

# **WATER WELL STANDARDS & CONTRACTORS' LICENSING BOARD MEETING**

## **Nov 6, 2024**

Tonny Beck, Chairman, called the meeting to order at 10:34 a.m. with roll call. The meeting was held at the Nebraska Department of Environment and Energy, 245 Fallbrook Blvd, Rm 031, Lincoln, NE. Copies of the agenda were emailed to board members and other interested parties prior to the meeting. The meeting was advertised on the Water Well Standards and Contractor's Licensing Board webpage on the Nebraska Department of Environment and Energy's website. The Open Meetings Act was posted at the front entrance of the room.

### **Item 1. Roll Call**

PRESENT:	Tonny Beck	Sue Lackey
	Daniel Mackin	Russ Fosler
	Mike Thompson	Lynn Webster
	Scott Grosch	Laura Johnson
	Brian Whitesel	

ABSENT: Cody Christensen  
OTHERS: Dave Miesbach, Jason Orton, Lee Orton, Tim Sizer, Mark Graf, Dan Egeland, Pam Miller.

### **Item 2. Adoption of Agenda**

Ms. Lackey moved to adopt the agenda. Mr. Fosler seconded the motion. Voting yes: Beck, Fosler, Grosch, Johnson, Lackey, Mackin, Thompson, Webster, Whitesel. Voting no: none. Abstain: none. Motion carried.

### **Item 3. Consideration of Minutes of Board Meeting – Aug 14, 2024**

Mr. Fosler moved to adopt the minutes. Ms. Johnson seconded the motion. Voting yes: Fosler, Grosch, Johnson, Lackey, Mackin, Thompson, Webster, Whitesel. Voting no: none. Abstain: Beck. Motion carried.

### **Item 4. Consideration of Minutes of Special Session Board Meeting – September 5, 2024**

Mr. Whitesel moved to adopt the minutes with a change made to the meeting adjournment time from p.m. to a.m. Mr. Mackin seconded the motion. Voting yes: Grosch, Johnson, Lackey, Mackin, Thompson, Webster, Whitesel. Voting no: none. Abstain: Fosler and Beck. Motion carried.

## **Item 5. Election of Officers**

The floor was open for nominations of Chairman of the Board, Vice Chairman of the Board and Secretary of the Board. Discussion was held and all agreed to retain officers in their current positions. Mr. Mackin made a motion for all seats to remain the same and moved to accept Mr. Beck for Chairman, Mr. Whitesel for Vice-Chairman and Mr. Thompson for Secretary of the Board. Mr. Grosch seconded the motion. Voting yes: Beck, Fosler, Grosch, Johnson, Lackey, Mackin, Thompson, Webster, Whitesel. Voting no: none. Abstain: none. Motion carried.

## **Item 6. Continuing Education Requests**

1- NARD Legislative Conference, Lincoln, NE, by NARD was held January 23-24, 2024; Jennifer Swanson

Requests: 5 hrs.

Recommended: 4

2- NeRWA Fall Conference, Gering, NE, by NeRWA was held October 1-3, 2024; Patrick Petersen

Requests: 12.5 hrs.

Recommended: 12.5

3- Preferred Pump Open House, Grand Island, NE, by Preferred Pump was held April 6, 2024; Victor Silva

Requests: 3 hrs.

Recommended: 3

4- Shallows Exploration Drillers Clinic, Branson, MO, by SEDC was held April 30-May 1, 2024; Matt Marxsen

Requests: 11 hrs.

Recommended: 9

5- Battelle Chlorinated Conference, Denver, CO, by Battelle was held June 2-6, 2024; Douglas Burge

Requests: 4 hrs.

Recommended: 9

6-2024 Fall Water Conference, Omaha, NE, by Nebraska Water Center was held October 9 and 10, 2024; Ann Briggs

Requests: 19 hrs.

Recommended: 9

7-GW/SW Monitoring Council Meeting, Lincoln and Zoom, NE, by NDEE was held October 29, 2024; Dan Inman

Requests: 2 hrs.

Recommended: 2

8-NRD Annual Conference, Kearney, NE, by NARD was held September 23 and 24, 2024; Jennifer Swanson

Requests: 7 hrs.

Recommended: 7

9-Submersible Motors, VFD, Pressure Tank Training, Grand Island, NE, by Roberts Pump will be held November 7, 2024; Matt Roberts

Requests: 7 hrs. Recommended: 7

10-Last Chance Workshop, Lincoln, NE, by NWDA will be held December 6, 2024; Jason Orton

Requests: 6.25 hrs. Recommended: 6.5

11-NWDA 2025 Annual Convention, Kearney, NE, by NWDA will be held February 11-13, 2025; Jason Orton

Requests: 26 hrs. Recommended: 14 hrs. Max per attendee with 26 available hrs.

12-28<sup>th</sup> Annual Seminar and Tech Fair, Wichita, KS, by Kansas Dept. of Health was held October 24-25, 2023; Steve Seliga

Requests: 8 hrs. Recommended: 4.5

13-29<sup>th</sup> Annual Seminar and Tech Fair, Wichita, KS, by Kansas Dept. of Health was held October 22-23, 2024; Steve Seliga

Requests: 8 hrs. Recommended: 3.5

14-Groundwater Week, Las Vegas, NV, by NGWA will be held December 10-12, 2024; Sue Tenney

Requests: 47 hrs. Recommended: 12 hrs. Max per attendee with 47 available hrs.

15-Nebraska Water Resources Convention, Kearney, NE, by NWRA will be held November-24-26, 2024; James Roberts

Requests: 5.5 hrs. Recommended: 5

16-Franklin Electric Large VFD's, Kearney, NE, by Franklin Electric was held October 8, 2024; Jessica Barlag

Requests: 6 hrs. Recommended: 6

17-Groundwater Monitoring Demo, West Point, NE, by Nutrient Advisors will be held November-13, 2024; Allen Kampschnieder

Requests: 8 hrs. Recommended: 8

18-Midwest GeoSciences Group, Webinars, by Midwest GeoScience Group were held in October 2024; Matt Cole

ABC's of Slug Testing: total 4.5

- Aquifer Testing Requests: 1.5 hrs. Recommended: 1.5
- Water Level Measurements for Pumps/Slug Tests Requests: 1.5 hrs. Recommended: 1.5
- Estimating Long Term Capacity of Production Wells Requests: 1.5 hrs. Recommended: 1.5

19-Winter Class 2024, La Vista, NE, by Hydro Pump will be held December 5, 2024; Andy Kettelhut

- Requests: 5 hrs. Recommended: 5

20-Franklin Electric Training, York, NE, by Lincoln Winpump/Franklin Electric will be held December 3, 2024; Matt Willnerd

- Requests: 6 hrs. Recommended: 6

Mr. Thompson, CEU Committee Chair, submitted the recommendations for board approval of CEU hours as stated. Voting yes: Beck, Fosler, Grosch, Johnson, Lackey, Mackin, Thompson, Webster, Whitesel. Voting no: none. Abstain: none. Motion carried.

### **Item 7. Proctor Requests**

Mr. Webster made the motion to approve Sean Kruse as an exam proctor. Mr. Whitesel seconded the motion. Voting yes: Beck, Thompson, Whitesel, Fosler, Johnson, Grosch, Lackey, Webster. Voting no: none. Abstain: Mackin. Motion carried.

Mr. Fosler made the motion to approve Edward Jones as a CE proctor. Mr. Webster seconded the motion. Voting yes: Beck, Thompson, Whitesel, Fosler, Mackin, Johnson, Grosch, Lackey, Webster. Voting no: none. Abstain: none. Motion carried.

### **Item 8. Program Report**

Mr. Miesbach presented the program report that was included in the Board Packet. It outlined the declaratory orders/pre-notifications, violations, licensure information and testing information.

- Review of the program report.
- Title 134 regulations, Chapter 2 Sub-committee update.
- Exam to take place at NWDA conference in February.
- Dual licensing was discussed.
- The new NRD online training module is almost complete. Mr. Webster made a motion to approve the online NRD training course. Ms. Lackey seconded the motion. Voting yes: Beck, Thompson, Whitesel, Fosler, Johnson, Grosch, Lackey, Webster. Voting no: none. Abstain: none. Absent: Mackin. Motion carried.

Break 11:40-11:52 am

## **Item 9. Legislative Report**

Appropriation staffing will be a new committee when it forms in January. Appropriation of general funds for program funding.

Natural Resources merging with NE Department of Environment and Energy.

## **Item 10. Agency Reports**

### **A. UNL – Conservation & Survey – Sue Lackey**

- New drillers helper has been hired. He is currently in training doing core work.
- Doug Hallum has taken a Water Resource Managers position with Lower Elkhorn. With the hiring freeze in place, Dr. Matt Joeckel is working hard to get this position filled.
- Jesse Korus did a demonstration at Ashfalls with the electric magnetic instrument towed by a four-wheeler (tTEM).
- Test-hole database work: Spatial projections (locations) of test holes are being standardized to NAD 83. Site-specific projects are also confirming and adjusting as needed older test-hole locations. The common adjustments are due to data entry errors and/or incorrect projections.

### **B. Department of Natural Resources – Mike Thompson**

- Handouts of registration statistical reports were reviewed by the Board.
- Rate of registrations are slow right now.
- More use of online tools is providing more accuracy.
- Drought brings more calls in from domestic well owners about irrigation wells.
- DNR and NDEE merger, no information on timeframe.

### **C. Dept. of Environment and Energy – Laura Johnson**

- New interim director is Kara Valentine.
- NRD manager's meeting nitrate talk. NRD's phase areas on nitrate tool to link with NRD's rules and regs. Coordination to be hosted on the Nebraska map.
- Merger may change structure of the Board.
- Election results may change some of the current rulings.
- Provided the NDEE program update which included:
  - Lead Copper Rule Revisions
  - Final PFAS NPDW Rule
  - Statewide Nitrate Study
  - Private RO Rebate Program
  - Surface Water Sampling
  - New proposed fees for Water Well Standards Program
  - UCI/ME Authorizations and Permits
  - Climate Pollution Reduction Grants

- NDEE staff changes
- Water Planning/319 Program
- Waste, Litter, Scrap Tire Grants

**D. HHS – Division of Public Health – Russ Fosler**

- The State Lab is cash funded, restructuring of fees, last fee increase was 2014.
- Quarterly meetings with NDEE continue.
- Mr. Fosler will be retiring in June, a DHHS board replacement will be in place before he leaves.

**E. Natural Resources Districts – Lynn Webster**

- Extreme drought
- Fall levels are complete and very bleak.
- Water use is up.

**Item 11. Public Comment**

Mark Graf, inspector for the WWSP gave a parting message to the Board. He also shared a few concerns about groundwater protection that he has seen and is hearing about in the field. With the program redoing regulations, he suggested looking at what we are doing with perched water and deeper water to protect from nitrates. As public groups get active, they may try and push through statutes that will not be good for the groundwater.

**Item 12: Closed Session**

At 12:25 pm. Mr. Grosch made the motion to go into closed session to discuss licensees and prevent unnecessary harm to reputations. Mr. Whitesel seconded the motion Voting yes: Beck, Thompson, Whitesel, Fosler, Mackin, Johnson, Grosch, Lackey, Webster. Voting no: none. Abstain: none. Motion carried.

At 1:14 pm Ms. Lackey made the motion to come out of closed session. Mr. Fosler seconded the motion. Voting yes: Beck, Thompson, Whitesel, Fosler, Mackin, Johnson, Grosch, Lackey, Webster. Voting no: none. Abstain: none. Motion carried.

**Item 13. Adjourn**

Mr. Thompson moved to adjourn the meeting at 1:15 p.m.

*Mike Thompson*

11/22/2024

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**Mike Thompson, Board Secretary**

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**Date**