

# Freedom Matters

We are a free people in a republic, under a constitution which limits the powers of government to those necessary to secure the unalienable rights of each person to their life, liberty and property. We dedicate this paper to saving and preserving our freedom.

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## The Iniquity and Inequity of County Sewage Decisions

by Bob Bowman

**W**hat does a citizen encounter from public servants in Dane County? Often, it is a "law unto themselves" syndrome, as the letter below recounts.

[Dear] Editor:

I recently appealed a decision of the Dane County Environmental Health Section Director, who required that I comply with a 3-year maintenance service mandate for private septic systems, 20 months after the last service. The appeal was denied. The purpose of this letter is not to complain about the decision, even though I believe it to be a bad one, but to comment about the treatment that I received by public officials.

When I appeared before the Dane County Board of Health on the night that my appeal was to be considered, I could see from the start that my appeal would fall on deaf ears. I was not invited to sit at the table when my case was being considered. I had to invite myself to the table, so that I could hear what was being said about my case. There were no introductions or any indication as to the names of the board members. The board gave me the feeling that it was a bother to hear my case. One member commented about her dismay over the trivial matter brought before her. Another member made it clear that bureaucratic convenience was more important than the language of the ordinance.

There are 7 members of the Board of Health, however, only 5 members bothered to show up for the meeting. Some of these members have been on the Board of Health for 10-15 years. The comments and attitude of some of the board members were rude, self-important and closed-minded. Not exactly what one would expect from a

"public servant". How do people such as these get themselves appointed to these positions, what evaluation of their "service" is being done, how long is enough to serve? These are not elected positions, however, the person who appoints them is elected to her position. One cannot help but wonder if my case was [an] anomaly, or [whether] rude, self important and closed-minded people are routinely appointed to Dane County commissions and boards. Would Ms. Falk be appalled if she were to be aware of this kind of "public service" by her appointees? Perhaps, she will make an effort to exercise some discretion in contemplating future political appointments.

Bob Ruth  
Town of Springdale

That letter not only speaks for itself, it also finds serious flaws regarding the Dane County Board of Health. Mr. Ruth served for several years as a District Attorney, so his observations are tempered by notable professional experience, not to be taken lightly.

Of pertinence is the cultural climate within which that Board works. Dane County may be the only county in the state which has arrogated to itself the choice not to implement the statewide administrative law regarding onsite septic systems, despite being required by law to implement it. How can a county which violates law command respect for law?

Dane County, by the vote of urban supervisors on the county board, has also arrogated to itself the choice of unwarranted differential taxation of owners of onsite septic systems, to raise money to give to the owners of private wells to help them with the expenses of proper closing up of abandoned wells. That not only uses legalized theft for the benefit of certain private individuals, but it fails the test of equal protection of the laws. What is for the common good should be paid for by all citizens, not just a subclass of them. Such uncivil enactings underlie uncivil board behavior.

Property rights web sites: < <http://www.fairnessinlaw.org/> >  
< <http://www.takebackwisconsin.com/> >  
<<http://www.PropertyRightsResearch.org>>

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