

Trial: Judge dismisses two charges

By STEPHANIE DeCAMP
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Two of the four charges against Dylan Coryell were dropped Monday after a week of witness and expert testimony from the state and cross examination by the defense.

Mr. Coryell now stands charged with premeditated murder in the first degree and aggravated battery. Charges of aggravated



Coryell

burglary and an alternate charge of felony murder were dismissed by District Judge Preston Pratt, who ruled that the state had not shown enough evidence to prove them.

Mr. Coryell has been on trial since last Monday in the shooting death of Airman Corey Cook in the early-morning hours of Oct. 16, 2011. The prosecution rested its case

Monday morning, and defense attorney Justin Barrett requested the dismissal of all the charges against Coryell.

On the first charge of premeditated murder in the first degree, Mr. Barrett argued that the state had failed to prove beyond a reasonable doubt that Mr. Coryell had thought or planned out the shooting beforehand.

"I think there has been ample evidence," Mr. Barrett told the court, "that ... the intent of all three of the

men that night was that a fight would occur.... One thing that remains through all of this testimony is that they wanted a fist fight."

Nicole Romine, an assistant attorney general who is prosecuting the case, argued otherwise, saying that the jury had so far heard evidence of how Cook died, that Coryell was the one holding the gun and that the gun had to be loaded and cocked and the trigger pulled for it to fire.

"Whoever had action on that gun," she said, "had to complete

three acts in order to discharge it."

Furthermore, she argued that the jury had heard ample evidence that there were grudges against Mr. Cook, and had seen with their own eyes that he was shot square in the face. Judge Pratt agreed with her, and the charge remained for the jury to decide.

The second charge, of aggravated battery for injuring Sarah Campbell as she lay in bed with Mr. Cook, was also upheld.

Mr. Barrett argued that the bat-

tery wasn't aggravated because there was no proof that Mr. Coryell intended to commit a felony by imposing "serious bodily harm" to Ms. Campbell, to which Ms. Romine said that if Mr. Coryell had the time - between lifting the gun and pulling the trigger - to premeditate Cook's murder, then it would follow suit that he did so knowing it would also hurt Ms. Campbell. Again, the judge agreed, leaving the charge up to the jury.

(See STATE on Page 8A)

Hospital loses money, people

By STEPHANIE DeCAMP
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The Decatur County Hospital has laid off 12 employees and created five new positions in a restructuring designed to meet budget cuts under the Affordability Care Act and the federal government's "sequestration" measures.

The end result, the hospital says, is that after shifting people around, four workers lost their jobs while others shifted to new positions. And while the immediate answer lies in cuts to meet expected incomes, county residents can play a big part in helping the hospital survive.

"At the rate we were going," said hospital Administrator Johnathan Owens, "our cash flow would have been completely depleted by summer, if not sooner."

He said that having in-house doctors, as opposed to the Docs Who Care program, will help a lot, but it can take a doctor years to build up a clientele. More than anything, he said, the hospital needs people to start seeing the doctors here again, instead of going out of town.

With all of the federal changes resulting in an increased financial burden on the hospital, Mr. Owens said, the management decided to reorganize employees so that it wouldn't have to ask the county for more money.

The Kansas Hospital Association created a report that hospital board based its decisions on. Before sequestration, the report said, the hospital was set to lose \$441,800 of potential income over the next decade. That was feasible, said Mr. Owens, but when sequestration added another \$805,800, that figure jumped to over \$1 million lost over

the next 10 years.

"Sequestration was a deal that the Republicans and Democrats set up about 18 months ago," Mr. Owens explained, "that was supposed to be a worst-case scenario. It was created to put pressure on both parties to make a better deal for hospitals before March 1, but no deal was made. So now it's taking effect April 1, and providers are getting hit very hard."

"The savings the government talks about - this is where it comes from. They're shifting the financial obligation from the federal government back to the providers, because politically, it's easier to do than cutting entitlements like Medicare and Medicaid."

Before the layoffs (among other changes, mostly to billing), the hospital was set to lose \$119,773 every month, Mr. Owens said, \$80,000 of which was due only to sequestration. Even before sequestration, the hospital was already losing about \$65,000 a month.

Jobs that were cut include one in Internet technology, two in maintenance, two in medical transcription, two in medical records, two clinical positions, one receptionist, one management position at the Cedar Living Center and the position of physician recruiter.

The five that have been created include three in nursing, one in the X-ray department and one certified nursing assistant, he said.

"The reason we're posting everything in the paper is to let the community know where we've been, what we've done and where we're going," said Mr. Owens, referring to the hospital's column (See HOSPITAL on Page 8A)

Members selected for new commission

By STEPHANIE DeCAMP
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Mayor Rob McFee chose five names at random out of a hat at Thursday's City Council meeting for the new public building commission, which will work under the council to borrow money on behalf of city projects - namely, the new swimming pool.

Each member of the council had submitted a few names for a total of six in the hat, and all of the nominees had agreed to serve. The length of each person's term was also chosen at random by the mayor. Those on the commission are Ken Shobe and Gaylord Shields, who will serve for three years; Abby Hissong and Colleen Gee, for two; and Bob Ross, for one.

In other pool news, the Oberlin Pool Committee's initial projection that the cost of construction would increase by 20 percent for every year it is delayed was miscalculated, said pool committee member (and council candidate) Danielle Leitner. Mrs. Leitner forwarded an email to *The Herald* from Kyle McCawley, the project manager at Larkin Aquatics that has been working with the pool committee to design, build and fund the swimming pool. In it, Mr. McCawley said he "would estimate the reasonable increase to be 3 to 4 percent. That is based on the standard annual inflation."

That would mean a yearly increase in cost of anywhere from \$63,000 to \$84,000.

In other city business, the council:

- Closed out the street project from last year, paying the last bill for \$2,022 to the Northwest Kansas Planning and Development Commission. Pam Herl, the grant administrator at the commission who worked with the city on the project, said Oberlin is "a shining example of what small towns can do with Community Development Block Grants." The total cost of the project ended up being \$525,000, Ms. Herl said, with the city making a 15 percent match of \$162,318.

- "We couldn't have done this without your staff," she added, "especially (City Administrator Karen Larson and (administrative assistant Steve) Zodrow. I would love to work with you guys again."

- Heard from Mrs. Larson that the total cost for the transformer repair over the last year was \$281,267. The good news, she said, is that the city has a brand new substation.

- "We should hopefully never have this problem again," she told the council. "We have upgraded it so that things will run better, and if something like a raccoon gets in there, it will shut down automatically before it burns up."

- Passed a motion to renew the city's contract with Blue Cross Blue Shield for employee health insurance. The cost has increased by 8 percent, from \$546 per individual to \$589, said Mrs. Larson, but Oberlin is actually lucky, because most small contracts with the company have seen increases from 10 to 13 percent.

A close call



ASSISTANT FIRE CHIEF Larry Ayers exited a mostly empty building that briefly caught fire Wednesday afternoon. Police Chief Haas said the fire in the Pioneer Seed building,

across Hall Street from Nex-Tech Wireless and Ultimate Fertilizer, started in ceiling insulation, but was stopped by the timely response from the fire department.

- Herald staff photo by Stephanie DeCAMP

School, City elections are Tuesday

By STEPHANIE DeCAMP
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Election Day will be Tuesday for city council, school board and extension board positions, and interviews with many candidates are featured in this week's *Oberlin Herald*.

In Oberlin, four people are running for three City Council positions, incumbent Josh Williby, pool backers Rachael Johnson and Danielle Leitner, and Marilyn Horn, an opponent of airport expansion. All were interviewed for last week's paper. Two people are running for two positions on the Twin Creeks

Extension District board, Sheryl Unger and Sharleen Wurm.

The Oberlin School Board has four people running for three positions: newcomer David Blau and veterans Abby Hissong, Doug Brown and Dan Wasson. Their interviews appear in this week's *Herald*.

Running for the Dresden City Council are Don Ritter, Keith Muirhead and Jacque Douglas, all of whom agreed to be interviewed for this week's paper.

In Jennings, those running for council seats include Louise Cressler, Robert Papp and Bob Jones. The latter two are write-in

candidates, said Mrs. Cressler, who stressed the frustration of finding enough people to run at all this year.

"We're just fortunate we have people to do it at all," she said. "We ask and ask, and they just want to sit back, I guess. Nobody will do it."

Polls will be open from 7 a.m. to 7 p.m. on Tuesday. Here's where:

- The Gateway in Oberlin: Voters who live in Altory, Bassettsville, Beaver, Center, Cook, Finley, Harlan, Liberty, Logan, Oberlin, Olive, Prairie Dog, Roosevelt, Sappa, Sherman and Summit townships, as well as Oberlin City Precincts 1 and 2.

- Norcaton City Hall: Residents of Garfield, Grant and Lincoln townships, as well as the City of Norcaton.

- Sunflower Senior Center in Jennings: Residents of Allison, Pleasant Valley and Jennings townships, as well as the City of Jennings.

- Dresden United Methodist Church: Residents of Custer, Lyon and Dresden townships, as well as the City of Dresden.

Under a new Kansas law, voters must present a current government-issued photo identification to get a ballot.

Electric rates go up average of \$10 per household

By STEPHANIE DeCAMP
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Brace yourself - another monthly bill is about to get more expensive.

The Oberlin City Council voted Thursday to increase electric rates by 1 cent per kilowatt hour, or about \$10 a month for the average home, just two weeks after deciding to almost double the cost of water service to pay for the city's well project. The increase is about 7.8 percent of the current rate, 12.8 cents per kilowatt hour.

"The average family household uses about

1,000 kilowatts a month," said city administrative assistant Steve Zodrow, "so that means roughly a \$10 a month increase."

The increase is needed mostly because Sunflower Electric Power Co., the cooperative that sells the city most of its power, has raised the demand charge the city must pay, said City Administrator Karen Larson. This, in turn, has put the city about \$180,000 short of what it will need to pay Sunflower this year.

The increase will bring in an estimated \$262,468 for the city - a lot more than the

\$180,000 needed, but the city plans to use the surplus to start repairs and tune-ups for the five engines at its power plant. The plant is a back-up source of power in emergencies - and blackouts, which Sunflower has warned may happen this summer, said Mayor Rob McFee earlier this year.

Mrs. Larson said Sunflower applied the rate increases to all of its customers. What really annoyed her, she said, is that the increase was made in December and the city is just finding out about it now.

Museum to celebrate 55th anniversary; rummage sale soon

By STEPHANIE DeCAMP
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The Last Indian Raid Museum will open its doors at 10 a.m. Tuesday for its 55th anniversary season with coffee, free tours, snacks and a quick member meeting.

Sharleen Wurm, museum director, said that quite a bit has changed, and she's excited to show people around the museum for free from

10 a.m. to 2 p.m. that day.

"We'll have a presentation of pictures going," she said, "of the way the museum was in the past. It opened in 1958, so from then through the 1960s, '70s and '80s. It will show the displays have changed and where things were. It was fun for me to see how they had arranged things and when they moved the different buildings in."

And of course, there are always seasonal changes to show off, too.

"It's free admission to the museum," Mrs. Wurm said, "so you can tour and see everything that has changed this winter. There were some things in the parlor moved around, we're changing the portraits of people and putting up different ones, and a lot of other little stuff. We've added a lot of new stuff and

totally redone the gift shop."

Also, starting on Monday next week, people are welcome to bring their old stuff down for the museum's annual Rummage Sale the weekend of April 13 and 14.

"We will take gently used items and donations from 10 a.m. to 3 p.m. up until the 13th," said Mrs. Wurm. "All proceeds go to keeping the doors open at the museum."