



# COLBY FREE PRESS



PATTY DECKER/Colby Free Press

Colby Mayor Ken Bieber, left, and council members Jim Brown, Mark Beringer, Phil DeYoung and Bev Eicher reviewed plans for

Bosselman truck stop at the city council meeting Tuesday. The target date for completion is June 2008..

## School board continues talk of higher taxes

By Tisha Cox

Colby Free Press

A capital outlay fund for the Colby School District is a possibility.

The board discussed the fund at its meeting Monday, but did not take action. A capital outlay fund is used to pay for buildings, repairs to buildings, vehicles and more.

Superintendent Kirk Nielsen recommended a capital outlay committee find needs, have the board review them and fine-tune those needs.

Board member Kevan Taylor said the board needs to prioritize what is important. Board member Janice Frahm said everyone should know.

"It's necessary to articulate the needs of the district to the community," Frahm said.

Colby resident Brian Luedke asked the board if capital outlay fund had already been voted down once, and if the board has the ability to let taxpayers vote on the issue.

"I want to make sure the right questions are asked to the right people," he said.

Board member Joel Powell said the district has not had a capital outlay tax in some time. The district has not had a capital outlay tax levy since 1999.

The district has \$284,635 currently in its capital outlay fund, but \$100,000 of that was donated by the Colby All-Sports Booster Club to pay for a new stadium at Dennen Field.

"We don't have any revenue going into it," said district financial officer Jo DeYoung said about the fund.

In 1998, the district passed a resolution to continue the tax levy. Jo DeYoung, district financial officer, said before 1998, the district had levied four mills a year for capital outlay, and could do so for five years. The 1998 resolution would have extended the four-mill levy for another five years.

However, a petition was filed, forcing the issue onto the ballot for a vote.

The petition was invalid, and an election was not required. The petition was invalid because a copy of it with the question to be on the ballot was not filed correctly with the county attorney's office. The county clerk and district were then sued by three taxpayers.

The district budget for 1998-1999 included the four-mill tax levy, which was taken in 1999. A court hearing was held in Novem-

ber 1998, and in December of that year, a restraining order was filed against the district to not collect the tax.

Later that month, the court issued its decision, allowing the tax to be levied.

However, that was appealed, and in 1999, the state court of appeals ruled the publication of the school district's resolution was done improperly. It was supposed to be published two weeks in a row, on the same day. Instead, it was published two weeks in a row, but on different days.

The court ruled that was invalid. The affair ended with the district losing its tax levy for capital outlay.

DeYoung said a "safe" amount for the fund is a matter of opinion. For a district the size of Colby, she recommended \$750,000.

Board president Tracy Rogers said they need to see if they need a capital outlay fund. He said the Administration Building was built using taxpayer money, which was from the capital outlay fund.

Frahm said if the district had a budget cushion, it would be buying buses.

Powell said they would have to put the issue to a vote. Rogers said they should.

"I've got no problem with that," he said. "I think people should have a say in what needs to be done."

If the district were to have a special election using a mail ballot it would cost \$18,000, plus labor.

The alternative would be putting the issue on the ballot in August 2008. The last school special election cost \$6,000.

Taylor asked about the district's local option budget percentage.

The state-set limit for the local option budget is 30 percent. Colby is currently at 27.38 percent. DeYoung said the district could raise its option budget to 30 percent. But she said they could find out next week if that limit is going to be raised by the state.

Rogers said the board needs to step up or shut up.

"If we aren't going to address the funding issue, then we need to stop forming committees," he said. "We could continue as we are."

Frahm said the group needs a concrete idea of what it wants to do, and communicate those needs to the community.

"I see that as the next step," she said.

Curriculum Director Diana Wieland said the district has to deal with many unfunded mandates, and more are added each year.

## New truck stop nears bid process

By Patty Decker

Free Press Editor

Plans for a new truck stop in Colby could be finalized later this month, according to information presented at Tuesday's council meeting.

Bosselman Company, which entered into an agreement almost one year ago with Curt Stephens, owner of Stephens Construction, is moving forward on building its new facility near exit 54 off Interstate 70. However, the city and Bosselmans still need to finalize water pressure issues and usage before the project moves forward.

City Manager Carolyn Armstrong, said she was meeting with the city's engineers and Bosselman officials today to talk about those

concerns.

Art Sahlman, the company's maintenance director, was at the meeting and brought site plans for the council to review and answer questions.

The primary entrance to the new facility would be to the north of Willow Avenue, Sahlman said.

"We might need to have booster pumps or a lift station for pressure depending on the elevation," he added.

"If all goes well," Sahlman said,



Sahlman

"we have a lot of work to do in order to get the truck stop and Wendy's built before June 2008."

The first phase of the project is to build the 10,000 square foot truck center, fueling islands and Wendy's Restaurant, he said.

Future plans will include a motel, shop bay and another restaurant.

City Councilman Jim Tubbs said he wanted to know how profitable it would be to the city depending on how much water pressure, lift station, and usage was required.

"We will know more after we talk with the engineers," Armstrong said.

In addition, Bosselman's does not want to be annexed into the city limits since road improvements would be their responsibility, but

they are willing to pay the water and sewer rates, which would be double that of businesses within the city.

"The big question is how bad do you want us?" Sahlman queried.

"We definitely want Bosselmans here," Armstrong said.

More specific cost estimates for water usage, water pressure concerns, and other responsibilities between the city, county and company will be further discussed at the June 19 council meeting.

The Nebraska-based Bosselman Company is a family-owned business with truck and travel centers in Kentucky, Iowa, New Mexico, South Dakota, Kansas and Nebraska. Colby will be the second location in Kansas with the other in Salina, said Sahlman.

## Kansas police search for missing teen

OVERLAND PARK (AP) — A young, goateed man videotaped leaving a Target store moments before the apparent abduction of an 18-year-old woman from the adjoining parking lot is being sought for questioning, investigators said.

The man hadn't been identified as of Tuesday evening and was not being called a suspect, but he might have information about the disappearance of Kelsey Smith, Overland Park Police Chief John Douglas said.

Police on Tuesday night released surveillance video showing an

older-model Chevrolet pickup truck that they believe was involved in the teen's disappearance Saturday.

They earlier released video showing a woman they believe is Smith being forced into her car.

Just before 7 p.m. Saturday, the 1970s-model pickup pulled into the parking lot aisle where Smith had parked about one minute earlier, police said.

A man is seen leaving the pickup and going into the Target store Smith had entered.

Smith, who graduated from high

school less than two weeks ago, left the store around 7:10 p.m. and put packages into her car when someone ran toward her, police said.

"You see two individuals come together, and there is no separation of those two individuals," Douglas said.

"So it is easy to conclude there was some kind of incident at the back of the car. Then the car leaves."

The tape was "just not detailed enough" and was being enhanced at a forensics lab, Douglas said.

"We see activity," Douglas said of the videotape. "We are moving

on the assumption — because the prudent thing to do is to treat this as an abduction — that there was some kind of force involved."

More than 50 detectives and officers from the area and the FBI were involved in the case, he said.

About two hours after Smith disappeared, her grandparents found her gray 1987 Buick in a parking lot at a mall in suburban Kansas City with her purse and packages still inside.

The Smith family has increased the reward for information about Kelsey's disappearance to \$30,000.

## Section of Colby's Fourth Street to shut down for repairs

By John Van Nostrand

Free Press Publisher

Get ready for the cone zone, Colby.

The city of Colby is preparing to repair Fourth Street from Chickamauga Avenue to School Avenue. Work is scheduled to begin later this month and last to early November. City of Colby Public Works Director Chris Bieker told the Colby Rotary Club details of the work during its meeting Tuesday.

"This will be very similar to Fourth and Franklin work years ago," Bieker said.

In summer 2003, Fourth Street was repaired while traffic was shuffled around the work zone. Bieker said the work this summer is an extension of the work from four years ago.

Plans are to remove the asphalt on Fourth and close the eastbound lanes, first. Work will also force the closure of Fourth Street intersections with Chickamauga, School and Mission Ridge.

Bieker said access to certain businesses during the construction will be limited. He urged people to avoid using Fourth Street to get to Farmers and Merchants Bank, Love's convenience store, the car wash next to Love's and Pioneer Memorial Library. Plans in the future are to repair Fourth Street all the way to Range Avenue.

The work on Fourth is expected to be the city's most extensive street work this summer. Bieker said the city is also planning minor work to various streets throughout town. "There are lots of streets, we all know where they are at, that have big bumps," he said.

### Out of the can

Announced earlier this year, the city of Colby is reorganizing its garbage collection operation. Due to expected retirement of longtime garbage collectors, rather than the city replace those employees, the city will change to a one-man garbage truck.

Along with the truck, the city will require residents to have specific

garbage cans that work with the new truck. Cans can be emptied by the operator of the truck. The new truck is expected to arrive in September.

"There has been a lot of controversy with this," Bieker said.

The city is offering new garbage cans, called tipper cans, to those residents who don't already have one, for free.

The city is requiring one tipper can for household trash and another can for grass clippings.

Those who receive the garbage can for free, will not own the can. The can will be required to stay with the house, should the occupants leave for any reason.

Those who have purchased their tipper can in the past can keep it. New tipper cans will be tracked by the city to know which residence the can is for. Those with the cans are allowed to stencil their street address on the can. Bieker said there has been some controversy over the cans from those who own rental properties. Some rental-property owners have told city council their

concerns about being liable for the cans.

Damaged tipper cans can be replaced free of charge.

People with tipper cans for garbage and grass clippings will be given a sticker to designate which can is for. Additional garbage bags left outside the tipper can will not be collected. Grass clippings are not to be bagged and then placed in the can. Bieker said no changes are planned for commercial garbage collection.

"We are trying to maintain the same service at current costs," said Carolyn Armstrong, city administrator who was also at the meeting. Bieker also commented on the progress of the town's new sewer plant currently under construction in the northeast part of Colby.

Construction has been an economic development tool for Colby as several construction employees from out of town have rented houses and apartments. The plant is expected to be finished in September 2008.



JOHN VAN NOSTRAND/Colby Free Press

Traffic drove down Fourth Avenue near the intersection of Chickamauga Avenue. The city of Colby is preparing to repair a portion of Fourth from Chickamauga to School avenues beginning later in June. Traffic will be down to two-lanes.