

Public Notices

Ordinance published on burning

Published in the Bird City Times, Bird City, Kansas, Thursday, May 6, 2010. (18)
ORDINANCE NO. 321

AN ORDINANCE RELATING TO OPEN BURNING WITHIN THE CITY LIMITS, PROHIBITING THE SAME AND PROVIDING FOR CERTAIN EXEMPTIONS THERETO; AND AMENDING SECTIONS 5-201, 5-202 AND 5-303 OF CHAPTER 5, ARTICLE 2 OF THE CITY CODE OF THE CITY OF BIRD CITY, KANSAS AND REPEALING THE ORIGINAL SECTIONS 5-201, 5-202 AND 5-203 OF CHAPTER 5, ARTICLE 2 OF THE CITY CODE OF THE CITY OF BIRD CITY, KANSAS AND ORDINANCE 277 WHICH AMENDED THE SAME.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF BIRD CITY, KANSAS:

Section 1: Sections 5-201, 5-202 and 5-203 of Article 2 of Chapter 5 of the Code of the City of Bird City are hereby amended to read as follows:

5-201. OPEN BURNING UNLAWFUL: DEFINITION: REFUSE. It shall be unlawful for any person or entity to cause or permit the open burning of any refuse, wastes, structures, vegetation or any other material on any premises within the City of Bird City, Kansas, other than in an approved incinerator constructed and operated in accordance with Air Pollution Emission Control Regulations of the State of Kansas and any amendments thereto as published by the Kansas State Department of Health and Environment or its successors. "Refuse" is defined as unwanted or discarded material resulting from residential, commercial, industrial and agricultural operations and from normal community activities. "Refuse" includes but is not limited to: garbage, paper, rubbish, dead animals, animal wastes, leaves, limbs and other plant wastes.

5-202. ALLOWED OPEN BURNING; REGULATIONS FOR THE SAME. The following open burning operations shall be exempt from the prohibition on open burning of any materials imposed by section 5-201, subject to the regulations set forth herein:

a. The following shall not constitute a violation of this article.

1) Fires set for the purpose of instructing and training city firemen in the methods of fighting fire.

2) Fires set at the direction of the mayor or governing body for the destruction of abandoned and condemned structures and buildings.

3) Fires set in residential fireplaces.

4) Fires used for preparation of food, such as barbecuing or charcoaling;

5) Campfires in approved camping areas: Provided, that the fire is not more than four feet (4') in diameter at the base.

6) Recreational fires contained in a screened fire pit or screened outdoor fireplace. For purposes of this provision, "fire pit" means a self contained unit made of a non-combustible material which sets above the ground on legs and is commercially designed and built for the creating and maintaining of a fire by use of a wood or gas fuel source. For purposes of this provision, "outdoor fireplace" means a commercially designed and built outdoor fire place made of a non-combustible material or concrete, including but not limited to a chiminea. For purposes of the provision, "screened" means a protective spark arresting screen covering the opening of the fire pit or outdoor fire place.

7) After obtaining a permit pursuant to 5-202 subsection "c" from the City Clerk to do the same, fires for the purpose of burning of leaves, limbs and other plant or organic wastes.

8) Fires outside the boundary of Section Thirty-six (36) in Township Three (3) South, Range Thirty-eight (38) West of the Sixth Principal Meridian, Cheyenne County, Kansas, otherwise known as the square mile perimeter of the city limits of City of Bird City, Kansas.

b. During dry climatic conditions and high velocity winds in the city, the mayor may declare by proclamation an emergency and suspend burning under subsection "a" of this section. Any open burning occurring during such proclamation shall constitute a violation of this article, punishable as hereinafter provided.

c. Burning permit. Upon application to the City Clerk and payment of a \$1.00 permit fee, any person living within Section Thirty-six (36) in township Three (3) South, Range Thirty-eight (38) West of the Sixth Principal Meridian, Cheyenne County, Kansas, other wise known as the square mile perimeter of the city limits of the City of Bird City, may obtain a burning permit for the burning of leaves, limbs and other plant and organic wastes within said limits of the City of Bird City. Said permit is valid for a period of 10 days from the date of issuance. Said permit may neither be transferred nor extended in the event that the permit is not used. There shall be no refunds of permit fees in the event that the permit is not used.

d. Any person setting a fire under subsection a), paragraphs 4) through 7), shall keep on hand during the open burn a fully functional garden hose or a 4-A fire extinguisher.

e. The Fire Chief or law enforcement is authorized to require any fire burning subsection a), paragraphs 4) through 7), to be immediately extinguished if such fire is determined by the Fire Chief or law enforcement to constitute a hazardous condition or are being used to burning unauthorized refuse, rubbish or trash, or if the Fire Chief or law enforcement determines that smoke emissions are offensive to occupants of the surrounding property.

5-203. PENALTY. Any person or entity in violation of any provision herein or who

fails to immediately extinguish a fire after being directed by the Fire Chief or law enforcement under section 5-202 e), shall be guilty of an unclassified misdemeanor and punished by a fine of not more than One hundred dollars (\$100.00). In the event that a violation of this article spans a period of time in excess of one calendar day, each calendar day involved after the first calendar day shall constitute an additional and separate violation of this article.

Section 2. EXISTING CITY CODE SECTIONS REPEALED. The current Sections 5-201, 5-202 and 5-203 of Article 2 of Chapter 5 of the Code of the City of Bird City, and Ordinance 277 are hereby repealed.

Section 3. EFFECTIVE DATE. This ordinance shall take effect and be in full force and effect after its passage and publication once in the official city newspaper.

ADOPTED AND PASSED by the Governing Body of the City of Bird City, Kansas, this the 3rd day of May, 2010.

Troy Burr, Mayor

(Seal)

ATTEST:
DeAnza Ambrosier
City Clerk

Petition filed in court for the Kellner estate

Published in The Saint Francis Herald, St. Francis, Kansas, Thursdays, April 22, April 29 and May 6, 2010. (16-18)

IN THE DISTRICT COURT OF CHEYENNE COUNTY, KANSAS

In the Matter of the Estate of

No. 10 PR 03

ROYCE D. KELLNER, Deceased
Petition Pursuant to K.S.A. Chapter 59

NOTICE OF HEARING AND NOTICE TO CREDITORS

THE STATE OF KANSAS TO ALL PERSONS CONCERNED:

You are hereby notified that on the 16th day of March, 2010, a petition was filed in this Court by Elmer N. Kellner and Wayne A. Kellner, as heirs of the decedent praying that they be appointed Co-Administrators of the Estate; that petitioners be granted Letters of Administration herein.

That an order so appointing the petitioners was entered on the 15th day of April, 2010.

All creditors are notified to exhibit their demands against the Estate within the latter of four months from the date of first publication of notice under K.S.A. 59-2236 and amendments thereto, or if the identity of the creditor is known or reasonably ascertainable, 30 days after actual notice was given as provided by law, and if their demands are not thus exhibited, they shall be forever barred.

Elmer N. Kellner, *Co-Petitioner*

Wayne A. Kellner, *Co-Petitioner*

VIGNERY & MASON LLC
214 E 10th P O Box 767
Goodland KS 67735
Telephone: 785-890-6588
Attorneys for Petitioner

Primary election will be held on August 3

Published in The Saint Francis Herald, St. Francis, Kansas, and the Bird City Times, Bird City, Kansas, Thursdays, April 22, April 29 and May 6, 2010. (16-18)

NOTICE OF PRIMARY ELECTION

I, the undersigned County Clerk, hereby give notice that a Primary Election will be held on August 3, 2010, this being the first Tuesday of said month, at which time candidates for the following offices will be nominated according to the provisions of law by EACH of the political parties of this state who qualify to participate in said Primary Election as specified by law:

- One candidate for United States Senate.
- One candidate for United States Representative 1st District.
- One pair of candidates for Governor/Lieutenant Governor.
- One candidate for Secretary of State.
- One candidate for Attorney General.
- One candidate for State Treasurer.
- One candidate for Commissioner of Insurance.
- One candidate for State Representative 120th District.
- One candidate for Member, State Board of Education 5th District.
- One candidate for County Commissioner 1st District.
- One candidate for Township Clerk for Benkelman Township.
- One candidate for Township Clerk for Bird City Township.
- One candidate for Township Clerk for Calhoun Township.
- One candidate for Township Clerk for Cleveland Run Township.
- One candidate for Township Clerk for Jaqua Township.
- One candidate for Township Clerk for Orland Township.
- One candidate for Township Clerk for Wano I Township.
- One candidate for Township Clerk for Wano II Township.

The following officers will be elected in EACH political party which has qualified to participate in the Primary Election:

- One Precinct Committeeman in each Precinct.
- One Precinct Committeewoman in each Precinct.

IN TESTIMONY WHEREOF, I hereto set my hand and cause to be affixed my official seal. Done at the County of Cheyenne, this 14th day of, April, 2010.

Terry Miller
Cheyenne County Clerk / Election Officer

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The Saint Francis Herald

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RECEIVES KANSAS PRESS AWARD – Tom Dreiling (right) received the Clyde M. Reed, Jr., Master Editor Award at the Kansas Press Convention for his 44 years in the newspaper business. His son, Todd Dreiling, (left) surprised him at the awards ceremony, and Steve Haynes, (center) owner of Haynes Publishing presented the award.

Journalist recognized for over 40 years in newspaper

By Tom Betz
nt.betz@nwkansas.com

Tom Dreiling, former Goodland Daily News editor, was honored at the Kansas Press Association convention on Friday with presentation of the Clyde M. Reed Jr. Master Editor Award. He became the 15th recipient.

Dreiling was recognized for his 44 years in the newspaper business including his work at the Hays Daily News where he was photographer, sports editor and city editor in the early 1960s before moving to Goodland to become editor of the Daily News.

Richard Gannon, former Goodland resident and state representative, and Steve Haynes, owner of Haynes Publishing, presented the award. Haynes said he enjoyed working with Dreiling after he had hired him to be the publisher of The Colby Free Press in 1998, and later as the publisher of The Norton Telegram.

Dreiling was born in Hays, the second youngest of nine children and attended high school at St. Joseph's Military Academy, now Thomas More Prep-Marian, graduating in 1953. He continued his studies at Fort Hays State University, opting out to join the United States Air Force in 1955 as the cold war was heating up. He was sent to Keesler AFB, Biloxi, Miss., where he studied International Morse Code and related courses dealing with foreign assignments. This field of study took him to Misawa, Japan, where he was stationed under the supervision of the Air Force Security Service for slightly more than two years. He was released from the Air Force in 1959 and officially discharged in 1963 after serving an eight-year active and inactive enlistment.

Returning to civilian life, he worked for a year and a half at The Ellis County Star, a Hays-based weekly newspaper before he was hired by the Hays Daily News in 1962.

Dreiling moved to Goodland in 1965, and said when he arrived at the newspaper, he asked where the reporters were. He said he was shown a desk in the corner of the front office and was told, "you're it!"

He continued to work in Goodland for nearly 24 years where he raised two sons, Lance and Todd, ages 5 and 3, after the death of his wife Jean who died of leukemia at age 37 in 1975.

When the Goodland newspaper was sold in January 1989, the new owners encouraged Dreiling to remain, but told him he would have to take a hefty cut in salary. He advised the new owners to expect his keys the following morning. For several months after leaving the newspaper, KLOE radio owner Kay Melia put him to work. He later accepted a position at Thomas More Prep-Marian as Alumni Association/Development Director; he remained at the school for six years.

Dreiling was back in the newspaper business when he moved to Sheridan, Wyo., in 1995 to

become editor of The Sheridan Press, a six-day a week publication. He recalled that Sheridan was the only place he'd ever lived where in the winter months he would plug his bed and his car into the same outlet so neither would freeze up. The extreme Wyoming winters helped him to decide to accept the publisher's post in 1998 at the Colby Free Press.

While sports editor in Hays he began a column, "Time out with TD," and has continued writing that column to this day.

Dreiling is known for his special writing style and his outspoken opinion on a wide variety of topics. Another aspect to his columns is handing out "Thumbs up" for good deeds that people write, call or e-mail him about.

He has always ended his column by inviting people to attend the church of their choice.

Special memories of Dreiling and his years in Goodland were written by Don and Bonnie Smith and Attorney Ron Vignery.

"When we moved to Goodland in 1979, our two oldest sons, Troy and Doug, met the Dreiling boys who were the same age," wrote Don and Bonnie Smith. "Troy and Lance became close friends as did Doug and Todd. Tom opened his home to the new boys in Goodland and made them feel a part of his family. The Dreilings lived one block west of us and it was not uncommon to see the boys scaling the neighbor's fence in order to get to the other house. As the years progressed, the Smith boys were either at the Dreiling house or the Dreiling boys were at the Smith house."

"Tom was never concerned about having extra young people at his home. Overnight excursions were a source of a lot of laughter when Tom and us would get together and discuss the boys' activities. One time Troy spent the night with Lance and the boys watched a scary movie. He couldn't go to sleep, so in the middle of the night Troy got up and walked home without telling anyone. The next morning, when Tom realized he was missing a 'son' he called our house to let us know Troy was missing. What a relief to Tom when we were able to tell him Troy was home and safe in bed."

"Tom was always supportive of the boys' school activities. He always attended the cross country meets and basketball games. The Smith, Dreiling and Minner boys would play a lot of pick-up basketball games or go running together. Then they would show up either at the Dreiling house or the Smith house to hang out and eat."

"Troy and Doug Smith always felt Tom Dreiling was a great father to his kids and a special friend to them. Thanks, Tom, for all you did for our boys. The Smith family considers it a privilege to call Tom Dreiling a friend. Special friendships last forever!"

Attorney Ron Vignery wrote about Dreiling's writing style and impact of his words.

"When I was much younger it

is hard for me to remember when Tom Dreiling wasn't the Editor at The Goodland Daily News," wrote Ron Vignery. "I do remember he had a most interesting writing style which I believe could be defined more as prose than journalism."

"I do know his words were certainly inciteful to the whole community and in some instances incited positive responses and in some instances negative responses to his writing. That, as I understand it, is a successful journalist, at least in the eyes of a journalist."

"I especially remember the poignant writings of Tom Dreiling as his first and beloved wife Jean slowly succumbed to the effects of cancer. I would read and re-read his articles as they poured out his emotions about his love for his wife and his children and the effect of her death upon them."

"I remember the great pride he expressed in his sons in their school and athletic pursuits as well as their service to their community and to their country while in the military."

"Although a Protestant, I was always impressed with Tom Dreiling's devout religious belief in his church, the Roman Catholic Church. Loyalty and devotion at that level and of that nature are to be admired and they, too, showed through in his writing style and content"

"Finally, even though on more than one occasion I disagreed with Tom Dreiling in his editorials, I never doubted the power of his pen. His absolutely unique style of writing always caused me to want to read more of his article, even though I was in strong disagreement with the premise. To me that is the ultimate compliment to be paid to the journalist which Tom was, and remains."

"Tom truly proves and lives the saying that the pen is mightier than the sword."

"Congratulations on your most recent award, Tom. You are certainly deserving of it."

Dreiling's son Todd was in Topeka to surprise his father and be present for the award ceremony. Longtime Goodland Daily News pressman Jim Bowker and his wife Sharon were in Topeka to also surprise Dreiling at the award ceremony.

Todd, Lance and stepdaughter Denise live in Centennial, Colo. Lance is in in the Air Force (20 years now) and was recently transferred to Buckley Air Force Base, Aurora, Colo, with his family.

Tom said he is glad the kids and grandkids are that close, and is looking forward to joining them in the very near future.

Dreiling retired from Norton in August 2009 and moved back to Goodland in October. He writes his column and editorials for The Goodland Star-News and has also been writing a column for The Hays Daily News.

When asked what his future plans are, he replied, "grandfathering!"