

Leadership Hot Springs County class underway

3

Cats take big win over Herders into Homecoming

6

Celebrating Hunting and Fishing Day

8-9

Whitt, Mead Homecoming king and queen

18

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Council passes deer ordinance by 3-1 vote

by J.D. Stetson

Town elected officials voted for a final time Tuesday night to enact an ordinance to ban feeding deer or to have contact with wild animals within the town limits.

As with the prior two readings, councilman Dick Hall was the one dissenting vote.

Hall reiterated the three reasons he opposes the legislation during the meeting.

First, it's his belief the town shouldn't pass a law in which he thinks 80 percent of the public may be offenders. In a prior interview, Hall quoted mayor Bill Malloy's prior comments regarding 90 percent of the people would be in support of leaving the deer alone if there were a complete survey of the town's residents, and under his line of reasoning 80 to 90 percent of the public could be offenders of the law.

Second is his belief there will be more deer come to town to replace any deer taken out by the ramifications of the law.

Third was the town telling him what to do on his private property. Hall also mentioned during a prior interview his right to help a wounded or sick animal.

"It may go down as the dumbest piece of legislation this town has ever done," Hall said after the meeting.

The other council members disagreed.

"I'm glad it's on the books," said councilman Tom Linnan. "Now we can get some cooperation from the (Wyoming) Game and Fish."

"I think we did the right thing based on what we were told by the Game and Fish," Malloy said.

See Deer on page 10

Broadway Street finally drivable

by J.D. Stetson

Since Thursday, people may have noticed the lack of orange pylons blocking Broadway Street between Fifth Street and the railroad tracks.

The project has shut down all or part of the roadway since late June as new waterlines were installed on both sides of the road.

Contractor WaR Inc. finished paving most of the road Thursday, but they still didn't make a contractually obligated deadline for finishing the work on the \$321,000 Broadway Street Water Line project.

Town Engineer Heath Overfield of Engineering Associates reported to the Thermopolis Town Council Tuesday night he deemed the project "substantially complete," or usable, Tuesday, which is four business days after an extended deadline of Sept. 15 for the project to reach the status under the contract.

At the previous meeting Sept. 7, the council extended the deadline 14 days due to added work, weather during the summer and the High School Reunion weekend, which shut down work on the project.

During the meeting, the council was presented with a letter from the contractor stating the

See Broadway on page 10

Jell-O slip n' slide



Junior Taylor Schwalbe hits the grass covered in purple gelatin after a ride on the Jell-O slip-n-slide, one of the Homecoming Week activities. The top-ranked Bobcats will take on Moorcroft in football action at 7 p.m. Friday. — Cindy Glasson photo

Land use change debate

by Cindy Glasson

The Hot Springs County Planning Board devoted its Sept. 15 meeting to discussion on the Pearce land use change.

The county commissioners sent the request for the land use change back down to the planning board after their public meeting on the matter Sept. 7.

In question is whether all the surrounding landowners were properly notified according to the county's land use plan, water issues and the possibility of pioneer gravesites in the area. Russ and Lisa Pearce would like to use for a 10-acre gravel pit.

Jean Cotton, a neighbor whose land is located across the railroad tracks from the Pearce property was not notified of the public hearing on the proposed land use change by certified mail, and her attorney, Mary Scheible, requested the commissioners return the application to the planning board.

Scheible was in attendance at the Sept. 15 meeting to again voice concerns about perceived damage to the natural spring on the Cotton property should the gravel pit be allowed in the area.

The spring in question is across the railroad tracks and quite a ways from the Pearce property.

According to Scheible, the spring is in the process of being adjudicated by the State.

There is no apparent record of the spring being adjudicated before, so an application must be filed with the state engineer's office.

Once approved by the state engineer, the property owner usually has one year to begin any improvements on the site, then an additional period of time, generally five years, to complete the improvements.

At that time, beneficial use must be established and a certificate of appropriation issued by the state board of control. That step gener-

ally takes about three months.

Planning board vice-chairman, Tom Anderson, said wells and springs should always be adjudicated and monitored to determine the gallons per minute rate.

"If a well or a spring isn't monitored," Anderson said, "how can you know if it's being affected by rains or drought or anything else?"

Second water source

The second water source in the area is an irrigation pipe that runs across the Pearce property and is alleged to have been used at one time to irrigate the Cotton property.

County planner Lee Campbell said no one is really sure exactly where the pipe is or how long it has been since it was last used.

"I've found no record of it," Campbell said. "It's something

See Pearce on page 10

County to fight tax repayment

by Cindy Glasson

County Clerk Hans Odde intends to join other county clerks across the state in fighting the State's intention to recoup a 15-year-old severance tax distribution overpayment.

A letter from State Treasurer Joseph Meyer indicates the state originally thought the \$3.65 million overpayment was a "timing" issue and allowed the amount to stay on the books. The overpayment should have been re-collected in September 1995.

A change in accounting practices by the State revealed the overpayment and Meyer asked the legislature for a revision in the general fund rather than seeking repayment in 2008.

The State Appropriations Committee rejected the idea, saying the liability and overpayment should be the responsibility of municipalities and counties.

Spreadsheets indicating different payback options were sent to the Wyoming Association of Municipalities (WAM) and the Wyoming County Commissioners Association (WCCA).

The options included spreading the payments out between four and 16 quarters, so final repayment was complete by June 30, 2014.

Meyer's letter said he had previously "conveyed to the executive directors of WAM and WCCA that repayment was to begin in fiscal year 2011 with the September 2010 quarterly distribution, I am willing to allow repayment to begin in future fiscal years so long as repayment is complete no later

than June 30, 2014."

The letter also states Myer would like to see any entity owing less than \$15,000 make their repayment within one year, or four quarters.

Prefer deleting repayment

While the state treasurer and auditor's offices have the ability to simply withhold the funds from current payments, the county clerks, WAM and WCCA intend to fight repayment until at least after the legislative session.

They would prefer the State delete the repayment altogether.

Meyer's office has asked all entities to contact his office before Sept. 15 to make repayment arrangements. If his office is not contacted, payments will automatically be taken from distributions beginning next quarter.

At the Sept. 7 county commissioners meeting, the group agreed to send a letter to the treasurer's office informing them they would like to start payments at the latest possible date.

The commissioners feel this will give them time to discuss the issue with other county commissioners at the upcoming Wyoming Association of County Officials (WACO) meeting to determine what direction they and others in the state should proceed.

The total repayment for Hot Springs County amounts to \$7,833.95. The Town of Thermopolis will have to return \$17,130.50, with East Thermopolis owing \$1,479.75 and the Town of Kirby repaying \$307.83.



Jim and Terry Wilson own the V Ranch, located along Kirby Creek northeast of Thermopolis. The Wilsons have received a Landowner of the Year award from the Wyoming Game and Fish Department. — Photo courtesy of Wyoming Game and Fish

V Ranch Landowner of the Year

Jim and Terry Wilson of the V Ranch have been selected to receive the Wyoming Game and Fish Department's Cody region Landowner of the Year award. The Wilsons reside on the V Ranch, northeast of Thermopolis along Kirby Creek.

"Their land stewardship efforts, passion for wildlife, willingness to accommodate hunters and their conservation accomplishments make them a worthy selection for the award," said Brian Nesvik, wildlife supervisor in Cody. "The Wilson's philosophy on ranching is to manage for sustainability, not just for cattle but for the resource as a whole."

The V Ranch has nearly 200 acres of riparian area along Kirby Creek enrolled in the Conservation Reserve Program and the Wilsons have planted over 500 willow cuttings to help stabilize bank erosion and reduce silt runoff. They are very active with weed management control and have worked closely with Hot Springs County Weed and Pest to control and remove all Russian olive and salt cedar along Kirby Creek and

its side drainages.

Two reservoirs were constructed to capture runoff to help heal head-cutting and they have installed nearly 40,000 feet of livestock water pipeline, along with 10 watering tanks to facilitate improved distribution of cattle on their ranch. Their livestock grazing strategies are designed with wildlife in mind, which reflects on the diversity of wildlife species that inhabit the ranch.

The Wilsons are very active in the Kirby Creek Coordinated Resource Management (CRM) and they, along with their neighbors, have been major catalysts in maintaining the momentum of the various Kirby Creek CRM habitat improvement projects that include, stream restoration, beaver reintroduction, reservoir construction, water pipelines, prescribed burning, sagebrush management and grazing improvements.

In 2009, the V Ranch enrolled 6,000 deeded acres in Kirby Creek Hunter Management Area (HMA) as part of the Department's Access Yes program. They also en-

rolled 5,375 deeded acres in the Copper Mountain HMA, which totals over 45,000 acres. The Wilsons strongly support the use of hunting as a wildlife management tool.

Jim Wilson has served as past president of the Wyoming Livestock Board, president of the American Salers' Association, serves as the Area 5 vice-president for the Wyoming Stock Growers Association and is a sought-after livestock judge.

Both Jim and Terry have each served on the Hot Springs County School Board and Terry currently serves as a supervisor for the Hot Springs County Conservation District.

Each year, the Wyoming Game and Fish Department presents its Landowners of the Year awards, recognizing Wyoming landowners in each region who have demonstrated a commitment to wildlife management, habitat improvement and conservation practices. The landowners were honored at a banquet on Sept. 9 in Casper as part of the 2010 Wyoming Hunting & Fishing Heritage Expo.