

# NSN EXPRESS

A PUBLICATION FROM THE OUTLAW CITY OF THE OZARKS  
A No Standing News Special Edition / Fast reading for busy people

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## Pigs take wing in city hall - City condones Chug n' Puke Week – Hair Dryer Angst – School Board shops while Rome burns.

**Pigs in the treetops.** *"RCDC, a not-for-profit group that manages the industrial park real estate matters for the city, is responsible for making the transaction with Brewer Science."* -RDN May 7, 2002. Such painfully discreet wording of the RCDC/City/Brewer Science land deal just begged for closer examination so we asked **Dan Murphy**, city fiscal officer these questions: "When exactly did this not-for-profit group of park managers deed the Hy Point industrial park over to the city and become just *"managers"* for the new owners (the city)? If the city has acquired title to the industrial park from RCDC when did this momentous event happen? If RCDC is *"responsible for making the transaction"* of \$52,250 in exchange for 10.45 acres of land, will they also "make the transaction" disappear into the RCDC bank account, as they always have in the past, or does the city actually get the money this time to pay back a little something on the last \$100,000 purchase of land illegally given to RCDC? In other words, when do you expect this check for \$52,250 to hit the city till? **Check one:** ( ) **after closing,**  
**or ( ) when pigs fly."**

As we suspected, the answer was "when pigs fly." RCDC is not just *"a not-for-profit group that manages the industrial*

*park real estate matters for the city."* RCDC still owns Hy Point and will keep the cash from the sale. When **Floyd Ferrell** was mayor the city bought 100 acres next to the industrial park for \$100,000 plus interest and then the council gave it away to RCDC in several parcels. When RCDC sells the land the taxpayers paid for, RCDC keeps the cash. That's the usual kind of **Dain Ward/Ed Owsley** bailout: You get to pay; they get to play.<sup>1</sup>

More questions no one else will ask are: Why did the city council participate in the farce of a closed session and a resolution about the sale of land belonging to someone else? If it took several closed meetings to arrange what we now see, what other deals were cooked in there that we can't yet see? Was **Councilman Matt Williams**, RCDC board member, in the closed meeting while his fellow council members took care of the family RCDC interests? Why did the newspaper use that line about RCDC being just a *"group that manages the industrial park real estate matters for the city"*? They know better than that and they know we know better.

The sly obfuscation about RCDC is because they hope you won't remember that in 1999, NSN explained how your council members and RCDC have been ripping off taxpayers for years by

having the city buy land with your taxes and give it to RCDC, they then sell the land and pocket the cash.<sup>ii</sup> They also hope that you've forgotten that this is a blatant violation of Missouri Constitution Article 6, Section 23. Cities can't give any public money or any *"thing of value to or in aid of any corporation."* RCDC is a domestic nonprofit corporation owned by private stockholders; the city frequently bails them out by giving them land and money and other city services but the city has no control over RCDC. As we have said before, if RCDC is so altruistic and only does this for the city's benefit, then why don't they liquidate their holdings, dissolve the corporation, and give back the land to the city? We said, "give back" not "sell back" land that the city bought and gave them in the first place. Then it won't be a lie when RCDC is described as, *"a not-for-profit group that manages the industrial park real estate matters for the city."*

**Where oh where has the fire report gone?** For some weeks we have had a request in for a copy of the state Fire Marshal's report but it's still not done. You probably thought it was done because of the big deal **Larry Ewing** made out of it at the April school board meeting. He had a guy from the fire marshal's office come down

and make an "officially unofficial" verbal report for PR purposes. The fire guy said they didn't exactly know what caused the fire in the administration building but they thought it was kind of, well sort of caused maybe by a spark in some wiring or something in the ceiling but they weren't sure why and probably would never be able to tell exactly how it happened...maybe. Our Fire Marshall sat beside him and nodded his head a lot indicating he agreed that it was whatever the state guy said it was. They both said they were real sure it wasn't arson...well pretty sure it wasn't. So if the report isn't written up yet why did the state guy come to the school board meeting and say it was done? If this is just leading to the usual "squirrel smoking in bed" excuse why don't they just put it on paper and be done with it? Three times they've announced it wasn't arson but nobody will say what it was. The more the board and administration try to spin the news coverage and arrange all these non-denial denials about arson, the more it looks like they really think it was.

**Dip your dawg?** The invitation in the slick "Rolla Fun Times" mag to bring dogs to swim in a people pool struck us as being a bit bizarre but maybe parents do want to put their kids in a pool that a bunch of hairy dogs have just bathed in. Is the health department awake out there?

**Doing the Council Waive.** They say consistency is the hobgoblin of little minds but that's not true. Rolla city council is proof that hobgoblins can be inconsistent. Our council frequently, but not

always, grants waivers for people who find it inconvenient to follow the rules. At the April council meeting the "waiving" business went over the edge when a motion was made to waive compliance with an ordinance they hadn't yet passed. So far they had only discussed the need to discuss the farcical give-us-a-park-or-give-us-money ordinance at some future date. After they were reminded they couldn't give the developer the planned "No-park-and-no-money" waiver from an ordinance they haven't passed yet, they proceeded to fall into it again.

The next one was the approval of a resubdivision of some lots in the new University Park Subdivision. Last year Lowe's was forced to pay \$8,000 in lieu of giving the city parkland just because they had divided a lot. Petersen claimed was "subdividing" and he said that splitting or "sub dividing" the lot made Lowe's fall under the parkland ordinance for Subdivisions. Any fool could tell (well, obviously not any fool) by reading the ordinance that it clearly referred only to residential housing subdivisions. Our hobgoblins didn't remember last year's blunder from following Planning Czar **Peterson's** advice so they were oblivious that they were reversing their previous illegal precedent and in that they were being perfectly inconsistent again. That's the problem with getting in the habit of breaking your own rules; after awhile you can't remember which rule you broke, for whom or why which makes you look either stupid or crooked.

**The Chug n' Puke Waive.** In May the council waived the rule about drinking on city property (the airport) for the convenience of the frats and their Greek Week party. After decades of turning a blind eye and settling expensive lawsuits from parents whose children died from alcoholic excess on campus, UMR finally wised up and won't sponsor the Chug n' Puke games on state property anymore. So the city "fathers" cheerfully waived the no-drinking-on-city-property ordinance so the frats can drink to excess for two days during Greek Week, thus condoning drinking by underage kids (is this a PC thing for city fathers to do?). UMR student behavior is too high risk for the university, the Lions Club and some private property owners. But city officials proved they have no common sense by going on record to suspend the no-drinking ordinance thus officially facilitating lawbreaking and any harm that may result from the parties. Now they can't even claim they didn't know drinking was involved.

**About this kind of waiver...** While state law does allow the council a waiver process for zoning matters we know of no "waiver" for other ordinances. Giving a certain class of people a temporary "pass" for actions that would cause fines or imprisonment if committed by anyone else is not the business of legislators – judges and prosecutors do that. But there we go again with our ridiculous hang-up that the law should be obeyed, especially by those who swore an oath to uphold it. So if you are arrested for drinking on city property during Greek Week just tell the cop that you're a frat

and covered under the waiver on Ordinance # 4-2 from the city council.

### The Diesel Generators do what?

The headline said: *"Power generators add reliability, help keep utility costs under control."* Five days later the lights went out. In the accompanying RDN editorial (in which we learned more than we wanted to know about the angst of blow drying) we were advised to look on the "bright side" of our chronic power outages. The bright side, we were informed, of having no power is "peace and quiet." The peace and quiet of a power outage is not exactly a plus if you happen to be in the middle of surgery, booking a prisoner, on a respirator or have \$50,000 worth of fresh and frozen foods to sell before they rot. This kind of relentlessly cheerful optimism is often confused with being positive and public spirited, but carried to extremes, it isn't positive - it's just tiresome. It's not public spirited either because it inhibits the rational and necessary process of identifying and solving problems for the common welfare. Everyone has problems; it's OK to admit that even here in **Perfect**, things aren't always perfectly perfect.

It's an indisputable fact that no town can sustain growth without an ample and consistent supply of water and power, but it has become an act of civic disloyalty to discuss either of these problems here in **Perfect** because it might depress housing sales. It's only PC to lament the shortage of boiled lobsters and nightclubs. The fact is, we don't have a reliable and consistent supply of power and we aren't real sure about the water

either. Calling another power failure an opportunity for "peace and quiet" is like calling skin cancer a reminder to buy sun block.

As for *"keeping costs under control"*... The generators cost us \$800,000 a year (and a whole lot more for fuel and maintenance) but we can't use them for our blackouts because MoPEP pays us only \$550,000 to save the generators to provide power for them - not us. Subtract what RMU is paying from what they are getting and it means we're paying an extra \$250,000 a year NOT to have electricity from the electric generators we're paying for. Or you can look another way, if we hadn't bought \$8 million worth of generators to NOT have reliable power, we could still NOT have reliable power but we wouldn't be in the hole \$250,000 a year. That's called Rollamath, a product of too much Rollathink.

In 1999, the famous last words of **Dan Watkins**, RMU manager were: *"I assure you, we will be selling that power for much more than what we are paying for our own supplies."* We said it was a Ponzi scheme then, and we still say it's a Ponzi scheme.<sup>iii</sup> If the diesel generators aren't for keeping our power on then what will? When they were buying power from AmerenUE, RMU blamed outages on them. Now it's because of the spring storm or a bird landing on a line. If it's so normal for a spring storm to knock out power why do our friends outside the city not have power failures while we are sitting in the dark? We think RMU has let our power infrastructure decay while they poured money into city hall so politicians and RCDC could waste

it on futile economic development games. Some latter-day Ponzi at MoPEP conned Dain Ward and Watkins into putting the city in debt so we could become a generator farm for MoPEP. MoPEP gets more money by promising other customers more level rates from the electricity we pay to generate for them, what we get is power failures and debt. In other towns this would generate some pretty hot public meetings, but not here in **Perfect** where power outages are just opportunities to contemplate "peace and quiet."

This town is going to stagnate because all the-glass-is-half-full economic development boosters in town are afraid to demand answers from Dain Ward, et all for their poor electric service. They'd rather make up excuses while sitting in the dark waiting to blow dry their hair.

**No worries mate.** Last Thursday, while the state budget was circling the drain in Jeff City, our school board was merrily looking over a two-page shopping list (another one) that totaled over \$2.3 million in new spending - and that's just the first year costs. It included really vital educational needs such as a **third assistant superintendent for \$108,000**, girls golf (because some country club dad wants taxpayers to pay for his daughter to learn), \$684,000 worth of computers, a variety of electronic goodies with annual price tags which will raise the district overhead by a minimum of \$250,000 a year, Smartboards and projectors in every classroom for \$3,000 per classroom (for 300 classrooms that's \$900,000) and many more gadgets too numerous

to mention; some didn't even have a price tag yet. The school board just barely turned down this spending but Ewing and the "Administrative Team" will bring it back to the next meeting. They will keep pushing this stuff at the board until they get every last silly bit of it. It remains to be seen if the new **Dr. Adams** has more sense and more control over the appetites of the rapacious "Admin Team" and their shopping habits.

Board members **Blum and Strassner** wanted to fund the pre-Kindergarten program in the worst way. This program, serving only 36 children, is a favorite of those who feel that children are better off being raised by government bureaucrats than by their own

parents – an insulting generalization that they both, as public officials, should know better than to believe. The real reason for their enthusiasm probably has more to do with the fact that their wives are on the Parents as Teachers (PAT) payroll than any real knowledge of early childhood development.

Missouri legislators have this dilemma; to give schools the extra money they are demanding (two billion just isn't enough, they want an extra \$175 million) they will have to throw old people out of nursing homes, turn the mentally ill loose and cause real pain to a lot of helpless people or raise taxes. If they don't do those things, school districts like ours

won't have girl's golf, Smartboards in every classroom and three superintendents. Oh, what to do, what to do?

**Correction:** We reported in the last issue that the county jail project was shut down for several reasons, one of which, we said was lack of soil tests that would have shown they were building in a bog. A reliable source tells us soil tests were done so we were wrong. They did drill and determine that there was bedrock down there somewhere; unfortunately, no one asked if the dirt on top of the bedrock was 50% water. We regret the error.

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<sup>i</sup> **"The trick is in knowing how NOT to report it,"** NSN 1/4/99, [http://www.rollanet.org/~rwnash/NSN\\_1\\_18.html](http://www.rollanet.org/~rwnash/NSN_1_18.html) (RCDC's land grabbing)

<sup>ii</sup> **"THE GEESE THAT LAID 18 MILLION GOLDEN EGGS: A Tale of Political Incest and Interlocking Directorships,"** NSN 1/29/99, [http://www.rollanet.org/~rwnash/NSN\\_1\\_21.html](http://www.rollanet.org/~rwnash/NSN_1_21.html)

<sup>iii</sup> **"RMU's Ponzi Scheme,"** NSN 4/12/00 [http://www.rollanet.org/~rwnash/NSN\\_1\\_60.html](http://www.rollanet.org/~rwnash/NSN_1_60.html)