

weather report

62°
at noon

Today
• Sunset, 5:22 p.m.
Tomorrow
• Sunrise, 6:38 a.m.
• Sunset, 5:23 p.m.

Midday Conditions
• Soil Temperature 38 degrees
• Humidity 21 percent
• Sky mostly sunny
• Winds northwest 24 mph
• Barometer 29.91 inches and steady
• Record High 68° (1947)
• Record Low -08° (1936)

Last 24 Hours*
High 65°
Low 33°
Precipitation none

Northwest Kansas Forecast
Tonight: Partly cloudy; low 25; winds east 5-15 mph. Tomorrow: Cloudy; 40 percent chance of snow; high 40-45; winds southeast 10-20 mph; low 25-30.

Extended Forecast
Thursday through Saturday. Thursday: chance of snow; high 35-40; low 25-30. Friday: dry; high 40s, low 20-25. Saturday: dry; high 45-55; low 10-20.
(National Weather Service)
Get 24-hour weather info. at 162.400 MHz.
* Readings taken at 7 a.m.

local markets

Noon
Wheat — \$2.34 bushel
Posted county price — \$2.30
Loan deficiency payment — 15¢
Corn — \$1.76 bushel
Posted county price — \$1.88
Loan deficiency payment — 11¢
Milo — \$2.72 hundredweight
Soybeans — \$4.29 bushel
Posted county price — \$4.30
Loan deficiency payment — 59¢
Millet — \$3.80 hundredweight
Sunflowers
Oil current crop — \$5.70 cwt.
Loan deficiency pmt. — \$3.80
Confection current — \$13/\$8 cwt.
Pinto beans — \$12 (new crop)
(Markets provided by Mueller Grain, Sigco Sun, Frontier Equity Co-op and Prairie Pea and Bean. These may not be closing figures.)

afternoon wire

Judge returns artist to school

WICHITA — Bluestem High School violated free speech rights of a student when it suspended her for posting artwork declaring “I’ll kill you all” on a school door, a federal judge has ruled.

U.S. District Judge Wesley Brown said Monday he found no evidence that Sarah Boman was a danger to anyone or that her art was intended as a threat. Brown made permanent an earlier injunction that allowed the 17-year-old senior to return to school.

“We think Judge Brown has made a wise decision. We are pleased he made the decision based on the First Amendment in Sarah Boman’s case,” said Bill Hays, one of the attorneys representing the girl.

Boman had explained the drawing as conceptual art that depicted the deranged thoughts of a fictional madman.

Judge will decide fate of pavement

Hearing to be Thursday on request to save ‘oil’

By Tom Betz
The Goodland Daily News

When is a road’s condition so bad that it is cheaper to remove the pavement than try to maintain it?

That is the question which precipitated a fight over the Nemechek Road northeast of Goodland and led to the filing of a temporary restraining order by Thomas County District Judge Glenn D. Schiffner as Sherman County crews were ripping up the road.

Landowners say they want to form a special district to pay for repairs, using a formula set out in the law. Some county landowners later got an anonymous letter complaining about the formula, which county commissioners are allowed to change.

The county has planned to rip out all its oiled roads except for old U.S. 24 and possibly Eighth Street west of town to save money. The Nemechek is about the last one on the list; work on it has been delayed by neighborhood protests, but commissioners decided the last day of January to tear it out anyway. Work started the next day.

The restraining order stopped county crews from removing the pavement from Country Road 68 from K-27 east for five miles. The judge will hold a hearing at 1 p.m. Thursday at the Sherman County Courthouse on whether the restraining order should be continued or the county crew allowed to continue its work.

At the time, the eastern most mile was already being torn up. In an informal hearing held Thursday, Feb. 3, it was agreed to allow the county to finish removing the first mile and make the road safe.

During the hearing, Attorney Ron Vignery, speaking for his client John Sanders, a resident of the area near the road, said the need for the restraining order was to give the people who want the road saved to have time to explore a new idea about establishing a special benefit road district under Kansas law.

Sherman County Attorney Bonnie Selby tried to ask the judge to consider the time and effort the commissioners had already put into the decision, which she noted had been in a plan approved in January 1998.

Judge Schiffner said he would hear arguments about the restraining order at the hearing, and did not allow Selby to continue. He said he was granting the order on the basis that the pavement otherwise would be gone. He said people who wanted to save the road should have the time to examine the feasibility of the special district.

The following Monday, a letter was sent to property owners in the area being considered to be part of the road district, explaining the idea to the 52 landowners in the area.

“All of you with whom we have visited cannot believe the county commissioners would actually destroy a perfectly good paved road in need of pothole repairs,” said part of the letter signed by Sanders, Brad Schields and Lance Ihrig. “It is unanimous that the idea of destruction was so ludicrous and ill advised that we were lulled into com-

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Sherman County has posted this sign (above) on the western end of County Road 68, known as the Nemechek Road, where it connects with K-27 and sets the recommended speed. There are extensive areas of “alligator cracking” and large potholes along the road (below), but those who live along the four-mile stretch are seeking ways to keep their paving.

Photos by Tom Betz / The Goodland Daily News



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State law outlines road to new district

If landowners and residents northeast of Goodland succeed in saving the pavement on the Nemechek Road, how will the costs be paid?

Landowners are proposing that 60 percent be paid by the county as a whole and another 25 percent by township taxpayers in the area, a formula spelled out in state law. However, county commissioners are not bound by the law; they can change the formula if they want. As it stands, though, only about 15 percent of the cost would be paid directly by landowners in the district.

Ron Vignery, the lawyer representing a group of landowners, told a meeting last week the law establishing a special road benefit district also sets up how the costs are to be apportioned:

“If all or any portion of said road improvement is entitled to and does receive federal or state aid or donations, the same shall be applied to the cost of the improvements

“...the remainder of the cost shall be apportioned: 60 percent to the county; 12 1/2 percent to the taxable property with the township or townships in which the benefit district is situated, divided according to the area of the benefit district in each township; 12 1/2 percent to the taxable property within the township or townships in which the road is located divided according to the length of road in each township and 15 percent among the several tracts of land within the benefit district according to the real property and improve-

ments thereon within the limits shown by said (benefit district boundary) map.”

Once a petition is filed with the county commissioners, the law requires they hold a hearing, where they can change that apportionment.

A proposed petition which was presented by Vignery also states that the proposed repairs are “all to be done in accordance with Andrews’ Sand and Gravel turnkey price quotation.”

However, a couple of sections of the statutes seem to conflict with the proposed petition. On the same page of the state statute book as the formula proposed by the petitioning group there is

‘American Beauty’ tops list of Oscar nominations

By the Associated Press
BEVERLY HILLS, Calif. — “American Beauty,” the dark comedy about family mayhem in suburbia, led a diverse slate of Oscar contenders with eight nominations today. “The Cider House Rules” and “The Insider” were right behind with seven each.

The three received nominations for best picture along with the supernatural death-row saga “The Green Mile” and the ghost story “The Sixth Sense.”

A notable omission among the acting contenders: Jim Carrey, who gave a

dead-on impersonation of the late comic Andy Kaufman in “Man on the Moon.” Carrey received back-to-back Golden Globes for that role and 1998’s “The Truman Show” but was not nominated for an Academy Award for either.

“American Beauty” also was nominated for best actor and actress for Kevin Spacey and Annette Bening, director Sam Mendes, screenwriter Alan Ball for best original screenplay, as well as for cinematography, film editing and original score.

Besides best picture, “The Cider

House Rules,” a story of coming of age in a New England orphanage, got nominations for supporting actor Michael Caine, director Lasse Hallstrom, adapted screenplay, as well as score, editing and art direction.

“The Insider,” a portrait of a tobacco-industry whistleblower, also received nominations for lead actor Russell Crowe, director Michael Mann, adapted screenplay, cinematography, editing and best sound.

The ghost story “The Sixth Sense,” last year’s biggest box-office surprise

with \$278 million, received six nominations including one for 11-year-old Haley Joel Osment for supporting actor, and two for M. Night Shyamalan for directing and original screenplay.

Other best actor nominees were Richard Farnsworth in “The Straight Story,” Sean Penn in “Sweet and Lowdown” and Denzel Washington in “The Hurricane.”

The other lead actress nominees were Janet McTeer in “Tumbleweeds,” Julianne Moore in “The End of the Affair,” Meryl Streep in “Music of the

Heart” and Hilary Swank in “Boys Don’t Cry.” I

Other supporting actor nominees were Tom Cruise in “Magnolia,” Michael Clarke Duncan in “The Green Mile,” Jude Law in “Mr. Ripley” and Haley Joel Osment in “Sixth Sense.”

Supporting actress nominees were Toni Collette in “The Sixth Sense,” Angelina Jolie in “Girl, Interrupted,” Catherine Keener in “Being John Malkovich,” Samantha Morton in “Sweet and Lowdown” and Chloe Sevigny in “Boys Don’t Cry.”

Stovall at odds with House

By Kelly Wiese
Associated Press Writer

TOPEKA — The sometimes hostile debate over Attorney General Carla Stovall’s handling of tobacco litigation continues, while other legislators are wrestling with the budget, hog farms and ticket scalping.

The House Taxation Committee is holding hearings this week on how Stovall handled the state’s lawsuits against tobacco companies.

Meanwhile, the Senate Energy and Natural Resources Committee is reviewing corporate hog farming.

Monday, the tax committee required Stovall to take an oath that she would tell the truth before testifying, an unusual move in committee hearings.

Stovall then discussed how she selected her former law firm, Entz and Chanay, and two other firms to represent Kansas in tobacco suits.

The committee plans to consider a 50 percent tax on legal fees collected from the settlement.

Entz and Chanay stands to receive \$27 million in legal fees from a national settlement of lawsuits by states against tobacco firms.

Chairwoman Susan Wagle said she will require every witness to take an oath during the rest of the proceedings “so that we can get to the truth.”

Stovall said Entz and Chanay was the only firm willing to take the case without requiring payment in advance or a set percentage of any settlement.

In other legislative action Monday, committees approved recommendations for financing higher education programs and legislative agencies.

The House Appropriations Committee unanimously approved budget recommendations for higher education similar to Gov. Graves’ plan.

The committee’s proposed budget includes money to give faculty at state universities an average pay increase of 5.9 percent.

Busy Internet system waiting for equipment, more numbers

nwkansas.com has ordered new equipment and more Internet access to meet ever-growing demand for service in Goodland.

“Customers have been complaining about trouble getting onto the system at busy times,” said Tom Betz, director of Internet services. “We have completely filled up our range of Internet numbers, which means that we can’t add more lines.

“Fortunately, we should have more numbers assigned to us soon, and we have equipment to handle new lines purchased which should be available within a week.

“We know it is frustrating to our customers to get a busy signal, but we should be able to make improvements soon.”

The system likely will continue to be busy at the high peak times, usually about 7 p.m., Betz added, because nearly everyone wants to be on at that time, and rates are based on customers sharing the lines.

“We can never guarantee that everyone could get on at 7 p.m.,” he said. “It just wouldn’t work. The system is based on customers sharing lines, and they can’t all be on at once. But we can make it easier, and we will.”

In the meantime, he recommended that customers who get a busy signal set their computer to redial 99 times at 5-second intervals. They can leave the set and wait until the computer gets a connection, he said, usually within a few minutes.