

Wrestlers open year
at Powell; hoop
teams host invite

6

Hot Springs
Hospice being
reorganized

10

Planning board
hears two land
use proposals

12

Commemorative
football state title
edition ... in this issue

Thermopolis
Hot Springs

Independent Record

SPECIAL INTERNET PREVIEW

VOLUME 111, No. 47, November 25, 2010

THERMOPOLIS, WY 82443

USPS 627-300

75¢

Council passes first reading of ordinance to jail for public intox

by J.D. Stetson

Intoxicated pedestrians may not be able to get rides home from police officers anymore. Instead, they'll get a ride to the county jail.

The Thermopolis Town Council voted Nov. 16 in favor of the first reading on an ordinance to reinstate incarceration as a penalty for public drunkenness.

The council was approached in September by county attorney Jerry Williams to change the current ordinance to incarcerate people for public intoxication in order to allow officers a tool to handle potentially harmful situations by making intoxicated individuals sleep it off in the drunk tank.

Because of safety concerns to the public and to the individual, officers have been known to take drunk people home or arrest them on a "breach of peace" charge, which may or may not hold up in court.

Town attorney Mike Messenger drafted a proposed ordinance allowing officers to automatically incarcerate someone a maximum of three days if found drunk in public.

Messenger presented the draft to the council at its Nov. 16 meeting.

The ordinance needed an update because a strict interpretation of the current ordinance would make it illegal to be drunk anywhere — even at home — in the corporate limits of the town.

The 1930s-era, single-sen-

tence, ordinance has since been expanded to include definitions of intoxicated people, clarifying it is illegal to be drunk in a public place, but allows an exception for those traveling to their home without driving or a place to seek treatment for their condition.

It stipulates the only places within town a person can be drunk is in the person's home, a treatment facility or at a place in which the property owner or person in charge has given permission for the person to stay, so long as the place does not sell or commercially serve alcohol.

The penalty for being drunk in public is now a misdemeanor or crime punishable by a maximum fine up to \$750 and an automatic jail sentence to last until the person is sober, or up to three days.

The town previously abolished all jail sentences as punishment for breaking town criminal codes because of the financial burden it placed on the town due to jury trials, which were required for all crimes in which it was a jailable offense.

Messenger stated after the meeting he did not believe the new ordinance would add to the town's financial burden because the town already pays its portion of the jail costs anyway.

The ordinance will need to pass two more readings before it can take effect. The next reading will be at 7 p.m. Dec. 5 during the regular meeting of the council.

Drama makeup time



Cyle Hart prepares to perform his monologue during the first performance of the State Drama Showcase Nov. 18. Many of the monologues, duets and the Theater-in-the-Round per-

formance, "Fourteen Lines," will be taken to State Drama Dec. 2-4 in Casper.

— J.D. Stetson photo

Commissioners send off letter to DCI

by Cindy Glasson

The Hot Springs County Commissioners sent a letter to the state's Attorney General Nov. 17, formally requesting an investigation be undertaken by the Wyoming Division of Criminal Investigation (DCI).

The decision to send a letter was made by the commissioners at their Nov. 2 meeting and a draft was composed by commissioner Brad Basse.

Each of the commissioners supplied input on the letter, creating a final product that was sent to Bruce Salzberg, Wyoming's Attorney General on Nov. 17.

Several members of the community attended the commissioners' meeting on Nov. 16 to inquire about the status of the letter, whether it had been sent or not.

Chris Bentley supplied copies of an email received by Julie Lehman from Salzberg on Nov. 15. Bentley said the email clearly states it is "up to the commissioners to call for an investigation."

In the email, Salzberg states, "I have no authority to investigate allegations on the complaint of a private citizen."

Salzberg says the "Division of Criminal Investigation has original jurisdiction to investigate controlled substances violation, organized crimes that cross jurisdictional boundaries, computer crimes, and internet crimes against children.

"With my approval, they may assist a local prosecutor or local law enforcement agency in any investigation or prosecution. No such request has been made.

"I assume that the county attorney has investigated these matters, and decided that they cannot be successfully prosecuted. That is solely his determination to make, not mine."

Salzberg said his office has the authority to act only when the county attorney fails or refuses to act, and there is a request by the county commissioners or the district judge.

The email from Salzberg also said he feels the citizens have done everything they should to address the matter and the "issues are in the hands of the Board of County Commissioners, or the county attorney."

"All of us have spoken with DCI," commission chairman John Lumley said, "and it's not really

something they want to get involved in."

However, the commissioners agreed a letter needed to be sent as quickly as possible, leaving room for investigation beyond what has already been discussed in case there are other issues residents would like to bring forward.

"I hope they will give the citizens a public venue so they know where to go or who to contact," commissioner Mike Baker said. "We (the commissioners) are not law enforcement and are not qualified to judge whether charges should be brought or not."

County attorney Jerry Williams explained again the proper procedure for making a formal complaint.

"Without going through the proper steps, DCI or any other outside agency won't touch it," he said. "I believe the commissioners have gone above their required duties to handle this."

In the letter sent Nov. 17, the commissioners requested review of, "the shooting of a horse owned by Larry and Chris Bentley by a Hot Springs County Sheriff's Deputy, a complaint which has been lodged claiming an alleged lack of proper medical supervision by the Sheriff's Office in the Hot

Springs County Detention Center, alleged improper picture taking of cheerleaders by a Hot Springs County Sheriff's Deputy, alleged intimidation of one or more of the involved person(s)" and other allegations or complaints that may be brought to an investigator.

As the county will bear any costs involved with the investigation, the commissioners requested if a case is found that will require prosecution, the Attorney General's office take over that prosecution.

If the Attorney General's office agrees to investigate, the commissioners requested a full report of the investigation to include which complaints or allegations were investigated, the disposition of those allegations or complaints, and any deficiencies found in any areas they may investigate.

The letter finishes by saying, "The goal of this endeavor is to show that the Hot Springs County Commissioners, Sheriff's Office and the County Attorney's Office are operating in an open and accountable manner and that any issues within the Sheriff's Office are being dealt with fairly for all involved."

Kindergartners give turkey preparation advice

Students in Jeanette Lance's kindergarten class at Ralph Witters Elementary School recently completed the assignment of the proper manner to cook a turkey

for Thanksgiving. Here are the students' responses:

I would get a turkey at the store. I would cook it in the oven. I would put a type of banana in the turkey.

Take the feathers out and put in a little corn. I would cook it for 20 minutes at 1 degree.

Take it out for all of us to eat with eggs, orange juice, potatoes and corn bread.

Ariona Bazzel

I would get a turkey from IGA. I would cook it on the stove for 20 minutes at 7 degrees.

Michael Bond

I would buy a turkey at the store. I would bake it in the oven. I would put salt on it. I would cook it for 7 minutes at 7 degrees.

Hannah Andreen

I would buy a turkey at the store. I would cook it on the stove with sugar.

I would cook it for 60 hours at 60 degrees. I would put it on the counter to cool.

Sydney Jacobsen

I would get a turkey from the forest and shoot him. Take him home and take off the feathers and bake him in the oven.

I would put on some seasoning salt. Cook it from 1 to 2 hours at 6 degrees.

Lexi Overfield

I would get a turkey at the store. I will cook it in the oven. I would put salt and pepper on it. I will cook it for 14 minutes at 1 degree.

Jayci Basse

I would get a turkey from the store. I would get the sharp thing and squirt it on the turkey. I will cook it for 6 minutes on 1 degree.

Luke Breckon

I would get a turkey at Blair's. I will put bread with it and blueberry pudding and strawberries. I would put it in the oven and cook it for 5 days at 9 degrees.

Jaxen Kelly

I would get a turkey from Pamida. I would put broccoli, celery, gravy, corn on the cob,

pineapple, grapes, ham, bread and peanut butter in with the turkey and cook it for 45 minutes at 5,200 degrees.

Jack Whittaker

I would buy one at the store. I would put turkey soup, pepper, salt, pumpkin pie and apples on top of the turkey. Put it in the oven and cook it for 1 day at 1 degree.

Paris Strumfa



Editor's note: Please do not follow all of the above recipes. Your turkey may be a bit undercooked. One of the turkeys could be overdone. Bon appetit!

