

Parsons Sun

THURSDAY, JULY 11, 2019 — 75 CENTS

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NEOSHO RIDGE

THIS ISSUE

■ Volume 147
■ Issue 17
■ 10 Pages
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STATE NEWS

Kansas AG gives Kelly deadline for policy change

WICHITA (AP) — Kansas' top prosecutor is threatening to go to court if Democratic Gov. Laura Kelly doesn't drop a policy that allows some adults without children to receive welfare even if they don't meet work requirements.

Republican Attorney General Derek Schmidt has given Kelly a Friday deadline to act on the policy, which was put in place after unsuccessful attempts by Democrats to make changes through the legislative process, The Wichita Eagle reports.

Kelly has stood by the policy and her office plans a news conference Thursday to address the issue. She has long been critical of the state's restrictions on welfare, which lawmakers placed into law under former Republican Gov. Sam Brownback.

Schmidt wrote that Kelly and DCF Secretary Laura Howard are both free to advocate changes to the state's welfare law, Schmidt said. "But," he added, "unless and until changed, we must give effect to the law that currently is on the books."

Under federal law, able-bodied adults without children can't receive food assistance for more than three months every three years if they don't work at least 20 hours a week.

See DEADLINE, Page 2.

DEATHS

Obituaries or notices for the following people can be found on Page 2 in today's Sun:

■ Irma Hawley
■ Laura Graves

FUNERALS

EDWARD ELLIS, 86, of Parsons, service at 2 p.m. Saturday at Wesley United Methodist Church.

FRANK ALDERMAN, 77, of Parsons, service at 10 a.m. Saturday at St. Patrick's Catholic Church.

ADRIENNE SMITH, 42, of Chicago, service at 10 a.m. Saturday at St. Francis Catholic Church, St. Paul.

IRMA HAWLEY, 86, of Pittsburg, service at 10:30 a.m. Monday at First United Methodist Church.

LOCAL SMILES



Bryce Cole was a kindergartner in Amanda Hucke's 2018-19 class at Neosho Heights Elementary School.

Commission chair addresses all sides

By GREG LOWER
The Chanute Tribune

ERIE — The chair of the Neosho County Commission addressed her fellow commissioners, critics of a proposed wind project and its developer in comments at Tuesday's meeting.

Gail Klaassen said she has been told people are drawing up papers to file suit over the planned Neosho Ridge Wind project, a development to generate 300 megawatts of electricity in the southwest portion of the county. She told residents there the county has signed agreements and she will stand by them.

She also asked people to send her information from primary sources instead of social media. She asked Commissioner David Orr not to use her name, picture

or video on social media and asked he take down a site since it is not an official county site.

Klaassen also asked Commissioner Paul Westhoff that, when members of his family feel passionate about an issue, they send email through him to relay to her.

She told representatives of Apex Clean Energy, the Neosho Ridge project developer, she expects them to treat county assets and people with care and respect.

The commission heard from several critics of the project, including one that objected to being referred to as an opponent.

"That's not what we are," Doug Reed said. He said they are proponents of a guarantee to reimburse any loss in property value and of safety regulations. Reed said others are opponents of those things.

Julie Johnson asked when information would be re-

leased and said county officials have been advised not to be open. "Why aren't the citizens allowed to know what is going on?" she asked. "Are you and Apex afraid of the truth?"

She urged them to attend an upcoming seminar on the Kansas Open Meeting Act, which Klaassen said they are already signed up to attend.

Denise Houghton said she wanted information but Apex's office in Erie was closed. She said she wouldn't make an appointment if she had to sign a nondisclosure agreement.

Some of her requests involved infrasound, and the Apex reps suggested a researcher that she rejected.

"I guess I don't want to hear that from you," she said.

See NEOSHO, Page 10.

DOMINO'S SIGN



Jamie Willey/Sun photo

Employees of Lancaster Signs, Joplin, install a sign for Domino's Pizza, 2105 Main St., on Wednesday afternoon.

USD 447 board hears future plans

By COLLEEN WILLIAMSON
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CHERRYVALE — The Cherryvale USD 447 Board of Education met Monday in regular session and conducted business to close out last fiscal year and begin the new year.

The board voted to continue the terms of current board president Joe Marchant and vice president Randy Studebaker until January, at which time newly elected board members will be seated and the board can then elect individuals for positions.

Kristi Houston will remain the clerk of the board and Kathy Reed the district treasurer.

The board then heard from Superintendent Shelly Kiblinger concerning the state of the district report.

"In June, I gave the board an overview of student achievement and what things are going well and what things we needed to improve. This was Part 2, with the financial state of things, revisiting our four important long-term plans, all of which have a financial piece to it," Kiblinger said.

Those four areas are capital outlay, vehicle replacement plan, textbook replacement plan and technology replacement plan (the last three of which a portion of funding is derived from capital outlay).

Kiblinger reported the district is in a better financial position with its long-term budget needs than it was two years ago. The report shows the district anticipates a \$10,049 increase in special education support, \$308,042 in new money from the state and an estimated \$30,780 in local option budget increased authority.

A small portion of that increase can be used to increase textbook replacement funding and to match a \$15,000 grant for a security camera upgrade.

"We went over those things and highlighted some of the accomplishments of the district and the schools in 18-19 and previewed the things we are planning for major actions and activities for 2019-2020," Kiblinger said.

Capital project considerations through summer 2020 are:

— Increasing Americans with Disabilities Act accessibility to the bathrooms at Cherryvale Middle High School.

— Replacing the Thayer gym

See BREAK-IN, Page 10.

See USD 447, Page 10.

Justice targeted by right plans to retire

TOPEKA (AP) — A Kansas Supreme Court justice whose votes for abortion rights and against the death penalty made him a political target plans to retire in three months, allowing Democratic Gov. Laura Kelly to name a replacement before the Republican-controlled Legislature can intervene.

Justice Lee Johnson an-

nounced Wednesday that he will step down Sept. 8 after more than 12½ years on the state's highest court. Johnson is 72, but Kansas law would have allowed him to put his name on the ballot again in 2020 for a statewide, yes-or-no vote on whether he remained on the court for another six years, until January 2027.

Johnson was part of a 6-1

majority that in April declared access to abortion a "fundamental" right under the state's Bill of Rights. He has voted multiple times to overturn convicted murderers' death sentences and argued that capital punishment itself violates the Kansas Constitution. He joined other justices in ordering six increases in public school funding within the

past six years.

His departure will give Kelly her first appointment to the seven-member court since she took office in January, and her choice will not be subject to Kansas Senate confirmation. Many Republican lawmakers were already expecting to push

See JOHNSON, Page 10.

Man to stand trial for judicial center break-in

By THE SUN STAFF
news@parsonssun.com

OSWEGO — A Crawford County judge on Tuesday ordered a Parsons man to stand trial for breaking into the Labette County Judicial Center in Parsons four years ago.

DNA evidence plays a role in the case against Stephen V. Yanez, born in 1985, 20 Birch. Yanez is charged in Labette County District Court with nonresidential burglary and criminal damage, both lower-level felonies.

The break-in occurred Saturday and Sunday, Dec. 19 and 20, 2015, at 201 S. Central. Crawford County District Judge Lori A. Bolton Fleming is presiding over the case and Robert Myers is special prosecutor. J. Gordon Gregory is representing Yanez.

Yanez has denied his involvement in the burglary and provided a DNA sample to a sheriff's detective investigating it in 2015.

Witnesses at a preliminary hearing Tuesday were former Sheriff Robert Sims, former Undersheriff Steve Higgins and sheriff Detective Sgt. Kevin Lahey. The case against Yanez was filed in 2018, two years after investigators received the DNA report from the Kansas Bureau of Investigation

lab that tied Yanez or males in his family to DNA discovered at the crime scene.

Gregory attacked that evidence, taken from an empty can of Mountain Dew, from its introduction.

A former janitor for the building, Rod Nally, found the empty can in the trash in the women's bathroom of the jury room. Nally formerly was Neosho County sheriff and collected the can using a pen or pencil and gave it to Sims, who kept the can in the sheriff's office in the building, Sims testified. The can was transferred to Higgins on Dec. 22, 2015, by a sheriff's deputy working security at the judicial center. Higgins transferred the can to Lahey on Dec. 29, 2015. Lahey stored the can in a locked evidence room at the sheriff's department in Oswego until he took it to the KBI lab in Topeka the next day. Sims didn't mention filling out an evidence custody receipt when handling the evidence. The ECR documents who handled evidence and when. Lahey didn't know where Higgins stored the can after he received it; Higgins testified it was stored in evidence.

The can was unusual because Nally told the sheriff he would have removed it from the trash can. He normally cleaned Friday

night. There were no jury trials that week, so the sheriff wanted investigators to determine why the can was there and if it related to the break-in.

Lahey also collected a candy wrapper from the floor of the court clerk's office. The suspicion was that the burglar, who wore gloves during the break-in, saw the candy in the office and took one.

Nally was not called as a witness. The burglar entered the building through a west window in a court reporter's office. A brick used to break the glass was found in the office, according to a probable cause affidavit filed in the case.

The burglar damaged drawers, an antique desk, file cabinets, a monitor and other property. He or she also broke into locked offices, taking \$35 from the court clerk's office. A laptop computer in the sheriff's office by the main building entrance was broken in pieces. A set of handcuffs in that office were missing. A break room for the county attorney's office was broken into as well.

Lahey testified that Yanez was a person of interest early on in the investigation. A security video showed the burglar, but nothing to

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