

Local

SPONTANEOUS ART

The Route 6 Art Car Tour is making its way to downtown Hastings, but cars won't be the only thing on display Wednesday.

This year's Art Car Tour is being accompanied by an Art Melt, which will feature a variety of local talents showing off what they do best. Artists will start performing downtown at about 7 p.m.

The event was organized by Todd Brown of Hastings. The Art Melt will include different art forms and will feature many local artists, he said.

"There's so many talented musicians, dancers, artists in this town," Brown said.

The Art Melt will include acoustic musicians, artist, dancers, poets and many others.

Many downtown businesses will have promotions, and Graham Gallery and Framing will have artist demonstrations, including pottery, watercolor and running a printing press.

"We're basically inviting artists to fill the sidewalks downtown," Brown said. "It's spontaneous art."

Brown said there won't be any formal stages, just artists lining the sidewalks doing what they love to do.

State

SCOUT RESCUE

OMAHA — A troop of Boy Scouts on a camping trip to earn merit badges ended up saving an 18-month-old girl's life.

About five members of the Omaha St. Cecilia's Troop 100 were swimming in the Platte River at Two Rivers State Recreation Area on Saturday.

Eleven-year-old Christian Nanson spotted the girl, Stephanie Pacheco, floating face-down in the water. He yelled to John Fitzgerald, 9, for help, according to assistant scoutmaster Matt Fitzgerald, who is John Fitzgerald's father.

The two boys grabbed the girl out of the water while other Scouts found a cell phone to call for help and directed rescuers.

Douglas County Sheriff's Deputy David Brock said the girl was treated for hypothermia and released from the hospital on Monday. She had been family members before she slipped away.

UTILITY PROBLEM

SIDNEY — Workers in the Sidney city clerk's office suspected something was wrong when utility disconnect notices were needed for some 1,000 customers — far more than normal.

That followed calls from several customers wondering about how much they owed.

Apparently, most of the 1,100 bills the city mailed July 12 were lost in the mail.

The city billed the customers a second time rather than send disconnect notices, City Clerk Geri Anthony said.

"We had just as many disconnect notices as we had bills," she said.

One customer received the original and the makeup bills, Anthony said.

"He said he got them both on the same day," she said.

The city of Sidney provides water, sewer, garbage and electric services. The city is divided into three sections for monthly billing and customers usually have two weeks to pay.

The Associated Press

Commission recommends reinspection fee

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After a short discussion, the Hastings Planning Commission voted Monday to recommend that the city establish reinspection procedures and fees for its Development Services Department.

The new code would allow the city to charge residents if they do not fix or complete what was initially inspected. Currently, the city has no provision for reinspections on its books, said Tamara Babcock, development services director.

Babcock said repeated inspection visits are an inefficient use of an inspector's time, and they cost the department money.

She recommended the city charge \$25 for certain reinspections.

After a short discussion on the proposal, commissioner Matt Valentine made a motion to table the matter. That motion failed due to the lack of a second.

The commission then voted 8-1 to recommend approval of the code change. Valentine dissented.

Before voting to approve the change, several commissioners questioned the proposal, saying some projects require numerous visits and inspections. They argued the \$25 fees would be charged for no reason.

Babcock said the fees would be charged only in certain situations. Her examples included an inspection before the work is completed or when the project is not accessible to the inspector upon arrival.

She said a normal situation would require an initial check and a follow-up visit. In some situations, the contractor or project leader does not follow the directions after the first visit, requiring a third visit to complete the requirements.

Babcock also told commissioners that she did not see the fee as a money-making source for the department. Instead, she said, she hoped it would prompt a change in those contractors who sometimes ask for inspections when the project is not to that point.

Commission Chairman Keith Napier also questioned Babcock's use of the word "may" in the proposed code. The code states "a reinspection fee may be assessed for each inspection or reinspection when such portion of work for

which inspection is called is not complete or when corrections called for are not made."

Using the word "may" could lead to an unfair charge of the fee, Napier said. Some contractors might never be charged, while others might be charged for every other inspection, he said.

Babcock said she copied the proposed amendment from the codes of several other cities. Of those, she said, a majority used the word "may," while several others used "shall" instead.

Commissioner Phyllis Salyards suggested the word "may" be left in until the point that a number of complaints about the use of the fee are brought up. At that point, she said, the commission could change the wording if necessary.



BRENT McCOWN/Tribune

Stan and Mary Karash (center) and friends have the best view of the races at Motorsport Park Hastings Sunday by standing on their bleacher truck. The couple had thought of converting the pickup into a flatbed but decided to make bleachers instead.

Modified truck provides bleacher seating

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Grandstands were not available for spectators at Motorsport Park Hastings over the weekend, but that didn't keep Stan and Mary Karash from finding a seat.

The Karashes brought a gray, 1988 Isuzu truck, which was modified to lift like a dumptruck and to provide bleacher seating.

"There were no grandstands up,

so we just loaded it up so we would have seats for all our friends," said Mary, who attended the Rocky Mountain Vintage Racing event at MPH last weekend. "We decided we would just take our own."

The Hastings couple used the truck Sunday to provide bleacher seats at MPH's inaugural asphalt event, marking the fourth time the Karashes have used the truck for seating.

Hydraulic hoists lift the bed of the

truck to about a 45-degree angle, and steel arms are used for support.

"It takes about 10 minutes to set up and unload them," Mary said. "It can't come down because of the bars on each side. It's good and sturdy."

In addition to seating about 20 people, the truck also provided something most bleachers don't — umbrellas for shade.

"That was a lifesaver," Mary said. Stan said he and his wife constructed the truck a couple years ago as a

winter project with the help of their friend, Dan Marshall of Harvard.

They named the truck Madd Max in honor of another friend.

"We named it after a good friend of ours," Mary said. "He (had) just passed away."

Mary said the truck was originally a pickup truck that was supposed to be transformed into a flat-bed truck, but the project got out of hand.

"It became quite a neat little truck," Mary said. "It was a fun deal."

Suffrage celebration in Nebraska

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Women's suffrage in Nebraska will be remembered at 2 p.m. Saturday during the annual Sister Suffragist Celebration at the Adams County YWCA, 604 N. St. Joseph Ave.

Lisa Marvel, executive director of the YWCA, said the presentation this year will focus on the women's suffrage movement in Nebraska with a reading of "Nebraska Next: A Play about Suffrage" by Carson Becker.

"This really hones in on the Nebraska history of suffrage," Marvel said. "We do something

a little bit different every year."

She said the play was originally performed last year by a group that traveled statewide, but the group has since disbanded.

"We were really lucky to be able to get the script, so we can do it ourselves," Marvel said.

To unify readers and audience members, she said anyone attending should wear white hats or clothing similar to that worn in 1920, when the 19th Amendment was ratified to give women the right to vote.

"It's a way we can feel united as a group as we celebrate

women's rights," she said.

Marvel said coffee, tea and treats of the period will be provided. Anyone planning to attend should register by Thursday, she said. The program is free and open to the public, but she said registration would help ensure there are enough treats.

Though both men and women are invited, very few men generally attend, she said.

"This is an event that is celebrated nationally," she said. "The main purpose is to celebrate the women's right to vote."

Middle school plans move forward

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Plans for the future site of the new Hastings Middle School continued to move forward Monday.

The Hastings Planning Commission unanimously approved the final plat for the new building during its meeting Monday. The 135,000-square-foot building will be constructed on the southwest corner of Marian Road and Second Street.

Due to concerns about the adjacent wetlands, Olsson Associates representative Ryan Kavan, who helped with the plat, said the boundaries of the property were laid out to

exclude any portion of the wetlands. A large wetland sits just west of the school property.

When Hastings Public Schools named the site as one of its top choices for a new building, several patrons spoke out against the site due to the proximity of the wetlands. Some worried about bird droppings and mosquitoes, which could carry the West Nile Virus, because of the close proximity.

The HPS Board of Education eventually voted in favor of the Second and Marian site, but decided to exclude the wetlands from the property it is purchasing.

During Monday's meeting, several commissioners asked

how the wetlands would be affected by their proximity to the new middle school, such as drainage from the building.

Kavan said it was unlikely that the water table in the wetlands would rise at all from school property drainage.

Even if the water table did rise, it would have no effect on the school or nearby homes, Kavan said. The school and homes are all 5-10 feet higher than the wetlands, he said.

The commission also voted unanimously to recommend rezoning the property to change the area from three zonings to only one.

Please see PLANS/page A7

B&B code change could benefit local homeowners

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The Hastings Planning Commission has recommended expanding the city code to allow bed-and-breakfast establishments in residential districts.

During Monday's meeting, the commission unanimously approved recommending the city's code be changed to allow the lodging option in residential areas.

Development Services Director Tamara Babcock said she wanted the amendment to make bed-and-breakfast establishments a more available option in the city.

"I hope this would allow the use and keep the integrity of the area at the same time," she said.

The establishment of a bed-and-breakfast inn in a residential area will require a conditional use permit from the city. These establishments are allowed in agriculture and commercial districts without a conditional use permit if all of the requirements are met.

Babcock said by allowing these lodging experiences in

residential areas, owners of larger homes could find a way to use the extra space in a progressive way.

Lana Waldron of 302 West Seventh St. spoke out in favor of the code change saying she wanted to turn her family home into a bed-and-breakfast establishment.

Waldron, who moved to Hastings from Boulder, Colo., said she loved all of the older homes and buildings in the community.

"I was impressed by Hastings and the feel of the town," she said.

Waldron also said older homes needed to be used as a teaching tool for the community and to educate those who visit Hastings.

"I think things like this need to be shared," she said.

The commission discussed the stipulation that guest rooms would not be allowed in the basement. Babcock said this stipulation would be for safety and fire reasons for the guests, but that the home's permanent residents would be allowed to reside in the basement.

Please see B&B/page A7

Calendar

HASTINGS

- ◆ Alcoholics Anonymous, noon, 5:15 and 8 p.m. Wednesday, 521 S. St. Joseph Ave.
- ◆ Alanon, 8 p.m. Wednesday, First United Methodist Church.
- ◆ Gamblers Anonymous, 8 p.m. Wednesday, Mary Lanning Memorial Hospital Education Building, Room D.

Lotteries

WINNING NUMBERS

- Monday
- Nebraska Pick 5 . . . 18-21-29-34-38
- Jackpot: \$70,000
- 2by2 Red 24-25, White 9-10
- Nebraska Pick 3 2-3-1
- Kansas Pick 3 9-5-0
- Super Kansas Cash . . . 5-9-14-17-25
- Super Cashball 9

Markets

Tuesday's noon
local markets

Corn	1.89
Soybeans	4.91
Milo	1.95
Wheat	4.14

Stocks of local interest
The following stocks of local interest were traded today:

	Last	Chg.
Alltel	55.15	-0.01
BN Santa Fe	67.15	+1.08
Berkshire Hathaway A	95,490.00	-310.00
Berkshire Hathaway B	3,150.00	-11.95
ConAgra	22.78	-0.10
Eaton Corp.	66.49	+0.05
Ingersoll Rand	38.44	+0.39
Kinder Morgan	101.58	0.00
Level 3	4.04	+0.17
McDonald's	35.79	+0.08
PepsiCo	63.49	+0.19
TierOne	34.60	+0.11
Tricon Global Restaurants	48.78	+0.12
Union Pacific	82.14	+0.61
Wells Fargo	35.09	-0.12
Williams Cos.	25.03	+0.13
Wal-Mart	44.10	+0.01

STC tops state average in scores

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St. Cecilia High School seniors posted the school's best numbers in five years in ACT testing, according to numbers released by the school this week.

With an overall composite score of 22.7, St. Cecilia's Class of 2006 bested the marks of its 2005 counterparts by .6 and was .8 above the state average of 21.9. Most notably, the class's reading numbers jumped three full points — from 20.9 to 23.9 — to exceed the state average of 22.2 by nearly two full points.

"Overall I'm very pleased," principal Marie Butler said of the scores, which indicated improvements in all subjects from the previous year's marks. "I was worried that our school's numbers were not as high as I thought they should be for a while."

More than 80 percent of the class — 40 of 49 — took the test.

Students posted numbers at or above the state average in all subjects: English (22.2, state, 21.5), math (21.6, 21.6), reading (23.9, 22.2), and science (22.4, 21.8).

In the optional essay portion of the test, St. Cecilia scored 8.1 out of a possible 10 points, .2 above the state average of 7.9.

Butler credited the school's recent re-emphasis on reading and writing skills for the substantial improvements.

"A few years ago, we started accelerated reader with our students, and we're continuing with that program," she said. "The past couple years writing across the curriculum has been a main emphasis. We've always said that if you read a lot, read well and read often you'll probably do well on your ACT score. Some are taking it to heart."

Having recently revamped the school's mathematics curriculum, Butler said she expects to see increases in ACT math scores within the next few years, also.

"We now offer beginning level algebra courses in the eighth grade and will have students finish up with AP calculus by the time they are seniors," she said. "Hopefully, those scores will be coming up, also."

St. Cecilia students had a nearly 99 percent placement rate in continuing education programs in 2006, Butler said. Continuing learning includes military, beauty school, and two-year college enrollment.

Plans: Final plat approved for middle school building

Continued from page A5

There are currently three different zoning districts on the 30-acre parcel of land, including I-1 light industrial, CP-2 general commercial planned district and R-1 single family residential.

While schools can be built in any of those zoning districts, Development Services Director Tamara Babcock recommended the land be zoned to one district that would be most compatible with school use.

The recommended zoning was R-1 residential, as that would promote the residen-

Attorney general seeks resentencing

BRUNING BELIEVES
SEX OFFENDER'S
SENTENCE TOO LENIENT

The Associated Press

LINCOLN — A sex offender given probation in part due to his height should be resentenced because his punishment is too lenient, the state said in a court filing Monday.

Attorney General Jon Bruning's office made its case for a tougher sentence in a 33-page brief filed with the state Court of Appeals.

"Probation isn't strong enough," Bruning said Monday.

In May, District Judge Kristine Cecava of Cheyenne County sentenced Richard

W. Thompson, 51, of Sidney, to 10 years of intensive probation for two counts of sexual assault of a child.

Cecava expressed concern that the 5-foot-11 Thompson would be especially imperiled by prison dangers.

"I'm going to try to put together some kind of order to keep you out of prison," Cecava said at the sentencing hearing on May 26.

The judge's decision not to imprison Thompson brought local and national criticism.

Bruning's office began its appeal of the sentence May 31.

"The punishment needs to fit the crime," Bruning said Monday. "Sexual assault of a child is a serious crime, and Mr. Thompson is a danger to Nebraskans."

In the brief, Assistant Attorney

General Jeffrey Lux said Cecava abused her discretion by sentencing Thompson to probation. Thompson wasn't truly remorseful and minimized his crimes by saying contact was instigated by the victim, Lux said.

Thompson also stopped attending counseling after a domestic violence case, Lux said.

"Thompson is not an appropriate candidate for probation," Lux wrote.

Cecava found Thompson guilty of having sexual contact with a 13-year-old girl last summer. She termed his actions "absolutely inexcusable."

Under terms set by Cecava, Thompson will be electronically monitored the first four months of his probation, and he was told to not be alone with someone younger than 18 or date or live with a woman whose children

were under 18. Cecava also ordered Thompson to get rid of his pornography.

Thompson has since been listed by the state as a high risk to reoffend.

In July, he was classified as a Class III offender — the highest risk for reoffending — after assessment by the Nebraska State Patrol.

As a Class III offender, Thompson's name, address and photo are posted on the State Patrol's public registry and he must notify the state, through the local sheriff, of any change of address and other information.

Dr. Shannon Black, the State Patrol's clinical director of the Sex Offender Registry, said the Class III status was reached after assessment of Thompson in 14 areas.

Buffett donation

TOWN CAR PUT UP
FOR BID TO BENEFIT
GIRLS INC.

ERIC OLSON
The Associated Press

OMAHA — As Warren Buffett walked into the Kiewit Plaza lobby

Monday to greet six members of Girls Inc., 6-year-old Emily JoStarkey rushed over to him. She held up a cricket.

"Is it alive?" Buffett asked.

"It was, except Maya stepped on it," Emily said.

OK, so Emily wasn't exactly in awe of the world's second-richest man. That was fine with Buffett, never known to be pretentious.

With a wave, Buffett led the girls into the parking garage, where he showed off the 2001 Lincoln Town Car he's putting up for auction on eBay next month. All proceeds will go to Girls Inc., a national nonprofit youth organization that provides educational and recreational programs to girls, particularly those in high-risk, underserved areas.

"We auctioned off a wallet some years back and got \$215,000 for it, so we're hoping since this weighs about 4,000 times what the wallet did, you can figure out what we're hoping to get," Buffett said, laughing. "It's a good use for the car."



DAVE WEAVER/AP

Berkshire Hathaway's Warren Buffett (right) watches some of the girls from Girls Inc. climb on his 2001 Lincoln Town Car on Monday after donating the car to the group to sell at auction on eBay.

It's in great shape. You couldn't have the money going to a better spot."

The light gold Town Car has just 14,000 miles on it. Buffett said he quit driving it about three months ago when he bought a Cadillac DTS.

The Kelley Blue Book retail value of the car is about \$15,000, but the auction will have a minimum starting bid of \$25,000.

The auction runs Sept. 12-22.

"It's just like getting one from a little of school-teacher who never took it

out of the garage," Buffett said.

"It's a good use for the car. It's in great shape."

- Warren Buffett

"In Omaha you have many, many hundreds of young women who can leave school at the end of the day and go into an environment where they're going to learn and be inspired by other people,"

Buffett made small talk with the girls and had his picture taken with them.

Buffett said Girls Inc. is one of his favorite causes. He said it reminds him of the positive experiences he had as a youth at the YMCA.

Buffett said. "It brings out the best in them."

Buffett has been especially generous lately. In June he pledged \$37 billion in his stock holdings to the Bill and Melinda Gates Foundation.

First his money, and now his car?

"I'm not quite giving everything away," Buffett said.

Buffett is throwing in his "Thrifty" personalized license plates to the winning bidder.

He said he'll drive the winner to and from the airport when he or she comes to pick up the car.

"I've got a chauffeur's cap, too," he said.

B&B: Code change could benefit local homeowners

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At Monday's meeting, the commission also: ♦ Unanimously approved the application of Lillian Herman of 721 S. First Ave. Apt 311 for preliminary/final plat approval of Rainforth Second Subdivision.

♦ Tabled the application of attorney Mark Beck of Hastings on behalf of Lawrence and Lucile Foltz Estate for preliminary/final plat of Foltz Subdivision.

♦ Unanimously approved the application of Johnson Imperial Home Co. of Hastings for a final plat of Lochland Meadows Subdivision No. 6.

tial use of adjacent properties in the future. Currently, the land west of the site is zoned as industrial, R-1 residential and agriculture.

The HPS Board of Education approved the purchase agreement Monday and will close on both the purchase agreement and easement agreement Wednesday, HPS Superintendent Gene Cosby said.

Weather permitting, a "student-centered" groundbreaking is scheduled for 2:45 p.m. Aug. 29 at the new site. Construction should be completed by December 2007.

Bruning questions secrecy order in shooting of Falls City woman

The Associated Press

LINCOLN — Attorney General Jon Bruning says a judge's secrecy order in a fatal officer-involved shooting in Falls City was issued prematurely and was an attempt to prevent the public from knowing facts of the case.

Bruning on Monday gave the most detailed account so far for the Aug. 13 shooting death of Ann Lynette Marx.

Richardson County sheriff's deputy Todd Landis, 42, shot Marx while breaking up a suspected drug deal outside a retirement home, Bruning said. Landis told investigators the shooting was accidental.

Bruning's office was named special prosecutor in the case on Thursday.

Few details about the shooting emerged last week. Bruning said after he scheduled a news conference to discuss the case, Richardson County District Judge Daniel Bryan's bailiff called the Attorney General's Office to remind him that a secrecy order was in place.

"What I'm bothered by is what seems to me to be the judge's attempt to intimidate me or attempt to gag me from speaking

and providing details to the public," Bruning said.

Bryan would not comment on the case and Bruning's remarks, his bailiff said.

Bruning said the "order regarding secrecy," dated Aug. 16, covers issues that are standard for grand jury proceedings. State law requires a grand jury investigation whenever a person dies while in contact with law enforcement.

The order bars grand jury witnesses and other people associated with the proceedings from speaking with the news media.

Bruning said he doesn't believe the order prevents authorities from discussing facts of the Aug. 13 shooting. But he said Bryan fostered an atmosphere where authorities were fearful of violating the order if they spoke to the media about the case.

"In my opinion, it's impossible to violate the order because there is no grand jury yet and no grand jury testimony yet," he said.

He said Bryan's order would have been more appropriately issued at the time the grand jury convenes.

It's at least the third time Bruning has sparred with the judi-

ciary over secrecy issues.

Lancaster County District Judge Steven Burns issued a secrecy order related to Bruning's request for a grand jury investigation into campaign finance violations by former University of Nebraska Regent David Hergert.

Bruning said Bryan also ordered him to not make public details in the first-degree sexual assault case of Matthew Koso, who married his underage wife in Kansas after she became pregnant.

In the Falls City shooting death, Bruning said the sheriff's department received a tip that Marx would be buying drugs from a resident of Victory Village Retirement Home about 8:30 p.m. on Aug. 13. Bruning said the informant told authorities that that Marx was going to buy the narcotic pain killer hydrocodone. Testing was being done to determine the drug found in Marx's vehicle, Bruning said.

According to a State Patrol investigation, as the resident approached Marx's vehicle to exchange the drugs for cash, Deputy Todd Landis jumped out of nearby bushes to make an arrest, Bruning said.

Heineman: System sees progress

ANNA JO BRATTON
The Associated Press

OMAHA — Two months after issuing directives meant to improve the care of foster children and other state wards in Nebraska, Gov. Dave Heineman on Monday said that preliminary results indicate improvement.

"I do not expect this to be an overnight success, and there may well be bumps along the way," Heineman said. "I am, however, pleased to see progress beginning to take shape."

The directives focus on decreasing the length of time children spend in the system by achieving permanent placements earlier — particularly for young children — and freeing up resources to allow workers more time to focus on high-priority cases.

A recent evaluation by the federal government said Nebraska fell short of national performance standards in timely family reunifications, finalizing adoptions within two years and incidences of child abuse or neglect while in the foster care system, among other things.

Since Heineman gave marching orders on June 21, Nebraska Health and Human Services has identified 1,184 cases to review. By July 31, they had reviewed 1,093 of the cases and resolved 209 of them, according to a release from the governor's office.

"While the data is far too preliminary to describe as a trend, I am pleased that HHSS is making a dent in these cases," Heineman said.

His comments were met with skepticism from Marcia Robinson Lowry, founder and executive director of Children's First, which filed a federal lawsuit alleging that the state of Nebraska is endangering children.