

# Chamber enacts new dues structure

by J.D. Stetson

The Thermopolis-Hot Springs County Chamber of Commerce continues to persevere in its financial difficulties as it prepares for upcoming events such as Saturday's Chamber Banquet and the 2011 3-on-3 Basketball Tournament.

During the March 10 meeting of the board of directors, the board approved a new membership dues structure to hopefully bring revenues more in line with expenses of the chamber in the next budget year.

The chamber has been running on low revenue within the past year due to a shortfall in funding from both the Town of Thermopolis and Hot Springs County due to decreasing revenues in their own budgets.

The chamber also had to tap into funds set aside for major events in order to keep the doors open and deal with lower revenues from the previous membership tier system.

At the time of the meeting, the chamber had a monthly balance of \$4,873.14 with \$985 set aside for 3-on-3 sponsorship and \$2,375.49 set aside for Leadership Hot Springs County.

Under the new structure, the chamber will return to a dues system based on the number of employees a member business employs. A business with one to three employees or a home-based business would pay \$205 for chamber membership. In comparison, a business with seven to 11 employees would pay \$395 for membership. The structure breaks out individuals, non-profits, churches, financial institutions, hotels, motels, RV parks and campgrounds.

Hotels would pay a \$50 base fee plus \$10 per room or the minimum charge of \$205. RV parks would pay a \$50 base fee plus \$5 per space or the minimum charge of \$205.

For more details on the dues structure, visit the chamber office at 220 Park St. or call 864-3192.

**Chamber banquet**

The chamber's annual banquet will start at 5 p.m. Saturday at the Hot Springs County Fairgrounds.

The event features the annual awards presentation for Business of the Year and Citizen of the Year.

Nominees for Business of the Year include Nature's Corner, Hot Springs County Recreation District, Blair's Super Market, CAPTEL, Wyoming Dinosaur Center, Flying Eagle Gallery, Broadway Bygones, H.O.P.E. Agency, Hot Springs County Memorial Hospital, Big Horn Federal and Let's Talk Cellular.

Nominees for Citizen of the Year include Barbara Rice, Barbara Vietti, Cheryl Shero, Angie Guyon, Charlene (Shawn)

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## Lights On dog training



Rachel McCarthy gets ready for an exercise with Turki, one of three Search and Rescue dogs owned by Dog Antics Dog Training and Ruff House owner Kate Huver

during a demonstration for students in the Lights On program Monday at Ralph Witters Elementary School. — J.D. Stetson photo

# Conservation District voices concern about prospective casino in county

by Cindy Glasson

The Hot Springs Conservation District (HSCD) submitted a comment letter to the Wind River Agency, Bureau of Indian Affairs (BIA), asking the Tribe to reconsider its intent to place a casino south of Thermopolis.

In the letter, the HSCD points out the parcels of land in question are currently agricultural and a loss of agricultural land in the county would negatively impact the county's economy.

In addition, the loss of water rights in the area would be permanent, the letter stated.

The area is also listed by the Wyoming Division of Tourism as a Class One fishing area and the Wind River Canyon Whitewater & Fly Fishing is the only venture that is licensed to provide white-

water rafting and fly fishing opportunities on the river.

The HSCD is concerned a change in the land use would have a negative impact on the business.

The district also points out the Wind River Canyon area is designated a Scenic Byway, preserving the wild areas and scenic vistas of the canyon and the entire byway from the town of Shoshoni to north of Thermopolis.

Placing a casino at Red Cut would interfere with the purpose of the Scenic Byway.

Although it has been several years since any flooding occurred in the area, the land in question is on a flood plain associated with the Red Canyon hills.

The HSCD said many locals in the area have noted the water

in the Bighorn River will turn a deep red almost overnight from run-off, putting in question the impact construction in the area would have on the river.

Graves purported to be in the area were also a concern included in the letter to the BIA.

"The area under consideration also contains graves of railroad employees who lost their lives during construction of the railroad through the canyon. In short, there is a historic graveyard in the center of the area," the letter stated.

The comment letter also pointed out there is no garbage service or sewage removal system in the area nor is there wastewater

See Casino on page 11

## New WDC sign



Greg Willson tosses up a power cord to Angie Guyon as workers with the Wyoming Dinosaur Center install a new decorative sign advertising the attraction on a wall on the corner of Sixth and Broadway streets. The Dinosaur Center continues to landscape and work on the park to get ready for the tourist season. — J.D. Stetson photo

# Teacher contracts draw controversy

by Joe Sovo

At the conclusion of a nearly two-and-a-half hour executive session, Hot Springs County School District No. 1 trustees approved recommendations for contracts to 58 teachers and six non-teaching positions for the 2011-12 school year.

Contracts were a contentious issue during the four-hour regular board meeting as more than a dozen parents and teachers in the overflow audience pledged support for third-year fifth-grade teacher Heather Olsen. She was one of eight teachers who were not offered a contract; four of those eight will be retiring and three others have submitted their resignations, effective at the end of the 2010-11 school year.

Early in the meeting, Mike Messenger spoke on behalf of Valerie Bartholomew and Kevin Smith in support of Olsen.

"This teacher is dearly loved by her students and their parents," Messenger said, and he also voiced support for middle school/high school band instructor Dustin Olsen, Heather's husband. "This community does not want to lose this teacher and her husband. Her actions speak for themselves."

In concluding his remarks, Messenger provided a petition that he said included more than

90 names of people who supported the offering of a contract to Heather Olsen. She would have been moving from "third-year initial" to "continuing contract" status for the 2011-12 school year.

Cindy Fishbaugh also said she had provided a document to the school board detailing support of Olsen.

Mike Mortimore spoke briefly and said, "Both (Heather and Dustin Olsen) are committed to this town. I think you should scrutinize this recommendation." That recommendation was the decision not to offer Heather Olsen a contract for the next school year.

Immediately after the executive session, trustees approved the recommendation for contract extension to the 58 teachers and six non-teaching positions. That list was made available to the public moments after the conclusion of the meeting.

Four teachers did not receive contracts since they are retiring. They are Kathy Hammond, Lea Schoenwald, Joan Stetler and Lynda Wyss.

Trustees accepted the resignation of three teachers during the meeting. They are Rhonda Stryker, FACS teacher; and Theresa Kolar and Erica Clark, both high school special education.

# Judge bounds Cable over on felony charges

by J.D. Stetson

Hot Springs County Circuit Court Judge Tom Harrington bound over Duard "Gene" Cable to district court on felony charges of making terroristic threats and aggravated assault with a firearm.

On Dec. 22, Cable allegedly made threats to blow up buildings in Thermopolis and he planned to kill himself and anyone who tried to stop him, according to court documents.

Officers surrounded his home in the 1300 block of Clark Street and activated the Big Horn Basin Tactical Response team.

Officers made contact with Cable outside the home and set off a "flash-bang" grenade to distract him while they shot him with a less-lethal 40 millimeter "sponge" round

in the shoulder.

Cable ran back inside the home where he allegedly attained a rifle and pointed it at a pursuing officer. The officer believed both he and other officers were in danger of being shot by Cable and tried to fire his weapon, which malfunctioned.

After the misfire, two more officers entered through the back door and subdued Cable. Officers immediately transferred Cable to the Law Enforcement Center where he said he could have killed both the officer he pointed the gun at and the officer behind him. He also said he knew how to make a bomb.

During the interview, Cable added this is what he had to do to get his medication, according to court documents.

Officers interviewed employees at Hot Springs County Counseling Center who said Cable had made threats at an earlier date to blow up the center. Witnesses said he was upset because the staff could not give him any prescription drugs.

Cable is charged with two counts of making terroristic threats, both felonies each punishable by up to three years in prison, a fine up to \$10,000 or both. He also is charged with one count of aggravated assault and battery, punishable by up to 10 years in prison, a fine up to \$10,000 or both.

Cable's circuit court case was delayed as he sought treatment and evaluation at the State Hospital in Evanston.

An arraignment hearing in district court will be scheduled for a later date.



# Chamber

Fields, Delores Loughlin, Jerimie Kraushaar, Steve Jellis, Pat Jemming and Mary King.

The chamber also will recognize a “Volunteer of the Year” with the goal of recognizing a person who has dedicated time and effort to helping the chamber with events and other chamber duties within the past year.

Tickets cost \$45 a person and are available at the chamber office.

### 3-on-3 update

The Hot Springs County Lodging Tax Board approved at its March 22 meeting to allow the chamber to move forward on ad-



vertising the 3-on-3 Basketball Tournament.

The board approved the chamber’s advertising packet and authorized the expenditure of up to \$12,000 for advertising within the state and areas in Montana, Idaho and South Dakota.

According to board president Donna Nally, the chamber is

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making progress in preparing for the event. Nally reported the committee is working to reduce costs for portable generators, portable restrooms and other essential items needed for the event.

The chamber will soon receive registration forms from World Events, the company providing the equipment for the tournament, and will be able to start signing up registrants.

The Lodging Tax Board also recommended the chamber consider using social media such as Facebook and Twitter to promote the event as well as promote the event at community colleges in Riverton and Powell.

# Casino

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treatment or water available for human consumption on the parcels slated for the casino.

The road to access the area is “dangerous and precarious at best,” making it nearly impossible for emergency services or law enforcement to reach the area.

In addition, there is no electrical service, telephone or other communication lines in the area in question.

Concerns about storm run-off or spring run-off in an area of construction harming the natural ecosystem in the area were also addressed.

“Storm water and spring run-off water from a commercially developed business and associated structures (e.g., parking lots, restaurant facilities,

restrooms, etc.) located immediately adjacent to the Wind and Bighorn Rivers would severely impact the natural resources (e.g., fisheries, wildlife, soils, riparian vegetation/habitat, etc.) of the riparian ecosystem as a result of pollutants, toxic materials and sedimentation introduced into the river,” the letter said.

It indicated an increase in traffic could impact the wildlife in the area as well.

In closing, the HSCD reminded the Tribe that the Federal Government, specifically the Environmental Protection Agency, would need to be informed and involved in any commercial venture that may be planned in an area adjacent to a riparian ecosystem.

## Benefit auction shows generosity



**Kaitlyn Schmuck shows a basket of goodies during the Cookie Jar Auction on Friday evening at the Thermopolis VFW Club. Due to the generosity of those attending, the dinner, live auction and other donations raised \$6,945 to benefit Kaitlyn’s sister, Jean Marie Chapel-Schmuck. She was born Feb. 10 at 1 pound, 4 ounces. Jean Marie now weighs 3 pounds, 1 ounce and her great-grandmother Shorty Chapel said she would be able to come home from St. Vincent’s Hospital in Billings in two to three weeks. Chapel said Jean Marie was born with a small hole in her heart but that should heal on its own. Thrivent Financial for Lutherans will match some of the money raised during the auction.**  
— Joe Sovo photo

# Public notices

### ADVERTISEMENT FOR BIDS

Notice is hereby given that the Town of Thermopolis, Wyoming will receive sealed bids until 2:00 P.M., local time, April 1, 2011, at the Thermopolis Town Hall, 420 Broadway, Thermopolis, Wyoming, for MATERIALS, LABOR, SERVICES, TRANSPORTATION & COMPLETE CONSTRUCTION OF THE THERMOPOLIS WATER STORAGE & PUMPING PROJECT. The Engineer’s opinion of probable construction costs ranges from \$1,700,000.00 to \$2,500,000.00. All bids publicly opened and read aloud - date and time stated above. Mail or deliver to the Town of Thermopolis, P.O. Box 603, 420 Broadway, Thermopolis, WY 82443. The Town of Thermopolis will take no responsibility for delivery of bids through mail. Bidding documents are available at: Engineering Associates, 429 Broadway, Thermopolis, WY 82443 for \$50.00, nonrefundable. The Town of Thermopolis reserves the right to reject any and/or all bids and to waive any informalities if deemed in the best interest of the Owner. No bid may be considered unless accompanied by the required bid guarantee of 5% of the total bid amount which amount shall be forfeited if the bidder is awarded the Contract and fails to enter into a Contract with the Owners. Pre-bid meeting held at 2:00 P.M., local time, on Thursday March 24, 2011, at the Thermopolis Town Hall, 420 Broadway, Thermopolis, Wyoming

Dated this 10th day of March, 2011

/s/ Town of Thermopolis

Pub. March 10, 17 and 24, 2011

No. 6178

### PUBLIC NOTICE

The following is a list of chief administrative officials, assistant administrative officials, department heads and full time employees of the Town of Thermopolis for the month of March 2011, specified by name and position to comply with Section 1, W.S. 15-1-110.

Mayor, William Malloy; Council Members, Tony Larson, Richard Hall, Allan Braaten and Tom Linnan; Asst. to the Mayor/Codes Administrative Assistant, Fred Crosby; Clerk/Treasurer, Tracey Van Heule; Asst. Clerk/Treasurer, Linda Hendrickson; Chief of Police, Mark Nelson; Sergeant, Mike Chimenti; Sergeant, Patrick Cornwell; Public Works Director, Earnest Slagle; Streets/ Sanitation/ Landfill Supervisor, Basil Sorensen; Dispatch Supervisor/Administrative Asst. to the Chief, William Gordon; Kevin McGinty; Police Officer, Jeffrey Brown; Police Officer, Steve Hamann; Police Officer, Mandy McDonald; Dispatcher, Martha Sperry; Dispatcher, Katharine Hale; Dispatcher, Trudi Ost; Dispatcher, James Coates; Dispatcher/Animal Control/Codes Enforcement, Phoebe Lewis, Landfill Lead man, Rick Chism; Streets Lead man, Stanley Kraushaar; Mechanic, Jason Wagner; Equipment Operator II, John Webber; Equipment Operator II, Joe Hill; Equipment Operator II, Rick Hilzendeger; Equipment Operator II, Kevin Kolar; Equipment Operator II, Benjamin Shidler; Equipment Operator II/Water System Operator I, Ken Harvey; Chief Water Operator IV, Donald Rood, Water Operator III, Chris Seilaff, Water Operator I, James Van Heule, Water Operator IV/Wastewater Operator IV, Ronald Savage; Chief Wastewater Operator IV, Melody Robinson; and Wastewater Operator II/Equipment Operator II, Mark Collins.

Pub. March 24, 2011

No. 6184

### FORECLOSURE SALE NOTICE

WHEREAS, default in the payment of principal and interest has occurred under the terms of a promissory note (the “Note”) dated December 20, 2007, executed and delivered by Tara L. Wolfe and Keith D. Kimes (“Mortgagor(s)”) to Mortgage Electronic Registration Systems, Inc., as nominee for GMAC Mortgage, LLC f/k/a GMAC Mortgage Corporation, and a real estate mortgage (the “Mortgage”) of the same date securing the Note, which Mortgage was executed and delivered by said Mortgagor(s), to said Mortgagee, and which Mortgage was recorded on December 28, 2007, at Reception No. 475995 in Book 128 at Page 508 in the records of the office of the County Clerk and ex-officio Register of Deeds in and for Hot Springs County, State of Wyoming; and

WHEREAS, the mortgage was assigned for value as follows:

Assignee: GMAC Mortgage, LLC  
Assignment dated: January 24, 2011  
Assignment recorded: February 2, 2011  
Assignment recording information: at Reception No. 492744 in Book 145 at Page 262

All in the records of the County Clerk and ex-officio Register of Deeds in and for Hot Springs County, Wyoming.

WHEREAS, the Mortgage contains a power of sale which by reason of said default, the Mortgagee declares to have become operative, and no suit or proceeding has been instituted at law to recover the debt secured by the Mortgage, or any part thereof, nor has any such suit or proceeding been instituted and the same discontinued; and

WHEREAS, written notice of intent to foreclose the Mortgage by advertisement and sale has been served upon the record owner and the party in possession of the mortgaged premises at least ten (10) days prior to the commencement of this publication, and the amount due upon the Mortgage on the date of first publication of this notice of sale being the total sum of \$73,587.31 which sum consists of the unpaid principal balance of \$69,460.11 plus interest accrued to the date of the first publication of this notice in the amount of \$4,401.09, plus attorneys’ fees, costs expended, and accruing interest and late charges after the date of first publication

of this notice of sale;

WHEREAS, The property being foreclosed upon may be subject to other liens and encumbrances that will not be extinguished at the sale. Any prospective purchaser should research the status of title before submitting a bid;

NOW, THEREFORE GMAC Mortgage, LLC, as the Mortgagee, will have the Mortgage foreclosed as by law provided by causing the mortgaged property to be sold at public venue by the Sheriff or Deputy Sheriff in and for Hot Springs County, Wyoming to the highest bidder for cash at 11:00 o’clock in the forenoon on April 12, 2011 at the front door of the Hot Springs County Courthouse located at 417 Arapahoe Street, Thermopolis, WY, Hot Springs County, for application on the above-described amounts secured by the Mortgage, said mortgaged property being described as follows, to-wit:

LOTS 1, 2, 3 AND 4, BLOCK 5, TOWN OF KIRBY, HOT SPRINGS COUNTY, WYOMING.

with an address of 119 West Main Street, Kirby, WY 82430.

Together with all improvements thereon situate and all fixtures and appurtenances thereto.

GMAC Mortgage, LLC  
By: Castle Stawiarski, LLC  
330 S. Walsh Drive, Ste. 202  
Casper, WY 82609-0000  
(307) 333 5379

PUB. MARCH 17, 24, 31 AND APRIL 7, 2011 NO. 6180

### NOTICE

Hot Springs County is accepting sealed bids for the following equipment;

- 1991 GMC Topkick Dump Truck, CAT 3116 Engine, 12 cu yd. Maybar End Dump Box w/ Air Latch Gate, Tandem Axle – VIN 1GTD7H457MJ5079
- Spreadmaster Asphalt Chip Spreader Model C-515, 13 Foot Head, 17 Openers, Mechanically Driven, Minneapolis Moline Power Unit (gas)

Sealed bids delivered to the Hot Springs County Clerk’s Office with the item you are bidding on clearly marked on the exterior of the bid envelope will be accepted until 5:00 p.m. April 1, 2011. Bids will be opened and awarded to the highest bidder at the Board of County Commissioners meeting April 5, 2011 at 11:05 a.m. Terms of sale will be cash or good check paid to the Hot Springs County Treasurer within 10 days of award – sales tax will be added to the purchase price. The equipment may be previewed by appointment – call the Road & Bridge office at 864-3497. **Items sold as is where is with no warranty either expressed or implied.**

Hans Odde  
Hot Springs County Clerk

Pub. March 17, 24 and 31, 2011

No. 6183

### COUNCIL PROCEEDINGS

The Thermopolis Town Council met in regular session March 15, 2011 at 7 p.m. at Town Hall. Present were Mayor Bill Malloy; Council members Tony Larson, Al Braaten, Dick Hall and Tom Linnan. Also present were Assistant to the Mayor/Codes Administrative Assistant Fred Crosby, Clerk/Treasurer Tracey Van Heule, Public Works Director Ernie Slagle, Town Engineer Heath Overfield and Town Attorney Mike Messenger.

AGENDA: Following a prayer led by Mayor Malloy and the pledge of allegiance, a motion was made by Hall, seconded by Braaten and carried to approve the agenda with the following modification, Mary Mills (Carspa Inc.) change permit to permits.

FINANCIAL STATEMENT: A motion was made by Braaten, seconded by Larson and carried to approve the financial statement for February 2011.

CITIZEN PARTICIPATION: MARY MILLS: CARSPA INC.: TWO CATERING PERMITS: A motion was made by Linnan, seconded by Hall and carried to approve the catering permits. The first is for the Chamber Banquet on March 26 from 2 p.m. to midnight at the Fairgrounds; the next is for the Rocky Mtn Elks Foundation on April 2 from 2 p.m. to midnight at the Fairgrounds.

TOWN ENGINEER: HEATH OVERFIELD: Overfield noted the Landfill monitoring wells should be completed within the month, a landfill meeting is scheduled with the DEQ on Friday March 18 and the water tank project pre-bid meeting will be held at 2 p.m. on March 24, 2011.

TOWN ATTORNEY: SECOND READING OF ORDINANCES TO INCREASE WATER, SEWER AND SANITATION RATES: Town Attorney Mike Messenger read all three ordinances. A base rate, dependent on meter size, will be added to monthly water fees, the residential sewer base rate will increase \$2.00 per month in addition to a gray water charge (based on an average of the individuals water used during December through February) and the residential sanitation will increase \$4.00 per month. Commercial rates will increase a proportionate amount. A motion was made by Hall, seconded by Braaten and carried to pass all three ordinances on second reading. Messenger noted he would amend the sanitation ordinance to include the word “commercial” in the title for the third reading.

ADMINISTRATION: FRED CROSBY: Crosby noted he has received

some Census information. Malloy noted the department head meeting would be held on Wednesday March 23 at 9 a.m.

The meeting was adjourned at 7:15 p.m. The next Council meeting is scheduled for April 5, 2011 at 7 p.m.

ATTEST:

Tracey Van Heule, Clerk/Treasurer

William H. Malloy, Mayor

Pub. March 24, 2011

No. 6189

STATE OF WYOMING )  
COUNTY OF HOT SPRINGS )  
OFFICE OF THE BOARD OF  
COUNTY COMMISSIONERS  
THERMOPOLIS, WYOMING  
MARCH 7, 2011

The Hot Springs County Board of Commissioners met in special session on Tuesday, March 7, 2011 at 12:00 p.m. in the meeting room of the Governmental Annex Building.

Present were Commissioners John P. Lumley, Brad W. Basse, and Mike Baker. Also present Clerk to the Board, Hans Odde and County and Prosecuting Attorney, Jerry Williams. John P. Lumley led those present in the Pledge of Allegiance.

### Approval of Agenda

Commissioner Baker made a motion to approve the agenda and Commissioner Basse seconded. Motion carried.

### Executive Session to Discuss Personnel

Prior to moving into executive session the Commissioners heard from County Planner, Lee Campbell who announced his intentions to retire from Hot Springs County at the end of April, 2011. The Commissioners expressed their thanks to Mr. Campbell for his work and dedication especially to the natural resources issues facing the County. Planner Campbell will formalize his decision with a letter to be delivered to the Commissioners at their next regular meeting on March 15, 2011.

No further action was taken.

Upon Planner Campbell exiting the meeting room Commissioner Baker made a motion to enter in to executive session to discuss personnel issues at 12:15 p.m. Commissioners Basse seconded. Motion carried.

Commissioner Baker made a motion to exit executive session at 12:50 p.m. Commissioner Basse seconded. Motion carried.

No action was taken as a result of the executive session.

Commissioner Basse made a motion to adjourn at 12:51 p.m. Commissioner Baker seconded. Motion carried.

John P. Lumley, Chairman

Hans Odde, Clerk to the Board

Pub. March 24, 2011

No. 6186

Public Notice

The Owl Creek Gravel Products, LLC of Thermopolis, Wyoming has applied for a small mining permit from the Land Quality Division of the Department of Environmental Quality for the State of Wyoming. The mining permit area for the mining of gravel will be located in: Section 17, Township 43 North, Range 96 West, Hot Springs County, Wyoming. The proposed 61 acre mine permit area is approximately 10 miles northwest of Thermopolis, Wyoming adjacent to Jones Road. The proposed operation is scheduled to begin May 2011 and is estimated to continue until 2031. The land, after mining, will be returned to wildlife habitat and livestock grazing. Information regarding the proposed mining operation and reclamation procedures may be reviewed in the Office of the Land Quality Division of the Department of Environmental Quality in Cheyenne and Lander, Wyoming, the office of Owl Creek Gravel Products, LLC in Thermopolis, Wyoming, or the Hot Springs County Clerk’s Office, Thermopolis Wyoming.

Upon request by an interested party, the Land Quality Division may schedule a public meeting to discuss the application. If such a meeting is scheduled, it must be prior to the date for the close of public comments. If concerns about the permit are not resolved by the Land Quality Division, written objections to the proposed mining operation must be received by the Administrator of the Land Quality Division of the Department of Environmental Quality, Herschler Building, 122 West 25th Street, Cheyenne, WY 82002, before the close of business April 23, 2011. If an objection is submitted a public hearing shall be held within twenty (20) days after the final date for filing objections unless a different period is stipulated to by the parties. The Council or Director shall publish notice of the time, date and location of the hearing or conference in a newspaper of general circulation in the locality of the proposed operation once a week for two (2) consecutive weeks immediately prior to the hearing or conference. The hearing shall be conducted as a contested case in accordance with the Wyoming Administrative Procedure Act (W.S. §16-3-101 through §16-3-115), and the right of judicial review shall be afforded as provided in that act. All parties as given in W.S. §35-11-406(j) will be mailed a copy of this notice. The Wyoming Oil and Gas Conservation Commission will be mailed a copy of the application mine plan map as required in W.S. §35-11-406(j).

Pub. March 24 and 31, 2011

No. 6191