



**MINUTES OF THE
LAND RECLAMATION COMMISSION MEETING
NIGHTINGALE CREEK CONFERENCE ROOM
LEWIS AND CLARK STATE OFFICE BUILDING
1101 RIVERSIDE DRIVE
JEFFERSON CITY, MISSOURI
November 18, 2010**

Chairman, Jim DiPardo called the meeting to order on November 18, 2010 at 10:23 a.m., at the Department of Natural Resources, Lewis and Clark State Office Building, Nightingale Conference Room, located at 1101 Riverside Drive, in Jefferson City, Missouri.

Commissioners Present: Jim DiPardo, Chairman; Dr. Gregory Haddock, Vice Chairman; Joe Gillman, John Madras, Nick Matherly, and Aaron Jeffries. Not present: Col. John Riffle.

Staff Present: Mike Larsen, Bill Zeaman, Chris Thiltgen, Amanda Weimer, Larry Slechta, Mike Mueller, Ron Dumey, Joyce Luebbering, Rosie Schulte, Tucker Frederickson, and Tina Stockman.

Others Present: Jenny Frazier, Assistant Attorney General, Steve Rudloff, Missouri Limestone Producers Association; Van Beydler, Scott Totten, and Steve Feeler, Department of Natural Resources, Division of Environmental Quality; Lauren Brenner, Department of Natural Resource, Director's Office; Mikel Carlson, Gredell Engineering; and Marshall Griffin, St. Louis Public Radio.

Approval of September 23, 2010 Meeting Minutes

Agenda Item #2

Commissioner Haddock made a motion to approve the September 23, 2010 Meeting Minutes as written. Commissioner Matherly seconded the motion. The motion passed unanimously.

INDUSTRIAL MINERALS

Summary of Industrial Mineral Bond Release Requests Approved by Staff Director

Agenda Item #3

Larry Slechta, Environmental Specialist III, reported on this Agenda Item to the Commissioners. There was no action required by the Commission. This Summary was provided for the Commission's information.

West Investments, LLC Hearing Request Withdrawal

Agenda Item #4

Joyce Luebbering, Environmental Specialist III, reported on this Agenda Item to the Commissioners. She stated that after the Public Meeting, everyone had a better understanding of

the proposed gravel removal operation. Since all concerns were adequately resolved during this meeting, petitioners sent notification to the Program withdrawing their request for a public hearing. There was no action required by the Commission. Mr. DiPardo commented that he attended that meeting and it went very well. He got to see people from both sides work things out. Commissioner thanked Joyce for the report. Mr. Larsen stated that the Public Meetings that are held can be very effective when the group is small and the concerns can be addressed one on one, basically between the Company and the people in the immediate area. That is why they were put into law in 2001. In this case, it was successful and it was time well spent.

PERMITS, CONTRACTS AND DESIGN

Coal Permitting Activities Update

Agenda Item #5

Mike Mueller, Contracts and Design Unit Chief, reported on this Agenda Item to the Commissioners. There was no action required by the Commission. The Commissioners had no questions for Mike and thanked him for the report.

Mr. Larsen commented that the Commission did tour the Cottonwood Creek Mine in July and that is when they had just received the permit application and now it is issued. He said a coal permit is not an easy thing for the Staff to examine, review, comment on, and finally get approval for the coal permit. He also stated that this was done in 3 months time and that is pretty incredible turn around time for a coal permit. He thanked Mike, Guy Frazier and all of the coal staff members who were involved with the issuance and processing of that permit. That was a wonderful job.

Mr. Larsen also stated that this may be the last coal permit issued in Missouri, as Phil Tearney, Vice President of Continental Coal, pointed that out to us during the tour in July. Continental Coal may come down the road with some more acreage, but if not and if no one else applies for a coal permit, then coal mining may cease in Missouri in about 36 months. Mr. Larsen also stated that then they will have a five year liability period where they will have to reclaim and maintain their coal mines through final bond release, but this may be the last coal permit that is issued by this Program Commission. He stated that the Coal Industry in Missouri is not a booming industry and it is not a growth industry, it is a product that is not really saleable anymore. The Power plants can only burn this coal as a blend. The coal staff did a great job on getting it out to the Company quickly so that they could continue to mine and meet their contract business needs.

Abandoned Mined Lands Status Update

Agenda Item #6

Mike Mueller, Contracts and Design Unit Chief, reported on this Agenda Item to the Commissioners. There was no action required by the Commission. The Commissioners had no questions and thanked him for the report.

OTHER BUSINESS

Approval of 2011 Commission Meeting Dates **Agenda Item #7**

Commissioner Haddock made a motion to approve the dates set for the 2011 Commission Meetings. Commissioner Matherly seconded the motion. The motion passed unanimously.

Introduction of New Employees: Rosie Schulte, Richard Harris and Tucker Frederickson **Agenda Item #8**

Mr. Ron Dumey introduced Rosie Schulte, who started with the Program on June 7th. She is a Management Analysis Specialist; she came from the Division of Environmental Quality Administration and worked for the Land Reclamation Program in the 1990's as an Administrative Support for the Abandoned Mine Land Section. She is working with the AML Grants, Sureties and Rule Making. November 19th will be her Anniversary of 19 years with the Department of Natural Resources.

Mr. Bill Zeaman introduced Tucker Frederickson, who was hired to fill the vacancy created by Mr. McGee's retirement. He has about 10 years of work related experience that is similar to the current vacant job position. His plain spoken, no nonsense mannerism will be effective with the diversity of the mine operators. Mr. Zeaman also stated his willingness to work as a team member coupled with his eagerness to accept additional job duties makes him a great asset to any organization. The Commission and Program welcomed them both.

Mr. Larsen reminded the Commission that Richard Harris was introduced to them at the Commission Meeting in July.

Comments from the Public

Mr. Steve Rudloff, Missouri Limestone Producers Association, had a request for future meetings, if the Chairman of the Commission could remind people that are attending the meeting to turn off their cell phones. Everyone got a laugh out of this since the Chairman's cell phone went off earlier in the meeting.

Mr. Larsen stated that at the last Commission meeting we had tried to show the Commissioners the video that the Department had put together on the Bee Hollow Reclamation Project, but we had trouble showing it. Van Beydler who is the Public Information Officer for the Program showed this to the Commissioners and those present. It was very nice.

CLOSED SESSION

Commissioner Gillman made a motion that the Land Reclamation Commission meet in Closed Session on January 27, 2011 prior to an open meeting for the purpose of discussing personnel

actions, legal actions, causes of actions or litigation as provided in Section 610.021 RSMo, 2003. Commissioner Haddock seconded the motion. The motion passed unanimously

ADJOURNMENT OF MEETING

Commissioner Haddock made a motion to adjourn the meeting. Commissioner Matherly seconded the motion. The motion passed unanimously.

The meeting adjourned at 10:55 p.m.

Respectfully submitted,

Chairman