

# No Standing News

Since we have no standing, we stand with those left standing

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## *RDN poll slaps city GOB's in the face*

The Good Old Boys in city hall really should have stopped with their less than literate indictment to censure **Councilwoman Donna Hawley** but, as is usual for mobs, they overreached. They just couldn't resist icing the cake with a RDN online poll to see if they had duly impressed the citizens of Rolla with their childish tantrum. It must have come as a shock to find that their censure backfired big time. We checked the online poll results after July 4<sup>th</sup> and only **1,776** or 37% of those responding agreed with the censure of Hawley but **2,580** or 54% did not! When **54%** of the people don't agree with you, you should rethink your strategy. One of their censure complaints, that Hawley called them "liars, cheats and idiots," was never proven but because they had the votes stacked against her they didn't have to prove when and where she allegedly called them "liars, cheats and idiots" or provide proof of any of their other accusations. Those accusations consisted generally of whining that it wasn't fair for her to do research and ask smart questions about complex things that they couldn't understand. They could have accused her of the

Lindberg kidnapping and gotten the same vote. Happily, 54% of the people watching their "Censure Theater" saw through it.

If **54%** of the people who bothered to respond didn't agree with the council's temper tantrum, they're also unlikely to vote for the sales tax increase that the council is plotting to stick them with. That was the reason for the hastily called Monday, July 13, workshop. It was to discuss the plan to ask voters to make the *temporary* recreation center sales tax a *permanent* sales tax so they can *permanently* bail-out the badly designed rec center which *permanently* runs a deficit. They're also planning to stick you with a 1/2¢ - 1¢ sales tax for a **Community Improvement (sales tax) District (CID)** but that one you don't get to vote on, only the council votes on that tax. Details below.

Other than their obvious disgust with the city council's censure, why would voters want to tax themselves to rescue a planning mistake that is priced so high that only 1% of city residents can afford to get inside the front door of this municipal country club?

## *Rolla and 32 "Joint Venture" partners hosed by MoPEP for another \$398 Million investment without due diligence*

What the city council Good Old Boys should have been, but weren't, listening to at their June and July council meetings was a report from the RMU Good Old Boys on why the RMU representative to MoPEP voted "yes" at the June '09, MJMEUC/MoPEP meeting to issue another **\$398,000,000** in revenue bonds to buy more stock in more coal-fired power plants. The council and the RMU rate payers didn't get that report because the RMU board kept mum hoping none of us would find out that **Duncan Kincheloe**, CEO of MJMEUC/MoPEP, our "joint venture" partner, has loaded us up with another \$398 million in equity investments which, once again, we know nothing about and were not asked if we wanted.

Why is RMU keeping this new MoPEP debt a secret from the utility rate-payers and voters of Rolla when we now know we are going to bear the brunt of the "unlimited" debt decisions made by the club of MoPEP utility managers? Why did MoPEP agree to pay Ameren UE **\$60,000,000** for the old coal-fired power plant in Columbia that the city and then Ameren UE had been trying to unload for years? Why did MoPEP pay another **\$140,000,000** for something called the **Dogwood Energy Center**? Why haven't RMU board **President Jim Stoffer**, **ex-judge John Wiggins**, **Mark Rolufs**, **Nick Barrack** and RMU manager **Rodney Bourne** come to the council to explain this additional **\$398,000,000** in

investments and new liabilities by our joint venture partners which is now added to the existing \$2.1 BILLION in MoPEP revenue bond debt and the liability for questionable power plant management our joint venture "partners" have stuck us with?

One of the unspoken reasons for the Hawley censure was that she kept telling her lazy fellow council members that they should quit being RMU's "sheeple." That they should be exercising oversight and demanding answers from the RMU board about the mounting billions in debt MJMEUC/MoPEP is piling up. These new June debts are a perfect example of the *lack of disclosure of additional financial obligations and liabilities* incurred by MoPEP that the state auditor cited in her audit report.

The MoPEP representatives from **Owensville** and **Hermann** at that meeting, voted a firm "NO" to the investments and made on-the-record protests at Kincheloe's lack of disclosure and complete lack of information about the financial viability of the projects Kincheloe and MJMEUC/MoPEP are investing in. That's exactly what Hawley has been protesting and it shows she has been right all along. We're being sold down the MoPEP debt river without even a question from our RMU representative or the RMU board.

### **Council TAX WORKSHOP plans CID SALES TAX to build Road-to-Nothing!**

There was no reporter present at the Monday, July 13<sup>th</sup> workshop called by Butz, Jenks and Bax to get the council softened up to: **1. put a tax on the ballot to bail out the Rec Center** and to, **2. create a Community Improvement District (CID) taxing zone to charge from 1/2¢ to 1¢ sales tax** on all taxable purchases from businesses inside the zone. What is the new tax for? It's to build the next stage of the Woessner West bypass (renamed the "Fifth Interchange Project" in an attempt to take the curse off). This fragment of the road will be called the "Bryant Street Extension," instead of being called "The Bulldozer through Ridgeview Subdivision," and it's supposed to lead to the university Tech Park that you may have noticed doesn't exist. The Tech Park may never exist because the state and the university are busted and do not have millions to dump into speculative projects just so some people can keep their over-paid economic development jobs.

The agenda called for **Liz Bax** to get out her pom-poms and give them "The Big Picture." (No kidding, that's how they talk. They say "win-win" a lot too). They didn't say who lead the council in prayer to "Reaffirm Council Support for overall concept of Rolla West." Now why would the council have to "reaffirm" their support for Woessner West unless council members are beginning to fall off this RREC pie-in-the-sky bandwagon? It sounds like they have to periodically retake the Rolla West Loyalty Pledge to keep their toes on the line. Observers at Monday's nearly secret city

workshop say most of the council didn't join in her cheers for Rolla West or the tax to build a road to it. Maybe they realize Rolla is overtaxed. Maybe she'd understand that if she lived here and paid our taxes.

Bax had a fit when someone wanted the CID sales tax to be only 6 years. She demanded a 20-year CID sales tax to pay for the "Expensive-Bypass-to-a-Tech Park-that-Doesn't-Exist." Have you figured out why Bax and the RREC are pushing this just like they did their monumental failures with TIF? The RREC will contract with the city to run the CID and she will be paid another salary to do CID "administration" - collecting and spending the **\$600,000 to \$1,200,000** they expect to get from their **1/2 to 1¢ CID tax**. Both the RREC and Bax are looking for long-term job security out of this.

Since MoDOT said they were underwhelmed with the RREC/Bax proposal for MoDOT to pay \$35 million to build a highway to the Woessner/Dietzmann private development west of town, and since MoDOT will not put a dime into it, the RREC, Bax and city hall have now decided to chop up their failed road-to-nowhere into five segments hoping you won't notice that their ultimate goal is to push through the Rolla West bypass a piece at a time. The first stage was done when the city secretly laid out **\$700,000 to \$1 million** of our tax dollars to "improve" the intersection entrance for Walgreen's. The second stage, the Bryant St. detour to the Tech Park-that-isn't, will be paid for with bonds and the CID sales tax.

#### **VOTERS WILL HAVE NO SAY ABOUT THE NEW CID SALES TAX!**

This will be done with a resolution voted on only by the council and just like that everyone who shops at the retail stores inside the CID zone will have another sales tax to pay. The only thing you can do about this tax is not shop in the

businesses in the CID taxing zone or make sure the people you elect to the council next April get your "Big Picture" the one where taxpayers don't become a lending bank for Woessner, Dietzmann the RREC and their land speculation schemes.

#### **Will there be eminent domain for the Rolla West CID project?**

Yes, of course there will be condemnation of private property if people won't sell at the city's price! Since the Supreme Court's *Kelo* decision said cities can use condemnation for commercial purposes at the drop of a hat, they don't even have to put that in the law anymore but to make it easier for the council and the CID board to do these land grabs the CID law says they only have to designate the property the city and the developers want as "blighted" in their CID Plan. If the owners of the "blighted" property won't sell at the city's price they can take it cheap with eminent domain. Like the Great TIF Scam, Bax, Butz and the Mayor are not telling the council and the public all the nasty details of the CID taxing district. The powers of the hand-picked CID board they will appoint will blow your mind but then this law like the TIF law was written by developers and tax-hungry politicians for their own purposes, not by the citizens who will lose their homes and taxpayers who are being exploited to be the "bankers" for a speculative development deal they wouldn't willingly put a dime into. We will have more details on the CID tax and in the next issue.

**Jenks tells Chamber city secrets.** When the mayor goes to Chamber meetings he tells them things he doesn't admit to the taxpayers of Rolla. In the March '09 Chamber report Jenks

admitted that "**MoDOT has pulled out of the Highway 72 extension project** but that the 5<sup>th</sup> Interchange project was still in their plans." Did you get that? MODOT HAS PULLED OUT OF THE CITY'S PLAN FOR MODOT TO PAY FOR THEIR ROAD TO "WOESSNER WEST." He told them but he didn't tell the people of Rolla not even in his little weekly column. Why hasn't that been a front page story in the Rolla Daily News? The paper didn't have any problem running headline stories dictated to them by Bax who kept telling us MoDOT was going to pay for the bypass, then she changed her story that MoDOT would pay for part of it, then her story changed again to MoDOT was really, really "excited" about the bypass and would include it in their planning. Unlike the "news" paper, last fall we checked with MoDOT and asked them flat out. MoDOT said they had never had any plans to have anything to do with it unless (ha, ha) the city wanted to take over maintenance of the state's highways in town forever. Don't laugh - it's just the kind of 'deal' Butz jumps on.

**Mayor Bill** also told the Chamber that "the city is still planning on extending Highway 72 up through Bryant Drive and moving the traffic signal from Fairgrounds Road down the street by Pizza Inn and McDonalds. Highway 72 will then go straight to the Tech Park, cutting through where the old KFC

was.” He apparently *did not* tell the Chamber that in order to raise all the millions that it will cost for the city to pay the *whole cost* of putting in this ridiculous and unneeded detour the council will have to load a sales tax on all businesses inside the CID taxing zone! The Chamber of Decorators found out about the detour-to-nowhere in March but it was never discussed in a council meeting until the Monday Tax Workshop which conveniently did not have a reporter present to report their plans for new taxes.

Newspapers in other towns always cover tax-and-spend workshops and nail elected officials to demand they justify the *need* behind such pork projects. The RDN doesn't.

**Politicians who live in glass houses...** Because the council set themselves up as the arbiter of manners and morality for members of city government with their corny Council Conduct Rules, it's only fair and right that someone examine the presumably superior manners and merits of the council members who are doing all this finger pointing. The newspaper made far too much of Hawley's alleged absences but didn't examine the attendance of all the stone throwers. Why? Since they have established that council attendance will be conducted along the lines of a 5<sup>th</sup> grade class, we expect to see an attendance report every quarter.

Since the Rolla council has now established these trivial behaviors as their standard of judgment we have discovered that several of them should resign immediately. They are not only violating all these new rules but they are a real embarrassment to the people of Rolla. Before they started throwing stones they should have remembered the glass houses they live in and that [CASENET](#) is where their dirty laundry is hung out for all of us to see. Politicians who live in glass houses...

One council member, despite over a half dozen legal judgments against him appears to still be reluctant to pay up. One or more of his creditors have garnished his monthly council pay check to get back the many thousands the court has ordered him to repay to his creditors. The reason this should be of great concern to the taxpayers of Rolla is because this particular council member – the one with the heavily soiled credit record - *was appointed by Mayor Bill Jenks to the council's audit committee!* The audit committee is the allegedly 'select' council group that rubberstamps the draft annual deficit budget before the council rubberstamps it as an annual ritual. No wonder the council doesn't think a deficit budget is a bad thing.

We watched another council member very closely during the Hawley witch hunt and it was obvious that he relished his role sitting in the judgment seat. He should have had more sympathy for the accused because just a few years ago he pled guilty to a **B felony drug charge and was on probation for five years!** Why would someone with a criminal record run for the city council? Well, some do it because they can use their political position to get cops to back off - a kind of get out of jail free card; others are just arrogant and figure it doesn't matter or no one will find out they have a felony record. This guy sat in judgment and voted to censure Hawley for carping political grievances knowing he had a criminal drug record! What gall! They were incensed that she called them

liars and thieves? Had she but known it, she could have called them felons and deadbeats with perfect truth. This folks is your city government. These are your “leaders.”

The voters in each Rolla ward, in fact all voters in the county should start checking [CASENET](#) to find out if the people asking for their votes – and who will be sticking their hands in the public trough – have similar unsavory records.

Why didn't the Rolla Daily News check out the sanctimonious stone throwers when they were doing front page coverage of the censure of Donna Hawley and the trumped-up “crime” of missing a few meetings?

**“I am not a crook!” cried Councilman Stan Spadoni.** That was, without doubt, the most hilarious thing ever said in a council meeting and it was even funnier because Stan didn't realize what a fool he made of himself. Shades of Richard M. Nixon! Nixon also claimed he wasn't a crook and he wasn't - he was just the sleaziest politician we've ever had in the Oval Office.

**Will the real “peckerwood” please stand up?** Just after censuring Hawley, at the July 6<sup>th</sup> council meeting, blustering **Councilman Jimmy Dale Williams** publicly called someone a “peckerwood.” In case you're not familiar with the racist term, “a peckerwood is a rural white southerner, usually poor, undereducated or otherwise ignorant and bigoted, the term gained popularity in the deep South during the early twentieth century and was meant to be derogatory.” – **Urban Dictionary**

Years ago Williams was the only vote against the city adopting MLK as a city holiday and now he's after “peckerwoods.” He is at least an equal opportunity racist but nevertheless his trash talk has no place in any governmental meeting. A few years ago the blustering, pompous Williams announced during a council meeting that “the Sunshine Law is a pile of s\*\*\*!” That kind of scofflaw attitude (and it doesn't only come from Williams) is why the state auditor listed *four whole pages of violations of the Sunshine Law* that the city has committed - a state record for violations of Chapter 610 by a single city. Jimmy Dale is boorish, belligerent, ignorant and proud of it...the very definition of a “peckerwood.”

These and other ugly remarks keep spewing from Jimmy Dale's mouth during his twice-monthly lecture on “The Mind-numbing Opinions of Jimmy Dale Williams,” but he's never censured for his potty mouth. The mayor is presiding officer of the council and he is supposed to shut down council behavior like Williams' that does not conform to Roberts Rules or any gentlemanly standard of behavior. Jenks just cringes and pretends not to hear.

This time it seems Jimmy Dale feared a mystery “peckerwood” would force his way into JD's house to ...it's not quite clear...do something or other...maybe save him money on his utility bill? Oh what a horrible governmental conspiracy. It is hard to tell just what will set JD off. His diatribes start with some innocuous remark or agenda item and before you know it Jimmy Dale is saddling up to ramble aimlessly through unrelated subjects that are only linked in the deep and murky swamp of JD's brain. This one began with the council discussion of having energy audits of city buildings to save money (now that they're paying *their own* utility bills they

want to reduce *their* pain from inflated RMU/MoPEP prices) then he wandered through global warming (a conspiracy by dems), those damn scientists (he doesn't believe in science), the federal gov'ment (he doesn't believe in gov'ment either, it apparently has never occurred to him he's part of one and he regularly votes for the same oppressive city ordinance intrusion that he complains about), the EPA (the conspiracy to force their way into his abode). Finally he wound up with threats of what he would do to "some peckerwood" coming into his house to do an energy audit, something that wasn't remotely proposed or even suggested in the subject that was before the council.

The [Peckerwood Speech](#) is such a Rolla classic that I'm putting it on *YouTube* so it will be there forever and ever...a memorial to the quality of government in the Outlaw City of the Ozarks. Those who dislike what we put in NSN because it makes Rolla "look bad" (as opposed to the reality that it actually *is* bad) should watch council and RMU meetings and see what a wealth of material they provide. Believe me, we barely scratch the surface.

We suggest the voters in Jimmy Dale's ward ask themselves if cracks about "peckerwoods" don't reveal an unsavory cast of mind in a man who has been – for too many years - part of the same oppressive government that he complains about. How do his rambling diatribes balance the city budget or improve our infrastructure? How do Ward 5 voters benefit from being represented by someone who is so

busy making racist remarks and bullying people that he does nothing to stop the Woessner West bypass from being driven right through their homes? His current term expires in April 2010.

**Councilman Lou Magdits'** furtive personal "cockroach" attack of Hawley was slyly made in closed session to a limited audience but Jimmy Dale's scatological spewings are on tape. Why will neither Magdits nor Williams be censured or even informally reprimanded for what they say or do? Because they aren't the ones who exposed the disastrous mistake of the MoPEP contract and who now have had an audit shoved in their faces to prove it was a mistake. Not only were they terminally careless in signing the MoPEP contract but the nepotism, four pages of Open Meeting-Open Record violations and other management negligence by the council and RMU exposed by the state auditor proves their management of the city has been amateurish, sloppy and in many cases illegal. Hawley was right about a lot of things and it just sticks in their craw.

Will there be censure motions for the deadbeats, felons, bullies and potty mouth councilmen? Of course not, because they're part of the churlish Gang of Eleven doing the bullying. The guilty are safe as long as they hide in the mob and as long as the RDN doesn't report their bad behavior to newspaper readers – which they can be trusted not to do.

### ***When Politicians Park their Brains at the Door...***

**Dumb Decision #1.** Now that the city council actually is billed and has to fork over a check for the utilities they use and waste, they seem to be incapable of understanding that when they pay their own utility bills they are *also paying their own phony 5% PILOT "franchise fee!"* They didn't have the wit to exempt their bills from their greedy pork fee. They also didn't exempt the money other utility users might check off to donate to those who can't pay their RMU bills. Every time someone donates one dollar to help poor people pay their bills to RMU, the cheap screws at city hall take 5¢ for their pork kitty!

**Dumb Decision #2.** The latest RMU discussion is about *charging everyone who pays their utility bill with a credit or debit card a fee of \$3.* In other words you're going to be penalized to discourage you from using plastic because the antiquated and backward-thinking RMU board and their over-paid managers can't handle modern electronic money transactions. In most other cities that have a home-owned

utility department you can easily pay your bill online but oh no, not in Rolla. Here you must tote hundreds of dollars in cash into the building to pay your utility bill or send them a check which your bank will charge you to process.

Here's where dumb gets dumber. ***If the council lets the RMU board impose another illegal fee on credit/debit card use the council will get 5% of the \$3 penalty!***

**Dumb Decision #3.** Why is the city of Rolla storing baled hay in the old **Ransdall** building, the oil-soaked fire hazard they bought for a quarter of a million dollars? Does their insurer know they are deliberately creating a fire hazard? Do the owners of the neighboring properties know about the giant torch they're creating next door? Isn't it a violation of city codes to have a hay barn in town? Someone in city hall must have given permission to create a highly flammable hay barn in a city neighborhood. Who parked his brains at the door and gave that okay?

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