



COLBY FREE PRESS

Council denies state's viaduct request

By JAY KELLEY
Colby Free Press
In a unanimous vote, the Colby City Council decided Monday night not to enter into a \$50,000 agreement with the Kansas Department of Transportation to remove the railroad viaduct on north Range Avenue.

"With all of the questions, I don't see how we can do this," said Mayor Warren Hixson.

"We have questions, Kyle Railroad (the owners of the track) has questions and the public has questions," the mayor said.

City Manager Carolyn Armstrong told the council the state had not sent any plans, but they

had sent a request for \$50,000, plus all of the city's right-of-ways.

"I recommend we do not approve the request," Armstrong told the council.

State Rep. Jim Morrison was also on hand, recommending the council "hang tight."

Some questions included whether or not the current tracks would be elevated to road level and, if not, what would be done about drainage.

The council directed Armstrong to draft a refusal letter to the state and Morrison asked that he and Sen. Stan Clark be kept "in the loop" on the correspondence.

"I want them to know we are aware," he said.

The council also sent a contract recommendation for a fixed base operator at the airport back to the airport board with instructions not to exceed the budget from Hixson.

Airport board chairman Paul Steele recommended a contract increase for operator Mark Ostmeyer from \$2,200 to \$2,600 per month and another increase in June of 2002 to \$2,730 per month. In addition to fueling planes, Steele said Ostmeyer's duties included care and upkeep of airport property and keeping track of Federal Aviation Administration reports.

"I'm sorry to report that the airport is an expensive proposition," said Steele.

After a 10-minute executive session for personnel matters, the council unanimously decided to send the matter back to the airport board.

The council also approved contracts with Thomas County to provide rescue, hazardous materials and communications, along with fire protection for District No. 3. Armstrong said the county had already approved the contracts.

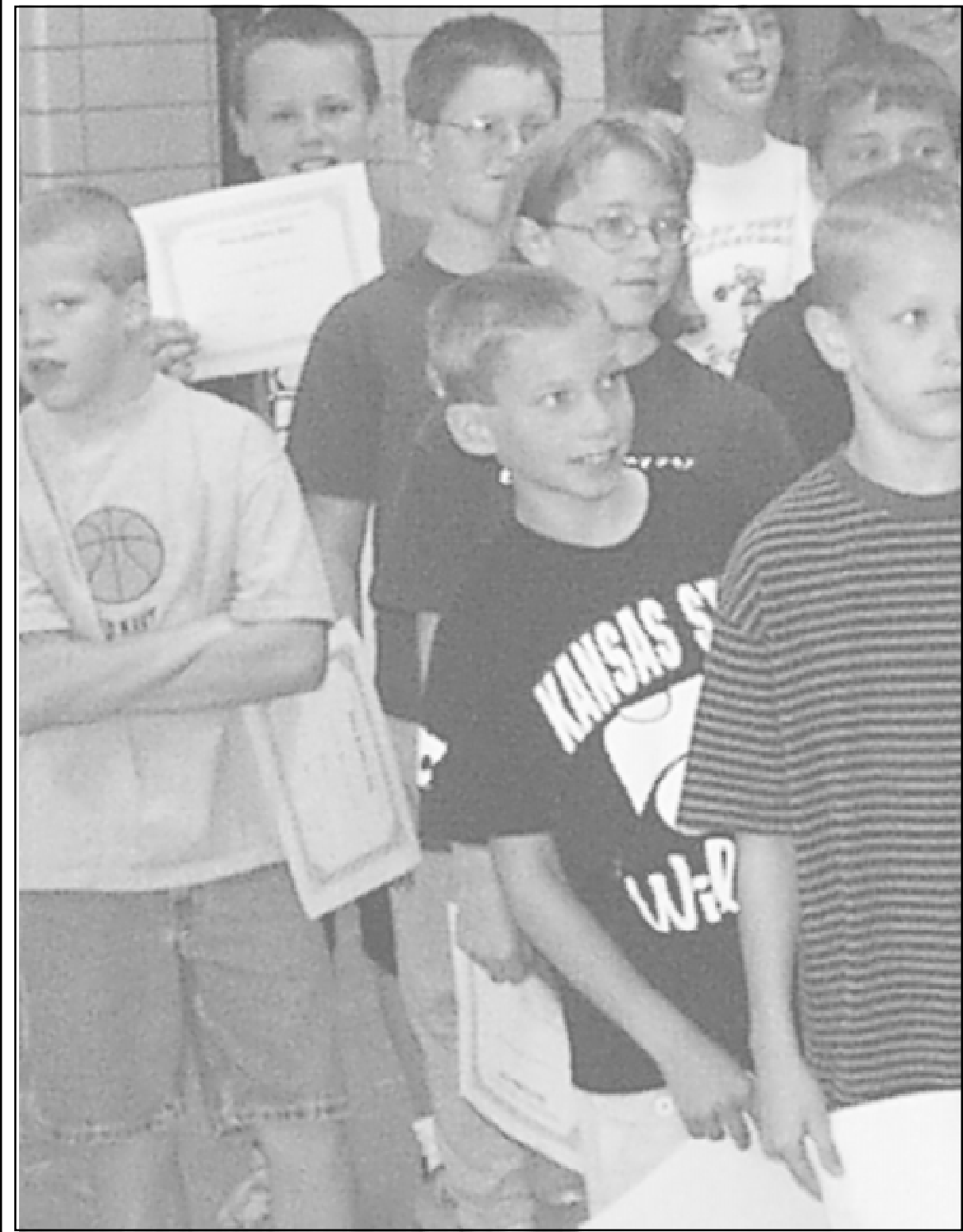
District No. 3 remained at 1 1/2 mills, and the percentage remained the same for the communications contract, Armstrong told the council. The city's charge for rescue and hazardous materials services went up from \$9,000 to

\$12,000 per year, primarily due to new rescue equipment and plans to replace an aging rescue truck.

"The commissioners were very happy with the contracts," Armstrong said.

The council also approved moving the bid openings for new airport lighting from Friday to June 8; received a report on the traffic signal bids for Range and Zelfer Avenues, but made no decision (the lowest bid was \$45,000 above the maximum); and conducted a 20-minute executive session on litigation concerning City Hall. No decisions were made after the session.

Success sparks smiles



JAY KELLEY/Colby Free Press

Seventeen students in Colby Elementary School's fifth-grade class received awards for being in the 85th percentile in math and reading in state testing. In addition, Principal Becky Holtwick said all of them maintained a B+ average or better. Here, Aaron Morton, Elizabeth Barnes, Jenny Dickman, Kahle Phillips, Cody Wark and Bryan Brewer looked on during the awards. Others receiving the honors were: Nicholas Carlson, Chase Keller, Chelle Shoemaker, Austin Taylor, Josh Baden, Emily Geschwentner, Phillip Bullington, Jordan Erickson, Curtis Fulwider and Lissa Mazanec.

School board votes 3-2

Proposed parking lot lease agreement shot down

By PATTY DECKER
Free Press Editor

The Colby Board of Education voted down a proposed lease agreement requested by Colby Medical and Surgical Center for use of the lot north of its building.

Colby Superintendent Kirk Nielsen said he was approached about the lease by officials of the clinic and the contractor, Mike Woofter, who is in charge of the expansion project currently underway at the facility.

Nielsen said he followed up by having the school's attorney, John Gatz, draft a proposal for the lease agreement.

According to Nielsen, the clinic is wanting to lease this property from the school district for the next 10 years and make improvements by paving and striping that area to be used as a parking lot for patients. In addition, the terms of the lease would allow for district personnel to access the fiber optic cable under that lot, if necessary, and design it so as to make it a convenient "drive through" for school ve-

hicles.

Prior to the board voting it down, Board President Stan Molstad said he believed there was no reason to lease the property.

"We should just skip the lease," he said, "and allow them to use the lot as they have for the past 30 years. It makes no sense to do this and with a lease it would be more restrictive to the district than without one."

Board member Gary Walker agreed with Molstad, adding that he believed there is a "gentlemen's agreement" in place, and if the clinic wants to pave it, he sees no reason why they can't or shouldn't do so.

Gerry Fulwider, another board member, said he thought the board should show more courtesy and at least consider the lease since many people spent time looking into the matter.

"I just think it's (a lease agreement) too restrictive," Molstad said, to which board member Bill Miller questioned, "What's so restrictive about it?"

In response Molstad said he was concerned about the bus access, along

with neighbors, teachers, and students parking in the lot. One implication being that if the clinic had the lease, they could restrict who could or couldn't park there.

"I don't know why we need to encumber these good neighbors (the clinic) by charging them for something we have always been able to agree on," he said. "I think a lease agreement would be a waste of time."

"I think we should do away with the lease idea," he said.

The motion to consider a lease agreement failed by a vote of three in favor, two against. Those in favor included Miller, Fulwider and Holloway with Walker and Molstad the dissenting votes. Board members Cindi Kriss and Cathy Gordon were absent.

Since the motion failed to pass, Nielsen said he would talk with clinic officials and the contractor about the decision adding that the board said it had no problem with the paving project and no plans to change the way the (unwritten) agreement has been in the past.

New state law contains tougher penalties for drunken driving

By JOHN MILBURN
Associated Press Writer

TOPEKA (AP) — In a rare end-of-May event, Gov. Bill Graves signed a bill strengthening the state's drunken driving laws by increasing fines and jail time.

Graves was joined at a Statehouse ceremony Tuesday by Attorney General Carla Stovall and members of her Far-Reaching Alteration of Traffic and Alcohol Laws, or FATAL, Task Force.

The governor said the law reflected continued efforts to maintain and enhance the quality of every Kansan.

Stovall said the law was the culmination of three years of work by her

task force. The result will be "holding DUI offenders accountable for their actions," she said.

The new law also will permanently revoke the driver's license of anyone who fails a blood-alcohol test for the fifth time.

"After a period of time, it will say to them that there comes a point when the state will not give you your driver's license back and doesn't allow you to drive again," she said. "And that's an important lesson."

The new law increases the penalties for convictions. A person convicted of four or more DUIs would spend at least 72 hours of a minimum 90 days in jail;

the remainder could be served in a work program.

An offender then must complete a drug or alcohol treatment program and yearlong aftercare program. Violating conditions of the treatment programs would result in up to six months in jail.

Penalties increase for all convictions. The minimum fine for a first offense increases from \$200 to \$500; a second offense, \$500 to \$1,000; a third offense, \$1,000 to \$1,500; and a fourth offense and beyond, \$1,000 to \$2,500.

In addition, judges now can consider all previous DUI convictions when determining fines, jail time and suspensions.

New bus in college's future; resignations accepted from five instructors

By MAXINE NELSON
Colby Free Press

A new bus is in Colby Community College's future. The board of trustees, at their Tuesday night meeting, voted to order a 2001 Goshen Sentinal bus from Intermountain Coach of Colorado Springs, Colo. The bid was \$82,603.

Ken Johnson, dean of fiscal affairs, will solicit bids from area lending corporations with the view to a lease/pur-

chase arrangement.

The bus will need to be manufactured, and will not be ready until September, so it will go on the next fiscal year's business.

Resignations were accepted from Bruce Dye, of the business department, who will be taking a graduate assistantship at North Texas State; Jim Hafeman, criminal justice, for family reasons; Barry King, of the radio department; Jamie Lane, judging coach,

who is accompanying her husband who has business connections in Montana; and Darci Wederski, in the nursing program.

A request for early retirement was accepted from Roger Hale, for health reasons.

In other business:

- The board agreed to allow the swim club to proceed with making plans to install two starting blocks at the south end of the college pool, on

either side of the diving board. The plans are to be checked by the college's architect, Glen Strait, and must be approved by the board before construction is started.

The blocks will involve cutting a hole into the concrete so the blocks can be inserted. It will be possible to remove the blocks when not needed, and a lid will fit over the hole in the concrete.

- Dr. Mikel Ary, college president,

said he had been in touch with Kenneth Mitchell in Washington state, who will be painting a mural for the Bedker Memorial Complex commons area this summer. Mitchell had sent one set of proposed drawings, and the other set should be here in time for the next board meeting. The board will then choose between the two proposals, and Mitchell will begin the painting in mid-June.

- Ary said one of the college cars, a

1985 or 1986 model with 126,000 miles, had hit a deer and was badly damaged. Book value is \$6,100, and it will cost that much or more to repair.

Ary suggested totaling out the car, and replacing it next year. The board agreed.

- The board went into a 30 minute executive session to discuss negotiations, followed by 15, 10, and five minute sessions. Upon returning to open session, they took no action.

Briefly

Weather: Near record lows

If the National Weather Service is correct in its forecast for the Colby region, don't look for any kind of warm-up anytime soon. Tonight, partly cloudy, near record low temperatures of 35-40 and north winds 10-20 mph, decreasing to 5-10 mph late. Thursday, partly cloudy, cool, high 60-65, breezy northwest winds 15-25 mph, turning to the northeast. Thursday night, partly cloudy, again near record low temperatures of 35-40. Friday, partly cloudy and cool, high 60-65. Colby's high Tuesday was 72 and the overnight low was 40, warming to 54 by 8 a.m. Precipitation remains at 2.38 inches for the month.

The soil temperature at the 4-inch depth is averaging 65 degrees. The records for May 23: 98 in 1939 and 29 in 1893. (The daily temperatures, precipitation and records are pro-

vided by the Northwest Kansas Research-Extension Center, Colby.)

Commodity handout continues

United States Department of Agriculture commodities are still available. If you missed the distribution on May 21, please call the RSVP Office in Colby at 462-6744 to make arrangements for pick up, according to those involved in the distribution.

Gulf War health meeting set

The Kansas Commission of Veterans Affairs will hold a public meeting on Gulf War-related issues at 7 p.m. Thursday in the Colby Community College Student Union. The

meeting will provide current information on health problems reported by Gulf War veterans and results of a study of Kansas veterans. The state-sponsored public meeting will provide up-to-date information on what is known about these conditions and information on available government programs and benefits.

No Free Press Monday

The Colby Free Press will not publish on Monday, May 28 in observance of Memorial Day. "We are taking the day off to be with family and friends," said Tom Dreiling, publisher. "However, because of the nature of our business, any activities of general community interest over the holiday weekend will be recorded and published in subsequent issues," he said.

Normal hours, 8-6, will resume Tuesday, May 29.

Mud volleyball contest next month

There will be a Youth Mud Volleyball contest beginning at noon, Saturday, June 2 behind the Jaycee Center. The event, which is sponsored by the Colby Jaycees, is open to all young people and registration is \$5 through Friday, June 1. For information or to register, call Lori Haberer, 4462-6557 or 462-9011 or Doug Lewis at 462-3627.

Washington D.C. trip meeting today

A mandatory meeting for Colby Middle School 8th graders planning to go to Washington, D.C., is today in the Colby Middle School cafeteria at 6 p.m. Parents For those unable to attend, call Ray Higley at 465-5200.

