

**MINUTES OF THE  
MISSOURI MINING COMMISSION MEETING  
NIGHTINGALE CREEK CONFERENCE ROOM  
LEWIS AND CLARK STATE OFFICE BUILDING  
1101 RIVERSIDE DRIVE  
JEFFERSON CITY, MISSOURI  
NOVEMBER 20, 2014**

Chairman Gregory Haddock called the meeting to order on November 20, 2014 at 9:01 a.m., at the Department of Natural Resources, Lewis and Clark State Office Building, Nightingale Creek Conference Room, located at 1101 Riverside Drive, in Jefferson City, Missouri.

**Commissioners Present:** Dr. Gregory Haddock, Chairman; Mike Larsen, Vice Chairman; Commissioner Aaron Jeffries; Commissioner Leslie Gertsch; Commissioner Joe Gillman; Commissioner John Madras.

**Staff Present:** Kevin Mohammadi, Program Director; Sharon Thompson, Secretary to the Commission; Bill Zeaman; Don Cripe; Larry Slechta; Greg Snellen; Beth Aubuchon; Vic Rackers; Daniel Wedemeyer; Kurtis Cooper; Lesley Branch; Brock Wilson.

**Others Present:** Daren Eppley, Attorney General's Office, Counsel to the Commission; W. B. Tichenor, Hearing Officer; Susan Bloomer, Public Information Specialist, Department of Natural Resources; Van Beydler, Public Information Coordinator, Department of Natural Resources; Danny Lyskowski, General Counsel's Office, Department of Natural Resources; Steve Rudloff, MLPA; Chris Thiltgen, Capital Quarries; Mike Carlson, Gredell Engineering; Emily Wright, Gibbons Workman; Brian Bernsketter, MIC; Steve Ruprecht, AA Quarry; Robert Radmacher, AA Quarry; Robert & Liesl Snyder, Resident; Leeann Hamilton, Resident; Tim Stamm, Resident.

**Approval of July 24, 2014 Commission Meeting Minutes**

**Agenda Item #2**

Commissioner Madras made a motion to approve the July 24, 2014, Meeting Minutes as submitted. Commissioner Gertsch seconded the motion. A voice vote was taken and the motion passed unanimously.

**Approval of November 21, 2013 and May 1, 2014 Closed Commission Meeting Minutes**

**Agenda Item #3**

Since there have not been further Closed session meeting, it was recommended by Daren Eppley, Commission Legal Counsel, that they be approved during this meeting. Commissioner Gillman made a motion to approve the November 21, 2013 and May 1, 2014 Closed Commission

Meeting Minutes as submitted. Commissioner Jeffries seconded the motion. A roll call vote was taken and the motion passed. Commissioners Gertsch, Madras and Vice Chairman Larsen abstained.

### **Brief Update from Director Mohammadi**

Chairman Haddock asked if there were any objections from the Commission for a brief update from Director Mohammadi. Upon hearing none, the Director was invited to speak. A brief update was given to the Commission by Director Mohammadi regarding department realignment and reorganization. Specifically, the following organizational changes will be effective December 1<sup>st</sup>:

- 1) The Water Resources Center will be moved to the Missouri Geological Survey. Ryan Mueller will be a Deputy Division Director and will continue to oversee the Water Resources Center.
- 2) The Land Reclamation Program will become part of the Missouri Geological Survey.
- 3) The Soil and Water Conservation Program will become a part of the Division of Environmental Quality.
- 4) The Water Protection Program's Nonpoint Source Management Unit (a part of the Watershed Protection Section) will be combined with the Soil and Water Conservation Program.

While reporting structures are changing, staff will not be physically relocated.

### **AA Quarry hearing officer Recommended Decision & Order**

#### **Agenda Item #4**

Kevin Mohammadi, Program Director, presented the AA Quarry hearing officer Recommended Decision and Order to the Commission. At that time additional comments were given by W. B. Tichenor, Hearing Officer. There were no questions from the Commission. The Commission thanked him for his report.

Robert Snyder, Petitioner, came before the Commission and presented a report including photos. Mr. Snyder claimed a series of errors of fact or conclusions of law were made by the hearing officer. There were no questions from the Commission. The Commission thanked Mr. Snyder for his report.

Steve Ruprecht, Attorney for the Applicant, came before the Commission and gave a brief response. There were no questions from the Commission. The Commission thanked Mr. Ruprecht for his comments.

Vice Chairman Larsen stated that since he was not yet a member of the Commission when the matter was previously before the Commission he had a couple of questions for the program. He asked if this was a commercial quarry in the beginning. Director Mohammadi responded that it was not.

Vice Chairman Larsen then asked whether the public notification requirements had been satisfied. Bill Zeaman, Non-Coal Unit Chief responded that all notification requirements were satisfied.

Commissioner Gillman asked Daren Eppley, Attorney General's Office, Counsel to the Commission, if they should go to closed session. Mr. Eppley replied that would be up to the Commission Chair.

A motion was made by Vice Chairman Larsen to go into closed session in accordance with section 610.021 (1) RSMo, for the purpose of actions of litigation, legal actions and attorney-client privileged communications. Commissioner Gillman seconded the motion. A roll call vote was taken and the motion passed unanimously.

The Commission met in closed session and returned to open session at 10:31 A.M.

Commissioner Jeffries made a motion to accept the hearing officer Recommended Decision and Order to proceed with issuance of the permit. Commissioner Gillman seconded the motion. A roll call vote was taken and the motion passed unanimously.

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

#### **Agenda Item #5**

Larry Slechta, Environmental Specialist, Non-Coal Unit, reported on this agenda item to the Commission. There was no action required by the Commission. This summary was provided for the Commission's information. The Commission thanked him for his report.

### **Abandoned Mined Land Status Update**

#### **Agenda Item #6**

Greg Snellen, Environmental Specialist, Contracts and Design Unit, reported on this agenda item to the Commission. Mr. Snellen gave a brief overview of the projects the Abandoned Mine Land Unit is working on. There was no action required by the Commission. The Commission thanked him for his report.

### **Introduction of Lesley Branch**

#### **Agenda Item #7**

Mr. Bill Zeaman, Non-Coal Unit Chief, introduced Lesley Branch to the Commission. She is the new Senior Office Support Assistant replacing Teri Bibbs who recently moved to the Hazardous Waste Program. The Commission welcomed Lesley to the Land Reclamation Program.

### **Introduction of Brock Wilson**

#### **Agenda Item #8**

Mr. Bill Zeaman, Non-Coal Unit Chief, introduced Brock Wilson to the Commission. He is the new Environmental Specialist I replacing Tucker Fredrickson who recently moved to the Coal Unit within Land Reclamation. The Commission welcomed Brock to the Land Reclamation Program.

**Approval of the 2015 Commission Meeting Dates**

**Agenda Item #9**

Vice Chairman Larsen made a motion that the Commission adopt the 2015 Commission meeting dates of (list them). Commissioner Madras seconded the motion. A voice vote was taken and the motion passed unanimously.

**OTHER**

**Comments from the Public**

**Agenda Item # 10**

There were no comments from the public.

**ADJOURNMENT OF MEETING**

A motion was made by Vice Chairman Larsen to adjourn the meeting. Commissioner Madras seconded the motion. A voice vote was taken and the motion passed unanimously.

The meeting adjourned at 11:00 a.m.

Respectfully submitted,

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Chairman