

Weather Corner



**National Weather Service**  
**Tonight:** Partly cloudy, with a low around 22. South wind around 10 mph.  
**Tuesday:** Mostly sunny, with a high near 56. South wind between 5 and 10 mph.  
**Tuesday Night:** Mostly cloudy, with a low around 23. Southwest wind between 5 and 10 mph.  
**Wednesday:** Partly sunny, with a high near 48. Breezy, with a north wind 5 to 10 mph increasing to between 15 and 20 mph. Winds could gust as high as 30 mph.  
**Wednesday Night:** Mostly cloudy, with a low around 21.  
**Thursday:** Partly sunny, with a high near 42.  
**Thursday Night:** Mostly cloudy, with a low around 18.  
**Friday:** Partly sunny, with a high near 35.  
**Friday Night:** Partly cloudy, with a low around 16.  
**Saturday:** Mostly sunny, with a high near 38.  
**Saturday Night:** Partly cloudy, with a low around 17.  
**Sunday:** Partly sunny, with a high near 39.

Friday: High, 62; Low 24  
 Saturday: High, 43; Low 7  
 Sunday: High, 46; Low 13

Precip: Friday Trace  
 Saturday 0.00 inches  
 Sunday 0.00 inches  
 Month: 0.07 inches  
 Year: 18.22 inches  
 Normal: 20.34 inches  
 (K-State Experiment Station)

**Sunrise and Sunset**  
 Tuesday 7:56 a.m. 5:21 p.m.  
 Wednesday 7:57 a.m. 5:22 p.m.  
 (U.S. Naval Observatory)

City council says no junk cars in zone

From "JUNK," Page 1

saying the city should have the requirements in writing as specifically as possible. The planning commission worked hard on the changes, he said, and spent a lot of time at special meetings to finish them. Dickman said the current language doesn't specifically prohibit or allow junk vehicles in light industrial zones.

Taylor said he felt the fence requirement was reasonable and that many businesses put up a fence anyway.

One of the properties that will be affected belongs to Pete Stevens, who owns a lot where he stores junk cars. Stevens, who was at the meeting, told the council he had only bought the property to store the vehicles until he could get them crushed, and is not selling parts.

"I don't think I'm hurting anybody," he said.

Stevens said he felt he was being singled out. Armstrong said his property was not the only one where the issue has come up.

A motion to adopt the revised ordinance without the fencing and paving requirements passed 4-3. Beringer and councilmen Dave Voss, Tim Huttles and Omar Weber voted in favor while Taylor, councilwoman Bev Eicher and council president Jim Brown voted no.

In other business, the council:  
 • Approved hiring Indigo Design out of De Soto to design landscaping around the new pool. Armstrong said with the hilly terrain, it will help the city to have a topographical plan that includes trees, bushes and other landscaping so that, even if it can't get all the work done at once, there is a plan to go off of.

Miracle Equipment of Monette, Mo., is already designing playground equipment, which will be included in the design. Indigo will also have to make sure the design is handicapped accessible, she said.

Armstrong said nothing is in writing yet, but estimated the design will cost no more than \$2,000, likely paid out of the Capital Improvement Reserve Fund. Once the design is complete, the project will be open for bids.

• Approved an agreement with the Kansas Department of Transportation to resurface K-25 from the south city limits - near the Oasis Travel Center - through the I-70 interchange. Armstrong said the city is responsible for the design costs while the state will pay 75 percent of the construction

and inspection costs. The project won't be up for bids until May 2012. The road was repaved north of there this year.

• Heard an update on health insurance plan changes from Charles Krull of Blue Cross Blue Shield. The city will see a 5 percent increase in premiums this year, Krull said. This is below the national average, which he said is 8 percent. The increase are due partially to the new federal health care laws, Krull said.

One of these changes began Oct. 1 when the government began allowing children to stay on a parents' insurance plan until age 26 instead of 23. Krull said the company began leaving 23-year-old children on insurance plans in June. Anyone who turned 23 before that will have to be added back onto the plan at open enrollment in February, he said.

The council approved continuing the city's contribution to employee health insurance plans at 70 percent.

Krull said the city is able to keep its "grandfather" status, meaning the city will be able to keep its insurance plan mostly as-is and exempt from some of the new requirements. For example, the city doesn't have to provide some preventative care coverage such as for colonoscopies. Krull said the city already offers some preventative care coverage, however.

The city would lose grandfather status if it reduced its contribution, cut benefits or raised deductibles. Krull said the city has to keep its \$2,500 deductible plan for now, even though no employees are using it, because eliminating it would cause the city to lose its grandfathered status.

• Approved appointment of Richard Ress as municipal court judge for another year.

• Approved John Gatz as the city attorney for another year. Gatz asked for a pay increase for his assistant, who has handled some of the workload so that Gatz doesn't have to bill as much of his own time to the city. The council agreed.

• Approved a proposal from Mid-States Energy Works updating the power plant feeder and generator relays from mechanical relays to microprocessor relays. Armstrong said the mechanical relays are old. The work will cost about \$110,000.

Public Works Director Chris Bieker said the new relays will be compatible with the city's computer control system, which allows city workers to control some machinery from a central location.

Neighbors help Rexford family

From "REXFORD," Page 1

and struck a tree nearly head on. The tree may have stopped the semi from crashing into a nearby house.

The trooper said following the impact, the cab of the vehicle burst into flame. Petersen told rescuers he managed to get out of the semi, but heavy smoke and flames from the ignited diesel fuel prevented him from finding his son, who then was trapped in the cab.

The trailer remained intact, but little was left of the burned-out cab.

Duncan said Wathena firefighters rushed to the scene, as well as a Doniphan County District 1 ambulance from Troy and a LifeNet emergency medical helicopter from St. Joseph (Mo.) Rosecrans Memorial Airport, just a few miles to the east.

The air ambulance took Mr. Petersen to Heartland Regional Medical Center in St. Joseph. The trooper reported he had "disabling" injuries, including severe burns. His son's body was taken to the Harman-Rohde Funeral Home in Wathena.

The patrol's Critical Highway Accident Response Team unit was called to the scene. These officers perform forensic mapping at fatality accident scenes,

Trooper Duncan said.

A hazmat team was called to handle the large amount of diesel fuel spilled onto the ground in the open field.

Wathena Chief of Police Brian Walker said he was notified at home by a citizen of the crash and fire, initially thought to involve a semi-trailer truck and a car.

When he arrived at the site, just south of Highway 36 and the high school, Walker said, the firemen were laying out hose to combat the flames.

"At that time, you could still see the frame of the cab, but the fire was growing rapidly," he said. "One victim, the driver - Michael Petersen - was on the ground about 10 yards away from the crash site. He was being tended to by EMT Bob Rysler.

"It was apparent that he (Petersen) appeared to be alert, but had sustained some type of head injury. He kept repeating, 'My son is still in there.' Two truckers who had happened onto the wreck said he had indicated that the 2-year-old was in the sleeper."

One of the truckers said that he had been following Petersen's rig east through most of Doniphan County, but did not witness the actual crash.

Walker said as additional as-

sistance was arriving - Doniphan County Sheriff Jerry Dubach and Trooper Duncan - he began to search the immediate area in case the child had been ejected from the vehicle.

The ambulance arrived from Troy, but a decision was made to have Petersen transported by helicopter. Wathena Fire Chief Tony Libel and Police Officer Raymond Hall then established a landing site on the highway. Petersen was flown to the St. Joseph hospital, where he was examined and then admitted to the Intensive Care Unit, Walker said.

The police chief said once firefighters managed to extinguish the flames, only debris remained of the cab. Authorities then began sifting through the rubble and ashes for the boy's body.

"The front grill and brush guard of the cab apparently were knocked off (in the crash)," Walker said, "yet the vehicle plowed approximately 50 feet on the ground before it hit the tree.

"When the passenger side of the cab struck the tree, the impact broke the engine loose from its mounting and it came to rest about 10 feet from the wreckage. The vehicle's front axle also was ripped off and wrapped around the tree."

LOCAL TV LISTINGS

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Tuesday Evening		December 14, 2010									
	7:00	7:30	8:00	8:30	9:00	9:30	10:00	10:30	11:00	11:30	
KAKE/ABC	Dog for Christmas		No Ordinary Family		Detroit 1-8-7		Local	Nightline	Jimmy Kimmel Live		
KBSL/CBS	NCIS		NCIS: Los Angeles		The Good Wife		Local	Late Show Letterman	Late		
KSNK/NBC	Minute to Win It		The Biggest Loser				Local	Tonight Show w/Leno	Late		
KSAS/FOX	Glee				Local						
<b>Cable Channels</b>											
A & E	Billy	Billy	Billy	Billy	Storage	Storage	Storage	Storage	Billy	Billy	
AMC	Scrooged				Scrooged				Superman Returns		
ANIM	River Monsters		River Monsters		River Monsters		River Monsters		River Monsters		
BRAVO	Matchmaker		Matchmaker		The Fashion Show			Watch What Happens: Live			
CMT	Hazzard	The Dukes of Hazzard	Larry the Cable Guy						Mabe	Mabe	
CNN	Parker Spitzer		Larry King Live		Anderson Cooper 360				Larry King Live		
COMEDY	Tosh.0	Tosh.0	Tosh.0	Tosh.0	Tosh.0	Tosh.0	Daily	Colbert	Swardson	South Pk	
DISC	Dirty Jobs		Dirty Jobs		Auction	Auction	Dirty Jobs		Dirty Jobs		
DISN	Sonny	Deck	Hannah	Phineas and Ferb	Deck	Phineas	Phineas	Hannah	Hannah		
E!	Married	Married	Bridalplasty		Kendra	Kendra	Chelsea	E! News	Chelsea		
ESPN	E:60		Pre-Bowl	NFL Live	Quarterback		SportsCenter		NFL Live	NBA	
ESPN2	Wm. Basketball		NBA Coast to Coast				Quarterback		SportsNation		
FAM	Dr. Seuss'				Dr. Seuss'						
FOOD	Diners, Drive		Diners	Diners	Chopped		Ace of Cakes		Diners	Diners	
FX	What Happens				What Happens				Just Married		
HGTV	First	First	House	Estate	House	Hunters	For Rent	My First	House	Estate	
HIST	Ax Men		Third Reich				Hitler's Family		Ax Men		
LIFE	Reba	Reba	Different-Christmas				How I Met	How I Met	Frasier	Frasier	
MTV	16 and Pregnant		16 and Pregnant		16 and Pregnant		16 and Pregnant		16 and Pregnant		
NICK	My Wife	My Wife	Chris	Chris	Lopez	Lopez	The Nanny	The Nanny	The Nanny	The Nanny	
SCI	Cold Creek Manor		Identity				Phantom Racer				
SPIKE	Ways Die	Ways Die	Auction	Auction	Auction	Auction	Phowned!	Ways Die	Police Shootouts!		
TBS	Fam. Guy	Fam. Guy	Fam. Guy	Fam. Guy	Glory Daze		Conan		Lopez Tonight		
TCM	Private Screenings		Cabaret						A Matter of Time		
TLC	Cmas Lights		Invasion: Lights		Cmas Lights		Cmas Lights		Invasion: Lights		
TNT	Bones		Forbidden King				Southland		CSI: NY		
TOON	Nacho Libre		Tower Prep		King/Hill	King/Hill	Fam. Guy	Fam. Guy	Chicken	Boondocks	
TRAV	Mysteries-Museum		Mysteries-Museum		Ghost Adventures		Ghost Adventures		Mysteries-Museum		
TV LAND	Sanford	Sanford	Raymond	Raymond	Everybody-Raymond		Raymond	Roseanne			
USA	Law & Order: SVU		Law & Order: SVU		Psych				Burn Notice		
VH1	8 Mile				Basketball	Wives	Brandy	8 Mile			
WGN	Chris	Chris	How I Met	How I Met	WGN News at Nine		Scrubs	Scrubs	South Pk	South Pk	
<b>Premium Channels</b>											
HBO	Fast & Furious		Sherlock Holmes						Wishful Drinking	Real Sex	
MAX	Fighting	The Wolfman			Rollerball						
SHOW	Knowing				Dexter		Shameless	Inglourious Basterds			

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Wednesday Evening		December 15, 2010									
	7:00	7:30	8:00	8:30	9:00	9:30	10:00	10:30	11:00	11:30	
KAKE/ABC	Middle	Better	Family	Family	Cougar	Cougar	Local	Nightline	Jimmy Kimmel Live		
KBSL/CBS	Survivor: Nicaragua		Criminal Minds		The Defenders		Local	Late Show Letterman	Late		
KSNK/NBC	The Sing-Off				Law & Order: SVU		Local	Tonight Show w/Leno	Late		
KSAS/FOX	Human Target		Hell's Kitchen		Local						
<b>Cable Channels</b>											
A & E	Dog	Dog	Dog	Dog	Storage	Storage	Storage	Storage	Dog	Dog	
AMC	Independence Day						The Terminator				
ANIM	I Shouldn't Be Alive		I Shouldn't Be Alive		I Shouldn't Be Alive		I Shouldn't Be Alive		I Shouldn't Be Alive		
BRAVO	Top Chef		Top Chef		Top Chef		Happens	Top Chef	Happens	Happens	
CMT	Hazzard	Smoky Mountain					Cable Guy's Christmas Luau		Videos		
CNN	Parker Spitzer		Larry King Live		Anderson Cooper 360				Larry King Live		
COMEDY	Futurama	Futurama	Futurama	Futurama	Futurama	Futurama	Daily	Colbert	South Pk	Ugly Amer	
DISC	MythBusters		MythBusters		MythBusters		MythBusters		MythBusters		
DISN	Happy Feet		Deck	Deck	Phineas	Phineas	Hannah	Hannah	Hannah		
E!	Unsolved Crimes				E! Investigates		Chelsea	E! News	Chelsea		
ESPN	NBA Basketball		NBA Basketball				SportsCtr	NFL Live	SportsNation		
ESPN2	NFL Live	Pre-Bowl	30 for 30				SportsCtr	NFL Live	SportsNation		
FAM	Landing	Finding Nemo					The 700 Club		My Wife	My Wife	
FOOD	Diners	Diners	Diners	Diners	Chopped		Diners	Diners	Diners	Diners	
FX	Deck the Halls				Deck the Halls				Senseless		
HGTV	Property	Property	Celebrity Holiday		House	Hunters	Property	Property	Celebrity Holiday		

**American Profile**  
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HIST	American Pickers	Third Reich		Nostradamus Effect	American Pickers
LIFE	Reba	Reba	Kate & Leopold	How I Met	How I Met
MTV	16 and Pregnant		16 and Pregnant	The Challenge: Cutth	The Challenge: Cutth
NICK	My Wife	My Wife	Chris	Chris	Lopez
SCI	Ghost Hunters		Ghost Hunters	Ghost Hunters	Ghost Hunters Inter.
SPIKE	Ways Die	Ways Die	Ways Die	Ways Die	MANswers
TBS	Payne	Payne	Browns	Browns	Browns
TCM	Night-Dead			Moguls and Movie Stars	Bonnie and Clyde
TLC	Skin Killing Me		Untold Stories of ER	Bloody Tears	Untold Stories of ER
TNT	Bones		Bones	Bones	CSI: NY
TOON	Dude	Destroy	Regular	MAD	King/Hill
TRAV	Carnivore	Carnivore	Carnivore	Man, Food	Pasta Paradise
TV LAND	Sanford	Sanford	Raymond	Raymond	Hot in Cleveland
USA	Elf		Psych		Psych
VH1	Michaels	Let's Spend the Night Together		Celebrity Rehab	Celebrity Rehab
WGN	Chris	Chris	How I Met	How I Met	WGN News at Nine
<b>Premium Channels</b>					
HBO	Terminator Salvation			24/7 Penguins	24/7 Penguins
MAX	Cast Away			She's Out	
SHOW	Family That Preys		Inside the NFL	Jamie Kennedy	Inside the NFL
					Scream 3

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Judge strikes down part of health law

From "JUDGE," Page 1

others are pending, including one filed in Florida by 20 states.

White House health reform director Nancy-Ann DeParle said the administration is encouraged by the two other judges who have upheld the law. She said the Justice Department is reviewing Hudson's ruling.

The government had argued the Commerce Clause of the Constitution gives it the power to require people to buy health insurance or face a penalty.

Hudson sided with Virginia Attorney General Kenneth Cuccinelli, who argued the mandate overstepped the bounds of the Constitution. But he acknowledged his court will not be the last stop.

"This case, however, turns on atypical and uncharted applications of constitutional law inter-

woven with subtle political undercurrents," Hudson wrote. "The outcome of this case has significant public policy implications. And the final word will undoubtedly reside with a higher court."

The Department of Justice stood by its argument that Congress was within its rights to enact the law.

"We are disappointed in today's ruling but continue to believe - as other federal courts in Virginia and Michigan have found - that the Affordable Care Act is constitutional," said Justice Department spokeswoman Tracy Schmalzer.

The lawsuit was filed by Cuccinelli, a Republican, in defense of a new state law passed in reaction to the federal overhaul that prohibits the government from forcing state residents to buy health insurance.

Cuccinelli argued that while the government can regulate economic activity that substantially affects

interstate commerce, the decision not to buy insurance amounts to economic inactivity that is beyond the government's reach.

"This won't be the final round, as this will ultimately be decided by the Supreme Court, but today is a critical milestone in the protection of the Constitution," Cuccinelli said in a statement after the ruling.

Hudson, a Republican appointed by President George W. Bush, sounded sympathetic to the state's case when he heard oral arguments in October, and the White House expected to lose this round.

Administration officials told reporters last week that a negative ruling would have virtually no impact on the law's implementation, noting that its two major provisions - the coverage mandate and the creation of new insurance markets - don't take effect until 2014.

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