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It'll be so much dust in the wind, neighbors say

by [Fred Afflerbach](#) | Business Writer

Published: April 12, 2009

Property owners near an abandoned quarry that could soon reopen in northwest Temple say they remember previous mining operations at the site. They don't want to go down that road again.

Slow trucks, dust-covered roads, water pollution and lower property values have these folks kicking up some dirt of their own. Many are longtime residents.

Mark Forbes, 49, has lived across the road from the quarry since 1982. Calling it an eyesore, he points to busy Texas 36 and traffic flowing in from the Gatesville area. He wonders why Temple would want a "strip mine" at the city's doorstep.

Councilman Tony Jeter said he grew up in Temple and the big hole in the ground has been there a long time. He said he understood the mining would be expanded away from the highway.

"It's been what it has been for a long time in that area," Jeter said. "The eyesore thing, that I am not as concerned about."

Forbes said traffic has increased since floodwaters forced the quarry to close two years ago. He said it's already difficult to get in and out of the driveway without gravel trucks adding to the mix. His wife, Karen, pointed out Belton and Troy school buses travel past there twice daily.

"I remember that whole side of the road turns white with dust from those trucks," Forbes said. "In and out. In and out. It looks like snow."

Add a little rain to that blanket of dust and you get a road as slick as an ice skating rink, James Ferguson, a resident from a nearby subdivision said.

Ferguson drives past there at least twice a day. He said the road narrows just when you need some wiggle room.

"Those big trucks come out of there, 80,000 pounds, plus pulling out on to that highway with traffic at 65 miles an hour," Ferguson said. "And second of all, the shoulder goes away when it comes to the bridge that goes over the creek."

About a mile downwind from the quarry, Stewart Fine wants to sell the house he's lived in for 22 years and move to town. He's worried about the price it will fetch.

"That's prime real estate," Fine said. "They're going to ruin all the land around it. People aren't going to want to move in there. It's going to affect real estate prices."

Robert Boop has lived just down the road from the quarry since 1973. At age 75, he has no plans to develop 400 acres he owns across the road from the site. He wants to hand it down to family, Karen and Mark Forbes.

"My daughter and granddaughter are going to have to sit there and look at it," Boop

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said. "All they're going to leave over there is a big old hole. You can't do anything with it."

City councilman Marty Janczak said he, too, is concerned with what will happen after mining operations cease.

"Is there then remediation done there?" Janczak asked. "I intend to find that out. Will it become a 120-acre hole in the ground? Then maybe that's not what we want. I don't have the answers yet."

If the mining operation is approved, it will have to comply with a city permit that includes 21 conditions, which include such things as hours of operation and storm runoff control.

But the city can't control the Lake Belton floodgates.

Forbes and Boop both say when Lake Belton backs up it will submerge part of the quarry. They've seen people use Texas 36 like a boat ramp. They're worried anything spilled, such as gas, diesel, hydraulic fluid and loose sediment will flow into the lake.

Dan Thomasson, local spokesman for the U.S. Army Corps of Engineers, said they use the quarry for a catch basin during periods of heavy rain. The Corps has authority to close their Lake Belton floodgates and back water into the quarry, but it has no say on how the property is used.

"Our primary concern is we do not detract from the flood storage capacity of the lake," Thomasson said. "And as long as they're removing material they're actually adding to the capacity."

The Texas Commission on Environmental Quality has already issued air and runoff permits to the mining company. A spokesman said nobody from the agency had personally visited the site.

A company that has provided regulatory and compliance assistance to Mine Services since 2004 issued a statement Thursday that said the company has been rated "Average" by the TCEQ.

"Most Texas companies hold an "Average" performer designation. And this designation indicates that either no TCEQ violations have occurred or that the facility has earned general compliance," wrote Hill Country Environmental Inc. president Lisa McCurley.

Only three votes

The quarry issue has stirred up some interesting council dynamics. Councilman Russell Schneider represents the district where the quarry sits. He was absent from last week's council meeting when the zoning change and conditional use permit were approved to proceed to a second public hearing. He said this week he would not participate in discussion or voting because he is president and co-owner of R.T. Schneider Construction and was concerned about a perceived conflict of interest.

Until recently, Mayor Bill Jones III has owned interest in a nearby quarry and likewise will recuse himself from discussion and voting.

Last week, the planning and zoning commission voted against the rezoning that would give the quarry operators a green light. This action, however, is only a recommendation.

Councilman Tony Jeter said although he earlier voted to move forward both actions this was not a done deal.

"What I'm doing now is visiting with various P & Z members to try and get their perspective and how they voted and why they feel that way," Jeter said.

Next city council meeting: 5 p.m. April 16.

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PUBLIC NOTICE

The City of Temple Building and Standards Commission met Monday, April 13, 2009 in the Council Chambers located on the second floor of the Municipal Building, 2 North Main Street, Temple, Texas at 2:30 p.m. to hear complaints against the following respondents and properties located in Temple, Texas:

a) COMPLAINT NO. 09-001 A condemned structure located at 388 S 5th St. The owner on the tax roll is Florence Hefner. A 90-day demolition order was given.

b) COMPLAINT NO. 09-002 A condemned structure located at 211 S 2nd St. The owner on the tax roll is Richard H. Clark. 60 days was given to secure and complete the repairs on the structure and clean the exterior of structure.

c) COMPLAINT NO. 09-003 A condemned structure located at 1422 S 5th St/Luther King Dr. The owner on the tax roll is Bertha Thomas. A 90-day demolition order was given.

d) COMPLAINT NO. 09-004 A condemned structure located at 2025 E Hwy 36. The owner on the tax roll is Richard P. Williams Jr. 7 days was given to secure the structure and 30 days to clean the premises.

All complaints were brought before the Building and Standards Commission due to violations of the International Property Maintenance Code as adopted by the City of Temple. The Commission considered a repair order, demolition order, or class on said properties. The way issued of an issued order is to District Court within 30 days from the date of said order.

Carl Moser
Code Officer
City of Temple

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City officials defend quarry notification letters

by [Fred Afflerbach](#) | Business Writer

Published: April 12, 2009

City officials say they followed the law when they sent out five notices to property owners within 200 feet of a proposed mining operation in northwest Temple.

Likewise, the company planning to mine the site near Lake Belton followed guidelines by posting a newspaper notice and signs on a fence.

The city letter reads like this: "Because you own property within 200 feet of the requested change, your opinions are welcome."

But other people in the vicinity are asking, "What about us?" They say somebody should have stepped in, used a little common sense and consulted other nearby property owners.

John Conner lives on about 25 acres on Cedar Ridge Park Road. Looking across his back fence, he's about a half mile away from the site. Conner didn't know about the proposal until this week, when one of the five people who got letters knocked on his door.

"I think you should have been notified within several miles of something like that," Conner said. "We're in the city limits and yet you can dig a big hole out here? What would it be like if you dug a big hole in the city?"

Stewart Fine has lived on several acres down the street, about three-quarters of a mile from the quarry, for 22 years. He thought the new gate and wide gravel road off Texas 36 was a subdivision entrance. Fine, a 74-year-old gospel singer, said he understands why he didn't get one of the five letters. Nevertheless, he said, it looked like the city was trying to fly under the radar.

"I'm really irritated with the city of Temple, the way they've done this," Fine said. "I think they've kept it pretty quiet."

Councilman Marty Janczak said that reopening an old quarry at a location that was mined more than 30 years ago was not alarming at first blush. Regarding the five letters, he said staff did their job, and it would be hard to make an exception for one case.

"Whatever the rules are that have to be followed, that's what was followed," Janczak said. "If we need to change the rules for this particular case, or any other case, we need to have it apply equally across the board."



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