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Thermopolis
Hot Springs

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Town deer ordinance

by J.D. Stetson

A proposed ordinance to ban feeding of deer and other wildlife contact passed its second reading Tuesday at the Thermopolis Town Council meeting.

Four council members approved the measure and one voted against it as debate swallowed the council chamber in support and against the issue.

Council member Dick Hall was the lone dissenting vote. Hall also was the only council member against the ordinance at the first reading Aug. 16 and the vote was not unanimous as previously reported.

Hall summed up his reasons for being against the ordinance in three main points, which he made in a phone call after the meeting:

■ It goes against his principle to care for wounded or sick animals.

■ He thinks a new set of deer would replace the first round of deer as soon as the town or the Wyoming Game and Fish Department initiates a plan to remove the deer.

■ He doesn't think the council should be making laws that could affect everyday human conduct, which he sees as a trend in recent meetings.

In the past, and at the most

recent meeting, mayor Bill Malloy has said in most communities where a survey or vote has been cast in regard to the deer issue, 80 to 90 percent of the people say to leave the deer alone. Hall takes issue with passing a law he thinks 80 percent of the community might be offenders.

During the meeting, community member Dave Huber asked the council to consider putting the issue to a vote, or referendum, to see what the majority of people think is the best course of action.

"I'd rather see deer 12 months out of the year than a flower three to four months," Huber said.

Malloy countered Huber's question in an interview after the meeting. The council and the community have debated the issue ever since he took office and it is a recurring problem he feels needs to be addressed and a decision must be made.

Also, other communities in Wyoming, such as Buffalo, which has enacted a similar ordinance, have said they think the ordinance has helped with their own deer problem, Malloy said.

"We need to be doing everything that we can to help the situation," Malloy said.

Malloy has repeatedly said the council must pass the ordinance

in order for the Game and Fish Department to come into the community and take action against unruly or dangerous game animals — perhaps by allowing more bow hunting permits closer to town.

Malloy doesn't know exactly what the department may do to address the issue, but community member and former mayor Steve Shay thinks he's heading in the right direction to begin the process to develop a game management plan within the city limits.

"We need pressure on the deer," Shay said. "I'd like to see control and a long-term plan to see if we can impose population control."

He said 30 years ago there were only a few deer in town, but now they "are not so cute anymore."

Shay was followed by John Zupan, who added his worry of dangerous predators such as mountain lions making their way into town to feed on the deer.

Community resident Al Walker also voiced to the council his thoughts on the issue and his belief an ordinance will not stop or reduce the number of deer within town.

The council will vote on the third and final reading of the ordinance at 7 p.m. Sept. 21 during its regular meeting.

Playing on new equipment



The Children's Resource Center will serve root beer floats from 4 to 6 p.m. Tuesday while visitors check out the new playground next to the vocational building. Above, Aiden Nicodemus and Paris Strumfa have fun on the equipment. — Joe Sovo photo

Commissioners vote on Pearce land use change

by Cindy Glasson

Approximately 20 people were on hand at the continued public hearing held by the Hot Springs County Commissioners Tuesday regarding a land use change request by Lisa and Russ Pearce.

The request is for 20 acres of the Pearce property they wish to make industrial in order to open a small gravel pit. McGarvin-Moberly Construction will be using the gravel for a paving project on Black Mountain Road.

The land use change had been passed to the commissioners in July after the Land Use Planning Board recommended a "do pass" on the request. Very little input had been given by the surrounding neighbors until the public hearing with the commissioners on July 17, which several landowners attended.

Concerns were raised at the hearing about proper notification of adjacent landowners about the proposed gravel pit as well as dust issues, traffic issues, the possibility of damage to a natural spring that feeds into one of the properties, and whether or not there were pioneer gravesites in the area.

After hearing from the landowners, the commissioners agreed to extend the public hearing to allow more information to be gathered.

Gravesite information

At Tuesday's meeting, county planner Lee Campbell said he had gathered additional information on the possibility of gravesites, including a map from 1892 that shows Andersonville and old town

Thermopolis in the area in question.

With that information and what he has gathered from local historian Dorothy Milek, Campbell felt it would be appropriate to have an archaeologist on site when digging commences.

"From a private property point of view," Campbell said, "everything belongs to the property owner. The exception to that would be an area where a cemetery was actually platted."

According to Milek's research, there were apparently 10 burials in the area, three of which have been moved previously. She had information on each of the burials along with the names of the pioneers.

Thermopolis resident Lester Nielsen toured the area with Campbell recently and said he had personal knowledge of at least one other family buried in the area. "I want to be sure there's a qualified person out there in case anything is found," Nielsen said.

Representing one of the landowners, Jean Cotton, attorney Mary Shively asked that the land use change request be stopped immediately and sent back down to the planning board to start over.

Shively said her client had not received proper notification from Campbell regarding the land use change.

In the previous hearing, Campbell had indicated Cotton had not been notified because her property was across the railroad tracks from the Pearce property, not immediately adjoining it.

Citing State Supreme Court documents, Shively said property "cannot be separated by something of the same kind," meaning a small strip of land in between two pieces of land does not constitute separation, therefore, her client should have been notified. In addition, Shively said state statutes say a road or railroad does not separate two pieces of property either.

"They are separate, but contiguous," she said.

Shively also gathered additional information on the spring that feeds the Cotton property. "I wanted to do the research," she said, "but I really haven't come up with an answer."

After speaking with several people, including a geologist, a plumber and the owner of another gravel pit in the area, Shively said the answer was split down the middle, some saying the water is from a spring, others saying it is a well.

County attorney Jerry Williams asked Shively if there was any evidence, other than what she had at the moment, that she could bring to the planning board. "I think there is a lot more information that could be gathered," she said.

Water study issue

Other landowners expressed a need for a water study in the area, saying there are springs on their property that could also be affected if removing the gravel somehow contaminated the water.

Ernie Stratterberg with McGarvin-Moberly said he completely understood the neighbor's concerns, but said his company is committed to mitigating

all of those concerns.

"I've been in this business 25 years and I've never seen a water table contaminated or degraded because of gravel mining," he said.

He also told the commissioners there was no way to tell where the water table would be from one property to the other as the depth of the gravel could be shallow in one area and deeper in another.

He assured those gathered that this would be a one-time use pit and that it would be reclaimed as soon as the project was over.

As for the possible gravesites, Stratterberg said he has worked on projects before that required an archaeologist on site.

"It is paramount to us to protect anything like that," he said.

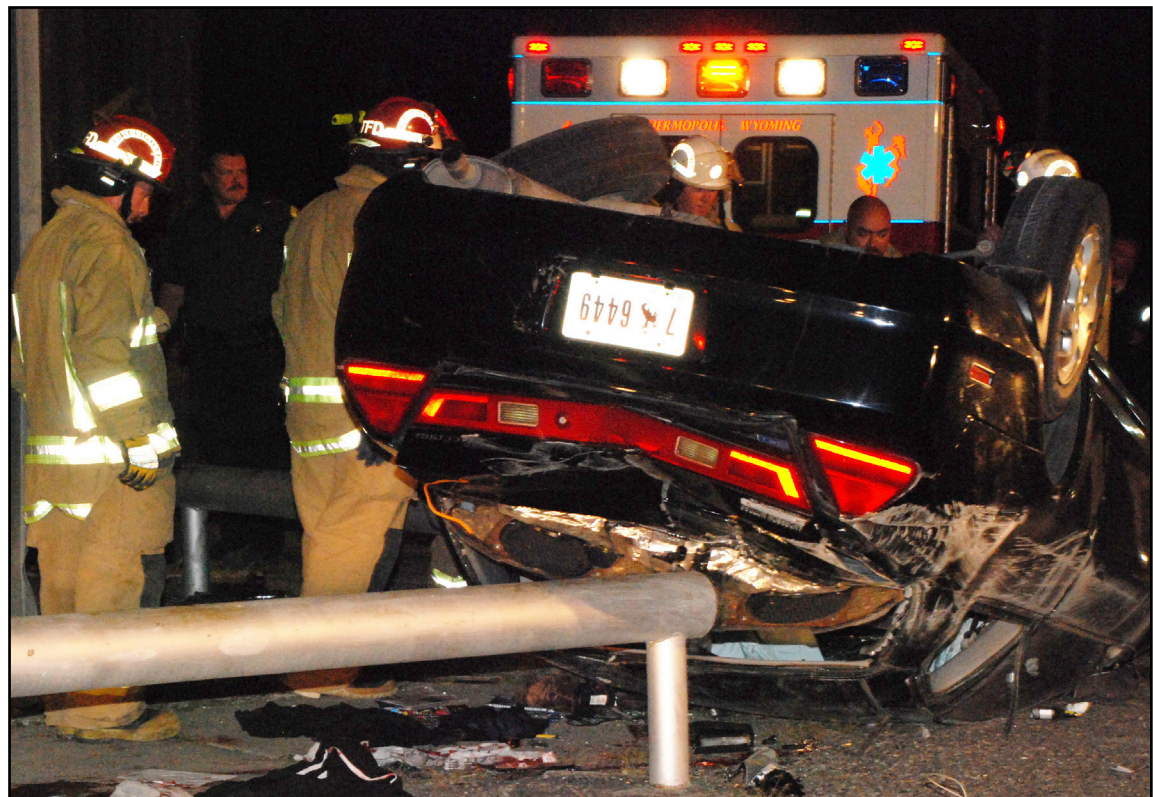
After commission chair John Lumley closed the public hearing, commissioner Mike Baker moved to remand the case back to the Land Use Planning Board for proper notice.

Commissioner Brad Basse seconded the motion for "sake of discussion."

"The chair has concern that notice wasn't given to all the adjoining landowners," Lumley said. "I think there are a couple of things that need to be looked at."

After call for the vote, Baker voted to send it back to the planning board and Basse voted against. Lumley broke the tie, sending the issue back to the planning board with the suggestion the board "fast track" the issue.

Car flips, just misses Eagles Club



Two Torrington men survived a crash into the Eagles Club parking lot just after midnight Sept. 1. After failing to negotiate the curve on Sixth Street, the vehicle demolished a stop sign and street sign and sheared off a blinking amber light before flipping, coming to a rest on the iron rail in front of the club. —Cindy Glasson photo

Second annual Fall Festival Saturday is packed with fun

by Cindy Glasson

The second annual Fall Festival kicks off at 1 p.m. Saturday on the lawn west of Gottsche Rehabilitation and Wellness Center.

Sponsored by Gottsche, the Thermopolis Hot Springs Chamber of Commerce and Hot Springs County Memorial Hospital, this year's festival promises to be even better than last year's event.

The festival runs three hours longer this year, running until 9 p.m., rain or shine.

Featured will be more than 10 local musicians as well as artists

from Ten Sleep and Meeteetse. Headlining the musical talent will be the Stanleytones from Boulder, Colo..

The scarecrow auction brought a lot of attention last year, and coordinator Kevin Gerber said this year will be even better.

The winner of the scarecrow auction will have the opportunity to choose which non-profit entity will receive the money from the winning bid. Some items will go during a silent auction while others will be sold by live auction.

A variety of food vendors will

be on hand to satisfy just about anyone's taste buds, including kettle corn, pizza, smoothies, barbecue, pastries and other assorted baked goods.

If you're in a buying mood you'll find jewelry, cosmetics, candles and etched glass and other pieces of art.

There will be plenty to keep the kids entertained with giant inflatables and hands-on art projects. Face painting and carnival games will also be featured along with a climbing wall brought in by the National Guard.

Buy your tickets now for Dino Gala

The Wyoming Dinosaur Center will host its third annual Dining with Dinosaurs Gala on Saturday, Oct. 9 at the Thermopolis facility.

A social with a cash bar begins at 5:30 p.m. and the prime rib dinner is served at 7 p.m.

There will be silent and live auctions during the evening. There will also be a fundraising raffle.

The Lloyd Sheets group from Cody will provide live music. Guest speakers will be featured. They

will be announced later this month.

Cost is \$50 per person or \$90 per couple. The attire is casual.

Only 180 seats are available for the gala so purchasing tickets early is advised. For tickets, call Angie Guyon at the Wyoming Dinosaur Center, 864-2997, ext. 229, or email wdinoc@wyodino.org.

Proceeds from the gala will benefit the Big Horn Basin Geological & Research Foundation.