Help Wanted

Part time cook for reintegration facility, approximately 20 hours per week. Please send resume (including phone number) to: Thomas County ADAC, P.O. Box 100, Colby, KS. 67701.

-8/22-9/5-

Legal Notice

ORDINANCE NO. 1320

AN ORDINANCE OF THE CITY OF COLBY, KANSAS, TO BE KNOWN AS THE CITY OF COLBY WELLHEAD/ **GROUNDWATER PROTECTION OR-**DINANCE; RELATING TO WELL-**HEAD PROTECTION REGULATIONS:** WELLHEAD PROTECTION PREVEN-TATIVE MEASURES; REPORTING OF **DISCHARGES; WELL ABANDON-**MENT; SEPTIC TANKS/DRAIN FIELD; WELLHEAD PROTECTION AREA **DELINEATION AND PREVENTATIVE** MEASURES; SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, groundwater is an important reprotected; and

Colby, Kansas is derived from groundwater; and

tion of groundwater resources; and

Kansas, in 1999; and WHEREAS, the Wellhead Protection Committee completed the recommended Colby Well-

head/Groundwater Protection Plan; and

on the 21st day of August, 2001, adopted the and filed a copy of the Plan with the Bureau of Water, Kansas Department of Health and Envi- lowing information:

WHEREAS, the City of Colby has agreed to implement the Wellhead/Groundwater Protection Plan through the adoption of a Wellhead

WHEREAS, it is in the best interest of public health, safety, and welfare of the citizens of Colby, Kansas, to establish groundwater protection criteria for the existing and future potable water resources

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND GOVERNING BODY OF THE CITY OF COLBY, KANSAS, THAT:

Section 1: In accordance with the Wellhead/ Mayor and Governing Body of the City of Colby, Kansas, on the 21st day of August, 2001, the following actions will be taken to implement Water Quality Protection Measures:

a. A goal of plugging all abandoned water wells located in the delineated protection area within a. Any discharge of a Regulated Substance at 5 years of the date of this Ordinance has been

Extension Office, and the NorthWest Local Environmental Protection Group will be contacted and informed of the locations of Colby's Wellhead/Groundwater Protection Areas and the development of a Wellhead/Groundwater Pro-

c.The Thomas County Conservation District Office and the Thomas County Extension Office will be asked to assist with public education concerning water quality protection within the c.The following substances and chemicals shall cerning the availability of finance resources for reduction of non-point source pollution, soil testing, proper use of lawn and garden chemicals, and other pertinent information/programs at their

Groundwater Protection Area with emergency response contact information in the event of a

disposal.

manage its sewer system with the goal of preventing groundwater contamination

f. Business owners and residents in town will receive information in the annual Consumer Confidence Report on the location of the Wellhead/Groundwater Protection Areas and the to a septic system shall be considered a viola-Protection Plan. They will be asked to educate tion of this Ordinance. themselves and others about spill prevention and water quality protection.

of each City well to restrict activities that could available within 500 feet of the property. negatively impact groundwater quality. These restrictions will be developed within one year of the passage of this Ordinance.

assure continued maintenance of Water Qual- an investigation to determine the need for ity Protection Measures presently in place:

properly plugged.

b.Efforts will be made to maintain good communication with agricultural service center owners, farmers and landowners within the protection area, providing information concerning rec-

ommended Water Quality Protection Measures. c. The Wellhead/Groundwater Protection Plan

will be re-evaluated annually at approximately Section 8: If any word, phrase, clause, section the same time the Water System's Consumer Confidence Report is due. At that time progress or unconstitutional by a court of competent jutowards plugging abandoned water wells will be evaluated, and any new potential pollutant sources will be identified. If any new potential pollutant sources are identified, the risk they pose to the City wells will be evaluated and the plan revised to reflect the change.

Section 3: The following actions will be taken to paper. assure that future potential pollutant sources are aware of the expectations/requirements of the DULY PASSED AND ADOPTED BY the Mayor City of Colby Wellhead/Groundwater Protection

a. City of Colby wells will be tested regularly to insure no significant change to water quality.

b.Efforts will be made to stay alert to any future activities that could potentially affect the water

quality of the City wells. c. Efforts will be made to educate new landowners concerning the recommended Water Qual-Beverly J. Steben, City Clerk ity Protection Measure by mailing information concerning the Wellhead/Groundwater Protection Plan once a year at the same time the Consumer Confidence Report is mailed to all water

Help Wanted

Girl Scouts of Sunflower Council. Part time position/s open in Colby working with Girl Scout volunteers and girls, organizing recruitment efforts, and assisting with program events. Candidate must have related experience, skills and abilities. EOE. Send resume and references to 2707 Vine #8, Hays, Ks. 67601.

Legal Notice

head protection districts, no structure shall be erected and no land shall be used except in compliance with the provisions of the Ordinance. The wellhead protection districts shall be superimposed as an overlay on existing zoning districts. The building inspector shall determine when the overlay map of wellhead protection districts and its requirements regulate the granting of a building permit within said district(s). The location of the principal structure or use shall determine the application of overlay require-

Section 4: Within the boundaries of the well-

a. The special requirements of this Section shall be in addition to the other applicable provisions source within the City of Colby which must be of the City of Colby Zoning Ordinance within wellhead protection districts

WHEREAS, all of the potable water used in b. Subsurface Disposal of Domestic Sewage. Sanitary wastewater discharge into on-site septic systems shall comply with the City of Colby WHEREAS, the City of Colby requires protec- Environmental/Sanitary Code.

c. Industrial and Commercial Uses. Current and WHEREAS, a Wellhead Protection Committee future industrial and commercial uses in the was formed by the Mayor of the City of Colby, wellhead protection district shall be subject to a site plan review by the Colby/Thomas County Metropolitan Area Planning Commission prior to issuance of a special permit and any restrictions or requirements imposed by the Planning Commission upon approval of the site plan shall be prepared in accordance with the rules and WHEREAS, the Mayor and Governing Body of regulations as promulgated by the Kansas Dethe City of Colby, Kansas, at an official meeting partment of Health and Environment and the Environmental Protection Agency for storage of Colby Wellhead/Groundwater Protection Plan hazardous substances. The site plan shall be accompanied by a report which includes the fol-

> 1. Amount and composition of industrial or commercial wastes including fly-ash, and proposed methods of disposal of such wastes outside of the wellhead protection

2. Amount and composition of any hazardous materials, including, but not limited to, hazardous materials identified by Section 3001 of the Resource Conservation and Recovery Act that are handled, transported, stored or discharged to the ground or air at the site.

d. The special permit for industrial and commercial uses in the wellhead protection district shall be reviewed annually in July by the Planning Groundwater Protection Plan as adopted by the Commission with such reviews to begin on July

> Section 5: The following provisions shall apply to reporting of discharges of a regulated sub-

the reporting thresholds established in this Ordinance shall be reported immediately by the facility owner, operator, or responsible party to b.The Thomas County Conservation District, the the Colby Fire Department. Such notification shall in no way alleviate the owner, operator, or responsible party from other local, state, and federal reporting obligations as required by law.

> b. The following substances and chemicals shall be reported if discharged in an amount equal to or greater than one (1) gallon:

> > 1. Chlorinated Hydrocarbon Solvents

Wellhead/Groundwater Protection Area. They be reported immediately if discharged in an will also be asked to provide information con- amount equal to or greater than five (5) gallons:

1. Pesticides

2. Phenolic Compounds

d. Petroleum or petroleum products including petroleum based solvents shall be reported if d.Signs will be placed denoting the Wellhead/ discharged in an amount equal to or greater than twenty-five (25) gallons.

e. All other regulated substances shall be reported immediately if discharged in quantities e.The City of Colby will actively monitor and greater than or equal to twenty-five (25) gallons of liquid or fifty (50) pounds of solids.

> Section 6: The following provisions apply to septic tanks/drain fields:

> a. The discharge of any Regulated substance

b. Any person or business found to have discharged regulated substances to a septic sysg. Zoning restrictions will be developed based tem shall be required within 30 days to connect upon the 5-Year and 10 Year Zones of Capture to the sanitary sewer system if such system is

c. Upon testing, if a regulated substance is identified in the septic tank or drain field that may cause violation of groundwater standards, the Section 2:The following actions will be taken to owner or operator will be required to conduct

a. Water wells abandoned in the future will be d.Floor drains, grease traps and oil water separators shall be constructed to prevent infiltration of regulated substances to soil, groundwater, or

> Section 7: All ordinances or parts of ordinances of the City of Colby, Kansas, in conflict with the provisions of this Ordinance are hereby repealed to the extent of such conflict

> or portion of this Ordinance shall be held invalid risdiction, such portion or words shall be deemed separate and independent provisions and such holding shall not affect the validity of the remaining portions thereof.

> Section 9:This Ordinance shall take effect and be in full force after publication in the local news-

> and City Council of the City of Colby, Kansas this 21st day of August, 2001.

ATTEST:

(Published in The Colby Free Press on Monday, August 27, 2001)

Help Wanted

Full time yard employee. Must have driver's license. Apply in person at Colby Lumber, 1760 W. 4th St. **--8/21---8/27**

Colby Comfort Inn is accepting appli-

cations for housekeeping positions. Full time or part time. No experience necessary. Please apply in person at Colby Comfort Inn.

-8/21-8/27-

Assistant volleyball coach for Goodland High School. Prefer volleyball coaching or playing experience. Please call Jerry McKee at 758-899-5046 or Richard Liess at 785-899-5656.

----8/21---8/27-

Legal Notice

ORDINANCE NO. 1321

AN ORDINANCE AUTHORIZING THE DECLARATION OF A WATER WATCH, WARNING OR EMERGENCY; ESTAB-LISHING PROCEDURES AND VOLUN-TARY AND MANDATORY CONSERVA-TION MEASURES; AUTHORIZING THE REGULATIONS; PRESCRIBING CER-

TAIN PENALTIES; AND REPEALING ORDINANCE NO. 1301 DATED AU-

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

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.

GUST 1, 2000.

A. "Water", as the term is used in this Ordinance, shall mean water available to the City of Colby 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 Or-

dinance, 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:

pair a controllable leak of water due to defec-D.The following classes of uses of water are

(1) permitting water to escape down a gutter,

ditch, or other surface drain; or (2) failure to re-

Class 1: Water used for outdoor watering; either public or private, for gardens, lawns, trees, shrubs, plants, parks, golf courses, playing fields, swimming pools or other recreational areas; or the washing of motor vehicles, boats, trailers, sidewalks, driveways, or the exterior 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

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 under drought/emergency contingency plan Stage #1 occur or 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 Stage #2 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 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 beginning and ending of the water warning 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 a Stage #3 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 of 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

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 his/her designee, 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 follow-

A. Application of water on lawns, shrubs or trees (including golf courses);

B.Washing of automobiles;

C.Use of water in swimming pools, fountains and evaporative air conditioning systems;

D.Waste of water.

SECTION 7. MANDATORY CONSERVATION supply emergency as provided in Section 5, the mayor, or his/her designee, is also authorized vation measures, including, but not limited to,

A. Suspension of new connections to the City's water distribution system, except conHelp Wanted

Progressive medical clinic has two full time positions open for technologist with the following credentials: Ultrasound. ARDMS certified ultrasound technologist in abdomen and OB/GYN. RVT registered or registry eligible. RTcertified is also preferred. Nuclear Medicine. Experienced technologist in nuclear medicine. ARRT certified is preferred. Working hours are Monday-Friday 8-5. No weekends and no call. We offer a pleasant working environment, excellent health benefits and a competitive salary. Please send resume to: 155 W. 5th St. - CS, Colby, KS 67701.

---8/14---8/27-----

Legal Notice

suant to agreements entered into by the City prior to the effective date of the declaration of the emergency;

nections of fire hydrants and those made pur-

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-

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;

operated facilities or sites;

E. Complete or partial bans on the waste of

F. Any combination of the foregoing mea-

SECTION 8. EMERGENCY WATER RATES. ency as provided in Section 5, the Governing Body of the City shall have the power to adopt mergency 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 sur-

SECTION 9. REGULATIONS. During the effective period of any water supply emergency as provided for in Section 5, the mayor, or his/her designee, 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 as approved by the Governing Body. Such regulations shall be subject to the approval of the Governing Body at its next regular or special meeting

SECTION 10. <u>VIOLATIONS</u>, <u>DISCONNECTIONS AND PENALTIES</u>.

A.If the mayor, city manager, public works director, or other city official or officials charged with implementation and enforcement of this Ordinance or a water supply emergency resolution learn of any violation of any water use restrictions imposed pursuant to Sections 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 or 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

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 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 re-connection of any water service terminated pursuant to subsection (A). In the event of subsequent violations within a single water emergency declaration, the re-connection fee shall be \$200 for the second re-connection and \$300 for any additional re-connections.

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 confinenent 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 SECTION 12. SEVERABILITY. If any provision

cumstance 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. This Ordinance shall become ef-

of this Ordinance is declared unconstitutional.

or the application thereof to any person or cir-

fective upon its publication in the official City Passed and Approved by the Governing

Body on this 21st day of August, 2001.

Beverly J. Stielen Beverly J. Stieben, City Clerk

(Published in The Colby Free Press on Mon-

day, August 27, 2001)

Help Wanted

Heartland Feeders in Seguin, Ks., is looking to fill 3 new positions. Need: pen rider, feeder, maintenance persons. Call or stop by. Contact Greg at 308-340-2876 or 785-855-2336.

-8/17-9/6-

Own a computer? Put it to work! \$1,000 - \$5,000 per month. 800-540-7964. www.kre8wealth.com

---8/4--9/11---

Mechanic needed for AGCO dealership. Experience with agricultural equipment preferred. Excellent benefits available. Send resume to: Hi-Plains Implement, 1190 S. Country Club Dr., Colby, Ks. 67701

Legal Notices

HOUSING DISCRIMINATION **HOTLINE**

Do you feel you have experienced discrimination in regard to housing rental or purchase within Thomas County? If so, please call the Housing Discrimination Hotline Number (1-800-669-9777) to discuss complaints, questions or discriminatory practices. Locally, please contact Theresa Perkins, County Clerk at 785-462-4500.

(Published in The Colby Free Press on Thursday August 23 & 30 and September 6 & 13, 2001)

OF THOMAS COUNTY, KANSAS

In the Matter of the Estate of ROBERTA KEMP, Deceasesd

IN THE DISTRICT COURT

Case No. 00-P-38

Legal Notices

NOTICE OF HEARING

THE STATE OF KANSAS TO ALL PERSONS CONCERNED:

You are hereby notified that a Petition for Final Settlement has been filed in this Court by William J. Kemp, qualified and acting Executor of the Estate of Roberta Kemp, Deceased, praying that his acts be approved; that the heirs be determined: that the Will be construed and the Estate be assigned to the persons entitled thereto; that the administration of the Estate be closed; and that upon the filing of receipts, the Petitioner be finally discharged as the Executor of the Estate of Roberta Kemp, Deceased, and

tember, 2001 at 10:00 p.m. of said day, in the Thomas County District Court, Colby, Kansas at which time and place said cause will be heard Should you fail therein, judgment and decree will be entered in due course upon the Petition.

Tony A. Potter #16907 323 N. Pomeroy Ave. P.O. Box 278 Hill City, KS 67642 785-421-2129 Attorney for Petitioner

day, August 13, 20 & 27, 2001)

ORDINANCE NO. 1323

AN ORDINANCE AMENDING ORDI-NANCE NO. 1257 DATED APRIL 15,1997 (ZONING REGULATIONS FOR THE CITY OF COLBY, KANSAS), BY ADDING SECTION 21-112. WHPP -WELLHEAD PROTECTION RE-STRICTED ZONING FOR 5-YEAR ZONES AND 10-YEAR ZONES OF CAP-TURE ON CITY WELLS.

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

SECTION 1: Pursuant to Ordinance No. 1257, Section 21-205, a public hearing was held before the Colby/Thomas County Metropolitan Area Planning Commission on August 16, 2001. to consider the addition of Wellhead Protection Restricted Zoning for 5-Year Zones and 10Year Zones of Capture on City Wells to Article I as Section 21.112, and the Colby/Thomas County Metropolitan Area Planning Commission recommended the proposed addition

SECTION 2: That Article 1, Section 21.112 read

21-112. WHPP - Wellhead Protection Restricted Zoning for 5-Year Zones and 10-Year

Zones of Capture on City Wells 1.Use Regulations:

a. Permitted Uses. The underlying zoning classification shall be applicable unless in conflict with Uses Prohibited.

sifications on prohibited uses and additional pro-1. Landfills:

Site and Management Facilities; 3. Solid Waste Management Facilities, including Surface Impoundments and Waste Lagoons: 4. Land Application Disposal Systems;

2. Abandoned and Active Hazardous Waste

5. Storage or Application of Restricted Use Pesticides; 6. Septic Tanks unless used only for domestic waste and provided tank is dumped out at least once every five years, and the system

shall comply with the Thomas County Environmental Sanitary Code;

7. Underground Storage Tanks; 8 Animal Feed Lots: 9. Use or Production of Regulated Substances in Industrial, Processing or Manu-

facturing, or Commercial Operations;

10. Vehicle Service and Repair Shops;

11. General Service and Repair Shops; 12. Metalworking Shops; 13. Manufacturing Facilities; 14. Underground and Above Ground Facili-

15. Waste and Scrap Processing and Stor-16. Transportation Corridors; 17. Laboratories and Professional Building;

ties for Oil and Hazardous Substances

18. Salt Storage and Use for Winter Road and Parking Lot Maintenance; 19. Snow dumps; 20. Stormwater Infiltration Ponds or Leaching Catch Basins;

22. Food Processing Plants: 23. Fueling and Maintenance of Excavation and Earth Moving Equipment;

21. Cleaning Services;

2. Special Permit Process:

24. Concrete, Asphalt and Tar Manufacture; 25. Cemeteries; and 26. Class V (5) Injection Wells.

The Colby/Thomas County Planning Commission shall have the authority to issue a special permit for the uses listed in Section 21-112(I)(b) above if the Planning Commission determines that the requirements listed below in Section 21-112(3) have been met. In making such determinations, the Planning Commission shall give consideration to the simplicity, reliability and feasibility of the control osed and the degree of threat to water quality which would result mea-

sures prop if the control measures failed. The

3. Materials to be Submitted by Applicants:

special permit shall be in writing.

To apply for a special permit, an applicant shall at a minimum provide the following materials to the Planning Commission in such quantities as the Planning Commission shall require:

Paragraphs b, c, d, and e below; b. A complete list of all chemicals, pesticides, fuels, and other potentially toxic or hazardous materials to be used, generated, stored,

or disposed of on the premises;

structures and the location of all facilities rel-

evant to the other requirements specified in

C. A description of proposed measures to protect all storage containers or facilities associated with such materials from vandalism, accidental damage, corrosion, and leakage

groundwater models and information supplied by a registered professional engineer hydrogeologist, hydrologist, or geologist; e. Such information as is needed to show

tion of flow lines from the proposed site. Such

projections shall be based upon appropriate

or hazardous materials discharge or loss resulting from corrosion, accidental damage, spillage or vandalism through measures such as: Prohibition of underground fuel storage tanks; spil control provisions in the vicinity of chemical or fuel delivery points; secured storage areas for toxic or hazardous materials; and indoor storage provisions for corrodible or dissolvable materials. For operations which allow the evaporab.Uses Prohibited. The underlying zoning clastion of toxic or hazardous materials into the interiors of any structures, a closed vapor recovery system shall be provided for each such struc-

5.Planning Commission Process:

Before acting on an application for a specia permit the Planning Commission shall hold a public hearing on the application after writter notice to all owners of record of lands located within at least two hundred (200) feet of the area

ture to prevent discharge or contaminated con-

a.The Planning Commission may grant a special permit if it finds by written decision that the proposed use:

1. Meets the intent of this section as well as its specific criteria:

tential domestic or municipal water supply and is consistent with existing and probable future development of surrounding areas;

the down gradient boundary of the property will not violate State or Federal drinking wa ter standards; and

approvals have been issued. b.The Special Permit shall be issued to the

c.The Special Permit shall be subject to review and renewal or revocation on an annual basis

ing and Loading Space Regulations shall be

SECTION 4: That current Section 21.113 Site Plan Approval shall be renumbered as 21.114.

SECTION 5: This Ordinance shall take effect

day, August 27, 2001)

the Petitioner be released from further liability. You are hereby required to file your written defenses thereto on or before the 4th day of Sep-

William J. Kemp, Petitioner

(Published in The Colby Free Press on Mon-

water on the site to ensure that proper control has been maintained; d. Projections of concentrations of relevant solutes in the groundwater at the down gradient boundary of the property and at any other locations deemed pertinent by the Planning Commission, including down gradien drinking water wells identified by construc-

Such measures might include secure stor-

age areas, shelters for corrodible or water

soluble materials, spill control provisions

around transfer points, and schedule of fu-

ture monitoring of waste streams or ground

f. Such other information as the Planning Commission may require by regulations of otherwise to properly review the application

4. Safeguards:

densate into the groundwater.

of the permit and after publication in a loca

3. Will not adversely affect an existing or po-

5. Where a project also requires approval by State agencies, the special permit shall in

owner of record and shall not be transferrable

renumbered as 21.113.

and be in force from and after its passage and publication once in the official City newspaper.

clude a condition that no building permits shall be issued until evidence has been re-

to any subsequent owners of record unless specifically approved by the Planning Commission

SECTION 3: That current Section 21.112 Park

PASSED BY THE GOVERNING BODY AND APPROVED BY THE MAYOR this 21st day of August, 2001.

2. Will not, during construction or thereafter

a. A site plan showing existing and proposed

(Published in The Colby Free Press on Mon-

have an adverse impact on any aquifer or recharge area in the wellhead protection dis-

4.Groundwater quality in the district and a

ceived by the Planning Commission that such

in July of each subsequent year after issuance

ATTEST: Beverly J. Stieben, City Clerk

compliance with Section 21-112(4); and

Notice

Cash for dead TV's and VCR's. Also will repair. Free estimates. Call anytime. 785-462-7657.

---8/1----8/31-----

Apartments for Rent

One bedroom apartment. Available at the Julia Apartments, utilities paid, 462-6311, days, 462-6156 evenings. -8/24-tfn-

1 bedroom, all utilities paid. Call 462-3218 or 443-1512.

-8/24-8/30-Nice 2 bedroom apartment with garage,

no pets. 462-2258.

—8/15**—**8/28**—** Rooms available at the Blakesley. One

at \$215 and one at \$325 per month. Utilities and cable included. Call 462-3251. -8/17-tfn-

Sunflower Apartments in Colby can offer affordable apartments. To see if you qualify, stop by 1170 S. Franklin to pick up application or call Lynn Cameron at 462-6349. Equal Housing Opportunity.

-10/27-tfn-

Legal Notice

-8/15-8/28-

August 19. Call 465-9000.

----8/21--8/27----

IMPORTANT LEGAL NOTICE ABOUT **BLUE CROSS CONVERSION AND ACQUISITION**

of Kansas, Inc. ("BCBSKS") and Anthem Insurand make introductory comments, no formal eviance Companies, Inc. ("Anthem BCBS") entered dence will be taken at the public comment meetinto an Alliance Agreement for a sponsored ings and neither persons offering statements or demutualization whereby Anthem BCBS will comment nor the parties will be permitted to expurchase the stock of BCBSKS (the "Acquisi- amine witnesses. Provided however, any person tion") following conversion of BCBSKS from a who desires his or her statement or comment to mutual insurance company to a stock insurance become a part of the formal record for the Hearcompany (the "Conversion").

On May 31, 2001, BCBSKS submitted a draft the Board of Directors of BCBSKS. If the proposed Conversion were approved, (1) BCBSKS (the "Form A Hearing" and together with the Conwould convert to a stock company, (2) the membership interests of all policyholders in BCBSKS mencing at a date to be specified in a subsequent would be extinguished, (3) those persons who are policyholders of BCBSKS on the date the BCBSKS, that will be no greater than the amount, f any, by which the book value of BCBSKS at the date the Conversion becomes effective (the "Closing Book Value") exceeds \$155,000,000 Value, after payment of the Special Distribution, over \$155,000,000 (the "Additional Purchase Price" and, all amounts together the "Purchase Certain persons may become formal legal Par-Price"). After payment of certain costs and satisfaction of amounts described in the Plan of Conversion, the remainder of the Purchase Price would be distributed to the Eligible Policyholdchange premiums, reduce policy benefits, guarantees or other policy obligations of BCBSKS. This proposal is subject to many additional ma-

On July 27, 2001, Anthem BCBS filed a "Statement Regarding the Acquisition of Control of or KathleenSebelius, Commissioner of Merger with a Domestic Insurer" (the "Form A"), pursuant to K.S.A. § 40-3304, seeking the Kansas Insurance Department Commissioner's approval of the transfer of the 420 S.W. 9th Street shares of BCBSKS, upon conversion, to Anthem Topeka, Kansas 66612-1678

erial terms and conditions described in the Plan.

In deciding whether to approve the proposed 1133 S.W. Topeka Blvd., conversion, the Commissioner will consider a Topeka, Kansas 66629-0001 number of factors, including among others:

1.Whether the Plan of Conversion is complete and contains all of the information required by 120 Monument Circle K.S.A. § 40-4003a(a)(1),

to existing or future Policyholders or the public.

ber of factors, including: .Whether the Form A is complete and contains

all of the information required by law,

in the Form A, BCBSKS would be able to satisfy the requirements for the issuance of a license to write the line or lines of insurance for which it is presently licensed.

3 Whether the financial condition of Anthem BCBS might jeopardize the financial stability of BCBSKS or prejudice the interest of its Policyholders

4. Whether Anthem BCBS has any plans or proor corporate structure or management, that ceedings. would be unfair and unreasonable to BCBSKS Policyholders and not in the public interest,

5. Whether the competence, experience, and Eligible Policyholders at a Special Meeting. integrity of those persons who would control the BCBSKS will mail notice to all Eligible Policyholdoperation of BCBSKS after the proposed acqui-

public to permit the acquisition of control, and likely to be hazardous or prejudicial to the insurance-buying public.

PUBLIC HEARINGS REGARDING THE CON- information.

VERSION AND ACQUISITION. Interested persons will have the opportunity to offer comments on the proposed transactions at Public Comment Meetings to be held at 800-432-2484. You may also visit the following throughout the state. The Commissioner will hold one or more public comment meetings at which any person may make oral or written state ments or comment upon the proposed conversion and acquisition without being required to become a formal legal party in the proceeding.

Houses for Rent

1 bedroom house 2 miles north of Levant on paved county road. Newly remodeled, low utilities, quiet/private. 785--8/22-8/27---

3 bedroom house. Appliances, A/C, available now. 462-6503. **--8/21---8/27-**

4 bedroom house with full basement. Unattached garage. \$450/month plus \$450 deposit. Call 620-375-2029. -8/21-8/27-

3 bedroom. 335 S. Grant. Available Sept. 1. \$350/mo, \$350 deposit. Lease & ref. No pets. 462-3404.

-8/17-tfn-

2 bedroom, utility room, window A/C, deposit required, \$300/mo. Available 8/ 15/01. Call 443-1235.

Lost and Found

Found: Watch in Fike Park on Sunday,

Legal Notice

On May 30, 2001, Blue Cross and Blue Shield Although BCBSKS and Anthem BCBS may attend

ings described below, must present such statement or comment under oath and may be crossexamined by the parties. It is not necessary to hire plan of conversion (the "Draft Plan of Conver- an attorney in order to participate in the public sion") to the Kansas Commissioner of Insurance comment meetings. In addition, pursuant to K.S.A. (the "Commissioner") for review and comment § 40-4004, the Commissioner has ordered that prior to adoption of such a plan of conversion by formal evidentiary hearings on the Plan of Con-

version ("Conversion Hearing") and the Form A

version Hearing, the "Hearings") be held com-

Plan is adopted by the Board of Directors of Any person may make oral or written statements BCBSKS ("Eligible Policyholders) would receive or comment upon the proposed conversion and cash payments of (i) a Special Distribution, to acquisition at the Hearings to be included in the the extent declared by the Board of Directors of formal record for the Hearings. Notice of the formal evidentiary Hearings will be mailed by first class mail to Eligible Policyholders and will be published in selected publications in the State of Kansas. The notice will set forth the procedure for (the "Special Distribution"), (ii) an additional making oral and written statements or comments \$190,000,000 (the "Initial Purchase Price"), and and be accompanied by other information relevant iii) 30% of the excess, if any, of the Closing Book to the Hearings, in the form approved by the Com-

ties. In addition, any person who believes his or her legal rights, duties, privileges, immunities, or other legal interests may be affected substantially by the Plan of Conversion and/or the Form A may, ers. The conversion and acquisition will not pursuant to K.S.A. § 77-521, petition for intervention in the proceedings as a legal party. A petition to intervene must be submitted in writing to the Commissioner, with copies mailed to BCBSKS and Anthem BCBS, at the following addresses, no later

Insurance

Blue Cross and Blue Shield of Kansas, Inc.

Anthem Blue Cross and Blue Shield Insurance Companies, Inc. Indianapolis, Indiana 46204-4903

2. Whether the Plan of Conversion is fair and eq- Policyholders and other members of the public do not need to intervene in order to offer written or oral statements at the Public Comment Meetings 3. Whether the Plan of Conversion unjustly en- or the Hearings. Any petition to intervene first made riches any director, officer, agent, or employee after September 24, 2001, may be denied in its entirety or approved only upon substantial restrictions in order to avoid disruption and delay to the 4. Whether the continued operations of the new proceeding. Submission of a petition to intervene stock insurance company would be hazardous on or prior to September 24, 2001, does not in itself qualify the petitioner for intervention to any extent, or without limitation on participation, such In deciding whether to approve the proposed ac- determinations being dependent on the particuquisition, the Commissioner will consider a num- lars of the petition. A petition to intervene must set forth a brief and plain statement of facts demonstrating that the petitioner's legal rights, duties, privileges, immunities, or other legal interests may be substantially affected by the proceedings or that the petitioner qualifies as an intervener under any 2. Whether, after the change of control described provision of law. Under applicable law, in granting a petition to intervene, the Commissioner may impose conditions upon any intervener's participation in the proceedings, either at the time that intervention is granted or at any subsequent time. Any person whose petition to intervene in the Conversion Hearing is granted shall also be allowed to intervene to the same extent as a Party in the Form A Hearing, whether or not petition was made for intervention in the latter hearing. Any person whose petition to intervene in the Form A Hearing is granted shall also be allowed to intervene to posals to liquidate BCBSKS, sell its assets or the same extent as a Party in the Conversion Hearconsolidate or merge it with any person, or to ing. The granting of a petition to intervene shall make any other material change in its business not obligate the petitioner to participate in the pro-

In addition to the approval of the Commissioner, the Plan of Conversion must be approved by the ers of the Special Meeting, setting forth the reasition of control are such that it would not be in sons for the vote and the place, the day, and the the interest of BCBSKS Policyholders and of the hour of the Special Meeting. The notice will be accompanied by a form of written proxy allowing the Eligible Policyholder to vote for or against the 6. Whether the proposed acquisition of control is Plan of Conversion and will contain information relevant to the Special Meeting, including a copy of the Plan of Conversion (with a summary of the Exhibits thereto) and certain other required infor-THIS NOTICE CONTAINS IMPORTANT IN- mation as approved by the Commissioner. At that FORMATION FOR BLUE CROSS POLICY- time, BCBSKS will supply its policyholders with HOLDERS AND OTHER INTERESTED PER- additional telephone numbers and an additional SONS ON HOW TO PARTICIPATE IN THE web site address from which to obtain additional

> For more information about the proposed Conversion and Acquisition, you may call BCBSKS at 800-432-3990 and the Kansas Insurance Department Internet web site: www.bcbsks.com.

(Published in the Colby Free Press on August 27,

Land for Sale

Brand new in stock 16x80's \$1,000 over cost. Payments starting at \$239 per month with as little as \$499 down and interest as low as 9/5% w.a.c. Premier Homes, 7845 W. Hwy. 50, Holcomb, Ks. 620-277-0707.

—8/21**—**8/31**—**

Misc. for Sale

Serta perfect sleeper set. Queen size, new condition, paid \$1,800 in December, asking \$900. 785-462-3256. -8/24--8/31

Broyhill bedroom set. Headboard, dresser, chest of drawers, mirror, nightstand, like new, \$600. Black entertainment center, \$50. Twin bed with frame, \$100. 785-462-2356.

Certified Trego seed wheat. 62# test. \$5/bushel bulk. Tony Horinek 785-694-

---8/24---8/31-

----8/20--9/4-----

NOW HIRING • All Shifts Full-time permanent position ~ \$6.50/hr.

2000 S. Range

Apply online @ www.mckansas.com

<u>Instructional</u> <u>Aide</u>

ESSDACK has an opening for a Instructional Aide for the Thomas County Learning Center. The program leads to a performance based high school diploma in a computer assisted learning environment for citizens who have not completed their high school diploma.

Application deadline is August 31, 2001. Applicant must possess excellent interpersonal skills, be able to work flexible hours, possess basic computer skills, be a problem solver, and have a willingness to learn.

Send a letter of application, resumé and credentials to: ESSDACK, 1500 E. 11th - Space F16A, Hutchinson, KS 67501. Attention: Larry Walker or Melinda Fikan. For more information call 620-663-9566.

Sunflower Processor

Red River Commodities has positions open for mill and quality control operators. Applicants should have experience operating grain cleaning equipment or similar skills. Full-time positions available on all shifts which include shift differential pay starting at \$8-\$9 depending on experience. Sign on bonus, health/dental insurance, 401k, flex and vacation benefits included. RRC is a growing company with many opportunities for advancement. Apply in person at 1320 E. College Drive in Colby, KS.

Misc. for Sale

KCIA certified wheat. Jagger, 2137, Karl 92. Nauer Seed Wheat 785-678-**--8/17---10/5-----**

Seed wheat. Certified Jagger, 2137, Al-

liance, TAM 107, Vista, Niobrara, Trego (white). Good color and test weights. Also, a two or three way blend of Jagger, 2137 & Alliance. Other blends on request. A. J. Horinek 785-626-3992, Kenneth Horinek 785-626-9337, Kelvin Horinek 785-626-3608.

- 8/6-9/29-

Childcare

Have a full time opening in my licensed daycare home for the 18 month to kindergarten age group. Donna White 462-

-8/23-8/28-----

Land for Sale

All of section 7-T12-R37 Logan county. Has 509 acres cultivation, 101 grass. Call Don C. Staab 785-628-8517.

---8/14---9/11--

Boats for Sale

1978 16' Marquis. Excellent condition, 85 h.p. motor, many extras. Asking \$4,900. 786-462-2356. **—**8/24**—**8/31**—**

SITE **DIRECTOR**

ESSDACK has an opening for a Site Director for the Colby Learning Center. This program leads to a performance based high school diploma in a computer assisted learning environment for citizens who have not completed their high school diploma.

Applicants must possess a valid Kansas Teaching Certificate, preferably with endorsements in math, science, or language arts. Other qualifications include the ability to work with a wide range of content areas, and the ability to work flexible hours. The candidate should be comfortable using technology, especially computers. The candidate must be very flexible and adaptable.

To apply for this position, please send a letter of application, resumé and credentials to: ESSDACK, 1500 E. 11th - Space F16A, Hutchinson, KS 67501. Attention: Larry Walker. Equal Opportunity Employer

HELP WANTED

New & Used Salesperson for

Chrysler & GM dealer BC/BS insurance, 401k.

paid holidays, vacation/ sick.

FRONTIER

AUTOPLEX 445 N. Lake • Colby, Kansas 785-462-3317

LANTERN PARK **MANOR**

Are you looking for a rewarding career in

Long Term Care? **POSITIONS AVAILABLE:**

- RN Day and/or Evening Shift, Full or Part-time
- LPN Day and/or Evening Shift, Full or Part-time
- CNA Day and/or Evening Shifts, Full-time • **OUTPATIENT BILLING** - Full-time position

Applications can be picked up at 105 E. College Dr. or call

EOE/M/F/D/V 785-462-6721

Boats for Sale

15' ski boat. V-hull, closed bow, 100 h.p. OB Mercury with skiis, \$900 O.B.O. 462-

-8/24-8/28---

16' Stuery boat. 120 h.p. Merc Cruiser, new cover, new tires, great condition, \$2,500 462-6981 evenings.

-8/20-8/27-

Vehicles for Sale

1986 F 250. 351c, high output, PS, PB, A/ C, stereo, 120k, \$2,500 O.B.O. 462-6438. -8/24---8/28-

1984 Dodge Rampage truck. Front wheel drive, new battery. Needs some work, \$800 O.B.O. 462-2723.

-8/24--8/28-

2000 Chrysler Town & Country LX mini van. Silver, 25,000 miles. 462-3556. -8/23-8/30-1993 Ford Aerostar. Seats seven, runs

---8/23---8/27-----1992 Mitsubishi Eclipse. Auto trans., sun

roof, in good condition, runs good, \$3,200. 785-687-4746.

1993 Ford Crown Victoria LX. 4 door, ex-

1993 Ford Tempo GL. 4 door, V-6, PS,

great. 462-8210.

cellent condition. 785-462-6235. **—8/23—8/27**-

PW, PL, new A/C, \$2,000. 785-475-3921. -8/23-8/29-

1989 Chevy pickup. New engine, new tires, new exhaust, starter, and alternator, \$4,500. 462-6981 evenings. -8/20--8/27-

HELP WANTED

Full or part-time help needed. Job includes construction work, lawn sprinklers and stucco. CALL NOW!!

T.N.C.I.

Top Notch Construction & Irrigation 785-465-0150

HELP WANTED

~ CASHIERS ~ 30 hours per week 7 hour shifts

Hours of operation: 6 a.m.-10 p.m.

Call 462-2162 or stop by 1995 S. Range for an application.

Help Wanted

Tubb's and Sons Ford Sales, Inc. is currently seeking a self motivated, energetic individual to assume the role of Parts Counter Person. Experience is preferred but would be willing to train the right person. Serious applicants only. Applications can be picked up at:

> 810 S. Range Ave. **Colby KS 67701.** Or Call (785)462-6746

JOB OPENINGS

Protection Group (NWLEPG) is seeking to fill any one of the following job positions. All applicants must be computer literate, have strong communication and people skills. Submit RESUME by Sept. 1, 2001 to NWLEPG, 350 S. Range #4, Colby, KS 67701, ph 785-462-8636. EOE

Environmental Specialist or Technician, have either AS or BS in Biological or Physical/Environmental Science fields OR work experience with either environment or environmental health areas OR training & experience with general construction & knowledge of Environmental issues will be helpful.

1996 Dodge Grand Caravan. Always garaged, great condition, 132k. List \$11,000 - yours for \$8,750. 785-694-2552

Vehicle for Sale

-8/20-9/4-

Wanted

small square. Stephen Shull. 785-462-

Will do custom swathing and round bal-

ing. Scott Roesch 785-462-6008 / 785-443-2483 mobile.

Alfalf hay, cane hay, and dry corn. Com-

-2/1—tfn——

----8/15----8/28-

ORDINANCE NO. 1322

welfare of the public, and WHEREAS, the private water supply is the source of water for the residents of the City of

ease and a hazard to the health, safety, and

WHEREAS, it is necessary to protect and prevent the public water supply from contamination and pollution, and becoming a potential hazard to the health, safety, and welfare of the public; and

WHEREAS, the Governing Body of the City of Colby, Kansas, finds that the provision of adequate and reasonable control over environmental conditions in the City is necessary and desirable, and it is the purpose of this Ordinance to provide minimum standards for the location design, construction, maintenance, and use of both private water wells and private wastewater disposal systems, and the removal and disposal of wastewater materials from such faciliies within the legal boundaries of the City of

BE IT ORDAINED BY THE GOVERNING

the purpose of prescribing the administrative and available to the public at all reasonable

in the official city newspaper PASSED AND APPROVED by the Governing Body of the City of Colby, Kansas, this 21st day

(Published in The Colby Free Press on Monday, August 27, 2001)

Help Complete the

when you shop

• NOTICE •

AD RATES For Classified Word ads are

25¢*/word 1-2 days 3-4 days 18¢/word 5-9 days 17¢/word 10-14 days 16¢/word

r errors after the first day/week

as follows:

Monthly (tfn) 15¢/word *Price reflects 15 word minimum ad. Ads nust be in our office by 12:00 noon the day pefore. In case of error, call us the FIRST day our ad runs since we will not be responsible

\$6.00/per week - 10 words (additional 25¢ word thereafter) 13¢/word pick-up rate (with 3

COUNTRY ADVOCATE

NOON ON FRIDAY. **DISPLAY (box) AD DEADLINE FOR FREE** PRESS IS 3:00 P.M. TWO DAYS BEFORE AD RUNS. Display Rate: \$6.85 per column inch. COUNTRY ADVOCATE

consecutive day run in Free Press)

ADS MUST BE IN THE OFFICE BY 12:00

DEADLINE IS 12:00 NOON ON FRIDAY>

Swathing and baling of cane. Round or

-8/20-8/30---

—8/16**—**9/19**——**

petitive bids. Please call Scott Foote at 785-386-4519.

Pets / Supplies

AKC registered Shih Tzu puppies. Born 6/30/01, ready 8/18/01, 3 males, brindle and white, \$300. 785-672-4635.

Legal Notice

AN ORDINANCE ADOPTING A LOCAL **ENVIRONMENTAL SANITARY CODE** FOR THE CITY OF COLBY, THOMAS WHEREAS, sewage is a potential source of dis-

BODY OF THE CITY OF COLBY, KANSAS:

SECTION 1: ADOPTION OF ENVIRONMENTAL/SANITARY CODE FOR THE CITY OF COLBY, KANSAS. There is hereby adopted the Environmental/ Sanitary Code for the City of Colby, Kansas for

procedures to be followed in administering the environmental/sanitary code or any amendments thereto; and to prescribed rules and regulations for controlling practices to minimize health and safety hazards, which Code is attached herewith as "Attachment A". No fewe than three (3) copies of said Environmental/Sanitary Code shall be marked "Official Code as Adopted by Ordinance No. 1322 and shall be filed with the City Clerk to be open to inspection

SECTION 2: This Ordinance shall take effect from and after its passage and publication once

