

COMMISSIONERS COURT MINUTES  
110 S. Main St. 2<sup>nd</sup> Floor, Lockhart, Texas  
Special Emergency Meeting July 6, 2015 1:30 p.m.



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KEN SCHAWÉ	County Judge	ALFREDO MUÑOZ	Commissioner Pct. 1
CAROL HOLCOMB	County Clerk	EDDIE MOSES	Commissioner Pct. 2
		NETO MADRIGAL	Commissioner Pct. 3
		JOE IVAN ROLAND	Commissioner Pct. 4

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**Call Meeting to order.** Meeting called to order by Judge Schawe at 9:00 a.m.  
All members of the court were present.

**2015.07.06.01** **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 Schawe led all present in the Pledge to both flags.

**2015.07.06.02** **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).

No Citizens' Comments.

**2015.07.06.03** **Discussion/Action** regarding Joint Litigation Agreement with parties concerning 130 Environmental Park, SOAH Docket No. 582-15-2082; TCEQ Docket No.2015-0069-MSW and related matters. **[Executive Session is requested pursuant to Texas Government Code, Title 5, Subchapter D, Section 551.071 (Consultation with Attorney)]. Cost: None. Speaker: Commissioner Roland. Backup 0.**

**Civil Attorney, Jordan Powell** states an executive session is not necessary unless the court has questions for her. **Judge Schawe** says he feels Caldwell County is being used to delay the landfill that will not be stopped. He mentions an ongoing landfill competition that has to do with money and extending contracts for landfill companies. He explains that he had visited a ranch this weekend that will be affected by both the landfill and a new subdivision in which he is angered by. Judge Schawe proposes to stop spending taxpayer money on a fight that the County cannot win and instead focus on using that money to lower taxes, prevent and correct problems, as well as keep subdivisions clean. Judge Schawe mentions the County is currently over budget and suggests the court consider no raises, job cuts and tax increases. He states that we are getting a landfill. **Commissioner Moses** states the County has done a resolution, an engineering study as well as hiring an attorney to protect the citizens of the County. He stated that the County could give that engineering study to TCEQ. He feels as though the Court has done their duty to protect the citizens. He believes the County has spent as much as it can spend and have done their part.

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**Commissioner Roland** believes the County has not done enough. He would like to see the County continue to fight and with prayers from the community, God will have the final say. He states that he actually believes the County will win the fight. He mentions the Court has had a lot of fights since he has come onto the Court, and that those fights take money but that they have always come out ahead. He believes that they will look like fools jumping off the boat right now. **Commissioner Madrigal** begins by saying that this is not a fight, but instead is standing up for the citizens of Caldwell County. He states that bringing in a trash company is not what he has been working for as a Commissioner. He states that he respects people making a living, but he does not see a benefit of bringing a landfill to the community. This landfill will not benefit the County and feels he was elected for the purpose of protecting the community. **Judge Schawe** expresses his concerns for citizens of the County and does not want to use tax payer's money any longer on a landfill that the County will ultimately receive.

Motion made by Judge Schawe to not join into a Joint Litigation Agreement with parties concerning 130 Environmental Park, SOAH Docket No. 582-15-2082; TCEQ Docket No.2015-0069-MSW and related matters, second by Commissioner Moses.

Roll Call Vote: Commissioner Muñoz – No, Commissioner Moses – Yes, Commissioner Madrigal – No, Commissioner Roland – No, Judge – Yes. Motion failed.

Motion made by Commissioner Roland to join into a Joint Litigation Agreement with TJFA, L.P. and Environmental Protection in the Interest of Caldwell County (EPICC) and authorize the County Judge to sign, second by Commissioner Madrigal.

Judge Schawe states he wishes not to sign the Agreement. Civil Attorney, Jordan Powell explains that the Court does not have to authorize the County Judge to sign the agreement, but that any official may be authorized to sign the Agreement. The motion was not amended to authorize a different member of the Court to sign as requested by Judge Schawe.

Roll Call Vote: Commissioner Muñoz – Yes, Commissioner Moses – No, Commissioner Madrigal – Yes, Commissioner Roland – Yes, Judge – No. Motion passed.

**2015.07.06.04**

**Adjournment.** Motion made by Commissioner Muñoz, second by Commissioner Moses to adjourn. All voting "Aye" Meeting adjourned at 9:17 a.m.

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I, CAROL HOLCOMB, COUNTY CLERK AND EXOFFICIO 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 July 6, 2015.



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