

MINUTES

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

April 9, 2024
10:00 A.M.

PARTICIPATING BOARD MEMBERS:

Aaron Wilson- Chairman
John Midkiff- Vice-Chairman
Jerry Hunt
Christy Hutchinson
Lisa Lindemann

MEMBERS OF THE PUBLIC

Parker Blakely- Wyoming Groundwater Association
Paul Mitts- 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 10:00 a.m.

REVIEW & APPROVE AGENDA

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

REVIEW & APPROVE January 9th MEETING MINUTES

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

OLD BUSINESS:

Online Licensing Software-

Director Gordon shared his work with ETS in development of a Board specific licensing software. The program ETS is developing appears to offer a significant cost savings vs sourcing a 3rd party vendor. Also, ETS has expressed interest in utilizing this Board as a "pilot" for their in-house software development team. The initial expense being discussed would be an annual fee per license or user, and work performed billed hourly. Chairman Wilson asked if the Board would automatically "enrolled" in the pilot program if they agree to work through initially? Also, who maintains the system, or who do we call if a problem arises? Jerry Hunt made a motion to direct Director Gordon to proceed gathering specific details with ETS for a licensing software. John Midkiff seconded the motion. Motion carries.

Board Regulatory Power-

Patrick Kent detailed the statutes pertaining to regulatory authority over non-licensed individuals or companies. He explained that other than identifying a person or company operating without a license and contacting them informing them of the requirements and how to obtain a license. If the work continues without a license, the local prosecuting attorney would need to be contacted and their assistance would need to be requested. The attorney's office would then have discretion in proceeding or not proceeding with criminal charges. The Board does not have authority to issue a fine or "ticket" for the violation. If that type of authority is requested, it must come from state legislation. The Board cannot create its own regulatory powers, or lobby for it. He did sight another licensing Board within the state that has the authority to allow civil penalties. In that instance, the fine money goes to the county in which the work took place. All other examples of agencies issuing fines or penalties are all granted through legislation. Lisa Lindemann explained that the Engineer's office has recently updated several of their forms to include a line for the contractors' license number. This was done in an effort to bring more awareness to the public for the requirement to use a licensed contractor for this work. When an unlicensed contractor is found to have completed any work on a well, the Engineer's office makes a permanent note on the permit for a permanent record.

NEW BUSINESS:

Fiscal Update-

Kristin Baker provided an update on the Boards current budget position. The current biennium ends of 6/30/2024. She advised if there are any items from the 200 series that was needed, to try and get them in before the cutoff. She asked for any questions, which there where none.

Public Officer Fiscal Training-

Director Gordon reviewed the requirement for all public officers to complete the training. All members service on the licensing Board are required to complete the training. He provided several course options including online training and testing from the Department of Audit, Public Funds Division. There is also an in-person course being offered in May in Thermopolis.

Ratification of New Licenses '-

John Midkiff made a motion to ratify all licenses presented by director Gordon. Jerry Hunt seconded the motion. Motion carried. Jerry Hunt also expressed the possible need for the Board to consider a future change to the license types it issues. He thought, based on some recent work he had witnessed, that it might be appropriate for the Board to create a new license for larger municipal and irrigation type wells. Possibly look into a rule change to re-classify these types of wells with a new license type.

Executive Director Update

Director Gordon provided the Board with an update of his office since the January 9th meeting. 25 exams were given to 10 applicants. 10 new licenses had been issued since the last Board meeting, 9 Wyoming residents and 1 non-resident. He also shared a breakdown of the current license count. 68 of the possible 91 licenses were renewed in 2023. There is one active investigation currently being worked through.

Miscellaneous-

Parker Blakely, with the Wyoming Groundwater Association extended invitation for licensing Board members and staff to attend their meeting on April 19th 11:30am in Pinedale. He also

asked if the licensing Board had any attendance requirement, and if a member could be removed for not attending meetings. Patrick Kent informed the group that the Governor appoints all members of the Board, and only the Governor could remove a member.

Next Meeting

The next meeting will take place in Casper WY at the Thyra Thompson State Building on September 18th, 2024, time 10:00 am.

ADJOURNMENT:

Chairman Wilson adjourned the meeting at 11:22 a.m.