

MINUTES

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

January 11, 2022

1:00 P.M.

PARTICIPATING BOARD MEMBERS:

Jerry Hunt, Chairman
Wes Moody, Vice-Chairman
John Midkiff
Michelle Christopher
Aaron Wilson
Lily Barkau
Lisa Lindemann

MEMBERS OF THE PUBLIC

Matt Bebout-President Wyoming Groundwater Association
Tim Millikin, V.P. Wyoming Groundwater Association
Travis Hueller, Wyoming Groundwater Association
Cody Smith, Wyoming Groundwater Association
Parker Blakeley, Pronghorn Pump
Dillon Rowe, Pronghorn Pump

PARTICIPATING PROFESSIONAL STAFF:

Darren Cook, Assistant Attorney General
Kristin Baker, Chief Fiscal Officer State Engineer's Office
Jimmy Gordon, Executive Director, WWCB

CALL TO ORDER:

Chairman Hunt called the State Board of Examining Water Well Drilling Contractors and Water Well Pump Installation Contractors (WWCB) meeting to order at 1:01 p.m.

REVIEW & APPROVE AGENDA

The Board reviewed and approved the meeting agenda as circulated. John Midkiff made a motion to approve the agenda. Michelle Christopher seconded the motion. Motion carried.

REVIEW AND APPROVE MINUTES:

The Boards reviewed and approved the September 1, 2021 meeting minutes as circulated. John Midkiff made a motion to approve the minutes. Wes Moody seconded the motion. Motion carried.

OLD BUSINESS:

Notice of Intent Requirement- The topic of removing the current rule of a 5 day Notice of Intent to Drill was discussed again in more depth than at the September 1st meeting. The Board's AG advisor Darren Cook informed the Board that this requirement is in Rule. Given that, if the

Board where to decide to change or remove the requirement, it would have to go through the state rule making process. That would include receiving approval from the Governor's office, a 45-day public comment period, and a public meeting to name a few steps before any rule can be adopted. His overall message to the Board was that it is a lengthy process, but not one that is particularly difficult. Discussion was had on the possibility of suspending a rule; Mr. Cook informed the Board that he was not aware of a viable process to suspend a rule. The rule changing process was the only avenue available to the Board.

Discussion was had from the members of the Wyoming Groundwater Association in attendance. They expressed their desire for the rule to be removed entirely. It was discussed that the origin of the rule was from a time when the Board employed contract well inspectors. The notice of intents were used by the inspectors to schedule on-site well/contractor inspections. The Board no longer employs any inspectors. Given that, the Association members questioned the need for the rule which they argue takes time out of all contractors' schedules to adhere to. At this time, there are no plans for the Board to hire or employ inspectors. The member of the Wyoming Groundwater Association requests that the Board remove the rule that requires a five day notice of intent before work on a new well or new pump is commenced.

John Midkiff made a motion to direct Director Gordon to begin the Rule making process to remove the Notice of Intent requirement found in Chapter 5 of the Boards Rules and Regulations; Section (a) subsection (ix). Wes Moody seconded the motion. Motion carried.

Aaron Wilson made a motion to direct Director Gordon to review all the Board's Rules and advise the Board of any changes or updates he recommends at the Board's next meeting. John Midkiff seconded the motion. Motion carried.

NEW BUSINESS:

Ratification of New Licenses

Chairman Hunt asked that the Board hear and ratify the new licenses by license type.

Pump Installers- John Midkiff made a motion to ratify the licenses of Garret Galey (01PI 146) and Zachery Christopherson (03PI 077). Michelle Christopher seconded the motion. Motion carried.

Well Driller & Pump Installers- John Midkiff made a motion to ratify the licenses of Jason Meyers (IDWDPI114) and Dirk Cozzens (03WDPI135). Wes Moody seconded the motion. Motion carried.

State Engineer's Office Fiscal Manager Update

Kristin Baker informed the Board that the budget overall was in good standing. Revenue overall was flat or steady from Groundwater fees being up, and license fees being lower due to the lower number of licenses renewed in 2021. She informed the Board that they currently have \$25,000 set in the 900 series unencumbered for Contracts. Also, there was a surplus in the Supply account. She recommended that the Board take a closer look at the 200 series Supply account to see if the surplus is needed or not. The current status of the InLumon billing was also discussed and Mrs. Baker requested more time to investigate the current statutes further and report back to Director Gordon. She made herself available for any questions, which the Board members had none.

Executive Director Update

Director Gordon provided the Board with an update of his office since the September 1st meeting. There have been 11 new license exams to 4 applicants. All of which were taken at the Board's office in Powell. He had issued 4 new licenses, 2 Pump Installers, and 2 Well Driller & Pump Installer (dual license). There were 28 exams scheduled to be given by Director Gordon during the Wyoming Groundwater Association (WGWA) convention in Casper in the days following the meeting. He informed the Board that of the current years License renewals 20 out of 33 had been renewed at the date of the meeting. He discussed his attendance at the National Groundwater Association convention in Nashville, Tn in early December 2021. At that convention he made the Board aware of the growing topic of PFAS and the growing testing and treatment options. Michelle Christopher added her experience with PFAS from the water operator industry and how common it is found in groundwater. Finally he reviewed his presentation for the final day of the WGWA convention in Casper covering current issues being seen by himself and the Groundwater staff of the Engineer's office, and the introduction of the Board's online Licensing Software. Wes Moody asked about the frequency of complaints that are made to Director Gordon. He responded that over the past year the number of complaints that reach the Board are almost none. There is one official complaint in the investigation phase, and he hoped it would be completed and turned over to the Attorneys General office before much longer.

Miscellaneous

Aaron Wilson asked to have the topic of Continuing Education to the Board's next meeting. His research led him to believe that there is a provision that sets a requirement for the Board to provide continuing education for license holders. Mr. Cook asked Mr. Wilson for more information on where he read that so he could research it for the next meeting.

Aaron Wilson also asked if the State Engineer's office Minimum Construction Standards had been updated or changed since the Boards last meeting. Lisa Lindaman informed him that there had not been any changes. He asked the same regarding any rules or standards from the DEQ that would affect the Board's license holders. Chairman Hunt informed the Board that DEQ Chapter 12 is currently in a comment period for proposed updates and changes that would affect Public Water Supply wells.

Next Meeting

The next meeting will take place April 7th 2022 between 11:00a.m. & 1:00pm in Casper, the exact time and location will be determined at a later date and distributed to all members and the public.

ADJOURNMENT:

Chairman Hunt adjourned the meeting at 3:50 p.m.