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12 pages

COLBY FREE PRESS

50¢

Thursday

July 3, 2008

Volume 119, Number 106
Serving Thomas County since 1888

Judge candidate emphasizes experience

By Tom Betz
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The Republican primary race to replace District Judge Jack Burr pits an experienced Goodland lawyer with 25 years in practice against a young attorney from St. Francis and a young county attorney from Colby in Thomas County.

Republican voters from the entire district — Thomas, Sherman, Cheyenne, Wallace, Rawlins, Sheridan and Logan counties — will decide the winner in the primary on Tuesday, Aug. 5.

Scott Showalter, 48, who has lived in Goodland since 1973, is running for the District 2 position in the 15th Judicial District.

Because of a combination of the

county and district judge positions more than 30 years ago, County Clerk Janet Rumpel said, state law requires the person holding this district judge position to live in Sherman County.

Showalter said he believes his experience as a city judge in Kanorado and assistant judge in Goodland, and his 10 years as Sherman County attorney gives him the experience to be a good judge.

Showalter said a judge does not have a lot of flexibility in deter-



Showalter

mining if a person is going to jail, as that is determined by the sentencing guidelines passed by the legislature.

"It is only after the person has committed another infraction that the judge has some discretion," he said. "Standardized sentencing was the objective of the state Legislature.

"It has advantages and disadvantages. In a small community, you would think the judge would be able to determine how much time to sentence a person for a crime. However, the other side is that if you committed a crime in Wichita, the penalty should be the same."

Showalter said as district judge, he could wind up dealing with any case in the seven counties, but as

normal practice Judge Burr has handled cases in Sherman and Cheyenne counties. He said he understands that Burr is one of the longest serving district judge in Kansas. He has been the administrative judge for the district for the past 12 years.

Many cases in Cheyenne and Wallace counties are covered by magistrate judges elected in those counties, but with the combination, the district judge in Sherman County handles all the county cases plus cases from other counties in the district.

Showalter said state law calls for having one judge per county, though this provision has been under assault from the eastern part of the state. Legislators would like to move judgeships from less-pop-

ulous counties to the east, where they have a heavier caseload, the he said.

Showalter said the dockets are going down in some of the counties, but that Sherman County has stayed pretty consistent. He said Thomas County dropped from 400 cases three years ago to 300 last year.

Showalter has practiced law in Sherman County for 25 years. In his work as county attorney he handled 2,600 cases, he said, and assisting County Attorney Bonnie Selby, he has been part of 406 felony cases. He said he has served as assistant county attorney for Wallace, Thomas and Sherman counties.

"I have tried more than 70 jury trials, argued appeals before the

Kansas Court of Appeals and Kansas Supreme Court," he said.

As court trustee, Showalter handles more than 1,000 domestic law cases each year, ranging from paternity to child support and maintenance collection.

He said about one-third of the cases the district judge hears are criminal, and the other two-thirds involve domestic issues and civil law.

"I believe that experience related to the job should be a critical factor," he said. "The experience I have I believe will give me some insight. I have been at this for 25 years, which is more than twice what the other two candidates have combined. This is my home. I feel I have a good record and am proud of what I have done."

County attorney contestant meets with commissioners

By Jan Katz Ackerman
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Thomas County Attorney candidate Preston Pratt met with county commissioners on Monday to introduce himself.

"My intention on being county attorney is not to work my way to judge," Pratt said. "I would like to be county attorney until I retire or get voted out of office."

Pratt, a resident of Oberlin, partners with Steve Hirsch to run Hirsch and Pratt Law Firm at 124 S. Penn Ave. in Oberlin. They also have an office in Oakley at 208 Center Ave.

Commissioner Paul Steele asked Pratt whether he knows how much the county attorney earns. Pratt said he did.

Thomas County Attorney Andrea Wyrick is paid \$57,683, broken into 12 monthly payments of \$4,807. She receives an overhead allowance each month of \$1,708, or \$20,500 per year, and Thomas County reimburses Logan County, where she also serves as county attorney, \$5,634 each year for her health insurance.

Steele said Commissioners Ken Christiansen, Byron Sowers and he are considering setting aside \$3,000 to \$5,000 of the current money budgeted for county attorney to pay someone to serve as attorney for the commissioners. He wanted to know whether Pratt, if elected, would serve as the commissioners attorney, in addition to being county attorney.

"If you did that you'd get that money," Steele said.

Pratt said he would agree to be the commissioners' attorney, and said he has also filed for county attorney in Logan County.

"Being Logan and Thomas County Attorney would be benefi-

cial work wise and salary wise," Pratt said. "It's also a benefit having Steve Hirsch's experience come along with it."

Sowers asked Pratt whether he plans to move to Thomas County if elected. State law does not require a county attorney to live with the boundaries of the county he or she serves.

"I'm not one to jump in head first and I'd like to east in to it," Pratt said. "I do plan to stay partners with Steve Hirsch and would see moving to Colby or into Thomas County sometime in the future."

Pratt said he and Hirsch plan to hire someone to join the firm before the first of next year.

"That's so I can concentrate on being county attorney," Pratt said.

In other business, the commissioners met with Thomas County Treasurer Donita Applebury to go over information about a new postal meter. Applebury said the current one is not working properly and needs to be replaced sometime in July.

The commissioners signed motor grader warranty papers for three new graders purchased in June from Martin Tractor. Each grader has a five-year, 5,000 hour warranty on it. Also approved were the June 16 minutes and end of month accounts payable and payroll.

Commissioners talked with Thomas County resident Keith Baalman about a road he would like closed. Baalman said the road, which runs through irrigated ground he owns near McCarty Dairy west of Rexford, has never been used. The road, the section line between Thomas County roads 30 and 31, runs north and south. Christiansen said the road has not been used for "more than 50 years," and could be an agenda item at an upcoming meeting.



JOEY FALKOFF/Colby Free Press

United States flags and lawn decorations, like the one shown in Colby, can be seen outside many homes and businesses in Leading up to the Independence Day holiday. The Colby Kiwanis Club and Lions Club are teaming up once again to put on this year's fireworks display at the Thomas County Fairgrounds. Free hot dogs and watermelon will be available beginning at 6:30 p.m. The fireworks show is set to begin around 10 p.m.

Cool, wet weather slows area wheat harvest

By KIMBERLY DAVIS
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Wheat harvest started Friday across the area, although green wheat, cool days, wet fields and a forecast for rain are slowing things down.

Kurt Anderson, general manager at the Decatur Co-op, said the elevator has taken in just a few loads over the weekend, including one with moisture at 11 percent and one at 13.

The elevator in Oberlin, he said, wasn't busy on Monday. Possibly with the wind and some heat, said Mr. Anderson, more grain will start coming in soon.

He said he didn't really see anything starting to happen until today, however.

Last week, said Mr. Anderson, the elevator did get 37 empty rail cars to fill. That's in anticipation of a good, big harvest, he said.

At the Jennings elevator, several people had brought in samples

Monday, but the elevator didn't get any grain over the weekend, said Hope Brown.

The co-op elevator in Kanona was busy, however. The elevator was open until 9 p.m. Sunday, bringing in around 6,000 bushels over the weekend, said Dan Mayberry.

Mr. Anderson said they have hired some summer staff for harvest, but still need some more, especially in Ludell and Herndon, to help dump trucks.

There was a little concern about people applying fungicide too close to harvest in some parts of the state, he said, but everything had been OK here.

Farmers are supposed to wait 45 days after spraying the fungicide to harvest grain, he said. In some parts of the state, that was going to be borderline, but he said he received word on Monday from the Kansas secretary of agriculture's office saying that all of the wheat in this area should be OK.

Briefly

Commissioners to meet

The Thomas County Commissioners will meet at 9 a.m. on Monday, July 7, for their regular weekly meeting at the courthouse located at 300 N. Court Ave. in Colby.

At 9 a.m. they will talk with Jerry Mischawd and Ruth Lang by phone conference about the 2009 budget request for DSNWK. At 9:30 a.m., Shirley Weber will present the commissioners her concerns about changes in a region of Colby to be known as Block 1 Stephens Subdivision. Lisa Molstad, public health administrator, will meet with the commissioners from 10 to 10:30 a.m. to talk about open positions at the department. Darrin Bell, county custodian, will

present lawn mower bids at 10:30 a.m. to 10:45 a.m., and Donita Applebury, county treasurer, will follow with talk about a postage meter at 10:45 a.m.

Meetings are open to the public.

VFW Auxiliary changes

The July meeting of the Ladies VFW Auxiliary meeting has been changed to 5 p.m., July 11 in the post home.

Home run derby planned

The Colby Recreation Department is hosting a Homerun Derby during the men's and co-ed softball

tournaments for all league participants. Participants must provide their own pitcher, shagger, and ASA approved balls.

A minimal competition fee is required. First place winners for each division will receive cash pot from entry fees. More rules and regulations will be available on the day of the competitions, said Stacy Lee, recreation director. Participants must be at least 16 years old. To register, call 460-4440.

Cemetery sets hours

Following some minor theft incidents and recent acts of vandalism, the Beulah Cemetery Board of Directors made the decision to start closing the cemetery when the caretakers are not on the grounds.

Effective Thursday, July 3, the cemetery will begin closing to the public at 4 p.m. and reopen at 8 a.m. the following day until further notice. For questions, call the cemetery office, 462-3188.

Blood drive July 9

The American Red Cross Blood Drive will visit Colby from noon to 6 p.m., Wednesday, July 9, at City Limits. "Each blood drive is a community event hosted by members of a specific community," said Vicky Copeps, coordinator. "Blood donors are heroes and the people who donate their time to host the blood drive are also heroes."

To make an appointment or help the day of the drive, call (620) 872-5075.