

# MARTIN COUNTY MONITOR

Monitoring the Lakefield Junction Power Plant on behalf of residents and taxpayers of Minnesota

## CITY OF TRIMONT REFUSED TO COMPLY WITH THE STATE PUBLIC ACCESS LAW

The City of Trimont has committed its energy and resources to providing water to the Lakefield Junction Power Plant. There is little information avail-

able about the costs to the city from its plans and how much water the power plant will consume. To gain more information for

the public LASER, Inc. the publisher of the Martin County Monitor, wrote to the City of Trimont under the Minnesota Access to Government Data Law, asking for full disclosure of the city's development of a new well field and pipeline to supply the power plant.

In violation of the statute, the City of Trimont has failed to comply with this request. These withheld documents could reveal exactly how

The State Department of Natural Resources (DNR) has released a few documents. This data provides some tantalizing hints about why the City of Trimont is not allowing a public

review of the paperwork regarding development of their new well field for the power plant.

The newly released DNR documents provide evidence that the new well field and pipeline will cost the City of Trimont hundreds of thousands of dollars and that the pumping of the wells will draw down neighboring wells as much as twenty feet.

**Watch out for the following individuals who have worked for TIC on other projects who may show up at the Lakefield Junction job site (name and crimes arrested for):**

**John Barrineau**: narcotics. **Michael Burgess**: grand larceny, possession of explosives, burglary. **John Decker**: narcotics, theft. **Tim Duke**: DUI, fugitive. **Mike Egan**: robbery, fugitive. **Robert Gardner**: murder. **Mel Hendrickson**: DUI, leaving scene of an accident, firearms violations. **Milton Jackson**: DUI. **P. B. Jacoby**: shot at people. **James Johnson**: theft. **Richard McCulloch**: narcotics. **John Peterson**: narcotics, assault, resisting arrest, theft, DUI. **Trent Pooley**: grand larceny, DUI, possession of explosives, car theft. **Marcus Webber Richburg**: possession of methamphetamines with the intent to distribute.

*See Story on Page 5*

much it will cost Trimont to drill wells and run a water pipeline to the power plant and how much water the power plant will use. However, Mayor Kevin Kuehl of the City of Trimont has refused to release these public documents.

### Table of Contents

- Will Trimont Spend Millions. . . . . 2*
- Well Plumbing Tests. . . . . 2*
- The Trimont Mayor. . . . . 3*
- New Ulm Residents. . . . . 4*
- Problems with TIC Personnel. . . . . 5*
- TIC Management. . . . . 6*
- LASER Information. . . . . 6*

## WILL TRIMONT SPEND MILLIONS ON A WATER SUPPLY SYSTEM FOR THE POWER PLANT?

Since the City of Trimont has refused to comply with LASER’s demand for documentation regarding the cost of the city’s new well field, pumps and pipeline, it can only be estimated. Nevertheless DNR documents reveal that when the Red Rock Rural Water System contemplated providing water to the power plant, Red Rock estimated that the costs of the water supply system would total \$3.7 million for construction alone, not counting operation and maintenance of the system. How much will the City of Trimont spend? The city approved a bid of \$642,336 just for the installation of the pipe from the well in Trimont to the site. The complete cost will not be known for some time.

## WELL PLUMBING TESTS PROVIDE DETAILS ABOUT HOW THE POWER PLANT’S GROUNDWATER WITHDRAWALS WILL DRAW DOWN ITS NEIGHBOR’S WELLS

The newly released DNR documents show that the pumping of the new well for the power plant will draw down neighboring wells by several feet. Trimont has two existing wells, known as number three and number four. Together, these wells produce 580 gallons per minute. To service the

power plant, the city will also operate the new well called number five which will be pumped at 600 gallons per minute. This will more than double the amount of groundwater pumped by the City of Trimont. DNR documents released under the Access to Government Data Statue, reveal that the city confessed, “An extensive test of the aquifer’s ability to supply the required volume was conducted during 1999. The city understands that water levels were measured at neighboring farms

and residences, and water levels were observed to decline at several locations.” (February 18, 2000 letter, Liesch Associates on behalf of the City of Trimont to the state of Minnesota DNR).

Barr Associates, another consulting company added, “DNR staff noted that the aquifer did not fully recover.”

In summary, sixteen of the twenty-four wells within two miles of the city’s new well, showed drastic drops in its water levels during the seven day

pumping test. Trimont’s consultants estimated some of these wells, including the city’s own wells, would be drawn down an additional 10-20% after sixty-nine days of pumping. Some observation wells would fall almost nine feet after sixty-nine days of pumping, the consultants estimated. Sixty-nine days of pumping means a water withdrawal of only sixty million gallons. Nevertheless the power plant can use one hundred million gallons per year, if it is run part time.

The million-dollar question remains, how will these wells be affected if the power plant pumps all year? This is why LASER is asking for all the files on the new water well, so the Martin County Monitor can answer that question.

**The technical data of the well test showed that pumping well number five for the power plant harmed the city’s wells and privately owned wells. The water levels fell at the following wells, when the new Trimont well was test pumped for only seven days:**

<u>Name of Well Owner</u>	<u>Water Level Drop</u>
G. Anderson	2.9 feet
P. Bettin	3.0 feet
D. Bishop	3.4 feet
H. Bloomquist	2.2 feet
K. Bloomquist	1.6 feet
W. Bloomquist	1.0 feet
L. Bursell	3.1 feet
W. Cutler	3.1 feet
A. Duke	1.8 feet
P. Gaalswyk	1.8 feet
M. Holtz	2.4 feet
Nu Way Fertilizer	2.8 feet
T. Olson	3.5 feet
Winchester	1.2 feet

## THE TRIMONT MAYOR MAY HAVE PROFITED FROM HIS EFFORTS

In his role as Mayor of Trimont, Kevin Kuehl made decisions that affected the future of the Lakefield Junction Power Plant. He spoke in favor of the plant at a public hearing in April 1999, according to published accounts. He also testified for the plant at September 1999 hearings.

Most recently, he refused to release documents describing how much water will be consumed by the power plant, and how much the City of Trimont will pay to supply the power plant with water. Trimont is paying for the new water supply wells that will provide water to the power plant. While he was serving as mayor and making decisions that favored the power plant, Mr. Kuehl was also serving as the Vice President of Kuehl Electric, an electrical contractor with offices in Trimont and St. James, Minnesota.

Mr. Kuehl had private reasons to favor the construction of this power plant. His public duty to his community was compromised by his plans to make a private profit from the Lakefield Junction facility.

A check of the building permits shows that Mr. Kuehl's company recently provided electrical installation services at the Lakefield Junction plant. This construction work profited Mr. Kuehl's company and Mr. Kuehl himself, even though he was the Mayor of Trimont.

In other words, Mr. Kuehl's obligation to consider the best interest of the community, which he served, conflicted with his interests in getting profitable work for his company.

Trimont Mayor Kevin Kuehl is not the only Kuehl in Martin County to become implicated in the approvals for the Lakefield Junction Power

Plant. Department of Natural Resources documents, recently released under the State Access to Government Data Statues, reveal that David Kuehl the chairman of Galena Township, was also involved in providing approvals for well drilling in connection with the Lakefield Junction Power Plant.

A November 16, 1999 letter from the Minnesota Department of Natural Resources to Mr. Kevin Kuehl relating to the monitoring of the city's well supply system for the power plant stated, "'I have

contacted David Kuehl, chairman of Galena Township, for permission to install the well in the road ditch. He plans to discuss this matter with you, since the city will likely be the owner of the well.'

A September 22, 1999 letter from the Department of Natural Resources to Mayor Kevin Kuehl, also released under the Access of

Government Data Act, provided additional information on how Kuehl assisted the power plant in his role as mayor.

"This letter is written to outline the DNR's understanding of the pumping test that will take place next week. Applicant: City of Trimont City Well 5. Although the well is owned by the city, the water will be used exclusively by Tenaska NRG for a proposed peaking electrical power plant near the city."

The Martin County Monitor is interested in receiving any further information about how Mr. Kuehl, in his role as mayor, and Mr. David Kuehl, as chairman of Galena Township, supported and promoted the Lakefield Junction project. If these persons took action as public officials that resulted in their profiting privately, it may constitute a conflict of interest.

***In other words, Mr. Kuehl's obligation to consider the best interest of the community, which he served, conflicted with his interests in getting profitable work for his company.***

## **NEW ULM RESIDENTS BEWARE – QUIET CHANGES IN THE POWER PLANT’S WASTE DISPOSAL SCHEME COULD PUT 1,200 TANKER TRUCKS ON YOUR ROADS! THIS DOES NOT COMPLY WITH ITS SITE CERTIFICATION.**

The Fairmont Sentinel ran an article boosting the Lakefield Junction Power Plant on October 28, 2000. One sentence deep in the story may have profound implications for New Ulm residents. It said, “As for the plant’s wastewater disposal, local farmers and landowners have no need to

wastewater he said, “The volume that you can truck at any one time is relatively small, so its not as if you are going to dump a large volume.”

The judge responded, “You are not going to be driving those trucks around ... back and forth?”

“No, no,” responded Nutter, “there’s not enough trucks locally to do that.”

The judge countered, “So this water ... it’s not going to be orphaned someplace ...”

Nutter said, “We don’t appreciate this ... a permanent irrigation system would be put into the area.”

Despite this testimony during the power plant’s environmental review, it appears that large volumes of the power plant’s wastewater could be trucked to the New

Ulm wastewater plant, according to the Sentinel article. Lakefield Junction’s claims that it would use the wastewater for irrigation, were not true.

This new plan could put over 1,200 tanker trucks on the road and put millions of gallons of tainted water through the New Ulm wastewater treatment plant. These impacts were never studied during the environmental review of the Lakefield Junction plant.

The City of New Ulm has not responded to LASER’s request for public documents regarding this new proposal.

***In fact, the hearing judge and others insisted that trucking the wastewater was an unacceptable practice except in dire emergencies.***

worry, for the wastewater could be taken out by truck to treatment plants.” The problem is that during the Minnesota Environmental Quality Board’s environmental review of the power plant, developers insisted that the wastewater would be discharged onto a nearby field and would not be trucked to treatment plants.

In fact, the hearing judge and others insisted that trucking the wastewater was an unacceptable practice except in dire emergencies. Now it appears that trucking the wastewater may be an everyday practice. Since as much as twenty million gallons of wastewater could be trucked in by 8,000 gallon trucks to the New Ulm water treatment plant, residents along the road from the power plant to New Ulm could expect 1,200 tanker trucks to zoom by them every year. (Testimony of Dr. Nutter on September 23, 1999, Docket #7-2901-12493-2)

Dr. Nutter, who prepared the wastewater disposal plans, was questioned during the power plant’s environmental hearings. Regarding trucking of

***This new plan could put over 1,200 tanker trucks on the road and put millions of gallons of tainted water through the New Ulm wastewater treatment plant.***

## **LAKEFIELD JUNCTION'S CONSTRUCTION CONTRACTOR FACES MANY PROBLEMS AMONG ITS EMPLOYEES INCLUDING DRUG TRAFFICKING, FELONY ARRESTS AND DRUNK DRIVING ACCIDENTS**

TIC (The Industrial Company) is the Colorado based construction contractor whose hundreds of employees are building the Lakefield Junction power plant. The vast majority of these workers are not from Martin County or even Minnesota. Local construction workers are not benefiting at all from this huge construction job.

Instead, TIC has imported hundreds of workers from other states to build this plant.

In other words, TIC's hiring practices are fueling a "boom and bust" cycle for local workers, especially in construction. This huge wave of imported workers has had profound impacts on other communities where TIC, or similar contractors, have brought in a large out of state work force. Crime rates will rise. Trailer parks and inexpensive hotel rooms will fill up; as well will the bars, jails and hospital emergency rooms.

Sadly, the nomadic life forced on construction workers by companies like TIC has taken its toll. A recent survey showed that 21.8% of construction workers use illegal drugs and 20% are heavy drinkers.

LASER, Inc. has studied how these large work forces of imported workers have affected communities near other construction job sites of TIC. Here are examples of crime related impacts.

***A recent survey showed that 21.8% of construction workers use illegal drugs and 20% are heavy drinkers.***

Very recently, according to the Jackson County Sheriff's department, a TIC supervisor, Marcus Webber Richburg, was arrested for possession of methamphetamines with the intent to distribute on a power plant construction site in Mississippi. He was arrested for felony drug crimes and held for bail.

In the small town of Ely, Nevada when a large TIC work force came to town for a construction job, the only arrest in a single year for murder came against a TIC employee. Nearby in Eureka County two ex-convict TIC employees were arrested for possession of over one thousand pounds of high explosives and firearms. One of the TIC workers

was Trent Pooley. Two years earlier, Pooley got drunk and hit another car while driving a TIC vehicle injuring the occupants in the other car and killing their dog. Even though the injured people sued Pooley and TIC, Pooley remained as a TIC employee when Nevada authorities arrested him for parole violations and found his stash of explosives and firearms.

In Alaska during a single construction job over one hundred TIC employees had been arrested for crimes involving drugs, firearms and robbery. Over forty arrests took place during the construction job. Some drunken employees of TIC and its subsidiaries have injured innocent third parties in motor vehicle accidents.

***Pooley got drunk and hit another car while driving a TIC vehicle injuring the occupants in the other car and killing their dog. ...Pooley remained as a TIC employee...***

# TIC MANAGEMENT: INCOMPETENT OR NEGLIGENT?

As reported in the previous articles in this issue of the Martin County Monitor, there are many individuals that worked for TIC in the past and have recently worked for TIC, who have been involved in serious criminal activities. Such as the people listed on the first page for crimes of murder, assault, possession of firearms, DUI and many more. At one construction site alone, over one hundred TIC employees were arrested for a multitude of crimes. Then there is the case in a small town in Nevada where murder is a rarity and the one arrest in a single year for murder came against a TIC employee.

Additionally, it seems that TIC management continues to employ some of these people who have committed such severe crimes while they worked for TIC, as reported in the case of Trent Pooley on page 5. What is even more disturbing is that TIC management personnel have been arrested for illegal drug activities, as well

***What is even more disturbing is that TIC management personnel has been arrested for illegal drug activities, as well as TIC employees.***

as TIC employees. As in the case of Marcus Webber Richburg who was arrested on Mississippi's Daniels Power Plant site in Jackson County, Mississippi. Mr. Richburg was part of the management team of this TIC project in Mississippi. He was arrested on August 24, 2000 for possession of methamphetamines with the intent to distribute. His bond was posted for \$5,000 at the Jackson County Adult Detention Center. Is TIC management incompetent and/or negligent? When management gets involved with using and/or distributing illegal drugs in the workplace, it is almost impossible to maintain a drug and alcohol free workplace.

In the spring, LASER plans to conduct a complete survey on the impacts of TIC's workforce on the Lakefield Junction project in Martin County and the surrounding communities. The results of this survey will be in an upcoming issue of the Martin County Monitor.

## **About LASER**

The Martin County Monitor is published and distributed by LASER, Inc. LASER, Inc. is a non-profit corporation that is dedicated to improving safety, honesty and productivity in the construction industry. LASER will continue to publish the Martin County Monitor periodically to keep residents and taxpayers informed of these very important issues. If you have any questions or need further information, please visit our website at [www.laser-inc.com](http://www.laser-inc.com) or contact James L. Wilson, President of LASER, Inc. at (530) 846-6352 or e-mail: [laserinc@manznet.com](mailto:laserinc@manznet.com)

## **LASER, Inc.**

Legal And Safety Employer Research

**654 Kentucky St.  
Gridley, CA 95948**

STDPRST AUTO  
US POSTAGE PD  
NONPROFIT  
GRIDLEY CA  
PERMIT #175