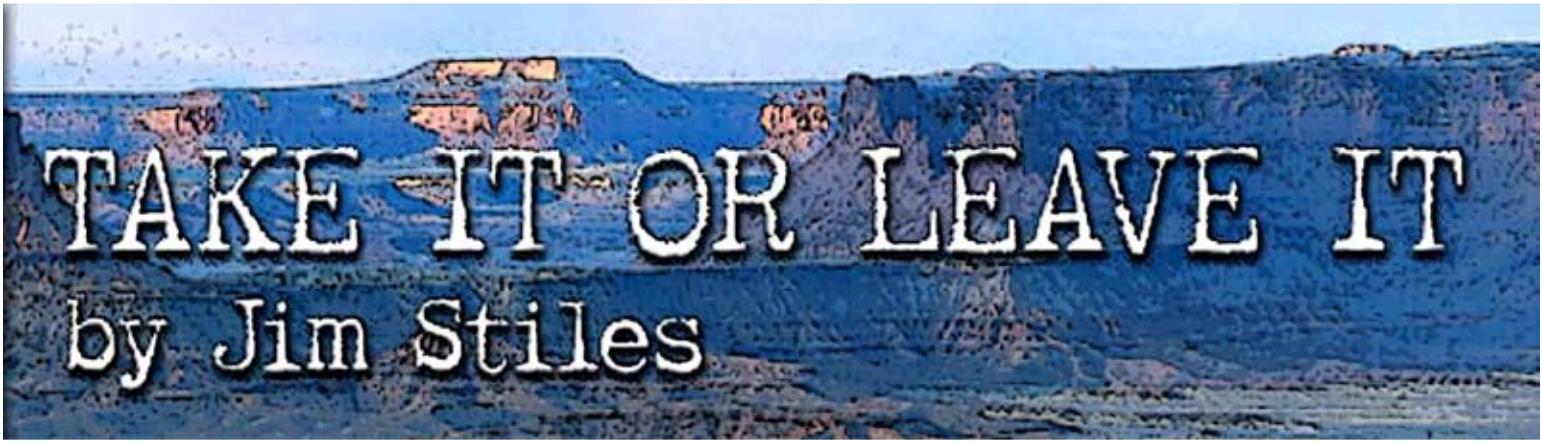




THE TONTO PLATEAU, JUNE 1950 AT
THE GRAND CANYON
By HERB RINGER

February/March 2016 Volume 27 Number 6

SURVIVING ALMOST 27 YEARS



SOME PERSONAL THOUGHTS ON THE MOAB CITY HALL STORY, AND LOCAL JOURNALISM IN GENERAL

I've been doing *The Zephyr* for 27 years now and one of the problems with running a small independent publication like this is that, as publisher, I'm required to wear many hats, even when I don't want to.

It's not as complicated as it used to be, in its 'paper hey-day,' when I made a *Zephyr* press run every eight weeks. As press day approached, I'd carry my cut and paste layout boards with me, in the old '86 GMC truck, and take the back way around Salt Lake to Tooele, to the printers at the Transcript. Usually I slept out the night before, on that long empty stretch of State Hwy 36, and get to the Transcript office at dawn the next morning. The guys there were great--the Tooele paper was and still is locally owned, by the Dunn Family--- and they'd have all 15,000 copies printed by noon. We'd load them into the truck and I'd head for Moab. Then came subscriptions and distribution, most of which was performed admirably by my friends like Linda Vaughan and Jose' Churampi.

But those were logistical issues that were physically exhausting and time-consuming, but pleasant in other ways. Loading and unloading and re-loading a couple tons of newsprint kept me in shape, I saw many good friends during the whole production process, and I always enjoyed the drive through the West Desert.

More challenging for me, and frustrating at times, has been trying to separate my various editorial caps when assembling content for *The Zephyr*, to the satisfaction of my readers. Over the years, I've been blessed by the participation of many talented writers who have contributed to the quality of this publication in immeasurable ways. But ultimately, the choice of content falls on me.

My own contributions have varied in style and purpose; I've certainly never hesitated to express an opinion in these pages, and political humor, in print or via my doodles, has been a staple of this rag, but I've also invested a lot of time and effort researching and writing investigative reports. This kind of journalism is the most difficult.

Of the countless stories I've done in over 25 years, let me cite three articles that especially come to mind--- the 1997 story on the police shooting of a Moabite, "The Death of John Dinsmore, the 10,000 word expose' from 2008 called "The Greening of Wilderne\$\$," and my "Bike Borg Moves South" article from 2013. There are many more, and most of the time, I kept my politics out of the articles and deposited them on the "Take it Or Leave it" page.

Some will argue that I didn't and don't succeed in sepa-

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rating fact and opinion, but for the most part, I disagree. The "Greening" piece generated some really awful comments from organizations like the Grand Canyon Trust, who took the unusual step of writing letters to my readers, and calling me "mean-spirited" and "malicious." Yet, there wasn't an undocumented fact in the article. What I'd done was to quote people accurately and get my facts right.

<http://www.canyoncountryzephyr.com/blog/2013/10/07/from-the-august-2008-zarchives-the-greening-of-wilderne-jim-stiles/>

I've been doing *The Zephyr* for 27 years now and one of the problems with running a small independent publication like this is that, as publisher, I'm required to wear many hats, even when I don't want to.

Likewise, the 'Bike Borg' story raised the ire of a few Moabites who thought I'd given at least one of the principals in the article a "bad rap." My "rap," in fact, was to transcribe taped testimony and print long excerpts, so that I couldn't be accused of taking comments out of context. To paraphrase Harry Truman, "I didn't give her Hell, I printed the truth and she thought it was Hell." There's a difference.

<http://www.canyoncountryzephyr.com/2014/02/03/moab-is-assimilated-bike-borg-moves-south-is-resistance-futile-in-san-juan-county-by-jim-stiles/>

The 1997 story about John Dinsmore, who was shot to death on the driveway of his home by a Moab police officer, is perhaps the greatest tragedy I've ever attempted to write about. Dinsmore had become suicidal and armed with a kitchen knife threatened himself and five law enforcement officers from Moab/Grand County. When my long article was published, many in L.E. complained bitterly, but no one ever challenged the information I brought forth. Though no disciplinary action was ever brought against the officer, the City did, in the aftermath, purchase non-lethal weaponry to deal with future inci-

dents like John's. For that alone, the story was worth the effort.

<http://www.canyoncountryzephyr.com/oldzephyr/stiles-stories/dinsmore.htm>

Still, the argument continues---critics claim that whether I kept my own opinion out of the story or not, "Everybody knows where you stand." Well...okay. But does anybody think Glenn Greenwald loves the CIA? Did anyone think Woodward and Bernstein were Nixon fans? The bottom line is: The facts must substantiate the story. That's what I strive to do.

And finally, when it comes to writing Moab political pieces, there's the argument that I don't live in Moab anymore; therefore I have no right to express an opinion or present the facts. In October 2014, during the heated election campaign, City Councilman Bailey's wife, Carrie, made that very point. But that's like saying Ed Abbey shouldn't have been allowed to write "Desert Solitaire," because he no longer lived at Arches. The *Zephyr* continues to be a publication about Southeast Utah, and we continue to cover the issues that are of greatest interest.

Now, with regard to the massive article in this issue, "What's Past is Prologue," my desire to get involved in the story reminds me of the WC Fields quote, who once said, "All in all, I'd rather be in Philadelphia."

For me, even Philly sounded better than getting mixed up in this controversy. It's true I knew both dismissed men and I used to see Ken Davey regularly, before I left Moab a decade ago. Now our contacts are limited to a few shared coffees every summer and the occasional exchanged barbs on facebook. Over the years and decades, Ken and I have argued about almost everything. But I have always admired and respected his intelligence and decency as a man.

I realize that no matter how well documented and fact-driven this article is, there will still be those individuals who will dispute the contents of the story, who will accuse me of bias, or "shoddy journalism," or that I'm "just trying to stir things up," or that I'm "trying to get the *Zephyr* in the news" But I accept these kinds of uninformed and emotional rants... In a nutshell, the facts don't fit their biases.

As for David Olsen I've hardly seen Dave in 20 years. Anyone who knows me, knows that creating Trail Mix and helping to build 150 miles of bicycle singlettrack trails--- both accomplishments by Olsen--- have never been high on my priority list. But those differences had nothing to do with the way I view him as a man. Despite our differences, I never doubted his integrity or his passion. I know how much he loves his family and, to trump everything, he had one of the most amazing dogs I've ever seen. I knew David Olsen to be, like Ken, a good and honorable fellow.

Still I didn't see myself getting involved and I was under the impression that at least one and maybe both of the Moab weeklies might further investigate the details of the dismissals and pursue the story of the city manager's time in Kemmerer and Timnath. But, as far as I can tell, it didn't happen.

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*All the News that Causes Fits
since 1989*

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Then I started hearing from citizens in Kemmerer and in Moab, frustrated people who wanted to know more but didn't know how. In one case, some interesting information had been gathered, by a family in Moab, but they didn't know what to do with the revelations they'd made. So they gave it to me.

Then I wrote a short piece, "Upheaval at Moab City Hall," which was more a collection of links and long quotes, from other media sources, to document Ms. Davidson's tenure as city manager in Timnath, CO and Kemmerer, WY. I was careful, however, with the information I chose to print, especially that coming from social media.

In Kemmerer, some of the rhetoric that I found, on a related facebook page, was full of anger and threats and accusations, from both sides of the battle lines and eventually, I rejected the comments from almost everyone who reached out to The Zephyr from that page. But sometimes, where there's smoke, there's fire and eventually, sifting through the highly charged emotions, I found some solid voices. From there, I pursued hard information via Wyoming Sunshine Laws and the Utah Government Records Access laws (GRAMA), as well as court documents from Timnath, Colorado. And we still have FOIA requests pending with the City of Kemmerer.

But from all that information, I've spent the past month trying to put it into a story that makes sense, to you and to me. The result is the 13,000 word article that appears elsewhere in this issue. Also, on January 11, I sent 15 questions to the city administrator, Rebecca Davidson, with copies to the Moab mayor and council members, hoping she could clarify, or resolve issues raised by this investigation.

As of posting time, February 1, 2016, time, we have not heard from Ms. Davidson.

A copy of the questions is included elsewhere in this issue.

Finally, I realize that no matter how well documented and fact-driven this article is, there will still be those individuals who will dispute the contents of the story, who will accuse me of bias, or "shoddy journalism," or that I'm "just trying to stir things up," or that I'm "trying to get the Zephyr in the news" (all of which are public comments posted about The Zephyr in the past months and year). Or most absurdly, that I'd "do anything to make more money." THAT comment is especially ridiculous, since almost all of my commentary these past few years has caused my ads to shrink, not grow. With a few exceptions, The Zephyr now relies on the support of individuals, via The Backbone.

But I accept these kinds of uninformed and emotional rants, because I know the information in this story doesn't fit some Moabites' preconceived notions. In a nutshell, the facts don't fit their biases. I realize that part of the problem for those people will be the conflicted and contradictory loyalties that will arise from this story. They'll find themselves at odds with others, and with their own core beliefs. Those sympathetic to the dismissed employees will also have to scrutinize the conduct of the city officials who were responsible for these events occurring in the first place. Somewhere along the way, those divided loyalties must be resolved.

I do admit to being frustrated by any entity---government, corporate, or personal--- that takes actions or makes decisions that affect the public without even a hint of transparency. When instead of providing full disclosure for their actions, they hide behind "non-disparagement clauses" and "non-disclosure agreements," and threats of litigation and intimidation. Or bland gutless "public statements." Or "executive sessions."

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and ultimately the truth, until eventually, finally, everybody either forgets or gives up.

Ultimately, the reason I wrote this story, like so many others I've produced over the past 27 years, is because I'm trying to do my job. Thomas Jefferson once said, "The people cannot be safe without information. Where the press is free and every man is able to read, all is safe."

What the people do with this information, in this case the residents of Moab, Utah, is entirely up to them...

WIND SUBSIDIES & CONFLICTED CORE VALUES-- FROM THE LEFT AND THE RIGHT



"THANKS OBAMA?"

For more than a decade, I've grown increasingly disillusioned with the lack of honesty in politics and have observed a vast chasm between the professed ideologies of BOTH liberals and conservatives and the Reality of their actions. If I allowed myself to vent about the stunning hypocrisy of politics at the national level my rant would fill far more column inches than would ever fit in this publication, so let me limit my disaffection to my own neck of the woods.

It's no secret that a decade or so ago, I became disillusioned with my environmentalist friends whose once honest efforts to protect the remaining wildlands of Utah in their purest form, gave way to the huckster-like promotion of 'wilderness' as a product to be packaged and sold. In fact, at the infamous 'Wilderness Mentoring Conference of 1998,' a prominently displayed quote by Michael Carroll, now of The Wilderness Society, established the tone and direction of all that would come later:



Bill urged support for Latigo and added, "Don't forget that it truly is a private investment of private money on private property."

"Car companies and makers of sports drinks use wilderness to sell their products. We have to market wilderness as a product people want to have."

Seeking protection for wilderness became a bewildering and conflicted pursuit for me as I saw the environmental community turn a blind eye to the dangers and impacts caused by recreation and tourism. Almost 20 years ago, a leading Utah environmentalist warned that "industrial tourism" created "more potential to disrupt natural processes on a broad scale than just about anything else." Today, you'd never hear that sentiment expressed out loud.

The great conservation writer Wendell Berry once noted, "this is what is wrong with the conservation movement. It has a clear conscience." He added, "To the conservation movement, it is only production that causes environmental degradation; the consumption that supports the production is rarely acknowledged to be at fault."

Honest words that fall on deaf ears these days. As Monticello's neighbor to the north explodes with more motels and more gridlock, with predominantly low-paying jobs and with affordable housing a fading memory, clearly



many "progressives" have lost touch with their own core values.

But what about Conservatives? Even right here in San Juan County...do they stay loyal and true to their core beliefs?

Consider the recent arrival of the Latigo Wind Farm with its 27 massive turbines, sprawled across the foothills of the Abajo Mountains just north of Monticello. The project has generated considerable debate and discussion among San Juan County residents. Some locals like Latigo, others loathe the project.

In a recent San Juan Record editorial, publisher Bill Boyle made the case FOR the turbines, noting that a preponderance of land in the county is publicly owned; consequently, he explained, the county needs to take advantage of whatever industry can be generated on private land. Bill wrote, "In a time of a decreasing tax base, the Latigo Wind Farm will help local governments maintain services and stem tax increases." Bill urged support for Latigo and added, "Don't forget that it truly is a private investment of private money on private property."

But when the story was posted on the San Juan Record's facebook page, San Juan County resident Scott Mitchell asked, "truly private investment? How so if it is subsidized?"

Bill Boyle replied, "A large number of industries receive subsidies of one type or another, but that does not determine if they are private or public. This includes farming, oil and gas pipelines, telecommunications, utilities, financial, health care, housing, education, defense. The list goes on and on."

That may be true, but to me, this kind of argument diminishes the credibility and honesty of the conservative cause. Bill, in effect, is saying, 'everybody else takes federal money, why shouldn't we? It's just the way it is.'

Isn't that EXACTLY why it's difficult to take conservative opposition to federal spending very seriously? The alternative energy subsidy program is a favorite of the Obama Administration, a Democratic president, who dramatically expanded subsidies for wind and solar projects across the country and who recently pushed to make the subsidies permanent. How is it possible that in Monticello, especially, so many of its citizens can find favor with a federal program promoted by a president they seem to, in all other ways, despise?

I recently looked up the voting results for Monticello in the last presidential election. Mitt Romney collected 856 votes to Obama's 95. Romney won the support of 90.1% of Monticello residents; Obama just 9.9%. Clearly there is little support for the policies of the Obama Administration. And yet, opposition to the wind farm has been muted at best.

<http://www.sanjuancounty.org/documents/Elections%20-%20Official%20Results%202012%20General.pdf>

Trying to determine what the mood of other conservatives might be, I sought the opinions of the conservative media and its views on wind subsidies....

In an opinion piece for The Hill, called, "Wind Subsidies Survive on Back Room Deals," Christine Harbin, deputy director of Federal Affairs for Americans for Prosperity, argued, "The Left says that it wants to inspire creativity and opportunity in the energy space and elsewhere, but they rely on old-school top-down handouts and mandates. Government-directed innovation simply doesn't work...American taxpayers have seen very little return on our forced investment in wind energy over the past 20 years, especially in terms of long-term job creation and economic viability. Worse, decades on, the industry continues to lean on taxpayers and rely on special-interest, government giveaways."

<http://thehill.com/blogs/congress-blog/energy-environment/262145-wind-subsidies-survive-on-back-room-deals>

The conservative Institute for Energy Research complained, "In his fiscal year 2016 budget proposal, President Obama wants to make the major wind subsidy (the production tax credit or PTC as it is commonly called) permanent. For the past 23 years, the American taxpayer has subsidized wind power to the tune of tens of billions of



Sorry, Smokers. The Death Panels Were Real.

I'm the sort of person who volunteers to fill out forms. It's a bizarre personality trait, but one of the few things I can offer to the people I like. So, when a couple of our good friends admitted they were procrastinating getting health insurance, I piped up and offered my help in enrolling them under the Affordable Care Act. They seemed startled by my enthusiasm. Like I said, most people don't jump at the idea of government questionnaires. But they admitted they could use my help. And so, a couple days later, I walked over to their house and logged them on to the website.

Everything seemed to be going smoothly. They had their income information at hand, and we breezed through the first few steps of the process. When the website returned their eligibility for a premium tax credit, I felt triumphant. They would get a sizable chunk of money reduced from their monthly premiums. For a moment, it all seemed perfect.

Until the next page, where the website asked about tobacco use.

"Oh no," I couldn't resist saying out loud. My friends looked over at me, concerned, as they stubbed out their cigarettes. "I think this could be bad."

I hesitated, and then typed into the form that they were current tobacco users.

And that was the rub.

Despite what had seemed like a fantastic subsidy from the government, their premiums would still amount to nearly \$7,000 a year for the cheapest plan. And they would get no co-pay, no co-insurance. They wouldn't get any help from their insurance at all until they had paid a \$12,000 yearly deductible. The next cheapest plan added \$3,000 to their yearly cost and barely reduced the deductible at all. To get halfway decent coverage, they would pay over \$20,000 a year in premiums.

I felt awful. Here, I'd been such a cheerleader for the ACA. I had told them so many times how cheaply we got healthcare. That our premiums were low and, even better, our deductibles were reasonable, with minimal co-pays for doctor visits, etc. Affordable Care had treated us well. But, I hadn't known--thanks to a loophole in the law, and the cigarettes in their hands, our good friends were screwed.

Needless to say, they didn't buy insurance.

I began looking up the exemptions from the yearly tax penalty--\$325 per person this year--for not having insurance. And it turns out that, if the lowest premium offered to you is still more than 8% of your yearly income, you don't have to pay the penalty. A relief, I'm sure, to my friends, who would have been paying nearly 20% of their income for the cheapest plan. But not as great a relief as having affordable insurance would have been.

raise premiums would be tobacco use. The companies could raise premiums by as much as 50% on smokers, and their federal subsidies wouldn't pay for any of that 50% hike.

Not every state allows that 50% charge, mind you. Seven states, and the District of Columbia, don't allow insurers to charge smokers extra. Three other states--Arkansas, Colorado, and Kentucky--have set the surcharges lower than 50%, (though Kentucky insurers can still add 40%.) But that leaves 45 other states where smokers face the full penalty.

There is a logic to this policy, of course. Smokers get sick more often than non-smokers. By limiting the pool of covered Americans to non-smokers, and those smokers who opt to pay out the nose for coverage, the insurance companies save money. And they don't raise their premiums on the rest of us. As for the unfortunate smokers, (the rest of the population might think,) it's their own fault when they get sick, so those folks can just suffer the consequences.

It sounds cruel, doesn't it, to just abandon smokers to ridiculously high premiums or to no insurance at all? But the writers of the ACA weren't as heartless as you might think: tobacco use is disproportionately concentrated among the poor. And by expanding Medicaid to all adults making under 138% of the poverty line, the law's writers intended to provide free healthcare to many, if not all, of the country's poverty-stricken smokers. The real cruelty came after the law the passed, when states were allowed to exempt themselves from expanding Medicaid, and millions of people were left with no option for health insurance at all.

But even if every state had expanded Medicaid, any smoker making more than 138% of the poverty level would still have been left in the lurch. Among them, my friends. And those folks still face the uncertain future that the law was meant to have prevented, where all preventative care is off the table. Where illnesses are self-diagnosed and self-treated, using over the counter medications. And any accident or sudden symptom might be the one that dooms you to bankruptcy.

There's something deeply cynical about the deliberate exclusion of tobacco users from all the healthcare law's benefits. The purpose was to expand affordable coverage to everyone, after all. Not only to those who we feel deserve it. Not only to people who haven't, in some way, contributed to their own health problems. After all, practically everyone would meet that criteria. Anyone who drinks too much, or eats too much, or plays professional football, could be contributing to a future illness. But the purpose of the ACA was to keep health insurance companies from punishing people for their poor health. In the past, the lack of affordable insurance doomed the unlucky and the unhealthy to, at best, medical bankruptcies and, at worst, death. The ACA was written to free us from that Darwinian system. And, for most, it has. But not for the one tar-stained group on the margins. Ironically, that group of modern-day lepers would be better covered if they did in fact have leprosy, and not an addiction to tobacco.

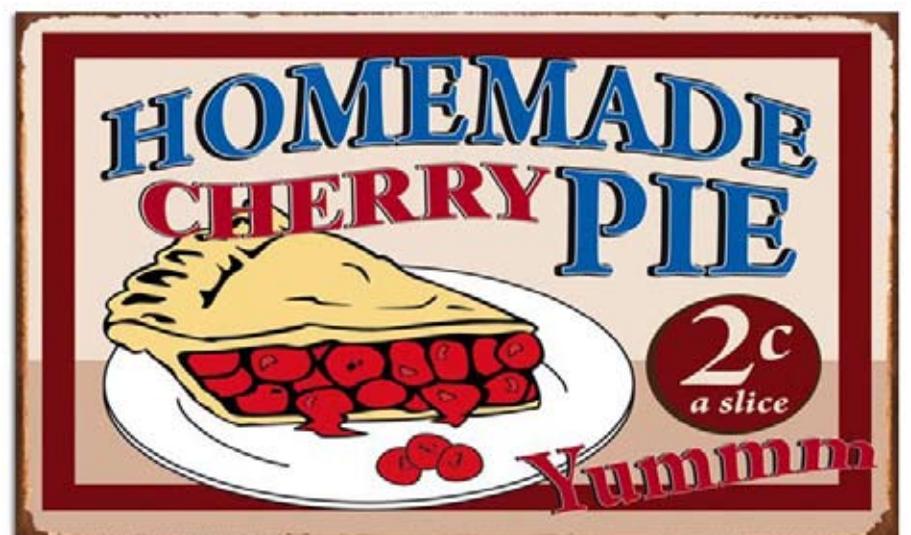
The Wages of Slim

One of the most popular axioms of nutrition these days is: "Don't eat anything your great-grandmother wouldn't recognize as food." The statement comes courtesy of culinary guru Michael Pollan, and while foodies can argue over the question of elitism, or whether your great-grandmother fits into increased multiculturalism, or what have you, it's hard to disagree with the fundamental premise that there is, on the one hand, "food,"



And that was the rub.

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generally made in the home from a medley of recognizable ingredients, and then there is "edible non-food stuff," generally consisting of cheese-like substances, corn syrup, and Red Dye 40. The former, of course, is what we should be eating. The latter, not so much. But the mantra of "eat like somebody's great-grandmother" isn't terribly sexy, is it? And how does it fit into notions of "increasing market share" and "boosting promotional branding?" Much easier for the food companies to have a nice shorthand enemy of health, like fat has been for 30 years--or gluten, for that bizarre tenure recently. Yes, the

age of the newest food enemy is upon us, and it's an ingredient my great-grandmother loved to bits: sugar.

The war cries are all around us:

Sugar is "toxic"

Sugar is "evil"

You should probably go on a Sugar "Rehab" or a Sugar "Detox"

But, amidst the hysteria, it's difficult to figure out exactly how much sugar we're eating. Many articles repeat the claim that the average American now eats something like 22 teaspoons of sugar per day. Assuming there are around 100 teaspoons in a pound of sugar, that should mean we eat around 81 pounds of sugar each year. But you'll also read that we eat "17 four-pound bags of sugar per person per year," which sounds hefty but amounts to a lighter 68 pounds. Regardless, it's a lot of sugar, right? And many of the articles will point out that, in 1822, American's only ate around 6 pounds of sugar a year. And that sounds like a terrifying disparity—6 pounds to 80 pounds. No wonder this country's going to hell in a handbasket, yeah? We're sugar-eating fiends. But few of those articles also mention that sugar consumption is down significantly from its peak, in 1999, of 107 pounds. Or that your much loved great-grandmother, back in 1900, ate something like 90 pounds. What would she think of your paltry 68 pounds of sugar? She'd probably give you another piece of pie.

It's hard to argue a positive case for sugar. In truth, a lot of the crap we eat these days (pre-packaged and vacuum sealed) is filled with the stuff. I can only assume that's because sugar tastes good and the other primary ingredients—cardboard and fizz—don't. And no one should be arguing that there's any good in eating pre-packaged snack foods. Not, mind you, because they contain sugar, but because they're garbage. And there are likely good arguments to be made about the prevalence of corn syrup, which may or may not be metabolized like other sugars. And whether we should be as jealous of great-grandma's eating habits as we are of her daily exercise—which, let's face it, we're never going to match.

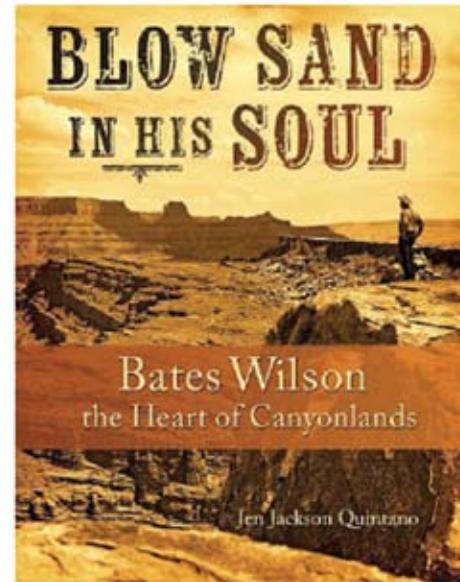
But to focus on sugar is to avoid the more important issue: many Americans don't eat real food. Likely due to our ridiculous work hours, and the lack of affordable childcare or household help, we take shortcuts. And those shortcuts tend to fall under the subheadings of battered, cheezy, crispy or sugary. Getting Americans to drop those shortcuts will likely take a much larger societal reckoning over our obsession with work, our low wages, and our lacking public services. That's the real "toxicity" at the core of our diets, and our lives. Sugar's only a scapegoat.

We shouldn't be looking at our dinner tables as a battle between good and evil. Sugar isn't a sin. It's food. It shouldn't be the only thing you eat, but it shouldn't be a Scarlet Letter of immorality either. Reducing your consumption probably won't hurt you, but keep in mind how ridiculous the anti-fat 80s and 90s look to today's eyes. So, don't go on a "Sugar Detox." Just eat food. Real food. And hey! Why not a slice of your great-grandmother's pie?



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TEN PICTURES ARE WORTH A THOUSAND WORDS THE LATIGO WIND FARM

At Monticello, Utah...December 2015



One of the 27 turbines

Esst of Monticello. LDS temple at lower left.

(L) US 491 approaching Monticello from the East

(R) LDS Temple, Turbines in the distance.



From Dove Creek CO



(ABOVE) Approach to Monticello on US 191



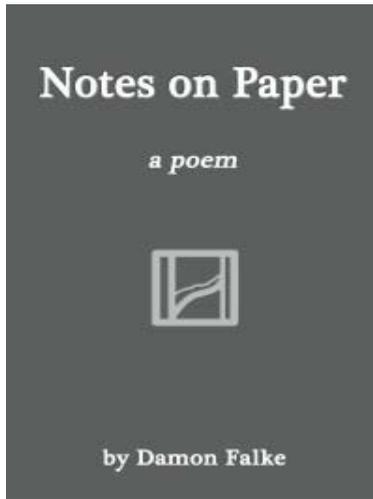
The new 'Discovery Center' in Monticello



As of late January, eighteen of the twenty-seven turbines were operational.

The Zephyr took these images in early-December as sPower worked feverishly to complete the project, in order to qualify for federal subsidies. For more on latigo, read this issue's "Take it or Leave It," by Jim Stiles ("Wind Subsidies and Conflicted Core Values--Right and left.") and "Tilting Windmills---A Geologist Looks at Latigo," by Gene Stevenson.





In Notes on Paper, Falke walks us through the landscape of one man's mind, which contains both his past and an awareness of our common future. From within private memories the narrator reaches out to us with 'we' and 'you', and each spare line invokes the hope that we, like him, are worthy of return to our most longed for places. And if to return is not our fate,

and really it never can be, the narrator bids us survey our own memories, taking time in the present for the winds, and the words, that move the world.

NOTES ON PAPER DAMON FALKE

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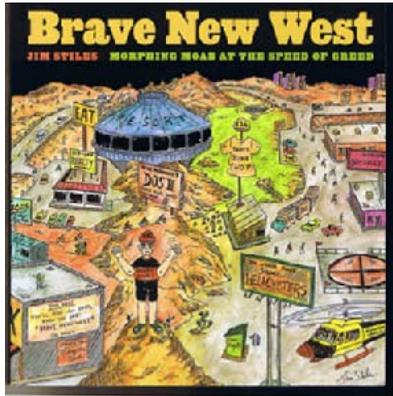


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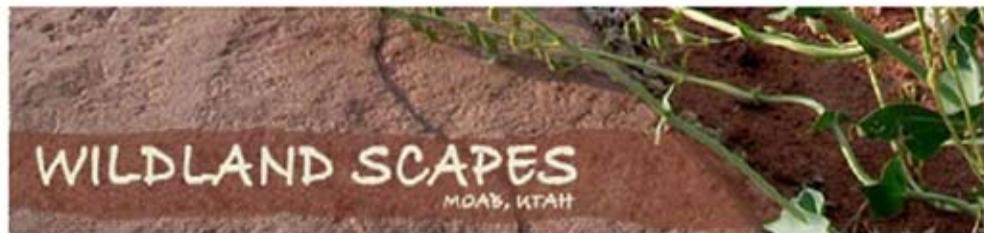
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Terry
Tempest Williams



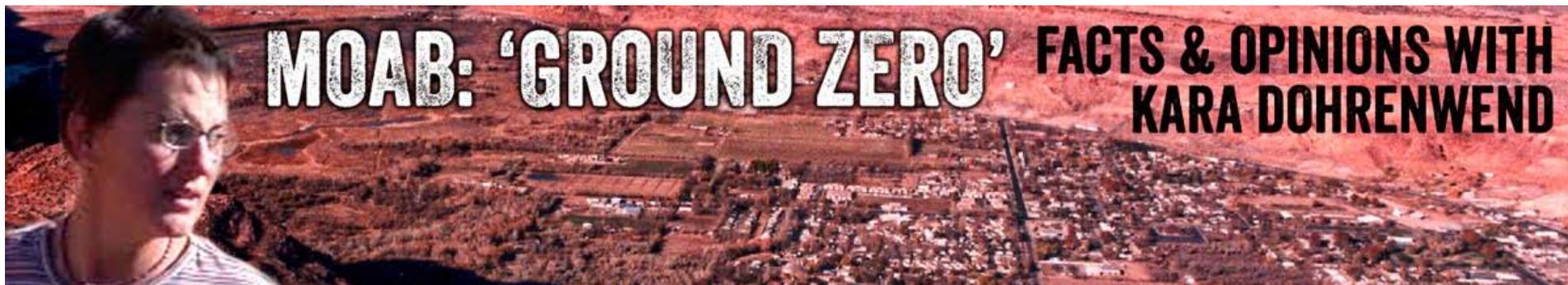
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MOAB NEEDS A TRUCK STOP

Winter is usually a quiet time in Moab. Most of downtown is closed and won't reopen until February. It's cold, of course, and few visitors are interested in hiking or biking in the winter time and our mountains don't attract many from out of town. You can actually walk across Main Street without having to wait for the light to change.

This winter has been busier than past winters, especially considering how cold and snowy it has been. There are more visitors on the weekends and many more trucks and OHVs; town does not feel as sleepy as it used to in the coldest months of the year.

Christmas day was a quiet snowy day in downtown Moab. A great day to curl up with a book by the fire. That is until a loud engine screamed down the street and started spinning in circles on 100 North. The first time it happened I was surprised, especially seeing this on the street and not just in the parking lot next door. Over the course of the day I think they returned at least three times. Each time, by the time I thought about it long enough to think to report it they were gone.

Turns out apparently the four seater OHV spent a lot of the day doing this, all along 200 North, 100 West and who knows where else. The vehicle was loud, but this behavior was worse than irritating, it could have damaged property or people or my cat who likes to walk on the street from time to time.



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of the day doing this, all along 200 North, 100 West
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I hesitated to call and complain because I have a longer standing reason I call the dispatcher, and on a holiday I knew it would be dispatch I would reach rather than the police department. Ray tells me I am starting to sound a little insane about it. Perhaps I am. But the number of trucks parking and idling all night in Moab is getting on my nerves. And I am learning it is not just happening downtown.

Joining the long haul drivers overnighting regularly in Moab, and the occasional rented RV or pick up truck camper, are now trucks delivering materials for the new hotel on Main Street running their engines for heat all night long. During some busy days several park right out front waiting to find out where they will be unloaded since there is no space at the construction site across from the post office. Once the season hits and visitors return it will be comical on 100 North, except when I need to get out of my driveway or when someone wants to pick up some bar oil or steel at Rim Supply.

There are City ordinances that apply even in the downtown that disallow camping on city streets or private properties outside of RV parks and campgrounds. Basically overnight camping is expressly prohibited everywhere in Moab City limits, public or private, except where it is expressly permitted. Per city code:

8.20.010 Camping in undesignated areas.

It is an infraction for any person to establish a temporary site for the purpose of human habitation to provide overnight or short term camping on a public or private road, street, alley, or lot, other than in designated campgrounds or recreational vehicle parks, within Moab city limits.

8.20.020 Use of public property.

It is an infraction for any person to engage in camping upon any public right-of-

way, public property, park, or other property owned by a governmental entity and not a designated campground or recreational vehicle park within the Moab city limits during the hours of eleven p.m. and six a.m.

8.20.030 Camping defined.

For purposes of this chapter, the term "camping" means to establish, for human habitation or temporary lodging any tent, lean-to, tepee, yurt, hut, tarp, sleeping bag, blanket, vehicle, trailer, camper, or other means of shelter as temporary lodging out of doors for vacation, outings, or other outdoor recreation purposes, or for any business purpose. Nothing contained in this definition shall prevent the use of umbrellas, sun shades, or other usual equipment for temporary protection from the sun or elements and not for human habitation or overnight use. The term "camping" as used in this chapter shall not be defined to include any camping activity authorized pursuant to a special event or special business event license issued by the city pursuant to the provisions of Chapter 5.09. (Ord. 08-26 (part), 2008)

This is happening downtown with more and more regularity.

During the season I am told it also happens near residential neighborhoods. Behind the Super 8 – where the zone was just changed from residential to commercial – I am told that trucks park in the empty lot all night long, often running their engines for air conditioning. Haz-Mat placards mark some trailers as obviously carrying materials that would generally not be allowed to be stored in a residential neighborhood. And apparently those of us who live here, who work here and who pay taxes to support local infrastructure have little recourse to enforce our own laws.

In addition, it is illegal to park a vehicle longer than 4 hours on any city street, and the ordinance that outlines this again mentions that it is illegal to park on any street to camp overnight. Seems to me, the way this rule is written is nearly impossible to enforce – technically the rule prohibits parking anything on the street for more than 4 hours anywhere in the city, even in front of your own house. The ordinances say:



**Ray tells me I am starting to sound a little insane about it.
Perhaps I am. But the number of trucks parking and idling
all night in Moab is getting on my nerves.
And I am learning it is not just happening downtown.**

10.04.230 Unlawful parking--Vehicles left standing for more than four hours and overnight camping in vehicles.

A. It is an infraction for any person, company, or corporation to park or to cause to park or leave standing any inoperative vehicle, truck, recreation vehicle, or trailer on any public road, street, alley or municipal property except for loading or unloading of equipment. In no instance shall the vehicle be parked for a period of time that will exceed four consecutive hours. Any vehicle so parked or left standing may be fined, impounded or removed by any regularly employed and salaried officer of the police department of the city of Moab.

B. It is unlawful to park any vehicle or motor home on a public road, street, alley, or lot, other than designated recreational vehicle parks, for human habitation or overnight camping. Any vehicle or mobile motor home so parked or left standing may be fined, impounded or removed by a peace officer or designated official.

12.16.020 Parking of inoperable vehicles, commercial vehicles, and recreational equipment on city streets.

B. For purposes of this section “operable commercial vehicles” shall be defined to include any vehicle which: (1) is currently licensed for lawful operation on public roads by the state of Utah or any other lawful authority; (2) has a capacity of two tons or more; (3) is utilized for commercial or business purposes; or (4) is wheeled or tracked equipment including, without limitation, tractors, bulldozers, back hoes, construction equipment, delivery vans, tow trucks, utility trucks, or equipment such as flat bed trailers, box trailers, or equipment trailers used to carry other equipment. **It is unlawful to park any operable commercial vehicle on any public street within the city limits for a period of more than four consecutive hours, except that such vehicles may be parked for a period not to exceed forty-eight consecutive hours where necessary for: (1) individual deliveries or pickups to/from an adjacent residence or business; (2) construction related activities that are the subject of a valid building permit from building authorities; or (3) services provided to an adjacent residence or business (i.e., repair services, landscaping, or the like).** (EMPHASIS ADDED)

I am told by police officers that the ordinances are interpreted to target vehicles that repeatedly park more than 4 hours in the same location or are broken down, not when it is a different vehicle each time I call. Since it is rarely the same truck every time that does this, I am told the 4 hour parking restriction cannot be enforced. So trucks that park all night long, in violation of the camping prohibition on city streets, can only be moved on after 10 pm if the officer happens by when the engine is running so that they can cite the noise ordinance to move them on.

The other night I happened to arrive home at 9 pm and noticed a truck pulling up across the street. It was a flatbed loaded down with steel of some kind. I decided to go talk with the driver before he got too settled. He was nice enough – though obviously ready to be done for the night and not terribly pleased to find someone approaching his truck in the dark. He told me that he was delivering the decking for the new hotel but couldn't figure out where they would unload his truck or even if there was much happening at the construction site. I told him that they'd likely unload him off 100 West somewhere, or in front of my house. Telehandlers and backhoes regularly use 100 North to access materials stored off 100 West for the hotel project. I asked him to please not park in front of my house and run his engine. He was nice enough about it and moved.

When I first moved here Moab had a truck stop. Not any more. Now, when we need one to handle all the long hauls through Moab and the trucks delivering into town for new construction and other goods there is nowhere legal for them to spend the night.

I have had some fascinating conversations with many long haul drivers this past year and a half. One driver parks downtown regularly – he happens to have enough battery power to handle heating and cooling and lights without running his truck. He brings a bicycle that I have seen him bring to Rim Cyclery for repairs. He left a Christmas card in our mail box this past December. He passes through about once every 2 weeks and quite obviously prefers to stop in Moab to Green River or points south. He usually is here around 24 hours and rides around town for whatever it is he needs to do. And uses the 24 hour laundry next door.

It is obvious Moab needs a truck stop sooner than later. This problem is not going to go away; we are, after all, on a major north-south truck route from Mexico to Canada. The more built up we get there will be more trucks that need to overnight for deliveries to town as well as those passing through. One gentleman I spoke with last summer proudly explained how his very new tractor was fully equipped with a battery bank he could recharge running his engine for about 30 minutes. I must say, the interior looked pretty plush and comfortable to me. He had researched where to stop on his haul and planned this trip to stop in Moab expressly to check out the area. He had even called the county to ask if he could park for 36 hours in Moab and sleep in his tractor, and was told yes. Had he been asked to move he would have been violating federal laws mandating he take a 34 hour break from driving as required after driving 60/70 hours over 7/8 days (<https://www.fmcsa.dot.gov/regulations/hours-service/summary-hours-service-regulations>). I find myself feeling for these drivers. Especially the long haul drivers who just need a place to sleep so they can get back to work the next day.

Apparently Moab has even become a tourist destination of sorts for long haul drivers.

NORMAL PEOPLE ARE JUST THE ONES YOU DON'T KNOW REAL WELL

I am not usually one for New Year's Resolutions. I choose other ways of marking the passing of my years, rituals related to growing plants and watching seasons turn and reflecting on what has been and what I would like to become. This year, about two weeks late for the New Year I am making a resolution. I am resolving to better understand opinions on issues that affect our town and our region that differ from my own.

We all know that the internet, and now even more social media, either creates an echo chamber for our ideas, or helps broaden our understanding of differing perspectives. Most often it seems to do the former. Never before has it been so easy to find opinions, interpretations and ideas. The sheer volume of all that chatter makes finding real facts and reporting based on research rather than opinion much harder.

When I first moved into Moab I knew no one here. I got high centered caretaking Horsethief Ranch and met a number of people while there who I still know today. Over 20 years have passed and I am still in Moab. Writing for the Zephyr during the past year has created a more structured and public place for my thoughts and ideas about Moab than I have experienced before. This month I found myself yet again complaining, and then I realized my complaints are about what is changing. I don't have a solution to it, though I am working on it between scratching out a living growing plants and making sure to get some time out in the desert that enticed me here in the first place. Writing has led me to consider why I am staying here if I am complaining so much – after all, things are changing everywhere, and everywhere has its problems. After some thought I know that I am staying in Moab, but why? What is it about this place that keeps me here despite the things I whinge about? I hope to better articulate that later in 2016.

Moving here in my 20s and witnessing wildly divergent opinions about grazing while caring for a small group of horses and living in the middle of an active cattle grazing

allotment didn't make me an expert on much of anything. But it did round out my education in ways that I could not have understood then. One January I managed to figure out that some of the free ranging horses in my care were eating loco weed before they were permanently damaged by it. I learned A LOT in caring for them in an old corral not made for that many animals as they recovered. I still can't ride well, though I'd like to.

My passion for plants meant I learned a lot about what is really out on the range that is edible and how it grows and why it is possible, when done well, to graze without destroying the landscape. I saw up close and personally the hilarity and potentially fatal ignorance of many of the visitors to the desert who got lost because “there are no land marks around here” despite the very visible La Sals, Henry Mountains, Book Cliffs and Cleopatra's Chair – not to mention a 1000' deep canyon a ½ mile or so to the north AND south of them. I met up with well meaning visitors who had given all 10 gallons of water to Shasta and Blackie, leaving them none for their drive through the desert. And who looked at me with amazement when I told them that the horses knew where to find water on the mesa top, but if they broke down on the way to town that July day they wouldn't.

I learned to garden where there is no rain. I loved the little shrimp in my glass of water attesting to how clean it was and giggling at freaked out guests insisting on bottled water. I learned how to keep water and beer cool in summer when the fridge was full of garden bounty waiting to be eaten or canned. It certainly exposed me to the fact that for all land management, whether private or public, there are many backseat drivers, but

This year, about two weeks late for the New Year I am making a resolution. I am resolving to better understand opinions on issues that affect our town and our region that differ from my own.

few people who actually live the realities of what it means to raise animals or wrangle people out there, or deal with the aftermath of large groups and events.

Part of why I left the San Francisco Bay Area was that I didn't like living in such a full and busy place. I prefer open space and quiet and the natural world over pavement, parking lots and traffic lights. Eventually I came to understand another benefit to small town rural life – daily interaction and friendships with people from different backgrounds and perspectives, and a respect for each other. I began to understand how much you can disagree with someone but still have respect for each other and like to spend time with them – and in that appreciation your understanding of their perspective deepens your own convictions or at times makes you question yourself and learn.

We all make assumptions about each other based on all kinds of things – clothing, vehicles, music preferences, body art, what we do for a living, where we grew up, where we went to school...the list goes on and on. The problem comes when we assign negative qualities to people based on the assumptions we have made about them. When we assume that someone cannot have morals without sharing a religion; or are stupid because they don't agree with us about how to use land around us. I resolve in 2016 to learn more about those opinions that I most violently reject, and to articulate more of what it is about Moab that keeps me here.

KARA DOHRENWEND lives in Moab, Utah.



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AN EXCERPT FROM:
LAST OF THE ROBBERS ROOST OUTLAWS
Moab's BILL TIBBETTS...PART 4
 Tom McCourt

A Farewell to Arms

In early summer of 1919, young Bill Tibbetts finally came home. After spending eighteen months at the Utah Sate Industrial School for juvenile offenders in Ogden, Utah, Bill had joined the army. He was nineteen when he put on the uniform. At the time, America was mobilizing to fight the First World War and Uncle Sam was happy to have a few healthy young juvenile delinquents join the ranks. The state of Utah thought it was a good idea, too. What better way to rehabilitate a kid than send him to the army?

Spending time in the army and traveling across the country gave Bill a whole new perspective of the world he lived in. In many ways, he was different when he came home to Moab. He was older, smarter, more world-wise, and more apt to think things through than he had been. He was twenty one-years-old now, five feet, ten inches tall, and well muscled. His bearing, good looks, and commanding personality made him stand out in a crowd. Men stepped aside and women swooned.



But in some ways, the child of the desert hadn't changed much. He still liked to have a little fun and he was never one to turn down a dare. And he still loved to fight. Bill had been the champion boxer in his army unit. He would take on anybody, inside the ring or out. The toughest kid in Moab had been the toughest soldier at Fort Moultrie, South Carolina.

But now he was home. With juvenile detention and the army behind him, it was time to make a life for himself. Still wearing his army uniform, he went to visit his mother at the homestead in Brown's Hole.

They were sitting in wicker chairs under the cottonwoods, just the two of them, politely sipping glasses of lemonade, when Amy asked the big question.

"What are you going to do now, Bill?"

"I don't know, Mom. I've saved a little money, but I'm not sure what to do with it yet. I'd like to get a start in the cow business, the way you and Dad did before ... well, you know. I think I'd like to run some cows. Trouble is, all the good range is taken. I don't know where to go to make a start."

"It's getting real tough around here." His mother said wistfully. "We've had cows on the foothills of South Mountain for almost fifteen years now and there seems to be more cows and more cowboys up there all the time. The range is really getting crowded. We've been losing a lot of calves, too. Rustling is getting out of hand in these parts. That's why your dad stayed on the range with the cows so much. We got neighbors who'll smile and offer their hand when they meet you face-to-face, but they'll steal your calves the minute you turn your back. Black-hearted, cussed damn people," she said, and then she smiled weakly with embarrassment and dropped her eyes as if she were ashamed for using such rough and irreverent language in front of her son. A blush came to her cheeks and she hid her face behind her glass of lemonade.

"Your dad would have put a stop to it," she said from behind the glass.

"How many cows you got now?" he asked.

"Couple of hundred," she said proudly. "I'd have a lot more if I had any help taking care of them. Hired hands just don't do as good a job as I'd like, and with this batch of kids, I can't spend the time it takes to do it right."

She took another sip of lemonade and then quietly offered a suggestion. "Maybe we could partner up?" she said, hopefully. "You take care of my cows and I'll pay you in calves. It would surely help me and it would be a good way for you to get a start."

Bill promised he would look into it.

Eastern Utah was open range and it was all public domain. Anyone could get in the livestock business and run cows or sheep almost anywhere they wanted. There were few fences and few laws governing the use or misuse of the land. The law of the jungle prevailed. A rancher simply claimed a territory, put his stock there to graze, and then defended his "right" to use that ground against all comers. Those who were tough, determined, and willing to fight usually prevailed. Those who were timid, polite, and less

aggressive usually didn't.

It was a dog-eat-dog world. Dozens of mini-range wars were going on at any given time on any given range. Cattlemen came and cattlemen went. The Taylor Grazing Act, a congressional mandate that created the Bureau of Land Management and put restrictions on where and how many cows an outfit could run, was still several years in the future. The act wouldn't become law until 1934. Until then, it was a free-for-all on the open range. Young Bill Tibbetts knew he was climbing into the lion's den when he decided to be a stockman.

Back in Moab, Bill had a long visit with his uncle, Ephraim Moore. Ephraim, too, was in the cow business. He was running a few hundred head on the White Rim below Island in the Sky and along the Green River bottoms, some thirty miles to the south and west of Moab.

"If you want to get in the cow business you can partner up with me," Ephraim offered as they sat on the porch, watching the afternoon sun melt into the fire of a desert sunset. "You help take care of my stock and I'll help you get started. We can each keep our own brands and just run our cows together. You own your cows and I own my cows. The two of us runnin' the herd would be a big help. We could watch out for each other and it'll



Uncle Eph on the White Rim

save me the cost of payin' a hired man."

It was a good offer. Ephraim Moore was a good man to partner with. He knew the cow business and the desert around Moab. He knew the other stockmen in the area and the tone and the tenor of local politics and personalities, too. He knew the boundaries claimed by the various cow outfits and he was on good terms with his neighbors, a man with lots of friends and few enemies. Ephraim was known as an honest man, a devout Mormon Elder who went to church often and officiated at most of the baptisms and other church ordinances on behalf of the extended Moore family clan. Like most committed Mormons, he didn't drink, smoke, or gamble.

But there was a tough side to Ephraim Moore, as well. He played by the rules but never ducked a fight. People respected him. In 1898, while still just a kid, he had joined the U.S. Marine Corps during the Spanish-American War. He was a smaller man than Bill Tibbetts, but lean, wiry, and tough as nails. He didn't talk much, but when he did, people listened.

Surprisingly, in spite of frequent church attendance, having been raised on the frontier had given Eph a muleskinner's vocabulary. He sometimes used colorful cowboy cuss words, but never in the presence of polite company. He was the master of his emotions and he could control his tongue when he needed to, or wanted to. But then, sometimes the man just needed to cuss. It got the poison out of his system.

And while he was not a bad-looking fellow, Ephraim was never a lady's man. Like many of the old-time cowboys, he was a committed bachelor to the end of his days.

Bachelorhood was a rare thing for a Mormon Elder in the early 1900s. Brigham Young had taught that it was a man's duty to marry and have as many children as possible to help build up the kingdom of God on earth.

But to his credit, while remaining single in spite of the matrimonial pressures exerted by his church, Ephraim was a man of impeccable virtue. He didn't frequent bordellos or the habitations of loose and painted women. He did have a few lady friends during the course of his life, but those he called friends were church-going spinsters, respectable widows, or grandmas of the highest order. No woman was ever able to rope, tie, and tame him. His cows and the desert were his life.

Ephraim Moore was forty years old in the summer of 1919, when he and Bill became partners. He was still young enough to spend weeks in the saddle, but getting too old to enjoy sleeping on the ground.

"I appreciate the offer to partner up with you," Bill said with real sincerity. "And I'll work hard, Eph. But I've promised Mother that I'd take her cows, too. They're stealin' her blind over on the La Sals. That man of hers won't stay with the darn cows. He spends all of his time in town. Nero fiddlin' while Rome burns, you know. He never was a cowman, anyway. I've gotta get mother's stock outta there and take care of them while there's still some to save."

"I'm fine with that," Ephraim consented. After all, Bill's mother was his sister and it was all in the family. "The question is where to go to expand the operation. If you buy a few dozen cows to get started, and with your mother's stock, we'll have over 600 head. There ain't room for that many on the river bottoms where I've been runnin' and the White Rim is full up, too. And if we push any farther north we'll have to fight every cow outfit this side of the Book Cliffs.

"There's got to be someplace we can run a few hundred head," Bill insisted.

"I don't know," Eph mused. "All the range around here is all taken up. Everything on the Blue Mountain, Dry Valley, the Big Indian country, and everything north is filled up with cow outfits. And I don't think you could squeeze another cow into the La Sals. Some of those poor old critters are eatin' moss above timberline now. There just ain't no other place for them to go."

"What's it like over on the Robbers Roost? I remember the time me and you rode over there to get that stud horse from old man Biddlecome. That's big country over there. Is the Roost all taken up?"

"There ain't a lot of water on the Roost," Eph explained. "And what little there is, old Biddlecome's got all sewed up. I wouldn't want to crowd a guy like Biddlecome, anyway. Some guys are best not to mess with."

"What's the south of Biddlecome?" Bill persisted. "From what I remember, it looked like cedar country way down along the river there. Is there any grass down that way?"

"I don't really know much about it," Eph confessed. "From what I've seen, it looks like more of the White Rim country - not a great place for cows, but doable, maybe. I've heard it called the 'Laterite' country. Don't know if anyone has cows down there or not. People from Hanksville, maybe. One thing for sure though, it'll be a rough somnabitch. That's rugged country down along the river there."

"Well, I guess we better go check it out," Bill said, very matter of fact. "If we're gonna get rich in the cattle business, we gotta find a spot to spread out. Can you go day after tomorrow? I got business in town tomorrow."

"Sure," Eph said. "I'll get the camp outfit together and check the shoes on the horses."

Early the next afternoon, Bill walked into the pool hall on Moab's main street. He was still wearing his army uniform and his flat-brimmed campaign hat. He found the man he was looking for sitting backwards on a wooden chair, watching a pool game in progress. The man saw him come in and stood up to greet him with an extended hand and a weak but friendly smile. "Hello, Bill, I heard you was home. It's good to see you back." Everyone in the pool hall turned to see the handsome young soldier.

Bill ignored the offer of a handshake. "I wanna talk to you outside," he said with a loud voice and a cold, deliberate sneer, his hands planted firmly on his hips. The older man stood there in shock and bewilderment with his right hand still extended.

All activity slammed to a stop inside the pool hall. In the sudden silence the sounds of little kids playing in the street echoed through the pool hall. From somewhere across the room a man cleared his throat and put a heavy beer mug down on a tabletop. The clock on the wall thumped like a heartbeat in the silence of the room.

"Sure, Bill, let's go outside," his stepfather said very quietly, his brow wrinkled in deep apprehension, his eyes showing fear. Bill turned and walked back outside, the heels of his army boots clicking loudly on the rough board floor. The pool hall emptied into the street. People on the sidewalks hurried over to see what was going on. A crowd quickly gathered.

Outside in the dusty street, Bill took off his army coat and draped it over the porch railing. He carefully set his hat on top of the coat and removed his necktie. He then turned to his stepfather with his jaw set. "You used to beat hell outa me when I was just a little kid," he said with a dramatic air as he rolled up his sleeves. "And I swore that when I got big enough, I was gonna knock the shit out of you, Winny, old boy. Today is the day. You can take it like a man or I can chase you all over town, but after all these years, I'm here to take you down."

Winny Allred just stood there for a moment, alone as it were, there in the street, surrounded by a group of his life-long friends and acquaintances. He looked at Bill and then at his friends. None of his friends would look back at him. They all turned their heads or looked at the ground. His rough and ready stepson stood there grinning like an alligator, his fists clenched and his chin in the air, posturing like a confident young gladiator. The young soldier was twenty years younger than his stepfather, bigger, taller, stronger, and infinitely more experienced in the manly art of bare-knuckled boxing. The next move was up to Winny Allred. He didn't hesitate long.

"I'm not running from you, Bill," the older man said with real conviction. "You go ahead and beat me to death if it makes you feel any better, but I ain't runnin'."

Bill was instantly impressed, and so were the people standing around. Somehow, no

one had expected to see such courage in the eyes and the stance of the town's best fiddle player.

"But before we fight, there's some things I want to say," Winny said with a quivering chin below eyes that were fixed and steady. "There's two sides to every story, Bill. And you wasn't the sweetest little kitten in the litter. I took your mother in when she was widowed. She was alone with two little boys to feed and I married her and did my best to make her happy and see that she was taken care of. I took you and Joe in, too, Bill, and it wasn't easy marrying a woman with two little kids. I gave you a home and I did my best to be a father and a good husband.

"And damn it all, I know I'm not your dad. Never will be, couldn't ever be. But that's who you and your mother always wanted me to be. I'm not a cowboy, Bill. You know it and I know it. I make my living here in town. I teach music, for Gawd's sake. I play at weddings and dances and church socials. That's who I am and that's who I've always been. And I'm sorry I couldn't be more like your dad. He must have been one hell of a man.

"I tried to talk your mother out of goin' back out there on the desert and filing for that cussed homestead in Brown's Hole. But that's where she wants to be, Bill. She loves that life and I'm not a part of it. But in spite of all that, I still go there in the spring and help to plow and plant and brand and do all of that other farming and cowboy stuff. And I go out there in the fall and help put up the hay and wood and gather the steers and all. But that ranch is her place, Bill. I don't belong there and you know it. But, by Gawd, I've tried.

"And as far as beatin' you up as a kid. Yeah, I did that. But you had it comin'. You was always the most cantankerous damn kid. And you baited me, boy. You tormented me somethin' awful. You can't deny it. You know it's true.

"So go ahead, beat the hell out of me here in front of the whole town. I'm sure you can do it. But I ain't runnin', no matter what. You go ahead and do what you gotta do."

Bill stood there in his army shirt, his fists clenched, looking into the sad and pained eyes of his stepfather. The older man looked back over his own raised fists and his steady gaze never faltered. Bill looked around at the people gathered to watch. Like they had done to Winny Allred, no one would look back at him. They all turned their heads or looked at the ground, impassively. The only sound was the singing of birds in the nearby trees.

**"Shake my hand before you walk away!"
came the challenge from behind him.
Bill turned in surprise to see his stepfather still standing
there with his fists up in a classic Victorian boxing stance.
"You shake my hand or don't you dare walk
away from here," Winny threatened.
"It ain't over unless we fight or shake hands."**

Finally, after what seemed like a long time, Bill put his hands down and turned to get his coat and hat. "I can't hit a pathetic guy like you, Winny. It wouldn't be sportin'."

"Shake my hand before you walk away!" came the challenge from behind him.

Bill turned in surprise to see his stepfather still standing there with his fists up in a classic Victorian boxing stance. "You shake my hand or don't you dare walk away from here," Winny threatened. "It ain't over unless we fight or shake hands."

Bill stood with his army coat over his arm and his hat in his hand, looking at the older man in bewilderment.

"By Gawd, I mean it, Bill. Don't you just walk away from here. You shake my hand or let's get this thing done. We ain't leavin' it like this."

Bill looked at the faces in the crowd. Some were looking back at him now and he could see disapproval and even anger in their eyes. His stepfather was right. Finish it now or forgive, forget, and forever let it be. He had called the man out in front of the whole town. He owed him at least that much.

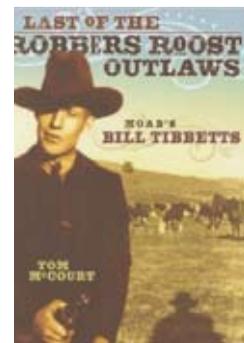
Bill could see that the crowd was on his stepfather's side. He would have to leave town if he didn't do the right thing. If he walked away, the townspeople would never forgive him. He was caught in his own trap, there in front of all those people.

It took a while for the young soldier to muster the courage to swallow some of his pride. "Damn," he mumbled as he looked at the ground and dug the toe of his army boot in the dirt. He had to think it over for a moment. Everyone knew he could beat Winny Allred, but he just didn't have the heart to fight the man anymore. Everything his stepfather had said was true and Bill knew it. He was embarrassed and deeply ashamed for having called him out in public like that. There was nothing else he could do. Bill took a deep breath and walked those long, lonely, and painful steps over to where his stepfather stood waiting. And then he held out his opened right hand. "I will shake hands with you, Winny. And I'm sorry about all of this."

"Good enough!" Winny said eagerly as he took Bill's hand in his best imitation of a rough cowboy handshake.

"I'll buy the beer," someone called from the edge of the crowd, and everyone started moving back toward the pool hall. A few of the men were patting their pal Winny Allred on the back while talking excitedly.

In just a few moments Bill found himself standing all alone in the middle of the street. He turned and started walking back toward his Grandma Moore's place. It was time to take off the uniform and put the war behind him. He had finally made peace with his troubled childhood. It was time to start a new life.



TOM McCOURT'S great book about Bill Tibbetts is available from the Canyonlands Natural History Association.

Follow this link:

<http://www.cnha.org/product.cfm?id=67F84CFA-3048-C277-1143EF03215E77A5>

“more poets. fewer lawyers...” Ed Abbey

---Amy Brunvand

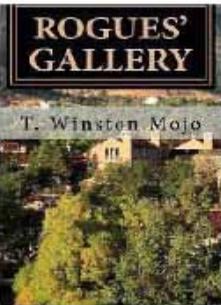
Looking for the Great Sun Buddha

SMOKEY THE BEAR will surely appear to put the enemy out with his vajra-shovel – Gary Snyder

Ever since the ranger in his broad-brimmed hat said
I've seen a lot of bears this summer
 The arc of shadows has bent towards ursine.
 Bears crouch among boulders
 gathered by gravity at the toe of a landslide
 Bears climb into the blue green canopy
 of Douglas fir
 Bears graze among bucolic herds
 of black angus cattle
 A woman with a brown coat
 coming over the mountain is a bear
 A shaggy dog
 trotting across the street is a bear
 Snuffling among pomegranate red raspberries
 the wind is a bear
 Claw-scratched footprints, scat full of rosehips
 someone spilled the garbage with a cymbal crash
 Deep in my heart I know how stylish I would look
 in that broad-brimmed hat
 symbolic of the forces that guard the wilderness
 Knowing that when the student is ready,
The Great Bear Appears
 I'm peering at faces
 looking for bears shining from the eyes
 of dogs, cats, chipmunks, chickens, chickadees,
 of strangers on the bus,
 of shoppers filling their grocery carts with canned foods,
 Searching the bear-like eyes of hopeful children
 who dance out of school at the sound of a bell
 Seeing bears in my own reflection, ghostly in the glass window
 of the train that follows a river
 where a handsome smoky-coloured animal
 with two round furry ears
 swims calmly across the current.



Amy Brunvand is a librarian, writer, and part-time nature mystic from Salt Lake City, Utah. She agrees with Edward Abbey that the environmental movement needs more poets and fewer lawyers (even though some of her best friends are lawyers).



ROGUES' GALLERY

My 27 years at Rocky Mountain University...

T. WINSTON MOJO

In the tradition of literary bureaucrats Kafka, Bukowski and Miller, T. Winston Mojo takes the reader on a journey into the abyss of institutional smallness. Everybody knows that politics at the university are so vicious because the stakes are so small. Mojo's real-life gauntlet of villains at Rocky Mountain University in Big Rock, Colorado, is an exploration into just how small those stakes can be.



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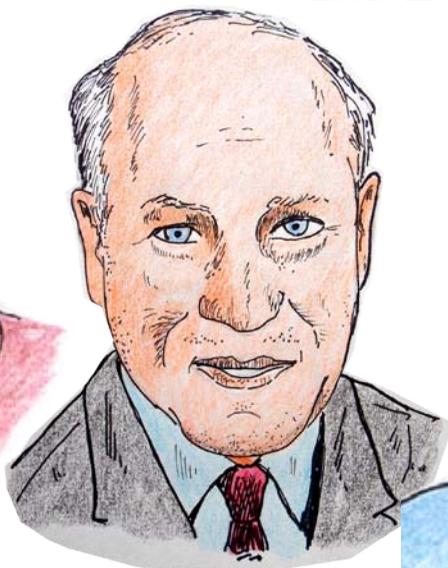
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THE ZEPHYR BACKBONE...October/November 2015

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Stephen Peake
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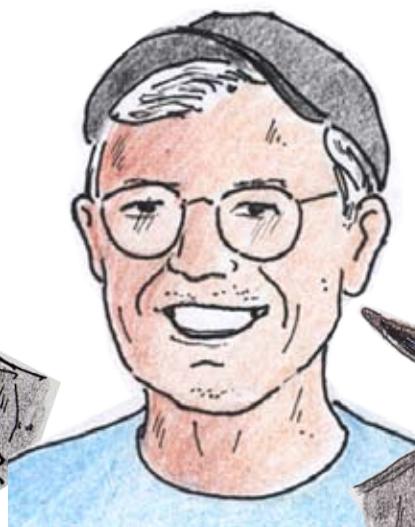


Steven Jones
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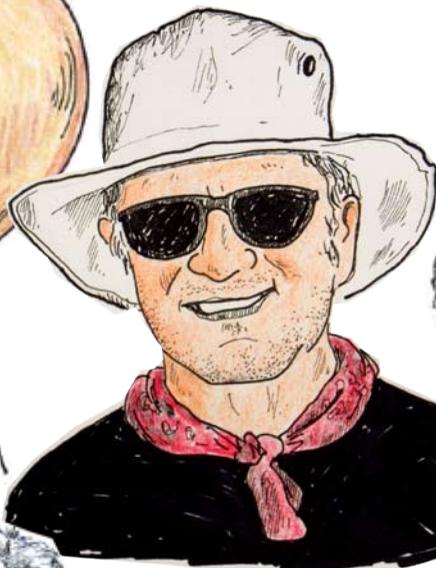
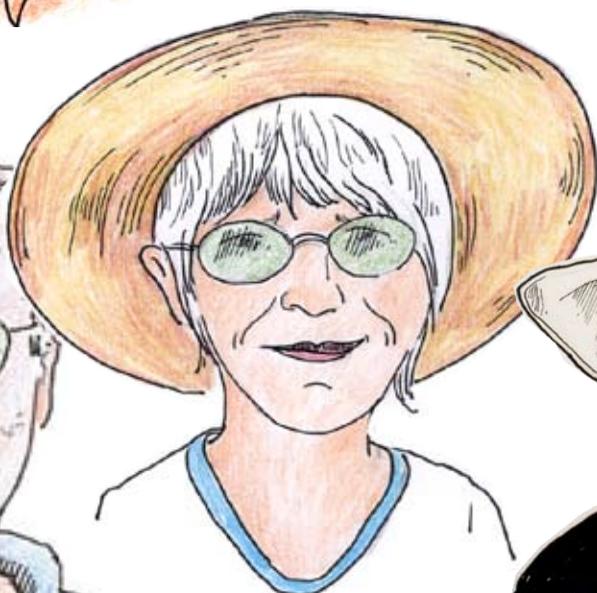
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Paul Cleary
Tulsa OK

Katie Lee
Jerome AZ

DOUG MEYER
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David Lanning
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Carter Mills/martha Hamm
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THE ZEPHYR BACKBONE--Pt 2

October/November 2015

THANKS!!! WE need your support



WINTER IN THE AMERICAN WEST 1944-45



Winter Scene---The Great Basin of Nevada



Virginia City, Nevada



Austin, Nevada

Herb's father, Joseph Ringer, tosses in hat into the air, near ...Pass, Nevada. 1945



HERB RINGER came West from his home in New Jersey in 1939. Camera in hand, Herb captured the American West, from the Canadian Border to the Rio Grande and from the Big Sur coast to the High Plains.

We believe Herb's collection of *Life in the West* is one of the finest. His work has been published in *The Zephyr* for 20 years. I am pleased finally, to offer Herb's photographs in color. We are also building a new 'album' of his work, elsewhere on this site.

My dear friend died on December 11, 1998...JS





The road to Mt Rose Summit. 1945



FOLLOW THE ZEPHYR ON



THE ZEPHYR BACKBONE---FEB/MAR 2016

JUDY FITZGERALD
Kirup, Australia

MICHAEL COHEN
Reno, NV

MIKE MAROONEY
Mexico!

ANNETTE HARLOW
Laurel, MD
(played by
Carmen Miranda)

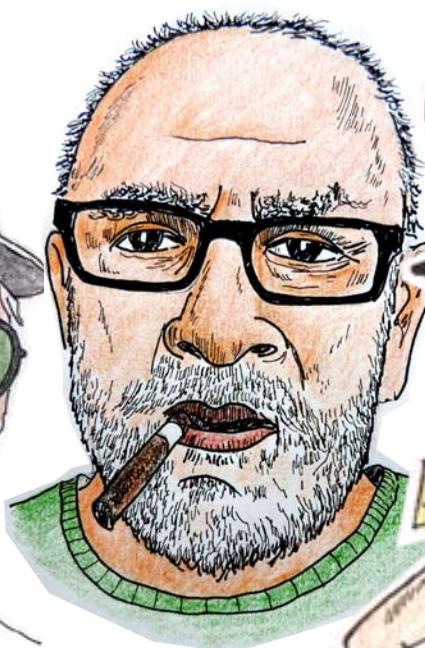
ALSO THANKS TO...

JOSH GREEN
Moab Utah

PETER SMYJ
Germany

Dennis De Mots
Oakdale CT

Steven Moore
Captain Cook HI



“WHAT’S PAST IS PROLOGUE”

Three Small Towns & Their Common Bond--City Manager Rebecca Davidson

JIM STILES

NOTE: In preparing this article about Moab's city manager Rebecca Davidson, the Moab City Council's actions re: Ms. Davidson and the subsequent "restructuring" of Moab government, The Zephyr sought information from a variety of sources. We filed Freedom of Information Act requests, via the Wyoming Sunshine Laws, with the City of Kemmerer, Wyoming and the Wyoming Division of Criminal Investigation. We filed a Government Records Access request (GRAMA) with the City of Moab, and we conducted interviews with numerous people personally involved in the issues raised here. We also contacted reporter Trevor Hughes, now of USA Today, who wrote a comprehensive article about the current Moab City manager's tenure as city manager in Timnath, Colorado.

On January 11, we sent 15 questions to city manager Rebecca Davidson, in an effort to "clarify and resolve" issues raised in this article. She did not respond (Those questions are available to the reader elsewhere in this issue). Finally, we contacted the Moab City Attorney, Chris McAnany, to seek clarification on the process used to fulfill our GRAMA request with Moab City. His January 24 response, which he noted was, "in lieu of any further response from Ms. Davidson," is included elsewhere in this issue, and excerpted later in this article. Finally, we offer the City of Moab the opportunity to reply. But please note that all correspondence with this publication will be regarded as 'on the record.'...JS

SEPTEMBER 23, 2015

Autumn had arrived earlier in the week, but it still promised to be another hot day in Moab, Utah on the morning of September 23, 2015. The Weather Channel called for a high near 90 degrees, and lots of sunshine, as longtime Moabite Ken Davey made his way to the city offices on Center Street.

Davey was a familiar face at City Hall and throughout Moab; he and his wife Julie Fox came to Moab in the late 1980s, not long after the Atlas Mill closed and Moab's economy approached near-collapse. A quarter of Moab's homes sat vacant in those days, as many locals wondered if the town would just dry up and blow away.



Ken and Julie were, in many ways, some of the first 'New Moabites' to arrive in town. Julie worked for AMTRAK and kept that job for years, until she and Ken had a child in the early '90s. Later Julie started the Eklektica Cafe' in Moab which still flourishes among the bigger chains restaurants and eateries.

In the beginning, Ken found work where he could get it; he became known for his talents as a writer, and eventually did reporting stints for all of the local media (including The Z) and later became the news director for Channel 6 televi-

sion. In the 1990s Ken Davey was one of the town's most familiar faces.

Davey was known for his intelligence and his self-deprecating wit, though even he acknowledged it could be a tad acerbic at times. For better or worse, Ken especially gained a reputation for his candor---he could be more 'frank and earnest' than some people preferred---and could easily play the role of Devil's Advocate from time to time, when he thought the need was there.

He had recently (2012-13) co-hosted, with soon-to-be city councilwoman Heila Ershadi, a public affairs program called, appropriately, "On the Other Hand." Most Moabites appreciated his honesty, even if it sometimes annoyed them. Some didn't.

For the last ten years, Davey had been Moab City's 'economic development specialist and administrative analyst.' Former city manager Donna Metzler offered him the job in 2005 and, based on his performance reviews, he executed his responsibilities with skill and professionalism, and was considered an asset to the community. Davey loved the work and the challenge.

Davidson announced to Davey that on the previous evening, the Moab City Council had voted unanimously to "restructure" the city staff and that consequently, his position was being eliminated.

Immediately.

On this warm September morning, Ken Davey had several projects on his mind---first he was concentrating on two upcoming projects. Working with the Utah State University-Moab Business Resource Center intern, Ken planned to schedule as many as fifty interviews with local Moab business owners and managers in the near future. His goal was to determine what regional, state and federal incentive and training programs best matched the needs of local businesses. Davey saw this as an opportunity to vastly expand local utilization of the Custom Fit Program, which provides matching funds for employee training. Davey was convinced this could help both the local workforce to develop better paying job skills and, in doing so, in-



crease profits.

Davey also spent the morning preparing for meetings with leaders from USU-Logan and USU statewide, to discuss Moab's economic future. He wanted to explore the kinds of industries and businesses that best suited Moab's future. Instead of the desperate, "we'll take anything," approach that so many communities often resort to, Davey thought it made more sense to determine what businesses 'fit' Moab best. Then he hoped he could use the resources of Utah State University and the University of Nevada to develop a strategy and a campaign to help expand existing businesses that fit the criteria and recruit other companies to set up shop in Moab.

Davey broke for lunch but was at his desk at about 2 PM when he received a call from Moab City Recorder Rachel Stenta. She asked him to come downstairs to her office immediately. A couple minutes later, he arrived to find Stenta and City Manager Rebecca Davidson waiting for him.

Davidson had been Moab's city manager less than six months; selected from 57 applicants by the Moab City Council, her previous work experience, in similar positions in Timnath, Colorado and Kemmerer, Wyoming had been marked by heated controversy, angry public debate, and even litigation. Now, it must have felt like *deja vu*, as she showed Davey a chair and advised him to sit down.

Davidson announced to Davey that on the previous evening, the Moab City Council had voted unanimously to "restructure" the city staff and that consequently, his position was being eliminated. *Immediately.* Davey wasn't even aware that a restructuring vote was on the agenda. There had been no emails, no staff meetings, no warnings whatsoever that a major change in the organization of Moab City was about to be sprung on its staff.

On her desk was a document which she pushed across the table for him to examine. She explained that if he refused to sign it, he'd be eligible for what amounted to a pittance in severance pay; if he agreed to its terms, he'd receive an amount slightly more, enough perhaps to sustain him and his family for a couple months. Davidson said she'd give him some time to decide and suggested he talk to a lawyer. The conversation was over.

Stenta escorted Davey back to his office, where he called Julie to give her the news. Stenta stood outside the door while he made the call, then re-entered his office while Davey cleared out his desk of personal items and turned over his city cell phone, keys, and computer password. It took about 15 minutes.

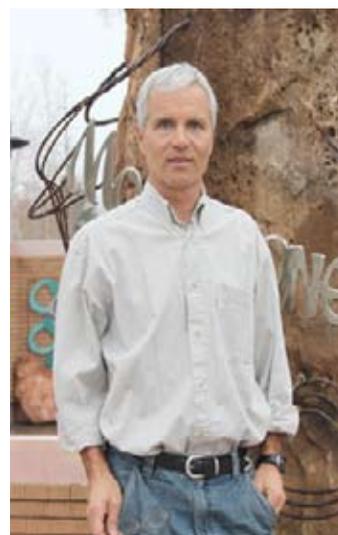
Stenta then escorted him to the back door. Less than half an hour after he learned he was about to become unemployed, Ken Davey walked out of Moab City Hall for the last time.

When he got home, Davey showed the document to Julie and explained the severance options. The paper also included what Davidson called a, 'non-disparagement agreement.' It stated:

"Employee and City hereby mutually agree not to make disparaging or defamatory comments or statements about one another, or any person or entity associated or affiliated with City, following the execution of this agreement."

Ken Davey, at 62 years of age and unemployed, in a community already struggling with high unemployment and shockingly low wages, realized that he was in no position financially to hire a lawyer and contest the terms of the agreement. He signed the document and returned it to the City of Moab.

Unknown to Ken at the time, the same fate was falling on fellow city employee, 'community development director' David Olsen. Olsen had been with the City of Moab for 25 years. Like Davey, Olsen was called from his desk, advised of the 'restructuring' and told to vacate his office and the building. He was shown a document, including the 'non-disparagement' clause. If he signed the document, the city would pay Olsen 10 weeks severance; if he refused to sign, a small fraction of that amount. An attorney on Olsen's behalf later sent a letter to the city, asking for an increase, based on Olsen's quarter century of service to the City of Moab, but the request was flatly denied.



Just months earlier, Olsen had bought a new home for his family and put his old home up for sale. A bank loan for a balloon payment on the new home was approved, based on his income with the city, on the same day he was dismissed. The loan was canceled.

Through the decades, Olsen rarely dabbled in politics, but showed a passion and loyalty to his work and to the citizens of Moab that was unmatched. Not everyone agreed with Olsen's vision for Moab's future, but no one could question his integrity, his decency, or his commitment to the community. One co-worker called Olsen the most dedicated worker he'd ever met.

Other than a couple of unavoidable surgeries, Olsen never once called in sick in 25 1/2 years. That's dedication.

And yet, when Olsen first came to Moab, his real claim to fame was via his dog, 'Bailey' was a remarkable black lab who possessed the unique ability (for a canine) to climb trees. It was a common sight in the early 90s to see David and Bailey at the city park with his pooch precariously clinging to a tree limb, high above. Bailey's legend reached

all the way to the East Coast and New York City, to the Ed Sullivan Theater where Bailey displayed his special talents on a special edition of "Stupid Pet Tricks" on "Late Night, with David Letterman." The two Daves stood by a very tall fence, created just for the dog, beaming proudly. It was a great moment.

Over the years, Olsen helped create and organize the Trail Mix Committee and is credited with helping to develop more than 150 miles of singletrack bicycle trails in the Moab area. Early in his career, he was instrumental in developing a plan for the Mill Creek Parkway. He worked over two and a half decades to secure millions of dollars in grants for the city. Three years ago, he was featured in the Times-Independent's "Unsung Heroes" page, noting, "It's hard to miss the influence that David Olsen has had on Moab." The T-I also highlighted his work on the school board and his "many years as a coach with Moab City Recreation programs. He is currently coaching the seventh-grade girls' basketball team." He told the T-I, "My kids are there. It helps me to be closer to them."

http://www.moabtimes.com/view/full_story/21780288/article--Unsung-Heroes-David-Olsen

On the day he was dismissed, he'd been working on grant and loan applications for the proposed new sewer plant and water tank, and a grant he had just finished called "Safe Routes to School" was approved by the council on the same evening they approved the re-structuring plan and, consequently, his dismissal.

After he was dismissed, Olsen told the Moab *Times-Independent*, "I gave it my all. I feel good about what we accomplished. It's miraculous what we accomplished," Olsen added, "I worked with some great people and I feel incredibly thrilled with what we've done over the years ... Millions of dollars of great things. We've competed really, really well. I don't know why you'd restructure success."

But on September 23, Olsen was out of a job. He later told the T-I that he was given about 2 1/2 hours to pack up and get out. "I thought I did a great job for the city," Olsen told the *Times-Independent*. "I did the best I could to represent them and I was an advocate for fixing up things. Everywhere I go I can see something. I feel good about it. This is kind of like the Twilight Zone for me, what's happened."

'OFFICIAL' & PUBLIC REACTION...AND OFF THE RECORD

Except for their immediate families and close friends, the Olsen and Davey dismissals went practically unnoticed for three weeks, when the weekly *Moab Sun News* broke the story, with an article called, "Two Veteran City Workers Lose Jobs."

http://www.moabsunnews.com/news/article_636d1b3a-734d-11e5-b1ea-17e37c45d558.html

A week later the *Times-Independent* offered its own version of the dismissals in a front page article titled, "City Restructures Departments, Eliminates Two Longtime Positions."

http://moabtimes.com/view/full_story/26922403/article-City-restructures-departments--eliminates-two-longtime-positions?

In the same issue, the T-I gave the new city manager, Rebecca Davidson, her own column, though there was no mention of the dismissals in her article.

Public reaction was swift and mostly angry. Social media posts on facebook were overwhelmingly in support of the two dismissed employees, though the problem for many Moabites was the lack of information. Neither Davey nor Olsen could offer anything other than the facts; their personal opinions, due to the "non-disparagement agreement" that both signed, were prohibited. The City Council and Moab Mayor likewise refused to offer any public explanation, claiming they were unable to discuss personnel matters.

(NOTE: Only two of the five councilpersons who voted to re-structure the city staff, Kyle Bailey and Heila Ershadi, remain in office. The other three left office when their terms expired on January 4, 2016.)

Councilman Bailey, according to the T-I, failed to return calls by the newspaper. Ershadi simply told the T-I, that re-organization was necessary, to "allocate our limited taxpayer monies in ways that would best serve the current needs of the community."

Behind the scenes, at least some of the City Council were worried about the public reaction. Via a Government Records Access request (GRAMA) by The Zephyr, some emails related to the dismissals were obtained.



On October 19, Councilwoman Ershadi proposed a letter to the editor, in response to the *Moab Sun News* article. She wrote, "Especially in light of the Moab Sun News's 'coverage' of the restructuring, I think we should put some sort of brief statement in the newspapers. I drafted a possible LTE (letter to the editor). If we hurry, we can get something in by deadline, at least for the Sun News. Please let me know what you think."

And she included this draft for the council and Davidson to edit and approve:

"Recently, the city council unanimously approved a restructuring of the city's staff organization. The main purpose of this restructuring was to allocate our limited taxpayer monies in ways that would best serve the current needs of the community. A few of the changes include increasing our focus on Moab's housing needs and development process, and creating a position to oversee special events.

"The restructuring also resulted in two employees no longer being with the organization. This was a difficult decision, and was made with much deliberation and careful consideration of facts and options.

"It is not ethical or legally advisable for us to discuss the matter in detail. However,

it is worth noting that the city council has members from across the political spectrum, and we voted unanimously in favor of the reorganization.

We strive to be a responsible, responsive local government."

It's worth noting that no one on the city council felt moved to explain their actions to their fellow Moabites, who they represent, until the story broke and citizens began to express their shock and anger.

And Ershadi added, "I am hearing a LOT of misunderstanding and angst over the restructure, exacerbated by the article (Moab Sun News). Rebecca is being characterized as an outsider coming in and axing beloved longtime employees. I don't think we need to go on the defensive, either, but I think we need to acknowledge people's concerns, and state clearly that we stand behind our decision and with our city manager."

In a followup email to fellow Councilwoman Kirstin Peterson, Ershadi wrote, "Of course I wouldn't send an LTE (letter to the editor) on behalf of the council without everyone's permission...that's why I sent it to the whole council. Rebecca and I already discussed running it by Chris (the Moab City Attorney)."

And Ershadi added, "I am hearing a LOT of misunderstanding and angst over the restructure, exacerbated by the article (*Moab Sun News*). Rebecca is being characterized as an outsider coming in and axing beloved longtime employees. I don't think we need to go on the defensive, either, but I think we need to acknowledge people's concerns, and state clearly that we stand behind our decision and with our city manager."

Outgoing Councilman Gregg Stucki, weighed in, noting that he had "supported the re-organization." "My only regret," he added, "is in how things have gone down. We should have done a better job in showing our appreciation (i.e. throw a small party, give them a plaque honoring their accomplishments, commiserate with them, wish them well, let them know this is not personal). Despite what we now state officially, the abruptness sends a message that there were other underlying issues."

It's a question to ask Davey and Olsen, whether "a small party, a plaque" and some "commiseration" would have provided much comfort at this point.

In late October, in an effort to shed more light on the issue and to provide some background information re: Davidson and her previous work in Timnath, Colorado and Kemmerer, Wyoming, The Zephyr posted an article on our Blog called, "Upheaval at Moab City Hall: For Its New City Manager, Rebecca Davidson, It's Deja Vu All Over Again." The article consisted mainly of information and links to other articles that covered Davidson's tenure in Timnath and Kemmerer.

<http://www.canyoncountryzephyr.com/blog/2015/10/27/upheaval-at-moab-city-hall-for-its-new-city-manager-rebecca-davidson-its-deja-vu-all-over-again-by-jim-stiles/>

Two weeks later, we posted the story on The Zephyr facebook page; it reached more than 5000 readers, including Zephyr reader, Julianne Waters. Waters is one of the co-founders, with Tim DeChristopher of the activist group, Peaceful Uprising. On November 15, Waters re-posted the Zephyr article and link, with a comment, and then tagged Councilperson Heila Ershadi's facebook page, as well, which, as of mid-November, was open to the public. Waters wrote:

"I for one was truly flabbergasted when I heard of Dave Olsen & Ken Daveys dismissal. This is a very interesting article and one that should be shared immediately with Mayor Dave and the City Council. There's a lot of fishy stuff going on. What do you think, Heila Ershadi?"

"And certainly, it was not a surprise for David or Ken, I am quite sure. That's a rumor that made it into print, unfortunately."

City Councilwoman Heila Ershadi

What followed was a long and contentious discussion about the dismissals. Moab citizen Kerry Soliz defended Ershadi and the council. Ershadi herself participated in the discussion, arguing that the termination of Davey and Olsen should not have shocked either of them. In the comment thread, Ershadi wrote,

"I think if I were seeing the restructure from another perspective, and not from the inside, I would feel exactly like you. However, being on the inside, I was privy to other information. Because it involves personnel, it's not legally or ethically advisable for me to discuss it.

"And certainly, it was not a surprise for David or Ken, I am quite sure. That's a rumor that made it into print, unfortunately."

Later in the facebook thread Soliz insisted, "I do not believe there was a surprise firing and a two hour window to clean out an office. I believe both Ken and Dave had notice this was going to happen, were given adequate advance notice and a decent severance package. I am disappointed in Jim for spreading gossip and instigating emotional reactions."

(NOTE: It was the article in the *Moab Sun News* that described the circumstances of Olsen's quick exit, and we might add, **accurately**, not *The Zephyr*.)

“WHAT’S PAST IS PROLOGUE” (CONTINUED)

When Moabite Janet Buckingham, in the same thread asked Soliz why she believed this, Soliz replied, “Speaking with council members personally.”

Other Moabites on the facebook thread responded to Soliz’s comment, asking how council members could have spoken to her about the issue when publicly, they’d claimed they couldn’t discuss the matter at all. But Soliz defended the council member who spoke with her personally, writing, “I think it is reasonable for them to answer direct questions and they did not delve extensively into personnel issues but addressed questions I had about the article in the Sun and Jim’s report.”

But she would not identify the councilperson.

Two days later, Ershadi deleted all of her comments, an action that was noted by Waters and Buckingham. A day later Ershadi removed her facebook page entirely. Over the next month, Councilperson Ershadi re-activated and then de-activated her account at least three times, explaining once that she was, “taking a break from social media.” As of this date, it is not visible to the public.

(NOTE: Fortunately, before Ershadi deleted her comments and removed the post, The Zephyr copied and pasted and took screen shots of the entire comment thread. We posted that long thread on the Zephyr Blog in late November.)

LINK: <http://www.canyoncountryzephyr.com/blog/2015/11/19/un-edited-face-book-thread-re-the-zephyrs-upheaval-at-city-hall-story-1115-162015/>

WARNINGS AND ‘SURPRISES.’

There is no evidence to suggest that either Davey or Olsen knew they were about to be terminated suddenly, in a matter of minutes. First, both had enjoyed successful years and even decades-long careers with the City of Moab. Both were highly regarded by their peers and by their previous supervisor, City Manager Donna Metzler.

After Metzler retired and the City Council selected Rebecca Davidson as its new administrator, there is no hard information to suggest they’d been warned of a sudden termination.

In fact, during the five months Davey worked with Davidson, he had very little direct contact with the city manager; Olsen, by an examination of emails at least, had none. The results of a GRAMA request by The Zephyr revealed only two emails written by Davidson to Davey and they both occurred during the third week of June.

On June 15, Davey received this admonition by email from Davidson. She wrote, “I have read over your work priorities this week. It doesn’t seem to add up to a full work load this week. Are there other items that you are working on? It is important to me that you are able to produce results each week.”

Davey replied at length.

“There are no current City documents that you don’t already have access to, regarding economic development status and work plan, as I pointed out to you when we briefly met in mid May (the last and only time we actually had a one to one meeting.) As you might recall from that meeting, I reported that I was hoping, with the hiring of Zacharia Levine, that the potential existed to create a City/County economic development strategy, but until now, I have not heard back from you about that. I am pleased that you agree we can and should move forward. I can, of course, provide you with a plan of action for Economic Development by Thursday PM. We, meaning the City, cannot do it by ourselves, but we have really good partners, including Grand County, Workforce Services, USU (both through SBDC and the Moab Business Resource Center,) and, maybe most importantly, if we want it actually work, the Moab Chamber of Commerce. And the upcoming 24 hour tour by Lieutenant Governor Spencer Cox and leaders of the Governor’s Office of Economic Development gives us a great opportunity to focus in on what we think are the most important economic and social issues facing Moab.”

According to Davey, he sent the “plan of action” to the city manager and made the Thursday deadline, but never heard back from Davidson regarding the plan. (and there was no record of a response in the GRAMA file) He continued to move forward with other projects and ideas.



And to highlight the point that he was working ‘above and beyond, Davey candidly noted parenthetically, “(My big question: Since I am considering this well after working hours; does this qualify as comp time?)”

Davidson fired back, “I am seeking documents regarding Economic Development, status and work plan. I understand that SBDC is seeking a BEAR grant, but I am looking for what you are doing related to Economic Development. Please provide me with a plan of action for ED. Please be more specific and clear with this document. I would like it by Thursday PM. If you have questions, please let me know.”

According to Davey, he sent the “plan of action” to the city manager and made the Thursday deadline, but never heard back from Davidson regarding the plan. (and there was no record of a response in the GRAMA file) He continued to move forward with other projects and ideas.

But he’d been advised to hold off on affordable housing initiatives until the City talked

with the school district about the possible donation of land to the City, in order to build housing for police officers and other city employees in need.

During the previous winter and into the Spring of 2015, Davey and planning staff had invested many hours designing two new affordable housing ordinances that would increase density in exchange for contracts. The plan would hopefully improve the chances that housing would be more available to low and moderate income individuals and families. But the ordinances had been bottled up in “legal review” for months and months. And he’d been advised to hold off on affordable housing initiatives until the City talked with the local school district about the schools donating land to the City to build housing for police officers and other potential city employees.

And he had been told to hold off on helping a local developer create a downtown development plan to convert much of the property along Center Street and First West into small retail outlets. The idea was to create more affordable venues for local artisans and artists who otherwise were priced out of Main Street locations. Smaller boutique restaurants and outdoor cafes, small plazas, and even an outdoor amphitheater and performing stage were considered.

Davey may have wondered why he kept being put off, on projects like this. On September 23, it became a lot clearer..

TIMNATH & KEMMERER FLASHBACKS

As this publication noted in its first article on the subject, controversy seems to follow Rebecca Davidson wherever she goes. In 2010, Davidson made state headlines, relating to her five year tenure of employment with The City of Timnath, Colorado.

In late December 2010, News 9, the NBC affiliate in Denver, reported that the Timnath Council would meet to “discuss suspended town manager,” Ms. Davidson. According to the report, “Davidson has been manager in Timnath since 2005, working on a contract basis until January, when she became a town employee. Separately, the town has also been paying her engineering firm, IB Engineering, hundreds of thousands of dollars a year...This summer, council members asked for an outside investigation into the town’s contracting and bidding processes. The report by a Colorado Intergovernmental Risk Sharing Agency investigator has not yet been made public.”



“Town officials say a nondisparagement clause they signed in January means they can’t discuss how Davidson ran the town. (Timnath, CO)”

**Trevor Hughes
The Coloradoan, June 2011**

It also reported that Timnath’s mayor, Donna Benson, “with whom Davidson has clashed,” had also filed a law suit against the Timnath council, “over secret meetings to hear employee complaints about her. Davidson’s complaints about Benson’s interactions with town staff prompted the secret meetings.”

<http://archive.9news.com/news/story.aspx?storyid=172345>

A week later, Davidson and Timnath were back in the Denver headlines when 9News announced Davidson had resigned. The “three-way deal” ended with Davidson’s resignation and the resolution of a \$1 million law suit “brought by Loveland-based Gerrard Excavating Inc. against the 633-resident town and Davidson, who until last year was both town manager and the town engineer responsible for overseeing the Old Town sewer reconstruction project”

9News also reported that, “Davidson was suspended with pay last summer, several weeks after Town Council members received an audit of Timnath finances. Council members cited the need to ‘review invoicing, lack of documentation, fair treatment in the bidding process, town contracts and other processes’ in suspending Davidson but never offered any further specifics.”

The report noted that Timnath officials could not publicly discuss the matter and that, “both sides signed a non-disparagement clause and agreed to keep confidential a report about Davidson written by an outside investigator.”

In a June 19, 2011 ‘Coloradoan’ article by Trevor Hughes, titled “Timnath Learns Costly Lesson After Paying Millions for Projects,” Hughes offered a more detailed account. He wrote: :

“In 2008, the small town of Timnath east of Fort Collins paid half of its \$2 million municipal budget to its town manager and her engineering company.

“And while 2008 was a high point of money paid by the town to former manager Becky Davidson and her firm, IB Engineering, it was by no means the only time Timnath spent a significant portion of its money on her and her company.

“For several years, Davidson/IB received more than \$600,000 annually from Timnath, according to an audit and town financial officials.

“But a deal struck between the town and Davidson as she left under pressure earlier this year means town officials refuse to answer all but the most basic questions about how town money was spent during her tenure. Town officials say a nondisparagement clause they signed in January means they can’t discuss how Davidson ran the town.

“I’m going to let the past speak for the past,’ new Timnath Mayor Jill Grossman-Belisle said. ‘We’re trying to use this as an opportunity to learn.”

In the *Coloradoan*, Hughes explained the city of Timnath’s dilemma. In part, he

wrote:

"...court records show that the town was preparing to sue Davidson over design flaws and errors in the Old Town sewer project. In a court motion, Timnath's lawyers said Davidson's actions as the town engineer "fell below" the standards expected of a professional engineer.

"As part of the process of working with Gerrard to finish the project...the town has discovered that the IB defendants made errors in both the design and the administration of the project,' attorneys with Brownstein Hyatt Farber Shreck LLP said in a Nov. 23, 2010 filing. 'As part of its work on the project during the fall of 2010...the town discovered errors and omission in the plans and specifications prepared by IB defen-

Davidson received a settlement that included nine months of paid salary.. Years later, as Moab's city manager, Davidson felt ten weeks of severance pay was sufficient for Olsen, who had been employed by Moab City for 25 years.

dants. The town has also discovered instances in which the IB defendants' management of the project fell below the applicable standard of care..."

(NOTE: the article is available for public viewing via The Coloradoan's paid archives for \$3.95: <http://www.coloradoan.com/article/20110619/NEWS01/110618011/Timnath-learns-costly-lesson-after-paying-millions-projects?odysey=nav/head>)

According to the article and court documents, Davidson received a settlement that included nine months of paid salary.. Years later, as Moab's city manager, Davidson felt ten weeks of severance pay was sufficient for Olsen, who had been employed by Moab City for 25 years.

The Moab City Council became aware of the Timnath controversy before Davidson was hired. The Zephyr's GRAMA search of city documents shows several related emails between Councilwoman Peterson, Moab Police Chief Mike Navarre, who took charge of vetting city manager candidates, and City Recorder Rachel Stenta. While some of the emails have been redacted, Peterson's original email makes it clear the subject is Davidson and Timnath, though it appears no one in Moab dug very deeply into the "mess" Peterson mentions...

On Mon, Feb 23, 2015 at 1:58 PM, Kirstin Peterson <kirstin.m.p@gmail.com> wrote: <http://archive.9news.com/news/article/174983/346/Timnathtownmanager12/18/2015>

City of Moab Mail Fw: interesting article

Sounds like there was quite the mess over there though nothing says there was any wrongdoing on Rebecca's part. I haven't been able to track down anyone to speak with yet from this area but I have gotten some good feedback on (redacted).

Cheers, Kirstin

On Feb 23, 2015, at 3:18 PM, Rachel Stenta <rstenta@moabcity.org> wrote: I've requested a copy of the supplemental audit from the Town that has the final outcome. She was cleared of any allegations or wrong doing. I'll share it with you when I get it.
Rachel E. Stenta

On Mon, Feb 23, 2015 at 9:33 PM, Mike Navarre <chief@moabcity.org> wrote: I have tried several times to contact, (redacted) Town Marshall for a reference check on (redacted) No response. I left voice mail, no response to my calls.
Mike

On Tuesday, February 24, 2015 9:17 AM, Rachel Stenta <rstenta@moabcity.org> wrote:

I have received no response as well (from) (redacted). I did get a call back from one reference who was the former legal representative for (redacted) . So far I have return calls from 1 out of 3. I believe Mayor Dave has a couple of references and was planning on speaking to the current Mayor.

Rachel E. Stenta

That's where the discussion ends. There are no further emails or correspondence on the subject. The "the supplemental audit" referred to by Stenta, which she was still waiting to receive and planned to share with the council, is not in the list of emails. Though Stenta mentions that Davidson, "was cleared of any allegations or wrong doing," the report that confirmed it was not included among the GRAMA documents sent to *The Zephyr* by Stenta. And, in fact, Davidson could not have been "cleared" of anything, because the non-disparagement agreement banned anyone involved in the litigation from expressing any opinion at all.

As for other vetting efforts, there is one other reference in the GRAMA documents, on February 25, when Davidson notifies Stenta, "Could you relay a message to Michael Navarre for me? I just received the fingerprint and consent information from him last night." The assumption here is that Navarre requested her prints, to run them in the NCIS computers, for possible criminal activity, a procedure that is standard practice for any position of this type.

Spending \$3.95 for a copy of Trevor Hughes' article in "The Coloradoan" may have helped in the vetting process, but nothing suggests that such an effort or expense was made.

* * *

Throughout the 176 pages of GRAMA documents, there is no mention, other than an email from the *Moab Sun News*, of Davidson's employment, just prior to Moab, in Kemmerer, Wyoming, population 3000. From 2012 to 2015, Davidson was its city manager.

If inquiries were made, they do not show up in GRAMA documents. But just weeks after Davidson was officially offered the position, in late March 2015, Councilwoman Ershadi received an email from the editor of the *Moab Sun News*.

Moab Sun News editor <moabsunnewseditor@gmail.com>

Date: Friday, April 3, 2015

Subject: Fwd: New City Manager

To: Heila Ershadi <heila4citycouncil@gmail.com>

Hi Heila:

Good morning! Andrew thought that you might be interested in this. It's one of seven or eight similarly toned messages we've received. Some of these people appear to be affiliated with a group that calls itself the South Lincoln FreeMan: <https://www.facebook.com/pages/SouthLincolnFreeMan/347551775446030?fref=ts>

There is nothing in the GRAMA documents to indicate that Ershadi replied in writing, or that other council members commented, but it did put the City of Moab on notice that something akin to a rebellion had occurred in Kemmerer, and that Davidson had been at the very volatile center of it. By the time she left Wyoming to assume her Moab duties, Davidson had become one of the town's most controversial citizens.

According to the *Kemmerer Gazette*, Davidson moved to Kemmerer in early 2012, and worked early-on to re-structure and streamline city government. She removed and replaced several longtime employees in the process. Some accused her of favoritism. Public opinion about Davidson boiled over in a December 2012 council meeting, when Kemmerer's mayor, Zem Hopkins, addressed concerns about the city manager. They were in reply to a letter to the editor from a former city council candidate, Connie McMillan, who "expressed concerns about current city administrator Rebecca Davidson, (and) voiced her continued concerns about the loss of a number of Kemmerer city employees since March of this year."

But the city council stood by Davidson. *The Gazette* asked two council members, Kelly Blue and Jim Burnett, "about Davidson's previous issues in Timnath prior to the August primary election. Both confirmed that the council was aware of Davidson's employment history in Timnath and expressed their confidence in Davidson's qualifications and abilities, as well as confirming their support for her in her current position."

(This is essentially the same conclusion reached by Moab officials when they inquired about Davidson's difficulties in Timnath, Colorado. And the same defensive position the Moab city council took on behalf of Davidson when she started dismissing employees.)

Finally, it was clear that Davidson believed a public meeting about her hiring practices was inappropriate and pointless to begin with. According to the *Gazette*, "Davidson (said) that the city was restructuring. None of the city's vacated positions have been discussed during council meetings, which according to Davidson is not an issue as those employees report directly to her, not the city council, and therefore the vacancies do not need to be addressed in council meeting."

(The email from the Moab Sun News) did put the City of Moab on notice that something akin to a rebellion had occurred in Kemmerer, and that Davidson had been at the very volatile center of it. By the time she left Wyoming to assume her Moab duties, Davidson had become one of the town's most controversial citizens.

There is no "official count" of the number of employees who left the City of Kemmerer during Davidson's tenure; as always "personnel matters" are exempt from public disclosure laws. And of those who left, it's impossible to confirm how many left of their own free will, how many left under duress, how many left due to "re-structuring," and how many were fired.

Critics of Davidson argue that more than 20 Kemmerer city employees left their jobs during her three years in Kemmerer, including its building inspector and parks maintenance director, its director of public works, the chief of police, the events center director, the parks and recreation director, the events center assistant, seven events center attendants, the custodian, the desk attendant at the recreation center, the seasonal and lead park techs, three employees of the streets department, the recreation center coordinator, the police department secretary, and the IT contract employee. (NOTE: We asked Ms. Davidson to clarify the staff departures in our January 11 letter to the city manager, but she did not reply)

At least two of these employees also faced allegations of criminal misconduct by Davidson and were officially investigated by the Wyoming Division of Criminal Investigation (DCI).

JENNIFER LASIK

Jennifer Lasik came to Kemmerer in 2008. She'd been a history and geography teacher at a private religious school in Oak Creek, Wisconsin, but in 2004-05, Lasik went back to college and secured a Masters in Public Administration. She was subsequently hired by Kemmerer's previous city manager, Michael Archibald, as the city's Events Center Director and still occupied that position when Davidson arrived in 2012. Relations between Davidson and Lasik were excellent at first, and in January 2013, Davidson expanded Lasik's duties, along with a new job title. The *Kemmerer Gazette* reported that, "Jennifer Lasik has seen her position metamorphose, too. As the city's newly titled 'cultural arts and events director,' she's moved from just managing the facility and associated events to managing other city events as well."

In a memo to Lasik in 2012, Davidson wrote, "I wanted to take a few minutes to focus on some positive things that I have noted in your performance and teamwork.... I am glad that you are a part of this team."

On several occasions, Lasik and her husband Adam invited Davidson and her husband to their home for dinner.

http://www.kemmerergazette.com/v2_news_articles.php?heading=0&page=72&story_id=3341

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“WHAT’S PAST IS PROLOGUE” (CONTINUED)

But in late summer, 2013, Davidson’s high praise for Lasik vanished. Though Lasik had sensed something might be wrong as far back as June, Davidson first questioned Lasik’s job performance at an August 30 city council meeting. Two weeks later, Lasik received a long memorandum from her boss. (The Zephyr obtained copies of these emails via a Freedom of Information request to the City of Kemmerer.)

“Over the past several months,” Davidson complained, “I have become steadily more concerned with your performance and your frequent absences from the City for a variety of reasons,” which included, “taking out of town trips, you taking a multitude of periods of time off, you working inconsistent hours, and you not working during the day because you chose to take your daughter to personal events as well as dentist and doctors appointments.”

“Additionally,” she added, “I have watched you ‘drop the ball’ and not accomplish your work including timely organization of events, staffing the visitor center and perform other duties over which you are in charge. I have noticed a marked change in your ability to manage your department and the responsibilities given to you as a department head.

“When observing your work habits,” Davidson continued, “I note that on a regular basis you do not come to work before 9 a.m., you take a lunch period and generally leave

“When observing your work habits,” Davidson continued, “I note that on a regular basis you do not come to work before 9 a.m., you take a lunch period and generally leave at or before 5 p.m. Additionally, I do not see you at work in the evenings...”



at or before 5 p.m. Additionally, I do not see you at work in the evenings, which I have been monitoring lately because of the concerns I describe above. This causes me to have an additional concern or question of how you accrue the Executive Leave that the City policy clearly provides with these kinds of hours.”

Davidson concluded, “As you can clearly discern from this letter, I have serious concerns that you are not adequately or properly managing your job and its responsibilities. I am unclear why this may be and welcome any response you may have to the concerns I have specifically described above.”

Two weeks later, Lasik responded at length, with a five page memorandum of her own, noting her surprise that Davidson believed the quality of her work had declined since April--and that she was just now telling her. “I was surprised by this and asked for examples,” Lasik wrote. “You said that you couldn’t give me details, it was more of an impression, although if you thought about it, you could probably give examples. When I asked why you hadn’t expressed that or talked to me before August 30th, you stated that you were ‘waiting for me to come to you.’ When I pointed out that I had approached you twice, you said that this isn’t like kindergarten, it’s more like college, that I needed to figure some things out for myself.”

Lasik added, “At that meeting, I asked you to watch my performance the next few weeks and told you that I would check in with you again. You agreed. I left feeling that things would improve between us from that point since you had been able to express your concerns and I had agreed to pay attention to my time and productivity. Our interaction did not seem to improve much since then. I feel that there is some kind of personal element involved, but I do not know what that would be.”

Lasik’s long letter then attempted to address specifically to Davidson’s criticisms. She wrote, “I dropped off a binder to your office that contains a detailed response to your email... In addition to my responses, wherever possible I attached documentation and/or verification of what I was saying. I’m not certain that you were looking for that detailed of a response from me, but I felt it important to include documentation and full explanations because of your concerns over my performance, the changes you want implemented, and most of all because I feel there is an implication that you are questioning my veracity, and I wanted to demonstrate that things are as I say or have said.”

But Lasik tried to end her long letter on a conciliatory note. “Rebecca, it is not my wish,” Lasik explained, “to be antagonistic to you or to make things worse. I just feel as though some of the assumptions or perceptions you have are not fair and are not accurate and it is important to me to explain as best I can where I am coming from and what my steps have been to solve any misperceptions as well as to correct any missteps on my part. I so admire your ability, intelligence, work ethic and most importantly your vision for Kemmerer. I want to work in harmony on the goals you set and to be part of the City team.”

Lasik concluded, “I work best and am most productive when I am able to discuss things with you, bounce things off of you, and be ‘in sync.’ I am interested in getting back to that place, and am actively working on the things you have set before me. Please let me know what we need to discuss further and how to proceed.”

Davidson, according to Lasik, did not reply directly to the letter. Instead more disagreements followed. On October 7, Davidson questioned Lasik’s time sheet, regarding a couple hours she took off. Lasik replied that she, “came in at 10 am because I had a doctor’s appointment (which you approved).”

On October 8, in another memo, Davidson notified Lasik that she would be required to reduce all Events center staff to 12 hours/week, “because of your high expenditures of employees...Is this being implemented?”

And Davidson inquired about food costs at the visitor center: “In looking through the

costs for food, etc. Can you answer when the last time we ordered ice cream bars and when was the last time we utilized those?”

Clearly frustrated, Lasik replied, “I have no idea.” She offered to check all the Sysco receipts for the past year and asked, “Would you like me to do that?” And she reminded Davidson that, “when the freezer fluctuated to 80 degrees a few months ago...a lot had to be thrown out.”

That afternoon, October 8, 2015, Lasik resigned. She hand delivered the letter to her boss. In part, Lasik wrote, “It was my sincere hope that you and I could come to some kind of reconciliation and that through doing the things you have directed me to do and focusing on the things you have asked, our goals would come back in line and our working relationship would be restored. This morning it became clear that those hopes will not be realized...I wish the Event Center, the advisory board, the city council and the community at large the best of success.”

Lasik gave the city almost a month’s notice, writing that her last day would be November 1, but with plans, as her resignation letter noted, to take some leave days in mid-October.

On October 16, Lasik took a sick day and stayed home, but two hours later, the chief of police, Stacy Buck, arrived at her door. According to the Kemmerer City Police report:

*On 10/16/2013, I was requested by the City Administrator to go to 1**2 North S*****t Dr and deliver the final pay stub to Jennifer Lasik and collect any property belonging to the City of Kemmerer. I made contact and delivered an envelope to Lasik and collected from her a City of Kemmerer Visa card and a Samsung cell phone in a blue case. Lasik stated that her keys were in her personal car and that her husband had taken that car to work. Lasik made arrangements to have her husband deliver the keys to me by 1700 hours on this date. I then went to the South Lincoln Training and Events Center and met with Cathy Bluemel. Bluemel and I went through the rest of the list of City owned items that I had been given. All items were accounted for in the SLTEC. I did observe that one of the Ipods had a shattered screen.*

Lasik had hoped she could help with the transition, but she never returned to her Kemmerer job. Later in the month, Lasik interviewed for a position in Evanston, Illinois and was eventually hired to be its Cultural Arts Coordinator. Over the winter, as Lasik settled into her new job and what she described as a much healthier work environment, memories of Kemmerer began to fade.

But on March 4, 2014, almost five months after her last working day in Kemmerer, Lasik received a call from an agent at the Wyoming Division of Criminal Investigation, informing her, for the first time, that based on allegations by Kemmerer city manager Rebecca Davidson, his department was pursuing evidence in a case, regarding possible theft and misuse of government funds and property. The DCI report stated:

“On Tuesday, October 29, 2013, Special Agent (SA) Jack Kiley of the Wyoming Division of Criminal Investigation (DCI), South West Enforcement Team (SWET), received a FAX copy of a request for DCI assistance from the City of Kemmerer, Wyoming, Police Chief, Stacy Buck (Enclosure #1).” The request stated that Chief Buck had been contacted by the Kemmerer City Administrator, Rebecca Davidson, in regard to a former city employee who had possibly, fraudulently used city funds.

Via a search of Kemmerer City records from the FOIA request, *The Zephyr* obtained handwritten notes from Davidson, reflecting her change of heart. It appears the notes were written sometime in late July. Davidson wrote, “I have begun to organize my thoughts & findings RE: JL (Jennifer Lasik) and her employment at SLC (SP?)” And she saw the issue in several categories, including: “Embezzlement,” “Fraud,” “Misuse of city money,” “Inappropriate recording of time,” and “Poor management.”

There is no evidence, however, that Davidson ever accused Lasik of criminal activity while she was employed in Kemmerer.

Now, in an October 29, 2013 interview with DCI, Davidson provided a laundry list of allegations, including, “unusual credit card charges” and “irregularities” on her travel expenses, and claimed that at one point, Lasik “could only produce \$10 of the \$100 petty

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cash fund” Later, Davidson conceded, Lasik found the missing \$90 in another drawer in her desk.

According to the DCI report, Davidson claimed that, “During LASIK’s employment with the city of Kemmerer, there were multiple occasions where LASIK would claim to have mistakenly used the city credit card for personal use. LASIK would then note an IOU for the transaction and repay the city at a later date.”

Davidson also suggested that Lasik’s husband, a computer technician who occasionally worked on the Event Center computers, had acted illegally. According to the report, “(Davidson) believed that A. Lasik had access to all Events Center computers and deleted information from them when Lasik ended her employment.” And Davidson complained that “invoices were not detailed and did not itemize revenues generated from events and training.”

Finally, according to the DCI report, Davidson claimed to have, “conducted an internet search of LASIK and discovered she had worked for a church in Oak Creek, Wisconsin and possibly left that job due to irregularities with church funds”

In a phone interview with a DCI investigator, on March 4, 2014, Jennifer Lasik responded to the allegations by Davidson. According to the DCI report:

** “She (Lasik) adamantly denied stealing any money from the Events Center or the City of Kemmerer.”*

* "She had not erased or deleted any city files from the Events Center computers."

* At a training event in Oregon, Lasik had used the city credit card during the training. At the end of the session, she rented another car for her own use and she did use the city card, but she reimbursed the city upon her return to Kemmerer.

* "She had received calls from Event Center clients after she had left the city. The clients told her that the interim Event Center Director did not have their records and it was difficult to book and use the facility. She told them to have the interim director call her and she would instruct them where to find the information.

"She was contacted by a former Event Center co-worker and was told that Rebecca Davidson had advised all Event Center employees that contact with her (LASIK) about any city business would result in termination of their employment."

One Davidson allegation was especially painful to Lasik. In the DCI interview, Davidson inferred that Lasik, in a previous job, may have absconded "with church funds." Davidson based her allegations on an alleged "internet search." As noted earlier, Lasik worked previously at a private church school in Wisconsin, as a geography and history teacher. She did have a long history with the institution. The principal of the school was the wife of her first cousin. Her grandfather founded the church and was also the co-pastor, with her uncle, at the time she worked for the school.

Lasik explained that she wasn't remotely involved in the accounting or finances of either institution and noted, her "record-keeping was limited to attendance-taking and grading tests."

DCI turned over its report to the Lincoln County Attorney to review. On October 3, 2014 DCI received word that, "The Lincoln County Attorney's Office has reviewed the information received from DCI regarding the above-named individual (Lasik) and has made the decision to decline prosecution in this matter." It was signed by Deputy County Attorney Scott Sargent. Almost a year after Davidson first made the allegations, the status of the case was listed as: "closed."

Lasik still works for the City of Evanston, Illinois as its Cultural Arts Coordinator, and enjoys the full confidence and support of her supervisors.

TARA SMELT & DARWIN PARKER

(EDITOR'S NOTE: The Zephyr recently sent a Freedom of Information Act request for documents related to the following part of the story, and at post time, we are just now receiving those documents. We will expand on the computer hacking incident that occurred in Kemmerer in mid-November 2014 as information reaches us...JS)

In March 2014, Davidson hired Tara Smelt to replace Lasik and gave Smelt the title, South Lincoln Training and Event Center, director. According to the Kemmerer Gazette, Smelt, from Rochester, NY, found the job announcement online and applied for the job. Six months later, Davidson promoted Smelt to be the Director of Communications and Events.

http://www.kemmerergazette.com/v2_news_articles.php?heading=0&story_id=3733&page=72

http://www.kemmerergazette.com/v2_news_articles.php?heading=0&page=72&story_id=3851

Darwin Parker was hired by Lincoln County, Wyoming as an IT Support Technician in August, 2012. In March, 2014, he signed a contract with the city of Kemmerer to oversee their IT needs as well. Parker worked on the city's computers until the end of October, returning once to the City offices on November 15th, 2014 to explain the systems and

The DCI investigation ends with Darwin's statement and the agency found no evidence of criminal activity. The report concludes, "Case Closed. DA declined Prosecution."

pass information to the new IT personnel and then again after Thanksgiving to fix an internet connection issue in the Event Center. While he moved on from his involvement with the city, and continued his work with Lincoln County, he had no reason to guess that, by February of 2015, he would be the subject of a criminal investigation by the Wyoming Division of Criminal Investigation.

The purpose of the DCI investigation, according to public records obtained through a FOIA request, was to investigate "Suspected unauthorized access to Kemmerer computer systems in January 2015" by Parker, though the investigation covered events that began in November.

On November 14th, according to statements by Tara Smelt to the Wyoming DCI, the City of Kemmerer brought in their new IT consultant, Erika Goodman, who looked over the computers, "plugged some holes and changed firewall rules." According to Smelt, the "assessment was completed and everything was running normal."

On November 15th, however, Erika Goodman contacted fellow IT consultant Niyu Pearson with concerns about the safety of the network. According to Pearson, she claimed that whenever she tried to change the firewall password, the firewall software would reset back to the original password.

On November 17th, Pearson "advised Goodman to let the City of Kemmerer administrators know they had a current or prior insider threat intrusion along with a foreign country intrusion. He advised [them] that they need a full network rework. He also advised them to contact the FBI immediately..." The DCI report doesn't explain why Pearson thought there was a "foreign country intrusion" or why he felt they should involve the FBI.

In December, Pearson and Goodman returned and examined the city's computers, removing TeamViewer--the remote viewing software Darwin Parker had used as the City's IT consultant--and hardening the firewall. And yet, when city employees complained again of problems with their computers in January, Pearson and Goodman continued to find TeamViewer on a number of computers, including the computer of the Police Chief and the main Police Department computer. The investigation report doesn't explain

whether they had failed to remove TeamViewer from those computers in December, or, if it had been removed, how the software might have been re-installed--especially given that Parker had no physical involvement with the city's computers during that time.

Pearson, in his interview, went so far as to suggest that the TeamViewer connections were related to a mysterious parked car at the Event Center in January. He told DCI investigators that, "he noticed a sedan pulled up in front of city hall, and it sat there for five minutes watching him work before leaving." But Pearson could not identify the vehicle, "due to vehicle lights shining in the center," and though Tara Smelt reported a break in the next evening, there were no signs of forced entry and Chief Buck reported that all known city/county equipment "was accounted for."

Darwin Parker was interviewed by DCI agents on February 25th. He was given a Miranda warning, and was represented by an attorney at the interview. He explained to the agents how TeamViewer software worked--that it was like a chat program, which showed you a list of all of your contacts, and whether they were online, so that you could choose to communicate with them by clicking their name. All the computers with the software would be communicating with each other whenever they were online, but that didn't mean someone had actually connected to another computer. He told them to check the log files of the software to see whether any computer had "connected."

The investigation report ends with the notes of the investigating officer, who states that Darwin Parker had emailed them after his interview. According to the agent, the email explained, "PARKER realized he still had the Kemmerer PD computers saved as favorites with his TeamViewer login and deleted them from the account. He related [that] when logged into TeamViewer he received notifications of computers available for connected but [he] denied connection to [the available computers] and if there was a connection that Kemmerer computers would have a log of connections."

The DCI investigation ends with Darwin's statement and the agency found no evidence of criminal activity. The report concludes, "Case Closed. DA declined Prosecution." The city terminated its agreement with Parker but he continues to provide IT services for Lincoln County as an IT support technician.

There is no further explanation of what might have caused all the computer problems, or what the "foreign intrusion" might have been.

(NOTE: A year later, after Davidson moved to Moab and initiated efforts to beef up that city's IT security, City Recorder Stenta referred to the incident in Kemmerer twice in city emails and recalled that Davidson "recommended an IT consultant that she had utilized previously to help with a government system had been hacked into by China." There was no reference to an "internal threat" at all. Also, according to Kemmerer City Recorder Glenda Young, "Niyu's (Pearson) services were terminated on June 16, 2015, and we have not used nor talked to him since.")

COMING TO MOAB & TAYO, INC.

By the time Davidson accepted her new position in Moab, debate about Kemmerer's departing city manager had reached a fever pitch. One Kemmerer-based facebook page called 'South Lincoln Freeman' became a gathering place for supporters and opponents of Davidson. The comments were so intense, angry and emotional, I could find nothing substantive and worthy of printing, from either the Pro- or Anti-Davidson constituencies. But clearly, the town had been badly divided over decisions made by Davidson and the city council.

Inflaming public sentiment even more, the city's parks and recreation director, April Corwin, was placed on administrative leave on March 10, and terminated on March 18. Two days later, the City of Moab signed a contract to hire Rebecca Davidson. In fact, for almost two weeks, Davidson was almost certain she was Moab-bound.

Records obtained from the GRAMA search indicate that in the first two weeks of March, Davidson was already the council's first choice; all that remained to be resolved was the salary/benefit package. Eventually the council agreed to pay Davidson an annual salary of \$110,000 plus the cost of moving her to Moab.

Only Councilman Doug McElhaney offered any resistance. In a March 5, 2015 email, he wrote, "We should not pay 20% more than we were paying our last city manager. We are forgetting we are offering employment, not begging for help. I don't think \$9583.00 a month with insurance and retirement is a slap in the face."

Inflaming public sentiment even more, the city's parks and recreation director, April Corwin, was placed on administrative leave on March 10, and terminated on March 18. Two days later, the City of Moab signed a contract to hire Rebecca Davidson. In fact, for almost two weeks, Davidson was almost certain she was Moab-bound.

On March 7, he added, "When did we agree on a 10% raise after the first year almost automatic?" And on March 18, he complained, "I still think a 3 year employment contract where at the end our city manager will be receiving \$130,000 is wrong."

But McElhaney's concerns were effectively after the fact. On March 6, the offer was made public. Davidson notified the city recorder on March 12 that she had turned over the contract to her attorney. And on March 20, a contract to hire Davidson was signed by Mayor Dave Sakrison.

Davidson's announcement that she was leaving came as a shock to many, including the Kemmerer Gazette, noting that her sudden departure was "a surprise."

And while the Kemmerer mayor and city council wished her well, it made an unusual decision when the City Council "voted 4-2 to restrict Davidson's ability to hire and fire employees during her final weeks." A majority of Kemmerer's governing body apparently feared Davidson would fire or replace even more staff in her remaining time there. Whether April Corwin's termination pushed the council's action, just two days before Davidson got the official thumbs up from Moab, is not known.

“WHAT’S PAST IS PROLOGUE” (CONTINUED)

http://www.kemmerergazette.com/v2_news_articles.php?heading=0&story_id=4012&page=72

(NOTE: By January 2016, the Kemmerer City Council had still not replaced Davidson. In the January 16 issue of the Gazette, Kemmerer’s Mayor Hopkins responded to questions about the vacancy, explaining “that they are in the process of changing the job description of the city administrator to ensure the parameters are where they should be before they hire someone. That way, he said, the city doesn’t risk having the administrator change too many things once hired.”

http://www.kemmerergazette.com/v2_news_articles.php?heading=0&page=72&story_id=4183

Rebecca Davidson’s first day on the job was supposed to be May 11, but according to a story in the Times-Independent, she came to work a week early. She told the T-I, “We have a great staff here, and I’m also looking forward to getting to know the business owners and people in the community,” she said. “I’m really enjoying being here.” She told the T-I that, “infrastructure issues — particularly wastewater, sewer piping and a water tank project,” would be 2015 priorities. She also wanted, “to develop an outreach program to keep city residents well informed about city activities and projects,” by “stepping up use of social media such as Facebook, Twitter and the city’s website.”

There was no mention of “restructuring.”

Also moving to Moab was Tara Smelt, Davidson’s Director of Communications and Events in Kemmerer. Sometime that summer, Smelt left her job in Kemmerer and ultimately received two final payments from the City of Kemmerer for \$55,661.20 and \$3217.76 on July 27, 2015. A non-disclosure document prohibits the Kemmerer City Council from commenting on the payments.

http://www.publicnoticeads.com/WY/search/view.asp?T=PN&id=3478/8252015_22743645.htm

Less than a month after the new city administrator assumed her duties, the City of Moab moved quickly to employ the IT security services of a company called Tayo, Inc., “a corporation of Wyoming.” A draft agreement between the City of Moab and Tayo, dated June 4, 2015, appears in the GRAMA files. But according to City Recorder Stenta, the contract was not signed by the city. In an email to Tayo, Inc, Stenta explained that the city had, “a purchasing limit of \$6,999 before we have to go through a competitive process.” However, according to the web site, Transparency Utah, the City of Moab made two payments to Tayo, Inc in 2015, for \$6,529 and \$23,240.

(NOTE: A search of ‘business entities’ on the Wyoming Secretary of State web site listed only one company named ‘Tayo, Inc.’ The corporation was dissolved on January 5, 2013. Further it lists a principle address in Michigan and doesn’t appear to be the same Tayo, Inc. that contracted with the City of Moab. The Zephyr has made additional inquiries with the Moab City Recorder for clarification)

Some Moabites thought the new arrangement was a conflict of interest when a document recovered from the internet identified Tayo, Inc. as a Utah corporation, with a filing date of June 30, 2015, and with Tara Smelt as the “registered agent.” It identified the company’s address as a street address in Moab, Utah.

Also moving to Moab was Tara Smelt, Davidson’s Director of Communications and Events in Kemmerer. Less than a month after the new city administrator assumed her duties, the City of Moab moved quickly to employ the services of a company called Tayo, Inc... a Utah corporation, with a filing date of June 30, 2015, and with Tara Smelt as the “registered agent.”

(<http://www.bizapedia.com/ut/TAYO-INC.html>)

County Councilman Chris Baird later raised the conflict of interest issue himself to City Councilwoman Ershadi writing by email, “As you may know. An ongoing ‘conspiracy theory’ is that Rebecca (Davidson) is making room for her friends and colleagues in the City organization by eliminating locals. I don’t have an opinion on things like that one way or the other. But, when a local loses out, and a friend of Rebecca’s moves in, it doesn’t help relieve (sic) that concern. I’m sure you realize that Tara’s (Smelt) involvement can’t be played off as a mere coincidence.”

But City Recorder Rachel Stenta insisted there was no conflict and later explained that the same IT technician who had worked on Kemmerer City’s computers in 2014 was now involved in Moab’s computer security issues. “Niyo Pearson is our IT consultant,” Stenta explained. “He has formed Tayo Inc. with Tara Smelt who offers Communication services for hire. Tara lives here in Moab and Tara Smelt does not and has not provided any IT services for the City of Moab. Niyo Pearson was hired to assess our IT security issues and is highly specialized in his field.”

And Stenta, still bothered by County Councilman Baird’s remarks, emailed Ershadi, “I don’t think that Chris Baird and whoever he is speaking for is interested in the facts or the reality of this matter. I do think the County Council’s time and energy would be better spent looking within their own organization and taking care of their issues rather than slinging unfounded accusations at the City. It is sad for our Community that after all of these years our City/County Cooperation appears to be on a steep downward trajectory over a fabricated issue that is certainly not in the Community’s best interest to

perpetuate.”

Later, Stenta asked Niyo Pearson to draft a letter to the Grand County Council, in response to Baird’s comments. Pearson’s draft letter, which bordered on the apocalyptic, included these remarks:

“Dear Members of the Grand County Council:

My name is Niyo Pearson and I am the Chief Technology Officer for Tayo, Inc. I am writing you in regards to some misinterpretations of both our business and our intentions. Tayo Inc. is a company founded on cybersecurity and communication as its core business. Our mission is to help nurture and grow cybersecurity as a culture for municipalities all across North America...

“...Every day, more and more medium and small sized municipalities are being targeted by ISIS, Anonymous, nation state hackers (China, Russia) in order to, but not limited to, inflict damage against the United States, understand the SCADA water and waste systems (military intelligence gathering) or leak city and citizen data to sell on the digital black market. The City of Moab, a UT customer, engaged us to help them review their security stance and compliance within all aspects of their internal and Internet facing systems.”

But later Stenta wrote Pearson, “At this point, there seems to be only one County Councilmember who is confused, so I’m not sure that presenting it to the County Council would clarify anything it may confuse them as to why they’re being addressed for City IT issues.” The letter was apparently never sent.

Despite the city’s commitment to Tayo, Inc, the company’s contact details continue to be baffling. In the June 4, 2015 draft contract with Moab City, Tayo, Inc is referred to as a “Wyoming Corporation,” though it’s not listed among ‘business entities’ on the Wyoming Secretary of State web site. And in another email recovered by the GRAMA search, Stenta states that, “Tayo Incorporated’s business address is 560 South Sandusky Ave., Tulsa, Oklahoma.”

But on the company’s web site, Tayo, Inc. offers virtually no information on its physical location; only a phone number with a ‘970’ area code suggests that the company might be in Colorado. And as we noted, Tayo, Inc is also registered as a Utah corporation, with a June 30, 2015 filing date and with Smelt as its registered agent.

The Zephyr tried to acquire just the basic details of the company and via an email address for Niyo Pearson, again acquired via the GRAMA rquest, I contacted Mr. Pearson and tried to get a better handle on just who and where Tayo, Inc is. Noting the conflicting contact details listed in this story, I asked, “Is Tayo, Inc. in Moab a branch of your main office in Tulsa, do you have another office in Colorado, and how long has Tayo, Inc in Tulsa been in business?”

The next day, I received a letter from his attorney, Andrea Welter, who informed me the company was not obligated to provide ‘non-public information.’

I replied, “I’m not trying to obtain “non-public information.” But isn’t it possible to see who sits on its board of directors? Who its chief financial and executive officers are? And whether Tayo, Inc in Moab, Utah is affiliated with Tayo, Inc. in Tulsa? If nothing else, what public information about Tayo, Inc is available and could you send me that information?”

Welter responded, “Unfortunately, everything you requested below is non-public information which private companies are not required to disclose. I cannot assist you in your request.”

End of conversation.

Ultimately, one could only conclude that Tayo, Inc. is either a corporation based in Wyoming, Utah, Colorado or Oklahoma, or a combination of the four, with unknown corporate officers in unknown locations and with an unknown board of directors. Or it’s not a corporation at all, but a “partnership” as city recorder Smelt described the business relationship between Pearson and Smelt, with an office in Tulsa and one in Moab, with the partner who lives in Tulsa doing all the IT work for the City of Moab, while the partner who lives in Moab does no IT work for the city whatsoever.

Despite Tayo, Inc’s seeming lack of transparency, Moab City put its faith in that company to resolve IT security issues, real or possible and cited a lack of vigilance by the previous city manager. In an email to Ershadi, Stenta stressed the need to update the city’s computer security systems. Stenta wrote,



“The City contracted with ComputerWise (Mike Baird the City Manager’s husband) for IT consulting services beginning around 1999 through 2015. We did not procure a contract for those services, rather we were billed an hourly rate for time and materials as needed.

“An issue that we had for many years with our consultant, was that Computerwise utilized and installed software on city computers that was not legally licensed. Each time I brought it up as an issue that could negatively affect our organization, I was told by our City Manager that our budget could not accommodate the purchase of licensed software to bring us into compliance and that it was not a budgetary priority. City Manager Metzler also told me that she would really prefer not to know about the issue.

“When our new City Manager started this past April, I brought this issue to her attention, because as IT Manager it has been a stressful and awkward situation that I previously had no support in resolving. She asked that I resolve the situation immediately, as we are government and using pirated software was completely unacceptable.”

Later, Stenta explained, “she (Davidson) asked that I resolve the situation immediately...” And so the City of Moab turned to Tayo, Inc.

On August 25, Stenta sent Davidson an email re: “Emergency Purchase.”

Stenta informed Davidson:

"Given that the above system was maintained and developed by our independent consultant, In order to inventory and assess our overall system, it was necessary to hire a different consultant to give us an accurate accounting of system design, vulnerabilities and access control.

"During this inventory process, critical issues were discovered. Security issues which left City water systems, Narcotics Task Force operations and City databases exposed and at risk to security breaches. In order to assess the severity, I authorized additional consulting hours and broadened the scope of work for the consultant. Further investigation revealed major security issues that warranted immediate action to safeguard the City's water supply as well as law enforcement activities.

"In my opinion, as per Moab Municipal Code Section 2.28.045(D), the security situation that existed constituted an "emergency situation involving a threat to public health, welfare or safety". Once the issues were identified, I could not go through a competitive process to procure consulting without further exposing the vulnerabilities of our critical systems and jeopardizing the safety of our water and law enforcement systems. I did ensure that the services and hardware were competitive and as favorable to the City as possible by utilizing the State Contract for hardware purchases.

"Our previous consultant was charging \$90.00 per hour and the consultant I hired for the emergency charges \$60.00 per hour. These expenditures are currently at \$53,000 and I estimate another \$25,000 to complete the process. After the upgrades are completed, the RFP will be advertised and an IT consulting contract will go before City Council. I request that during the budget process we create a centralized IT de-

The question is whether the City of Moab, just three weeks after Davidson became its city administrator, should have entered into a 'master agreement' for computer services with a company, Tayo, Inc, that as of the date the contract was signed, June 4, 2015, did not even exist as a Utah corporation, whose co-owner, Tara Smelt, turned out to be Davidson's Director of Communications and Events, in Kemmerer, Wyoming, and who, at the time the contract was signed, was still apparently employed by the City of Kemmerer.

partment budget to accommodate these and all IT related expenditures for the City of Moab."

On September 22, 2015, the Moab city council agenda summary includes staff reports presented by Rebecca Davidson and Rachel Stenta, on city IT stating, "A few months ago, we identified some critical security and legal compliance issues in our IT infrastructure. The security issues were very high risk and required immediate action to protect the city."

They subsequently called for large increases in the city IT budget, including an extra \$110,000.00 for 2015-16. And on October 28, three months ago, Stenta wrote, "I am in the process of preparing a Request for Proposal (RFP) for IT consulting services – to conduct a competitive procurement process that we have not previously been able to engage in." *The Zephyr* asked Stenta, via a January 28 email, for the status of the RFP but as this story prepares to post, she has not replied.

As noted, an examination of expenses by the City of Moab, as documented on the web site: <http://www.utah.gov/transparency/index.html>, show that Moab paid Tayo, Inc. a total of \$29,770.30 for just two invoices submitted June 30th and September 8th, 2015. And clearly dramatic additional charges are yet to come.

In the *previous four years*, ComputerWise charged the City of Moab \$35,216. And finally, no serious cyber issues have been reported to or by the former IT consultant in the past 15 years.

And just eight weeks after Rebecca Davidson left her city manager duties in Wyoming, Kemmerer City terminated the services of Niyo Pearson as its IT support technician and, as Kemmerer City Recorder Glenda Young stated, the city "never used or talked to" Pearson again.

Whether the City of Moab needed a systems upgrade, or whether the city was unprotected from cyberattacks by "ISIS and nation state hackers" is not the main point here. Improvements may indeed be in order.

The question is whether the City of Moab, just three weeks after Davidson became its city administrator, should have hired the services of a company, whose co-owner, Tara Smelt, turned out to be Davidson's Director of Communications and Events, in Kemmerer, Wyoming, and who, at the time the arrangement was made was still apparently employed by the City of Kemmerer. Further, it paid Tayo, Inc almost \$30,000, four times the maximum allowed by the city without conducting "a competitive procurement process." Finally, what is Tayo, Inc's customer history? These are issues that need to be resolved.

A LETTER FROM THE CITY ATTORNEY

On January 25, *The Zephyr* received a letter from Moab City Attorney Christopher McAnany, responding to at least some of the questions I had posed to him and to City Manager Rebecca Davidson, earlier in the month. McAnany advised me that his letter would be, "in lieu of any further response from Ms. Davidson," though in fact there had been no response from Davidson at all.

McAnany confirmed that there had been no peer review or third party scrutiny when the City of Moab responded to *The Zephyr's* GRAMA request. He wrote, "The City Recorder made an initial determination as to those documents which were responsive to your request, and subject to production under the law. In doing so she asked that all City Council members produce all responsive records for her to review." In other words, Rachel Stenta advised the council, mayor and city manager what subjects *The Zephyr* was pursuing and they in turn independently determined which emails they thought

appropriate.

Regarding the restructuring of city government, McAnany claimed that all discussions by the City Council were conducted in "executive session," including the "reorganization of departments," and he noted that the closed session were conducted, "as allowed by Utah law." And McAnany wrote, "The City does not comment publicly on employment status of individual employees, but I can tell you that all matters with the employees affected by the Council decision have been settled to the satisfaction of the parties." And he noted that the lack of paperwork was, "not unusual."

Regarding the IT security contract that was signed just three weeks after Davidson assumed her duties, McAnany explained that, "The contract was executed on an emergency basis because of the discovery of a serious computer security issue in the City's systems." There was nothing in the GRAMA documents that claimed a "serious computer issue" had become an "emergency." in early June. Stenta noted the potential for problems and in late August, as noted, she requested emergency funding.

The fact that Tayo's co-owner, Tara Smelt, was Davidson's former Communications Director in Kemmerer, and who in fact was still employed in Wyoming, was not an issue. McAnany wrote, "...we are not aware of any conflict of interest as to this project."

Finally McAnany went to some length to explain the City Council's intent when it offered Davidson the position. He wrote, "When Ms. Davidson was hired the City Council gave specific direction as to a number of priorities and changes that it wanted to implement." His comments indicate that at the time Davidson was offered the job, the council made it clear that they expected her to implement certain "priorities and changes." And McAnany admitted that such changes could result in, "painful personnel decisions," but that ultimately they were "for the overall good of the organization."

"Whatever bad things are being said by the critics of Ms. Davidson," McAnany concluded, "the fact is that she was carrying out the express direction given to her by the elected leaders on the City Council."

No one would argue that. But what it means, in the end, is that the council had personal "priorities," way back in March 2015, including the restructuring of city government, and hired Rebecca Davidson, with her aggressive management style, to implement those priorities. Restructuring as a public issue, for public discussion and debate was never considered.

Then, over the next six months, the council, mayor and city manager moved quietly forward, *and exclusively*, in a series of "executive sessions," behind closed doors, to craft and shape its reorganization plans, leaving the staff and the citizens of Moab oblivious to their work, until the evening of September 22, when they approved their plan unanimously and, 16 hours later, began to implement it, via the city manager, with the dismissals of Davey and Olsen.

"WHAT'S PAST IS PROLOGUE?"

The government of the City of Moab and its elected representatives and the people who work as administrators, are there to serve the citizens who live and work in the community. And that government must be accountable to the People. Greater change has affected Moab City Hall in the past eight months than in the previous decade. There are questions, broad and specific, that need to be asked, and *answered* more transparently than they have so far.

When a community, large or small, goes to the polls to elect their representatives, they vote with the hope and the belief that they are choosing the best of us...

We hope in short to elect, "the better angels of our nature."

* When the Moab City Council moved forward to hire a new city administrator, what were the qualities in Rebecca Davidson that made her the council's choice among 57 applicants?

* Was the council aware of the litigation in Timnath and was it aware that the 'non-disparagement' agreement prohibited city officials from providing any information about Davidson's tenure there?

* With that in mind, how did the city properly vet Ms. Davidson? Did the city ever receive the copy of the "supplemental audit from the Town (of Timnath)," mentioned by city recorder Stenta? According to Stenta, the document "cleared (Davidson) of any allegations or wrong doing" Was that document sent to the city? If so, why was it not included in the GRAMA request?

* Did the council investigate Davidson's tenure in Kemmerer? Is there any written documentation? If so, why wasn't it included in the GRAMA request?

* Was the council aware that a priority for Davidson in Kemmerer was to dramatically 'restructure' its government, a process that led to the departure of more than 20 of its employees in just three years?

* Was the City of Moab aware that Davidson had made criminal allegations against two of Kemmerer's staff, forcing an investigation by the Wyoming Division of criminal Investigations, and that in both cases, the county attorney declined to prosecute and the cases were closed?

* Was 'restructuring' a priority for the Moab City Council before Davidson was offered the job? If so, was her aggressive management style in Kemmerer the reason she was selected?

* If restructuring Moab City was a topic of discussion, how and where was it discussed? In the GRAMA request, there isn't a single document or evidence of any written correspondence between the council members or with the city manager, discussing the idea or its implementation. How was this complex change discussed and debated? If it was conducted behind closed doors, in executive session, can the City Council explain the need for absolute secrecy for a decision that had the potential to affect its entire staff?

* Did the council meet with the staff during the summer months to discuss restruc-

An Entirely Different Vista Found

By Scott Thompson

"What are we going to do with this planet? It's a problem of love; not the humanistic love of the West – but a love that extends to animals, rocks, dirt, all of it. Without this love, we can end, even without war, with an uninhabitable place."

– Gary Snyder, 1964

It was in 1975 when I was 27 that I first experienced myself as part of the wildness of the land. My older brother Dan and I had just crossed the Pecos River in Texas after midnight into the endless expanse of Creosote on the eastern edge of the Chihuahuan desert. Somehow those millions of spread-out Creosote bushes weren't simply out there anymore, apart from me. We were wonderfully alive together. I was ecstatic.

I'm cautious about making too much of this experience because it didn't touch my life as a whole. But ever since then, whenever I've been in the Chihuahuan Desert or in one of the other American deserts, I've felt a part of them in a way that I can't describe. I particularly love the rough lowland desert terrain encircling the purple fortress of the Chisos Mountains in Big Bend National Park, and the wall of the Sierra Carmen Mountains just across the Rio Grande River there. And the northern fringe of the Chihuahuan Desert making its way through and along the Tularosa Valley in south central New Mexico; you can stand in the Oliver Lee State Park on the eastern side south of Alamogordo, and watch the dawn light spread across the wide valley floor, casting the long, distant line of the Organ Mountains on the other side in purple light.

I suspect that a lot of people in one way or another have been having experiences like I did that night in Texas. Jerome Bernstein, a Jungian analyst, has written about this phenomenon in his 2005 underground classic, *Living in the Borderland*.

While somewhat dense, it's well worth a read.

What would it mean to get serious about saying that the land is not separate from us? That it is our body and that we need to take care of it as such? Note: in using the word "land" I include not only the raw geological surfaces but the ecosystems surviving upon them, the oceans and all the life within them, and the atmosphere that nurtures all and sundry. And furthermore to acknowledge, as is the case with our physical bodies, that our failure to care for the land will eventually kill us; through processes that are both sudden and cruelly strung out. As the deeply honest scientists among us and other tough-minded, informed people are imploring us to realize.



Somehow those millions of spread-out Creosote bushes weren't simply out there anymore, apart from me. We were wonderfully alive together. I was ecstatic.

So let's look at the psychic split between how we view caring for our physical bodies versus caring for the land.

First, our vast and massively expensive medical system speaks for itself: that on some level we damn well know that if we fail to take sufficient care of our physical bodies that they will eventually kill us. This is the case even though plenty of people do attempt to ignore their mortality by treating their bodies as cesspools and as dumping grounds for diverse toxins.

Back in 2008, more or less, a doctor whose opinion I greatly respect told me I had a pre-diabetic blood sugar reading and that I needed to lose about eight pounds, eat whole wheat grains, be generically careful of what I eat, and exercise at least 30 minutes a day four days each week. Or else. Since then I have pretty much done so and my blood sugar readings have pretty much been fine.

Yet as every experienced medical provider well knows, and as I learned in working for 12 years as a behavioral health counselor in a primary care medical clinic, a lot of people who get near and then cross the line into diabetes do not eat better and exercise, even when they are given multiple, clear cut, politely in-your-face warnings by their medical providers.

With the following results, among others: heart trouble, blindness, neuropathic foot pain, and foot amputations. Clear and ugly evidence of what your body can do to you when you refuse to take its needs seriously; even before it kills you.

So if you're tempted to imagine that you're one of those carefree souls who can with abandon declare, "Hey, everybody's gotta die of something!" consider how carefree your attitude about your foot will be after a surgeon tells you that she or he will need to cut it off.

We really do love our bodies, even though we frequently take them for granted.

By contrast let's consider whether there is an infrastructure in place to care for the land, or as I like to call it the wildness of the land, that is comparable to our vastly organized medical system. My answer: not hardly.

When it comes to dealing with the looming, species-level calamity of climate change we only have in place, beyond the now discredited Kyoto Protocol, two international agreements: the first signed in Copenhagen in 2009 and the latest in Paris in December, 2015. Neither requires much less enforces the drastic curtailments in fossil fuel emissions that are desperately needed to head off the approaching horrors of climate change. What they consist of instead are sweetly worded goal statements and associated platitudes. The Paris agreement in particular has the odor of a public relations exercise in proposing a nice-sounding long-term solution absent rigorous scientific backing, which I suspect is meant to invite complacency within the public.



We really do love our bodies, even though we frequently take them for granted....By contrast let's consider whether there is an infrastructure in place to care for the land, or as I like to call it the wildness of the land, that is comparable to our vastly organized medical system. My answer: not hardly.

This would be like paying doctors and medical providers to tell their desperately ill patients that drastic, life-saving treatments are not necessary in the short-term while adding that relatively inexpensive, symptom ameliorating medications are sufficient for now and that a long-term, much less painful cure will be available soon enough. Such duplicity would be a gross violation of a medical provider's Hippocratic Oath.

When it comes to other environmental and ecological concerns, there is of course an infrastructure of established and well-funded environmental organizations that undertake an array of yeoman environmental labors; doing necessary, good work. So if you don't scrutinize, matters appear to be in hand.

(Gee: could there a pattern here?)

Naturally there is a subterranean agenda: the funding of these organizations too often comes from well-to-do sources that don't want economic growth challenged, so that the versions of "sustainability" that such environmental groups end up advocating for predictably include economic growth, no matter how absurd the situation on the ground becomes. Nor is addressing the urgent issue of overpopulation feasible for them because progressives and the neo-liberals alike will wield the hammer of political incorrectness against them should they try.

The foregoing would be like paying doctors and medical providers to carefully treat patients unless they object to the ideology of economic growth or harbor other politically incorrect viewpoints; in which case they would get no treatment at all. That would be another gross violation of the Hippocratic Oath.

Actually, there is nothing mysterious about what the shift that treating the land as our very selves involves. Cherokee activist Rebecca Adamson has outlined what this means as well as anyone: "More than any single issue, economic development is the battle line between two competing worldviews. Tribal people's fundamental value was with sustainability and they conducted their livelihoods in ways that sustained resources and limited inequalities in their society. What made traditional economies so radically different and so very fundamentally dangerous to western economies were the traditional principles of prosperity of creation versus scarcity of resources, of sharing and distribution versus accumulation and greed. Of kinship usage rights versus individual exclusive ownership rights. And of sustainability versus growth." ("First Nations Survival and the Future of the Earth," in Melissa K. Nelson, Ed. (2008). *Original Instructions*. Bear & Company, Rochester, Vermont. p. 33).

Note how different this is than claiming that growth is an integral aspect of sustainability, which is the Orwellian plight that so many mainstream environmental organiza-

tions find themselves in.

In the same book Melissa K. Nelson, Ph.D., of Anishanaabe, Metis, and Norwegian heritage, clarifies that not all indigenous people embrace what she calls Traditional Ecological Knowledge (TEK): "...many Native Peoples have become 'Americanized' with the same materialism and greed as anyone else and have been conditioned to forget the earth and our nonhuman relatives. The fact that many Native American tribal councils are prioritizing casinos, golf courses, and resorts over traditional agriculture, sustainable land use, and cultural centers makes this point." ("Lighting the Sun of Our Future – How These Teachings can provide Illumination," p. 13).

My guesstimate is that within each tribe we'd find a core of traditionalists, often a small one, determined to preserve the ancient knowledge and viewpoints because they know they have a value that transcends the mainstream societal maelstrom. A value that many within their own tribes, sadly, may no longer appreciate.

Nelson adds further: "Because TEK is so foreign to the mindset of modern, western science and the Eurocentric paradigm, it is often difficult for non-native outsiders to understand these realities and teachings." (p.14).

Yes, but not because the content of these teachings is complicated or abstruse. What's difficult for us outsiders is the bedrock assumption upon which those teachings rest, and upon which the teachings of every pre-agricultural society rested: that we humans must adapt to, learn from, and be a part of the natural world because trying to dominate it brings certain disaster. As Nelson seems to suggest, if you're raised to accept these teachings they're much more likely to become part of who you are, not only because of the social support involved but also because of their self-evident wisdom.

This is not, however, how we of the dominant societies view the matter nor is it how we train our children. Through our rationalist, capitalist, sometimes socialist, and also our older Biblical worldview, at least as we have chosen to interpret the latter, we think of the land as a set of resources, not unlike an array of investment accounts, that we are free to carve up and exploit as we please for our own pleasure and profit. We even market enjoyment of the land – "recreational use" - as a commodity and in many cases as a set of designated adrenaline spikes. This outlook is especially pronounced within the middle or upper classes of the global North, but I fear it may be spreading like E. Coli across our globalized world.

The situation is like two sides of a coin. On one side is our attitude of entitlement, our presumption and arrogance. On the flip side is our addiction to fossil fuels and ripping more resources out the earth's hide than it can tolerate without spurting out dreadful consequences. Thus ensconced, we have forgotten that for 90-95% of our species' history we have survived quite ably by adapting to the land and, as I said, being a part of it. And were content in doing so and can do so again, especially with the aid of our astonishing advances in technology.

The process of healing for us will likely require a profound experience of humility. It will be a matter of wholeheartedly admitting that the consequences that are cascading down upon humanity, especially upon people in the global South, and upon countless other species, have been brought about by our own attitudes and behaviors, particularly by those of us in the global North. If and when our collective humility is at last genuine it will be evidenced by both a rigorous commitment to honesty in the future and an ongoing commitment to a sea change in behaviors (if those changes aren't consistent, look out).

What's wonderful about the land is that all along it's been providing sustenance for us and offering us peace of heart and spirit through its vastness and beauty. It doesn't want to devastate us unless we're prideful enough and obtuse enough to (a) take it for granted and (b) thoroughly mistreat it; in which case it will hammer us down with enormous power and dispatch. As it's amping up to do now.

SCOTT THOMPSON is a regular contributor and lives in Beckley, WV

From the DESERT RAT COMMANDO

Europe's orca whales are at risk of extinction, ecologists say

The killer whale populations in Europe are facing severe declines as a result of hazardous man-made chemicals. Restriction for disposal of items that contain the chemicals could help save the whales from extinction.

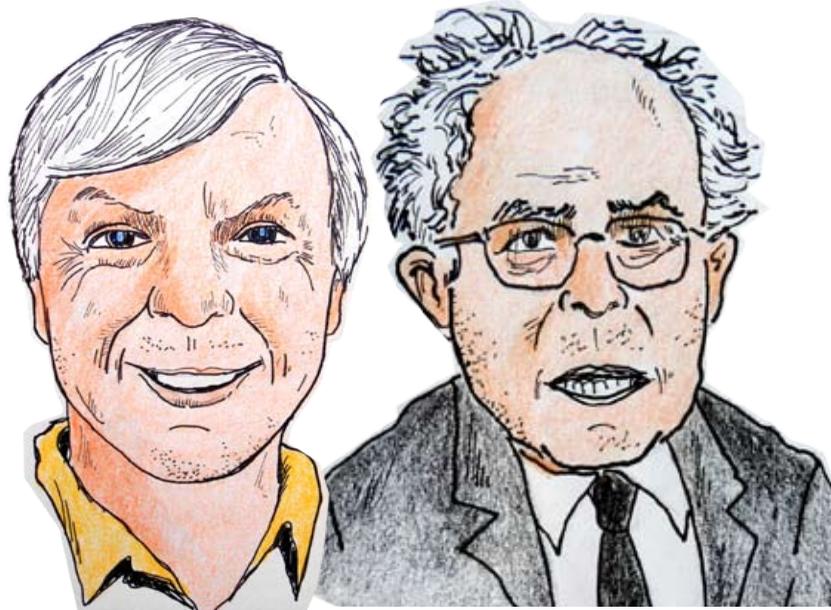
<http://www.csmonitor.com/Environment/2016/0114/Europe-s-orca-whales-are-at-risk-of-extinction-ecologists-say>



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“Tilting at Windmills”

A Geologist’s View of the Latigo Wind Farm

Gene Stevenson

As a geologist and resident of San Juan County I have been following the construction of the Latigo Wind Farm as it has been reported in the San Juan Record weekly newspaper and in the October-November, 2015 edition of the Canyon Country Zephyr. My goal here is to try and share some basic science observations and facts about energy resources, by distinguishing “energy” from “power.” The conversation is always about energy, but it’s really the amount of power that can be created from each energy resource that is important.

Ever since the “green energy movement” has really caught on, claims have been made that we should radically change our energy (power) diet, and do so immediately. We’ve been told to abandon our existing systems based on fossil fuels for something new and clean and renewable that doesn’t ruin the environment; something that is low-carbon, solar-powered, wind-powered, or better yet, powered by the singlemost desired element: unobtainium!

My goal here is to try and share some basic science observations and facts about energy resources, by distinguishing “energy” from “power.” The conversation is always about energy, but it’s really the amount of power that can be created from each energy resource that is important.

We are told we need to make this transition as quickly as possible so that the United States will become “energy independent” and not have to get involved in Middle East wars and we might begin to turn the tide on terrorism by not spending huge sums of money on a dying resource like hydrocarbons. In fact, using hydrocarbons is just down right being “foolish” says the Sierra Club and their ilk because of all the perceived dangerous effects of global warming or climate change brought about by burning coal, oil and natural gas that releases ungodly amounts of CO₂ into our fragile atmosphere.

The global energy business is about \$5-trillion-per-year that dwarfs all other sectors of the economy. But before we just jump off the proverbial energy-grid, we need to evaluate the various energy sources to determine which ones can satisfy the four basic imperatives: power density, energy density, cost and scale. By using and understanding these metrics we can begin to confront some brutal facts and winnow out the pretenders. We need to look first at the underlying causes of America’s energy unease: guilt, fear, and our gullibility are key factors, but the most important factor is ignorance.

Most folks simply don’t know or care how energy and power are produced and that lack of knowledge, combined with widespread scientific illiteracy and innumeracy makes for a deadly combination. Therefore, my computations are provided below in a “table or worksheet” format showing how I derived the numbers presented in this essay. I can assure you that these calculations are straightforward and can be verified through the several sources listed.

Scientific Literacy

Various scientific literacy studies are conducted almost every year by several major American universities (e.g. Michigan State, Harvard, California Academy of Sciences) that release their findings of a survey which found that most Americans couldn’t pass, such as:

- 53% of adults know how long it takes for the Earth to revolve around the Sun;
- 59% knew that the earliest humans did not live at the same time as dinosaurs;
- 47% of adults could provide a rough estimate of the proportion of the Earth’s surface that is covered with water [the academy accepted any number within the range of 65% to 75%]
- 46% of adults knew that electrons are smaller than atoms
- 78% of adults could not explain how to compute the interest paid on a loan
- 71% could not calculate miles per gallon on a trip
- 58% were unable to calculate a 10% tip for a restaurant bill

THE LATIGO WIND FARM

We use several sources of energy. Understanding how they compare to each other in terms of power, or energy output, can be a thorny problem because each is measured and sold in a mind-numbing variety of units. For instance, oil is measured and sold in barrels, tons and gallons while natural gas is measured and sold in cubic meters, millions of Btu and cubic feet. Electricity is sold in kilowatt-hours, but electricity terminologies deal in other units too, like volts, amperes and ohms; and then add in joules, watts, ergs and calories and things really become mind-boggling. Most manufactured components requiring metals and REE’s are measured in tons or pounds while concrete is measured by cubic meters or cubic yards and water by gallons, cubic feet per second or acre feet.

To sort this out, let’s first start with the electricity that will be produced by the wind farm. When fully operational sPower representatives state that it will consist of 27 wind turbines with a hypothetical optimal *capacity factor of 62.1 megawatts (MW) of electricity (*i.e., energy produced from continuous operation at full rated power) that could provide enough electricity to power 10,000 homes or 60,000 people and it will produce

power for 20 years (based on 10 years of study).

Next let’s look at oil. A standard 42 gallon barrel of oil (BO) is equivalent to 1.7 MW, thus the capacity factor is equivalent to 36.53 BO. According to sPower’s representative these turbines actually are factored to operate at 30% of the capacity, or 18.63 MW which equals 10.96 BO. In a perfect world with perfect wind conditions the Latigo Wind Farm could possibly generate 62.1 MW per hour or 1490.4 MW per 24 hours. That amounts to 876.72 BO per day, but at the more realistic 30% rate the wind farm could generate 447.12 MW or the equivalent of 263.04 BOPD.



Photo of a drill rig that discovered more oil and gas than the equivalent of two or more Latigo Wind Farms (imagine 60 or more wind turbines in this view, rather than that one oil well). GMS photo

Now, a well producing 263 BOPD is a nice little well, and many wells drilled in the Paradox basin that are completed as “producers” equal or exceed this initial production amount. BUT, a well worthy of offsetting must exceed 263 BOPD to be considered “economically feasible”. That means if they don’t produce at least this amount, then there is a slim chance of more wells being drilled. Stated in a different way, if the maximum output of a well only producing 263 BOPD could have been known at the outset, it would probably have never been budgeted to be drilled.

Values of the wind turbine height and rotor blade lengths have varied in the two newspapers, but suffice to say – they are BIG! And all these components, including two very large transformers, have arrived via diesel-powered trucks on asphalt-paved highways. County roads have been widened and electric power lines and substations are being built to handle this extra load of electricity. Each tower requires 400 cubic yards of reinforced concrete for each pedestal. And I’m almost dead certain that many acres of precious cryptogamic soil have been destroyed. Yet, sPower states “it is domestic production of power, it is entirely renewable resource, and no fuel is consumed.” I think that this comment deserves a bit more scrutiny.

When the following facts are added to the equation about the additional energy resources required to build the wind farm in the first place, one begins to wonder about the economic wisdom of such a facility if it wasn’t subsidized.



sPower states “it is domestic production of power, it is entirely renewable resource, and no fuel is consumed.” I think that this comment deserves a bit more scrutiny. When the following facts are added to the equation about the additional energy resources required to build the wind farm in the first place, one begins to wonder about the economic wisdom of such a facility if it wasn’t subsidized.

Take for example concrete: the 27 turbine pedestals x 400 yd³ concrete = 20,850 tons of sand, gravel, cement and water, of which 346,000 gallons of water is needed [No figure for rebar other than “tons” needed]. Then there’s the miscellaneous items like fuel (lots of fuel) for construction & transporting transformers and all the turbines and fans, tires, lead, copper, aluminum and iron and alloys for steel - all acquired by mining & drilling with fossil fuels – the much maligned “extractive industries!” Plus, the wind

farm will occupy a 3,600 acre footprint while a 263 BOPD oil well would have a 40 acre spacing, of which the actual footprint of the drill location would be less than one (1) acre [so much for the much touted environmentalists argument for “visual resource management!"]. See accompanying photo of drilling well near Lisbon Valley.

Up until the 1990s, San Juan County led the State of Utah in the production of natural resources such that taxes derived allowed the county to build an infrastructure of high quality roads and maintain a relatively low property tax base for its residents. As further development of these resources have been thwarted by an ever increasing movement to control public land use the roadblocks to accessing natural resources have increased. Alternative “green” energy policies have been enacted during this period to replace what is perceived to be detrimental energy resources. But as shown above, these new alternatives provide substantially less “bang for the buck” and will end up requiring immensely bigger swaths of land to equal the energy provided by fossil fuels.

And to show that this mis-directed policy is now entrenched into America, look no further than what our Congress just did by extending tax breaks and subsidies for so-called “renewable” energy until at least 2022 in the trillion dollar budget deal President Obama signed at the end of the year (2015).

The hype about wind and solar does not stand up to the facts. Wind and solar routinely produce less energy than promised. Want proof? In 2014, the United States generated about 4,093 billion kilowatt-hours of electricity. About 67% of the electricity generated was from fossil fuels (coal, natural gas, and petroleum). See www.eia.gov/tools/faq. Here’s the major energy sources and percent share of total U.S. electricity generation in 2014 (latest date available):

- Coal = 39%
- Natural Gas = 27%
- Nuclear = 19%
- Hydropower = 6%
- Other “renewables” = 7%
 - o Biomass = 1.7%
 - o Geothermal = 0.4%
 - o Solar = 0.4%
 - o Wind = 4.4%
- Petroleum = 1%
- Other gases = < 1%

Despite massive spending, wind and solar still contributes only a small share of America’s electricity. Each panel and turbine that goes up raises costs for tax and ratepayers. They are the welfare dependents of the energy world.

And to prove this point, look no further than billionaire Warren Buffett who would do anything to lower the tax rate of his company Berkshire Hathaway, including building unprofitable wind turbines to get federal government tax credits.

“I will do anything that is basically covered by the law to reduce Berkshire’s tax rate,” Buffett told an audience in Omaha, Nebraska last year. “For example, on wind energy, we get a tax credit if we build a lot of wind farms. That’s the only reason to build them. They don’t make sense without the tax credit.”

Or take a look at what Marita Noon reports about SolarCity at CFACT.org. SolarCity installs a third of the solar panels on America’s rooftops. They have made it plain that they are only interested in installing panels if government covers the bill. When government doesn’t pay, they won’t play.

Politically correct energy cannot power our future.

It’s time for wind and solar to freely and fairly compete in the marketplace.

Thus, the landscape of southeastern Utah has changed and will be changing to a sea of windmills, and all in the name of keeping a pretty darn clean if not a pristine environment clean. And property and other types of taxes will continue to grow to make up the difference.

Blow baby blow!

CONVERSION TABLE RELATED TO LATIGO WIND FARM

WATER:

- 1 cubic foot = (12” x 12” x 12”) = 1,728 cubic inches
- 1 gallon = 231 cubic inches
- 1728/231 = 7.48052 gallons per cubic foot
- Water is heavy; it weighs about 8.4 pounds per gallon (8.4 ppg), so one cubic foot of water (7.48 gallons) weighs almost 63 pounds (62.832 lbs)
- 1 cubic foot per second (1 cfs) = 7.48052 gallons per second
- 1 acre = 43,560 ft² or 208.71 ft per side
- 1 mile = 5,280 ft
- 640 acres per mi² = 5280 ft x 5280 ft = 27,878,400 ft divided by 640 ac = 43,560 ft²
- 1 acre foot of water means to take an acre in square feet (43,560) times a cubic foot of water (7.48052 gallons) to get the number of gallons per acre foot, or
- 43,560 x 7.48052 = 325,851.45 US gallons/acre (rounded off typically to 326,000 gal per acre)

ELECTRICITY:

- 1 MW (megawatt) of electricity = 1341 horsepower (hp)
- 1 MW = 1000 kw, or 1x10⁶ watts
- Thus, 62.1 MW = 83,277 hp or 0.0621 GW (gigawatts); therefore = 6.21 x 10⁷ W (watts)

ELECTRICITY TO OIL:

Converting electricity to oil terms is a straightforward calculation. One barrel of oil (BO) contains 42 U.S. gallons per barrel (US liquid) and contains the energy equivalent of 1.7 megawatt-hours of electricity.

1 BOE (bbbls of oil equivalent) to Btu = 5.79 x 10⁶ Btu, or a BO contains approximately 5.8 million Btu

- 58 thm (therms)
- 6.11 GJ (gigajoules)
- 6.11 x 10⁹ J (joules)
- 6.11 x 10¹⁶ ergs
- 1.7 MWh (megawatt hours)

CONCRETE:

- Convert cubic yards to cubic meters
- 1 yd³ = 0.7646 m³ = 27 ft³ [3 ft x 3 ft x 3 ft = 27 cubic feet]
- 400 yd³ = 305.8 m³ = 10,800 ft³
- 27 x 400 = 10,800 yd³ = 8257 m³ = 291,600 ft³
- 1 pound (lb) = 16 oz = 0.4536 kg

Basic “recipe” for concrete:

- 1 part Portland + 2 part dry sand + 3 part aggregate + 0.5 part water by weight, not volume:
- Water: 1 kg water = 0.2642 gallons using water density = 1000 kg/m³
- gal wtr = 3.785 kg = 8.345 lbs [I use 8.4 lbs to include total dissolved solids in water]
- 1 ft³ of concrete = 0.028 m³ would weigh about 143 lbs (65 kg)
- 1 yd³ of concrete = 27 ft³ = 3861 lbs (1755 kg)
- 22 lbs (10.0 kg) cement x 27 = 594 lbs (270 kg)
- 10 lbs (4.5 kg) water x 27 = 270 lbs (121.5 kg) = 1.1889 gallons of water x 27 = 32.1004 gal
- 41 lbs (19 kg) sand x 27 = 1107 lbs (513 kg)
- 70 lbs (32 kg) aggregate x 27 = 1890 lbs (864 kg); thus
- 1 yd³ of concrete = 3861 lbs or (1768.5 kg) of which there is ~32 gallons water per cubic yard
- 400 yd³ = 1,544,400 lbs or (707,400 kg) per pad; divided by 2,000 lbs (1 ton) = 772.2 tons
- Of which 400 x 32 = 12,800 gallons of water per pad
- 27 wind mill pads = 41,698,800 lbs or (19,099,800 kg) = 20,849.4 tons
- 12,800 gal x 27 = 345,600 gal water to make concrete for the pads
- And one acre foot of water = 325,851.45 US gallons, so pads used about 1.061 ac ft of water

Notes on “type” of concrete:

Regular concrete is the lay term for concrete that is produced by following the mixing instructions that are commonly published on packets of cement, typically using sand or other common material as the aggregate, and often mixed in improvised containers. The ingredients in any particular mix depend on the nature of the application. Regular concrete can typically withstand a pressure from about 10 MPa (1450 psi) to 40 MPa (5800 psi), with lighter duty uses such as blinding concrete having a much lower MPa rating than structural concrete. Many types of pre-mixed concrete are available which include powdered cement mixed with aggregate, needing only water.

High-strength concrete has a compressive strength greater than 40 MPa (5800 psi). High-strength concrete is made by lowering the water-cement (*W/C) ratio to 0.35 or lower. Often an ultrafine powder of non-crystalline micro-silica (silica fume) is added to prevent the formation of free calcium hydroxide crystals in the cement matrix, which might reduce the strength at the cement-aggregate bond.

*Low W/C ratios and the use of silica fume make concrete mixes significantly less workable, which is particularly likely to be a problem in high-strength concrete applications where dense rebar cages are likely to be used; therefore, my calculations may be skewed one way or other as details regarding cement strengths were not ascertained in this report

Sources: Energy Information Administration, “Energy Calculators”
<http://windeis.anl.gov/guide/basics/>
<http://www.wolframalpha.com/> (computations)

GENE STEVENSON has 43 years’ experience in applied geology. His main area of expertise lies in furthering the understanding of the geologic history of the Colorado Plateau, with particular emphasis on the Paleozoic geologic history of the Paradox basin and greater Four Corners region of the Colorado Plateau. He has authored or coauthored 47 geological papers and abstracts and has conducted numerous geological field trips and proprietary seminars. His specialties include carbonate petrography, subsurface stratigraphy, ancient depositional systems, and associated structure and tectonics.

He has also been running rivers for about 45 years, mainly within the Colorado River system. he has lived in Bluff, Utah since 1991.

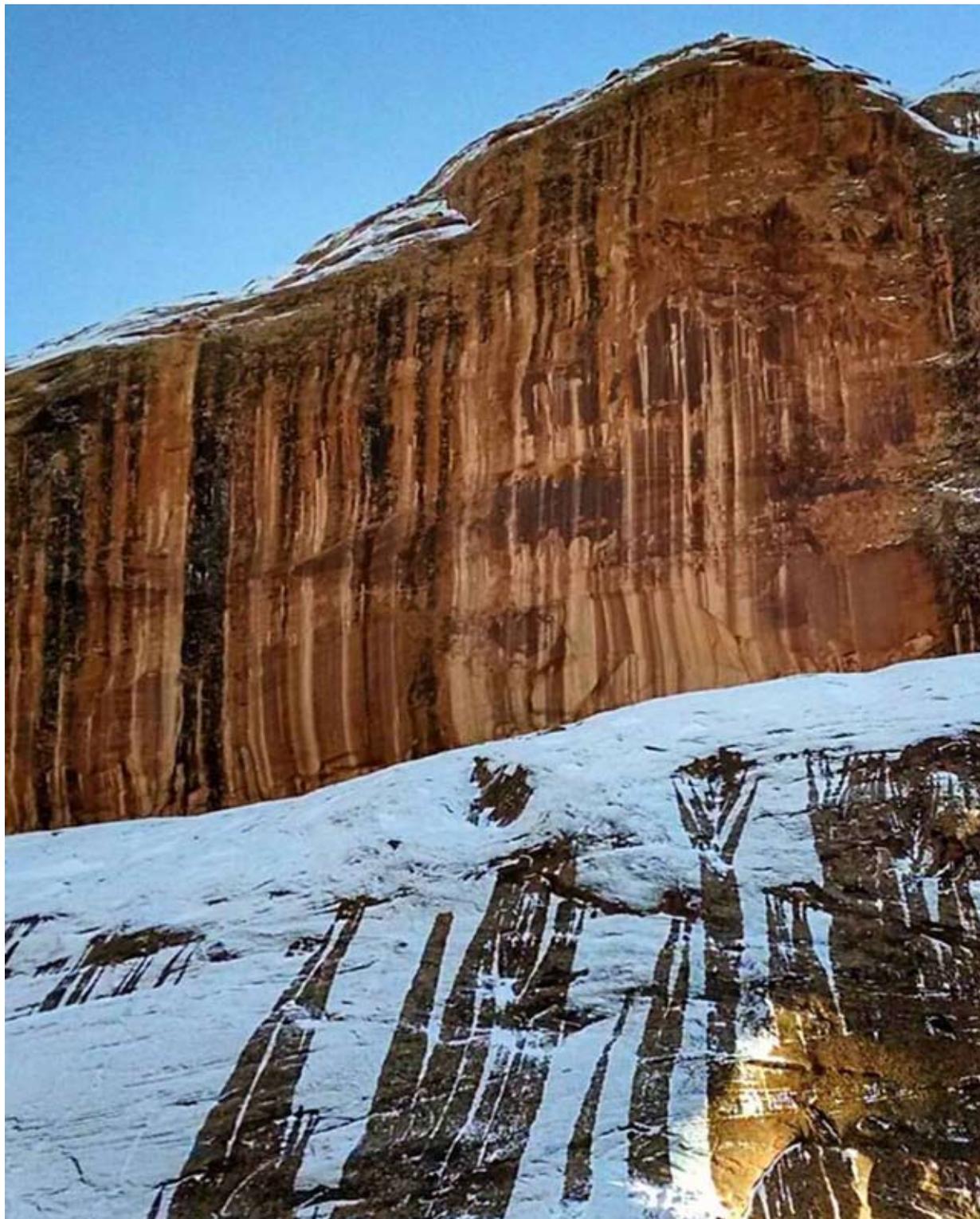
LIFETIME BACKBONER

STEVE RUSSELL
Moab, UT

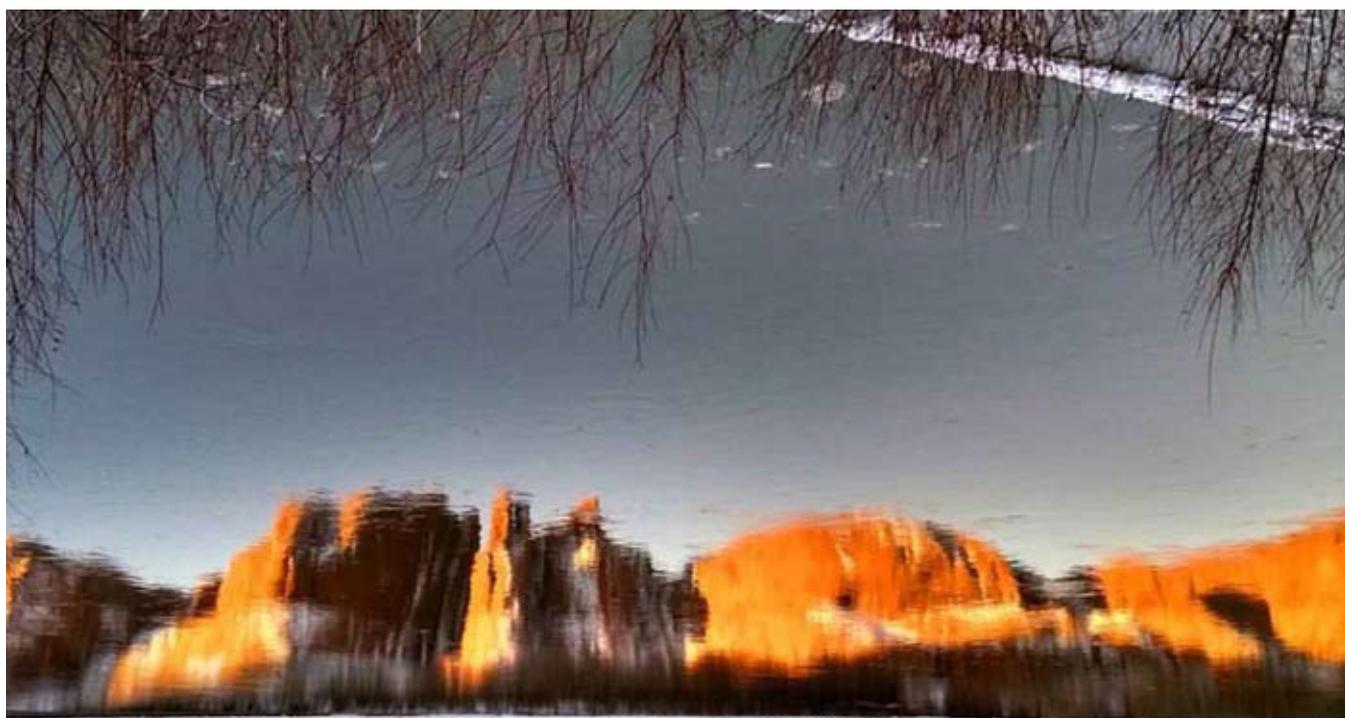


Moab in Winter

Terry Knouff



Before my move to Moab, in the mid 1980's, winter here wasn't a factor for me. Like many visitors, my time in Moab had been limited to the spring or fall, I didn't even imagine what a Moab winter would be like. Until I made that inevitable plunge into Moabdom.



That first Moab winter was a real winter, with plenty of snow in town, ice on the river, and my first taste of a nasty Moab inversion. But with the "hardships" of that first winter came discovery, and blessed solitude---the kind of solitude that Ed Abbey had promised would be possible in the "canyonlands" and in that winter of 1987, they still where. In those first two Moab winters, I realized that this was going to be my hiking season. Not only that, but around town I soon realized that winter was the lay-down-on-main-street-and-not-get-run-over season. Some winter days Moab was a virtual ghost town.

What about now, almost thirty years later ? Of course if you've lived here or read this publication over the years you know those days of winter solitude are for the most part history, especially down on Main St. But what about winter hiking now? Well, I'm not going to say much. Just know this, winter still comes to Moabdom and the river still freezes, and the snows still sometimes linger in the canyons until March and there's still some solitude to be had, but I won't tell anyone exactly where, if you don't....TK



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Top 10 Media News Reports
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10. Malaysia flight 370 was commandeered by Ukrainians trying to escape CNN
9. Oscar Pistorius claims self-defense; says he was attacked by his bathroom door
8. Fox News reports ObamaCare is a total failure - for the 706th time
7. Website www.shochiolympics.com returns "Under Construction"
6. ITAR-TASS reports Vladimir Putin will announce retirement to a dacha in Crimea
5. Malaysia pilot's home made flight simulator purchased by Al Qaeda for "recreational use"
4. Washington Post says NASA space telescope sees into the future - and it isn't good
3. Edward Snowden releases documents showing NSA is monitoring emails from the deceased
2. Malaysia Air claims Boeing 777 debris field found in Disneyland - cautions may not be from MH370
1. Canyon Country Zephyr is 25 years old - in spite of its aging curmudgeonly editorial staff

THE ZEPHYR BACKBONE---April/May 2015

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Ken Sleight Remembers.....

MEMORIES of ARCHES NATIONAL PARK

(From the 2004 Zephyr Archives)



EDITORS NOTE: Last year, the enormous Memorial Day crowds trying to visit Arches National Park finally overwhelmed the place. Parking at the Devils Garden and at Delicate Arch overflowed--there was literally no place to park. Lines of vehicles outside the main entrance backed up for miles. Finally, the National Park Services, for the first time in its history, CLOSED the park. There was simply no more room. In the weeks and months to follow, NPS and local officials and special interest groups have debated possible solutions. Should they make visitation to the park by reservation only? Will dramatically raising the entrance fees reduce demand? Does an equitable

solution even exist?

Here's what Ken Sleight was writign about Arches, its past and its future, back in 2004...JS

I became intrigued in Arches — even before visiting it — after reading Dale Morgan's 1945 edition of *Utah, A Guide to the State*. He told of the two thousand natural sandstone arches, including the magnificent Delicate Arch. Here is the greatest density of natural arches on earth. Indeed, he wrote glowingly of the great variety of unique geological resources and the redrock formations. Here were arches, balanced rocks, fins and pinnacles. Here rock layers revealed millions of years of deposition, faulting, ero-



I became intrigued in Arches — even before visiting it — after reading Dale Morgan's 1945 edition of 'Utah, A Guide to the State.' He told of the two thousand natural sandstone arches, including the magnificent Delicate Arch.

sion and other geologic events. He told of the striking environment of contrasting colors and curious landforms that highlighted the extraordinary features of the park. I longed to visit it.

On my first visit there in 1953, I had joined with a group of college friends during spring break to search out these dazzlingly beautiful canyons. We pretty much followed, I suppose, the first wagon and auto dirt road into the Arches' area — a route named the Willow Springs trail. We drove to the Balanced Rock area and the Windows section and then down to Park Avenue and hiked therein. The present entrance road was still in the planning stage.

In 1981, while I still lived in Green River, I began my horse trip concession activity in Arches after buying the Horsehead Pack Trip horses and assets from rancher Pete Steele of Monticello. On one of my favored trips, at the rim of Seven Mile canyon, we'd dismount and allow our horses free rein into the abrupt box canyon as we all hiked down the rough cattle trail of cut steps and rock walls. At the bottom we mused over an old hewn-out log-watering trough, shades of the Old West. Again mounting, we rode past dripping springs and huge cottonwood trees and then headed downstream along the sandy bottom of Courthouse Wash.

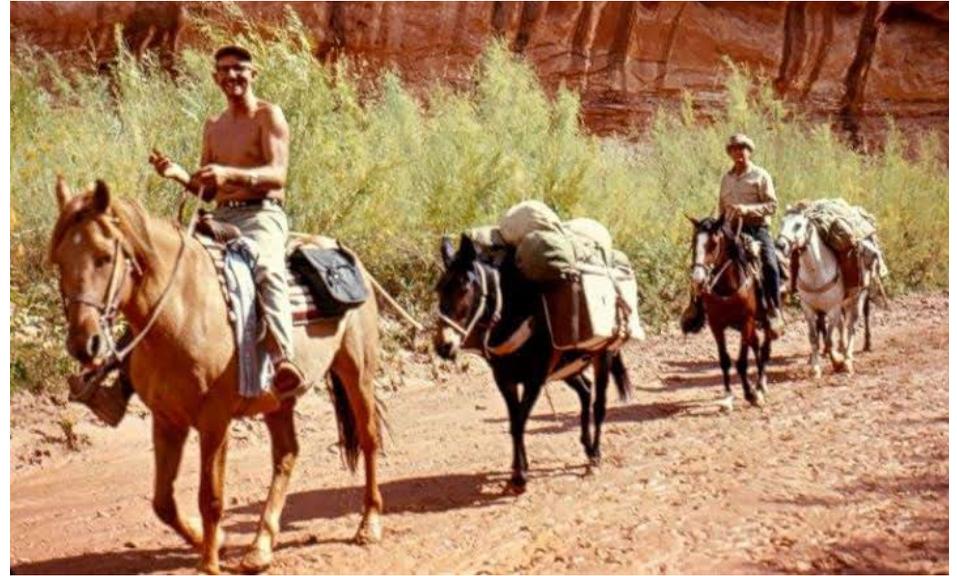
After our evening rides in Courthouse, we enjoyed evening cookouts near Abbey's old trailer site. Jane would have the small campfire glowing and her sumptuous Dutch oven pot-roast supper ready when we pulled in. As we ate we watched the colorful Arches sunset. And particularly, I remember my solo rides and hikes into my own secret and favorite places — pools and hanging gardens, canyons, caves, and arches. I remember our group rides down the old horrid natural-gas path to the enchanting Lost Spring Canyon and making camp at an old rancher line cabin. And the following days we would explore its varied red rock canyons. It was especially pleasurable, on one of the trips, in watching friend Tom Till taking pictures of a gigantic arch in a narrow side canyon

And memories linger too of my trips down Salt Creek until the Park Service intro-

duced desert-bighorn sheep in that area. I chose to cease operations there to give the sheep a chance to get established.

Many of us were concerned about the environment of Arches, we showed up at a public hearing held in Dec 1967 at which the Park Service proposed the establishment of designated wilderness in Arches that would comprise 12, 742 acres. Most of us agreed that the Park Service was on the right track. I remember speaking at the activist Earth First! Rendezvous in Arches — presenting Abbey's scribbled fighting words along with my own from the tailgate of Ken Sanders' old battered up junky truck.

Those were the days that many of us sprawled about on the sands and slick rock while watching outdoor musical concerts. Especially do I remember Abbey's and my impulsive visit with ranger friend Jim Stiles — at our banging on his trailer door late one night



Ken Sleight and friends, on a pack trip in 1965...photo by Edna Fridley

and lingering for a couple or so hours over beer, chatting about the whatever. Then on leaving Stiles' ugly trailer of sorts and his unexpected warm reception (Editor's note: "Stiles' UNEXPECTED warm reception"???) of us, Ed and I chugged down to one of our favorite sites and we camped on the slickrock under the night stars. A sudden rain squall drenched us — causing me to drag my bedroll under his truck where I resided till dawn. And in the morning we took an energizing and unforgettable jaunt out over the rising and falling slick rock to view the breaking sun and the beautiful canyons.

And on Abbey's tragic death, many of his cherished friends met at that same place to hold a memorable memorial to him - at which a number of us expressed ourselves, the best we could, in remembering him and his great contributions to the canyons and the environment. Then at the ending of that great era, I regretfully pulled my guiding operations out of Arches. It just wasn't the same no more.

=====

Now today, I worry about the future of Arches. I fear that it may have already become a "sacrifice park." I suppose it was inevitable — because of the affinity between money and politics. Arches today is being deluged with more traffic and always more people. The extent to which Arches National Park should be accessible to the public is central to the concerns of many of us. I understand the laws and the declared purposes for establishing national parks. Providing public access to Arches National Park is one of its central purposes. But so is the protection of the Park's unique natural resources.

In 1916 Congress officially established an agency, the National Park Service, to manage the nation's parks. The Congress gave the Park Service its strong directive:

".....shall promote and regulate the use of the Federal areas known as national parks, monuments..... which purpose is to conserve the scenery and the natural and historic objects and the wild life therein and to provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations."

Clear isn't it? Years ago, local citizens spearheaded the drive in support of National Monument status. One of them was Loren L. (Bish) Taylor, editor and manager of Moab's *The Times Independent* and one of the most enthusiastic and successful boosters. Soon after, President Herbert Hoover issued his executive proclamation of April 12, 1929, creating the National Monument. On this subject, Taylor wrote in an editorial, that the touring public ".....will soon become known the world over for the unique scenic wonders it contains. The Creation of the new national monument will prove a big boost in exploiting the scenic resources of southeastern Utah." So right Bish was. It did indeed exploit.

Now the Park Service must get its priorities in order. It's cleanly a matter of development vs. protection. It's obvious on which side the Park Service has recently taken. Observe the increased new roads, parking areas, new-hardened trails, and a new tourist

center. "Build it and they will come." Many people feel that access should be open for all people despite their recreational preferences or physical abilities. To them, restrictions that limit equal access clash with the mandate creating the parks. All Americans - tourists, the handicapped, the elderly, rock climbers, hikers and bikers - should be welcome in our parks, they reason, even if it requires new roads, trails, and other developments.

Look at the pressures. I was sitting on the Grand County Travel Council board in past years, and certain interests from Thompson Springs brought to the board their proposal for the federal construction of a paved highway that would access Arches from Interstate 70. They reasoned that the construction of such a road would serve the needs of the traveling tourist as well as further aid the local economy. Horrors be to that idea.

However in spite of the fierce opposition, there are many persons that would restrict this uncontrolled access. They cite crowding on trails and traffic jams and the destruction of native vegetation. Some of them advocate limits on the number of visitors in the park during peak periods. Others would support a reservation system or tourist quotas. Some would confine public access to designated portions of the park to give the park a chance to cleanse and restore itself. — believing that the park has a natural healing ability. Arches ought to protect those areas that still remain wild and beautiful. Many travelers come, but many of them don't know just how to visit it. Ed Abbey has the answer in his advice to visitors in his book, *Desert Solitaire*:

"In the first place you can't see anything from a car; you've got to get out of the god-damned contraption and walk, better yet crawl, on hands and knees, over the sandstone and through the thornbush and cactus. When traces of blood begin to mark your trail you'll see something, maybe. Probably not." And then he added:

"In the second place most of what I write about in this book is already gone or going under fast. This is not a travel guide but an elegy. A memorial. You're holding a tombstone in your hands."

Let me offer a few thoughts.

Let us not make Arches itself a memorial, a tombstone, a sacrifice area. Areas of greater ecological vulnerability must be protected with zoning that is more restrictive. This is a part of the plan of yesteryear.

For a starter, we need to remove the campground.

There may be a few areas that would withstand present levels of human use, but there are also other areas that could be easily spoiled. Targeted protective and restoration management is critically needed.

I'm aware that park officials recognize that visitors have a wide range of needs, desires, and expectations. How they are to accommodate such diversity is the difficulty.

However, we just can't meet all interests. We need to define the desires of the tourists and the desired resource conditions — to know what facilities would or would not be allowed in order to protect this natural environment. We need to look closely at the consequences of past actions and begin a restoration process.

Under present growth patterns, I feel that it is inevitable that many more people in the future will visit Arches. Nonetheless, the park officials must in the future, at some point, limit the number of people who visit it.

Limiting the number during the summer months would help solve over-crowding. Especially, visitation needs to be controlled during peak periods and holidays. To do this it may mean restricting personal vehicles and then instituting a public bus transport system.

Park officials must concede that the park cannot accommodate an endless number of visitors. It cannot even comfortably find room for the current population without constructing new roads, parking areas and other facilities.

Some areas need to be treated as wilderness areas, and in those areas no roads and few trails should be permitted. We need to go back and dust off past wilderness studies. In these reports, the Park Service said that the sandstone formations "provide numerous opportunities for solitude and removal from the activities of man. Each proposed wilderness can be effectively managed for the perpetuation of these values and the preservation of the scientific and outstanding geologic features found therein."

The Coalition of Concerned National Park Service Retirees has just issued a report, *A Call to Action: Saving our National Park System* that calls for an extensive overhaul of many national parks over the next 12 years. The group feels that actions are being undertaken that diminishes the values and purposes for which the national parks are established. I agree.

And the Red Rock Wilderness Group is calling for the protection of wilderness values in federally administered areas outside the park — which the exploitation of such areas do in fact have a damaging effect on the park's very integrity.

We must now see that the National Park Service does indeed ".....conserve [the resources] and provide for the enjoyment of the same in such manner and by such means as will leave them unimpaired for the enjoyment of future generations."



KEN SLEIGHT still lives at Pack Creek Ranch near Moab.

VLACHOS' VIEWS

America through the lens of PAUL VLACHOS

The Desert Dog



Let me get the worst part of this story out of the way right now – my dog died on October 4, last year. It was the day of the Feast of Saint Francis, patron saint of animals. I'm not that religious and I'm not a Catholic, but he did have impeccable timing. He graced my life for nine and a half years and changed it more than he could ever know. Jim has been asking me to write about him for a while and I guess this is finally the time.

I woke up on June 1st, 2006, in Winnemucca, Nevada, at the Scott Shady Court Motel, a perfect time capsule of early 1950s motel décor. My good friend, Paul, was in the next unit. We were in the middle of a two day back country hot spring trip and had an ambitious day planned. Paul came out as I was loading the car and said a serious family issue had come up and he had to cut the trip short and head home immediately. I gave him a hug, waved goodbye and then headed out. I stopped at the top of the exit ramp from east Winnemucca onto I-80, the big slab that would take me straight home to New York City. I wanted to check my air filter. We had been on a lot of dusty roads the previous day.



I checked it out, checked the oil, pulled up my jeans, mentally steered myself to put in 3 or 4 long days of driving, then eased down the ramp and gathered speed. I hit the base of Golconda Summit about 20 minutes later and kept the speedometer pinned at 70 the long haul up. At the top, there were no trucks on the sides of the road. There's a parking area on both the east and west bound sides of the summit for truck drivers to rest, check their brakes, and do whatever else they need to do before taking the steep hill down in either direction. I had just gone over the crest and was picking up speed when I glimpsed what looked like a small black and tan dog romping in the

grass next to the highway, heading east and seemingly oblivious to everything around him. I drove for a minute and wrestled with the idea of trying to help him. It was, after all, a hostile environment. No water, many predators – from hawks to coyotes, fast-moving trucks. Had somebody left him there? I had passed other dogs over the years, but something made me want to rescue this one.

I went a few miles, got off at a ranch exit – no services – called "Iron Point" and went under the highway through a narrow underpass, just wide enough for one vehicle, then started Westbound again, picking up speed as I went, heading for that summit. I got back to Golconda, then went under another narrow underpass and drove back to the truck parking area on the Eastbound side. I parked and looked around. This was crazy. That guy was gone. What was I thinking? Animals run around, loose and abandoned, all over the country. I walked around for a bit. Then, I spotted him. He was crossing the interstate, trucks were hammering by at 70 miles an hour and he was still oblivious. Natural selection would not favor this guy. I yelled out. He paused, turned his head and looked at me, then kept going.

I jumped back into my pickup truck, sped down the ramp, and went through the tunnel again. Hundreds of tiny birds flew out the other side as I went through. I came up onto the Westbound parking area and looked around, but he was nowhere to be seen. I debated walking up the shoulder of the road. This is a major, fast-moving interstate in the middle of the desert. Nobody is out walking unless he or she has a really good reason. Or a really bad reason. This was starting to feel crazy. I was between the towns of Winnemucca and Battle Mountain, but I was heading in the direction Elko. I thought to myself "I would call you Elko." I kept looking, but could not find him. Then, I saw him on the other side again, across the median. I sped down the ramp and under again.

On the other side, I could not find him again. I crossed under again. After spending ten more minutes on the Westbound side, walking up and down, I decided to call it off and go home. I had already spent 90 minutes trying to track this guy down. Clearly, he was on his own path and I needed to get back on mine. I drove slowly down the ramp to go under the highway and, as I made the little turn to go into the tunnel, there he was, in the middle of the service road, staring at me. I leaned out my window and yelled "Hey!", at which he turned and ran with surprising speed into the tunnel. I chased him in my truck. He went up the access ramp on the other side, probably terrified, and I stopped,

then got out.

He stopped and looked at me. Whenever I approached him, he circled away. He was small, much smaller than I had thought. He must have been sizing me up because, once I stopped and crouched, he stopped. I had some saltines in the truck, so I grabbed one and tossed it to him. He paid no interest. He slowly walked up to me, though, and I put out my hand. He looked at me, then he looked at my truck, a Tacoma which was high off the ground. He looked back at me, then leaped into the truck.

I said "I guess you're going east," then got in and petted him. He was covered in dust and looked pretty skinny. He lay down on the denim jacket on my passenger seat and looked at me. I said "I'm going to call you Elko," and took off.

I had no intention of keeping a dog, though. I had lost my cat of 20 years a year earlier and vowed to never get a pet again. It was too painful. I looked over at him. He looked back at me. I could feel a wave of something going through me that I had never before experienced so instantaneously and thought "this must be what love at first sight feels like." I had to be practical, though. I live in the city and didn't want to deal with having a dog. I instantly got on my cell phone and called people back home, animal people, dog people, trying to find him a home. A couple of people promised to help me. I finally reached Battle Mountain. He seemed to get animated as we pulled into the town and I thought that maybe he lived there, even though, it was way too far for him to have walked. I learned quickly that he got excited any time we pulled into a new place. A good attitude for anybody, if you ask me. I went into the supermarket and bought a cheap purple nylon collar and a leash, along with a small double dog bowl and some cans of dog food. At the checkout, I asked the woman if there was an animal shelter nearby and told her that I had just found a dog. She said "It's a kill shelter. People are always leaving dogs out in the desert." That was all I needed to hear. He was not going to stay in Battle Mountain.

I went back out to the lot and opened the truck door. He stood there with his tail wagging. I put the collar on him, which seemed to make him happy. It seemed to me as if somebody had abandoned this dog. I imagined somebody taking his collar off and leaving him. I gave him water. He drank three cups. I gave him a can of dog food. He inhaled it and I gave him another. He wolfed that one down, too. I walked him around the parking lot and noticed he had a limp on a rear leg. Still, he seemed sound enough and he had a good disposition. He jumped triumphantly back into the truck and stood on top of my ice chest. I took a photo of him, which I then sent back to a few people in New York, trying to find somebody to take him in. For whatever reason, people looked at the photo and thought I had found a large dog. The scale is very clear, but perhaps it was his heart and his persona showing through.



We made it home in three days. He lay on top of that cooler half the time, watching the continent slide by. Every time we stopped, he would put that long snout in the air, take a few sniffs, then blink his eyes. We were heading east and he seemed to know it. It turned out that he was not chipped. I ran "Dog Found" ads for weeks online and never heard a word. It seemed strange to just have him enter my life that way, but maybe that's the way life is.

Over the next few years, we traveled across the country and back many times in that Tacoma. Elko loved the road. He loved marking every truck stop. Every time we got out west, whether it was the Black Rock Desert or the Oregon coast or Canyon Country, he'd stand there, face the wind, and close his eyes with a beatific look on his face.



We took that truck to Portland, Oregon in late December of 2009. I was trading it in for a four-wheel drive van. Another triumphant journey with my co-pilot. On the way back, I was driving the bare van – I'd eventually build myself a little room in the back – and it was loaded with all the gear from the pickup. He sat all the way in the rear for most of that high speed run and barked at cars from the rear windows.

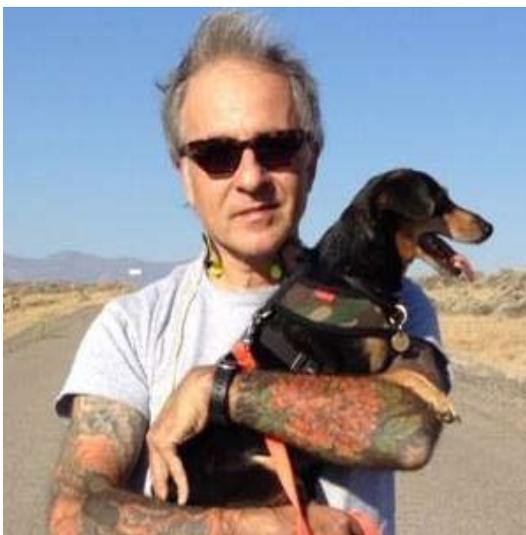


Once I built up the inside of the van, his preferred position was in the bed on the shelf I built right behind the drivers seat. Whenever I pulled off the road and was heading to a gas station, a motel, a campsite or a photo opportunity, I could count on that little head popping up and resting on my left shoulder, snout out the window, eyes scoping out the scene. He also loved to get lost in the sleeping bags further back in the van



I'm leaving out a lot, but maybe I'll get to that in the future – "The Continuing Adventures of Elko, the Desert Dog." He led an interesting life. He started out wandering in the desert, eating flies, and ended up in Greenwich Village, eating hamburgers. He put in over 200,000 miles with me all over this country and Canada. He was known and loved in his neighborhood and had many friends. He taught me a lot about life and how to be in the moment.

Every once in a while, when we were on I-80, I'd stop with him at Golconda Summit and let him sniff the air. He never really seemed to like coming back there that much, but it meant a lot to me.



PAUL VLACHOS
lives in
New York City

I miss him terribly. I would tell people this story over the years – people always seemed to stop and want to say "hi" to him in the street – and they would invariably say "Wow, he got lucky," to which I would invariably respond "I'm actually the one who got lucky."



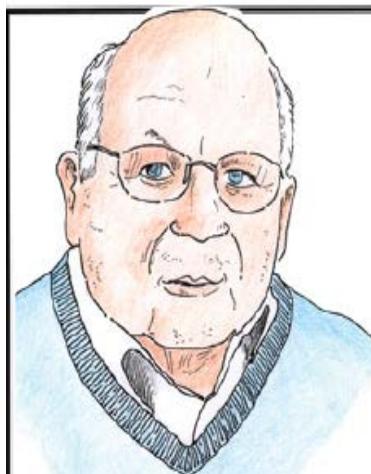
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dollars without seeing any major contribution to U.S. energy supply.”

<http://instituteeforenergyresearch.org/analysis/obama-budget-make-wind-subsidies-permanent/>

The climate change-denying website, cfact.org, in an article called, “Wind Subsidies a Massive Failure, wrote, “What is astonishing is the way both the U.S. and Europe adopted renewable energy production because it is unpredictable and mindlessly expensive. A major factor why the global warming hoax is collapsing is that it has cost everyone here and in Europe billions in loans and subsidies. Both solar and wind require a backup from traditional power sources that utilize coal, oil, and natural gas.”



“For example, on wind energy, we get a tax credit if we build a lot of wind farms. That’s the only reason to build them. They don’t make sense without the tax credit.”

Warren Buffett

<http://www.cfact.org/2014/03/21/solar-and-wind-subsidies-a-massive-failure/>

Opinions from the Right were almost unanimous. Breitbart offered this headline: “Wind Turbines are ‘Expensive, Unreliable, and Inefficient.’” The Washington Times complained that, “Wind Energy Gambles with Taxpayer Chip.” Another “The Hill” headline proclaimed, “Wind Power Production tax credit: Wall St. wolf in green clothing.”

Keep in mind, these aren’t my own views on alternative energy, they are the outspoken voices of America’s conservative movement. Personally, I like the idea of wind and solar power, but on a much smaller scale. The technology for rooftop solar is already available and could be implemented across the country. Imagine being able to reduce your monthly electric bill via the photovoltaic panels mounted on your roof. And I love the idea of being free and clear, or at least less dependent upon the Big Energy Companies that we are always beholden to.

I’d also have been in favor of wind power for Monticello, had a local wind farm been constructed for the purpose of reducing the town’s dependence on, and cost from, traditional power sources and Empire Electric. Again, the technology is there; all the idea lacks is the political will to do something different.

But ‘alternative energy’ on a corporate level, subsidized by the government, fails to impress me. It’s just business as usual, in an artificially green suit.

And yet, across America, the only conservative strongholds that embrace and support federal wind subsidies are the ones who--you guessed it--RECEIVE federal wind money. Even Sam Brownback, the ultra-Right Republican governor of Kansas turns a blind eye to his own pronounced opposition to runaway federal spending and quietly takes the wind money and runs.

But it took a billionaire DEMOCRAT to sum it up best. While other ‘progressives’ claim to support wind energy as a viable option and a way to save the world, Warren Buffett said, “I will do anything that is basically covered by the law to reduce Berkshire’s tax rate,” Buffett told an audience in Omaha, Nebraska last week. “For example, on wind energy, we get a tax credit if we build a lot of wind farms. That’s the only reason to build them. They don’t make sense without the tax credit.”

In San Juan County, I understand that the wind farm was built on private land and that it was the landowners’ decision to lease their property. Fair enough. But that isn’t the issue here. Wind subsidies are the topic of the debate--in Monticello, a town where 90% of the residents opposed President Obama in the last election, one would think that an equal number would be in opposition to federally mandated wind subsidies. But clearly support for the subsidies is stronger than that. The bottom line is--without the federal subsidies, ‘private’ developments like Latigo would never have happened.

And so it comes as a surprise, to me at least, to discover how many Closet Obama Lovers apparently reside on the flanks of my beloved Blue Mountains. Personally, I kind of like the guy too, at least some times, even if we sharply disagree on corporate wind farms and the federal money that makes them possible.

The world continues to astound me.

WHY READ THE ZEPHYR?

“If a nation expects to be ignorant and free, it expects what never was and never will be...The people cannot be safe without information. Where the press is free and every man able to read,

All is safe.”

Thomas Jefferson

“WHAT’S PAST IS PROLOGUE”

(CONTNUED)

turing and inform them that they could lose their jobs, literally in a matter of minutes, with no warning?

* Did the mayor and city council know, on the evening they voted to restructure the city staff, that the next day Ken Davey and David Olsen would be summarily dismissed and required to leave the building?

* Does the city administrator plan further ‘restructuring’ and more dismissals and changes in Moab City’s staff in the same dramatic fashion that city workers in Kemmerer experienced?

* Does the Mayor and Council feel the severance offered to both employees was fair, given their years and decades of service to the community? Was the City aware of the severance package that Davidson received when she left Timnath?

* The City of Moab employed the company Tayo, Inc. to perform IT security services, three weeks after Davidson assumed her Moab duties. The co-owner of Tayo, Inc., Tara Smelt, was her ‘Director of Communications and Events’ in Kemmerer and was, according to official records, still employed there when Tayo, Inc. was hired. Was there an urgency to hire Tayo, Inc. so quickly and was there a conflict of interest hiring Smelt?

On January 4, 2016, three new Moab City Council members were sworn into office--Rani Derasary, Kalen Jones, and Tawny Knuteson-Boyd were the top vote getters in Moab’s municipal election in November and now assume the responsibilities of their office, to represent the citizens of their community to the best of their ability. None of the three played any role in the events and incidents that have played out in Moab in 2015. They take office with a clean slate and hopefully open minds.

Moab’s municipal elections had always been non-partisan votes, where none of the candidates were defined by any particular political party, and until recently, ideology didn’t enter the discussion either. But as Moabites find their community more and more divided by polarizing politics, even the council elections this time were marked by candidates running as ‘blocks,’ and assumed to be “Left or Right.” In the minds of Moab voters this time, the ‘Left’ won.

As longtime Moabite and *Zephyr* contributor Kara Dohrenwend noted recently, “The issues facing Moab City need skills and attention to detail that are not necessarily illustrated by the left or right leaning of a political candidate.”

And yet, just today *The Zephyr* received a note from one of the city manager’s most ardent critics, who almost in the same breath expressed her delight that the “liberal” candidates had won the recent city council elections. Politically, “liberalism” is defined as “a theory founded on the goodness of human beings.” She failed to connect the fact that the most self-proclaimed “liberal” members of the council in 2015 were the current city manager’s most strident supporters and defenders. Maybe we need to look beyond ideology, beyond politics and beyond the notion that anyone even understands the ideology they claim to embrace. It’s a lot simpler than that.

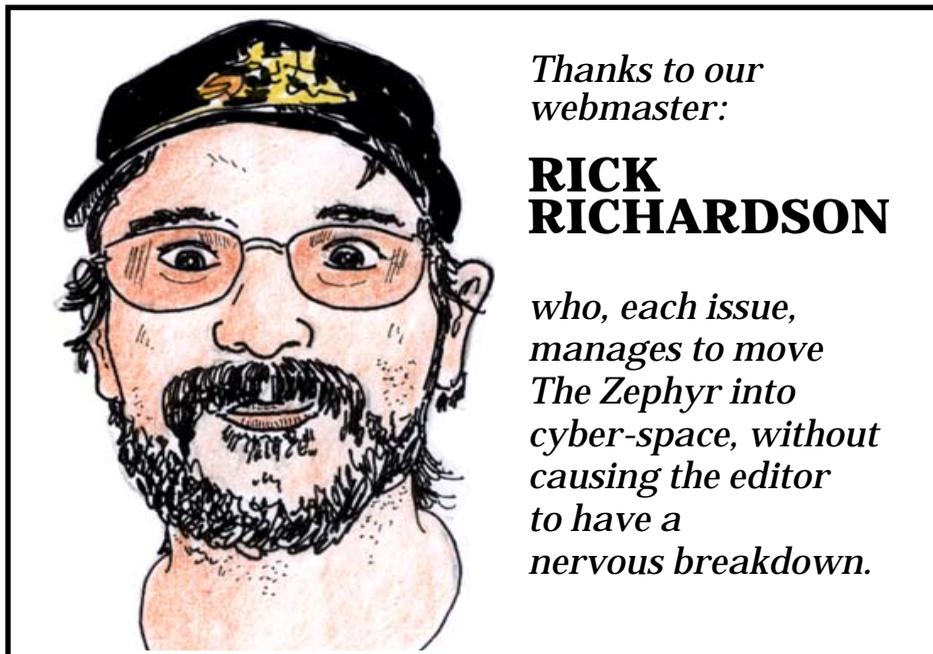
When a community, large or small, goes to the polls to elect their representatives, they vote with the hope and the belief that they are choosing *the best of us*--we hope that they’ll be intelligent and articulate and effective. But we also insist they show the other qualities that we cherish and hope to find in ourselves--like honesty and compassion, and honor and integrity. And humility. We hope in short to elect, “the better angels of our nature.”

Moab’s governing body and its city manager represent the community they serve. Its citizens need to ask if *they’re* being represented in a way that reflects the *community’s* ‘better angels.’ In the end, what else matters?

Related email addresses:

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Rani Derasary: rderasary@moabcity.org, Heila Ershadi: hershadi@moabcity.org
Kalen Jones: kjones@moabcity.org, Dave Sakrison: mayordave@moabcity.org
Tawney Knuteson-Boyd: tknuteson-boyd@moabcity.org

(This PDF version was last updated on January 29. For a slightly revised final edi-



Thanks to our webmaster:

RICK RICHARDSON

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