Minutes
Maine Water Well Commission
Wednesday, April 13, 2022
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

Guests:
Margaret Machaiek State of Maine, AAG
David Philbrook MWWC Inspector

Randall Hinton & Elizabeth Dexter-Hinton
Stephen Jones
Manon Levesque Guest

Karl Rudnicki Guest

Karl Rudnicki

Minutes Prepared By:
Tina Lemieux, Commission Clerk, DWP

Proceedings: 9:01 am

Review of Meeting Minutes:
Motion to accept the minutes from Wednesday, March 9, 2022
❖ MOTION: Glenn Dyer 2nd: Jesse Goodwin VOTE: Unanimous

Motion to accept the minutes from Tuesday, April 5, 2022 (Special Meeting)
❖ MOTION: Mike Otley 2nd: 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 2nd: Mike Otley VOTE: Unanimous

2. CLIFFORD BUMFORD_WD02156 – (WD-J) - APPROVED
   Motion to approve.
   ❖ MOTION: Frank Hegarty 2nd: Glenn Dyer VOTE: Unanimous

3. THOMAS MARQUIS_WD00599 – (WD-J, PI-J) – APPROVED
   Motion to approve.
   ❖ MOTION: Glenn Dyer 2nd: Alex Pugh VOTE: Unanimous

4. ALLEN CUNNINGHAM_WD02234 – (PI-J) – APPROVED
   Motion to approve.
   ❖ MOTION: Glenn Dyer 2nd: 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:
      o 1-12-22, Commission funds are low, within year the funds will not support Commission operations, create higher cash flow by raising license fees
      o 2-9-22, Proposals:
         ▪ Have proposed 30% increase in license fees
         ▪ Possibility of creating fees for apprentice licenses
      o 3-9-22, discussion ongoing
      o 4-13-22, discussed MWWC Current and Proposed Fees ~ Alex Pugh *(see handout)

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  **2nd**: Daniel Locke  **VOTE**: Unanimous
COMPLAINTS:

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).

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.

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 2nd: Glenn Dyer **VOTE**: 6 yea / 1 recused
   o Frank Hegarty recuses
   Motion to award points to the violation 407.2 - 5 points.
   ❖ **MOTION**: Dwight Doughty 2nd: Jessie Goodwin **VOTE**: 6 yea / 1 recused
   o Frank Hegarty recuses

2. Motion to find A-Z in violation of 407.5.
   ❖ **MOTION**: Alex Pugh 2nd: Glenn Dyer **VOTE**: 6 yea / 1 recused
   o Frank Hegarty recuses
   Motion to award points to the violation 407.2 - 5 points.
   ❖ **MOTION**: Mike Otley 2nd: Alex Pugh **VOTE**: 6 yea / 1 recused
   o Frank Hegarty recuses

3. Motion to find A-Z in violation of 408.1.
   ❖ **MOTION**: Jesse Goodwin 2nd: Alex Pugh **VOTE**: 6 yea / 1 recused
   o Frank Hegarty recuses
   Motion to award points to the violation 408.1 - 1 point.
   ❖ **MOTION**: Alex Pugh 2nd: Daniel Locke **VOTE**: 6 yea / 1 recused
   o Frank Hegarty recuses

4. Motion to find A-Z in violation of 204.5.
   ❖ **MOTION**: Jesse Goodwin 2nd: Mike Otley **VOTE**: 6 yea / 1 recused
   o Frank Hegarty recuses
   Motion to award points to the violation 204.5 – 5 points.
   ❖ **MOTION**: Jesse Goodwin 2nd: Daniel Locke **VOTE**: 6 yea / 1 recused
   o Frank Hegarty recuses

5. Motion to find A-Z in violation of 800.1.
   ❖ **MOTION**: Alex Pugh 2nd: Mike Otley **VOTE**: 6 yea / 1 recused
   o Frank Hegarty recuses
   Motion to award points to the violation 800.1 – 3 points.
   ❖ **MOTION**: Dwight Doughty 2nd: Alex Pugh **VOTE**: 6 yea / 1 recused
   o Frank Hegarty recuses

**Motion to follow our guidance IAW 144c232 - Rules and Regulations for violation applications.
   ❖ **MOTION**: Alex Pugh 2nd: Glenn Dyer **VOTE**: 6 yea / 1 recused
   o Frank Hegarty recuses
**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  
   **2nd**: Glenn Dyer  
   **VOTE**: Unanimous

ADJOURNMENT:  
TIME: **12:00 pm**