

Scenic Watch

Citizens for a Scenic Florida



September 23, 2011

Florida: Lamar employee alleges he was ordered to poison trees

Whistleblower law suit filed

"He worked for Florida's largest billboard company. His job, he says, was poisoning trees that block signs. Robert Barnhart was let go last month. On September 7th, he filed a whistle-blower lawsuit in Federal Court.

A tree on Capital Circle near Tom Brown Park in Tallahassee is dying because Robert Barnhart poisoned it. According to a complaint he filed in federal court, a supervisor at his job with Lamar Advertising, told him to poison trees blocking billboards.

'Right above that branch is where we drilled the hole,' said Barnhart.

Barnhart says he climbed the tree, drilled a hole above this branch and poured in poison.

'It's definitely dying. It's a result of the chemical. The reason why it was poisoned is because it's in the way of the billboard,' said Barnhart.

The tree should look like the tree right next to it, green and full of life, but all of the leaves have fallen off and pieces of bark are all along the ground. Soon, the city will come chop it down. Barnhart filed a lawsuit against Lamar in Federal Court Wednesday. The suit claims Barnhart was given a machete, told to hack at the root system, and then pour poison on the cut.

'I was driven around the day before and showed the locations to poison and told, come in an unmarked truck, don't wear a Lamar logo, wear dust mask and kitchen gloves and poison the trees,' said Barnhart.

Killing large trees without a permit is a felony. In this written complain Barnhart told the company he want nothing to do with killing trees...



Photo:Bnet, CBS Interactive Business Network

CBS Reporter labels company history: "War on Trees"

"...Barnhart claims to have killed seven trees since 2009. The supervisor who allegedly instructed him to do this was ironically named Chris Oaks, according to the suit. Once dead, the city — i.e. the taxpayer — was forced to fell and remove the trees. The company told WCTV: We do not have a policy to kill trees or remove any tree. Lamar Advertising follows city and state regulations.

That's not true, at least historically. Here is a sampling of the company's war on trees, most of which were on land it did not own:

Connecticut: Lamar cut down 83 trees on public land along I-84, and was sued by the state for damages. The trees belonged to taxpayers and provided a noise and shade buffer to nearby residents.

Ohio: Lamar cut down 34 trees on private land abutting a plot where it owned a billboard. The owners initially won \$2.3 million in punitive damages. That was overturned and reduced after



[Watch Video Here](#)
[Or Here](#)

"...Barnhart's former boss Danny Funderburgh...says he never received a complaint from Barnhart and he's still actually on the payroll. As for their policy regarding trees that block signs, Funderburgh said 'We do not have a policy to kill trees or remove any trees. Lamar Advertising follows city and state regulations.'"

Whitney Ray -- WCTV, Tallahassee

[Watch and Read Entire WCTV Story Here >](#)

an appeals court found "that conduct was of a singular nature and not likely of repetition." Uh huh. Gulf Breeze, Fla.: Lamar had 85 trees planned for a highway median moved 150 feet so as to not block signs.

Panama City Beach, Fla.: Lamar insisted it had the right to cut down several trees along Back Beach Road and authorities agreed to remove them and put them to the road median instead.

This is business at usual at Lamar. In Pittsburgh, a Lamar executive once described a municipal beautification group as a "billboard hate group" whose leader has "a personal hatred for billboards," simply because it wanted tighter regulation of billboards in the city.

Jim Edwards -- Bnet, CBS Interactive Business Network

[Entire Bnet Story Here >](#)

September - October



Fun Festivals and Events

Central Florida

Sept 20-25

Global Peace Film Festival, Orlando

Sept 23-25

New Smyrna Beach Jazz Festival,
New Smyrna Beach

Sept 24

Fiesta del Coqui, Orlando

Sept 30-Oct. 1

Ranch Rodeo Finals and Cowboy
Heritage Festival, Kissimmee

Oct 7-9

Music Fest, Winter Garden

Oct 8-9

38th Annual Winter Park Autumn

Legal Update: Power Grab by Pinellas County



[Watch WTSP Here](#)

Sign control ordinances would be overruled in 24 Florida towns and cities!

"Imagine the homeless returning to panhandle along the Pinellas Trail or giant digital billboards popping up in downtown St. Pete like Times Square! Those are just some of the fears of city leaders across Pinellas -- after county officials say they want to play by their own rules when it comes to county property.

It started with a dispute between the county and the City of Largo over one county building inside Largo city limits. Instead of addressing that issue alone, county commissioners drafted an ordinance that would affect hundreds of thousands of people and every incorporated area of Pinellas County.

A few pieces of paper from Pinellas County are not being confused for any love letter. This proposed county ordinance could effectively end city control over any county property inside city limits....

"... mayors of virtually all 24 Pinellas towns and cities say they're already in talks to work out a solution before the county moves forward.

Art Festival, Winter Park

Oct 14-16

37th Annual Bicycle Festival, Mount
Dora

Oct 8-9

Vintage Venture at Lakeridge
Winery, Clermont

Oct 11-16

Ringling International Arts Festival,
Sarasota

Oct 13-16

Clearwater Jazz Holiday, Clearwater

Oct 15-16, 22-23, 29-30

Pumpkin Festival, Bradenton

Oct 15-16

Art in the Park Festival, Lady Lake

[Read More >](#)

South Florida

Sept 21-25

Florida Keys Birding and Wildlife
Festival, Marathon and Lower Keys

Sept 23

12th annual Authentic Maine
Lobster Bake, Charlotte Harbor

Oct 1-2

Downtown Delray Beach Craft
Festival, Delray Beach

Oct 1-Nov 4

Festival Miami 2011, Miami

Oct 2

New World Symphony ? Concerts
for Kids, Miami Beach

Oct 2

Suntrust Sunday Jazz Brunch, Fort
Lauderdale

Oct 4-25

South Florida Theatre Festival,
Miami

Oct 7-9

Summerset Regatta, Fort Myers
Beach

Oct 9

Miami Carnival Parade and Festival,
Miami

Oct 14-16

Sunny Isles Beach Jazz Fest, Sunny
Isles Beach

Oct 15

Charlotte Harbor Challenge and
Ultimate Rib Fest, Punta Gorda

Oct 15-16

There will be a public hearing with the Pinellas County Commission on September 27th at 6:30pm where you can voice your opinion.
Chase Cain -- WTSP 10 News

[Watch WTSP Video and Read Full Story Here >](#)

[Additional Details - Sept 13 St. Pete Times Article Here >](#)

[Additional Details - Aug 23 St. Pete Time Article Here >](#)

[Visit ScenicPinellas Website Here >](#)

Feisty Tacoma and compliant King County face off with a billboard powerhouse



Photo:Bnet, CBS Interactive Business Network

"The county prepares to welcome fast-shuffling, TV-style digital billboards. But Tacoma tells Clear Channel to take a hike and turn out the lights."

"Maybe it's the water that makes people in Tacoma so feisty. Whatever it is, the King County Council ain't drinking it. Tacoma's schoolteachers persisted for 10 days in a strike that, wise or not, was anything but timid. And its city council last month delivered a defiant rebuke to Clear Channel, the national billboard powerhouse that has cowed, sued, and sweet-talked so many other municipalities into submission. It banned the digital billboards it earlier agreed to and beat the famously litigious Clear Channel to the courthouse to launch the inevitable court fight.

Meanwhile, the bold new electronic future is coming to this county's [King County] roadsides. On Sept. 13, a County Council committee that three months ago had deferred a measure to allow the image-shuffling, television-like electronic signs quietly considered an amended version. Councilmembers Larry Phillips, Jane Hague, Pete von Reichbauer, Bob Ferguson, and Joe McDermott voted unanimously to approve it, clearing the way for full council approval this coming Monday.

Tacoma and King County are two beachheads in a nationwide campaign by Clear Channel and other "out-of-home advertising" companies to legalize the digital boards, which had been banned under federal highway rules and many state and municipal codes along with other flashing, animated, and intermittent displays..."

Eric Scigliano -- Cross-cut.com

[Read Full Story Here >](#)

42nd Annual Cedar Key Seafood Festival, Cedar Key

Oct 15

Wine on Harvest Moon, Miami

[Read More >](#)

North Florida

Sept 23-25

Pensacola Seafood Festival, Pensacola

Oct 1

Central Florida Harvest and Peanut Festival,

Oct 2-9

Amelia Island Jazz Festival, Fernandina Beach

Oct 6-8

Fourth Annual Fall Palatka Bluegrass Festival, Palatka

Oct 7

First Friday Art Walk, St Augustine

Oct 7-9

Annual Greek Festival, St Augustine

Oct 8

Artrageous Artwalk, Amelia Island

Oct 14-16

Blast on the Bay Songwriter Festival, Port St. Joe

[Read More >](#)



Note from the Editor

Suggestions for improvement are always welcome.

LATE BREAKING NEWS On King County: They Want Help!

Despite late notice, King County Residents are pouring into the fray and have sent hundreds of emails within in the first few hours of organizing, all in opposition.

They have asked scenic organizations across the country for national attention, because they feel that this will actually help turn the tide. They are inviting citizens across the country to [Take Action by clicking here](#), to make your opinions about digital billboards known.

The Florida Wildflower Foundation Symposium October 15



"You're invited to join the Florida Wildflower Foundation Oct. 15 at Wekiwa Springs State Park's Youth Camp for a day of education and fun.

This year's event features morning presentations and hands-on afternoon workshops on such topics as nature photography, landscaping with wildflowers, propagation for home gardeners and more. There's also a wildflower walk with the ever-popular Walter K. Taylor, plant and seed sale, door prizes and silent auction.

[Go to Florida Wildflower Foundation Site Here >](#)