

## Minutes for May 2013 Meeting

On the May 30 and 31, 2013, Tom Coverdale, Chairman, Rich Fairservis, Sec., Tim Flitner, Dr. Dave Bagley, John Morris and Andy Schwartz, members of the Council convened the meeting. Council members absent was David Searle. Council Staff present were Jim Ruby, Joe Girardin, Jessica Brown and Senior Asst. Atty. General John Knepper.

At 9:00 a.m. on May 30, 2013 the Council convened for the final hearing in Docket # 13-4802 McMurry Ready Mix Company. Opening statements were made, evidence was adduced and the matter was recessed on May 30 and reconvened on May 31 at 8:30 a.m. Further evidence was adduced and Closing Arguments were made. Present for the DEQ was Jeremiah Williamson, Present on behalf of the Objectors was Mark Sullivan and his associate. Present on behalf of McMurry Ready Mix Company was Harriet Hagemen, and her two associates.

Councilman Fairservis recused himself from this matter due to a personal and business relationship with Mr. McMurry of McMurry Redi Mix Company.

Flitner moved to approve the permit at the close of the hearing.

Bagley Seconded the motion.

After discussion the vote was held.

Aye: Flitner, Schwartz, Morris, Bagley, Coverdale

Nay: None

Absent/Abstained: Searle and Fairservis

Fairservis moved to approve the March minutes, second by Schwartz

All in Favor: All

Opposed: none

Absent/Abstain Searle

Councilman Bagley moved to approve the following NOV and Orders.

- a. 13-3204 Shawna Jackson Waste water discharge without a permit
- b. 13-5202 Don Seal Enterprises, Inc. Fail to perform annual inspection and fail to pay 2013 annual tank fees
- c. 13-3205 Oil Field Disposal Services Application of diesel range hydrocarbon waste to roadway without a permit.

Motion was seconded by Flitner.

Roll Call Vote:

Aye: Coverdale, Flitner, Bagley, Fairservis, Morris, Schwartz

Nay:

Absent/Abstain : Searle

Fairservis moved to approve the following Administrative Order on Consent?

Second by Flitner

a. Docket #2753-96 Texaco Refining & Marketing, Inc.

Roll Call Vote:

Aye: Coverdale, Flitner, Bagley, Morris, Fairservis, Schwartz

Nay:

Absent/Abstain : Searle

Fairservis moved to approve Bond Forfeiture:

Second Coverdale.

a. 12-4502 Bald Butte Quarry

Roll Call Vote:

Aye: : Coverdale, Flitner, Bagley, Morris, Fairservis, Schwartz

Nay:

Absent/Abstain: Searle

Moved by Flitner to cast a unanimous ballot for the following slate of candidates: Coverdale chair, Searle, vice chair, Fairservis Secretary

Second Schwartz

Aye: all

Nay:

Fairservis moved to approve the amendment to a settlement agreement in Docket #00-5402  
Pathfinder Mines Corporation

Second: Bagley

Aye: Bagley, Fairservis, Flitner, Schwartz, Morris, Coverdale, Nay:

Absent/Abstain: Searle

The Council received a brief update from the Attorney General Office regarding the Wyoming  
Tire Inc. matter.

Mr. Knepper did not have anything to report to the Council.

Mr. Ruby provided a brief update on the IT project and announced to the Council that Jessica Brwon was leaving the Council offices to take a job with Wiedersphan Funeral Home.

Morris moved to Adjourn:

Seconded by Schwartz

Aye all

Nay

Absent Abstain: Searle

The meeting was adjourned May 31, 2013.



Tom Coverdale, Chairman



Rich Fairservis, Secretary