



**MINUTES OF THE
LAND RECLAMATION COMMISSION MEETING
HAMPTON INN CONFERENCE ROOM
HAMPTON INN CLINTON
CLINTON, MISSOURI
900 KANSAS AVENUE
JULY 22, 2010**

Chairman, Jim DiPardo called the meeting to order on July 22, 2010 at 10:00 a.m., at the Hampton Inn Clinton, Hampton Inn Conference Room, located at 900 Kansas Ave., in Clinton, Missouri.

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

Staff Present: Mike Larsen, Bill Zeaman, Chris Thiltgen, Amanda Weimer, Larry Slechta, Mike Mueller, Charles McGhee, Ron Dumey, Zach Davenport, Teresa Schubert, Mitch Roberts, Richard Harris, Steve Femmer, Guy Frazier, Jerry Wilkinson, Larry Teson, David Dowdy, Neil Elfrink and Tina Stockman.

Others Present: Jenny Frazier, Assistant Attorney General, Jean Riffle, Wife of Col. Riffle, Linda Jaegers and Aaron Schmidt, Department of Natural Resources, Division of Environmental Quality; Terry Fox, TRIAD Environmental Services; and Christine Nickelson, Lyndon Property.

Approval of May 27, 2010 Meeting Minutes

Agenda Item #2

Commissioner Riffle made a motion to approve the May 27, 2010 Meeting Minutes as written. Commissioner Jeffries seconded the motion. The motion passed unanimously with a roll call vote:

Commissioner Jeffries: yes
Commissioner Totten: yes
Commissioner Riffle: yes
Commissioner Haddock: yes
Chairman DiPardo: yes

Dr. Haddock expressed the gratification of this Commission and all of those individuals who attended the field trip. The sessions were really good. He wanted to thank all of those who prepared information for the sessions and for their presentations, they were very good and effective. He stated that it is very important for the Commission to see the hands in the dirt activities for what the Commission regulates. He thanked the Staff for the Tour activities and appreciated it very much.

Chairman DiPardo echoed what Dr. Haddock had said. It was a great performance. It was totally amazing to see the different steps of the process of what it takes to get coal out of the ground, and the reclamation afterwards, is totally amazing. He thanked staff and looks forward to being able to visit and check out different sites in the future. He thanked Staff and everyone from the ground level up. It was very nice.

Col. Riffle added to these comments and thanked Tina for the work she did to put this event together. She did an outstanding job. He also stated he is very proud to have the opportunity to work with such a wonderful group of people.

Tina Stockman stated that she had lots of help from Teresa and Staff and thanked them for all of their help in the preparation of the tour and the Commission meeting. She also thanked the Staff Director, Mike Larsen, Aaron Schmidt and Linda Jaegers for approving them to be able to attend the Tour and actually see what kind of work the Land Reclamation Program performs. She stated it was definitely a learning experience.

INDUSTRIAL MINERALS

Summary of Industrial Mineral Bond Release Requests Approved by the Staff Director **Agenda Item #3**

Larry Slechta, Environmental Specialist, reported on this Agenda Item to the Commissioners. There was no action required by the Commission.

Courtney Excavating Formal Complaint #2720 **Agenda Item #4**

Bill Zeaman, Unit Chief of Industrial Minerals, gave an updated report on Courtney Excavation: History of Events and Formal Complaint #2720 for failure to pay the penalty assessed for Notice of Violation #709-001. There was some discussion by the Commissioners and Staff. Commissioner Dr. Haddock made a motion to follow the Staff's recommendation to:

1. Re-instate the original proposed assessment amount of \$890.00.
2. Sign the Notice of Formal Complaint for failure to pay the administrative penalty assessed for Notice of Violation #709-001.
3. Notify the operator that a formal complaint has been filed and that the operator has fifteen (15) days to request a hearing.

Commissioner Jefferies seconded the motion. The motion passed unanimously with a roll call vote:

Commissioner Totten: yes
Commissioner Jeffries: yes
Commissioner Riffle: yes
Commissioner Haddock: yes

Chairman DiPardo: yes

PERMITS, CONTRACTS AND DESIGN

Coal Permitting Activities Update

Agenda Item #5

Mike Mueller, Permits, Contracts and Design Unit Chief, gave an updated report on the Coal Permitting Activities. There was no action required by the Commission.

Abandoned Mined Lands Status Update

Agenda Item #6

Mike Mueller, Permits, Contracts and Design Unit Chief, reported that this was an update of the construction projects that are being completed at this time and upcoming projects. There was no action required by the Commission.

COAL

Coal Bond Releases Approved by the Staff Director

Agenda Item #7

Guy Frazier, Unit Chief of the Coal Unit, reported on the Midwest Coal, LLC; Tiger Mine (Lyndon Property Insurance Company as Surety) Permit 1997-02; Final Surety Bond and Liability Release to the Commissioners. This was an informational summary that was presented to the Commission. Guy recognized Christine Nickelson, Lyndon Properties, and Terry Fox, TRIAD Environmental Services, who had a big part to play in this reclamation project along with several staff who had worked diligently on this project in the past. The property was released by the Director on June 28, 2010. There was no action required by the Commission.

Mr. Terry Fox, Geologist with TRIAD Environmental Services, stated that he had been working on this project since 2003. He gave a short summary of the project. He complimented the Staff on their decision making and how they kept the project rolling. He thanked the Commission for taking the time and effort and for having a staff that they could work with and get things accomplished.

Chairman DiPardo complimented the Staff on their hard work and making this project happen. He also complimented Mr. Fox and Ms. Nickelson for their expertise on this project.

OTHER BUSINESS

Comments from the Public

There were no comments from the Public.

CLOSED SESSION

Commissioner Riffle made a motion that the Land Reclamation Commission meet in Closed Session beginning at 9:00 a.m. on September 23, 2010, to discuss: (1) Personnel actions as provided for in Section 610.021(3); (2) Legal actions, causes of actions or litigation as provided

for in Section 610.021(1); and (3) Confidential and privileged matters with the Commission's attorney as provided for in Section 610.021(1), RSMo, 2003. Commissioner Jeffries seconded the motion. The motion passed unanimously with a roll call vote:

Commissioner Totten: yes
Commissioner Jeffries: yes
Commissioner Riffle: yes
Commissioner Haddock: yes
Chairman DiPardo: yes

ADJOURNMENT OF MEETING

Commissioner Riffle made a motion to adjourn the meeting. Commissioner Totten seconded the motion. The motion passed unanimously with a roll call vote:

Commissioner Totten: yes
Commissioner Jeffries: yes
Commissioner Riffle: yes
Commissioner Haddock: yes
Chairman DiPardo: yes

The meeting adjourned at 10:52 a.m.

Respectfully submitted,

Chairman