

County law enforcement discussed

By Karen Krien

For some time, the county commissioners have talked about consolidated law enforcement and there appeared to be little interest in the plan they were proposing. However, at the July 15 meeting of the Cheyenne County Commissioners, the Bird City Council proposed a little different plan to consolidate the county sheriff law enforcement with the Bird City law en-

forcement.

On hand for the discussion were Dave Hickert, Bird City Mayor; Troy Burr, Bird City Councilman, and Laura Miller, Bird City Clerk.

For a number of years, the city of Bird City and the county commissioners had an agreement for shared law enforcement with the agreement being signed yearly. But after the election seven years ago, the sheriff

did not want to continue working with the law enforcement officer in Bird City so the agreement was ended and the Bird City council had pursued grants to fund its law enforcement. However, those grants will run out and the council is looking for a more efficient way to cover the city's needs of an officer.

The council preferred that the officer live in or very near the city of Bird City. Sheriff

Eddie Dankenbring was present at the meeting and thought this plan would work for both the city's coverage as well as giving the sheriff's department another officer to help cover the eastern part of the county. The council also wanted to approve the officer hired for the job.

For the coverage, the Bird City City Council proposed to pay a flat sum of \$20,000 and the county would pay the ben-

efits and mileage if any. It was noted that Bird City had a vehicle for law enforcement so there might not be a need for mileage to be paid.

Tim Raile, commissioner, said that he was in favor of the agreement and could see benefits for the county as well as Bird City.

The commissioners agreed to think about the proposal and look at the numbers. They

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Temps soar to over 100

By Karen Krien

It's been hot. In fact, almost every conversation ends up talking about the weather — how hot it is and the fact that there has been little rain.

Kathy Woodcox, St. Francis weather observer, reports 13 days where temperatures have been 100 degrees or above. The high temperatures so far this month has been 107 degrees on July 18 and 105 on both July 3 and July 19. The lows at night have been pretty decent for sleeping but last week, the low temp at night was in the 50s for three nights and the rest of the nights had a low of 60 degrees and above.

The National Weather Service reports that the average rainfall in this area for July is 3.2 inches. However, Kathy Woodcox, St. Francis weather observer, reports only .92 inch this year.

Pastures and dryland crops are hurting. With the area still suffering from several years of drought, there is hardly any sub-soil moisture and could use a week of rain. However, there are some farmers who are wanting to knock down their alfalfa and put it up so are hoping for a little more rain.

Monday evening, there were tornado warnings in northwest Kansas and the National Weather Service was telling listeners that conditions were right for a tornado.

The Decision Weather forecast is predicting days up in the 90s throughout the week (90 degrees is the normal high for July) and there is a chance for rain on Thursday, Friday, Saturday and Monday.

Date	High	Low	Prec.
July 15	102	63	.55
July 16	104	66	
July 17	102	69	
July 18	107	69	
July 19	105	70	
July 20	101	61	
July 21	102	58	

Sign-up date is Aug. 1

"Recently, the Grassland Reserve Program (GRP) availability was announced and applications will be taken anytime at the United States Department of Agriculture Service Centers," said Harold L. Klaege, state conservationist for the Natural Resources Conservation Service, Salina. However, for this funding period, the cutoff date has been set for Aug. 1, and those applications submitted by that date will be evaluated and ranked for funding.

"If producers are interested, I would suggest they stop in at their local Service Center and visit with the United States Department of Agriculture Natural Resources Conservation Agency (NRCS) or Farm Service Agency (FSA) staffs about the 'nuts and bolts' of the program," Conservation Klaege said. If the Grassland Reserve Program fits into their farming operation, then producers should submit an application."

Grassland Reserve program is a voluntary program that helps landowners and operators restore and conserve grassland, including rangeland and pastureland, and certain other lands, by protecting those grasslands most at risk from conversion to cropland or non-ag uses. The

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GETTING READY FOR THE FAIR — Peggy Schlepp has been painting the town red (blue, green and yellow) preparing the mood for the Cheyenne County Fair on Aug. 6 through 9.

Herald staff photo by Karen Krien

Judge's charges come before hearing panel

A state hearing panel will consider charges against Tamara Zimbelman, district magistrate judge for Cheyenne County, and could recommend that she be removed from office.

On March 21, Judge Zimbelman was found guilty of intimidation of a witness in Cheyenne County District Court. Judge Zimbelman could face up to six months in jail and a fine up to \$1,000 in the criminal case.

On March 25, Kay McFarland, chief justice of the Kansas Supreme Court told *The Saint Francis Herald* that Judge Zimbelman was prohibited from performing any judicial duties. Instead, she would perform administrative assignments as di-

rected by the chief judge of the 15th Judicial District.

On Friday, Edward G. Collister Jr., an examiner for the Commission of Judicial Qualifications, said that the commission, through an investigating panel, had issued a written notice of formal proceedings against the magistrate.

The notice said that Judge Zimbelman could file an answer within 20 days. Regardless whether an answer is filed, the papers said, the case may proceed to a hearing and disposition.

There are nine counts listed against Judge Zimbelman, all pertaining to conduct which allegedly violated the provisions of the Canon

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Grant is sought for health facility

By Karen Krien

Administrator Les Lacy talked about the Community Development Block Grant status at both the Cheyenne County Hospital Board and Commissioners' meetings last week. If the grant is received, that money will be used to establish a county health facility in the basement of the clinic across the street from the hospital in St. Francis and, since the county is allowed two

grants per year, there is a possibility that the fire departments will apply for one or two fire trucks as both Gary Rogers, emergency manager, and Dave Hickert, Bird City Fire Chief, have mentioned the need.

When the clinic was remodeled and a portion was built on, the future plans were to eventually have the health office moved from the highway location to the clinic basement

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WINDMILL has been erected by the Museum, St. Francis. Built by Milton Lampe, the windmill will be among many along the U.S. 36 marking the highway. Elmer Kellner was the brave soul who climbed the tower to place the wheel.

Herald staff photo by Sandy Barnhart

Two employees resign from county hospital staff

By Karen Krien

Administrator Les Lacy reported to the Cheyenne County Hospital Board on Thursday that two employees would be leaving the hospital at the end of July.

Val Cayabyab resigned his position as lab/X-ray supervisor and his wife Melodie is a registered nurse.

Administrator Lacy said there is a candidate for the lab/X-ray position and he planned an interview in the very near future. With the recent graduation and licensure, the hospital's nursing situation is good.

Both Beth Gabel and Annie Dulany have graduated with the Kansas Nursing Scholarship Loan Program. The hospital sponsors the

candidate and gives \$1,000 a year for those planning to go into nursing. The state matches \$2,500 a year for up to two years for registered nurse students and \$1,500 for licensed practical nurse students.

When candidates use the program to further their education, they have an obligation to work for the hospital for every year they were supported in school. If they chose to leave before their obligation is up, they will need to refund the money.

"This help for registered nurses and licensed practical nurses is available to help those wanting to go into the medical profession," Administrator Lacy said, adding that anyone interested in more informa-

tion should contact him at the hospital.

If the administrator needs to hire traveling nurses, the costs has risen from \$30 to \$35 per hour to \$45 to \$50 per hour.

The administrator talked briefly about the lab candidate and may have more information at the next board meeting.

Audit report

Mark Hoffman with Grant Thornton auditing firm went over the 2002 audit with the board. He pointed out that the asset and liability figures shown in the report were comparable to the last two years.

As the board went through the re-

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Demo derby slated for fair night

By Karen Krien

Once again on Saturday evening of the fair, the demolition derby drivers will be revving their motors, anxiously awaiting the wave of the flag which will begin the derby. Action begins at 7 p.m. in front of the grandstand in St. Francis.

There will be five places awarded prize money plus money given to the top two per heat (except slop), two slop heats and the heat flag. The first prize winner will take home \$1,000. Plaques will be awarded to all heat and main event winners (except slop).

A new name will be added to the "Bonzai" Bobby Krien plaque for the driver who is the "crowd pleaser." This driver is determined by Bobby Krien's family. There will also be a Rookie Plaque awarded.

The fair derby always has lots of fast moving action and the commit-

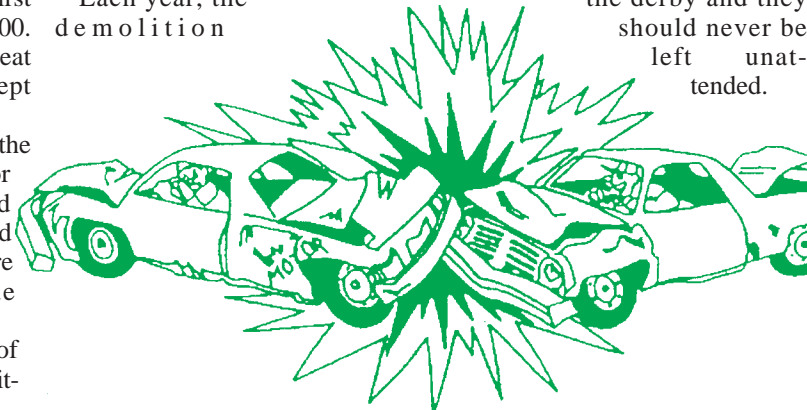
tee is expecting the same for this year.

"We plan to have a good derby with lots of action and the winners will get some good money," said Wade Krien, Derby Committee.

He noted that the Compact Car division will be held again this year. Also that "heat flag" will be placed in the center of the action — the car knocking it down first receives \$25.

Each year, the demolition

derby, held the last night of the Cheyenne County Fair, fills the grandstand as people gather to watch the excitement. The pit area is also crowded with drivers and crew members along with people watching. Pit passes are more expensive and identification must be worn at all times. Parents should also be cautioned to know where their children are at all times during the derby and they should never be left unattended.



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will then submit their proposal to the city council.

Senior center

Art Krueger and Ken Quigley, both representing the St. Francis Senior Center, talked to the commissioners about the plight of the center. They noted that the center not only provides a place for the seniors to meet but also provides three bal-

anced meals for a reasonable price three times a week. The county allows the senior centers in the county one-half of a mill and that amount is split with St. Francis receiving three-fifths (\$4,703) and the other two-fifths going to Bird City. The money collected for meals (\$2.25 is recommended but some pay less) goes to the Area Department on Aging which is used for food and to

pay the head cook.

However, with rising expenses, the senior center is dipping into memorial funds and savings each month. They said that Sherman County received 1 mill and McCook seniors had received enough money to build a new center.

Mr. Krueger had a list of expenses and a graph showing that, if the center continued at the current rate, it

would be out of money by the year 2006.

The commissioners made no decision to give extra funding to the center.

Road and bridge report

Dave Flemming, road and bridge supervisor, gave the commissioners the bids for two new graders and one ripper. The total cost would be \$263,716. There was a great deal of discussion on purchasing new graders vs. used graders.

Commissioner Jane Brubaker pointed out that the commissioners were always talking about being strapped for funds and budgets being tight and then turn around and purchase two new graders.

Commissioner Ron Krien said that it did not make sense to buy two graders that were half-way worn out. The new graders could be leased, the interest rate was low and they would have 5-year guarantees.

The money for these purchases had been put aside in the budget and the commissioners finally decided to make the purchases of two new graders and a ripper and go with the lease company/bank that would give the lowest interest rate.

Supervisor Flemming presented an agreement for the county to purchase the easement from Stroh Farms, southwest of St. Francis. The payment will be paid on Oct. 1.

Ervin Hilt had shown interest in getting a water permit for his gravel pit however, he would want the royalty on the gravel removed. The board felt like they would like to see if any landowners in the same area would like to donate gravel in exchange for the pond that was created. The supervisor will be checking with other landowners in that area.

In other business

In other business:

- The commissioners approved the purchase of two hand-held radios for the St. Francis Police Department. The cost is \$1,300 and funds to cover the purchase will be taken from 911 funds.

- Overtime hours (22 hours) for the undersheriff were approved.

- The Trego Juvenile Interlocal Agreement was signed and the county will be assured that juveniles will be taken at the facility. The cost per person will be \$145 per day.

- One of the courthouse's air conditioning units went out and the commissioners agreed to repair the unit for \$1,746.

- Les Lacy, Cheyenne County Hospital Administrator, and Susan Hobrock, Cheyenne County Development Coordinator, talked about obtaining a Community Development Block Grant. (See related article.) The commissioners were in favor of Administrator Lacy getting the ball rolling on the grant process.

- George Harper, St. Francis Fire Chief, said that during an inspection, six of the Scott Paks used by the department had bad bottles. The replacement cost for new bottles will be \$2,000 but Chief Harper said he could get used bottles for a cheaper price. The St. Francis City Council agreed to pay for half the cost and the commissioners will pick up the other half.

Next meeting

The next meeting of the commissioners has been changed from July 31 to July 30 starting at 8 a.m. in the commissioners' room at the courthouse in St. Francis.

JUDGE

Continued from Page 1

1 and 2 of the Supreme Court on judicial conduct.

It is alleged that, in violation of the Canons, Judge Zimbelman, on Dec. 22, 2001, phoned Chris Merklin, St. Francis, when she learned that her husband and a third party, Scott Baumfalk had been accused of illegally visiting the Merklin home the evening before, and threatened Mr. Merklin by stating, "if you don't drop the charges against Rell (the judge's husband), I'm going to send you to jail for burglary."

On Dec. 20, 2001, Judge Zimbelman allegedly requested that city police officer Travis Stein meet her at the residence of Jim and Christy Miller where she wished to confront the Millers because her purse had been stolen and she thought they might have taken it. When Officer Stein arrived at the Miller residence, Judge Zimbelman was already there. They went to the front door where the judge knocked on the door and questioned the Millers.

Judge Zimbelman, on Dec. 21, 2001, in a telephone call, told Officer Stein that she was sending someone over to the Millers' home to, "scare the living dickens out of them."

Judge Zimbelman, during the investigation of the Merklin episode by agents of the Kansas Bureau of Investigation, at first allegedly denied Officer Stein's report of her statement and attributed the statement about scaring the Millers to Officer Stein. She later, when questioned by Special Agents Butler and Atteberry of the Kansas Bureau of Investigation, she told them that Officer Stein

did not lie.

Judge Zimbelman, on April 22, 2002, in a letter addressed to Agent Butler, wrote, concerning a question posed about the same conversation with Officer Stein, "On reflection of the polygraph test I took Friday, April 19, 2002, I want to reiterate to you that I do not remember saying what has been alleged. I feel like I was backed up in a corner by both you and Mr. Atteberry and badgered until I broke down. I still maintain I do not remember saying that, although you advised me the results say different."

On Dec. 9, 2001, Judge Zimbelman authored and delivered to Police Chief Jason Ryan and Officer Mark Davidson a letter informing them that if investigating officers failed to call her involving any alleged criminal action by a member of her family she would, "find you (officers) in contempt of court and pursue the matter from there." She also threatened to take the issue up with the city council if necessary.

On March 14, 2003, the Cheyenne County Sheriff's Office investigated activities of four juveniles at or near the St. Francis Cemetery, including questioning of the juveniles. The sheriff asked his wife, who was the only female with the officers, to pat down a minor female because it was better than having a male officer perform the task.

Later in the evening, the sheriff was asked by St. Francis police to come to the home of the minor female. It is alleged that, in violation of the judicial regulations, several minutes later Judge Zimbelman appeared at the same location. She

proceeded to question the sheriff's authority to have his wife pat down the young female.

The judge wanted the sheriff's wife to come into the house, apparently to be questioned. Officers decided not to agree to that request. Judge Zimbelman then proceeded to question Officer Davidson about his reasons for stopping the vehicle and then questioned the undersheriff about questions he had asked the girl a month earlier. The sheriff reported that then decided the encounter was going nowhere and was uncalled for, so the officers left.

Judge Zimbelman, on the early morning of April 27, 2003, after being informed that her husband Rell had been stopped while driving a vehicle in a suspicious fashion, appeared at the scene and accused the officers of harassing her family.

It was common knowledge among the law enforcement officers that Mr. Zimbelman had a suspended license. In the ensuing investigation, a law enforcement officer discovered a probable controlled substance present in the cab of the pickup Mr. Zimbelman was driving and arrested him for possession of a controlled substance.

Judge Zimbelman allegedly attempted to get into the pickup and was told to stay out because it was going to be impounded in connection with the criminal investigation. At that point, Judge Zimbelman commenced cursing at the sheriff. The incident ended without further interference by the judge after the sheriff walked back to his vehicle to get his second set of handcuffs.

Canon 1 and 2 of the Supreme Court relating to judicial conduct include:

- A judge shall uphold the integrity and independence of the judiciary.

- A judge should participate in establishing, maintaining and enforcing high standards of conduct, and shall personally observe those standards so that the integrity and independence of the judiciary will be preserved.

- A judge shall avoid impropriety and the appearance of impropriety in all of the judge's activities.

A) A judge shall respect and comply with the law and shall act at all times in a manner that promotes public confidence in the integrity and impartiality of the judiciary.

B) A judge shall not allow family, social, political or other relationships to influence the judge's judicial conduct or judgment. A judge shall not lend the prestige of judicial office to advance the private interests of the judge or others; nor shall a judge convey or permit others to convey the impression that they are in a special position to influence the judge.

GRANT

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but funds for the project are not available.

The hospital board can apply for up to a \$400,000 grant. However, part of the grant will need to be matching funds which the administrator pointed out that the hospital board has already reserved \$50,000 toward the project. The architect/engineer will be appointed and the costs will be determined through this company.

The county has put away funds for fire trucks which can be used as matching funds.

What now faces the administrator, hospital board and others is conducting a survey to find the average income in the county. In order to qualify, the survey will need to have 80 percent participation which will show that the county has at least 50 percent of those people in low-to-moderate incomes as designated by the Housing and Urban Development guidelines.

to be surveyed.

People in these areas are urged to look for the surveys when they come and return them immediately. Residents should keep in mind that the county is more apt to receive a grant if the low to moderate income levels are high. They are also reminded that the information submitted will be confidential.

With the low prices for crops, poor crop yields and just an overall depressed time, the hospital board is hopeful that the surveys will come back showing that there is a 50 percent of low-to-moderate income people which will help the grant application be more favorable.

DATE

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program emphasizes support for grazing operations, plant and animal biodiversity, and grassland and land containing shrubs and forbs under the greatest threat of conversion.

If you need more information about Grassland Reserve Program, please contact your local Service Center, listed in the telephone book under U.S. Department of Agriculture, or your local conservation district. Information also is available on the World Wide Web at: <http://www.ks.nrcs.usda.gov> and <http://www.fsa.usda.gov/da/p/GRP/default1.htm>.

Living Water Fellowship Ministries

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"Where Jesus Changes Lives"
"Come and Receive"



Service Times

Worship & Word: 10 a.m. Bible Study: 6:30 p.m.
Healing & Miracle Service on the last Sunday of every month: 7:30 p.m.

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NOTICE OF BUDGET HEARING

State of Kansas City/County 2004

The governing body of the City of St. Francis will meet on the 5th day of August, 2003 at 7:30 p.m. at 113 West Washington, St. Francis, KS for the purpose of hearing and answering objections of taxpayers relating to the proposed use of all funds and the amount of ad valorem tax.

Detailed budget information is available at the City Office and will be available at this hearing.

BUDGET SUMMARY

Proposed Budget 2004 Expenditures and Amount of 2003 Ad Valorem Tax establish the maximum limits of the 2004 budget. Estimated Tax Rate is subject to change depending on the final assessed valuation.

FUND	2002		2003		Proposed Budget 2004	
	Prior Year Actual Expenditures	Actual Tax Rate *	Current Year Est. of Expenditures	Actual Tax Rate *	Expenditures	Amount of 2003 Ad Valorem Tax
General	489,153	18.194	542,944	19.196	852,205	161,695
Library	29,476	3.386	30,000	3.583	30,000	26,181
Employee Benefits	254,449	3.058	232,810	3.833	5,459	22,096
Special Highway	74,214				141,314	
Special Parks & Recreation	466		600		3,816	
Equipment Reserve	147,719		158,443		214,565	
Capital Improvements	187,587		104,100		627,935	
Electric & Water Utility	1,608,011		1,658,517		1,707,984	
Refuse Utility	116,099		142,884		181,768	
Sewer Utility	49,524		49,888		250,000	
Theatre Enterprise	51,805		65,724		64,786	
Wireless Utility			202,371		252,371	
Totals	3,008,503	24.642	3,188,381	26.713	4,352,243	183,791
Less: Transfers	486,000		730,000		966,582	
Net Expenditure	2,522,503		2,458,381		3,385,661	
Total Tax Levied	179,127		182,254		XXXXXXXXXXXXXXXX	
Assessed Valuation	7,269,555		6,822,704		6,176,084	

Outstanding Indebtedness, January 1:

	2001	2002	2003
G.O. Bonds			0
Revenue Bonds			0
Other			400,000
Lease Purchase Principal			0
Total	0	0	400,000

*Tax rates are expressed in mills.
Mary P. Lange, Clerk



CANDICE WIESE waits for Governor Sebelius to autograph a memento for her.

Miss Kansas honored

Candice Wiese, Miss Kansas Pre-Teen 2003, St. Francis, recently met with Gov. Kathleen Sebelius.

Meeting, visiting and having her picture taken with the governor was one of the privileges of being Miss Kansas.

"It was a great experience — one that I will remember for a lifetime," Candice said.

While she was at the Capitol, she was surprised to meet up with Ashley Crane, Junior Queen of Kansas.

Candice was selected as Miss Kansas Pre-Teen at the annual American Coed Pageant, which was held June 11 through 14 at the Hyatt Regency in Wichita.

RESIGNS

Continued from Page 1

Mr. Hoffman said that is was important that there be some funds set aside so when a necessary but unexpected expense came up, there were funds to cover it. This had been a problem several years ago when the hospital roof was leaking and there was no money to re-roof it.

Another comment Mr. Hoffman made about expenses was that when volume (the number of people using the hospital) was down, the expenses were also down.

Director's report

Jackie John, area director for Great Plains Health Alliance which leases the hospital, reported that the 2002 Cost Report Settlement from Medicare had left the hospital in a great cash position. The bills are being paid and the year-to-date loss has been better than last year. This year, the net profit loss was \$59,174 compared to \$250,249 last year.

"Medicare contractual was better than budget but Medicaid contractual was worse," Mr. Lacy pointed out.

In fact, Director John said the hospital had actually made money (\$20,704) this year compared to the loss of \$40,631 last year.

In other business

In other business:
• There have been fewer patients than expected using the hospital the first of July, however, the hospital staff has been able to meet its needs

without board funds. Patients seeing specialists have been fairly steady this month. Administrator Lacy reported that on the day of the meeting, the hospital had been very busy.

• The clinic contractor's "punch list" was being whittled down and the company wanted to be finished and paid by the night of the board meeting. However, board members had several suggestions that needed to be completed. The board is holding \$20,000 until the work is completed.

• The architects for the projects of both the clinic and the hospital wanted their money. Concerning the clinic, the board was still holding \$7,378. The architects also wanted up to 80 percent of their work done on the hospital remodeling and addition which would amount to \$69,988 but when 80 percent of the cost of the project was figured, the company was asking for more than the board had agreed to. The payment to the architects was talked until the administrator could talk to the architects.

• The administrator presented plans for the Community Development Block Grant to the board. He had also informed the commissioners of similar plans. An article on this grant appears elsewhere in this issue.

Next meeting

The next meeting of the board will be changed from Aug. 21 to the 20th with the meeting starting at noon.

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Published in The St. Francis Herald, St. Francis, Kansas, Thursday, July 24, 2003 (30)

NOTICE OF BUDGET HEARING

The governing body of Cheyenne Co. Cemetery District, No. 2, Cheyenne County will meet on the 4th day of August, 2003 at 1:00pm M., at Cheyenne County Courthouse for the purpose of hearing and answering objections of taxpayers relating to the proposed use of all funds and the amount of ad valorem tax.

Detailed budget information is available at Cheyenne Co. Clerk's office and will be available at this hearing.

BUDGET SUMMARY

Proposed Budget 2004 Expenditures and Amount of 2003 Ad Valorem Tax establish the maximum limits of the 2004 budget. Estimated Tax Rate* is subject to change depending on final assessed valuation.

Fund	2002		2003		Proposed Budget 2004	
	Prior Year Actual Expenditures	Actual Tax Rate *	Current Year Estimate of Expenditures	Actual Tax Rate *	Expenditures	Amount of 2003 Ad Valorem Tax
General	22,688	1.100	54,845	0.96	65,136	23,782
Totals	22,688	1.100	54,845	0.96	65,136	23,782
Total Tax Levied	24,018		23,828			
Assessed Valuation	22,451,068		26,832,216		23,782,757	

Outstanding Indebtedness, January 1:

	2001	2002	2003
G.O. Bonds			0
No-Fund Warrants			0
Lease Purchase Principal			0
Total	0	0	0

* Tax Rates are expressed in mills.
Kaye Osborne, Clerk

2003 Non-Welded Hobo Class

DEMOLITION DERBY

Sat., Aug. 9 • 7 p.m. CST

Cheyenne County Fairgrounds - St. Francis, KS

Entry Fees: •Driver & 1 Pit Crew - \$50 •Pit Passes - \$13
•Grandstand - \$6 •Under 12 - \$4

For information call
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