

CALDWELL COUNTY
COMMISSIONERS COURT MINUTES
Glosserman Room, 308 West San Antonio Street, Lockhart, Texas
Special Meeting March 3, 2014 1:00 p.m.



TOM D. BONN County Judge
CAROL HOLCOMB County Clerk

ALFREDO MUÑOZ Commissioner Pct. 1
FRED F. BUCHHOLTZ Commissioner Pct. 2
NETO MADRIGAL Commissioner Pct. 3
JOE IVAN ROLAND Commissioner Pct. 4

Call Meeting to order. Judge Bonn asked the speakers to be respectful of everyone. If they had the same thing to say as the previous speaker, be brief. No signs or demonstration.

2014.03.03.01 Pledge of Allegiance to the Flags. (Texas Pledge: Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible).
Judge Bonn led all present in the Pledge to both Flags.

2014.03.03.02 Citizens' Comments: At this time any person may speak to Commissioners Court if they have filled out a Caldwell County Commissioners Court Participation Form. Comments will be limited to four (4) minutes per person. No action will be taken on these items and no discussion will be had between the speaker(s) and members of the Court. The Court does retain the right to correct factual inaccuracies made by the speakers. (If longer than 30 minutes, then the balance of comments will continue as the last agenda item of the day).

Leslie Holder spoke about the chance of fire within the dump. It will have dangerous fumes and can burn for an unlimited time. The fire can burn underground. She explained how common the dump fires are in the United States. The health of the community can be affected by this. She is also concerned about the road safety with the addition of 254 dump trucks. She spoke about the amount of school buses that will have to use this intersection. This included the amount of and the severity of accidents that are possible with the increase in traffic.

Deborah Bissonnet spoke concerning the possible contamination of the water system in the area. The proposed dump site sits over the recharge area of the Carrizo-Wilcox aquifer that provides water for a majority of the County and is a part of the City supply. The rainfall will cause runoff of contaminants to the neighboring creeks and wells. She gave the Court documentation of the information she had spoken about. She asked that the County officials protect the health, safety and welfare of the citizens.

David Gratz explained that as a new resident to Caldwell County, he is concerned not only with the environmental problems, but also the future economic development that may be harmed. He believes that it may cause an economic wall as it has caused in the North East part of Austin. He believes that the Host Agreement is one sided.

Jessica A. Neyman explained that there are still avenues to prevent the 130 landfill. This will do irreparable damage to this area. She is concerned with any additional legal fees that may be accrued to prevent the landfill in the area. She also is concerned with the additional traffic of 250 trucks on the roads and the wear and tear on our roads. She also questions the transfer station and asks if there will be any connection with BFI landfill companies.

COMMISSIONERS COURT MINUTES
Special Meeting on March 3, 2014

Marcos Villalobos would like for the court to consider what is good for the community. He feels that there is nothing that can be done to stop the landfill, so there needs to be consideration for the community. He doesn't want to lose anything that may be given to the county.

Lou MacNaughton thanked the court for the citing ordinance. She is concerned with the damage that 250 garbage trucks are going to have on the County Roads. She explained that TXDOT has now labeled the intersection of FM 1185 and Hwy. 183 as "the 7th most dangerous intersections in the State". How is this going to be impacted with additional traffic? She spoke about the involvement of Green Group Holdings with the other groups in Caldwell County.

Alecia Thornton believes that the Host Agreement is one sided. She asks the Court to protect the citizens of the County.

Byron Friedrich thanks the Court for the fore site to sign the citing ordinance. He is concerned about the increase of traffic on Hwy 183 and the area where the proposed landfill is. Having lost a daughter in that area, he is concerned about 250 plus extra trucks. He also describes the elevation that is proposed and the appearance that it will bring to our County.

Jodie Friedrich read a letter for Ann Colliar. It encourages the Court to continue the bold stance that has been taken thus far. She asked the Judge and Commissioners to wait on negotiations or action on the Host Agreement. This will steal the power from the County.

Frank Sughrue is against any negotiation with Green Group. He gives the court members copies of maps and measurements concerning the proposed landfill.

Alan Fielder encouraged the Court to begin negotiations with Green Group. He has looked at the Host Agreement and encourages the Court to begin negotiations. This is the time to begin. After signed it will be binding on both parties. He believes that it could bring industrial benefits to the County.

Robin Schneider said that although Green Group has no history in Texas, there is a need for research concerning the Company. Once the landfill is built the permits can be transferred. She spoke about the tarps that are proposed to be used to cover instead of dirt and said that in some situations, they have been blown off by the winds. This is very unsafe. She encouraged the court to go before CAPCOG and represent the community, to begin negotiation.

Frankie Sanchez explained that there have been many generations of his family in Caldwell County. He is concerned for the health of future ones. He stated that he doesn't want his community to be known for the smell that the landfill will bring. He is also concerned about the jobs that are being spoken about will come from Austin.

David Green, Vice President Green Group Holdings, appreciates the public comments and informed the court that there will be a question and answer session at the office on March 19, 2014. The Host Agreement is a working draft and they stand ready for negotiation. It is not meant to be one sided. He submits 53 letters of support that are given to the Court in support. The Host Agreement is not necessary but Green Group Holdings would like to enter into a binding agreement with the County. They would like to create written form of terms and conditions with the County.

COMMISSIONERS COURT MINUTES
Special Meeting on March 3, 2014

James Abshier read portions of the Host Agreement that he feels will prohibit Caldwell County. He spoke about the restrictions against the County and the costs that may be incurred if there should happen to be a lawsuit. This will hurt the County.

Daniel Morales spoke about concerns of runoff from the landfill. He has about 20 acres on Homanville Trail. He explains that no matter what you do, there will be run off. He feels that if the landfill is going to be here, then we should see what we can get out of it. He said that we should take care of each other.

Belinda Rivera explained that members of her family live near the proposed area. She told the Court that there has been a local person that has been hired and information has been put out that the landfill and the environmental park was a done deal. It is not and she asked the Court to please not sign the Host Agreement.

Daniel Guerrero spoke to the Court with concerns of how the large amount of property was acquired and feels that a landfill is not the vision for Lockhart.

2014.03.03.03 EXECUTIVE SESSION pursuant to sections 551.071 and 551.0725 of the Texas Government Code for consultation with attorney and to deliberate business and financial issues regarding the proposed host agreement with 130 Environmental Park, L.L.C. No action will be taken in executive session.

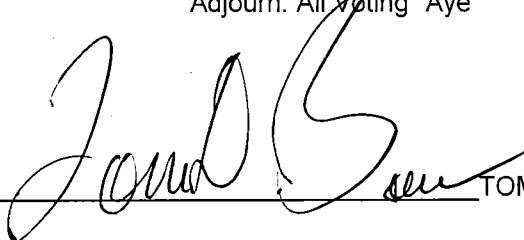
NOTE: Before convening in executive session under section 551.0725 to deliberate business and financial issues regarding the proposed host agreement, the Commissioners Court must:

1. Have a written determination from the attorney advising the Commissioners Court that deliberation in an open meeting would have a detrimental effect on the position of the Commissioners Court in negotiations with 130 Environmental Park, L.L.C.; and
2. Vote unanimously that deliberation in an open meeting would have a detrimental effect on the position of the Commissioners Court in negotiations with 130 Environmental Park, L.L.C.

Motion made by Commissioner Roland, second by Commissioner Madrigal to table this item indefinitely. Roll Vote-Commissioner Muñoz-Yes, Commissioner Buchholtz-Yes, Commissioner Madrigal-Yes, Commissioner Roland-Yes, Judge Bonn-No. Motion Passed. Judge Bonn explained that even if the Commissioners chose not to take action on this item, he believed that there needed to be discussion at this time.

2014.03.03.04 Discussion/Action regarding the proposed host agreement with 130 Environmental Park, L.L.C. **Cost:** None; **Speaker:** Judge Bonn; **Backup:** 1.
No Action Taken

2014.03.03.05 Adjournment
Motion made by Commissioner Madrigal, second by Commissioner Roland to Adjourn. All Voting "Aye"



TOM D. BONN, County Judge