

CITY OF HORSESHOE BAY

RESOLUTION NO. 2017-15

Expressing Opposition to the Rock and Concrete Crushing Plant Proposed by Asphalt, Inc.

A RESOLUTION OF THE CITY OF HORSESHOE BAY, TEXAS, EXPRESSING OPPOSITION TO THE ROCK AND CONCRETE CRUSHING PLANT PROPOSED BY ASPHALT, INC. AND EXPRESSING CONCERNS REGARDING PUBLIC HEALTH, SAFETY AND WELFARE IMPLICATIONS OF THE PROPOSED PLANT

WHEREAS, the City Council of the City of Horseshoe Bay (“City Council”) 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 potential nuisances and proposed uses that are incompatible with surrounding uses and sound regional planning; and

WHEREAS, Asphalt, Inc. is seeking to build and operate a rock and concrete crushing plant with an entrance 90 feet west of US HWY 281 and approximately 2.6 miles south of the intersection of Texas HWY 71 near Flat Rock Road, which is Burnet County Road 403; and

WHEREAS, the property designated as the site of the proposed rock and concrete crushing plant is located in the extraterritorial jurisdiction of the City of Marble Falls; and

WHEREAS, Asphalt, Inc., applied to the Texas Commission on Environmental Quality (“TCEQ”) for an Air Quality Standard Permit for Permanent Hot Mix Asphalt Plants, which, if approved, would authorize construction of a rock and concrete crushing plant; and

WHEREAS, concerned parties have until October 9, 2017 to submit comments and concerns to TCEQ in an effort to prompt the agency to hold a contested case hearing on the permit application; 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-1-5, Post Office Box 13087, Austin, Texas, 78711-3087, or electronically at tceq.texas.gov/about/comments.html; and

WHEREAS, the City Council is concerned about the potential health and safety risks proposed by the air emissions of the proposed rock and concrete crushing plant and the possible damage to air quality for both nearby residents and business owners, and the implications for future residential developments in the surrounding area; and

NOW, THEREFORE, BE IT RESOLVED by the City of Horseshoe Bay City Council:

1. The City Council hereby expresses its opposition to the rock and concrete crushing plant, as proposed and where proposed.

2. The City Council hereby directs city staff and/or the Mayor to notify the Texas Commission on Environmental Quality (TCEQ) of the City's opposition, which may include but is not limited to, the filing of public comments and a contested case hearing request.
3. The City Council hereby requests that the TCEQ conduct a contested case hearing on the proposed rock and concrete crushing plant.
4. The meeting at which this Resolution was passed was open to the public, and that 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 this, the 19th day of September 2017, by a vote of the City Council of Horseshoe Bay, Texas.

CITY OF HORSESHOE BAY

By: 
Stephen T. Jordan, Mayor

ATTEST


Kerri Craig, City Secretary