



# COLBY FREE PRESS

## Costly mistake City to split bill with resident

By **PATTY DECKER**

*Free Press Editor*

After a lengthy discussion, members of the Colby City Council voted unanimously at their Tuesday meeting to share the expense in reconnecting one local resident back onto city water service rather than give grandfather status on a private domestic well.

The decision to pay a 50-50 split to do the reconnection was based on the information that a city employee misdirected a homeowner, Vernon Flanigan on Terrace Drive, by giving him wrong information and without the authority from Gerry Bieker, director of public works, or Carolyn Armstrong, city manager.

When the council learned of the mistake, Armstrong said she believed there were two options in resolving the problem to include either grandfathering in the private well and require Flanagin to submit testing reports for contamination on a annual basis or to enforce the ordinance by making him reconnect to city water.

The primary concern from a majority of the councilmen was the contamination issue and the lack of control the city would have with respect to pollution control in the event the well tested positive for contaminants.

"There are two aspects to look at here," said Todd Barrows, one of the councilman. "First, an employee of the

city gave wrong advice to Vernon (Flanagin), and the second concern is that if we grandfather the well in, we will have no control over what is going through that well."

Barrows suggested the option to disconnect the private well piping and reconnect the appropriate pipes for city water service.

Other councilmen agreed that there was definitely a "failure to communicate" and didn't believe it was fair to require Flanagin to be fully responsible for the reconnection in the event the council wouldn't agree to the grandfather status.

John Bremenkamp, another councilman, said that if the reconnection was important enough due to contamination worries and an employee (who remained nameless during the discussion) initiated the miscommunication, he agreed the city should take partial responsibility too.

"We don't want a blank check or do this sight unseen," said Eugene Wieland, council president, who also requested the members consider a firm dollar amount that would be the city's share in the event Flanagin was forced to reconnect.

The council agreed that no more than \$500 would be the city's portion for correcting the mistake.

"I thought I was doing a good thing for us and the city by adding the private

well," Flanagin said at the meeting, "at least that's the way it started out."

He was also quick to add that he was not angry with the employee or council over what had happened and was there to look at a remedy as well.

"Being a resident for more than 30 years, I was in an awkward situation and I sure wouldn't have objected to continuing to pay for sewer service and testing the well," he said. "Reversing what we did will be costly."

Armstrong said that while this wasn't exactly the smoothest situation, she also explained to the council that the ordinance doesn't change and clearly says that hooking home water to private wells is a violation of the ordinance.

"Please do not establish a precedent we cannot live with," Armstrong said with respect to taking partial responsibility by paying the homeowner to reconnect.

However, the council agreed that the next time a similar situation occurs, the homeowner would be on his own and that sharing in costs would not be an option.

As for Flanagin, he told the council he was willing to go along with whatever they determined and that throughout the entire process he said the city manager and public works director acted professionally in trying to resolve this problem.

## New man in town



DARREL PATTILLO/Colby Free Press

Larry Dilts is the latest addition to the maintenance staff at the Colby Community Building. Dilts, 55, moved to Colby to be closer to family, which he has in Oklahoma, Missouri, Colorado and Texas. Larry's wife, Karen, is pursuing her master's degree in special education and will be joining him in May. They are relocating to Colby from Newcastle, Wyo.

## Parade day nears

### Many entries for this year's Sunday event

By **MICHELLE L. HAWKINS**

*Colby Free Press*

"Do you hear what I hear..."

The sounds of a parade.

A Christmas parade!

With Christmas just around the corner the season will be ushered in with the annual Christmas Parade on Sunday, co-sponsored by the Colby/Thomas County Chamber of Commerce and the *Colby Free Press*.

So far more than 30 entries have been received for the event that will start at 6 p.m. on Sunday. The parade will be taking the traditional route by forming at the corner of Second Street and Franklin and traveling north on Franklin to end at Santa City.

Lelani Thomas, director of the Colby Convention and Visitors Bureau, said today that there is still time to pre-register for the parade (see editorial page 2). Entries of all sorts, from organizations, businesses, churches, choirs, families and individuals are all encouraged. Those who enter the parade are also encouraged to follow the theme, "*Cruise to Colby this Christmas*."

Those who do not pre-register can



PATY DECKER/Colby Free Press

This combine from the Colby Ag Center was the winning commercial entry in last year's Colby Christmas parade. The 3,500 lights on the combine took 70 hours to affix.

still participate by signing in on Sunday night. Upon arrival they should find either Jada Johnson-Tubbs or Greg Shaffer who will be in the vicinity of Second and Franklin.

Thomas said that although people can still sign up on Sunday night, it would be helpful for the announcers and judges for people to call the Chamber office (462-3401) and pre-register. Anyone who wishes to enter will be eligible for prizes of Chamber gift certificates that can be used at any Colby business.

In addition to the parade, there will be hot cider being served near the judges review stand in the 400 block of Franklin.

Thomas said that Santa and Mrs. Claus will be participating in the pa-

rade and will be at Santa City following the parade to take Christmas wishes.

There will be a variety of entries said Thomas. Registered participants include: Colby Ag Center, Abilene Hustlers 4-H Club, the Colby Brownies; Unicel, First National Bank, Southwind Plaza, Trinity Lutheran Church, College Drive Assembly of God, Great Western Tire, the Colby Fire Department, Second Generation, Colby Implement, Colby High School Drill team, Frontier Autoplex, and a variety of others. The National Guard will also be on hand to start the parade with the presentation of colors.

Everyone is encouraged to come out and watch.

## Governor-elect Sebelius is sued

TOPEKA (AP) — News organizations have filed an open meetings lawsuit against Gov.-elect Kathleen Sebelius, but she says her transition is unusually accessible to the public.

The Associated Press, the Kansas Press Association, the Kansas Association of Broadcasters and 11 newspapers filed their lawsuit Wednesday in Shawnee County District Court.

They seek to open meetings of teams Sebelius appointed to review state government.

"All Kansans have a right to know about their government," said Paul Stevens, AP bureau chief for Kansas and Missouri. "Public officials must not hide the public's business behind a veil of secrecy."

Sebelius told the AP she is trying to balance the need for openness with the need for frank discussions about government.

"I don't think there is a lot of doubt that having every comment recorded and played back in a media forum can

have a chilling effect on people's willingness to be very blunt and candid," Sebelius said.

Sebelius also said her transition has been more open than any other. She has appointed five teams to review state agencies and plans to name a sixth to examine education.

She also has established a toll-free telephone line to take suggestions and is receiving letters and e-mails from Kansans.

Her transition office said it has received nearly 1,500 ideas.

The lawsuit named Sebelius and her transition office as defendants and asked Judge Eric Rosen to order the review teams to comply with the Kansas Open Meetings Act.

Rosen scheduled a hearing for 9 a.m. Dec. 12. Sebelius is being represented by Assistant Attorney General Steve Phillips.

Rick Thames, editor of The Wichita Eagle, said the review teams will be recommending where to cut govern-

ment spending.

"It's important work," said Thames, also KPA legislative liaison. "It ought to be done in full public view. Otherwise, people are going to have a lot of questions later about why these task forces targeted some areas for cuts while passing over others."

The filing came a day after Sen. David Adkins, R-Leawood, resigned as leader of a team studying public safety agencies. Adkins said he wanted his team's meetings to be open.

Sebelius' Budget Efficiency Savings Teams are the result of her campaign promise to conduct a top-to-bottom review of state government to look for efficiencies.

The governor-elect and her aides have said they do not believe the teams are subject to the meetings law.

"I did check with the attorney general's office before we went forward," Sebelius said. "They assured me that this is perfectly within the realm of the law."

## Menninger Clinic eyes Texas again

TOPEKA (AP) — Menninger, the renowned psychiatric clinic that has reduced its staff and programs over the past two years to deal with financial problems, has renewed plans to move to Texas.

Wednesday was the second time Menninger has announced a partnership with the Baylor College of Medicine and the Methodist Hospital, both in Houston. A plan announced in September 2000 fell apart after 10 months of negotiations.

But officials said Wednesday that Menninger's streamlining of its operations — cutting about 650 employees

to create a current staff of 250 — led to a second agreement, approved by trustees of all three institutions.

Menninger plans to move to Houston by June. It plans to sell its buildings and 500 acres of land in Kansas, including its campus in west Topeka.

In the past, Menninger officials have said their clinic couldn't survive in Topeka.

They said Wednesday that Menninger needs to affiliate with major medical and research institutions.

Officials have attributed past financial problems to the increase of managed health care plans and attempts to

control costs by reducing hospital stays.

Topeka has been home to Menninger since it was founded in 1925 by Drs. Karl and Will Menninger and their father, Dr. C.F. Menninger.

Karl Menninger and the clinic developed an international reputation.

W. Walter Menninger, son of Will Menninger, retired last year as president and CEO of the Menninger Foundation.

Officials would not discuss the financial terms of their partnership, nor say what other proposals Menninger trustees considered.

basketball game beginning at 5 p.m. and until the end of the first quarter of that game on Saturday, said Tom Beckman, high school girls basketball head coach. The event, which will be held in the basement of the Colby Community Building, is to help Ivy Ramsey, a Colby High School junior, defray surgery and rehabilitation costs incurred during the summer. The menu will include barbecue pork sandwiches, potato salad, chips, dessert and drink for \$5. Along with the cost of the meal, each person will also receive a numbered ticket with a chance of winning a \$25 gift certificate from the Sports Shoppe.

### Area children invited to write Santa

Area children are invited to submit letters to Santa Claus which will be published in a special edition of the Colby Free Press on Friday, Dec. 20. Children can mail letters to Santa at 155 W. 5th St., Colby, Kan., 67701, or drop them by the newspaper office between 8 a.m. and 6 p.m., Monday through Friday. Deadline for submitting letters will close of business on Friday, Dec. 13. For questions, call the editorial department, 462-3963.

### WeatherWatch Colby-Oakley area

#### The numbers

Wednesday's high, 31

Low this morning, 21

Year ago today, 50 and 27

Temperature at 11:30 a.m. today,

39

Soil temperature, 36

Records for Dec. 5: 84 in 1945, 8 in 1967

#### The forecast

Tonight, clear, lows around 20. Friday, sunny, high lower 50s. Friday night, clear, lows lower 20s.

Saturday, partly sunny, highs middle 40s. Saturday night, cloudy, lows around 20. Sunday, cloudy early, then becoming sunny, highs lower 40s.

## Briefly

### 'Experience Christmas' planned Sunday

The Colby United Methodist Women are encouraging everyone to take part in this year's "Experience Christmas" event, from 2 to 5 p.m. on Sunday. Tickets for adults are \$6; children 6 through 12, \$3; and children under 5 are free. The event will include music, nativity scenes, symbolism, memories and through the eyes of children displays at various locations in Colby. Tickets will be available at the United Methodist Church, at any of the sites on the tour or from any United Methodist Woman. For questions call Jane Bandy at 462-7380.

### 'Tot Shop' open Saturday only

Mu Epsilon is once again going to make shopping a bit easier for children in 5th grade and under, said Cindy Reinert, one of the coordinators and members of the sorority. The annual event, known as "Tot Shop," will be open from 9 to 11 a.m., Saturday, at Pioneer Memorial Library in Colby with a variety of wrapped gifts suitable for parents, grandparents, or other relatives and friends.

Each gift is \$3 with all proceeds going to various service projects.

### Middle school to hold concert

Middle School will present its winter band concert at 7:30 p.m., Tuesday, Dec. 10 in the high school auditorium, said Cathy Cash, band director. Everyone is welcome to attend this festive concert, she said, and free of charge. A few selections that will be played include Angels We Have Heard On High, All I Want For Christmas Is My Two Front Teeth, and O Come To The Manger, she said.

### Singles dance Friday

The Colby Singles Group will hold its monthly dance from 8 p.m. to midnight, Friday with Jim Christensen of Kearney, Neb. providing the entertainment, said organizer Don Birzer. The dance is open to all single people and alumni. For more details call Birzer at 462-2127.

### Fund-raiser planned Saturday

There will be a special meal prior to the Colby High School boys

