

Darlington's 'Art of the Hunt' piece heads for state museum **3**

Regional mat champs; hoop teams to postseason **6-7**

Salute to winter sports, speech teams **10-11**

Vandalism found at Candy Jack Park ... again **13**

Thermopolis
Hot Springs

Independent Record

SPECIAL INTERNET PREVIEW

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THERMOPOLIS, WY 82443

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RWE Family Fun Night



Ralph Witters Elementary hosted a Family Fun Night last Thursday in the school library. The theme was, "Snuggle Up and Read." In the photo, Kim Ennis reads to her grandson Jaden Ennis while grandpa Bob Ennis reads along. Kindergarten teacher Lauren Lewandowski is also pictured. — Joe Sovia photo

Casper murder trial held in Thermop

by Drew Foster

A Casper man's first-degree murder trial began Monday in Hot Springs County District Court after improper testimony forced a mistrial in October in Natrona County. And the rare change of venue is providing minor challenges in and around the Thermop courthouse.

Thomas Miller is on trial for first-degree murder for the March 2013 shooting death of his wife, Natalie Miller, outside their Casper home. Thomas Miller's defense team does not dispute that he shot his wife. Instead, they are challenging whether the shooting was premeditated — a lynchpin in a first-degree murder conviction.

Miller faces life in prison if convicted of first-degree murder. A lesser conviction of second-degree murder also carries a maximum sentence of life in prison. Thomas Miller faces an aggravated assault charge as well in connection with alleged threats he made to his mother-in-law after the shooting.

Monday's hearing opened with the 911 call made by Natalie Miller shortly before she was killed. "My husband is going to shoot me," she told the operator.

"Unfortunately, Natalie Miller was correct," Natrona County Assistant District Attorney Stephanie Hambrick told jurors. "Her husband was going to shoot her. That man, Thomas Miller, took this handgun and shot her five times."

Miller's attorney, Erik Oblasser, began his opening statements Monday with a single word: Why?

"Other evidence will be shown in an attempt to explain why," Oblasser told the jury. "Why did Thomas Miller do it? What was Thomas Miller thinking? Or, what was Thomas Miller not thinking?"

The trial is scheduled through Friday. Natrona County Judge Catherine Wilking is hearing the case.

Miller's murder case has generated significant headlines and television news coverage across Wyoming during the past 11 months, which presented a challenge to the Hot Springs County Clerk of the District Court's office with regard to finding a jury. The clerk's office summoned 87 county residents to appear as potential jurors. Seventy residents packed

the courtroom Monday morning after 17 were initially excused. Nine men and five women were selected.

The last time Hot Springs County summoned a jury pool of this size was for Tara Lynn Lofink's October trial for three felony charges involving unemployment fraud. Ninety jurors were summoned for that trial.

The trial also delays pending Hot Springs County cases from being heard in District Court, which usually holds criminal hearings on Mondays.

"It puts everything behind that much further," said Rose DeSeyn, deputy clerk of Hot Springs County District Court. "We have a full day of court we're losing."

Natrona County will reimburse Hot Springs County for all costs associated with the trial, including juror and security costs.

Jurors are paid \$30 a day. Monday cost \$2,100 in juror fees, though the daily price decreased sharply after the pool was winnowed from 70 to 14.

Security also has been increased at the courthouse. Stairs leading to the third-floor District Court, usually open to the public, have been closed. Bold signs warning visitors not to bring knives, firearms and other items into the courthouse were taped to walls and banisters. Visitors had to take an elevator to the third floor and pass through a metal detector, another measure usually absent from court proceedings. Lt. Dan Pebbles said he's only seen the metal detector used at the courthouse "four or five times" in his 27 years with the sheriff's office.

"Outside of (Thermop), in bigger places, this is normal," Pebbles said.

An increased security presence also is on hand at the courthouse with deputies manning the metal detector, stationed outside the courtroom doors and stationed inside the courtroom.

"Numbers in themselves can deter a potential problem from happening," Pebbles said.

The last time an out-of-county criminal trial was relocated to Hot Springs County was in March 2006, when Andrew John Yellowbear was tried for the death of his 22-month-old daughter.

Sen. Barrasso addresses HSCHS students' questions

by Drew Foster

U.S. Sen. John Barrasso spent nearly an hour casually fielding questions from Hot Springs County High School students last week at the school auditorium, often eliciting cheers and laughs, but at times frustrating students who were hoping for more in-depth answers on social issues.

Questions ran the gamut, and Barrasso noted afterward that the Thermopolis teens sounded

well informed. "I was impressed," the senator said.

The second question of the afternoon regarded state Senate File 109, which would allow Wyoming school districts to decide whether teachers and staff can carry firearms on school grounds. Barrasso didn't offer a direct answer, but noted that he's always been a staunch supporter of gun rights.

"I think states are going to

make a decision on that," he told the students. "I'm a big supporter of Second Amendment rights."

The next question, which Barrasso jokingly said he'd been expecting, involved marijuana legalization, a topic some students wished he'd addressed more thoroughly.

"I'm opposed to it," the senator said. "The (Wyoming) Legislature is going to vote on it, and I suspect they will defeat it."

Some students said current social issues like marijuana legalization and same-sex marriage received short answers before the senator veered into unrelated topics, like health care.

"The topics the high schoolers were most interested in he kind of avoided," said Logan Kay, a Thermop junior on the speech team. "He talked about health care a lot, and a lot of us are not concerned about that, being un-

der the age of 18."

Kay added: "I think he came in with topics he wanted to talk about."

Sophomore Darren Leonhardt said most high school students' political views mirror those of their parents — conservative. However, Leonhardt said many Thermop teens take a more liberal stance on social issues, which is why they were hoping for more-expansive answers.

Disagreement with EPA

Barrasso also addressed the recent Environmental Protection Agency (EPA) decision that River-ton sits within the boundaries of the Wind River Indian Reservation. He expected the EPA's decision, which is widely opposed across almost all levels of state government, to be overturned.

See Barrasso on page 16

Commissioners review audit, Natural Resource draft

by Cindy Glasson

The Hot Springs County Commissioners covered a lot of ground in a short period of time at their meeting Feb. 18, including a review of their financial audit, a draft Natural Resource Plan and another update on the heating issues in the courthouse.

Michael Wright with Koerwitz, Michel, Wright & Associates Accounting, presented the financial audit to the

commissioners, reporting no major issues with the process.

One small issue was a mileage reimbursement done by one of the subcontractors on the airport project where the federal mileage reimbursement guidelines were not followed. The issue was resolved satisfactorily, but Wright reminded the commissioners that grant funds cannot be used for mileage reimbursement.

Another small problem was found in forms filled out by the Owl Creek Water District, a mathematical error that should have been caught by the district but was not. Wright said it would have put the commissioners "on the hook" for the error, even though they do not see the electronic reports.

As usual, internal controls are an issue with the commissioners, segregation of duties and mitigation.

Because of the small number of employees, there is no way to properly segregate duties, something other entities run into each year. The fair board, weed and pest, museum, hospital and library also have these internal control problems.

There is no way around the problem without hiring more employees, and while it does create something of a risk, in no way does it make the county out

of compliance as far as the financials are concerned.

Airport bid

The Department of Environmental Quality (DEQ) has requested a soil and water test be conducted at the current airport.

A single bid was received by Inberg

See Commissioners on page 16

Nominees for Chamber awards announced

The Thermopolis-Hot Springs Chamber of Commerce has released the list of nominees for the 2014 Business of the Year, Citizen of the Year and the new Non-Profit Organization of the Year.

Each year nominations are taken by the chamber board. The board members cast their votes in each category. Winners are announced at the Chamber Banquet.

This year's banquet will be held on Saturday, March 22 at the Hot Springs County Fair Building.

Nominees for Citizen of the Year are: Amanda Moeller, Barb Rice, Barb Vietti, Ciley Andreen, Jacky Wright, Lorraine Quarberg, Robin Roling, Susan Lankford, Stevie Ann Jellis and Vern Dockter. Jacque Michel was also nominated but respectfully de-

clined the nomination.

Non-Profit Organization of the Year nominees include: Big Horn Basin Children's Center, Gottsche Rehabilitation and Wellness Center, HSC Memorial Hospital, HSC Museum and Cultural Center, Hot Springs Greater Learning Foundation, Hot Spot Car Rally, Hot Springs State Park and the Thermopolis Cowboy Rendezvous PRCA Rodeo.

Business of the Year nominees are: Blair's Super Market, Days Inn, Flying Eagle Gallery, Independent Record, Needful Things Emporium, One Stop Repair and Service Center, Owl Creek Graphics and Owl Lumber/ACE Hardware.

For further information about the Chamber Banquet, call executive director Meri Ann Rush at 864-3192.

Leather and Lace



Saturday evening's Leather & Lace Ball held at the fair building grossed more than \$10,000 for the Thermopolis Cowboy Rendezvous PRCA Rodeo. Queen Cayde Cuprak,

left, and first attendant Alexis Ballard were crowned at the event. In the photo, they show an impressive print that was one of many live auction items. — Joe Sovia photo



U.S. Sen. John Barrasso addresses Hot Springs County High School students on Feb. 19 in the school auditorium. Barrasso fielded questions from the teens, which ranged from his stance on the Affordable Care Act and marijuana legalization to a proposed raise of the federal minimum wage. “They had some great questions,” Barrasso said after the Q-and-A. –Drew Foster photo

Baker censured by Supreme Court

Casper attorney Sandra L. Baker received a public censure from the Wyoming Supreme Court by order dated Feb. 6, 2014. While Baker was engaged in the practice of law in Thermopolis, during the years 2007 and 2008, her husband was receiving Social Security Disability benefits. Baker's husband performed construction-related odd jobs, the income from which he was required to report to the Social Security Administration, but he did not.

Baker told coworkers that her husband's income had to be run through an entity called Baker Contracting of which Ms. Baker was the owner. Consistent with those statements to coworkers, the joint income tax returns filed by Baker and her husband for the years 2007, 2008 and 2009 included a Schedule C that reported revenues and expenses for a business called Baker Contracting. Each Schedule C listed Ms. Baker as the proprietor of Baker Contracting and described the principal business of Baker Contracting as "attorney/contractor construction." The tax returns were prepared by Baker's husband and filed electronically. Baker did not participate in their preparation nor did she review them before they were filed.

During 2012, an investigation by the Social

Security Administration revealed that Baker's husband had failed to make the disclosures required by law for recipients of Social Security Disability benefits. Baker's husband pled guilty to one count of violating 42 U.S.C. § 408(a)(4), a felony, and was sentenced to two years' supervised probation and was ordered to pay restitution in the amount of \$84,605.

The Wyoming Rules of Professional Conduct regulate the conduct of members of the Wyoming State Bar. Baker's complicity in her husband's withholding of disclosure of his earnings from the Social Security Administration constituted a breach of Rule 8.4(c) of the Wyoming Rules of Professional Conduct, which provides that it is professional misconduct for a lawyer to engage in conduct involving dishonesty, fraud, deceit or misrepresentation.

Baker stipulated to these facts and consented to the public censure. The Board of Professional Responsibility approved the stipulation, recommending that the Wyoming Supreme Court publicly reprimand Baker. After reviewing the record and recommendation, the Wyoming Supreme Court entered its order publicly censuring Baker and ordering her to pay an administrative fee of \$500 and cost of \$50 to the Wyoming State Bar.

Barrasso

"This is, to me, Washington sticking its nose where it shouldn't be," he said during a brief sit-down after speaking to the students.

Barrasso is vice chairman of the Senate Committee on Indian Affairs, but he said the EPA decision would most likely be dealt with by the Appropriations Subcommittee on Interior, Environment and Related Agencies.

"The EPA has gone way beyond its authority," Barrasso said. "I think (the subcommittee) will get it resolved the way it's supposed to be."

Commissioners

Miller Engineers out of Casper to do the testing at a cost of \$7,350.

The estimate came in well under what was anticipated.

The work must be completed by June 6.

There is a caveat in the contract that states Inberg Miller may not go over the bid amount without prior written authorization from the commissioners.

Natural Resource draft

County Planner Bo Bowman presented the commissioners with a draft of a Natural Resource Plan during the public hearing portion of the meeting.

The plan is an update to the current plan, covering just state and federal lands within the boundaries of Hot Springs County.

Bowman indicated the last time an update had been done to the plan was 2005 and said this draft flows better, reads easier,

and shows where some of the language has been changed in a simple to see manner.

No one from the public attended the public hearing portion of the meeting and Bowman said he has received no comments in written form on the draft.

The commissioners did not take any action on the 211-page document, but will have their comments back to Bowman by March 5 for further review.

Courthouse heating

Commission chair Mike Baker told the other commissioners he had personally taken a walkthrough of the various offices in the courthouse and feels there are still significant variations in temperatures from office to office.

Complaints from employees have been coming in for months that offices are either too hot or too cold with nothing in between

for a comfort level.

Maintenance supervisor Chuck Carver has been attempting to work with Trane, the company that installed the new heating and cooling system, to get temperatures moderated, but said he doesn't see what the employees are complaining about after looking at the temperature trends.

"The temperatures aren't off more than a few degrees," Carver said.

Employees have been using electric heaters under their desks to keep warm in some offices while others have actually had the air conditioning units kick on in theirs.

This has now raised concerns over how the air conditioning is going to work once summer temperatures arrive.

The commissioners refuse to make a final payment to Trane until the issue is solved to everyone's satisfaction.

Landowner coupon deadline March 1

Wyoming ranchers and farmers are reminded Saturday, March 1 is the deadline to send in landowner coupons from the past hunting season. The coupons and corresponding affidavit must be submitted to the local game warden or the appropriate Game and Fish regional office in which their property is located by that date.

Landowners are advised that a new form for coupon reimburse-

ment has been developed and license numbers are no longer required. The new form is available on the Game and Fish website wgfd.wyo.gov, which can be found on the link for miscellaneous hunting forms. It can also be obtained from game wardens and Game and Fish regional offices.

Wyoming landowners receive \$16 for each elk, deer or antelope harvested on their land. The coupons are included on each license.

The landowner coupon program was established by the Wyoming Game and Fish Commission in 1934 to at least partially compensate landowners for forage consumed by big game on their property. The coupon program was passed into state law by the state legislature in 1939.

In 2013, the Game and Fish paid \$656,304 to 2,245 landowners who submitted coupons for the 2012 hunting seasons.

Public notices

STATE OF WYOMING) OFFICE OF THE BOARD OF
COUNTY OF HOT SPRINGS) COUNTY COMMISSIONERS
THERMOPOLIS, WYOMING
February 18, 2014

The Hot Springs Board of County Commissioners met in regular session on Tuesday, February 18, 2014 at 4:00 p.m. in the Public Meeting Room at the Government Annex.

Present were Commissioners Mike Baker and Brad Basse. Also present were County Attorney Jerry Williams, County Clerk Hans Odde and Administrative Assistant to the Commissioners Penny Herdt. Commissioner John Lumley was absent due to Commissioner business out of town.

Chairman Baker led those present in the Pledge of Allegiance. Chairman Baker suspended Robert's Rules of Order so that business might be conducted in Commissioner Lumley's absence.

Approval of Agenda

Brad Basse moved to approve the agenda with the following change:
ADD: 5:40 p.m. 7. Joe Holden Relocation Progress Discussion
Mike Baker seconded the motion. Motion carried.

Audit Review

Michael Wright with the accounting firm Koerwitz, Michel, Wright & Associates presented the Final County Audit Report for the year ending June 30, 2013. This report includes an A-133 grant compliance audit for the Airport Improvement grant and the CDBG-Owl Creek Water District grant. This report is available for public review in the County Clerk's office. Mr. Wright reviewed the audit and accompanying comments, stating that overall, it was a "clean" audit with no significant findings. There was a material weakness noted in the Museum audit regarding the Board's oversight of outside service providers and preparation of financial reports. Among other things, there will be IRS penalties and interest incurred due to a delay in payroll tax filings on behalf of the Museum. Presently the filing status on all Museum accounts is current. Museum Director Ross Rhodes and Museum Board members Doris Ann Ready, Phyllis Baker and Kelly Andreen were present and spoke to the actions they have taken to ensure this does not happen again.

Award Airport Minimum Site Assessment Bid

Clerk Odde presented the single proposal received in response to the County's advertised Request for Price Proposal for completion of a Minimum Site Assessment as required by the DEQ. Inberg-Miller Engineers of Casper submitted a proposal to complete the MSA in the estimated amount of \$7,350.00. In the event that groundwater necessitates the installation of a temporary well, there will be an additional charge of \$400.00. If additional services beyond the scope of the proposal become necessary, the contractor will seek written approval from the Commissioners before proceeding. Brad Basse moved approval of the proposal from Inberg-Miller Engineering for completion of the Minimum Site Assessment, subject to review and approval by the County Attorney. Mike Baker seconded the motion. Discussion: Funds are to come from Emergency Expenditures. Motion carried.

Probation & Parole Rent Discussion

Probation & Parole Officer Ron Woodward appeared before the Commissioners to discuss ongoing negotiations for office space on the fourth floor of the courthouse. Currently there is only one person in the office, with the potential of adding a second person in the future. Mr. Woodward indicated that the State perceives this to be a long-range plan to keep a local presence for Probation & Parole, with the rent to be paid in advance on an annual basis. After discussion, the Commissioners directed the County Attorney to develop a lease agreement with the State Department of Probation & Parole in the amount of \$450.00 per month beginning March 1, 2014.

Public Hearing – DRAFT Natural Resources Plan

Chairman Baker opened the public hearing on the Draft Natural Resources Plan at 5:00 p.m. Planner Bo Bowman presented the 2014 update to the Natural Resources Plan for State and Federal Lands. The hearing has been advertised for the last three weeks. Copies of the draft plan have been made available at various locations in the community and on the County's website. Mr. Bowman reported that the Natural Resources Planning Committee members have spent the last two years reviewing and revising the plan. The plan has been updated and streamlined to eliminate unnecessary verbiage and bring it into compliance with State and local policies. All charts have been moved to the end to enable the updating of data without the necessity to re-do the entire document. After three calls for further public comment, receiving none, Chairman Baker declared the hearing closed at 5:12 p.m. The Commissioners will have all comments/edits to Mr. Bowman no later than March 5, 2014. After the changes have been made, the final plan will be submitted to the Commissioners for their approval.

WYECIP Project Update

Commissioner Baker reported on his walk-through of the Courthouse offices after the last Commissioner meeting. Chuck Carver discussed the last conference call with TRANE representatives regarding ongoing deficiencies with the project. TRANE indicated a desire to come to Thermopolis to work on those deficiencies, but no date has been set at this time. Mr. Carver stated that work continues on returning local control of the thermostats with minimum and maximum setpoints. The third-party commissioning included in the original contract has not yet been completed, nor has the contractual sixteen hours of training on the system been provided at this time. Mr. Carver is continuing to follow up on these items.

Head Start Lease Renewal

The land occupied by the Absaroka Head Start program in Thermopolis is owned by Hot Springs County. The original lease between the County and Head Start expired in 2001 and has not been renewed since then. Head Start would like to remedy this situation and get a current lease agreement in place. The Commissioners asked the County Attorney to work with Head Start representatives to draft a new agreement for consideration at the March 18th Commissioner meeting.

Holden Relocation Reimbursement Discussion

Joe Holden came before the Commissioners to discuss his frustration

with the progress being made by Michelle Colby, the Disinterested Third Party handling the submission of his relocation reimbursement claims. The Commissioners agreed with Mr. Holden that Ms. Colby seems to be the stumbling block in the completion of the reimbursement process. A conference call between GDA as the County's representative and Ms. Colby's employers is scheduled for February 19. It is anticipated that this call will be instrumental in moving the process along in an expeditious fashion. Mr. Holden thanked the Commissioners for their time and assistance.

Other Business

Pinnacle Bank – DEQ Letter of Credit – Clerk Odde presented the Letter of Credit #002 for the DEQ Permit #582(s) provided annually by Pinnacle Bank for the Commissioners' approval. Brad Basse moved to approve the chairman's signature on Letter of Credit #002 – Permit #582(s) in the amount of \$1,000.00. Mike Baker seconded the motion. Motion carried.

Surplus Property Purchaser Authorization Resolution – The Commissioners reviewed the State Surplus Property Purchaser Authorization Resolution submitted by Sheriff Falgoust for Law Enforcement purchases. No action was necessary on the Commissioners' part for this resolution. Clerk Odde presented a separate resolution for the County as a whole for the Commissioners' consideration. Brad Basse moved to approve the Chairman's signature on the resolution naming Dave Schlager, Chuck Carver, Brad Basse and Karen Slocum as authorized purchasers of Surplus Property from the State of Wyoming. Mike Baker seconded the motion. Motion carried.

Correspondence

1. Park County – Cody Labs Funding Support Request – The Commissioners will contact their Legislators directly regarding their support for the Cody Labs funding.
 2. Chamber of Commerce – Banquet/Centerpiece Sponsorship
 3. Library Board Minutes – January, 2014
 4. Hot Springs Conservation District – EPA Boundary Decision Comments
 5. Airport Operations Report – January, 2014
 6. Rocky Mountain Power – WYECIP Rebate – Fairgrounds Indoor Arena
 7. Governor's Office – Shoshone Forest Plan County Review/Comments
 8. NRPC Minutes – January, 2014
 9. Bureau of Reclamation – Snowmelt Forecast
- The Commissioners reviewed the foregoing correspondence. No further action was required or taken at this time.

Adjournment

There being no further business to come before the Board of County Commissioners at this time, Brad Basse moved to adjourn. Chairman Baker declared the meeting adjourned at 5:55 p.m.

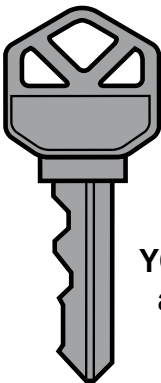
ATTEST:

Mike Baker, Chairman

Karen Slocum, Chief Deputy County Clerk

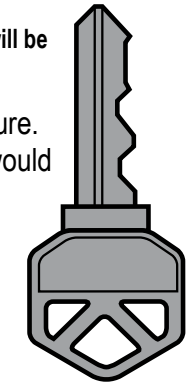
Pub. February 27, 2014

No. 7162



The Hot Springs County Recreation District will be **changing the locks** to the Armory Building in the near future. If you have a key to the building and would like to be able to keep your key,

YOU WILL HAVE TO BE PRESENT at our meeting on April 1st at 6:30 PM in the Armory Building.



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FOR INFORMATION OR APPOINTMENTS, CALL 1-800-870-2249

Hot Springs County School District No. 1 Board of Trustee meeting minutes are available on the district website at the following link:

<http://www.hotsprings1.org/board-of-education/minutes/2014-minutes>
or by going to **www.hotsprings1.org**

Click on Board of Education; Minutes; 2014 minutes. Copy of board minutes also available at HSC Library.