

Bentonite mine expansion authorized

by Lara Love

The Bureau of Land Management Worland Field Office has issued a decision authorizing the expansion of a bentonite mining project in Hot Springs County.

Wyo-Ben, Inc. plans to extend bentonite mining operations and concurrent reclamation of their 108T project located approximately 5 miles northwest of Thermopolis. The mine plan is a progression of the existing 108T project, extending onto adjacent public lands totaling 376 acres. The expected life of mine and concurrent reclamation is 15 years.

According to the BLM issued Finding of No

Significant Impact (FONSI) document, based upon review of the Environmental Assessment (EA) and supporting documents, it has been determined the project is not a major federal action and will not significantly affect the quality of human environment, individually or cumulatively with other actions in the general area. No environmental effects meet the definition of significance in context or intensity and do not exceed those effects described in the Bighorn Basin RMP/FEIS. Therefore, no environmental impact statement is necessary.

According to the decision record, in addition to design features already implemented

in the mine plan, temporal and spatial restrictions are emplaced. Regarding Sage Grouse, no new surface disturbance or overburden removal will occur between March 15-June 30 in areas within two miles of active leks. Other cultural/historic and visual resources stipulations are also included.

The FONSI and decision record are available at <http://bit.ly/2coIDc3>.

BLM officials and Wyo-Ben, Inc. representatives held a public meeting in Thermopolis on November 10 to discuss the project. Accord-

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Motion to dismiss TCT lawsuit denied

by Mark Dykes

According to an order filed Nov. 18, Ninth District Court Judge Norman E. Young denied a motion to dismiss in the case of Campbell vs. Tri-County Telephone Association. The motion to dismiss was filed by TCT March 1.

Joe and Barbara Campbell, representing themselves and similar persons, filed the original suit against the company on Dec. 28, 2015. Among the defendants are TCT CEO Chris Davidson, CFO Steve Harper, and former board members Dalin Winters, Clifford Alexander, J.O. Sutherland, Daniel Greet and John K. Johnson, along with Neil Schlenker, who was the purchaser of the member-owned cooperative TCT, and attorney Michael Rosenthal.

The suit stems from the Campbells' belief that more than 800 members of the TCT co-op were victims of fraud. Campbells live in the Hamilton Dome TCT prefix in Hot Springs County. According to the suit, Davidson, the CEO of TCT co-operative, and several former board members allegedly robbed owners in the co-op of the value of their ownership interests after the co-op was sold at the end of 2014.

The complaint alleges, among other violations: voting irregularities and violation of bylaws, fraud and breach of fiduciary duty by all defendants; fraud and misrepresentation by Davidson, Harper, Winter, Alexander, Greet, Johnson and Rosenthal; and civil conspiracy to defraud and deceive by Davidson, Winters, Schlenker, Big Horn Telecom, BHT Holdings, BHT Investmerns, BHT Merger, Alexander, Sutherland, Greet, Harper Johnson and Rosenthal.

However, Judge Young has signed an order dismissing the complaint against BHT, which states the plaintiffs failed to demonstrate the company had any involvement directly or indirectly with the allegations in the complaint.

Though the members of the TCT co-op whose interests were sold voted on the transaction — 79 percent in favor, with five percent opposed and the remaining 16 percent not voting — there is alleged misrepresentation, and concern co-op members were entitled to more than capital credits when the sale happened and should have had more information provided. There are allegations the defendants never appraised the assets of TCT prior to the sale.

The plaintiffs are seeking to have the lawsuit declared a class action, allowing other cooperative members to join.



Chilly morning rescue

Thermopolis volunteer firemen work to get a life jacket and rescue rope to an unidentified man, above, around 8 a.m. Wednesday, Dec. 7. For unknown reasons, he and his vehicle ended up in the Bighorn River at the Eighth Street bridge. Search and Rescue personnel, along with town crew members, assisted firemen in rescuing the man from his vehicle. Specialty Towing recovered the vehicle from the river.

photos by Lara Love and Cindy Glasson

Title 25 services discussed with county commissioners

by Cindy Glasson

The Hot Springs County Commissioners covered a wide variety of subjects during their meeting on Tuesday, from grizzily delisting to upcoming grants.

Emergency Management Director Bill Gordon told the commissioners the latest round of Homeland Security grants have been announced and the county has until April 1, 2017 to come up with a project or projects to apply for.

The monies will not actually be available until Sept. 1, 2017, but the county can apply for up to three grants during this allocation period.

Gordon suggested that radio replacement might be a good project to consider.

Not long ago, Gordon researched what the costs would be for replacing radios for emergency personnel, including the sheriff's office, fire and search and rescue. That total was in

the neighborhood of \$275,000.

While a single grant of that size is not probable, Gordon suggested each of the agencies could apply separately for the radios they need at a smaller cost, which would mean at least some of the equipment they need could be replaced.

The commissioners signed a grant application requesting repayment for the installation of the new fueling system at the airport at a cost of \$356,675.

The fueling system includes two above-ground 10,000 gallon tanks for Jet A fuel and Avgas, a self-service card reader, piping, truck off-load system and other miscellaneous items needed to meet Wyoming DEQ and State Fire Marshall rules and regulations.

The grant, if awarded, would be a 90/6/4 matching grant with the FAA share being \$300,000. There is a possibility that a big chunk of Hot

Springs County's share could be covered by the sale of the job trailer from the airport site.

The job trailer bid was awarded on Tuesday as well, going to Diamond Point Construction for a final price of \$15,000.

The Town of Kirby approached the commissioners last month, requesting a transfer of State Lands and Investment Board (SLIB) monies to the town for a storage tank supply line.

The commissioners approved the transfer this week of \$97,959. The Town of Kirby already had a match in place of \$61,236 to cover the replacement of a two-inch supply line for the town's storage tank, several valves and concrete storage vault.

The tank will no longer fill at an adequate rate due to changes in the pressure provided by the water supplier.

A letter on behalf of the county

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Council approves audit

by Mark Dykes

Tuesday evening, the Thermopolis Town Council approved the audit for the fiscal year ending June 30, 2016, presented by Michael Wright of Koerwitz, Michel, Wright and Associates.

Wright said the financial statements are in compliance, and there are no issues or adjustments. He further noted any material compliance issues must be tested, and any noncompliance must be reported. With regard to the town audit, there is no noncompliance to report.

In terms of deficiencies, Wright pointed out there is a lack of segregation of duties in the business office. However, also included in the audit report is a letter from Clerk/Treasurer Tracey Van Huele, in which she states it is not cost effective, due to the size of the town, to maintain adequate segregation of duties as desired by governmental accounting standards, though town administration has instituted checks and balances to try and mitigate problems associated with the lack of segregation.

Among the financial highlights included in the audit were the assets of the town exceeding its liabilities at June 30 by a net \$27,233,636. Of this amount \$6,105,827

may be used to meet the government's ongoing obligations to citizens and creditors.

Another highlight is on June 30, the Town's governmental funds reported total fund balances of \$8,246,087. Of this, \$6,471,198 — unassigned fund balances — may be used to meet the general government's spending requirements. The unassigned fund balance represents 241 percent of total General Fund expenditures.

During the year, the Town's total debt decreased by \$129,311. The Town paid down existing debt and did not issue any new debt.

In other action, a certificate of substantial completion regarding the million-gallon tank painting project was approved. Town Engineer Anthony Barnett noted the project was completed last Friday. A second pay estimate of \$114,703.15 on the project had been previously approved.

Barnett also reported the treated water project completed during the summer required a reconciliation change order to account for some deductions and a difference in materials actually used for the project.

Barnett further noted, with regard to an upcoming treated water project, a public

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