

POLITICS

## The Bristol landfill smells so bad the attorney general is suing. Why does it stink so much?

*Expert panel report says the odor of rotting garbage and chemicals is caused by a combination of factors — a reaction within the buried waste, likely failure of a liner system, elevated temperatures and settlement.*

 by **Susan Cameron**  
January 24, 2023



Geomembrane (black panel) that will wrap around the sidewall gas collection system, providing a seal that prevents the release of odorous gases. Courtesy of city of Bristol.

More than two years after odor complaints about Bristol, Virginia's landfill began, city residents are still dealing with the stench, the price to fix it has jumped to more than \$60 million and the city is now being [sued by Virginia's attorney general](#).

But what is actually causing the stink – which often smells like rotten, sour garbage combined with a chemical odor?

The smell can be attributed to a combination of factors, including a reaction taking place within the buried waste, a likely failure of the subsurface sidewall liner system, elevated temperatures and settlement, according to a 36-page report released in April 2022 by a panel of experts.

The 11-member panel was convened by the Virginia Department of Environmental Quality and asked to study the landfill problems and offer solutions.

The landfill is in a former limestone rock quarry on 138 acres of land on Valley Drive. It started accepting waste in 1998 and is a little less than half full. Its permitted capacity was 7.8 million cubic yards and about 4 million of that is unfilled, according to the report. Its depth ranges from 325-350 feet.

Primarily, the odor is believed to be coming from the landfill/quarry sidewalls, which is why the panel said they believe the liner has been compromised. That failure means there is poor contact between the landfill liner and quarry sidewalls, which “hinders containment of high-temperature landfill gases.”

“Dating back to 2018, gas emissions were observed exiting the Landfill along the sidewalls between the quarry rock walls and the Landfill sidewall liner system. These point source emissions are referred to as ‘chimneys’ which are present at various locations along the Landfill perimeter, specifically the eastern and western walls,” and several were seen by the panel during a March 2022 visit to the site, according to the report.

The “chimneys” are where most of the odors are being released into the atmosphere, the panel found.

Odors are also likely coming from the landfill surface because there is “inadequate interim soil cover material,” the report states.

The panel was provided with odor complaints to DEQ, which began tracking them in late 2020. Most of the complaints were of a chemical smell, which one resident described as a “smoke.” That smell was apparent to panel members during their visit to the landfill, the report states.

The panel also found that there are signs – including unusual odors, low relative methane content in landfill gas and large and rapid settlements – of an Elevated Temperature Landfill (ETLFs), but it said there wasn't enough data to diagnose the state of those conditions. Left alone, those conditions will likely continue to develop, the panel said.

ETLFs are known to be deep and very wet, with a thick waste mass. They are characterized by temperatures at more than 131 degrees Fahrenheit over a large area for a long time, the report states.

Also, waste beneath the landfill surface is saturated with leachate, which is known to contribute to ETLF conditions, including the generation of odors. Leachate is a liquid, mainly water, that “percolates through a landfill and has picked up dissolved, suspended, and/or microbial contaminants from the waste,” according to the Environmental Protection Agency.

There is also settlement at the landfill, which likely contributes to oxygen intrusion and inability of the gas extraction wells to efficiently collect gases and dissipate heat, the report states.

The panel's 10 recommendations for odor mitigation were:

- Test and construct a sidewall odor mitigation system around the landfill perimeter.
- Improve performance of existing gas extraction wells and add wells to reduce emissions and temperatures.
- Identify and eliminate any landfill gas fugitive emissions at the surface and monitor weekly.
- Install settlement plates and conduct monthly surveys of settlement in the waste mass.
- Install and monitor a dedicated system of thermocouples in the waste mass to monitor temperatures.
- Install at least five deep dedicated monitoring wells to enable sampling and characterization of leachate and measurement of temperatures in the waste.
- Install and operate large-diameter, dual-phase extraction wells for removal of gas and leachate.
- Install a temporary geosynthetic cover over the entire landfill.
- Develop and implement an effective and sustainable stormwater management plan and settlement management plan.
- Conduct community outreach to communicate strategies, progress and get feedback.

Since the panel's report last spring, the city has been completing the steps recommended with the assistance of a variety of experts, engineers and area contractors, according to information from City Manager Randy Eads that was posted on the city's website Friday.

That work is in addition to prior efforts at the quarry landfill and is expected to result in “capping” the landfill, according to the city. The city stopped accepting waste at the landfill last September.

In acting on the recommendations, the city is also taking a variety of actions, including:

- Continuing to install a sidewall odor mitigation system, which began in December.
- Monitoring temperature, gas and water in and around the landfill.
- Installing additional gas wells to pull gas and liquid from the landfill.
- Implementing a stormwater monitoring system.
- Capping the landfill with a geomembrane that will further stop gases from escaping.

Capping a landfill is a process that involves a number of steps and can include the use of clay, sand and gravel, a geomembrane and soil, concrete or asphalt to begin transition the waste site to its next use. The city will use soil as the main ground cover and is evaluating its options for long-term solutions or uses, according to the information from the city.

The city manager said he estimates the costs for remediation and closing the landfill to be \$60 million, but noted that the number is fluctuating, and a final number will be hard to give until the bidding process for all projects has been completed.

Last week, three Southwest Virginia lawmakers, Sen. Todd Pillion, Del. Israel O'Quinn, and Del. Will Wampler, all Republicans from Washington County, filed budget amendments asking the state to provide \$12 million to help pay for remediation work at the city's landfill.



Perforated pipe being buried in gravel filled trench that will extract gas along the sidewall. Courtesy of City of Bristol



Shotcrete applied on quarry wall to seal cracks in rock that can convey odorous gases. Courtesy of



ECONOMY

# As Big Stone Gap federal courthouse faces formal closure, memories of its heyday live on

*Security issues and a dwindling caseload prompted the decision to shutter the courthouse. But local officials are hoping to give the historic building a new life.*



by **Susan Cameron**

September 9, 2023



The C. Bascom Slep Federal Building in Big Stone Gap is being closed by the U.S. General Services Administration due to security shortcomings, vacancy and lack of court cases. Photo by Jessica Hood.

For a dozen years, U.S. Rep. Morgan Griffith, R-Salem, tried to keep the historic federal courthouse in Big Stone Gap from closing, but he admits that it's been a losing battle.

Both he and longtime U.S. District Judge James Jones say the decision to close has already been made, and Town Manager Stephen Lawson said he is looking toward the building's future.

On June 23, 2022, the congressman received a letter from the U.S. General Services Administration, which manages federal property, stating that it "recently decided to dispose of the C. Bascom Slemple Federal Building and Courthouse."

On Sept. 3, public comment closed for proposed changes to the local rules for the U.S. District Court for the Western Division of Virginia that would dissolve the Big Stone Gap division and facilitate the closing of the courthouse.

The primary reasons for the closing decision, according to the GSA, are the vacancy in the building, limited demand and "significant infrastructure deficiencies," which is about a lack of security, according to Griffith and Jones.

"It's a sad day that they were forced to close the Big Stone Gap courthouse," said Jones, a senior judge who is based in Abingdon. "I've been a judge and a lawyer for over 50 years, a judge for the last 27 years, and I've tried a lot of cases there as a lawyer and heard a lot of cases there as a judge and I've always loved that courthouse. It's a beautiful courthouse. It's historic — over 100 years old — and it's a shame that we had to agree to close it. But unfortunately, the federal courts are facing very serious budget concerns."

A U.S. Postal Service office remains on the first floor of the building. The GSA will continue to work with USPS to "ensure their continuing housing needs are met and will keep stakeholders, including the City of Big Stone Gap, informed of our progress," according to the letter.

There have been no cases heard for several years in the single courtroom on the second floor of the courthouse, but the three-story stone structure still looms large in the downtown of the small Wise County town that's home to about 5,200 people.



The building's nomination to the National Register of Historic places states that the courthouse was built after the model of a Florentine palace, and its "size, its architectural excellence, and its ... use of fine materials are unusual for such a small town." Photo by Jessica Hood.

## '1800s-type security' in an increasingly dangerous world

It was 2011 when Griffith said he first heard that the courthouse might be targeted for closing.

But its elimination was being considered much earlier than that — in 1996, according to a story in *The Roanoke Times*. It was part of a study looking at underused courthouses, and its possible closing drew protests from then-U.S. Sen. John Warner, a Republican, and then-U.S. Rep. Rick Boucher, a Democrat from Abingdon, the newspaper reported.

During a time when there is a real threat to judges and even jurors, the building's security issues couldn't be solved and were the "final straw," in the structure's removal as a federal building, Griffith said. The biggest problem was that there was no way to get the judge in and out of the building safely, he added.

"Sometimes, one of the problems you get into is it's a historic building and there's a prohibition on using any federal money that would distract from the historic nature of a building, and I suspect that was part of it, too," Griffith said.

Cases involving dangerous inmates from the federal prison in Lee County and the state prisons in Wise County also posed security problems, according to Griffith, who said the building also lacks a proper holding area for prisoners.

Jones said the building has “1800s-type security” during a time when “jurors and court personnel and the public need better security. ... It’s a serious matter. There are more and more threats to federal judges.”

In recent years, more cases have been moved to the federal courthouse in Abingdon, which underwent a major renovation that significantly improved security about five years ago, the judge said.

The U.S. District Court’s Western District of Virginia has courthouses in Abingdon, Charlottesville, Danville, Harrisonburg, Lynchburg and Roanoke.

Another factor in the closing was a declining caseload. When the coal industry was doing well in Southwest Virginia, the federal court had a full docket of cases stemming from lawsuits filed over mineral rights for natural gas and coal and lawsuits stemming from coal mining. But with the downturn of the industry, the number of cases dwindled, Griffith said.

He opened a “quasi” office at the courthouse building to help with the vacancy issue but had to close it when word came from the GSA that it was getting rid of the building.

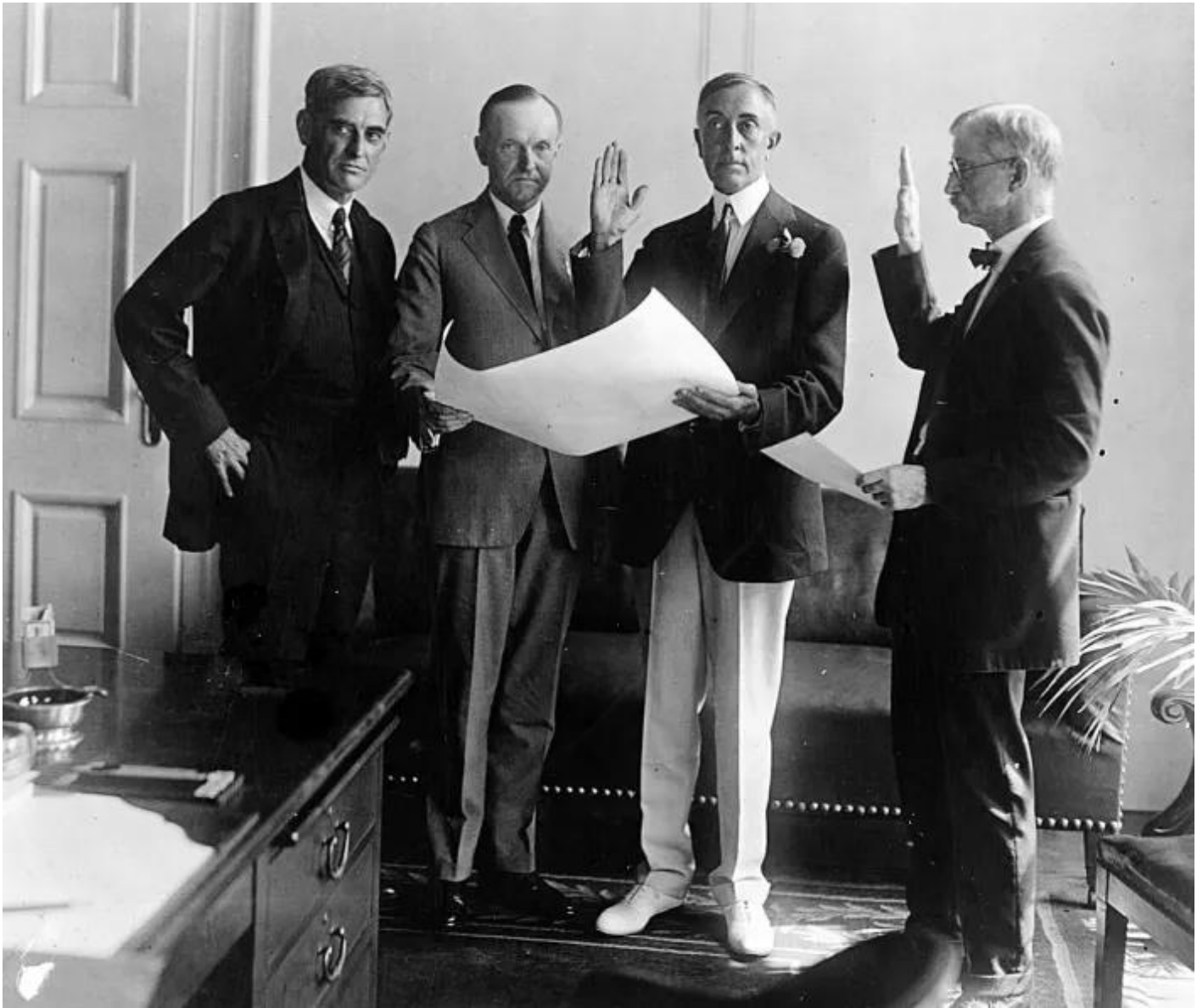
One reason Griffith has fought so hard for so long to keep the courthouse open is that he believes there will be growth in the coalfields area at some point and there will be a need for it again.

“I think it’s a gorgeous building and a classic piece of architecture,” he said. “A lot of the history of the communities in Southwest Virginia have gone through that courthouse over the decades, and I’m always hesitant to walk away from that lightly.”

According to a public notice posted on the U.S. District Court for the Western District of Virginia website, the Local Rules Committee met July 13 to discuss proposed changes to the local rules, including some pertaining to approval by the Judicial Conference of the United States to cease operations at the courthouse in Big Stone Gap.

The committee’s recommendation would dissolve the Big Stone Gap division and pull all of its localities — the counties of Dickenson, Wise, Scott, Lee and the city of Norton — into the Abingdon division. It also recommends combining the jury pools into one Abingdon jury pool.

Jones explained that the proposed changes are not about closing the courthouse but changing the rules so the cases that arise in the area that had been covered by the Big Stone Gap courthouse would be transferred to Abingdon. He noted that that has already been happening.



President Calvin Coolidge (second from left) swearing in C. Bascom Slemph (second from right) as his presidential secretary in 1923. Courtesy of Library of Congress.

## A historic landmark that honors a native son

The courthouse, which opened in 1913, was listed on the National Register of Historic Places in 1975.

Its design is the Second Renaissance Revival style, which was popular in the early 20<sup>th</sup> century, according to the GSA, which calls the building “architecturally significant” with high-quality materials and treatments.

The 1975 nomination to the National Register states that the courthouse was built after the model of a Florentine palace and its “size, its architectural excellence, and its ... use of fine materials are unusual for such a small town, especially in an area which was just emerging from a long period of isolation from the outside world. The building’s importance is enhanced by the survival of a great quantity of early hardware, plumbing, heating and electrical fixtures, and specially designed furniture.”



The GSA's history of the structure goes on to say that little has changed since then and the building remains largely original, with an unusually high amount of historic fabric and features.

The courtroom, reached by a narrow staircase, has a coffered ceiling, ornamental plasterwork and mahogany woodwork. The third floor has a series of small offices and jury rooms.

In the 1908 Annual Report of the Supervising Architect, of the federal government, came the first mention of plans for construction of the post office and courthouse, with \$15,000 set aside to acquire the site. It was completed at a total cost of \$94,000, according to the nominating form for the National Register listing.

Chuck Slempp, a Big Stone Gap native who grew up in the shadow of the courthouse that bears his last name, said he is saddened by its closing. Slempp is currently the chief deputy attorney general of Virginia and is a former commonwealth's attorney for Wise County.



Chuck Slempp. Photo courtesy of Chuck Slempp.

Slempp said it was a “thrill of a lifetime” when he was a defense attorney for a jury trial that took place in the Big Stone Gap courthouse. Jones presided over the case, which was Slempp's last trial before he became commonwealth's attorney in 2014.

The building is named for C. Bascom Slempp, who was a first cousin to Chuck Slempp's great-grandfather. Bascom Slempp was a longtime congressman and served for two years as presidential secretary to President Calvin Coolidge, a position of power that is now called chief of staff.

“He basically ran the White House while Coolidge was away,” Slempp said.

In more recent decades, the courthouse has been most closely associated with longtime federal Judge Glen Williams, who died in 2012 at the age of 92.

It was Williams who worked to reopen the federal courthouse in Big Stone Gap in 1978, after it had been closed during the 1950s.

The closing was just politics, according to Dr. Larry Fleenor, a retired local physician and author of several history books. According to Fleenor, court officials at the time didn't want to travel to the town for cases. During those years, the USPS office remained open while the courthouse upstairs was closed and locked up.

Williams, however, was from Lee County and wanted the closer courthouse to reopen. It remained open until his retirement and death, when talk of closing it again began.

George Allen, the former Virginia governor and U.S. senator, was a law clerk for Williams. He said the court's proximity to the judge's home was a factor in Williams wanting to reopen the courthouse, but it was also because it was more convenient for those who would use it in the coalfields. The judge was very proud of his success in reopening the courthouse, which he loved, Allen said.

Williams was known for his wit, his sharp legal mind and his kindness, and he was often referred to as a Southern gentleman. Slem, who experienced Williams' kindness when he was a child, said the judge inspired his legal career.

There were a number of high-profile trials at the courthouse over the years. When asked which ones stand out the most, Jones pointed to the hearings Williams held during the United Mine Workers' strike against Pittston Coal in 1989-90. It involved about 1,700 miners from Virginia, West Virginia and Kentucky.

"Judge Williams held a number of hearings there and he did a good job trying to resolve differences between the company and the striking mine workers. I expect that was one of the most significant series of cases. But we've had just a whole lot of different types of cases," Jones said.

## Planning for the building's future

Town Manager Stephen Lawson, also a Big Stone Gap native, said the negative impact of the courthouse closing on the town has come and gone.

He said he is now focused on the building's future and has been working for nearly a year with federal officials to try to buy or take control of the building. He's also trying to help the U.S. Postal Service find another home for its office there.

The town needs living space downtown, and Lawson's most interested in trying to develop the building as a boutique hotel or a condominium project.

He said he has had some preliminary discussions about funding the project and what kind of money like tax credits that might be available because it's a historic building.

He said he discussed the possible uses for the building with Griffith, when the congressman visited the downtown area.

"I think that building is gorgeous enough that somebody's going to want to come in there and do some restoration with it," Griffith said. "I'm looking to local government to help us figure it out and if I can be of assistance in doing something, I'm more than happy to help because of the building's historic nature."

ECONOMY

# Keeping taxes low and reviving local projects: What casino tax revenue will mean for Southwest Virginia

*Fourteen Southwest Virginia localities expect to receive \$700,000 each for the first year of the Bristol Casino's operations through gaming tax revenue sharing. One county administrator called the money a "blessing."*



by **Susan Cameron**

February 14, 2023



Photo courtesy of Bristol Casino.

Smyth County Administrator Shawn Utt calls the windfall in gaming tax revenue from the first months of operations at the Bristol Casino a "blessing" for his county.

The money – now expected to total more than \$700,000 for the first year of operation – might mean that county officials won't have to raise the real property tax rate as high as expected to help pay to replace an old, outdated public safety radio communication system, he said.

The project is expected to cost \$10 million to \$15 million, and the casino money can go toward repaying that debt, he said.



Shawn Utt

That \$700,000 is equivalent to about 5 cents on the property tax rate or about 7% of real estate revenues, said Utt, whose county budget for the 2022-23 fiscal year totaled \$115 million.

“We were bracing ourselves for a necessary increase of that much, if not more, in order to fund the public safety project, but these funds will help us do both the public safety radio system replacement as well as invest in our schools and the youth of the county,” Utt wrote in answer to questions from Cardinal News. “If you look at the fact that we are only enjoying the revenues from the ‘temporary casino,’ the funding in future years will most certainly increase significantly and we can invest even more in our public safety and education.”

Smyth County is one of 14 localities in far Southwest Virginia that will benefit from tax revenue from the Bristol Casino, which opened in July in a temporary facility but is expected to open as a full-fledged Hard Rock resort and casino next year.

The two cities and 12 counties will each receive more than \$351,000 for the first six months of operations, July to December, according to monthly reports from the Virginia Lottery, which oversees casino gaming in the state.

If gaming continues at the same pace, the counties and cities are on track to receive more than \$700,000 each for the casino's first year.

Between July 8, when Bristol's casino opened, and Dec. 31, the casino posted \$81.97 million in adjusted gross revenues, which is wagers minus winnings. There were \$14.75 million in taxes collected.

If gaming continues at the level it has been for the first six months, it would mean nearly \$164 million in adjusted gross revenues for the casino's inaugural year.

That number is more than was forecast in a 2019 study by the Joint Legislative Audit and Review Commission, which was undertaken prior to the state's approval of casinos. The report states that the proposed Bristol Casino was expected to generate \$130 million in total net gaming revenue per year.

The study also predicted the Bristol casino would generate \$35 million in annual gaming tax revenues. However, if gaming continues at the same level, it will mean \$29.5 million in taxes collected.

Those numbers were forecast for the full casino rather than the temporary casino currently operating. The study was also done before Hard Rock was announced as the operator.

Virginia casino revenue is taxed at 18%, with 6% going to the Regional Improvement Commission, which was set up by the General Assembly to oversee the money that goes to the Southwest Virginia localities. In addition to Smyth County, they include the cities of Bristol and Norton, and the counties of Bland, Buchanan, Dickenson, Grayson, Lee, Russell, Scott, Tazewell, Washington, Wise and Wythe.

Four casinos have been approved in Virginia, but this revenue-sharing model applies only to the one in Bristol. From the start, the casino's developers, Jim McGlothlin and Clyde Stacy, said they wanted the project to benefit the region as a whole, and the General Assembly agreed.

Like Utt, many people believe that the gaming tax revenue will grow, possibly significantly, when the full, permanent casino opens in 2024 with a gaming floor that's three times larger, a large hotel, entertainment venue and more shopping and dining choices. And many think the Hard Rock brand will also sweeten the pot.

### Plans for the money

That extra money will mean a lot to the local governments across the region, said Washington County Administrator Jason Berry, who chairs the commission.

"It's a nice windfall for localities," he said, adding that the commission expects a "very positive outcome."

The money must be spent on three areas: education, public safety and transportation. It will be paid to the localities once a year and the first payment will go out this year shortly after July 1, which is the start of the fiscal year, Berry said.

His county is discussing using the money for a "recreation component" and to support the school system, said Berry, adding that he doesn't want to discuss details because nothing has been voted on by the county's board of supervisors.

Norton City Manager Fred Ramey Jr. said no decisions have been made about use of the funds in his locality, but it's possible most will go toward "long delayed and much needed general fund capital projects" in public safety and transportation.

Without the funding, those projects would likely have faced additional delays, he said.

### The Bristol Casino, by the numbers

**\$81.97 million:** The casino's adjusted gross revenues between July 8 and Dec. 31, 2022.

**\$4.91 million:** Amount of gaming tax revenue for first six months of operations, to be distributed to 14 localities.

**More than \$351,000:** The amount each of 14 localities will receive in gaming tax revenue for the first six months of operation.

**More than \$700,000:** The amount expected to go to localities after one year, if gaming levels remain the same.

**661,796:** Number of visitors to the Bristol Casino in the first six months.

**\$45.33 million:** Winnings paid out at the Bristol Casino in first six months.

*Source: Virginia Lottery, Bristol Casino*

“The city has a Capital Improvement Plan that is updated on an annual basis, but, unfortunately, too few of the projects identified in the plan have been able to be funded in recent years due to insufficient revenue,” Ramey said via email. “Knowing that this funding stream will be received on an annual basis going forward allows our administrative and elected officials to develop 3-5 year spending plans based on the current and anticipated needs in the areas of public safety, transportation and education.”

He added that the Norton community is “appreciative and thankful” for the new money stream.

Utt, the Smyth County administrator, said use of the casino money will be a key discussion topic for the upcoming budget sessions.

“We are anticipating the next year to be a difficult one and the casino funding will come at a good time,” he said.

Utt added that county leaders also hope to use some money to provide additional support to the county school system. For many years, the board of supervisors funded the schools at 115% of the required minimum, but that number dropped to about 100% during the “budget crisis in the 2007-2010 time frame.”

“The School Board is working on options to help get back up to that 115% level,” he said.

“We will likely use some of the casino funding to help close that gap,” which would mean about an additional \$1.4 million, Utt said.

### Other programs funded by the gaming tax

In addition to money for the localities, a total of \$9.68 million for the first six months of gaming will go to the Gaming Proceeds Fund. Out of that fund, more than \$118,000 will go to the Problem Gambling Share, which is for gambling treatment and prevention, and \$29,511 to the Family and Children’s Trust Fund, for the prevention and treatment of child abuse, neglect and violence within families.

Wythe County Administrator Stephen Bear said his county will likely use the casino revenue in the area of public safety, specifically emergency medical services.

Across the region and in other parts of the state, he said it’s challenging for local nonprofit rescue squads to meet the staffing and financial requirements to provide adequate services, particularly given the increasing demand from an aging population.

“In our upcoming budget, we will be reviewing options for using these funds to help address the shortfall in revenue recovered from billable calls compared with the total cost of providing required emergency medical services coverage,” he said.

The money will provide a revenue source other than local real estate and personal property taxes to fund services. Being able to use it to address public safety issues means that other local tax funds can go toward other areas such as education and community services, said Bear, whose current budget totals about \$141 million.

Both Bristol City Manager Randy Eads and Wise County Administrator Michael Hatfield said use of the money will be discussed during the upcoming budget process for fiscal year 2024.

Allie Evangelista, president of the Bristol Casino, said she can't emphasize enough how important the "regional revenue share" is to casino officials.

"It is a great point of pride for our team that Bristol is the only casino in Virginia with this model," she said. "During the legislative process with the General Assembly, Mr. McGlothlin and Mr. Stacy made the regional revenue share a top priority. I am glad that revenue from the project will have a broad and substantial regional impact and benefit all 14 localities within the VDOT Bristol Transportation District. This additional revenue will assist our local governments [to] serve their residents by funding infrastructure, public safety and other critical needs."

### **Coming up next for the Bristol Casino**

In the six months since its opening, the temporary casino has drawn 661,796 visitors from all 50 states and Canada, according to Evangelista. The winners among those patrons have pocketed more than \$45.33 million in winnings.

So far, the casino's best month was December, when it posted \$14.87 million in adjusted gross revenues. The month with the lowest adjusted gross revenues, \$11.71 million, was July, which was only a partial month since the casino didn't open until July 8. The second lowest month was November, when the adjusted gross revenues hit \$12.65 million.

Evangelista said she is also proud the casino is involved in the community. Since it opened, more than \$286,000 has gone to local charities, she said.

Evangelista also likes to point out that there were more than 25,000 applications for the casino's 600 filled jobs. An additional 600 casino employees are expected to be added when the full casino opens.

In December, a groundbreaking was held for the permanent \$500 million Hard Rock Hotel and Casino Bristol project, which is expected to open in summer 2024.

In addition to a larger gaming floor and more games, there will be additional restaurants, a 300-room hotel that can be expanded to 650 rooms, a spa, a pool, retail options and convention space. It will also include Hard Rock Live, a 2,000-seat indoor music venue that can be converted into a 20,000-seat outdoor venue for major touring acts.

Of the three other casino projects in Virginia, the Rivers Casino Portsmouth opened in late January. A temporary casino is expected to open in Danville later this year with its permanent casino expected to launch in 2024, and the Headwaters Resort & Casino in Norfolk is expected to open a temporary facility later this year and open its full casino in 2024.

## Setting priorities, funding projects

The Regional Improvement Commission's mission is to set priorities, divide the revenue evenly and make annual payments. Each of the 14 localities sharing the revenue appointed a member to serve on the commission. Each member serves a two-year term.

Since its first meeting last May, the commission has met five more times. Because it is a new entity, its members have had to organize and get it up and running. A set of bylaws has been approved.

A bookkeeper who will handle some administrative duties has been hired, as has an audit firm. An attorney will soon be on board.

A bank account has been set up with First Sentinel. As of Jan. 26, the commission had more than \$4 million cash in hand, Berry said.

The commission was given no money for operations, but it is getting an interest rate equal to the Federal Reserve, minus a half percent from First Sentinel Bank. Berry said he believes the commission can pay its expenses off the interest on the money alone. That way, 100% of the gaming tax revenue can go to the counties and cities, he said.

Its next priority will be to create a form that localities will use to describe how they plan to spend the money for review by the commission.

“Not that we're going to tell them how to spend the money, because we collectively as a commission believe that the elected officials of these localities need to decide how they will spend their money. As long as it's in those three categories, public safety, education and transportation, we'll put our review and rubber stamp approval on it,” Berry said.

Localities will likely be asked to submit a final report on how the money was spent so there's “complete transparency,” at the beginning and end of the process, he said.

The commission's next meeting will be at 1 p.m. April 20 at the Russell County Government Center in Lebanon.