

# A smelly mess that doesn't go away

"B"

Residents of Turkey Bend neighborhood fed up with leaking, failing sewer system and what they see as inaction by DNR and other state agencies

2/21/03

By Joyce L. Miller  
Lake Sun

LAKE OF THE OZARKS -- Residents of Eagle Woods development say they are tired of state agencies giving them the runaround while sewage stands in pools in their backyards.

They are tired of the smell, they are tired of looking at it and they are tired of being told to be patient.

Residents Allen Blackburn and Bobbie Johnson, are spearheading efforts to get something done.

They describe the sewage system as "pieced together with a garden hose and sump pump."

The wires have been cut to an alarm that is supposed to go off when there is a problem. Overflows and leaks are common and a lift station fails on a regular basis they say.

The homeowners say they are caught in the middle of a dispute between the developer, Ron Westenhaver of Summit Investments, the utility company that owns the water and sewer system and

state agencies in resolving the issue. Osage Water Company, the utility company involved, is currently involved in court action that could lead to the company being placed in receivership

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A leaking and faulty sewer system is wearing on the patience of residents of a Turkey Bend neighborhood.

“ It makes you wonder if anyone is listening. Just how long does it take to get something done? ”

- Eagle Woods resident  
Bobbie Johnson

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by the state.

Eagle Woods is located off Route KK on Turkey Bend. The cost of a home in the development ranges from around \$150,000 to \$200,000.

For more than two years residents of Eagle Woods have been watching sewage seep across their property while the Department of Natural Resources, Missouri Attorney General's office and Public Service Commission have said attempts to resolve the situation are underway. Blackburn and Johnson say residents feel they have been misled by the developer and put off by the regulatory agencies.

"We're tired of being told it is a problem and that we are in for the long haul," Blackburn said. "They (state agency officials) aren't living here. We have problems all the time. We call the state, they send someone to look at it and then there's nothing

they can do about it. We appreciate the time they spend coming out but we want something done. We understand DNR has rules, but this is a mess."

Johnson said there are 28 homes hooked up to the system that was designed for a maximum of 25. The system has had problems from the beginning, Johnson says, and with each additional home that hooked on it just got worse.

"It makes you wonder if anyone is listening," Johnson said. "Just how long does it take to get something done?"

Besides concerns over property values, Blackburn and Johnson say residents are becoming increasingly concerned about health issues.

Sewage collects in yards and they fear it will leech into the water supply. At least one home has problems with sewage backing up

into the basement, according to Blackburn and Johnson.

Over the last two weeks OWC workers have filled a large hole that had been full of sewage. That's nice, Blackburn and Johnson say, but it isn't enough.

"There are times when the smell is just overpowering," Blackburn said. "Just how long is everyone going to talk about this and do nothing?"

Last fall OWC threatened to disconnect the residents from the system when owners Greg Williams and Pat Mitchell got into a contract dispute with Westenhaber over the original construction of the system.

OWC had taken over the system from Westenhaber under an agreement to provide service.

Because of the ongoing problems between Westenhaber and OWC, Williams and Mitchell wanted out of the contract.

When OWC threatened to shut down service, the Public Service Commission blocked the move.

The attorney general's office is working on a settlement agreement between Westenhaber and OWC. But it may be several more weeks before there is any progress to report, according to attorney general spokesman Scott Holste.

DNR originally turned enforcement efforts against Eagle Woods over to the attorney general's office after citing the developer for a number of wastewater violations.

Keith Fork, an environmental engineer with DNR, says there have been a number of complaints over the last several years. He says the matter is in the attorney general's hands now.

Fork confirmed that DNR recently issued a permit to the same developer for a wastewater system

to serve 11 homes in a development on Y Road in Camden County. The fact that DNR has had problems with the developer on one project does not ensure that there will be additional oversight on the newest project, Fork said.

Westenhaber could not be reached for comment. In the past Westenhaber has declined to talk about the homeowners' concerns due to the ongoing negotiations with the attorney general's office.

Williams said OWC has not filed any legal action against Westenhaber. Williams said OWC is not involved in discussions between the developer and the attorney general.

Williams said OWC continues to make remedial repairs to the system but the problems are ongoing. He says the system was improperly constructed.