

No Standing News

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

Volume I

Number 70

October 16, 2000

WACO IS A BURNING ISSUE

Not to be confused with Texas, WaCo, locally speaking, refers to the Washington County Landfill proposal. This idea has been kicked around in Rolla for several months with little information available to the public. The Rolla City Council met in closed session with WaCo representatives in October 1999 and has now joined a consortium with the hopes of partnering in this multi-jurisdictional landfill. But is it the best for Rolla?

ALL THE PLAYERS. Currently, the City of Rolla uses the local transfer station which is owned by the Phelps County Landfill Board. The city contracts with Superior Services to haul our trash to Superior's landfill in St. Louis County. The contract for trash hauling was previously held by Waste Management, but Superior beat out Waste Management when their contract expired.

The proposed WaCo site is owned by Jack Agers, and is located in Washington County near the borders of Franklin and Jefferson Counties. It is a 240-acre undeveloped site. Jack Agers, of DeSoto, is seeking a construction permit for this facility from DNR.

Rolla and the Phelps County Landfill Board**, along with St. Robert and Fredericktown, formed an official Consortium on 8-24-2000, and have contracted with Maxim, a market-analysis company, to conduct a feasibility study before proceeding with the landfill purchase. Rolla City Administrator John Butz is treasurer for the Consortium. The door is open for other interested cities and counties to

join; however, several have already said "no thanks" to the project, including St. Peters, Cape Girardeau and Perryville.

The Maxim feasibility study had been under tight wraps. Even though this study perfectly fits the statutory description of a "public record" as outlined in RSMo 610.010, the Consortium was unwilling to release the report. Under pressure from the public, they have decided to release a redacted report in which portions were "blacked out."

The Consortium has tried to hide the report and justify their closed meetings by citing the "real estate" provision of the Sunshine Law, even though the WaCo site has been identified and was even featured in a recent St. Louis Post article. Section 610.021(2) of the Sunshine Law allows for closed meetings for real estate purposes when "public knowledge of the transaction might adversely affect the legal consideration therefor." The WaCo Landfill property has been publicly identified and weren't ordinances passed by each Consortium member? Therefore, there is no legitimate reason for meeting behind closed doors.

One critical factor in the feasibility of this landfill is volume of trash. The more public entities committed to the project, the more confident the Consortium will be to proceed with the purchase. However, this project will cost millions to purchase, costs which would be shared by the Consortium members and paid for, one way or another, by the public. There will be public debt of some kind involved in this project, and as we revealed in NSN #68, "Taking Rolla for a Helicopter Ride," Rolla doesn't have room for much more debt!

SHOW-ME. Seventy-five miles down the road, the WaCo landfill issue burns full blazes. SHOW-ME (Safe Handling Of Waste Managed Environmentally), a group of concerned landowners near the proposed landfill site, has been fighting the landfill proposal for 8 years. SHOW-ME Director Belinda Harris says, "A fifteen-mile radius encompasses the landfill site. Everyone within this area has well water." The group fears that, due to karst geology (frequently present in the Ozarks), their drinking water will become contaminated. "WaCo has gone through many different engineers in trying to compile the data for their landfill application," Harris claims.

Jeffrey Cawfield, Associate Professor in the Department of Geology & Petroleum Engineering at UMR, has been hired by the Consortium to review all the previous work regarding the geological and hydrogeological investigations at the WaCo site. He has collected and been given a great deal of information from previous studies and visited the site recently. Cawfield's report will be completed soon.

SHOW-ME also accuses the Washington County Commission of Sunshine Law violations. The Commission met on June 14 and amended their solid waste ordinance in closed session with no mention of the closed session on the agenda.

According to SHOW-ME, the principal financial backers for WaCo Landholding, Inc., include Kenneth McClain, Norville McClain and Jeremiah Nixon (the Attorney General's father). The Sunshine Law complaint cited by the group could put Jay (the A.G.) Nixon in an interesting predicament since his office is supposed

to prosecute violators of the Sunshine Law. (NSN is still waiting for Attorney General Nixon to take action on the 37 documented violations of the open meetings laws that have been committed by the Rolla City Council.)

SHOW-ME claims the waste industry doesn't want WaCo due to its location, public outcry and road conditions. WaCo Landholding owners are seemingly anxious to sell the site and are becoming restless with the Consortium to buy the site. The purchase price is unknown.

IS A LANDFILL CONSORTIUM A GOOD IDEA? On the surface it may seem like a logical approach to take. Combining revenues of cities will create a bigger bang for the buck, but it could also create problems. There is always the question of control when governmental entities go together into this kind of deal. The Phelps County Landfill Board has a very poor history of landfill operation. Bickering is inevitable, but worse yet is the increased liability in a contentious atmosphere in Washington County that has already been boiling for eight years. IF the Consortium purchases the landfill, and IF there is a geological problem with the site, there could be a whopper of a lawsuit.

Before pursuing this proposed deal any further, several questions need to be answered.

- Why do closed meetings continue since the site has been fully identified and no one else seems to be interested in buying the property?

- Why were portions of the Maxim feasibility study "blacked out," and who gave the order to delete part of a public record? Will the smaller number of participants left in the Consortium generate enough volume to operate this landfill? What happens if they get in over their head?

- Have other advanced techniques for trash disposal been explored? Instead

of dumping millions into the purchase of a landfill and potentially contaminating our neighbors' water, why not aggressively attack the problem from the other end by rethinking our policies on our collected trash volume?

- Why is the voluntary recycling program in Rolla used by only 30-35% of households?

- Why is Phelps County involved in this at all? They have no county trash collection system; county residents pay private contractors to take their trash away. Why does the county want to incur the expense of building and operating a landfill?

A BETTER SOLUTION FOR OUR TRASH TROUBLES. The City of Rolla must begin a more aggressive campaign to promote recycling, which would significantly reduce the volume that goes into a landfill. Those big 90-gallon residential rollout containers only encourage trashing as opposed to recycling. A smaller rollout and a more frequent recycling pick-up could go a long way in alleviating the overall problem. Less trash to haul away means less trash in the landfill. Trashing costs; recycling PAYS. Unfortunately, too many folks aren't motivated to recycle and don't make the cost-saving connection. More recycled products means a recycling program that is not only self-supportive, but can actually turn a profit, and could theoretically reduce our refuse expenses.

The latest edition of "Missouri Conservationist" has a Native American proverb that caught our attention: "We have not inherited the earth from our ancestors, we are borrowing it from our children." Water quality will become a critical issue in the next decade, especially in the Ozarks. What are we doing to ensure not only a safer environment for ourselves, but for the generations to come?

For more information about recycling in Rolla, or for a recycling container,

contact the Solid Waste Department at 364-6693.

****Phelps County Landfill Board members:** Rolla Mayor Joe Morgan (chairman), Phelps County Presiding Commissioner Randy Verkamp, St. James Mayor Jim Morrison, Doolittle Mayor James Burns, Newburg Mayor Jim Hoss, and Edgar Springs Mayor Kim Wilson.

Note: The City of Rolla committed \$5,000 to the Maxim study, and the Landfill Board committed \$10,000. That's your money they are using to pay for the report; wouldn't you like to see the WHOLE report before they commit a few million dollars more to this landfill project? Plan to attend the next Consortium meeting scheduled for Thursday, October 26, 2000, 6:00 p.m. at the Meramec Regional Planning Commission in St. James to get your questions answered on this burning issue.

Views expressed do not necessarily reflect those of No Standing News, nor of its Editor-in-Chief.

To receive " No Standing News " by e-mail, free of charge, send a message to rwnash@rollanet.org with the word **SUBSCRIBE** in the Subject line.

To unsubscribe this list, send a message to rwnash@rollanet.org with the word **UNSUBSCRIBE** in the Subject line.

Editors note: Copies of No Standing News can be obtained free from the Rolla Public Library who is a subscriber, and from Mail Boxes Etc Of Rolla Also visit our web site at: <http://www.rollanet.org/~rwnash/nsn.html>

I encourage distribution of " No Standing News ."Please feel free to copy and distribute any issue.