



Missouri  
Department of  
Natural Resources

**Well Installation Board Meeting  
Missouri Geological Survey  
Mozarkite Conference Room  
111 Fairgrounds Road  
Rolla, Mo.  
November 1, 2013**

**Open Session Minutes**

The regular meeting of the Well Installation Board was held November 1, 2013, at the Missouri Geological Survey, 111 Fairgrounds Road, Rolla, Mo. A quorum being present, Mr. Bob Broz, Acting Chairman, called the meeting to order at 10:02 a.m.

**Board Members Present:** Mr. Robert Broz; Mr. Robert Lawrence; Ms. Sharlene Morgan; Ms. Annetta St. Clair

**Board Members Present via Conference Call:** Mr. Fred Schoen, Vice Chairman

**Board Members Absent:** Mr. Danny Flynn, Chairman and Mr. Joe Gillman

**Legal Counsel:** Mr. Jacob Westen, Assistant Attorney General; Ms. Julia Katich, Department of Natural Resources (DNR) General Counsel Office

**Staff Present:** Ms. Carey Bridges, Mr. Kyle Rollins, Ms. Connie Edwards, Ms. Sheri Fry, Ms. Hylan Beydler, Ms. Christy Miner, Ms. Kimberly McCullah, Mr. Scott Kaden, Ms. Alica Alexander

**Guests Present:** Beth Marsala, Brad Hoyt, and Shawn Schnell, Missouri Water Well Association (MWWA); Kaley Erwin and Carol Eighmey, Petroleum Storage Tank Insurance Fund (PSTIF); Jim Klinkhardt, Goggins Drilling & MWWA; Doc McClanahan, Doc's Well & Pump & MWWA; Gerald Buechting, Buechting Drilling Co. & MWWA; Dan Beffa, B&B Waterworks & MWWA; David Schnell, Schnell Drilling; Ed St. Clair; Richard Linebaugh, Drill It Well & MWWA

**Introduction**

Mr. Bob Broz welcomed everyone to the meeting and introduced himself. He asked Board members to introduce themselves, followed by staff and the audience.

**Minutes of the August 23, 2013, Meeting**

The Acting Chairman asked if there were any corrections to the minutes from the August 23, 2013, meeting. Ms. Morgan offered a motion to accept the minutes. Ms. St. Clair seconded the motion. Motion carried.

## **Program Updates**

The Acting Chairman recognized Ms. Bridges, Program Director, who updated the Board on the following items: Missouri Geological Survey name change as a result of the Land Survey Program moving to the Department of Agriculture; upcoming staff changes; the Joint Committee on Administrative Rules (JCAR) requirement for review of rules; and status of online services, specifically the ability to submit the water well certification online as of November 1, 2013.

## **Section Updates**

The Acting Chairman recognized Mr. Rollins, Section Chief, who introduced recently hired Kimberly McCullah and discussed upcoming staff changes. Mr. Rollins updated the Board on the number of variances issued in the third quarter of 2013, cement bond logger training, staff presentations, pre-notification form, and the administration of credit card convenience fees.

## **Permit Petitions**

The Acting Chairman recognized Ms. Fry who stated that no petitions were received.

## **Update on House Bill 28**

The Acting Chairman recognized Mr. Westen who discussed House Bill 28 and how contested and non-contested cases relate to the Board and the Administrative Hearing Commission (AHC).

## **Rule Update**

The Acting Chairman recognized Ms. Fry who updated the Board on the status of the following rulemakings:

Appeals Hearing rulemaking – Due to the passage of House Bill 28, the current rule must be revised. The new draft language addresses changes as a result of the new legislation. Ms. Morgan made a motion for staff to continue with the rulemaking process as we all sort of work our way through it with the powers that be in the legislature. Ms. St. Clair seconded the motion. Motion carried.

Special Area 2 and Sensitive Area A – Staff is working on draft language for 10 CSR 23-3100, which sets specific additional drilling standards for the area that encompasses Gasconade, Osage, Maries and portions of Franklin, Phelps and Crawford Counties (Sensitive Area A). Staff will also be working on draft language for Special Area 2 (Newton and Jasper counties) to address issues that have arisen since this rule was promulgated in 2002. Ms. St. Clair made a motion to direct staff to move forward with the rulemaking process. Mr. Lawrence seconded the motion. Motion carried.

## **Sunshine Law**

The Acting Chairman recognized Mr. Westen, Board Counsel, who gave an overview of the Sunshine Law and specified areas that affect the board.

## **Missouri Water Well Association Comments**

Mr. Gerald Buechting discussed the continuing education program along with the history of MWWA's participation in initiating rules and regulations and the plugging of abandon wells. After much discussion, Mr. Schoen moved that staff develop a program plan for discussion of handling the continued education credits by our next meeting in February. No second was made. The motion failed.

## **Other Business**

None.

## **Public Comment and Correspondence**

None.

## **Future Meetings**

The Board approved holding an open session meeting at 10 a.m. on May 2, 2014, at the Missouri Geological Survey in Rolla, Mo. The motion was made by Ms. St. Clair and seconded by Ms. Morgan. Motion carried.

## **Roll Call Vote For Next Closed Session**

Ms. St. Clair moved that the Well Installation Board meet in closed session at 9:30 a.m. at the next regular board meeting for the purpose of discussing matters protected from disclosure by law as provided for in Section 610.021, RSMo., including but not limited to: legal actions, pending litigation, and attorney-client privileged matters with the board attorney. The motion was seconded by Ms. Morgan. A roll call vote was taken as follows: Mr. Lawrence, yes; Ms. St. Clair, yes; Mr. Schoen, yes; Ms. Morgan, yes. Motion carried.

## **Field Trip**

Mr. Rollins, lead the Board on a field trip to the McCracken Core Library to observe the new well and cement bond logging equipment.

## **Adjournment of Meeting**

Ms. St. Clair moved to adjourn the meeting. Mr. Lawrence seconded the motion. Motion carried. Meeting adjourned at 12:40 p.m.