



WEEKEND WEATHER... FRIDAY: SUNNY 82/52 SATURDAY: SUNNY 75/45 SUNDAY: ISO STORMS 73/54

# County keeps landfill at center stage

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Editor/POST-REGISTER

A controversial proposal for a 1,260-acre development that includes more than 200 acres of landfill remains at center stage for the Caldwell County Commissioners Court this week, as a group of residents considers to push the Court to find a way to block the development.

According to James Abshier, the founder of Environmental Protection In Caldwell County (EPICC), the facility proposed by Green Group Holdings, LLC, (Green Group) will not be a benefit to the county or its residents, despite a Host Agreement that would allow for several considerations for funding and facilities within the county.

Abshier cited a February 2010 article from the Manchester (Georgia) Star Mercury regarding a conflict a former incarnation of Green Group (then Green Investments) had with a municipality near the facility the company developed in Meriwether County, Ga.

The article accuses Green Investments of withholding the "tipping fee" (host fee) from the City of Lone Oak (Ga.) because the mayor had been involved, individually, with a lawsuit against the Georgia Envi-

ronmental Protection Division to block the permitting for the landfill.

The Host Agreement Green entered with Meriwether County specifically prohibited the city from participating in any such attempts to block the facility.

According to Green Group representatives, the issue was solved by April 1, 2010, when Green Investments President Ernest Kaufmann offered to give Lone Oak's \$100,000 payment to Meriwether County, to distribute as they saw fit. However, Meriwether County declined the offer, instead entering a resolution asking Green Investments to remit the payment to Lone Oak.

Kaufmann conceded, and payment was delivered to the City of Lone Oak on April 2, 2010.

Still, Abshier contended, the conflict should be used to show county officials "the kind of neighbor [Green Group] will be," and accused Green Investments of "punishing the City of Lone Oak for fighting for their lives."

In addition to Abshier, five other residents of the area where the facility has been proposed spoke to the Commissioners and expressed ranging degrees of concern, but all agreed that they did not want the facility in Caldwell County.

Commissioner Joe Roland assured the public the Commissioners are trying to find a solution because "we want to prevent all landfills."

An ordinance that will attempt to restrict land use in Caldwell County to prevent landfills is in the works. However, the Court's civil attorney, Mack Harrison, advised the Commissioners last week that Green Group's facility would be exempt from any such ordinance, because the permit application is already considered "Pending" with the Texas Commission on Environmental Quality.

That "pending" status remains a matter of question, as some landfill opposition continues to claim that the permit is not pending until all four parts of the application are filed. To date, only two of the four parts of the landfill application have been filed by the Green Group.

Another snag, however, comes in a requirement in Texas statute that requires a Commissioners Court seeking to enter an ordinance preventing land use for solid waste disposal to allocate a section of property where such uses are permissible.

Although that loophole has not yet been discussed

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publicly by the Caldwell County Commissioners, it has been a common topic of discussion in Guadalupe County, where residents, landowners and elected officials have been grappling with the idea of the Post Oak Landfill in northern Guadalupe County.

After convening in an extensive executive session to discuss the matter, the Commissioners reconvened and asked Harrison to continue researching the issue, so that all legal requirements can be addressed when the time finally comes for the text of an ordinance to be presented to the Court.

In other business, the

Commissioners spent an extensive amount of time discussing the vehicle fleet at the Caldwell County Sheriff's Department.

Over the last months, the fleet has been depleted as one vehicle had an engine go out, and two others have been involved in crashes. Presently, according to Patrol Captain Mike Lane, the patrol division has to borrow vehicles from other areas of the department to maintain a patrol fleet.

One of the accidents, he said, was clearly the fault of the deputy driving the vehicle, while the other was a matter of joint liability between the deputy driving and the

other vehicle, which may have been using excessive speed coming around a blind turn.

Though Lane declined to offer specifics about any punitive action taken against the deputies involved, he assured the Court that additional training and traffic safety standards are being reviewed.

In a related item, the Commissioners reviewed the purchase of three vehicles, and the retrofitting of a fourth, to add to the patrol fleet. The agreement for the vehicle purchase was struck this summer as the Commissioners reviewed this fiscal year's budget, and Lane was given the instructions that if he could

find the vehicles within the allocated budget, than the County would purchase them.

He explained the research and requirements that went into the quote for the cars, which will come to the County street-ready at the total cost of \$167,207.80, which is about \$11,000 under the budget.

In brief news:

The County paid bills in the amount of \$421,687.19.

They approved the budget for the District Attorney's Forfeited Fund account and a budget amendment for the Fleet Maintenance department.

The Commissioners

approved a proclamation declaring the month of November as 2013 Home Care and Hospice Month.

They approved a certificate of completion for continuing education for Constable Art Villarreal.

The Court agreed to enter discussions to either purchase or extend the lease on the property at 9675 SH 142 in Maxwell, where the Precinct 3 Constable and Justice of the Peace offices are currently located.

Following an executive session, they agreed to consider moving forward with the purchase of 1.15 acres of land south of the new Caldwell County Justice Center (old WalMart), including

a six-foot strip of adjoining property. The total purchase price for the tract is expected to be \$80,000, and a replatting fee will be \$1,200.

The Commissioners approved several changes to the Caldwell County Development Ordinance, bringing certain provisions in line with State Standards. The Caldwell County Commissioners Court meets on the second, third and fourth Monday of each month at 9 a.m. in the Conference and Training Center at the LW Scott Annex, 1403 Blackjack St., in Lockhart. The meetings are open to the public and are webcast at [www.co.caldwell.tx.us](http://www.co.caldwell.tx.us).

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