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## This Week's INDEPENDENT Thinker

Upwards of 38,000 children in northern Uganda were being kidnapped and forced to fight as child

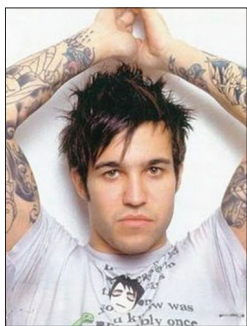


PHOTO FROM TAKE40.COM

soldiers in a war that has led to murder, torment and rape of thousands. Three boys created *Invisible Children: Rough Cut*, a documentary that inspired a generation to see beyond their own borders. Pete Wentz of Fall Out Boy watched the documentary and his passion to help end the atrocities ignited his band's involvement in this crisis through Invisible Children ([invisiblechildren.com](http://invisiblechildren.com)). He also participated in "Displace Me," in which 67,000 activists slept in the streets in makeshift cardboard villages, hoping to raise awareness about those displaced by the Ugandan government.



**Cat nap** – A female tiger named Tennille is moved from the roof of her hut to a sling as her head is supported with a shovel. She was being transferred to a transport vehicle by Turpentine Creek staff for the ride from Mountainburg, Ark., to the Turpentine Creek Wildlife Refuge. The tiger had hopped onto the roof after receiving a tranquilizer. (See story, p. 7)

PHOTO BY DAVID FRANK DEMPSEY

## Sheriff explains ASP raid

HARRIE FARROW

Carroll County Sheriff Bob Grudek called a press conference on Jan. 22 regarding a raid by Arkansas State Police (ASP) on Jan. 7 of the county dispatch center, which is overseen by the sheriff.

Grudek said he wanted to respond to rumors that have been circulating since the raid. He stressed that he could not answer what exactly ASP was looking for since the search warrant was sealed – which he said was extremely unusual. Later in a phone call the sheriff confirmed it was actually an Affidavit of Probable Cause that was sealed.

An APC is an officer's signed affidavit telling a judge why a warrant should be issued.

Grudek said he is guessing ASP is investigating the time frame involving an arrest of Jack Cody Mayes on October 9, 2011. He said he is basing his guess on what was requested from him in a subpoena dated June 11, 2012 and by what was taken by ASP during the raid. Grudek told the media he thinks the State Police "suspect some collusion between dispatch and the deputies."

The sheriff said he thinks there may also be other issues concerning his of-

fice that are being investigated by ASP because one of the documents requested in the subpoena involves the Arkansas Crime Information Center (ACIC) certification of two deputies not involved in the Mayes arrest.

According to the arrest report, Mayes was arrested at the Exxon in Berryville at 1:33 a.m., after a routine traffic stop, for drug possession and possession of drug paraphernalia.

Mayes, who was reached by phone Jan. 22, told the *Independent* that on the night of the arrest he drove by another

RAID continued on page 19

**January's the driest month. Have your seed catalogues arrived?**



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# INDEPENDENTNews

## Beaver Lake water levels diminishing

NICKY BOYETTE

John Summers, plant manager of the Freeman-Raney Water Treatment Plant overlooking Beaver Lake, told the Carroll-Boone Water District (CBWD) board the plant pumped more water last year than ever before. He said 2,280,000 gallons passed through the facility, which is 80,000 gallons more than the previous year. Beaver Lake is steadily going down, Summers said, and the drought is not leaving, people are still using water, "and all I can do is worry about it."

Brad Hammonds of the engineering firm McGoodwin Williams & Yates (MWY) told the board the situation is not nearly at the point of serious concern, but he said his engineers will keep a watchful eye on all the variables and report back.

Hammonds reported the five-year Master Plan has not been reviewed for five years, so it is important the board revisit it, especially since water use patterns have changed since the last review. Harrison has grown faster than expected, for example, and any growth impacts transmission capacity. Green Forest has also asked for another water meter. CBWD must consider whether it will need to replace existing pipes with larger ones or if increasing the pumping capacity will handle the new demands.

The board discussed technical considerations such as finding the correct ratio of pump pressure versus friction in the pipes to economize transmission, and



Consulting engineers Chris Hall and Brad Hammond discuss a five-year plan with the Carroll Boone water board.

PHOTO BY NICKY BOYETTE

the pros and cons of paralleling portions of the system to improve delivery.

After a succession of arcane water delivery observations, the board voted unanimously to allow MWY to review the five-year plan and the Memorandum of Understanding and report back.

### Decommissioned hydrant

Chuck Olson, training officer for the Grassy Knob Fire Department, asked the board to reconsider decommissioning a

hydrant on County Road 116. He said 40-50 residents live in that area, the next closest hydrant is further away, and the hydrant in question worked as recently as two years ago. Several residents were present and spoke up in support of his request.

Staff of the water plant seemed to remember the line to the hydrant might have cracked and the valve was

CBWD continued on page 26

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**N'Awlins tradition** – From left – Al Hooks, Cne' Breaux, Zeek Taylor and Dan Ellis enjoy the Taste of N'Awlins Cafe Au Lait and Beignets afternoon social at Keels Creek Winery Jan. 19. The gathering was sponsored by Hooks Realty and the Krewe of Krazo.

PHOTO BY DAVID FRANK DEMPSEY



# Quorum Court buys building but can't form committee

NICKY BOYETTE

At the Jan. 18 meeting of the Carroll County Quorum Court, Justice of the Peace Ron Flake sponsored an ordinance establishing six standing committees and making every JP a member of all committees. His reasoning was he wanted to get more JPs involved with the committees because informal discussions at committee meetings would save time for the court. He also said it would be easier to convene a meeting if all JPs were members.

JP Jack Deaton said he preferred having three to five members on a committee for consistency. JP Lamont Richie however pointed out Flake's idea allows for open participation and a sharing of ideas.

The court does not need so many committees was the sentiment of JP Larry Swofford. He said no matter how many committees the court sets up, it is still County Judge Sam Barr's call whether they repave a road, and there are already enough committees to watch over the libraries.

Flake commented committees are an opportunity for the JPs to study a situation and discuss ideas before putting matters on the court agenda.

JP Dan Mumaugh agreed with the idea of standing committees, but he said the membership should be set. "If everybody is responsible, then nobody is responsible," he observed. He suggested always having an appointed chair to call the committee meeting. "I support the concept of standing committees, but this

idea won't work," he said.

"I disagree," Flake answered. "The purpose is to study ideas. You don't need a quorum, and it is an opportunity for JPs to legally have a meeting to research and discuss ideas."

Mumaugh replied, "Sounds like a discussion group, not a committee." He advocated more structure.

Deputy prosecutor Devon Closser pointed out it was right to distinguish a committee from a discussion group, and there would need to be a quorum to recommend action to the court.

Further comments abounded regarding the benefits of committee work until Richie moved to table the discussion until the next meeting. At that point, Flake moved to withdraw the ordinance as its author, so discussion ended.

At the end of the meeting, when the JPs realized they had no mechanism in place to set up a committee meeting because they had no committees, Mumaugh volunteered to draft an ordinance for the next meeting establishing committees for budget, personnel, rural water and maybe others, members to be determined, and the judge will appoint a Chair for each committee.

## New office for the prosecutor

Mumaugh announced the building in which the Prosecuting Attorney has offices will soon be unavailable. A building down the street from the courthouse is for sale, so Barr made an offer of \$150,000 to buy the property



Jack Deaton and other JPs discuss the county's purchase of a new building at Friday's Quorum Court meeting.

PHOTO BY NICKY BOYETTE

and the offer has been accepted.

The property is at 708 W. Church in Berryville. It offers more space than the present building, it is already ADA-compliant, and there is a climate-controlled outbuilding for storage on the premises. Mumaugh commented the county will own the property in seven years, and he called it a good fiscal decision.

However, the City of Berryville must rezone the property, which abuts the Community Center property.

The only discussion regarding the transaction was how to make the most effective use of the larger facility. Flake suggested maybe the Circuit Judge could also have offices there, but Closser was skeptical that idea would be feasible.

Deaton pointed out their decision was time-sensitive and Barr could

decide what will happen to the space later, and the court voted unanimously to appropriate \$165,000 to cover the sale and closing costs to purchase the property.

## Other business

- The court approved the second reading of an ordinance establishing the number and compensation of all county employees. Flake pointed out the court will still need to fine-tune the ordinance before passing it on its third reading.

- JPs passed a resolution creating a vacancy at the table for a JP for District 9, which is the southern Green Forest area. The resolution requests the governor to appoint someone to fill the vacancy. Robert Holcamp has already announced he is willing to fill the seat.

Next meeting will be Friday, Feb. 15, at 10 a.m.

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• **Free Clothes Closet** in Penn Memorial First Baptist Church on Spring Street is open from 1 – 4 p.m. on Wednesdays. Call (479) 253-9770 to arrange to bring donations of clean new or used clothing, personal care items, linens, small appliances or dishes in good condition. These will be available to the community free of charge.

• **Coffee Break Al-Anon Family Group Women** meets Tuesdays at 9:45 a.m. at Faith Christian Family Church, Hwy. 23S. For more info, phone (479) 363-9495.

• **St. James' Episcopal Church offers free Sunday community suppers** until the end of March from 5 – 6:30 p.m. at the church, 28 Prospect Ave. (479) 253-8610.

### Meetings at Coffee Pot Club behind Land O' Nod, U.S. 62 and Hwy. 23S

• **Alateen** group – Sundays from 10:15 – 11:15 a.m. For more information, email [alateen1st@gmx.com](mailto:alateen1st@gmx.com) or phone (479) 981-9977.

• **Overeaters Anonymous** – Thursdays at 10:30 a.m. For more information, call Barbara at (479) 244-0070.

• **Narcotics Anonymous** – Fridays at 5:50 p.m. Phone (417) 271-1084 or (479) 244-6863 for more info.

• **Al-Anon Family Group (AFG)** – Sundays at 11:30 a.m., Mondays and Tuesdays at 7 p.m.

• **Eureka Springs Coffee Pot AA Group** Monday – Saturday 12:30 p.m., Sunday at 10 a.m.

Sunday – Thursday, and Saturday, at 5:30 p.m.

Tuesday and Friday at 8 p.m. (479) 253-7956

or [www.nwarkaa.org](http://www.nwarkaa.org) (click Eureka Springs AA)

# INDEPENDENTNews

## Pool lift requirements make big splash – deadline closes in, lawyers poised to litigate Are local hotel/motel pools in the swim?

C.D. WHITE

Lodging facilities and spas with pools will have to meet the Jan. 31 deadline for pool and spa accessibility under the Americans with Disabilities Act (ADA) or risk a \$55,000 first-offense fine if they are reported and a ruling is made against them.

In May 2012, the Department of Justice (DOJ) granted an extension to Jan. 31, and issued two guidance documents related to its interpretation of the requirements for pool and spa accessibility in the 2010 Standards for Accessible Design. The American Hotel and Lodging Association (AH&LA) has since urged members to review their compliance needs.

In Eureka Springs, both Best Western Inns have complied with the requirements. In phone calls to several other hotels and motels, the *Independent* was unable to find any who have added the requisite pool lifts and/or handicapped access to date.

Although the focus has been on large chains and hotel/motel groups, even “mom and pop” lodgings with a pool or spa are expected to come into compliance with the Federal ADA mandate. Kevin Maher, Senior Vice President of Governmental Affairs at AH&LA, told the *Independent*, “This is a sensitive issue because we’re dealing with a civil right. It’s about accommodation, trying to provide service for everybody.”

Maher had this recommendation for local hotel owners, “If reasonable, it is the law, so take steps to come into compliance.”

The words “if reasonable” may be

the reason so many lodging properties have taken a “wait and see” attitude. The ADA does allow exemptions in certain cases, according to Maher, but he says it is contingent on whether the property is a historic structure and if there is a hardship due to expense. In either case, he recommends obtaining



the appropriate documentation ahead of time and having it on hand.

This would include a written assessment and quotes (basic determinations) for costs and/or documentation from the State Historic Preservation Commission that the compliance changes would destroy historic integrity. (Basic costs for the lift equipment range from \$2800 to \$6400, depending on whether it’s the fixed or portable type, not counting installation and/or infrastructure modification costs.)

Diego Demaya, J.D., Human Resources Educator at the Southwest ADA Center in Houston, Texas, which handles our local region, added although a property may be deemed historic, “Even then, the ADA obligations will still generally apply albeit to a lesser extent. The

age of a property is not enough for it to become exempt from ADA requirements. Keep this straight: there is no ‘grandfathering’ under any part of the ADA.”

The DOJ, of course, does not have enough staff to investigate whether all hotels have come into compliance

unless a property is reported to them or a lawsuit is filed by a guest or customer. The requirement, as a “civil rights” law, obligates anyone who suffers discrimination to complain privately and seek a settlement for the grievances, file a private lawsuit in court, and/or file a Federal ADA complaint with the US DOJ.

In that case, according to Maher, the DOJ would first call or mail a letter and/or survey to the property and try to work out a way to achieve compliance.

Even though it may then be determined compliance may not be technically or readily achievable, Demaya specified that “The lodging facility must nevertheless provide reasonable accommodations and/or make other arrangements to provide the service to customers; e.g., perhaps have a policy in place where customers with disabilities who are unable to utilize an inaccessible pool or spa receive an automatic discount in their lodging – so long as the customer agrees. Otherwise, the Title III entity must eventually make that pool or spa fully compliant given its resources and future financial projections. The “readily achievable barrier removal standard applicable to existing facilities” is on-going and does not seize simply because a facility

**POOL LIFTS** continued on page 27



# Hospital commission: more questions than answers

NICKY BOYETTE

The Hospital Commission spent most of its Jan. 21 meeting in an honest interchange with Chris Bariola, CEO of the Eureka Springs Hospital. Commissioners had previously expressed its frustration that Allegiance, the Shreveport company that manages the hospital, had said it would build a new hospital in Eureka Springs when it signed a five-year lease, which has already expired.

Bariola told commissioners he had identified several components of the hospital which could expand in a new facility including room for a better scanner in radiology, a small clinic area for outpatient services such as wound care, mental health services and surgery. He answered more than one question by stating there was not enough room at the present facility.

Commissioner Pam Crockett asked about staff satisfaction, and Vicki Andert, Chief Nursing Officer at ESH, replied staff seems settled and happy. There are two vacancies now, but there has been little turnover.

Crockett asked if Eureka Springs were to get a bigger facility, would there be a large enough employee pool? Andert replied she has nurses who drive for an hour or more to get to Eureka Springs, and ESH will put them up in town if they get stranded here in bad weather, and it was not a problem.

Bariola acknowledged he had spoken with Allegiance regarding a new hospital, and they told him they had looked at two hospitals in Louisiana and Mississippi as likely prototypes for what Eureka Springs would need.

Commissioner Anna Ahlman asked, "Are they going to talk to us?" She said the commission needs specific

concepts, not generalities.

Crockett stated, "We need a commitment they are going to build a hospital!"

Bariola said Allegiance wants to know what the commission intends to do.

Ahlman reiterated, "We've been waiting for years for something specific, and nothing has been done."

Chair Michael Merry explained that Allegiance needs to make it clear what they want so the commission can see if they can work with Allegiance on a

new building. He said the commission wants to see ideas for what kind of facility they envision, is there a timeline and what kind of agreement are they looking for. Merry said he was confident they could find common ground, and, in fact, the commission was already looking for ground they could build on.

"I'm pushing for it," Bariola said. He called the idea a growth project, and he sees it will be profitable.

John Murphy, interested citizen attending the meeting, said he lives in Holiday Island like many other seniors, and he knows that many of them do not go to ESH because of the appearance of the facility. "You're missing a great opportunity to attract them to Eureka Springs," he said.

Also attending was Chuck Olson, Chair of the Western Carroll County Ambulance District, who said he caught plenty of flak when they awarded the ambulance contract to Eureka Springs because there are those who believe the hospital would shut down without the ambulance contract. He said the ambulance district has a vested interest in getting a new hospital, but he did not know where the money would come from. He observed, "ESH is seen as a Band-Aid station, and that perception

needs to be corrected."

Murphy then wondered if ESH could fill enough beds to make a new facility worthwhile, and asked Bariola if Allegiance had ever built a new hospital. Bariola said he did not know of one.

Murphy then stated Allegiance should use its resources to tell the commission how to get its new hospital built without tax funding.

Olson asked who would actually build the new facility, and Crockett said the commission cannot because they are a nonprofit and laws are clear not allowing the mixing of funds between non-profits and for-profits.

Ahlman then wondered aloud about Allegiance letting ESH out of the contract, the commission building a hospital and then leasing the management back to Allegiance.

Bariola pointed out the advantage

of a new facility would be more space for ancillary services, which is where the income can be for a hospital. He also said he was disappointed to hear people turned away because of the appearance of the building. He also said he saw now urgency for a new

**HOSPITAL** continued on page 27

*"We've been waiting for years for something specific, and nothing has been done."*

— Commissioner Anna Ahlman

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## Planning needs more commissioners

NICKY BOYETTE

The hardest part of the January 22 Planning Commission meeting was getting started. With the departure of Ken Rundel, the commission has only four members, the bare minimum for having a meeting, and commissioner Denys Flaherty was tardy due to illness.

After a quorum was established, Chair Beverly Blankenship introduced the first commercial construction code compliance review to go before Planning since City Code was updated last year to require it.

The applicant was Elaine Harden representing Eureka Springs Tree Houses at 3018 E. Van Buren. She appeared before Planning in September 2012 and got approval for beginning the next phase of construction, building six more 24x24 cabins for tourists. Three of the units will be built this year. She was appearing again because approved plans

had been changed.

Blankenship said Harden's application met all requirements in Code regarding setbacks, parking and lighting. Commissioner James Morris pointed out Harden was only altering the order in which the previously approved cabins would be built, and commissioners voted unanimously to approve the application.

### On the job training

Morris brought up the concept of orienting new commissioners to rules and procedures by which Planning makes decisions. He suggested Blankenship could set aside a few minutes at each meeting to address a topic to help commissioners do a better job as planners, like a mini-workshop.

Blankenship noted that City Economic Development Coordinator Glenna Booth provides new commissioners with a thorough orientation, but Morris wanted everyone

to know Planning makes its decisions based on City Code, not public opinion. He said, referring to the recent public hearing before Planning, "It is not the number for or against; we decide by the Code."

Commissioner Melissa Greene commented the best thing commissioners

could do is put all information on the table in order to make an informed decision. Morris said, "We just want to stay in compliance."

Next meeting will be Tuesday, Feb. 12, at 6 p.m. The meeting will be preceded by a workshop on the tree and landscape ordinance at 5 p.m.

## Fleet of floats rides high at Sponsor Appreciation Jan. 26

The Krewe of Krazo will celebrate "Sponsor Appreciation Day" by revealing its theme floats Saturday, Jan. 26, at 3 p.m. at the Rowdy Beaver Tavern. The floats are part of the Krewe's permanent Mardi Gras fleet designed by leading local artist Jack Miller.

The public is invited to join this year's Royal Court and Kings and Queens for the official christening of this year's theme float, the "Aquarius Eureka." Floatmeister Jack Miller has designed a dynamic float incorporating water pouring from a waterwheel into the Indian-sculpted spring basin at Basin Park, mesmerizing three beautiful water nymphs.

According to organizer Dan Ellis, the Aquarius Eureka theme reflects the "Dawning of Aquarius," in that the Age of Aquarius began on Dec. 21 and will continue for approximately 2,150 years.

The fleet of five Krewe of Krazo floats in addition to the Grand Cavaliers Party Barge will be dedicated to the sponsors with the bang and fizz of Champagne. The flotilla, along with other community float entries, will be rolling in the Light and Sound night parade on Saturday, Feb. 2 at 6 p.m. and the Krewe of Krazo Day Parade on Saturday, Feb. 9, at 2 p.m.

For more info email dan@ureeka.org, call (479) 981-9551 or see www.krazo.ureeka.org.



**Spic 'n' span** – Float artist Jack Miller braves a chilly Wednesday afternoon to clean up last year's float flotilla for Mardi Gras. To get a preview peek at this year's amazing new creation (Aquarius Eureka) by Floatmeister Miller, don't miss the Float Christening and Sponsor Appreciation Day and a special tribute to Jack on Jan. 26, 5 p.m. at the Rowdy Beaver.

PHOTO BY DAVID FRANK DEMPSEY

Find a complete schedule of all Mardi Gras balls, events, times and details from now through Feb. 12 in the current issue of the *Independent Fun Guide*.

# EUREKA GRAS

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**Bittersweet farewell** – Tanya Smith, right, greets Betty Young of Riverglen Feline Sanctuary in Crawford County Friday, Jan. 17. Smith and her crew from Turpentine Creek Wildlife Refuge were there to transport two more of Betty's tigers to the refuge in Carroll County.

**Where am I and who are you?** – Emily McCormack, zoologist and animal curator at Turpentine Creek Wildlife Refuge, greets Andrew on Tuesday, Jan. 22 for the first time since he was moved four days earlier from Riverglen Feline Sanctuary in Crawford County. Prior to this first exploration, Andrew stayed inside his concrete hut refusing to come out. The 20 x 50 ft. rescue cage is part concrete and part ground and is much larger than the cage the animal lived in for most of its 18 years. Rescue cages are eventually exchanged for larger permanent habitats.

PHOTOS BY DAVID FRANK DEMPSEY

## Moving a half-ton of tigers

HARRIE FARROW

"I'd rather lose my family; the tigers are nicer," said 72 year-old Betty Young, perched in a beat up chair on a high ridge in Mountainburg. The view behind her of the Boston Mountains is spectacular. Speaking of the large cats she's had since they were kittens, she continues, "They don't lie like people do."

Meanwhile, Turpentine Creek Wildlife Refuge (TCWR) staff tries to coax Andrew, a 650 lb. Bengal tiger, into a small cage. They are using chunks of cut-up calf, which sit on a trailer flat, to entice the reluctant cat into a small cage. But Andrew isn't being fooled. He pulls a board with a chunk of meat toward him so that he can get at it without having to enter the structure. At one point, Andrew does go into the cage for the meat but is spooked when they start closing the door; he rears up, backs out and won't return.

Young explains she hasn't gotten any new tigers in "umpteens zillion years" because she knew she'd get too old to take care of them. But she hoped

she could be there for the 34 cats she already had, all of which are now getting on in age themselves. Andrew is 18, and the youngest tiger she has is 14. But Young has hip problems; she walks crookedly with a crutch in one hand and a pole in the other. Two helpers have to do most of the work.

Young's helper, Cheryl Swartout, calmly talks to Andrew, "I know you're upset. It's okay."

Tanya Smith, president of TCWR shows Young photos of the new area they built for tigers. She shows how much more space they will have. But Young, wearing blue jeans and a green hoodie, says the tigers don't care how it looks. "They like it here and don't like to be moved," she said.

For years she'd talked with the Smiths as her health began to fail. TCWR always offered to help, but it was only Oct. 29 last year when the sheriff of Crawford County asked TCWR to help "peacefully relocate" the cats at Young's Riverglen Tiger

**TIGERS** continued on page 25

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# INDEPENDENTMail

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All **INDEPENDENTMail** must be signed and include address and phone number for confirmation.

We reserve the right to edit submissions. Send your **INDEPENDENTMail** to:

**ES Independent**, 103 E. Van Buren, #353, Eureka Springs, AR 72632 or editor@eurekaspringsindependent.com

## An apology would be nice...

Editor,

This letter is in reference to our first council meeting of the New Year and also new council. I watched this on TV and was very dismayed by what went on with the CUP, there seemed to be a great hurry to get this done – the majority of the neighborhood said they didn't want it, my councilwoman had derogatory things to say about a person who lives in the neighborhood and blamed her for everyone who signed against the CUP. Also a Planning commissioner for voting against the CUP had derogatory comments said about him.

I feel a public apology is important and should have been said at the council meeting when Ward 2 councilwoman found out that it wasn't the person she named for collecting signatures. Also an apology from one Planning commissioner to another

who has since quit!

And to the Planning commissioner who was stopping cars in the middle of the street on Emporia demanding to know if you lived in this neighborhood and how you felt about the Greene's house being a nightly rental – you did a disservice to the Planning Commission and Melissa Greene.

**Penelope Walker**

## Bees affected by pesticides

Editor,

A blockbuster study released this week by the European Food Safety Authority (EFSA), has for the first time labeled the pesticide *clothianidin* as an "unacceptable" danger to bees.

Scientists have long thought that *clothianidin* is at least partially to blame for the alarming rate that bees have been dying off in the U.S. – nearly 30 percent of our bee population, per year, has been lost to so-called colony

collapse since 2006.

But the EPA has repeatedly ignored scientists' warnings and Americans' urgings to ban its use, citing lack of evidence.

Now, the EFSA study could be a major breakthrough to convince the EPA to take emergency action, and suspend the use of *clothianidin* to stop the precipitous decline in global honeybee populations.

**Stuart Drizner**

## Shaking up the system

Editor,

The brutal death of a young woman [allegedly] by Victor Acuna-Sanchez has pointed up the gaps in the law enforcement and judicial systems. The judge in the case released this man on his own recognizance without bail in spite of a series of arrests and no contact orders for domestic violence immediately preceding his

**MAIL** continued on page 23



## WEEK'S Top Tweets

**@Zen\_Moments** --- As long as you derive inner help and comfort from anything, keep it. ~ Mahatma Gandhi

**@CoryBooker** --- "Life's most persistent and urgent question is, 'What are you doing for others?'" – MLK, Jr.

**@BarackObama** --- We, the people, still believe that enduring security and lasting peace do not require perpetual war.

**@SmugSun** --- Warren Buffett Just Bought The Largest Solar Energy Project In The World:

**@gregleding** --- Northwest Arkansas ranks 41<sup>st</sup> out of 200 large metro areas in terms of job and wage growth in the last five years

**@steveomyers** --- Journalistic integrity and independence succumb to corporate power.

**@todaysthv** --- 5-yr-old suspended for talk of shooting Hello Kitty bubble gun. Are schools taking it too far?

**@KirstenLewis1** --- Things That Make Me LOL: watching someone pull a door that says push

**@madversity** --- Cold wave in Delhi last evening has remarkably affected human behavior. Politician seen putting his hands in his OWN pockets.

**@todaysthv** --- Little Rock's Central High School Marching Band marches in inauguration parade





## Hillary in 2013

She is ours. She is Arkansas, Yale, women, wisdom, Scorpio, daughter and Secretary of State all rolled into one lovely human being. Hillary Rodham Clinton is a model for all children, all children all over the world, because she proved, again, that she can keep her head when all about her are losing theirs. Anyone who watched the congressional hearings yesterday could see that. She outfoxed congressmen who wanted to scold and embarrass her. She knew what they wanted, presented it, and was defiant to their unfounded criticism. Hillary took the Hill.

Secretary Clinton shows impressionable kids with fluid minds that they can make a huge difference by doing small things. She has traveled to more than 100 countries. That's out of either 257 countries or 193 or 250 depending on website truth. How is it we don't know how many countries are in the world?

She proved that the higher children are willing to strive in service, whether it be to charities, countries, civilizations that are vanishing or being an excellent and dependable volunteer, the more impact they have.

Hillary should be appointed vice president tomorrow. Let Joe Biden or John Kerry start traveling as many miles and to as many countries as she has the last four years and get this paperwork moving. Either guy could get the signatures and promises and dowries and be The Closer. Hillary did the groundwork and got to know people, what their struggles are and how they treat their animals and artists and farmers. Her job was to represent the people and policies of our country to others, and prove that with conversation and conciliation there would be less distress for all of us.

Hillary Clinton listens to people. We know this because she was voted by the leaders of other countries and their citizens to be the most popular politician on Earth. It was a vote by people who believe she listened to them. That makes her a leader.

Hillary is 65 and looking healthier, glowier, more relaxed and self-assured than ever. That's because she is glowing, she is thinking, she is exploring this world and winning hearts by doing it.

She has spent her life getting pretty doggone detailed about things. Not because she has the checkbook. Not because she made deals to trade money for oil or water or real estate, but because she honestly sees humans as a species that can be just as effective in healing the world as they have been in choking it.

She would be the vice president Barack Obama could trust with classified information just in case an airplane falls on his head. She would continue to showcase American strength and heart without referring to our country as "superior." If she decides to run for president when she's 69, she would have even more experience, maturity, sagacity and vision for making our lives more pleasurable and our planet sustainable.

Hillary owns her responsibility and cries in public when her heart is touched. She is brave. She is brilliant. She's forgiving. Her mistakes are public and colossal because she is working hard and taking risks – how do you know until you try? That's what she teaches: take the risks or stay home and hope someone else will.

She has the best interest of people, rather than the interests of companies and special interest groups that rule people, in her heart. She's American, yes, but also a woman of the world who understands that the world is smart enough to take care of its people if its people will use their heads instead of their guns.



## The Pursuit Of HAPPINESS

by Dan Krotz

We had friends over for dinner this week: pot roast and a wicked good carrot cake. As a prelude, I asked my pal, Richard Pille, to say grace with the intention of startling both Richard and God. Bemused, Richard pulled out that old Catholic warhorse, "Bless us, oh Lord, and these they gifts..." It was a pleasure to imagine God smiling at Richard's labors.

Grace was a reminder of how much religion has changed over the (my) years. In my Yankee youth there were Catholics and Protestants and a few Jews; beliefs varied but all shared the seminal Southern Baptist E.Y. Mullins' notion that Church and State are separate because "State churches stand on the assumption that man without the aid of the State is incompetent in religion."

Today, there are 39,000 Christian denominations; 38,999 of them seem to operate in Arkansas. Summarily, "whenever two or three Baptists are gathered in His name..." there will be four or five Baptist churches in town, and a multitude of other churches with eyes that seem more focused on Washington than on heaven.

The diversity of non-mainline churches is all a bit confusing, but they share a particularly American character. They deemphasize community, celebrate individuality and regard feelings as the prime measure of everything and anything. Enthusiasm, by no means a Calvinist concept, fuels the rival pathways they promote, the pathway of Positive Thinking and Prosperity and the pathway of Persistent Pessimism and End Times.

These churches have no apparent awareness of, or interest in, church history, the early church, or the heroes of the Reformation. The early church fathers are unknown to them. For many, the only history that seems to matter is American history. Not surprisingly, the moral conclusions they reach about war, the economy, guns, the environment, welfare, *et alia* are indistinguishable from the policy conclusions of the United States Chamber of Commerce. I'm certain they are unaware they're the architects of a State religion.

This is not criticism, merely observation. But yes, I miss that old time religion when the fabric of faith and practice was woven with tradition and a sense of the eternal.



# INDEPENDENT Constables On Patrol

## JANUARY 14

2:28 p.m. – Constable made a traffic stop and arrested the driver for a felony warrant out of Washington County on possession of a controlled substance.

10:28 p.m. – Person wanted to file a theft report about his wallet. Constable told him his wallet had been found.

## JANUARY 16

3:30 a.m. – Resident in the east part of town complained about a dog barking, but the constable who responded did not hear any barking. He left a message for Animal Control to follow up.

4:10 a.m. – Employee opening a business found the entry already unlocked. He asked a constable to check the building. Constable walked through and all was secure.

6:37 a.m. – A woman reported her jewelry box had been stolen.

9:22 a.m. – The high school asked for a constable to first find a student who had left the campus and then counsel him. Constable responded, found the student walking south away from the school and released him to a family member.

12:58 p.m. – The Art Colony asked for assistance with a person who had been told not to return to the property. The unwelcome person had left by the time a constable arrived.

2:01 p.m. – Central Dispatch alerted ESPD to a possibly intoxicated person in her apartment being very loud. Constable who arrived at the scene found a woman, not intoxicated, and her daughter venting. They promised to keep the volume down.

4:29 p.m. – Witness warned ESPD a possibly intoxicated driver, swerving all over the road and often left of center, was heading toward Eureka Springs. County deputies stopped the vehicle first. The vehicle had been involved in a head-on collision at Holiday Island.

5:16 p.m. – Caller apprised ESPD that after a family member had passed away on Saturday, there had been damage done to his house and things were apparently missing. The family asked for extra patrols.

6:24 p.m. – Witness first reported a huge fight involving several people in front of a house on US 62. One person drove away, then a female left with kids, and

things settled down. Everything was okay after that.

## JANUARY 17

8:41 p.m. – A female told someone, who called ESPD, the demons in her head were telling her to kill herself. Constables responded but EMS had already been dispatched. She said she had taken new medications and was feeling ill. EMS took her to ESH.

3:08 p.m. – ESH called for constable assistance with a person on suicide watch who was causing problems. Then the person being watched called ESPD wanting to go home. Within a few minutes, she had calmed down and was on her way to a facility in Fayetteville.

9:55 p.m. – A horse was loose in the middle of Hwy. 23 South and the constable on patrol was already occupied. State Police arrived to alert traffic to the unpredictable situation. Horse eventually ran away into the woods where the trooper and constable searched but did not find it.

## JANUARY 18

1:17 a.m. – Guest at a tourist lodging broke the key to the door trying to get into his room. He had tried to get help from the front desk but could not rouse anyone. ESPD called the owner and got no response but later did get a front desk clerk who took care of everything.

4:41 a.m. – Resident near downtown alerted Animal Control that a small dog was on the loose again.

9:03 a.m. – Animal Control captured a dog roaming around a restaurant parking lot. The owner later came to the kennel and claimed it.

3:34 p.m. – There was a traffic accident in a parking lot. No injuries.

4:20 p.m. – A man reported someone had stolen his phone.

5:01 p.m. – A person had reported vandalism to his vehicle previously, but his neighbors said they knew who did the damage. Constable responded and learned the damage was not vandalism but a private property traffic accident and the person responsible would be at her home later. Constable will speak with her when she gets home.

9:31 p.m. – A reckless driver turned off US 62 onto a county road. Constable searched a short distance down the road

and alerted CCSO.

11:34 p.m. – Passerby noticed two teenagers wearing all black walking along Hwy. 23 South but staying some distance from the roadway. Thought they looked suspicious. Constable checked the area but found no one.

## JANUARY 19

5:28 a.m. – The same small dog escaped again in a neighborhood above downtown. Caller followed it to a nearby street but was unable to catch it. Animal Control will follow up.

12:14 p.m. – Constable on patrol checked on possibly malfunctioning parking meters near the Auditorium.

1:18 p.m. – Observer thought five people near downtown, possibly protesting, were being suspicious. Constable responded.

3:09 p.m. – Constable notified Stone County, Mo., authorities about donkeys on one of their roadways.

4:27 a.m. – Employee of an entertainment venue downtown reported one of his patrons had said his profession was pickpocketing. Constable went to converse with the individual but he was gone already.

4:35 p.m. – Person found an unchaperoned dog near the Auditorium and brought it to the kennel. Dog was thirsty and hungry.

4:46 p.m. – Caller reported her dog was missing and ESPD told her it was at the kennel, and it was the second time the dog has made it into the pound. Owner picked up her pet and paid the fine.

5:11 p.m. – Driver came upon a pile of rocks on Hwy. 187. CCSO was already trying to find someone to clean up the rocks.

5:13 p.m. – Door at a motel was unlocked and constable checked the room. Everything looked okay inside.

7:18 p.m. – The same wood chipper complained about previously was chipping again. She told the constable she was finished for the night.

11:32 p.m. – As a result of a routine traffic stop, constable arrested the driver for DWI, failure to stop and failure to use turn signal.

## JANUARY 20

2:22 a.m. – Another traffic stop, and the driver was arrested for DWI, driving on a suspended/revoked license, and having an open container.

3:48 p.m. – Resident saw a male dressed in camouflage walking toward Main Street carrying a BB gun. Constable responded and spoke with the individual and his parents.

9:15 p.m. – Deer versus vehicle accident on US 62 west of downtown. Vehicle okay, deer moved out of the roadway.

## Traveling north? Hwy. 165/265 may be slow

Because of weather delays, Hwy. 165/265 between Table Rock Lake's dam and spillway will continue to be reduced to one lane weekdays until Thursday, Feb. 28, to repair and seal the road surface across the dam. The lane will be reopened at 4:30 p.m. each Friday and will close each Monday at 7 a.m. until repairs are completed.

Anyone traveling in this area should expect delays, obey traffic lights and operate cautiously around equipment and work crews. Officials at the Army Corps of Engineers Table Rock Project Office said they regret any inconvenience and ask for public cooperation. For more information, call (417) 334-4101.

## Sunday at UUF

Jan. 27 – Dr. Katy Morter will present *There is no such thing as a normal headache*. Morter is a holistic chiropractic physician whose specialty is adapting outdated physical and subconscious patterns. With her husband, Dr. Ted Morter IV, Katy uses gentle upper cervical specific adjustments and Bio-Energetic Synchronization Technique to return bodies to a state of balance and vitality.

All are welcome at the Unitarian Universalist Fellowship Sundays at 11 a.m. at 17 Elk Street. Extra parking is at Ermilio's Restaurant, 26 White Street. Child care provided. (479) 253-0929 for more information.



## Board hears court decision; report on new school

NICKY BOYETTE

"We won!" a fatigued but delighted Curtis Turner, superintendent of the Eureka Springs School District, told the school board at its Jan. 17 meeting. He was referring to the decision announced earlier in the day that the Arkansas Supreme Court had denied the petition for rehearing the long-running case in which the Arkansas Department of Education claimed excess local tax revenue above state-determined amount of \$6023 per student belonged to the state.

The hard work is not over, however. Turner said attorneys for Eureka Springs have now filed papers to get the Arkansas Department of Education to pay for attorneys fees and court costs, and they will be issuing briefs asking for withheld funds of more than \$824,000 to be released.

Turner will meet with other superintendents from around the state alerting them to stay vigilant and in communication with legislators to prevent the law from being changed as a result of this decision. "I will be spending some time at the legislature. These funds could be cut," Turner commented.

Board president Al Larson acknowledged Turner for taking the preemptive action regarding possible legislative reaction to Thursday's announcement. Larson observed that by prevailing in the court case, Eureka Springs won two years of funding. "We want every year," he stated.

Turner said, "They say this is a state tax; it is not. It is a local tax."

### New high school and old

Turner announced Kinco, the construction company which built the new high school, is "99.5 percent done" with its responsibilities. The board authorized Turner to begin paying out the retainage of \$200,000 to Kinco as final items on the punch list are completed.

Turner said there have been fewer bugs to work out than he expected following the move to the new building. He said added traffic in the area has not been a problem according to the ESPD and he thanked Mayor Morris Pate and city council for paying for improvements to Lake Lucerne Rd.

Now the district must turn some of its attention toward clearing everything out of the old school. What is left will either be put to use or discarded, and then the building will get a modest cleaning.

Turner said options for the facility are to sell it, lease it or see what the community has in mind.

Board member San Kirk announced there will be a community meeting Tuesday, February 12, at 1:30 p.m., at the Inn of the Ozarks "to get all ideas out on the table for what can be done with the old building."

In the meantime, the board authorized Turner to meet with brokers to more aggressively pursue someone with an interest in the building. "Until we test the waters, we don't know who is out there," he said.

### Other items

- Turner announced a plan to reroute the entryway at the middle school by replacing a window in the principal's office with a door so that all those who enter must pass through the office to be allowed into the hallways. District staff can do the work for around \$3000. Turner said the idea for the security upgrade came from Middle School Principal Cindy Holt.

- The board approved a request by band and choir director Chad Martin to take a music field trip to Memphis on May 1.

- There will be an Open House at the new high school Thursday, Jan. 31, from 5 – 7 p.m.

Next meeting will be Thursday, Feb. 21, at 5:30 p.m. at the Administration office.



The Eureka Springs School Board was delighted to learn the Arkansas Supreme Court has refused to hear an appeal from the Arkansas Dept. of Education, thus releasing some \$800,000 to the district.

PHOTO BY NICKY BOYETTE

## VINTAGE CARGO

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## Community Datebook

### January

**All month:** Donations of goods accepted for new Doggie Shop: Holiday Island Storage (479) 981-1482 or Berryville storage (479) 981-2886.

**Now until Feb. 7:** Order large or mini cheesecakes (pick up Feb. 13 and 14) to benefit Good Shepherd Doggie Shop, (479) 253-9115.

### Saturday, 26:

- Pancake Breakfast, auction, bake sale at Berryville Fire Station, benefit GSHS, 7 – 11 a.m.

- Holiday Island Polar Plunge, Beaver Park Swim Area. Registration 11 a.m., plunge at Noon, Arkansas Special Olympics benefit.

- Sponsor Appreciation/Float Christening (Mardi Gras) Rowdy Beaver Tavern, 5 p.m.

**Monday, 28:** Metaphysical meeting 7 – 9 p.m., 68 W. Mountain, downstairs, Christian Science building.

### Tuesday, 29:

- Free computer classes, Carnegie Library, “Introduction,” 10 a.m. and “The Internet,” 1 p.m. (479) 253-8754 to reserve.

- Olde Tyme Rug Hookers Open House, Inn of the Ozarks Convention Center, 10 a.m. – 3 p.m.

### Wednesday, 30:

- Free computer class “The Internet,” Carnegie Library, 10 a.m. – noon.

- CAPC and Eureka Springs Arts Council session, artists/businesses, discuss May Arts Festival, 5:30 p.m., Writers’ Colony, 515 Spring St.

### Thursday, 31:

- Open House, Eureka Springs High School, 2 Lake Lucerne Road, 5 – 7 p.m.

- ESDN’s Annual Company Picnic for business community, Basin Park Hotel Ballroom, auctions, future plans, bring potluck, 5:30 p.m.

## Parks planning for another good year

NICKY BOYETTE

Bruce Levine, director of the Parks Commission, mentioned 20 notable accomplishments at the Jan. 23 meeting, such as exceeding the expected Lake Leatherwood Park income, making improvements at Harmon Park, passing the one-eighth cent tax initiative for the Lake Leatherwood Master Plan and getting a clean audit. Levine said Parks is looking to get the scoreboard at the soccer fields, re-surface Caleb Spring and the road into Lake Leatherwood Park, and build a dog park in Harmon Park. Commissioner Myrna Thaxton requested he add to the list of goals a public relations campaign, ongoing fundraising efforts and a volunteer recruiting program.

### Committee reports

Chair Bill Featherstone reported the Basin Park Improvement Committee met with Lowell Johnson, project manager of the Basin Park Project, who had for the first time put his pencil to the project and had come up with a cost of more than \$600,000. “This was not entirely unexpected,” Featherstone commented, “but it is not a cheap project.” He said Parks will not be cutting corners with such an important project because it must be done in a first class fashion and last at least 100 years.

The committee will review the cost estimate one more time with Johnson, develop a strategy to get the money, and “then the fun begins,” Featherstone remarked.

Featherstone said he expects the project to start in November 2014 and be completed by the following April. The project to renovate Basin Park will not begin until all the funds are collected.

Commissioner Rachel Brix announced the Dog Park Advisory Committee had distributed

fundraising packets to prospective donors. She has met with Glenna Booth, Economic Development Coordinator, about grant opportunities. Next committee meeting will be Jan. 30, at 6 p.m. at the library annex.

### Green zone vacation procedures

Levine said the application for a vacation of green zone property has holes in its logic. The rules call for notifying all neighboring landowners within 200 ft. of the boundary of property to be vacated, but he thought there could be times when it would be appropriate to notify everyone along a street involved yet not everyone less than 200 ft. in another direction who are not affected by the vacation.

He asked if Parks was being fair to the Brix family, who are in the middle of applying for a vacation, to change the rules while their application is still in process. Brix agreed there is confusion in what the existing rules actually mean and should say, and her concern was that the city gets the rules right.

Commissioner Daniel Jackson said if he were a property owner whose property were 250 ft. away yet affected by the vacation, he would be upset he lost access to his property, although he did not want to change any rules while an application was in process. He suggested they just scrap it, create a new one and consider no vacancies in the meantime.

Featherstone suggested they devote their next workshop, which is Feb. 5, to amending the application. Brix said her request was not extremely urgent. She said, “It’s more important the application is correct.”

Next workshop will be Feb. 5, 6 p.m., at Harmon Park. Next regular meeting will be Feb. 18, at 6 p.m.

## City Council Meeting Monday, Jan. 28, 6 p.m.

**Commission, committee, authority reports and expired terms:**

**Planning** – Pos. 1 – vacant – expired 7/1/11; Pos. 3 – vacant – expires 7/1/13; Pos. 4 – Jim Morris – expired 7/1/12; Pos. 5 – Melissa Greene – expired 1/1/13; Pos. 6 – vacant – expires 1/1/15.

**CAPC** – Pos. 1 – Vote on Robert Schmid. Pos. 4 – Bobbie Foster – expired 6/30/12

**Hospital** – Pos. 2 – vacant – expires 6/1/14. Pos. 5 – Vote on Jack Pritchard. Pos. 6 – Vote on MJ Sell

**Parks** – Pos. 4 – Vote on Ferguson Stewart

**HDC** – Pos. 1 – vacant – expired 11/30/12

### Public Comments

#### Unfinished business

1. Carroll Co. Solid Waste Advisory Committee – Attorney’s review – Mitchell and Schneider

2. Code section 4.48, amending to “City-permitted” – ordinance – Schneider and Purkeypile

3. Election of mayor *pro tem* for 2013 meetings

4. 2013 Budget – A.C.A. 14-58-201 -- resolution

#### New business

1. Discussion of priorities for 2013 – Mitchell and Purkeypile

2. Discussion of Town Hall meeting – Mitchell and Purkeypile

3. December 2012 quarterly report – A.C.A 14-43-506

4. Ordinance amending Ch. 8 fines/time limits for handicapped parking – Mayor Pate



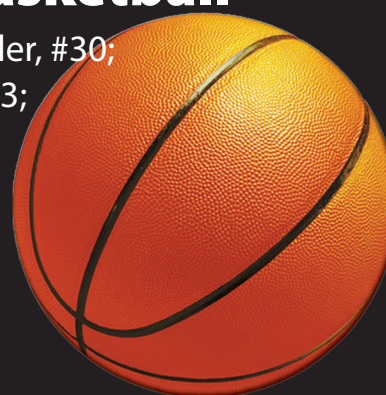
# Highlander Basketball



## Eureka Springs Senior High Girls Basketball

Hayden Mayfield, #14; Haley Comstock, #15; Samantha Mueller, #30;  
Taylor Osterhout, #10; Jazmin Urioste, #11; Abbey Moore, #23;  
Taylor Little, #12; Thalia Colvin, #25

*Coach Brian Rambo*



DATE	TIME	OPPONENT	PLACE	TEAMS
1/25	4:00	Mountainburg	Away	1,2,3,4
1/29	4:00	Union	Home	1,2,3,4
		Christian Academy		
2/1	4:00	Hartford	Away	1,2,3,4
2/2-2/9	TBA	Junior High District Tour.	Home	1,2
2/5	5:00	Decatur	Home	3,4
2/9-2/16	TBA	Senior High District Tour.	Mountainburg	3,4

1=Junior High Girls; 2=Junior High Boys; 3=Senior High Girls; 4=Senior High Boys; *Italicized*=Conference Game

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## WWMLKJD?

We celebrated Martin Luther King Day for the first time ever Sunday. While the banks drag behind, Eureka Springs moved progressively forward and honored one of the great humanitarians of all time – the man who sought through non-violence, equality for all – the man whose untimely assassination changed the nation.

Last weekend's brainstorm was the work of Quinn Withey, aka, Bossascrewanova, who, with the help of many in our community, pulled off a day of song, dance and poetry in celebration of the good doctor.

It started in Basin Park where Ranaga Farbiarz unveiled his "musical peace shields" – ten hand-held, brightly painted hubcaps attached with chimes, each tuned to a different note of John Lennon's "Give Peace a Chance."

Quinn approached me to participate in the celebration and thought the portraits I photographed of community members visualizing peace from my 2009 Community at Peace installation would be appropriate for the occasion.



Performance artist Tamarah Jonason performing at the AUD during Sunday's MLK Day celebration.

PHOTO JOHN RANKINE

How personally moving it was to see these intimate portraits grandly projected on the back of the Auditorium stage, acting as backdrop for the afternoon's wonderful performances. The blown-up diversity of faces reminded me why I still call Eureka Springs home and how, despite the fractiousness of this little

town, we are really more connected than divided.

We all have personal heroes – MLK was one of mine. He was a man of peace, but there was nothing passive about Dr. King. One only has to read some of his brilliant writings to know he was aggressively direct in his pursuit

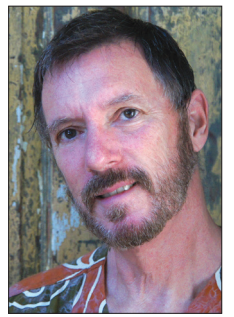
of equality and justice.

He also understood the power of words, their importance, and how they could be used to inspire as well as oppress. Mostly he was a truth seeker – both message and messenger – shot down because his message was a little too real for some.

Last week I was witness to some people caught in a lie, who when confronted, instead of owning up, decided to shoot the messenger. It was not pretty and got even uglier until letters of apology and remorse suddenly appeared.

I thought, What Would Martin Luther King, Jr. Do? Expose the lie, forgive and move on, but never forget?

Somewhere between my cynical self and my Pollyanna self lies the truth, a core belief that humans are just that, human – like myself – flawed, but basically good. With these images of peace in my head and King's words fresh in my heart, it's hard not to give peace a chance.



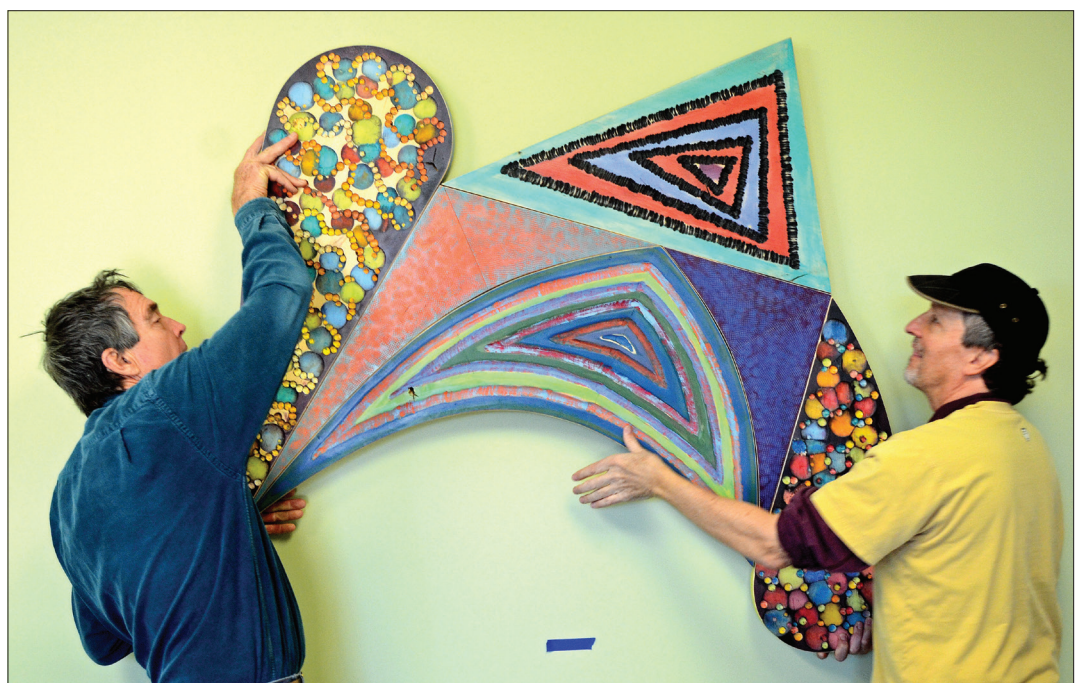
## INDEPENDENTArt

### Following the light

*Follow the Light*, an exhibition of works by Plein Air Painters of Eureka Springs (P.A.P.E.S.) will be featured during February's First Thursday at the Fayetteville Underground. The opening reception is Feb. 7, 5 – 8:30 p.m. The show, which will be on display for the month, features works by Jody Stephenson, Dixie and Bill Westerman, Larry Mansker, Carol Dickie, John Willer, Julie Kahn Valentine, Paul O'Neill, Carl Petering, Carol Saari, Jae Avenoso, and Wen Norton.

P.A.P.E.S. has been meeting weekly, April through November, since 2005 at various locations around Eureka Springs. The show will feature paintings and drawings of local scenes, including some painted on the grounds of Crystal Bridges Museum. Photographer Ron Lutz has been documenting the group's sessions and these photographs will also be on exhibit.

Fayetteville Underground Gallery hours are Wednesday – Friday, 10 a.m. – 7 p.m. and Saturday 10 a.m. – 3 p.m. For more information on P.A.P.E.S., click on [www.studio62.biz](http://www.studio62.biz).



**"Hanging" out at school** – School board president Al Larson, left, and artist Jim Nelson hang one of three pieces Nelson donated to Eureka Springs High School on Monday, Jan. 21. The 2008 work, titled *Wing Tip*, can be seen in a conference room at the north end of the school during the ESHS Open House on Jan. 31 from 5 – 7 p.m.

PHOTO BY DAVID FRANK DEMPSEY



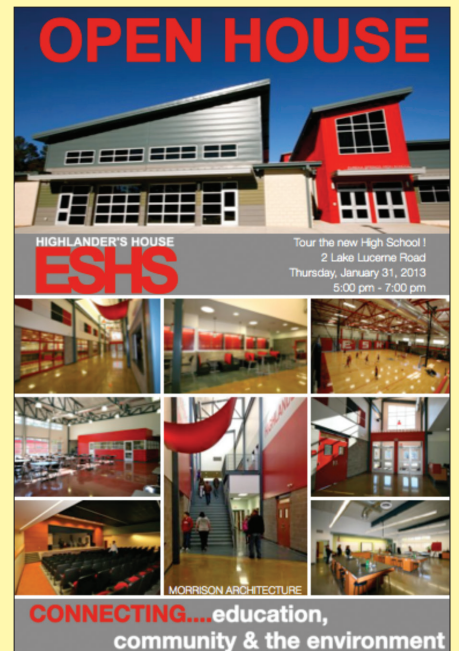
## Park bark –

I'm Caramel and I'm on a walk; but I'd rather be playing off my leash at the dog park! Please help me get Eureka's dog park built at Harmon Park. We need help with fundraisers and donations to get the fence – then we'll be open. For more info or to make a donation please contact Rachel Brix at 244-9151 or Bill Rubley at 253-2658 – or come to our next meeting Wednesday, Jan. 30, 6 p.m. at the Library Annex. Let's make 2013 the year of the dog park!



## "It's all about the students!"

Come Celebrate with the community at the New High School Open House  
2 Lake Lucerne Road  
Thursday, January 31  
5 – 7 p.m.  
Tour the new campus!



# TheNATUREofEUREKA

by Steven Foster



## Go native

Heat is absent from the air. Thoughts of climate change and global warming are dormant for the winter months, unless you are enjoying a hike on days in the mid-60s like last Saturday. Pinch the topsoil or attempt to slice a shovel into the ground. It is self evident that drought is still with us. According to the National Weather Service,

our average annual rainfall (from 1981-2010) in Eureka Springs is 46.93 inches. The driest month of the year, surprisingly is January. We consistently receive less precipitation in January than any other month of the year. From January 2011 to January 2012 we were near normal for precipitation. From January 2012 to this January we are down more than

25 percent, achieving a U.S. Drought Monitor designation for Carroll County of D2-D3 — Severe Drought to Extreme Drought. Now, not in the future. The drought is still on.

January is also the month that seed catalogs traditionally arrive in the mail, although more commonly these days, it's an email from a seed company you purchased from before. The tradition of the American seed catalog is as much a part of our culture as apple pie. Today, as we search for ornamental plants for our gardens, it's a good idea to think about planting natives species that can withstand heat and drought. If the three years of sustained drought in the mid-1930s and mid-1950s is any sort of predictor for the current period, we are likely to experience drought later this year.

My bet is that native prairie perennials are going to be the best choice among ornamentals. If you want plants that beat the heat, you will probably want to do a little research at the library or on-line. Our best local source of information is the plant people at small nurseries or at the farmers' market.

If you planted perennials or trees last the fall, water them now. We receive 2.64 inches of rain in January on average. We are not anywhere close to that amount of rain this January.



Little Eureka Spring waiting for water.



## Pancakes for pets

Here's a good reason to schedule your Berryville shopping on Jan. 26: a scrumptious benefit Pancake Breakfast and Silent Auction for the Good Shepherd Humane Society will delight diners on Saturday, Jan. 26, from 7 – 11 a.m. at the Berryville Fire Station, 400 N. Main.

Breakfast includes fresh fruit pancake toppings, bacon, sausage, milk, orange juice, and coffee. The silent auction includes everything from pet grooming to haircuts.

And that's not all. There's also a bake sale featuring homemade desserts, cupcakes and bread.

Tickets can be pre-ordered at the Shelter and the Eureka Springs Doggie store. They're a deal at only \$5, and children under 5 eat free. Money raised will go toward reopening a new Doggie Thrift Store in Berryville to replace the one recently destroyed by fire.

This meal can't be beat, so come early and don't forget your appetite!

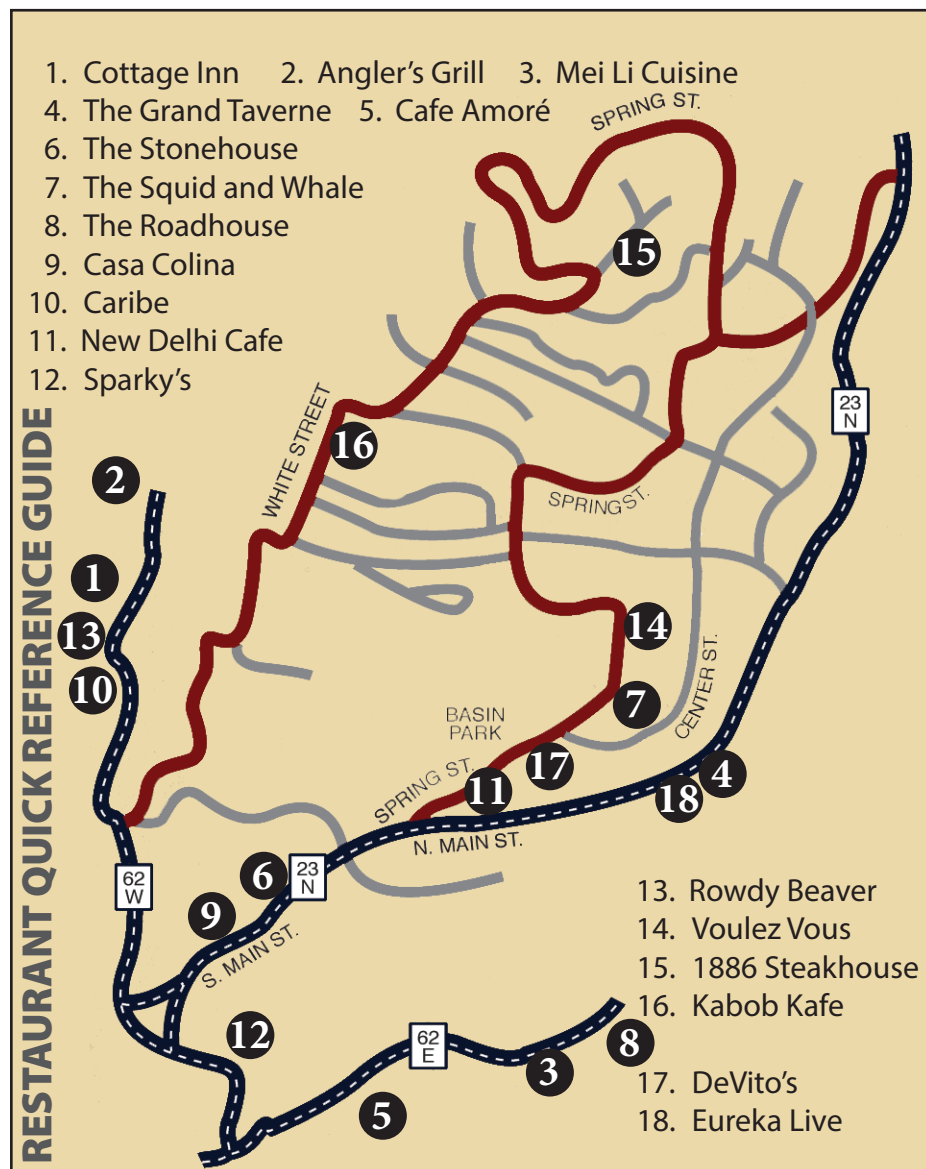
## Metaphysical group hosts Gregory Prendergast

Gregory Prendergast is a student of many disciplines that open doorways to the subconscious. His methods include affirmations, auto suggestion, hypnosis, ego state, age regression and evaluating and rectifying the seeds of our past that insert themselves into and limit our current lives. As a derivative of those processes, he facilitates Noetigenic healing meditations, which is the coordinating of a Collective, Egore or Mastermind focused on healing, similar to a prayer group only with a more linear specific and altered state approach.

Gregory will present a brief explanation of this process and lead a short meditation which utilizes this process, followed by a question and answer period, at the Metaphysical Society meeting Monday, Jan. 28, from 7 to 9 p.m. at 68 West Mountain, downstairs in the Christian Science edifice.

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*Fame Came Late* © is an unpublished historical manuscript written by Lida Wilson Pyles (1906-2000). It is the story as she was told about Eureka Springs bear hunter, John Gaskins. Pyles married into the Gaskins family in 1924.

The figure on the bed stirred. Johnny went to the door and opened it, closed it again, and returned to the side of his wife.

"Susan, I reckon they ain't no use to deny it. They have come after Sammy. You know that we've allus knowed that when a Gaskins dies, somebody that has gone on before comes back after 'em. I reckon they have come after Sammy."

"But who, Johnny? They say that whoever comes after 'em is allus somebody that loves 'em. Who would be comin' after our Sammy ridin' horses? We ain't never been a family to do much horseback ridin'. We've just allus used our horses fer haulin' things in the wagon. Who rode a horse that's all ready gone, Johnny? Who?"

"I don't know, Susan. I was a-thinkin' on it. I've got a idee. Course we ain't supposed to know or even question such things. But, our Sammy had some pretty good buddies in the war. Could it be that some of 'em has come back after him?"

"It could be, an' as you say, we'll never know."

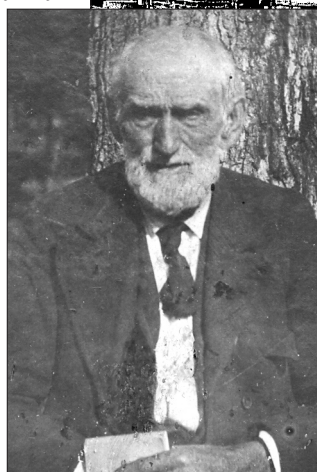
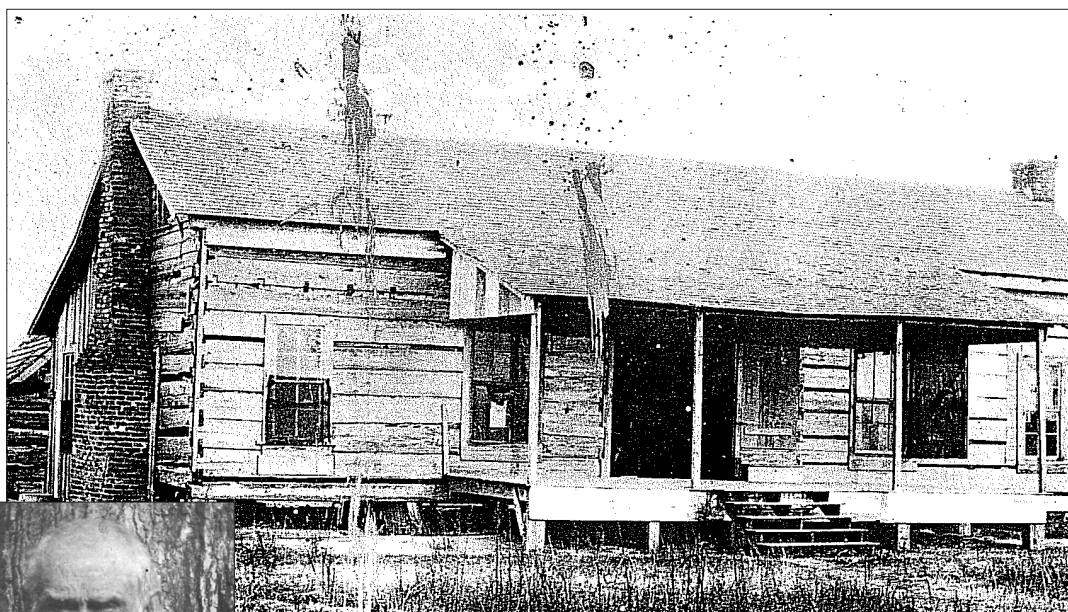
Their questions and wondering were interrupted by Minnie who stood in the doorway, "Susan, I think you better come. I think Sam is goin' now."

Susan took the hand of her dying son and said, "God bless you, son." Minnie led the weeping mother from the room.

The clatter of horses' hooves just outside the door had started up again. This time, they sounded as if there were more in number.

Johnny Gaskins opened the door and felt the breath of the imaginary horses on his face. They whinnied as they ran from the gate. There was nobody in sight. He knew that it was as he had expected, they had come after Sam.

True to the customs of the hills, the



next day the neighbors came to pay their last respects. The coffin had been made by the combined efforts of some of the men in the area who were expert in the art. It had been lined with muslin and padded with an old quilt. The outside was covered with black cloth which neighbors had gone to Huntsville to purchase. Sam's body was dressed in his good black suit and a white shirt that had been made by his mother's own hands.

"Sammy allus was a proud boy. He liked nice clothes. I made this white shirt fer 'im. I think he would want to wear it now," she said.

The coffin was loaded into a wagon pulled by Hyde's mule team. The family and others who attended the funeral followed on horseback or in their wagons. It was a ten-mile trip to the graveyard. They left the house at daylight and it was mid-afternoon when they arrived at the graveyard. The grave had been opened by friends earlier that day. It was considered bad luck to let an open grave stay open all night.

Preacher Gibson, from over on Clifty Creek, read the text from the worn Bible he carried, reminding the listeners that, "The Lord giveth and the Lord taketh away." A few faltering voices

in the crowd sang two verses of "Shall We Gather At The River." The preacher offered a short prayer and the service was over. The casket was lowered by means of four hitch reins fastened together, slipped under the casket and lowered by four men.

Several friends remarked to their friends what a beautiful place they had chosen for their son's resting place. "It's the purtiest place in the whole country and some day it'll be full of Gaskins. We wanted to give 'em a purty place to be buried. I guess there ain't no doubt that we've done it." Gaskins' voice showed pride in the beauty of the knoll where

the newly-covered grave was all ready being covered by falling red and gold leaves.

"I reckon they can't call it the Bushwhacker's Graveyard no more," he said as he looked back over his shoulder and walked away by Susan's side. "It's the Gaskins Graveyard now and don't you ever forget it."

It was past dark when the family returned to the house. In the manner of Ozark people, somebody stayed with the house during a funeral. It was considered bad luck to leave the house unoccupied while a member of the family was being buried. Minnie

Hyde and her two daughters had stayed. They had removed all signs of illness and death. The bed had been carried out and stored in the smokehouse. The floors had been mopped and a big pot of black coffee waited on the hearth when the family returned.

"Thank you, Minnie," Susan said to her. "Everybody has been so good to us. I don't know what we would a-done without our friends."

"It's what friends are for Susan. Who knows when it could be us that needs your help?"

"May God spare all of you from such things as this, is what I pray," Susan told her.

## Olde Tyme Hookers Open House

Olde Tyme Rug Hookers will host a public showing of hand-made wool hooked rugs on Tuesday, Jan. 29, at the Inn of the Ozarks Convention Center 10 a.m. – 3 p.m. Rug Hooking vendors will be on hand with products available for purchase including: wool, patterns,

rug hooking equipment and various related items.

The event is ideal for anyone interested in taking up the hobby. For more information contact Pamela Skinner (417) 889-6135 or oldetymerughooker@gmail.com.

## Bereavement Support group Feb. 2

A monthly Bereavement Support group will meet on the first Saturday of each month at the St. Elizabeth Parish Center on Passion Play Road from 12 – 1:30 p.m.

*Beginning to Heal Together* is open to all parents or grandparents who have lost a child. For more information, contact Linda Maiella (479) 253-1229.



## Waters of Life Poured Forth For Thirsty Humanity

**S**aturday is the first full moon solar festival of the New Year. The full moon is a timing mechanism. It informs us that on one side of the Earth is the moon and on the other is simply the Earth.

During full moon times the light of the moon (emotions, the past many-eons-ago when we lived on the moon) is shielded from us. Instead, the moon receives and reflects back to Earth only the light of the Sun, which, at this Saturday's full moon, is Aquarius. The Sun's light transforms and uplifts us.

The heart of Aquarius (sign and the Age) is Jupiter, bestowing a love and wisdom that humanity seeks. The message this full moon is we are no longer living in the past. Should we attempt to, we will become crystallized. Those attempting a return to the past will be separated out. This intersection of old and new is creating the chaos in our world today. The Aquarius Sun tells us we are intelligent Sons and Daughters of Mind and that we are to begin to create the new world, a creation of new life in form and matter. We are called to be present-day magicians.

From the Ancient Commentary:

"Let the magician stand upon the mountain top. Beneath him in the valleys and the plains, water and streams and clouds are seen. Above him is the blue of heaven, the radiance of the rising sun, the pureness of the mountain air. Each sound is clear. The silence speaks with sound. Let the magician stand within the sun, looking from thence upon the ball of earth. From that high point of peace serene let him sound forth words that will create the forms, build worlds and universes and give his life to that which he has made."

**ARIES:** You always need a goal and it's best during these transitional times to have cooperative partners who undertake projects that you initiate. They help you meet your goals. Your mind is concerned with friends and collective projects. You become more sociable, negotiating and amenable to sharing. You've become an asset.

**TAURUS:** Your conciliating nature helps you get along with everyone and climb the ladder of success in whatever you do. You are able to adjust and be flexible. This allows you to ponder upon multiple tasks and ideas that will create the new future. You understand that success brings change. You change everyone.

**GEMINI:** Your mind roams here and there because you are interested in all areas of life – political, spiritual, moral, ethical. You want to be far away and also close to home. You need new fields of endeavor, new horizons to keep your mind alert. Sometimes you're rebellious but you hide it well. Then you disappear.

**CANCER:** Exploring the unknown and mysterious, especially the mystery of death calls to you. This is the next level of your study. You have often been deeply saddened

when death occurs. Death is a liberation for the one who has died. It's good to consider your own death – to ponder and prepare for it. This is as deep as one can get while living on Earth.

**LEO:** It's important to use your intelligence to foster agreements, cooperation, compromises and efficient communication with those close to you. Leo's hidden skill (a gift) is the negotiator. The hidden side of you is Aquarius, the sign that is concerned with others. Your Leo self understands negotiation, eventually. You learn how to not be thoughtless.

**VIRGO:** It is good for you to make a conscious choice to improve yourself daily. This creates deeper self-value and self-esteem. You are practical, interested in health, the day-to-day realities of food and exercise along with the life of the animal kingdom. Take all your concerns and focus for a while upon yourself. It becomes the perfection of who you are.

**LIBRA:** It's a serious time for creative endeavors. Hobbies, entertainments, the arts, gardening, architecture. You're amused and amusing when you finally stop working and manifest the active creative part of yourself. Concerned

with money often, the artistic part of your self can hide away till it can no longer be found. Don't allow this to occur. Bring a playful spirit into everything you do.

**SCORPIO:** You are the sign of privacy and it's in private with those you love and trust that you truly communicate your inner thoughts, plans, fears and activities. Family at this time is deeply important. I use the word "family" meaning whomever you consider your deepest closest intimates. You always need privacy, safety and protection wherever you live. Without these as a shield you cannot function effectively in the world.

**SAGITTARIUS:** Out and about, communicating, pondering aloud, moving here and there – all these activities are required so you can reflect upon world events and then be effective in your profession – whether it's writing, publishing, teaching, working with the law, transportation, public relations or being a master gardener creating beauty in neighborhoods. Acquiring needed knowledge, always bringing forth intelligence, functioning through chaos and turmoil you become a master of your craft.

**CAPRICORN:** You realize always

what makes good sense and so you allow for nothing excessive, fuzzy or emotional to obstruct that path you've chosen. You maintain health so that your intellect is clear which enables you to efficiently manage all aspects of daily life. Logic of mind, clear vision is what you seek and this keeps your feet on the ground. However, those feet have wings.

**AQUARIUS:** You are curious by nature and adjust to surroundings no matter where you are. Interested in many things you bring raw nerve, intelligence and flexibility to all situations. At first you throw yourself into the world. Then you sit back and ponder the world. You seek opportunities, are adaptable and clever. You bring us the future. We like you.

**PISCES:** Your life is led by noble and compassionate aspirations and goals. Many, including family, do not completely understand what it is you do. And why. You maintain an inner strength of conviction, an ability to concentrate on essential matters, and you have learned how to adapt. This is what all of humanity needs to learn. At times you need to withdraw into a quiet solitude. This has occurred in the last seven years. An emergence will be soon.

*Risa, Founder & Director Esoteric & Astrological Studies & Research Institute –*

*a contemporary Wisdom School for the study of the Tibetan's teachings in the Alice A. Bailey books.*

*Email: risagoodwill@gmail.com; Web journal: www.nightlightnews.com; Facebook: Risa's Esoteric Astrology*



**RAID** continued from page 1

vehicle stopped with three county law enforcement cars around it. One of the county cars veered off and followed him, pulling him over at Exxon. Mayes said he was wearing a watch and looked at the time, which he said was 12:51 a.m. The arrest report clearly said time of arrest was 1:33 a.m. Under Arkansas law a person cannot be detained more than 15 minutes, or such time as reasonable for the circumstance, without being released or arrested and charged with an offense.

The deputy, who Mayes said was Charles Dale, told Mayes he was pulled over because the light on his license plate was out. After ascertaining that one of the passengers had an open container, a check was run on Mayes and his passengers. Mayes was asked to exit the vehicle, which is when he noticed the light over his plate was working.

Mayes said that Dale told him he was going to quit the "BS" and the real reason he pulled Mayes over was there were "rumors that he was selling dope." Two other officers arrived, according to Mayes, at 1:10 or 1:15 a.m. He said they talked to him "about everything under the blue sun." Mayes said he denied selling drugs and they couldn't get him to believe he was because he knew better.

When Mayes refused to allow a search of the truck, he said officers called the K-9 officer and waited for some time for him to come in. Mayes said when the drug-sniffing dog supposedly sounded on the car, he was immediately handcuffed and a search started. Mayes said it was 3:10 a.m. when he was booked into jail.

Mayes explained that his lawyer, Public Defender Jack "Beaux" Allen, requested in a suppression hearing that evidence against Mayes be dropped due to timeline of the arrest and when the warrant was called in.

A second suppression hearing was held at which time Deputy Prosecuting Attorney, David Phillips, moved to *nolle pros* (drop the case with the right to reopen later).

The subpoena served on the sheriff requested a copy of the standard oper-

ating procedures manual used by the sheriff's office; a copy of all records pertaining the training of dispatcher, Ryan Hand; a copy of Hand's ACIC certification; copies of all dispatches received or sent on October 7-10; copies of all handwritten field notes and all video/audio recordings from the vehicles of deputies Charles Dale, Joel Hand, D.J. Harlan and Chris Jones for the same dates; and copies of Deps. Juan Cribbs' and Jerry Williams' ACIC Certifications.

According to Grudek, his office was unable to turn over the requested recordings from the deputy's vehicles "dash cams" because they were destroyed by lightning strikes. He said he did turn over a copy of the insurance claim involving the lightning strike.

During the press conference, Grudek listed several incidents he alleges have occurred over the last six years where he feels that Prosecuting Attorney, Tony Rogers, has created undo difficulties for his department. These include Rogers "never" involved his office in plea bargaining or case dismissals; Rogers requested that Grudek fire a deputy because of alleged perjury; five incidents where the prosecutor supposedly threatened to file criminal charges against Grudek for not having an inmate in court even though, Grudek said, it was later brought to light that it was not his fault; and issues involving restitution for extraditing suspects which resulted in undue expenses. Grudek said he believes that perhaps Rogers is behind the police raid and quotes Rogers as once saying to him, "You are not capable of understanding anything."

Rogers could not be reached for comment.

Grudek said what he thinks the State Police is trying to accuse his department of would be impossible. According to Grudek, all four deputies in the case would have had to agree to lie and to alter documents, including ACIC records which he claims are not alterable.

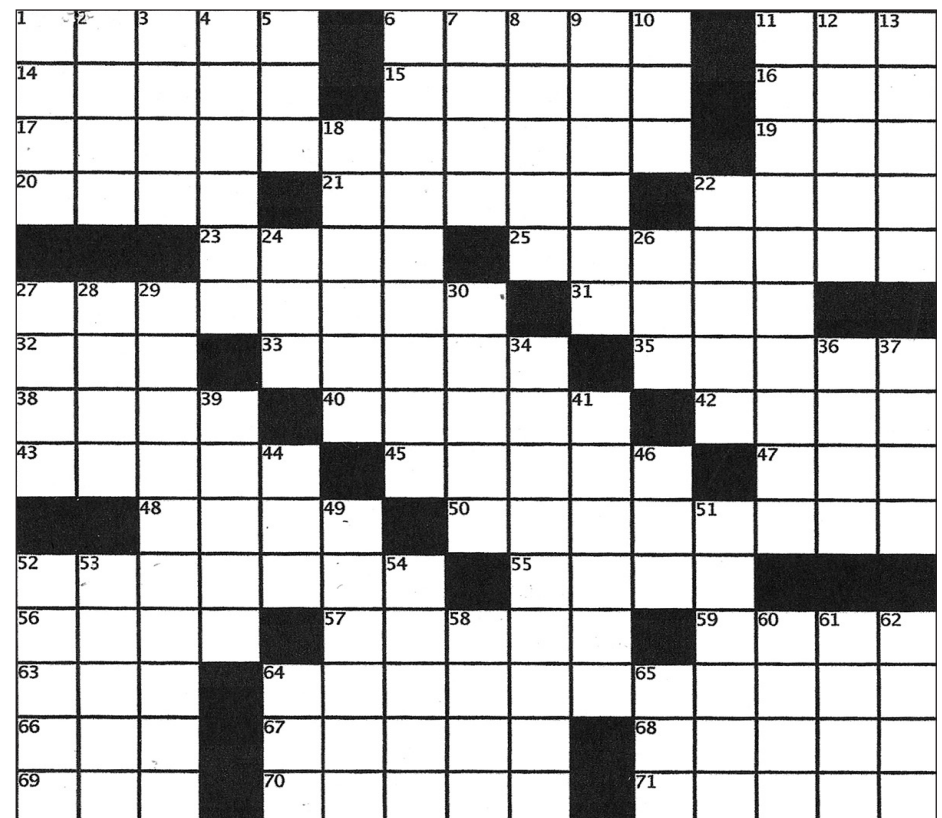
He ended the conference by saying that he "just wants peace" for his last two years in office.



# INDEPENDENT Crossword

by Chuck Levering

Solution on page 27



## ACROSS

1. Absence of color
6. Above average size
11. Coffee holder
14. M\*A\*S\*H company clerk
15. Pelvic bone
16. Some
17. Partial lung collapse
19. Reject
20. Ring out
21. Get back to 0
22. Peruvian money
23. Eighth Jewish month
25. Lacking light
27. Before birth
31. Stir up
32. Highest possible
33. Lose a lap
35. Semiprecious gem
38. Vipers
40. Brightest star in Orion
42. Nod off
43. It can be outer
45. Earn
47. Used with neither
48. Slow, arduous journey
50. Cousin or in-law
52. Troops who serve on

land and sea

55. Lass
56. Edge
57. Not here
59. 6<sup>th</sup> Jewish month
63. A peak in Crete
64. Study of ferns
66. Decay
67. True up
68. Acute viral disease
69. 100 square meters
70. Tea leaf
71. Aroma

## DOWN

1. Cover or encase
2. Abhor
3. Comics light bulb
4. Capital of Estonia
5. Before
6. Letter-for-letter
7. Expression of dismay
8. Part of a staircase
9. Stringed instrument
10. Thirteenth letters
11. Baked pasta
12. Parts of a whole
13. Greek medicine box; Southern constellation
18. Big depression
22. Greek epic poem
24. Aluminum garnet
26. Rowdy young man
27. Scrambled MAPS
28. Carpenter's file
29. An American in Paris, e.g.
30. German firearm
34. Speedy falcon
36. Shallow arm of the Black Sea
37. Very dry
39. Curtain fabric
41. Like some ponds
44. Poetic contraction
46. Feathers' partner
49. Metal pot
51. Aztec rain god
52. African musical instrument
53. Fiery intensity
54. Arab family leader
58. Therefore
60. 1996 GOP Presidential nominee
61. Not fer
62. Peasant cultivator
64. Bret Maverick's daddy
65. Roman goddess of plenty



## Freezin' for a reason

The annual Holiday Island Polar Plunge will take place Jan. 26 at the Beaver Park Swim Area. Registration is at 11 a.m. for the big plunge at Noon.

The Polar Plunge is an annual fundraising event for Special Olympics Arkansas that continues to grow each year, attracting “polar bears” young and old. Proceeds from the Polar Plunge allow our Special Olympics athletes to train and compete in a variety of sporting events completely free of charge. Everyone is invited to register, raise pledges and join all those “Freezin’ for a Reason” for the athletes of Special Olympics Arkansas.

### Too Chicken To Plunge?

No problem. For a minimum \$50 donation you can have a long sleeved *I Chickened Out* shirt. You can even form your own “Too Chicken To Plunge” team! Hunt & peck your way over to the



“Chickened Out” table to meet with other ‘peeps’ and claim your shirt.

Prizes will be awarded as follows – Best Costume: Group & Individual, Most Money Raised: Group & Individual, and a Group Prize consisting of a traveling trophy.

Pick up a registration form at the Eureka Springs Police Department on Passion Play Road or download one at [www.specialolympicsarkansas.org](http://www.specialolympicsarkansas.org). (Select

the Polar Plunge icon & find the Holiday Island Polar Plunge registration form.) For more info, contact Donna Kilmer (479) 366-3216 or email [donna@specialolympicsarkansas.org](mailto:donna@specialolympicsarkansas.org)

Special Olympics Arkansas is a 501 (c) 3 non-profit organization offering children and adults with intellectual disabilities the opportunity to participate free of charge in year round sports training and Olympics-style competition.



**Trella speaks** – Trella Laughlin, longtime activist and award winning producer of *Let the People Speak*, talks with Jim Dudley and others after she spoke to the congregation of the Unitarian Universalist Fellowship Sunday, Jan. 20. In her presentation Laughlin described growing up with a black nanny in Jackson, Miss., and coming to love the nanny more than her own family.

PHOTO BY DAVID FRANK DEMPSEY

## AUDacious by Ray Dilfield

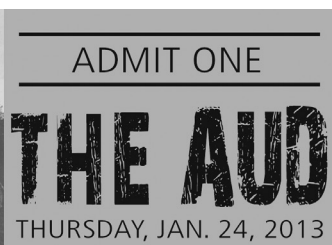
### Do you have any idea what we’ve been missing?

Every year about this time there comes a flood of emails from booking agents and talent agencies flogging their various acts for the upcoming seasons. Don’t get me wrong, this is nothing special; I usually get at least a dozen a day year ‘round. Just seems this time of year brings out a certain desperation in the various agents to get their clients’ calendars filled.

Since we book a limited number of acts – mainly for Jazz, Bluegrass, and Folk Festivals and, now, Second Weekends – we’re kinda’ limited in both numbers and genres as to our selections. Not for want of candidates, though.

Most of the submissions fall into one of four general categories, all equally entertaining in their own special way:

By far the largest group of proposals is for groups I think of as



*“Reconstituted Act you remember from long ago now fronted by one original member who bought the rights to the name.”* Sometimes it’s not even an original member but the sole-surviving second bass player (1969-1971) who did two tours and one studio album. These sorts of tours tend to be primarily motivated by crushing debt (often including multiple alimony settlements) incurred during that long-ago brush with stardom.

Running a close second are the dreaded Tribute Bands. “An actual true-to-life, note-for-note recreation of the *[pick your favorite/least favorite act of the ‘60s, ‘70s, or ‘80s]* experience!” For some reason the

great preponderance of these submissions run to ‘80s hair bands. Mind you, the classics are covered too – Beatles, Stones, Fleetwood Mac, even Tom Jones and scads more all have their avatars out

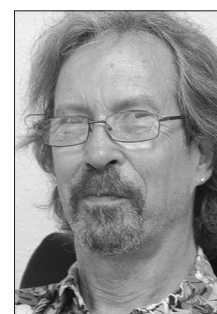
there – but it would be easy to find five different acts promising The Authentic Ratt Show.

Next are the actual original acts we’d be choosing our talent from. These range from large established talents rep’ed by major agencies to the newest Indies self-promoting their EP and van tour. These usually fall into a bell curve distribution with the acts we could never hope to afford (or fit) on one end of the scale and the ones no one would come to see at the other. The broad middle ground covers every genre you can think of and quite a few that probably never occurred to you. Interested in a Palestinian Reggae band? There’s one out there. All these choices have to get winnowed

down to the representatives of the styles we’re actually looking for.

The last general heading is politely called Novelty Acts. Apparently, one can make a living doing most anything if willing to travel constantly from show to festival to county fair. Need a guy to wander the grounds playing spoons? How about a 20 ft. tall pyramid device that spews bubbles and could fill Basin Park four ft. deep in “safe, non-toxic play foam” in a matter of minutes? Fancy a Magic Lantern slide show complete with period costumes and witty patter? No, how ‘bout “Fifty Shades of Gray – The Musical”?

So mark your calendars now. I’ve got a line on a troupe of gymnastic juggling pelicans that mime Renaissance Italian morality plays while honking Gilbert & Sullivan selections...





## Tough night for Lady Highlanders

NICKY BOYETTE

Hackett's Lady Hornets senior team clamped down early on the Lady Highlanders, and throughout the game made it difficult for the home team at both ends of the court in the Eureka Springs gym Tuesday night. Hackett won 50-24.

"We struggled scoring against their box-and-one defense on Taylor Osterhout. That made it difficult for us to get into any rhythm offensively," Coach Brian Rambo said. At halftime, Hackett led 22-8.

Hackett's offense challenged the Lady Highlanders tough defense with quick passing all over the court until they could catch the defense in transition.

"We did a much better job, especially in the second half, of rotating quickly and making them work hard on defense. I see improvements every game," Rambo said.

Osterhout found her game in the second half to lead Eureka scorers with 13. Lady Highlanders fall to 9-16 on the season.

Scorers were Taylor Osterhout with 13 (including seven free throws); Abbey Moore poured in four; Jazmin

Urioste and Hayden Mayfield added three each; and Haley Comstock swished a free throw.

Lady Highlanders travel to Mountainburg Friday night to play the #1 2-A team in Arkansas. Junior girls tip off at 4 p.m.

### Hornets handle Highlanders

Senior boys fell short Tuesday night in a tightly contested game against Hackett, falling 45-41.

Hackett established a strong inside presence early scoring after offensive rebounds, but with two minutes left in the quarter, three-shot star Dalton Johnson nailed his first three-pointer, then another to close the gap to 15-13 just before the end of the quarter.

The Scots, in particular Trevor Lemme, Josh Premeau and Tanner Allee, began crashing the boards harder toward the end of the half. Allee tied the game at 25 with a strong inside move, but Hackett answered with a three to end the half up 28-25.

Stronger inside play gave Hackett the advantage down the stretch, despite Johnson's fifth trey as time expired.

**Come wish Wilma well** – The Eureka Springs Hospital Guild will host a Retirement Party for Wilma Hagquist as she steps down from being the Purple House thrift store manager after 17 years. The Guild will serve coffee, tea, punch and desserts; and invites the public to come thank Wilma for her service on Tuesday, Feb. 5, 1:30 p.m. in the Cedar Room at the Best Western Inn of the Ozarks. The party will follow the regular Hospital Guild meeting at 1 p.m. From left, Jack Moyer and Georgette Garner wish Wilma well outside the Purple House.



**Red Ribbon day at Flora Roja** – Friends and members of the Greater Eureka Springs Chamber of Commerce gathered to help Francesca Garcia, GIRI (holding scissors), celebrate the Flora Roja Community Acupuncture expansion of the herbal apothecary that opened last Fall. The clinic is located at 119 Wall Street.

## PASSAGES

### Terry Engholm, March 5, 1944 – Jan. 20, 2013

Terry Engholm, 68, of Eureka Springs, passed away on Sunday, Jan. 20.

Terry grew up in Brainerd, Minn., the son of Robert and Vivian Engholm. He graduated from the University of Minnesota-Duluth where he met the love of his life, Carolyn Wick. They were married Dec. 30, 1967 after he returned from serving a tour with the United States Army in Vietnam.

Terry retired from Sprint Telecom in 2000.

He remained active in his



ENGHOLM

retirement, playing badminton in the Arkansas Senior Olympics; volunteering as an Emergency Medical Responder and board member for the Grassy Knob Fire Department; working missions in Guatemala, Honduras and Paraguay; and serving as a disaster relief worker for the American Red Cross and Southern Baptist Relief following Hurricanes Katrina, Gustav and Sandy. He served as Treasurer for Friends of the Eureka Springs Library.

Terry is survived by his wife,

Carolyn; sons, Mark Engholm and wife, Tamatha, of Topeka, Kan., and Jonathan Engholm and wife, Reynet, of Harrison, Ark.; one daughter, Elizabeth and husband, Dr. Chris Plate, of Allen, Texas; parents Robert and Vivian; three brothers, Larry Engholm and wife, Kathy of St. Joseph, Minn.; Tim Engholm and wife, Sue, of Tucson, Ariz.; and Rick Engholm and wife, Nancy, of Brainerd, Minn.; four grandchildren, Alexis and Jessica Engholm and Zoe and Brody Graves; sister and brother-in-law, Joan and Jerry Thompson of Duluth, Minn.

Terry was preceded in death

by two infant brothers and one granddaughter, Mary Elizabeth Engholm.

Funeral services will be held at 11 a.m., Saturday, Jan. 26 at the First Christian Church in Eureka Springs with a reception following at the Grassy Knob Fire Station. An interment service will be held at a later date in Crosby, Minn.

The family requests in lieu of flowers memorial donations be made to H.O.M.E. (Homes for the Homeless), 4004 E. Van Buren, Eureka Springs, AR 72632 or the charity of choice. Online condolences may be sent to the family at [nelsonfuneral.com](http://nelsonfuneral.com).



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**BLUE MOON**

Sat., Jan. 26 • 9 P.M.  
**EARL & THEM**

Mon., Jan. 28 • 9 P.M.  
**SPRINGBILLY**

Tues., Jan. 29 • 9 P.M.  
**OPEN MIC**


Wed., Jan. 30 • 9 P.M.  
**MAGIC MULE**

Thurs., Jan. 31 • 9 P.M.  
**JAZZ NIGHT**

Sun., Jan. 27  
6-10 P.M. **CHUCKY WAGGS**

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## INDYSoul by Gwen Etheredge

**S**X Rex is a folk-rock band from Eureka Springs, and The Bower brothers – Josh, Chris and Nick – are the musicians behind the sound. Varying in genre and striving for originality, they play mandolin folk/celtic rock, blues-rock and instrumentals that blend the talent of three musicians beautifully. They are currently working on an album to be released in the spring, if you catch them at CHASERS BAR & GRILL on Saturday night you can hear the new tracks before they are released. “White Light” is one of Josh’s favorites and “Am I Coming Through” features the most amazing mandolin intro. You can hear in their original music the truth behind Josh Bower’s words “we just like to play and believe music is limitless and full of freedom.” Growing up in Colorado, Josh, on lead vocals, guitar and mandolin, was infatuated by the guitar work of Metallica’s Kirk Hammett at age 11 and decided he wanted to be a musician. Fast forward to 2010 in Eureka Springs when Josh was starting a band. Younger brother Chris “always a guitar player” picked up the bass and joined. Nick, another younger brother and a drummer since his school days, stepped in when they needed a new drummer and they have since come into their own – writing and performing music that will rock your socks. The live show is always high-energy and crowd shaking. Good



**SX Rex** – Come hear the brothers Bower – Josh, Chris and Nick – perform at Chasers Bar & Grill Saturday night.

thing there’s a dance floor.

### 4<sup>th</sup> Annual Beach Party at Squid & Whale

For the past four years the SQUID & WHALE PUB has hosted a beach party in January complete with Southern California beach fare on the menu, patrons dressed for the beach, and as always at the Squid, some great live music. This year welcome **Laurie Morvan**, a soulful blueswoman featured in *Guitar Player* who had this to say “Morvan sings the strings...reaches lyrical ecstasy through liquid bends...struts her own stuff in improvised solos with pugnacious double-stops and tightly coiled serpentine runs...” She also hails from Southern California, adding authentic beach cred to the party. Shake the winter blues by hanging ten Saturday night.

### FRIDAY – JANUARY 25

- **CHASERS BAR & GRILL** Sing and Dance with *Tiny*
- **CHELSEA’S** *Blue Moon*, 9 p.m.
- **EUREKA LIVE!** DJ & Dancing
- **EUREKA PARADISE** DJ & Dancing
- **EUREKA STONEHOUSE** *Jerry Yester*, 5–8 p.m.
- **GRAND TAVERNE** *Arkansas Red* Guitar, 6:30–9:30 p.m.
- **LUMBERYARD RESTAURANT & SALOON** DJ & Dancing, 8 p.m.
- **PIED PIPER CATHOUSE LOUNGE** *Jeff Fox and Dave Renko*, 8 p.m.
- **ROWDY BEAVER** Ladies Night
- **ROWDY BEAVER DEN** *John Harwood*
- **SQUID & WHALE PUB** *Strange*

**Saturday, Jan. 26 • Evening  
SPRINGBILLY**

**Sunday, Jan. 27 • Afternoon  
LIVE MUSIC**

**Monday, Jan. 28 • Evening  
LIVE MUSIC**

**Wednesday, Jan. 30  
OPEN JAM**

**Thur. Jan. 24 OPEN MIC (NO COVER)**

**Fri. Jan. 25 (NO COVER)**  
From FAYETTEVILLE  
**STRANGE DERANGERS**  
OUTLAW COUNTRY•ROCK

**Sat. Jan. 26 (NO COVER)**  
From SO. CA.  
**Laurie Morvan Band**  
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**BEACH PARTY**  
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**• VOULEZ-VOUS** *SpinRad, 9*  
 p.m.

**SATURDAY – JANUARY 26**

**• CHASERS BAR & GRILL** *SX Rex*  
**• CHELSEA'S** *Earl & Them*  
**• EUREKA LIVE!** DJ & Dancing  
**• EUREKA PARADISE** DJ & Dancing  
**• GRAND TAVERNE** *Jerry Yester*  
*Grand Piano Dinner Music, 6:30–9:30*  
 p.m.  
**• JACK'S CENTER STAGE**  
 Karaoke with *DJ Goose*, 8–Midnight  
**• LUMBERYARD RESTAURANT & SALOON** DJ & Dancing, 8 p.m.  
**• NEW DELHI CAFÉ** *Springbilly*  
**• PIED PIPER CATHOUSE LOUNGE** *Jeff Fox and David Renko*, 8 p.m. *Lori's Birthday Bash*  
**• ROWDY BEAVER** *Shane Thornton & Band*, 8 p.m.  
**• ROWDY BEAVER DEN** *Skillet Lickers*  
**• SQUID & WHALE PUB** *Laurie Morvan Band, Red Hot Blues* 4<sup>th</sup> Annual Beach Party!  
**• VOULEZ-VOUS** *SpinRad, 9*  
 p.m.

**SUNDAY – JANUARY 27**

**• CHASERS BAR & GRILL** *Skillet Lickers*, 7 p.m.  
**• CHELSEA'S** *Chucky Waggs*, 6–10 p.m.  
**• EUREKA LIVE!** Customer Appreciation Night, 5 p.m.–close  
**• LUMBERYARD RESTAURANT & SALOON** Free Texas Hold 'Em Tournament *with prizes*, 6 p.m.  
**• NEW DELHI CAFÉ** Live Music, afternoon  
**• ROWDY BEAVER** Football and free pool  
**• SQUID & WHALE PUB** "Local Kine" Local Talent Showcase  
**MONDAY – JANUARY 28**  
**• CHASERS BAR & GRILL** Pool Tournament, 7 p.m.  
**• CHELSEA'S** *SpringBilly*, 9 p.m.  
**• NEW DELHI CAFÉ** Live Music, evening  
**• SQUID & WHALE PUB** Disaster Piece Theater  
**TUESDAY – JANUARY 29**  
**• CHASERS BAR & GRILL** Game Night  
**• CHELSEA'S** Open Mic  
**• LUMBERYARD RESTAURANT & SALOON** Pool Tournament, 6:30

p.m.

**• ROWDY BEAVER** Hospitality Night  
**• SQUID & WHALE PUB** Taco Tuesday \$3 Margaritas til 6 p.m.  
**WEDNESDAY – JANUARY 30**  
**• CHELSEA'S** *Magic Mule*, 9 p.m.  
**• LUMBERYARD RESTAURANT & SALOON** Ladies Night–Happy Hour all night  
**• NEW DELHI CAFÉ** Open Jam  
**• PIED PIPER CATHOUSE LOUNGE** Wheat Wednesday *Draft Beer Specials*  
**• ROWDY BEAVER** Wine Wednesday  
**• SQUID & WHALE PUB** The Pickled Porpoise Review – Open Jam  
**THURSDAY – JANUARY 31**  
**• CHASERS BAR & GRILL** Taco & Tequila Night  
**• CHELSEA'S** *Jazz Night*, 9 p.m.  
**• GRAND TAVERNE** *Jerry Yester*  
*Grand Piano Dinner Music, 6:30–9:30*  
 p.m.  
**• LUMBERYARD RESTAURANT & SALOON** Taco and Margarita Night  
**• SQUID & WHALE PUB** Open Mic Musical Smackdown featuring *Bloody Buddy & Friends*

## May Arts to be “shaken up,” meeting called

All artists (visual, performing, literary, culinary), arts organization, restaurants, wineries, retail stores, schools, libraries, etc., planning events, exhibits or programs, for 2013 May Festival of the Arts are encouraged to attend the CAPC and Eureka Springs Arts Council General Session meeting on Wednesday, Jan. 30, 5:30 p.m. at The Writers' Colony, 515 Spring St.

Plans are to shake things up this year, especially with the ArtRageous Parade, and your creative input and help is needed. New events and a new website will be revealed at the meeting. CAPC Director, Mike Maloney, will give an overview of advertising and promotion direction.

Please bring all information on activities you are planning so it can be placed into advertising material and calendars.


This year, any information for the May Festival of the Arts website needs to be sent to Sandy Martin at [artscouncileureka@gmail.com](mailto:artscouncileureka@gmail.com) or [procommeureka@gmail.com](mailto:procommeureka@gmail.com).

The Arts Council and CAPC are handling the website and other social media campaigns.


Help us make sure we get your information right by bringing one written copy with the following information: the title of your event, dates, times, location, and a brief description along with contact information.

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MAIL continued from page 8

last arrest. What will it take to shake the system out of complacency on these issues? The branches of local government need to immediately work together to bring this to a stop!

Why was the prosecutor not keeping the system up to date on what had taken place?

*Dorothy Crookshank*



## 2<sup>nd</sup> Annual Night Parade rolls next weekend; deadline to enter is Jan. 30

The Eureka Gras Night Parade will roll out on Saturday, Feb. 2, at 6 p.m. Judges at Basin Park will determine best floats, which will figure in the float line-up for next year.

The Annual Day Parade takes place Saturday, Feb. 9, at 2 p.m. Day Parade trophy awards for 1st, 2nd and 3rd places will be judged by guests of four downtown hotels. To be eligible, applications must be returned by Jan. 30.

Revelers can get a sneak peak at Krewe floats Saturday, Jan. 26, at the float christening party at Rowdy Beaver at 5 p.m. and raise a toast to Floatmeister Jack Miller as well.

Led by the Grand Marshal, the “Krewe of Krazo” will roll out seven permanent theme floats followed by a maze of corporate and business floats. The “Annual Cavalcade of Royal Chariots,” consisting

of convertibles carrying Dukes, Duchesses and past Kings and Queens of the Realm, all draped in colorful parade capes, will be followed by costumers and other units.

From the Library on Spring Street, the parade will loop around the Courthouse on S. Main and continue back on N. Main, ending at the Grand Central Hotel.

This year, the Krewe of Barkus, headed by Krewe Captains Rachel and Ryan Brix, will strike out from the Post Office at 2 p.m., preceding the Krewe of Krazo parade units. Contact [rachelmrbrix@yahoo.com](mailto:rachelmrbrix@yahoo.com) to parade with your dog and get details on the theme, “Going Gangnam, Barkus Style.”

Come let the good times roll! More Krazo parade info at [www.Parade.Ureeka.Org](http://www.Parade.Ureeka.Org), (479) 981-9551 or [Dan@Ureeka.Org](mailto:Dan@Ureeka.Org).

## Free Weight Loss, Smoking Cessation and Stress/Tension Relief hypnosis seminar

Leslie Reynolds CH., in conjunction with the non-profit organization, Health Awareness Clinics, will conduct two free hypnosis seminars (a \$5 donation at sign-in is appreciated), beginning at 7:30 p.m. Thursday, Feb. 7, at The Space, 21/2 Pine Street. The second is Friday, Feb. 8, at the Train Depot, 802 Broadway Ave., in Green Forest.

Anyone 16 and over is welcome. There is no pre-registration, just arrive 30 minutes early and sign in. For more information on hypnosis and hypnotherapy please visit [HealthAwarenessClinics.org](http://HealthAwarenessClinics.org).

According to former U.S. Surgeon General, Dr. David Satcher, and the Centers for Disease Control, an estimated 400,000 Americans die every year from illnesses directly caused or worsened by being overweight. Both

also agree smoking is blamed for 435,000 deaths a year. That's more than 800,000 Americans who die every year from preventable deaths.

It's possible for many to get years added back to their lives by stopping smoking and/or losing weight. Hypnosis has been recognized by the American Medical Association since 1958, and is now recommended and endorsed by the AMA.

According to Reynolds, hypnosis is a mental, not a physical, process similar to a meditative state. A hypnotist goes from talking to a subject's conscious mind, which makes up approximately 12 percent of his/her brain, to the subconscious mind, which makes up the remaining 88 percent. Hypnosis reportedly works with the subconscious and takes willpower out of the equation.



**MLK Day** – The Toad Stranglers were the first of several to perform in honor of Martin Luther King, Jr., at the Auditorium Sunday, Jan. 20, as slideshows of King's life and portraits of Eurekaans looped in the background. The event and a parade downtown were sponsored by Flora Roja Community Acupuncture.

PHOTO BY DAVID  
FRANK DEMPSEY



**Go Hayley** – Junior post Haley Comstock moves through Hackett defenders for a layup during the game on Jan. 22.

PHOTO BY DAVID  
FRANK DEMPSEY



## Fat Tuesday feast alert!

Tickets for the second annual King Cake Ball and Dinner at St. Elizabeth's Parish Center (Passion Play Road) on Fat Tuesday, Feb. 12, are available. The public is invited to join in this celebratory event, which will be capped off by "the largest King Cake in Arkansas," according to Father Shaun Wesley.

The evening includes dancing to the music of the

Naturally Brass jazz combo from Bentonville from 6:30 – 10 p.m. The center will be lavishly decorated in the Mardi Gras theme, costumed wait staff included.

Costumes for guests are encouraged but not required. An authentic, homemade Louisiana dinner is included in the ticket price. Come enjoy crawfish corn bisque, Natchitoches meat pie, shrimp étouffée,

Andouille sausage and more any time from 6 – 8 p.m. Cash bar available. Reservations are required.

Cost is \$65 per couple or \$35 for singles. Tickets may be purchased in advance. For further information and to purchase tickets, call Rod or Phyl McGuire (479) 253-8864. This event is sponsored by St. Elizabeth's Catholic Church.

**TIGERS** continued from page 7

Sanctuary that she finally agreed to the inevitable. "I'm just too crippled."

The sheriff intended to be present at Riverglen today but was called away to investigate a stabbing. When Deputy Trent drives up, Young says, "Oh boy, we got the SWAT team." Trent has a sheet with all the cats' names for Young to check off – the sheriff wants an inventory of where each cat is going. Trent says concerned neighbors call often, but in the 14 years that Young's been on the mountain, there's never been an incident.

Young started on this journey in 1980 when someone gave her an ocelot to care for. Then she was given a cougar that was left very ill in a rent house. She moved from Washington County to Mountainburg with 80 cats. Her love for these animals is clear in how well cared for they are despite her own illness. She brags there was a 600 lb. tiger that used to share her bed.

Tanya Smith's respect for Young is evident. "Years ago," she says, "she was a force to be reckoned with." Smith shakes her head in regards to Young's health, "She just won't go to a doctor."

Laurie Vanderwall, assistant curator of TCWR, says to Andrew, showing him a slab of meat, "I still have this, come on; let's go; come over here. I'm gonna give it to you, yes I am." Andrew doesn't budge. "You're laying down on the job," Vanderwall says. "Let's go. Hey, where are you going?"

Scott Smith, vice president of TCWR, asks, "What's his favorite piece?" and picks a calf head off the trailer, by the ear, to entice Andrew; the tiger gets excited but still won't cooperate despite the fact he hadn't eaten yet.

Horses wander over from the pas-



**The best of care** – A heavily sedated Tennille is hydrated with a saline solution to help flush the tranquilizer from her system before transport from Crawford County to Turpentine Creek Wildlife Refuge. At right, Scott Smith photographs the animal and makes a recorded account of the times and dosages.

PHOTO BY DAVID FRANK DEMPSEY

ture and try to nibble at reporters' notebooks and photographers' ears. Donkeys, refugees from a drought in Texas, amble about loosely on the property. They suddenly bray in reaction to all the commotion, to which Young says, "They're better than guard dogs."

TCWR has come for two tigers today. They decide now to try to get Daisy into the cage instead. That proves no easier; and finally, Scott Smith walks over to Andrew nonchalantly and jabs him carefully through the cage in the hindquarter with a tranquilizer. In a minute Andrew has dropped to the ground, groggy, eyes fighting to stay open. In a bit he makes an attempt to get to the other side of the cage, and collapses again. When they think it's safe, the TCWR staff enters the cage. A snow shovel is placed in front of the cat's face, just in case. Andrew's feet are tied up for precaution. It takes six people to carry him on a tarp with handles to the TCWR trailer-cage, and they're all struggling.

Smith tries to get Daisy with the tranquilizer but she hides out in her den

box (tiger-sized wood hut). It's decided that they will take a Siberian tigress, Tennille, instead. Smith walks right up to her; and before she even reacts, he's jabbed her with the tranquilizer. She passes out on top of her den box moments later. She's much lighter, maybe only 380 lbs. or so, and the workers have a much easier time getting her moved.

Both tigers are inspected once loaded in the trailer, because this is the only time they'll get to have a good look at the teeth and claws. TCWR staff is very pleased at how healthy the two look. There's slight muscle atrophy in the legs, but they say this is normal for cats this old. IVs are hooked up to help flush drugs out of the tigers' systems so they are awake for arrival at their new home. Andrew and Tennille will join six other tigers and one cougar already relocated from Riverglen. The first to be moved was the only one of Young's in need of medical attention. Chopper had a tumor that was removed and found to be cancerous. She's recovering well.

The seven earlier rescues took place in November. TCWR had already moved some of their 108 big cats to make room, and have been spending the last seven weeks building habitats for 10 more.

With 459 acres, TCWR has the space to build housing for the cats, but it'll cost approximately \$7,000 each. They are in serious need of more funding. Ten new units they put in are 20x50 ft. They have the ability to care for all of Young's big cats and thanks to current, new and returning interns (biology and zoology graduate students) they have the staff. All they need is more financing.

One other refuge, Cedar Cove in Louisburg, Kan., has taken two Bengal tigers, 14 and 16 year-olds, Ariel and Sissy, and two leopards, but it looks like it'll be up to TCWR to rescue the bulk of Young's beloved large cats. Florida shelters have offered but it's thought the drive would be too stressful for these advanced age tigers.

If you'd like to donate to help save Riverglen's beautiful old cats, you can do so directly on TCWR's webpage: [turpentinecreek.org](http://turpentinecreek.org).

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## ANNOUNCEMENTS

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**COME ENJOY THE EUREKA SPRINGS WINTER FARMERS’ MARKET.** New winter hours: Thursday 9 a.m.–Noon. Same old place, Pine Mountain Village parking lot. Still lotsa good stuff- vegetables, baked goods, honey and meats. Free coffee and tea on our heated shelter ‘The Gathering Place’. See ya there Thursday morning.

## LOST at Harmon Park

**GOLD TONE RING** on an inexpensive chain. Has no monetary value, but sentimental value is irreplaceable. Call (724) 309-8158 leave message or text. **CASH REWARD**

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**PERSON WITH RETAIL/POS EXPERIENCE.** Barista experience helpful. References required. Apply in person Thursday – Sunday. Rocky Mountain Chocolate. 5 Spring Street

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## PETS

**PET SITTING, HOUSE SITTING.** Holiday Island, Eureka Springs and surrounding areas. 25+ years experience. Reliable, references, insured. Call Lynn (479) 363-6676 or Emily (918) 409-6393

**EXCELLENT AKC GERMAN SHEPHERDS** – three black males; two blk/tan males; two black females; one blk/tan female. \$300 ea. Select pup with deposit for pickup Jan. 23. (479) 253-3320

## WANTED

**WANTED TO BUY:** Looking to buy quality used wood furniture. Call Shannon (870) 654-3377

**HOME WANTED:** Seeking rent-to-own. More than 1BR/1BA, rural ok. Garden space, outbuilding a plus. Prefer dealing with owner. Bill at (512) 695-6542

## RENTAL PROPERTIES

### HOMES FOR RENT

**APARTMENT FOR RENT:** One 2-Bedroom; One 1-Bedroom. Downtown Eureka Springs. Call (479) 244-5100

**3-4BR/2BA HOME,** W/D, D/W, fully renovated, off-street parking, 5 min. walk downtown, water/trash paid. \$700 for 2, \$750 for 3 or more. First, last, deposit. (479) 253-1608

## RENTAL PROPERTIES

### HOMES FOR RENT

**HOLIDAY ISLAND VILLAS & TOWNHOUSES** near lake and marina. From \$375/mo. (479) 253-4385

**VERY NICE HOME ON QUIET STREET IN E.S.,** 2BR/2BA, appliances, central H/A \$750/mo. **Also 1BR efficiency** on Onyx Cave Road \$300/mo. Both require first, last and deposit. (479) 253-6283, (479) 253-6959

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### HEALTH SERVICES

**PAIN, STIFFNESS, FATIGUE:** Symptoms of Lymphatic Congestion which leads to DIS-EASE. For affordable lymphatic decongestion therapy call Alexa Pittenger, MMT (479) 253-9208. Eureka!! Massage Therapy, 147 W Van Buren

**WINTER MASSAGE PRICES THROUGH JANUARY 2013** with half off one hour and ½ hour massages and great deals on couples massage and on the Laughing Hands Royal Treatment which includes hot stones, essential oils, facial special cream and a foot scrub. Or buy three massages for the low price of \$105.00. Call (479) 244-5954

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### MAINTENANCE/ LANDSCAPE/ HOME SERVICES

**FANNING’S TREE SERVICE** Bucket truck with 65 ft. reach. Professional trimming, stump grinding, topping, removal, chipper. Free estimates. Licensed. Insured. (870) 423-6780, (870) 423-8305

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**CLEAN-UPS** All types of clean-ups. We will haul off and dispose of anything. Including tear-downs, furniture restoration and painting. (870) 423-5674

**CHIMNEY WORKS** Complete chimney services: sweeps, repairs, relining and installation. Call Bob Messer (479) 253-2284

**TREE WORKS** Skilled tree care: trimming, deadwooding and removals. Conscientious, professional arborist and sawmill. Bob Messer (479) 253-2284

**CBWD** continued from page 2

inoperable now. Chair Jim Yates said he would send engineers to investigate, but the board needed to find out what the problem is before considering it. He said they would discuss it at the next meeting.

Board member Gene Bland stated, “If we can get it on, we’ll turn it on.”

#### Office manager position

Yates began the meeting by acknowledging the passing of office manager Jim Allison. Yates remarked, “How grateful we are to him for his service. We’re going to miss him. He did a really good job.” Hammond said he had advertised the position in papers and online and had received 34 applications that he would prepare for a review committee.

Yates appointed Brad Hammond, John Summers, board member Gene Chafin and attorney Dan Bowers to be on the selection committee. The committee will also update job descriptions.

Next meeting will be Thursday, April 18, at 10 a.m.



hospital he had not realized before.

Murphy told Bariola it does not help that Allegiance changes administrators at ESH so often. “It doesn’t look good for the hospital,” he said.

Olson suggested ESH and the ambulance services should talk more. He said ambulance services usually fly out critical care patients because they don’t know ESH well enough.

Ahlman replied, “Once someone

goes there, they will always come back because of the excellent care.”

#### Other matters

• Merry announced their attorney Seth Ward had advised them to forget about the idea of trying to help indigent patients at ECHO with their expenses for now. There are many complicating circumstances, Ward had said, some of which could prove to be illegal, so Crockett moved to table all issues regarding spending money until they

know more about the hospital project.

• Nick Williams, representative of Stone Adams Financial Partners of Jackson, Miss., explained how his company helps myriad groups all over the country find money to finance projects.

He said, regardless of the project, “How to pay for it is a question to ask sooner rather than later.” He explained his firm could figure out how the commission can get the funds it needs

to build the hospital, and money is available through federal programs, including the USDA, which can fund hospitals. Williams mentioned other creative financing strategies such as tax increment financing, but he maintained there are ways to get funds for a hospital even without bonds. “There are different ways to skin a cat,” he said.

Next meeting will be Monday, Feb. 18, at 1 p.m. at ECHO Clinic.

#### POOL LIFTS continued from page 4

is not modifiable due to high expense or some other hardship. All pools and spas can be altered or newly reconstructed to become consistent with 2010 ADA Design Standards.”

Jim Butler, Chairman of the Global Hospitality Group of lawyers, gave the *Independent* permission to quote from his written statements on the issue, “We know of several lawsuits filed over the lack of pool lifts after March 21, 2012. We also know of a number of plaintiffs’ lawyers who have been waiting for February 1, 2013 to make their splash into pool lift accessibility litigation.”

On his blog at hotellawblog.com, Butler further explains, “The DOJ’s published position is that pool lifts need to be available at each pool and spa (although only one lift is required at a ‘cluster’ of spas) during all pool and spa operating hours. The DOJ has mandated that only ‘fixed’ pool lifts may be installed at each location unless the business can establish that such installation is not readily achievable. In such events, a portable pool lift may be permitted if it is properly secured and in place during operating hours.

“All indications are that the DOJ remains intransigent that the pool lift requirement will be enforced on January

31, 2013 and pool lifts must be ‘fixed’ [in place] to the extent readily achievable. A determination of what is ‘readily achievable’ requires a legal opinion based on the facts of each case. Here is what we recommend:

“Pool lift compliance: Determine immediately if all your properties are in compliance with the January 31, 2013 pool lift requirements. If you are not sure, you need to find out now. We understand that some ADA plaintiffs are eagerly waiting for February 1, 2013 to file lawsuits over pool lifts. An ounce of prevention is worth a pound of cure.

“All other (non-pool lift) ADA compliance: Determine if all your properties are otherwise in compliance with the ADA. Many property owners and managers have ignored these basics while chasing pool lift issues.

“ADA Compliance and Defense Audit: If you don’t already have one, commission an ADA compliance and defense audit to assess your properties, policies, procedures, and training.

“Enterprise-wide ADA compliance survey programs which address website accessibility, effective policies, practices and procedures, reservation practices, property accessibility, auxiliary aids and services are the most reliable methods of assuring that your business is not sued,

or worse, investigated by the DOJ or other civil rights enforcement agencies.”

If the pool lift requirements simply can’t be met and a property decided not to roll the dice on being reported by a guest, Maher agreed one way to continue operating without coming into compliance was just to close the pool.

Demaya, however, opined “Seems kind of fatalistic or almost bitter to want to close a perfectly working swimming pool just to avoid investing on a business’s infrastructure. A business does not have to close a swimming pool if it can legitimately establish, on paper, that it would be a financial hardship to install or modify the facility for an accessible entry. There are some tax incentives. The ‘readily achievable barrier removal standard’ is a very low standard, and it does not require a business to lose business or make modifications or policy changes that take away from its viability. It is an on-going process that allows for future planning.”

According to Tamika Figgs, AH&LA Research Manager, the DOJ (www.justice.gov) may file lawsuits in federal court to enforce the Americans with Disabilities Act, and courts may order compensatory damages and back pay to remedy discrimination if the Department prevails. Under title III, the

DOJ may also obtain civil penalties of up to \$55,000 for the first violation and \$110,000 for any subsequent violation. Detailed information on the ADA rules and regulations enforcement can be found at www.ada.gov.

According to the current DOJ guidance, *all* facilities with existing pools and spas must do the following by Jan. 31:

- Provide at least one means of entry (pool lift or sloped entry) as long it is readily achievable. Pools with 300 linear feet of wall or more must have a pool lift or entry, and one additional means of entry which can be one of the following: (1) pool lift; (2) sloped entry; (3) transfer system; (4) transfer wall; or (5) pool stairs.

- Have the pool lift out in position and ready for use all hours the pool is open. Each body of water (e.g., pools, spas) must have a separate means of entry (there are special rules for clusters of spas).

- Pool lifts must be attached to the pool deck or apron in some manner unless it is not readily achievable to affix them.

For detailed explanation, visit www.ahla.com. AH&LA has raised significant concerns with the current guidance and will continue to work for resolutions of these issues.

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671423

## 4052 A VAN BUREN EAST

A Wonderful opportunity to own your own office space for your venture whether it's in the medical, dental, optical fields or for an office environment that meets the public such as tax, law or general office. The space is light and bright with a nice floor-plan. Located on HWY 62 provides a convenient location with plenty of parking. **\$190,000.**

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657734

## 215 CR 301 GREENWOOD HOLLOW

This building currently houses 'Enthios'. It is being used as a Dance Studio & Performing Arts Venue. Right side of building is the dance studio with special flooring. The left side houses 4 suites being used in various artistic venues. The building can be used for any C-1 type of businesses. The building was formerly used as a coffee house. An incredible opportunity for that individual looking to house several different ventures or as a unique home or home business opportunity. **Owner Financing Available. \$169,900.**

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666522

## 1058 CR 220

A rare opportunity to own two newer homes with 180° views that stretch out for miles. Currently operated as nightly rental units afford the opportunity to live in one and rent the other. One home is 2 bedrooms/2 baths with a 2 car garage. Second home is 2 bedrooms, 1 bath. Both homes have back decks for you to while away the hours enjoying the awe-inspiring views! All this on 2.5 acres provides privacy and room to grow! **~~\$260,000.~~ \$244,300.**

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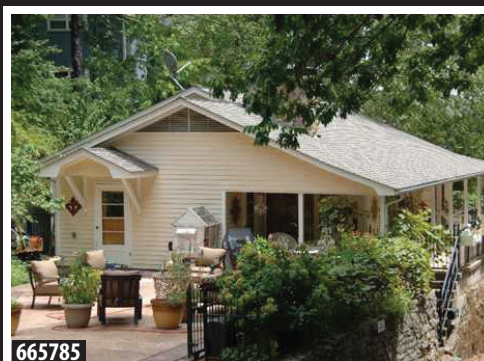


666355

## 83 SPRING ST.

Rare opportunity to own a prime retail building, located right on historic Spring St. This building boasts a retail location on street level and a nitely rental unit on the second level with private entrance. Decks on front and back of building provide views! Unlimited possibilities are waiting for you! **\$490,500.**

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665785

## 11 Howell Street

This home is located in the Heart of ES. A prime location, very well maintained on 2 city lots. Wrought ironed fencing, stamped concrete patio or motor court w/ electronic gates, wrap-a-round porch/balcony. Appraised 1-20-12, under appraisal value. Must see. Owner agent. Additional guest house & Studio and garage are available under MLS# 661098. Great 'In City' compound with a great privacy factor. Call to schedule a showing. **\$199,900.**

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660621

## 18 LAKEVIEW

Freshly updated duplex offers income potential. Both units have 2beds/2baths, woodburning fireplaces, open kitchen/dining big closets & laundry room, large treetop deck to enjoy the lake views! Holiday Island marina & lake just down the road. MUST SEE! **\$149,900.**

**CHERYL COLBERT 479.981.6249**  
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665601

## 27 DOVE LANE

This home boasts an open living/dining area that has a wood burning fireplace. With the split floor plan, provides privacy. A great deck for entertaining and a fenced back yard. 2 car garage. Utility laundry room. Close to all Holiday Island amenities. **\$135,000.**

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## LOOKING FOR LAND....

35 Leatherwood Dr. <b>\$5,000.</b>	Wheeler/Wall St. <b>\$50,000.</b>
81 Holiday Island Dr. <b>\$19,500.</b>	Wall/Armstrong St. <b>\$50,000.</b>
Douglas St. <b>\$22,500.</b>	Wheeler/Trone/Wall St. <b>\$80,000.</b>
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669445

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Lovely custom built 3bed/2bath home. Gleaming hardwood floors, sun room w/ lakeview, HUGE kitchen, formal dining, oversize garage, fenced yard & MORE! MOVE IN READY! **\$234,000.**

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