

"ANYTHING TWO PEOPLE KNOW IS NOT A SECRET."

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Extortion!

Spiker to Burns: "Get in line - or else!"

**Burns Mayor responds!
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by *Dave Featherly*

If I were to tell a city councilman (or the mayor) "If you do not change your vote on that issue, I will release to the media embarrassing pictures I have of you," I would probably be arrested.

That is extortion.

That isn't asking for money. It's not demanding that I, a friend or family member be given a job. Just a swap. If they vote the way I want them to, I will not embarrass them publicly. What the illustration above suggests is that I (or you) can make an elected official change a decision they are legally entitled to make by *offering* them an opportunity to change their vote to our satisfaction. Or else.

That meets the legal definition of extortion, in my opinion.

What Jack Spiker recently said to the Town of Burns amounts to the same thing. His words were a threat. Extortion.

By way of review: At its January 17, 2008, Town Council meeting, the Town of Burns was presented with Resolution 01-17-08, regarding the 6th Penny (Sales) Tax.

They recessed briefly to review it because it just got there at the time of the meeting. Eleven minutes later, they reconvened and considered the resolution. According to the minutes of that Town Council meeting, a councilwoman "reported that she is not a fan of how the items are grouped." Others agreed with her.

As the Cheyenne Herald has reported previously, it appears that the Committee assigned to structure the ballot placed a poison pill in each proposition. The two largest spending items (a City rec center and the County Archer property) will stand alone - all other funding requests will be lumped into one of two other propositions. The total funding being requested is over \$105.0 million, with the City (\$55.0 million) and County Archer (\$30.6 million) asking for 81.5% of the total on those two items alone. They want more - those requests are in the two propositions the small communities are thrown into.

The Burns councilwoman suggested that "maybe all roads be in one grouping and all water and sewer in another ... and perhaps activities in another group."

A Burns councilman, according to the minutes of that January 17th meeting, "thought that maybe it should be grouped in wants and needs."

Wouldn't that be a novel concept? Wants and needs? Too good to be true.

Both of these suggested groupings have merit. The Burns mayor, who sat on the funding selection and ballot construction committee, said he did not "feel like the committee really took it seriously that this needed to be trimmed down."

Mayor Vernon Testerman told me in a conversation that the committee had initial instructions to bring the ballot in at \$80.0 million. Tops. Because of the animus between the City governing body majority faction (Spiker, Collins and Segrave) and the two controlling County Commissioners (Ketcham and Humphrey) now, the County would not defer to the City in this election, as has been the practice in the past and \$80.0 was impossible when the two demanded over \$94.8 between them.

Wyoming statute (W.S. § 39-15-203(a)(iii)(A) in reference to a special purpose sales tax states: **"Before any proposition to impose the tax or incur the debt shall be placed before the electors, the governing body of a county and the governing bodies of at least two-thirds (2/3) of the incorporated municipalities within the county shall adopt a resolution approving the proposition ..."**

What this means is that three of the four incorporated municipalities **AND** the governing body of the County must adopt a resolution such as the one rejected by the Burns Council. For once, the three small county towns have some say. If only two of them - forget Pine Bluffs, they are toadies for the City of Cheyenne and the County - took a stand to construct a more palatable ballot, it could be done.

A concern expressed by Burns' mayor Testerman was that it could be three mayors down the pike before Burns could seek funding for another specific purpose if this ballot is approved as presented - all four propositions approved.

The November 4, 2003, Sixth Penny election asked for \$57.9 million and **SIX** propositions were offered voters then.

The May 2008 election asks for over \$105.0 million yet only **FOUR** propositions are to be offered voters.

Thus, the poison pills.

The incorporated towns believe that voters within the boundaries of the City of Cheyenne won't vote to provide them any funding unless the proposition includes one or more popular City spending items.

I respectfully disagree.

I think a large share, probably a majority, of City voters recognize a responsibility to assist the small county towns with their funding needs and the Sixth Penny sales tax is the most painless way to accomplish that. Once in awhile, a City voter will grouse about a "per capita" test of funding but most, in my opinion, want to help the towns do what they cannot do without City voters support.

When the governing body of the Town of Burns demonstrated displeasure with the ballot, they were threatened with expulsion from the ballot. The Cheyenne mayor does not speak for voters. Nor do his lackeys at the WT-E. Their representations that the Burns action meant they "didn't need the money," or "didn't want the money," are further lies on their parts.

There is nothing in the minutes of the specific meeting (when the rejection was approved) to suggest that Burns didn't need or want the money. In fact, the items on the ballot as presented that would benefit Burns are mostly "needs" - not amenities like a rec center or shooting range. Burns' funding requests include water, sewer and street projects.

In the cavalier manner that has become common for the Cheyenne mayor, council majority and the McCracken Clan, dropping Burns from the ballot would be perfectly predictable. To hell with their Town's water and sewer problems. To defy the City of Cheyenne calls for drastic, near fatal, punishment, that cabal believes.

To drop a poison pill into the rural communities list of ballot items is okay, too. The bottom line for the mayor and McCrackens is that the City must come out on top. Opponents or dissidents need be crushed to prevent others from thinking they have a right to show independence.

To: Albin's governing body

I often refer to Albin as my "adopted hometown." I read in the minutes of the Burns Town Council meeting of January 17, 2008 that you once again came through for a neighbor. I would expect nothing less of you folks. I'm referring, of course, to your lending use of your garbage truck to Burns while they had theirs in for repairs. Now, I ask you to step up for your small county town neighbor again.

The mayor of Pine Bluffs thinks it is a "favor" that Cheyenne puts your needs on the ballot. That's not the case at all. Under state statute, it is a "favor" that you guys allow Cheyenne to move forward with a Specific Purposes sales tax election. The two smallest towns in Laramie County can stop this election in its misguided tracks by simply voting "no." The two smallest towns do have some clout. I am not asking you to vote "no" - I am asking you to use your clout to insure Burns is also on the ballot.

The Cheyenne mayor and his ethically-challenged allies at the local daily newspaper have made threats about punishing Burns for their governing body's rejection of the Specific Purposes ballot resolution as presented. Threats have been made to drop Burns from the ballot for their audacity in exercising independence. I beseech you to not allow that to happen. Should the ballot authorization resolution be drafted without critical Burns' projects on it, you should reject it. It would then be redone again to the satisfaction of both Albin and Burns. It will be up to Albin to protect the right of Burns to express their views about this troublesome ballot.

Make Cheyenne show its hand. Make them vote first. Then you can respond appropriately. We in the entirety of Laramie County will rely on you once again. The WT-E helped take away your schools. Don't let them take away your vote. Think about it.

Dave Featherly

There are few subscribers to the daily paper in the rural county - the Cheyenne Herald has greater readership out there than they do. So why should they care how negatively impacted Pine Bluffs, Burns, Albin, Carpenter and/or Hillsdale residents are by their leather-clad dominatrix darlings at City Hall behavior?

The ballot rejection vote in Burns was unanimous, in spite of the daily placing full blame on the mayor. They are so accustomed to Cheyenne's mayor taking credit for everything, the paper has come to believe that is the way government functions throughout Laramie County.

If "Mayor/Daily" think that throwing Burns under the bus is going to garner any votes for the \$55.0 rec center, they have another think coming. Burns needs the money they requested and they want it. But, if they think their chances of getting it are diminished by the total amount of the ballot and the propositions construction, they have every right to express that opinion. Indeed, they have that responsibility. Good for them.

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