



Missouri
Department of
Natural Resources

**Well Installation Board Meeting
Division of Geology and Land Survey
111 Fairgrounds Road
Rolla, Mo.
November 5, 2012**

Open Session Minutes

The regular meeting of the Well Installation Board was held November 5, 2012, at the Missouri Department of Natural Resources, Division of Geology and Land Survey, 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

Staff Present: Ms. Carey Bridges, Mr. Kyle Rollins, Ms. Connie Edwards, Ms. Sheri Fry, Mr. Justin Davis, Ms. Molly Starkey, Ms. Hylan Beydler, Mr. Scott Kaden, Ms. Anne Keller

Guests Present: Mr. Lindell Lindsey, A & M Pump Inc. and Missouri Water Well Association (MWWA); Mr. Larry Tolbert, C & I Electric and MWWA; Ms. Beth Marsala, MWWA; Mr. William Cummings, Ms. Kaly Erwin, Petroleum Storage Tanks Insurance Fund (PSTIF); Mr. Brad Rayburn, Missouri Rural Water Association (MRWA); Mr. Doc McClanahan, MWWA; Mr. Brian Grabher, MWWA

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 September 25, 2012, Meeting

The Chairman asked if there were any corrections to the minutes from the September 25, 2012, meeting. Mr. Broz offered a motion to accept the minutes. Mr. Schoen seconded the motion. Motion carried.

Program Updates

The Chairman recognized Ms. Bridges who informed the Board that Ms. Connie Edwards has been promoted to an Executive I within the Geological Survey Program and will continue to serve as the Well Installation Board secretary. Ms. Edwards' promotion left the Processing Unit Chief position vacant in the Section. Ms. Bridges gave an update on drought assistance efforts to include; 3,399 inquiries received by phone or email; received 1,878 cost share certification or registration records and reminded the Board the drought relief effort expires on November 15, 2012, with an additional 60 days to submit records. Ms. Bridges also updated the Board on staff's previous and current online projects including online form submittals, well information searches, driller information and permit renewals.

Section Updates

The Chairman recognized Mr. Rollins who informed the Board that Mr. Justin Davis has accepted the position of Investigative Field Unit Chief. Mr. Rollins also gave updates on a variance granted in Special Area 2 relating to sampling ports, provided the status of purchasing a cement bond logger, quarterly variances issued, field and admin cases assigned, number of heat pump installations and fund balance.

Permit Appeals

The Chair recognized Mr. William Cummings, the appellant, previously worked under his spouse's pump installation permit but had no work filed under his name. Mr. Cummings requested the Board to grant him a permit based on his years of work experience. Mr. Cummings did not have documentation to support his work history; therefore, the Board recommended Mr. Cummings either hire a permitted contractor to work with or to apprentice under. Mr. Lawrence made a motion to follow staff's recommendation to require Mr. Cummings to serve a two year apprenticeship as required by 10 CSR 23-1.050. After Mr. Cummings completes his required number of installations, he can perform work on his own while still under the apprenticeship requirement. Ms. St. Clair seconded the motion. Motion carried.

Rule Updates

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

The Appeals Hearing rulemaking has been forwarded to the director's office and legal counsel for approval. Staff plan to file the rule at the Secretary of State's office in the next couple of weeks. A public hearing and comment period will follow.

Staff are in the process of scheduling stake holder meetings for the Heat Pump rulemaking. When this process is finalized, a new draft will be posted online and meeting notices will be mailed to permittees.

Staff are currently working on a draft rule for the Continuing Education rulemaking. After the draft is finalized and approved by management, stake holder meetings will be scheduled. Draft language will be posted online and meeting notices mailed to permittees.

Staff completed a request to begin on the Public Well Permit rulemaking which was forwarded to legal counsel. Once approval has been received, staff will begin to work on draft language and begin the stake holder process. Discussion was made on the rulemakings.

Missouri Water Well Association Comments

Ms. Marsala stated the only issue the Association had was to discuss possible continuing education and heat pump rulemaking stakeholder meetings at the MWWA. Discussion on this issue was made during the rulemaking agenda item.

Other Business

None

Public Comment and Correspondence

None

Future Meetings

The Board approved holding an open session meeting at 10 a.m. Friday, May 10, 2013, at the Division of Geology and Land Survey in Rolla, Mo. The motion was made by Mr. Schoen and seconded by Mr. Lawrence. Motion carried with a unanimous voice vote.

Roll Call Vote For Next Closed Session

Mr. Lawrence 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. St. Clair. 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. Motion carried.

Adjournment of Meeting

Mr. Schoen moved to adjourn the meeting. Ms. St. Clair seconded the motion. Motion carried. Meeting adjourned at 10:37 a.m.