

MINUTES
STATE BOARD OF EXAMINING
WATER WELL DRILLING CONTRACTORS AND
WATER WELL PUMP INSTALLATION CONTRACTORS
September 2nd, 2020
10:00 A.M.
Teleconference Call

PARTICIPATING BOARD MEMBERS:

John Midkiff, Chairman
Lisa Lindemann
Michelle Christopher
Lily Barkau
Wes Moody

Absent Board Members:

Jerry Hunt
Aaron Wilson

PARTICIPATING PROFESSIONAL STAFF:

Sean Towles, Assistant Attorney General
Cricket Hoskins, Chief Fiscal Officer State Engineer's Office
Jimmy Gordon, Executive Director, WWCB

CALL TO ORDER:

Chairman Midkiff called the State Board of Examining Water Well Drilling Contractors and Water Well Pump Installation Contractors (WWCB) meeting to order at 10:04 A.M.

New Board Member:

Chairman Midkiff introduced and welcomed the Board's newest member Lily Barkau. Ms. Barkau is the Wyoming Department of Environmental Quality appointee replacing the retired James O'Connor.

REVIEW AND APPROVE AGENDA:

E.D. Gordon made note of an error in the agenda, explaining that Darwin Mohler should not have appeared under the new licenses that need to be ratified. The agenda was approved as circulated.

REVIEW AND APPROVE MINUTES:

The minutes from the April 8th meeting were approved as circulated.

OLD BUSINESS

Current status of Boards licensing software program

E.D. Gordon informed the Board that he has received a working licensing software from InLumon since the Boards last meeting. He believes it is a functioning system and has been using it alongside the Boards outgoing software since May 26th, 2020. He is having monthly meetings with InLumon to address any updates, or fixes that arise while he is actively using the system. He also reported to the Board that InLumon had offered to extend the Warranty Period from the original 6 months to 8 months from the go live date. Also, they will waive all monthly maintenance fees during the Warranty Period. The Warranty Period will run through the end of January 2021. Cricket Hoskins expanded on the financial implications from InLumon's offer, explaining that the monthly maintenance fee is actually paid out on a yearly basis. E.D. Gordon expressed his intention to "rollout" the software to new applicants and current license holders later this year around mid to late October to coincide with this year's renewal period.

Returned Check Policy

E.D. Gordon presented a draft copy of the Board's returned check policy to the Board for approval. Both Sean Towles and Cricket Hoskins approved of the legal and fiscal worthiness of the policy draft. Michelle Christopher made a motion to approve the returned check policy draft. Wes Moody seconded the motion. Motion Carried.

NEW BUSINESS:

Ratification of New License

Wes moody made a motion to hear all 15 licenses' instead of ratifying them individually. Michelle Christopher seconded the motion. Motion Carried.

Wes Moody moved to ratify the issuance of 15 new licenses. License Numbers: 02PI146, UTWD081, 01WDPI111, 02WDPI049, 01WDPI131, COWD148, 03WDPI134, COWD126, UTWDPI108, COWD149, 01WDPI132, CPWDPI127, 03PI075, COWD150, and 02PI147. Michelle Christopher seconded the motion. Motion carried.

Executive Director Update

Jimmy Gordon provided the Board with the number of new license exams he had given since the last meeting. He had given 26 exams to 15 applicants, 12 of which were given in his office in Powell. 4 exams were given at Water Division Two Headquarters in Sheridan, and 10 exams were given at the State Engineer's Office Groundwater Division in Cheyenne. He had issued 15 new licenses, 3 Pump Installers, 4 Well Drillers, and 8 Well Driller & Pump Installer (dual license). He also updated the Board that there continues to be one open complaint in the investigation phase. An Investigative Board Member has been assigned and has yet to report their findings to the executive director. License renewals will be mailed out to approximately 86 contractors whose licenses expire 12/31/2020. He again informed the Board that he is continuing to have monthly meetings with InLumon to train and refresh the Boards licensing software. E.D. Gordon then presented an issue to the Board that has been mentioned on a few occasions previously. The issue pertains to the State Fire Marshall's electrical contractor's license requirement for any contractor performing electrical work on pumps. The main topic for the board's discussion is that neither the Licensing Board nor the Fire Marshall's office checks the status of contractor's license with either Board before issuing their respective license. After some discussion involving Wes Moody, Chairman Midkiff, Michelle Christopher and Sean Tolwes,

the suggestion was to have E.D. Gordon work with Sean Towles to develop an insert as a reminder to the letter that makes all new Pump Installer licensees of the Fire Marshall's Office requirement including a disclaimer that states that this is not the only license that may need to be obtained to perform this work in the state of Wyoming.

Budget Update

Cricket Hoskins provided the Board with an updated budget report through June 30, 2020, the end of the Bi-enium. Overall her opinion was the Boards budget was in a good health even given some un-planned expenses. The Boards budget had approximately \$15,000 remaining out of the roughly \$231,000 budget amount. She commented that the Covid-19 Pandemic was a possible reason why the budget had some money remaining, given the fact that travel and meeting expenses had been reduced from normal years. As for the Boards Revenue Report, she commented that the Board was in a normal cyclical revenue trend. The breakdown of License Revenue and Groundwater Permit Revenue is \$35,975 and \$86,705 respectively. She informed the Board that they are in position to have one full year of expenses in reserves. Her opinion was that is a very favorable position to be in for a Board the size of this one. She then gave a brief explanation of how Board's interact with generally funded departments of State Government. Her opinion was that it is highly unlikely that the Joint Appropriations Committee or the Budget Department would look at the Licensing Boards funds for use in other areas. Michelle Christopher moved to accept the Budget Update. Wes Moody seconded the motion. Motion carried.

Increase of Board's portion of Groundwater Permit revenue

E.D. Gordon previewed the issue with the Board of the overall status of the State's budget crisis. With that the State Engineer's office is working to develop through the legislature, areas of their permit fees where they could increase revenue both for the State Engineer's Office and the Licensing Board. Currently a portion of the Groundwater permit fees are deposited into the Licensing Board's account to help fund the Board's budget. Lisa Lindemann provided a review of the origin of the fee revenue and where the discussions are going. She wanted to make sure everyone knew that this is in the earliest of stages of discussion and no dollar amount had been settled on as a new level for Groundwater Fees. She asked the Board for their support of the request to increase fee amounts when the State Engineer's Office goes to the Legislature. Wes Moody expressed his desire to take more time to understand the request and asked Lisa if she would provide the Board with a copy of the request they will be presenting to the Legislature when it is finalized. She agreed to do so, and the Board moved to hold their support until they have the final request and can review it.

Miscellaneous

E.D. Gordon called for any public comment from anyone who may have been attending the meeting. Hearing none, the public comment section of the meeting was closed. Sean Towles informed the Board that the new Attorney General's legal counsel for the Board had been hired. He said that he would work with his replacement to insure he was up to speed before relinquishing his role over. He mentioned they would both attend the Board's next meeting in January, and that if he need to attend future meetings to insure a smooth transition, he would do so.

Next Meeting

The next meeting will take place Wednesday September 2, 2020 at the State Engineer's Office Cheyenne Wyoming.

ADJOURNMENT:

Michelle Christopher made a motion to adjourn the meeting at 12:14 P.M. Wes Moody seconded the motion. Meeting adjourned.