

BLUEBONNET GROUNDWATER CONSERVATION DISTRICT

Board of Directors Meeting

Wednesday, May 13, 2015

1:00 PM

Bluebonnet Groundwater Conservation District
Board Room, Suite B & C
303 East Washington Avenue
Navasota, Texas

Minutes of the Meeting

In attendance: Directors Davis, Eppler, Groschke, Hopper, Huebner, Julian, Minze, Morrison, Olsta, Patout, Reed, Thomas and Vaughn; General Manager Holland, Assistant General Manager Paben and Registration Assistant Milatovich; District General Counsel Dugat, District Hydrogeologist Consultant Hutchison; Visitors: Waller County Judge Trey Duhon, J.D. Head, Mike Woodward, Alfonso Sifuentes and Marcus Villabuez.

1. Call to order

There being a quorum present, the meeting was called to order at 1:00 PM by President Patout.

2. Public Comment

No public comment was made.

3. Consideration of proposed Type I Municipal Solid Waste Disposal Facility for Pintail Landfill, proposed Permit No. 2377.

A. Presentation by Waller County Judge Trey Duhon and Mr. Doug Granger, P.G..

President Patout asked that the presentations be uninterrupted and to hold all questions and comments until the presentations are complete.

Waller County Judge Trey Duhon introduced J.D. Head of Fritz, Byrne, Head and Fitzpatrick, who represents the County in the State Office of Administrative Hearings (SOAH) proceeding involving the Pintail Landfill Permit Application, Mike Woodward who represents the "Citizens Against the Landfill in Hempstead" (CALH) in the SOAH proceeding, and Mr. Doug Granger, a geologist who works with Cooks Joyce Consultants. The County engaged Mr. Granger to review the Pintail Permit Application and Mr. Granger gave a presentation to the Board expressing his concerns with the proposed landfill.

Following the end of Mr. Ganger's presentation, Judge Duhon requested that the Board pass a resolution objecting to the landfill application.

B. Presentation by District Consultant Dr. Bill Hutchison.

Dr. Hutchison reviewed with the Board the basis of his analysis that supported the January 17, 2013 letter that the BGCD Board sent to TCEQ stating that the District is concerned that there is the potential for contamination of shallow wells in the vicinity of the proposed landfill in the event of liner failure. He also pointed out that in the letter the District requested further study by TCEQ of the potential for contamination from the proposed landfill in the Chicot Aquifer layer of the Gulf Coast Aquifer System. Dr. Hutchison then provided a review of the CALH Statement of Issues provided to the Board on April 15, 2015.

C. Follow-up questions, discussion and possible action by Board of Directors.

At 2:31 PM the BGCD Board of Directors moved into a closed executive session for the purpose of discussing the District's legal position regarding the Pintail Landfill Application pursuant to Texas Government Code Section 551.071. The President asked that all persons except the Board members, attorney Bill Dugat, Dr. Bill Hutchison, and BGCD staff leave the room during the closed meeting. At 3:16 PM the BGCD Board of Directors reconvened in open session. No final action was taken in closed session. In open session, Director Vaughn (Waller County) moved that the Board pass a resolution in opposition to the Pintail Landfill Application. Director Groschke (Waller County) seconded the motion. President Patout, abstained from voting and, called for a role vote. Directors voting in favor of the motion were Davis (Waller Co.), Groschke (Waller Co.), Julian (Grimes Co.), Minze (Waller Co.) and Vaughn (Waller Co.). Directors voting against the motion are Eppler (Grimes Co.), Hopper (Walker Co.), Huebner (Austin Co.), Morrison (Walker Co.), Olsta (Walker Co.), Reed (Walker Co.) and Thomas (Grimes Co.). *Motion failed.*

1. Adjourn

President Patout adjourned the meeting at 3:19 PM.

The above minutes of the regular meeting of the Board of Directors of the Bluebonnet Groundwater Conservation District held on May 13, 2015 were approved and adopted by that Board on July 15, 2015.

J Jared Patout, President

ATTEST:

Zach Holland, General Manager