

AL 179

Interviewee: Penny Wheat

Interviewer: John Babu Noone

Date: March 31, 1994

N: Madame Penny, I am happy to be interviewing you today. This is March 31, 1994, with Penny Wheat, a commissioner of Alachua County. Thank you. Madame Penny, please tell me your [full] name.

W: My given name is Penelope, although I am called Penny, like nickels and dimes. My last name is Wheat, like corn and hay, and I am an Alachua County Commissioner.

N: Give me some information about your family background, your childhood, and your education.

W: I was born in 1954 in St. Louis, where my father attended and subsequently graduated from Washington University medical school. In 1957, early 1958, he brought the family here to Gainesville and accepted a job offer with the University to help establish the J. Hillis Miller Medical Center.

N: [Tell me] something about your family members, some details.

W: My mother's name was Erlene; she also was born in St. Louis. I am one of four children; I am the oldest. My brother, who is two years younger than I, is named Chip, short for Myron. [He was] named after my father, Dr. Myron W. Wheat, Jr. My sister Pamela was born six years after me, and I have a younger brother whose name is Douglas. We are graduates of the public school system of Alachua County.

N: Can you recall some childhood memories of Gainesville?

W: I had an opportunity to compete in sports programs when I was younger. I swam competitively for fourteen years during the summers and on the Gainesville High School swim team. Growing up as a child in Gainesville, back then, was a lot of fun because it was not a large place. It was not a big city, yet there were always things to do, and growing up in a university town with football and basketball teams was really quite special.

N: When did you become the commissioner of this county?

W: I first was elected in September of 1986, and I was re-elected in 1990. I am in the fourth year of my second term right now, and that term expires in November of this year [1994].

N: What are your contributions as commissioner to this county?

W: I became involved in local government in 1985 because of what I considered to be a tragedy. In 1985 there was a lot of publicity about what appeared to be a water-contamination problem. It is called the Old Archer Road incident. Its location is right across Archer Road from Bennigan's, the restaurant. In 1985 there were a number of people who lived in that area, which at the time was a neighborhood comprised of older homes on wells and septic tanks. They were not connected to the municipal water supply, although the water lines ran underneath the street. My former husband lived there and my son, Justin, who was three at the time, would visit his dad every other weekend, holidays, and vacations. He would come back sick. I would spend at least twice a month in my pediatrician's office trying to determine what was wrong – to no avail. That happened from 1982 to 1985.

In March 1985, I opened the newspaper and saw an article about this area which quoted my former husband, so I started asking questions. I am intelligent enough to know that, if there is something wrong with the water and my son visited there for three years, that might be what caused his illnesses. [I spent] a great amount of time visiting this commission, asking a lot of questions, [and] talking with people in the state Department of Environmental Regulation in Tallahassee.

To make a long story short, two gasoline stations on the corner of Archer Road and SW 34th Street, the Texaco and Shell stations, were cited by the state as parties responsible for leaking gasoline from their underground storage tanks. That gasoline contaminated the water in the area. One of those wells was the well that my former husband and my son used. After about six months of very negative publicity, both the Shell and Texaco oil companies consented to spend (actually they split between them) \$40,000 to connect thirty affected residences to the municipal water system of the city.

That is basically the way I became involved. I was very concerned not only about the short-term effects, but also the long-term effects of gasoline contamination on my son, because he was exposed during his developing years, between the ages of two and five years old. Subsequent to that, I became the executive director of an organization I co-founded called Friends of Alachua County, which was a desperately needed organization at the time (because there was no organization available to help someone who was unfamiliar with the local government process).

I can remember the first time I came to the county commission in March of 1985: I burst into tears because I was concerned about not only my son, but the effects on the other kids out there. Seven of us ended up suing both Shell and

Texaco oil companies, very large, major international corporations.

As part of that lawsuit, we had some studies and tests done on our children. There were three mothers and our three children, and one elderly woman who had lived there for a long time. I was the only party to the lawsuit who did not live there and had not been exposed to the water at all. The litigation was settled out of court, and although it was settled out of court, the parties to the lawsuit felt that we made a point because Shell and Texaco ended up paying us a pretty large sum of money to settle. Your question was what I feel I have contributed.

N: Yes.

W: I became involved with local government because I believed local government was not doing a good enough job protecting the public health, safety, and welfare – of my son as well as other people in the area. About eight months ago this commission learned there were wells contaminated with ethylene dibromide, EDB, which is a pesticide. A few months ago, this county commission unanimously voted to direct our staff to bring us all the options available to provide clean water to those citizens with contaminated wells near Alachua, whether we connect them to a municipal water system or do something else. That is very different from when I came to the county commission in 1985. The five county commissioners at the time twiddled their thumbs. They looked at the ceiling. They looked at the floor. They said, "This is not our responsibility. We do not have a problem. There is no problem out there. There is nobody dead or dying." I was elected, I believe, to make protection of our drinking water a foremost priority, and I believe we have done so.

N: There are some other conservationist groups like [the group headed by] Marjorie Carr and all those people. They also are working. In fact, as you said, this particular Exxon oil spill appears to have left 10 million gallons of oil off the coast [of Alaska]. There are organizations like Environmental Action Group, Earth First, Students for the Ethical Treatment of Animals. Are you aware of these groups?

W: In 1985, when I first began getting into county government, I began asking a lot of questions of a lot of people. I contacted many of the environmental groups, not only here in Alachua County, but throughout the country. Through this process, I met many people involved with the Sierra Club, the Audubon Society, the Environmental Action Group on campus, [and] a number of other groups as well. Yet none of those groups specifically had in mind public advocacy to assist somebody with the local government process. Each one of those environmental organizations had some portion of the environment as their specific concern. By getting involved in this process and learning a great deal about ground water, I

learned a great deal about a number of other organizations. I have to admit that I did not consider myself an "environmentalist" before I became involved in local government. Actually, I never even put a label on it, even though many of the things I have always done in my life are things that an "environmentalist" would do. Since that time I have grown to understand that if there is a label to be ascribed to me it is one of an environmental activist, a public interest advocate, a consumer advocate. The air we breathe and the water we drink are the most important resources we have, and if we do not do everything to protect them and we foul our nest, we will not be here very long. That is certainly not a legacy to leave to our children.

N: There is a group who seeks a law to halt irradiation. It was a local group. It appears that they protested against the irradiation of food.

W: I am very familiar with that. I have several files in my filing cabinet.

N: Can you please shed some light on this.

W: I cannot remember the date, I would have to look in my files. I think it was 1987, 1988, and 1989. The federal Department of Energy wanted to enter into an agreement with the Florida Department of Agriculture. The Florida Department of Agriculture was looking for a place to establish a food irradiation facility. Somehow they happened upon the University of Florida to establish that food irradiation facility. The interesting thing about this proposal was that the federal Department of Energy would be shipping radioactive cesium to a location within Alachua County to conduct this food irradiation for, supposedly, the preservation of food. I believe there are a lot of questions that remain unanswered about the process of food irradiation, particularly this kind of food irradiation. But more than that, many people within Alachua County became involved, protested, if you will, asked a lot of questions that remained unanswered about why Alachua County would become, all of a sudden, a dumping ground for this radioactive material.

N: Kiki Carter was involved in this matter.

W: Yes, very much so.

N: Finally, the plant was dropped.

W: The only reason Alachua County did not become a dumping ground for the radioactive source material of the federal Department of Energy was because people within Alachua county raised *holy hell*. They said, "We do not want to be a dumping ground. We do not want that here." Interestingly enough, the place on the University of Florida campus where this food irradiation facility was to be

built was right over a sink hole. It did not appear to anyone involved that a lot of thought had been given to the host community and what the impact might be. But, yes, it was dropped.

N: And what was your role in that?

W: What was my role in this? Although I am an elected public official, an Alachua County commissioner, I am a citizen first. I participated in a number of seminars and continued to ask the questions that would be appropriate for a public-policy maker to ask. For example, I asked, "How was this radioactive source material going to get into Alachua County? Is it going to be by rail, is it going to be by truck? If so, what routes will be traveled? What kinds of preparations need to be made in case of a radioactive accident? What kind of costs is Alachua County going to have to bear for something like that? Indeed, if there was an accident and the fuel rods split and they were to follow a worst-case scenario (which would mean that they would contact the ground water through this sink hole), how would the ground water be cleaned up? Who would be responsible? Who would pay? What would the citizens of Alachua County do in the meantime?" Those are questions that to this day remain unanswered.

N: Since you are very [concerned] about water pollution, what steps is Alachua County taking toward providing protected water to the community?

W: In 1985, when the Old Archer Road incident happened, it contaminated thirty residences. At that time, in the state of Florida, that was the largest amount of private residences that had been affected by a contamination incident. I believe, in the state of Florida in 1985, there were only about 250 known locations in the state where gasoline had leaked from underground storage tanks and had contaminated either soil or ground water. I am very proud that immediately after that, Alachua County began a process in which I was able to participate when I was elected.

That process established what is called the Underground Tank Containment ordinance. That was an ordinance Alachua County put together over a couple of years and would prevent any future accidents from happening. In the state of Florida our groundwater levels are so high, so near the surface, when you place a gasoline storage tank in the ground in most places in Florida, it floats in water. Up until five or six years ago, those gasoline storage tanks were made of steel. After it has been floating in water for a period of time the tank rusts and gasoline can flow out.

So the Underground Storage Tank Containment ordinance of Alachua County required a tank of gasoline to be enclosed in an outer tank; for the piping system to that underground tank to be enclosed within another pipe; and that there be an

automatic leak detection system on that equipment. If there was a leak from the inner tank into the outside tank, the leak detection equipment would signal, and you could shut down the whole system, get in there, and repair that so that no gasoline would ever get out of the pipes or out of the tank and contaminate water. Apparently, between 75 and 85 percent of the gasoline leaks that do occur in the state of Florida, occur from the piping system.

When I began learning about this I had to go to the chemistry library on campus and spend several weeks there because I was not the best chemistry student in high school. I had to spend a pretty intense three-week period learning about chemistry, learning about hydrogeology so I would be familiar with the geology of the state of Florida, hydrology, the way the ground water travels, and also the chemical constituents that comprise gasoline. One gallon of gasoline can contaminate a million gallons of water [so that it is] unfit for human consumption. Many of the constituents of gasoline can cause cancer years after exposure has ceased. There are two different kinds of effects: there is the very acute effect when you are exposed to a lot of gasoline. Immediately you develop certain kinds of effects. Some of those dissipate over time when you are no longer exposed to it. But there is also the problem of chronic or long-term exposure. You are exposed to a little bit of a contaminate over a long period of time. That can cause a lot of problems later in life.

Unfortunately, my son and other people who lived in the Old Archer Road neighborhood were exposed through three pathways. There is ingestion when you drink contaminated water. There is inhalation of vapors. When you turn on your tap, the vapors escape because the chemical constituents of gasoline are very volatile. They volatilize into the air. When you turn on your tap, those vapors outgas. When you turn on the tap and you stand in the shower with steam coming out, you inhale those vapors. Also, there is skin absorption, and there are some studies which suggest that swimming or bathing in contaminated water actually can be more dangerous than ingesting it. Your skin is compromised of pores, as you know, and you absorb a lot of water through your skin.

So, to set the stage, my son from the time he was two until he was five was visiting his father every other weekend and vacations and holidays. As a young child he would take baths [and] would sit in a bathtub with the water on, inhaling the vapors as the steam came out. As you know, most people take a shower or bath with the bathroom door closed. That can cause a lot of problems. Unfortunately, my son and the others exposed face a variety of illnesses [and] chronic and debilitating diseases in their later life. Some of the chemical constituents of gasoline, as I said earlier, can cause cancer years after exposure has ceased. All it takes, basically, is one hit to do the damage, and it sometimes does not show up until twenty, thirty, forty years later. So I view all of the people

in this situation, as well as other situations around the state of Florida, as guinea pigs.

I also view gasoline stations as hazardous material transfer points. We know that complete containment in this ordinance Alachua County developed is the key to controlling any toxic release. Unfortunately, the very wealthy and powerful petroleum companies fought Alachua County [so that they] would not have to abide by this ordinance. The process we had to follow was very interesting. One of our state senators, George Kirkpatrick, authored a bill in 1984 which said local governments could adopt environmental laws more stringent than the state – except for the storage of petroleum. What that meant was local governments could not enact an ordinance to protect drinking water like we in Alachua County wanted to do. In that case we had to go to the state and apply for approval. That was a very long, drawn-out, and arduous process because the state Department of Environmental Regulation also listened to the petroleum companies talk about what an economic impact this would be and how much it would cost and how burdensome it was to businesses.

I maintained all along that the major health and social costs of people being exposed to contaminated drinking water far outweighed the minor cost of digging up a tank and putting in a new tank and new piping system. Ultimately, in the spring of 1988, Alachua County gained approval to implement its ordinance. At the time, we had three very powerful people in the legislature: Senator Kirkpatrick, Representative Sid (Sidney) Martin, and Representative Jon Mills, who at the time was the speaker of the house. He now is associated with the law school here at the University [Jon Mills, Director, Center of Governmental Responsibility].

Those three legislators attached the ordinance of Alachua County to another bill so that [it] would be "grandfathered" in. The rest of the legislature approved that.

However, the very wealthy and powerful companies then appealed to the Florida Supreme Court. The Florida Supreme Court ruled that the way in which the legislature grandfathered in our ordinance was unconstitutional. Not that our ordinance protecting drinking water was unconstitutional, but the way it was done was unconstitutional. So we could no longer implement it, and not only that, we had to return all the fee money we had collected during the period of time we were able to implement it.

Since that time, the state of Florida has pretty much adopted all the standards of Alachua County as state law for protection of drinking water when dealing with storage of petroleum products. However, the state of Florida has adopted time periods for retrofitting these old rusted tanks with the new double-walled ones.

[The period of time is] much longer than Alachua County would have.

Fortunately, because the containment system has proven so effective, most intelligent business people and many of the oil companies have recognized that that is insurance for them. They can be assured with these double-walled piping systems and tanks that they are not going to have a leak and they are not going to have to spend anywhere from \$250,000 to \$1,000,000 cleaning up the site.

As a side note, the state of Florida cited both Texaco and Shell oil companies as responsible for contaminating the Old Archer Road area. That contamination was never cleaned up. We were told that the Old Archer Road area – the intersection of SW 34th Street and Archer Road – is pitted with so many sinkholes and limestone caverns that to set up a system to airstrip that water through a carbon filter, they would have to pump out so much water that it could cause the collapse of Archer Road and SW 34th Street. Gasoline contamination has followed the phrase, "Dilution is the solution to pollution," and so it continues to spread ever outward.

N: Tell me some of the other environmental issues the county administration [has faced].

W: During the past eight years, during my tenure, there was the food irradiation facility issue [and] there has been the ongoing issue of water contamination. Just as an example, in 1985, in the entire state of Florida, there were 250 known sites where gasoline had been proven to have contaminated either soil or drinking water. I think today in the state of Florida there are some 11,000 known sites. The U.S. Environmental Protection Agency has said that with a gasoline station on every corner, at least half of them in the entire United States are leaking. In addition to the gasoline contamination, there are also various other forms of contamination [such as] septic tanks that do not work [and] other kinds of hazardous chemicals. There is also the issue of solid waste. What do we do with our garbage and trash?

There was also another big environmental brouhaha in Alachua County over the Hunt Club. The Hunt Club was a development on the rim of [Payne's] Prairie that was approved by a commission first in 1979 and then in 1984. The zoning for the Hunt Club – which would have provided for about 622 condominium units, very intense development, close together, seventy feet from the rim of the Prairie – was granted by the county commission in 1979. Then in 1984 the final development permit was approved by the commission. When this issue came to us it was very apparent that there were a lot of problems with the way this development received permission to continue every step along the way. This came to us in 1988 because the developer who had purchased the property wanted to go ahead and build and applied for some tree-removal permits, and

that concerned a lot of folks down in the area. Number one, the state of Florida wanted to purchase that particular land as a buffer. The Hunt Club area is known to the state Department of Historical Resources. It has a number of known archeological sites on it that are listed on the master list of historic sites in the state archives. In addition to that, the development itself would release its storm water from the development into the Prairie, contrary to state law. So a lot of people got involved in a very big way.

As a matter of fact, there was a student from the Department of Urban and Regional Planning who was in here doing a study a couple of weeks ago. He asked to look at my files because he said, "The Hunt Club issue, as that development came to be known, got everybody upset." School children wrote us letters. There were people from the Garden Club as well as the Sierra Club, the League of Women Voters, Habitat for Humanity, and other established environmental clubs that wrote us.

We also got a lot of national publicity because there were a number of lawsuits involved in this. The developer sued Alachua County for issuing a stop-work order. Alachua County appealed that. In addition to the national attention, there was a point at which a number of people climbed the trees out there so they could not be bulldozed. I remember sitting in this office one day listening to the radio. Apparently there was a former editor connected with the *Washington Post* (or one of the newspapers up there) who had been traveling through, and he was talking about this spectacle on NPR [National Public Radio]. As it happened, the developer himself ran out of money and could not afford to go forward, so the issue dropped. The point remains that there are a number of developments of that size and scale right on the rim of the Prairie that previously were approved by a commission and, in one form or another, still exist. So at one point some time in the future another developer can come forward and claim that she or he wants to build a similar kind of project.

The issue of what we do with our garbage and trash is one that is ever present. The environmental issue of where a landfill is located is one issue with which we are currently dealing. I personally believe that if we just dig another hole in the ground and try to bury our garbage and trash, we are not doing ourselves or our children any favors. Landfills are ticking time bombs. Regardless of what kind of liners you put in them they always leak. The Alachua County landfill located southwest of the city of Archer leaked in 1987 and 1988. The Alachua County taxpayers were faced with having to purchase the land of a number of property owners who lived there to compensate them [because] they could no longer live on their property. They could no longer use their drinking water. Some of that land was in those families for generations.

The issue is, what to do with our garbage and trash? We have since begun an

aggressive recycling program. We do not have as aggressive a composting program as we should. But more than that, in Alachua County government there is not an attitude of, "Let us not make garbage and trash. Let us reuse everything that is possible. Let us not throw anything away. Only after that will we think about maybe putting something in a hole in the ground." There are too many technologies out there now for us to be strapped with an archaic hole-in-the-ground philosophy, which also is going to cost the taxpayers a great deal of money. There are a number of other environmental issues that also are ongoing. The big issue in Alachua County has been, and always will be, development. Building – where does it go? How much goes there? What does it look like? Who pays for it?

You must understand that when I was elected to this commission in 1986, everyone thought it was a fluke. I was – by far – the underdog. The local Chamber of Commerce had done everything they possibly could to stop my election. And when I was elected in 1986, I joined commissioner Jim [James Edison] Notestein who was the first true environmentalist ever elected to the Alachua County Commission. He was elected in 1984. So, for two years actually, from 1986 to 1988, there were two environmentalists on the county commission, and we comprised the minority. I would say 85 percent of the time the votes that this commission costs have to do with administrative, functional, everyday, ordinary things. But 15 percent of our votes have to do with very substantive issues: taxing and spending, development, land use, the environment. And 15 percent of the time Commissioner Notestein and I, for two years, comprised the minority.

From 1986 until about 1988, there were a number of issues that occurred in Alachua County regarding development, developers, and their antics. Developers wanted to build very intense shopping centers right next to neighborhoods. Developers wanted to come in and totally uproot communities that had existed for many, many years. I believe that when you choose to speculate in a land venture, it is *you* who risk your funds. Taxpayers should not be expected to bail you out. However, Florida always has been for sale. Ever since Florida has existed, it always has been for sale--Alachua County is no different. When I joined Commissioner Notestein in 1986, it was apparent that those with real estate and development interests very clearly ran this county commission.

If you go back and look at the elections of those who campaigned for county commission and you look at their contributors' forms (which are public information that you can obtain from the office of the Supervisor of Elections), you will find real estate and development interests contributing very heavily to a majority of the members on the county commission. You also will see those same people, then, come before the county commission later on and request

zoning changes so they can build a shopping center in the middle of a neighborhood, or a construction and demolition-debris landfill in the middle of a neighborhood.

From 1986 to 1988, things were very hot and heavy here, because both Commissioner Notestein and I were very outspoken about protecting the public interest. Both of us believed, as I still do believe, that we are elected to represent all of the people in Alachua County and protect the public interest, not to simply be an agent for special interests like real estate and developers. That continues to be an issue because with thousands of people moving to Florida each week, the questions are where do they go, where do we put them, how do we retain some semblance of the Florida – and in this case the Alachua County – that we knew, with which I grew up? That is why everyone moves here. Unfortunately, it appears that the real estate and development interests still control the city commission as well as the county commission.

Another interesting item occurred in January of 1987. We all refer to it as the "Chambergate" incident. As I said, I was elected in September of 1986. At the last meeting in December 1986, there were only three commissioners present: Commissioner Notestein and myself, and Commissioner [Edwin] Ed Turlington, who retired in 1988 after about twenty years on this commission. At the time, Commissioner Turlington was Chair of the commission. In that afternoon meeting at the end of December, Commissioner Notestein and I, who comprised the majority at that meeting, brought up a number of issues to get onto the table to discuss. You see, it takes one commissioner to make a motion, and it takes another commissioner to second that motion to get the idea on the floor for discussion. Prior to my election in 1986, no one would second any of the motions of Commissioner Notestein about the environment; therefore, none of those issues could ever come up for discussion. If they never come up for discussion, the public can never participate, the public can never provide any input.

So in 1986, when I was elected, we had the opportunity to get items on the floor for discussion. We might make a motion, second it, and discuss it. The discussion might be very quick, very short, because a commission might, as frequently happened, make a motion to cut off all discussion. A majority of commissioners always would approve that, and then they would vote to deny or reject whatever Commissioner Notestein and I wanted to talk about.

With this evening meeting in December, Commissioner Notestein and I comprised a majority, so we brought up a lot of ideas for discussion to consider as policy issues. Apparently the other two commissioners at the time, Commissioner Leveda Brown, who is still on the board today, and Commissioner Tom Coward, were both out of town. When they got back they were infuriated

about the things we had brought up for discussion as potential policy issues. At the next meeting in January, Commissioner Notestein and I were roundly censured by not only the other commissioners, but by a parade of individuals representing the Chamber of Commerce and the "business elite" in this community.

The interesting thing that happened afterward was that a tape recording was released from the Gainesville Chamber of Commerce Executive Board Meeting. I have a copy of that transcript if you would like to look at it. It is fascinating reading. At the time this occurred, the Chamber of Commerce had a contract with Alachua County for economic development. They received \$40,000 for that. In this released tape recording, the then-president of the Chamber of Commerce (whom Jim Notestein had defeated for election in 1984) and the other executive board members talk about supporting the majority of the county commission and figuring out ways to hammer on Commissioner Jim Notestein and Commissioner Penny Wheat so they would not be reelected. [They talked about] how to hammer on them, beat them up, screw them up so that they never would be reelected. Also, this tape involved University President Marshall Criser [president, University of Florida, 1985-1989], because chamber President John Schropfer said, "University President Criser had agreed to squelch community participation" of some faculty members at the University of Florida, particularly Dr. [Earnest] Dwight Adams, a physics professor who was president of the Sierra Club at the time, and also Dr. Grant Thrall, a professor of geography and who was very involved in land use in the community. That was a very ugly episode, and it brought to light exactly the way business as usual in the politics of old runs.

However, at the same time, there was a new publisher who came on board at the *Gainesville Sun*. The new publisher was John Fitzwater, very pro-business, very pro-development, very anti-environment, [and] very anti-neighborhood. In the editorial section of the newspaper, as well as in the letters to the editor, a number of things happened. Editorials were written by the newspaper saying that Jim Notestein and Penny Wheat brought it on themselves because of their "extremist" views. For over a year, letters continued to be sent to the editor from citizens in the community lambasting what had happened. Outraged. It also grew into a conference on the University campus. Following the events here, many of the University of Florida faculty were so deeply concerned about the potential involvement of University President Marshall Criser that Chambergate spawned an academic freedom conference on campus. Things have not been the same since, until now. Now the new buzzword for real estate and development is economic development.

N: I was referencing some of the *Alligator* news of 1987, 1986, 1985, in which I came across an editorial about "a growing silence."

W: I remember that editorial.

N: The Chamber of Commerce labeled the University academic persons, scientists and all that, as if they are anti-development.

W: Anti-business. The chamber called them the intellectual elite.

N: The "Chilling of Anti-Growth Sentiment" was the word the *Alligator* used.

W: Would you like to know the reason that happened?

N: Yes, please.

W: Because so many people moved to this county, property taxes kept going up because, you see, property taxes are what pays for county government services. But there is something interesting that occurs. Let us say you come in, you buy a piece of land out west, and that land is not zoned for multifamily development (condominiums). Let us say land is zoned only for single-family houses. Since there are no city water or sewer lines, you can only build two single-family homes on an acre of land, but you want to put sixteen condominium units per acre. Well, the only way you can do that is if you get the city water and sewer lines out there. Then you ask the commission for a zoning change so you can build what you want to build. And by the way, since there is no paved two-lane road there, you need a paved two-lane road out there so you can build your development.

Well, would you like to know who paid for all that? The taxpayers pay to extend the water and sewer lines and pave the road. Not all the taxpayers benefit from that, but the developer does benefit directly from that. So, throughout the state of Florida in 1986 and 1987, people were saying, "Stop. Wait a minute. We need to figure this out so the people who cause an impact pay for it. People who benefit directly from a service should pay for it."

Well, the developers in this town fought impact fees for a very long time because the fees would be charged to the development for the specific impact it creates on roads, on sewer, on fire service, etc. Alachua County has only adopted a road-impact fee, and it does not require a developer to pay the *full* cost of the impact, only a very small percentage of it. It appears right now that a majority of this commission wants to do away with that impact fee. Instead of developers paying for the roads, turn lanes, intersection improvements required by their development, all the people of Alachua County will pay more gas tax at the pump to pay for something that benefits only a few. That is why the issue came to the forefront and continues to be an issue today.

N: Developments certainly come into conflict with problems of the environment and

ecology. But development is also an important necessity. How do you visualize this sort of a situation? What are the solutions or ideas?

W: The legislature of the state of Florida actually was wise at one period of time in 1985 and they adopted something that is called the growth-management law. The growth-management law makes a great deal of sense. What it basically says is, "Development should not occur in a hopscotch or leapfrog way. Any kind of development should occur close in to an urban core and should occur closest to where the services and facilities are available." So, for example, if you have a city and there is a whole bunch of undeveloped land in that city, that undeveloped land should be developed first before a road is extended out to nowhere for somebody to develop in the country in the middle of nowhere. That makes a lot of sense because the roads already exist in the urban core, the fire and police stations are already centrally located. As a matter of fact, if you play today the game called Sim City 2000, that particular computer game in which you are the architect of your own city is based on the same premise. You only get so much money to build your city and yet you have to build a utility plant, you have to build the fire station, the police station, you have to build a library and everything else.

So the 1985 growth-management law in its pure form makes a great deal of sense. However, like all bureaucracies and especially political bureaucracies, the growth-management law has never been enacted in its pure form in Alachua County. What happened in Alachua County was that all of a sudden, the people who owned land all the way the hell out in the middle of nowhere came in and said, "Oh, but we want that area zoned as blah blah, because otherwise we cannot build what we want." Well, excuse me, but that is too bad. You need to, then, buy land in the urban core if that is what you want to build so you can build that there, because that is where it belongs.

What we have in Alachua County is a lot of leapfrog, hopscotch development that occurred all over. We have urban city-type development encroaching upon agricultural areas, farmlands. We have, in the case of Jonesville, a majority of the county commission in 1988 and 1989 adopting a land-use plan for that area that makes it another city-type area like the Oaks Mall out on Newberry Road by I-75, which anyone will agree is an absolute mess. That is what the growth-management law was trying to prevent – another Oaks Mall-Newberry Road congested mess. That is not what the blueprint for the future of Alachua County looks like.

N: How do you see this matter of the business interests intervening with the political hierarchy and trying to get their things done?

W: Well, let me give you an example. It is an established fact that when you group development around an urban core, close together, that is cheaper for taxpayers

than if you spread development out at all four corners of a square. Since more people live, work, shop in the urban-core area, public transportation is more viable. Not only is it economically more viable, but people use it and therefore use their cars less. There is less air pollution because there is less automobile and other vehicular traffic. Our local chamber of commerce does not support, or has not supported in the past, public transportation.

As a matter of fact, in 1987 and 1988, there was a giant argument about our transportation plan and what percentage of our transportation plan was going to be bicycle traffic and what percentage of our transportation plan was going to be pedestrian traffic. Because, again, if you group all of your development in an urban core, in a central city, people can walk rather than use their cars. In this Chambergate transcript you will see where the Chamber of Commerce at the time, at least their executive board, wanted to stack our transportation committees with people who supported automobile traffic.

I do not know that there is a way to resolve business and general community interests because they are two very different things. The public at large has interests that are different from the very narrow, special interests of, for example, a chamber of commerce. But I think the two can work together. I think it has to do with a level of education and a willingness to share. In the past it has been very evident that the movers and shakers in town, especially the Chamber of Commerce elite, have not been interested in listening to another point of view. They have not been interested in sharing what they consider to be *their* power. Thus the community stagnated for a period of time.

As is always true, everything was blamed on those people who were called environmentalists. "Oh, environmentalists are the reason no businesses come to town. Oh, environmentalists are the reason our economic conditions are the way they are," which always has seemed to me to be silly because we do not print money here, and people who have the label "environmentalist" ascribed to them are usually concerned about larger issues like the water that everyone drinks and the air that everyone breathes. You know, in this country it is very clear that for a long time business always has gotten what it wanted, what it needed. It was a very long time before we had a National Institute of Occupational Safety and Health Administration for the rights of workers. Labor unions had to fight for a long time to get better working conditions.

If you have been sitting on top of the pile for a very long time always getting everything your own way, the idea of sharing that with someone else is anathema to you. The idea of listening to anything other than what you believe to be true is not something you consider. In the treatment by the establishment of Commissioner Jim Notestein and myself it is very clear that this community, this county, was going through a growth period. [It was] growing from a little old

hick-redneck place where politics were conducted behind closed doors by a few white men, growing toward a community that recognizes and appreciates its diversity, recognizes and appreciates that there is strength in a number of different opinions. We are not there yet. It is still evolving. There is still a tremendous amount of pressure not to disagree, not to have a different opinion, and not to voice a different opinion.

N: How do you see yourself with such progressive ideas and all?

W: I believe that government is the ultimate customer-service organization. Today, because our country has turned very much to a service industry rather than a manufacturing industry, there is not but maybe the difference of a dime between your product and mine. What each of us needs to do is cultivate customer service so that we treat our customer with courtesy, you know, that smile, "We are glad you are here."

N: Yes, etiquette [laughter].

W: We make our customers feel wanted because word of mouth is what is going to attract more market share. Unfortunately, government appears to me to be – at least this county government – last as far as customer service. I have talked for many years about the fact that we need to start looking at our taxpayers, our constituents, as customers because they are customers of Alachua County government. Alachua County government does not manufacture a product, we provide services, and our taxpayers are the customers of those services.

Unfortunately, not all commissioners and top management share that belief. You know, you and I may disagree on the bottom line, the need for a regulation or the amount of regulation, but regardless, when you call this office, when you call a staff person, we should say, "A citizen is the most important person in our business. You are why we are here. We work for you. Hi, what can we do for you today?"

A citizen is passed around from bureaucrat to bureaucrat. Frequently, the questions they have are not answered, phone calls are never returned, and people just give up. I do not believe that government ever will stop on a dime and turn around. Government never will move that quickly, but we can certainly take on a different attitude, and that is one of appreciation for the people whom we ultimately represent. But a lot of that has to do with the structure of government. There are five county commissioners elected at large in Alachua County. While each commissioner is required to reside in a separate, distinct district of the county, all people in Alachua County vote on electing each commissioner.

Also, in Alachua County, we have a county-manager form of government and we have an administrative code that lays out all of the duties and responsibilities. The duty and responsibility of the county commission is to set policy; the responsibility of the county manager has to do with operating all county departments. Also, in Alachua County, we have a number of what are called constitutional officers. Those are people separately elected by the public who do not report to the county commission. Those people are the state attorney, the public defender, all of our judges, the tax collector, the property appraiser, the sheriff, the clerk of the court, and the supervisor of elections. So we have a check-and-balance system.

The problem arises with county government, however, because by law in our administrative code, the county commissioners are prevented from directing any staff but the county manager. We can only can questions of other staff people from the county. So what it boils down to is, if three commissioners think the way the county manager runs the government is hunky dory, and he is doing a great job, then, regardless of how bad it might be, other Alachua County commissioners cannot change that. That is a point of which most people out there in the county are not aware. They do not understand that it requires three commissioners to hire and fire the county manager. They do not understand that it requires three commissioners to direct the county manager to do anything.

So, if county commissioners do not take any action, the manager can do whatever he wants. Since he is not elected by the people, he can create whatever power base he wants and it is totally hidden from the public.

N: What measures have you taken to create awareness among the citizens of the community that [promotes your beliefs] but does not jeopardize economic development of the city and the county at large?

W: Over the years there are a number of things that Commissioner Jim Notestein and myself have suggested. There seems to be between a one and one-half to three-year time lag between something that was first suggested and when something actually is implemented. I always have thought that that time lag is necessary because there are so many bureaucrats running around here with giant egos. They want to believe it is their idea, not something somebody suggested years ago. Recycling is a good one; composting is another. Jim Notestein first suggested that in 1984 when he was first elected. Now it is all the rage, shall we say. It is common. Everybody does it. But in 1988 when he was [running] for reelection, people talked about him as wanting to bomb us back into the Stone Age: "He really belongs under a compost pile. He has pie-in-the-sky ideals." So it seems that only when there is a crisis that affects everyone – everyone has a problem with the air we breathe, everyone when they turn on the tap has contaminated water – do people then sit up and say, "Oh, well gee, maybe we do need some more environmental regulation."

I can remember when Alachua County was considering a hazardous materials management code, which was another very big environmental issue. Many of the businesses and chemical companies in town fought it tooth and nail, and it took five years to get a hazardous materials management code adopted. And I did not vote for it, because all of the public protections in the hazardous materials management code, as it originally was, had been withdrawn or deleted or watered down so that it was no protection for the public, but it was protection for industry. The hazardous materials management code is quite weak. It is not as strong as necessary. Whenever business has said, "Oh, well we can police ourselves. Are you saying we are a bad neighbor? Blah, blah, blah," the response is very simple.

If we had had these regulations a long time ago, we would not have superfund toxic waste sites all over the country. If we had had these regulations a long time ago, we would not have areas in communities in this county as well as throughout the United States that are no longer habitable. It is very clear that for a long time business did whatever business needed to do so that the business could save money. That has hurt and killed a lot of people. It continues to this day. There are a lot of very forthright businesses. There are a lot of industries that are moving to change, for example, their manufacturing processes so that they do not generate hazardous waste, or they are changing their processes up front so they can use their waste material in their manufacturing process. There are other businesses that get away with whatever they can.

N: To what degree does government protect the interest of the people with water and air at the state, county, and city levels?

W: Basically, it is very simple. The federal government brings forth general standards, and within those general standards states can [choose to] adopt more stringent measures. At the state level, the state adopts general, environmental standards for the entire state, and either allows or does not allow local governments to adopt more stringent measures. In the case of the county commission, we have an environmental protection department that is a general fund department. That means it is paid for out of the property taxes of everyone, whether you live in the city or you live in the unincorporated area of the county. That is because water knows no boundaries, air knows no municipal boundaries. I suppose if the city had a large number of industries or if the citizens requested it, a city also could adopt its own environmental protection department and its own standards as well. There are some large cities in the state of Florida that do that.

At every step along the way, whether it is federal, state, or local government, there is a conundrum of high-paid lobbyists whose job it is to represent their

business or industry [and] to make sure there are no more regulations their business or industry has to follow. There are less citizens at each step along the way because most normal people have a job. They go to work, they have to pick up their kids from day care in the evening, they make dinner, they spend time with their children doing homework, and they get up the next day and do the same thing. Their job is not to lobby Congress, or the state legislature, or the county commission, and that is, I think, where we run into problems. The environment, it seems, always will be expendable. When there are good economic times, then we will protect the environment. When there are downturns in the economy, that is the time we need to concentrate on business development, regardless of the environment. At least that is the way it appears here, when, in fact, that appears to me to be very shortsighted.

In the state of Florida, as well as in this county, we are trying to attract tourists to come and spend their money and then leave. If we have contaminated lakes, if the state of Florida has contaminated beaches, if you cannot be assured that the city in which you are staying has clean water, tourists will not come. Businesses will not move here. But that is always the way it has been. It requires, not apathetic citizens, but citizens who really are concerned, who watch over government to make sure that each elected official, as well as the government as a whole, is doing what it was supposed to do.

I think it is an evolutionary cycle, and it appears that there is a lot of apathy out there right now, and I know why that is. It is because people come to government and they ask for help and they get kicked in the teeth or they are ignored. After a while they are tired of getting kicked in the teeth or tired of being ignored, and they do not think anyone in government can help. It is unfortunate, but the recent city election is a good example. Only 16 percent of the registered voters in the city of Gainesville turned out to vote for city commissioners. That is a real shame.

N: How is it that you really can inculcate into the community that city or county government is interested in the welfare of people and their day-to-day life?

W: First of all, I think you have to have commissioners, elected public officials, who really feel that way. I do not believe that in the past all county commissioners who have been elected have really felt like it is the business of the public we are doing. As a matter of fact, there have been some workshops and meetings where I have been absolutely floored at some of the things some commissioners say. If there was a media person in the room or if the public was in the room, they would be roundly attacked for the things they say.

Most of the time government is not conducted in a way that encourages people to participate. Last year when I was Chair of the commission I authored a

handbook on policies of the county commission, which included policies on how we conduct our meetings. I remember in 1986 when I was elected, I asked for a copy of the rules and then-chair Turlington said, "Well, darlin', there are no rules. They are my rules." And I said, "But how does a member of the public understand how this government operates?" He said, "They are the chair rules; whatever I want to do, goes. Whatever I say, goes." That is the politics of old, business as usual, and for a city with a university community, we should expect more.

So last year I did some research and put together a handbook of those kinds of rules so that anyone who was interested in coming to participate in government, who just had a vicarious interest, or who was going to campaign for election, would know how this county government operates. But, also, if you do not have it written down, it is hard to hold you accountable to your rules. Anything can happen.

One of the other things I have attempted to do both last year as Chair and during my entire eight-year term has to do with public information. You see, in the state of Florida we have something called the Sunshine [Law], an open public-records law, which basically means that the legislature has said that everything that governments do is open and can be seen and copied by anyone, unless the legislature has specifically exempted that document. For example, the home addresses of police officers.

N: A certain strategy.

W: Since this county government does not have an attitude of customer service, frequently what happens is that people have difficulty obtaining public information, information that is already ours. As a matter of fact, as a commissioner, I have had to get the attorney to go down to the manager's office to tell him that something is public information and I can have it right now, which is outrageous. But I have made it my business over the past eight years to assist citizens with obtaining public information and to correspond frequently with the attorney general's office in Tallahassee.

If there is one thing I have done, one effect that I have had in the past eight years, I believe that it has been in showing the public that there is another way to conduct business, that you can have a different opinion, that someone *has* a different opinion, that it is not necessary to continue raising taxes, that we can look for ways to save. We can tighten our belt just like other families everywhere else do. It is possible if we read and research and find out what other communities are doing, what other successful programs they have implemented, that we do not need to reinvent the wheel. We can implement their successful programs here.

But I must admit, that has been very difficult, because county government, at times, seems to be comprised of people who come in once in a while for meetings but do not do any reading. They do not do any research, they do not ask any questions, they just rubber stamp what the county manager brings to us.

I must admit that what the county manager brings to us, very frequently, is not thorough. It has not been well researched. My father always taught me to ask the questions that an ideal academician would ask. Where is the data? Who collected it? When was it collected? What are the variables? We do not get that kind of information provided to us here unless we do that research ourselves. That is why you see two large bookcases full of books and four four-drawer filing cabinets in my office, which are full of all kinds of material.

County government is also very interesting because if you are not a member of the ruling majority, if you are not a member of the "in-crowd", you do not get the same information everyone else gets. You are not always spoken to in the same way that everyone else is spoken to, and you do not always get your telephone messages. But I do believe the public knows more today about the way county government affects them than they knew before I was elected in 1986. I make no bones about it – my job is to rock the boat. You see, I did not come into county government to rub shoulders with the movers and shakers. I came into county government really differently than anyone else has and that was because of the tragedy of gasoline-contaminated water. I knew county government was not doing its job, at least for my son and the other people in the neighborhood. I vowed to make a difference. I am proud that when people call me and have a complaint – for example, their road has not been graded or they have not been able to get information from the department or, heavens, a county official hung up the telephone on them – that I have been able to assist them in getting that job done.

I recall last summer when a couple who lived in a nice subdivision west of town called me. [They were] extremely upset because the county public works crew, the road crew, had gone down to clear an easement and cut down all of their shrubs that they had spent ten years growing. When I filed that complaint, the response I received was, "Yes, it was our fault." And I wrote back and said, "Well, a customer service organization would not stop there. A customer service organization would go out, talk with the property owners about what they want to put back there, and a true customer service organization would go out and plant the bushes and make sure that that never happens again." After a period of time, we finally got that done.

That is an environmental issue, because a public works crew is usually interested in cutting down all the limbs and the trees hanging over the road; they do not stop to think that when they mow the median they are mowing wildflowers that

attract Monarch butterflies from Mexico. So those kinds of environmental sensitivities are something which I believe is now here that did not used to be here. It is by no means ideal, I do not believe it is even acceptable yet, but it is a good start.

N: People tend to retain the status quo. How do you face this particular changing scenario? What do you plan to do in the near future to upgrade, to better things, so the community can harmoniously lead their life?

W: Democracy is a two-way street. It only works when the public is involved. When the public is not involved, when there are very few voters who turn out for an election, or when the voters do not scrutinize what government is doing, that is usually when government runs haywire. I believe government is in the business of protecting government – at least this bureaucracy is. I must digress for a moment, however, and say that there are some wonderfully competent, capable, and caring people who work for Alachua County government. However, they are not always in the top administrative or management positions. So when I talk about bureaucracy I want to make clear that I am talking about my experiences with top management.

You mentioned the status quo. I think the way to answer that question is to explain that I had a very different reason for getting involved in county government than most other commissioners, I would say 90 percent of other elected officials. Because of that I viewed my job as very different than other commissioners. We are in the business of making public policy, that is true; however, we are each elected individually. We are not elected as a team and I have never believed it was my job to be a team player, to rubber stamp, to agree with the majority. I always have rocked the boat. I always have offered another opinion, and I have been very vocal and very outspoken, frequently, in doing so.

It has been very clear that there is an "in-group" that always has run county government. I should also tell you that I am trained as a psychologist. Therefore, I viewed my job differently, as not only to represent all the people and set public policy, but also to be a watchdog and to fight as much as possible from within the system to change the system. The way I have done that is to make very public what I believe is going on in county government and what I believe should be happening instead. In that way, I suppose you could say my job has primarily been to educate the public in the hopes that the voters would elect people of a different conscience.

N: A public conscience.

W: That has happened to some extent, but as I said earlier, it is an evolving process. It only works when the public stays involved and stays aware. It also is

hampered since we only have one large newspaper in town and it is a paper that, I believe, chooses to print one philosophy – not necessarily the facts as the news happens. It is very clearly a paper which tries to persuade the public in one particular direction – and that is the real estate, development, business direction.

But I have been a watchdog for eight years. I have attempted to be the conscience of the public on this commission, to remind the commissioners that there are other people out there in the world besides people like themselves, and also to engage more people in the actual workings of county government. To that extent, I believe I have been successful because over the past eight years more people have gotten involved in county government than ever before. It may be because I have been very vocal in representing minority views. It could be because I have simply dared to offer another opinion.

I believe there is a very important place on an elected public body for a person who chooses the role as watchdog. Because if we do not have a watchdog, there is no one to speak for the environment, there is no one to speak for social justice, and, indeed, my experience has shown that one voice can make a difference. When I first came to this commission in 1985 about the contaminated water and was turned down flat and was told that these people did not even care (except for one, Jim Notestein), I was deeply concerned about the future of Alachua County. I certainly did not want it to smell like it does when you get near Palatka. Since then I have done a great deal of research and learned that the smell is only part of it, that actually the constituents in the air that are breathed may have had an effect on the babies born in that area. So I guess to answer your very general question, the environment needs a watchdog who can work from within, to tell the public immediately what is happening, what they should be concerned about, to expose the work that some governments (like cockroaches) would prefer to do in the dark, and to be there to engage the public. Without that, the things that are of less interest to those people like chambers of commerce will never be addressed. They will never be considered. They will never be acted upon.

N: The personal issue of your son is really a very important issue, I certainly feel. Can you please give some information on your child?

W: In 1985, 1986, and 1987, during our lawsuit, we had a number of studies done on all of the people involved in the lawsuit and we also had some reports prepared for us. [My son] is no longer exposed on a regular basis to any of this gasoline contamination. My son, for some time, has not shown any of the kinds of acute symptoms that he once did like skin rashes, stomach upset, low-grade fever, and flu-like symptoms which he exhibited for a long time. He no longer shows those acute affects; however, the real problem for anybody exposed to any kind of contamination, particularly gasoline contamination, is the long-term effects that may occur from the chronic long-term exposure. My son has a very thorough

blood test every year to determine if there are any minor changes in any of his bodily functions, any of his internal organs.

N: What is his name and what is he studying now?

W: My son's name is Justin, and he is fourteen and one-half. He is a high school student, doing very well. As I began to say, the concern is always the long-term exposure, the effects of that, what that might potentially be. There might be nothing, but he may also run the risk of developing certain kinds of chronic and debilitating diseases that will obviously affect his quality of life. He also runs the risk of developing certain forms of cancer because of the exposure to the chemical constituents in gasoline. Unfortunately, we will not know that until later in his life. That is the same for the other people who were exposed. Unfortunately, the problem, at least for elected public officials, is that most politicians are only concerned about getting reelected in three or four years. So most politicians do not look further than that period of time – which always has been why we have not had long-term kinds of regulations in place.

N: Politicians have to become more like statesmen. I think that would certainly help the nation to grow, the community to grow.

W: Well, I am not a politician. I am a very bad politician, let us put it that way. I consider myself a public servant. In line with that, this will be my last term in office, November of 1994, because I believe the framers of our constitution created it in such a way so that everyone would have an opportunity to participate in our government. I believe in a two-term consecutive limit, so I will be leaving office after this. I will not, however, be leaving public service. I will continue to be involved closely with county government because I have learned that, just because government does something, it does not mean it is right, especially regarding the environment. Frequently it requires a group of people to stand up and challenge what government has done in order for government to do what is right.

N: Finally, do you want to add anything about the environment of county government or your personal views about various public issues, maybe in a brief way?

W: There is deciding what we do with our garbage and trash, whether it is the location of another landfill, whether it is protecting our ground water, whether it is regulating business and industry so that signs do not visually clutter our environment and pollute our scenery. Government always can take a much larger role. Unfortunately, whether it is our visual environment or our natural environment, it appears that that which we take for granted – the air we breathe and the water we drink – is always expendable. Unless citizens become very closely involved and scrutinize the actions of government, those things we take

for granted never will be properly protected. As I said, government is a two-way street and it requires that citizens be very active, be very aware. When Ralph Nader [1934-, American lawyer, author, founder of the consumer rights movement in the US] was here several years ago he said, "It is unfortunate, but people pay more attention when they sweep their sidewalk or their front porch than they do to polishing their citizenship skills." We all should make that a way of life.

N: Thank you, Penny Wheat, for sharing your valuable time.

W: Thank you very much, John.