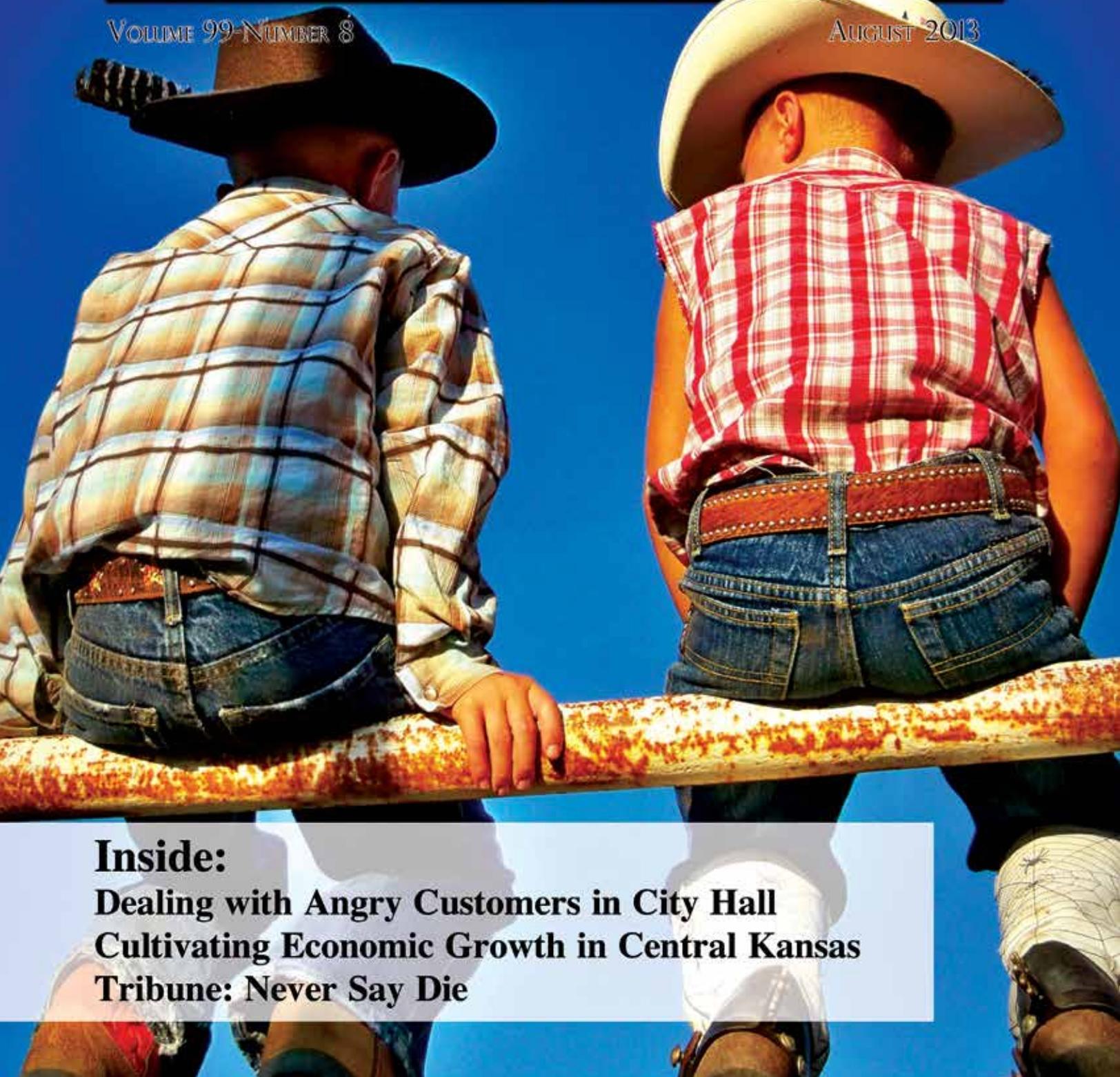


Kansas

GOVERNMENT JOURNAL

VOLUME 99-NUMBER 8

AUGUST 2013



Inside:

Dealing with Angry Customers in City Hall

Cultivating Economic Growth in Central Kansas

Tribune: Never Say Die

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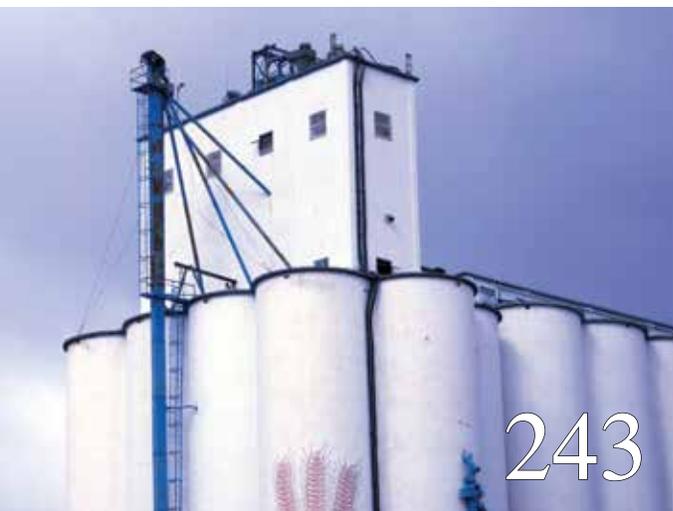
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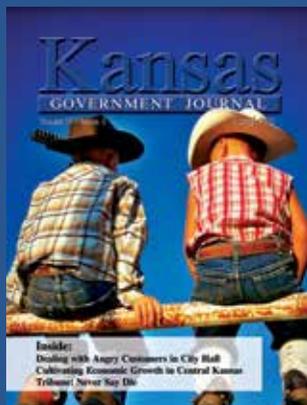
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About the Cover:
Two cowboys in Ellsworth taking a break. Article about Ellsworth and its growth on page 237. *Photo by Lindsay Jackson of Ellsworth, Kansas.*

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The mission of the League shall be to unify, strengthen, and advocate for the interests of Kansas municipalities to advance the general welfare and promote the quality of life of the people who live within our cities.

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August

23- MLA: KOMA/KORA (Core), Emporia

24 - MLA: KOMA/KORA (Core), Merriam

September

2 - Labor Day

13 - MLA: Economic Development (Elective), Ellsworth

14 - MLA: Economic Development (Elective), Leavenworth

October

11 - CAAK Fall CLE, Overland Park

12-14 - LKM Annual Conference

13 - Governing Body Meeting, Overland Park

29 - Regional Supper, Holcomb

30 - Regional Supper, Colby

31 - Halloween

Obituaries

Gary Bell, Native Wichitan Gary Bell was just 25 years old when he first ran for office in Wichita in 1985. He served on the council for two years. Mr. Bell died in a Redwood City, California, hospital. He was 54 years old. In 1985, Mr. Bell became the second African-American in Wichita's history to serve on the Wichita council. The first was A. Price Woodard. At the time Mr. Bell served, he was youngest person in the city's history to sit in that position. During the 1980s, Mr. Bell was working on a degree in general studies at Wichita State University. He was active in organizing the Black Arts Festival and in gaining signatures for a petition supporting district elections for council members.

Wayne Edward Rinne, 90, formerly of Gardner, Kansas, died Thursday, August 1, 2013. He was born in Cherryvale, Kansas, August 12, 1922, fourth of six children of Walter and Bernice Thompson. During WWII, he entered the Navy on November 10, 1942 and served at the Olathe Naval Air Station in Security Section as Corporal of the Guard and Sergeant of the Guard. After the war, Wayne returned to Gardner, Kansas working in the Dry Cleaning business and was City Clerk of the City of Gardner for seven years.

Linda Sue (Cooper) Satterlee, age 64, of rural Larned, Kansas and formerly of Great Bend and Macksville, Kansas, died Monday, July 22, 2013. She was the Macksville City Clerk for nine years, and also served as an EMT and later as a secretary/office manager at Larned Sand & Gravel for nine years.

LKM 2013 Annual Conference

Hotel Accommodations & Reservation Procedures

October 12-14 • Sheraton Hotel & Overland Park Convention Center • Overland Park

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ADDITIONAL ACCOMMODATIONS

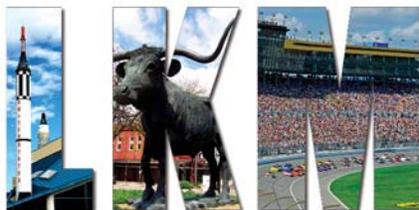
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RESERVATION PROCEDURES:

- LKM has made special arrangements with the hotels listed to provide accommodations during our Annual Conference.
- Attendees are responsible for making their own reservations. Please contact the hotel directly.
- Reservations may not be made until after 2/1/13.
- Remember to ask for the special LKM conference rate when making reservations.

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SPECIAL NOTE:

If you are making hotel reservations for someone else, please confirm with each person that they actually need hotel accommodations before making the reservation.



Governor Updates Drought Emergency, Warnings and Watches in Kansas Counties

Extreme drought conditions continue for western Kansas while central and eastern counties see improvement. This has led Governor Sam Brownback to update the Drought Declaration for Kansas counties with an Executive Order 13-02. For the first time since July 2012 conditions have improved enough to remove or decrease the emergency drought status for some Kansas counties.

“We are thankful recent rains have helped remove 23 counties from a drought designation,” said Governor Sam Brownback. “Unfortunately, our state continues to battle drought as most of the state remains in some level of drought status.”

The updated drought declaration has moved 20 counties into a warning status and 25 into a watch status while 37 counties continue to be in emergency. This action was recommended by Tracy Streeter, Director of the Kansas Water Office and Chair of the Governor’s Drought Response Team.

“Our focus is to ensure communities, livestock producers and farmers have the available resources they need,” said Tracy Streeter. “With most federal reservoirs refilling and streamflow restored by rains over the past few weeks, the concerns have lessened, however we remain very cautious as we compare where we are today to last year based on total soil moisture and precipitation amounts. Some areas of western Kansas are behind more than 10 inches in soil moisture.”

Counties who are still in emergency stage remain eligible for emergency use of water from certain state fishing lakes due to the Kansas Water Office (KWO) Memorandum of Understanding

(MOU) with the Kansas Department of Wildlife (KDWPT). Emergency haying and grazing is also still available for those counties on a case-by-case request to the USDA – Farm Service Agency.

Individuals and communities need to contact KWO for a water supply request prior to any withdrawals from lakes. They will in turn be referred to the appropriate KDWPT office to obtain the necessary permit to withdraw the water. For emergency haying and grazing, requests need to be directed to:

This Executive Order shall remain in effect for those counties so identified until rescinded by Executive Order or superseded by a subsequent Executive Order revising the drought stage status of the affected counties. Effective immediately:

Declare a Drought Emergency, Warning or Drought Watch for the counties identified below;

Authorize and direct all agencies under the jurisdiction of the Governor to implement the appropriate watch or warning level-drought response actions assigned in the Operations Plan of the Governor’s Drought Response Team.

The Governor’s Drought Response Team will continue to watch the situation closely and work to minimize the effects the drought has on Kansans.

For more detailed information about current conditions, see the Kansas Climate Summary and Drought Report on the Kansas Water Office website at: www.kwo.org

Kansas Among Fastest-Growing Wind Markets

A new government report shows Kansas is among the largest and fastest growing wind energy markets in the country. The Energy Department reported Tuesday that Kansas ranks third among all U.S. states in the percentage of in-state electricity generation from wind power. Kansas comes in behind Iowa and South Dakota. The state installed 1,441 MW of new wind power capacity in 2012,

bringing its total capacity to 2,713 MW. The department says in a news release that Kansas now has enough capacity to generate more than 20 % of its electricity from wind energy. The agency’s annual Wind Technologies Market Report says that in 2012 wind energy became the top source of new U.S. electricity generation for the first time.

New Copper Covering Statehouse Dome

The crowning touch to the Kansas Capitol construction is going on right now. Crews are placing new copper on the dome. Jim Rinner, who is overseeing the project for JE Dunn Construction, says he expects crews installing the large sheets to reach the top in the next seven to ten days. He says finishing work on the cupola and top of the dome will follow over the next couple months. While passers by have likely been noticing the copper covering the large expanses of the dome over the past couple weeks, Rinner says a lot of detail work has brought crews to this point. He says a milestone was reached when they completed copper work around the arched

window frames, which he called probably the most difficult detail of the design. Rinner expects scaffolding to start coming down in October. He says people will see the copper color darken and turn bronze over the next year. The green patina that has become the dome’s signature over the years isn’t expected to develop for several decades. Governor Sam Brownback said the Statehouse renovation project that has taken more than a decade should be complete by next year. While the project has sparked much debate for its cost, Rinner said it is overall coming in under budget.

Kansas Awards \$2M For Recreation Trail Projects

The Seaman School District is among entities sharing in \$2 million in grants for developing recreational trails. A route through the Flint Hills region is another of the 16 projects receiving grants. They were announced by the Kansas Department of Wildlife, Parks, and Tourism. The agency received applications for funds totaling more than \$5 million. The goal of the program is to improve the outdoor amenities of parks and recreational offerings statewide. The largest award was for \$900,000 to the

Kanza Rail-Trails Conservancy for use on the Flint Hills Nature Trail. In addition, the Kaw Nation was awarded \$350,000 for the Allegawho Project south of Council Grove, while \$31,000 was awarded for a B-29 bomber museum trail in Pratt. Seaman USD 345 was awarded \$160,000 for development of the Viking Trail. The state trail grant program requires a 20 % match from the local entity receiving the funding

Front of First Presbyterian Church shortly after the City purchased it. Photo provided by Vicki Howell.

A Community On Fire About Their Community Center

by Dana Hunter



When most people think of change, they cringe at the thought. But, in Belle Plaine, Kansas, they are encouraged by the change that is taking place. In early 2012, the City of Belle Plaine and local donors made it possible to purchase an unused church building to create their first community center. A Board of Directors was created and future plans were made. Because this was the first Community Center for Belle Plaine, the entire community was waiting to see if this could truly be a success.

So, the Board started a fundraiser to raise money to cover costs of things that were needed. The first fundraiser was going to be a garage sale. The community showed their support by donating thousands of items to sell. Volunteers donated hours to help organize and prepare the donations for the sale.

Unfortunately, at 1 a.m. on June 15th, the morning of the fundraiser, the town was awakened by a massive fire at the old First Presbyterian church. The destruction was devastating. It

would seem that the hard work of the volunteers, donors, and the Board members would be lost to a memory. Within a few months, the building was demolished and all that remained was an empty lot.

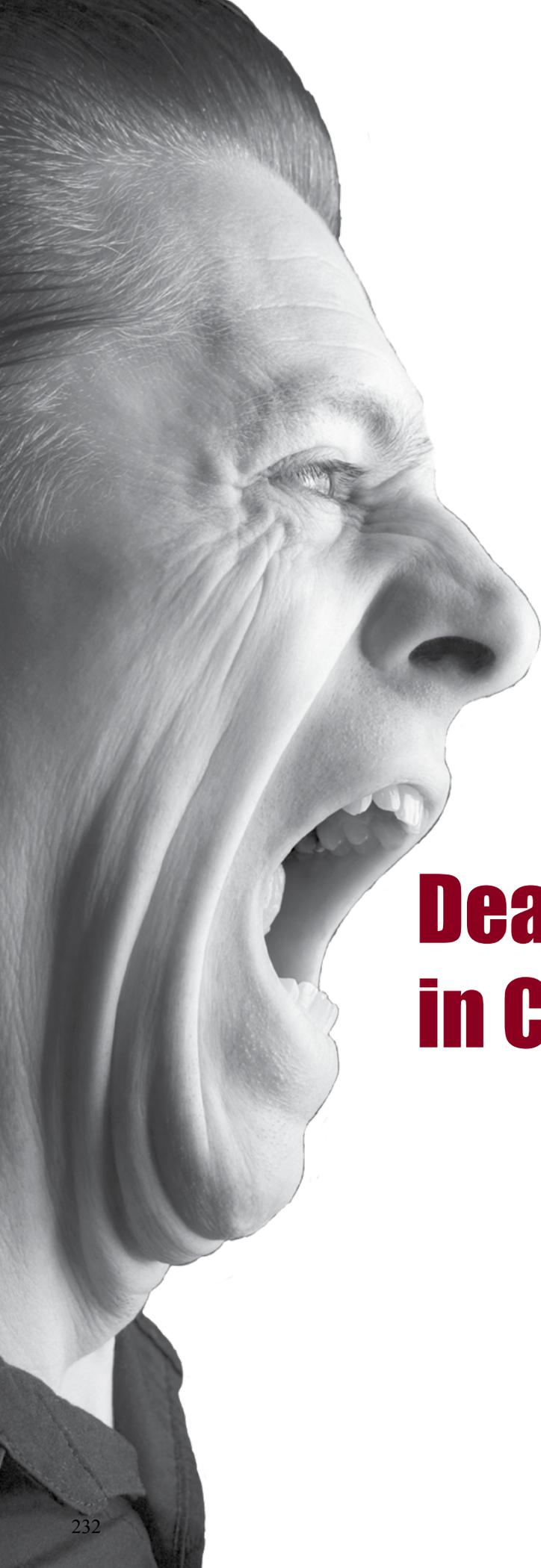
But, the City of Belle Plaine and the Board of Directors would not be deterred that easily. With a joint effort of the city council members and the Board members, plans are being made to create a building that the community has made known they want. People in town are excited to see a new building constructed where the old one once stood.

An architect has been selected and the city is on the verge of agreeing to a new design that is tailored to the needs of the people. Once a design is selected and a contractor is secured, Belle Plaine will break ground and start building a new Community Center.

 Dana Hunter is a Belle Plaine Community Center Board Member. The board can be reached via email at bpcommunitycenter@gmail.com



Southeast side of the church where the fire started.



You have probably seen it happen. A resident comes stomping into city hall, looking like they are about ready to erupt. They yell, maybe call people names, and just generally disrupt the office. Your initial thought is to tell them to quit being a jerk and get lost. However, as a public servant, you have a duty to address their complaint. So how do you do your job when a hostile customer is making you lose your cool? This article will cover a few tips for calming down these individuals, keeping collected yourself, and how to move toward a peaceful resolution.

Listen

The first step to addressing an angry customer is actively listening to them. You do not want to start your interaction by telling them to “calm down” or “stay cool,” as these statements may come off as personal attacks and increase their anger. Simply listening shows concern on your part and gives customers a chance to voice their opinions. From a customer’s perspective, without listening, a service provider cannot provide a convincing explanation, or a genuine apology. If you are willing to show the customer enough respect to listen intently to them, they are more likely to show respect toward you. Listening also gives you the opportunity to understand the issue that has inspired the anger. Beneath the hostility, the individual may have a valid complaint, and you should focus on identifying it so you can address their concerns.

Listening does not require that you endure a rant. Conventional wisdom is that angry customers need time to vent before they are ready to hear from you. However, research indicates that venting actually increases anger and has little to no cathartic effect. Additionally, anger diminishes a person’s focus and reasoning abilities, so allowing them to vent precludes communication of the

Dealing With ANGRY Customers in City Hall

by Michael Koss

underlying problem. As an alternative, you may want to create a process that requires angry customers to fill out a complaint form before discussing their issue. While ranting is an unreflective process without a clear goal, expressive writing encourages a person to try to understand the causes of their feelings and gain insight that may lead to a resolution. Once they have been forced to contemplate the source of their anger and put it to writing, they will be more likely to use reasoning than emotion when interacting with you.

You can also disarm an angry individual by summarizing their remarks to reflect the depth and strength of the speaker’s feelings. For example, if a citizen comes into city hall yelling about how you’re ruining his neighborhood by letting a bar be built, you could respond by saying, “So, you feel like the building permit we issued is going to lower your property values?” Such a summary shows the upset person that you are listening and that you take their concerns seriously.

Asking for clarification is another good strategy. When people

are agitated they often speak in generalizations like, “You’re all crooks,” or “You don’t listen to people!” Asking for specific examples encourages them to use logic rather than emotion. It also gets to the heart of the problem, which will help you find a solution.

Respond

After you’ve listened to and identified your angry customer’s complaints, you need to consider how you want to respond. A smart preliminary step is taking a deep breath. If the customer personally criticizes you, your body may bring up its stress-response defenses. When this fight-or-flight state occurs, your muscles tighten, you sweat profusely, and your heart rate increases. This may also cause your verbal responses to be unnecessarily defensive. Breathing deeply helps counteract the fight-or-flight syndrome and focuses attention on what the person is saying rather than defending oneself.

Once you’ve taken a breath, be alert not to answer emotion with emotion. It is easy to get emotional when someone gets angry with you, but do your best not to take the complaint personally. This will help you respond to the customer’s anger with calm and patience. If you think you are on the verge of an outburst, excuse yourself or ask another staff member to listen to the customer so you can take a moment to get collected. You should also be cognizant of your volume and tone. If you speak loudly or use any sarcasm, nastiness or condescension, the situation could escalate.

What you say is important as well. If the customer is angry, it is counterproductive to not acknowledge their anger. Ignoring it will make the customer think that you don’t care and they may raise their voices even more to try to get through to you. One example of an acknowledgment response is, “Obviously you are upset, and I want to help you resolve this problem.” This communicates to the customer that you understand how important the problem is to them, and may make them aware that they are acting inappropriately.

The final part of your response should be an explanation of the circumstances that led to the angry citizen’s issue. Customers often attribute their problems to an external cause to protect their self-esteem, so

they seek information about the frequency of the problem, others’ experiences of the problem, and their own experience of the problem. The main purpose of an explanation is to satisfy this urge by allocating responsibility to the system or policies that created the issue. There are a couple steps to this “blame displacement strategy.” The first is identifying the cause of the problem, which you hopefully did while listening to the customer. The next step depends on the identified cause. If the local government is not responsible for the issue, explain the cause of the problem so that the customer clearly understands who or what is to blame. If the problem originated within the local government, try to redirect the blame to a more specific target (like software failure, communication failure, bad weather, etc.). If the cause of the problem is successfully redirected away from you as representative of the city, the blame displacement strategy is successful. Once that occurs, you and the customer can work more constructively toward a solution.

Customers



Apologize

Your angry customer may be griping about a legitimate mistake made by the city. When this happens, an apology is appropriate, and you should be willing to offer it since you're a representative of the city. A good apology has some key elements, including a statement of regret for what happened, a clear "I'm sorry" statement, an expression of empathy, and an offer of compensation. The first two are fairly intuitive, but you should make sure the statements are delivered with sincerity. When expressing empathy, make it clear that you're putting yourself in the customer's shoes by saying something like, "I know if this happened to me, I'd be just as frustrated as you are." Compensation may be something like an offer to review bills more closely or a promise to send a city employee to investigate the issue. Some of these actions may be inappropriate in certain circumstances, but you should consider them when deciding how to apologize.

Even if the city isn't responsible for the problem, an apology might be a good idea. Your customer feels that they were wronged, and an apology is a form of justice that can mitigate that sense of unfairness. For example, laws that allow doctors to say "I'm sorry" without legal consequences have been shown to decrease litigation of malpractice claims. Studies indicate the reason for the decrease is that apologies reduce patient anger and increase communication. Even if the city isn't responsible for the customer's problem, it may be worth offering an apology just to calm the individual.

Conclusion

I've discussed three important parts to disarming an angry customer. Listening gives you a chance to identify the cause of the problem and decode the cause of anger. Blame displacement allows

you to redirect the customer's anger away from you. Giving an apology gives the customer the sense that justice has been served. After you've done these three things, you should consider following up with the individual. The customer will appreciate your concern, and making sure the issue has been addressed will prevent that same individual from storming into your office again.

 *Michael Koss is the Membership Services Manager for the League of Kansas Municipalities. He can be reached at mkoss@lkm.org*

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John Armstrong working on a sewer extension in 1973.

Honoring a Public Servant

by Michele Boy

John Armstrong, a born and raised Syracusan, retired this summer from the City Manager position. If you know John, he is hard working, and humble. Those who have worked with him, under him, and around him have nothing but glowing words for this man.

Armstrong's career began in high school, working for a concrete contractor. After graduating Syracuse High School in 1970, he went to vocational school in Goodland where he studied drafting.

"I ran out of money and decided to take a semester off," said Armstrong. "I took a temp position at the city when they lost a couple guys."

Armstrong worked the trash truck and joined the crew permanently. And, in 1974, Armstrong was offered the foreman position.

Keith Gould was the City Superintendent when John Armstrong was first hired 41 years ago. He had a strong knowledge of drawings and blueprints, and Gould had been looking for someone to be "second in charge."

Gould says, "Four years later, I had an opportunity to go to Houston, Texas for some work. I was giving the job up when John said, 'If you're gonna quit I'm gonna quit too.' I told him to stick it out and give it a try." Gould chuckles. "I'm sure glad I talked him into staying. Now he is retiring. He made a heck of a career and has done a fantastic job."

The challenges were just enough to keep Armstrong excited. In 1976, the Council offered him the City Superintendent position when Gould left, and he started a major job and built the water tower. It was one of Armstrong's proudest moments. "It really taught me a lot."

As County Attorney Rob Gale stated, "John Armstrong was the perfect public servant. Without question he is the most dedicated, uniquely talented, and public minded person I know. John's accomplishments as City Superintendent are so numerous it is difficult to recall."

Some of those accomplishments include the preservation and management of high quality water supply; vast enhancement of water supply system; modernization of sewage disposal systems; establishment of the only City owned off-road vehicle park in the nation; creation of hike and bike trails; park enhancement and beautification; and establishment of a solid waste disposal system for the City and County.

Gale continued, "John never allowed difficult people, difficult tasks, limited funds to get in his way when the City's improvement was at stake. His mission was to serve and leave his home town a better place. His service was never limited by a job description, nor was there ever a task that he avoided because it may have been someone else's job. If it needed done or would benefit the community, he saw to it that it was done."

"It was a great job, well suited for me," recalled Armstrong. "I am a people person. I loved the challenges and having one in front of me was great. The whole thing was a challenge."

Armstrong worked for 10 or 11 mayors and 90 different councilmen and feels this was the best professional fit for him. He built his crew and hung on to them for most of his career.

"In the beginning, we turned over a lot of people. But, then I found the right people for the right jobs. My longest hire was Rick Schmidt in 1980. Then I hired Glen Hesse, Craig Norton, and Gary Nielsen, all who have been with me for about 30 years. It makes for a better process when you have folks who are suited for public work."

When Armstrong began 41 years ago, things were different. For one, annual street oiling cost 11¢ per gallon for asphalt. Today, it is \$3.00 a gallon. It costs \$50,000.00 to keep the roads up.

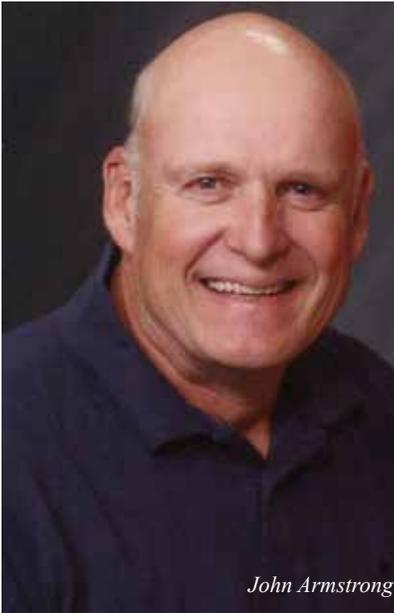
Some of his best memories include the construction and overseeing the water tower. In 1987 they ran two lines across the bridge. They also received a CDBG grant to upgrade lines to town that added four miles of water line.

In 1999, he led the crew in completing the new west well. Armstrong recalls, "It was a huge process that took 6 years of paperwork, and ran 2.5 miles of line through the county and tied into the system."

Armstrong received the Kansas Rural Water Association's Special Recognition Award in 2011. Out of approximately 1200 water systems across the state of Kansas, he was recognized and awarded for a tremendous job well done during his 39 years of service to the City of Syracuse.

With such a long career, there had to be some interesting scenarios in his work. The strangest he encountered was a lady named June Wells who lived in this little house where she was born. Years later it was set to be torn down. She came by and told him a story of when she was 8 years old, in the 1930s, her uncle gave her a dime. During the dust bowl and depression, a dime was a lot of money. She hid it behind the trim board in the kitchen. She took a knife and tried to retrieve it but it fell down and she never saw it again.

"June asked me if I would look for it and return it to her. Armstrong found that 1928 mercury head dime and gave it to her. She was elated. She drilled a hole in it and made a necklace.



John Armstrong

Another born and raised Syracusan, Brian Bloyd, has taken over the position of City Superintendent. Bloyd graduated Manhattan Area Technical College with an Associates in drafting and design. He worked for an engineering firm in Manhattan and Wichita before returning home to raise his family in Syracuse.

Armstrong couldn't be happier. "I am really glad they have Brian. He has an engineering background from working in Manhattan. He is a community minded fellow who likes the school

system, is native to here, has a family, and personal equity in the town and you need to have that in this town."

While Armstrong will continue consulting for the City of Syracuse, Schmidt and Nielsen have almost 60 years of experience to lean on if they need to. He said, "That's an advantage to having longevity of staff. When I started, there were no people around or maps available. So from 1976 on, I kept diaries of leaks, built maps and records. It's all about documentation."

A reception was held on July 26th to honor Armstrong and his honor worthy career. Attendees included his devoted wife of 41 years, Joyce, Hamilton County's Library Director, their children, Trent and Isaac, and seven grandchildren as well. Numerous community members filed in to shake his hand and thank him for his many years of service.

Mayor Joe Stephens surprised a speechless Armstrong by renaming the park on the south side of town, Armstrong Park, and declaring July 26th to be John Armstrong day.

Foreman Gary Nielsen said, "You couldn't ask for a better boss. He made working for the City easy. And was never afraid to get his hands dirty."

Councilman Vance Keller has served on the council for over 8 years. His appreciation of John is clear when he stated, "John has been a great asset to the City of Syracuse for many years. His work ethic and knowledge have been very valuable to the City's success. His way with people definitely made my life easier on the council. I really appreciate all he has done for us. He will definitely be missed!"

 Michele Boy is a Council Member for the City of Syracuse. She can be reached at micheleaboy@gmail.com



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Cultivating Economic Growth in Central Kansas

by Tim Vandall

Throughout the last three years, there has been an economic development renaissance in Ellsworth. New homes are being built, businesses are relocating, and existing companies are expanding. The growth in Ellsworth has been due to a friendly business climate, a pro-growth city council, and a fantastic location. The progress in Ellsworth has proven to be something all citizens can be proud of, but the rapid growth also helped the City to learn from the experiences to ensure continued growth and development. By utilizing different methods and recognizing that there is never a one-size-fits all solution, Ellsworth has been cultivating economic growth in central Kansas.

The governing body of Ellsworth learned midway through 2010 that Carrico Implement was interested in building a new branch in Ellsworth. Once we knew there was a possibility to bring a reputable business with over 30 employees to Ellsworth, the City Council decided to analyze every asset of the plan to ensure the proposal would come to fruition. The location selected by Carrico Implement was east of Ellsworth, without adequate water pressure or sewer service. Estimates to provide the area with adequate utilities were potentially cost prohibitive. Over the following weeks, the City went over its options with Economic Development Director, Rob Fillion. After researching the project, future location, and working with officials from Carrico Implement, the City decided to move forward with establishing a Tax Increment Financing (TIF) district to utilize increased tax revenues to pay for utility infrastructure.

Around the time the City began looking into options for ensuring adequate utilities for Carrico Implement, we learned that First Bank Kansas wanted to construct a new bank along Highway 140 in Ellsworth. Although the proposed site of the new First Bank Kansas building was not in a blighted area, we learned that we could still establish a TIF district since the area had been designated as an enterprise zone several years ago. The establishment of a TIF district spurred additional growth in the First Bank Kansas subdivision, and now, less than two years after the implementation of the district, we have seen an additional new office building as well as two new homes. More new homes are planned, and with all of the new growth, we are projected to pay off our debt service on the TIF district early.

Although the establishment of the TIF district was helpful to provide much needed infrastructure for development, another key piece of Ellsworth's growth was the Neighborhood Revitalization (NR) Plan. Ellsworth's NR plan had been around for several years, with differing levels of utilization from citizens. Under the NR

plan, citizens were rebated 70% of their property taxes on the improvement the first year, 65% the second year, decreasing 5% each year until year five. City staff and economic development representatives worked hard to ensure all of the players in Ellsworth's growth were aware of the program. The tax rebates have been especially large for new growth in town, which makes building new property and improving existing property more economically feasible.

Shortly following the opening of Carrico Implement and the new First Bank Kansas, Citizens



State Bank & Trust broke ground on a new branch in Ellsworth. The new branch, located on the intersection of Highways 156 and 140, gives Citizens State Bank & Trust a beautiful new location along the highway for its drive-thru branch. In addition to Citizens State Bank & Trust's downtown branch, the highway bank gives its customers flexibility in where it is most convenient for them to do business. Citizens State Bank & Trust is the oldest bank in Ellsworth, and the governing body was thrilled at their decision to re-invest in Ellsworth's growth. With three highways crossing through town and Interstate 70 only ten miles away, Ellsworth has the perfect combination of small town charm with access to many major cities within an hour.

A stone's throw away from the new Citizens State Bank & Trust building is a new Dollar General, constructed in the fall of 2011. The new Dollar General also has access to two highways and provides commuters and locals alike with a great place to purchase goods. Down the road from Dollar General, Subway has renovated a building and opened in the summer of 2012. Located

along Highway 156, Subway is visible to travelers making the trek from Interstate 70 to southwest Kansas and beyond. Further down the road, KanEquip, a New Holland farm and construction equipment dealer, has completed a significant expansion to their property. KanEquip's investment in their business reflects their commitment to our region and illustrates the growth of existing businesses in town.

As another example of growth, Ellsworth takes pride in the new Ellsworth Childcare and Learning Center. Several years back, many citizens in town noted the lack of childcare options in town. As any parent with young children knows, quality childcare is pivotal in deciding whether or not to live or work in a community. Community leaders and volunteers took the lead to raise money to build and operate a new childcare facility. The childcare center was constructed using entirely donated funds, with inmates from the Ellsworth Correctional Facility assisting with various jobs throughout the construction process. The fundraising and problem solving came to fruition when the childcare center was completed.



Photos on this page and following page by Lindsay Jackson of Ellsworth, Kansas.

Citizens throughout Ellsworth recognize the value of this facility in allowing both parents to work in addition to providing small children a safe environment to play and learn until their parents can pick them up.

While much of the growth along Highway 156 was occurring, Cashco, Inc. was evaluating the feasibility of building a new company headquarters in Ellsworth. Cashco has been located in Ellsworth since 1976 and employs 170 full time employees. The governing body knew this business was a pivotal cog in our local economy and decided to do everything we could to ensure Cashco expanded in Ellsworth. Since Cashco's new headquarters would cost over \$1,000,000, they requested a tax abatement to offset some of the initial costs of construction and hiring new employees. The expansion, completed in the spring of 2013, is slated to bring 30 new jobs to Ellsworth. The City's leadership sees this as a win-win solution, as Cashco is able to reduce their expenses initially and the expansion will bring new employees to Ellsworth. All of the new employees from the businesses relocating and expanding

in Ellsworth will bring more families to town, put more children in our schools, and increase our sales tax base.

Following a great deal of growth over the last three years, Ellsworth's leadership is now taking the next step to keep the ball rolling. The issue of housing is coming to the forefront and the City is currently reviewing programs to help solve this complex issue. Rural Kansas has a unique set of circumstances that can create difficulties in addressing housing and growth. Ellsworth's leaders have used a variety of different avenues in order to see this progress materialize. We have been proud to see our population grow and total assessed valuation increase in recent years. With a great mix of business leaders who believe in the community and leadership on the governing body that believes in cultivating economic growth, Ellsworth's future is bright and we look forward to the next several years of progress.

 *Tim Vandall is the City Administrator of Ellsworth. He can be reached at tvandall@ellsworthks.net or at (785) 472-5566.*






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Prairie Village Approves Deal for Google Fiber

Google can welcome Prairie Village to its community of Fiberhoods. The City Council voted to approve a trio of agreements with Google, paving the way for the company to offer Google Fiber, its high-speed broadband and video service, in the city's limits. As part of the Network Cooperation and Services Agreement, Google would supply public Wi-Fi access and broadband service to an

as-yet-undetermined group of public buildings. While there is no clear timetable for when Google would arrive in Prairie Village, the clock began Monday on the 10-year term for its free public services. Prairie Village is now the 12th area city to reach a deal with Google on its fiber service.

Dodge City Days Brings Crowds, Revenue

The events that take place during Dodge City Days attract visitors from out-of-town and create opportunities for local businesses to increase their sales. Dan Schenkein, the President and Chief Executive Officer of the Dodge City Area Chamber of Commerce, believes that Dodge City Days has a tremendously positive impact on local businesses. The evidence, he said, is that

local hotels report few vacancies and local restaurants stay busy during the event. However, there is no measurement of the exact impact that Dodge City Days has on the city. Regardless of the actual economic value of Dodge City Days, it has a social value, it increases the quality of life, and it creates a sense of pride and place, Schenkein said. "You can't put a price on that."

Donations Provide "a Spark" for Hays Dog Park

Volunteers wanting to establish a dog park have made significant progress in their fundraising efforts and hope the City of Hays will be home to a small park soon. The first phase of the group's proposed project is estimated to cost \$32,845. Friends of the Hays Dog Park are within \$1,200 of that goal, said group president Kim Perez. In late July, the group announced a donation of \$10,000 in honor of Henry and Juliette Schwaller. That contribution, Perez said, gave a big boost to the fundraising efforts. "It's a relief," Perez said of nearing the first milestone. "I think the Schwaller donation was certainly kind of a spark that prompted more people to begin to send in donations." The group will continue fundraising efforts.

volunteers were tasked with raising all of the necessary start-up money. The Commission also will solicit bids for construction and select a contractor to make sure the project is built according to City standards, Boyle said. The park's first phase will be located on approximately one acre of land. It will be a fenced-in area with two benches, a message center, a pet waste station, and a human/pet water fountain. The initial \$33,000 also will pay for an access road to the facility, as well as a parking lot and necessary water lines, Perez said.

When enough money has been raised for the project's first phase, organizers will request the Hays City Commission to seek bids on behalf of the dog park. The City last year donated a 6-acre tract of land east of Bickle/Schmidt Sports Complex for the project, if the grassroots organization could begin construction of the park within two years. With the group so close to meeting its first fundraising goal, construction could begin sooner than anticipated, said Jeff Boyle, Director of Parks for the City of Hays. "As hard as that group is working at getting a dog park put in, I can see why they've come so far," Boyle said. "They've really worked hard. I think they've had a lot of fellow dog owners and citizens that have supported this all along and really came through for them."

Friends of the Hays Dog Park are hoping to complete the project in three phases. The ultimate goal is to cover the entire six-acre tract of land, with five acres for large dogs and one acre for small dogs. "A lot of people in the area don't know what a dog park is," Perez said. "So, if we get something up and running and people start using it, we think they're more likely to donate so we can build the rest of the park."

The group has been working on the project for nearly two years. Having a dog park in the city would be beneficial for several reasons, she said. "I just think that the dog park encourages responsible dog ownership, because you can take your pets out there, exercise them and socialize them properly," she said. "But, then it also provides exercise and socialization for humans, too. And, there's no place in Hays where we can have dogs off-leash, and this would be a place where they can be off-leash."

While the city has donated land and will maintain the facility,

Merriam OKs deal for Google Fiber

The Merriam City Council has approved a deal that will bring Google Fiber to the Kansas City suburb.

Details were reported in the *Kansas City Star* (<http://bit.ly/16RxXWv>)

Merriam becomes the 17th city in the Kansas City market to come to terms with Google for the construction of a fiber-based

network. The network promises upload and download speeds of up to 1 gigabit per second — about 100 times as fast as most Americans can buy for their homes.

But Google has yet to reach terms in some of the larger suburbs, including Independence and Overland Park.

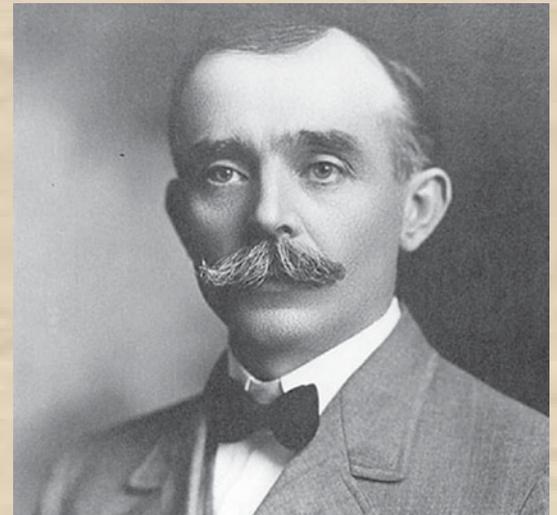
DID YOU KNOW?

by Kimberly Winn

Did you know that the flyswatter was invented in Kansas?

Samuel Jay Crumbine was born September 17, 1862, in Emlenton, Pennsylvania, to Samuel D. and Sarah (Mull) Crumbine. He worked in Cincinnati, Ohio, as a prescription clerk and then in Spearville, Kansas, operating a drug store. He returned to Cincinnati and graduated from Cincinnati College of Medicine and Surgery in 1888. He moved to Dodge City to establish his medical practice, and married Katherine Zuercher in 1890. Crumbine is said to be the model for the character of “Doc Adams” on the television show *Gunsmoke*.

Crumbine was appointed to the State Board of Health in 1899 and became part-time secretary and executive officer of the board in 1904. By 1905 he had invented the flyswatter and encouraged the public to “swat the fly” to combat the insect’s spread of disease. Two years later, Crumbine gave up his private practice and devoted his time to public health, initiating a vigorous campaign in Kansas.



Samuel Jay Crumbine. Photo from Kansas Historical Society.

The spread of tuberculosis was Crumbine’s target for two campaigns. One was to replace the “common” drinking cups on railroads and in public buildings with paper cups. He convinced brick manufacturers to imprint the slogan of another campaign, “Don’t spit on the sidewalk.” The bricks were widely distributed around the country and beyond. These campaigns helped Crumbine gain an international reputation in the field of public health.

Other campaigns included replacing reusable roller towels, often used on railroad trains and in other public areas, with disposable paper towels. Crumbine also warned against misleading labels on food and drugs. He authored *Frontier Doctor: The Autobiography of a Pioneer on the Frontier of Public Health*, which described his medical practice on the Kansas frontier in Dodge City.

In 1911, during his tenure on the State Board of Health, Crumbine was appointed dean of the University of Kansas Medical School. He left Kansas in 1923 and moved to New York where he served as Executive Director of the American Child Health Association. After retirement in 1936 Crumbine moved to Long Island, New York, but returned to Kansas for speaking engagements on several occasions before his death, July 12, 1954. The Crumbine Award was established in 1955 in his memory and is awarded each year by the food and drug industry to encourage public health.

Source: <http://www.kshs.org/kansapedia/samuel-j-crumbine/12025>





Kansas Roofing Registration Act (KRRRA)

There have been several calls to the League requesting information about new legislation regulating roofing contractors. Although the Kansas Roofing Registration Act (KRRRA) is administered by the Attorney General's office, it is a good idea for local government officials to understand what the Act includes.

The KRRRA went into effect July 1, 2013, and places requirements on those doing roofing business in the state of Kansas. A "roofing contractor" as defined by the Act must register with the Attorney General before engaging "in the business of commercial or residential roofing services for a fee...offers to engage in or solicits roofing-related services, including construction, installation, renovation, repair, maintenance, alteration and waterproofing." (2013 Kan. Sess. Ch. 115, §2(a)(1))

The purpose behind the KRRRA is to provide consumer protection in this state from unscrupulous individuals who prey on citizens after severe storms. Part of the registration process requires that the contractors provide proof of liability insurance coverage as well as workers' compensation insurance. If a consumer believes they have been defrauded by a roofing contractor, then a complaint can be filed with the Attorney General. Violations of the Act are prosecuted pursuant to the Kansas Consumer Protection Act and the violator could be fined up to \$10,000 per violation plus other forms of relief. (K.S.A. 50-636(a))

As in the case of most laws, there are exemptions in the Act so that not everyone who climbs on a roof is required to register. The first exemption is for the private owner working on their own roof. This can even be a commercial business as long as they are using their own employees on their own structures. The next exemption of note is what some have referred to as the handyman exception. Under this exception a small contractor who provides roofing services as part of a project that costs less than \$2,000 is not required to register. Municipal employees are also exempt from the Act as are home inspectors who are registered pursuant to K.S.A. 58-4501, *et seq.*

As indicated above, the Act is administered by the Attorney General as part of the Kansas Consumer Protection Act so local city government has very little involvement with the Act. There are, however, some changes that will have to be made by local government because of the passage of the Act.

If a city requires a license or permit for roofing work to be done in its jurisdiction, then the application will need to be updated to require all roofing contractors to be registered and in good standing pursuant to the Act. Any license or permit issued by a city will need to include the contractors' state registration number. (2013 Kan. Sess. Ch. 115, §7(b))

Cities will need to make a change to their process for soliciting bids to contract for roofing work as well. Any public contract must require that the roofing contractor be registered pursuant to the Act in order to bid or contract with the city. (2013 Kan. Sess. Ch. 115, §9(b))

It is important that local officials understand that the Act specifically states that it "shall be construed to be in addition to, and not in lieu of, any required licensure of persons for certain professions and trade in this state, and further, this act shall not be deemed to conflict with or affect the authority of any state or local agency, board or

commission whose duty and authority is to administer or enforce any law or ordinance or to establish, administer or enforce any policy, rule qualification or standard for any trade or profession." (2013 Kan. Sess. Ch. 115, § 17) In other words, the Act is an additional requirement for roofing contractors and cities can continue to enforce any rules or regulations they deem necessary.

Cities, as well as the public, will be able to verify if a roofing contractor has a valid registration certificate with the Attorney General's office. The system to be established for verification of registration certificates is not an endorsement of the contractor as to their reputation or qualifications—only that they have met the requirements of the Act. (2013 Kan. Sess. Ch. 115, §16(b))

The KRRRA can be found in the 2013 Kansas Session Laws in chapter 115 beginning at page 754. The Attorney General's website, <http://ag.ks.gov/consumer-protection/roofing-registration> is also a valuable source of information.

Attorney General's Opinions

Disposition of Forfeited Property; Use of Proceeds of Sale

Asset forfeiture funds may be used to pay for victim or witness relocation if the prosecutor determines the expenditure is for an additional law enforcement and prosecutorial purpose or the head law enforcement officer determines the expenditure is for a special, additional law enforcement purpose and the expenditure is not used to supplant normal expenditures. In addition, counties are not prohibited from agreeing to pay certain expenses for such victim or witness relocation so long the appropriate official in each county determines the expenditure meets the applicable statutory requirement. Cited herein: K.S.A. 60-4101; 60-4102; and K.S.A. 2012 Supp. 60-4117. (A.G. Op. No. 2013-10, 4-29-13)

County Home Rule Powers; Limitations, Restrictions and Prohibitions; Charter Resolutions

A county may not enact a charter resolution to exempt the county from restricting persons licensed by the state to carry concealed handguns from carrying a concealed handgun into a public building unless such building has adequate security measures as required in L.2013, Ch. 105, §2. Cited herein: K.S.A. 2012 Supp. 19-101a; K.S.A. 19-101c; K.S.A. 2012 Supp. 75-7c01; 75-7c17, as amended by L. 2013, Ch. 105, § 10; 75-6102; L. 2013, Ch. 105, § 2. (A.G. Op. No. 2013-11, 7-5-13)

Court of Tax Appeals-Membership; Qualifications; Chief Hearing Officer

The chief hearing officer of the Court of Tax Appeals is not subject to the provision in K.S.A. 2012 Supp. 74-2433(a) prohibiting the appointment of more than two judges from the same political party. Cited herein: K.S.A. 2012 Supp. 74-2433; 74-2434. (A.G. Op. No. 2013-12, 7-24-13)

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TRIBUNE NEVER SAY DIE

By
Patsy Terrell





To see a testament to this western Kansas community's drive to keep their town alive, one need look no further than The Star Theater on Tribune's main street.

The 3-D digital theater shows how leadership and collaboration can help a town with a population fewer than 800—just minutes by car from the Colorado border—change when traditional answers prove inadequate.

When the previous owners wanted to sell the theater, there were no takers in this county of about 1,300. "I didn't want to see it die," says Unified Greeley County Treasurer Diane Gentry. "Our first date was at that theater." Her sentiments, which can bring tears to her eyes even five years later, were shared by others. The theater represented a gathering place, a continuation, something for their children to enjoy in town. But it also pointed out the small pool of potential investors.

A group of locals looked at options. Eventually, a grant provided the money for purchasing the theater, and it's now a municipal property. Community members helped remodel, bought carpet by the yard, and donated grain at the elevator to help meet the matching portion of the grant. Another grant, in partnership with Wallace County, recently provided for a \$90,000 upgrade to digital 3-D. But keeping the theater running requires a crew of volunteers to show movies every Friday, Saturday, and Sunday. They do everything from selling the tickets to cleaning up.

"The community had a passion to keep the theater," says local farmer A.J. Crotinger, and there were people willing to take the reins on that project. "If we want to keep our community vibrant we just have to do that. Otherwise you're the next small town to die. We're not going to be that next small town to die."

This drive and organization does not happen by accident, nor does the ability to look for solutions that aren't obvious. Since 2005, Greeley County has been a Public Square Community, a concept that brings together four sectors to strengthen a community: business, government, education, and human services. It is a process advanced by Public Square Communities, a Kansas-based group that works to help residents reconnect and build their town's social capital.

One of the cornerstones of that program is engaging people from all those sectors, and others, in Community Conversations, where they discuss what's important to them. From that process, people

who have passion for any topic form action teams to investigate possibilities.

Bringing a cross section of people together to discuss issues has become the default action in Greeley County says Christy Hopkins, Director of the Unified Greeley County Community Development Office. "All ideas are welcomed; all ideas are encouraged," says Hopkins, an alumna of the 2010-11 Kansas Health Foundation Fellows program.

Her office acts as the clearinghouse to keep action teams on track and communicating. The position was intentionally designed to be "community" development, not just economic development. Greeley County is the only Public Square Community with paid staff dedicated to the endeavor.

In the last nine years, having community conversations have become part of the culture of the community. "It's been institutionalized. The community expects it," says Dan Epp, co-editor and—publisher of the *Greeley County Republican* with his wife, Jan. The conversations, which happen every couple years or when a pressing issue emerges, don't stick to a set agenda and keep nothing off-limits. Of course, people in the community don't always agree. Hopkins says the discussions can be contentious, such as dialogue about corporate hog farms or the four-day school week, but they tend to remain civil.

The effort has brought new voices into the mix, broadening possibilities and helping foster a positive attitude, says Steve Mangan, who runs a farm and feeding operation. "I think our positive attitude and our mindset of the way we think has grown into a culture. The attitude in our community is that if we need it, we've got to find a way to do it."

In fact, learning to cooperate that way has been a matter of survival, Dan Epp says. It proved essential because in 2003-04, he says, the community was "looking over the edge of the cliff" as far as population declines.

Greeley County has always had one of the lowest populations in the state. Between 2000 and 2010, it lost 19% of its people. When the first community conversation occurred in 2005, a significant portion of the residents—about 180—attended. Citizens were interested immediately in unifying the city and county governments (Horace, population 70, the county's only other incorporated town, did not join the consolidation). An action team was formed to

consider the possibilities. “One of the smart things we did was we invited everybody and anybody to be involved,” says Mike Thon, who served on the Board of Supervisors at the time.

State legislation was required to even make it possible to unify. The action team held about 30 meetings over the following year. “The people who showed up had an interest,” Thon says. “They may not have necessarily had a positive interest, however.” But, he’s quick to point out that all opinions were welcomed. “Maybe their negative concerns were legitimate. Maybe they had a concern we hadn’t thought of.”

As things progressed, county people didn’t want their tax money supporting city projects and vice versa. The action team listened to community members, considered options and came up with a compromise. Two budgets are maintained and reimbursements go back and forth between them. But it allows for sharing equipment and manpower, which is more effective and will hopefully show a savings as they have to replace fewer pieces of equipment in the future. “We can still unify further,” Mangan says, “but we’ve made a good start.”

Brock Sloan, Public Works Director for the Unified Government, then a city employee, attended a meeting to discuss some of his concerns about how the merger would happen and how employees would be affected. “They made me secretary,” he says when asked how his concerns were received. He says being involved helped alleviate some of the fears because he could see how the plan would work.

“It gives people a chance,” Sloan says, although he had never been involved in anything like that before.

“You can’t put a profile on a person who gets engaged in Greeley County,” Hopkins says. She says there’s a willingness to involve

people of all ages and backgrounds. Sheryl Crotinger, who had never lived in a small town before moving to Tribune with her husband, A.J., agrees. “In this community, if you want to get involved, they’ll find a spot for you,” she says.

In 2007, Greeley County became the second in the state to fully unify city and county governments. The other is Wyandotte County. Greeley County unified its law enforcement and fire departments about 20 years ago, formed the first co-op in the state six decades ago, and unified the school district in the 1950s.

“We’ve always worked well together. We’ve not always communicated well together,” School Superintendent Ken Bockwinkel says.

Bockwinkel taught in Tribune and then left for an administrative job elsewhere. He returned to Tribune because of what he was reading in the newspaper about the community development efforts. It wasn’t long after he returned before he had a chance to put the community conversation model into action because the school needed upgrades. The \$4.8 million renovation passed with a 71% approval even though it would raise taxes by 10 mills. The school now has geothermal heating, smart boards, new technology, and other features you might expect in a much larger city. But funding for day to day operations is still scarce.

Students attend school only four days a week because of funding cuts, and it has been that way for four years. It saves the district 20% on transportation, food, and utilities. Bockwinkel has also cut other costs—teachers clean their own classrooms, and he helps clear snow off school property. “We do what we need to do,” he says. But there isn’t much more room to cut.

He says he has tried to keep the cuts away from the students, but readily admits a four-day week isn’t the best for them when it comes to retention. Nonetheless, it was what had to be done. There wasn’t enough population to generate the funding necessary to keep school in session five days a week. But that’s changing. The current preschool class has 12 kids in it. Next year it will have 28. Bockwinkel is always counting the babies on the way so he can project the size of the next few classes. Last year there were 27 births in the county, and only 12 deaths. It’s the first time in many years there were more births than deaths.

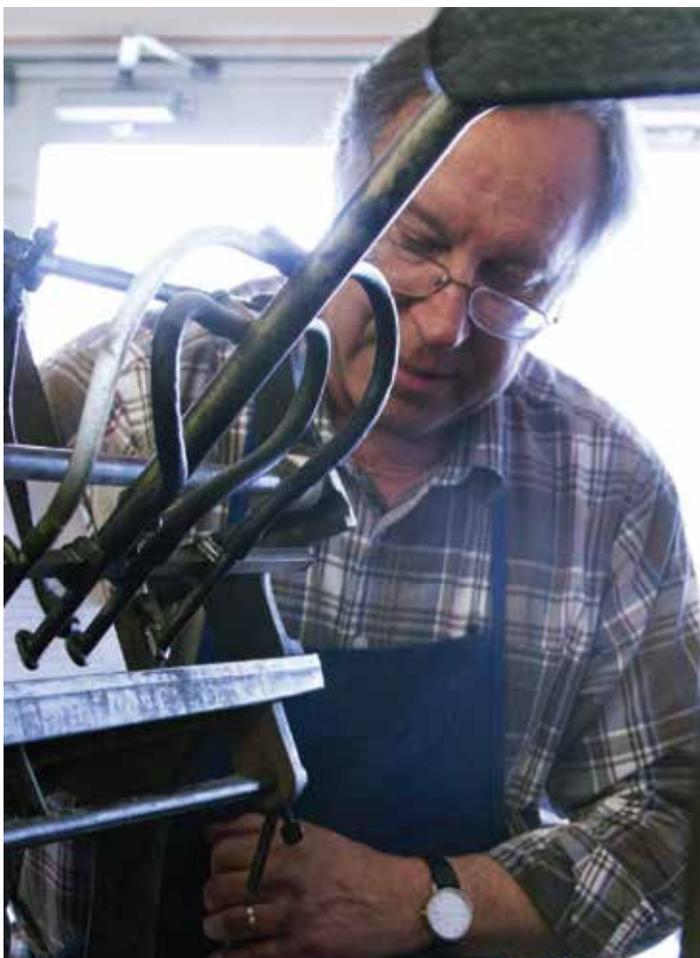
Population is key to many issues for Greeley County. It’s a delicate balance to have a community with all the essential services people need and a quality of life that’s appealing, while having a tax burden they can afford. “I live here,” Thon says, “and within reason I want to have a good quality of life.” It’s finding the balance that is a struggle.

It is a 90-minute drive from Tribune to a shopping mall. So making sure people can gain access to anything they need in town is important and shopping local is encouraged. “Every business is critical,” Epp says. Necessary services can include everything from the tire shop to the 18-bed hospital to the theater. “We have a broad definition of what’s essential,” Hopkins says.

Of course, everyone needed to run those businesses has to have somewhere to live, and housing remains a struggle, more than other issues the community has dealt with, Hopkins says.

While construction costs are similar to what they would be anywhere, a completed structure in Tribune is immediately valued at 20-30% less than it cost to build because of the location. “It comes down to bricks and mortar,” A.J. Crotinger says. “We’ve got people who want to move here,” he says, “and they can’t because there’s no housing available.”

The housing team has looked at multiple options, but not come





up with anything workable yet. A group formed a corporation to try and acquire private funds, but the investment opportunity just wasn't appealing enough yet. "In small, rural communities it's not that there is a return on your money, you just hope for a return of your money," Mangan says.

It's a struggle when recruiting teachers, doctors or other professionals to the area, but the economics of the housing problem remain and resist obvious solutions. "We've got to find a way to fund it," Bockwinkel says. "A model doesn't exist. We'll have to find some way to make it work."

Mangan and others believe it may require an investment of taxpayer money, which would have to be approved by the Board of Supervisors. One proposal is to have the county write a check for 20% of the cost to a new homeowner. "That's an investment that will be returned to the community in taxes in about five to seven years," Mangan says. But they're still trying to explore other options and find a solution that doesn't require going to the County, where the budget is already tight.

Meanwhile, the community's newspaper continues to tell the story of what's happening in Greeley County. "The newspaper provides a sense of place," Hopkins says. Just as it attracted the attention of the school superintendent when he was working elsewhere, it remains a connection people rely on.

Two-thirds of the newspaper's subscription base is outside the county. It's an ongoing connection to the community. Dan Epp's father, Otto, designed the paper to tell the positive stories of the community, and Dan and Jan maintain that. Jan explains it's not that they don't cover news such as a house fire, but the focus would be on how the community is helping the affected family. "We are advocates for the community," Dan Epp says.

It's something people who move away use to maintain ties. Travis Elliott grew up in Tribune but was living in Kansas City before moving back last year. "I got the newspaper for 20 years. Ever since I graduated high school. Never missed a week," he says.

Elliott and Dayna Bechard brought new opportunities for community by opening Elliott's GastroPub in August 2012. It's the only public liquor-by-the-drink source in a five-county area after a countywide ballot question allowing such sales passed by a razor-thin margin in 2008. Bechard says the restaurant/bar has been appealing to younger people coming back to live or visit. "They have a place to go now," she says.

They are making an effort to have a variety of beers and are using

local food as much as possible. "We wanted to get the community involved," Bechard says. "It's farm to table. We buy as much as we can as local as we can and keep it as fresh as possible." She's working to start a farmers market this summer. Currently all of the businesses on the main street are occupied, some with second generations taking over family businesses. They are involved in the community, too. "In a community our size, your people are your assets," Mangan says.

Tribune has invested in recreational opportunities, too. It was a desire voiced in the initial community conversation. Hopkins says they've found recreation is the gateway to getting younger people engaged. Currently, 10 softball teams are playing.

They're excited by the idea of young people moving back and the number of babies on the way. However, the hospital suspended delivering babies a few years ago. "It has been a very emotional issue for a lot of people in the community," Hopkins says. It was another case of it not being feasible to shoulder the cost of the service.

Sometimes quality of life desires run up against the brick wall of how much the tax base can support when population is small. Efforts to improve the economy can create factions with different views and values.

A couple of years ago, Seaboard Farms approached the County about allowing hog farms. Cattle feed lots were approved more than 10 years ago, but hogs weren't included at the time.

The community came together to discuss if they wanted to consider it. Then they had a second conversation after some information had been gathered. The approach was, "Here's what we know; what do you want us to know," according to Hopkins.

A special election on allowing confined hog operations passed with 51% of the vote in 2010. A.J. Crotinger says he thought it was a good idea to add to the tax base, but he wasn't a vocal supporter. Thon was against it, but says, "Hogs are here now. We move on."

How to move on in all facets of life in Tribune and Greeley County is being decided by engaging as many people as possible in discussions about the possibilities. When things don't seem feasible, they look for different options. When something happens that can't be avoided—such as a four-day school week—they move on, hoping they can find a new answer. Volunteerism is high, but sometimes people need to take a step back for a while to regroup. "In this size community, you can't rely solely on volunteers, because you run out," Mangan says.

People here also try to adjust to failure. Sometimes action teams just can't make headway with their original plan, so they modify it and try a different approach. Sometimes they just disband. If the topic comes up again in a community conversation, a new team will form and try again.

Regardless of the process, the impetus is there. "The economics of our age is that small communities and small businesses are at risk," Dan Epp says. But Tribune and Greeley County are forging ahead. "We have to make it work," A.J. Crotinger says. "We have to do it. You can't let your ego get in the way. You can't let what you want get in the way. It's the community. Our community wants to not just survive but thrive. Put your differences aside."

☀️ *Patsy Terrell is freelance writer and reporter. She can be reached at patsy@patsysponderings.com.*

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Social Media Policies

Social media has revolutionized the way local governments communicate. Although it was a novelty only a few years ago, cities are now using sites like Facebook and Twitter to answer citizen questions, improve services, and increase trust in the local government. However, social media is not without risks. Allowing social networking amongst employees may diminish worker productivity, create opportunities for illegal activity, and establish avenues to leak sensitive information. Therefore, to make social media a worthwhile investment, cities need policies that manage risks and increase the value of using the sites.

Organizations should adopt social media rules that reflect their culture and values. A city should start creating its policy by bringing together as many employees as possible to discuss the issues that could emerge from using social media. The group should determine the goals and objectives of using social media tools. For example, Junction City's social media goals include educating and informing residents, promoting conversations, and providing an outlet to celebrate the community's successes. Staff should also identify existing guidelines that already apply to social media, and discuss inconsistencies between proposed and existing policies.¹

After the staff have established the general terms of the policy, they can move on to more specific provisions. The policy should include an account management section that defines who will set up, maintain, and close the social media accounts. It should cover acceptable uses, such as a provision that states that social media use is only for business communication and fulfilling job duties. This section should also provide guidance for social networking outside of work and note restrictions related to confidential and proprietary information. The policy needs to discuss content management, like what is allowed to be stated on the city page, who is allowed to post content, who is responsible for ensuring its accuracy, and who decides what is and is not acceptable. For example, Baldwin City has a general rule that any supervisor may totally restrict access if he or she determines that the use of social networking is abusive.

While developing the policy, staff should take the Kansas Open Meetings Act (KOMA) into consideration. If a majority of a city council comments on the same Facebook post, or members of a planning board Tweet to each other about city business, those interactive communications may violate the KOMA.² Prohibiting council members and appointed volunteers from using social networks inside and outside of open meetings to comment on city affairs is probably a smart policy.

City officials should also keep a couple federal laws in mind. Courts have held that the Storage Communications Act may prohibit employers from asking for an employee's social media password so they can view their page.³ Additionally, the National Labor Relations Act may make many social media policies illegal because they are either overly broad or prevent concerted activity by workers. Although the NLRA does not apply to public employers, the National Labor Relations Board's opinions on these issues may be useful when drafting your guidelines.⁴

No policy should allow termination or punishment of public employees who post about issues of "public concern", as this could subject the municipality to First Amendment retaliation claims. What constitutes a public concern depends on many factors, but the U.S.

Supreme Court has held individual personnel disputes and grievances unrelated to evaluating the local government's performance are not a public concern.⁵ If the employee's posting is a public concern, then their free speech interests are balanced against the city's interest in creating a disruption-free work environment. There have been several confusing rulings in this area, including a decision that Facebook comments may constitute protected speech while Facebook "likes" may not.⁶ If your policy punishes certain social networking posts, you should work with your city attorney to ensure the restrictions do not violate the employee's First Amendment rights.

Officials also need to be cautious about removing public comments from city-run social media pages. If the public is not allowed to post materials on its page, then the website is not a public forum and local officials needn't worry. However, if it has opened up its page to comments, one could argue the city has created a designated public forum. This would make the exclusion or deletion of material based on its content impermissible unless that removal served a compelling state interest. Even if the municipality created a limited public forum, where only certain groups or certain topics are allowed, it could not delete posts simply because they are critical of the local government, its officials or employees.⁷

One way to regulate postings on public forums is to have a comprehensive comments (or "take-down") policy. This will eliminate any arbitrariness concerns arising out of procedural due process rights, and create a constitutionally-compliant process that applies the same rules to each commenter. Commenting rules, like defining permissible topics and prohibiting types of remarks, can be added in the "About" tab on the city's Facebook page, or linked to in its Twitter biography.⁸ Again, consult with your city attorney to see if these guidelines conform with relevant First Amendment precedents.

Because social media sites and related laws are constantly changing, municipalities should consider reviewing their policies every six months. This will help city's be prepared for emerging challenges and stay up-to-date with the latest rulings. For a look at how other public entities are handling social media guidelines, a database of policies can be viewed at <http://socialmediagovernance.com/policies.php?f=5>.

 Michael Koss is the Membership Services Manager for the League of Kansas Municipalities. He can be reached at mkoss@lkm.org

¹Jana Hrdinova, Natalie Helbig, & Catherine Stollar Peters. *Designing Social Media Policy for Government: Eight Essential Elements* (May 2010).

²See K.S.A. 75-4318(f); see also Kan. Att'y Gen. Op. No. 2009-22 (October 28, 2009).

³*Pietrylo v. Hillstone Rest. Group*, No. 06-5754, 2008 WL 6085437 (D.N.J. July 24, 2008); *Rodriguez v. Widener Univ.*, No. 13-1336 (E.D. Pa. June 17, 2013).

⁴See generally 29 U.S.C. §§ 151-169.

⁵*Connick v. Myers*, 461 U.S. 138 (1983).

⁶*Bland v. Roberts*, 857 F.Supp.2d 599 (E.D.Va. 2012).

⁷Speers, J. (2010, January). Social Media and Public Agencies: Legal Issues to Be Aware of. *Institute for Local Government*. Retrieved August 01, 2013 from <http://californiacitynews.typepad.com/files/technology-legal-issues.pdf>.

⁸City of Lacombe. (2011, March 30). In *Facebook* [City Page]. Retrieved August 01, 2013 from <https://www.facebook.com/CityofLacombe/info>.

WILSON

It Takes A Community

It takes a community to raise a child. The City of Wilson takes that to heart. Over the summer the community worked together with its youth. They organized events that helped the children stay active and learn.

Lang Memorial Library

Lang Memorial Library has been a hub of activity lately as children enrolled in the Summer Reading Program “Dig Into Reading.” Pam Martin, of the Wetlands Educational Center, entertained the audience with animals and snakes June 11th at the program kickoff. Martin brought two prairie dogs, a salamander,

free swim time and then the driver, Keith Roush, allows time for a snack in the park. Upon arrival back in Wilson, Keith will deliver the kids that want to take advantage of the summer lunch program at the Methodist’s Church Educational Building, before taking the rest of the children back to Lion’s Club Park.

RAZ-KIDS Reading

While most kids are enjoying the lazy days of summer, many students from Wilson Elementary School are taking a break from the heat to do some RAZ-KIDS reading. This is the first year for the program which is aimed at keeping students reading throughout



a turtle, and a snake: they were definitely the headliners of the event. Activities since then have included crafting a gnome potato, reading about burrowing animals, and playing Don’t Upset the Fruit Basket. Tons more fun is expected.

Swimming Lessons

Thanks mostly to an anonymous donor, for the past 10 years the City of Wilson has been able to offer free Red Cross swimming lessons to our children ages five and up. We are fortunate indeed that Ellsworth pool provides a time for the Wilson lessons and USD 112 provides a school bus for us. The City of Wilson provides a driver and the fuel. The children meet at Lion’s Club Park for the ride to Ellsworth. After the lessons the kids get a 30 minute

the summer months. Students who meet their weekly reading goal are rewarded each week with a small treat and if they meet their goal for the month they get to participate in a reward trip.

Raz-Kids.com is the website the school subscribes to. It offers a large variety of eBooks for beginning readers all the way up to 5th grade reading level. Students can listen to each book being read to them, they can record themselves reading the book and they can take a comprehension quiz about the book.

They also can access Raz-Kids.com from the computers at Lang Memorial Library during regular library hours. Teachers from Wilson Elementary School are opening the library basement on Tuesdays and Thursdays from 11a.m.-1p.m. for students to come and use.

Summer Baseball

The City of Wilson, at no cost to the area participants, provides uniforms which must be returned at the end of the season, volunteer coaches and facilities for our youth five years and older to play t-ball, coach pitch, and midgets baseball during the summer. Our program has been successful and a joy for the community.

Lunch Programs

There are two programs—the hot food program and the back pack program plus a grant that are offered at the United Methodist Church Education Building for 11 weeks this summer.

Monday-Thursday hot food is offered free from 11:30a.m.-12:30p.m. This is free for any youth 1 year of age and has not reached their 19th birthday. The average attendance on Monday and Wednesday is 34 children. On Tuesday and Thursday there is an average of 55 youth. The reason for the increase on Tuesday and Thursday is because of the school summer reading program in the basement of the library. We are very thankful for this.

The money for the hot food program is funded from the Kansas State Department of Education Nutrition Department like the school breakfast/lunch programs in the schools. The only difference is the summer meals are all free not based on income as during the school year.



Back Pack Program

Each Thursday is back pack day. The average number of children to receive backpacks is 47. In a bag the children receive three LockMate meal packs, three cartons of shelf stable milk, and something fresh such as a bottle of water, a banana, apple, or baby carrots. Wilson was selected two years ago as a pilot back pack summer program from the United States Department of Agriculture because we completed the two years for that program, we were allowed to have the program again this year. We are not guaranteed of this program each summer. With this money we are able to offer small incentives for the youth to encourage increasing our attendance. The youth have already received a visor, rings, and lanyards. We also have a cooler and insulated food bag we are



giving away in August at the conclusion for the summer program. Each time an adult eats at the site they put their name in for the drawing. The price of an adult meal is \$3.50. No reservations are necessary. The youth just come and eat and hang with their buddies. Adults are always welcome. The hot food program has only one paid employee, the cook. The back pack program has one paid employee, the assistant clerk. All other adults are volunteers.

Pride Park

Pride Park, a city park, across the street south of the Methodist Education Building is a prime example of an activity for our children who utilize the summer meals programs. The main feature of Pride Park, until the water feature is completed, is the playground. The best feature of our playground is the fort. Children can climb, slide down one of the three slides or just run from one “tower” to another. With the safety of our children in mind the park has a deep layer of mulch under the feature.

All of these programs could not be possible without many many volunteers and organizations.

In the summer of 2014, the Splash Pad at the PRIDE Park will be another asset to the city and programs.

☀ *Articles by: Summer Lunch Program & Backpack Program – Lynn Kasper; Library Summer Program – Doris Shaw; Summer Reading Program RAZ – Marcie Beneda; Baseball, Swimming Lessons, PRIDE Park – Mayor Leland Francis. Photos by: Jane Galliard, Karlie Steinle, Jessica Major, and Susan Kriley. Water park photos by Corie Soukup.*



Classified Advertising

Assistant City Administrator

The City of Prairie Village, Kansas is seeking an Assistant City Administrator. Prairie Village (21,500) is a quaint, built-out suburb community of Kansas City with an excellent quality of life. The position's primary responsibilities are similar to the role of a Community Development Director including the oversight of the City's planning & zoning services, building codes, code enforcement, economic development, comprehensive plan and the solid waste contract. The position works closely with the other department managers and supervises the administrative services of information technology, municipal court & human resources. The position staffs several volunteer committees including Planning Commission, Board of Zoning Appeals, Environmental Committee, and Arts Council.

Qualified individuals will demonstrate the ability to work with the public, business leaders, government officials and the media. A graduate degree in public administration or planning and five or more years of experience in municipal government with supervisory experience is preferred. Starting salary range is \$73,688 – \$92,084 annually, DOQ. There is no residency requirement. The position is appointed by the Mayor with confirmation of the City Council. Interested candidates must submit an application for employment along with a resume and cover letter via the City's website, www.pvkansas.com.

Resume review begins Thursday, September 5, 2013. Confidentiality of applicants will be maintained until final interview round. For further questions, please contact Quinn Bennion, City Administrator, at qbennion@pvkansas.com or 913.385.4601 or the City's Human Resources department via e-mail at jobs@pvkansas.com or 913.385.4664.

Budget Analyst

Monitor and analyze governmental services including delivery strategies, costs, results and comparative performance; provide coordination, expertise and

knowledge to departments in preparation of multi-year strategic plans, annual budgets and quality improvement projects; monitor regulatory compliance with city agreements; and perform a wide variety of analytical and financial tasks. Equivalent to a Master's of Public Administration required, and 3 years of increasingly responsible and professional analytical experience in the areas of budget, finance, accounting, or capital improvement programming preferred. MPA degree and experience with JDEdwards EOne software, preferred. Must be detailed-oriented with excellent customer service with strong verbal and written communications skills. Emphasis in strategic planning, and the ability to work effectively with diverse groups and establish and maintain cooperative professional relationships within the organization. Should possess essential competencies in the areas of: Budgeting/Resource Management, Performance Measurement, analytical skills, problem solving, decision making, teamwork, strategic thinking, and presentation skills. Must pass a pre-employment physical, drug screen and background investigation. Fulltime position. Salary Range: \$47,814/yr. - \$61,300/yr. DOQ. Apply online at www.olatheks.org or in Human Resources, City of Olathe, 100 East Santa Fe, Olathe, Kansas, 66061. Applicants can submit a cover letter and resume to the online application.

City Administrator

Hesston, Kansas (pop. 4,017; \$8.5 million budget; 28 fulltime employees – 40 part-time employees) is seeking an experienced city administrator to focus on economic development and sound financial practices. Hesston is a progressive community in South Central Kansas lying twenty seven miles north of Wichita on I-135. It is a unique community with over 2,000 industrial jobs, 11 parks, an award winning 18 hole golf course, Hesston College and a large retirement community. The city provides police, fire, EMS, water, sewer, refuse and natural gas utilities. The infrastructure is first class and the utility rates and property taxes are among the lowest in the state. The current manager is retiring after fifteen years.

The ideal applicant will have a Bachelor's degree in public administration or a related field and five years' experience. An MPA is preferred. Performs high level administrative work in directing and supervising the administration of the city government. This employee must be growth oriented and should possess excellent communication, organizational, supervisory, and public relation skills. Responsible for implementation of a recently adopted strategic plan. The candidate must have a thorough knowledge of laws relating to Kansas municipalities.

Hesston offers a competitive salary, plus excellent fringe benefits. Interested candidates should submit a cover letter, resume, and six work related references to cityclk@hesstonks.org or P.O. Box 100, Hesston, KS 67062. Position open until filled. Application review will begin Sept 1, 2013. Anticipated start date November 2013. EOE.

City Manager

The City of Bellaire, Texas, is seeking a new City Manager. Bellaire has a population of over 17,000 and is located within the greater Houston metro area.

Bellaire is a home rule city with a Council-Manager form of government. The City has over 200 FTEs, and a general fund budget for FY 2013 of \$14.9 million, with a \$6.4 million enterprise budget and a \$5.7 million debt service budget. Positions reporting directly to the City Manager include an Assistant City Manager, Administrative Assistant, and all Department Directors.

Bachelor's degree and five or more years of senior management experience, or equivalent combination of education and experience, required. Master's degree and experience in an enclave community of a larger city preferred. Military base command experience is acceptable.

View complete position profile and apply online at: www.governmentresource.com/pages/CurrentSearches

For more information contact: Chester Nolen, Senior Vice President Strategic Government Resources.Chester@GovernmentResource.com

City Manager

The City of Sikeston, Missouri, is seeking a new City Manager. With a population of over 16,000, Sikeston offers a small-town quality of life with easy access to major metropolitan areas. The City is conveniently located on Interstate 55 and Interstate 57/US Highway 60 halfway between St. Louis and Memphis and four hours from Nashville.

Sikeston operates under the Council-Manager form of government. The City employs 150 FTEs including a Public Safety Department with trained personnel serving as both police and fire protection officers. The City Manager oversees the directors of Administrative Services, Governmental Services, Public Safety, Public Works, and Economic Development. Sikeston's current annual budget is over \$12 million.

The City-owned Sikeston Board of Municipal Utilities is an autonomous entity providing the community's electric, water and sewer services. The City also operates a municipal airport.

Bachelor's degree and five or more years of local government experience as a city manager or assistant city manager in a comparable or larger community required. Master's degree and economic development certification preferred.

View the complete position profile and online application instructions at: www.governmentresource.com/pages/CurrentSearches

For more information on this position, please contact: Gary Holland, Senior Vice President Strategic Government Resources GaryHolland@GovernmentResource.com

City Superintendent

The City of Wathena, Kansas (pop. 1364) is seeking a working City Superintendent who will supervise four full-time employees in Street/Utility Work. Knowledge for all aspects of city operations such as electric distribution, water, wastewater, and street maintenance are desirable. Electrical distribution background is definitely required. This position receives administrative direction from the mayor and a five member council. Requirements: Class 1 Water Supply Operator and Class 1 Wastewater Treatment Facility System Operator or the ability to obtain certifications within twelve months of hiring. Valid driver's licenses required. Strong communication skills and ability to work with the public are an integral part of this position. Salary is based on

qualifications and experience. Benefits include KPERS, health & dental insurance, vacation, and sick time. Accepting only qualified applicants. Applications will be accepted until position is filled. Send resume or applications are available at the City Hall in Wathena, 206 St. Joseph Street P.O. Box 27, Wathena, KS 66090. 785-989-4711. EOE

Electrical Lineman

Electrical Lineman opening at City of Perry, Oklahoma. Outstanding benefits include insurance; longevity pay; paid vacation, sick & holidays; and generous retirement plan. Duties include install, change, transfer, move and remove poles, pole line hardware, guys, transformers, lightning arresters, streetlight equipment, energized conductors, insulators, conduit, capacitor bank controls and any and all forms of electrical material and accessories utilized in the construction, maintenance, and operation of electric circuits. Requirements include: Class B CDL, high school graduate/GED, and ability to work in physically demanding conditions and unfavorable weather conditions while handling dangerous equipment. Successful applicant must be able to work nights, holidays, weekends, and emergencies, and must be able to complete necessary requirements of a 4 year apprenticeship or equivalent program. Twenty minute emergency response time preferred. Applications available at City Hall, 622 Cedar Street or on the website www.cityofperryok.com. Applications accepted until filled at: PO Drawer 798, Perry, OK 73077; E-mail – hr@cityofperryok.com; Fax – 580.336.4111; or at 622 Cedar Street, Perry, OK 73077. The City of Perry, Oklahoma is an Equal Opportunity Employer.

Human Resources Director

Hastings Utilities (Hastings, NE pop 25,107) seeks a Director of Human Resources for a newly created position to develop, plan, organize, direct and administer the HR functions of Hastings Utilities (200+ employees). A key responsibility is developing and administering the policies and procedures related to Human Resources. Graduation from an accredited four year college or university with major course work in personnel, public or business administration, or related field preferably with 3 to 5 years experience coordinating HR activities; or any equivalent combination of

training and experience which provides the desirable knowledge, abilities, and skills. Salary range: \$62,148 - \$85,488. Submit resume, professional references, and salary history to Mr. Marvin H. Schultes, Manager of Utilities, Hastings Utilities, P.O. Box 289, Hastings, NE 68902, or via email to mschultes@hastingsutilities.com. Position open until filled; 1st review date of resumes rcvd: 9-30-13. www.hastingsutilities.com for more info.

Maintenance Worker

The City of Wathena, Kansas is currently accepting applications for the position of Maintenance Worker. This position has responsibilities with the city's electric, water, and wastewater utilities as well as street maintenance. Experience with electrical work preferred. Certification as water and/or wastewater operator desired (or the commitment to obtain the certifications as soon as possible after start date). Valid drivers licenses. High School diploma or GED required. Salary commensurate with experience. Benefits include vacation, sick leave, KPERS retirement, medical and dental. Position open until filled. Send resume or applications are available at the City Hall in Wathena, 206 St. Joseph Street P.O. Box 27, Wathena, KS 66090. 785-989-4711. EOE.

Streets & Traffic Supervisor

The City of Junction City announces the opening of the Streets & Traffic Supervisor. This Public Works position performs a variety of skilled, technical, supervisor, management, and administrative work in the planning, construction, operation, repair and maintenance of all City street rights-of-way, drainage channels, traffic control systems and markings. This full time position requires a High School or GED diploma, a valid driver's license and Class "A" Commercial Driver's License with a Tanker Endorsement, must pass an extensive background check, strive in providing excellent service to the public. Salary range is \$15.74 to \$24.11 DOQ with excellent benefits. For more information please visit the "How Do I?" page at www.junctioncity-ks.com. An application must be submitted on-line through www.hrepartners.com to be considered for this position. Questions? Please contact the Human Resources Department @785.238.3103. The City of Junction City is an equal opportunity employer.



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Remembering the Ginkgo



What follows is the third column in the trilogy of columns that were inspired by various events when I traveled to Illinois for my high school reunion. The tree in question is known as a Ginkgo tree, but its scientific name is Ginkgo Biloba. The Ginkgo tree has been used for thousands of years as a medicinal herb throughout the world. Today, it is one of the top selling herbs in the United

States. According to the Mayo Clinic website, Ginkgo is used for the treatment of numerous conditions, many of which are currently under scientific investigation. The Ginkgo is really a living fossil, very similar to fossils dating back 270 million years. While originally native to China, the tree is widely cultivated and has been used as both food and medicine. They seem have a large resistance to disease, their wood is insect resistant, and they seem to be incredibly long lived, with some specimens estimated to be 2,500 years old.

Many years ago, my father fell in love with the Ginkgo tree, and the beautiful fan shaped leaves that are found on it. One of my earliest childhood memories was of my father planting a three-foot-tall Ginkgo tree in the front yard of our new house way back in 1961. Judging from what I know today, it was probably about six years old when it was planted in our front yard, making it the same age as yours truly. The tree was tended by my father for the entire time that he and my mom lived in their house back in Charleston, Illinois.

As I mentioned the house was built in 1961, and they moved to Kansas in 2006, a span of 45 years. In that period of time the tree grew to be huge, and was beautiful in all seasons. The Ginkgo was a great source of pride to my father and he enjoyed it immensely. I can remember having frequent conversations with him about it. In fact, the driveway that he built for this house skirted the Ginkgo by starting as a two lane driveway, and then being angled down to a one car driveway nearing the street so as to give the Ginkgo plenty of space for its growth and development.

Returning to Charleston for my high school reunion brought some trepidation as it was the first time I had returned to Charleston without the presence of my parents. I was largely concerned that I would drive by their house and find that it had been demolished and replaced with student housing. That was a concern as their house sits directly across the street from University property, and is no more 300 hundred yards from the football stadium and athletic facilities of Eastern Illinois University. So as I turned the corner on the street, I was relieved to see that the house was still in place, and in fact looked pretty good with a new coat of paint. What I was distressed to see was that my father's beautiful Ginkgo tree had been removed so as to widen the damn driveway. Now I understand that had I wanted to control this property, we could have kept mom and dad's house, and I could have made the decisions. I also understand that this is the way things happen, and that you can't control things forever. However, what I do not understand is the feeling by some that all development is good development.

What this got me to thinking about is the fact that development in our communities always needs to be thoughtful development, not just development. There are those that argue that any development is good development. I would respectfully disagree. I would suggest that there are many factors within a community that need to be balanced for development to be good. It does not mean that development should be thwarted. Rather, I would argue that development is essential to the health and livelihood of our communities.

Not every old building should be knocked down, not every beautiful tree should be bulldozed, and not every scenic view should be blocked simply because somebody wants to build something there. What is built needs to balance both the benefit to the property owners and the needs of the community at large. Taking down historic buildings, while sometimes necessary, is often just an expedient for slapdash development which in the long-term doesn't benefit anybody, and in the short term merely creates a cash flow for the business in question. In the same way, bulldozing trees, and replacing them with concrete, is sometimes indicated, but as in the case of the Ginkgo tree, is not always indicated. I would hope that all of you, as stewards of your communities, would balance the economic needs of your community, and your citizens, with the quality of life issues which surround them to make sure your community remains beautiful, vibrant, and a desirable place to live. For that to happen, we must find a balance between development and the natural and historic environments of our communities. Our citizens expect nothing less, and I would certainly hope that you would do your best to see that these interests are balanced throughout your communities as much as possible.



Dr. Donald L. Moler with his prized Ginkgo tree ... circa 2005. Sadly, both are now gone.

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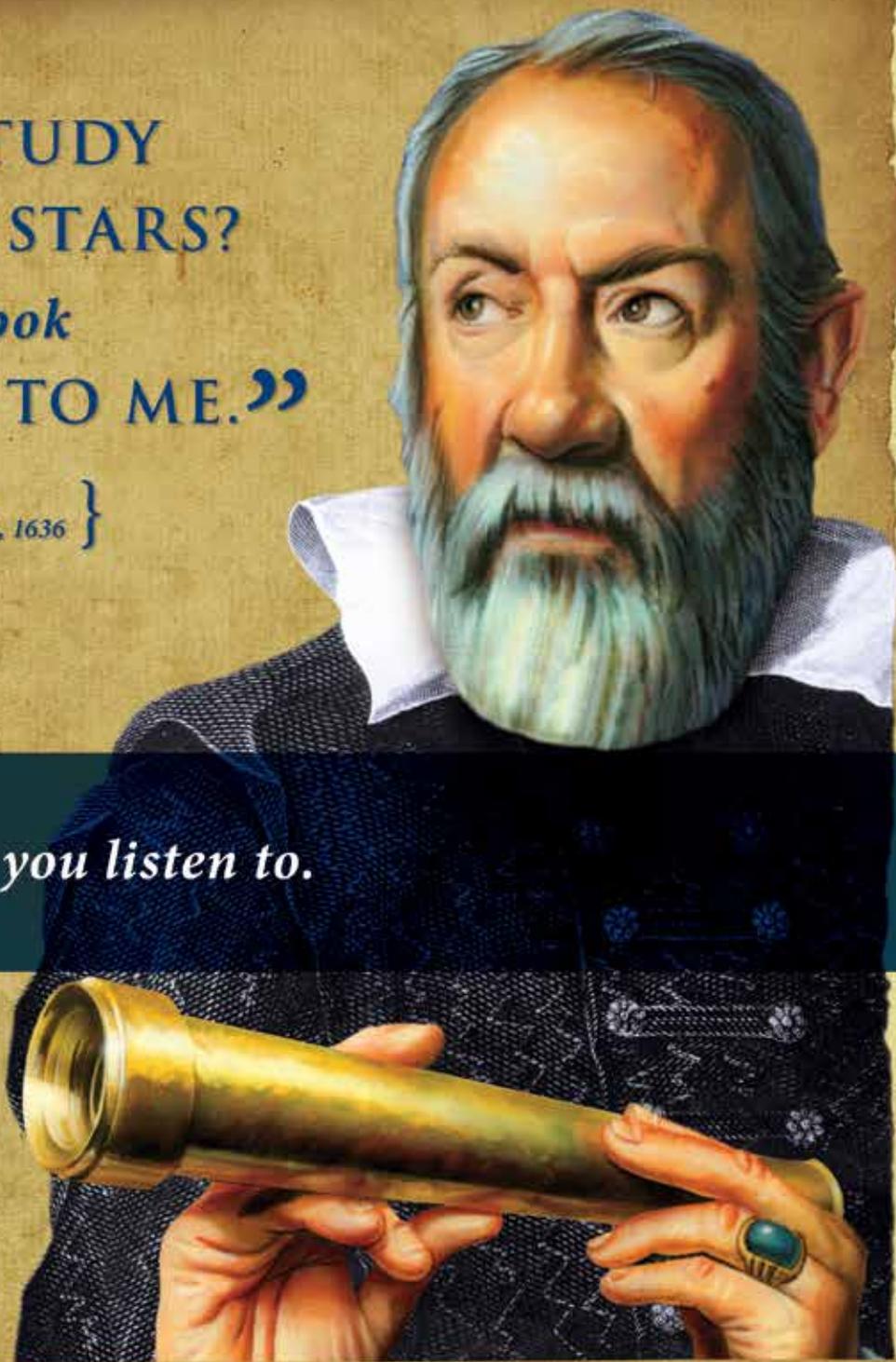
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