

# Public Notices

## City water drought emergency ordinance published

Published in the Bird City Times, Bird City, Kansas, Thursday, October 11, 2007. (41)  
**WATER DROUGHT/EMERGENCY ORDINANCE**  
 Ordinance No. 315

An ordinance authorizing the declaration of a water watch, warning or emergency, establishing procedures and voluntary and mandatory conservation measures; authorizing the issuance of administrative regulations and prescribing certain penalties.

Be it Ordained by the Governing Body of the City of Bird City.

**Section 1. Purpose.** The purpose of this ordinance is to provide for the declaration of a water supply watch, warning or emergency and the implementation of voluntary and mandatory water conservation measures throughout the city in the event such a watch, warning or emergency is declared.

**Section 2. Definitions.**

(a) "Water", as the term is used in this ordinance, shall mean water available to the City of Bird City for treatment by virtue of its water rights or any treated water introduced by the City into its water distribution system, including water offered for sale at any coin-operated site.

(b) "Customer", as the term is used in this ordinance, shall mean the customer of record using water for any purpose from the City's water distribution system and for which either a regular charge is made or, in the case of coin sales, a cash charge is made at the site of delivery.

(c) "Waste of Water", as the term is used in this ordinance, includes, but is not limited to: (1) permitting water to escape down a gutter, ditch, or other surface drain; or (2) failure to repair a controllable leak of water due to defective plumbing.

(d) The following classes of uses of water are established:

**Class 1:**

Water used for outdoor watering; either public or private, for gardens, lawns, trees, shrubs, plants, park, golf courses, playing fields, swimming pools or other recreational areas, or the washing of motor vehicles, boats, trailer, or the exteriors of any building or structure.

**Class 2:**

Water used for any commercial or industrial, including agricultural, purposes: except water actually necessary to maintain the health and personal hygiene of bona fide employees while such employees are engaged in the performance of their duties at their place of employment.

**Class 3:**

Domestic usage, other than that which would be included in either classes 1 or 2.

**Class 4:**

Water necessary only to sustain human life and the lives of domestic pets and maintain standards of hygiene and sanitation.

**Section 3. Declaration of Water Watch.** Whenever the governing body of the City finds that conditions indicate that the probability of a drought or some other condition causing a major water supply shortage is rising, it shall be empowered to declare, by resolution, that a water watch exists and that it shall take steps to inform the public and ask for voluntary reductions in water use. Such a watch shall be deemed to continue until it is declared by resolution of the governing body to have ended. The resolutions declaring the existence and end of a water watch shall be effective upon their publication in the official city newspaper.

**Section 4. Declaration of Water Warning.** Whenever the governing body of the City finds that drought conditions or some other condition causing a major water supply shortage are present and supplies are starting to decline, it shall be empowered to declare by resolution that a water warning exists and that it will recommend restrictions on nonessential uses during the period of the warning. Such a warning shall be deemed to continue until it is declared by resolution of the governing body to have ended. The resolutions declaring the existence and end of a water supply emergency shall be effective upon their publication in the official city newspaper.

**Section 5. Declaration of Water Emergency.** Whenever the governing body of the City finds that an emergency exists by reason of a shortage of water supply needed for essential uses, it shall be empowered to declare by resolution that a water supply emergency exists

and that it will impose mandatory restrictions on water use during the period on the emergency. Such an emergency shall be deemed to continue until it is declared by resolution of the governing body to have ended. The resolutions declaring the existence and end of a water supply emergency shall be effective upon their publication in the official city newspaper.

**Section 6. Voluntary Conservation Measures.** Upon the declaration of a water watch or water warning as provided in Sections 3 and 4, the mayor (or the city manager) is authorized to call on all water consumers to employ voluntary water conservation measures to limit or eliminate nonessential water uses including, but not limited to, limitations on the following uses:

- (a) Class 1 uses of water.
- (b) Waste of water.

**Section 7. Mandatory Conservation Measures.** Upon declaration of a water supply emergency as provided in Section 5, the mayor (or the city manager) is also authorized to implement certain mandatory water conservation measures, including, but not limited to, the following:

- (a) Suspension of new customers to the City's water distribution system, except connections of fire hydrants and those made pursuant to agreements entered into by the City prior to the effective date of the declaration of the emergency.
- (b) Restrictions on the uses of water in one or more classes of water use, wholly or in part;
- (c) Restrictions on the sales of water at coin-operated facilities or sites;
- (d) The imposition of water rationing based on any reasonable formula including, but not limited to, the percentage of normal use and per capita or per consumer restrictions;
- (e) Complete or partial bans on the waste of water, and
- (f) Any combination of the foregoing measures.

**Section 8. Emergency Water Rates.** Upon the declaration of a water supply emergency as provided in Section 5, the governing body of the City shall have the power to adopt emergency water rates by ordinance designed to conserve water supplies. Such emergency rates may provide for, but are not limited to:

- (a) Higher charges for increasing usage per unit of use (increasing block rates);
- (b) Uniform charges for water usage per unit of use (uniform unit rate); or
- (c) Extra charges in excess of a specified level of water use (excess demand surcharge).

**Section 9. Regulations.** During the effective period of any water supply emergency as provided for in Section 5, the mayor (or city manager or water superintendent) is empowered to promulgate such regulations as may be necessary to carry out the provisions of this ordinance, any water supply emergency resolution, or emergency water rate ordinance. Such regulations shall be subject to the approval of the governing body at its next regular or special meeting.

**Section 10. Violations, Disconnections and Penalties.**

(a) If the mayor, city manager, water superintendent, or other city official or officials charged with implementation and enforcement of this ordinance or a water supply emergency resolution learn of any violation or any water use restrictions imposed pursuant to Section 7 or 9 of this ordinance, a written notice of the violation shall be affixed to the property where the violation occurred and the customer of record any other person known to the City who is responsible for the violation or its correction shall be provided with either actual or mailed notice. Said notice shall describe the violation and order that it be corrected, cured or abated immediately or within such specified time as the City determines is reasonable under the circumstances. If the order is not complied with, the City may terminate water service to the customer subject to the following procedures:

- (1) The city shall give the customer notice by mail or actual notice that water service will be discontinued within a specified time due to the violation and that the customer will have the opportunity to appeal the termination by requesting a hearing scheduled before the City governing body or a city official designated as a hearing officer by the governing body,
- (2) If such a hearing is requested by the customer charged with the violation, he or she shall be given a full opportunity to be heard before

termination is ordered, and,  
 (3) The governing body or hearing officer shall make findings of fact and order whether service should continue or be terminated.

(b) A fee of \$50 shall be paid for the reconnection of any water service terminated pursuant to subsection (a). In the event of subsequent violation the reconnection fee shall be \$200 for the second reconnection and \$300 for any additional reconnections.

(c) Violations of this ordinance shall be a municipal offense and may be prosecuted in Municipal Court. Any person so charged and found guilty in Municipal court of violating the provisions of this ordinance shall be guilty of a municipal offense. Each day's violation shall constitute a separate offense. The penalty for an initial violation shall be a mandatory fine of \$100. In addition, such customer may be required by the Court to serve a definite term of confinement in the city or county jail which shall be fixed by the Court and which shall not exceed 30 days. The penalty for a second or subsequent conviction shall be a mandatory fine of \$200. In addition, such customer shall serve a definite term of confinement in the city or county jail which shall be

fixed by the Court and which shall not exceed 30 days.

**Section 11. Emergency Termination.** Nothing in this ordinance shall limit the ability of any properly authorized city official from terminating the supply of water to any or all customers upon the determination of such city official that emergency termination of water service is required to protect the health and safety of the public.

**Section 12. Severability.** If any provision of this ordinance is declared unconstitutional, or the application thereof to any person or circumstance is held invalid, the constitutionality of the remainder of the ordinance and its applicability to other persons and circumstances shall not be affected thereby.

**Section 13.** The ordinance shall become effective upon its publication in the official city newspaper.

Passed by the governing body this 1st day of October 2007.

/s/ Troy D. Burr  
 (Mayor's signature)

ATTEST  
 /s/ Jana Diers  
 (City Clerk's Signature)

## Notice of lapsed mineral interest

Published in the Bird City Times, Bird City, Kansas, Thursday, October 11, 2007. (41)

**NOTICE OF LAPSED MINERAL INTEREST**

This is a notice to Neal Harris and Erl E. Deacon, their heirs, devisees, successors and assigns, that their rights in the mineral interest in the Southwest Quarter (SW/4) of Section Four (4), Township Three (3) South, Range Thirty-nine (39) West

of the 6th P.M., Cheyenne County, Kansas, have lapsed.

This notice is given pursuant to K.S.A. 55-1601 et seq., by Elsie P. Cook, P.O. Box 136, St. Francis, Kansas 67756; Sam A. Miller, P.O. Box 262, St. Francis, Kansas 67756; and Toni L. Miller, a/k/a Toni L. Hawkins, n/k/a Toni L. Landenberger, 1820 Road R, St. Francis, Kansas 67756.

## Nondiscrimination notice published

Published in the Saint Francis Herald, St. Francis, Kansas, and the Bird City Times, Bird City, Kansas, Thursday, October 11, 2007. (41)

**STATEMENT OF NONDISCRIMINATION**

Prairie Land Electric Cooperative, Inc. is the recipient of Federal financial assistance from the Rural Utilities Service, an agency of the U.S. Department of Agriculture, and is subject to the provisions of Title VI of the Civil Rights Act of 1964, as amended, Section 504 of the Rehabilitation Act of 1973, as amended, the Age Discrimination Act of 1975, as amended, and the rules and regulations of the U.S. Department of Agriculture which provide that no person in the United States on the basis of race, color, national origin, age, or handicap shall be excluded from participation in, admission or access to, denied the benefits of, or

otherwise be subjected to discrimination under any of this organization's programs or activities.

The person responsible for coordinating this organization's nondiscrimination compliance efforts is Allan Miller, General Manager. Any individual, or specific class of individuals, who feels that this organization has subjected them to discrimination may obtain further information about the statutes and regulations listed above from and/or file a written complaint with this organization; or the Secretary, U.S. Department of Agriculture, Washington, D.C. 20250; or the Administrator, Rural Utilities Service, Washington, D.C. 20250. Complaints must be filed within 180 days after the alleged discrimination. Confidentiality will be maintained to the fullest extent possible.

## No penalty-free program this year

The Department of Agriculture will not offer penalty-free early releases from Conservation Reserve Program contracts at this time, according to Chuck Conner, acting secretary.

"While this year's global wheat market remains very tight, corn production is expected to be record-high, and today's grain stocks report indicated higher than expected stocks for corn and soybeans at the start of the 2007/08 crop year. In addition, more than 2 million Conservation Reserve Program acres expire under existing contracts on Sept. 30.

"Wheat, soybean, and corn markets are providing very strong incentives to plant more acreage this fall and next spring. Throughout this year, the market focused on attracting corn acres, and to a lesser extent, wheat acres. Producers responded strongly, with corn acres increasing to their highest level since 1944.

Wheat market prices are indicating an expected significant increase

in planted area this fall and next spring in the United States and around the world. The potential exists for increased double-cropping and the planting of fallow ground.

"Overall, I expect that market signals will continue to provide adequate acres, recognizing that strong competition among crops is likely.

"I would not anticipate offering a general signup while grain stock levels remain historically low and prices continue at unprecedented levels. Acres under continuous Conservation Reserve Program signup, such as filter strips and riparian buffers, are not affected by general signup decisions. Enrollment of acres that qualify for continuous signup is ongoing.

"I will continue to closely monitor the acreage response and market conditions. I will not hesitate in the future to make adjustments to the department's programs if needed to achieve balance in the agricultural sector."

## Plain Sense

### The Art of Communication

Many important life skills are learned in school, while others are supposed to come naturally, yet can end up being the most challenging. For many people, communication is one of those. Today there are countless devices designed to improve communication between people (such as cell phones, voice mail, text messaging, e-mail, and instant messaging), yet it seems to be more difficult just getting our point across. In fact, some researchers say that 70 percent of all business communication fails to achieve its purpose. If the business world is having that much difficulty, what chance do the rest of us have?

There are some steps we can all take to improve our communication abilities and decrease misunderstandings or arguments. First, when speaking to someone, be aware of voice tone and intensity; we may not intend to come across in a negative way but the tone and intensity will quickly determine the outcome of the conversation. Any word or statement can come across as hostile, whinny, or annoying depending upon how we say it and how loud we say it. A voice message left on an answering machine might be surprising to some people if they were to listen. Although they may deny being irritated at the time they left the message, the message comes across as angry and demanding because of the tone and intensity

of their voice.

Another major component of communication involves non-verbal cues, which includes eye contact, body posture, facial expressions, and hand gestures. A conversation can go well or can quickly deteriorate into conflict, depending on those factors. For example, making good eye contact, facing the person or moving closer encourages further discussion. This behavior shows that we are interested in actively listening to what they have to say. On the other hand, rolling our eyes or turning away while someone is talking will certainly discourage further conversation, and may offend and result in hurt feelings. Keep in mind that over 90 percent of communication with others is nonverbal, and for people who are unaware of the conflicting messages their behavior conveys, this factor may be contributing to continuing misunderstandings and disagreements.

*Contributed by Ken Loos, MS, LMLP, LCP Consultation and Education Department*

*The views expressed here are those of the individual writer and should not be considered a replacement for seeking professional help.*

Mail questions to: High Plains Mental Health Center, Plain Sense, Consultation and Education Department, 208 East 7th, Hays, KS 67601



## Kansas Classified Ad Network

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 Adoption: We promise your newborn a loving, secure and happy home. Full time Mom, devoted Dad. Expenses paid. Please call Theresa or John: 1-800-484-6765 PIN #0369.  
 Pregnant? Considering adoption? We are a young (30s), childless, married couple seeking to adopt. Financial security. Expenses paid. Call Amy & Billy. (ask for Michelle/Adam). 1-800-790-5260.  
**Auctions**  
 Historic Limestone Home, 40 ac brome pasture, horse barn/riding arena; S of Parkerville, KS; Auction 10-24-07, 4 p.m. United Country-Theurer Auction/Realty, www.theurer.net, 800.207.6830.  
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 Own your own business: Loomix® feed supplements is seeking feed dealers. Motivated individuals with cattle knowledge & community ties. Flexible hours & great income opportunity. Contact Ashley @ 800-870-0356 or e-mail

afarnam@loomix.com to find out if there is a dealership opportunity in your area.  
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 KANEQUIP-Dodge City/Garden City looking for Agriculture Technicians. Great company w/ benefits. Call 888-456-2041 or www.kanequip.com  
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 Mechanics: Up to \$20,000 bonus. Keep the Army National Guard Rolling. Fix Humvees, Strykers, etc. Expand your skills through career training. Be a Soldier. 1-800-GO-GUARD.com/mechanic.  
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 AIRLINES ARE HIRING - Train for high paying Aviation Maintenance Career. FAA approved program. Financial aid if qualified - Job placement assistance. Call Aviation Institute of Maintenance (888) 349-5387.  
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