

State
RESTAURANT
SHOOTING

BROKEN BOW — Authorities say one man fatally shot himself outside a Broken Bow restaurant as a police officer approached to investigate an alleged kidnapping.

A news release issued by Custer County Attorney Tami Schendt says the man drove to a fast-food restaurant Thursday morning with a woman and a child whom he was holding against their will. Schendt says he sent the woman inside for food. She told people in the restaurant that she needed help and police were called.

According to the release, when an officer confronted the man, the man brandished a gun and fatally shot himself. The man hasn't been identified.

A grand jury will investigate the death. Nebraska law requires such a probe whenever a death occurs while a suspect is in custody or being apprehended.

ANIMAL CRUELTY

OMAHA — An Omaha woman is accused of letting her dog starve and freeze to death in its backyard kennel.

The Nebraska Humane Society says 32-year-old Yolonda Glover was charged with felony cruelty to an animal.

After a tip, society investigators and Omaha police officers went to the home and found the body of a German shepherd frozen to the floor of its plastic kennel.

The society says a necropsy showed the dog died of starvation and hypothermia — its body temperature fell too low.

The society says the dog, named Tramp, had been chained in the backyard upward of two weeks with no food, water and insufficient shelter.

Armed with an arrest warrant, officers arrested Glover on Friday morning.

Court records don't list her attorney.

NEW TRIAL
GRANTED

LINCOLN — A former Nebraska National Guard soldier will get a new trial to determine whether he sexually assaulted a woman at a party while on leave from a deployment in Iraq.

The Nebraska Supreme Court issued a ruling Friday ordering a new trial for 25-year-old Jacob Ford. He has been in prison since December 2008, serving a sentence of four-to-six years.

The high court says prosecutors shouldn't have been allowed to introduce evidence about a sexual relationship Ford had with another woman shortly after the alleged assault because it may have prejudiced the jury.

Ford has maintained he believes the sexual encounter at a December 2007 party was consensual. The woman testified that she awoke to find Ford assaulting her. Both had been drinking that night.

The Associated Press

Calendar

HASTINGS

- ◆ **Celebrate Recovery**, 7-9 p.m. Saturday, Evangelical Free Church. For more information, call 402-463-1441.
- ◆ **Narcotics Anonymous**, 8 p.m. Saturday, 401 N. Lincoln Ave.
- ◆ **Al-Anon**, 9 a.m. Saturday, The Kensington, 233 N. Hastings Ave.
- ◆ **Alcoholics Anonymous**, 8:30 and 10 a.m., noon, 5:15, 7 (Hispanic group) and 8 p.m. Saturday, 521 S. St. Joseph Ave.

Lotteries

WINNING NUMBERS

- Tuesday**
Kansas Pick 3 **2-1-8**
Nebraska Pick 3 **9-5-3**
MyDaY **9-24-33**
Nebraska Pick 5 **8-14-22-26-29**
Jackpot: \$54,000
2by2 **Red 3-13, White 9-20**

Lawmakers nix horse-gambling proposal

NATE JENKINS
The Associated Press

LINCOLN — Nebraska lawmakers, unmoved by arguments that horse racing could die without their help, decided Thursday that residents shouldn't vote on whether to allow more betting on simulcast horse races.

The vote by the Legislature not to put a proposed constitutional amendment on the November ballot signaled how recent statewide elections where expanded-gambling plans were nixed have made lawmakers wary of gambling-related measures. Also, a similar measure was rejected by Nebraskans in 1996.

The withering horse industry

in the state, supporters of the measure said, could crumble.

Without a replacement track in Lincoln that could have been built with increased simulcast-gambling revenues under the measure, "they will not make it," said Sen. Russ Karpisek of Wilber, the measure's sponsor.

"If nothing is done to help horse racing, we will likely lose the industry altogether," he said during legislative debate Thursday.

The Lincoln racetrack, the state's busiest, is expected to close in a few years.

His measure would have allowed betting on televised, simulcast horse races from

around the country at facilities approved at the city or county level. Nebraska is one of just six horse-racing states that ban simulcast betting at locations besides horse tracks.

Unlike those states, expanded gambling involving devices such as slot machines is also barred in Nebraska, making its tracks among the nation's most restrictive. Horse-racing supporters say that has hurt the industry in the state.

Some lawmakers said the state has tried to help the industry, and it's not the Legislature's job to bail it out.

"We give them tax breaks, we give them everything we can

and they still can't make it," said Sen. John Harms of Scottsbluff.

Without more simulcast betting and the promise of a new Lincoln track, some of the state's approximately 200 thoroughbred horse breeders have said they'll stop breeding animals in Nebraska and possibly leave the state, said Marlene Roush, executive director of the Nebraska Thoroughbred Association, based in Grand Island.

"They're nervous," she said.

About 2,500 people in the state have jobs related to horse racing, Karpisek said.

Karpisek and the measure's supporters tried to ease con-

cerns that the proposal amounted to expanded gambling by stressing that betting on simulcast races is already allowed. Even if the constitution was amended in a statewide vote, they stressed, local voters would have to sign off on allowing simulcast horse racing in their communities.

But some lawmakers didn't completely buy the arguments.

"We keep getting comments we're not expanding gambling — I disagree," said Sen. Mark Christensen of Imperial.

"We'll have more locations, we'll have more gambling, we'll have more people with a gambling problem," he said.



AMY ROH/Tribune

A crew from Rupert Construction Co. of Omaha pours concrete while doing patchwork on the Burlington Avenue widening project Sept. 16, 2009.

One- and six-year plans needed for funding

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Thousands of cars drive the streets of Hastings every day causing wear and tear on the roads that leads to potholes and other problems.

With 480 miles of streets in the city, City Engineer Dave Wacker said it takes a lot of planning and work to maintain those streets.

The first step in that process each year is the adoption of the One- and Six-Year Street Improvement Plan, a listing of all the projects to be completed in the upcoming year, along with projects to be completed in the future.

Wacker said this plan, which is submitted to the state every year, is required by state statute to show the orderly and integrated development of roads or streets within a jurisdiction like a city or county.

In addition to the development of a organized street plan, Wacker said the document serves as a way for the city to qualify for state and federal roads funding.

The first part of this plan lists the projects that Wacker and his department would like to see completed in the next year.

"We don't have anything on here that we're not serious about getting completed," he said of the current plan.

This year's plan includes four projects funded by federal stimulus dollars and four other resurfacing projects funded by a city-issued bond.

The rest of the plan is made up primarily of the regular pot hole filling and street maintenance.

The six-year plan is much different in that it consists of projects that the city

would like to see completed in the future, not necessarily within the next six years.

"And it doesn't mean all of them are going to be completed," Wacker said. "It's projects that, in the long scope of things with development of community or improvements of capacity in areas, we'd like to have built."

Some of the projects on the long-term plan have been on there for years, reaching back to the 1970s.

Those projects include the resurfacing of South Street from Burlington Avenue to U.S. Highway 6; redesign of Highway 6 from Elm Avenue to Showboat Boulevard; and a proposed overpass at Second Street and Marian Road.

"Those are projects that require a large amount of capital and are complex projects, which require quite a bit of coordination with other agencies," Wacker said.

The funding alone is a huge issue for the city as the overpass project could cost \$6-8 million.

Money is a very important part of the One- and Six-Year Street Improvement Plan. In fact, the city of Hastings wouldn't qualify for state or federal funding, including stimulus dollars, for street improvement projects without it.

"By law, if you don't have a plan, you get no money," Wacker said.

Even now, with the option to receive federal dollars, new requirements are extending the wait time between when a project is submitted to the state and when construction starts.

"One of the biggest hurdles now with the receipt of federal money is the environmental clearance that you have to receive for a project to move forward,"

Wacker said. "In many cases, if you started project right now, it would be four and a half to six years before you would start construction."

That's part of the reason some of the major projects have been on the six-year plan for decades.

Finances are one factor, but the opinions of the citizens and city staff are really the main factor in deciding what streets go onto the street plan.

"In trying to get the biggest bang for your buck, you try to improve streets that have the most traffic," Wacker said. "Those are given first priority, but we also try to go into residential areas wherever possible, based on availability of funds."

The resurfacing of Colorado Avenue was added to the list in 2009 because, Wacker said, the street department received the most complaints with it and really had a hard time maintaining it.

"There's probably 50 more out there just like that, but you've got to start somewhere," he said.

The Hastings Planning Commission got their first look at the plan at the Feb. 15 meeting. There was no public comment on the plan at that time.

The Hastings City Council will give it one final look over before approving the document that must be received by the state by March 1.

Citizens will have the option to comment on the plan at Monday's meeting, which is 7 p.m. in the City Building, 220 N. Hastings Ave.

For more information on the One- and Six-Year Street Improvement Plan, contact Wacker's office at 402-461-2330.

Speaker: Child play is academic foundation

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Will your child soon head off to kindergarten? Make sure he knows how to get his shovel back.

That's one message Lisa Murphy, owner with her husband, Tom, of the educational consulting firm Ooey Goey Inc., gave parents and early childhood educators Thursday evening.

Murphy presented an afternoon session specifically for educators and an evening session more geared toward parents, child care providers and others at the Hastings Middle School Thursday. She completes about 150 speaking engagements per year, and this was her first visit to Nebraska.

In a presentation called "The Importance of Early Experiences," Murphy used the diagram of a house to say that play — creating, discussing, moving, observing, singing and reading — is the foundation for academic learning.

"Discussing" probably is the most important part of this foundation, Murphy said. She spoke about a young girl named Heather, who had attended Murphy's pre-kindergarten class. Heather spoke in a whiny voice and didn't know how to stand up for herself. Students who liked to bully would pick on her and, as an example, steal her plastic shovel on the playground.

Murphy said students like Heather are not ready for academic learning in kindergarten and beyond until they learn how to communicate with others and effectively get their shovels back. Emotional and social skills must be taught first if children are to be successful on a long-term basis, she said.

"Heather is not learning anything if the adults in her life are always chasing kids around saying, 'Don't do that,'" Murphy said. "Yes, we want children that are competent. Let's balance it out with some seriously strong social skills."

She spoke about each of the components of play as the basis for learning. It was because of this message that Murphy was called to Hastings, because of a lecture she gave to a Chicago preschool that was heard by Scott Yilk, son of Doniphan-Trumbull Elementary School Principal Mary Yilk.

"He called with so much enthusiasm. As a parent, he's a well-educated person, but not in education. He's in medicine. He said, 'Mom, did you know kids learn through play?' or 'Did you know the best thing for kids is structure?'" Mary said. "He was just really excited. So, if you excited somebody like that, I thought, 'We need her to come and visit.'"

"To hear that from another parent, I think that's really good validation that what she shares is really meaningful and can do that for parents, too, at a level that they can understand," said Jenise Straight, who arranged Murphy's visit as

Please see SPEAKER/page B2

Warrant issued for former mayor

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A former Hastings mayor was charged Thursday with felony theft of a washer and dryer in Adams County Court.

An arrest warrant in the case has been issued for Matt Rossen, 43, of 1419 N. Pershing Road.

Ace Rent-to-Own, 1049 W. Second St., leased the appliances to a client who lived in Rossen's rental at 213 E. South St., said Hastings Police Sgt. Bill Mann. When the renter moved out around Dec. 9, 2009, the washer and dryer were left at the property.

"When Ace Rent-to-Own went to pick them up, they were told they (appliances) weren't there," he said.

After being called to investigate, Mann said police were able to locate the appliances.

Rossen, who has been out of town on business, said he believed the washer and dryer were the property of Lisa Sackler, a tenant who broke her lease. The appliances had been abandoned, and he said Sackler still owes several hundreds of dollars for rent and damages on the property.

"I notified them (the former tenants) to pick it up, and they never picked it up," he said. "That's really all I know about it. Now, I'm being charged with theft."

Generally, property is considered abandoned if it is left at a rental property for 14 days after a letter of notice is sent to a former tenant, he said.

"They left their property there, never claimed it and abandoned it," Rossen said. "Evidently, they want it back now."

Theft by unlawful taking, value \$500-\$1,500, is a Class 4 felony punishable by up to five years' imprisonment and a \$10,000 fine.

Family sues Lincoln Co. over suicide

DEATH HAPPENED
WHILE IN JAIL

The Associated Press

NORTH PLATTE — The family of a man who committed suicide while in Lincoln County custody says officials at the jail and hospital ignored signs the man was suicidal, according to a lawsuit filed Thursday.

The family of 27-year-old Phillip Hatcher filed the federal lawsuit against the city of North Platte, Lincoln County and Great Plains Regional Medical Center.

The family's lawyer Maren Chaloupka said in the lawsuit that officials should have known Hatcher might try to kill himself because he was arrested by North Platte police in the middle of a suicide attempt and evaluated at the hospital before being jailed.

The lawsuit says Hatcher exhibited clear indications of being suicidal at the hospital and in jail, and that they should have been caught. The lawsuit says Hatcher had a history of mental illness, had just ended a romantic relationship, had financial problems and told officials he felt like he had no support system.

Attorney Terry Waite, who represents Lincoln County, said jail employees acted properly and followed procedures designed to prevent inmate suicides.

Please see DEATH/page B2