

Battle over move may end in court for area woman

By JAN KATZ ACKERMAN
Colby Free Press

A dispute between a Colby woman and a moving company she believes is holding her furniture hostage may be headed to court.

When Barbara Young of Oberlin, 71, married Ben Duell of Ruleton, 74, they decided to sell her home in Oberlin and his in Ruleton and move to Colby. But a move Mrs. Young-Duell thought would cost her less than \$3,000 could end up with a price tag of \$11,000 and \$15,000.

Her move was shifted from one firm to another, and the movers say she asked for extra services. The former Oberlin woman doesn't see it that way, though, and she's asked the sheriff to do something about it. Mrs. Young-Duell said she contracted the move of her four-bedroom with basement household to Wilson Moving Co. of Hays, but shortly before the June 6 packing date, the company went out of business. Wilson subcontracted the job to Wegele & Wegele Vanlines, Inc., Pratt.

"I talked to Mrs. Wegele on the phone and she told me they needed cash to deliver my furniture," Mrs. Young-Duell said. "I told her I'd pay cash and I'd get about \$2,600. She told me that would probably be enough."

The dispute started when Blaze Wegele and his crew tried to deliver Young-Duell's furniture at the house in Colby.

"Blaze came in and started figuring my bill," she said, "and he said I needed \$8,019 in cash. I just couldn't believe it. He said he hauled 16,000 pounds."

Mrs. Young-Duell said when she disputed the cost, Wegele reloaded some of the 3,000 pounds he'd already unloaded and left for Pratt. She said Wegele left her a kitchen table, three mattresses, a card table and chairs, a few clothes and odds and ends of boxes.

"Basically, he is holding my stuff hostage," Mrs. Young-Duell said. "I'm paying \$300 a month for storage fees and it's going into the third month."

According to paperwork Mrs. Young-Duell received from the Wegeles, she can go to Pratt and pick up her belongings for \$11,088, or have them delivered for \$14,065.

Mrs. Young-Duell has filed a complaint with the Thomas County sheriff's office and the Kansas attorney general.

Sheriff Mike Baughn said he gave Mr. Wegele an opportunity to file a written statement about the situation, but he declined to do so.

Late last week, Baughn said, he

filed paperwork with Thomas County Attorney Andrea Wyrick charging Blaze Wegele with criminal deprivation of property, a class A misdemeanor. The charge carries a prison sentence between 30 and 365 days, and a fine of not less than \$100.

"We are looking at the intent," Mr. Baughn said. "The intent of theft is to permanently deprive, whereas the intent of criminal deprivation is to temporarily deprive. The basis of my case is information from the victim."

Mrs. Young-Duell said everything was done orally, with nothing in writing.

However, Dena Wegele said paperwork she received from Wilson Moving showed a written estimate of \$1,631 for the 50-mile move from Oberlin to Colby was given to Mrs. Young-Duell. She also said what actually took place was outside Wilson's estimate and included packing the household.

"When Barbara did the order with Wilson Moving, she did it correctly," Dena Wegele said, "but when she called back, she wanted more packing done. I totally understand Barbara's frustration, but when you pack twice the estimated weight and a full-pack, it costs more."

Tom Whitaker, an officer with the Kansas Motor Carriers Association, said the Wegeles are members of the group and use the current tariff, a cost rate plan, governing all Kansas movers.

"To my knowledge, the Wegeles have never been out of compliance," Mr. Whitaker said.

Mike Hoeme, an officer with the Kansas Corporation Commission, said he is aware of the dispute between Mrs. Young-Duell and Wegele & Wegele. He said moving companies pack and move items by weight, size and bulk.

"Every carrier that is a (Kansas Motor Carrier Association) member charges the same prices and they all follow the same guidelines," he said.

Hoeme said moving companies which are not members of the association, can charge different rates only if they file a tariff exception with the corporation commission. Whether Wilson was a member of the association could not be determined.

"The initial move was for furniture only, and then (Young-Duell) decided to have a full move," Mr. Hoeme said. "The (full move) prices would have been the same from both companies working under state guidelines."



NEAR THE TOP OF the Oberlin water tower, Mark Paul (above) looked inside a hatch. Mr. Paul (below) climbed to the top of the tower to do a visual inspection. — Herald staff photos by Kimberly Davis

Daredevil checks the tower

With a safety belt, harness, clips and bags on his back, the inspector started his climb.

Each year, someone comes out from Utility Service Co. to ascend Oberlin's 130-foot water tower. Thursday, it was time for the yearly inspection again.

A call came across the city radio frequency that a man was here to climb the tower for a visual inspection.

Willard Perrin and David Sporn, with the water department, met Mark Paul from Utility Service at the base of the tower. Mr. Perrin signed some paperwork and Mr. Paul got ready to climb.

Before Mr. Paul got too far up, Mr. Perrin radioed the city office and asked them to call dispatch and let them know someone was on the tower just in case they got a call.

"Be careful," someone said. "I'm not going up there," Mr. Perrin replied.

Mr. Perrin said in 15 years with the city, he never has climbed the tower and doesn't want to, though other city employees have.

Mr. Paul went up to the tip of the tower, checked everything out and climbed back down.



City Administrator Gary Shike said the company comes out every year. One year, the person climbs to the top to make sure everything is OK, the next year the tank is emptied and the inspector climbs

inside. This year, Mr. Paul was inspecting the outside of the tank. He looks at wires, antennas, the ladder and other things that are attached to make sure they were all OK. Mr.

Shike said he also checks the paint. The city hasn't heard if anything was wrong with the tower. Mr. Shike said they will get a copy of the report.

Encounter leads couple to wedding 52 years later

A momentary encounter 52 years ago has developed into a marriage for an Oberlin woman and a Ruleton man.

Barbara "Bobbie" Young's fiancé had just drowned in a boating accident when she was introduced to Ben Duell. She said Duell asked her out, but she was "still healing and not interested."

Both married other people. Barbara's husband, Chuck Young, died 17 years ago, leaving her alone. Duell's wife, Evelyn, who taught school at Burlington, Colo., died about a year ago.

While content as a single woman, Mrs. Young-Duell said she relied on her faith in God to lead her in life.

"I said, 'God, if there's somebody out there, you'll just have to throw him at me,'" she joked.

"Ben and I met at a Gaither concert," Mrs. Young-Duell said. "My

daughter-in-law, Holly Young, and son, Kirk Young, wanted me to attend the concert with them and Rich and Judy Epp. I thought if they drove all the way to Denver for a concert, I'd better attend."

It was at that concert that the couple became reacquainted.

"He called me by my maiden name, Jeffus," she recalled, "and said, 'Wow, you look good. I'll be in touch.'"

They were married on May 29, and they plan to live in Colby.

"We decided since I lived in Oberlin and he lived close to Goodland, we'd sell our homes and buy one in Colby, which is half way," Young-Duell said. "Besides, I have kids here in Colby."

Together, in fact, the couple has 19 children, Duell having 15 children from his first marriage and Young-Duell four from hers.

Pick'Em contest has first-week winners

With nine out of the 11 games correct and the tie breaker, Connie Grafel won first place in the first week of the Pigskin Pick'Em contest at *The Oberlin Herald*.

Ms. Grafel picked winners as Oberlin, McCook, Goodland, Golden Plains, Ellis, the University of Kansas, Pittsburg, Nebraska and

Kansas State University. She also picked the tie breaker, the Kansas City Chiefs with 21 points and the St. Louis Rams with 24.

She won \$15 in scrip money, which must be picked up at the newspaper office within three weeks.

Out of the 13 entries, there were

nine ties for second place with Gary Anderson winning since he guessed the tie breaker correctly. He will receive \$10 in scrip.

Sarah Fredrickson won third place, picking eight of the 11 teams and coming the next closest to the tie breaker score, guessing that St.

Louis would get 30 points and Kansas City 17.

The contest will run for the rest of the football season. Pick up your entry form at the newspaper office or from inside the paper. Entries must be back in the office by 5 p.m. on Friday or in the mail Saturday.

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