

MINUTES

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

January 9, 2024

1:00 P.M.

PARTICIPATING BOARD MEMBERS:

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

MEMBERS OF THE PUBLIC

Matt Bebout- Wyoming Groundwater Association
Kevin Dover- Wyoming Groundwater Association
Danielle Dover- Wyoming Groundwater Association
Travis Hueller- Wyoming Groundwater Association
Tim Millikin- Wyoming Groundwater Association
Chris Odegard- Wyoming Groundwater Association
Parker Blakely- Wyoming Groundwater Association
Lou Dickinson- Wyoming Groundwater Association

PARTICIPATING PROFESSIONAL STAFF:

Patrick Kent, Assistant Attorney General
Kristin Baker, State Engineer's Principal Accountant
Jimmy Gordon, Executive Director, WWCB

CALL TO ORDER:

Chairman Wilson called the State Board of Examining Water Well Drilling Contractors and Water Well Pump Installation Contractors (WWCB) meeting to order at 1:00 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 & APPROVE April 26th MEETING MINUTES

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

OLD BUSINESS:

Online Licensing Software-

Director Gordon explained that the State ETS agency has advised him to pause any negotiations in the works, until the program titled the "Resource Augmentation Program" can be finalized. The program will offer options from different central vendors that can provide licensing

software. As soon as this program is rolled out, ETS will provide the Board with its options. Item is tabled until the next meeting, or at a time that new information is available.

SEO Forms Completion-

Lisa Lindemann explained that the Groundwater staff are currently processing completion paperwork from April 2023. In her opinion it has not been enough of a timeframe to know if the Board's efforts to increase the quality and timeliness of the forms has increased. Jeremy Manley explained how the SEO staff handles situation of missing information. If the missing information cannot be obtained from the contractor, a note is made on the water right that the construction does not appear to meet minimum construction standards. This note will stay with the water right in the public record. Discussion was had on specific examples of missing information, and wells constructed outside standards without a variance request on file. The SEO staff also informed the group that an effort is underway to create a new E-Permit system. Once completed, it will offer a more user-friendly interface, along with more features for contractors and water right holders. The consensus of the discussion was that the Licensing Board and the Association Board would continue to spread awareness to the contractors on the importance of quality and timely form completeness.

NEW BUSINESS:

Licensing Board Regulatory Power-

Director Gordon provided an overview on the procedure he is to follow when the Board is made aware of an individual operating in Wyoming without a license. Patrick Kent of the Attorney General's office provided the statutory authority provided to the Board by legislator when the Board was created. The Board itself, has no authority to fine or "punish" an unlicensed operator. They must request the county prosecuting attorney where the work is being performed, serve a cease-and-desist order to the operator. If the operator continues to operate, the Board must request the prosecutor bring a court order against them. The maximum fine a court can hand down to a guilty party is \$1,500 fine or 6-months in prison, or both. Patrick explained that if the industry as a whole would like to see the licensing Board obtain more regulatory power, it will have to be done through the state legislature. The Board cannot lobby itself for increased regulatory authority. Discussion was also had on bringing more awareness to the well owners of the requirement to employ licensed contractors for any work that is being performed on water wells. Lisa Lindemann informed the group that her office has begun editing the forms to include a license number along with contractor's name and address. This was suggested, by the Groundwater association as a way to make well owners more aware of the license requirement. The Board asked Patrick Kent to research other state licensing boards statutes, and compare their regulatory powers to the Water Well Contractors Licensing Board. This will be reviewed and discussed at the next meeting.

Fiscal Update-

Kristin Baker provided an update on the Board's current budget position. She explained that the Board's budget passed through the recent budget meetings without any discussion. She highlighted the statewide compensation package, and its increase on the salary line item. Michelle Christopher asked if the Board members were required to attend any fiscal training. Director Gordon will reach out to the department of audit, and inquire on the matter. John Midkiff, and Michelle Christopher have both attended the training.

Ratification of New Licenses’-

Jerry Hunt made a motion to ratify both licenses presented by director Gordon. Michelle Christopher seconded the motion. Motion carried.

Executive Director Update

Director Gordon provided the Board with an update of his office since the September 7th meeting. 4 exams were given to 2 applicants. 2 new licenses had been issued since the last Board meeting, 2 Wyoming residents. He also shared a breakdown of the current license count. 60 of the possible 91 licenses have been renewed to date. He has had a small number of contractors request their license be made in-active. Several of the un-renewed licenses are needing to attend the Groundwater convention for continuing education credits.

Miscellaneous-

Matt Bebout, President of the Wyoming Groundwater Association extended invitation for licensing Board members and staff to attend their meetings. He felt keeping a close working relationship between the two Boards was important for the industry.

Next Meeting

The next meeting will take place in Cheyenne WY at the State Engineer’s Office on April 9, 2024, time 10:00 am.

ADJOURNMENT:

Chairman Wilson adjourned the meeting at 3:19 p.m.