

# Motions dismissed in TCT case

by Mark Dykes

When it comes to civil cases in the court system, the number of charges, replies and other filed motions filed can take a considerable amount of time to get through. Case in point, the lawsuit filed Dec. 28, 2015 by Joe and Barbara Campbell against the Tri-county Telephone Association, Inc. (TCT). The most recent filing came on Wednesday, July 19, as Chief United States District Judge Nancy Freudenthal signed an order denying the Campbells motion for disqualification of counsel.

The original complaint from the Campbells

claimed TCT board members, as well as the purchaser of TCT, robbed owners of the TCT co-operative of the value of their ownership after the co-op was sold.

In May 2017, TCT filed a complaint in U.S. Cheyenne District Court alleging Joe, a former TCT board member, maintained control of a company-issued laptop he was required to return. The complaint further alleges he took advantage of trade secrets on the laptop, shared information with others, caused fiduciary damage to TCT, and violated the Computer Fraud and Abuse Act.

The Campbells responded in June with a

motion to disqualify counsel and dismiss the case against them. In their motion to disqualify, they stated they obtained legal advice from Chris Edwards, who was in the law firm currently representing TCT. They further stated the TCT complaint never states what secrets are at issue and fails to show any action taken by the Campbells was taken as interstate commerce.

Further, they stated the TCT complaint doesn't invoke protection under the Defend Trade Secrets Act which became effective on

*See TCT on page 8*



photo by Mark Dykes

## Checking the scene

Law enforcement, along with fire and emergency personnel, respond to a fatal accident shortly after 5:30 p.m. Thursday afternoon about five miles west of town on Highway 120. The accident occurred when an eastbound vehicle, driven by fatality Michelle Jimerson, attempted to pass a semi and struck a westbound truck and trailer driven by Wyatt Agar. A juvenile in Agar's vehicle was transported to the hospital from the scene. According to information from Wyoming Highway Patrol, Jimerson was not wearing her seat belt, and the juvenile was not in a child restraint. The possibility that drugs or alcohol were in Jimerson's system at the time of the crash is under investigation. Agar is a member of the Wyoming State Senate representing District 20. The juvenile was transferred to a hospital in Billings and then Salt Lake City.

# Commissioners deal with damages

by Cindy Glasson

A couple of unexpected mishaps with the sheriff's department needed explained to the commissioners at their meeting last week, mishaps that will hopefully be covered by insurance.

A new truck purchased by the sheriff's office was recently hit while it was parked, culminating in over \$5,000 worth of damage. The commissioners gave the go-ahead to have the repairs done with any monies over the insurance amount to be covered out of the department's repair budget.

The second issue is a jet ski used by search and rescue.

During a recent rescue off the river the jet ski tossed its rider due to conditions and actually sank. Once it was retrieved from the water, it was determined repair costs would be between \$4,500 and \$5,000.

Search and rescue uses the jet ski several times a year for rescues and uses it

for practice maneuvers approximately six times per year. It was originally purchased using a Homeland Security grant in 2009.

The commissioners agreed it is a definite asset to the department and that it would make sense to try to get it fixed since there is no grant money available to purchase another one.

The department is going to look into possible help from the state's search and rescue as well as insurance coverage.

As of July 18, they have rescued 42 people from the river and would like to see warning signs posted to help people understand the dangers of floating right now with the height and swiftness of the water.

An architect out of Sheridan will be coming to Thermopolis to look over the condition of the multi-purpose building at the fairgrounds.

An inspection of the condition of the building, roofing and insulation should

tell them what happened with the installation of the roof and insulation inside the building that is essentially falling apart in places, causing a danger to animals and humans using the building.

After the architect does his inspection, they plan on talking with manufacturers to determine what the next move is, whether it was an installation issue or a faulty product issue.

Worst case scenario would be pulling the whole roof, but they are hopeful it can just be a repair solution rather than a complete tear off.

The architect's part of the plan should be completed by the end of Aug. with the work going out to bid, one way or another, by the end of Sept. Unfortunately, that will be pushing the envelope on construction time since it would be pretty close to time for the snow to fly.

If that is the situation, repairs may have to wait until spring.

## State park surveys ask about fees

by Mark Dykes

Wyoming State Park, Historic Sites and Trails recently released their 2017 survey, which is available at the Hot Springs State Park Bath House. The survey asks whether people would be willing to support an increase in the entrance fee at the park. Currently, there is no entrance fee.

Park Superintendent Kevin Skates said there are surveys every other year which ask people about the amenities in the park, and what they do or don't like about it. This is the first time he's seen the survey about the fees, and further added they have to have so many filled out, so they receive bundles of the surveys for June, July and August.

Surveys are also sent out for the Legend Rock petroglyph site. All visitors to the bath house, whether they be local or from out of town, are asked to fill out a survey. It states, "State Parks and Historic Sites have not raised the fees since 2008. Inflation and increasing costs continue to reduce their budget making it difficult to maintain facilities and implement improvements."

It further notes that 100 percent of fees collected "go directly to operating and making improvements," and asks if people would be willing to support increases in entrance and camping fees — one-time and annual — and to what amount.

The final question is the key one for Hot Springs State Park, Skates said, as it asks whether people would be willing to pay entrance fees at non-fee sites.

Skates said there was talk of charging an entrance fee about 15 years back, and people were not happy. The park will currently remain a non-fee site, and Skates said Wyoming State Parks, Historic Sites and Trails will likely have information next spring as to whether that will change.

Another aspect to consider is the 1896 treaty signed with the Shoshone and Arapaho tribes, under which a portion of the hot spring water would remain free to the public. That portion is the free-to-use bath house. If people were to pay to get into the park, it could be seen as they are having to pay for that water.

Skates did not have information as to how the entrance fees would be handled, considering the number of people who have to drive through it as part of their regular routes, or how the fee would affect the treaty.

# Doing all we can to prepare for the eclipse

by Cindy Glasson

Emergency Management Coordinator Bill Gordon began Monday night's final public meeting before the eclipse by saying we're pretty much going to be outnumbered.

"A whole lot of people from around the planet want to see this," he said. "We're probably going to be outnumbered, but the hospital, police and fire have done everything they can to be prepared."

Gordon went on to let folks know the ins and outs of allowing people to camp or use their

property short term.

If you have rented out your home, backyard, driveway or even your field for visitors, you, as the property owner are responsible for those guests. For instance, if someone staying on your property were to start a fire and it spread outside your property line, you would be responsible. The same would apply if they were to damage something, you would be responsible.

Gordon suggested people should check their homeowners policies, a suggestion Meri Ann Rush, Chamber Director

reiterated.

Rush also suggested letting your visitors know what your expectations are about alcohol use on your property and that drugs are not allowed. Educating your visitors about rattlesnakes is also a good idea. Let them know they don't have to kill them, just walk away.

In addition, let them know they cannot, by DEQ regulations, dump their black water tanks or septic on the ground, but have to use one of the dump sites available, either at Exxon Southside or the town's dump