

**Minutes of Regular Meeting
Oklahoma Mining Commission
10:30 A.M., Thursday, June 11, 2026
Cameron Building, Oklahoma City, Oklahoma and
Zoom Videoconference**

Commission Members Present

Jim Brakefield, Chairman
John Curtis
Chad Hefty
Mark Helm, Secretary

James Kemp, Vice Chairman
Kurt Klutts
Stan Krukowski

Others Present:

Suzen Rodesney, ODM
Jenna Bedwell, ODM
Clayton Eubanks, ODM
Benita Jose-Mathew, ODM
Travis Shore, ODM
Rawles Roberts, III, ODM
Andrea Adams, ODM
Bob Butler, ODM
Mike Darneal, ODM
Ginna Harmon, ODM

Mike Lewis, ODM
Marysue Martin, ODM
Claire McCubbin, ODM
Brad Montgomery, ODM
Robert Thomas, ODM
Fred Woodrow, ODM
Michael Reed, OMTI
Devery Youngblood, OKAA
Elizabeth Nichols

The scheduled regular meeting of the Oklahoma Mining Commission was called to order in accordance with the Open Meeting Laws at 10:30 a.m. by Commissioner Jim Brakefield, Chairman of the Commission.

Meeting Place: Cameron Building, Oklahoma City, Oklahoma, and Zoom Videoconference. Roll call was made and a quorum was declared with seven (7) members present. Commissioners Caldwell and Donoley were absent.

Safety Moment: Secretary Helm discussed how safety is internalized for employees in the mining industry. Accidents and fatalities occur within the industry despite ample personal protection equipment and training being provided. As leaders, then, it is important to determine what things affect employee behavior to make unwise choices and perform unsafe acts. One factor is the pressure for production to accommodate customers or complete the last task before the end of shift. Another is difficult processes where employees may be unsure of correct procedure or simply look for ways to work around a challenging process. A third factor is performing tedious routine tasks repeatedly. Routine tasks can often be accomplished without much thought. Mr. Helm indicated his company has formed a continuous improvement team where supervisors and employees work together to analyze processes and look for what things may need to be modified. The team has implemented a “red button on your shoulder” concept which gives all workers permission to stop a task to reassess the situation for safety. He also discussed the use of artificial intelligence in equipment cab cameras. These cameras monitor the eye movements of drivers to signal alerts if sleepiness or distraction is apparent. Mr. Helm challenged the group to think about what pressures employees are under and how, as leaders, to exhibit a safety mindset through personal actions and reactions.

Motion 1, April 30, 2026, Regular Meeting Minutes: Commissioner Curtis made a motion that the minutes of the April 30, 2026, meeting be approved. Secretary Helm seconded the motion. Roll call was made and the motion passed unanimously with six (6) aye votes and one abstention.

Brakefield: Aye
Curtis: Aye
Hefty: Aye
Helm: Aye
Kemp: Aye
Klutts: Aye
Krukowski: Abstain

Director's Report: Director Rodesney greeted everyone and reported the following:

Modernizing Efforts

- ODM has met with MTX multiple times in the last month to discuss proposed items for continued website enhancement. Items discussed include an automated type of inspection reporting tool for the inspection staff, online payment options for fees, online production reporting access, and the initiation of an online permitting process. The overall projected cost was approximately \$500,000, which is a lot more than anticipated. The agency may have to scale back on its wish list as well as extend the modernization process over several phases. These updates will be dependent upon funding availability. The group discussed looking at other options to achieve the same goal.

Legislation

- The legislative session ended early on May 14, 2026.
- Bills of interest related to the agency, Commission, or industry that were signed by the Governor are as follows:
 - House Bill 2166 by Representative Pfeiffer establishes additional standards and duties on newspapers dealing with public notice. – Effective 8-13-2026.
 - House Bill 3322 by Representative Osborn clarifies how the courts must interpret amendatory acts when multiple versions of a statute exist. The most recently passed version is to be the one considered. – Effective 11-1-2026.
 - House Bill 4319 by Representative Kendrix requires agencies to cite explicit state law authority for rules and repeals noncompliant rules by 2030. - Effective 11-1-2026.
 - Senate Bill 1246 by Senator Radar updates Department of Environmental Quality (DEQ) permit notices. An Electronic Environmental Permit Application Docket on the agency's website provides access of permit status, receipt of electronic notices, and opportunities for public participation. - Effective 11-1-2026.
 - Senate Bill 1877 by Senator Hall requires agencies to submit obligatory reports through a centralized filing system and will standardize reporting procedures. - Effective 11-1-2027.
- Other bills being tracked that did not pass the Legislature or get signed by the Governor are as follows:
 - House Bill 4032 – Raise production fees

- House Bill 4264 – Contract miner information on permits
- Senate Bill 1196 – Require two formal hearings, no informal conference
- Senate Bill 1316 – Sunset all agency rules on a rotating basis
- Senate Bill 1979 – Prohibit mining and blasting within 800 feet of homes/facilities

Ada Aggregates and Court of Civil Appeals Ruling

- The Court of Civil Appeals' (COCA) ruling on May 19, 2026, basically indicated that the statutory language of public notice, to which ODM has been adhering, is not sufficient notice for potentially interested parties in the proposed mine vicinity. Based upon the ruling, the agency has added a requirement in the permit application. The applicant is to provide a list of all parties whose legally protected interests may be directly and adversely affected by the operation of a mining permit, with an attestation of the notice provided. ODM filed an appeal to the Oklahoma Supreme Court on June 8. ODM will work with the Oklahoma Aggregates Association (OKAA) to assist in getting changes to statutes and clarifying language implemented in rules. As the COCA ruling will be discussed by ODM Counsel Clayton Eubanks during Executive Session, the group agreed to hold any questions until then.

Motion 2, Renewal of Recertification Training Accreditation for Monty Tolbert: Director Rodesney presented Monty Tolbert's request to renew his recertification training accreditation with the Commission. His request packet and OMTI Director Michael Reed's recommendation letter were provided to the Commission for review. Mr. Reed indicated Mr. Tolbert used to work for U.S. Silica and confirmed Mr. Tolbert does have a few clients he trains each year. Vice Chairman Kemp made a motion to approve Monty Tolbert's request for recertification training accreditation. Commissioner Curtis seconded the motion. Roll call was made and the motion passed unanimously with seven (7) aye votes.

Brakefield: Aye

Curtis: Aye

Hefty: Aye

Helm: Aye

Kemp: Aye

Klutts: Aye

Krukowski: Aye

Financial Report: Chief Financial Officer Benita Jose-Mathew reported the agency has expended approximately \$2,600,000 or 84% of its overall budget thus far in FY2026 and is 92% (11 months) through the fiscal year. The agency is staying within its budget and had \$257,898 in its revolving fund as of May 31. Ms. Jose-Mathew noted there is a strong balance in the escrow accounts as well. Agency collections, shown on page 3, are at 93%. ODM's FY2026 production collections are estimated to be 92 million tons. Last year at this time 82.9 million tons were reported, and the agency had hoped to reach 84 million tons this year. Expenditures are shown on the fourth page, broken down by major cost categories. Some categories such as repairs to agency field vehicles, hydrology supplies, and rented meeting room space for legal proceedings have overages, but overall ODM remains under budget at 84% expended. Page 5 is ODM's financial history page followed by the most recent billing statement from Eastern Oklahoma State College (EOSC) for OMTI expenses. Commissioner Klutts inquired about funding for additional expenses incurred by OMTI for salary increases and travel. Ms. Jose-Mathew

and Director Rodesney explained the Mine Safety and Health Administration (MSHA) grant helps fund OMTI's program. The grant application for FY2025 is due August 10, 2026. The agency receives grant monies approximately a year in arrears. Most of OMTI's travel expenses are covered by the companies who request private classes.

Motion 3, Review and Approval of Executive Director's April 2026 P-card Statement: Chief Financial Officer Jose-Mathew presented Director Rodesney's P-card statement for purchases totaling \$920.04 made during April. Secretary Helm made a motion to approve the Director's P-card statement for April 2026. Commissioner Klutts seconded the motion. Roll call was made and the motion passed unanimously with seven (7) aye votes.

Brakefield: Aye
Curtis: Aye
Hefty: Aye
Helm: Aye
Kemp: Aye
Klutts: Aye
Krukowski: Aye

Motion 4, Review and Approval of Executive Director's May 2026 P-card Statement: Chief Financial Officer Jose-Mathew presented Director Rodesney's P-card statement for purchases totaling \$744.67 made during May. Commissioner Hefty made a motion to approve the Director's P-card statement for May 2026. Vice Chairman Kemp seconded the motion. Roll call was made and the motion passed unanimously with seven (7) aye votes.

Brakefield: Aye
Curtis: Aye
Hefty: Aye
Helm: Aye
Kemp: Aye
Klutts: Aye
Krukowski: Aye

OMTI Report: OMTI Director Michael Reed submitted the FY2026 Training Report for October 2025 –April 2026 to the Commission and reviewed April numbers. Public classes were held in Tulsa, Stigler, Wilburton, and via Zoom. Private classes were held in Avant, Skiatook, Paris, Texas and Hackett, Arkansas. In Arkansas, annual refresher classes were provided in both English and Spanish. In the last month forty percent of those trained were contractors versus sixty percent who work for permitted mines. Six individual contractors tested for supervisor certifications in April. This is not a normal occurrence. In general updates, Mr. Reed reported having meetings with Eastern Oklahoma State College's (EOSC) Trisha White and John Spradling regarding OMTI's annual contract and possible changes. With hiring a new blasting instructor, Mr. Reed is going to use the opportunity to do some team building and implement changes to the curriculum. He indicated his intent to work closely with ODM on this. OMTI is working with EOSC to possibly use an event application, Eventify, for the health and safety conference registrations and payments. There have been 13 fatalities nationwide in 2026, with four occurring since

the Commission met in April. Mr. Reed briefly reviewed these fatal accidents. Finally, Mr. Reed shared a PowerPoint presentation prepared by Commissioner Kemp's own Kemp Quarries entitled "*The Importance of CPR/AED Trained Personnel in the Mining Industry*." On May 11, 2026, an over-the-road truck driver had a heart attack at Kemp Stone's Hulbert Quarry while making a delivery. Thankfully mine personnel were trained to recognize cardiac arrest symptoms and use the AED (automated electronic defibrillator) machine on site and the gentleman survived. Commissioner Kemp and Mr. Reed commended the Kemp Quarries personnel and talked about the importance of both having an AED at the mine site and personnel trained to use it.

Motion 5, Approval of Contract with Richard Shore as OMTI Blasting Contract Instructor: OMTI Director Reed presented the EOSC contract with Richard Shore for Mr. Shore to conduct blasting certification courses for OMTI at \$650 per day. Mr. Reed noted Mr. Shore has years of experience working in industry and for ODM as a regulator, so he is well versed in blasting plans and blasting regulations for both mining blasting and non-mining blasting. Mr. Reed confirmed that Mr. Shore is replacing the previous contract instructor. Commissioner Klutts made a motion that the contract with Richard Shore as the OMTI blasting contract instructor be approved. Secretary Helm seconded the motion. Roll call was made and the motion passed unanimously with seven (7) aye votes.

Brakefield: Aye
Curtis: Aye
Hefty: Aye
Helm: Aye
Kemp: Aye
Klutts: Aye
Krukowski: Aye

Motion 6, Vote for Executive Session authorized by the Open Meetings Act, 25 O.S., Section 307 (B.4) Review of Litigation Involving ODM: Vice Chairman Kemp made a motion that the Mining Commission enter Executive Session. Commissioner Curtis seconded the motion. Roll call was made and the motion passed unanimously with seven (7) aye votes.

Brakefield: Aye
Curtis: Aye
Hefty: Aye
Helm: Aye
Kemp: Aye
Klutts: Aye
Krukowski: Aye

Chairman Brakefield asked Director Suzen Rodesney, Chief Counsel Clayton Eubanks and Recording Secretary Jenna Bedwell to attend the Executive Session.

Executive Session: Chief Counsel Clayton Eubanks reviewed litigation involving the agency with the Commission. (25 O.S., Section 307 (B.4)).

Motion 7, Vote to Return to Regular Session: Secretary Helm made a motion that the Mining Commission return to Regular Session. Commissioner Krukowski seconded the motion. Roll call was made and the motion passed unanimously with seven (7) aye votes.

Brakefield: Aye
Curtis: Aye
Hefty: Aye
Helm: Aye
Kemp: Aye
Klutts: Aye
Krukowski: Aye

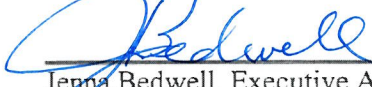
There was no vote needed for items discussed during Executive Session.

New Business: There was no new business.

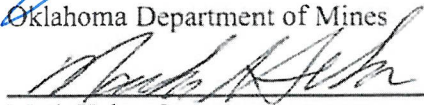
Motion 8, Adjournment: Commissioner Curtis made a motion to adjourn the meeting. Commissioner Hefty seconded the motion. Chairman Brakefield declared the meeting adjourned.

The next scheduled meeting date is September 24, 2026, in Oklahoma City, Oklahoma.

APPROVED:



Jenna Bedwell, Executive Assistant
Oklahoma Department of Mines



Mark Helm, Secretary
Oklahoma Mining Commission

10/5/26

Date