

# MINUTES

## MAINE WATER WELL COMMISSION

Wednesday, April 13, 2022

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### Meeting via Zoom

#### ATTENDEES:

##### Commission Members:

Dwight Doughty, (Chair)  
Hydrogeologist, DOT  
Daniel Locke  
Hydrogeologist, MGS  
Alex Pugh  
Hydrogeologist, DWP

Mike Otley  
Public Member  
Jesse Goodwin  
Master Well Driller  
Frank Hegarty  
Master Well Driller

Glenn Dyer  
Master Well Driller

##### Guests:

Margaret Machaick  
State of Maine, AAG  
David Philbrook  
MWWC Inspector

Randall Hinton &  
Elizabeth Dexter-Hinton  
Complainant  
Stephen Jones  
Complainant  
Michael Collins  
Complainant

Manon Levesque  
Guest  
Karl Rudnicki  
Guest  
Kyle Rudnicki  
Guest

##### Minutes Prepared By:

Tina Lemieux, Commission Clerk, DWP

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#### PROCEEDINGS: 9:01 am

##### Review of Meeting Minutes:

Motion to accept the minutes from Wednesday, March 9, 2022

❖ MOTION: Glenn Dyer      2<sup>nd</sup>: Jesse Goodwin      VOTE: Unanimous

Motion to accept the minutes from Tuesday, April 5, 2022 (Special Meeting)

❖ MOTION: Mike Otley      2<sup>nd</sup>: Glenn Dyer      VOTE: 6 yea / 1 recused

\*Frank Hegarty recused from vote, not present at past meeting

##### Exam Applications:

1. SEAN FELDER\_W1969 NH – seeking Reciprocity – (PI-J) - APPROVED

Motion to approve.

❖ MOTION: Frank Hegarty      2<sup>nd</sup>: Mike Otley      VOTE: Unanimous

2. CLIFFORD BUMFORD\_WD02156 – (WD-J) - APPROVED

Motion to approve.

❖ MOTION: Frank Hegarty      2<sup>nd</sup>: Glenn Dyer      VOTE: Unanimous

3. THOMAS MARQUIS\_WD00599 – (WD-J, PI-J) – APPROVED

Motion to approve.

❖ MOTION: Glenn Dyer      2<sup>nd</sup>: Alex Pugh      VOTE: Unanimous

4. ALLEN CUNNINGHAM\_WD02234 – (PI-J) – APPROVED

Motion to approve.

❖ MOTION: Glenn Dyer      2<sup>nd</sup>: Frank Hegarty      VOTE: Unanimous

**Specialty Well Applications – Commission Review:**

1. NONE

**Specialty Well Applications – In-House Approval:**

1. MULLER-SCOTT TEMPLE\_SWA
2. LEWIS-LORD\_SWA

**Other Business:**

1. Exams: **Thursday, April 14, 2022 @ 10am** at Key Bank Building, downtown Augusta
  - a. Eligible candidates will be notified by email
2. DRAFT: Rules and Regulations: Margaret Machaiek, (cont.)
  - **SOM WD&PI RULE 10-144 CODE OF ME RULES, CHAP 232**, (2019 Braley Draft)
  - 2-9-22, Close to completion, will discuss next meeting March 9, 2022
  - 3-9-22, Special Meeting, In-Person, Tuesday, April 5, 2022, 9a-12p
  - 4-5-22, Special Meeting, discussed rules and regulation changes
  - 4-13-22, MWWC Special Meeting (In-Person),
    - **Friday, April 29, 2022**: rules and regulations discussion, continued.
3. BUDGET: 2022 – Alex Pugh (cont.)
  - a. Discussion and Review:
    - 1-12-22, Commission funds are low, within year the funds will not support Commission operations, create higher cash flow by raising license fees
    - 2-9-22, Proposals:
      - Have proposed 30% increase in license fees
      - Possibility of creating fees for apprentice licenses
    - 3-9-22, discussion ongoing
    - 4-13-22, discussed MWWC Current and Proposed Fees ~ Alex Pugh \*(see handout)

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**NEW COMPLAINTS:**

**MANNING-PL JONES – complaint, rcvd 3-29-22 – NEW**

- a. 3-29-22, new complaint received
- b. 4-13-22, review and acceptance of new complaint

Motion to accept new complaint.

❖ **MOTION**: Frank Hegarty    **2<sup>nd</sup>**: Daniel Locke    **VOTE**: Unanimous

**COMPLAINTS:****JONES-A-Z WATER – complaint, rcvd 10-19-21 – OPEN**

- a. 11-10-21, Motion to accept complaint and send MWWC Inspector.
- b. 11-10-21, Notice of Complaint sent to A-Z Water Systems/Carl Levesque
- c. 11-10-21, Notice of Acceptance sent to Stephen Jones
- d. 12-8-21, Motion to table complaint, and send MWWC Inspector
- e. 1-12-22, Report given by MWWC Inspector; no motion given, will send Frank Hegarty/David Philbrook to continue investigation by removing pump to get accurate current yield.
- f. 2-9-22 - Well inspection by David Philbrook, concluded that the Jones' second well has yield of 0.5gal/min @ 340' and video of well revealed that the seal was good and intact.
- g. 2-9-22, Motion to table complaint until next meeting (3-9-22); Hegarty/Dyer – Unanimous
- h. 3-9-22, Motion to table complaint until next meeting (4-13-22); Hegarty/Goodwin – Unanimous  
\* Commission wants to hear response from Levesque Well Drilling/Kevin Levesque

Motion to table complaint until next meeting (5-11-22).

❖ **MOTION**: Frank Hegarty **2<sup>nd</sup>**: Alex Pugh **VOTE**: Unanimous

**HANSCOM WD-CARMEL WD – complaint, rcvd 11-01-21 – OPEN**

- a. 11-10-21, Motion to accept complaint and Motion to send Dave Philbrook
- b. 11-10-21, Notice of Complaint sent to Carmel Well Drilling/Karl Rudnicki
- c. 11-10-21, Notice of Acceptance sent to Hanscom Well Drilling/Ronald Hanscom
- d. 12-8-21, Motion to table complaint, and send MWWC Inspector
- e. 1-12-22, Motion to table complaint, send letter outlining technical issues to be resolved before issuing violations and penalties; Hegarty/Dyer – Unanimous
- f. 2-9-22, Motion Carmel WD verify sited issues corrected; Goodwin/Dyer – Unanimous
- g. 2-9-22, Motion table complaint until next meeting and verify corrections; Hegarty/Dyer – Unanimous
- h. 3-9-22, Motion table complaint and send letter asking for proof of intact seals, no leaks; Hegarty/Dyer - Unanimous

Motion to send David Philbrook to inspect for integrity of seals.

❖ **MOTION**: Frank Hegarty **2<sup>nd</sup>**: Daniel Locke **VOTE**: Unanimous

**HINTON-AFFORDABLE & A-Z WATER – complaint, rcvd 11-03-21 – OPEN**

- a. 11-10-21, Notice of Complaint sent to A-Z Water Systems/Carl Levesque
- b. 11-10-21, Notice of Complaint sent to Affordable Well Drilling Inc/James Bisson
- c. 11-10-21, Notice of Acceptance sent to Randall Hinton & Elizabeth Dexter-Hinton
- d. 12-8-21, Motion to table complaint, and send MWWC Inspector
- e. 1-12-22, Report given by David Philbrook, MWWC Inspector
- f. 1-12-22, Motions for Affordable and A-Z violations assessed, Letter of Violations to be sent
- g. 2-9-22, issues not addressed at this meeting, made statements at prior meetings since November 2021.
- h. 3-9-22, Elizabeth Dexter-Hinton submitted list of violations that the Commission might consider when making their assessment of violations
- i. 3-9-22, Motion to table complaint until next meeting (4-13-22) to revisit/reassess violations; Goodwin/Pugh – 6 yea, 1 recused, \*Frank Hegarty recused from vote

- j. 4-13-22, \*\*New violations added to prior found violations after review of Elizabeth Dexter-Hinton’s submitted list of possible violations, (submitted by email on 3-9-2022). The Commission found five more violations could be added to the current list.

1. Motion to find A-Z in violation of 407.2.

- ❖ **MOTION**: Alex Pugh      **2<sup>nd</sup>**: Glenn Dyer      **VOTE**: 6 yea / 1 recused
  - Frank Hegarty recuses

Motion to award points to the violation 407.2 - 5 points.

- ❖ **MOTION**: Dwight Doughty      **2<sup>nd</sup>**: Jessie Goodwin      **VOTE**: 6 yea / 1 recused
  - Frank Hegarty recuses

2. Motion to find A-Z in violation of 407.5.

- ❖ **MOTION**: Alex Pugh      **2<sup>nd</sup>**: Glenn Dyer      **VOTE**: 6 yea / 1 recused
  - Frank Hegarty recuses

Motion to award points to the violation 407.2 - 5 points.

- ❖ **MOTION**: Mike Otley      **2<sup>nd</sup>**: Alex Pugh      **VOTE**: 6 yea / 1 recused
  - Frank Hegarty recuses

3. Motion to find A-Z in violation of 408.1.

- ❖ **MOTION**: Jesse Goodwin      **2<sup>nd</sup>**: Alex Pugh      **VOTE**: 6 yea / 1 recused
  - Frank Hegarty recuses

Motion to award points to the violation 408.1 - 1 point.

- ❖ **MOTION**: Alex Pugh      **2<sup>nd</sup>**: Daniel Locke      **VOTE**: 6 yea / 1 recused
  - Frank Hegarty recuses

4. Motion to find A-Z in violation of 204.5.

- ❖ **MOTION**: Jesse Goodwin      **2<sup>nd</sup>**: Mike Otley      **VOTE**: 6 yea / 1 recused
  - Frank Hegarty recuses

Motion to award points to the violation 204.5 – 5 points.

- ❖ **MOTION**: Jesse Goodwin      **2<sup>nd</sup>**: Daniel Locke      **VOTE**: 6 yea / 1 recused
  - Frank Hegarty recuses

5. Motion to find A-Z in violation of 800.1.

- ❖ **MOTION**: Alex Pugh      **2<sup>nd</sup>**: Mike Otley      **VOTE**: 6 yea / 1 recused
  - Frank Hegarty recuses

Motion to award points to the violation 800.1 – 3 points.

- ❖ **MOTION**: Dwight Doughty      **2<sup>nd</sup>**: Alex Pugh      **VOTE**: 6 yea / 1 recused
  - Frank Hegarty recuses

\*\*Motion to follow our guidance IAW 144c232 - Rules and Regulations for violation applications.

- ❖ **MOTION**: Alex Pugh      **2<sup>nd</sup>**: Glenn Dyer      **VOTE**: 6 yea / 1 recused
  - Frank Hegarty recuses

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**\*\*NEXT MEETINGS\*\***

**Friday, April 29, 2022, 9am-12pm – In-Person**  
Special Meeting – Rules and Regulations - Drafting

**Wednesday, May 11, 2022 at 9:00 am – In-Person**  
Regular Monthly Meeting

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Motion to Adjourn.

❖ **MOTION**: Mike Otley      **2<sup>nd</sup>**: Glenn Dyer      **VOTE**: Unanimous

ADJOURNMENT:

TIME: **12:00 pm**