

# “What you meant to say ...”

## WT-E omitted words in a letter to the editor

by *Dave Featherly*

Two Wyoming House members who were on the losing side of the 5-4 vote (in the House Corporations, Elections and Political Subdivisions) on the annexation bill (SF61), put their names on a press release.

Interestingly, the press release was dated January 28, 2005 and was captioned: “For Immediate Release.” It was evidently sent to Republican party members (from the Wyoming Republican Party office) and was provided to the Cheyenne Herald after the press release was published as a letter to the editor in the Wyoming Tribune-Eagle on February 17, 2005.

The release also carries dates of February 15, 2005 (from the Republican Party) and a blind date of “2/16/2005” at the bottom of each of the two page press release.

You can tell from the last line in the release that it was written (or at least submitted) after the defeat of the bill in committee on Thursday, February 10, 2005. It was not written January 28, 2005.

Changes were made by the Wyoming Tribune-Eagle to the original wording. There was no admission of having done that by a footnote stating: “This letter was edited.” It is good journalistic practice to provide that information to readers so they can decide whether a newspaper may have deliberately, or even inadvertently, added, changed, or deleted, words which could change the content of the message.

This daily newspaper, a darling of the Wyoming Press Association, refuses to publish letters that do not conform to their stated agendas or they demand changes to bring letters to the editor into line. They even refused to print an article in its entirety from a publisher within their small chain of newspapers. They edited words out of his letter that somewhat changed the impact of his message.

But, why change the words coming from two guys who have drank the Kool Aid? They had obediently toed the line on the WT-E’s demands for changes to a very good annexation law. The paper has the absolute right and discretion to waive any word limit they would impose on someone - especially if agreeing with them.

The letter from Messrs. McOmie and Latta is not entirely accurate, of course. But, again, the WT-E only puts footnotes on errors they perceive to be damaging or inconsistent with their own editorial positions - not on letters whose errors are better left unnoticed.

For example, the fellas wrote that SF61 was drafted to “provide clarification as requested by the Supreme Court.”

I will give them until the next legislative session to show me where in the March 3, 2004 Supreme Court decision justices asked the legislature for “**CLARIFICATION**”. The City of Cheyenne asked for help, not the Court.

It was not the Supreme Court that had difficulty understanding that “adjacent” did not mean a quarter mile distant - or a mile and a half, in the case of the illegal annexation of Village West.

The greatest heartburn for these two expatriates of the WAM group was probably that they served on the interim study committee and thought their current peers should just have accepted their position as gospel. They conveniently forgot to mention in their press release that their interim study committee also accepted the City of Cheyenne’s desire to be able to draw a one-mile “buffer” line around the city and annex anything within the outer edge of that one-mile boundary.

Had the boys read the Supreme Court ruling of March 3, 2004 (Cotton v. City of Cheyenne), they would know why cities must grow from the center out and are not allowed to hopscotch all over the surrounding rural area with annexations.

When they peruse the High Court decision looking for where the justices asked for legislative clarification, perhaps they’ll stumble onto the real reasons for intelligent and reasonable limitations on a municipalities right to annex.

What may have started out to be a clarification of the words, “substantially touching,” morphed into a nightmare of indistinguishable gibberish that would be laughable in a larger state.

To whine about an inability to grow here in Wyoming is ludicrous. Wyoming is the ninth largest state in the United States in area and is fifty-first in population. Yes, fifty-first. Now, even Washington D.C., which for census purposes is considered like a state, is larger than Wyoming.

To the south, Colorado has an annexation law that we could adopt - in terms of defining “substantial touching.” Somehow, they live within their law and have few annexation disputes which reach the Supreme Court. In one year, we had three headed there and probably one out of Casper if the Cotton case had not been decided first.

The Chicken Littles of Cheyenne are crying, “the land is gone, the land is gone.” That is absolute balderdash.

In Colorado, where the state law requires municipal land to touch annexed land by 1/6 of the common border, in the past forty years, the Colorado population has grown by over 2,500,000 - an average of 24 people per square mile of land area.

In Wyoming, during the same forty years, population has grown by 163,716 - an average of 1.7 people per square mile of land area.

In fifty years, **FIFTY YEARS!!**, Cheyenne has grown by about 21,000 people.

Annexation laws have not been the problem. There are many others. Wyoming has no shortage of land. None.

*Below is what was published in the WT-E, Page A-10, Thursday, February 10, 2005.*

We would like to reply to those who say that SF61-Annexation, is a Cheyenne bill. It is true that problems created during the annexation procedures in Cheyenne and subsequent court decisions exposed the need to visit existing law and provide clarification as requested by the Supreme Court.

An interim study of the annexation statutes was done by the Joint House and Senate Corporations, Elections and Political Subdivisions Committee to be completed by the 2005 legislative session.

It became apparent during these meetings that several requirements in the existing statutes should be addressed: public notification of proposed annexation; definition of contiguous; who and how far around the proposed annexation notification should be given; what proper notification is; who should pay for the improvements; and the design of the proposed zoning of the parcel to be annexed.

These were only a few of the concerns addressed during the hearings.

Annexation affects anyone living within a half mile of the outer boundaries of the area to be annexed, and zoning could have an impact on roads and traffic patterns, etc.

How do existing municipalities in an area like Casper, Evansville and Mills decide who should be the annexing body for an annexation request where two or more municipalities share a common boundary with the parcel to be annexed?

Should a landowner living on the border of a proposed annexation have to pay for improvements to the road, curb and gutter extension of water and sewer past their property?

Many more issues that were exposed by lawsuits in the Cheyenne annexation procedures were also addressed in SF61.

While addressing these concerns, the proposed bill greatly increased the burden put on the developer and the municipal government. Still, many were uneasy that small towns in Wyoming would not have the money to comply with all the notification, road and utility requirements established in the bill.

While problems exposed in the Cheyenne area dealing with annexation pointed out weaknesses and flaws in current law, they apply to the entire state and need strengthening and correction.

SF 61 was not just a Cheyenne bill.

(Names of the submitters were at the head of the letter: Del McOmie, Republican from Lander and Frank Latta, Republican from Gillette. McOmie’s bio states that he was “past 1st Vice Pres. of WAM and that he was mayor of Lander (1975-1987). Latta’s bio states that he is a past member of WAM, former city councilman in Gillette (8 years) and past mayor of Gillette (8 years).

WAM is the acronym for Wyoming Association of Municipalities and that group carried water for the City of Cheyenne on this bill. About eight years ago, the City of Cheyenne withheld dues from WAM, questioning their effectiveness and purpose. The WAM group is in the process of building a new office building in Cheyenne - greatly aided by the generous donation of Cheyenne residents money by this administration.

*This is what was written in the press release from McOmie and Latta.*

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➔ **This was a concern of several of the members of the House Corporations Committee and a major reason SF 61 Annexation failed in committee.**

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The 24 words which were edited out of the press release provide a much different meaning included than when omitted.

Both of the missives were reproduced as exactly as possible - punctuation, capitalization, etc. Paragraphs were made of the true press release to coincide with how the Tribune-Eagle divided the message. The word count printed by the newspaper was 347. The press release above is 373 words. Editing appears to have been done to deceive readers. (Note: *The use of bold, italicized and underlined text above was done by the Cheyenne Herald. In the press release, it did not stand out.*)