



Missouri  
Department of  
Natural Resources

**MINUTES OF THE  
LAND RECLAMATION COMMISSION CONFERENCE CALL  
LAND RECLAMATION PROGRAM PRIVATE CONFERENCE ROOM  
LEWIS AND CLARK STATE OFFICE BUILDING  
1101 RIVERSIDE DRIVE  
JEFFERSON CITY, MISSOURI  
February 7, 2011**

Chairman DiPardo called the Land Reclamation Commission Meeting Conference Call to order at 10:41 a.m., at the Missouri Department of Natural Resources, Lewis and Clark State Office Building, Land Reclamation Program Conference Room located at 1101 Riverside Drive, Jefferson City, Missouri.

The roll call was taken to see who was present:

Commissioner Jefferies: yes  
Commissioner Riffle: yes  
Commissioner Matherly: yes  
Commissioner Madras: yes  
Commissioner Gillman: yes  
Commissioner Haddock: yes  
Chairman DiPardo: yes

**Commissioners Present:** Jim DiPardo, Chairman; Dr. Haddock, Vice Chairman, John Madras, Nick Matherly, Aaron Jeffries, Joe Gillman, and Col. Riffle.

**Staff Present:** Mike Larsen, Staff Director and Tina Stockman

**Others Present:** Jennifer Frazier, Attorney General's Office

**INDUSTRIAL MINERALS**

**Fruitland Quarries – Heartland Materials and Strack Excavating**

Chairman DiPardo stated that in the Closed Session one of the Commissioners had let Jenny Frazier know that he had made a mistake on his voting and called in and had the vote changed. It has been duly noted.

Chairman DiPardo stated the Commission's decision on the Hearing Request in reference to Heartland Materials, LLC and the decision on the Hearing Request in reference to Strack Excavating, LLC. The Land Reclamation Commission did not find standing for the Public Water Supply District #1 and the Save Our Children's Health Inc. for either of the Strack

application or the Heartland application. There was standing found for Saxony Lutheran High School against Strack on the issues of health and livelihood. There was no standing found for Saxony Lutheran High School against the Heartland Materials permit.

Assistant Attorney General, Jenny Frazier stated that she wanted to notify the Attorneys for the Saxony Lutheran High School and the Strack Mining Company that the Program will work to get a Hearing Officer and then notify the Attorneys as soon as a Hearing Officer is established. Then the Hearing Officer will let the Attorneys know how the hearing will proceed.

Commissioner Haddock asked Chairman DiPardo to announce the decision in reference to Heartland Materials to clear up any confusion someone may have had. Chairman DiPardo stated that the Commission voted that they found no standing for Saxony Lutheran High School against Heartland Materials on the issues of health, safety or livelihood. Attorney Steve Jeffries asked Jenny Frazier, Assistant Attorney General if she would confirm. Jenny confirmed that the Commission found no standings had been established by the School for health, safety or livelihood with respect to the Heartland Materials Permit.

## **COAL**

### **Coal Bond Forfeiture Responsibility Release Request**

Mike Larsen, Land Reclamation Program Staff Director presented a Coal Bond Forfeiture Responsibility Release request on Reidel Energy Permit #1990-03; 61 acres Seelow Property – Monroe County to the Commission. The Land Reclamation Program Staff recommended that the Commission formally approve this responsibility release request. This request would release the Land Reclamation Program from further reclamation responsibility of this permitted acreage.

Commissioner Haddock made a motion to approve Staff's recommendation to release the coal bond forfeiture responsibility of the Seelow Property – 61 acres under Reidel Energy Permit #1990-03 from any further reclamation responsibility of this permitted acreage. Commissioner Madras seconded the motion. A roll call vote was taken. The motion passed unanimously.

Commissioner Riffle: yes  
Commissioner Matherly: yes  
Commissioner Madras: yes  
Commissioner Gillman: yes  
Commissioner Jeffries: yes  
Commissioner Haddock: yes  
Chairman DiPardo: yes

## **OTHER BUSINESS**

No other business at this time.

## **CLOSED SESSION**

Commissioner Gillman made a motion that the Land Reclamation Commission meet in Closed Session on March 24, 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. A roll call vote was taken. The motion passed unanimously.

Commissioner Madras: yes  
Commissioner Gillman: yes  
Commissioner Jeffries: yes  
Commissioner Riffle: yes  
Commissioner Matherly: yes  
Commissioner Haddock: yes  
Chairman DiPardo: yes

## **ADJOURNMENT OF MEETING**

Commissioner Haddock made a motion to adjourn the meeting. Commissioner Matherly seconded the motion. A roll call vote was taken. The motion passed unanimously.

Commissioner Gillman: yes  
Commissioner Jeffries: yes  
Commissioner Riffle: yes  
Commissioner Matherly: yes  
Commissioner Madras: yes  
Commissioner Haddock: yes  
Chairman DiPardo: yes

The Conference Call meeting adjourned at 10:53 a.m.

Respectfully submitted,

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Chairman