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Break in weather makes for good harvest days



Harvest weather has returned for most dryland fall crops, and Marvin Farmer, an employee at Kansas State University's Colby Branch Research Station, took advantage of the sunshine to bring in some of the sunflowers along U.S. 24 west of town this morning.

VERA SLOAN/Colby Free Press

Appeals court to set up shop at courthouse

By Kevin Bottrell

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Last year, a panel of three judges from the Kansas Court of Appeals came to Colby to hear appeals cases in western Kansas, and the judges liked it so much, they're doing it again.

Judges Stephen Hill, Nancy Caplinger and Steve Leben will be hearing cases at the Thomas County Courthouse on Tuesday and Wednesday. The docket includes 15 cases, with several criminal appeals, a civil case involving a trust fund dispute and a divorce. The cases are all from counties in western Kansas, including Finney, Ellis, Sherman, Norton and Ford, but none from Thomas.

The judges will hear cases starting at 9 a.m. Tuesday and will continue at 1:30 p.m. that afternoon and again Wednesday morning.

Thomas County Court Reporter Marilyn Bailey said the public is welcome to attend. Last year, several classes from Colby Community College and Colby High School sat in on some of the cases.

Bailey said last year was the first time that judges came to Colby. The area has enough cases in the area to warrant sending three judges rather than have dozens of lawyers make the trip to Topeka. Last time, the judges were Henry Green, Michael Buser and Patrick McAnany.

The 12-judge Kansas Court of Appeals typically sits in panels of three to hear cases, and normally in Topeka. The judges decide to uphold or overturn the verdict of a lower court based on writ-

ten briefs — submitted before the hearing — and oral arguments from each party's attorneys. Decisions are not made at the hearing, Bailey said, but discussed and handed down later. They may be appealed to the state Supreme Court.

Appeals judges are nominated by the Supreme Court Nominating Commission and then appointed by the governor. All three judges coming here were appointed under Gov. Kathleen Sebelius.

Hill, who has been on the court the longest of the three, will serve as the presiding judge for the hearings. A native of Fort Scott, he attended the University of Kansas and Washburn University School of Law in Topeka. He was in private practice for many years and served as the Linn County attorney. He was appointed as a district court judge in 1982 and named to the Court of Appeals in 2003.

Caplinger is a native of Tipton. She also earned her law degree from Washburn. She served as a research attorney for the state Supreme Court and a law clerk with the U.S. District Court in Wichita. She has been in private practice as a defense attorney and as appellate coordinator for the U.S. Attorney's office. She was appointed to the appeals court in 2004.

Leben joined the court in 2007 after a 14-year tenure as a district judge in Johnson County. Before that, Leben, a native of Eureka, practiced law in Kansas City. As a district judge, he presided over several cases that garnered national attention, including the murder of a Kansas State University student in 2002.

Flu symptoms keeping many kids at home

TOPEKA (AP) — A lot of students are missing school and activities in Kansas as the flu strikes early and hard.

The state's first weekly report on absences caused by illness found that nearly 20 percent of the elementary schools and a quarter of middle schools and high schools had 10 percent or more of their students home sick during the week ending Oct. 9.

The information was included in the Kansas Department of Health and Environment's

weekly influenza report. The department began gathering data on absenteeism related to illnesses last week through county health departments.

In Colby, Superintendent Terrell Harrison said the district has been tracking the number of students absent with flu symptoms, but the figures change a lot each day. On Oct. 7, eight students were absent from the grade school, or about 2 percent of the student body; six from the middle school, also about 2 percent; and

14 from the high school, about 4.5 percent. However, Harrison said, the numbers the days before and after Oct. 7 were quite different.

In south-central Kansas, Arkansas City public schools spokeswoman Alisha Call said absenteeism districtwide is on average 15 percent above normal.

Call said she wasn't sure of the breakdown on the causes of absences.

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Fort Hays State University survey shows Kansas attitudes on the issues

By Dr. Gary Brinker

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When asked to have their say in a scientific survey conducted recently by the Docking Institute of Public Affairs at Fort Hays State University, Kansans spoke well of their home state and expressed confidence in the state's economy.

Asked about Kansas as a place to live, 64.2 percent rated it as either excellent or very good, while only 1.5 percent rated the state as less than fair. As for the state's economy, 42 percent rated it good and 32 percent fair. Only 16 percent thought the state's economy was in poor or very poor condition. However, even fewer — 11 percent — rated the Kansas economy as very good or excellent right now.

For the survey, Kansas Speaks, institute researchers surveyed 2,082 Kansans between May and August, producing results that should be accurate within plus or minus 2.9 percent.

Kansans weighed in on the topic of health care, perhaps the most hotly debated issue across the nation. Half indicated a strong desire for changes in the Kansas health-care system and an additional 33 percent said minor changes were required.

Women, members of ethnic minorities and lower-income respondents were more likely to report a desire for change. A majority, 56 percent, said they thought it was the responsibility of government to

make sure all Americans had health coverage, while 18 percent strongly disagreed.

"We want to give Kansans a voice," said institute Director Dr. Gary Brinker. "National polls regularly take the pulse of Americans on vital issues, but they rarely focus on issues of particular interest to Kansans, so the opinions of Kansans on many issues have remained mostly a matter of speculation. Until now, that is. The release of our first 'Kansas Speaks' survey will establish a baseline, and we will conduct a new scientific survey each year to see how the opinions of Kansans are evolving."

Some other results:

- Over one-fourth of respondents said they were "very concerned" about the degree to which economic conditions in Kansas threatened the welfare of their family, and a third said they were moderately concerned.

- Almost half, 47 percent, said they thought state spending should be decreased, 35 percent thought the current level was appropriate, and just 18 percent favored an increase.

- Asked about Kansas roads and highways, 65 percent rated them good or excellent with 93 percent saying they were at least fair.

- When asked about state support for developing various sources of energy, the strongest levels of backing were for wind energy, followed by so-

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Old building put to use again



KEVIN BOTTRELL/Colby Free Press

Work continued this week on the remodeling of the former fire station attached to City Hall. The roof of one of the truck bays collapsed in a snowstorm in 2003 and the fire department no longer uses the building. City Manager Carolyn Armstrong said that damaged bay, on the north side of the building, was torn down and the remaining bays will be used for storage once the work is done.

Briefly

Extension voting this week

Ballots for the Thomas County Extension Council election are available at the extension office, 350 S. Range Ave., Suite 16. All ballots must be submitted to the office by 5 p.m. Friday, said Extension Agent Clint Milliman. For information, call the office at 460-4582.

Students to give free massages

The Therapeutic Massage Department at Colby Community College plans public clinics on Wednesdays this month in Thomas Hall, Room 402. Cubicle massages are 30 minutes and chair massages 15, starting at 6:15 p.m., 7 p.m., 7:45 p.m. and 8:30 p.m. Massages will focus on feet Wednesday as well as on Oct. 28. Donations are accepted. To make an appointment or for information, contact Director Debra Waites at (785) 460-5427 or e-mail debra.waites@colbycc.edu.

No transit van Thursday, Friday

The Thomas County transportation van will not run Thursday or Friday because the driver needs to attend meetings. The van will run only from 10 a.m. to 4 p.m. on Friday, Nov. 6. For information, call County Clerk Shelly Harms at 460-4500.

Heartland Fall Festival Friday

Heartland Christian School's annual Fall Festival will begin with games and supper from 5 to 7:30 p.m. Friday. Soup will be served for a donation. A volleyball scrimmage will follow from 8 to 10:30. For information, call Deena Bandy at the school, 460-6419.

Food bank taking applications

Genesis-Thomas County food bank has forms available for families who will need food baskets

this holiday season. These can be picked up from 10 a.m. to noon and 1 to 4 p.m. on Wednesdays at the Genesis office, 350 S. Range Ave. Suite 13. Applications are due by Tuesday, Nov. 10. For information, call Genesis at 460-7930.

Veterans needed for list

The Colby Free Press will be publishing the American Legion and Veterans of Foreign Wars list of all area military veterans on Veteran's Day, Nov. 11. To be certain that we have the names of all Thomas County veterans, the Free Press would like all veterans or their relatives to please stop by the office, 155 W. Fifth St., or call 462-3963.

School scrapbooking day soon

Heartland Christian School will hold its fall scrapbooking day from 8 a.m. to 8 p.m. on Saturday, Nov.

7, at the school. Prices, meals included, are \$30 for adults all day or \$15 for half a day, or \$15 for students all day or \$10 for half a day. To register, call Lucy Wood at 460-2721 or Jeanne at 462-2999.

College pool open weekdays

The Colby Community College indoor swimming pool is open to the public for lap swimming from 5 to 7 a.m. and 11:30 a.m. to 1 p.m. Monday through Friday. Open swimming is from 4 to 7 p.m. Monday and Thursday, 4 to 8 p.m. Tuesday and Wednesday, 4 to 6 p.m. Friday and 1 to 5 p.m. Saturday and Sunday. Cost for general admission is \$3. Monthly and yearly passes are available. Call Kipp Nelson at 460-5476 for information.



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