

Extreme Do-Over: Home Edition?

In what should have been one of the "feel-good" stories of recent memory, the new house built for a family northeast of town is encountering more than its share of controversy.

Resentment stems from jealousy and envy and much has been expressed about the EM-HE building a new house for a couple who are not down and out.

It is a television program and houses are built where they can create viewership. To be able to explode a property rather than demolish and remove it the slow and tedious way, a shovel at a time, makes for better television. And they chose Cheyenne to do it because of the craftsman available to donate their time. If the promise was to build a single EM-HE house in every state and few people from Wyoming applied, what were they to do?

The house that was dynamited had been assessed at \$189,779 with the land at another \$29,712 - it was not a shack.

But it was reputed to have had radon gas at dangerous levels. What follows are some data points about radon:

Based on a national residential radon survey completed in 1991, the average indoor radon level is about 1.3 picocuries per liter (pCi/L) in the United States. The average outdoor level nationally is about 0.4 pCi/L.

Radon is a naturally occurring radioactive gas that is odorless, colorless and tasteless. It comes from the natural decay of uranium, which is found in the soil throughout Wyoming. Radon enters homes and buildings from the soil beneath through cracks and other openings in the foundation. Exposure to Radon increases your risk of developing lung cancer. 21,000+ lung cancer deaths each year are attributable to Radon. Radon is the second leading cause of lung cancer in the United States. 33% of the homes tested in Wyoming have elevated levels of radon. EPA's action level for mitigation is 4.0 pCi/L (picocuries per liter). Any home or building with a Radon level at or above 4.0 pCi/L should be fixed (mitigated).

Note: Calls to Bruce Wilson, City Chief Building Official and Mitch Carter, General Contractor, seeking further comment, were not returned on Tuesday, September 11, 2007.

A fair percentage of homes in the US has radon present. Its existence can be detected cheaply with home-test devices costing as little as \$10 - and the problem can be mitigated at costs in the low thousands of dollars or much less. The Wyoming Department of Health has a great deal of information about radon on its website and one of the facts is that, while 33% of the homes tested in Wyoming have radon levels equal to or greater than 4.0 pCi/L, only 15% of Laramie County's houses had the presence - one of the three lowest level counties in Wyoming.

This story is less about whether the radon in this particular home poses a serious health risk. It is more about how the EM-HE was built and where it is now.

When asked whether permit fees were waived for the construction of this special dwelling, the Cheyenne Herald was told that no one has the authority to "waive fees." The way found around charging fees was to decide that the house has NO VALUE - that because all materials and labor were donated, it has no value.

That will not be the ultimate determination, however. When assessed, it will be assessed the same as any other house, regardless of whether it was built with donated materials or paid lumber, doors, windows, shingles, etc. If a similar house were built from materials gifted by the grandparents and labor was donated, it seems that house would have value. But this one was handled differently. At this point, the City has said it has no value.

When asked about inspections, we were told that special schedules were arranged - two hours notice. Normal inspections are to be done within 24 hours and usually are, according to what we were told.

The owners live in the house under a Temporary Certificate of Occupancy as the house needs "inspection and approval" on "Building, Electrical, Mechanical and Plumbing." The TCO expires September 24, 2007. Tips to us about the condition of the structure are being investigated. Because the City does not retain the "card" listing the deficiencies, it was impossible to determine their severity.

The City loses still another legal dispute

As certain as the swallows returning to Capistrano, the City engaged in another legal altercation with a client represented by Gay Woodhouse - and lost.

This matter is titled: "In the Matter of the Termination of Scott Heatherington," and was litigated before the Personnel Commission for the City of Cheyenne.

That title alone suggests that the petitioner has small chance of prevailing - as they are up against a body appointed by the mayor of the City of Cheyenne and the Commission will have to bite the hand that appoints it to rule against the City.

But, it occasionally does.

The 16 page decision can be read in its entirety on the Cheyenne Herald website: www.cheyenneherald.com

The decision, dated August 31, 2007 but provided the mayor and city attorney in advance of that date, makes interesting reading.

Last things first. The Decision:

"IT IS THEREBY ORDERED that the termination of the Petitioner's employment shall be and the same is hereby modified to a suspension without pay for a period of thirty (30) working days from May 8, 2007 and that Petitioner shall be and he is hereby reinstated to his position effective at the conclusion of said period of suspension."

Scott Heatherington is a long-time employee (26 years) of the City of Cheyenne and, according to testimony and the Decision, had an exemplary work record. He had recently been promoted to Cemetery Director but lost that position when a new Director of Parks and Recreation was named. It was that Parks Director who initiated the action to terminate the loyal and valuable City employee.

It is required of supervisory personnel of the City that they evaluate those working under them. The previous Director of Parks and Recreation, Dennis Griess, had made those evaluations of Heatherington and they were all satisfactory.

Once the current DP&R, Rick Parish, was appointed first Interim Director then Director, the evaluations ceased.

When the Cemetery Division was reorganized to accommodate a personal friend of Parish's, Scott Heatherington was demoted to Assistant Cemetery Director. The Cheyenne Herald has reported on two grievous instances of flag and grave desecration at Olivet Cemetery since the reorganization.

On May 8, 2007 (before either instance of desecration), Scott Heatherington was terminated. According to the Decision, "prior to the termination of his employment, Petitioner had not, at any time, been subjected to any disciplinary action."

Termination was the result of an exit interview of another employee who made accusations against Heatherington - mostly charges that did not stand up under intense scrutiny.

Accusations were made that a steer carcass had been buried on cemetery grounds "at the direction of the Petitioner"; that Cemetery employees played cards excessively (on City time); that Cemetery employees watched pornographic materials during work hours; and that one Cemetery employee had used a firearm to kill an injured fox at the cemetery, ...

The witness did disclose where he had buried the steer carcass and it was unearthed. But there was a dispute as to how or why it was buried on Cemetery grounds and the Commission accepted the Petitioner's explanation, not the witnesses. Other Cemetery employees testified that the witness "had a penchant for telling tall tales." The witness testified that he had not told the truth on his job application and that his past was worse than he had disclosed. Employees admitted that card games were played - but at lunch and breaks. No written directives had ever been issued forbidding those games.

The one kernel of truth was the shooting of a badly injured fox. That was done after Game & Fish and the Animal Shelter refused assistance. That was the reason for the suspension in the Decision.

Oroweat Bakery Outlet

**Travel A Little,
Save A Lot!**

308 Southwest Dr. • 635-8400

Open Monday - Saturday 11-4

South across from Tyrrell-Doyle Chevrolet - west at PTA Self-Storage

Thrifty Cash makes it easy to get extra cash! All you need is:

- 1.) Valid Identification
- 2.) Current Copy of Checking Account Statement
- 3.) Verification of Employment or Income
- 4.) Just 5 Minutes of Your Time!

LOANS UP TO \$3000⁰⁰!

THRIFTY CASH SERVICES

"Finally, a fair loan at a fair price."

619 East Lincolnway • 634-2081