

**Minutes of the  
Arkansas Water Well Construction Commission Meeting  
February 5, 2016**

The regular meeting of the Arkansas Water Well Construction Commission was held on February 5, 2016 at 9:00 AM in the Arkansas River Room at Arkansas Natural Resources Commission, 101 East Capitol, Suite 350, Little Rock, Arkansas.

Commissioners in attendance: Chairman David Washington; Vice Chairman Lance Jones; Commissioners Ernest Pender, Mike McDermott and Randy Young, Executive Secretary.

Arkansas Natural Resources Commission staff in attendance included Ryan Benefield, ANRC Deputy Director; Crystal Phelps, General Counsel; Jessica Wallace, ANRC Administrative Services Manager; Todd Fugitt, Geology Supervisor; Jacob Harvey, Water Well Inspector; Perry Dotson, Water Well Inspector; Jackie Broach, Ground-Water Administrative Analyst.

Chairman Washington called the regular meeting of the Arkansas Water Well Commission to order and welcomed Jason Riddle of Pense Brothers Drilling.

**Approval of Minutes:**

Chairman Washington presented the December 11, 2015 Commission Minutes. Commissioner McDermott, made a motion to accept the Minutes as presented, seconded by Commissioner Jones. Motion carried.

**Executive Secretary's Report:**

Executive Secretary, Randy Young, reported that the Reception hosted by the AWWCC at the AWWCA winter meeting in Hot Springs went very well. He also stated that it was his understanding that Commissioner Pender was committed to be in Texas for continuing education. Commissioner Pender responded that he has asked the AWWCA to change the date of their meeting because Texas and Florida hold their trade shows that same weekend and they are the biggest trade shows in the nation. He said Arkansas has several wholesalers who share both Texas and Arkansas borders and sell and deliver in both states and that the wholesalers will make their major commitment to Texas, as they have 2,500 contractors compared to 240 for Arkansas. He also stated that the suppliers and manufacturers like Smeal are going to attend the larger show versus the smaller shows such as Arkansas.

**Financial Report:**

Jessica Wallace, ANRC Administrative Services Manager, presented the monthly financial report ending January 31, 2016. She reported Total Revenue of \$175,374.65; YTD Expenses of \$98,345.86; and YTD Net Revenue of \$77,028.79, leaving a Cash

Balance of \$339,030.96; and a Total Fund Balance of \$374,568.43. She reported revenue was still on track with last year.

Financial Report was approved

**Legal:**

General Counsel Crystal Phelps asked if the Commission wanted to accept the \$60.00 Stipend for meeting attendance or other appearances that are relevant to their duties as a commission. She also asked if the Commission wanted to accept reimbursement for expenses incurred to attend these meetings. Discussion was made that in years past they have voted not to accept either. Commissioner Pender made a motion to decline both Stipend and Expense Reimbursement. Commissioner McDermott seconded the motion. Motion passed.

General Counsel Phelps also reported that public comment regarding proposed new water well rules is still open. She also stated that there was a hearing held the day before, that they will be accepting public comments through February 11, 2016, and hopefully will be able to get all materials to the Arkansas Legislative Council by February 15, 2016 so that the Legislative Council Rules and Regulations committee can review the rules in March. Once they are reviewed and approved by the committee, they can send them on to the Legislature and hopefully get them approved there. The effective date of the Rules is May 1, 2016. One provision that has been added to the rules is a date certain for the increased bond coverage. Executive Secretary Randy Young asked if there was a recommendation on what the date certain should be to get the bond coverage increased. General Counsel Phelps responded that after discussion with Jackie Broach and as a matter of administrative convenience, that August 1, 2016, when licenses are to be renewed, would be the best time. She asked if the commission had any comments. Commissioner Pender made a motion to approve August 1, 2016 as the date to increase bond limitations. Commissioner McDermott seconded. Motion approved.

**AWWCA Winter Meeting:**

Todd Fugitt, ANRC Geology Supervisor, reported that the AWWCA winter Meeting held in January in Hot Springs was a big success. He reported there were 175 or 180 in attendance and that the AWWCA was very interested in what was going on in with this commission and with the new proposed rule changes and that the majority approved the new bond increase.

Mr. Fugitt also reported that the AWWCA voted to ask the AWWCC to resume having the Commission Meeting at the AWWCA annual meeting again. Mr. Fugitt stated that no hearings would be held at this meeting.

Chairman Washington reported that Missouri used the term 'hours' for CEU's while Arkansas used the term 'credits', and asked if there was a problem in using either 'hours' and 'credits' in either state. Mr. Fugitt responded that he thought there was no conflict in Missouri accepting ours or Arkansas accepting theirs. Executive Secretary

Young asked Mr. Fugitt to touch base with Missouri and report back to the commission at the next meeting.

Jackie Broach presented the following applicants for Commission approval:

**STATUS OF THOSE ALREADY APPROVED**

	<b><u>EMPLOYER NAME</u></b>	<b><u>CITY/STATE</u></b>	<b><u>EXAM</u></b>
Dominique Durbin	Durbin Enterprises, Inc.	Beecher City, IL	Passed
Timothy Frost	Terracon Consultants	Bryant, AR	Passed
Kirby D. Valentine	Moore Brothers	Lincoln, AR	Passed

**NEW DRILLER APPLICANT**

	<b><u>EMPLOYER NAME</u></b>	<b><u>CITY/STATE</u></b>
Larry W. Pense	Pense Brothers Drilling	Fredericktown, MO
Steven W. Smith	Pense Brothers Drilling	Fredericktown, MO
Roger L. Brewington	Pense Brothers Drilling	Fredericktown, MO
Michael C. Tipton	Ark-MO Well Drillers	Steele, MO
Robert C. Madison	Madison Drilling Company	Williford, AR
Dennis V. Woodard	M&M Well Drilling	Biggers, AR

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

**NEW PUMP INSTALLER APPLICANT**

	<b><u>EMPLOYER NAME</u></b>	<b><u>CITY/STATE</u></b>
Michael C. Tipton	Ark-MO Well Drillers	Steele, MO
Robert C. Madison	Madison Drilling Company	Williford, AR
Dennis V. Woodard	M&M Well Drilling	Biggers, AR

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

**NEW DRILLER APPRENTICE APPLICANT**

	<b><u>EMPLOYER NAME</u></b>	<b><u>CITY/STATE</u></b>
Heathcliff J. Mazzanti	Cart Well Company	Weiner, AR

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

**NEW PUMP INSTALLER APPRENTICE APPLICANT**

	<b><u>EMPLOYER NAME</u></b>	<b><u>CITY/STATE</u></b>
Heathcliff J. Mazzanti	Cart Well Company	Weiner, AR
Daryl R. DeMaris	Madison County Hardware	Huntsville, AR
Michael J. Bardo	Madison County Hardware	Huntsville, AR

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

**Inspectors Report – 2/5/16:**

- Illegal Drilling and Pump Installer
  - Madison Co.- (Pump work) On going
- Well Inspections

The new QA/QC program for the construction reports will begin this year.
- Rig Inspection
  - Franklin Co. – Old rig not in use.
- Contractor Visits
  - AWWCA meeting
- Anonymous complaints (0)

**Water well database Report (December 8, 2015- February 2, 2016)**

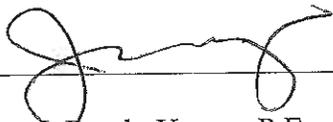
- 88 well reports entered by staff.
- 181 well reports entered by contractors.
- Total well reports entered in 2015 – 1786

Commissioner Pender asked for the status of two ongoing investigations in Miller County regarding complaints of sediment in the wells. Inspector Dotson responded that the investigations are still on-going. Commissioner Pender responded that there was only one case, as the second case did not have any sediment. General Counsel Phelps stated that there could be hearings at the next commission meeting. Commissioner Pender responded that the investigation has been on-going for at least six months.

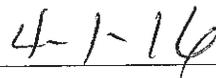
**Other Business**

Commissioner McDermott commended the staff for a job well done for setting up the reception and the presentation given by Todd and others at the General Membership meeting.

Meeting adjourned.



J. Randy Young, P.E.  
Executive Secretary



Date