

Anything two people know is not a secret

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The house at 211 E. 3rd Ave. was never a meth lab

Ronald Reagan once said to Jimmy Carter: "There you go again." Those words are equally applicable to the never-ending quest to label the house at 211 E. 3rd Avenue a "meth lab" or a "clandestine methamphetamine laboratory."

The label simply does not apply to that property. People who continue to assert that meth was manufactured in that house and say that no one knows if the house has been "assessed" are simply wrong. Or worse, they are lying.

And to watch a "community joiner," a failed candidate and a former DCI employee get gussied up for Channel 5 and do a drive-by face op in front of the house with erroneous claims about it was disgusting.

I have published several stories about the house at 211 and the facts related to meth use in it and, I believe, all of the Channel 5 props were well aware of what has been published in the Cheyenne Herald and know that the house does not fit any definition of a clandestine meth lab where meth was manufactured.

Let me walk readers through this story one more time.

In October of 2003, LCSD1 asked for a "welfare check" at the address because a student who attended school and used that address was obviously did not have availability of adequate shower or bath accommodations. CPD officers had been at the front door of the house as the result of neighbor's complaints at least twice prior to LCSD1's request. Neither time did officers ask to enter the house and neither time did they apparently observe anything untoward or make arrests. As the result of the welfare check request by the school district, two people were arrested. One was the student's mother and the other the mother's boyfriend.

To read the various stories covering this matter that have appeared in the Cheyenne Herald, go to my website (address shown below) and search "meth house."

At the time of the arrests, some items used in the manufacture of meth were found on premises. Having some of the equipment that is used to manufacture meth is quite different from manufacturing it. Walgreen's, Hoy's, Kmart, etc., have

Developing ... Patricia Fazio, Ph.D., of Cody, the Wyoming Wild Horse Coalition Statewide Coordinator, filed a formal Complaint and Request for an investigation into ethics violations and security fraud against and by State Legislator Sue Wallis (R-Recluse). The Complaint can be read on the Cheyenne Herald website (www.cheyenneherald.com). The Animal Law Coalition, Equine Welfare Alliance and Habitat for Horses Advisory Council have announced public support for Dr. Fazio's "call for authorities to investigate Wallis' activities."

a precursor - products containing pseudoephedrine - and "head shops" have others - beakers, piping, etc.

There are several reasons I can say with certainty that meth was never manufactured at that address. First, the two who were arrested there told me, as they had the Court, what they (he) did to clean meth that required some of the elements used in the manufacture of meth. If you choose not to believe those two - after all, they did plead guilty to charges related to their arrests at 211 E. 3rd Ave. - you have to also then disbelieve the Assistant District Attorney who prosecuted the man. He told the judge at sentencing, which was a probation-only plea agreement, that meth was not manufactured at 211 E. 3rd Ave.

In addition, when the two people were arrested there and her child taken into custody, other inhabitants living in the house were not removed and the child was later allowed to return inside the house to pack clothes that were in the house.

You might choose to say that was just carelessness on the part of CPD and Family Services - that they should not have allowed a child to re-enter a house that had had meth manufactured in it.

For quite some time after the arrests, the house was still occupied by the tenant. The two who were arrested were not the renters. They were living there as the renter's "guests" (at his invitation) and there was no concern about his exposure to meth contamination in the house.

It was not until former mayor Jack Spiker decided to "park" \$60,000 that was provided by HUD for the needy that then police chief Bob Fecht came up with the idea to label the house a "meth lab" and say it was property to be demolished and one third of the HUD money for the needy

would be misdirected for that use. There were two other houses on Ames Avenue designated for demolition. One was owned by a prominent attorney in town.

I don't believe there was ever any intention of demolishing any of the houses. It was just a ruse to "park" the money (hide it) until the mayor found a way to transfer it to use on the UP depot project. The needy be damned. Let them eat cake!

Jim Mathewson got wind of the nefarious plan and, together, he and I met with Bob Fecht to ask him about it. Bob brought the city attorney to the meeting - probably knowing that he was on a short tether trying to justify the demolition of a house in the Avenues without, as I later learned, contact with or notification to the owner.

I then contacted the owner. He lives in Boulder, Colorado. Fecht and others always claimed they did not know how to contact him and could not reach him. I went to the County Assessor's office to get the owner's name and address, searched on the Internet to find his telephone no. and called him. He called right back as he has done with every call I've placed to him over the past few years. In fact, I called for him the other day and within hours, he returned my call from the Newark airport as he was boarding a plane for a trip to Switzerland. I do not believe Bob Fecht ever tried to contact the owner of the house at 211 E. 3rd Ave.

Sometime after the arrests and the death of the tenant, someone - someone unknown to this day - posted a red warning sign on the front door of the house. It was an undated sign with no contact information on it, as is required, "warning" people about the property but not telling them they could not enter. The owner tried to find out who had posted the sign - because the house had never been legally

designated a "clandestine drug laboratory" as the sign said it was. No one, not the CPD, DCI or DEA, has owned up to placing that sign. The sign panicked neighbors into believing the worst about the house. After the sign remained on the front door for a few years, the owner removed it. He lives in Boulder and works in Denver and doesn't come to Cheyenne frequently. He asked me to remove it but I didn't feel comfortable in doing so. My role is to write about these things, not become an active participant (even though I do have a key to the house and have shown the interior to a couple people). Honestly, though, the mayor and the vast majority of city council members do not want to know anything about the house. Ignorance is bliss to them and they are just chocked full of bliss.

Perhaps the biggest thing that convinced me the house was never a meth lab was the results from testing done inside the house. You can read an explanation of normal levels of contamination in a meth lab compared to the levels found in the house at 211 E. 3rd Ave. on the Cheyenne Herald website, [June 16, 2009, front page, pages 5 and 9](#). I was with the owner when a meth testing technician from a Denver firm visited the house and set up the testing procedure he would follow. The owner asked for no concessions as to where samples would be taken. I had told him what the "guests" told me where the meth had been cleaned. I expected that room would yield the highest levels of contamination. It did. More than one sample was taken from that room, including from exposed ceiling insulation.

Meth MANUFACTURING, by whatever process is used, will yield test results in the HUNDREDS of ug/100cm². Rooms where only smoking took place will be fractions of those results. The owner had samples taken from all three floors of his house. The results ranged from 2.9 ug/100cm² in a basement room to 53 ug/100cm² in the room where cleaning and smoking took place. As there is no certifiable health risk at any level of meth contamination, it can be said that none of the levels in the house at 211 E. 3rd Ave. pose a demonstrable health risk.

Neighbors and the City continue to commit a hate crime against this innocent property owner. (More on page 12)

www.cheyenneherald.com

Downtown Destruction Advocates (the DDA)

Were you as surprised as I was to learn that the DDA had paid \$10,000.00 for four murals BEFORE having an agreement with the adjacent landowner to place the murals at his property edge?

What the hell is wrong with these people?

Each bit of news that breaks about the DDA brings more discredit and embarrassment to the board and director.

Can you imagine any of the board members - a single one - spending ten grand of their own money, then seeking approval or permission from where it was necessary? That would never happen. But, with our money, the sky's the limit.

The City has a right-of-way. They should place the already paid-for murals at the right-of-way boundary and tell the faux motel developer to go back to Kansas.

At the same time this embarrassing announcement was made, the DDA released financial information to downtown

property owners.

First, the DDA will undercut the City's parking fees for the unwanted parking garage downtown. While the City tries to get \$45.00 a space ("55.00 in the near future" DDA says), the DDA will offer them at a "discounted" \$25.00 / month. What?

The mailing states that the DDA's current budget would be \$696,000, "down 27% from the previous year of \$968,000." Wow! Next year, after property owners finally tired of fueling the raging fire of spending by the DDA, it may be \$450,000.

When Jack Spiker became mayor in 2001, the DDA was run by a parttime City employee who officed in the City Building. Salaries/rent are now \$186,800. The "Parking Garage Subsidy" is \$63,000. Less than 1% of DDA's revenue is spent on promotion of downtown businesses. The DCMA received \$6,500 for their programs. The DDA is so much like the Wyoming Business Council - the only jobs ever produced are their own. Dissolve now.

Coroner's salary

My position on this raise is not personal. I think Marty Luna does a good job as county coroner, he is easy to work with, and that the position should receive the same pay as clerk, assessor, treasurer and clerk of district court. I respect the job he does and Marty personally. I think the sheriff's pay should NOT be linked to the other elected county officials and should be based on different criteria and would invariably be highest of all.

On the other hand, I oppose any increase to elected officials' salaries AFTER the filing deadline for the election that they ultimately win and entitles them to the office.

The basic rule is that "salaries and emoluments" of elected officials cannot be changed during the term for the office to which they were elected. Constitution.

Outgoing city council members in 2000 pushed through an increase in pay for the winners in the 2000 elections, newcomers AND incumbents who were re-elected (Don Pierson and C.J. Brown) alike.

My opposition to raises approved AFTER an election - or even after the filing deadline for that office - is that it raises the question of whether other candidates would have filed had they known of a new salary and whether the raise would have been a campaign issue. In other words, would voters have challenged candidates to refuse the raise if elected? Marty ran unopposed and was generally considered unbeatable. But the potential or anticipated approval of a higher salary should have been out in the open back in May.

My position is no raises after the election.

"Meth house" neighbor and the Channel 5 performers

Your station, CBS (KGWN) News Channel 5, on December 19th ran a story about the property at 211 E. 3rd Ave. It was so full of errors - some because of editing, some because of poor reporting - that it's difficult to know where to start corrections.

Macra Dee Aegerter, a former third-string KGWN sports reporter, is now called the "news director" at Channel 5 and she seems to be filling in for anchors or reporters who have either departed or are on vacation. She seems like a nice gal but she's no Justin Joseph (who, by the way, is now at the CW in Denver - channel 68 on cable). Aegerter filmed on-scene footage, primarily the owner of the house to the immediate east of 211 and a former DCI employee as her props, as well as with a failed legislative candidate.

She introduced the story with: "A house on East 3rd Avenue sits abandoned, a former meth house, dragging down property values and creating an eye sore in a tight-nit (sic) neighborhood."

First, the property was never a "meth house" as she is defining one. And, as important, the house has not drug down property values. Macra Dee took the word of one neighbor about that.

Let's discuss that neighbor. First, she does not live there. She and her husband with a different surname live far out north. The house on E. 3rd Ave. is a rental property and it is as rundown, or even more so, than the house at 211 - the alleged "meth house." Macra Dee was careful to use a camera angle that did not show the state of disrepair that house's porch is in.

That neighbor saw the market value on her rental house, in which she does not live, rise almost 20% in the latest tax year - from \$144,679 to \$171,745. She did not appeal. Also, in the interview, she suggested she was roused the night of the arrests. She doesn't live there. And, in spite of her claim about diminishing property values, she had this house transferred to her sole ownership in 2008.

The well-dressed and well-coiffed woman spoke into the camera about how the city was "now paralyzed because of the actions of a few people." Whatever paralysis exists can be laid at the feet of one person. Her personal hero, Bob Fecht.

She and the former DCI employee who appeared on camera, well-dressed and well-groomed also, for this misleading report, said they did not know if "an assessment" had been made. That means, they didn't know whether the house had been sampled for meth contamination. Yes they did. They read it in the Herald in June '09. And the levels did not represent a health risk to inhabitants of 211 and surely didn't pose a risk to neighbors. Fecht created the monster that the owner has had to contend with for seven years.

Fecht's Senate bill would not have applied to this house. 211 was never a "meth lab." Meth was never manufactured there. If the owner of 211 decides to pursue a claim for damages, I hope he includes the neighbor who perpetrated that myth on television that Sunday night. I have saved him a transcript and video of the Channel 5 "news" story. (Note: 211 has the highest market value in the neighborhood.)

After returning to my office this afternoon (12/23) from visiting the Assessor's office to confirm some data I picked up yesterday, I listened to a message from Chief Brian Kozak. He said he and the mayor had met and determined that the house at 211 had never been a meth lab and the City was not going to pursue any action. He invited me to call him and discuss the matter further and I did. We spoke late on Thursday, December 23rd and Chief Kozak told me why he had made his decision. He obviously has far greater experience in the illegal drug field than I do and he had considered many of the same things I had - the case file of one arrested there, etc. - but he went further. He pointed out that the legislation ramrodded through by Bob Fecht dealt with "emergency action" and seven years later does not constitute an emergency. The City will finally do the right thing. Nothing.

Who determines the LCCC salaries and wages?

The table below reveals some very interesting details about the pay at LCCC. At a time when the State was going through serious "belt tightening," the local community college was spending money on salaries like there was no tomorrow. Which, for the one most responsible for the salaries, there wasn't. At least in Cheyenne.

A stealth organization that seems to exist only to justify community college presidents and their wives exotic travel put together the comparison salaries. Readers will notice that the LCCC president's salary nearly doubled in a decade and was below the survey average until Hammon's extension. You will also notice that salaries of top administration LCCC employees are well above average in the system.

Mountain States Association of Community Colleges Average Salary Comparison Data

	President		Vice President		Other Administrator (e.g., Director of PR, Director of Financial Aid, Director of Information Technology)		ESS Professional (e.g., Counselor, Program Coordinator, Advisor)		ESS Classified (e.g., Security Officer, Custodian, Electrician, Administrative Assistant, Secretary)	
	LCCC AVG	SURVEY AVG	LCCC AVG	SURVEY AVG	LCCC AVG	SURVEY AVG	LCCC AVG	SURVEY AVG	LCCC AVG	SURVEY AVG
2009-2010	\$184,500.00	\$155,972.00	\$ 116,557.25	\$ 98,381.00	\$ 83,600.33	\$ 71,460.33	\$ 57,032.50	\$ 61,128.00	\$ 38,158.50	\$ 32,628.75
2008-2009	\$180,000.00	\$158,138.00	\$ 114,663.50	\$101,278.50	\$ 81,561.67	\$ 70,184.33	\$ 62,084.00	\$ 61,099.00	\$ 37,150.25	\$ 32,180.50
2007-2008	\$148,500.00	\$ 152,459.00	\$ 110,253.50	\$ 100,435.25	\$ 74,578.33	\$ 68,891.67	\$ 62,024.00	\$ 60,589.00	\$ 33,940.75	\$ 30,459.25
2006-2007	\$135,000.00	\$ 143,618.00	\$ 98,523.50	\$ 93,578.00	\$ 71,939.67	\$ 61,417.67	\$ 53,354.50	\$ 53,896.00	\$ 30,651.25	\$ 28,966.50
2005-2006	\$133,868.00	\$ 139,456.00	\$ 100,816.67	\$ 92,076.33	\$ 69,172.67	\$ 62,140.00	\$ 51,310.50	\$ 53,674.00	\$ 29,672.25	\$ 28,936.25
2004-2005	\$133,868.00	\$ 127,995.00	\$ 94,309.00	\$ 89,380.33	\$ 64,492.00	\$ 60,009.67	\$ 47,999.00	\$ 52,992.00	\$ 28,519.75	\$ 28,694.50
2003-2004	\$126,291.00	\$ 126,561.00	\$ 88,971.00	\$ 87,911.67	\$ 60,174.67	\$ 58,533.00	\$ 49,184.00	\$ 55,621.00	\$ 27,188.75	\$ 27,720.75
2002-2003	\$121,900.00	\$ 122,197.00	\$ 87,586.00	\$ 85,235.00	\$ 58,397.67	\$ 56,717.33	\$ 46,974.00	\$ 44,170.00	\$ 26,599.75	\$ 26,373.25
2001-2002	\$115,000.00	\$ 117,136.00	\$ 80,886.00	\$ 82,163.33	\$ 53,627.33	\$ 55,773.67	\$ 44,217.00	\$ 42,574.00	\$ 25,006.25	\$ 26,143.75
2000-2001	\$97,700.00	\$ 108,509.00	\$ 78,163.67	\$ 77,824.67	\$ 46,713.00	\$ 51,162.67	\$ 38,516.00	\$ 37,275.00	\$ 21,810.25	\$ 24,146.50