



PARTICIPATING IN THE annual National Honors Society basketball fund raiser were from the left: Stephanie Busse, Coach Joy Zumbalen, Jessie Smith, Nakita Schneider and Shayla Hubbard (1st and 2nd grade girls).

Fund raiser held last Thursday

By Casey McCormick

The Cheylin McDonald gymnasium was packed with young athletes and fans of all ages as the annual National Honors Society basketball fund raiser was held. This event allows boys and girls from the second through fifth grades to compete in an organized format, since they are too young to participate in school sports.

"It's for younger kids who can't play regular sports...so we can compete," fourth grader Craig Busse said

After the second graders, wearing bright crimson and white uniforms, held flags and sang a rousing rendition of the National Anthem, the teams began play. The teams were divided by boys vs boys, girls vs girls and grades: second vs third and fourth vs fifth.

The competition was heated and exciting with two upsets. The second grade girls defeated the third graders and the fourth grade boys held off the older fifth grade.

Whether they won or lost every

player enjoyed wearing a team uniform and being with their classmates. Each player received a complimentary water bottle donated by Frontier Equity and cakes were raffled off several times during the festivities.

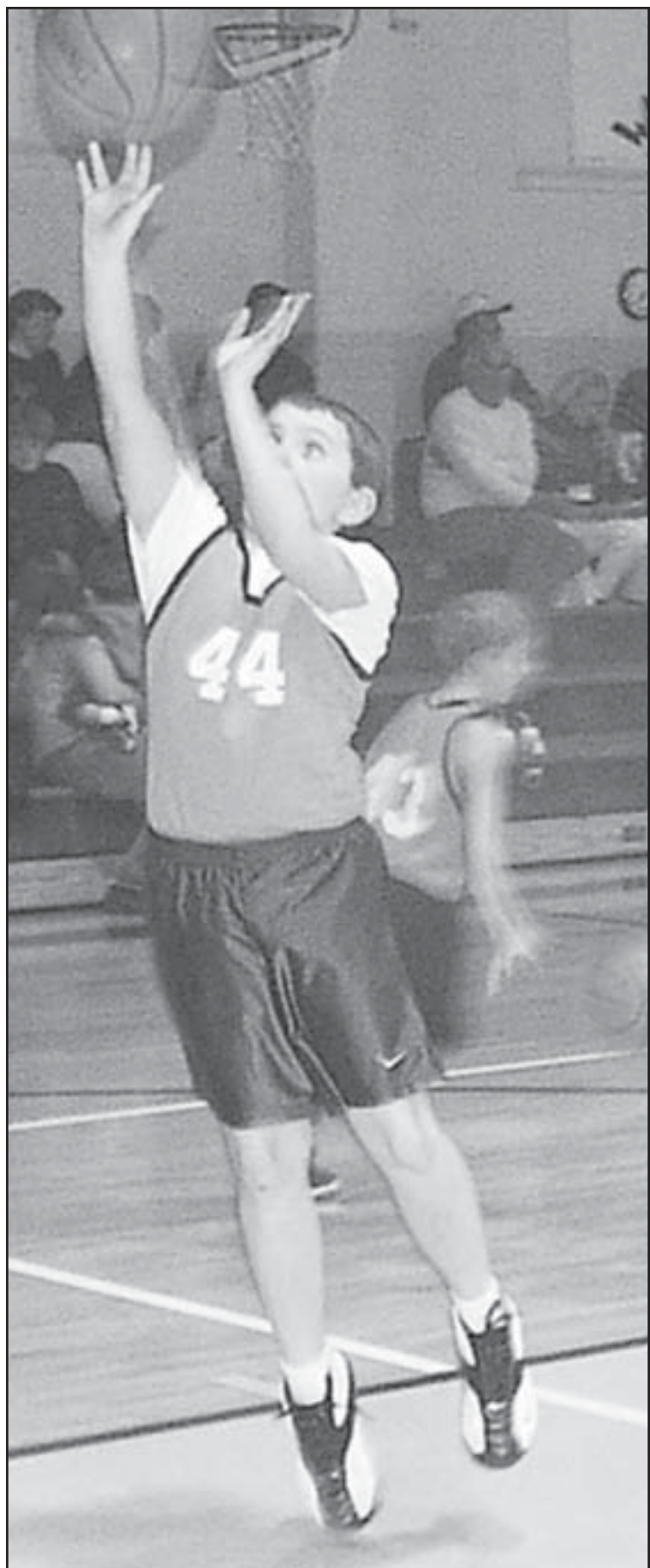
Matt Wilson, one of this year's Honor Society recipients, said, "the money raised tonight will allow us to do something fun."

He add that the National Honor Society will probably have a special meal at the Copper Mill restaurant

in McCook.

"It is an honor to be part of such a good organization," Mr. Wilson said.

His fellow National Honor Society members from Cheylin High School are seniors: Andrew Smith, Stephanie Snyder and Joy Zumbahlen. This year's juniors are: Cristi Antholz, Amanda Banister, Kylie Dixson, Stephanie Hubbard, Brittany Kehlbeck and Hayley Young.



PLAYING FOR the Blue Wizards was Christopher Walden, a fourth grader.

Times staff photos by Casey McCormick

Cheyenne County's judge found guilt of intimidating a witness

By Sandy Barnhart and Karen Krien

Cheyenne County's Magistrate Judge Tamera Zimbelman faced charges of misdemeanor intimidation of a witness in court on Wednesday and Thursday and, on Friday, she was found guilty.

Judge Zimbelman had allegedly threatened Christopher Merklin, St. Francis, whom she accused of stealing her purse at the bowling alley in December 2001. The police searched his pickup at that time but came up with nothing.

A few days later, Judge Zimbelman's estranged husband Rell and friend Scott Baumfalk, Kanorado, went to Mr. Merklin's

home and allegedly demanded that he return the purse. After this visit, Mr. Merklin's father pressed criminal charges of trespassing and disorderly conduct against both men. Mr. Zimbelman was cleared of the charge but Mr. Baumfalk was found guilty of disorderly conduct when the case came to court in December.

Following the incident of the missing purse, Mr. Merklin said Judge Zimbelman called him up telling him to drop the charges or she'd take him to jail for burglary.

Judge Zimbelman admitted to calling Mr. Merklin but denied the alleged threat. She claimed that she had only called up Mr. Merklin to ask about her husband and Mr.

Baumfalk's visit to his home and that she really did want her purse back. Two other St. Francis residents Jim and Christy Miller were also suspected of taking her purse. However, neither Mr. Merklin or the Millers were ever charged with theft.

The state prosecution also had four other witnesses whose testimony conflicted with the judge's statements including Travis Stein, St. Francis law officer at the time of the incident; and Jason Ryan, officer and chief of police.

Officer Stein said that Judge Zimbelman had called him up and told him that she was going to send someone to the Miller's home to

scare them. The judge denied making the statement even though she admitted making the statement to Kansas Bureau of Investigation agents. She said that she felt the agents were "badgering" her so she had made the statement to make them stop.

Chief Ryan said that Judge Zimbelman had yelled at him when she had phoned him at 2 a.m. on Dec. 9 but this was in the case of a high-speed chase that was led by Judge Zimbelman's estranged husband Rell. This case recently came to court and Mr. Zimbelman was found guilty ending up with a \$626 fine plus \$175 in court costs.

See Judge on Page 5

Judge prohibited from judicial duties

Word was received Tuesday morning from the Supreme Court of Kansas and signed by Kay McFarland, chief justice, that District Magistrate Judge Tamera Zimbelman is prohibited from performing any judicial duties in the District Court. Instead, Judge Zimbelman will per-

form administrative assignments as directed by the Chief Judge of the 15th Judicial District.

The order will remain in effect pending final action by the Commission on Judicial Qualifications concerning Judge Zimbelman.

New postmaster installed at Bird City

By Casey McCormick

The new postmaster at the Bird City Post Office is Sonya Weeden, St. Francis. The appointment was effective as of Feb. 22 and was announced by Mark Kerchen, manager, Post Office Operations.

Mrs. Weeden succeeds Susan Schultz who was promoted to the postmaster of the Benkelman Post Office on Nov. 16. Mrs. Weeden has prior service with the postal service having acted as officer-in-charge in St. Francis and Bird City.

The new postmaster began her career in July 1985, as a window/

distribution Clerk in St. Francis where she performed daily duties before taking this position. postmaster. Mrs. Weeden has taken many postal training classes to enhance her abilities in postal operations. She said is looking forward to her new assignment.

"I'm happy to be in Bird City and serve in all the needs that the post office can provide," she said. "If any postal patrons have any question, please do not hesitate to ask me."

Installation ceremonies are scheduled for 10:30 a.m. on Tuesday at the Bird City Post Office. Mr. Kerschen will administer the oath.



BIRD CITY POST OFFICE has acquired a new postmaster as of Feb. 22. When Susan Schultz was promoted to the Benkelman Post Office, Sonya Weeden took over the duties at Bird City. Mrs. Weeden has enjoyed meeting customers in her new position. Times staff photo by Casey McCormick

Election set for Tuesday

By Karen Krien

The 2003 general election will be held from 7 a.m. to 7 p.m. on Tuesday with voting places located at the Peace Lutheran Church in St. Francis and at the American Legion hall in Bird City. Those wanting to vote early can do so in the clerk's office at the courthouse until noon on Monday.

Registered voters will be casting their ballots for St. Francis and Bird City city council candidates and Cheylin and St. Francis Board of Education candidates.

Watch for the listing of winners in next week's *St. Francis Herald* and *Bird City Times*.

Those positions up for election include:

Cheylin School Board: David Frisbie, District 1, position 5; Wade Carmichael, District 2, position 2; and Kerby Krien, District 2, position 4. All candidates are incumbants.

See Election on Page 5

Change of address and phone number

Bird City Times

Rich Ave. - Apt. 10

Phone 785-734-2659 • Fax 785-734-2659
Or Phone 785-332-3162



THE BLUE CHROME TEAM (light colored shirts) consisting of fifth grade girls walked away with the victory last Thursday night against the Jordans which consisted of 4th grade girls. The games were played for during annual National Honors Society basketball fund raiser. Pictured starting with the back left are Laryssa Eckhoff, Naomi Reeh, Lezah Deers, Whitney Horinek, Whitney Churchwell.

Times staff photo by Casey McCormick

Judge

Continued from Page 1

In the “chase” case, St. Francis officer Mark Davidson testified that Judge Zimbelman had burst into his office, yelling profanities at him because he had contacted the Rawlins County Magistrate Judge Pat Carroll to set Mr. Zimbelman’s bond. He had called Judge Carroll because he felt that there was a conflict of interest with the judge being married to the person who was being charged. Judge Zimbelman said that he should have called her first before calling Judge Carroll.

At that time, there was no policy in place as to who was next in charge when the judge’s family member is involved in legal matters. There is now a policy in place.

In this incident, Judge Zimbelman wrote threatening letters to both law officers and the letters were written on official stationery. The prosecution pointed out that these letters were unprofessional, especially when she said in the letters that she would hold them “in contempt of court.” The defense said that, while the letter writing was wrong, the letters were written by a wife who was upset, not from the standpoint of a judge. Judge Zimbelman did apologize to both

officers in writing and in person.

Earlier in the year, the judge had also made another 2 a.m. call to Chief Ryan when she became upset because the law officers had searched her son’s home. However, in this case, she was acting in the role of “judge” but of a private citizen.

The state’s prosecutor Athena Andaya spent much time asking witnesses if they believed Judge Zimbelman’s actions were out of line for a judge. Attorney Day, whom Judge Zimbelman had worked for before becoming judge, was asked repeatedly if he thought the letter was unprofessional and Attorney Day repeatedly answered that the letter concerned him and that he did suggest Judge Jack Burr, chief administrative judge, be advised. Attorney Day did testify that he was trying to maintain a good working relationship between the magistrate judge and the law enforcement. Prosecutor Andaya asked Attorney Day if he had stepped down as Judge Zimbelman’s lawyer when he learned that a copy of the letter had been sent to the attorney general but she did not wait for him to answer that question.

Both Attorney Day and Judge

Burr admitted that the letters were of concern.

Prosecutor Andaya said the state’s position was that Judge Zimbelman was not separating her personal and professional lives. She added that the judge needed to have a “respectable appearance in the community,” but her husband was not helping her with that so she went to Mr. Merklin to try and stop the complaint from being filed.

Judge Zimbelman stands to lose her salary of more than \$40,000 a year if she is convicted.

Judge Zimbelman’s attorney Roger Falk, Wichita, stated that it was a “simple” case of Mr. Merklin misinterpreting the judge’s phone call. He told jurors that Judge Zimbelman had acted with “stupid or inappropriate behavior” but that it was not criminal behavior.

Attorney Falk had asked that retired Judge Stephen J. Nyswonger, Concordia, to acquit his client because the state’s attorney had failed to prove that a crime had been committed and this request was denied. He then asked that Judge Nyswonger declare a mistrial as there were two of the witnesses, Dennis Merklin and Brad Merklin in the courtroom during the opening statements and he believed she did not have a chance at a fair trial. This motion was also denied.

Judge Zimbelman could face up to six months in jail and a fine up to \$1,000. Judge Nyswonger set the sentencing at 1 p.m. on April 24.

Judge Zimbelman could also face disciplinary action by the Commission on Judicial Qualifications, an advisory and investigative panel to the Kansas Supreme Court.



Kansas Classified Ad Network

Adoption

ADOPTION, Pregnant? Call to receive information on loving families hoping to adopt and shower your baby with love. Call Tammy. 800-675-3407.

Business Opportunity

\$1000/WEEKLY possible mailing 225+channels! Digital quality picture/sound. Packages \$31.99/mo. Limited offer. 800-217-4578.

A+ M&M MARS/NESTLE Vending Route. Unique machine. Great opportunity. Prime locations available now! Excellent profit potential. Investment required, \$10K and under. Toll Free 800-637-7444.

For Sale

FREE 2ROOM DIRECTV SYSTEM INCLUDING INSTALLATION! 3 months free HBO & Cinemax -\$66value Access 225+channels! Digital quality picture/sound. Packages \$31.99/mo. Limited offer. 800-217-4578.

POOLS! PRICES PLUNGING! DISTRIBUTOR CLEARING OUT LEFTOVER 2002 POOLS 31'x19' w/sundeck, fence, filter only \$829! 100% financing!

(w.a.c.) Installation arranged! Homeowners call 24/7! 1-800-852-7946 limited area.

Help Wanted

GOVERNMENT POSTAL JOBS. UP TO \$47,578. Now hiring. Full benefits, training, and retirement. For application and info: 800-573-8555 Dept P357 8am-11pm/7days.

Reach more than 1 million potential employees through the classifieds. Advertise in 130+ newspapers statewide. Only \$250/25 words, \$10/extra word. Contact this newspaper or Kansas Press at 785-271-5304 or kcan@kspress.com.

\$WEEKLY\$ ebay Wholesalers Needed. Distribute merchandise on eBay. No experience required. Call Auction Road today for more info. 1-800-568-1636, ext 4271.

Help Wanted/Part-Time

Kansas Army National Guard - P/T positions available. Get skills to put your career on track. We offer free training, college money, steady pay. 1-800-432-2447 www.ks.ngb.army.mil.

Help Wanted/Truck Driver

\$1,200 CASH BONUS for qualified OTR drivers. 3 years flatbed experience needed. Established flatbed carrier looking to expand. Peterbilt conventionals, air-ride flats. Good Pay, Good Benefits. Specialized Hauling, M-F, 7:00-

5:30. Call 800-831-0870.

DRIVERS CALL ALL FREIGHT HOME! Company Drivers for dry van & reefer divs. Avg. single driver made \$46,500 last year! Home weekly! 800-377-7575.

Drivers/Owner Operators. Great pay, benefits, high weekly miles and \$2500 sign on bonus. 1yr. T/T exp. required. Call SMX 800-247-8040.

Drivers/PUT YOUR EXPERIENCE TO WORK FOR YOU. Start up to 37¢. Teams split up to 39¢. Min 6 mos. Exp. CDL-A w/haz 800-287-0376.

Drivers/Students Needed Immediately. CDL Training available through USTDS in Denver, CO. Financing transportation, housing and tuition reimbursement available. Call Carmen at 1-866-268-7854 for Details.

SLT EXPRESS. 35 western states. Excellent pay and benefits. Newer equipment. 3 years experience OTR, with Hazmat required. 1-866-313-0478.

Legal

Social Security disability claims; Saunders & Saunders Attorneys at Law. No recovery, No fee! 1-800-259-8548.

Medical

MEDICARE PATIENTS USING

INHALERS Albuterol - Atrovent - Combivent - Serevent - Azmacort - Flovent and Others. Having Difficulty? Breathe Easy Again. Medicare covered liquid therapy may be available if you qualify. MED-A-SAVE 1-800-224-1919 ext. KS1203.

Real Estate

Handicapped-accessible homes & Extra Additions. Menke & Associates a Wardcraft Dealer specializing in custom built accessible house. Tax Credits may be available. 800-383-9090.

Special Notice

TRAILERS—200 in stock—Car haulers, goosenecks, dumpers, enclosed cargo and motorcycle at Trailer Town of Wichita, 800-394-5013.

Sporting Goods

GUN SHOW MARCH 29-30, Sat. 9-5 & Sun. 9-4, Wichita, KS - CESSNA ACTIVITY CENTER (2744 George Washington Blvd) BUY-SELL-TRADE Info: (563) 927-8176.

WORLD’S LARGEST GUN SHOW - APRIL 5&6, TULSA Fairgrounds, Sat. 8-6, Sun. 8-5, WANENMACHER PRODUCTIONS. Bring guns: sell, trade, or appraisal. Tell friends! www.tulsaarmsshow.com.

Steel Buildings For Sale

ALL STEEL BUILDINGS. Straight-

wall and Arch. Factory direct. \$200 to \$500 below any bid or we’ll send you a check for \$200. 1-800-973-3366. www.premiersteel.org.

Save ALL Steel Buildings. Farm-Commercial-Equine-Hay. See Rick or Doug at the Mid-American Farm Expo., March 25/26/27, Salina, KS. Worldwide Building Sales, Inc. 1-800-825-0316.

Steel buildings. No high pressure sales. Order now, Spring delivery. 24x36x10 \$4999 30x40x10 \$5595 30x50x12 \$6675 40x60x14 \$9275 Call about other sizes 866-875-8790.

STEEL BUILDINGS Sale: 5,000+ sizes. All-Steel for lasting value! Down-home service to meet your building needs. Call for free brochure. www.sentinelbuildings.com, Sentinel Building, 800-327-0790, Extension 79.

Steel Roofing/Building Materials. Galvanized Steel starting @ \$32 square, painted @ \$42. Call for catalog. Western Metal - Kansas, Hays 1-800-770-2725, Louisville 1-800-489-4100, Statewide delivery available.



Genealogy Korner

By Marilyn Holzwarth

I have not received many family requests for information about early Cheyenne County citizens this winter, if you have any questions about any early county citizen, please contact me, Marilyn Holzwarth, and I will let you know what I have found in any county records I have searched.

One very interesting family I have learned about lately is the family of Orville Grant McVey who homesteaded in Jefferson Township. The family arrived from Ohio when this county was young, with his family, wife, Mary (Cherry) and possibly five children. *The Bird City News* in January 1887, noted that he was one of the first subscribers of the newspaper. One infant was born here in 1887, and died in 1889, the burial place is unknown. Another daughter, Gladys Julia was born around Bird City in 1889.

One of our early newspapers noted that the father of Mary, Matthias Cherry was a minister. At the time I

wrote to the family. Now they have learned he was a minister in the Methodist Church and they may be able to learn more about him through this connection. Matthias filed for a homestead here, but evidently did not live here very long, probably only as long as he needed to so he could prove up on the land.

This searcher, Robert Taylor, sent a picture of Grant McVey, you will find this very interesting. Grant is standing in front of a parade display, and is wearing his gun in a holster! The place of the parade is unknown as of now, but it may have been in eastern Kansas, at an Indian Mission.

Robert recently received some facts from a cousin who was lucky enough to find notes from someone who researched the Cherry family around 1880. Wouldn’t it be great if we could find a connection between this Matthias Cherry and Isaac Cherry who lost his life in 1886 in a blizzard in Cheyenne County!

Election

Continued from Page 1

St. Francis School Board: Pete Kinen and, incumbant, Clifford Raile, District 1, position 1; Bonnie Zweygardt, District 2, position 2; John Knodel, District 3, position 3; and Sherry Weeks, Member-At-Large.

Bird City City Council: Frank

Serrano, Troy Burr and a write-in candidate is Loren White. There are three vacant seats on the city council.

St. Francis City Council: Robert (Bud) Erskin, and incumbants Roger Jensen and Dale Weeks. There are only two seats up for election on the city council.

Mayor candidate: Scott Schultz.

Public Notices

Published in The St. Francis Herald, St. Francis, Kansas, Thursdays, March 20, March 27 and April 3, 2003. (12-14)

IN THE DISTRICT COURT OF CHEYENNE COUNTY, KANSAS In the Matter of the Estate of RAYMOND E. HILT, Deceased

Case NO. 02-P-12

NOTICE OF HEARING

PURSUANT TO K.S.A.

CHAPTER 59

THE STATE OF KANSAS TO ALL PERSONS CONCERNED:

You are hereby notified that a Petition has been filed in this Court by Martha Sletto and Elmer Hilt, the duly appointed, qualified and acting Co-Administrators of the Estate of Raymond E. Hilt, deceased, praying that their acts be approved; that their accounts be settled and allowed; that the Estate be assigned to the persons entitled thereto; that fees and expenses be allowed; that costs be determined and ordered paid; that the administration of the Estate be closed; that the administrators be discharged and that they be released from further liability.

You are required to file your written defenses thereto on or before the 11th day of April, 2003, at 10:00 o’clock A.M. of said day, in said Court in the City of St. Francis, in Cheyenne County, Kansas, at which time and place said cause will be heard. Should you fail therein, judgment and decree will be entered in due course upon the Petition.

Martha Sletto & Elmer Hilt, Petitioners

KITE & DAY, L.L.P.
112 West Washington
P.O. Box 575
St. Francis, Kansas 67756
785/332-3323
Attorneys for Petitioner

Published in The St. Francis Herald, St. Francis, Kansas, Thursdays, March 27, April 3 and April 10, 2003. (13-15)

IN THE DISTRICT COURT OF CHEYENNE COUNTY, KANSAS In the Matter of the Estate of JOE NEILAN, a/k/a JOE H. NEILAN, deceased

Case No. 03-P-04

NOTICE OF HEARING

PURSUANT TO K.S.A.

CHAPTER 59

THE STATE OF KANSAS TO ALL PERSONS CONCERNED:

You are hereby notified that a Petition has been filed in this Court by Gary J. Neilan, one of the heirs of Joe Neilan, deceased, praying

That descent be determined of the following described real estate situated in Cheyenne county, Kansas, to-wit:

The Southeast Quarter (SE 4) of Section Thirty-three (33), Township Two (2) South, Range Forty (40), West of the 6th P.M.

You are required to file your written defenses thereto on or before the 18th day of April, 2003, at 10:00 o’clock A.M. of said day, in said Court in the City of St. Francis, in Cheyenne County, Kansas, at which time and place said cause will be heard. Should you fail therein, judgment and decree will be entered in due course upon the Petition.

GARY J. NEILAN, Petitioners
KITE & DAY, L.L.P.
112 West Washington
P.O. Box 575
St. Francis, Kansas 67756
785/332-3323
Attorneys for Petitioner

Published in The St. Francis Herald, St. Francis, Kansas, Thursday, March 27, 2003. (13)

IN THE DISTRICT COURT OF CHEYENNE COUNTY, KANSAS In the Matter of the Estate of Gary E. Ross, Deceased

Case No. 02-P-18

Petition Pursuant to K.S.A. 59

NOTICE OF SALE STATE OF KANSAS TO ALL PERSONS CONCERNED:

YOU ARE HEREBY notified that Keith D. Ross, Administrator of the above-entitled estate will offer for sale at public auction the following described personal property:

Furniture, appliances, glassware and collectables, household items, lawn and garden tools and supplies and many more items too numerous to mention,

on Sunday, April 13, 2003 at one o’clock p.m. on the premises of the late Gary E. Ross, located at 221 West Spencer Street, St. Francis, Kansas 67756, to the highest bidder for cash.

All parties interested should take notice and govern themselves accordingly to Keith D. Ross, Administrator.

BROWN, CREIGHTON & PECKHAM
308 Main - Box 46
Atwood, KS 67730
785-626-3295