

**MINUTES OF THE
LAND RECLAMATION COMMISSION MEETING
NIGHTINGALE CREEK CONFERENCE ROOM
LEWIS AND CLARK STATE OFFICE BUILDING
1101 RIVERSIDE DRIVE
JEFFERSON CITY, MISSOURI
July 25, 2013**

Chairman Jim DiPardo called the meeting to order on July 25, 2013 at 9:58 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: Chairman Jim DiPardo; Commissioner Leslie Gertsch; Commissioner Paul Dickerson for John Madras; Commissioner Aaron Jeffries. Not Present: Commissioner Gregory Haddock, Vice Chairman; Commissioner Joe Gillman.

Staff Present: Kevin Mohammadi, Program Director; Lauren Cole; Bill Zeaman; Kurtis Cooper; Beth Aubuchon; Tucker Fredrickson; Teri Bibbs; Dave Dowdy; Don Cripe; Daniel Wedemeyer; Mike Mueller; Jerry Wilkinson; Greg Snellen.

Others Present: Daren Eppley, Attorney General's Office; Van Beydler, Department of Natural Resources, Division of Environmental Quality Administration; Nicholas Jain, Department of Natural Resources; Stephanie Sidoti, Department of Natural Resources; Steve Rudloff, MLPA; Mike Carlson, Gredell Engineering.

Approval of May 23, 2013 and June 24, 2013 Commission Meeting Minutes

Agenda Items #2 & 3

Commissioner Jeffries made a motion to approve the May 23 and June 24, 2013, Meeting Minutes as written. Commissioner Gertsch seconded the motion. The motion passed unanimously.

INDUSTRIAL MINERALS

Formal Complaint 2725, Russell Cook, Recommendation to Revoke Permit and Forfeit Bond

Agenda Item #4

Kurtis Cooper, Environmental Specialist II, reported on this Agenda Item. Mr. Cooper stated that there has been no communication from Mr. Russell Cook since the issuance of the formal complaint. Staff recommended the Commission revoke the permit and proceed with forfeiture of the bond. Commissioner Gertsch made a motion that the Land Reclamation Commission revoke permit #1026 issued to Russell Cook and refer collection of the bond to the Attorney General's Office. Commissioner Jeffries seconded the motion. The motion passed unanimously.

Formal Complaint 2726, Bowling Sand and Gravel, Recommendation to Revoke Permit and Forfeit Bond

Agenda Item #5

Don Cripe, Environmental Specialist III, reported on this Agenda Item. Mr. Bowling has now submitted his permit renewal paperwork and paid his back fees and submitted annual reclamation status reports. Mr. Bowling also contacted a local bank to obtain bonding 2 weeks ago; the bank has not yet issued the bond. Mr. Bowling has hired a contractor who plans to begin work in about 2 weeks. Mr. Cripe stated that he has personally spoken with the landowner, contractor and bank employee to verify that these steps have been taken. Staff Director Kevin Mohammadi clarified that the Program recommends referring the matter to the Attorney General's Office contingent upon Mr. Bowling not complying within the next 30 days, so the matter is automatically referred in 30 days. A motion was made by Commissioner Gertsch that the Commission follow the staff recommendation in the matter of permit #0847, Bowling Sand and Gravel, contingent upon him not complying with the law in the next 30 days. Commissioner Jeffries seconded the motion. The motion passed unanimously.

Summary of Industrial Mineral Bond Release Requests Approved by the Program Director

Agenda Item #4

Larry Slehta, Environmental Specialist III, 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.

PERMITS, CONTRACTS AND DESIGN

Coal Permitting Activities Update

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

Abandoned Mined Lands Status Update

Agenda Item #8

Mike Mueller, Contracts and Design Unit Chief, reported on this Agenda Item. There was no action required by the Commission. Commissioner Jeffries commended the Land Reclamation Program staff for the work they do to make the land better for the people and the wildlife. The Commission thanked him for his report.

Little Tipple Abandoned Mined Land Project, Contract Award and Update

Agenda Item #9

Dave Dowdy, Environmental Specialist III, and Jerry Wilkinson, Environmental Engineer II, reported on this item. Dave Dowdy gave a brief overview of the project with a presentation including photographs of the progress. Jerry Wilkinson presented the Commission with information regarding the cost overrun due to excess rock usage. There was no action required by the Commission. The Commission thanked them for their report.

OTHER

Comments from the Public

Agenda Item #10

Steve Rudloff, Missouri Limestone Producer's Association, commented that he agreed with the Land Reclamation Program's choice to use shot rock for the Little Tipple project because it will provide better particle interlock with the various sizes than clean fill would.

CLOSED SESSION

Commissioner Jeffries made a motion that the Land Reclamation Commission meet in Closed Session on September 26, 2013, 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 Gertsch seconded the motion. The motion passed unanimously.

ADJOURNMENT OF MEETING

Commissioner Jeffries made a motion to adjourn the meeting. Commissioner Gertsch seconded the motion. The motion passed unanimously.

The Meeting adjourned at 10:59 a.m.

Respectfully submitted,

Chairman