

**weather report**

**70°**  
at noon



**Today**

- Sunset, 4:39 p.m.
- Tomorrow**
- Sunrise, 6:23 a.m.
- Sunset, 4:38 p.m.

**Midday Conditions**

- Soil Temperature 39 degrees
- Humidity 19 percent
- Sky partly cloudy
- Winds southwest 18 m.p.h.
- Barometer 29.91 inches and falling
- Record High 82° (1931)
- Record Low 12° (1938)

**Last 24 Hours\***

- High 62°
- Low 30°
- Precipitation none

**Northwest Kansas Forecast**

Tonight: mostly clear and mild, low near 40, winds west 10-15 m.p.h. Tomorrow: partly sunny, high mid 70s, low upper 30s, winds west 10 m.p.h.

**Extended Forecast**

Saturday: partly sunny, high mid 60s, low upper 30s. Sunday: cloudy with slight chance of rain and snow showers during the night, high upper 50s. Monday: mostly cloudy with slight chance of rain and snow. (National Weather Service) Get 24-hour weather info. at 162.400 MHz. \* Readings taken at 7 a.m.

**local markets**

**Noon**

- Wheat — \$4.30 bushel
  - Posted county price — \$4.28
  - Loan deficiency payment — 0¢
  - Corn — \$2.57 bushel
  - Posted county price — \$2.27
  - Loan deficiency payment — 0¢
  - Milo — \$2.24 bushel
  - Soybeans — \$5.27 bushel
  - Posted county price — \$5.17
  - Loan deficiency payment — 0¢
  - Millet — \$14.00 hundredweight
  - Sunflowers
  - Oil current crop — \$12.30 cwt.
  - Loan deficiency pmt. — 0¢
  - Confection current — \$17/\$7 cwt.
  - Pinto beans — \$18
- (Markets provided by Mueller Grain, Sigco Sun, Frontier Equity Co-op and 21st Century Bean. These may not be closing figures.)

**afternoon wire**

Late news from the Associated Press  
**1 p.m.**

**Westar leader indicted today**

TOPEKA — Westar Energy Inc.'s top executive and the former president of a Topeka bank have been indicted by a federal grand jury on fraud charges, U.S. Attorney Eric Melgren announced today.

There were no indications that the indictment involved Westar business matters. Westar is the state's largest electric company, including the former Kansas Power and Light and Kansas Gas and Electric.

Meanwhile, Westar's stock dropped dramatically after the indictment became public. In morning trading on the New York Stock Exchange, it was down by \$2.33 a share, or more than 21 percent, to \$8.52.

The stock exchange suspended trading on Westar's shares shortly before noon Eastern Standard Time, or 11 a.m. Central.

# How did Sebelius win the race?

By John Hanna

AP Political Writer

TOPEKA — Kathleen Sebelius campaigned for governor the way the Miami Dolphins won two Super Bowls in the early 1970s, with a methodical, grinding game designed to wear down an opponent.

The Democratic nominee, now the governor-elect, didn't do anything innovative or even particularly exciting to defeat Republican Tim Shallenburger in Tuesday's general election.

She pried loose enough GOP votes in a GOP state by courting Republicans concerned about public schools. Attacked over a left-of-center voting record as a member of the Kansas House, she hit back in classic fashion, first with an ad about how negative

**news analysis**

advertising hurts the state.

Sebelius steered a middle course, suggesting she would neither raise taxes nor cut education funding to balance the state budget.

She once was one of the Legislature's most vocal abortion rights advocates, but she promised not to try to change current law.

But more than anything else, she simply took advantage of circumstances, marshaled superior resources and brought them to bear on the race.

She raised a record \$4 million and spent the bulk of it on broadcast advertising, pounding home her messages in a solid three months of television spots.

## Sebelius may stay at home

TOPEKA (AP) — Gov.-elect Kathleen Sebelius isn't sure whether she'll be moving into Cedar Crest, the governor's residence.

Sebelius lives in Topeka and noted Wednesday that she has owned a house in the city's Potwin section, a stately neighborhood of brick streets and restored Victorian residences, for 22 years.

The last governor from Topeka,

Joan Finney, kept her private home but moved into Cedar Crest after her election in 1990.

Sebelius said she planned to consult her husband, Gary, and two sons, Ned and John.

"We haven't really made any of those choices yet," Sebelius said. "Now we need to make some choices and have some family meetings and figure out what's next."

Even the politically astute Shallenburger said he was a little stunned by her fund raising, which allowed her to build

a positive image and a big enough lead early to prevent the Republican nominee from catching up.

"She did everything right," said James Sheffield, chairman of the political science department at Wichita State University. "She's not a novice."

In final, unofficial results, Sebelius had 53 percent of the vote to Shallenburger's 45 percent. Reform Party nominee Ted Pettibone and Libertarian Dennis Hawver split the remaining 2 percent.

Geographically, Sebelius won all regions except southwest Kansas and 56 of the state's 105 counties. She lost suburban Johnson County, which usually goes Republican, but her margins in Wyandotte, Douglas and Shawnee counties more than made up for it.

Republicans in Kansas enjoy natural

See SEBELIUS, Page 7

## Fall cleaning



Kenneth Corke took advantage of the mild weather Wednesday morning, raking leaves in his yard at 516 W. 13th.  
Photo by Sharon Corcoran/The Goodland Daily News

# County to help determine race

By Tom Betz

The Goodland Daily News

Sherman County will have a small part in determining the state attorney general race as the county commissioners meet at 8 a.m. Friday to canvass the election votes and consider provisional ballots.

Statewide, the attorney general race has Phill Kline leading Chris Biggs by 3,489 votes, but Secretary of State Ron Thornburg said there are about 13,000 provisional ballots to be considered.

County Clerk Janet Rumpel said there are 24 provisional ballots cast Tuesday which be counted on Friday.

The most common reason for casting a provisional ballot is that a voter has moved and county officials have the person's old address in their records.

The person is still allowed to vote,

but the ballot is set aside to be reviewed later.

It is up to the canvass board, the county commissioners, to determine if the provisional votes should be counted and become part of the total votes cast. They have a set of guidelines from the state, Rumpel said, but the decision is up to them.

While the small number in Sherman County may not actually determine the outcome of the statewide race, a switch of six votes would leave Tim Shallenburger and Kathleen Sebelius in a virtual tie in the county as the unofficial results on Tuesday had Shallenburger winning the county by that margin.

Rumpel said the votes would be counted by machine after the commissioners decide whether any or all are valid.

# Doctor's attorney files answer to suit

## Response questions why woman recanted

By Patty Decker

Colby Free Press

A Colby physician's attorney has filed an answer to a civil lawsuit filed last month by a hospital employee alleging "extreme and outrageous" actions by the doctor.

The answer by Michael O'Neal of Hutchinson, who represents Dr. Victor Hildyard, claims the suit is "frivolous" and "not well grounded in fact nor warranted by existing law."

In her petition, Margaret Ann Staats, claims she suffered battery and emotional distress at the hand of Dr. Hildyard and seeks a judgment in excess of \$75,000 for herself, along with an additional \$75,000 or more for her husband, Troy, for similar damage and for loss of consortium.

O'Neal said that Dr. Hildyard denies all the allegations of misconduct, adding that not only should Staats get nothing from her petition, but that the court should find for his client.

O'Neal is asking for information from Staats in the event his client files any counterclaims, which he said could become known during the course of discovery.

Within those legal documents, O'Neal has filed for requests and orders for information about or from Staats

through her attorney, Charles Worden of Norton.

O'Neal has requested Staats to respond to the initial complaint filed at Citizens Medical Center Inc. in April against Dr. Hildyard. Although separate from this civil suit, that complaint set a series of events in motion to include an independent investigation completed in July. As a result, the hospital board suspended Dr. Hildyard's credentials, barring him from practicing at the hospital. The ban was lifted by a temporary restraining order, and the hospital has scheduled a private hearing scheduled for Wednesday, Nov. 20. That hearing is not a court proceeding and will not be public, but will be held in accordance with the by-laws of the hospital. The hearing panel will decide whether to terminate Dr. Hildyard's privileges at Citizens Medical Center, according to information previously provided by Vern Schwanke, board president.

O'Neal also is asking for answers from Staats about her original complaint to the hospital, which she later retracted and recanted, both orally and in writing.

O'Neal is also asking Staats to ex-

See LAWSUIT, Page 7

# Voter turnout tops predictions

TOPEKA (AP) — Turnout in Tuesday's election slightly surpassed expectations, with 51.5 percent of the state's registered voters casting a ballot.

Secretary of State Ron Thornburg's office reported Wednesday the unofficial turnout figure was 832,208. Thornburg had predicted 820,000 Kansans would vote.

"Obviously, it's kind of a bittersweet thing," Thornburg said of the turnout nearly matching his prediction.

The final turnout numbers will be

made official when the state Board of Canvassers meets Nov. 29. By that date, all valid provisional ballots will have been counted, as well as any remaining overseas ballots.

Thornburg said aside from two minor glitches, including a delay in getting a voting machine running in Wichita, the election proceeded without incident.

Thornburg said voter interest was enhanced by races for governor, attorney general and the 3rd District con-

gressional seat in northeast Kansas. Traditionally, elections in years when the president is not running have lower turnout.

Republican and Democratic party volunteers were active in getting voters to participate in the election, which resulted in Democrat Kathleen Sebelius being elected governor.

Nearly 743,000 of the state's voters are registered Republican, compared to 441,000 Democrats and 420,000 unaffiliated.

# City asks for grant money to replace two brick intersections

By Tom Betz

The Goodland Daily News

Goodland's brick streets were laid over 80 years ago, and the city is continuing efforts to keep, preserve and upgrade the historic roadways, especially the intersections, which take a beating from weather and traffic.

On Monday, the city commission passed a resolution requesting the Kansas Department of Transportation to approve a project to replace Main Street intersections at 11th and 12th streets.

The city began the project last year, replacing the bricks at Main Street intersections at Sixth,

Seventh and Eighth.

Replacing the two intersections would include removing the existing bricks, digging out the old base and replacing it with a new concrete base before laying new bricks. It would also include replacement of the storm drainage pipes.

City Manager Ron Pickman said the city will have to pledge a 30 percent match for the project, which is estimated to total \$443,207. The city's portion would be \$172,562, he said, and would have to be included in the budget for 2004.

The city is applying for money from the Transportation Enhancement Program as part of the

federal Transportation Equity Act for the 21st Century.

In an accompanying letter, Pickman wrote: "It is the desire of the city commission to extend this successful project to repair and replace two other intersections on Main Street. Main Street does figure prominently in the business sector, and is the welcoming 'red carpet' to visitors.

"The effects of time and the progression of technology have damaged the condition of the streets. Streets constructed in 1921 have held up remarkably well, but were not designed for the volume, or weight of traffic in 2002."

Commissioner Dean Blume moved to approve the grant request, seconded by Commissioner Curtis Hurd.

The vote was unanimous with Commissioners Rick Billinger, Chuck Lutters and Mayor Tom Rohr voting in favor.

Pickman said that if accepted, the project would probably be put out for bid in 2004 for the 2005 construction season.

He said he hopes that when the intersection at 12th and Main is replaced, the source of the mysterious odor which often emanates from the intersection can be found and eliminated.