

~ NOTICE ~

The Llano County Commissioner's Court will hold a regular meeting on Monday, July 9, 2018, at 9:00 a.m. at the Llano County Law Enforcement Center Courtroom, 2001 State Hwy 16 North, Llano TX 78643.

A Resolution of Opposition to the Crusher and Sand & Gravel Plant proposed by Collier Materials Inc. at Sandy Creek in Llano County is on the agenda. This meeting is open to the public and public comments are welcomed.

For those interested in attending a copy of the proposed resolution is attached for your review prior to the meeting.

Signed,

Peter Jones

Llano County Commissioner Pct. 1

P.O. Box 8759, 101 Ferguson Rd.

Horseshoe Bay TX 78657

Email: commpct1@co.llano.tx.us

Ofc. phone: 830-598-2296

Cell: 830-385-3292

Legal Note from Sunrise Beach Village:

The City of Sunrise Beach Village does not post all the County Commissioner's information/required postings, etc. Please see their website at <http://www.co.llano.tx.us/> for their complete information.

~ Linda A. Wendling, City Secretary.

PROPOSED RESOLUTION
LLANO COUNTY COMMISSIONER'S COURT

OF THE COUNTY OF LLANO, TEXAS, EXPRESSING OPPOSITION TO THE PORTABLE CRUSHER AND SAND AND GRAVEL PLANT PROPOSED BY COLLIER MATERIALS INC. AT SANDY CREEK IN LLANO COUNTY DUE TO PUBLIC CONCERNS EXPRESSED REGARDING PUBLIC HEALTH AND SAFETY, AND THE ENVIRONMENTAL IMPACT OF THE PROPOSED PLANT.

WHEREAS, Collier Materials Inc. is seeking to build and operate a Portable Crusher and Sand and Gravel Plant on the Nash Ranch with an entrance 1.3 miles east of FM 2233 on State Highway 71 on the north side in the vicinity of the City of Sunrise Beach Village and the Sandy Harbor subdivision; and

WHEREAS, Collier Materials Inc. applied to the Texas Commission on Environmental Quality (TCEQ) for an Air Quality Standard Permit Number 152092L001 for a Portable Crusher #3 on May 25, 2018 together with a Permit By Rule application Permit Number 110404407 for a Sand and Gravel Plant #3, which if approved by TCEQ would authorize placement and operation of the crusher and plant; and

WHEREAS, Collier Materials Inc. proposes to dredge sections of navigable waterway of Sandy Creek for sand to be processed on site. This activity will also require permit approval from other state agencies such as the US Army Corps of Engineers, Texas Parks and Wildlife Department and the Lower Colorado River Authority; and

WHEREAS, Llano County would also need to approve a Floodplain Development Permit for the dredging operation after an impact study and emergency plan has been submitted and approved; and

WHEREAS, Collier Materials Inc. proposes to truck the processed sand from the site to cement plants on state highways, the Texas Department of Transportation will need to assess ingress and egress from the property to State Highway 71 and determine the need for deceleration and left turn lanes for the safety of other traffic; and

WHEREAS, the permit applications are subject to the Texas Health and Safety Code under Chapter 382, cited as the Texas Clean Air Act, which states under Section 382.112 "a local government may make recommendations to the commission

concerning rule, determination, variance, or order of the commission that affects an area in the local government's territorial jurisdiction and the commission shall give maximum consideration to a local government's recommendations"; and

WHEREAS, the City Council of Sunrise Beach Village unanimously approved a resolution of opposition to the proposed crusher and plant on June 26, 2018; and

WHEREAS, the Sandy Harbor Property Owner's Association Board unanimously agreed to a letter of support for the proposed crusher and plant on June 30, 2018; and

WHEREAS, concerned parties have until July 17, 2018 to submit comments and concerns to TCEQ in an effort to prompt the agency to hold public hearings and a contested case hearing on the permit applications; and

WHEREAS, concerned parties are encouraged to submit comments about the permit application to: Texas Commission on Environmental Quality, Office of the Chief Clerk, MC 105, Post Office Box 13087, Austin, Texas, 78711-3087, or electronically at <http://www14.tceq.texas.gov/epic/eComment/> or by courier or hand-deliver to Office of the Chief Clerk, TCEQ, 12100 Park 35 Circle, Bldg. F, Austin, TX 78753 or by fax to 512-239-3311; and

WHEREAS, the Llano County Commissioner's Court is concerned about the potential health and safety risks proposed by the air emissions of the Portable Crusher, the blowing of stockpiled sand and the dust from significant heavy truck traffic and other concerns expressed by the public, which are the impact on water table levels and water quality, fish spawning beds, significant heavy truck traffic, noise and light pollution from an operation that runs 24/7 365 days per year, a decrease of property values and changing the natural contour of the creek when flooded, which concerns are shared by the Llano County Commissioner's Court; and

WHEREAS, the Commissioner's Court of Llano County finds it to be in the public interest, and necessary for the public health, safety and welfare to voice the collective concerns of the public regarding the potential negative long term impact of the proposed plant on the surrounding communities, land owners, environment and traffic patterns.

NOW, THEREFORE, BE IT RESOLVED, THAT LLANO COUNTY COMMISSIONER'S COURT HEREBY

1. Expresses opposition to the Portable Crusher and Sand and Gravel Plant permit request as proposed and where proposed.
2. Requests that the TCEQ conduct both a public hearing and a contested case hearing on the proposed Portable Crusher and Sand and Gravel Plant.
3. Appeals to citizens of Llano County to submit their public comments to the Texas Commission on Environmental Quality (TCEQ) by the deadline of July 17, 2018, which may include requests for both a public hearing and a contested case hearing request.
4. Assures the public that the meeting at which this Resolution was passed was open to the public, and the public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551.

PASSED & APPROVED/ FAILED TO PASS this 9th day of July 2018 BY A VOTE OF _____ YES and _____ NO; THOSE VOTES RECORDED AS LISTED BELOW:

Peter Jones, Commissioner Pct #1

Linda Raschke, Commissioner Pct. #2

Mike Sandoval, Commissioners Pct #3

Jerry Don Moss, Commissioner Pct. #4

____ Yes/No
Mary Cunningham, Llano County Judge

Signed and Affirmed on _____, 2018

Llano County Judge, Mary Cunningham

ATTEST: _____
Marci Hadel, County Clerk

TO BE CONSIDERED