

The felony was check fraud

City/County and Liquor Commission officials did not know what the felony of a Laramie County liquor licensee involved. The Herald found out.

To the surprise of many who thought they knew differently, one with a felony conviction on their record can own a liquor license in the state of Wyoming.

Such is the case in the City of Cheyenne and also with another license in Laramie County.

When that came to the attention of the Cheyenne Herald, the city clerk, county clerk and liquor commission official were all asked what the felony was. What the man who had checked "yes" for the question on liquor license renewals in both the city and the county had been convicted of (or pled guilty). None knew.

The facts in the case bring an answer to THAT question but bring up still more.

A review of Laramie County District Court case files indicate that the felony was for check fraud.

It had been the intent of the Cheyenne Herald to avoid detail if the felony were for a "white collar" crime which would be totally disconnected from anything which might affect the operation of a bar. The liquor commission official said that one felony that might play into whether a liquor license would be granted or renewed would be if the individual had been convicted of - or pled guilty to - selling drugs from a bar he/she was previously employed by or owned.

Such is not the case in this matter. But it does involve the operation of a bar. On August 23, 2003, as a co-owner of a Cheyenne bar, this individual had conducted a bull riding contest at that bar.

He paid three winners and the stock provider with checks drawn on insufficient funds. The "prize" checks were in the amounts of \$10,000, \$2,400 and \$1,800 - a total of \$14,200. The stock provider was paid with a similar check - in the amount of \$2,000. The checks were not made good within a reasonable period of time and criminal charges (four) of check fraud were brought - felonies all.

His partner promised to make good on the checks but, according to court files, "could not secure financing." Also, according to the files, at the time the four checks were written, his Western Bank checking account had been open seven weeks and had a balance of \$169.73. At sentencing, he told the judge he thought there was enough money in the account to cover the checks.

Three of the charges were dropped by DA Jon Forwood and a plea of guilty was accepted on the fourth - requiring full restitution. The liquor license owner was sentenced to a 2-4 year prison term, suspended, and placed on probation for three years. The first document stated that he could neither use drugs or alcohol nor frequent places or associate with people who did. That was later changed, with the approval of Forwood, to allow him to work the bar he co-owned.

Having that conviction, Laramie County later approved and the liquor commission did not question, the issuance of a second license in the county and renewals of two. This misdeed, just liking selling drugs over the bar, did directly involve the operation of a local bar. Yet no one knew what the felony was?

Rural schools again shine

As the community of Albin moves toward the opening of a K-12 charter school in their little town, results which were recently released concerning test scores for all schools in the state of Wyoming seem to provide further evidence that such a school would be a great educational alternative. Charter schools are very much like public schools but they are operated by private groups of parents or townspeople.

On August 2nd, the WT-E reported on city schools not making "adequate yearly progress." There were, the WT-E wrote, eleven of the 32 city schools which failed that benchmark. A school official (director of instruction) chose to argue about the numbers, claiming two sets of schools are "sister schools." Maybe he should be explaining the failures, not whether the percentage comes from nine of thirty (30%) or eleven of 32 (34.4%). Only eight schools statewide have "failed" three years in a row (a serious matter) and three of them are in Cheyenne. Educators, including one now up to be the state superintendent of schools, say they're not surprised.

Despite boasting to be "your" paper, the WT-E wrote only about the city schools which did not make the grade. Thirty percent or more in the city "failed." What about the County schools? Why didn't the WT-E coverage include the six county schools? Because none of them failed. And the WT-E supports a consolidation of LCSD2 into LCSD1 and it would do their argument no good to show that rural schools do much better than city schools. The Casper Star published a complete listing. Almost 40% of the schools statewide that failed for the third consecutive year are in LCSD1 - hardly a bargaining chip to consolidate Burns, Pine Bluffs, Albin and Carpenter into the larger school district. An Albin charter school will blow the doors off - like other charters have.

Saddle Ridge Annexation sought again

In spite of protestations presented by Patrick Collins to the Wyoming Legislature the last time around, development WILL occur and annexations can be made - in compliance with state law.

The mayor and city council asked the legislature to create unique annexation law in Wyoming which would allow them to annex parcels up to three miles separated from the city. When refused, they were certain that growth would cease.

In quick succession, LEADS moved ahead with the development of a second industrial park and a Wal-Mart food distribution center has committed to open in that county-placed business park. The land will not be annexed.

It must be noted that no resident challenged a LEGAL annexation approved by the city and no challenge of ILLEGAL annexations failed. The city tried to trivialize the three challenges as "frivolous" but it was the multiple defenses of the illegal acts which were frivolous.

The first incarnation of a subdivision to be known as "Saddle Ridge" planned to develop over 900 lots on 340 acres, including many multifamily apartments.

That annexation was challenged on the basis that the land to be annexed was neither contiguous (touching) nor adjacent (across a road, railroad tracks, river, etc.) to the city boundary at the time of the attempted annexation. Dr. Jean Cotton and her daughters ultimately prevailed at the Wyoming Supreme Court and a new definition of what would be required to annex land was provided. The annexed land had to be "substantially touching" the city land. That actually made annexations much more difficult for municipalities but provided a more specific definition of what would be required.

Local developers Bill Edwards and John Volk recently purchased the western 200 acres of the former Saddle Ridge land, according to Edwards.

They have applied to have some of their land annexed to the city and believe they can meet the "substantial touching" requirement with land they will acquire, or which will otherwise be legally annexed, on the other side of Whitney Road from their parcel. Two annexations - one along each side of Whitney Road - will accommodate that.

Edwards said that he, Volk and their legal counsel had met with, among others, county commissioners and the county attorney, as well as Mrs. Cotton and her attorney (who had prevailed at the High Court). Dr. Cotton and her attorney confirmed that meeting.

The plan for this Saddle Ridge development includes several phases of construction which, if approval is met and no legal challenges delay the start, would begin in the Spring of 2006 and, depending on continued growth and demand in the area, would conclude about five years later. The land (200 acres) would be divided into 600-650 lots and would include twin homes and single-family detached houses. Approximately 18 acres would be dedicated for a future school site and a neighborhood park.

Bill Edwards told the Herald that no multifamily units are planned there now.

A major difference between the current plans and past intentions is the willingness by Edwards and his group to share their thoughts with neighbors and residents - BEFORE moving forward over objections or in violation of the law.

As stated earlier in this article, no formal and legal challenge was ever mounted against a LEGAL annexation and the city has approved dozens, if not a few hundred, of them since 2001.

Jean Cotton not only objected to the density of the planned subdivision right across the road from her county house, as well as a daughter's and her mother's, but to the basic premise that the city had again violated state statute by the approval of annexation of land separated from its boundary. This one was a quarter mile away but case law throughout the United States and courts nationwide had established the precedent - land must touch to be annexed. Touching was not broken by an intervening road, river, railroad tracks, etc.

County residents who would like to maintain the life-style that attracted them to living outside the city know that circumstances could change and someday the city might be able to legally annex land next to them and build homes on city-size lots. Legal annexations have not been challenged in court and this one will not be either - if, in the end, it meets the definition of "substantial touching."



Authentic Mexican Food For A Little "Spice of Life"

Hours: Tuesday - Thursday 11 am - 8:30 pm • Friday & Saturday 11 am to 9 pm
620 Central Avenue • 638-8591



TRAFFIC CONFUSION

Driving west on Dell Range (just west of the National Guard entrance) drivers become confused as to which lane applies to them. At Yellowstone there are signs, but not one of them provide an I-25 emblem. Drivers must make last minute hazardous lane changes in a very short distance (with congestion) to get into the right turn lane to get to I-25. Can't we do a better job assisting everyone (including visitors) driving on our streets? Someone should be able to figure this out.

Ad paid by a concerned Cheyenne Citizen