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TePee Pools issue heats up during rally

Simpson answers questions about future of state park

by Joe Sovo

More than 200 people gathered at the Hot Springs State Park pavilion Saturday morning for what was billed as the Save the TePee Rally. The event was organized by the Save the TePee Pools group that has a presence with a Facebook page. It was billed as an opportunity to voice your opinions and state your concerns regarding the status of TePee Pools.

State of Wyoming officials were invited to attend the gathering, including Gov. Matt Mead and Milward Simpson, director of the State Parks and Cultural Resources division of State Parks, Historic Sites and Trails. They attended the event, as well as State Parks and Historic Sites administrator Domenic Bravo, Eastern Shoshone Tribal Elder Starr Weed, Sr., accompanied by grandson Wade LeBeau, was among the speakers at the gathering. Rep. Nathan Winters (R-HD28) and Sen. Gerald Geis (R-SD20) were also in attendance.

TePee Pools, Inc. was informed in a letter dated March 7 that its 35-year lease – which was initiated in July 2012 – had been terminated and the owners were given 60 days to cease and desist, with the requirement to remove all personal property from the leased land in Hot Springs State Park.

After input from community members, Simpson and principals of TePee Pools discussed the situation and an extension to the closure was granted – allowing the facility to remain open through the summer.

Simpson's office sent out a press release the middle of last week saying that "in cooperation with the TePee Pools, the Wyoming Division of State Parks, Historic Sites and Trails has decided to exercise the discretion provided in the termination clause of the TePee Pools lease to allow the facility to operate for an additional six months or through Oct. 31. During that time, State Parks and Cultural Resources personnel will work with TePee Pools to accomplish their mutual objective to create a master plan that results in a first-class facility reflecting current industry standards." The release stated, "The ultimate goal of State Parks is for Hot Springs State Park to



State Parks and Cultural Resources Director Milward Simpson and Eastern Shoshone Tribal Elder Starr Weed, Sr. spoke to the audience during Saturday's TePee Pools meeting.



reach its economic potential as a first-class tourism destination."

The March 7 letter said TePee Pools "was unable to submit an acceptable master plan prior to the one-year deadline provided in the lease signed by TePee Pools in 2012."

According to TePee Pools advocates, a list of 25 questions that would be asked at Saturday's event was sent to Simpson's office. The governor also had knowledge of the content. They both agreed to attend the rally.

Mead, who was unable to attend the entire event due to another commitment in Sweetwater County on Saturday afternoon, addressed the people in attendance. He said State Parks began working on a new lease for TePee Pools, Inc. in 2009 – after their lease had ended in 2007. Mead spoke about the Lambert report, which indicated what was needed.

The governor spoke highly of Hot Springs State Park. "We have a jewel, not just for this community, but for this state," Mead said, adding that a master plan was needed. According to the State Parks office, the focus is on a master plan for Boysen State Park this year and Hot Springs State Park is on the

list for 2015.

"We want to meet the standards and trends of the industry," Mead said. "We have to come up with a master plan on how to address this... We want public participation on what it (the TePee site) should look like."

Simpson was next to speak and indicated his family has ties to Thermopolis. His grandfather was involved in the first state lease in Hot Springs State Park. He spoke about preserving natural resources while allowing access to such state parks.

"Our objective is to accomplish a first-class facility. I know that there are a lot of patterns of concern you have," Simpson said.

The 97-year-old Weed, a World War II veteran representing the Eastern Shoshone Tribe, spoke of the time before Hot Springs became a state park via the 1896 treaty. He gets medicinal use from the hot mineral waters. "I come every year and bring that gift to you – the gift of the waters," Weed said. "I sing to the Great Spirit, I'm giving you thanks."

He encouraged the parties to "work together" in maintaining the integrity of the hot springs. Local businessman Ernest Cummings was very

vocal after Weed spoke, saying he was "seeking transparency and truthful answers" about our state parks. He told the crowd that there was secrecy pertaining to state government and that "no one knows the truth" about the state parks issues. "This is my state park and the people of Wyoming!" Cummings said. "We want government of the people, by the people and for the people... We want transparency and truth."

Although there were 25 questions prepared to be asked at the gathering, only about one-fifth of them became a question-and-answer. Some questions were asked, but a number of attendees stated some facts and their opinions pertaining to the issue.

In his dissertation, Eastern Shoshone Spiritual Leader Bennie LeBeau asked for a "harmonious environment" in and around the hot springs. "Peace is extremely important and the treaty. We'll work to preserve that," responded Simpson.

Simpson was asked about the conceptual drawing that was released by the State Parks office depicting the Hot Springs Splash Park. He said it was just a "conversation starter," to provide an idea of what a new facility would look like.

Vocal members of the audience wanted Simpson to guarantee that the local community would have input on Hot Springs State Park improvements during the six-month extension. He said he would be in Thermopolis at least once a month during that period to meet with citizens to accept input and share the plans.

Discussion turned, at times, to the Rainbow Terraces issue, in terms of the amount of water coming out of the Big Spring. Dick Dickeson said, "A little backwork will bring back the terraces." At this time, state engineers are currently working with a contractor on raising the volume of water in the cooling ponds.

Local businesswoman Angie Guyon spoke late in the rally from the audience and criticized TePee Pools for failing to meet the terms of its lease by making improvements requested by State Parks. "You turned this community into a war," she said. "We are in agreement that something needs to be done."

In a press release, TePee Pools, Inc. thanked everyone for the support of the business. "We have reached an agreement with the State of Wyoming to continue our conversation in regards to the future structured development of the TePee Pools in Hot Springs State Park... We look forward to continuing business and growing the community."

Thermopolis 3-on-3 Basketball Tourney this weekend

by Cindy Glasson

The Thermopolis-Hot Springs Chamber of Commerce, volunteers and the community are gearing up for the annual 3-on-3 Basketball Tournament to be played on the streets of downtown this Saturday and Sunday. Chamber Executive Director Meri Ann Rush said she's really encouraged about the event this year.

"We have more vendors than last year," she said, "and we have more sponsorships this year, too. It's great that people are behind the event and showing their support."

Rush said there are a total of 12 vendors that will be offering food, drinks

and other amenities, and 25 sponsors who have stepped up to help.

Setup Friday morning

As usual, the setup for the event will begin downtown on Friday around 8 a.m., but Rush wants residents to know that even though there will be barrels set out at various locations, all the downtown businesses will be open and folks can still park in front of the businesses.

"Please keep in mind there will be workers downtown setting up on Friday," Rush said. "The barrels are there for their safety while they're putting up the baskets and marking

the courts."

Shutdown of the streets will not take place until 5 p.m. Friday evening and will reopen around 8 p.m. Sunday.

Teams will be doing their official check-in at the old firehall downtown, next door to Town Hall on Broadway, from 4 to 8 p.m. Friday.

"We're holding as many of the activities downtown as we can," Rush said. "That way, if the businesses and restaurants want to remain open, there will be visitors down there to shop."

More volunteers needed

The chamber is still looking for volunteers, too.

"You don't have to spend the whole day," Rush said. "We're scheduling volunteers in blocks of time, like four-hour blocks, so if you just have a few hours one of the days, we would welcome all the help we can get."

Play will get underway Saturday at 9 a.m. after the kids from Little Tykes Kids Care lead the Pledge of Allegiance at 8:45 a.m. and Mayor Bill Malloy presents a "key to the city" to HoopsWorld.

For now, even though the rest of this week has been a bit chilly and a bit wet, the weatherman is calling for partly cloudy skies and temperatures in the low 60s for Saturday and Sunday.



Bentleys awarded \$25,000 settlement at conclusion of horse-shooting trial

Sheriff Falgoust says 'animal killing policy' to be updated

by Drew Foster

A jury last week in Casper awarded a local couple \$25,000 for constitutional violations surrounding the killing of their horse by a Hot Springs County Sheriff's Office undersheriff in August 2010.

Plaintiffs Chris and Larry Bentley sought damages for violations of their Fourth and 14th amendment rights under the U.S. Constitution. The trial began Tuesday in Casper's U.S. District Court, and the jury reached a verdict Friday afternoon following about three hours of deliberation. U.S. District Judge Scott Skavdahl presided over the eight-person jury trial.

Sheriff Lou Falgoust acted in his official capacity as the defendant.

The trial revolved around the sheriff's office's "animal killing policy" in relation to actions taken by former Undersheriff Dave Larson on Aug. 10, 2010, when Larson was called to West Mud Creek Road and found what he believed to be an abandoned horse in poor condition. According to court documents, Larson shot the horse after a local veterinarian, Katrin Kolder, arrived on scene

and concluded the horse would not survive long on its own.

But the horse belonged to the Bentleys, who claimed in their lawsuit that Larson never attempted to find the horse's owner before dispatching it with his service weapon on a road that ran through their property.

"Undersheriff Larson testified that all of his actions were taken based on how he had personally seen Sheriff Falgoust handle a similar situation, and that he did not believe it was necessary to contact the owner of the horse or the brand inspector prior to killing it," a court document stated.

Larry Bentley said he was satisfied with the jury's decision.

"We feel it's a win for all the livestock producers in the state," Larry Bentley said Monday. "The big issue was that we wanted (the sheriff's office) to admit that the sheriff's policy was wrong."

Casper attorney John Robinson, who along with Kyle Ridgeway represented the Bentleys, said the trial's conclusion should

prompt the sheriff's office to review and rework its animal killing policy – something he believes will take place.

"It's a significant case," Robinson said. Ridgeway had asked the jury to award the Bentleys \$50,000.

"It's hard to put a value on peace of mind – being a property owner and knowing that you're secure," Robinson said.

Robinson added: "I echo what Larry said. I think it's a great win for ranchers throughout Wyoming."

Falgoust said on Monday that a memorandum was circulating the sheriff's office with updated directives to the office's policy. He said he would adopt and implement an updated policy.

"What we'll do now, as a result of a civil lawsuit – we're going to make an addendum to our policy," Falgoust said.

The sheriff added: "There's no possible way to make a policy that's going to cover everything in every possible circumstance."

Larson settled a portion of the lawsuit in April 2013 for \$2,700 plus the plaintiff's attorney fees and recoverable court costs.

“We feel it's a win for all livestock producers in the state.”

Larry Bentley

Prom King and Queen



Jonah Cook and Shayna Cox were crowned Hot Springs County High School Prom king and queen at the coronation Saturday at the auditorium. – Joe Sovo photo