

No Standing News

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

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The City EEZ hearing wasn't the last word after all

Advice to politico's: When they start having "No EEZ" tee-shirts printed up it's a really bad sign

County EEZ meeting is unimportant? Bax and the EEZ committee had their public hearing in city hall last Tuesday. The one they took pains to point out was the only "formal, legal hearing that will have impact on [the] Rolla's EEZ application." What they were trying to say was the EEZ informational meeting in the Phelps County Courthouse on **Wednesday, Oct. 21st at 7:00 pm** is just a token so you can ignore it. Not quite true. The city people may pretend the county isn't important and doesn't count in their grand 'vision,' but because they've included large chunks of the county in their EEZone the undeniable fact is that *they can't have their EEZ and blight the whole town without the affirmative vote of the Phelps County Commissioners.*

On Friday the RDN reported the commissioners have sent out 472 letters to citizens living inside version number 8 or 9 of the EEZone map to announce the county EEZ meeting on **Wednesday, October 21st at 7:00 pm** at the courthouse. This belated action is an odd one for the county commissioners to take because to be an "advertised public hearing" as required in [EEZ statutes RSMo 135.960.1. and 2.](#), they have to put a notice in the local newspaper from 30-20 days ahead of any public hearing and notify "all affected taxing districts." Notifying every living soul in the proposed zone is excessive but not unwelcome. It's better than the sneaky vaguely worded notices they sent out to each taxing district for the St. James EEZ hearing. If you were an elected official of the school board or ambulance board and didn't know exactly what they were talking about you would never have gotten a clue from their letter that they were proposing giving away the tax revenues of the board you serve on. There is nothing in the 'notice' to explain that "certain property tax breaks" really means someone may give away 100% of the tax revenues for 25 years that voters gave you to educate children or help the handicapped.

The special notification to 472 residents implies however, that the 472 residents in the zone are the only ones "affected" by the proposed EEZone which is of course not true. The proposal to give away *any county property taxes* is the business of *all county taxpayers*. What one property owner gets out of paying (like the illegal RCDC exemptions), other taxpayers must pay for them. Also, property *inside* the zone may be owned by someone living elsewhere in the county. If property values are affected by some inappropriate or polluting activity *inside* the zone those around the zone will be similarly affected even though they are not

geographically inside it. Depending on what is at stake, like polluting our common source of underground water, the effect may have a disastrous impact on all of us. Is divide and conquer the strategy here?

"We can find no information that EEZ is harmful." EEZelots keep whining that they can find no *evidence* of an EEZone having any negative effect on property values or being used by government in an eminent domain seizure of land. Of course they didn't find any such evidence. First there is no evidence because no one else in the entire state has been stupid enough to blight an entire city and turn it into an industrial zone. The only state agency that would track such information is the **Department of Economic Development** (the state bureaucracy Bax used to work for) and DED's mission is to push these "tools" into our development "toolboxes." (It also seems to be DED's mission to think up corny slogans such as, "tools for the toolbox" and other empty management-speak such as "this project has many moving parts," sayings Bax uses slavishly as a substitute for real communication.) It's obviously not to DED's advantage to track information that would prove that the development "tools" and "toolboxes" that they're paid millions each year to pimp to us are hollow programs and may have little or no effect on the desperate little towns that use them without understanding how self-defeating and dangerous unrestrained giveaways can be.

Is eminent domain a real threat? Of course it is no matter how much they deny it because in just the last few years we've seen the city use it, or threaten to use eminent domain, to drive down the price of land their TIF developers wanted. Last year, when RMU wanted some county property for their sub station, they didn't hesitate to *start* their land 'negotiations' with property owners in the way of their \$15 million sub station with letters threatening eminent domain written by the same law firm that RMU board member **John Wiggins** works for.

So why do they keep saying it's not a threat? Because it's not a threat to *them*. If a property is going to be 'acquired' for some company do you think it's going to be Keith Strassner or Ted Day's home that will be threatened? Is Elizabeth Bax in danger of having her JC home steamrolled for an EEZ giveaway? Is Jim Sowers house or Dave Duncan's going to be bulldozed for the EEZ? Don't be absurd. They aren't the kind of people who get crushed by political interests – they're the ones who sit on the boards that

do the crushing and then they sanctimoniously tell us “Sorry, but it’s for the greater good.”

The city EEZ hearing results - according to the RDN

The newspaper was quick to declare that the crowd that attended the city EEZ hearing last week (the one and only real and gen-u-ine hearing Bax claims) was split 50-50 due to *their count* of a show of hands. Well consider the source. The newspapers on-line poll was running heavily *against* the EEZ; 68% “against” to 22% “for” and 9% “don’t care.” The results went against them so they yanked their own poll down.

Who’s for the EEZ? Those of us watching the hearing on TV, however, saw something else. Only 7 people got up to speak *for* the EEZ. They were **Ted Day** (on the EEZ board and the RREC board and frustrated that he can’t pass the pork like Daddy did), **Jim Sowers**, president of the RCDC, a private non profit corporation that has been the recipient of millions in illegal land and cash ‘deals’ from the city and RMU. The RCDC pays no property taxes. It’s typically hypocritical for them to advocate giving away something they’ve never paid. **Mike Woessner** is all for the EEZ. He’s another member of the RREC, one of the private non profit corporations the city subsidizes. This one gets over **\$115,000** annually to support their private corporate club and pay Bax’s golden salary and benefits so they can throw these stinking ideas in our faces. Woessner is also a land speculator desperately in need of city council annexation of his Rolla West territory that’s why **Mikey’s** trucks were putting up “Vote for Jenks” signs in **2008**. Then **Maria Carroll** and

Dave Duncan spoke for the EEZ. They’re officers of the Rolla Chamber of Decorators, another private corporation that is subsidized by the city with **\$250,000** annually. Naturally they both love the EEZ. Then there was **Fred Voss**, he’s also an EEZ fan. **Fred** has a big zoning vote coming up and 25 acres in the EEZ he’d like to unload.

Not exactly what you’d call an unbiased group but rather a collection of welfare cases that have their hands stuck firmly in the taxpayer’s pockets and who will kiss frogs to turn them into fairy princes if the city tells them to pucker up. All these bought and paid for organizations of hypocrites were called out by Bax to show up and save her EEZ.

However, there were more EEZ *opponents* at the meeting. These were real people with no commercial vested interest, who aren’t being paid off by city hall to lobby for their programs and who weren’t furthering any political or real estate development agendas. Unlike the dead silence that followed each statement by the pro-EEZ lobbyists, every speaker *against* the EEZ got applause from the audience. That’s why **Mayor Jenks** cut off the public hearing after only 60 minutes. The law says they have to have a public meeting to “hear” your comments, it doesn’t say they can’t ignore what they hear. That’s the new bureaucratically designed democracy in action folks.

The RDN needs to fact check the RDN

In light of the opposition to the EEZ that showed up on October 13th at what Bax, Day and Strassner claim is the “only legal” public hearing for the EEZ application how does this newspaper now go about prying its big biased foot out of its mouth?

In the RDN editorial on the EEZ on 9/26/09 they claimed that all the people that the Phelps County Commissioners admitted were contacting them daily in opposition to the EEZ were merely part of a “fringe minority” shouting “The sky is falling,” because they didn’t see “the big picture.” That’s right. They claim that Bax and the RREC - the gang that can’t shoot straight - *can* see the big picture. The RDN editorial said Bax and the EEZ boards are the very voice of reason, that they represent a “sedate and deliberative majority who believes that logic speaks for itself.” How did blighting entire towns become logical? When did their half-truths about the EEZ law become “sedate and deliberative” debate and when did the RDN and Bax take this county-wide census to determine that there was a “silent majority” who favored the EEZ? The on-line poll they had to get out of sight in a hurry belies this “silent majority” theory.

The editorial - but not **Bax** and **Prigge** - did finally admit what we all know, that eminent domain is always an open possibility even though in the front page story of the same edition Bax stuck to her usual hair-splitting statement that, “There is no provision for eminent domain in EEZ.” The editor unfortunately tried to clench his argument in favor of EEZ by using a wholly erroneous example of how the city failed to “pull the trigger” on condemnation of Warren’s property for the TIF project his point being that if they exercised such sublime restraint and superior self-control and “refused to play that card” on Dean they could be trusted not to do it to anyone else. Boy he sure hasn’t lived around here very long. His example might have been compelling if there had been a grain of truth to it, but he (or they) got all those facts wrong as well. RDN staff should really check their own back issues before using “facts” so easily disproved by their own reporting. (While they’re in their back issues they could keep an eye out for all those stories Ted Day claims they ran of his daddy Delbert’s “good old days” when everyone loved the greedy RCDC.)

These are the facts: In 2003, **Jeannie Geers**, lawyer representing then-Walgreens developer **Kevin Guffey**, told the city council in open meeting that Walgreen's was ready to break ground in six weeks on Callen's corner which was owned by Guffey – not Dean – *but they would not build* if the city insisted on putting them in a TIF zone. **Mayor Joe Morgan** and the council – miffed that Guffey had nipped in and optioned the Callen property before they and their hand-picked TIF developer could get it – went into closed session then came out and spit in her eye so Walgreens pulled out of the deal. If not for the in-your-face-stupidity and arrogance of **Mayor Joe Morgan** and the council they could have had Walgreens generating sales taxes in that prime location years ago without a TIF zone, without the city issuing millions in TIF revenue bonds or any other expense but the usual sewer/water etc., and without having to threaten anyone with eminent domain. They also wouldn't have had to (as they have in '08-'09) spend about a million dollars buying properties and improving Ridgeview Rd. to bail out Walgreen's developer in the new less desirable location up the hill.

The city threatened but never actually condemned Warren's property because the council was frightened he would fight back (he would have) and they are only interested in bullying people who don't have big money to fight them off. They had also fatally blundered by taking the inexpressibly stupid advice of **John Butz** and **John Beger** when they passed a blatantly unconstitutional ordinance which singled out Warren Dean *by name* demanding to enter his property (with no probable cause) to look for what they hoped was evidence of contamination so they could get his 'contaminated' land cheaper. The funny here was that if they had found contamination it would have been in the fill dirt the city had dumped on Warren's land and he still had the receipts to prove it was theirs. After Dean sicced his lawyer, Ty Smith, on them for that ineffably stupid move they lost their taste for trying to condemn Warren's property and turned their attentions instead to the Williams Rd. residents who looked like soft targets.

It was on the second TIF attempt that the city refused to "pull the trigger" to condemn property but it wasn't **Warren Dean's** property, it was the **Williams Road** properties that were threatened by condemnation and eminent domain. Williams Road resident **Ralph 'Curly' Koboldt** met an 'untimely' death from a heart attack on 3/21/06 after receiving letters from the city and the developer threatening to condemn his home which would force him to put his wife Marie – fragile and suffering from Alzheimer's – into a nursing home. The stench from that unsavory episode sealed the public's disgust with their greedy politicians and their hand-picked Big Box developers. The whole unsavory affair amply demonstrated the brutal tactics our local politicians were willing to use on their own constituents to get what they want for their hand-picked developers. The city didn't exercise great restraint as the RDN spin goes, they "pulled the trigger" but with their usual incompetence didn't notice they had the barrel pointed between their own eyes.

Is it any wonder people in Rolla and Phelps County don't trust local officials who have proven how low they will go to get what they want? The state audit proved that nepotism and conflict of interest is SOP in Rolla and that no one in city government takes the law or ethics seriously. If all those public and graphic lessons are negatively affecting the EEZ debate it's entirely their own doing.

So folks, it's back to the barricades on... *Wednesday, October 21st at 7:00 pm* at the *Phelps County Courthouse* to tell the *Phelps County Commissioners* that we don't want them to sign the EEZ resolution. The risks are too great and we have good reason to not trust any elected official (including the three of them) or appointed board to not sell us out. They've demonstrated time after time that they have no respect for us or our concerns and Keith Strassner's plea that we should "trust them this time" although they've "made mistakes in the past" sounds too much like, "I'll respect you in the morning."

Some questions that never get discussed by the EEZ boards. You might ask the county commissioners:

- *With two EEZ's aren't we going to end up having bidding wars between St. James and Rolla?*
- *Why does the EEZ board get to decide these giveaways on a case-by-case basis? What are they going to use to decide who gets what?*
- *St. Louis, Grandview and others have a public hearing and resolution on every business they give EEZ tax breaks to. Are you going to do that or will this be done in secret like the B&S deal was?*
- *What happens to us if a polluter or other nuisance business locates in the county part of the EEZ where there is no zoning control?*

- *Are MoPEP’s sky high utility rates going to be on the table as “incentives”? Is there any limit to throwing in other subsidies beside the property taxes?*
- *If we get suckered can we get all the tax giveaways back?*
- *How many jobs do we get and what kind of jobs? If they’re just a couple of part time minimum wage jobs with no benefits why are we doing this?*
- *Who’s going to keep these EEZ boards from secretly giving away all kinds of taxes and utility rates and everything thing else? Bax always says the names of the companies are a secret and she’s promised not to tell. Isn’t she going to use the same excuse about the giveaway deals?*
- *Can the county commissioners really just pass a resolution and give away the property taxes of all other taxing districts like it says in the St. James EEZ resolution?*

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