**MINUTES**
**QUARRY COMMISSION SPECIAL MEETING**
MONDAY, AUGUST 12, 2019, 6:00 P.M.

**Commissioners Present:**
Chair Mike Shands
Vice-Chair Wayne Mudge
Commissioner Mark DuBois
Commissioner Richard Holloway
Commissioner Jerry Barucky
Commissioner Johnell Holly

**Commissioners Absent:**
Commissioner Albert Haddad (Unannounced Absence)
Councilmember Bryan Lantzy, Ex-officio

**City Staff Present:**
Nancy Cain, City Administrator
Marisa Spencer, City Secretary
Kat Balbi, Assistant City Secretary
Cynthia Trevino, City Attorney

**Other City Councilmembers or Commissioners Present:**
None

1. **Call to Order**
With a quorum of the Quarry Commissioners present, Chair Shands called the special meeting of the Garden Ridge Quarry Commission to order at 6:00 p.m. on Monday, August 12, 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:** 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 June 10, 2019, Quarry Commission Special Meeting.**
      ii. **Approval of Minutes for July 8, 2019, Quarry Commission Regular Meeting.**

**Motion:** A motion was made by Commissioner Holly, seconded by Commissioner Holloway, to approve the June 10, 2019, Quarry Commission Special Meeting Minutes and the July 8, 2019, Quarry Commission Regular Meeting Minutes. The Commission voted five (5) 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 Vibratech. 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.**

Nicholas Reittinger, Vibra-Tech, presented and discussed the July blast analysis. He stated that 13 shots occurred during the month of July and none of the blasts exceeded the limits of Ordinance 34. He reported the highest PPV reading of 0.250 occurred on July 25, 2019, at the Holly Residence and the highest Air Overpressure of 110 dB occurred on July 24, 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.**

Nicholas Reittinger, Vibra-Tech, discussed the citizen blast impact reports received for the month of July. He reviewed the citizen impact reports and relevant blasts from Armando Diaz, Phillip and Gineen Platt, Nancy Ober, Karen Carney, Steve Ober, Juliann Fontenot, John Hendrick, Stephen White, and Stephanie Klueh.

**iii. Discussion on number of, placement, and location of monitors and other matters related to monitoring of blasts by Vibratech 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/Recommendations**

**i. Request from Buckley Powder Co., for a Partial Exemption Permit to conduct blasting activities at the Hanson Quarry for the period of October 1, 2019-September 30, 2020.**

**1. Review request and make recommendation to the City Council.**

Dustin Althoff, Buckley Powder Co., stated the request for a Partial Exemption Permit is the same as previous years; however, Buckley Powder Co. will be the primary blaster.

Nancy Cain, City Administrator, stated the application and documentation were reviewed by City staff and the City Attorney and meets all requirements. She stated the City of Garden Ridge is now covered as an additional insured party on the insurance, adding the City was not covered as such in previous years.

**Motion**: A motion was made by Vice-Chair Mudge, seconded by Commissioner Holloway, to recommend to City Council approval of the request from Buckley Powder Co., for a Partial Exemption Permit to conduct blasting activities at the Hanson Quarry for the period of October 1, 2019-September 30, 2020. The Commission voted five (5) for and none (0) opposed. The motion carried unanimously.

**ii. Ordinance No. 34-072019 An Ordinance of the City of Garden Ridge prohibiting blasting within the city limits; providing for partial exemption permit; establishing regulations pertaining to blasting; establishing criminal and civil penalties for violation; providing that this ordinance shall be cumulative; providing for severability; including a repealer clause; and declaring an effective date.**

**1. Discuss implementation status.**

Cynthia Trevino, City Attorney, spoke regarding the implementation status of the changes to Ordinance No. 34, including the educational programs, blasting permit fee, citizen blast impact reports, and third party monitoring service.

**2. Discuss functions and responsibilities of the Quarry Commission.**

Cynthia Trevino, City Attorney, spoke regarding implementing a new process for the citizen blast impact reports to be directly received by Quarry Representatives in order to provide more instantaneous responses. She stated she will have additional information at the Quarry Commission's regular meeting in September.

**iii. City Council Regular Meeting on August 7, 2019.**

Chair Shands stated he provided City Council with a monthly activity update.

**iv. 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 expiring terms (September 30, 2019) of Commissioner Shands, Commissioner Mudge, Commissioner Haddad, and Commissioner Holloway.**

The Commission discussed the term limits in Ordinance No. 210 and the exceptions/findings of good cause for reappointment due to Commissioner Mudge and Commissioner Holloway exceeding the term limits. The Commission discussed the lack of candidates interested in volunteering and serving on the Quarry Commission.

2. **Make recommendation to City Council for consideration of reappointment.**

**Motion:** A motion was made by Commissioner Holloway, seconded by Commissioner Mudge, to recommend to City Council the reappointment of Commissioner Shands and Commissioner Haddad to serve another term on the Quarry Commission with term expiring September 30, 2021. The Commission voted five (5) for and none (0) opposed. The motion carried unanimously.

**Motion**: A motion was made by Commissioner Holly, seconded by Commissioner DuBois, to recommend to City Council the reappointment of Commissioner Mudge and Commissioner Holloway for good cause exception provided for in Ordinance No. 210 due to lack of candidates. The Commission voted five (5) for and none (0) opposed. The motion carried unanimously.

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

Chair Shands stated there was nothing additional to discuss at this time.

**d) Future Agenda Items**

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

The Commission requested to receive a short-term plan for blasting from Hanson Representatives at the Commission's September meeting.

**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. The Commission discussed the informative tour that will be provided at the Hanson Quarry Open House scheduled for September 14th from 10am-2pm.

**iii. Announcement of next Quarry Commission Regular Meeting (Monday, September 9, 2019, at 6:00 p.m. at City Hall – City Council Chambers).**

Chair Shands announced the next Quarry Commission Regular Meeting will be held on Monday, September 9, 2019, at 6:00 p.m. at City Hall.

**6. Citizen Comment Period:** No one wished to speak.

**7. Adjournment**

**Motion**: A motion was made by Commissioner Holloway, seconded by Commissioner Barucky, to adjourn. The Commission voted five (5) for and none (0) opposed. The motion carried unanimously. There being no further business, the Monday, August 12, 2019, Quarry Commission Special Meeting was adjourned at 6:56 p.m. by Chair Shands.

Mike Shands

Mike Shands, Chair

ATTEST:

Marisa Spencer

Marisa Spencer
City Secretary