

## Procedure Subcommittee Report

February 2, 2015

Members attending: David Stratta (Chair), Kent Watson, Jan Roe

The Procedure Subcommittee met at 1:30 p.m. on February 2, 2015 in the District Office to discuss the policy concerning drilling, re-drilling, or refurbishment of a water well without District approval. Below are the recommendations for Board discussion:

- Upon the first violation (non-compliance) of the rules, a letter will be sent by the District to both the well driller and landowner admonishing each not to allow a recurrence. The well is to be immediately registered or permitted by the District.
- A three-year probationary period will begin upon the first violation. If the driller has no further violations during the following three years, the record is expunged. If subsequent violations occur before the end of the three-year period, the penalties are as follows:

2<sup>nd</sup> violation - \$250

3<sup>rd</sup> violation - \$500

4<sup>th</sup> violation - \$750

5<sup>th</sup> violation and subsequent violations - \$1000 and notification to the Texas Department of Licensing and Regulation

The three-year probationary period will always commence with the date of the most recent violation.

Is there or should there be an appeals process for the well drillers to utilize?

Monique responded: **The District could allow a process to contest the notice of violation within a certain time period—example 20 days from the letter being sent.**

Should we use offense, violation, or non-compliance as proper wording?

Monique responded: **I would call it a violation, not non-compliance.**