



# Town suit against county dismissed

A suit filed by the Town of Thermopolis against the Hot Springs County Commissioners has been dismissed by Wyoming's Fifth Judicial District Judge, John Fenn.

The suit revolved around the differences in interpretation of the statutes surrounding Title 25 patients, with regard to "who pays for what".

Title 25 refers to patients who are detained by law enforcement who may be a danger to themselves or others and are made to undergo involuntary psychiatric treatment (WY Stat 25-10-110).

Before the suit was even filed, the town had requested an interpretation of the stat-

ute from the State's Attorney General, but was told that was not possible. That left the town with no other option than to file the lawsuit in order to get a formal interpretation.

There was a small monetary issue included in the suit with the town requesting reimbursement from the county for police officer's time spent watching over the Title 25 patients at the hospital, along with costs incurred for transportation to a mental health facility outside the city limits, generally the Wyoming Behavioral Institute (WBI) in Casper.

Judge Fenn analyzed the statutes surrounding Title 25 and produced a summary judgement that gives a clear interpretation

for both the town and the county to work from.

According to the summary, "Title 25 does not require law enforcement officers to provide standby services or to transport the patient to another facility. Nor does the statute authorize a county attorney or hospital to 'order' law enforcement agencies to provide these services."

The town sees this as a success for them as Mayor Mike Mortimore said, "We don't have the manpower to sit on them for days."

Further, the summary says, "It would be inconsistent with the intent of the statute to

See Suit on page A7



photo by Cindy Glasson

## Fire destroys home

Thermopolis Volunteer Firemen responded to a house fire Sunday night on Black Mountain Road. The mobile home, with several additions, was 75 percent gone by the time firefighters arrived. Chief Mark Collins said suppression efforts were hindered by freezing temperatures and water hauling from a hydrant a few miles from the scene. Collins said nothing about the fire looked suspicious and insurance adjustors would be investigating later this week. One female from the home was treated at Hot Springs County Memorial Hospital for minor burns.

## Pipe bursts at counseling center

by Cindy Glasson

Monday morning did not start out well at Hot Springs County Counseling Center after a pipe burst some time over the weekend.

Hot Springs County Maintenance Supervisor, Chuck Carver, told the County Commissioners he received a phone call first thing Monday morning, letting him know there was a water issue and parts of the building were flooded.

When Carver arrived he found the source of the water, a burst pipe between the roof and the false ceiling in the southwest corner of the building.

After getting the water shut off, Carver found the carpet in most of the building had floated up and the seams were exposed. In addition, the water had filled the heating vents to the point water was actually being pushed through the vents into other rooms.

He got the furnace turned off and he and his crew began the task of extracting as much of the water as possible and called in Varney Clean Care to help.

Carver estimates there is a total loss of some of the sheet rock walls as they were saturated to the point the paint was bubbling

up, the bubbles filled with water. About half of the less than three-year old carpeting is also a total loss.

The building, which belongs to the county, is covered by insurance, and the furnishings and equipment are covered by a separate insurance policy held by the counseling center.

The two insurance companies will be getting together to determine the full extent of the damages, hopefully by the first part of next week.

In other business, the commissioners approved the purchase of land directly across the street from the hospital that includes a four-plex, storage units and a house.

Bill Williams and Margie Molitor approached the commissioners about the purchase, suggesting it would be a good place to have some apartment-style housing for traveling nurses or visiting residents in the future.

The commissioners approved the purchase for \$267,000. Williams and Molitor assured the commissioners the hospital already has the money set aside for the purchase, so it will not be costing the county any additional funding.

## Preliminary airplane accident report issued by NTSB

by Lara Love

The National Transportation Safety Board (NTSB) has issued a preliminary accident report detailing the circumstances of the crash of a two-person airplane in northern Wyoming on Dec. 7 that took the life of pilot Grant Belden of Thermopolis on his 34th birthday. Passenger Miles Hausner, of Worland, is reportedly in stable condition in a Billings, Mont. hospital.

Belden worked as a wildlife specialist with the USDA Animal and Plant Health Inspection Service (APHIS) since 2007. He graduated from Hot Springs County High School in 2001. He is survived by his wife and two young sons.

The NTSB report states "On December 7, 2016, about 1015 (10:15 a.m.) mountain standard time, a Cub Crafters PA18-150 airplane, N444GB, was substantially damaged when it impacted terrain while maneuvering 15 miles southwest of Basin, Wyoming. The commercial pilot was fatally injured and commercial-certificated crewmember was seriously injured. The airplane was owned by the Wyoming Wool Growers Association and operated by the United States Department of Agriculture (USDA) as a public use flight. Visual meteorological conditions prevailed and no Federal Aviation Administration (FAA) flight plan had been filed for the flight. The animal damage management flight departed Worland Municipal Airport (WRL), Worland, Wyoming, about 0800 (8 a.m.)."

On Dec. 7, the Big Horn County Sheriff's office released information regarding the search for a downed aircraft. Once the airplane was located, Hausner was flown to Billings for medical treatment, while Belden died at the scene of the crash.

The NTSB report goes on to say, "According to the USDA Animal and Plant Health Inspection Service (APHIS), Wildlife Services ground crew that supported the flight, the airplane arrived in the area around 0820 (8:20 a.m.) for animal damage management. The crew members were located west, north, and east of the area where the airplane was operating. Crew members had visual contact, voice communication, and/or audio contact (they could hear the airplane operating) until about 1000 (10 a.m.). About 1015 (10:15 a.m.), the ground crew attempted to contact the airplane to change the area of focus without a response from the airplane. The ground crew tried multiple locations and means to contact the plane without success. At 1100 (11:00 a.m.) the agency search and rescue plane was activated and about 1330 (1:30 p.m.) the airplane was located by aerial search and rescue teams.

"The wreckage was located within steep hilly terrain, just below the ridge line that extended from northeast to southwest, increasing in elevation to the south. The airplane wreckage included the fuselage, empennage, both wings, and the engine and propeller assembly. The airplane came to rest nearly vertical with the right

wing uphill and the left wing downhill. The propeller separated from the engine and was directly beneath the wreckage. Weather at WRL, located 28 miles southeast of the accident site was recorded at 0953 (9:53 a.m.) as wind 340 degrees at 8 knots, visibility 10 miles, sky condition 6,000 feet overcast, temperature minus 13 degrees Celsius (C), dewpoint temperature minus 18 degrees C, altimeter setting 30.57 inches of mercury. Weather at Yellowstone Regional Airport (COD), Cody, Wyoming, located 38 miles northwest of the accident site was recorded at 0953 (9:53 a.m.) as wind 350 degrees at 8 knots, visibility 10 miles, sky condition 6,500 feet overcast, temperature minus 13 degrees C, dewpoint temperature minus 19 degrees C, altimeter setting 30.35 inches of mercury."

The investigator in charge is Jennifer Rodi with NTSB. She was on-scene Dec. 8 when the airplane was transported to Colorado where the investigation will continue. The final report on the accident could take up to a year.

The full NTSB preliminary report is available online at <http://app.nts.gov/pdfgenerator/ReportGeneratorFile.ashx?EventID=20161207X91325&AKey=1&RType=Prelim&IType=FA>

A Go Fund Me account has been set up for the family to help with immediate expenses. To donate, visit [www.gofundme.com](http://www.gofundme.com).

See Report on page A7