

## 5/8/09 - City Questions State's Neutrality Regarding Quarry

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Governor Jay Nixon and Attorney General Chris Koster will be getting a request from the city of Osage Beach, asking that they do anything and everything in their power to stop a permit for a limestone quarry near the joint sewer treatment plant.

Senior Judge Frank Conley ruled earlier this month that the quarry permit could not be approved for Magruder Limestone Company on a property near Woodriver Road in Miller County.

Osage Beach Mayor Penny Lyons says both Magruder and the Missouri Department of Natural Resources asked the judge to change his mind.

"They filed last Friday to ask Judge Conley to vacate his ruling," Lyons said. "They've both filed and the Attorney General signed his signature on this letter."

"I think that the DNR and the Attorney General's office, the judge told them they were wrong, and for them to file and continue this is unacceptable."

Lyons says if the judge does not retract his judgement, the limestone company still wants to restart the process.

"They've asked them to let them start the process to maybe contact the people that they didn't contact in the first place, I don't know how they will know who those people are, and begin the process halfway through," Lyons said.

"So they're not admitting that they screwed up on the permits and you can use the word screwed up because they did."

In the resolution, the city also says the motion by the Missouri Department of Natural Resources asking the court to reconsider the judgement is a sign that the state of Missouri is abandoning its neutrality.

The letter to the Governor says the state is taking a position in the litigation which is against the joint sewer plant and the lake area as a whole.