



One and no!

Top-ranked Badgers lose to Spartans;
next they face second-ranked Ohio State **SPORTS | C1**



Wisconsin State Journal

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WEDNESDAY, FEBRUARY 21, 2007

MADISON, WISCONSIN

MADISON WATER UTILITY

Report: 'Culture change' needed

Consultant says the utility must fix problems with communication and leadership.

By RON SEELY
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A "culture change" at the Madison Water Utility will be necessary to correct problems with communication and leadership, according to a consultant hired to study the agency.

Officials with EMA, a utility consultant from St. Paul, Minn., reported the results of its analysis to members of the water board at its monthly meeting Tuesday.

Though the utility received above-average marks from the consultant for many of its day-to-day operations, flaws in communications with the public and with employees, as well as weaknesses in management were cited by consultants as problems that need to be addressed.

Brad Jurkovic, one of the EMA consultants, told board members that correcting the problems will require "learning

Please see WATER, Page A5

Decision keeps detainees from court

By HOPE YEN
Associated Press

WASHINGTON — In a victory for President Bush, a divided federal appeals court ruled Tuesday that Guantanamo Bay detainees cannot use the U.S. court system to challenge their indefinite imprisonment. A Supreme Court appeal was promised.

The 2-1 decision by the U.S. Court of Appeals for the D.C. Circuit dismisses hundreds of cases filed by foreign-born detainees in federal court and also threatens to strip away court access to millions of lawful permanent residents in the United States.

It upholds a key provision of the Military Commissions Act, which Bush pushed through Congress last year to set up a Defense Department system to prosecute terrorism suspects. Now, detainees must prove to three-officer military panels that they don't pose a terror threat.

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2007 PRIMARY

Mayoral field pared; school initiatives split

MADISON MAYOR

DAVE CIESLEWICZ
15,488 votes, 57.5 percent

RAY ALLEN
8,042 votes, 29.9 percent



Mayor Dave Cieslewicz and his wife, Dianne, greet supporters Tuesday night at Madison's Bar and Restaurant on King Street.



Ray Allen talks to supporter Paul Adams during his mayoral campaign party Tuesday night at the Esquire Club.

PETER MUNOZ
2,661 votes
9.9 percent



WILL SANDSTROM
641 votes
2.4 percent



Allen is optimistic; Cieslewicz says voters to get 'clear choice'

By MATTHEW DEFOUR
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Madison Mayor Dave Cieslewicz will face former School Board member Ray Allen in the general election on April 3.

Cieslewicz had been considered a favorite to advance in Tuesday's primary, though it had been unclear whether he would face Allen, who entered the race last May, or Peter Munoz, who announced his candidacy in December and went on leave as executive director of Centro Hispano.

Cieslewicz drew more than 57 percent of the votes cast. Allen had about three times as many votes as Munoz.

"The lesson of tonight is that the voters like the direction the city has taken the last four years," Cieslewicz said. "It's up to Ray to convince the voters we need to make a sea change in that direction."

Allen, who served on the Madison School Board for nine years, said he would continue to focus on the issues that got him through the primary: crime, basic city services, poverty and a better relationship between the city and the School District.

Please see MAYOR, Page A9

MORE RESULTS ON PAGE A9: State Supreme Court, Madison School Board, other races

REFERENDUMS

ADAMS-FRIENDSHIP

NO

PARDEEVILLE

YES

SUN PRAIRIE

YES

WISCONSIN HEIGHTS

NO

By GEORGE HESSELBERG
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With millions of dollars and the prospect of serious cuts in the balance, voters in four area school districts considered referendums Tuesday night, defeating two and passing two.

School closings, staff cuts, reduced course offerings and fewer sports teams are imminent in the cash-strapped Wisconsin Heights and Adams-Friendship districts, where voters rejected spending proposals — one administrator challenged the successful opponents to come forward with solutions.

Pardeeville and Sun Prairie voters approved their school votes.

The biggest price tag — nearly \$15 million — was on the ballot in Sun Prairie, where voters approved a plan to build an elementary school in the city's south side Smith's Crossing subdivision.

Sun Prairie has rolled up an increase in enrollment of nearly 20 percent over the past five years, and the growth has stretched the classroom space available.

Please see SCHOOL, Page A9



BILL WINEKE

Shameful news on wounded, dead

I have never really been ashamed of my country before, but I am ashamed today.

Have you been following the news stories about the way we are treating the war wounded being cared for at the Walter Reed Army Medical Center in Washington? Two Washington Post reporters

spent four months talking with the wounded soldiers who, after receiving some of the best medical care in the world at the hospital, are now living in a moldy, rodent-infested motel while they receive outpatient treatment.

Many have brain injuries from the concussions they experienced when homemade bombs blew

them up in Iraq. Some are amputees who have lost, one, two or three limbs.

The wounded soldiers live in converted motel rooms, often sharing them with a wife or a mother. The story goes on and on and it is absolutely outrageous.

The problem, actually, is one of success. Our military medical

teams are so good today that they save the lives of thousands of fighting men and women who would have died in previous wars. But saving a life doesn't make it whole.

I don't blame President Bush for this situation. I am sure no one

Please see WOUNDED, Page A7

5 ON THE FLY

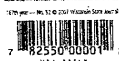
1 Cooler heads: On baseball's opening day, the sport will doff the traditional wool cap in favor of a new polyester blend model designed to wick away sweat.

2 Dry run: Three ultra-endurance athletes ran the equivalent of two marathons a day for 111 days to become the first modern runners to cross the Sahara Desert's grueling 4,000 miles.

3 Hunting limits: South Africa's environment minister announced restrictions on hunting, declaring he was sickened by wealthy tourists shooting tame lions from the back of trucks.

4 Recall tab: ConAgra Foods said its nationwide peanut butter recall will cost between \$50 million and \$60 million.

5 Secret burial: The six adult children of singer James Brown have agreed with his partner, Toni Rae Hynie, on where the entertainer will be buried. The resting place is being kept confidential.



Partly cloudy and warm



HIGH 45 LOW 25

Business C6 Local B1 Nat'l & World A3 Scoreboard C6
Comics D8 Marketplace D8 Obituaries A4 Sports C1
Daybreak D1 Movies D4 Opinion A10 Television D7

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Detainees

Continued from Page A1

Democrats newly in charge of Congress promised legislation aimed at giving detainees legal rights. Attorneys for detainees said they would appeal Tuesday's ruling to the Supreme Court.

"We're disappointed," said Shayana Kadidal of the Center for Constitutional Rights. "The bottom line is that according to two of the federal judges, the president can do whatever he wants without any legal limitations as long as he does it offshore."

The two judges voting with the White House — Judge A. Raymond Randolph and Judge David Sentelle — were appointed by Republicans. Reagan appointed Sentelle, and the first President Bush appointed Randolph. The dissenter, Judge Judith Rogers, was appointed by Clinton.

White House Deputy Press Secretary Dana Perino called the decision "a significant win" for the administration and said the Military Commissions Act provides "swift and fair access to courts for these detainees."

About 395 detainees are being held at the U.S. military base at Guantanamo Bay in Cuba. The first prisoners arrived more than five years ago, after the Sept. 11, 2001, terror attacks.

At issue is the right of habeas corpus, a basic tenet of the Constitution protecting detainees from unlawful imprisonment. Twice before, the Supreme Court ruled that right gave Guantanamo detainees full access to courts.

But in their latest ruling last June, justices suggested the president could ask Congress for more anti-terrorism authority, prompting passage of the commissions act that in part stripped federal court review.

Randolph, writing for the majority, said the new commissions act clearly blocked court access and was consti-

tutional because a "foreign entity without property or presence in this country has no constitutional rights."

"The arguments are creative but not cogent. To accept them would be to defy the will of Congress," Randolph wrote in the 25-page opinion, which was joined by Sentelle.

In dissent, Rogers said the cases should proceed. She said that the military hearings — known as Combatant Status Review Tribunals, or CSRTs — deprive detainees of critical due process rights provided by the Constitution by putting the legal burden on detainees to prove they aren't terrorist threats.

"District courts are well able to adjust these proceedings in light of the government's significant interests in guarding national security," Rogers wrote. "More significant still, continued detention may be justified by a CSRT on the basis of evidence resulting from torture."

Under the commissions act, the government may indefinitely detain foreigners who have been designated as "enemy combatants" and authorize the CIA to use aggressive but undefined interrogation tactics.

A spokeswoman for Senate Judiciary Committee Chairman Patrick Leahy, D-Vt., said Leahy had prioritized a bill that would restore detainees' legal rights, noting that some 12 million lawful permanent residents currently in the U.S. could also be stripped of rights.

Leahy was referring to the case of Ali Saleh Kahlah Al-Marri, a citizen of Qatar, who was arrested in 2001 as an "enemy combatant" while studying in the United States. The Justice Department says the commissions law should apply to immigrants such as him, and the 4th U.S. Circuit Court of Appeals in Richmond, Va., is expected to issue a ruling soon.

Water

Continued from Page A1

a different way of doing business.

The consulting firm was hired last year as part of Mayor Dave Cieslewicz's 10-point plan to restore confidence in a utility that had been battered by charges of mismanagement and of widespread public dissatisfaction with the agency's response to manganese in drinking water.

Among the recommendations in the report is the development of a team to write a communications plan that will "change this area of weakness into an area of strength, turning communication into a habit instead of an afterthought."

The report also calls for increased training, including "customer-courtesy training, to better equip utility employees for dealing with the public."

To address management problems, the consultants recommended leadership coaching and training. The analysis was conducted, beginning in October, through interviews with employees. Craig Yokopenic, EMA vice president, told board members that 95 percent of utility employees participated in the process, far more than the average of 15 to 30 percent that have volunteered at other utilities studied by EMA.

In those interviews, according to an appendix to the report, employees cited a number of problems plaguing the utility. They included poor communication between upper management and workers, fear among employees, a general lack of trust between management and labor and numerous conflicts between the utility's engineering and human resource leadership.

Employees also cited a lack of training in customer communication. Numerous concerns involving technology were also pointed out by workers, including a lack of access to e-mail for some employees.

Yokopenic said EMA has conducted such studies at more than 400 utilities nation-

wide. Each analysis involves assigning a utility a so-called "opportunities gap." The gap identifies the percentage of a utility's budget that should be allocated to correcting problems. The average gap identified for the utilities studied by EMA is 23 percent, compared to 11.8 percent for the Madison Water Utility.

"This is a good utility," said Yokopenic.

But under questioning from board member Jon Standridge, Jurkovic said the gap percentage doesn't necessarily reflect the extent of the problems in such areas as customer satisfaction, communication and leadership. Standridge, who said he found some of the recommendations in the report too vague, asked whether corrections would require "tweaking or drastic change."

"If it was just tweaking," said Jurkovic, "then you'd get it changed in two or three months and move on. But that's not going to happen. It's a culture change."

David Denig-Chakroff, the utility's general manager, said he is "totally committed to following through with this."

"This document and this study will have a tremendous impact on this utility in the way we move forward," Denig-Chakroff said. "A lot of us are thinking a lot differently than we were four or five months ago."

A possible sign of change came later in the meeting when the board approved \$50,000 to hire a consultant who will advise the utility on how to go about siting a well to replace Well No. 3 on the East Isthmus, which was shut down because of high levels of carbon tetrachloride. That's \$45,000 more than has been paid in the past for such work, said Al Larson, the utility's head engineer.

He said the additional money is necessary partly because of an ambitious public participation plan that will be necessary.

"We're changing the whole concept of how we site a new well with this one," Larson said.

Obituaries

Continued from page A4

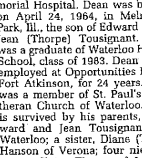


Rider, LaVerne Elwin
PRAIRIE DU SAC — LaVerne Elwin Rider, age 78, of Prairie du Sac and formerly of Prairie du Chien, passed away peacefully at his home surrounded by his family on Monday, Feb. 19, 2007. He was born the youngest of 10 children, on Feb. 27, 1928, at the old General Hospital in Prairie du Chien. He farmed and raised his six children, LaVerne (Lily) Rider, Larry (Janice) Rider, Vickie (Paul) Reinke, Elaine (Larry) Campbell and Ronald (Sheila) Rider. LaVerne also survived by a sister, Raymond Rider. In 1973 they moved to Prairie du Chien, where LaVerne worked for 3M Company for 17 years until his retirement. Also surviving are 15 grandchildren, and seven great-grandchildren. He was preceded in death by his parents, two sisters and four brothers. Funeral services will be held on Friday, Feb. 23, 2007, at 11 a.m. at the GARRITY FUNERAL HOME, CHICAGO, Ill. Friends may call on Thursday, Feb. 22, 2007, from 4 p.m. to 8 p.m., and on Friday from 10 a.m. until the time of services at the funeral home in lieu of flowers, memorials are preferred to St. John's Lutheran Church, 190 Oak St., Prairie du Sac, WI 53578. LaVerne was a loving husband, father and grandfather who will be missed by all.

cheon will be held at St. Clement Dining Hall immediately after the burial, in lieu of plants and flowers, a Lenny Schildgen memorial fund has been established. The Schwartz Funeral Home in Lancaster is assisting the family.



Toutsignant, Dean E.
PORT ATKINSON — WALTERLOO — Dean E. Toutsignant, age 42, of Port Atkinson, formerly of Waterloo, died unexpectedly on Sunday, Feb. 18, 2007, at Watertown Memorial Hospital. Dean was born on April 24, 1964, in Melrose Park, Ill., the son of Edward and Jean (Thorpe) Toutsignant. He was a graduate of Waterloo High School, class of 1983. Dean was employed at Opportunities Inc., Port Atkinson, for 24 years. He was a member of St. Paul's Lutheran Church of Waterloo. He is survived by his parents, Edward and Jean Toutsignant (Tim) Hanson of Verona; four nieces; aunts, Elaine Thorpe of Jefferson, Kathy (Gerald) Kallenbach (Nagy) of Verona; Harold (Dorothy) Thorpe of Milwaukee and Jim (Lois) Tuxhorn of Plover. Also a number of cousins, other relatives and many friends. He was preceded in death by his maternal and paternal grandparents, aunt, Carol Tuxhorn, and uncle, Mike Thorpe. Funeral services will be held at 11 a.m. on Friday, Feb. 23, 2007, at ST. PAUL'S LUTHERAN CHURCH, Waterloo with the Rev. Robert Kosky officiating, with burial in Oak Hill Cemetery, Waterloo. Friends may call on Thursday from 4 p.m. until 7 p.m. at PEDERSON FUNERAL HOME, Waterloo and on Friday 10 a.m. until the time of service at the church. The Pederson Funeral Home, 143 S. Washington St., Waterloo is serving the family.



Tveit, Elaine M.
MADISON — Elaine M. Tveit, age 81, died on Sunday, Feb. 18, 2007, at the HospiceCare Center, Fitchburg, following challenging health issues. She was born May 19, 1925, to Stanley "Dick" and Anna (Lang) Feeney. Elaine graduated from Madison Central High School in 1942. She married Kurt Tveit on Dec. 7, 1946. He preceded her in death on April 12, 1983. Elaine worked for Wisconsin Bell Telephone Company from 1942 until 1946. A special thanks to Design Coalition for allowing Elaine the privilege of becoming part of the Design Coalition legacy for 18 years before her retirement at age 77. Elaine devoted her entire life to her family, always putting others needs before her own. She is survived by her children, Keith (Cherie) Tveit of Ashland, and Karen (Al) Koch of Waunakee; grandchildren, Cory (Christina) Tveit of Stillman Valley, Ill., Kevin Tveit of Ashland, and Evan, Tanner and Jessica of Waunakee; a brother, Stan (Maria) Feeney, brother-in-law, Henry Maly; sisters-in-law, Inga Colby, Mabel Tveit, Marie Tveit and Ellen Tveit; and numerous nieces and nephews. Elaine was preceded in death by her husband, her parents; father-in-law and mother-in-law, John and Thelma Tveit; sisters, Betty Dederf and Patricia Maly; sister-in-law, Patricia Feeney; Grandia Bold, Laura Bold and Josephine Landness; and brothers-in-law, Harry Dederf, Johnnie Tveit, Torfield Tveit, Norman Tveit, Julius Beld, Vernon Landness and John Colby. Funeral services will be held at GUNDERSON EAST FUNERAL HOME, 5203 Monona Drive, at 7:30 p.m. on Friday, Feb. 23, 2007, with the Rev. Karen Locken presiding. Visitation will be at the funeral home from 4 p.m. until the time of the service. A thank you to the special caregivers at HospiceCare Inc. and Mentor Hospital.

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Zandier, Harold E.
COLUMBUS — Harold E. Zandier, age 88, died on Monday, Feb. 19, 2007, at Columbus Community Hospital. Funeral services will be held on Saturday, Feb. 24, 2007, at 10 a.m. at ZION EVANGELICAL LUTHERAN CHURCH, Columbus. Friends may call at the church on Saturday, from 9:30 a.m. until service time. Zandier Funeral Home, Columbus (920) 623 5150

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