

## Dishonesty (from Front Page)

Before I forget to include them, I better provide Judge Grant's words mocking Mike Basom here. (Basom had wandered far afield in his last ditch attempt to salvage the annexation with major exemptions.)

Judge Grant, in his December 13, 2006 letter to the litigants, wrote:

**"It is argued that § 410 is in conflict with § 15-1-422 which prohibits a City from offering exemption from waste management plans to property owners to secure their agreement with annexation. If the legislature intended to prohibit other practices - like exempting annexed areas from certain ordinances - it is argued, it would've done so by listing all such practices as prohibited when § 422 was enacted. The proposition is a non sequitur."**

Mikey's last ditch attempt at saving face was to head in a different direction. This time, he could not lie to the judge. This judge knew enough about the law and that tripped up the City's usual tactic in court - lie your rear-end off. What Basom tried to convince Judge Grant was that, in spite of the statutory requirement that annexed land be subject to the same provisions of zoning, etc., as land already in the city, this "satellite" annexation didn't have to follow the law. His legal position was that hunting could be allowed, septic systems could be allowed, city nuisance regulations could be ignored, and that livestock could roam the land.

WT-E stories prior to the judge's ruling reported that the land annexed was about 2200 acres. All of a sudden, the size of the parcel annexed changed.

*"A district court judge has ruled against the city's annexation of 62 acres of land that it owns west of the F.E. Warren Air Force Base to build a park and arboretum."*

WT-E, Jodi Rogstad, December 16, 2006

On Tuesday, December 19, 2006, a Casper Star-Tribune website headline:

### Judge rules against 62-acre Cheyenne annexation

*"A judge has deemed the city's annexation of 62 acres for a park and arboretum void because the land would have been exempt from certain ordinances."*

The Associated Press and KGWN-TV repeated the erroneous reporting.

Can there be any explanation? Yes. The City must have seen out a bogus press release, spinning the story so they did not come across as bad as they were.

Could Mike Basom and the divorce attorneys in his office have been confused - thinking that the annexation was for only 62 acres? No. They knew the size.

Why not? He seems perpetually confused. Well, he very likely read every word printed in the WT-E and they always stated it was about 2200 acres being annexed. Each legal brief filed by Gay Woodhouse and Mark Voss made reference to the same acreage - sometimes repeatedly in the same document.

Basom's own filing, **MEMORANDUM IN SUPPORT OF DEFENDANT'S MOTION FOR SUMMARY JUDGMENT**, (page 2) led with **STATEMENT OF UNCONTESTED FACTS**. "1.) *The City of Cheyenne is the sole owner of the Grasslands property and the Ware Pump Station property. ... The property comprises approximately 2,200 acres located west of F.E. Warren Air Force Base.*"

Basom's words. He knew the size of the annexation but either provided the WT-E wrong information or encouraged its use.

The mayor said the "project" would go forward. He meant the arboretum. He made the plaintiff's case for them. They said all along that an arboretum could be placed out there without annexing the land. Now the mayor finally concurs.

For years, baseball fans have known that the "Mendoza Line" referred to a batting average south of .200. Those who have **NO** success in their chosen endeavor will now be said to be at the "Basom Line."

Four times rural property owners have brought lawsuits against City Attorney Mike Basom and Cheyenne Mayor Jack Spiker, et al, for approvals of annexations that rural residents charged were illegal. And, in all four lawsuits, the residents prevailed and the City lost.

Hence, the "Basom Line."

A new office pool has been started - predicting whether City Attorney (Mike Basom) or County Attorney (Mark Voss) will be the first to lose their job and when that will occur. That it will not happen is not an option. They will. But, when?

## Do we really want to grow up to be like Fort Collins?

Envy is not the most positive of emotions.

**They had them first.** The enclosed mall, the big stores, the chain restaurants, the "big boxes," the large car dealerships and furniture stores.

**They** also had school overcrowding, heavy traffic on streets not able to hold it, and crime.

**They** had "Old Town" and South College.

**They** have a university. A four-year one with bachelor's, master's and Ph.D.'s.

Fort Collins has long been the big brother that Cheyenne electeds - and many residents - wanted to grow up to be.

Slippage of earnings from Cheyenne and the surrounding area has been huge. It still is, even though Cheyenne has many of the same retail stores and restaurants Fort Collins has had for a longer period.

Living rooms and bedrooms are full of merchandise from American Furniture. Decals on the rear trunk lids that shout the fact that the driver's car (pickup, SUV, etc.) was purchased from a Colorado dealer crowd Cheyenne's streets.

Oh, did I mention the better, higher-paying jobs that Fort Collins has had for decades? In Cheyenne, the new Wal\*Mart distribution center is offering wages equivalent to what LEADS claimed Lowe's would pay six years ago.

A Fort Collins business (Heli-Support) was going to relocate to Cheyenne but after a few weeks here, they skidded back south.

Cheyenne is beginning to see a little of what has made Fort Collins less desirable than they were 30 years back. A rudeness has infiltrated "The Most Polite City in America." Traffic is increasing and there is no traffic engineer capable of dealing with it.

This Christmas season, Fort Collins city officials and their Downtown Development Authority proved that idiocy, perhaps bias, still flourishes nearby. They would not allow a Menorah to be displayed with the other public displays of the holiday season. Separation of church and DDA, it seems. The menorah was placed at a downtown pub.

Maybe growing up to be like Fort Collins isn't such a good idea after all.

## Gunslinger Square

Run that one by me again.

The City is thinking about displacing the downtown "gunfights" in the summer so Carey Avenue can be extended from 16th Street (Lincolnway) to 15th St.?

What in the hell for?

The mayor and council's motivation is control. They do things, like paying \$5.9 for the Belvoir Ranch and building an unneeded and underused parking garage, just because they can. They respond, "you elected me to make those decisions for you," when challenged.

But, extend Carey Avenue? Good Lord.

I do have to remember that they once sought

\$25 million from the feds to tunnel under the airport runway. Looking back, extending Morrie (now Airport Parkway) probably made more sense than extending Carey Avenue one block to the south.

Years back, Community Action considered moving Farmer's Market out to the Kmart parking lot. The Market could do well wherever placed because it attracts local people. Tourists need an easy-to-find place for events like the gunfights.

I have never seen the thing - maybe it's the flashbacks (cymbals clashing behind me in the marching band) but I'm not real wild about extremely loud sounds, however colorful and interesting the show. But, leave Carey alone and leave the Gunfighters alone.

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