

weather report

64°

at noon



Today

• Sunset, 7:59 p.m.

Tomorrow

• Sunrise, 5:48 a.m.

• Sunset, 7:58 p.m.

Midday Conditions

• Soil Temperature 70 degrees

• Humidity 90 percent

• Sky cloudy

• Winds north at 5 mph

• Barometer 30.34 inches

and falling

• Record High 108° (1938)

• Record Low 50° (1927)

Last 24 Hours\*

High 77°

Low 56°

Precipitation 1.94 inches

month-2.21 +2.21 inches

year-16.39 +3.49 inches

Northwest Kansas Forecast

Tonight: cloudy, 30 percent chance of rain, low near 60, south-east winds 5 to 15 mph.

Tuesday: partly sunny, 20 percent chance of thunderstorms, high near 85, south winds 5 to 15 mph.

Extended Forecast

Wednesday through Friday: chance of thunderstorms, lows near 60, highs in the upper 80s.

(National Weather Service)

Get 24-hour weather info. at 162.400 MHz.

\* Readings taken at 7 a.m.

# Soaking rains bring welcome relief

By Charlie Baker

The Goodland Daily News

After a month of hot, dry, weather, a system has brought in rain and cool temperatures for some temporary relief.

Total rainfall for Goodland from Saturday through this morning was 2.28 inches. The total for the year is 16.39 which is 3.49 inches above average for this time of year.

"It is really surprising," said Andy Sullivan, a meteorologist at the Weather Service in Goodland. "We were down an inch and a half for the month of July, but the yearly total is way above normal.

"With all the rain in June, and then this weekend, we are in good shape for the year."

After a stretch of above normal temperatures, the cool air will provide a brief break from the heat.

Highs today will be in the 70s, 15 to 20 degrees below normal, said Sullivan. Tuesday's high should be near 80, still about 10 degrees below the 90 degree average. Rain chances are significant today, and chances for thunderstorms will continue through the week.

Logan and Gove counties were under small stream flooding advisories Sunday. Sharon Springs received 3.8 inches on Saturday, and 2.32 on Sunday, for a total of 6.12 inches over the weekend.



Heavy rains Sunday flooded downtown streets when Goodland received nearly 2 inches. The weekend rain total was 2.28 inches, and temperatures dropped over 20 degrees. The forecast is for cooler temperatures

this week and more chances for thundershowers. With the weekend rain Goodland's total for the year is way above normal.

Photo by Charlie Baker/The Goodland Daily News

# Citizens fill courtroom to object to road closings

By Tom Betz

The Goodland Daily News

Unlike at church, citizens filled the seats from the front row Friday in the courtroom of the Sherman County Courthouse as over 70 gathered to hear and be heard about their roads.

The public hearing was held by the county commissioners to gather input on the over 200 miles of county roads they had proposed closing. The hearing was held in the second floor courtroom to allow for a larger crowd, and it was nearly filled to capacity.

"I think you do the best with what you have, and I want to give credit to your people," said L.J. Owens. "We just want to be able to go down the roads like we do now.

"I think if you take your right of way out it can become a can of worms," he said. "The common law is in a shady area. I have good neighbors, I'm not knocking them, but we know there is a county right of way there now and it is respected."

Owens seemed to sum up most of the questions and comments presented to the commissioners in the more than an hour long hearing. Owens received a real round of applause when he suggested that if the commissioners could get them \$5 wheat they would let the county raise the taxes to improve more roads.

Commission Chairman Gary Townsend opened the hearing by explaining the Kansas state statute which governs county roads. He said the basics of the county responsibility was to maintain roads for use by the public.

"Most of these we have suggested closing are only trails," he said. "We are trying to cut the county liability and we don't have the resources to build all of these to specifications."

Assistant County Attorney Bonnie Selby asked the audience if they had any knowledge of the Kansas laws dealing with roads

and access. When several asked to have them read Selby did so and specifically statute 68-102 which deals with vacating, viewing and altering of public roads. In the statute it says the county commissioners many vacate a road when they deem it to no longer be a "public use roadway."

"I know the commissioners are concerned and they have no intention of landlocking anybody," she said. "They cannot do that under Kansas law," and she read another statute 68-117 dealing with access and being landlocked.

"Should these roads be closed can the owners claim to own the middle of the road?" was the first question from the audience. Townsend said the property would revert to the property owner.

Several of those present wanted to show the commissioners specific areas of objection on the county map, and in all cases the person was objecting to the closing of all or at least part of what the commissioners had been suggesting.

"We will have to take the time to individually inspect the roads," Commissioner Kenny Davis said. He suggested those present indicate on copies of the county road map what section they were objecting to and the commissioners would review the maps on an individual basis and get back to the owners.

"How many accidents have happened on the minimum maintenance roads?" asked Chuck Ihrig. "It seems the accidents are on the well maintained roads. I don't think these roads kill anybody and don't there is any liability on these roads."

"I think as many as practical ought to be left open," said Harlan D. House. "I know it would be more difficult for us to get the larger equipment around if some of these were closed especially during harvest time."

"My family has been here for over 40 years, and I'm the only

one who uses it," said one man. "If you close it I think it will cause me some problems."

"If you have been there for 40 years I think you would have some right to keep the road under the common law," said Selby.

She explained there are two theories on this in Kansas. The theory of adverse possession would be that if the situation exists for 15 years or more the person has some right to the continued use. The second theory of prescriptive easement would be that the person has a personal attachment to the land, which would be there in the families long history.

Selby did agree that without the county right-of-way a person could not just assume there is a right to cross the other property.

Another landowner said there is a spot on their property which has become a favorite of the young people, and wondered if the county sheriff would still be able to patrol and enforce the law if the road was closed.

Selby said she did not specifically know the answer to the question, but said it was reasonable to presume that the sheriff would have enforcement power anywhere within the county.

At the end of the hearing one citizen said, "I don't think you will find many people who are in favor of closing any of these roads you proposed."

According to County Clerk Janet Rumpel about 37 people turned in maps with signatures after the hearing. These will be reviewed by the commissioners, and they will probably set several days to view various roads which have been objected to.

The next regular commission meeting will be 8 a.m. Tuesday. There are only two items on the agenda including a discussion with Dennis Bentzinger on renewal of the fire extinguisher contract and the continuing review of the county budgets for next year.

local markets



Noon

Wheat — \$2.36 bushel

Posted county price — \$2.05

Loan deficiency payment — .40¢

Corn — \$1.80 bushel

Posted county price — \$1.59

Loan deficiency pmt. — .40¢

Milo — \$2.68 hundredweight

Soybeans — \$3.97 bushel

Posted county price — \$3.60

Loan deficiency payment — 1.29¢

Millet — \$4 hundredweight

Sunflowers

Oil current crop — \$6.90 cwt.

Loan deficiency pmt. — \$2.86

Oil new crop — \$6.80 cwt.

Confection current — \$17/10 cwt.

Pinto beans — \$13 (new crop)

(Markets provided by Mueller Grain, Sigo Sun, Frontier Equity Co-op and Prairie Pea and Bean. These may not be closing figures.)

afternoon wire

Late news from the Associated Press

1 p.m.

## Train collision death toll 190

GAUHATI, India (AP) — Two express trains carrying 2,500 people collided head-on at a station in eastern India today, mangling cars full of sleeping passengers and setting some coaches ablaze. Hundreds were reportedly killed, including many soldiers.

The government said 190 people were killed and 310 injured, but rescuers had not reached all of the 15 carriages piled on top of each other. Railway officials said the toll was likely to climb to 250, and the United News of India news agency said it could reach 400 or more.

Doctors and paramedics rushed to the site in West Bengal near the border with Bangladesh.

Rail officials said a signal failure may have caused the trains to be on the same track, Press Trust of India reported. They smashed into each other at Gaisal Station, a remote stop 310 miles west of Gauhati.

# Bread Box brings sweet smells to downtown

By Janet Craft

The Goodland Daily News

There have been some good smells coming from 1111 Main for almost two weeks now, since the Bread Box, bakery and coffee shoppe, owned by Larry and Judy Harper, moved to the new location.

Judy said sales are very good. They have always had a good business, when they were located on North Caldwell, across from the airport. But they have been busier at their Main Street location because of the foot traffic. Every day they make and sell more bakery items.

Saturday was the grand opening and at times people were lined up to the front door waiting to sample the fare.

The Harpers are trying something new at their business, too. They are deep frying donuts and rolls. Judy said they have done it a little before now, but not on a commercial level.

"It's been a different experience, definitely a learning experience," said Judy.

The Harper's three youngest children are working at the shop. Jacob and Sharon are there full time, but Matt is helping as needed. They also employ a manager, Tony Chaffman. When school starts, though, Judy said they will be looking



Judy Harper (right), owner of the Bread Box, waited on Barb Neitzel (left) and David Schilling (center) during the grand opening on Saturday. There was a steady stream of customers.

Photo by Janet Craft/The Goodland Daily News

for two employees, one-full time and one part-time, to fill their children's jobs.

The Bread Box first opened in April

of 1997, but had to close in July of 1998 after Larry had a serious motorcycle wreck. Then they reopened in May of 1999. The hours at their new location

are from 6 a.m.-4 p.m., Tuesday through Friday and from 6 a.m.-noon on Saturday. They are closed on Sundays and Mondays.