should be done again six months later if they still haven't renewed their license.

Commissioner McDermott stated that the committee did not come up with a recommendation to hire a professional investigator. Commissioner Pender asked if the possibility of hiring multiple investigators on retainers in strategic areas of the state was discussed.

Commissioner McDermott said it was not, but that the question was asked what counties were a priority. Commissioner Pender stated that perhaps the four corners of the state and

central Arkansas would be a priority and that Investigators could be hired from each area and then trained on what to look for. He stated that perhaps a retired law enforcement officer would be a good candidate for an enforcement investigator. Commissioner McDermott responded that he didn't feel that an investigator out of the local areas who knew everyone in his area would be a good choice. He stated that he doesn't think there are a lot of rogue drillers in operation and that one investigator for the whole state should be sufficient.

Motion was made by Commissioner McDermott that the committee recommendations be sent in letter form with the annual renewal packet. Commissioner Gilbert seconded. Motion carried.

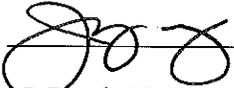
Commissioner Young asked for recommendations on providing training for the new Inspector and additional training for Inspector Dotson. Commissioner Pender responded that there was good representation from the Commissioners to provide the specific areas of training. Commissioner Washington stated that he knows of other contractors who would volunteer to train as well. Commissioner Young asked what the preferred method was to set up for training. Commissioner Pender responded that he had done instructional training for Health Department Engineers about three years ago and that it was pretty well received. He asked if we wanted to do something of that size or just concentrate on our employees.

Commissioner Young responded that we do a follow-up of what we did three years ago and include our employees, and that it is representative of the majority of the kind of work water well contractors do. He asked Commissioner Pender if he would be willing to do it again. Commissioner Pender responded that he would, but would concentrate more on residential and irrigation. Commissioner Young suggested that it be structured for Registered Geologists and Engineers, and asked Commissioner Pender to set up initial training effort for employees, particularly the new Inspector. Commissioner Pender responded that he would set it up for a half day training seminar and would ask other Commissioners to help out with their particular areas of expertise.

Commissioner Washington suggested that since it is the busy season for contractors, that the new Inspector go out in the field with Inspector Dotson and observe and have the formal training in the fall.

Commissioner Pender welcomed the young men from Boy's State who came in at the close of the meeting. He then gave an overview of our Commission and then had each commissioner and staff member to introduce him/herself and give a brief description of what they did. He then asked each representative of Boy's State to do same.

Meeting was adjourned.



J. Randy Young, P.E.
Executive Secretary

8-15-11

Date