



Missouri
Department of
Natural Resources

**Well Installation Board Meeting
Division of Geology and Land Survey
Annex Conference Room
111 Fairgrounds Road
Rolla, Mo.
May 10, 2013**

Open Session Minutes

The regular meeting of the Well Installation Board was held May 10, 2013, at the Division of Geology and Land Survey, Annex Conference Room, 111 Fairgrounds Road, Rolla, Mo. A quorum being present, Mr. Danny Flynn, Chairman, called the meeting to order at 10 a.m.

Board Members Present: Mr. Danny Flynn, Chairman; Mr. Fred Schoen, Vice Chairman; Mr. Robert Broz; Mr. Joe Gillman; Mr. Robert Lawrence; Ms. Sharlene Morgan; Ms. Annetta St. Clair

Board Members Absent: None.

Legal Counsel: Mr. Don Willoh, Assistant Attorney General; Mr. Jacob Westen, Assistant Attorney General

Staff Present: Ms. Carey Bridges, Mr. Kyle Rollins, Ms. Connie Edwards, Ms. Sheri Fry, Ms. Hylan Beydler, Ms. Christy Miner, Ms. Anne Keller, Mr. Scott Kaden

Guests Present: Beth Marsala, Brad Hoyt and Doc McClanahan, Missouri Water Well Association (MWWA); Kaley Erwin and Carol Eighmey, Petroleum Storage Tank Insurance Fund (PSTIF); Steve Kratkey, Department of Natural Resources (DNR) General Counsel Office; Carl Compton and Larry Compton, Compton Irrigation.

Introduction

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

Minutes of the February 18, 2013, Meeting

The Chairman asked if there were any corrections to the minutes from the February 18, 2013, meeting. Ms. St. Clair offered a motion to accept the minutes. Mr. Broz seconded the motion. Motion carried.

Minutes of the March 19, 2013, Meeting via Teleconference

The Chairman asked if there were any corrections to the minutes from the March 19, 2013, teleconference meeting. Ms. Morgan offered a motion to accept the minutes. Mr. Schoen seconded the motion. Motion carried.

Program Updates

The Chairman recognized Ms. Bridges who updated the Board on the Geological Survey 160th anniversary open house, current legislation and online services soon to be available.

Section Updates

The Chairman recognized Mr. Rollins who introduced Ms. Christy Miner as the new Processing Unit Chief and mentioned upcoming staffing changes due to retirements. Mr. Rollins updated the Board on the current well plugging program with the Missouri State Parks and new wells to be drilled on the Department of Natural Resources Rolla campus, variances issued and staff presentations during the first quarter of 2013, casing requirements in multi-family wells, new form for pilot hole wells and cement bond logger training.

Permit Appeals

The Chairman recognized Ms. Fry who stated Mr. Ben Shoemaker was permitted previously as a non-restricted pump contractor but failed to renew his permit due to pursuing another line of work. Mr. Shoemaker requested that the Board waive the two-year apprenticeship so he can be re-permitted as a non-restricted pump contractor. Ms. Fry updated the Board on the most recent rule in regard to this issue, stating Mr. Shoemaker did not have the required certification forms submitted documenting the number of installations he performed. Ms. Morgan moved to approve staff recommendation to require Mr. Shoemaker to serve an apprenticeship or provide proof of financial responsibility and pre-notify for one year. Ms. St. Clair seconded the motion. Motion carried.

Ms. Fry stated Mr. R. Chad Wallace took a test in May 2012 to become an apprentice as a water well and pump installation contractor. Currently, he has completed all water well and pump installations required by rule. Mr. Wallace is appealing to the Board to waive the remainder of his apprenticeship due to a terminally ill family member, who is the responsible party for his apprenticeship. Mr. Schoen moved the Board waive the rest of his apprenticeship. Mr. Lawrence seconded. Motion carried.

Rule Updates

The Chairman recognized Ms. Sheri Fry who updated the Board on the following rulemakings:

Appeals Hearing rulemaking - The final order of rulemaking will be filed on Monday, May 13, 2013, with the Joint Committee on Administrative Rules, then with the Secretary of State's Office (SOS) after 30 days.

Public Well Permit rulemaking – Staff are working on a draft and anticipate stakeholder meetings later in the year.

Continuing Education rulemaking – Staff have some draft language and anticipate stakeholder meetings in late summer.

Heat Pump rulemaking – This rulemaking is currently with DNR legal. The next step will be to file with the SOS's Office, publish in the *Missouri Register* and hold a public hearing.

Missouri Water Well Association Comments

Mr. McClanahan stated MWWA is looking forward to working on the Continuing Education rulemaking and also complimented staff for work on the online database.

Other Business

Mr. Larry Compton, currently an apprentice, gave the board a brief description of the work he currently does regarding pump installations. He stated that the bedrock irrigation wells he installs pumps for are similar to public wells and asked if the number of pump installations required could be reduced from 25 to 10. Mr. Rollins addressed the Board in regard to the current rule pertaining to this request and gave a staff recommendation to reduce the number from 25 to 10, which would require a rule change. Ms. Morgan moved that we grant Mr. Compton's appeal and maintain the financial responsibility requirement. Mr. Schoen seconded the motion. Motion carried.

Public Comment and Correspondence

Ms. St. Clair commended those who have put forth effort to approach current legislation in regard to the continuation of the Well Installation Board.

Future Meetings

The Board approved holding an open session meeting at 10 a.m. on Friday, November 1, 2013, at the Division of Geology and Land Survey, Rolla, Mo. The motion was made by Mr. Broz and seconded by Mr. Schoen. Ms. St. Clair opposed. Motion carried.

Roll Call Vote for Next Closed Session

Mr. Schoen 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. Mr. Broz seconded the motion. A roll call vote was taken as follows: Mr. Broz, yes; Mr. Gillman, yes; Mr. Lawrence, yes; Ms. Morgan, yes; Mr. Schoen, yes; Ms. St. Clair, yes. Motion carried.

Adjournment of Meeting

Mr. Schoen moved to adjourn the meeting. Mr. Lawrence seconded the motion. Motion carried. Meeting adjourned at 10:46 a.m.