

Take advantage of the church listings to find out when and where to go.

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Boys and girls teams beat opponents in recent games.

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Friday

January 23, 2004

Norton, Kansas  
Home of Clayton Cox

Briefly

Group to meet about post prom

The Post Prom Steering Committee is having an organizational meeting at 3:45 p.m., Sunday in the high school cafeteria following the band concert. Anyone interested in being part of this group of parents and concerned citizens, dedicated to providing a safe and chaperoned alternative to after-prom activities is invited to attend. There are many ways to help: 1. financial support to help defray costs of food, decorations, postage, prizes and scholarships; 2. merchandise/prizes/gift certificates to be used as prizes in a variety of games, contests and drawings for students attending the party; 3. the opportunity to purchase merchandise at a reduced rate. For more information on Post Prom and its activities call Cindy Wegener, 877-2077; Karen Griffiths, 877-2169; or Tami Black, 877-3985.

Winter concert to be Sunday

The Norton Community High School Band will present their Winter Concert at 2:30 p.m. Sunday in Memorial Gymnasium. The concert will feature a wide variety of music including marches, music from the movie, "Dances With Wolves", and contemporary band overtures. This is a free concert, open to the public. It will also be broadcast on KQNK for those unable to attend.

Weather

Forecast:

Tonight — Mostly clear with lows in the mid 20s. South winds 5 to 10 mph shifting to the southeast around 10 mph after midnight. Saturday — Mostly sunny in the morning then becoming partly cloudy. Cooler with highs in the upper 40s. East winds 10 to 15 mph with higher gusts. Saturday Night — Partly cloudy with lows in the mid 20s. Sunday — Partly cloudy and breezy with highs in the lower 40s. Northwest winds 15 to 25 mph. Sunday Night — Partly cloudy in the evening then becoming mostly cloudy. A 20 percent chance of snow. Breezy and cooler with lows around 11.

Howell report:

Tuesday ..... High 46, Low 27  
Wednesday ..... High 52, Low 24  
Thursday ..... High 46, Low 27  
Week ago ..... High 55, Low 35  
Month ago ..... High 50, Low 23  
Year ago ..... High 19, Low 3  
January precipitation ..... 30 inches  
Year-to-date precipitation ..... 30 inches  
(Readings taken at the Paul and Pat Howell farm 10 Miles North and 1/3 Mile East of Norton)

Prayer

Dear Lord, help us to lend strength and encouragement to others and to be willing to ask others for the help we need. Amen

Making a quilt



Wilda Bowman from the Heritage Quilters Club helps Christopher Chambers, a second grader at Eisenhower Elementary, select the border fabric for his quilt square. Christopher is the son of Curtis and Kim Chambers, Norcatour. Each year the club helps kindergartners in Norton and Almena create mini-quilts. The children were given squares of muslin with an imprint of a turtle. Their assignment was to color their turtles. Members of Heritage Quilters will finish the squares with the border fabric selected by the student. The quilts will be on display at Norton Public Library the end of February.

— Photo by Carolyn Plotts

Courts to decide on hogs

By BRANDON GAY

The Kansas Supreme Court will decide if Norton County can enforce stricter regulations than the state on large hog farms.

The Supreme Court will decide an appeal of a District Court ruling which voided Norton County regulations on Confined Animal Feeding Operations.

The regulations adopted by Norton County commissioners in February, 2002, included rules requiring a top on waste lagoons to control odor and protect ground water, more deep-soil testing and a distance of three miles between confined feeding operations. The regulations also stipulated that confinement operations having 1,000 or more beef cattle or 2,500 or more mature hogs had to apply for a county permit. A copy of the regulations is available at the Norton County clerk's office.

In June 2002, the Kansas Livestock Association and several cattlemen sued the commissioners after the regulations were adopted. The Kansas Association of Counties backed the commissioners in the lawsuit.

The case is now moving to the state Supreme Court with a hearing scheduled for Jan. 29.

District Judge Michael Barbara sided with the livestock association, ruling that the county regulations violated a 1998 state law that bars counties from changing statutory provisions governing confinement operations.

In his memorandum opinion, Judge Barbara found that the 1998 law's intent "was abundantly clear and unequivocal" in adopting a uniform bill affecting counties. Judge Barbara found that the regulation of confinement operations in Kansas was a state matter and allowing for more local control should be left to the Legislature.

Doug Sebelius, Norton County attorney, argued that the regulations were necessary to protect the resources and the standard of living in Norton County. Mr. Sebelius said there was no conflict with state law.

"We're not trying to do away with state law," he said. "We're supplementing it." Norton County commissioners contended in the case that its regulations were valid as an exercise of their home rule rights and therefore not pre-empted by the state law, but only supplemental.

Norton County commissioners said they have been advised not to comment on the lawsuit, but in a public statement said the regulations they adopted were the product of a study of conditions in Norton County and said the state laws didn't go far enough.

"We adopted our regulations because we concluded those state laws may be adequate to protect the public in some places in Kansas, but are not adequate to protect the quality of the water and air in Norton County."

Mr. Sebelius said the county government was better able to determine Norton's needs than the state.

"We believe you can't have a one-size-fits-all standard," Mr. Sebelius said. "I think most people do agree with the county that the government that is closest to them is the government that can best govern them."

Robert Clydesdale, Norton County director for the livestock association, said a uniform standard is what the state intended.

"Their regulations are much more restrictive than what the state requires," he said. "The 1998 law was put in to even out the territory."

Mr. Clydesdale said one problem with allowing counties to make their own regulations on confinement operations was that some operations cross over into two counties.

However, Mr. Clydesdale said the first opposition the livestock association had to Norton County regulations was because they caused a financial burden for the producers.

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Commissioners continue talks on trash, application ready to resubmit for landfill

Trash and all that comes with it was on the minds of the Norton County Commissioners at Monday's meeting.

Steve Berland, Pat Cox and Bruce Boettcher of BG Consultants, the company that was hired to engineer and draft the documents that would allow the county to get a landfill permit, told the commissioners they were prepared to resubmit the Small Arid Landfill application with the required changes.

The commissioners received a letter, dated Dec. 19, 2003, from the Kansas Department of Health and Environment about a time frame for the permitting process and the following issues: restrictive covenant — notarizing documents in the application; SAL demonstrations — area landfills within 75 miles; seismic impact zone — the department of health and environment wants BG to use their map; liner and final cover specifications — usage of bentonite-blended material; protective cover thickness — regulation dealing with freeze table and protective cover

of a minimum 24"; CQA plan — a revision in the plan needed to comply with law; liner demonstrations — liner equivalency must be satisfactorily demonstrated; closure cost estimate — application amended to show total cost accordingly; protective cover — operations plan to specify at least 38 inches of protective cover soil on the low-permeability final cover layer; compaction and daily cover — application form and operations plan must be updated to be consistent with the estimated life work sheet, 45 years.

The consultants said once the application was submitted and approved, it would take about four months to get the permit. They said they were looking out for the county's financial best interests, because that's what the county hired them to do.

While talking to the consultants, the commissioners got a phone call from the Phillips County Commissioners, who read in the Hays Daily Newspaper that Norton County's application was being held up because of the fact that landfills

within 75 miles would accept trash as economic development.

The Phillips County Commission said they wanted to help Norton County as much as possible, but wanted it known that the county's trash going to Phillips County was just temporary. They said that they would send a letter to the Kansas Department of Health and Environment saying that it was temporary and that they aren't willing to provide landfill services on a long-term basis.

Commissioner John Miller said the Norton County Commissioners really appreciated the Phillips County Commission working with them on this and that the letter would be very beneficial.

The commission then signed and approved a letter, which will be sent to the Kansas Department of Health and Environment, addressing the practicality of using a landfill within 75 miles and the situation with Phillips County. The commissioners feel that neither is a financially (Continued on Page 5)

Hospital board tours fourth phase of project

By KRISTEN BRANDS

The Norton County Hospital Board met for its regular, monthly meeting on Wednesday evening and toured the fourth and final phase of the renovation.

Project Manager Steve Bennett was on hand to represent Murray Construction, the main building contractor in charge of the renovation.

"We're on the down-hill slide, and things are coming to a close," Bennett reported. "The final phase is about two weeks behind because of the dry-wall installation, but we're really pushing to keep things moving."

During the statistical report, Chief Financial Officer Brian Carlton said that during the month of December the hospital had 376 total patient days. Two babies were born during the month, 29 surgeries were performed, and 7,300 outpatient procedures were reported. The Doctor's Clinic had 1,413 visits. Patient revenue for the month totaled \$703,000.

Mr. Carlton also said that the Information Systems Contract with Dairyland was signed on Dec. 30.

"The representatives from Dairyland are coming out in March to survey our situation and we need to do some prep work before their visit," he said.

The main updating will be for the hospital's computers and printers to accommodate the Window's XP programming.

Mr. Carlton presented three bids from NexTech and Mortensen Computer Services. The bids covered approximately 45 new computers (two with touch-screens) and 17 printers. The board suggested that he bring the bid item back to the table next month, when the members will make a decision.

In other business, the board:

- Voted to add nurse practitioner Paul Strecker to the medical staff.
- Approved to increase the medical malpractice coverage for the doctor's on

staff.

• Unanimously decided to add a prescription benefit the Blue Cross and Blue Shield employee health care package. A single plan will cost \$300 while a family plan will total \$650.

• Heard a Chief Executive Officer report given by Administrator Richard Miller. Mr. Miller said that a Medicare focus review will be held on Feb. 16-20 as the hospital ends its first year as a critical access hospital.

Mr. Miller also presented an option to lease a Phaco unit, which will be used for cataract surgery for \$47.55 per procedure, rather than purchase the unit for \$45,000 outright. The hospital shares this piece of equipment with five other area hospitals. Those hospitals have gone with the leasing option. The board agreed to lease the Phaco unit.

• Approved 10 change orders and also voted to approve the bills for the month of December.



## Creating a patch



Students in Amy Burge's second grade class compare styles and colors as they work on a project specifically for kindergarteners and second graders in the Norton and Alma schools. Heritage Quilters organize this project every year, helping the children complete their very own mini-quilt. The quilts will be on display at the Norton Library by the end of February.

— Photo by Carolyn Plotts

## Commissioners work on landfill application

(Continued from Page 1)  
viable option, while the area landfills don't want to reduce their landfill's life expectancy.

In other business, the commission:

- Approved an invoice from the Northwest Local Environmental Protection Group for the 2004 Norton County Activity fee. The total fees assessed by Northwest Local Environmental Protection Group is \$1,330, which breaks down as: water well testing, 15 per year at \$30 per system, \$450; sewer approval and inspections, 17.6 systems per year at \$880. The

billings has been submitted to each participating county according to usage of the service. The billing is necessary because of state funding reduction in the environmental protection group.

- Heard from Sheriff Thomson that House Bill 2495 has been introduced again this year. He said this bill would eliminate the Magistrate District Judge within the County of Norton, and would only provide funds for one magistrate judge within the district rather than in each county and is based upon a case load of 600 per year.

The 17th Judicial district and

counties are very much opposed to the elimination of local magistrate judges because of the need and log of cases. The county will look into adopting a resolution to support one judge per county along with contacting legislative groups to support the magistrate judges in each county.

- Received at the 2004 dues statement from the Northwest Kansas Planning and Development Commission. The dues are used as matching funds to leverage a planning grant and to pay for office operations. The total amount assessed to Norton County is

\$3,812. The dues were approved for payment from the Economic and Development Fund.

- Reviewed a contract submitted by Fig Millan of Nex-Tech. The contract was to subscribe to the Centrex Fixed Rate payment plan — County Plan. The county's contract with Centrex II expired last November, but the commission asked Nex-Tech to review the county's current system before they would renew a contract. Upon review by the commission and county attorney, approval was given for the clerk to sign a two year contract agreement.

## Mad cow disease hits home

BSE — Bovine Spongiform Encephalopathy has finally hit and I suppose it was just a matter of time. We are a world-wide trade economy even with the strict guidelines in place. We should be glad that the system of surveillance does work and did find the affected animal.

BSE is a slowly progressive disease that affects the central nervous system of cattle. First diagnosed in England in 1986, it belongs to a family of diseases known as the transmissible spongiform encephalopathies or TSEs. A number of diseases of animals such as scrapie in sheep, chronic wasting disease in deer and elk, transmissible mink encephalopathy as well as human forms such as Creutzfeldt-Jakob, kuru, gerstmann strausslerscheinter syndrome and others are forms of TSEs. According to George Kennedy director of the Kansas State University Veterinary Diagnostic Labs, fewer than 150 people world-wide have died of the creutzfeldt-Jakob disease since it has been first discovered.

The causative agent, a type of protein called a prion is found in the central nervous system and not in the edible muscle cuts like roasts and steaks. The disease is not a contagious type disease bacteria or virus, and thus not spread by animal to animal contact, through the air or by any physical contact. The only way of spread, that is known, is through the consumption of brain or spinal tissue of an infected animal. The disease is a slow-progressive degeneration of the nervous system affecting older animals where normal protein structures change to abnormal forms and causes damage to the central nervous system.

The outbreak was noted in the United Kingdom in 1986. It was suspected that it was caused by the feeding of meat and bone meal by-products to cattle. Subsequently, the U.S.D.A. banned the import of

### Views with Van

Keith VanSlike,  
Norton County  
Extension Director

ruminant animals and by-products and in 1997, the FDA banned the use of mammalian-derived protein by-products in cattle feeds.

The United States has had a very proactive approach to BSE disease for the past 15 years to protect human and animal health. There are more than 60 veterinary diagnostic labs in the United States that participate in the BSE surveillance program. Since 1990 the surveillance program has tested specimens from cattle displaying a wide range of neurological symptoms as well as those that are over 30 months old. Due to the strength of the U.S. food system and its ability to prevent disease, this is more an animal disease issue rather than a food safety problem. The safety is in protecting the integrity of the food system by taking steps in food processing methods to protect the meat supply to the consumer.

This recent case of a cow found in Washington State is the first ever confirmed case found in the United States in all the years of surveillance for this problem. According to Larry Hollis, KSU Extension Veterinarian, "The U.S.D.A. and beef industry groups have been gearing up for this, but are not burying their heads in the sand. The bottom line for consumers is that there is not a health threat to consumers."

For more information on this you may use the internet to access topics at [www.kla.org](http://www.kla.org); [www.oznet.ksu.edu](http://www.oznet.ksu.edu); [www.bseinfo.org](http://www.bseinfo.org); or the U.S.D.A. has a toll-free line at 1-866-873-2266 or call and ask for a brochure at the Extension Office; Bovine Spongiform Encephalopathy publication #MF2434.

## Young boy burned while starting fire

By KRISTEN BRANDS

Tyson Pabst, the 12-year-old son of Dan and Kathy Pabst of Logan, was badly burned while starting a fire in a wood-burning stove at the family's residence Monday.

According to Phillips County Sheriff LeRoy Stephen, Tyson and his 14-year-old brother were playing in the family's workshop when a wood burning stove's flame had gone down. The two threw gasoline on the fire to re-ignite it, and a backflash fire reached Tyson and inflicted second and third degree burns over much of the young boy's lower body.

"The parents rushed the boy to the Logan Medical Clinic, where he was taken by ambulance to the Phillips County

Hospital," Sheriff Stephen reported. "Tyson was then airlifted to the St. Francis Burn Center in Wichita."

The older brother was not injured by the fire.

The fire was contained to the stove, and no structural damages were reported.

According to the *Logan Republican*, Tyson's father reported Tuesday that in spite of his burns Tyson was doing well.

Mr. Pabst said that second degree burns covered his lower legs from the knees down. He also reported second degree burns on the boy's fingers with possible third degree burns in the same area.

The Pabst family is hoping Tyson will be home from the hospital sometime next week.

## Cancer Society to sell daffodils at \$5 a bunch

Daffodil Days are here again.

Norma Rumford and Beverly Kinder are the co-chairs of the annual American Cancer Society Daffodil Days in Norton County this year. The fundraiser, which historically coincides with the coming of spring, raises funds for the American Cancer Society's cancer research, education, advocacy and patient service programs.

Volunteers will be contacting individuals and businesses for advance orders of the daffodils. The fresh-cut flowers, in bunches of 8 to 10, may be ordered now for a

donation of \$5 per bunch. Orders must be in before Feb. 20. The flowers will be delivered in early March.

Laverne Graham, Alma, and Gloria Heikes, Lenora, are the contact persons in those communities.

The American Cancer Society is the nationwide, community-based voluntary health organization dedicated to eliminating cancer as a major health problem by preventing cancer, saving lives and diminishing suffering from cancer through research and education.

# Sheriff, county work on dispatch agreement with city

Dispatch negotiations are under way.

Sheriff Troy Thomson told the Norton County Commissioners that the proposed dispatch agreement is ready to send to the City of Norton for their review. He said several things had been changed, including the removal of the cap on the percentage of the dispatchers' salaries and benefits that the city is expected to pay, a mileage adjustment, and the termination clause from one year to six months.

Commissioner John Miller asked if the terms of the contract will be looked at each year and if the six month notification included changes in the contract.

Sheriff Thomson said yes, the six month notification was required to make changes and that to make changes for 2005, the contract will need to be looked at in June of this year. He said he would be taking his department's budget to a city council meeting from now on so that it will be on record.

He said the biggest changes were to the date, the mileage and the removal of the cap and that County Attorney Doug Sebelius had reviewed it and agreed the contents were sufficient.

Commissioner Leroy Lang asked what the county was paying in insurance compared to what the city was paying.

County Clerk Robert Wyatt said he hadn't been billing the city for dental or workman's compensation, and so they were only paying 40 percent of just health insurance and 40 percent of the salaries.

Mr. Miller said the county needed to start billing them for the other things as well.

"The contract is pretty cut and dry, because there is no need to make it difficult" said Sheriff Thomson. "We'll send it over to the city and then they'll either approve it or disapprove it, in which case they'll have to make changes and send it back to us."

A copy of the contract was to be sent to each council member, the city attorney, the city administrator, and the police chief.

In other business, the commission:

- Received the bids requested for steel and decking from Road and Bridge Supervisor Tom Brannan. Mr. Brannan said three bids were received for the steel ranging from \$80,000 to \$83,819, while three bids were also received for the bridge decking ranging in price from \$18,578.56 to \$22,829.46. The steel and decking will be used for the three bridges that the county will build this spring and summer. Receiving the bids were Husker Steel at \$81,563 for the steel and Welborn's at \$18,578.56 for decking sheet.

Mr. Brannan said he has had the bridge crew inspecting every bridge and culvert within the county so that a work schedule and maintenance program can be prepared for this summer. He said he likes to make an annual inspection

## Supreme court to decide on stricter regulations

(Continued from Page 1)  
He said when the regulations were handed down, only three confinement operations were affected. He said since then that three more have come under the regulations.

While the regulation affects a small number of operations, Mr. Clydesdale said, the nature of agriculture is that everyone is expanding and about six more operations could be affected by the regulations in the next five years.

## Deer accident damages vehicle

On Jan. 7 the Norton County Sheriff's Department responded to a one-vehicle accident involving a deer on U.S. Highway 36.

Richard S. Fisher, the driver of an 1988 Mercury four-door, was eastbound on U.S. 36 when a deer

of the bridges and culverts to detect problems and to stay on top of the maintenance.

- Spoke with Norton resident Jack Woodyard about the position of Economic Development Director. Mr. Woodyard said he had read that the county was looking for a director and that he had an interest in the position and would like for the commission to consider him as a candidate. He and the commission discussed ideas and possible economic avenues the rural communities should be pursuing. The commissioners thanked him for his interest and said they would consider his request.

- Heard from Acting Director of the Norton County Ambulance Service Andy Nielsen that Pat Pomeroy from the Oberlin ambulance service will be doing the continuing education course this month during the regular scheduled meeting. The course and schedule were approved by the State Emergency Medical Service office. He said Jill Edgett will be teaching Medic First Aid classes on Wednesday, Feb. 6. Six people will be taking the course at this time.

- Spoke with Sheriff Thomson about the NCIC communications that is now being paid by the county. He said this was a service that was paid for by the Kansas Bureau of Investigations until funds were cut in the recent budget.

Because of the budget cuts, the county is now paying \$1,200 per year. Sheriff Thomson said other counties have decided not to pay the fee, believing that this is an unfunded mandate. He has spoken with departmental officials who said that if the counties didn't pay the fee, the service would not be discontinued. He said he thinks the service is very important and that the county should continue to pay the fee.

"Let's not make a point with officer safety," he said. "We instituted a booking fee to pay for it. We use it, the county attorney uses it, and the judges use it."

- Heard from Lyle Auker and Terry Smothers about a proposed business they have developed, Safe Secure Transport. Based in Norton County, the business will be operated by Mr. Auker and Mr. Smothers, who asked the county commission to consider using their service. This will be a privatized transport service designed to transport offenders for counties and state agencies. They gave the commission a business profile detailing the plans for starting the business with equipment, vehicles, supplies, and personnel.

Within the profile, Mr. Auker and Mr. Smothers included their proposal to the commission for necessary funds to begin the transport service. A request was made by Safe Secure Transport for county economic development money to begin the service. The commission said they would like to review the request further before making a final decision.

"This isn't just about what is happening now," he said. "A lot of our plan deals with what is going to happen in 10-15 years. That's really what we're thinking about."

Mr. Sebelius said it was hard to determine when a ruling would be handed down because the waiting period varies with the complexity of the case.

However, he said rulings usually are made about 45 days after a hearing date.

ran from the south ditch. Mr. Fisher was unable to avoid contact with the animal. The Mercury sustained over \$500 in property damages, but Mr. Fisher was not injured.