



COLBY FREE PRESS

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Proposed youth center progressing

By John Van Nostrand
Colby Free Press

A committee overseeing the development of a youth center in Colby will look inside themselves to see what should be inside the facility.

"At our next meeting we will focus on what role religion and doctrine will play in the bylaws," said Todd Stramel.

Those interested in serving on the youth center's executive board met Monday.

Stramel, who has organized the efforts for opening a youth center, said the committee is in consensus the center should have some level and display of spirituality.

"As was mentioned at the meeting, just because the bylaws may be very doctrinal, that doesn't mean that the physical facility itself will be overly religious, doctrinal," he said.

Stramel is confident the committee will agree on the center's mood.

"We are pretty much on the same page. We have a good group. I knew that was going to be a hurdle but not as much as I thought."

The committee will review bylaws and mission statements from similar organizations to create their own bylaws and mission statement. A mission statement created at a previous meeting emphasized a safe place for Thomas County youth to be entertained under a Christian atmosphere.

Stramel said there are 10 people on the Colby board and room for up to three more.

"We don't have a set number, but we can't let this get too big," he said.

One person who volunteered for the board is Jada Tubbs. She said her interest in the project is about what

it can do for Colby.

"This is beneficial to a lot of the community," she said.

"And I would like to make this a positive aspect of our community."

Not only did the committee discuss mission statements, seven other committees were created; fundraising, finance, publicity, architecture, volunteer staff support, maintenance and student.

Stramel said the committee listed four potential locations for the facility but did not disclose any details. Stramel said one property owner who was informed of the center wants to know more about the center before continuing negotiations.

Stramel said approving amenities and mission statement is also important for fundraising, let alone location.

"We can't go out for funds yet and we still need to form a budget. We can't go out and ask for people's money before knowing how it will be spent."

The committee will meet March 27 and Stramel hopes meetings will be held weekly after that.

"We are moving along well," he said. "Once we get a location found we will be in another gear and move forward even more."

Tubbs agreed. "It's starting to come together. We have some great ideas," she said.

For more information about the committee and proposed center, Stramel can be reached at 460-3222.



J. Tubbs

College auction Friday



TISHA COX/Colby Free Press

Bonnie Cope of Colby tried out a couch at the Colby Community College student union today. The school is having a sale of used furniture, computers and more. The sale will be open to the public starting at 10 a.m. Friday.

Former hospital director settles

By Jan Katz Ackerman
Colby Free Press

A lawsuit involving former Citizens Medical Center Administrator Michael E. Boyles and officers of a special interest group has been settled in a federal court in Wichita.

Boyles sued John Kern, Henry Vette, Carol Voisin and Dennis Horney, who died last November, claiming they made false and defamatory statements about him after he was charged with battery of his son, James, in July 2003.

Boyles was charged with the

Class B misdemeanor after he hit the boy in the face with a towel while the two were at their home when they lived in Colby. He entered a 1-year diversion agreement in that case.

According to court documents filed Sept. 24, 2003, in Thomas County District Court, Boyles sued Kern, Vette, Voisin and Horney claiming they told people he "misrepresented managerial issues" at the hospital and circumvented the trustees' bylaws. He also claimed he was "inconsistent and unfair" in application of standards and poli-

cies to doctors, was "irresponsible and unethical" and "leading the hospital to financial ruin."

Boyles also claimed they were responsible for circulation of a memo he "made threats to one of our physicians" and is "seen on hospital grounds or in the vicinity of any children, call 911 to avoid any further confrontations."

Boyles dropped the case he filed against the four officers of Area Citizens for Health Care because he is no longer a resident of Kansas. Now a resident of Rangely, Colo., where he is administrator of Range-

ly Hospital District, Boyles' attorney, Larry G. Michel of Salina, filed the case in federal court.

Michel said today after Boyles and the three surviving defendants entered into a settlement an order of dismissal in the case was filed Wednesday and the "case is closed."

"I'm glad to be done," Boyles said today, "but I'm frustrated because it drug on so long."

Having asked for more than \$75,000 in damages, Boyles settled

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Attorneys testify no conflict of interest in Pabst civil case

By Jan Katz Ackerman
Colby Free Press

An unexpected turn of events means Tod A. Pabst's civil trial against the state will be finished in one day rather than two.

After a brief recess Wednesday, District Judge Glenn Schiffner announced both sides had agreed to file closing arguments in writing and the trial ended.

Originally scheduled for two days, Schiffner dismissed everyone.

Despite efforts by Pabst's attorney, Richard Ney of Wichita, neither Assistant Attorney General Steven Maxwell or attorney Pedro Irigonegaray, both of Topeka, would not testify it was a conflict of interest for Irigonegaray to represent the state and the family of Pabst's victim at the same time.

"I was in absolute control of (the criminal) case," Maxwell said. "There wasn't anything (Irigonegaray) did in either the first or second trial which I wasn't in

control of."

Ney tried for hours in direct and cross examination to get either attorney to say a conflict of interest existed by Irigonegaray representing Travis and Sara Oliver in civil cases against Pabst while he assisted Maxwell in trying Pabst for the murder of Sara Oliver's sister.

Oliver's sister was Phoebe Harkins, Pabst's fiancée who he was convicted of killing in the Colby home they occupied with their 3-year-old daughter.

Sara Oliver and her husband sued Pabst for custody of the child, a case often associated with the law com-



Irigonegaray



S. Maxwell



Tod Pabst

monly known as Phoebe's Law.

That law causes a parent's rights to be terminated if one parent kills the other parent of a child.

Assistant Attorney General Jared

"I was in absolute control of (the criminal) case. There wasn't anything (Irigonegaray) did in either the first or second trial which I wasn't in control of."

Steven Maxwell,
assistant attorney general

Maag defended the state saying Kansas law allows a victim's family to hire a private attorney to assist prosecutors in criminal cases such as the one in which Pabst was involved.

But Ney relentlessly tried to show a conflict interest.

Maxwell testified there was no information from the civil case which influenced the criminal case or vice versa. He said the second criminal trial against Pabst was a "mirror image" of the first.

"For lack of better words," Maxwell said, "it was a paint by number situation."

Pabst was tried twice for Harkins' death. His first conviction was overturned in 2000 after the Kansas Supreme Court ruled prosecutors made prejudicial remarks against Pabst during his trial.

Tried and convicted a second time, Pabst was sentenced to a prison term of 25 years Sept. 1, 2000, and is in Lansing Correctional Facility.

Pabst's lawsuit also hinges on Pabst's claims legal counsel he had prior to Ney missed statute of limitation deadlines for filing motions in the case thus causing him due process violations.

Pabst also claims his conviction should be set aside because of an alleged banking relationship between Hawkins' late father and an agent with the Kansas Bureau of Investigation.

He questions the credibility of a doctor who performed Hawkins' autopsy.

Maag argued Pabst's repeated effort to get his conviction overturned was "abuse of the judicial system."

While not all of Pabst's claims were addressed during the hearing on Wednesday, Schiffner plans to rule on them after he reads briefs from both sides.

Schiffner gave Ney a deadline of 30 days from Wednesday to file final briefs and closing arguments.

He gave Maag 30 days to answer Ney's filings, then Ney has another 15 days after that to file reply to the state's position before Schiffner will issue a final ruling in the case.

Should the ruling be against him, Pabst has the right to appeal Schiffner's ruling to the Kansas Court of Appeals.

Colby School District budget \$42,000 better than expected

Spending, state funds improve bottom line

By Tisha Cox
Colby Free Press

Because of conservative spending and increases in state funding this school year, the Colby School District has an extra \$41,719.

The board discussed the matter at its meeting Monday.

District Financial Officer Jo DeYoung explained the additional funds.

The district publishes its budget each August and makes low estimates so it

doesn't overspend. Also an increase enrollment in areas like special education provides more funds.

"We usually end up with more money than we did in August," she said. "This happens to us hopefully every year," DeYoung said.

In other board news...

High School Principal Rocky Robbins said the majority of state assessments will be over this week.

The school will be holding its annual American Red Cross blood drive March 29.

Middle school Principal Robb Ross said eighth graders will be visiting local businesses to learn about jobs.

The sixth graders are headed to the



J. DeYoung



G. Koenig

Northwest Kansas Technical College career fair this month.

Grade school principal Terrel Harrison said the grade school is gearing up for its Parent-Teacher Organization reading carnival on Friday.

Activities Director Jeff Quenzer reported spring sports practices have begun. The state large group music festival will be held at the high school Thursday, April 13.

Superintendent Kirk Nielsen reminded the board the spring Kansas Association of School Boards' spring conference is coming up.

He also said Colby City Manager Carolyn Armstrong will be at next month's meeting to talk about getting an easement from the school district.

The city would like to install new power poles, but needs to talk to the district first. "It's our property and they're getting the easement," Nielsen said.

The board approved:

• Emergency substitute license for Becky Leinen.

• The resignations of high school English teachers Greg Koenig and Jaime Koch; high school science teacher Korbin Koch; high school assistant principal/activities director Jeff Quenzer; high school vo ag teacher Mike Wetter and copy center clerk JoAnn Minchow.

• Supplemental contracts for Kathy Elliott, assistant high school softball coach; T.J. Scholz, assistant high school baseball coach and Jordan Sharp, assistant high school boys tennis coach.

The board also held two 30-minute executive sessions to discuss personnel issues. No action was taken.