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
   Hydrogeologist, DOT, Chairperson
Daniel Locke
   Hydrogeologist, MGS
Mike Otley
   Public Member
Frank Hegarty
   Master Well Driller
Joe Gallant
   Master Well Driller
Glenn Dyer
   Master Well Driller
William Dawson
   DWP, Engineer

Guests:
Margaret Machaiek
   State of Maine, AAG
Teresa Cloutier
   Boothby Silver LLC, Attorney at Law
James Densmore
   Complainant
Rock Libby
   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 2nd: 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  2nd: 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  2nd: 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 2nd: Glenn Dyer  VOTE: Unanimous
  o Daniel Locke recused self from vote.

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

Motion to adjourn.

❖ **MOTION:** Glenn Dyer 2nd: Frank Hegarty  VOTE: Unanimous

**ADJOURNMENT:** **11:00 AM**