

Thermopolis
Hot Springs

Independent Record

Town council tabs Mortimore to fill vacant position

Braaten, Linton, Hall, Liesch, Scott also considered at Tuesday's meeting

by J.D. Stetson

The Thermopolis Town Council chose to appoint former mayor Mike Mortimore to fill a vacant seat on the council during its meeting Tuesday night.

Mortimore, who has previously served on the council for four years and as mayor for 10 years, was joined by five other candidates for the seat, which was vacated by Tom Linnan in January.

All six candidates – which included Richard R. Hall, Allan Braaten, Stacia Linton, Michael S. Liesch and Sandy Scott – were given time to explain why they wanted to join the council, the expertise they would bring to the council and their understanding of the most important issues the town must face. Both Braaten and Hall have been members of the council since they were elected in 2008, and both failed in re-election bids during the November election.

Mayor Bill Malloy asked the questions while each candidate provided their interpretations.

Hall was the first candidate to speak. He first explained two important issues regarding the need to address the decline of population in town and the need to expand the town via annexation.

Hall then surprised many in the council chambers by removing his name from consideration, allowing the council to choose from the remaining five candidates.

Mortimore followed by stressing his experience on the council and as mayor. He spoke about the need for the town to have a strong foundation, built on infrastructure and positivity.

He addressed the responsibility of the council to address utilities and infrastructure needs in

order to make the business climate conducive for jobs instead of hindering job growth.

Other candidates speak

The remaining four candidates each spoke on their varying levels of experience and their willingness to perform the service to improve the community.

Liesch said he felt his financial background could be an asset to the council. Scott spoke on her willingness to contribute her opinion and vote. Linton expressed her willingness to listen to the public, adding that her youth, energy and friendliness would connect with the public.

Braaten spoke more on the needs of the town and his wish for the town to grow and flourish with the help of the council. He commended the town on extending water lines to the west and he hopes to see some annexation occur toward the west. He also added the town needs to consider more ways to make the town more attractive to economic development and tourism by working with other boards or entities in the town and county.

After the candidates spoke, Councilman LeRoy Hayes made a motion to appoint Mortimore to the vacant seat. Councilman Tony Larson seconded.

Larson briefly spoke on the good attributes of all of the candidates before yielding to Councilman Mark Nelson.

Nelson said he would have leaned toward Braaten because Braaten showed his interest in the council by running for the seat during the election.

Malloy indicated he evaluates the situation by looking at the way the community spoke during the election. He said he considers experience one of the most important qualities and that Mortimore had the most experience out of all the candidates.

During the vote, Larson and Hayes voted in favor of appointing Mortimore, and Nelson voted against the motion.



Erica Meier and her group members perform a routine during the 51st annual Stars of Tomorrow Talent Show auditions Sunday at the school auditorium. Behind Meier are Naomi Bishop, Alexandria Krueger, Hannah Hu and Savana Meier. The talent show performance is set for 7 p.m. Monday, also in the auditorium. — Joe Sova photo

Stars of Tomorrow in spotlight Monday

by Joe Sova

In the neighborhood of 42 performers will be on the stage at the Hot Springs County School District auditorium Monday evening for the 51st annual Stars of Tomorrow Talent Show. The show begins at 7 p.m.

Performers warmed up for the event during auditions Sunday afternoon. A “technical” rehearsal will be held this Sunday at the auditorium.

The Stars of Tomorrow Talent Show is sponsored each year by the Kiwanis Club of Thermopolis. It will feature a variety of acts, from singing and dancing to piano performances and other local talent.

There are several age divisions for the show – kindergarten through second grade, third through fifth grade and sixth through eighth grade as well as a high school division. There are seven duets and four groups of three to five performers this year. A few performers are part of more than one act.

Monetary awards are given in the high school division with \$200 for first place, \$100 for second place and \$50 to the third-place winner. In addition, the first- and second-place winners in the high school division will advance to the Division Show with a chance to advance to the District Show in Colorado.

Stars of Tomorrow performers
Grades K-2
Hannah Andreen and Sadie Jo Burr (duet); Dazilynn Hunt; and Cord and Corbin Simeral (duet).

Grades 3-5
Madeline Stam; Elisa Weber and Sesi Jensen (duet); Kathryn Burrows; Jariah Cogdill; Breeze Petty and Kaylee DeVries (duet); Ashley Brawley and Jasman Steadman; Olivia Weyer; McKenna Bomengen; and Grace Whitt, Oakly Bowman, Ruby Driver and Waylon Nelson.

Grades 6-8
Erica Meier, Hannah Hu, Naomi Bishop, Alexandria Krueger and Savana Meier (group); Larissa Peters and Kristina Nadin (duet); Natalya Blair, Margaret Jones and Akira LaBoy; Danielle Randolph; Sydnee Griffin; and Hannah Weyer.

Grades 9-12 (High School)
Torrie Coulter, Selena Simmons and Morgan McCain (group); Harley Rhodes; Darby Abbott and Taylor Matkin; Coulter; McCain; and Tahja Hunt, Rhodes, Chase Herring, Burrows and Tyler Kay (group).

Lawsuit against hospital dismissed

by J.D. Stetson

A wrongful termination lawsuit filed in October 2011 against Hot Springs County Memorial Hospital has been dismissed with prejudice in U.S. District Court.

In a judgment filed Dec. 12, U.S. District Court Judge Scott W. Skavdahl dismissed the case filed by Lisa A. Blakesley with prejudice, which means the lawsuit cannot be refiled.

Blakesley filed the case Oct. 21, 2011, claiming the hospital violated the Americans with Disabilities Act when it terminated her part-time employment while she was recovering from an illness.

The initial complaint in the suit sought \$1.5 million in punitive damages for violating the Americans with Disabilities Act, \$500,000 in punitive damages for retaliation against Blakesley, \$280,000 for loss of wages and benefits, and \$250,000 for pain and suffering.

In Skavdahl's order granting the hospital's motion to dismiss based upon insufficient service of process, the judge indicated Blakesley did not respond to the hospital's motion to dismiss in a timely fashion. The court deemed the lack of response coupled with the lack of effort to seek an extension of time a confession to the hospital's motion.

During the meeting of the board of trustees Jan. 29, legal council Ronald P. Jurovich reported Skavdahl's order and judgment to the board.

Hospital districting
CEO Robin Roling reported the status of Senate File 19 in the Wyoming Legislature to the board.

SF19 allows county commissioners to pass a resolution to place the issue of a hospital district on the election ballot.

The goal of the bill is to streamline and remove state requirements to place the issue on the ballot. Currently, the county must prove entities responsible for 25 percent of the assessed valuation and 25 percent of property taxpayers are in favor of a district.

The bill is currently waiting for scrutiny from the House of Representatives' Corporations, Elections and Political Subdivisions committee. If it passes the committee, the bill will head to the House floor for debate. It must then pass three readings in the House and possibly concurrence on amendments before it can head to Gov. Matt Mead's desk.

Roling reported the bill passed the Senate, but the hospital should be cautiously optimistic as it proceeds in the House.

The hospital is currently waiting for the bill to be scheduled in the committee and plans to attend the committee hearing. Hospital, county and other interested parties spoke during the committee hearing in the Senate and received a warm response from the committee members.

Roling said CEOs from hospitals in larger communities were shocked many counties didn't already have hospital districts and that the Wyoming Hospital Association has stepped up in support of the bill.

Commissioners to join wolf coalition

by J.D. Stetson

Hot Springs County Commissioners have chosen to join and support the Wyoming Wolf Coalition, a group of entities attempting to intervene in federal lawsuits challenging the U.S. Fish & Wildlife Service's decision to support Wyoming's Wolf Management Plan and delisting the animal from the endangered species list in Wyoming.

Commissioner John Lumley brought a request for support to the commissioners' attention during the commission meeting Tuesday.

Lumley stated he was approached by Park County officials to bring the item to the board for discussion. Members of the coalition include government agencies, stockgrowers, sportsmen, tourism officials and various others with a vested interest in the issue.

As part of joining the coalition, the commissioners chose to pledge \$2,000 from its emergency expenditures budget line item to assist the coalition.

Lumley voiced his personal belief the county should join and support the coalition in order to help protect the interests of the county where wolves are concerned.

“I think we need to be progressive for the public lands in this county,” Lumley said.

Commissioner Mike Baker agreed the county should help to support the wolf management plan and do what it can to assist the coalition in fighting for public policy in the legal arena.

Baker said it is somewhat of an American tragedy where the people in the nation allow so much public policy to be determined by a single judge.

Chairman Brad Basse added to Baker's comment by saying the judge also is usually not located near the affected area.

Tagging a steer



Weigh and tag day signals the official start of beef projects for 4-H and FFA youth. Fair board chairman Arnold Pennoyer tags Kaitlyn Schmuck's steer at the fairgrounds on Sunday. Twenty two steers were weighed in ranging from 535-1010 lbs.

Winters’ school resource officer bill gets reprieve

by Joe Sov
State Rep. Nathan Winters (R-HD28, Thermopolis) saw his proposed legislation asking for state support of school resource officers (SROs) breathe new life Tuesday in the Wyoming Legislature.
House Bill 230 failed on third and final reading in the House on Monday by a 27-32 vote. However, the bill was reconsidered and it gained 11 votes – passing by a 38-22 margin. HB230 now moves onto the State Senate for consideration.
“After the election, I visited the schools throughout the district and one of the issues they shared in common was the fact that funds were shrinking for school resource officers,” Winters said.
According to Winters, in 2006, a state-


wide study was conducted into school security and one of their major findings was that SROs are crucial to schools in a variety of ways.
“Unfortunately, the difficulty for the school districts is that the money for this position comes from within the block grant each school district is given by the state,” he said. “I began to work with the Legislative Service Office (LSO) to find a way to find funding outside of the block-grant funding model for our school districts so that they can fund school resource officers. I didn’t know the history of the idea but I found very quickly that I was on to something.”
HB230 has received much attention from the governor’s office because he

recently convened a “blue-ribbon task force” to look into ways to provide for better school security, according to Winters. The first item on their list was to ensure a minimum level of SROs in each school district.
“While most of my peers are not against the idea, there is concern that the budget will not sustain it,” Winters said of HB230. “The chairman of the House Appropriations Committee is a major supporter of the bill, though, and we hope to get it passed.”
Wyoming lottery bill
Winters opposes HB77, which would allow a Wyoming lottery to be established. The bill was received for intro-

duction on the House floor Tuesday – quickly rolling through three readings, passing 31-28 on the final reading. It now heads to the State Senate.
Should HB77 become law, it would create the “Wyoming lottery corporation.” It would provide the use of lottery proceeds and limitations on retailers. The bill would also exclude authorized lottery games from the definition of gambling and the purchase of lottery tickets from sales and use tax.
Winters said he has spoken against this bill for a number of reasons.
“First, government should not be in the entertainment industry. To highlight the point, I brought an amendment to the bill that would provide for

the state to allow others to take cruises and go to amusement parks, or monster truck pulls, and other kinds of entertainment,” he said. “Obviously, I do not believe that government should be involved in any of those things and withdrew the amendment after making my point.”
Secondly, Winters said he spoke to the obvious reservation everyone has with a lottery.
“We know that some will be damaged by it. We know this is true because most lotteries have some provision to help those who have fallen into an addiction,” he said. “This is analogous to someone setting bear traps and then providing first aid for all those who step into them.”

Otter Creek school residency



Otter Creek duo Peter and Mary Danzig and their children perform for Ralph Winters Elementary fourth graders during a residency program Monday at the school. Otter Creek performed a concert Tuesday night in the auditorium.
— J.D.Stetson photo

Speech team fourth at Casper

Thermopolis’ speech team’s 11-tourney winning streak was snapped at the Mustang Classic tournament held in Casper Friday and Saturday. The speechsters landed in fourth place.
“It was the closest tourney we’ve ever been in,” said coach Ron Philips. “The point spread between first and fourth was three points.”
Tori Anderson was the team’s high scorer with 50 individual points. Anderson was the only Bobcat to break out of preliminary rounds to score team points. She broke in both drama and humor, and was out after the semifinal round.
“It was a story of near misses,” said Philips. “With this level of competition each speaker needed to score no more than a five in prelims. Laurel Leonhardt had six in poetry. Jared Mohr-Leiva had six in humor and seven in drama. Shannon Lorenz had seven in humor. Dani Yarrington had six in drama. Spencer Hu had six in extemp and was one place out of semis in L-D debate. Char-

lie Patterson and Kaden Wood weren’t far behind in PF debate.”
Thirty-three teams competed at the Mustang Classic, including two teams from South Dakota.
“Almost everyone comes to this meet because it gives a good picture of what the state tourney will be like,” said Philips. “We’ve still got some work to do.”
“I’m very pleased with how our younger team members handled this experience. When we left everyone was studying the judges’ comments on their ballots, looking for ways to improve. I can’t ask for better than that.”
The Cats are back on the road Friday for the Jackson Invitational.
Individual scores:
Anderson 50, Cody Bleak 26, Amanda Dinsmore 25, Aressa Goodrich 17, Hu 38, Logan Kay 26, Darren Leonhardt 31, Laurel Leonhardt 25, Callie Jordan-Lorenz 12, Lorenz 16, Mohr-Leiva 33, Kameron Olsen 14, Patterson 35, Lindsey Reed 11, Matthew Tjepkes 5, Wood 25 and Yarrington 17.

Supplemental budget faces Legislature

by Karla Pomeroy
Basin Republican-Rustler
It’s been a week of deadlines in the Wyoming Legislature with Monday the last day for Committee of the Whole in the house a bill originated, Tuesday the last day for second reading and Wednesday the final day for third reading.
On the Senate side there were 26 pieces of legislation that died Monday by not being considered by the Committee of the Whole by the deadline. One of the bills that was killed by deadline was Senate File (SF) 120, which would have allowed victims of sexual assault to obtain protection orders against the victim’s alleged perpetrator.
The bill to prohibit use of cell phones while driving died in committee without ever getting on General File.
Also killed by Monday’s deadline were all the bills introduced that would have increased license fees for the Wyoming Game and Fish.

House bills considered
While the Senate finished work on the Senate files, work was in full swing on House bills that have already passed the House and need only approval by the Senate to head to the governor’s desk. In his weekly report Monday, Sen. Gerald Geis (R-SD20, Worland) said the majority of the work this week would be on the supplemental budget. He reiterated that while he thinks Wyoming needs to be cautious with spending at the present time, he will take the recommendations of the Joint Appropriations Committee.

The Senate agriculture committee and Senate have approved several new Senate files and House bills.
The committee and the Senate on the third reading approved a bill regarding pesticide use. SF160 provides for direct supervision by licensed applicators and provides for authority for reciprocal agreements with other states for licensed applicators.
HB4 is on General File now after passing out of committee. The brand bill gives brand owners at least 60 days after a brand expires to renew the brand before it is assigned to another owner.
HB12 on contagious and infectious disease revises provisions related to contagious and infectious diseases among livestock and other animals as specified; increasing certain penalties related to diseases among livestock. The bill adds domestic animals that have been imported into the state to the list the state veterinarian may inspect, treat or test.
The penalty for violating the state’s law on infectious and contagious diseases is a misdemeanor punishable by up to six months in jail and/or up to a \$750 fine. The penalties increase for each subsequent offense.
HB53, state land violations, would allow the state to seek restitution for damages on state and school section lands, whether damage is from illegal dumping, illegal campfires, illegal camping or other violations.
The bill is now on General File.
HB84 – Livestock fence states, “as part of their duties, any peace officer, inspector or other person acting under this section may,

but is not obligated to, attempt to repair any fencing through which an animal has gained improper access to the area in which the animal is found.” The bill also states that a livestock owner may, but is not obligated to, attempt to repair a fence to prevent livestock from entering a highway.
Fuel tax on General File
The 10-cent increase in fuel tax, HB69, was placed on General File in the Senate on Monday. Geis said he is still getting a lot of comments regarding the tax.
Geis said they haven’t heard any of the gun laws passed by the House but he does support them.
Other bills approved by the Senate in the past week include:
SF146 – Parental Rights. The bill gives the court authority to terminate parental rights if there is “clear and convincing evidence” of sexual assault, sexual battery with the victim being the child of the parent or if the parent is required to register as a sexual offender and the offense involved the child or another child of that parent.
SF118 specifies the burden of proof in eminent domain proceedings. Geis said the bill gives more power back to private landowners.
SF103 adds electronic cigarettes to the list of tobacco products prohibited for persons under 18.
In other news, Geis said while he sees both sides he does support HB223 that would allow searches for presidents of the University of Wyoming and community colleges to be confidential. The bill passed second reading Monday.

Public notices

PUBLIC NOTICE	ADVERTISEMENT FOR BIDS	ADVERTISEMENT FOR BIDS
<p>Pursuant to the Wyoming Administrative Procedure Act and the Wyoming Public Service Commission’s (Commission) Procedural Rules and Special Regulations, notice is hereby given of the application of Rocky Mountain Power (RMP or the Company), for a change in Tariff Rule No. 10, Disconnection of Service (Tariff).</p> <p>RMP is a public utility as defined in W.S. § 37-1-101(a)(vi)(C), providing retail electric public utility service under certificates of public convenience and necessity issued by the Commission. RMP is subject to the Commission’s jurisdiction under W.S. § 37-2-112.</p> <p>On January 15, 2013, RMP filed its application requesting authority to amend its Tariff to discontinue the practice of accepting payment for utility service while at the customer’s service address site to disconnect service or leave collection notices. RMP states its proposal is based primarily on concerns for the safety of the Company’s employees and the development of new payment methods, such as on-line payments and pay-by-telephone. Provisions for the collection of payment in the field are proposed to be eliminated on page R10-5 of the Tariff. RMP requests an effective date of March 1, 2013.</p> <p>This is not a complete description of the application. Interested persons may inspect the application at RMP’s business offices throughout Wyoming and at the Commission’s offices in Cheyenne, Wyoming, during regular business hours.</p> <p>Anyone desiring to file a public comment, statement, intervention petition, protest or request for a public hearing in this matter must do file with the Commission in writing on or before March 1, 2013. Any intervention request filed with the Commission shall set forth the grounds of the proposed intervention or request for hearing as well as the position and the interest of the petitioner in this proceeding.</p> <p>If you wish to intervene in this matter or request a public hearing which you will attend and you require reasonable accommodation for a disability, call the Commission at (307) 777-7427 or write to the Commission, 2515 Warren Avenue, Suite 300, Cheyenne, Wyoming 82002. Communications-impaired persons may contact the Commission through Wyoming Relay at 711. Please mention Docket No. 20000-426-ET-13 in your communications.</p> <p>Dated: January 31, 2013.</p> <p>Pub. February 7 and 14, 2013</p> <p>No. 6758</p>	<p>Notice is hereby given that the Town of Thermopolis, Wyoming will receive sealed bids until 2:00 P.M., local time, February 28, 2013 at the Thermopolis Town Hall, at 420 Broadway, Thermopolis, Wyoming, for MATERIALS, LABOR, SERVICES, TRANSPORTATION & COMPLETE CONSTRUCTION OF THE BROADWAY EAST TREATED WATER MAIN REPLACEMENT – PHASE II project. The Engineer’s opinion of probable construction costs ranges from \$260,000 to \$390,000. All bids will be publicly opened and read aloud - date and time stated above. Mail or deliver to 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. Complete digital copies of the bidding documents are available at www.questcdn.com and at www.eaengineers.com under PROJECTS OUT TO BID. Submitting Contractors will be required to register with the website to download the bidding documents for \$20 by inputting Quest project #2450603 on the website’s Project search page. Please contact QuestCDN.com at 952-233-1632 or info@questcdn.com for assistance in free membership registration, downloading, and working with this digital project information. Optional paper copies of bidding documents are available at: Engineering Associates, 429 Broadway, Thermopolis, WY 82443 for \$150.00, non-refundable. 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. A pre-bid meeting will be held at 2:00 P.M. local time, on February 21, 2013 at the Town Hall, 420 Broadway, Thermopolis, Wyoming.</p> <p>Dated this 7th day of February, 2013.</p> <p>/s/ Town of Thermopolis</p> <p>Pub. February 7, 14 and 21, 2013</p> <p>No. 6759</p>	<p>Notice is hereby given that the Town of Thermopolis, Wyoming will receive sealed bids until 2:00 P.M., local time, February 28, 2013 at the Thermopolis Town Hall, at 420 Broadway, Thermopolis, Wyoming, for MATERIALS, LABOR, SERVICES, TRANSPORTATION & COMPLETE CONSTRUCTION OF THE 14TH STREET TREATED WATER MAIN REPLACEMENT – PHASE II project. The Engineer’s opinion of probable construction costs ranges from \$350,000 to \$500,000. All bids will be publicly opened and read aloud - date and time stated above. Mail or deliver to 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. Complete digital copies of the bidding documents are available at www.questcdn.com and at www.eaengineers.com under PROJECTS OUT TO BID. Submitting Contractors will be required to register with the website to download the bidding documents for \$20 by inputting Quest project #2450642 on the website’s Project search page. Please contact QuestCDN.com at 952-233-1632 or info@questcdn.com for assistance in free membership registration, downloading, and working with this digital project information. Optional paper copies of bidding documents are available at: Engineering Associates, 429 Broadway, Thermopolis, WY 82443 for \$150.00, non-refundable. 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. A pre-bid meeting will be held at 3:00 P.M. local time, on February 21, 2013 at the Town Hall, 420 Broadway, Thermopolis, Wyoming.</p> <p>Dated this 7th day of February, 2013.</p> <p>/s/ Town of Thermopolis</p> <p>Pub. February 7, 14 and 21, 2013</p> <p>No. 6760</p>

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Phone banks will be open Monday through Friday from 7:30 a.m. to 6 p.m. (Feb. 4-8) and from 8 a.m. to 4 p.m. Monday through Friday after Feb. 8 (Closed weekends and holidays).
Be prepared to provide the owner’s social security number, current/previous address and a daytime (8 a.m. to 5 p.m.) phone number.