

September 29, 2017

NOTICE OF A MEETING OF THE HOST AGREEMENT COMMITTEE
OF CALDWELL COUNTY, TEXAS



Notice is hereby given that an open meeting of the Caldwell County Host Agreement Committee will be held on the 29th day of September, 2017 at 1:30 P.M. in the Commissioners Courtroom of the Caldwell County Courthouse located at 110 S. Main Street, Lockhart, Texas at which time the following subjects will be discussed, considered, passed or adopted, to wit:

Call Meeting to Order.

Citizens' Comments. At this time any person may speak to the Committee if they have filled out a 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 Committee. The Committee 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).

AGENDA ITEMS

1. Discussion and possible action of items outlined in Green Group's email response to host agreement document forwarded by Commissioners Court on September 11, 2017.
Backup: 1.
2. Adjournment.

As authorized by Chapter 551 of the Texas Government Code, the Commissioners Court of Caldwell County, Texas reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed above. The Court may adjourn for matters that may relate to Texas Government Code Section 551.071(1) (Consultation with Attorney about pending or contemplated litigation or settlement offers); Texas Government Code Section 551.071(2) (Consultation with Attorney when the Attorney's obligations under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas conflicts with Chapter 551 of the Texas Government Code); Texas Government Code Section 551.072 (Deliberations about Real Property); Texas Government Code Section 551.073 (Deliberations about Gifts and Donations); Texas Government Code Section 551.074 (Personnel Matters); Texas Government Code Section 551.0745 (Deliberations about a County Advisory Body); Texas Government Code Section 551.076 (Deliberations about Security Devices); and Texas Government Code Section 551.087 (Economic Development Negotiations). In the event that the Court adjourns into Executive Session, the Court will announce under what section of the Texas Government Code the Commissioners Court is using as its authority to enter into an Executive Session. The meeting facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the County Judge's office at 512-398-1808 for further information. www.co.caldwell.tx.us

1

FILED this 25th day of Sept 2017
4:07 P M
CAROL HOLCOMB
COUNTY CLERK, CALDWELL COUNTY, TEXAS
By Ken Page Deputy

Commissioner Haden,

On Tuesday September 19th, we received a copy of the revised draft Host Agreement without any guidance. Later that day you contacted Alfonso Sifuentes and asked if we would respond by Friday. Notwithstanding the continuing pattern of the County taking weeks, months and even years to respond to us and then asking us to reply within days, I am providing this initial response to the revised Agreement.

First, we remain committed to working on a mutually acceptable Host Agreement and are pleased that we have finally received a document from the County. However, the proposed Agreement needs to be reviewed in the context of TCEQ having now approved our permit and the County's continued opposition to it, as well as the positions taken by the County in the TCEQ contested case proceeding. These matters have a direct bearing on the terms of the proposed Host Agreement.

With that background, there are three items that we respectfully request the Host Agreement Committee consider and vote on in the form of a recommendation to the Commissioners Court, then the Commissioners Court take action on before we can provide detailed comments regarding the revised Agreement back to the County.

1. In my July 28 letter, I suggested as a compromise on the Landfill Siting Ordinance that it be amended to address our site. I never received a reply. I now again directly ask, is that concept acceptable? If so, we will provide a proposed amendment to the Ordinance.
2. In my July 28 letter, I also requested that the County support having the Landfill hours include a partial day on Saturday. Again, I did not receive a response and when the County's outside counsel spoke in opposition to our project before the TCEQ Commissioners at their September 6 meeting, he did not address this issue. What is the County's position on this topic? The revised draft of the Host Agreement seems contradictory on this matter and if we are not open on Saturday, we will not be able to offer some of the benefits in the Host Agreement as we originally proposed and as welcomed by many in the community.
3. Lastly, does the County intend to continue opposing TCEQ's approval of our permit?

Once we have approved responses to these questions, we will be in a position to do a detailed review of the revisions to the draft Host Agreement and respond accordingly. Until then, we will continue with the approval of our project and participation in all of the Community events and causes we have supported and invested in over the years.

Thank you for your continued efforts.

David Green