

Santa drops by Topside Tipoff



Santa Claus apparently enjoys a good basketball game, and Friday night he dropped in at Max Jones Fieldhouse to watch some of the games in the annual Topside Tipoff and chat with the kids in the stands. He had treats for the boys and girls and asked them if they were enjoying the action on the floor. He also asked what they wanted him to bring them for Christmas.

Photo by Liz West / The Goodland Star-News

City makes manager negotiator for mediation

By Tom Betz
The Goodland Star-News

A mediation hearing Jan. 18 will deal with construction flaws at Steever Water Park, and last Monday the City Commission authorized the city manager to negotiate for the city.

Manager Ron Pickman said the mediation hearing is the next step in a process which began early this year, when the city hired experts to establish the evidence for the case.

The dispute is under arbitration and mediation procedures in the "standard contract" which the city signed with the contractors and architects who designed and built the water park.

Pickman said City Attorney Perry Warren, First National Bank attorney Jerry Fairbanks and Bankwest attorney Mike Foust will be at the hearing with him.

The city built the water park under a lease/purchase agreement with the banks.

Sullivan and Palmer of Lenexa were the architects. Rhoads Construction of Goodland had a \$826,870 contract for the building and Associated Pool Builders of Bismarck, N.D., had a \$1,274,200 contract for the pool.

Leaks began showing up within a month after the park opened in May 2001.

"We believe there is a broken water line under the youth pool," Pickman said. We won't know exactly until we dig it out, and that is what started the problems."

He said a fountain east of the youth pool quit working within a month after the park opened.

"We know the fountain doesn't work," the manager said, "and there

is a crack in the youth pool which we believe is caused by a broken water line, but ... neither of the contractors wants to take responsibility."

Pickman said the city has been unable to negotiate an agreement over who is at fault for the problems.

The contracts require any dispute go to mediation, he said, but the issue could wind up in arbitration, or in court.

In May, the city commission, at the recommendation of Fairbanks and Foust, hired Building Tech Consultants of Niwot, Colo., as the construction consultant and Merlo Consulting Engineers of Englewood, Colo., as the consulting forensic engineers.

Building Tech rates are \$110 an hour for the principal engineer, \$90 for the associate engineer, \$45 an hour for other staff, and \$30 an hour for typing and clerical. Travel is 33 cents per mile and deposition testimony \$210 per hour with a three-hour minimum.

The hourly rates for Merlo starts at \$275 for George Merlo's expert testimony, and \$180 an hour for investigation. Other experts would cost \$225 an hour for testimony and \$140 an hour for investigation. Typ-

ing and administration are \$45 an hour.

Merlo's contract says they bill services in four-hour minimum increments, and time over four hours but less than eight is invoiced at eight hours.

At the hearing in January, Pickman said, both sides will put on the evidence from their expert witnesses, and a court-appointed mediator will try to get the sides to reach an agreement.

"If it is not done in mediation," Pickman said, "the next step is arbitration."

Asked about the cost to the city, Pickman said he was under a confidentiality rule from the mediator not to reveal any of the expenses, as they are a part of the hearing.

"There are a number of issues on the table, and the leaks are only part of it," Pickman said. "There are problems with controls that have not worked from day 1, and the big umbrella which was not installed properly."

"We will be there with the banks to present our case. It is interesting that all three groups involved have the same insurance company, and it would seem ... that they want to have this settled as quickly as possible."

County voting part of pilot program

VOTING, from Page 1a

votes. If the ballot has been filled out incorrectly or the machine cannot read it, it will be rejected and the voter can correct the problem.

The machines, she said, will make the results of elections available as soon as the polls close.

The new system will require one handicapped-accessible polling station, said Rumpel, but otherwise voting will not change.

The visiting group focused mainly on the computer software used by the clerk's office.

They spent Tuesday morning looking at printers, computers, scanners and other technology in the office. They checked out the office configuration, documenting where the hardware is and where the employees who use it work.

Henson said the site visit was set up just for the group to gather data.

Caramel Hinkle, client relationship manager with Accenture's eDemocracy Service, the software provider, said he thinks going out and making personal contact with the election officers helps make the software installation easier.

"Secretary (of State Ron) Thornburg is really focused on getting input from county election officers," Henson said.

Sherman County was only the group's second visit, he said, and the other nine pilot counties are spread throughout the state. Henson said they want to determine the issues facing large, small, eastern and western counties.

"For the pilot counties, we tried to get a wide range of information," Henson said. "We want to have a good representation of what is actually happening."

The group will use the information to make changes or adjust the software, Rumpel said. Next they

will visit again to install the new software and train the users.

"I want everybody to be trained and familiar with how it works," she said.

Although she hasn't seen any numbers yet, Rumpel added they probably will need to buy new equipment, including bar code

scanners for the poll books, as recommended by the state.

"This change is going to cost," she said.

Hinkle said the software should be installed after the election cycle next year.

"It's gonna be a busy, interesting year," Rumpel said.

Let the Gorilla help sell your stuff

If you're planning a garage sale, be sure it's in The Country Advocate



Invite the 900-pound Gorilla to help with your next garage sale. You'll have more customers, sell more stuff and make more money. That means more in your pockets at the end of the day, and less junk to haul off to the dump. How does it work? Simple. While the paper reaches most families here in town, The Country Advocate goes all over northwest Kansas. It reaches 41,860 readers in 11 Kansas counties, plus parts of three in Colorado and four in Nebraska.

That's why it's the 900-pound Gorilla of Northwest Kansas Advertising, reaching more homes and more people than any other publication, broadcast station, cable system, Internet page or advertising medium. Reader after reader has tried The Advocate for their advertising. The results? Stuff sells. People drive for miles to find a good sale. They don't want to walk away empty-handed. The Gorilla works. Your newspaper makes it easy for you to be in

The Advocate. Just call or stop by and place your ad. You'll be surprised how easy it is, and how affordable. You'll be surprised — and happy — when your phone starts to ring or people show up at your door. But call today. Deadline for The Advocate is noon Friday, ONE WEEK BEFORE a weekend sale. Sure, you can get an ad in the paper later, but it won't be the same. Call the Gorilla. It works.

Internet tonight!
Call:
899-2338

The
Goodland Star-News

1205 Main, Goodland, Kan. 67735
(785) 899-2338

The Country Advocate