

Kennel won't re-open for months

By **KIMBERLY DAVIS**

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A Cedar Bluffs kennel which was depopulated because of a distemper outbreak won't have dogs at it for the next six months, a top state official says, and after that will only be able to have 50 animals.

Dr. Bill Brown, a veterinarian and state livestock commissioner, said Jeff Fortin, owner of Beaver Creek Kennels in Cedar Bluffs, has been told he can have no dogs at the facility or on the premises for the next six months. The Kansas Animal Health Department, which Dr. Brown heads, has

asked for that time, he said.

While it's six months without animals on the premises, Dr. Brown added, Mr. Fortin actually has 30 to 45 days to completely clean and disinfect everything.

Dr. Brown said his department first found out about distemper in September when contacted by Wyoming officials about 20 to 25 infected puppies that had shown up in pet shops in Casper and Cheyenne. The shops could trace the dogs back to Mr. Fortin, he said.

That's when Beaver Creek Kennels was first placed under quarantine. Dr. Brown

said the department took the quarantine off because the state didn't have any proof the disease had started there, although Wyoming officials believed they did. There was some questions whether the puppies had become infected once they got to the shops.

It wasn't too much later that Mr. Fortin took some of the puppies to a vet in Nebraska, he said, and the dogs were tested and had come back positive.

The kennel then was placed back under quarantine in October Dr. Brown said the tests were sent to the diagnostic lab at Kan-

sas State University.

At that point, he said, three veterinarians had positive results for distemper at the facility. Dr. Brown added that state officials are working on a timeline showing all the events.

There is a vaccine for distemper, said Dr. Brown. Actually, when someone vaccinates a puppy, he said, distemper is probably the No. 1 component of the shot.

The adult dogs at the kennel, he said, did receive the shots, and so did the puppies. There were, however, a lot of questions about the vaccine and how it was handled.

When the vaccine is mixed, said Dr. Brown, it is supposed to be used right away. Officials questioned whether that was done. Another question is whether the puppies were vaccinated at the right age. If puppies are vaccinated too early, he said, their maternal antibodies will basically reject the vaccine.

It's possible that these two things precipitated the distemper endemic, Dr. Brown added.

At the end of the day, said Dr. Brown, everyone agonized over the whole thing. (See DISTEMPER on Page 12A)

Story on dogs printed in papers across the nation

By **KIMBERLY DAVIS**

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In the week since an application to dump nearly 1,200 dog carcasses in a central Kansas regional landfill became public, information about Jeff Fortin's kennel in Decatur County has been released by state and federal agencies and newspapers across the nation have printed the story.

A quick online search shows the story in The Washington Post, New York Daily News, Los Angeles Times, Hays Daily News, Huffington Post, Lawrence Journal World, The Wichita Eagle and The Denver Post and on ABC and NBC affiliates, to name a few.

Mr. Fortin returned calls from The Oberlin Herald last week but said he didn't want to give an interview until after talking with his lawyer and the state.

The story first came to light when a request was made to the Barton County Landfill to dump 1,200 euthanized dogs. The request appar-

ently came because the landfill has a permit to take that kind of waste, said Manager Mark Witt, but instead he was told the dogs were buried on land in Decatur County.

Mr. Witt mentioned the request for what he estimated at 33 tons of dog carcasses to his county administrator, who mentioned it in a Barton County commissioners' meeting last Monday.

The dumping fee is \$34 a ton, he said, so given the estimate, it would have cost \$1,122 plus a \$25 administrative fee to place them there. The landfill charges the fee on animal carcasses, said Mr. Witt, because they have to keep permanent records on that type of waste.

Last Wednesday, the day after the weekly Decatur County commissioners meeting, the county received a form and a letter from the state Department of Health and Environment asking for zoning approval for a site to dispose of dog carcasses. After discussion at the

(See KENNEL on Page 12A)

Couple answers son-in-law's wish

By **KIMBERLY DAVIS**

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A Jennings couple, with the help of residents all over Decatur County, filled the wish list for Christmas of their son-in-law.

Kay Brown said in October that she and her husband asked their son-in-law, Col. Gordon Kuntz, what he wanted for Christmas. Col. Kuntz, who serves in the Army National Guard and is stationed in Djibouti, between Ethiopia and Somalia in northeast Africa, said he didn't want them to send him anything but shoes for the African kids.

That led Mrs. Brown and her

husband Doyle to putting a box with a sign on it at the United Methodist Church in Jennings. Mrs. Brown said she mentioned it to Mary Lou Olson, society editor of The Oberlin Herald, and she put a "nice piece" in the paper.

After that, she said, Oberlin School Superintendent Duane Dorshorst told her the schools would get behind it.

Since then, the Browns have mailed eight boxes full of gently used sandals and tennis shoes to their son-in-law. She said they know he's received the first box and hope

(See COUPLE on Page 12A)

Kids' letters to Santa inside today's paper

Kids of all ages have written letters to Santa again this year, many of which are printed in a special section inside today's paper.

Each year, the staff at *The Oberlin Herald* ask students at Oberlin and Golden Plains Elementary Schools if they want to write letters to Santa or draw pictures about Christmas. Those are collected and printed inside a special "Letters to Santa" section, then forwarded on to the big guy.

Two letters didn't make it to *The Herald* in time for the section, but did get on the last plane to the North Pole:

Dear Santa,

My name is Larae and I'm 16 years old. This year for Christmas, I would hope (wish for) to get this year a laptop, or a third-generation video iPod or book, or music or a car battery, or gift cadrs, or gas money.

Thank you,

Larae

Dear Santa,

My name is Logan. I am 6. I want a Lego city. I want a r/c car. I want a dog. I want sick boys and girls to get toys to.

I love you Santa.

From,

Logan

Winners claim money

Several hundred shoppers, bundled up in winter coats and hats, stood around the gazebo in Centennial Park for a chance to win \$1,000 during the Oberlin merchants' annual Christmas on Us drawing Saturday morning.

With one \$50 instant prize winner left, the first ticket was drawn for that. The ticket, No. 13046 from Ampride, belonged to Chris Kuhlman. He said he wasn't sure what he would spend the money on, but he thought maybe something at Stanley Hardware.

The next ticket drawn out of the can by Dustin Nichols was No. 872159. Both Patricia Hendrickson and Roxie Pomeroy thought they had the matching ticket, but it turned out to be Mrs. Hendrickson who had the correct one.

She won the \$1,000 grand prize, paid in scrip money. Mrs. Hendrickson said she was surprised to win, although she had a legal-size envelope full of red tickets she's been collecting for the past six weeks. She said she tries to come to the drawing every year, but hasn't ever won anything.

Mrs. Hendrickson said she wasn't sure how she would spend



the money, possibly on groceries.

Last week, prior to the drawing, Timmarie Sporn brought in ticket No. 886882 to claim an instant prize. She received the ticket from The Herald and said she thought she would spend the money on Christmas gifts.

All of the winners have until the end of the March to spend their prize money at the sponsoring businesses, including the Carpet Center, Home Planning Center, Decatur Co-op and Ampride, Dale's Fish 'N' Fun, Ultimate Fertilizer, Stanley Hardware, Ward Drug Store, Lifetime Eye

Care, Creative Collision, Raye's Grocery, The Bank, R&M Service Center and The Oberlin Herald.

The scrip used in the promotion can be spent only at sponsoring merchants. Merchants are not required to give change in cash.

Annual food drive over half way to 2,000 goal

With just over a week and a half to go, the annual food drive at Stanley Hardware is past the halfway mark.

Each year the goal is set at 2,000 items, with food trickling in from

after Thanksgiving until the new year.

This week, the count of non-perishable food items, cleaning supplies and personal hygiene items jumped from 689 last Monday to

1,130.

That leaves 870 items needed to hit the goal.

After the first of the year, the donated items will be taken to the Decatur County Food Pantry in the

basement of the United Church for community people to use.



*Kennel owner applied to bury dog carcasses

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courthouse, the form was signed by Commissioner Ralph Unger with a statement that no county approval was needed.

“No zoning exists for sites outside the City of Oberlin, so no local approval needed,” was typed on the form, and it was signed and sent back. The form asked for approval to dispose of waste “without a permit.”

During the commissioners meeting last Tuesday, Sheriff Ken Badsky asked if there was anything they wanted him to do on the issue. Mr. Unger asked the sheriff if he had been contacted when state officials came to deal with the dogs. He said he hadn’t been.

The form, said Mr. Unger, just said canine; it didn’t say how many canine carcasses.

County Attorney Steve Hirsch said he talked to the Kansas Department of Health and Environment and they wanted to know if there was any zoning in the county. Since the county has no zoning, he said, the commissioners have no control over the burial.

Sheriff Badsky added that it would have been nice to have a courtesy call from the state.

Mr. Fortin apparently filled out the application to dispose of the canine carcasses without a permit. He is listed as the owner of Beaver Creek Kennels near Cedar Bluffs.

A statement issued by the Kansas Animal Health Department says that the facility had been under quarantine twice since the middle of October with an outbreak of distemper. Throughout that time, the agency said, repeated tests showed distemper in dogs in the kennel.

According to healthcommunities.com, “Canine distemper is a contagious, incurable, often fatal, multi systemic viral disease that affects the respiratory, gastrointestinal and central nervous systems. Distemper is caused by canine distemper virus.”

The department, which regulates and licenses kennels in the state, said that with the puppies under quarantine, the kennel owner had no income flow, so he wasn’t able to maintain the work force, had dif-

ficulty in keeping proper sanitation and being able to keep the animals fed and watered.

“It was apparent the owner could not survive financially under these conditions, nor did he want to chance spreading disease any further outside his facility,” the release said.

All the factors led to removing the dogs from the facility and the quarantine continuing on the empty kennel to allow for a cleanup period.

“The department had to balance its dual responsibilities of maintaining the welfare of the dogs with preventing the disease from spreading outside of the kennel,” said Dr. Bill Brown, a veterinarian and as state livestock commissioner, head of the department. “Decisions were made only after extensive discussions with numerous veterinarians familiar with distemper in breeding kennels.

“This difficult decision was the last choice of the department and the breeder, but in the end all believed it was the only humane way to accomplish both objectives: to prevent the spread of the disease and protect the dogs from prolonged suffering.”

The state Health Department, among other things, regulates landfills and other in-ground disposal of waste. In a letter dated Wednesday, Dec. 8, it discussed giving Mr. Fortin permission from the Bureau of Waste Management to dispose of the waste, dogs, without a permit. It said that the disposal or burying had to be done by Friday.

Guidelines spelled out in the letter stated that the animals had to be buried within 48 hours, quick or slaked lime, if needed, had to be added to control odors, the dead animals had to be covered with a minimum of four feet of soil and the site was to be used only as open space henceforth.

Stacey Baalman, with the solid waste landfills unit under the Department of Health and Environment, signed the letter. She said the agency was directing all calls on the matter through the public information officer Katie Ingells.

Ms. Baalman added that there is a process for this kind of disposal and several people had to sign off on it.

Landfill manager is Oberlin native

With the needed permits in place, the Barton County Landfill almost became the final resting place for 1,200 euthanized dogs from Decatur County at the beginning of the month.

Mark Witt, the landfill’s solid waste manager for the past 10 years, said the facility has a “subtitle D” permit which allows it to take animal waste.

The regional landfill, he said, can take special types of waste, including animal carcasses. Already, he said, the landfill takes around 100 to 200 euthanized dogs each week from area shelters.

Although the landfill was contacted to be an option for the dogs euthanized at Jeff Fortin’s kennel near Cedar Bluffs, it wasn’t used.

Mr. Witt, an Oberlin native, had told county officials that he was contacted by the Kansas Department of Animal Health for a “project” officials were working in Decatur County.

The Barton County Landfill, he said, has an open area of about 20 acres and goes up to 40 acres for the subtitle D part.

He said he is contacted about taking different types of waste, things that can’t go in the local landfills, because they don’t have the right permits. The Barton landfill, he said, has a plastic liner under it which is approved by the U.S. Environmental Protection Agency. The liner is there to protect the groundwater.

He said the landfill is inspected several times a year by the Kansas Department of Health an Environment’s Bureau of Waste Management and has to meet more stringent guidelines.

He said he thinks there are six

or seven district offices which deal with waste or landfills and the landfill in Barton County serves this district.

Mr. Witt said he believes landfills in Ford, Seward and Reno counties can take animal waste, as can private landfills near Garden City and Salina.

He said they are also licensed to take animal carcasses with foreign animal disease, for instance hoof and mouth. He added that he thinks the Barton County Landfill is the only one in this part of the state that is set up to take deer carcasses with chronic wasting disease. He said they work closely with the Kansas Department of Wildlife and Parks on that.

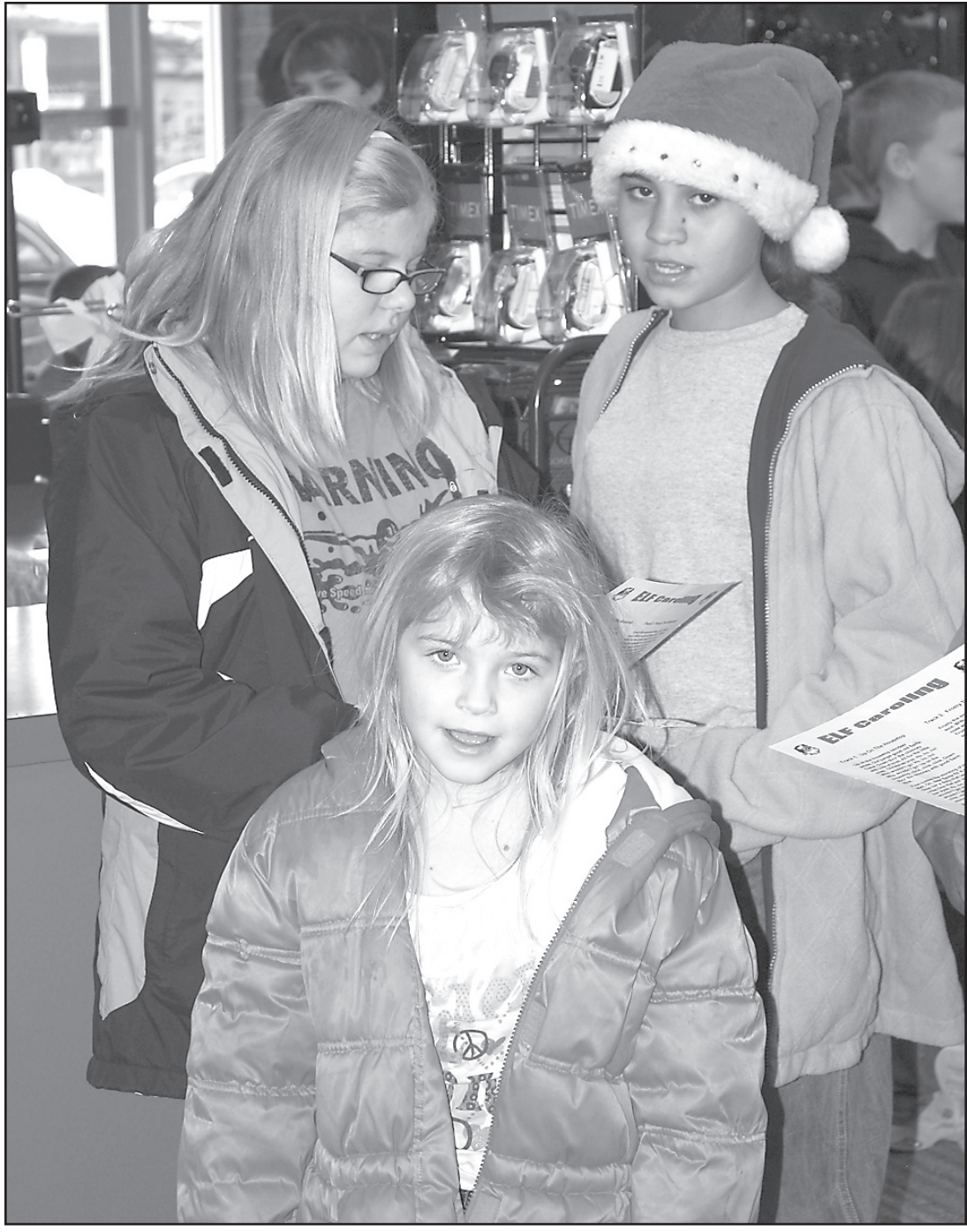
All of the waste is buried at the time of the disposal, then a four-foot layer of residential and commercial trash goes on top of it. The waste is compacted with a machine that weighs about 95,000 pounds and costs half a million dollars.

Besides the animal waste, he said the landfill also has a permit to dispose of meth labs and the chemicals used to make meth.

Mr. Witt graduated from Decatur Community High School in 1981. He moved to Great Bend in 1994 and was a full-time medic and firefighter for six years. Mr. Witt said he wanted to be home at night and on weekends with his family, so he went back to being a heavy equipment operator, which is what he had done in Oberlin for three years on the county road crew.

Mr. Witt said he had to deal with the debris disposal after the Hoisington tornado shortly after that he took over as manager of the landfill.

Caroling downtown



STUDENTS FROM OBERLIN ELEMENTARY School sang Christmas carols downtown last Wednesday. Kelsey May, Avery Witt and Tristen Davis sang with a group of students in Stanley Hardware.

— Herald staff photo by Kimberly Davis

*Distemper shuts kennel

(Continued from Page 1A)
There were a lot of people involved from all areas. The decision to put down nearly 1,200 dogs was well thought out and the consensus was that humanely euthanizing the animals was the best thing.

He said the department worked with the Kansas Department of Health and Environment to dispose of the carcasses. A contractor was hired to dig a trench on Mr. Fortin’s land for burial.

Dr. Brown said he was on one of three teams working for a day and a half at the kennel. All of the dogs on the site were put down with a lethal injection.

Dr. Brown said he is aware that Mr. Fortin owns pet shops in Colorado, as well as the kennel.

He said people have asked if Mr. Fortin should or shouldn’t keep his license to have a kennel.

“We as a state agency don’t have the statutory authority to stop this individual from owning dogs,” he said. “If he meets certain criteria, then he can get back in the business just as anyone can.”

Dr. Brown said he’s looked back over the inspection reports on the kennel. There have been some defects reported, he said, and the department has worked with the owner to try to correct both minor and major ones. The owner, Mr. Fortin, has had times when he has needed help and the state has tried to do that, he added.

While distemper can be spread by inanimate objects like shoes, clothing, hands, tools and buckets, Dr. Brown said, it is also a fairly friable disease. Heat or time will kill the virus.

People in the county shouldn’t be worried about distemper, the veterinarian added. Most people vaccinate their pets on a schedule, and the kennel has been depopulated. The disease isn’t transmitted to people and time will wipe away the remnants.

After the six months is up, said Dr. Brown, Mr. Fortin, under a consent agreement, will be allowed to have up to 50 animals on the property, but only after he meets certain guidelines.

Once that small population is in place, other criteria will have to be met before the department will ever

let him ramp up again and allow for additional numbers at the kennel.

There are lots of unknowns at this time, Dr. Brown said, including what numbers the owner will be comfortable with and what he can afford to keep. That’s the main question, he said, because of the health and safety of the dogs. If he can’t meet the criteria, Dr. Brown added, the numbers won’t increase.

The Decatur County kennel apparently is one of the largest in the state, if not the largest. Dr. Brown said inspectors have told him there is another kennel that “closely approaches” these same numbers. He added that the inspectors described the other kennel as a pristine operation “whose owners have a lot of pride in their facility and their work.”

*Couple collects shoes

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by now he has the next four.

Students at the schools in Oberlin gave at least three boxes full of shoes, she said. The others were collected around the county.

“It’s been a wonderful outpouring,” said Mrs. Brown.

She said their son-in-law was expecting around 25 pairs, but they have sent close to 200.

Col. Kuntz planned to start giving the shoes to an orphanage where he does some volunteer work, she said. After that, he and the chaplain will give the shoes to kids in the country.

Part of the reason that there might have been such good support, said Mrs. Brown, may be that people know exactly where the shoes are going.

The couple isn’t really still collecting shoes, she said, but if they get another box full, they will send them.

Col. Kuntz will be in Africa until the first of May, she said. While he will have a little time off around Christmas, they won’t see him until this summer.

Stores open late for men

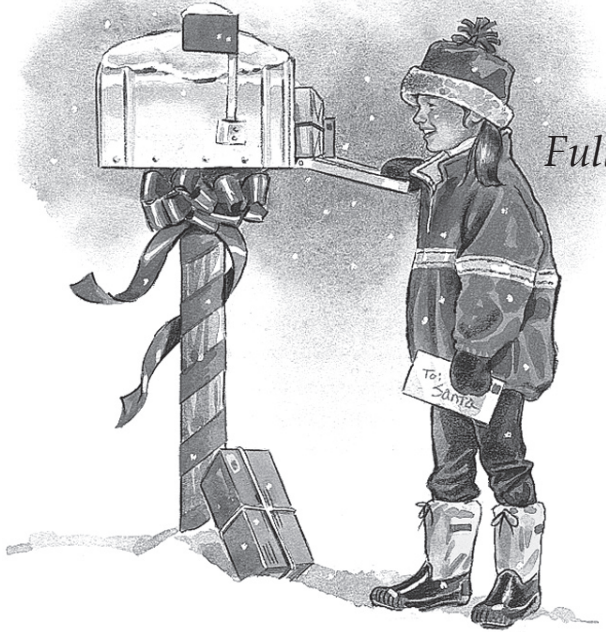
Stores in Oberlin will be open late Thursday for the first Men’s Shopping Night sponsored by the Oberlin Business Alliance.

With two successful Ladies’ Shopping Nights behind, the alliance members decided to try a men’s night from 9 to 11 p.m. Thursday.

Alliance members discussed at a recent meeting that businesses can offer snacks and drinks as they do for the Ladies Shopping Night. All businesses are invited to be open for the special evening.

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