

MINUTES

STATE BOARD OF EXAMINING
WATER WELL DRILLING CONTRACTORS and
WATER WELL PUMP INSTALLATION CONTRACTORS

January 24, 2018

10:00 a.m.

Ramkota Hotel & Conference Center
Casper, WY

PARTICIPATING BOARD MEMBERS:

Nick Bebout, Chairman

Jim O'Connor

John Midkiff

Lisa Lindemann

Michelle Christopher

Jerry Hunt

Steve Barbour

PARTICIPATING PROFESSIONAL STAFF:

Abigail Boudewyns, Senior Assistant Attorney General

Eric Easton – Senior Assistant Attorney General

Sean Towles, Assistant Attorney General

Cricket Hoskins, Financial Officer, SEO

Chuck Wilson, WWCB Contract Inspector

Sheri Culver, Executive Director, WWCB

GUESTS:

Kurt Price, Price Pump Co.

CALL TO ORDER:

Chairman Bebout called the State Board of Examining Water Well Drilling Contractors and Water Well Pump Installation Contractors (WWCB) meeting to order at 10:02 A.M.

REVIEW AND APPROVE AGENDA:

The agenda was approved as circulated.

REVIEW AND APPROVE MINUTES:

Mr. O'Connor moved to accept and approve the Minutes as read. Mr. Midkiff seconded the motion. Motion carried.

NEW BUSINESS:

Budget Report

Mrs. Hoskins gave a brief explanation of expenditures to the Board. She explained that the current budget has been reviewed by the Joint Appropriation Committee and no changes were

suggested. The budget still requires the approval of the Senate and House, however, it is expected that no changes will be suggested from these entities.

Mrs. Christopher made a motion to approve the budget report. Mr. Midkiff seconded the motion. Motion carried.

Licensing Program Database

Mrs. Culver explained that inLumon, a database software company demonstrated their software system to the Licensing Software Committee via video conference on October 31, 2017.

Mrs. Christopher stated that the Committee members were impressed with the product inLumon presented. She stated that they would recommend the Board sign a contract with the company to develop and configure the Board's licensing program.

Mr. Barbour made a motion to proceed with the process of acquiring a contract with inLumon and to present the contract to the Board for final approval. Mr. Midkiff seconded the motion. Motion carried.

Ratification of New Licensees

Mr. Hunt made a motion to approve the new licensees. Mr. Barbour seconded the motion. Motion carried.

WWCB 2017 Audit, Data Policy and Amended Fiscal Policy

Mr. Bebout explained that the State Auditor's office conducted an Audit of the Board's internal controls and financial transactions. The auditor report stated that there were adequate internal controls structures, and expenditures appeared to be lawful and made in compliance with applicable statutes. However, the report also stated that the Board's controls were weak in regard to the accounting of revenue transactions and a lack of a data policy as required by W.S. 9-21-101.

Mrs. Culver stated that in response to the Auditor's comments, a draft of a Data Policy along with an amended Fiscal Policy is included in the Board packet for their review and approval.

After a brief discussion, Ms. Lindemann made a motion to approve the Data Policy. Mr. Hunt seconded the motion. Motion carried.

Mr. Midkiff made a motion to approve the amended Fiscal Policy. Mr. Barbour seconded the motion. Motion carried.

Uniform Procedures, Fees, Costs, and Charges for Inspection, Copying and Producing Public Records, W.S. 16-4-201 and Amendments to Chapter 3 & 6 of the Board's Rules and Regulations

A motion was made by Mr. Barbour to initiate the rulemaking process with the draft of the Uniform Procedure Rules and the draft amendments to Chapter 3 & 6 of the Board's current Rules and Regulations. Mrs. Christopher seconded the motion. Motion carried.

Water Well Inspector(s)

Mrs. Culver explained that at the Board's request, she had researched alternatives to the inspectors having to carry commercial general liability insurance. She stated that to-date, she has not been able to find an alternative solution. She explained that she had looked at the possibility of making the inspectors AWAC employees of the state. However, due to government cutbacks this option is not possible at this time. She stated that she is still working with Risk Management and hopes to resolve this issue soon.

Mr. Wilson explained that the risk associated with conducting a water well inspection is not covered under a General Liability Insurance. He felt that purchasing General Liability Insurance would be a waste of the Board's funds.

Mr. Wilson agreed to continue working for the Board under his current contract.

After a brief discussion, Mr. Hunt moved to allow Mr. Wilson to continue working for the Board if he obtains a current Business Automobile Insurance policy that meets the requirement of the contract. Mr. Barbour seconded the motion. Motion carried.

A motion was made by Mrs. Christopher to reimburse Mr. Wilson for his Business Automobile Insurance policy to fulfill the obligations of his current contract with the Board. Ms. Lindemann seconded the motion. Motion carried.

COMMITTEE REPORTS:

Exam Committee

Mrs. Culver explained that the Exam Committee has not had the opportunity to meet, however the exams are updated as errors or omissions are noted.

Penalty

Mr. Bebout stated that the committee has met once with the Wyoming Ground Water Association.

The Board agreed that the committee should continue working with the WGWA with the possibility of amending the Board's Statutes and Rules and Regulations.

WWCB Logo

Mr. O'Connor stated that due to various reasons, the WWCB Logo committee has not had the opportunity to meet. He stated that he is currently working on a few ideas and will be sending them out to the other committee members for their review.

MISCELLANEOUS:

Training for Inspectors and Board Members

Mr. O'Connor explained that he felt it may be beneficial to provide training to the Board and their inspectors on what type of information should be collected during an inspection and what to avoid.

Ms. Boudewyns stated that it would be helpful to outline the scope of work included in an inspection and clearly define what type of evidence should be gathered at a well site. She explained that it could be possible that training be held for both Board members and inspectors.

Inspections Completed

Mrs. Culver explained that even though the Board was lacking an inspector and a new Executive Director was hired, the number of inspections performed in 2017 was only one or two less than what was performed in 2016.

Amendments to the Board's Statute, Rules and Regulations

Mrs. Christopher asked if the Board needed to amend their Statutes to address unlicensed water well contractors.

Mr. Easton explained that the Board could report an illegal contractor to the county attorney and/or sheriff's office. He stated that it is a criminal violation to be drilling a well without a license. The county would be the entity to take any type of action against the unlicensed water well contractor.

After a brief discussion concerning the penalties currently available to the Board, it was agreed that the Board will move forward with amending its current Statutes and/or Rules and Regulations to adequately address some of the infractions occurring.

Retirement of Board Member

Mr. Bebout will retire from the Board at the end of March.

NEXT MEETING:

The next WWCB Board meeting was scheduled for April 11, 2018 at 10:00 A.M. at the Ramkota Hotel and Conference Center, Casper, WY.

ADJOURNMENT:

Chairman Bebout adjourned the meeting at 1:45 P.M.

Respectfully submitted,

Sheri R. Culver
Executive Director