

Leadville, Colorado



HERALD STAFF

September 9, 2004 Edition

• Front Page •



Enthusiastic volunteers hold an albino python during the Wildlife Encounters show at Pitts Elementary on Wednesday, Sept. 1. From left are Andy Bosah of Wildlife Encounters, Jesse Burke, Justin Hall, Julian Rascon, Carli Etheridge and Mikela Hill. Photo by Marcia Martinek

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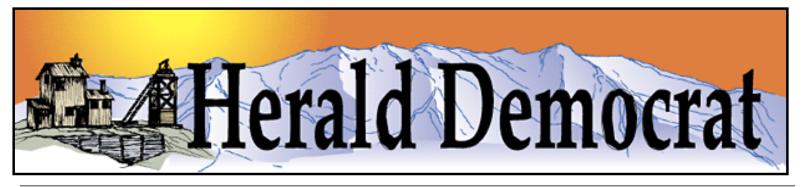
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September 9, 2004 Edition

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Schiro follows suit with suit

by Marcia Martinek Herald Editor

Robin Schiro, former superintendent of the Lake County Road and Bridge Department, has filed suit in U.S. District Court against the Lake County Board of County Commissioners as well as Commissioners Bill Hollenback and Ken Olsen as individuals.

Schiro claims, among other things, that during her tenure with the county she was discriminated against on the basis of her gender and was subject to a hostile work environment and retaliation.

Her lawsuit follows on the heels of another suit filed July 30 by Cathy Patti, former county administrator, who was Schiro's supervisor at Lake County and who was terminated at the same time Schiro was.

Schiro worked for Lake County between May 2001 and Jan. 14, 2003, at which time she was terminated.

The action for declaratory relief and damages says that the defendants "discriminated against Schiro based on her gender and retaliated against her for her complaints and her participation in and opposition to unlawful gender discrimination."

It says that they removed Schiro from her position as superintendent of the Road and Bridge Department and ultimately terminated her employment at the same time they terminated the employment of Cathy Patti, the county administrator.

Both Olsen and Hollenback are being sued for monetary damages.

Schiro's request to the court for relief includes the following:

- Monetary damages for lost wages and benefits, lost earning capacity and future wages and benefits;
- Compensation for emotional distress damages;
- Punitive damages;
- Reasonable attorneys' fees and costs, including expert



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fees:

- Prejudgment and post judgement interest as provided by law:
- Injunctive relief enjoining Lake County from any further violations and awarding Schiro reinstatement to a similar position as that from which she was terminated. Prior to filing the lawsuit, Schiro filed charges of discrimination with the Colorado Civil Rights Division and the Equal Employment Opportunity Commission. The EEOC issued her a Notice of Right to Sue on May 14 of this year. The suit notes that when Schiro was hired by Lake County in May 2001, the commission consisted of Hollenback, Charlie O'Leary and James Martin.

The suit alleges a number of encounters with Hollenback, which were used to illustrate discrimination and harassment. For example, it said that in August 2001, at a meeting initiated by Schiro concerning an employee discipline matter, Hollenback said in the presence of Patti, County Attorney Seth Murphy and the other two commissioners: "I knew this would happen if we hired a woman. Most men don't like working for a woman."

The suit also discusses a written internal complaint of gender discrimination and harassment which Schiro submitted to Patti, Murphy and Martin, then chairman of the BOCC, on Feb. 19, 2002. It claims Hollenback made copies of this complaint and improperly distributed them to the general public including Schiro's employees and others referenced in the complaint, in violation of Colorado Open Records Act.

As a result of Schiro's complaints, the county hired an outside investigator, Mark J. Flynn of Mountain States Employers Council. His report was submitted, May 21, 2002, according to Schiro's suit.

Subsequently, Schiro was told that her job was being redefined, and that a member of the Road and Bridge Department was being named temporary supervisor. Schiro was named county engineer/landfill supervisor. The suit notes this new position required she have a professional engineering license, which Schiro did not have.

It also says that Schiro was initially required to work from her truck or on the floor of a file room at the courthouse, as she was not given an office.

Schiro contends she did not get a draft list of her new duties until August 2002, and one of the duties was direct supervision of the Road and Bridge employees, something she had been forbidden to do.

Among the incidents detailed was one where she was asked to recommend between purchasing a new piece of landfill equipment or repairing the existing equipment in June 2002. She said she recommended the county use the salvage value of the existing piece toward a used piece of equipment for \$97,000.

The BOCC rejected her recommendation, according to the lawsuit, and instructed her to purchase another piece of

used equipment for \$34,000, a piece of equipment that needed \$12,000 in repairs, it turned out.

Schiro was disciplined for making the decision to purchase this equipment, even though she had actually

recommended buying another piece, according to the suit. Schiro was ultimately placed on six months probation; one reason given was that purchase of used equipment, according to the suit.

Olsen was elected to the BOCC in November, 2002, taking office in January 2003.

At the first BOCC meeting of the year, Schiro and Patti were terminated. The suit says the termination was done by Hollenback and Olsen, with Martin opposing it.

Schiro, who is presently living in Pagosa Springs, is represented in her lawsuit by Kathryn E. Miller and Gary M. Claxton of Miller & Steiert of Littleton.

The county's attorneys will be filing an answer to the lawsuit, which will detail its reaction to the charges. Schiro has requested a jury trial.

La Cantina passes health inspection

by Marcia Martinek Herald Editor

As of Aug. 19, La Cantina Restaurant, 1942 Highway 24, has a clean bill of health from the Chaffee County Health and Sanitation Department.

On Aug. 19, the health department conducted a follow-up investigation of the restaurant, licensed to Manuel Martinez. As a result of the investigation, the restaurant was found to be in compliance, according to Health Inspector Ginny Linza. The follow-up inspection came just as the Lake County Commissioners fined the restaurant \$500 for chronic non-compliance with health regulations.

Linza warned the restaurant that it will be subject to another fine if the next inspection indicates noncompliance.

The only problem noted during the Aug. 19 inspection was a refrigerator in the back storage room which was at 45 degrees rather than 41 degrees or less. This was corrected at the time of the inspection.

Previously, there had been an issue with roasted green chilies which had been brought from New Mexico, but apparently were not from a licensed facility. Now La Cantina may roast its own chilies under its current license but the packages must be so labeled.

The next inspection of the restaurant will be a regular inspection. If all violations remain corrected, La Cantina will be removed from civil penalties procedures, meaning it will be treated just as other restaurants are which are in compliance.

"I got my job done," Martinez said, adding it is his intent to serve his clients to the best of his abilities.



Fall colors are starting to show in the Leadville area. This photo was taken Monday, Labor Day, from the Leadville, Colorado & Southern Railroad looking down on Colo. 91. Photo by Marcia Martinek

Dinero cleanup makes progress

by Renee Davis Herald Intern

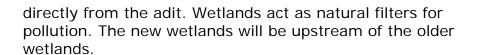
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Mine drainage can affect insect life. Poor insect life can limit the trout population. Russ Schnitzer, Western Field Organizer for Trout Unlimited, reported that informal "rod studies" (a.k.a. fishing) indicate that fish do not inhabit the area where the Dinero drains into Lake Fork.

Work on the project began this summer. The most significant portion of the project to be completed so far is relocation of 75,000 tons of waste rock. Tailings were relocated out of the main drainage area of the gulch. Topsoil from nearby hills was used to cover the tailings to minimize surface-water contact.

Ponds are in place to allow sludge to settle out. These ponds are also supposed to mitigate the impact of high-flow occasions. The inlet and outlet of the ponds are lined with limestone, which should raise the pH of the effluent. The man-made ponds flow into old beaver ponds. Beyond the ponds, drainage currently runs through an existing wetland. According to the Lake County Watershed Quality Assessment led by the Upper Arkansas Area Council of Governments, willows in this wetland showed evidence of chronic toxicity. Don Stephens of the Natural Resource Management Institute of CMC backs up that assessment saying that the wetland is heavy metals saturated or nearly so.

The ponds are only a temporary measure. Extensive wetland development is planned to clean drainage coming



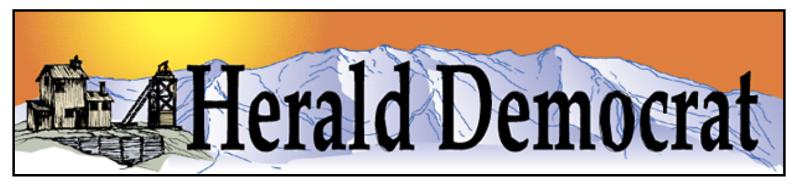
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HERALD STAFF

September 9, 2004 Edition

Sports & Recreation Page



Middle school cross-country-team members are (top, from left) Maria Guardian, Kristen Wells, Olivia Sparkman, Katie Stege and Coach Amy Peters; (bottom, from left) Doug MacIsaac, Ryan Cohn, Michael McGeorge, Ethan Wren and Jacob Arvidson. Contributed photo

LCMS track team has good initial outing

The Lake County Middle School cross-country team opened its season on Saturday in Colorado Springs.

The 1.4-mile course covered some pretty hilly terrain, but the Panthers ran tough and looked great. Ryan Cohn, a 6th grader, led the boys' team in his first ever cross-country race. He finished in 10:21 and 9th place.

Despite not feeling his best, Doug MacIsaac, 7th grade, completed the course in 11:03 and 26th place.

Michael McGeorge and Ethan Wren, both running for the first time, ran strong and finished in 11:33 (35th place) and 12:46 (49th place) respectively.

Rounding out the boys' squad, Jacob Arvidson, already much improved from last year, came in at 16:20 to take 69th place.

This year the girls have enough people to score as a team,



and they were impressive in their first competition together. All four of them placed in the top 20.

Kristen Wells led the way with a 4th-place finish and a time of 9:57. Close behind was Katie Stege, coming in in 6th place in 10:00. Maria Guardian, a new 6th grade runner, ran 11:20 and earned herself 17th place.

Olivia Sparkman finished in 11:26 for 19th place.

The girls finished 2nd overall as a team, just three points behind the powerhouse Classical Academy.

This Saturday they will compete in the Lake County Invitational on the CMC Timberline campus.

Local golfers win again

by Jenn Wiant Herald Staff Writer

The Lake County golfers proved once again that they can beat the Collegiate Peaks golf club players from Buena Vista when they won the annual High County Challenge for the second year in a row. Twelve golfers from the Mt. Massive Golf Club faced 12 golfers from the Collegiate Peaks Golf Club over two days of competition Aug. 28 and 29. On the first day, teams of two challenged each other in the team best ball contest. Team members added up their lowest score on each hole for a total score. Five of Lake County's six teams beat the Collegiate Peaks teams in the contest. Sunday, the golfers played at Mt. Massive Golf Course, competing in singles match-ups. In this competition, each person played against someone from the other team, trying to win the greatest number of holes by scoring the lowest. Lake County won six-and-a-half points and Buena Vista won five-and-a-half points in the singles competition. Lake County won the competition 11-and-a-half points to six-and-a-half points. In the past 12 years, Lake County has won the tournament seven times and Buena Vista has won it five times.

The golfers from Lake County were Dano Aldaz, Curt Bender, William Bender, Tim Ebuna, Darryl Flores, Dave Flores, Adam Giffen, Mike Looney, Greg Moses, Brent Welch, Bill Wellington, and Brian and Troy Vigil, who each played one day of the tournament.

Duathlon primed for third running

The third annual Leadville High Altitude Duathlon, a 4.3-mile run, 25- mile bike, 6.2-mile run, will take place Saturday, Sept. 11, starting at 9 a.m.

The running course is a mix of both paved and county dirt roads. The bike portion is completely paved with a counterclockwise lap around Turquoise Lake.

The race will start, transition and finish on West 6th Street, at the parking lot of the Lake County Courthouse. Packet pickup and registration begins at 7 a.m. at the courthouse parking lot area. All participants are required to sign a race waiver at check in.

For information, contact Mark Lipman, race coordinator, at

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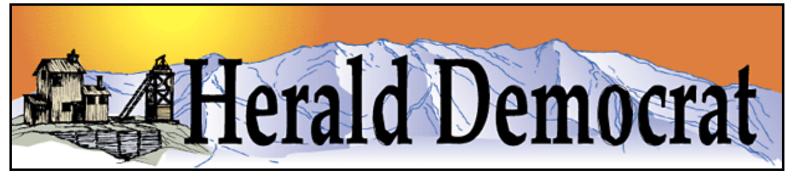
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September 9, 2004 Edition

Editorial

Leadville tourist

Rather than hitting the road, we decided to spend this Labor Day in Leadville as tourists.

This included spending Saturday evening at the Tabor Opera House listening to "Highlights from the Ballad of Baby Doe" and then, on Monday, taking the train for the first time.

The Tabor is always a treat. There's something about sitting in the same hall where generations of Leadvillians were entertained by the very finest in the business. I had to wonder if Horace Tabor, when building the entertainment venue for the community, ever envisioned that his own story would someday play on that very stage. If he did, I doubt that he would have lived his life differently. Unfortunately, his story is not one with a happy ending. The acoustics at the Tabor are great. If you haven't been there yet, or even if you have, mark Oct. 17 on your calendar when the 60-piece U.S. Air Force Academy Band will present a free concert for this community. That should be something to hear.

We enjoyed hearing the tale about how Ken and Stephanie Olsen purchased the Leadville, Colorado & Southern Railroad for \$10 and have been offering excursions into the mountains for 17 years. I suspect a little more has gone for refurbishing and maintenance since that original \$10 was spent.

At the end of the trip, a group of tourists near us gave their analysis of the train ride. They decided that it was a good time, just the right length and far better than the train ride in Georgetown. If they ever have to bring visitors to the mountains for a train ride, they'll pick Leadville's, they said. The train continues through September offering an opportunity to see the fall colors without having to drive yourself. The colors were starting to appear already Monday, so now's the time.



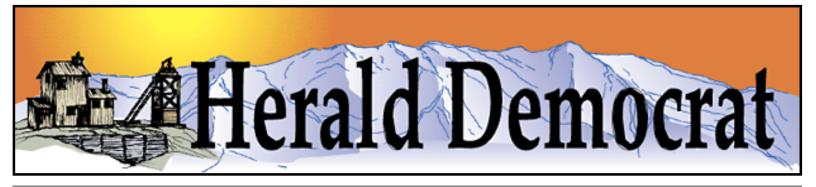
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A brief note on the upcoming elections. We've already had a number of letters to the editor on various candidates. We do have a published word limit of 300 words for our letters, something that we always don't enforce. However, try to keep under 300 words for these endorsement letters, unless raising some new issues. Also, remember early voting starts Oct. 18.

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One of the best parts of summer for the editorial staff is that we can hire an intern to help cover the numerous activities.

This year we were fortunate to have Renee Davis as our intern. A graduate of both Lake County High School and Colorado School of Mines, she brought knowledge of the community along with her engineering background to the newspaper as she explored a possible career shift. We appreciated her willingness to take on just about any story, even the chupacabra. (Renee isn't a believer.) We also enjoyed her unique perspective on the happenings in Leadville. We learned a lot from her, and hopefully she learned from us. That's how it should be. We will miss her. *Marcia Martinek Herald Editor*



August 19, 2004 Edition

New Arrival

God Bless America LEADVILLE HERALD.COM FRONT PAGE SPORTS PAGE COLUMNIST VISITORS GUIDE NEW ARRIVALS OBITUARIES LETTERS REAL ESTATE CLASSIFIEDS SUBSCRIBE WEATHER RADAR ARCHIVES PEAKSNEWSNET

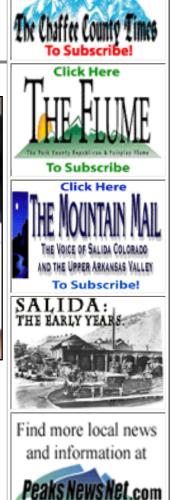
Marissa Isabel Madigan

Danny and Jeanelle (Flores) Madigan are proud to announce the birth of their daughter. Marissa Isabel Madigan was born on July 30, 2004, weighed 6 lbs. 1 oz., and was 19 1/2 inches long. Paternal grandparents are "Bud" and Sandy Madigan of Evergreen. Maternal grandparents are Darryl and Noreen Flores of Leadville.

Great grandparents include Ben and Beatrice Flores and Gilbert and Ida Martinez, and great-great grandmother is Louisa Martinez, all of Leadville.







Click Here





MacArther.

Jasmine Lynne Vigil

Evan Vigil and Nikki Trujillo are proud to announce the birth of their first child, Jasmine Lynne Vigil, on Aug. 14, 2004. She weighed 6 lbs., 9 oz.

Grandparents are Tim and Diane Trujillo and Jesus and Eva Vigil. Great grandfathers are Joe Sanchez, Vic Trujillo, Zeke Vigil and Bob MacArther. Great grandmother is Marie

Avery Elaine Bott

Marti and David Bott, formerly of Leadville, are proud to announce the birth of their daughter, Avery Elaine Bott, on July 27, 2004. She was born at St. Mary's Hospital in Grand Junction. She weighed 7 lbs., 7 oz. and was 20" long.



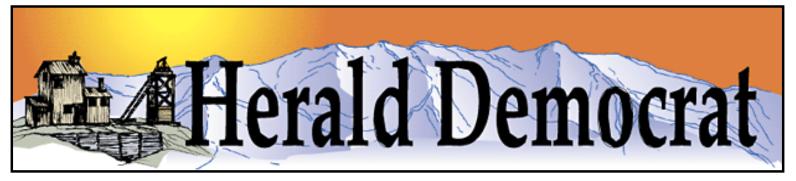
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RALD STAFF

September 9, 2004 Edition

Obituaries...

Ina L. Helm

Ina L. Helm, 80, died Sept. 4 at St. Vincent Hospital in Leadville.

Helm was born in Grand Junction on April 24, 1924, to Frank and Ruby (Nichols) Brewer.

She grew up in Glenwood Springs, graduating from Glenwood Springs High School, before moving to Denver and then eventually to Pueblo, where she cared for her mother.

Helm moved to Leadville in 1965, where she worked for Colorado Mountain College, Commercial Bank, Joe Fattor and the Herald Democrat.

As a very young girl, Helm became a fixture at Ski Cooper and Aspen Mountain, where she was an expert skier. She also enjoyed hiking, climbing mountains, four-wheeling, waterskiing and anything that involved the outdoors. She was a true adventurer.

Helm collected old bottles and was an accomplished photographer, especially taking pictures of her grandchildren, poodle and her beloved Lake Powell.

Helm was preceded in death by her parents; sister Beverly Hendrickson; two half-sisters; and three half-brothers.

She is survived by her children Karol (Troy) Adamson, Denver; Greg Teter, Leadville; Doug Teter, Northglenn; and Mike (Sherri) Teter, Leadville; grandchildren Brenda and Tony Adamson, and Renee, Jeromy and Elaina Teter; great grandchildren Kristine and Wayne Adamson, with a third on the way. Helm is also survived by numerous nieces, nephews and cousins, including Helen Gillette, in Westminster, Calif.

According to her wishes, Helm will be cremated and her ashes will be scattered at Lake Powell. Her family takes comfort in knowing that Helm was able to visit Lake Powell the first of June and enjoyed every minute of the trip. Memorial services will be Sept. 11 at 11 a.m. at the First United Presbyterian Church in Leadville. Pastor Helen



Hutchison will officiate.

Those wishing may make memorial contributions to the American Cancer Society, Colorado Division, 2255 South Oneida, Denver, CO 80224.

Arrangements are being handled by Bailey Funeral Home.

Maria Vincenta "Bessie" Romero

Maria Vincenta "Bessie" Romero, 83, died Aug. 31 at the Mantey Heights Care Center.

She was born in San Rafael, N.M. on March 22, 1921, to Isidro and Maria C. (Valencia) Martinez.

Romero grew up in San Rafael, graduating from Espanola High School.

She moved to Leadville, where she married Joseph A. Romero in 1942.

She was an accomplished seamstress and, for a time, took in sewing. But Romero's "occupation" was truly her family. She enjoyed gardening, crocheting and tatting and taught herself how to knit; she was a wonderful cook.

A lifelong member of St. Joseph Catholic Church, Romero was devoted to her faith. She belonged to the Altar and Rosary Society and Catholic Daughters, where she gave generously of her time using her handiwork talent to make beaded rosaries.

Romero was preceded in death by her parents, siblings, and her husband Joe, who died in 1991.

She is survived by her children Marie Teresa (Paul) Frey, Grand Junction; Ramona Celia (Donald) Matlock, Grand Lake; and Joseph David (Kay L.) Romero, Colorado Springs; grandchildren Jim and Dawn Matlock; David and Jeff Romero; Scott and Bill Jackson; and Trudy Wight; great grandchildren Tyler, Bryce and Kayla Romero; and Austin, Amanda, Heather and Ashley Jackson; as well as numerous other relatives.

The Rosary was recited by Romero's good friend, Sue Fikany, on Sept. 3 and Mass of Christian Burial was on Sept. 4, both at St. Joseph Catholic Church. Father Jay Jung officiated and Beverly Pologar played the organ. Romero was laid to rest next to her husband in St Joseph Cemetery in Leadville. Pallbearers were Jim and Dawn Matlock, David and Jeff Romero, and Scott, Bill and Austin Jackson.

Arrangements were handled by Bailey Funeral Home.





September 9, 2004 Edition

Letters to the editor...

Attendance urged at hearing

The Lake County Board of Commissioners is proposing to add to the Lake County Land Development Code a section called the Institutional Control Overlay District. This zoning proposal will impact every citizen in Lake County. Citizens, it is imperative that you mark your calendars for Sept. 13, 2004, at 7 p.m. to attend this public hearing at the Lake County Courthouse.

The Institutional Control Overlay District is a product of the EPA, the state and Lake County. This zoning proposal will place restrictions on what you can do with your property, based on public health issues concerning soil lead concentrations. The overlay district will also institute additional zoning regulations for an area of 18.5 square miles of Lake County.

The idea of having additional zoning regulations forced on this county by the feds, state and three Lake County commissioners does not set well with me. I feel strongly that we, as a community, are intelligent enough and best qualified to determine our zoning needs and requirements without outside government interference. The cry in the past was to get the EPA out of town and get Lake County deleted from Superfund and all its repercussions. Years have passed and it now seems government just wants to institute more regulations that will only stifle Lake County's ability to promote economic development. This community cannot afford to have outside rules control our land in perpetuity. As a planning commission member, I can honestly say this proposal of an Institutional Control Overlay District is the most perilous proposal we as a community will face when it comes to more government control. Someone in Denver has made a map on a computer program which will dictate our future. They may know the map, but only we truly know the territory! **Brad Littlepage**



Gaede is environmental steward

Chet Gaede – an environmental steward for Lake County Given the pending elections, I feel compelled to write in regards to Chet Gaede's advocacy towards Lake County economic development and environmental stewardship. Chet was appointed, and has served as the director for the Lake County Forest Stewardship project. This was a project generated through grant funds provided by the U.S. Forest Service (initially under the direction of Rick Newton, currently being directed by Jim Zornes, district ranger). The purpose was to evaluate and determine a "healthy forest definition" for Lake County forests, which have a myriad of issues (potential fire fuels, pest species, lack of habitat or other). Through a series of public meetings and education forums, the Lake County public was invited to voice their opinions and ideas about our forests. Jessica Clement provided the initiative and overall focus, while Chet provided constant guidance and oversight. As the project progressed into an area of potential economic development (obtaining forest products from needed cuts for healthy forest initiatives), Chet began to spearhead the effort. Economic redevelopment and benefit to the county were always two goals in the forefront of Chet's actions. He wanted to see how we could benefit from the forest products by providing jobs and an economic base to this county. He was constantly championing for the citizens of this county, while trying to achieve the USFS's healthy forest initiative goals.

This project is ongoing but has seen many successes. The wood-cutting industries and the USFS have met and discussed common ground and concerns. Ideas for cooperative yards, and pooling of resources have developed. When the USFS needs to go about any Lake County forest-management efforts, there is likely to be a formed partnership and approach that will benefit Lake County as a whole. The current direction is to use the balance of grant funds for the development of a fire-fuels forest-management plan for Lake County. This single project will have yielded numerous benefits to the county inclusive of: public involvement and education in regards to healthy forest definition and needs, public involvement in USFS strategies, public education and input to next steps to achieve the health forest initiative, possible economic development for Lake County as a result of cooperative efforts built between industries and the USFS. The above describes one economic and environmental stewardship effort put forth by Chet Gaede. As the program administrator for the Natural Resource Management Institute, I have seen and had Chet's assistance with numerous other beneficial projects for the county. I endorse Chet's pursuit for county commissioner, and would be glad to address anyone's questions regarding this information.

Karmen King NRMI Program Administrator

Confidence voiced in Gaede

I would like to share with the citizens of Lake County my confidence in Chet Gaede as county commissioner. I worked with Mr. Gaede when I was in office as a county commissioner and he was mayor. We collaborated on many projects. Mr. Gaede always researched and came well prepared on any topic. He always set his goal to be what he felt was in the best interest of this community. He frequently wrote articles in the paper to inform the public and offer an opportunity for dialogue. Mr. Gaede represented our interests with integrity when dealing with other public entities and was a master negotiator accomplishing many positive outcomes for this community. Mr. Gaede has spoken of his intent to continue to encourage economic growth by providing avenues for other businesses to locate in this area. He has referred to a sawmill business that wanted to locate in the industrial park. This park was a primary project during my term as a commissioner. The industrial park was completely researched and approved by the BOCC. A plot plan was completed with water and sewer. There should be no delay in moving forward to allow businesses to locate in the planned industrial park. Mr. Gaede would be able to draw on his past involvement with this project to offer the continuity to see its completion.

There can be no doubt of Mr. Gaede's genuine dedication for this community based on the number of volunteer hours he has contributed to numerous organizations. Mr. Gaede has also offered to provide his legal services to the county if elected to office. Having Mr. Olsen with an accounting and Mr. Gaede with a legal background would be a team asset to the Board of County Commissioners. Mr. Gaede will work full time with concern and true commitment for the citizens of Lake County as proven by his previous and ongoing contributions to this community.

It is for these reasons that I support and hold Mr. Gaede in the highest regard for public office as Lake County commissioner.

Earl Boeve Lake County