

City lawsuit ends in pact without a trial

The Oberlin City Council found out that a lawsuit filed by an Oberlin woman against the city by a woman who owns land next to the new sewer lagoons south of town has been settled.

At the meeting Thursday, Sept. 24, City Administrator Austin Gilley said the suit, *Cunningham vs. City of Oberlin*, is over. He said the city's engineering firm, Miller and Associates of McCook, had stepped up to help out. The settlement gives the city 50 feet of land south of the lagoons and resolves some regulatory confusion, he said.

While the settlement has been made, the document wasn't in the court file as of Monday morning. City Attorney Steve Hirsch said the settlement agreement hadn't yet been signed, so nothing is official.

The suit was filed by Julie Cunningham, who owns land to the south and adjacent to the waste water treatment plant, last October.

The suit claimed that Ms. Cunningham was entitled to \$75,000 or, as an alternative form of relief, an order preventing the city from operating and maintaining the new plant.

The document listed several reasons for the suit, including that the function, design and construction

of the plant:

- Are in violation of the published regulatory standards of the Kansas Department of Health and Environment.

- Constitute a public/and or private nuisance in the sense that it is an annoyance to the plaintiff.

- Are located and functioning in violation of the minimum standards of design for water pollution control facilities adopted and published by the state.

- Impair the use of her real estate by giving off an offense to/or endangering the plaintiff's health, violates the laws of decency and unreasonably pollutes the air with foul and noxious odors and obstructs reasonable and comfortable use of the plaintiff's land.

- The operation of the plant is ongoing and continuous.

- The nuisance is not isolated or temporary.

On Wednesday, Sept. 9, representatives of the city, Ms. Cunningham and their attorneys met in a settlement conference and reached an agreement.

At the last council meeting, Mr. Gilley told the council about the agreement, adding that he didn't think there was any cause for concern about any new legal action.

Man wins contest with seven right

Three people picked all seven winners this week in the third round of the annual Pigskin Pickem contest, so the places were chosen using the tiebreaker.

Gary Anderson, Oberlin, who won top honors the first week of the contest, was the only one of the three to guess that St. Francis would lose to Oakley and make his estimate accordingly.

The Indians fell to the Plainsmen 26-14 for their second loss of the year.

Mr. Anderson was only eight points off the actual scores, so he wins the \$15 in scrip as first prize.

Gary Walter, Oberlin, was 15 points off for second place and won \$10 in scrip and Valisha Raile, Oberlin, was 18 points off for third place and \$5 in scrip.

Of those who missed one or more games, many thought Atwood would beat Oberlin and several were rooting from WaKeeney to down Goodland.

Guessing six out of seven were Owen Wilson, Ivis Hanson, Kelly Brown, Ryan Leitner, Travis Raile, Jim Hollowell and Jordan Davenport, Oberlin.

Knowing the right answer to five out of seven were Mabel Zim-

merman, Oberlin; Cheri Kastens, Herndon; Steve Vontz, McCook; and Amanda Adams, Danbury.

The money won in the contest can be spent only at the sponsors: Ward Drug Store, the LandMark Inn, Fredrickson Insurance Agency, R&M Service Center, Farm Bureau Financial Services, D&M Sinclair and *The Oberlin Herald*.

Each week for the next nine weeks, the official Pigskin Pickem entry blank with the football games for that week will be in the paper. Other entry blanks are available at sponsoring businesses. Only entries from the paper or from the sponsoring businesses are eligible to enter the contest. No copies will be accepted.

Other scores of this week's games were:

- Oberlin over Atwood, 20-16.
- Goodland over WaKeeney, 36-0.
- KU over Southern Mississippi, 35-28.
- Colby over Plainville, 50-0.
- Nebraska over Louisiana, Lafayette, 55-0.
- Norton over Osborne, 39-14.
- K-State over Tennessee Tech, 49-7.

providing a quality education for all students.

- Provide continual professional development for all district personnel, including the board, so that all members model the importance of lifelong learning.

Under "expect:"

- Demonstrate fiscal responsibility in a time of reduced economic resources and develop a long-range plan to deal with declining enrollment and shrinking budgets.
- Promote the continued development of instructional technology to ensure that the district is a recognized leader in this area.
- Expect positive attitudes and professionalism among all district staff, administration and board members.
- Establish a committee of board and classified staff members to develop job descriptions, goals and an evaluation instrument for support staff.
- Encourage faculty and student leadership, reward excellence by those who achieve it and find ways to support those who need it.

Board members who will serve on the facilities committee include Mr. Grafel, Abby Hissong and Doug Brown. On the schedule and curriculum committee are Dan Nedland and Monte Moore and on the job description committee are Dan Wasson and Barb Olson.

Making writing fun



AT THE GRADE SCHOOL, author John Hall held up his two books while he talked with students about writing on Tuesday, Sept. 15. Mr. Hall won the 2009 Bill Martin Jr. Picture Book award.

— Herald staff photo by Kimberly Davis

Committee prepares for anniversary

By KIMBERLY DAVIS
k.davis@nwkansas.com

Ideas on events to mark the City of Oberlin's 125th anniversary are welcome, say members of the group planning the celebration.

Anyone who wants to join the steering committee or pass an idea by the panel can do it during the group's monthly meetings at the Last Indian Raid Museum. The next one is scheduled for 5:30 p.m. Wednesday, Oct. 14.

At a meeting Sept. 15, the group included Gary Anderson of the LandMark Inn, Judith LaBash, Ruth Miesner, museum Director Sharleen Wurm, Byron Hale and Tami Shaw from the museum board, Mayor Joe Stanley, Councilman Bill Riedel, Marketing Director Connie Grafel, Kimberly Davis of *The Oberlin Herald*, and Carolyn Wurm, with the Mini Sappa Antique Thresher and Engine Show. They talked about events that are already planned and some possibilities.

The museum will hold its normal

pancake feed that morning, said Mrs. Wurm. The 125th anniversary will be celebrated the same day as annual Mini Sapa events at the museum.

The museum board, she said, is almost done with a two-year calendar for 2010 and 2011, featuring old pictures of the town. She said they plan to have the calendars back in time for Christmas. The price hasn't been set yet.

One idea, said Mayor Stanley, is to hold a mock City Council meeting from 1885, with members discussing problems of that time.

Mr. Anderson said he wondered why the city didn't organize earlier than 1885. The post office, said Mrs. Wurm, opened in 1872 or 1873, so that's a good question.

Mrs. Wurm mentioned that Oberlin wasn't the first county seat, Decatur Center was. People from here took the records from Decatur Center, making Oberlin the county seat. It's a good story, she said.

Mrs. Miesner said they would

like to hold a quilt show somewhere downtown although they aren't sure whether to have it the same weekend, during the week leading up to the celebration or another time. The goal is to bring in 100 quilts.

Someone said that a quilt show that weekend would work, as it would be a come-and-go thing.

For the town's 100th anniversary, the steering committee tried to do too many things, said Mr. Anderson. Maybe this committee should just focus on a few things, but then help promote other organizations' events.

The group talked about being like a clearing house for 125th anniversary events so there aren't too many things planned any one day.

Mr. Riedel mentioned the black powder club, whose members dress in period outfits. It might be nice to invite some of them to walk around during events, he said. Maybe they could camp in town, suggested Mayor Stanley.

There's a Kansas group, said Mr.

Disc golf tourney planned

Oberlin's first disc golf tournament starts Saturday afternoon at Sappa Park.

Anyone can sign up for the competition, whether they know how to play or not, said Kyle Glodt, a 2007 Decatur Community High grad who is one of the organizers.

The beginners division will start at 3 p.m. for nine holes. Entry fee is \$7 in advance.

The intermediate division will start at 4 p.m. for 18 holes. The fee is \$10.

The advanced division will start at 5 p.m. for 18 holes, with a \$12 fee.

Mr. Glodt, who helped build the nine-hole disc-golf course at the park with some classmates in 2007, said the grads would like to get the tournament going and then have the Sappa Park committee or some other group take it over when they leave the area.

Anyone can come play, said Mr. Glodt, even those who show up the day of the tournament, although they will pay an additional \$3 for the registration fee.

Players may register by calling Mr. Glodt at (605) 280-5157, Jobey Black at 475-7241 or Andrew Dempewolf at 470-1013.

Discs will be for sale at Sappa Park, said Mr. Glodt. He added that they are still looking for sponsors to help with the event.

Prizes will be given in each division for first, second and third places.

Anderson, that travels with two teams and puts on a 1830s baseball game. They wear the wool uniforms and hats. The rules for 1830s baseball were a lot different than the rules today, he said.

Mr. Riedel suggested a historical homes walking tour, where signs could be placed in the yards of historical homes and businesses and maps provided. People could walk or drive the tour at their leisure, he said.

Ideas that tied the high school into the celebration included asking past valedictorians to the alumni banquet to be honored and asking past homecoming queens to return for homecoming. Someone suggested that it would be great if homecoming could be that Friday.

Another idea was a street dance with a beer garden.

The steering committee has started to work on a schedule, including, so far, the museum pancake feed breakfast and a morning parade.

Assistant coach's resignation approved

The Oberlin School Board accepted the resignation from an assistant coach at its meeting earlier this month.

At the meeting Sept. 14 Superintendent Duane Dorshorst said Lindsay Fortin has accepted a full-time teaching job in Nebraska. She is the junior high assistant volleyball coach and high school girls assistant basketball coach, and a substitute at the school.

She will be missed, said Mr. Dorshorst. The district probably won't post the position for volleyball since the season has already started, but will advertise for the basketball spot.

The heating project at the high school isn't complete yet, said Mr. Dorshorst, but it's about 95 percent done.

He said the staff hasn't received any training on the how to set the thermostats and the boiler hasn't been inspected yet. The district doesn't plan to pay for the job until it's finished.

One of the boys restrooms on the second floor of the grade school needed some work recently. Mr. Dorshorst said the urinal needed

to be fixed. Rosales Plumbing out of Hoxie did an excellent job, he said.

Mr. Dorshorst said he isn't sure where the district is on the enrollment. The official count day isn't until Monday.

At this time, he said, his best guess is the district will be five under the 373.2 estimated for the full time equivalency number. On Monday the district had 367.

The group talked about a superintendent's evaluation which needs to be done by April.

For the past three years, Mr. Dorshorst said, he's been part of the Kansas Educational Leadership Commission. That group has worked on improving superintendent evaluations, including outlining seven standards. Those could be used for an evaluation here, said Mr. Dorshorst.

He suggested that the board do an evaluation and then have two board members talk with him. He said he could start working on an evaluation using the standards, and the board agreed.

In other business, the board:

- Heard that the state fire marshal

was in the district. He found a 1969 microwave stored in the basement of the grade school. That's been thrown away. There was a hinge on the art room door at the grade school that needed to be tightened. The school, said Mr. Dorshorst, had failed to have two spring tornado drills last year.

At the junior high school, there was some clutter in a storage area

that will need to be cleaned up the smoke detector in the elevator needs work and there needs to be a fire alarm box outside the locker room.

• Heard that cook Linda Weber told Mr. Dorshorst that the seconds program at the high school is going well. Probably half of the boys are opting to take seconds at lunch for an additional \$1 a day, she said.

County certifies Norcatour petition

The City of Norcatour will have a special election to decide whether the city clerk and treasurer have to live inside the city limits.

A petition was turned into the county Sept. 15 about the issue. Currently, the clerk and treasurer don't have to live inside the city limits. If the ordinance is passed, they will have to.

The current clerk doesn't live in the city limits.

County Clerk Colleen Geihlsler said the petition needed five signatures, 10 percent of the number of people who voted in the last election. The petition actually had 10 valid signatures, she said.

The Norcatour City Council, said Ms. Geihlsler, will have to either adopt the ordinance or choose a special election date and then OK it with her.

Board OKs new goals for the school year

The Oberlin School Board approved goals for the new year and members to sit on facilities, schedule and curriculum and job description committees.

At the meeting Monday, Sept. 14, Superintendent Duane Dorshorst said he thought the goals were good, noting that some have been combined.

The goals are broken into three categories, with the first being "provide:"

- Provide the most modern resources for teachers and students to ensure that all students have the technological, academic and social skills needed for success in the future.
- Develop a board and "stakeholder" committee to help facilitate board goals and to provide support for the combined position of superintendent and elementary principal.
- Provide facilities that are modern and conducive to teaching and learning. Prepare a long-range plan for facilities wants and needs.

Under "instill:"

- Accumulate data from the last four grading classes. Areas of study should include attrition rates, academic preparedness and the correlation between ACT scores and success in college.
- Work toward better board-community communication. Engage parents and all stakeholders in conversations about

Immaculate Conception Church Fall Festival

When: Sunday, October 11, 2009, in Leoville, KS
Starts with Bingo at 3:00 p.m.
Supper served from 5:00 p.m. to 7:00 p.m.
There will be games for the kids, a raffle and an auction following supper. Some big items on the auction: 38 foot Metal Roofing bundles and 1/2 of beef in bundles.

Please come enjoy in the fun and festivities!



Come join us for a Sweet 16 Celebration at The Dresser

20% off all fall merchandise
Stop in and have a cupcake at
The Dresser
Friday and Saturday,
October 2nd and 3rd

