

The Coalition Newsletter

A publication of the Williamson County (Texas) Public Policy Coalition
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Landfill numbers take surreal twist

Last week, an article in the *Taylor Daily Press* reported a county commissioner as saying that the earmarked proceeds (three percent of revenues) from the operation of the Williamson County landfill (to be spent for the benefit of the City of Hutto, the Hutto ISD, and other communities in the county, but not given as hard cash, according to the landfill contract) would “eventually” total one million dollars per year.

In response to that statement, Jerry Tidwell, a member of the Williamson County Public Policy Coalition, addressed commissioners court on Tuesday, May 4. The text of his statement is found on Page 2 of this newsletter.

Landfill Master Site Plan still not complete despite March 3 deadline

The county's landfill contract with Waste Management of Texas, Inc. (WMI) requires that WMI file a Master Site Plan with the county within the first year of the signing of that contract, which occurred on March 3, 2009. However, the plan which was filed was incomplete.

On March 9, 2010, WMI's Steve Jacobs told commissioners court: “We have a lot of other information that may not have made it into the plan simply because it gets too complicated and too hard for me to write it.” You can hear it in his own words—an audio clip of the statement is available at: www.wilcocoalition.com.

Members of the WCPPC have insisted that before the county's promised forum on the landfill is convened, it is imperative for WMI to file a complete plan (recall Jacobs' statement) and for commissioners court to respond to it so that citizens will be able to discuss it with county officials. (*Landfill issues are continued on Page 4.*)

Text of statement made by Jerry Tidwell, member of the Williamson County Public Policy Coalition, at Williamson County Commissioners Court on May 4, 2010

My name is Jerry Tidwell, and I reside at Weir, Texas, in Williamson County. I appear today as a representative of the Williamson County Public Policy Coalition.

When I read the quote attributed to Commissioner Morrison in last Wednesday's edition of The Taylor Daily Press to the effect that the special landfill funds for Hutto, the Hutto ISD and the WilCo Communities would eventually total one million dollars per year, my truth meter blew out all of its electronic components. Using the net present value of 2010 dollars, and based on Waste Management's own reports and the county's own population projections, saying it will happen "eventually" is misleading. There is a difference between what is eventual and what might be eternal.

The monthly reports filed by Waste Management for January and February of this year show an average of \$16,902 going into these funds, which when annualized comes out to \$192,824 for 2010. That's only one-fifth of the way toward a million dollars per year. It would have been much better to have been honest with the reporter, and the public and admitted that the landfill volume—and the county's population—would need to grow by at least three or four times to get to that attention-grabbing, million-dollar number, which obviously was used for dramatic effect. Considering the huge amount of money that flushes through the landfill, if that landfill contract had been negotiated responsibly, the funds to benefit all these Hutto entities—and even other entities—would be much higher right now, in contrast to the paltry sums which have been reported or which have been promised. In consideration of the damage done to Precinct 4's economic growth by the landfill, these small numbers should be substantially higher and should arrive substantially sooner than an eventual eternity.

Commissioner Morrison, it is irresponsible for you to throw around a one-million-dollar number like this if you can't back it up. I must insist that you justify it with specific, time-line calculations. If you can't do that, then you owe

an apology to the City of Hutto, the Hutto ISD, any other promised beneficiary, the communities of the county, and especially to the reporter who ended up being a professional victim of your statement. We'll all be watching to see if you produce any numbers, or if you don't, whether you produce any apologies.

I have available today a copy of our Coalition's newsletter, which provides more details about this subject, along with the text of my remarks. Thank you.

(End of statement)

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The landfill's damage to economic growth and progress

Economic growth and development in Precinct 4, and especially in the City of Hutto's northern growth corridor, have been adversely affected in a major way by the landfill, which has a permitted footprint of 575 acres. In addition to affecting Hutto specifically, it also adversely affects the Chandler Road corridor, which is going to connect U.S. 95 north of Taylor to IH-35 in Round Rock. This major transportation artery runs just south of the massive landfill, so along a significant stretch of this new roadway, economic development has been severely retarded.

If Williamson County and Waste Management of Texas, Inc. intend to compensate for this major blight on the area and its development, it will require more than a mere three percent of landfill revenues spread across various entities. The landfill contract adopted by Williamson County commissioners court on March 3, 2009, is sorely lacking in its provision for compensation to these entities which have been adversely affected. In addition, the money flowing into these funds (the total of three percent) isn't provided by the county or by Waste Management. It actually is provided by citizens themselves through a surcharge on the tipping fees charged for depositing solid waste in the landfill. So, if the promise of these payments makes the public feel good, remember that the feeling is short lived once one realizes that the compensation is far too small and is actually being enabled by money collected from citizens.

(Landfill issues – continued from front page)

In addition, the WCPPC members insist that the forum should have active dialogue rather than just passive input, and that the dialogue must occur between citizens and members of commissioners court, not citizens and WMI.

Shooting straight regarding proceeds from the (three percent) landfill funds

The landfill contract is clear on the fact that the benefits from the three landfill funds are not to be disbursed in cash but rather used for the construction of public-use facilities. The contract puts commissioners court in charge of deciding when and for what the funds are spent. Based on the current pace of funding, at the end of 2010, facilities could be funded for the Hutto ISD and the City of Hutto at the level of about \$65,000 each, and for the “other” communities in Williamson County who would all share a benefit value of about \$65,000. These amounts hardly compensate for the overall liability to development and other problems created by the landfill, which (by the way) takes 575,000 acres off the property tax rolls of the county and the Hutto ISD.

Procrastination: the landfill oversight operator and third-party audit

The landfill contract approved on March 3, 2009 provided for the county to hire or contract for a landfill oversight inspector. Bids were solicited in September. As of May 4, 2010, no inspector has been retained, either by hiring or by contract. The contract also called for a third-party audit at the end of the first year of the contract. As of the eight-week mark after the end of that first year, no such audit has been released.

Secret landfill records

In August of 2008, a citizen (Kurt Johnson, Sr.) filed a Public Information request with the county for certain landfill records not otherwise released. The county sought an attorney general opinion, which agreed with Johnson, saying the records should be released. WMI sued the attorney general and Williamson County to keep the records secret. Johnson intervened in the case and is active. The attorney general's office is actively engaged in the case and pursuing remedy. Williamson County, though a defendant, has taken no action indicating an interest in seeing the secret records released. The case is scheduled to go to trial in Travis County District Court on August 16, 2010. Additional information is available at www.gismedia.com/agreement.

The WCPPC is a grass-roots organization based in Williamson County. It's mission is to publish and distribute information and commentary on public issues. Publications Committee: Jane L. Van Praag and Jerry Tidwell. Staff: Kurt Johnson, Sr. Information on issues addressed in this newsletter, as well as on other issues, is available at www.wilcoalition.com.