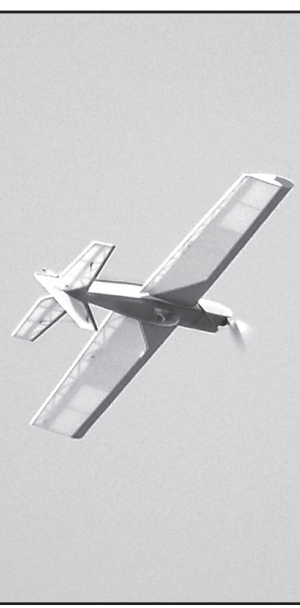


Weather



National Weather Service

Tonight: Clear, with a low around 48. Calm wind becoming southwest around 5 mph.

Tuesday: Sunny, with a high near 86. West wind around 5 mph becoming calm.

Tuesday Night: Clear, with a low around 52. East wind 5 to 10 mph becoming south.

Wednesday: Sunny, with a high near 90. Breezy, with a south wind between 10 and 20 mph, with gusts as high as 30 mph.

Wednesday Night: A 20 percent chance of showers and thunderstorms after 10pm. Mostly cloudy and breezy, with a low around 58.

Thursday: A 20 percent chance of showers and thunderstorms. Mostly sunny, with a high near 88.

Thursday Night: Mostly clear, with a low around 57.

Friday: Sunny, with a high near 89.

Friday Night: Mostly clear, with a low around 61.

Saturday: A 20 percent chance of showers and thunderstorms. Mostly sunny, with a high near 86.

Saturday Night: A 30 percent chance of showers and thunderstorms. Partly cloudy, with a low around 58.

Sunday: A 30 percent chance of showers and thunderstorms. Mostly sunny, with a high near 76.

Friday: High, 69; Low 38
 Saturday: High, 52; Low 38
 Sunday: High, 72; Low 42
 Precip: Friday None
 Saturday 0.10 inches
 Sunday 0.21 inches
 Month: 0.34 inches
 Year: 4.84 inches
 Normal: 7.21 inches
 (K-State Experiment Station)
Sunrise and Sunset
 Tuesday 6:30 a.m. 8:52 p.m.
 Moon: waning, 23 percent
 Wednesday 6:29 a.m. 8:53 p.m.
 Moon: waning, 16 percent
 (U.S. Naval Observatory)

County opens bidding on metal

From "COUNTY," Page 1

now (that) offers a fair price about two times a year when we need them. They've done us a favor and I want to help keep them in business."

Jumper went on to say that he has heard the company in Salina is known for picking through the good metal and leaving the waste behind. The waste can become a hazard and can become infested with vermin that make a home in the metal piles, he said, and that could draw a violation for the county.

He said this is how they are able to offer such a good deal, because they don't bother with the metal they can't sell or that causes them more work.

Jumper said he would take bids if the commissioners want him to, but advised against it, adding that if a new company doesn't uphold their end of a contract, then it will cost the county in possible violation fines or litigation.

"So, the last time it was bid out was 16 years ago," said commissioner Byron Sowers, "but the thing that concerns me is that we are a public agency."

Commissioner Paul Steele agreed, saying: "We'll be criticized if we reject a request to

bid." After the vote, commissioners told Jumper to prepare documentation for bid requirements and specific guidelines that need to be met for potential metal crushing companies to follow.

In other business:
 • The county received two sealed bids for a T500 motor grader at the landfill. Sowers Farms offered \$777.77, but the grader will be sold to DJM Transport LLC., which offered \$3,500.

• Two offers were made on a pickup at the landfill with about 240,000 miles on it. Rose Trucking offered \$300, but it will be sold to Wagoner and Sons for \$500.

• A representative from Seminole Retail Energy Services approached the commissioners with information about the natural gas market and requesting a chance to make a proposal after the county's contract with Oneok is up in July.

Jeff Younger said he could lock the county into a two-year contract as soon as the county gives him approval, adding that natural gas prices are at a 10-year low.

He said he could offer the county a standard contract of gas index prices from the Pan-

handle Eastern Pipe Line plus 40 cents.

"I don't want to dilly-dally around on this for too long," Christiansen said.

The commissioners agreed to act on the item on Monday after looking at Oneok's information.
 • Commissioners discussed the county's insurance plan for employees with Blue Cross Blue Shield representative Charles Krull. Nothing was decided. The item will be discussed again at 11 a.m. next Monday.

• The county clerk's office provided a printout of the ambulance fund which showed the county budgeted \$215,000 for revenue, but they now project about \$50,000 more that could potentially pay for an additional paramedic. The budget will need to be republished in November, said Clerk Shelly Harms.

• Daniel Blake of Options, a domestic and sexual violence crisis intervention service serving northwest Kansas, talked about a 2013 county donation. Christiansen said the county donated \$1,000 to the organization last year and an additional \$1,000 was donated from the Diversion Fund at the request of County Attorney Kevin Berens. Steele questioned some of the cost-per-day numbers the

agency provided and asked that Blake submit an annual financial statement.

From a worksheet provided, the shelter cost per day for a victim is \$571 and the cost to maintain a crisis line for women to call is \$459.

Blake said that last year, 27 domestic violence victims and six sexual assault victims received services in Thomas County. He said that in 2011, a total of 528 victims were served and to date in 2012, the agency has served 171.

"That's 171 too many," said Christiansen.

• Virginia Hopper gave an update on the Silver Haired Legislature, saying the program recently had a district meeting and members developed three ideas for bills this year. The most promising one, she said, will hopefully lead to creation of more adult day care centers to keep people out of nursing homes.

• County Attorney Berens received approval to make two donations from the Diversion Fund, which currently has about \$40,000. \$1,500 will be donated to the 2012 Youth Outdoor Skills Day and \$1,000 to Options.

Two local cases head to Court of Appeals

From "CASES," Page 1

court judge ordered that the prairie dogs, in lieu of being exterminated, be contained with a 90-foot vegetative barrier around the complex. Another district court judge, this time in Logan County, upheld the decision. A restraining order was issued against the use of aluminum phosphide to exterminate the prairie dogs.

Nearby landowners have claimed damages due to the prairie dogs, but the judges ruled that the county had not been able to show "reasonable probability of irreparable future harm."

According to the brief, one of the main issues of the case is whether or not the Kansas law requiring prairie dog eradication is trumped by the federal Endangered Species Act.

The Kansas law, K.S.A. 80-1201, says "The township board of any township in this state, at any regular or special meeting, is hereby authorized to purchase material and to employ one or more suitable persons to destroy prairie dogs, moles and gophers within the limits of such township, any material so purchased and compensation for such services to be paid out of the general fund of such township." Many townships have abdicated authority to county commissions, however.

Agreements between the Haverfields, Barnhardt and Fish and Wildlife make any elimination of prairie dogs the sole responsibility of the landowners. The agency could also authorize prairie dog control efforts if the population didn't fall below a certain

level. Logan County was not a party to these agreements.

The landowners say there is an irreconcilable conflict between the two laws, that the district court did not have jurisdiction over a federal program and that the defendant, the Logan County Commissioners, did not demonstrate that irreparable harm could be caused by the prairie dogs spilling over into nearby lands.

The defendants are arguing that the district court's injunction should be overturned and asks that they be allowed to continue extermination of the prairie dogs.

Hildyard v. Citizens Medical Center

The second area case involves a decade-long dispute between Dr. Hildyard and Citizens. The hospital had moved for dismissal, but the judge went ahead with the case. Citizens claimed to be immune from the anti-trust claims because its actions came from a decision by peer review boards, which are protected from legal claims. The hospital also took the position that bylaws do not constitute a contract, something that is expressly stated in the bylaws themselves.

Senior District Court Judge Jack Burr found in favor of the hospital on Nov. 5, 2010. On Nov. 24, Hildyard appealed the decision.

At the time, Kevan Trenkle, chief operating officer at Citizens Medical Center, said the judge's opinion "accurately reflects the entire proceedings, and his opinion simply affirms that Citizens Medical Center took the necessary and appropriate action to ensure that high-quality health care was provided to our patients ..."

Hildyard's attorney, Michael O'Neal of Hutchinson, who now is speaker of the Kansas House of Representatives, said after the decision that the case had always been destined for the appeals court, because both parties intended to appeal if the case didn't go their way.

O'Neal speculated that the case could even end up in the state Supreme Court.

At the time of the district court decision, O'Neal said it could take up to a year to get a decision on appeals. The process to get it to a hearing has taken nearly 18 months.

The case stems from an incident in 2002, where the hospital summarily suspended Hildyard's privileges after the hospital got a written complaint about his behavior. The complaint alleged that Hildyard had acted in a disruptive manner and used "offensive, profane, inappropriate or derogatory language" in front of patients.

Hildyard filed a lawsuit in the district court, which ordered that Hildyard be allowed a peer review hearing. The peer group review found Hildyard did engage in the disruptive conduct. Hildyard disputed the group's findings and filed the current lawsuit.

The dispute also reached the Kansas Board of Healing Arts, which at one point revoked Hildyard's right to practice medicine based on his behavior. He later agreed to a settlement which allowed him to keep his license. The board found for him, however, in several cases where substandard care was alleged.

Briefly

Methodist church to enroll kids for program

Enrollment for the summer youth program at the Colby United Methodist Church, 950 S. Franklin Ave., will be from 4 to 6 p.m. Tuesday and Wednesday. The program offers classes Monday through Wednesday each week from June 4 to July 3. It's open to children age 3 through fifth grade. For information, call Kim Barnett at 460-2761.

Rep. Huelskamp's staff to offer assistance

Rep. Tim Huelskamp's Kansas staff will hold "local office hours" from 11 a.m. to noon Tuesday at the Fireside Lounge in the Colby Community College Student Union. If you need help with federal agencies, including Social Security, Veterans Affairs or Medicare, the staff can help cut through the red tape. If you just want to relay your thoughts on the issues, feel free to stop by. The staff will then be in Oakley from 1 to 2 p.m. the same day at the Northwest Kansas Educational Service Center. For information, call Steve Howe at (785) 309-0572.

Economic Development to meet on Thursday

The Thomas County Economic Development Alliance board will meet at 8 a.m. Thursday at the Thomas County Office Complex, 350 S. Range Ave. For information, call Christy Rocca at 460-4511.

Prairie Museum features art club's work

The Prairie Museum of Art and History has a free exhibit by members of the High Plains Art Club up through the end of the month. Works include oils, acrylics, watercolors, mixed media and ceramics and subjects range from landscapes to portraits to flowers. Hours are 9 a.m. to 5 p.m. Monday to Friday and 1 to 5 p.m. Saturday and Sunday. Call Ann Miner at the museum, 460-4590, for information.

Library plans event to mark reopening

The Pioneer Memorial Library will reopen at 9 a.m. Friday. An open house with cookies and iced tea from 1 to 4 p.m. Sunday will show off the new look. For information, call Melanie Wilks at 460-4470.

College offering class for health students

The Colby Community College adult education and nursing departments are offering a free class for students studying for or considering health care professions from 9 a.m. to 5 p.m. next Monday to Friday, May 25, in the Rooks Room on the lower level of the library. It will focus on math, reading and study skills. For information or to register, call Adult Basic Education Director Nance Munderloh at (785) 460-4665.

LOCAL TV Listings Sponsored by the COLBY FREE PRESS

Tuesday Evening May 15, 2012										
	7:00	7:30	8:00	8:30	9:00	9:30	10:00	10:30	11:00	11:30
KAKE/ABC	Cougar	Cougar	Dancing With Stars	Private Practice	Local	Nightline	Jimmy Kimmel Live			
KBSL/CBS	NCIS	NCIS	NCIS: Los Angeles		Local	Late Show Letterman	Late			
KSNK/NBC	America's Got Talent			Fashion Star	Local	Tonight Show w/Leno	Late			
KSAS/FOX	Glee			Local						
Cable Channels										
A & E	Storage	Storage	Storage	Storage	Storage	Storage	Storage	Storage	Storage	Storage
AMC	Death Wish				Death Wish II					WarGames
ANIM	Frozen Planet		Yellowstone: Battle		Frozen Planet		Yellowstone: Battle			
BRAVO	Orange County Social		Housewives/OC		Pregnant in Heels		Housewives/OC		Pregnant in Heels	
CMT	National Lamp.				Blazing Saddles					Punk'd
CNN	Anderson Cooper 360	Piers Morgan Tonight		Anderson Cooper 360	E. B. OutFront		Piers Morgan Tonight			
COMEDY	Work.	South Pk	Tosh.0	Tosh.0	Tosh.0	Tosh.0	Daily	Colbert	Tosh.0	Work.
DISC	Deadliest Catch		Deadliest Catch		The Devil's Ride					The Devil's Ride
DISN	Good Luck Phineas and Ferb: The Movie		Phineas and Ferb: The Movie		Phineas and Ferb: The Movie		Phineas and Ferb: The Movie		Phineas and Ferb: The Movie	
E!	Khloe	Khloe	Khloe	Khloe	Eastwood		Chelsea	E! News	Chelsea	Chelsea
ESPN	SportCtr	NFL Live			Baseball Tonight		SportsCenter		SportsCenter	
ESPN2	30 for 30		30 for 30		NFL Live		SportsNation		Baseball Tonight	
FAM	Bring It On		Leap Year		The 700 Club		Prince		Prince	
FOOD	Cupcake Champions		Chopped		Chopped		Chopped		Chopped	
FX	Death at a Funeral				Death at a Funeral					Down to Earth
HGTV	Celebs	Million	White Room		Hunters	Hunt Intl	House Hunters World		White Room	
HIST	Pawn	Pawn	Swamp People		United Stats		Ancient Aliens		Pawn	Pawn
LIFE	Dance Moms		Dance Moms		Dance Moms: Miami		The Client List		Dance Moms	
MTV	16 and Pregnant		16 and Pregnant		16 and Pregnant		16 and Pregnant		Savage U	Pregnant
NICK	'70s Show	'70s Show	George	George	Friends	Friends	Yes, Dear	Yes, Dear	Friends	Friends
SCI	Fact or Faked		Fact or Faked		Dream Machines		Fact or Faked		Dream Machines	
SPIKE	Ways Die	Ways Die	Ways Die	Ways Die	Repo	Repo	Repo	Repo	Repo	Repo
TBS	Big Bang	Big Bang	Big Bang	Big Bang	Big Bang	Big Bang	Conan		Office	Office
TCM	Gun Crazy				Remember the Night					
TLC	Couple	Couple	Couple	Couple	Couple	Couple	Couple	Couple	Couple	Couple
TNT	NBA Basketball				NBA Basketball					
TOON	Level Up	Adventure	King/Hill	King/Hill	Amer. Dad	Amer. Dad	Fam. Guy	Fam. Guy	Chicken	Squid
TRAV	Mysteries-Museum		Mysteries-Museum		Mysteries-Museum		Off Limits		Mysteries-Museum	
TV LAND	Home Imp.	Home Imp.	Raymond	Raymond	Raymond	Raymond	Divorced	Cleveland	King	King
USA	Law & Order: SVU		Law & Order: SVU		Law & Order: SVU		CSI: Crime Scene		Necessary Roughness	
VH1	Tough Love		Songs of the '90s		Songs of the '90s		Tough Love		Basketball Wives	
WGN	How I Met	How I Met	How I Met	How I Met	WGN News at Nine		30 Rock	Scrubs	Scrubs	Death
Premium Channels										
HBO	Weight Nation		The Weight of the Nation		Veep		Game of Thrones		Gervais	2012 Rock
MAX	Stuck on You				The Pool Boys		Depravity		Sexy Assassins	
SHOW	The Borgias		The Big C	Nurse	The Borgias		The Big C	Nurse	The Mechanic	



Wednesday Evening May 16, 2012

	7:00	7:30	8:00	8:30	9:00	9:30	10:00	10:30	11:00	11:30
KAKE/ABC	Middle	Suburg.	Mod Fam	Apt. 23	Revenge		Local	Nightline	Jimmy Kimmel Live	
KBSL/CBS	Mike	Rules	Criminal Minds				Local	Late Show Letterman	Late	
KSNK/NBC	Betty	Betty	Rock Center		Law & Order: SVU		Local	Tonight Show w/Leno	Late	
KSAS/FOX	American Idol				Local					
Cable Channels										
A & E	Storage	Storage	Storage	Dog	Duck D.	Duck D.	Duck D.	Duck D.	Storage	Storage
AMC	Death Wish 3				Death Wish 3					Tin Cup
ANIM	Tanked		River Monsters		River Monsters		Tanked		River Monsters	
BRAVO	Housewives/OC		Interior Therapy		Around the World		Around the World		Interior Therapy	
CMT	Blazing Saddles									Whiskey
CNN	Anderson Cooper 360	Piers Morgan Tonight		Anderson Cooper 360	E. B. OutFront		Piers Morgan Tonight			
COMEDY	Chappelle	Key	South Pk	South Pk	South Pk	South Pk	Daily	Colbert	South Pk	Futurama
DISC	American Guns		American Guns		Auction	Auction	American Guns		Auction	Auction
DISN	Shake It	Jessie	Good Luck	Good Luck	Phineas	Jessie	ANT Farm	Wizards	Wizards	Wizards
E!	True Hollywood Story		Eastwood	Khloe	The Soup	The Soup	Chelsea	E! News	Chelsea	Chelsea
ESPN	MLB Baseball				Baseball Tonight		SportsCenter		SportsCenter	
ESPN2	30 for 30		30 for 30		NFL Live		SportsNation		Baseball Tonight	
FAM	Step Up		Step Up 2 St.		The 700 Club		Prince		Prince	
FOOD	Restaurant: Im.		Restaurant: Im.		Restaurant: Im.		Food Network Star			
FX	The Waterboy				The Waterboy					Grandma's Boy
HGTV	Income	Kitchen	Property Brothers		Hunters	Hunt Intl	Property Brothers		Property Brothers	

American Profile We Celebrate Hometown Life
 Stories from hometowns just like yours. Look for us each week in this paper.

	HIST	LIFE	MTV	NICK	SCI	SPIKE	TBS	TCM	TLC	TNT	TOON	TRAV	TV LAND	USA	VH1	WGN
American Pickers	Pawn	Pawn	American	American	Sold!	Pickers	American Pickers									
Wife Swap	Wife Swap	Wife Swap	Wife Swap	Wife Swap	Wife Swap	Wife Swap	Wife Swap									
16 and Pregnant	16 and Pregnant	16 and Pregnant	America's Best Dance	America's Best Dance	America's Best Dance	America's Best Dance	Hip-Hop	Get Rich								
'70s Show	'70s Show	George	George	Friends	Friends	Yes, Dear	Yes, Dear	Friends	Friends							
Ghost Hunters		Ghost Hunters		Total	Total	Ghost Hunters	Total	Total	Total							
Auction	Auction	Auction	Auction	Am Digger	Am Digger	Am Digger	Ways Die	Auction	Auction			</				