

No Standing News

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

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ROLLA TEETERING ON ATTORNEY GENERAL LAWSUIT

By Lois Ann Marler

Many Rolla voters may not be aware of an upcoming city election on November 2, 1999. And they aren't aware of the magnitude of this election.

On November 2, the voters of Rolla will be asked to approve a 4.9 million-dollar Revenue Bond to fund a construction project for the Southeast Wastewater Treatment Plant. Sound routine? It is, except in this case the critical need for the bond election has been swept under the rug since early 1997. Now that the city is under an abatement order by the Department of Natural Resources (DNR) and their backs are against the wall, they are asking the citizens to cough up the loot to avoid facing a lawsuit from DNR.

On August 20, 1998, DNR notified Mayor Morgan by certified mail that the city was in violation of the Missouri Clean Water Law. They have fixed the immediate problem, but must upgrade their facility to increase wastewater capacity. They are on a final "do-or-die" timeline on which the upcoming election hinges. The bond must pass or Rolla will face severe consequences when the case is handed over to the Attorney General.

In this case, the city council is not entirely to blame for the procrastination. They were never

given a copy of the 8-20-98 abatement order from DNR. Morgan chose to hide this critical information from the council. The abatement order in part reads:

"The issuing of an abatement order by the Department of Natural Resources is a formal administrative action by the State of Missouri. Abatement orders are issued only when the department believes that a serious violation of the Missouri Clean Water Law is occurring. Failure to comply with this order is, by itself, a violation of the Clean Water Law. Generally, an abatement order is the last action before a lawsuit is filed. Litigation may occur without further administrative notice if there is not compliance with the requirements of the order."

The letter was sent to the Mayor because he is the chief executive officer for the city of Rolla. Instead of informing the council, the ones who are responsible for handling city litigation, the Mayor, City Administrator Butz and Public Works Director Steve Hargis chose to conceal this information from them for nine months-this issue wasn't discussed at any council meetings until MAY 1999! The council still hasn't received a copy of the abatement order outlining the threat of a lawsuit. (NSN obtained a copy of the letter from DNR) The council thinks the city is under a petty abatement or "mandate" from DNR. By choosing to hide this information, Morgan assumed full responsibility for the consequences of an Attorney General lawsuit, but it will be the

The city has applied for the State Revolving Loan Fund, which provides low interest rates (2-3%), as opposed to a general obligation bond (5-6%), or a lease purchase (7-8%). Any financing method will be repaid over a 20-year period by an increase in sewer rates. With the state loan, it is estimated that the increased sewer rate will average \$2 more per household per month, which will be increased gradually over the next four years (from a current average of \$9.53/mo to \$11.65/mo), with a total payback price of \$6,115,671. No monthly averages were given for the general obligation bond or lease purchase option. However, Public Works Director Steve Hargis told me that it is safe to add an additional 2 million onto the price tag for a G.O. bond, and 3.3 million onto the lease purchase option.

It's true that sewer treatment facilities aren't as flashy as new recreation centers, but what are our priorities? Is the Mayor really willing to jeopardize the health of its residents, and the embarrassment and expense of another lawsuit over RECREATION? Don't bother asking the "priority" question of any city official. They have already been coached on this one. The consistent response I'm getting is that "all these issues" are important: recreation, sewer treatment, the jail, etc. Folks, please don't try this at home. Budgeting for a new Cadillac before the groceries could get you into trouble.

In light of the sneaky maneuvering by our public officials, it leaves one to question how many other secrets they are hiding in the file cabinets. If you are a council member and want to be fully informed, I suppose you need to go to city hall and rummage through the files and desks of fellow officials. How else will you find the truth?

FREE JUDGE MAYBERRY NOW!!!

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