



City of Garden Ridge

"A way of life, not just a place to live"

MINUTES QUARRY COMMISSION REGULAR MEETING MONDAY, MAY 13, 2019, 6:00 P.M.

Commissioners Present:

Chair Mike Shands
Vice-Chair Wayne Mudge
Commissioner Jerry Barucky
Commissioner Johnell Holly
Commissioner Mark DuBois
Councilmember Bryan Lantzy, Ex-officio member

Commissioners Absent:

Commissioner Richard Holloway (Voluntary Announced Absence)
Commissioner Albert Haddad (Unannounced Absence)

City Staff Present:

Nancy Cain, City Administrator
Marisa Spencer, City Secretary
Cynthia Trevino, City Attorney

Other City Councilmembers or Commissioners Present:

None

1. Call to Order

With a quorum of the Quarry Commission Members present, Chair Shands called the regular meeting of the Garden Ridge Quarry Commission to order at 6:00 p.m. on Monday, May 13, 2019, in the City Council Chambers of the Garden Ridge City Hall, 9400 Municipal Parkway, Garden Ridge, Texas, 78266.

2. Roll Call

See above.

3. Pledge of Allegiance

Chair Shands led the Pledge of Allegiance.

4. Citizen Comment Period – limited to 30 minutes total

No one signed up to speak.

5. Business Items

The following items are for discussion, consideration and/or action.

a) Approvals

i. Approval of Minutes for March 11, 2019, Quarry Commission Regular Meeting.

Motion: A motion was made by Vice-Chair Mudge, seconded by Commissioner Holly, to approve the March 11, 2019, Quarry Commission Regular Meeting Minutes. The Quarry Commission voted four (4) for and none (0) opposed. The motion carried unanimously.

b) Discussions/Reports/Reviews

- i. Review and discussion on the monthly Hanson Quarry blasting analysis data reported by Vibratex. Discussion with Hanson Servtex and blasting contractors on recent quarry operations, including any unusual blasts that occurred during reported month/s and/or current month.**

Geoffrey Rigsby, Vibra-Tech, presented and discussed the March blast analysis. He stated that 13 shots occurred during the month of March and none of the blasts exceeded the limits of Ordinance 34. He reported the highest PPV reading of 0.138 occurred on March 6, 2019, at the Warden Property Line and the highest Air Overpressure of 115 dB occurred on March 21, 2019, at the Warden Residence.

Geoffrey Rigsby, Vibra-Tech, presented and discussed the April blast analysis. He stated that 16 shots occurred during the month of April and none of the blasts exceeded the limits of Ordinance 34. He reported the highest PPV reading of 0.213 occurred on April 29, 2019, at the Holly Residence and the highest Air Overpressure of 118 dB occurred on April 5, 2019, at the Holly Residence.

- ii. Review individual citizen blast report/s, follow up on citizen blast report/s and/or assign Quarry Commissioner contact with citizen/s, as necessary.**

Geoffrey Rigsby, Vibra-Tech, discussed citizen blast reports received for March and April. He reviewed the citizen concerns and relevant blasts from Armando Diaz.

- iii. Discussion on number of, placement, and location of monitors and other matters related to monitoring of blasts by Vibratex and notification to residents of monitor placements. Discuss placement of roving monitor which is currently at the Baker residence.**

The Commission agreed to leave the roving monitor at the Baker residence.

c) Updates

- i. City Council Regular Meetings on April 3, 2019, and May 1, 2019.**

Nancy Cain, City Administrator, stated there were no recommendations for consideration by City Council from the Quarry Commission at the April 3, 2019, City Council Regular Meeting. She reported that City Council approved the Quarry Commission's recommendation that termination of Commissioner DuBois be waived for good cause to allow a fourth (4th) consecutive absence or a fifth (5th) total absence at the May 1, 2019, City Council Regular Meeting.

- ii. Ordinance No. 210-022018 An Ordinance of the City Council of the City of Garden Ridge adopting board and commission policy and procedures; providing that this Ordinance shall be cumulative of all Ordinances; providing a severability clause; providing a savings clause; and providing an effective date.**

- 1. Discuss and make recommendations related to application of ordinance provisions to commission members, if needed.**

The Commission had nothing to discuss at this time.

d) Future Agenda Items

- i. Commissioners input for items on upcoming agendas.**

None.

- ii. Update on future education/training sessions and Grapevine articles.**

The Commission requested another "question and answer" open forum be held at the next meeting.

- iii. Announcement of next Quarry Commission Regular Meeting – Monday, July 8, 2019, at 6:00 p.m. at City Hall.**

Chair Shands announced the next Quarry Commission Regular Meeting will be held on Monday, July 8, 2019, at 6:00 p.m. at City Hall.

e) **Education/Training – limited to 20 minutes**

- i. **Question and answer session with Vibratech, Hanson representatives, blasting contractor/s, and the public.**

The Commission discussed construction practices, blasting locations, and blasting techniques with Geoffrey Rigsby, Vibra-Tech. Councilmember Lantzy discussed construction practices and techniques that pertain to the City of Garden Ridge.

6. **Citizen Comment Period – limited to 20 minutes total**

No one wished to speak.

7. **Executive Session**

The Quarry Commission will recess its open meeting and reconvene in Executive Session:

- a) **Pursuant to Texas Government Code Section 551.071 – Consultation with Attorney**

1. **To seek legal advice in connection with settlement negotiations and other issues related to Hanson Aggregates operations, blasting and possible amendments to Ordinance 34.**

Chair Shands announced the Quarry Commission will recess at 6:28 p.m. and reconvene into Executive Session at 6:29 p.m., in accordance with Texas Government Code Section 551.074 – Consultation with Attorney on the one (1) item stated above.

Chair Shands adjourned the Executive Session and reconvened back into Regular Session at 7:48 p.m.

8. **Business Items (continued)**

The Quarry Commission will reconvene into Regular Session upon conclusion of the Executive Session and may recall any item posted for Executive Session for action, as necessary.

- a) **AN ORDINANCE OF THE CITY OF GARDEN RIDGE, TEXAS, PROHIBITING BLASTING, WITHIN THE CITY LIMITS; PROVIDING FOR PARTIAL EXEMPTION PERMIT; ESTABLISHING REGULATIONS PERTAINING TO BLASTING; ESTABLISHING CRIMINAL AND CIVIL PENALTIES FOR VIOLATIONS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE; PROVIDING FOR SEVERABILITY; INCLUDING A REPEALER CLAUSE; AND DECLARING AN EFFECTIVE DATE.**

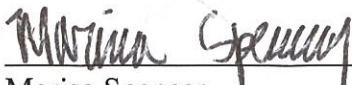
Motion: A motion was made by Commissioner Holly, seconded by Commissioner Barucky, to recommend to City Council the approval of Ordinance No. 34 an Ordinance of the City of Garden Ridge, Texas, prohibiting blasting within the City limits; providing for partial exemption permit; establishing regulations pertaining to blasting; establishing criminal and civil penalties for violations; providing that this Ordinance shall be cumulative; providing for severability; including a repealer clause; and declaring an effective date. During the discussion of the motion, the Commission expressed they were not pleased with this choice; however, based on all legal considerations this revised Ordinance is the best option for the City to pursue. The Commission voted four (4) for and none (0) opposed. The motion carried unanimously.

9. **Adjournment**

There being no further business, the Monday, May 13, 2019, Quarry Commission Regular Meeting was adjourned at 7:52 p.m. by Chair Shands.


Mike Shands, Chair

ATTEST:


Marisa Spencer
City Secretary