

**MINUTES OF THE
LAND RECLAMATION COMMISSION MEETING
LACHARRETTE CONFERENCE ROOM
LEWIS AND CLARK STATE OFFICE BUILDING
1101 RIVERSIDE DRIVE
JEFFERSON CITY, MISSOURI
September 27, 2012**

Commissioner Leslie Gertsch called the meeting to order on September 27, 2012 at 10:00 a.m., at the Department of Natural Resources, Lewis and Clark State Office Building, LaCharrette Conference Room, located at 1101 Riverside Drive, in Jefferson City, Missouri.

Commissioners Present: Dr. Leslie Gertsch, Joe Gillman; John Madras, Aaron Jeffries. Not present Chairman Jim DiPardo, Commissioner Gregory Haddock, Vice Chairman.

Staff Present: Kevin Mohammadi, Program Director, Teri Bibbs; Bill Zeaman. Larry Slechta, Donald Cripe, Kurtis Cooper, Ron Dumey, Lauren Cole, Joyce Luebbering, Mike Mueller.

Others Present: Jacob Westen, Attorney General's Office; Van Beydler, Department of Natural Resources, Division of Environmental Quality Administration; Joe Engeln, Department of Natural Resources, Office of the Director; Carey Bridges, Department of Natural Resources, Division of Geology and Land Survey; Danny Lyskowski, Department of Natural Resources; Lorisa Smith, Department of Natural Resources; Amanda Lowe, USGS; Jim Harsen, Central Stone; John Brimeyer, Central Stone; David Sivill, Central Stone; Duane Hanson, Central Stone; Mike Carlson, Gredell Engineering; Russell J. Kruse, Kruse Law Firm LLC.

Approval of July 26, 2012 Commission Meeting Minutes

Agenda Item #2

Commissioner Jeffries made a motion to approve the July 26, 2012, Meeting Minutes as written. Commissioner Gillman seconded the motion. The motion passed with 3 yes votes.

Commissioner Madras: abstain
Commissioner Jeffries: yes
Commissioner Gillman: yes
Commissioner Gertsch: yes
Commissioner Haddock: not present
Chairman DiPardo: not present

INDUSTRIAL MINERALS

**Hearing Request Concerning the Central Stone Company – LaGrange Site, 555 Acres,
Permit Expansion, Lewis County**

Agenda Item #3

Joyce Luebbering, Environmental Specialist III presented this hearing request before the Commission. On May 31, 2012, the Land Reclamation Program received a new site permit

expansion application for Central Stone Company, in Lewis County. The proposed new site permit expansion application is for a 555-acre sand and gravel mining operation.

The Staff Director received a letter during the comment period. The letter provided comments, a request for a public meeting and a request for a hearing. Central Stone Company respectfully declined a public meeting. The next step in the process is to proceed to a request for a hearing before the Land Reclamation Commission. Therefore, staff presented a request for a hearing before the commission. The Land Reclamation Act requires that the Staff Director make a formal recommendation regarding the issuance or denial of an applicant's permit. The Director's recommendation for approving this new site permit expansion application is based on the fact that the company has satisfied the requirements for application completeness.

Russell J. Kruse presented the concerns of the adjacent landowner, Mr. Warning. Concerns included devaluing of the land, silica dust, changing the water table, and the roads not being designed for the traffic that would result from the mining.

Jim Hanson and John Brimeyer spoke to the Commissioners representing Central Stone Company regarding the concerns of Mr. Warning.

Commissioner Gillman made a motion to deny the hearing request and directed the Land Reclamation Program to issue the site permit application that is currently sought by the Central Stone Company for the LaGrange site. Commissioner Jeffries seconded the motion. A roll call vote was taken. The motion passed with 4 yes votes.

Commissioner Jeffries: yes
Commissioner Gillman: yes
Commissioner Madras: yes
Commission Gertsch: yes
Commissioner Haddock: not present
Chairman DiPardo: not present

Summary of Industrial Mineral Bond Release Requests Approved by the Program Director **Agenda Item #4**

Larry Slechta, 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 **Agenda Item # 5**

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 #6**

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.

Other Business

Agenda Item #7

Kevin Mohammadi introduced Lauren Cole as the Land Reclamation Program/Commission Secretary. Lauren has been with the Department three and a half years and worked with Kevin in the Water Protection Program.

Agenda Item #8

Mike Mueller presented Amanda Lowe with a staff resolution. Amanda thanked the Commission and the Program staff and said she hopes their paths will continue to cross.

Joe Engeln spoke to the Commission regarding the upcoming Program Review.

CLOSED SESSION

Commissioner Jeffries made a motion that the Land Reclamation Commission meet in Closed Session on November 15, 2012, 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 Madras seconded the motion. The motion passed unanimously.

ADJOURNMENT OF MEETING

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

Commissioner Madras: yes
Commissioner Gillman: yes
Commissioner Jeffries: yes
Commissioner Gertsch: yes
Commissioner Haddock: not present
Chairman DiPardo: not present

The Meeting adjourned at 11:00 a.m.

Respectfully submitted,

Chairman