MINUTES
MAINE WATER WELL COMMISSION

Wednesday, January 12, 2022

Zoom Meeting

ATTENDEES:
Commission Members:
Dwight Doughty, (Chair) Hydrogeologist, DOT
Mike Otley Public Member
Daniel Locke Hydrogeologist, MGS
Jesse Goodwin Master Well Driller
Alex Pugh Hydrogeologist, DWP
Frank Hegarty Master Well Driller

Guests:
Margaret Machaiek State of Maine, AAG
Stephen Jones Complainant
Joe Gallant Well Driller
Brandon Stewart Complainant
Randall Hinton & Elizabeth Dexter-Hinton
David Philbrook MWWC Inspector
Complainant

Minutes Prepared By:
Tina Lemieux, Commission Clerk, DWP

PROCEEDINGS: 9:09 AM

Review of Meeting Minutes:
Motion to accept the minutes from December 8, 2021
❖ MOTION: Alex Pugh 2nd: Jesse Goodwin VOTE: Unanimous

Exam Applications:
1. NONE

Pending:
1. MICHAEL COLLINS_WD00607 – PI-M – pending complaint results

Motion to table application until complaint is resolved (13:24:50)
❖ MOTION: Frank Hegarty 2nd: Jesse Goodwin VOTE: Unanimous

Specialty Well Applications – Commission Review:
1. NONE

Specialty Well Applications – In-House Approval:
1. BERNIER-SCOTT TEMPLE_SWA
2. SHAFF-GOODWIN_SWA
Other Business:

1. BUDGET 2022 – Alex Pugh - discussion
   a. discussed ideas to curb expenditures
   b. proposing 30% increase to license fees
   c. Dwight proposed building budget foundation on regular income monies
   d. Apprentice fees?

2. Exams: **Thursday, February 10, 2021 @ 10am** at Key Bank Building, downtown Augusta
   a. Eligible candidates will be notified by email

3. DRAFT: Rules and Regulations: Margaret Machaiek
   ➢ **SOM WD&PI RULE 10-144 CODE OF ME RULES, CHAP 232**, (Braley Draft)
   b. Will disperse hard copies and digital copies of the Draft to be reviewed at later date.
   c. Discussed briefly, Chapter 9, considerations for investigations per case.

NEW COMPLAINTS:

**STEWART-COLLINS – complaint, rcvd 12-27-21 – NEW**
   a. 12-27-21, complaint received,
   b. 1-12-22, MWWC Review of Complaint

   Motion to accept complaint.
   ❖ **MOTION**: Frank Hegarty **2nd**: Glenn Dyer   **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

   - Report given by David Philbrook, MWWC Inspector
   - No motion - will send Frank Hegarty/David Philbrook to continue investigation by removing pump to get accurate current yield.

**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

   Motion to table complaint, send letter outlining technical issues to be resolved before issue violations and penalties.
   ❖ **MOTION**: Frank Hegarty **2nd**: Glenn Dyer   **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

1. Report given by David Philbrook, MWWC Inspector

2. Motions for violations assessed for Affordable Well Drilling:
   - *Frank Hegarty recused from votes

   Motion to apply violation 805.1 - concerning pressure tanks
   ❖ MOTION: Alex Pugh 2nd: Jesse Goodwin VOTE: 6 yea (09:48:30)
     o recused – Frank Hegarty

   Motion to apply violation 801.1 - concerning pump type and size, at least minimum
   ❖ MOTION: Glenn Dyer 2nd: Daniel Locke VOTE: 6 yea (10:09:20)
     o recused – Frank Hegarty

   Motion to apply violation 300.3 - concerning ethical practices
   ❖ MOTION: Glenn Dyer 2nd: Daniel Locke VOTE: 6 yea (10:18:20)
     o recused – Frank Hegarty

   Motion to apply violation 300.1 - concerning professionalism and responsibility
   ❖ MOTION: Glenn Dyer 2nd: Daniel Locke VOTE: passed (10:20:20)
     o 5 yea – Daniel Locke, Glenn Dyer, Mike Otley, Jesse Goodwin, Dwight Doughty
     o 1 abstain – Alex Pugh
     o recused – Frank Hegarty

   Motion to apply violation 300.3.1 - concerning professionalism and responsibility
   ❖ MOTION: Glenn Dyer 2nd: Jesse Goodwin VOTE: 6 yea (10:22:20)
     o recused – Frank Hegarty

   Motion to apply violation 300.3.2 - concerning ethics and personal conduct
   ❖ MOTION: Glenn Dyer 2nd: Daniel Locke VOTE: 6 yea (10:23:00)
     o recused – Frank Hegarty

   Motion to apply violation 300.3.3 - concerning false or misleading advertising
   ❖ MOTION: Glenn Dyer 2nd: Daniel Locke VOTE: passed (10:26:00)
     o 1 nay – Dwight Doughty
     o 4 yea – Daniel Locke, Glenn Dyer, Mike Otley, Jesse Goodwin
     o 1 abstain – Alex Pugh
     o recused – Frank Hegarty

   Motion to apply violation 300.3.5 - concerning protection of professionalism/ethics
   ❖ MOTION: Glenn Dyer 2nd: Daniel Locke VOTE: 6 yea (10:31:30)
     o recused – Frank Hegarty
Motion to apply violation 300.3.6- concerning cooperate w/ others in the profession (10:31:40)
❖ MOTION: Glenn Dyer 2nd: Mike Otley VOTE: passed (10:35:00)
  o 2 nay – Alex Pugh, Dwight Doughty
  o 4 yea – Daniel Lock, Glenn Dyer, Mike Otley, Jesse Goodwin
  o 1 abstain – Alex Pugh
  o recused – Frank Hegarty

Assessing Fines: $150 / violation point, 13pts ($150) = $1,950.00 (10:35:40)

3. Motions for violations assessed for A-Z Water Systems
   - *Frank Hegarty recused from votes

Motion to apply violation 801.1- concerning electrical code (11:03:20)
❖ MOTION: Alex Pugh 2nd: Daniel Locke VOTE: 6 yea (11:03:40)
  o recused – Frank Hegarty

Motion to apply violation 805.1- concerning pressure tanks (11:05:20)
❖ MOTION: Glenn Dyer 2nd: Alex Pugh VOTE: 6 yea (11:05:40)
  o recused – Frank Hegarty

Motion to apply violation 300.1- concerning general ethics (11:06:00)
❖ MOTION: Alex Pugh 2nd: Jesse Goodwin VOTE: 6 yea (11:06:40)
  o recused – Frank Hegarty

Motion to apply violation 300.3.1- concerning professional/ethics (11:13:00)
❖ MOTION: Alex Pugh 2nd: Mike Otley VOTE: 6 yea (11:14:30)
  o recused – Frank Hegarty

Assessing Fines: $150 / violation point, 8 pts ($150) = $1,200.00 (11:20:00)

**NEXT MEETING**

Wednesday, February 9, 2022 at 9:00 am – REMOTE VIA ZOOM

Motion to Adjourn.
❖ MOTION: Glenn Dyer 2nd: Mike Otley VOTE: Unanimous

ADJOURNMENT: TIME: 1:27 PM