

# Family

## Obituary

### William F. ‘Bill’ Aubel

William F. “Bill” Aubel, 83, Hays, former owner of A&A Coors Inc. in Colby and a prominent Hays businessman, died Friday, Sept. 26, 2008, at the Hays Good Samaritan Center.

He was born July 11, 1925, to Cliff E. and Dora (Otto) Aubel in Manhattan. He was a U.S. Navy veteran, serving during World War II.

He married Betty J. Hinkhouse in 1949 and later married Joanna Typer on March 29, 1986, in Hays.

He was a life insurance salesman, developer of Aubel Asphalt Co., a land developer, owner of the Standish Ford car dealership in Hays, the Hays Travel agency and A&A Coors in Hays and Colby.

He belonged to the Rotary Club, Lions Club and Tiger Club in Hays, a board member of Hays Medical Center, a founder of the Hays Medical Center Foundation, and past president of the Hays Chamber of Commerce.

Survivors include his wife, Joanna, of the home; son Jim Aubel and wife Mara, and step-son Joel Mollohan, all of Hays, a step-daughter Sue (Roger) Ross, Edmond, Okla.; a sister Joanne (Bob) Claus; four granddaughters; two step-granddaughters; and a great granddaughter.

He was preceded in death by a son, Kenneth Aubel.

Memorial services will be at 2 p.m. Tuesday, Sept. 30, 2008, at the Hays Memorial Chapel Funeral Home, 20th and Pine, with private burial in the Mount Allen Cemetery.

The family will receive friends after 1 p.m. Tuesday at the funeral home.

Memorials are suggested to the Hays Medical Center Foundation in his name.

# High school activities fill Rexford week

Golden Plains celebrated homecoming last week. Activities began on Monday with Paradise as students dressed in paradise apparel and kicked off the week at the football field with a hot dog feed, a jersey auction, a bonfire and pep rally. Tuesday was Western Day, Wednesday was Clash Day, Thursday was Color Day, with the girls wearing pink and boys wearing black. Friday

was Spirit Day and dressing in the Bull Dog’s colors, red, white, and black. There was a parade on Main Street and a Pep Rally at the gym. Homecoming crowning was prior to the football game when the Bulldogs played. Triplains/Brewster.

The Thieler reunion was held at the Red Barn in Rexford, September 14. Those attending were Don and Lily Thieler, Kenneth Thieler

of Colby; Keith Barnett, Donna Waterman of Atwood; Virginia Solko of Ludell; Coleen Bowen of Wray, Colorado; and Rex and Betty Carswell of Rexford.

All enjoyed carry-in-dinner and an afternoon of visiting. Before leaving everyone enjoyed delicious homemade ice cream furnished by Don and Lily Thieler.

Edna, Ernest and Janine Colson attended Mr. and Mrs. Tyler Knapps wedding in McDonald, Kansas, on September 13. Mr. and Mrs. Arthur Colson, Hoxie; Stan and Grace Kaus, Colby; and Roberta Colson of Goodland also attended. Tyler is in the Marines and will go to Alaska soon.

Red Barn on-going activities: Monday, Barnswallows, 2 - 5 p.m.; Wednesday, 10 a.m., Ladies Bible Study; Come on Down, Thursdays, 2 – 5 p.m.; and Friday’s Koffee Klatch at 9:30 – 10:30 a.m.

Until next time, make your week memorable.

## Markets

Quotes as of close of previous business day Hi-Plains Co-op	
Wheat	\$6.55
Corn	\$5.06
Milo	\$7.85
Soybeans	\$10.04

## Public Notices

## Public Notices

### ORDINANCE NO. 298

AN ORDINANCE GRANTING TO MIDWEST ENERGY, INC., A KANSAS CORPORATION, ITS SUCCESSORS AND ASSIGNS, A NATURAL GAS FRANCHISE PRESCRIBING THE TERMS THEREOF AND RELATING THERETO, AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT WITH OR IN CONFLICT WITH THE TERMS THEREOF.

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

**Section 1.** That, in consideration of the benefits to be derived by the City of Brewster, Kansas, and its inhabitants, hereinafter called “City”, there is hereby granted to Midwest Energy, Inc., hereinafter called “Grantee” or “Company”, its successors and assigns, the right to use and occupy the streets, avenues, alleys and other public places within the City of Brewster, Kansas, for the purpose of constructing, installing, maintaining and operating a natural gas transmission and distribution system including mains, pipes, conduits, services and other necessary structures and appurtenances, in, under, upon, over, across, and along the streets, alleys, bridges, and public grounds within the present and future corporate limits of the City of Brewster, Kansas, for the furnishing, transmission, distribution, and sale of natural gas, for heating, cooling, domestic, industrial and other purposes, and for transmitting natural gas into, through and beyond said City for a period of twenty (20) years from the date of passage of this Ordinance through the 9th day of September, 2028.

**Section 2.** All mains, pipes, conduits and services shall be installed and maintained so as to interfere as little as practicable with traffic over the streets, alleys, bridges and public places of said City.

When Grantee shall do any work of construction, repair or maintenance of said system in the course of which any pavements, curbing or gutter upon any street, alley, bridge or public place shall be excavated, Grantee shall properly protect excavations and shall promptly restore such street, alley, bridge or public place as far as practicable to as good condition as before such work was done.

**Section 3.** That, in consideration of the rights and privileges hereby granted, said Grantee hereby undertakes and agrees to use reasonable effort to maintain good and adequate service to the City hereunder, but it is understood that the Company does not guarantee that the supply of natural gas will at all times be continuous and it is agreed that temporary cessation of Company’s service hereunder occasioned by fire, explosion, flood, strike, insurrection, mob violence, governmental interference, breakdown or injury to machinery, or transmission or distribution lines or from other accidents or causes not reasonably within its control, shall not constitute a breach of this Ordinance or any obligation arising hereunder on the part of the Company; and, that Grantee shall not be liable to City for any damages resulting from such temporary cessation of service.

**Section 4.** That, in consideration of the rights and privileges hereby granted, said Grantee, its successors and assigns, shall locate its transmission and distribution lines in the streets, avenues, alleys and other public places in such manner as not to interfere with the use of said streets, avenues, alleys and public places. At times when City causes public improvements to be made to any of the streets, avenues, alleys or other public places within the City that are occupied by Company’s natural gas facilities, Company shall, at City request, relocate its natural gas facilities at Company’s expense to conform to the City’s planned improvement. If said Grantee is required to move, alter or rebuild any of its natural gas facilities not located on public right-of-way, the cost of moving, altering or rebuilding said facilities shall be borne by the requesting party. In the event City vacates or otherwise abandons City right-of-way on which Company facilities are located, or planned to be located, the Ordinance vacating or abandoning such City right-of-way shall provide City granted easement to Company.

**Section 5.** It is further agreed by the City and the Company, that the rates now in effect or such rates as may be approved by the proper governmental authority having jurisdiction over the Company, shall be deemed to be a reasonable schedule of maximum rates charged the City and its inhabitants for the service provided by the Company.

**Section 6.** Subject to any restriction placed on Company by regulatory authorities having jurisdiction over the Company in consideration of and as compensation for the granting of this franchise by the City of Brewster, Kansas, and in lieu of any licenses, fees and occupation or other revenue taxes, Company shall collect from consumers and pay to the City an amount equal to one and one-half percent (1.5%) of the gross revenue derived from the sales of natural gas and of 1.5 cents per therm for gas transported to any customer within the corporate limits of said City. Payment shall be made to the City monthly for the preceding monthly period.

The City shall have access to and the right to examine, at all reasonable times, all books, receipts, files, records and documents of Company necessary to verify the correctness of said payments.

Notwithstanding anything to the contrary in this franchise, the fee provided for in this Section 6 shall not become effective within any area annexed by the City until 30 days after the City provides the Company with a certified copy of the annexation ordinance, proof of publication as required by law, and a map of the city detailing the annexed area.

**Section 7.** Without affecting the other terms of this Ordinance, as further consideration for the rights and privileges hereby granted Company and subject to any restrictions placed on Company by regulatory authorities having jurisdiction over Company, Company agrees that the City will have the option to open the provision of Section 6 relating to the percentage applied to gross receipts derived from applicable natural gas sales. Six (6) months prior to the end of each 5-year period that this Ordinance is in existence, the Company and the City may renegotiate the percentage to be paid to the City during the succeeding 5-year period. If the Company and the City cannot reach a mutual agreement on said percentage during such 6-month period, this Ordinance shall become null and void.

**Section 8.** That the Company, its successors and assigns, in the construction, maintenance and operation of its natural gas transmission and distribution system, under the rights and privileges herein granted, shall exercise all reasonable and proper precaution to avoid damage or injury to persons or property, and shall hold and save harmless the City of Brewster, Kansas, from any and all damage, injury and expense caused by the negligence of said Company, its successors and assigns, or its or their agents or servants.

**Section 9.** It is further provided that should any section or sections of this Ordinance be held null and void, or void or illegal by any court having jurisdiction in a proper action, such decision by such court shall not affect any other part of this Ordinance not passed upon by such court.

**Section 10.** That all ordinances or parts of ordinances in conflict with or inconsistent with this Ordinance are hereby repealed.

**Section 11.** This franchise is granted pursuant to the provisions of Article 20, Chapter 12, Kansas Statutes Annotated.

**Section 12.** The ordinance shall take effect and be in force from and after its passage and publication in the Colby Free Press, the official city newspaper.

FINAL ADOPTION AND PASSAGE by the Governing Body of the City of Brewster, Kansas, this 9th day of September, 2008.

Michael L. Baughn  
Mayor

ATTEST:  
Daryl Ann Jorgensen  
City Clerk

(SEAL)

Earnest A. Lehman  
President, Midwest Energy, Inc.

ATTEST:  
Sharon K. Dreher  
Assistant Secretary, Midwest Energy, Inc.

(SEAL)

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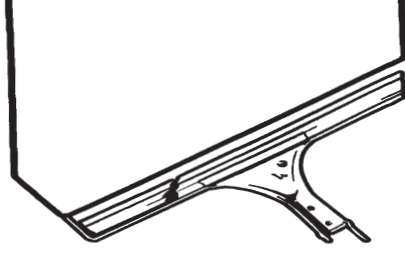
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