

No answers for homeowners

By **STEPHANIE HARSHA** Staff Writer, Green River Star

Friday will mark the one year anniversary of the sewage flood on Trona Drive and residents are still waiting for action.

Those that were affected by the back up spoke out at last night's City Council meeting to remind elected officials of their plight.

On March 7, 2007, residents' homes on Trona Drive were damaged by a sewage back-up caused by a main waterline break.

Contractors from Longhorn Construction working on the Wild Horse Canyon development broke a main water line that flooded the trench they were working in, and the water flooded into the local sewer line due to an uncapped sewer line.

The sewer was overwhelmed and backed up into homes along Trona Drive. About a dozen homes and rental units were damaged in upwards of \$8,000 or more for each individual affected.

Residents were urged to file claims with both the city and the construction company while insurance companies were supposed investigate the incident and find out who is at fault.

A year later, no action has been taken to alleviate costs to local residents.

"We have heard all sorts of rumors about this...there is one rumor that we have heard and that I would like to know if it is true, and that is that most of the City Councilmen would like to settle this dispute, settle the claims and pay the victims... If this rumor is true, what's the hold up? It's been a year," local resident and rental property owner Linda Failoni said.

"Based upon an investigation which was conducted by the city's insurance company, the evidence would tend to indicate that the fault for this occurrence lies with the contractor, not the city," city attorney Ford Bussart said.

Bussart explained that the findings were most likely based on three reasons. One, the contractor was told to find the water line using exploratory budgeted funds for that purpose. Longhorn Construction chose not to do so. Two, the contractor left the sewer line exposed and uncapped, which is possibly in direct violation of industry standards standards.

"In the absence of proof of fault, the city has not only no obligation to pay under Wyoming law, but no authority to pay," Bussart said.

Bussart explained that the Council, as a governing body, does not offer any kind of "social, no-fault insurance program" and cannot appropriate settlements for the parties involved, no matter what Council's sentiments are.

Resident Don Derr commented he felt the investigation was inaccurate and that the investigator was not thorough.

"Your investigation was bogus," Derr said. "There is a lot of bull going on."

Councilman York stated that the Council is doing all they can to figure out how to help the residents.

"It's something that we are looking at and trying to figure out a way to do what we can do," York said.

Trona Drive resident Jim Tune said he felt the parties involved haven't made any efforts to resolve the claims.

"You haven't even hassled with Longhorn Construction to say who's fault it was, because they sent us a letter saying it's your fault, you sent us one saying it's their fault and we turn around and get a letter saying it's our fault, Who's fault is it?" Tune said.

Bussart assured residents that the city is actively engaging Longhorn Construction and their insurers to come to a resolution.

"It's not true that there hasn't been some rather intensive discussions between the city and the insurers of the other parties," Bussart said.

Bussart commented on the possibility of litigation to resolve the residents claims, but stated that the city is doing as much as they can to move forward towards a resolution.

Councilman Tom McCullough and Mayor Hank Castillon both echoed York's statements and commented the city has not forgotten the plight of these residents and plans to do whatever they can to alleviate the situation.