

COMMISSIONERS COURT MINUTES
110 S. Main St. 2nd Floor, Lockhart, Texas
SPECIAL MEETING November 1, 2017 10:00 a.m.



KEN SCHAWÉ	County Judge	HOPPY HADEN	Commissioner Pct. 1
CAROL HOLCOMB	County Clerk	EDDIE MOSES	Commissioner Pct. 2
		ED THERIOT	Commissioner Pct. 3
		JOE IVAN ROLAND	Commissioner Pct. 4

Call Meeting to Order.

Judge Schawe calls the meeting to order at 10:00 a.m. All members are present.

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 Schawe leads all present in the pledge to both flags.

Announcements. Items or comments from Court members or staff.

Judge Schawe explains the meeting will have to be tabled after 12:30 p.m. and asks everyone to keep the Workshops positive. The Commissioners have no announcements.

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.

Byron Friedrich owns a home site next to the landfill site. He says the Siting Ordinance should stay in place unchanged and that he is opposed to the landfill and Host Agreement.

Robert Kohler owns property in Dale. He discusses State Representative John Cyrier's support of 130 Environmental Park versus his opposition to a waste transfer station in Cedar Creek. He says the Commissioners' decisions should be guided by their oath to ensure safety and welfare to citizens.

Frank Sughrue owns property near the landfill site and says he is pleading with the court to keep the Siting Ordinance in place without any change, stating that it is a strong document.

Marisa Perales is an attorney representing EPICC. She says the court should seek legal advice on the Host Agreement before making any decisions, that Eric Mcgee with Allison, Bass, & Mcgee is a good lawyer, and not to give up any leverage in negotiating.

Linda Hinkle is on the Host Agreement Committee. She says the County will be in trouble without a Host Agreement if landfill issues arise and that no more money should be spent by the County on legal fees. She discusses the funding for EPICC and recognizes the Host Agreement Committee's work.

Alicia Thornton is a Lytton Springs resident. She refutes Linda Hinkle's information about EPICC funding. She asks why David Green wants to amend the Siting Ordinance now if it does not affect Green Group. She says there should not be a Host Agreement if canceling the Siting Ordinance is required.

COMMISSIONERS COURT MINUTES
Regular Meeting on November 1, 2017

AGENDA

1. **WORKSHOP** concerning the landfill siting ordinance and hours of operation in relation to 130 Environmental Park. **Cost: None; Speaker: Commissioner Haden; Backup: 3.**

The Workshop opens at 10:15 a.m.

Commissioner Haden and Judge Schawe, discuss the hours of operation in the redline document the Host Agreement Committee submitted to Green Group. Eric Mcgee with Allison, Bass, & Magee, LLP clarifies he has had no involvement in the Host Agreement process and is here for the hours of operation and the Siting Ordinance. He and the court discuss past testimony regarding extended hours and their potential positives and negatives.

David Green, President of 130 Environmental Park LLC, wonders if there would be a consensus among the court in favor of the extended hours if 130 Environmental Park requests an amendment to their permit. He also reviews what benefits the company sees in the extended hours and says they would review all local ordinances to determine what extended hours are requested in the proposed amendment.

The Commissioners discuss whether or not they support Saturday hours and/or extended hours.

Commissioner Haden asks David Green why, if 130 Environmental Park is not subject to the Siting Ordinance, is an amended ordinance being requested. David Green explains why the request was made, and says it is important, but not a deal breaker.

Commissioner Theriot, Eric Mcgee, and David Green discuss the permitting process. The court members share their views on amending the Siting Ordinance. David Green says he will submit a proposed amendment for review.

The Workshop closes at 11:17 a.m.

WORKSHOP regarding discussion of other general concerns/topics from the document recommended by the Host Agreement Committee and forwarded to Green Group Holdings by Commissioners Court on September 11, 2017. **Cost: None; Speaker: Commissioner Haden; Backup: 58.**

The Workshop opens at 11:17 a.m.

David Green says he will create a redline document in response to the one received from the Host Agreement Committee and submit it to Commissioners Court for review.

The Workshop closes at 11:18 a.m.

2. **Discussion/Action** regarding the landfill siting ordinance and hours of operation in relation to 130 Environmental Park. **Cost: None; Speaker: Commissioner Haden; Backup: 3.**

Judge Schawe asks if there are any other questions or concerns and if any action is recommended. The court discusses items to be researched and reviewed before decisions are made. Motion by Commissioner Haden, second by Commissioner Theriot to table. All voting "Aye".

COMMISSIONERS COURT MINUTES
Regular Meeting on November 1, 2017

3. **Adjournment.**

Judge Schawe asks for a motion to adjourn. So moved by Commissioner Haden, second by Commissioner Theriot. All voting "Aye".

Meeting adjourns at 11:20 a.m.

I, CAROL HOLCOMB, COUNTY CLERK AND EX OFFICIO CLERK OF THE COMMISSIONERS' COURT, do hereby certify that the foregoing contains a true and accurate record of the proceedings had by the Caldwell County Commissioners' Court on November 1, 2017.

Carol Holcomb

CAROL HOLCOMB, COUNTY CLERK AND EX OFFICIO
CLERK OF THE COMMISSIONERS' COURT OF
CALDWELL COUNTY, TEXAS



