

CHEYENNE HERALD

November 17, 2009 -- Issue No. 182 -- Next issue December 1, 2009 -- established January 30, 2002

the local advocacy journal

Failed cell phone ban petition drive

(More on page 11)

A noble effort.

But, a badly chosen ordinance.

And ineligible signers did the petition drive volunteers no service by signing the petition when they would not be verified as a registered voter in the City.

It would be naive to believe that all residents understand the voter registration process. And, while a high percentage of "registered voters" cast a vote in presidential elections - even when they do not know much or anything about a candidate - many do not. And lose registration.

From many conversations and much input from readers of the Cheyenne Herald, the cell phone ban is an ordinance that would have survived a challenge at the polls. That is why it was a badly chosen one to contest.

Organization is critical to a petition drive. And the cell phone ban was kicked around by the governing body for a long time.

An impulsive decision to challenge an ordinance via a petition drive is more likely than not to be unsuccessful. Had those opposed to such a ban started to organize volunteers early in the process, it would have been much more doable. They would have hit the ground running.

In spite of only three people gathering signatures, they did remarkably well. And, had they not been hassled about their standing in front of the County Complex, they would have done still better.

But, to have over a thousand signers be either nonregistered voters or live outside the city limits when this was a City ordinance was unfair and time-wasteful to the petition volunteers. Petition drives are very uncommon but people should know if they live in unincorporated Laramie County, not in Cheyenne.

Had the petition drive had more preparation, organizers may have reached the same conclusion as the Cheyenne Herald - this one would lose at the polls.

WNU principals should face criminal charges

The lawsuit filed in Laramie County District Court on behalf of former students of Kennedy-Western University / Warren National University (one and the same business, just a name change) slogs along. Very, very slowly.

It is beginning to look more like a battle of "lawyering" than seeking justice for former students from all over the country that paid dearly for a degree that has virtually no value. Many former students, far more than the number of current plaintiffs (65) are indebted to lenders like Sallie Mae and Wells Fargo Educational Services and are being held responsible for loan repayment but are unable to complete the pursuit of a degree, no matter how worthless, because of WNU abandoning them in midstream.

The latest delay was caused when the Plaintiff's attorney moved to dismiss two women from the list. They sought, and were granted, such dismissal *without* prejudice. Not wanting to miss an opportunity to run the meter, the Defendant's

attorneys filed a motion to have the judge's grant of the motion revisited. They want the women dismissed *with* prejudice so they cannot re-enter the litigation. A hearing is now set for December 10, 2009 at 1 pm. This is foolishness - fee padding, in my opinion. Dismissed with or without prejudice, these women are not re-entering the lawsuit. Let it go at that.

I had decided awhile back to become merely a spectator in this dispute - kind of like the Wyoming Legislature was while unaccredited degree sellers fleeced "students" from around the world of millions of dollars after the scoundrels were forced to vacate several other states that had or enacted restrictions on stealing from "students" and their unsuspecting parents.

Having become the "newspaper of record" on this matter, I also saw what I believed was lawsuit insiders challenging the accuracy of my reporting on this litigation. So I decided to step aside and allow the lawsuit to proceed without my reporting on it. That was impossible. (See page 2)

Recycling fee

Wow. You'd think the City was asking for first born children. The \$5.00 monthly fee for the new recycling program for those of us who live south of Pershing won't even buy a combo at Arby's. You'd need another penny plus sales tax.

Let me tell readers up front: I support the recycling effort and have no problem with a \$5.00 monthly fee. I have recycled newspapers (not the Herald because they all are redeemed) as well as plastic and cardboard through the blue bin containers that are only placed on the northside of town. I also have recycled aluminum pop cans (no, not beer cans - don't drink the stuff) by selling them to a recycler.

Even if I considered my time worth a dollar an hour, along with gas to drive to the Kmart lot on Dell Range or to in front of the former Ward's on Pershing, it has been costing far more than \$5.00 a month to participate in recycling.

I just think recycling is worth doing. I am not an environmentalist. I am not a tree-hugger. I come from a family of loggers - we've dropped a lot of trees to the ground. I just think recycling is worth doing. Nothing profound about my position.

Having the blue lid container informed us of other items that can be recycled. Steel cans, for example. We did not recycle them in the past. Small cardboard boxes, like cereal, mac and cheese (that's all I can afford to eat because of doing this Cheyenne Herald for your reading

enjoyment), butter boxes (being from Wisconsin, margarine and faux butter aren't allowed in Chateau Herald), and pizza boxes (just kidding, we don't eat delivered pizza). Can't afford it, either.

Instead of accumulating the recyclables, we just toss them, all together, in the blue lid container and push it to the curb every other Wednesday that's not a holiday.

After delivery of the blue lid container, we filled it to over full prior to the first pick-up - which I misread as being a week earlier. In fact, I had to take out two 30 gallon garbage bags of aluminum pop cans I had decided to contribute to the cause - to have room for the following week's items.

A city councilman said it will take him six months to fill a container. One week after our first pickup, our container was about 40-50% full again. No special effort - no clean-up of cardboard boxes, etc. - just normal trash that is recyclable. To not be able to make a dent in filling the container in two weeks, a resident must not subscribe to newspapers or magazines (which we do - the Denver Post and WTE with all their inserts and magazines too numerous to list), drink bottled water, soft drinks or milk, use prepared food from boxes, or cans of soup, vegetables, etc.

We are all required to pay for things we do not use. I have never had children in Cheyenne's public schools but we pay property taxes for others to use the schools. To me, the \$5.00 a month fee is a bargain.

New police chief

One of the most interesting things about the Top Ten list of applicants for the vacant Cheyenne police chief position is that there were no finalists from other Wyoming cities or from Wyoming Sheriff's departments or Highway Patrol.

That could mean that none made the cut. More telling, that could mean that no other law enforcement entity officer in Wyoming considered being police chief in Cheyenne as a career advancement.

Would that make sense?

Has Cheyenne become toxic to others around the State? Has the publicity about lawlessness of city government, favoritism by county government, and uncorrected illegal behavior by the former police chief made the Capitol City a place others do not want to take up residence?

In the minds of other law enforcement in Wyoming, and probably beyond our borders because of the internet, they may wonder if city government really backs enforcement of the law when they would not require the former police chief to reimburse taxpayers for a piece of paper he purchased, calling it a "master's degree" in criminal justice, from a business in Mississippi which was never granted authority to sell such degrees, regardless of the worthlessness. With public funds.

And, if they're watching now, they see a

mayor and overmatched city attorney taking on authority not granted by state statute and telling the police department not to enforce a duly approved and published ordinance. In violation of statute.

As this selection process moves forward, Cheyenne residents need to be concerned that it is little more than a charade. A public display of selecting the candidate who was preordained to get the position - a current officer of the police department that was not named directly but we went through a drawn-out process to reach a predetermined selection.

It would not be fair to the eight other "finalists" if one of the two already in the department already had a "lock" on the job. Perhaps that is why there are no finalists from the local Sheriff's Department, Highway Patrol or other law enforcement professionals from around Wyoming. They may believe the "fix" is in and it's not worth the risk of alienating their current employer only to be rejected in the final selection.

Disclosure of those on the selection committee shows that there is but one "outsider" among them. It is not a "Residents Support Committee" as the mayor said. It is an insider's coronation committee. Rick doesn't know how to go about forming a selection committee with true public representation. He just doesn't. So, it's four insiders and Anthony Ortiz.

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Residents ignore Cheyenne Light wind power program

The following story originally appeared in the January 29, 2007 Cheyenne Herald

Customers of Cheyenne Light, Fuel and Power have been repeatedly informed about a voluntary renewable energy offered by the Company.

Each of the three Laramie County newspapers published stories at the introduction of the offering. Cheyenne Light has provided billing inserts, brochures, website information, posters, advertising, etc., to inform residents in their service area about the program.

Beginning July 1, 2006, customers, both residential and commercial, maybe industrial, could subscribe to purchase renewable energy blocks. The minimal cost per block for this voluntary wind energy program was \$3.50.

The silence has been deafening.

In spite of the many people who have lamented for years about not having access to alternative forms of energy, and criticized Cheyenne Light for not availing itself of wind energy in an area where the wind seemingly blows constantly, 24/7, those people have stayed on the sideline.

They either are still unaware of the program or, as so often happens, have decided to "let the other guy do it."

The lack of acceptance ... no, let's call it what it is ... the **rejection** of this Cheyenne Light offering is almost total.

When gas and electric rates increased dramatically in the past, many local residents spewed their dislike for the Minnesota parent of Cheyenne Light - Xcel Energy. But Xcel is no longer involved.

So why the repudiation?

Do some think it is just another revenue stream, a profit source, for Cheyenne Light? Is there a resentment for yet another large corporation trying to extract still more money from the lowly customer?

Well, the money doesn't stay in Cheyenne Light's bank account very long and it doesn't just get transferred to its current ownership in Rapid City, either.

According to CLFP's January 26, 2007 report to the Public Service of Wyoming, the little money so far generated by this voluntary program will be sent to Bonneville Environmental Foundation as soon as they bill Cheyenne Light for it.

We Americans tend to concern ourselves only with the end price. How we get there is less important. We are content to pull up to the gas pump and pay the current \$1.96 per gallon (Note: January 2007 price), unconcerned and unaware of why the price is that low. Where the oil to produce that gasoline comes from is of no importance to us. A country could be holding our Embassy employees hostage but if they will sell oil to us at \$35 a barrel, we will overlook that.

And if we can pay a lower cost per kwh

by using natural gas than from wind power, bring on that natural gas.

Collectively, we need to bow our heads in shame. We can, and probably should, do so much better. Thirty of over 30,000 customers put some money, albeit it little, where their mouths have been. The **TOTAL** revenue generated for the six-month period ended December 31, 2006, was \$1,225.00! **ONE THOUSAND TWO HUNDRED TWENTY-FIVE DOLLARS!**

That's it. \$805.00 of that came from a single, unidentified commercial customer.

Breaking down the residential participation: The \$420.00 represents \$70.00 a month. At \$3.50 per "energy block," that is twenty (20) blocks per month on average.

Single customers may have subscribed for more than one block. And not all 29 residential subscribers have been in the program since the outset.

Participation stinks. There is no other conclusion. Here's the deal: I don't want anyone to ever bitch to me about utility companies not using enough renewable energy sources. I just don't want to hear it. This program is not the only measurement of users concern on the subject but it is one of them. And it is the only one available to CLFP customers at this point. So, unless you're one of the 29 residential customers who have subscribed or the single commercial customer, don't waste my time.

An update. November 10, 2009: Nearly three years after the foregoing story was presented, the situation is little different.

Answering questions put to them by me, a CLFP spokesperson told me that there are presently 43 residential customers and six commercial customers enrolled in the "Renewable Premium Program," having purchased 735 and 145 blocks, respectively. There are approximately 38,000 residential customers for electricity, 32,000 natural gas customers - most customers use both.

The support for this program has been abysmal. And, it isn't getting better.

Back in August of 2006, we enrolled (at Casa de Herald) in the Renewable Energy Program and we have paid for three units (\$10.50 a month) every since.

I didn't mention it in the 2007 story because we weren't looking for any credit or recognition for doing something we thought made sense. But, because of the lack of support (only 43 of 38,000 residential customers are participating), it doesn't seem like our meager contribution each month has value and I have withdrawn us from the program. It has nothing to do with the economy or wanting to save the money. When I inquired the other day, I expected to be told there were 500-1,000 participating CLFP customers. I was shocked and disappointed to learn the low numbers. So, we have ended our participation..

Warren National University

(Continued from Front page)

Because the Cheyenne Herald website has provided most of the coverage of the subject of degree sellers, including Warren National University, former students from around the U.S. and even around the world, continue to contact me to ask for advice or direction.

So, I concluded it would just be wrong of me to refuse to respond or refer potential additional plaintiffs to the litigation.

Frankly, I can't suggest to anyone that there will be any resources available to pay any damages or make any refunds, but I can direct them to the Denver law firm acting on the former student's behalf.

As I've heard directly from more and more former students, some having "degrees" that they have now learned are very likely worthless, it appears probable that WNU and its predecessor in name, Kennedy-Western University, may have committed illegal acts. Crimes. It is one thing to offer a bogus product and take unsuspecting and gullible "students" money, it is quite another to violate Wyoming or federal laws while doing so.

Obviously, the Attorney General of the State of Wyoming is not too eager to expose the Legislator and Governor who appointed him as being uncaring and complicit by their lack of oversight while this grand scheme took place. But, it is important that some of these stories being told to me be told to the AG's office. It is pointless to try to involve the Governor's office or legislators. They are now in full, "Hear no Evil!", "See no Evil!", "Speak no Evil!" mode. It also helps their defensive posture that very few Wyoming residents

got caught up in the scam. So, there is little chance of a run on the Governor's office by cheated parents or former students.

Another path that should be taken by those left with loans to repay even though the product they are paying for has not been delivered and/or was provided but had/had no worth. Had a retail store taken deposits for big screen televisions and not delivered them, there would be legal action taken against them. Had they delivered nonworking sets, ditto. This is similar.

That is basically what WNU did to numerous former students - they closed their doors before even bogus degrees were provided. In effect, they took deposits and fled from Cheyenne. And the State of Wyoming was complicit in the scam and facilitated the cheating. There was no requirement to escrow funds until the "education" was provided and there was no requirement they have adequate bonding to insure delivery of the "degree."

Two suggestions now to former students who have learned that they were fleeced: 1.) If the lender was either Sallie Mae or Wells Fargo Educational Services, please advise me. They should not be immune from prosecution if they colluded on a great number of loans used to purchase a degree lenders should have known had no value. And, 2.) If WNU lied or deceived you as a former student or parent who guaranteed a loan to pay for these worthless "degrees," provide your story to the Wyoming AG's office at:

Wyoming Attorney General
123 Capitol Building
200 W. 24th Avenue
Cheyenne WY 82002

Please copy the Cheyenne Herald on all.



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