

Citizens' Preservation Fund

Protecting our investments, our families & our quality of life.

7150 La Dora Drive ☞ Brooksville, FL ☞ 34602

Phone: 352-754-1759

Fax: 352-345-4443

Meeting of Citizens and Residents

March 1, 2010

Hernando County

Croom C & D Landfill

7:00 pm - Call to Order: Richard Ross

Invocation: Pastor Joe Santerelli

Pledge of Allegiance

Richard Ross: Need to close the meeting by 9:30pm

Any questions or comments: Jot down on the index cards provided and bring up front

We need volunteers to sign up. Research projects: ie..Gopher tortoise (endangered wildlife),

Contacts to Governor, Fundraising, Media Liaison, etc,

Any expertise please mention.

All need to remember: At a point in its process, the facts will stop this. Feelings don't make a difference. Research inherent dangers. State name when commenting. Good turn out. Need involvement. Information will be enough for you to talk to your friends and neighbors.

Summary of Events: Paige Cool

See Attached Summary

Becky: re: BOCC - Several went to the county and told them what was happening a year and a half ago and they were not on our side. Don't think they have changed. Lost the fight in Ocala.

Alison: The BOCC is on record stating concern so we can hold them to that.

Richard: Don't just go by your own feelings. Go to the web site and view BOCC meeting. Make your voice heard to them about saying they were concerned and let them know they will be held to that.

Alison: Research: Articles and Publications. Misconception that debris is "Inert" (not toxic), not harmful. 2-3 years down the road this may become a problem and the debris may become more toxic. Major debris: Gypsum wall board, Chinese wall board when decomposing smells like rotten eggs. There are 911 calls being made by others who have become physically ill, eyes burning for miles from a landfill. This will harm our community, forest, property values and our health.

Quote from Winston Churchill: "Sometimes doing your best is not good enough. Sometimes you must do what is required".

Our ultimate goal is fund raising. Because we live in a rural community, the applicants will use their money to get this done because they don't think we have the means to fight them. We need a 110% participation. The impact this will have on us is great. Water may not be potable and we can't live here anymore. So far there are environmental and scientific reasons why this cannot happen. We need faith and to support everyone's property values, quality of life. We have a baseline of dollars needed. This will go into a fund. 30, 60 90 day update on funds. There currently is an estimate of \$300 per family that is needed. Sign up to fund raise.

David Belcher: Bank of America will open a bank account. We will be applying for a tax ID number. Checks can be made out to this account and we can pay expenses out of this account. We are setting up an unincorporated association for a 501C. This will enable your donations to become tax deductible. Letters will be sent out when and if this is approved. Your receipt can be your proof. If we collect too much money. refunds will be made on a pro-rata basis. Money will be disbursed to the attorney, any experts needed, or expenses. Name of association is the Citizens' Preservation Fund. Alison and Paige are volunteers and will not receive compensation.

Paige Cool introduces Dr. Richard Salkowe:

Richard: States he is owner of a property on Spirit Woods. 25 years as an MD. He has PHD and has been focusing on Environmental Justice as it pertains to pollutants and landfills in areas of the disadvantaged, poor, lower economic levels. This landfill will be a toxic waste dump. With 75 trucks we'll have noise pollution, dust, trash and debris in the air. There are subtle stressors: Environmental pollutants: Trucks, Hydrogen Sulfide (Chinese drywall) placed in 35,000 homes. It stinks. Not inert when in a hot humid environment like Florida. Hazardous Chemical according to the EPA but C & D Landfills not under the EPA supervision unless they receive hazardous waste. We don't know the concentration and they don't know the concentration. What may have

been thought as inert may be found to not be inert later and it will be too late. Sandy landfills are more prone to fires and explosions.

John Thomas, Attorney:

Practicing Environmental and Land Use Law since the early 1990's and at his present location since 1997. This has to be approached as helping the quality of life and the environment. This landfill is moving into your neighborhood and it will affect all of you. Encourage the DEP to be your friend and help us. They have the contents of the app, hydrological studies, Geo studies, Engineering Assessment, and proposed permits. Go on their website and look at the application yourself.

The Croom C & D Landfill has their own website.

Florida Administrative Rules and Statutes. Be knowledgeable. We have a small window of opportunity to address this and correct it. We can ask for an extension of time. Intent to issue means that it will be unless they change their mind through new information provided against it, they settle, or it is opposed.

Litigation Intent: Truth and Facts. This is where both parties put all the cards on the table. To fill out the application to be heard a lay person would need guidance. That is why we need an attorney.

The petition for an Administrative Hearing is due by Friday, March 5, 2010. Once you file it goes to the Division of Administrative Hearings. An Administrative Judge is assigned from Tallahassee and it will be decided where to hold the hearing; there or here, when the hearing will be held and the time. Administrative code: Will determine if this is an appropriate place for a landfill? Things have changed in 12 years. We know more about toxic chemicals and pollutants and the area has more residents. We have studies that show that what was considered inert is no longer considered inert and can contaminate the aquifer.

Look at this process robotically. They will go down the list of the criteria. If the applicants meet these criteria, the permit will be granted. The county dropped the ball in 1998. The rezoning was denied. Taxes are being paid properly according the fact this site is still zoned an "M" for mining. Judge Sprinstead in a Mandatory Permanent Injunction made an "overlay" for the C&D land use. Judges do not have the authority to change zoning. The county did not protect you.

The road (High Corner Road) isn't wide enough or adequate for the weight of heavy trucks. There are bus stops along this road and other delicate variables that may not have been there 12 years ago. The circumstances have changed (more population).

Hydrogen Sulfide exists in virtually every landfill. This is not mentioned in the permit which gives us the opportunity to oppose the permit.

The application mentions two wells that belong to the applicants and most likely will be shut off. There is no mention of a well within 75 feet that belongs to a resident. There is a required distance of 500 feet from a potable well. DEP is not aware of this other well.

First there will be “discovery”: Written requests, discovery of documents, depositions, then try the case. If we narrow the issues, this will cost less money. He charges \$180 an hour. The going rate is between \$250 to \$300 dollars. This may become adversarial and we need to be able to go head to head.

Land Use: Settlement in 1998 embodied in a court order. Difficult after 12 years to change it. The meaning of the changes during this time becomes real and may now affect that order. Theories to undo the court order: We look for precedent cases. Ability to attack the stipulation. Stipulation doesn't make any sense now after 12 years. This may be a done deal and the County may not be able to help us. We must always remain civil. Commissioners may feel that they are victims of this because the decisions were made not on their watch. We need to make them our friends and want to help us. Keep the pressure on them to help.

One dump leads to more dumps. Property values, quality of life, roads: your decisions are tough. Everyone is asking for money. Your homes, cars and air will take a beating with all the dust and the hydrogen sulfide gases. What we thought was inert isn't inert later down the road and then it is too late. With filing the petition for a hearing with DEP, we may gain a little time. Get the county to help us fight. Keep talking to them about ingress and egress.

Civil Challenge: to undo this order. Share with county and get them to do the dirty work. This is one way to maximize efforts.

Overlay: Judges don't have zoning authority. These parties agreed. They did not go through zoning because this was an easier path to take.

Bruce commented to Mr. Thomas that they dug the pit to the property line: It would cost the new owners a fortune to replace the dirt they took to comply with the setback rules and regulations and to consider the location of the wells. If we continue to shrink the size of this location and have them bring the site up to standards it may get to be cost prohibited for them to continue. He wants to know why the County site approval for setback rules and regulations changed from 200 feet to 75 feet.

We have to look into the settlement. Need to ask the county why. Get DEA involved. There is a County Deep Well which is a major water supply 4.3 miles NNE. We know that clay barriers do not work in C & D landfill and they have to be lined. Some are lined in concrete.

We need a list of \$\$ needed to fight this. We need to continue with the County government but go also to the State level (Cabinet, Senators, etc)

David: Phone numbers work better than emails to the government bodies. Cabinet has the ultimate authority over the state lands. Cabinet meeting is this Thursday, we need to start calling in the morning. Mention the quality of life, degradation of the neighborhood. The Governor is running for senate. Two cabinet members are running for Governor. Now is the time to meet them and get on the docket.

Lee: Agreement came about in a hush-hush way. There were no public hearings. BOCC meetings show notice of public hearings, HOWEVER, the modifications do not mention any public notice. These modifications wiped out much of the original agreement. The county dropped the ball.

John Thomas: The County was to maintain wildlife from tipping funds. County doesn't have the right. There was not enough money. The condition of the road then has changed to the condition of the road now.

This was a deal that was never going to work. The roads need to be improved, not maintained.

Unidentified Citizen: Construction dumpsters are what will be coming into this landfill. They will be in competition with the county dump. They will be taking staff from everywhere. The applicants don't even live in this county.

Carol Allard: She had to have a dual filter and osmosis system installed because her water is contaminated with arsenic. She is experiencing health issues that her doctors could not diagnose because most doctors don't check hair samples for arsenic. It cost \$8000 to install and \$4000 a year to maintain the water system. 3 times a week it has to be checked to make sure it back flushes. She has been ill now for two years. The county said there was no money to help her.

Becky: Can Springstead's decision be reversed? They have never paid the proper taxes. Again, they are paying the proper taxes as the zoning of this location still remains a "M" and has not been designated any other type. This was done with the overlay. Stipulation: Ingress and Egress of wildlife lane eliminates Remington.

County Permit: County performance. Public nuisance to deny permit.

Carlos Crespo: My not have the shield of sovereign immunity because they were negligent.

Unidentified Citizen: When I purchased my land, I looked very carefully at all the easements, etc., Who do I go to to reimburse me for my health issues and the lack of quality of life?

Dick Ross: Get the VA involved. They pay health insurance on vets. Do they want to pay more because their vets are being exposed to toxic chemicals?

Time period for overlay: 1995. Florida statutes to adopt procedures for public participation. County did that, they denied then it went to the court system.

Peggy: If we fail in blocking this, how fast will they be up and running?

John Thomas: Within 100 days. Only if it is made difficult to be profitable and having many hoops to jump through will this delay it. Windows keep closing to do this.

Unidentified Citizen: We can get dump from other counties and other states. Russia could take their dump to somewhere, put it into another truck here in the US and have it dumped in Croom. We would not know what is in it. The spotter will not always be able to check everything dumped and some may turn a blind eye as they will work for the applicant and not the county.

If we find hazardous material at this site and photograph it, we might be able to close it down after it is started. It has been done before.

Someone will turn their back and dangerous stuff will be dumped. What is allowed and what is potentially hazardous would need someone to dig into what is dumped.

Do we have everything we need to file by Friday?

John Thomas: Yes, except money. Just need one signature. Throw something together by Friday and fax it. If you file something you can't support, you will have to pay all attorney fees and we don't want to do that. John assures us that won't happen. Amend petition as new info comes to light through engineers and environmentalist. Petition takes two to three hours to file. Initial order for hearing, then discovery, location for hearing and agreement.

Issues: Significant against us: Site is already destroyed from the sand mine. Hydro geologically a sand box. The clay material provides some containment. Problematic for the applicants: Residents and the roads.

Can we force them to bring their pit up to code? Force the standards and make this economically unfeasible. Can they pick an alternative site: No.

Paige: If we limit the acres it won't be profitable for them to continue.

John: Car payment analysis: Is your quality of life worth 1 possibly two car payments. You must ask yourself can I make one car payment towards this fight?

Have the legislature make changes.

Sell to a new buyer.

Others can take over or the applicants could go bankrupt. They can be held off until they have to go down.

John: His feeling it that it is patriotic to participate in this cause. It is a good cause and one that has merit.

David: Let's have Paige and Ali to co-chair this association.

Wayne Dukes: Born and raised in Hernando County. We have a hard fight ahead. Enthusiasm will slow this down. Involved with every political person. Write letters. Have the Traffic Engineer give you a road study.

Alison: Question: Has the media been alerted? Response: Yes, Hernando Today wrote a piece and Bay New 9 did a small segment. Were the commissioners invited tonight? Yes, several times.

Unidentified Citizen: We stood up to Randy Yoho over the motocross and it didn't cost us any money. We now need to stand up to him again and fight this.

What happens if someone else buys this and wants to do the same? Hopefully we will have changed the stipulations by then and they won't be able to, but we will have to continue the fight.

David: "Hence, the name and the effort to make it a 501C so we may have more issues to fight.

Walt Allen: One man war against the county. Willing to go to jail. Threw trash in his yard and then made him pay to have them pick it up. High Corner Road was never made for this kind of

traffic. Evidence of batteries ..etc.on other landfill and were able to shut it down. He will be in charge of the media. We will have it overturned no matter what it takes.

Dick: First step is to file the petition for an Administrative Hearing with DEP.
Find out the flow of the aquifer. There are major wells just 4 miles away.

Alison: If you don't want us to have your regular email, please sign up on yahoo and Gmail and let us put you in the data base to get updated emails.

Meeting adjourned at 9:05pm