

TRANSCRIPT OF PROCEEDINGS
BEFORE THE
BRUSHY CREEK REGIONAL UTILITY AUTHORITY, INC.
ROUND ROCK, TEXAS

IN RE: BRUSHY CREEK REGIONAL)
UTILITY AUTHORITY, INC. BOARD)
MEETING)

BOARD MEETING
TUESDAY, OCTOBER 16, 2007

BE IT REMEMBERED THAT AT approximately
7:00 p.m., on Tuesday, the 16th day of October 2007,
the above-entitled matter came on for hearing at the
Round Rock City Hall Council Chambers, 221 East Main
Street, Round Rock, Texas 78664, before SCOTT RHODE,
President, and the following proceedings were reported
by William C. Beardmore, a Certified Shorthand
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P R O C E E D I N G S

TUESDAY, OCTOBER 16, 2007

(7:58 p.m.)

AGENDA ITEM NO. 6 - PUBLIC HEARING

PRESIDENT RHODE: Okay. Well, let me open this public hearing to public testimony.

Any person wishing to address the Board during public hearings may do so providing that he or she limits their presentation to three minutes and has previously delivered to the General Manager or Board Secretary a registration card, which is kind of this white piece of paper today, identifying in the public hearing on which the person desires to address the Board.

All right. Mr. Vining?

PUBLIC COMMENT BY JOE VINING

MR. VINING: Good evening. My name is Joe Vining. I'm the Vice President of Economic Development for the Round Rock Economic Development Partnership.

In my role as the coordinator of our economic development, I'm quite frequently put in the position of verifying that we have utility capacity not only at a particular site but we have long-term capacity to service our community and these companies

1 looking to invest in our community.

2 I think it goes without saying that no
3 responsible corporation in today's market is going to
4 invest multimillion dollar sums of money to relocate a
5 plant or expand a plant in any community without that
6 positive assurance that the community has invested in
7 their long-term water supply and taking care of their
8 utilities in a responsible way.

9 I think the actions that you have set
10 out in your plan are the responsible actions that we
11 need to have as economic development officials in
12 order to serve our communities and to help our elected
13 officials do a good job of keeping our taxes low for
14 our citizens.

15 I'll be glad to answer any questions you
16 might have.

17 PRESIDENT RHODE: Thanks, Joe. Steve
18 Laukhuf?

19 PUBLIC COMMENT BY STEVE LAUKHUF

20 MR. LAUKHUF: Board, good evening. My
21 name is Steve Laukhuf, and I am the Chairman this year
22 of the Round Rock Chamber of Commerce. Thank you for
23 allowing us to speak this evening.

24 I want to say on behalf of the Round
25 Rock Chamber that we're proposing and look for passage

1 this Thursday a resolution and full support of your
2 efforts to build this facility.

3 It's vital as part of Williamson
4 County -- the three cities that are involved -- that
5 we all work together, that we build this facility,
6 that we -- as Joe was saying earlier, a better
7 economic development, which is a crucial component of
8 our growth and in those three cities and the quality
9 of life here in Round Rock.

10 So on behalf of the Board of Round Rock
11 Chamber of Commerce, I hope to be able to deliver to
12 you on Friday that resolution. So thank you very
13 much.

14 PRESIDENT RHODE: Thank you, Steve.
15 Nicole Miller?

16 PUBLIC COMMENT BY NICOLE MILLER

17 MS. MILLER: Gentlemen, ma'am, for the
18 record, Nicole Miller, 10104 North Darleen, Leander,
19 Texas, Travis County.

20 One of the things that I think would be
21 helpful in promoting the idea of a well-attended
22 public meeting is signs along the Trails End Road
23 right-of-way.

24 They can be purchased for about
25 \$8 apiece -- about this big (indicating). I know

1 Travis County does that when they try to have any
2 public meeting over there.

3 Someone could come out and put those
4 out. It would be a great idea. It's been effective
5 for us to get attendance at meetings as well.

6 As you know, we all understand on Trails
7 End that the cities of Round Rock, Leander and Cedar
8 Park need additional water supplies.

9 We also understand that we live along a
10 beautiful, safe road that's very quiet in the evening
11 time and very quiet during the day most of the time.

12 We've been concerned here recently with
13 the handling of this project and how they are treating
14 our private property and our safety issues.

15 There are three people along Trails End
16 Road along the narrow 60-foot easement portion between
17 West 1st and the lake that up until two weeks ago had
18 not been informed of this process at all by BCRUA.

19 One of those persons is Janice McLemore.
20 There's also Clayton Sharkey and Mr. Hendricks who is
21 on the Corner of East Darleen and Trails End.

22 They just basically came home to find
23 their trees tagged. No one sent them a letter saying
24 that you guys have the right to do that, that they
25 were going to do it.

1 As a matter of fact, one gentleman --
2 Mr. Sharkey -- found the surveyors in the easement
3 that morning and asked them if they would be on his
4 property and actually specifically told them, "I've
5 not received anything from anybody. I have no idea
6 who you are," and he came home that evening to find
7 his trees tagged.

8 He's a respected UT professor. I mean,
9 these guys are -- you know, they have jobs and they
10 take care of their property and they deserve more
11 respect than that.

12 Mr. and Mrs. Clinger live up the road
13 just a bit. They've got 34 acres, probably about a
14 half-a-mile frontage on Trails End Road.

15 They made several requests to
16 (inaudible) office to be informed. They were sent
17 letters. They were sent all of the letters that
18 needed to be sent from Round Rock or Mr. Sick.

19 And at the bottom of the latest letter
20 that they we sent, it stated that they have the right
21 to be present while the surveyors were on the
22 property.

23 They made, like I said, repeated
24 requests to be informed of when this was going to
25 happen. No one called them. They came home to find

1 their trees tagged.

2 They have a gate. They have a fence
3 that spans the entire frontage of the property. They
4 also have five dogs and probably 50 goats.

5 This puts surveyors themselves in
6 danger. One of my main concerns is that if this
7 company/corporation/entity is not concerned about the
8 surveyors' safety -- those that are in your employ --
9 how are you going to be concerned about our safety
10 with two-and-a-half years of construction?

11 PRESIDENT RHODE: Ms. Miller, I'm sorry.
12 I'm going to have to ask you to wrap up.

13 MR. MILLER: All right. When the
14 surveyors first came down to Trails End, they didn't
15 have jackets on. They didn't have survey signs
16 posted.

17 It took three repeated calls to their
18 supervisor to get them to put their jackets on and put
19 their signs out so that we wouldn't run them over when
20 they got close to the easement. Also --

21 PRESIDENT RHODE: I'm sorry. That's
22 time.

23 MS. MILLER: I don't get six for
24 representing the group?

25 PRESIDENT RHODE: No, that's --

1 MS. MILLER: Okay. Thank you.

2 PRESIDENT RHODE: Bill, I think I'm
3 going to -- I can't read your last name. Is it
4 Mr. Dahleen?

5 PUBLIC COMMENT BY BILL DAHLEEN

6 MR. DAHLEEN: Good evening, Board. My
7 name is Bill Dahleen. I live at 10002 North Darleen.

8 We've seen you-all's work. We've seen
9 the new work that you-all are doing over there on the
10 Cedar Park water treatment plant and no silt fences,
11 and now you-all have got some silt fences up and
12 you're still running into the lake.

13 You haven't taken care of your business.
14 We've seen the work you did on New Hope Road over
15 there, and we noticed how it leaks a little bit, and,
16 hopefully, you-all can get it patched up and get that
17 water line tested.

18 We're real concerned about you-all
19 coming into our neighborhood and causing us a lot of
20 problems. We can't believe that you asked for
21 \$358 million to fund this project.

22 That's going to ruin our neighborhood,
23 our neighborhood park and disrupt our lives and
24 everyone traveling on Trails End Road -- a dead-end
25 road that's only way out for two years or more.

1 This road is built for cars to come on
2 and go to work on -- not for your pipeline. We're a
3 tight, small rural community -- not in your city, not
4 in your county.

5 We don't come bothering you folks in
6 Williamson County with our needs, wants or desires.

7 You want to know what we want -- to put
8 up with your mess and danger for traveling on the only
9 road in and out of the neighborhood, we told you, but
10 you have many excuses for not being able to come up
11 with enough money to buy some more park land for our
12 neighborhood over there.

13 You talk big lies. You don't make any
14 sense. You say you're not going to do something and
15 then you say you're going to do something. You say
16 you're not going to open (inaudible) Park.

17 Jim Nuse wants to open (inaudible) Park.
18 I got the e-mail. You're not to be trusted and
19 walked -- and have talked and condemned all the real
20 estate you want.

21 Your lawyers have verbally threatened me
22 with an injunction to keep me from filing trespassing
23 charges against your contractors. You have blocked me
24 from opening a records request to the Texas Attorney
25 General.

1 You have drilled deep test holes on our
2 property without so much as asking. You left us with
3 the liability from your actions by causing an open
4 source of lake sediment into the aquifer -- maybe
5 heavy metal sediments entering the aquifer also.
6 That's where we get our drinking water from.

7 We don't have any pipelines in our
8 neighborhood that supply us with water. We've just
9 got (inaudible) in our neighborhood supplied by
10 somebody else's water.

11 You've lied about plugging these test
12 holes. We looked at them. You haven't plugged them.
13 You drilled these holes under a skull and crossbones
14 pack. You'll not intimidate us.

15 You could have gone on the pipeline
16 right-of-way that Cedar Park owns or has the right to
17 use this pipeline and right-of-way -- not a road. But
18 you choose to abuse us citizens of a different county.
19 You know we have no vote in your county. It is not
20 fair. It is not right.

21 You've carefully organized underneath
22 the transportation code. This is still the input of
23 the people like me and other people that you want to
24 abuse.

25 And you, Mr. Cowman, we've bent over

1 backwards for you before when you ran out of water.
2 We let you put a pipeline through a park before to get
3 water, and here you come again wanting more water,
4 more greed.

5 Your water supply will not support your
6 needs. Now we're faced with your greeds. You're a
7 bad man to let this go on.

8 Your mother would be shocked to know of
9 your abuse against your neighbors.

10 PRESIDENT RHODE: Sir, I'm sorry. Your
11 three minutes -- can you wrap up, please?

12 MR. DAHLEEN: Yeah. Brokering land and
13 greed for growth without a means to support it, the
14 water is sort of -- your greed for cheap water -- most
15 other water upstream users will leave their pumps high
16 and dry while you suck the water to water your grass
17 with.

18 These are predominantly White
19 communities with green grass, yards and pretty pools.
20 I don't know your communities -- I don't why your
21 communities have fewer Whites than Blacks and
22 Hispanics than the state census shows, but it looks
23 that way.

24 PRESIDENT RHODE: Mr. Dahleen --

25 MR. DAHLEEN: I must say that -- thank

1 you.

2 PRESIDENT RHODE: Anyone else wishing to
3 address the Board that hasn't signed the sheet? Okay.

4 If not, this public hearing is closed.

5 (Proceedings concluded at 8:09 p.m.)

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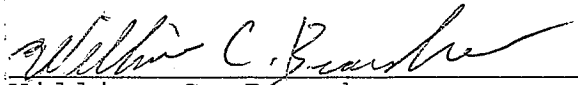
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STATE OF TEXAS)
COUNTY OF TRAVIS)

I, William C. Beardmore, a Certified Shorthand Reporter in and for the State of Texas, do hereby certify that the above-mentioned matter occurred as hereinbefore set out.

I FURTHER CERTIFY THAT the proceedings of such were reported by me or under my supervision, later reduced to typewritten form under my supervision and control and that the foregoing pages are a full, true, and correct transcription of the original notes.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 23rd day of October 2007.



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