

# MEETING MINUTES

Wednesday, August 12, 2020

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**MAINE WATER WELL COMMISSION**  
**Rm 109, Harlow Building, 18 Elkins Lane, Augusta, ME**

## ATTENDEES:

### Commission Members:

|                                                       |                                      |                                 |
|-------------------------------------------------------|--------------------------------------|---------------------------------|
| Dwight Doughty<br>Hydrogeologist, DOT,<br>Chairperson | Frank Hegarty<br>Master Well Driller | William Dawson<br>DWP, Engineer |
| Daniel Locke<br>Hydrogeologist, MGS                   | Joe Gallant<br>Master Well Driller   |                                 |
| Mike Otley<br>Public Member                           | Glenn Dyer<br>Master Well Driller    |                                 |

### Guests:

|                                          |                                                           |                               |
|------------------------------------------|-----------------------------------------------------------|-------------------------------|
| Margaret Machaiek<br>State of Maine, AAG | Teresa Cloutier<br>Boothby Silver LLC,<br>Attorney at Law | James Densmore<br>Complainant |
|                                          |                                                           | Rock Libby<br>Defendant       |

### Minutes Prepared By:

Tina Lemieux  
DWP Commission Clerk

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PROCEEDINGS: 9:00 AM

### **Review of Meeting Minutes:**

Motion to accept the minutes from July 8, 2020, meeting.

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

### **Exam Applications:**

1. ANTHONY O'CONNOR – WD02185 (apprentice, WD & PI) – **PENDING, complaint**
  - a. 3-17-20 - Exam Application rcvd – Journeyman WD & PI

### **Specialty Well Applications – Commission Review:**

1. NONE

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

1. MARSHALL-BURNS\_SWA
2. SEDLOCK-KENNEBEC\_SWA
3. DESJARDINS-KENNEBEC\_SWA

**Other Business:**

1. MWWC Budget – Bill Dawson
  - a. Overspending
  - b. Have not increased fees in 20 years
  - c. Requires legislative initiative

**Complaints:**

**1. DENSMORE-L&L WD – complaint, received 6-3-20 - open**

- 6-4-20 – Notification of Complaint sent to Rock Libby of L&L Well Drilling
- 6-10-20 – Reviewed and discussed complaint.
- 7-7-20 – Received exhibits from Teresa Cloutier, Attorney
- 8-12-20 – Send Notice of Violations approved at July 8, 2020 MWWC meeting.
  - o IAW CMR CHAPTER 232 - Well Drillers and Pump Installers Rules
    - 300.1/207.1/407.1/803.5/800.2/401.5.1/300.3.2

\*Tabled until next meeting, Wednesday, September 9, 2020

**2. DOUGHTY-L&L – complaint, received 6-10-20 - open**

- 6-10-20 – Notification of Complaint sent to Rock Libby of L&L Well Drilling
- 7-8-20 – Reviewed and discussed complaint.

Motion that Commission does not believe a Master/Journeyman Well Driller was on-site while O’Connor was running the drilling rig.

- ❖ **MOTION:** Frank Hegarty      **2<sup>nd</sup>:** Glenn Dyer      **VOTE:** 6-yea / 0-nay
  - o Dwight Doughty recused self from vote.

\*Tabled until next meeting, Wednesday, September 9, 2020

**3. DYER-L&L WD – complaint, received 6-23-20 – open**

- 6-25-20 – Notification of Complaint sent to Rock Libby of L&L Well Drilling
- 7-8-20 – Reviewed and discussed complaint.

Motion that Master Well Driller Mr. Libby was not present on-site while Apprentice O’Connor was operating the drilling rig.

- ❖ **MOTION:** Joe Gallant      **2<sup>nd</sup>:** Frank Hegarty      **VOTE:** 6-yea / 0-nay
  - o Glenn Dyer recused self from vote.

\*Tabled until next meeting, Wednesday, September 9, 2020

**4. LOCKE-OCONNOR/LIBBY – complaint, received 5-4-20 - PENDING**

- 5-7-20 – Notification of Complaint sent, to Rock Libby and Anthony O’Connor
- 5-12-20 – Response received from Mr. O’Connor & Mr. Libby via email
- 6-9-20 & 6-10-20 – Response from Boothby Silver, Attorney Ricker
- 6-10-20 – Reviewed and discussed complaint.

\*Tabled until next meeting, Wednesday, September 9, 2020

**5. LOCKE-OCONNOR (APPRENTICE) – complaint, received 5-4-20 - open**

- 5-7-20 – Notification of Complaint sent, to Rock Libby and Anthony O’Connor
- 5-12-20 – Response from Mr. O’Connor via email\_5-12-20
- 6-9-20 & 6-10-20 – Response from Boothby Silver, Attorney Ricker
- 6-10-20 – Reviewed and discussed complaint

Motion to apply regulation 200.1 to list of violations, not supervised, does not believe Mr. Libby was present on-site at time of incident.

- ❖ **MOTION**: Frank Hegarty      **2<sup>nd</sup>**: Glenn Dyer      **VOTE**: Unanimous
  - Daniel Locke recused self from vote.

\*Tabled until next meeting, Wednesday, September 9, 2020

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Motion to adjourn.

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

ADJOURNMENT: 11:00 AM