<table>
<thead>
<tr>
<th>Page</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>70</td>
<td>Embracing Diversity</td>
</tr>
<tr>
<td>74</td>
<td>Dodge City Celebrates Year of Events</td>
</tr>
<tr>
<td>79</td>
<td>Wilson: Getting Kids Involved</td>
</tr>
<tr>
<td>80</td>
<td>The Playful City</td>
</tr>
<tr>
<td>84</td>
<td>As Oil, Gas “Fracking” Gains Popularity in Kansas, So Does Safety Debate</td>
</tr>
<tr>
<td>88</td>
<td>Mayors Help With Meals On Wheels</td>
</tr>
<tr>
<td>69</td>
<td>Mainstreet News</td>
</tr>
<tr>
<td>73</td>
<td>State Scene</td>
</tr>
<tr>
<td>78</td>
<td>Best Practices</td>
</tr>
<tr>
<td>76</td>
<td>On the Road</td>
</tr>
<tr>
<td>83</td>
<td>Legal Forum</td>
</tr>
<tr>
<td>89</td>
<td>Classified Advertising</td>
</tr>
<tr>
<td>91</td>
<td>Professional Services</td>
</tr>
<tr>
<td>94</td>
<td>Moler’s Musings</td>
</tr>
</tbody>
</table>

**Features**

- Embracing Diversity
- Dodge City Celebrates Year of Events
- Wilson: Getting Kids Involved
- The Playful City
- As Oil, Gas “Fracking” Gains Popularity in Kansas, So Does Safety Debate
- Mayors Help With Meals On Wheels

**Departments**

- Mainstreet News
- State Scene
- Best Practices
- On the Road
- Legal Forum
- Classified Advertising
- Professional Services
- Moler’s Musings
Embracing Diversity

The City of Salina Promotes Equality at Its Schools

By Darrin Stineman

The goal is to be unemployed.

That may sound like an odd statement, but it does serve to get the students’ attention when a group from the Salina Human Relations Department does diversity presentations at local schools.

The students’ mouths begin to return to the closed position when explained that the mission of the Department is to eliminate discrimination and to establish equality and justice through civil rights enforcement, advocacy, and education. And if there is no longer any discrimination, there is no longer a need for the Department—or therefore, jobs—to exist.

Since starting the presentations in October 2011, the Department has made presentations to more than 1,000 middle and high school students, challenging them to look at themselves and how they treat others—especially those who are different from them.

The group starts out with an ice-breaker called the Herman Grid. It consists of a sheet of paper with grids of black rectangles which are positioned in such a way that gray dots seem to appear between them. The dots, however, are just an illusion. They’re not really there.

That illustration helps to explain that sometimes that’s how we are with people. We see things that aren’t really there. We form an opinion about them based on appearances or a first impression which may or may not reflect who the person truly is.

When the group began to develop the presentation, one of the things they were most excited about was having the students hear from Human Relations staff members Sandy Beverly and Dina Giron, who have tremendous personal experiences to share with regard to civil rights and appreciating diversity.

Sandy begins by asking the students if they know what landmark civil rights event occurred in Kansas, referring to the U.S. Supreme Court’s 1954, Kansas v. Topeka Board of Education decision which called for an end to school segregation. She then talks about her own experience 11 years later living in Hogansville, Georgia, where schools—and, in fact the entire town—still were completely segregated.

She talks about various activities—going to the movie theater, shopping, going to the ice cream shop, etc.—which everyone in the room could not have done together at that time. Walking from table to table with small groups of students, Sandy points out that she and the “colored” kids—those who appear to be anything other than white—would not have been able to join the white kids in these activities. In the case of the theater, for example, the colored kids would’ve had to sit in the balcony.

We try to relate it to current times by pointing out that the federal government even just in recent months has had to issue orders to school districts in Southern states to integrate their schools. Even though black students may legally attend any school they want to, in practice, some towns still have all of the white students at one school and the black ones at another.

The training also points out that even here in Salina, our office can have as many as 10 active discrimination cases at a given time. The students also easily relate to the story of Dina, who at the age of 17 was sent to the United States by her parents to escape the civil war that was taking place in her native El Salvador in 1980.

At that time, warring factions were forcibly recruiting even middle-school-age children to fight in the war. Many of them were taken from school and were never seen again by their parents.

Dina came to the United States not knowing the language, the culture, or any of the relatives she was sent to live with. She shares many of her experiences, including how she hated English at first because people would make fun of her when she tried to speak it, and how she and a group of friends were denied service at a restaurant because they were speaking Spanish with each other.

She also shares about the culture of El Salvador and other Latin American countries, and the importance of appreciating other cultures, and what they contribute to American society.

Dina and Sandy then do a presentation on labeling others, using a piece of poster board with a big red “X” on it to illustrate their point. Sandy asks the students to assume that she has just met Dina, and as they begin to chat, Sandy begins to make assumptions about her.

Dina speaks with an accent, so Sandy assumes that she had better talk to her in a loud voice so she will be understood. Sandy places a card that says “DEAF” on the poster board Dina is holding, and with each label that is added (“ILLEGAL,” “MEXICAN,” “CATHOLIC,” “LIKES JALAPEÑOS,” etc.) the poster board rises higher until Dina can no longer be seen.

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Sandy makes the point that because of the labels, the true person can’t be seen anymore. But she says that as she continued to get to know Dina, she found out that none of her assumptions about her were true. The poster board drops a bit each time as Sandy removes the labels, until the person finally can be seen again.

It was the first time the Department had ever done these kinds of presentations in schools, so they weren’t sure what to expect. The results, however, have been encouraging. On evaluation forms from the most recent presentation to about 300 students on January 10, 2012, 70% indicated it was “very useful” and 28% “useful,” 78% said it was “excellent,” and 20% “good.”

More presentations are scheduled for this school year, and the Department intends to continue giving them in the years to come—until that day when we are happily unemployed.

“I liked the presentation, and with this I think I’ll change my thoughts.”

“One teacher said, “The presentation really was outstanding. The students learned a lot about discrimination and stereotypes. The presentation helped the students understand how the local government provides many services that can help them deal with a variety of issues. Also, the students learned about segregation that took place in American history.”

Comments from students included the following:

“It helped me understand better how to judge a person correctly without making assumptions. And it helped me learn more about the Hispanic culture.”

Darrin Stiteman is the Outreach Specialist for the City of Salina Human Relations Department. He can be reached at darrin.stiteman@salina.org.
Dodge City Celebrates Year of Events

by Jane Longmeyer & Ila Siders

The United Wireless Arena and Magouirk Conference Center in Dodge City is celebrating a whirlwind year of bringing entertainment, trade shows, and conferences to southwest Kansas.

One year ago on February 12, 2011, the fourth and final project in a “Why Not Dodge” joint sales tax venture between the City of Dodge City and Ford County opened to the public. When the voters approved the “Why Not Dodge” projects in June of 1997, the other family-oriented projects included construction of the Dodge City Raceway Park, Legends Park and Soccer Complex; improvements to Cavalier Field, and upgrades to the existing Civic Center. The “Why Not Dodge” campaign was to diversify our primarily agriculture economic base to enhance tourism and become the entertainment center for southwest Kansas and the region.

United Wireless Arena and Magouirk Conference Center is located on the west side of Dodge City, adjacent to a State of Kansas authorized destination gaming facility, Boot Hill Casino and Resort, which opened in December 2009. A new Hampton Inn Hotel will opened March 2012, which will enhance the conference and meetings scheduled for the Magouirk Conference Center.

The arena offers 3,800 ticketed seats for sporting events including ice hockey, basketball, indoor soccer, and up to 5,000 seats for stage events. In addition, there are 144 seats available in 12 suites and 146 loge seats on the suite level.

In the first year, United Wireless Arena has offered a variety of shows such as the Rock and Worship Road Show, Sesame Street Live, Miranda Lambert, Ringling Brothers Barnum & Bailey Circus, Rodney Carrington, Lynyrd Skynyrd/ZZ Top concert, Charlie Daniels concert, and Harlem Globetrotters, as well as Championship Bull Riding, Monster Trucks, and Motorcycles on Ice.

Because ice skating is unique to southwest Kansas, public ice skating gained popularity quickly along with the newly formed youth hockey league. Dodge City hosted the Pee Wee Tournament in December with teams from Wichita, Oklahoma City, and Nebraska represented. Before December was over, the first North American Hockey League hockey game was played between the Wenatchee Wild and the Topeka Roadrunners. The crowd was wowed.

The Magouirk Conference Center has 6,700 sq. ft. of space that can be used as one large room for banquets, receptions, and parties, or divided into as many as 6 individual spaces. The conference center offers state of the art audio/visual equipment and Wi-Fi. Eight feet screens appear in each section from the 10 ft. ceiling, along with projectors and IT personnel if needed.

The best is yet to come though when the food appears. Magouirk Conference Center has a full-service kitchen with a full-time chef who is also responsible for managing the concession stands.

Dodge City is ready to put on its western hospitality as it welcomes conferences to this part of the state. We are excited to host the 2012 WORKS! Conference hosted by the Kansas Department of Health and Environment, Bureau of Waste Management in March. People have been traveling around the state for many years to attend this conference and with the arena and conference center, Dodge City now has the space to put out the welcome mat for such events.

Running and managing an arena and conference center requires not only full-time staff, but a company of knowledgeable people, and with that in mind Dodge City hired VenuWorks of Ames, Iowa. VenuWorks is 1 of the 3 largest public assembly management firms in the US, guiding activities of over 40 venues across the country.

Jane Longmeyer is the Director of Public Information for the City of Dodge City. She can be reached at jane.long@dodgecity.org. Ila Siders is the Director of Marketing for the United Wireless Arena.
...Enjoying an “Early” Spring

Since we never really had winter this year, spring is a bit harder than normal to put one’s finger on. For sure, 80°F in February is one indicator of seasonal change (though I am not at all convinced that there is any such thing anymore), as is a disastrous and deadly tornado the day before Leap Year Day (Harveyville is already strong on the way towards recovery, by the way). Trees budding in “winter?” Yet, it was fairly “normal” in terms of temperature on the late-March Tuesday morning when Maddi and I headed out on our annual Spring Break trip on literally, the first day of spring, and it had been raining off and on for over a day. It started raining again about the time we were leaving Herington just before noon and stayed somewhat cool, and rained for two more days across much of central Kansas—in Derby, we got about 3.5 in. total that week…a welcome relief after yet another exasperatingly-prolonged “drought spell.”

We had gone to Herington, mostly, to see a pickup. The red 1980 GMC belongs to Herington City Manager Ron Strickland, and Maddi thinks she would like to be the first-ever vehicle she owns. We have an offer on the table for “sometime down the road,” and Ron has promised us “first dibs.” Of course, Maddi can’t even start learning until she turns 14 in June, but she is planning ahead, and has been saving for her first “car” for a number of years, so this might really happen. Needless to say, the pickup is “sweet,” and Ron is someone who takes exceptionally good care of vehicles, as well he must; he owns NINE. And, all nine are really, REALLY cool. A number of Ron’s cars are original down to the paint, and that includes some really old ones, such as a 1939 Ford coupe (which came complete with every license plate the car had ever worn for its Iowa owner tucked in under and behind the pull-out bench seat); a one-owner (before Ron) fuel-injected (rare) 1957 Chevy Nomad wagon (yellow and white); an early-50s (late-40s?) delivery truck from a Herington hardware store; a 1966 Corvette (red, original interior), and on and on. Ron and his wife actually live in a HUGE warehouse that used to be owned by a roofing company. He personally has renovated the upstairs abo...
Surveying Apps for Cities

We all have vices. One I have had particular trouble with is an addiction to Wendy’s Hot ‘n’ Juicy 3/4 lb. triple cheeseburger. Although this 1,000 calorie masterpiece puts me in a state of euphoria, it doesn’t have as appealing of an effect for my waistline. I bring this up because it’s one casualty of a website I recently discovered, called Mint.com. This site allows members to set a monthly budget for each expense category, and offers a mobile phone application (app) that tracks and categorizes expenses. Mint.com offers free and paid alternatives to pre-scheduled meters. Drivers can use an app called Parker to access this information, showing them where open spots are so that they can save time driving around.

For cities wanting to help residents find parking without spending hundreds of thousands of dollars, and respond more effectively to expired meters, Drivers can use an app called Roadify to access this information, making their cure within their budgets. Having the budgets readily accessible on their phones is meant to induce users not to spend beyond their means, and in my case it’s working. Now, if I’m aching for a trip to Wendy’s, but my app indicates I’m approaching my monthly fast food budget, I swallow hard and make myself a ham sandwich. Although I’ve endured some temporary suffering, the app has helped me save money in every area of my life.

Mint.com is just one of millions of companies that offer people an app to better their lives. But these companies aren’t just targeting individuals; they’re also trying to attack problems within cities. New apps are being created daily that public officials and residents can utilize to improve their communities.

One of the most irritating problems citizens face is traffic issues. Seeking to profit from this nuisance, Waze.com has created an app that gives its users access to real-time traffic conditions. Waze’s app tracks users while they drive, so that if drivers in a specific area slow down, it automatically detects and displays the traffic jam to other commuters. Drivers stuck in traffic can also actively warn fellow Waze users of jams, road construction, accidents, and other hazards. Waze’s app has the potential to create more efficient travel within a city, provide city managers with a tool to create better road systems and schedule more convenient construction, give police a resource to locate suspects, and map of election districts. Some city officials are starting to use these apps to find potholes and public safety issues. SeeClickFix.com’s app also provides public officials and residents a means of communicating road conditions to the rest of the community.

For cities wanting an app that addresses more than just traffic issues, SeeClickFix.com gives residents a forum to report a variety of problems. Residents of cities collaborating with SeeClickFix.com can use the company’s website, a mobile app, social networking sites, or the city’s official website to report potholes. Some states have submitted a report, both the reporter and the city receive an email notification. The local government can then route the report to the proper department, and update the issue page once it’s been resolved. Thousands of communities are already using this app to eliminate pothole reporting. Have you ever seen like broken street lights, cracked sidewalks, and blighted buildings?

Cities can also use apps to harness information from residents without relying on their active input. Streetbump is an app being tested in Boston that uses residents’ cell phone movements to detect where potholes are. After residents download the app, the phone’s accelerometer detects when a bump is hit, and the GPS determines the location. The information is sent off into a city database, and after enough people hit a big bump in the same spot, the app recognizes it as a pothole. Boston is using the app to build a comprehensive map of all the potholes in the city.

Los Angeles, in conjunction with the company ParkSight, recently installed asphalt-embedded sensors and smart meters to track usage of parking spaces throughout Hollywood, one of its most congested districts. The smart meters allow users to pay with their mobile phones in addition to communicating information to the City. The City uses this information to change parking prices based on anticipated demand and use this information to change parking prices based on anticipated demand and reschedule meters. Drivers can use an app called Parker to access this information, showing them where open spots are so that they can save time driving around.

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—Michael Koss
Ottawa was designated a Playful City USA by KaBOOM! in 2010, and again in 2011. This program became a vehicle for community engagement and excitement, culminating in a completely new playground built entirely by the community.

In 2010, Richard U. Nienstedt, City Manager, asked City staff to look into the Playful City designation and possible grant funding for playgrounds. Playground improvements were needed and had even been identified in the City’s Capital Improvement Program. But, funding was hard to come by during the economic downturn.

When the City was designated as a Playful City again in 2011, work moved to submitting a grant for matching funding to build the City’s first accessible playground. A number of foundations were identified, but our requests were unsuccessful until KaBOOM! selected Ottawa for a 2011 project and awarded the City a grant of $20,000. The requirements for the project included raising a $25,000 match. KaBOOM! funds only can be used for equipment and you must spend a minimum of $30,000 on equipment; other significant capital was needed for an accessible play surface. Once Ottawa began talking about the project, excitement built and the community responded. In the end, City funds were not used as the match—only memorials and local donations.

Though the Play Taskforce had fun ordering the equipment, picking the colors, etc., the thrilling part of the project was the actual community build day. The group had decided, even before the grant was awarded, to use National Make a Difference Day as a “community build” day in Ottawa, East Central Kansas Economic Opportunity Corporation (ECKAN) sponsors a Volunteer Center, which facilitates coordination of volunteers for lots of projects in the community, whether for the City, schools, hospital, Habitat for Humanity—the list goes on. Community members are familiar with volunteering that weekend, making recruiting easier. In addition, a recent Extreme Makeover Home Edition project was completed in Franklin County. That experience continued to inspire volunteerism in many ways, including this playground project.

The Play Taskforce, City staff, and the Volunteer Center began planning the day. They discussed recycling, safety, tools, equipment, food, etc. They worked with a certified playground safety specialist to ensure the equipment was installed correctly and workflow was planned appropriately. KaBOOM! has a special website that also provides a thorough and detailed list for each component of a community build, guiding action steps from six weeks out to the days following the completion of the project. Ottawa developed a good plan for the day utilizing all these resources, and it was implemented well.

Early on Saturday, October 22, 2011, coffee and breakfast was provided by a local bank to fuel volunteers for their morning shifts. Community businesses and residents provided additional food and desserts for shifts arriving later in the day. Volunteers arrived in three major shifts, signed safety and publicity releases, and got to work. There were 102 community members and approximately 20 City staff. City staff prepped the site and dug holes the day before. Equipment was placed and readied for construction. To give every level of volunteer talent a place to contribute, easier-to-assemble picnic tables and benches were ordered as part of the larger project. By the time the third group of volunteers arrived around lunch, they were already awaiting the delivery of concrete, previously scheduled for 4 p.m. Terrific volunteer support, energy and enthusiasm allowed the project not only to be completed, but completed early.

On the following Monday, “family” volunteer day was planned. For insurance purposes, no one under 14 was allowed to participate on build day, but the Play Taskforce wanted the children to feel ownership in the project as well. A giant pile of mulch was intentionally left for the youth to transport and spread under the equipment. Another 40 adults and about 35 children volunteered for this portion of the project—there was a bit of playing too! Every project has a snag, and this one was the delay in the delivery of the additional loads of mulch. Two additional loads were delivered after the family volunteer day. City staff finished the mulch, installed an accessible concrete ramp to the playground area, and to complete the project, the City Commission dedicated the space during a short ceremony with donors and the community present.
The Fourth Amendment to the U.S. Constitution and also the Kansas Constitution is a heavily litigated area, because what constitutes a search or seizure is very fact specific. As technology continues to advance, the ability to track and monitor individuals becomes more creative. The U.S. Supreme Court decided a case where a global positioning system (GPS) tracking device was attached to a vehicle for the purpose of monitoring the movements of an individual’s vehicle on city streets. The issue in the case as set forth by the Court was, “whether the attachment of a Global-Positioning-System (GPS) tracking device to an individual’s vehicle, and subsequent use of that device to monitor the vehicle’s movements on public streets, constitutes a search or seizure within the meaning of the Fourth Amendment.” 132 S.Ct. 945, 948.

The case began in 2004, when a nightclub owner, Antoine Jones, became a suspect for trafficking in narcotics. An investigation task force was formed between the local law enforcement agency and the Federal Bureau of Investigation (FBI). Several different types of monitoring were used, including cameras focused on the front door of the nightclub, visual surveillance and a wiretap of the suspect’s cell phone. Using information in 2005 from those sources, the task force applied to the U.S. District Court for the District of Columbia for a search warrant to place a GPS device on a car registered to the suspect’s wife. The defendant was the exclusive driver of the car, so the ownership was not an issue in this case. The warrant authorized the placement of the GPS within 10 days in the District of Columbia. The device was actually installed on the 11th day in Maryland while the car was in a public parking lot. In this case, the government concedes that the warrant was not followed, but argued that no warrant was needed, because placement of the GPS device was not a search.

The GPS sent data over a one month period to the government, generating about 2,000 pages of data. What happened procedurally is a bit confusing, but essentially, the defendant moved to suppress the GPS evidence at trial. The U.S. District Court suppressed the evidence collected when the defendant’s vehicle was parked at his residence, but allowed the remainder. The rationale of the District Court was that the defendant would have no expectation of privacy in his movements from one location to another while traveling on the public streets. The evidence was subsequently used in another indictment in 2007 and the defendant was convicted of multiple drug crimes. The U.S. Court of Appeals for the District of Columbia Circuit reversed the conviction because of the admission of the GPS evidence, which was obtained without a warrant, holding that the search violated the Fourth Amendment. The U.S. Supreme Court then granted certiorari.

The Court analyzed the history of the Fourth Amendment and noted that the standard for determining a violation has become whether or not an individual has an expectation of privacy in the location from which the evidence was obtained. The government argued that the undercarriage of a car and the location of the vehicle being driven on city streets were visible to anyone. The Court, however, while recognizing the “expectation of privacy” standard, did not throw out the historically significant protection of a person’s property from invasion by the government (a standard used in many early Fourth Amendment cases), although that by itself does not necessarily make the invasion constitutional.

In this case, however, there was both a physical intrusion of the defendant’s property and the intent to use the planted device to gather information. Thus, the planting and use of the GPS device was a search within the meaning of the Fourth Amendment. There is an interesting analysis of the opinion’s concurrence by the majority relating to achieving the same result using large teams of agents, multiple vehicles and maybe aerial surveillance, which would likely be constitutionally permissible. The Court concludes that obtaining the same result utilizing electronic means without the physical trespass may violate the Fourth Amendment, but the current case did not require answering that question. Answering that issue would cause questions to arise such as how long a timeframe of monitoring might be okay, for what crimes, and many other scenarios that could not be envisioned. Clearly, more electronic monitoring cases are sure to follow. So, the takeaway for city attorneys and law enforcement officers would be to obtain a warrant for any GPS related search at this point in time.

One other interesting piece of technology being used by some was a GPS device implanted in a cigarette lighter. The location of the lighter can be determined by the GPS signal. What this quarter of a million dollar device does is allow the user to set up what amounts to a dummy cell phone tower that directs all nearby cell phones to connect. It then allows the user to capture things like location and phone numbers called, and allows the tracking of cell phones. It does not capture the actual phone calls, so it is not like a wiretap. Many groups are concerned about the use of such surveillance technology and believe it is only a matter of time before the U.S. Supreme Court addresses whether or not use of it would constitute a search within the meaning of the Fourth Amendment. Normally such information is obtained from a third party cell phone company, so there is a buffer between the information and law enforcement, and concerns may be more likely to be raised. Without question, this is an area of the law that will continue to evolve.

Sandy Jacquot is the Director of Law/General Counsel for the League of Kansas Municipalities. She can be reached at sjacquot@klm.org or (785) 354-9565.
In the 2010 documentary *Gasland*, a Colorado homeowner sets his tap water on fire and residents complain of mysterious health problems.

They point the finger for the source of their troubles at the natural gas wells—drilled using hydraulic fracturing, or fracking—that litter the scenic valley east of Grand Teton National Park.

With environmentalists crowing that this is proof that fracking causes contamination and the industry denying any such thing, it’s turned into another politicized free-for-all.

The national debate over fracking has darkened a good-news story for the country: horizontal multistage hydrofracking has reversed the growth of imported oil and natural gas, created jobs, and contributed to the growth of the American economy.

But there are some—and they are worried about Kansas.

Fracking isn’t new or unusual, Kansas oilmen are quick to note. In the past few months, the fracking debate moved to Kansas when the industry in Kansas discovered the vast Mississippian limestone 4,500 to 5,000 ft. below the prairie.

They are drilling through a 320 million-year-old layer called the Mississippian limestone that is just beginning to ramp up. The vast Bakken shale formation is poised to make North Dakota the second-largest oil state, just ahead of Alaska.

I

Driving the Debate

What drives the debate is the extraordinary success of horizontal multistage hydrofracking to get to the vast amounts of gas and oil tied up in deep rock formations.

Using techniques perfected in the last 10 to 15 years, and made hugely profitable by $100-a-barrel oil, a horizontal well can take the place of 6 or 8 vertical wells.

It’s become a significant proportion of all natural gas production. One forecast calls for production of U.S. shale gas to move from 23% of gas production in 2010 to 49% of a larger volume by 2035, according to a federal estimate. However, some gas companies are slowing production because of low prices.

Nationally, the jobs numbers tossed around are huge. A 2010 study by HIS, an economic analysis firm, reports that shale gas production supported 600,000 jobs.

And oil production in deep formations around the country—and around the world—is just beginning to ramp up. The vast Bakken shale formation is poised to make North Dakota the second-largest oil state, just ahead of Alaska.

This is the same technique used in Kansas, although in a layer of Mississippian limestone, rather than a shale formation.

A horizontal multistage hydrofrack well starts drilling with a pad of 100 to 200 wells to drill into the deep rock formations. The industry has long known that oceans of oil and gas were trapped in the tiny pores of difficult rock formations, but it didn’t go after them because cheaper oil was available.

Starting a decade ago, shrinking supplies and rising natural gas prices convinced companies to drill into the deep shale formations such as the Barnett Shale under central Texas and the Marcellus Shale in Pennsylvania, West Virginia, Ohio, and New York. Production from these formations has been so striking that gas prices have tumbled and companies such as Chesapeake Energy are rushing to switch to oil.

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It’s become a significant proportion of all natural gas production. One forecast calls for production of U.S. shale gas to move from 23% of gas production in 2010 to 49% of a larger volume by 2035, according to a federal estimate. However, some gas companies are slowing production because of low prices.

Nationally, the jobs numbers tossed around are huge. A 2010 study by HIS, an economic analysis firm, reports that shale gas production supported 600,000 jobs.

Oil production in deep formations around the country—and around the world—is just beginning to ramp up. The vast Bakken shale formation is poised to make North Dakota the second-largest oil state, just ahead of Alaska.

This is the same technique used in Kansas, although in a layer of Mississippian limestone, rather than a shale formation.

A horizontal multistage hydrofrack well starts drilling with a pad of 100 to 200 wells to drill into the deep rock formations. The industry has long known that oceans of oil and gas were trapped in the tiny pores of difficult rock formations, but it didn’t go after them because cheaper oil was available.

Starting a decade ago, shrinking supplies and rising natural gas prices convinced companies to drill into the deep shale formations such as the Barnett Shale under central Texas and the Marcellus Shale in Pennsylvania, West Virginia, Ohio, and New York. Production from these formations has been so striking that gas prices have tumbled and companies such as Chesapeake Energy are rushing to switch to oil.

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Injection wells typically can pump the water back into the ground. Injection wells are a common feature of unconventional oil and gas production such as hydraulic fracturing. In other words, Orbach said, there’s no emergency, no crisis, but there is an opportunity for smarter enforcement and better and more transparent practices by industry.

“Has implications for regulations,” Orbach said. “If it’s no more serious than regular drilling, they don’t need a whole set of rules. You can use the same rules.”

Construction is Key

Regulation of fracking is largely at the state level.

Doug Louis, who heads oil and gas oversight for the Kansas Corporation Commission, said he isn’t worried much about fracking, as long as the rules are followed.

Nothing that far down will migrate to the surface because of the impermeability of some of the layers above it, he said.

That means the well construction is crucial to keeping fluid used in fracking from seeping up through the borehole to groundwater.

Kansas drillers are required to have what amounts to two steel tubes, two layers of cement casing, and drilling mud lining the wellbore from the surface to below the level of groundwater. If the cementing process is done correctly, there is no chance for any chemicals left in fluid 5,000 ft. below the surface to reach up through the wellbore to the groundwater, Louis said.

“There hasn’t been any problems from when they started fracking,” he said. “That was in 1947 and the success speaks for itself.”

Kansas does not regulate hydraulic fracturing specifically, nor does it require drillers to list the chemicals they use.

Much of the fracking water and chemicals return to the surface at regular intervals. A special crew using massive pumper trucks then forces 2 million to 3 million gallons of water under high pressure into the well. Using valves, the work is done in sections to fracture the surrounding rock beyond the holes.

This is where the controversy comes in. The crews use a mixture of roughly 90% water, 9% sand, and a 1% stew of hazardous chemicals to prevent corrosion, retard bacteria growth, bind clay, ease the flow of liquids, and more. While these chemicals are used in fractions of 1%, the volumes are so large that it can mean 20,000 or 30,000 gallons of these chemicals in each well. Each well site typically will have four horizontal wells going out in each direction.

Much of the fracturing water and chemicals return to the surface once the liquids start to flow. The Mississippian limestone is saturated with salt water, 10 times more than the oil. The horizontal drillers must have water injection wells near their oil wells so they can pump the water back into the ground. Injection wells typically are drilled down to the Arbuckle layer, which those in the industry describe as a 1,000-ft. thick sponge that can take all the water sent to it.

“The Arbuckle across a four-state area will take more water than the Mississippian could ever give it,” said SandRidge’s Ward.

Water Contamination

It’s the potential of the contaminated water, or the oil mixing at any point with the groundwater or surface water, that makes environmentalists jittery.

And ground zero for that jitter is northwest Pennsylvania, where widespread gas drilling in the Marcellus shale formation has caused an economic boom and a political backlash.

Over the last two years, Pennsylvania has levied several sizable fines against operators, saying their gas wells contaminated nearby water sources. Drillers are required to test the groundwater before they start. Unless operators can prove otherwise, they are presumed to have caused any pollution that shows up within 1,000 ft. of the water supply, if that pollution shows up within 6 months after well completion.

Several towns in the region have opted to ban hydraulic fracking and states are considering new rules.

The Sierra Club’s Spease said that Kansans should look at Pennsylvania as a warning for a likely future. But those in the industry say that Pennsylvania isn’t Kansas. The geology is totally different—there won’t be any fines when an access road collapses into a mountain stream—and the population density is less.

Kansas vertical wells have been fracked for decades and the geology is different. Nothing that far down will migrate to the surface because of the impermeability of the layers above it. That means the well construction is crucial to keeping fluid used in fracking from seeping up through the borehole to groundwater.

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Many of the largest companies have agreed to voluntarily reveal the chemicals they use in fracking at www.fracfocus.org.

To date, only a small handful of oil and gas wells in Kansas are listed.

If a well is contaminated, regulators would be able to determine whether the contamination comes from a fracked well or not.

Representative Carl Holmes, (R-Liberal), Chairman of the House Energy and Utilities Committee, said that will change this year.

He expects the Legislature to give the KCC explicit authority to regulate hydraulic fracking this session.

Texas and Colorado have recently required hydraulic fracturing companies to divulge their chemicals.

Felix Revello lives in Pawnee County, and he’s worried about fracking.

He’s heard the claims made about contamination and environmental problems elsewhere.

But he also knows the benefits that this new oil and gas production will bring to the country.

“The point is, if we are going to do it, then we need to go the extra mile to do it right,” he said. “We need to do it in a way that passes on a healthy environment to future generations.”

Dan Voorhis is a reporter for The Wichita Eagle. He may be contacted at dvoorhis@wichitaeagle.com or (316) 268-6577.

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Baked beef ritz was the featured menu item as Topkea Mayor Bill Bunten and Rossville Mayor Ken Wichman went on the road separately to deliver food for Meals on Wheels of Shawnee and Jefferson Counties. Italian mixed vegetables, breadsticks and apricots were also on the menu as Bunten, Wichman, and Tom Noble—filling in for Silver Lake Mayor Mack Smith—took part in the organization’s Mayors for Meals Day.

The day is part of the Meals on Wheels Association of America’s March for Meals Campaign, which takes place in March and seeks to raise awareness of senior hunger while encouraging people to help by volunteering or donating money. Heidi Pickrell, President and CEO of Meals on Wheels of Shawnee and Jefferson Counties, said the organization delivers noon meals each weekday to the homes of about 600 people living along 53 separate meal routes in Shawnee and Jefferson counties.

Meals on Wheels has operated locally for 40 years, Pickrell said. To be eligible for the program, clients must be “homebound” or unable to leave home without the help of another person.

Prospective clients under age 60 must have a physician’s statement certifying them as homebound or must be disabled and involved with independent services/private payment accounts. Clients pay for their meals based upon a sliding scale.

Pickrell teamed up with Bunten between 10:30 and 11:30 a.m. on Wednesday, March 23, 2012 to deliver meals to four people along a meal route in southwest Topeka. Wichman and Noble made deliveries in the Rossville and Silver Lake areas, respectively.

Bunten said he wasn’t able to visit with those at another home because the woman of the house said her husband was near death and hospice staff members were present. “Growing old isn’t easy, and the work that you do is outstanding,” Bunten told Pickrell.

“We are excited about having Mayor Bunten, Mayor Wichman and Mr. Noble participate in our Mayors for Meals Day event,” Pickrell said. “Mayor Bunten has participated for many years, and the national Mayors for Meals Day is an excellent way for us to continue our relationship with leaders in our area.”

Pickrell said Meals on Wheels this year also is celebrating the 40th anniversary of the inclusion of senior nutrition programs in the Older Americans Act (OAA). She said the OAA is the primary piece of legislation that authorizes and supports vital nutrition services, including Meals on Wheels, to Americans 60 and older.

For more information about Meals on Wheels of Shawnee and Jefferson Counties call (785) 670-2434 or go to their website at http://meals-on-wheels-inc.org.
Drug screen, background check, and psychological evaluation. Successful applicant must meet residency requirement within 6 months.

Maintenance Worker
The City of Conway Springs is accepting applications for a full-time maintenance worker. Position would work in public works, maintenance of facilities, water/wastewater systems, street maintenance, and assigned duties. Position requires valid driver’s license, high school diploma or GED, water/wastewater certifications and CDL preferred or applicant must be willing to obtain within a reasonable time set by council. Wages based on qualifications. Applications are available at City Hall, 208 W. Spring Ave, or (620)456-2345. Position will remain open until filled.

Zoning Inspector I/II
Starting Salary: $16.49 - $17.46/hr (full-time)
Responsible for ensuring that private property and construction and development projects conform to zoning and subdivision regulations, conditions of approval, and other applicable regulations; for inspection, investigation, and resolution of zoning enforcement issues; and for other planning functions necessary to assist with the City’s orderly growth and property maintenance.
www.cityofmhk.com "Employment Opportunities"

Police Chief
The City of Coffeyville, Kansas (population 10,295) is seeking a qualified, experienced individual to fill the position of Police Chief. The City offers an excellent benefit package and a salary range of $61,300 to $69,914 dependent on qualifications. Interested applicants should submit resume and a copy of your continuing legal education reports for the past three years by the application deadline. Submit to: Mike Garcia, Chief Human Resources Officer, City of Overland Park, 8500 Santa Fe Dr, Overland Park, Kansas 66212.

Application Process: Please fully complete the application that includes a writing sample and a salary range of $61,300 to $69,914 dependent on qualifications. Interested applicants should submit resume and a copy of your continuing legal education reports for the past three years by the application deadline. Submit to: Mike Garcia, Chief Human Resources Officer, City of Overland Park, 8500 Santa Fe Dr, Overland Park, Kansas 66212.

Application Deadline: Friday, April 20, 2012
Interview Schedule: May 16 and/or May 21, 2012

Salary: Dependent on Qualifications.

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Kansas Government Journal March 2012
Preventive Maintenance

People are always interesting and complex, and today’s story illuminates that in several different ways. It involves neighbors from a long time ago, in a neighborhood far, far away, who always perceived themselves to be “tree people.” That was their demeanor and belief despite what I always believed to be great evidence to the contrary. Please let me explain.

These neighbors, who I will not mention by name or location, had a longstanding relationship with the foremost tree authorities in the neighborhood, and perhaps the State of Kansas. They believed this to be gospel truth because they planted lots of trees in their yard, and had done so for many, many years. Now, at first blush, one might think that they would know a great deal about trees as a result of this ongoing planting extravaganza. You would be mistaken.

These neighbors never seemed to understand that a certain amount of responsibility goes along with the planting of these trees. They seemed to think that the only duty they had to the trees, or for that matter the neighborhood, was to plant the trees and watch them grow. While that is certainly a rewarding experience, and one I have personally enjoyed, they were missing a key element of truly being “tree people.” This has to do with the need for ongoing maintenance of the trees.

Now what I have said has probably surprised a few of you, and it would have surprised me in my childhood home. I grew up in a small ranch style home and we had exactly two trees in our front yard and, if memory serves, one tree in our backyard. That was it. The trees in the front were very pretty, a large red maple and beautiful ginkgo tree which was my father’s pride and joy in the yard. The tree in the backyard was an apple tree that I don’t ever think produced any apples. In any case, we had three trees and that was it.

This is unlike the experience I have today where we live in an older established neighborhood, and many of the trees that are in existence there are huge and old. If you live in a neighborhood with old, mature trees, you must expend a certain amount of money to maintain them. Otherwise, what will inevitably happen, especially in Kansas, is that one day the wind will blow, or the ice storm will come, and the dead limbs which are present high up in the tree will break off and essentially destroy the tree as they fall to the ground.

This is largely the experience of these neighbors. For as long as we had been in the neighborhood, they had ongoing tree damage on their larger trees. They were always baffled by this phenomenon. They couldn’t understand why their trees were largely destroyed by these various storms that came through Kansas periodically, and the trees of most of the other residents of the neighborhood remained tall and proud. The answer, of course, was that those neighbors who had trees which remained upright during these heavy storms had taken care of them with a significant amount of time and effort. Professional tree services had been employed, and significant amounts of money had been expended in having them pruned appropriately to take out both the dead wood and the extra limbs which weigh down the tree and restrict proper air flow.

The fact of the matter is that trees, like most other things, need to be periodically maintained. While inevitably some storms are so strong that they will destroy trees and other things in their path, if trees are properly maintained, they will typically enjoy a very long and healthy life. This truth is lost on a number of people. Some simply don’t understand the need for the maintenance. I find it interesting that the seven huge pin oak trees which span the front of our lot, and which were either planted by Alf Landon or at his direction back in the late 1930’s, remain strong and proud to this day. This is because a series of owners have taken the time and expense to maintain them properly. I can tell you that it is not always pleasant writing the checks required for the tree services to come in and maintain these trees, but it is very rewarding that they remain strong and healthy trees which continue to be enjoyed by our generation and will hopefully continue to be enjoyed by future generations.

The trees discussed today serve as a cautionary tale to those of us in government. We must not overlook the preventive maintenance that is required to keep governmental systems and infrastructure functioning at an optimal level. The idea that simply spending less money is always the answer is shortsighted and oftentimes misses the point. It is always possible to save money in the short-term by deferring maintenance. The real question we should be asking is whether preventive maintenance, involving a small expenditure of money today, and on an ongoing basis, would be a better long-term investment then waiting for our infrastructure, buildings, public parks, etc., to deteriorate to such an extent that the only real solution is to knock them down and start over.

It is one of life’s truisms that while it may be comfortable in the short-term to put off expenditures to the future, that is seldom the best long-term solution. The best solution is the one that maximizes the public’s dollar while at the same time recognizing that some expenditures are inevitable to maintain what has been put in place, and to make sure that it is as good or better for those who follow us. Do not be misled into thinking that saving a dollar today means that you have actually saved a dollar tomorrow. All that has really been accomplished is kicking the can down the road so that it is somebody else’s problem to fix, and typically at a much greater cost.
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