

Norton man sentenced for murder of step-father

Veronica Monier
The Norton Telegram
Monday afternoon District Judge Bill Elliott sentenced Jimmy D. Williams, 21, Norton, to just under 13 years in prison for the murder of his step-father.

Williams pled guilty to second degree murder on Aug. 15 for killing his step-father Bill Masden at the end of May.

Defense attorney David Baumgartner filed for a departure to get the sentence reduced from the minimum 147 months on the Kansas sentencing guidelines.

He called three witnesses for the defense.

Dick Mikessell, Norton, said he met Masden five or six years ago when he tried to start a Vietnam veteran organization. He said he would drive Masden to the veteran's hospital in Topeka. He said he knew Masden's wife Mary and her son. Baumgartner asked if Mr. Mas-

den was different when he was drinking.

"When he was drinking there was a world of difference," said Mikessell. "You could feel the anger coming out of him."

Mikessell said that he had heard Masden threatened his wife, but he never heard him threaten anyone else. He said he didn't know if Masden kept any weapons.

Doug Sebelius, county attorney, asked him if he had reported the threats.

"No, he was drunk at the time," said Mikessell. "I thought he was just venting."

The next witness was Kim Jakubowski, Norton.

She said she was a friend of Mrs. Masden and she had mainly seen Mr. Masden at the bar or at his home.

She agreed that Mr. Masden was different when he was drunk.

"Bill was very mean when he was

drunk," she said.

Jakubowski said she heard Mr. Masden threaten to kill Williams at least six times and Mrs. Masden on three occasions, twice with a 9 millimeter gun and once with a knife.

Williams also heard several of these threats, she said.

"They had a mutual animosity towards each other," she said. "They hated each other. You could see it."

Mrs. Masden, Edmond, was the last witness for the defense.

She met Mr. Masden in 1997 and married him in 2000. She was previously married to Gary Williams.

She said when her son came to live with them, he and his stepfather didn't get along. Williams wrecked a car, which resulted in Mr. Masden being convicted of domestic battery and serving two days in jail.

She said her husband had said if he had known he was going to jail, he would have killed Williams. She said

he would say he knew 10 ways to kill a person that he learned from his military training and he kept several guns and knives around the house.

"When he was drinking, he wanted his enemies dead. It didn't matter if they had done anything or not," she said.

Mrs. Masden said they got along when they were sober and didn't when they were drinking. She said she wasn't afraid when Mr. Masden threatened her because he said he would never hurt her and she believed him.

She said her husband had gotten rid of all of his weapons before he was killed.

Sebelius called one witness, Roger Butler, who works for the Kansas Bureau of Investigation and helped at the crime scene.

Butler said he had interviewed Williams on both Aug. 6 and 7 and that his story changed from one day to the next. At first Williams said

he had an accomplice, but then he said he did it alone.

During the Aug. 7 interview, Williams said although he had taken a baseball bat with him, he decided to leave it outside because it was too big and visible.

He said he put the claw hammer in his pants and pulled his shirt over it. He went inside, found out his mother was asleep, drank a beer, went into the bathroom and put on latex gloves, heard Mr. Masden and got scared and took off the gloves.

He went back into the kitchen and started drinking another beer when Mr. Masden came in and asked him what he was doing. Williams said Mr. Masden came at him so he "whacked him" with the hammer.

Williams said Mr. Masden was on the floor, so he straddled him and starting hitting him with the hammer, then got up and got a kitchen knife and slit his throat and then hit him a couple more times with the

hammer.

Sebelius asked for the maximum of 165 months (13.75 years) for the violence of the crime, while Williams' attorney asked for the departure with less time because Williams feared for himself and his mother. Judge Elliott said he agreed with Sebelius.

"This is an exceptionally violent crime," the judge said. "Murder is never justified. Not by your frustration, your anger, alcohol or anything else."

"There is no evidence of self-defense, except by Bill Masden."

The judge said he was going to sentence Williams to 155 months (a little under 13 years), which is standard, and required him to have his DNA registered. He must also pay \$152 for court costs, \$400 per fee for the crime investigation lab and \$45 for booking fees.

Williams' attorney has 10 days from Monday to file an appeal.

City commission votes 3-2 to delay passage of new sewer rates

By Tom Betz
The Goodland Star-News
The Goodland City Commission voted 3-2 Monday to delay approval of new sewer rates to give the commissioners more time to look at the figures.

Commissioner Dave Daniels made the motion to delay the vote until Oct. 6.

Commissioner John Garcia seconded the motion, and it passed with Mayor Rick Billinger voting in favor. Commissioners Chuck Lutters and Dean Blume voted against the delay.

The ordinance was discussed during the budget meetings in July, and City Manager Ron Pickman said it had been approved by the state, and conforms to the state requirements to be eligible for grants or loans.

Mayor Billinger said he knew that the sewer fund was in the red, but questioned the estimates that

show an increase in reserves of \$100,000 and \$68,000 for replacement of equipment.

"I am not sure we want to pass this when we do not know what direction we are going with replacing the plant," Billinger said. "I am not sure about the rest of the commissioners, but I am in favor of the lagoon system and reusing the water."

Commissioners Chuck Lutters said he felt that the change did not need to be delayed.

"We need to have this in place before we make any decision on how we are going to replace the plant," Lutters said. "If we don't do something to upgrade and replace this system, are we saying Goodland is done?"

"What direction are we going? We are supposed to be the community leaders and we need to be making decisions on behalf of all the citizens."

"I am not talking about not doing

this," Billinger said, "but I am talking about how much it will raise without even talking about the replacement cost. If we pass this as it is, we will have to come back in six months or so when we have decided on the replacement plan, and raise the rates to pay for the new system."

Pickman said the revised rate structure does not include any money to pay for a new system, but that the money in the basic rate structure is what the commissioners had agreed to in the budget workshop and approved as part of the city budget.

"The staff did not write this ordinance," Pickman said. "It is the standard one from the state and all we did was plug in the numbers you approved in the budget."

Commissioner Dean Blume said he felt it was important for the city to approve the ordinance and get the sewer rates in place.

"I think it is important for the people to contribute to upgrading and the cost of replacing the system," he said. "We have been running in the red for several years and this does not even cover the cost of any new plant. What do we do if we lose a lift station now or have to replace any of the sewer lines? We will not have the money. The people need to know they are investing in our community."

Daniels said he knew it was important to pass the sewer ordinance, but that waiting three weeks was not going to hurt.

Commissioner Garcia agreed.

"I think we all agree that this has to be done," he said, "but it would not hurt to give us some time to talk to people and get their input."

Lutters said he was concerned about what impact there might be on commercial customers who use a larger amount of water.

The new rates for residential cus-

tomers will be based on the average monthly water use during December, January and February. However, non-residential customers will have their sewer charges based on the amount of water used each month.

Lutters said he was not sure how many larger water users have separate meters or taps for their lawn systems, which would not be considered part of the sewer charges. He said he thought most of the larger users, like the schools, hospital and motels, would probably have separate systems.

The ordinance says that a commercial customer that has a separate meter or a waste water meter will not be charged for water that doesn't go down the sewer. The installation and maintenance of such meters will be at the customer's expense, it says.

Public Works Manager Ed Wolak said he did not know the price of

waste water meters, but that they could be purchased and that the accuracy would need to be within 2 percent.

The ordinance sets a minimum charge per month of \$4.43, plus a usage rate of \$1.10 per 100 cubic feet of water used. In the ordinance, there is no rate for an additional charge that would be used to pay for any debt retirement.

Pickman said if the city goes ahead with plans to replace the sewer plant and goes for a bond issue, the commission would have to amend the ordinance to put in a rate to pay off the bonds.

The city estimates that about 70 percent of water usage is residential. There are about 2,140 residential meters and about 400 commercial.

City Clerk Mary Volk said that if the ordinance is passed in the next month or so, the first bill with the new rates will be in March.

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