

OPINION

Thought for Today: "I have seen gross intolerance shown in support of tolerance."
 — Samuel Taylor Coleridge, English poet and author (1772-1834)

The Daily Republic
 "Serving Our Readers Since 1879"
 PUBLISHER Korrie Wenzel
 996-5516 • kwenzel@mitchellrepublic.com
 EDITOR Seth Tupper
 996-5516 • stupper@mitchellrepublic.com

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OUR VIEW: The following editorial represents the opinion of The Daily Republic's editorial board.

City perfectly handled Bella's Garden

In a perfect world, young Isabella Morgan would be alive today, running and playing, attending classes and doing everything that a little girl does.

But the world isn't perfect, as brutally demonstrated in March 2012, when Morgan died in an accident related to drunken driving. In the months since, her family and friends worked hard to preserve her memory and, if nothing else, provide a difficult reminder that drinking and driving absolutely do not mix.

Saturday, several hundred well-wishers gathered in Mitchell's Northridge Park to dedicate Bella's Butterfly Garden, a small corner of the park that will forever remind us of Bella. Butterflies were released, lunch was served and the guests got to see their first official glimpse of this much-discussed memorial on Mitchell's northeast side.

It's been a tough subject, and one that has previously appeared on our Opinion Page. We openly worried that renaming a street or park — both were early suggestions — was unwise, even in light of the tragic circumstances. We learned and reported during those discussions, for example, that Northridge Park already was named for a family named North, even though most people had never known or forgotten that information.

In the end, the city chose to allow Bella's Garden. Private donations helped make it a reality and today, we are proud of the process that led to this beautiful place.

Ideas were formed, and calm, reasonable thinking followed. From those well-intended discussions arose Bella's Garden.

This was the right thing to do. Soon, a plaque will be in place at the site. Appropriately, it will forever remind visitors to always wear their seat belt and to never drink and drive.

Through Bella's Garden, her memory — and the lessons we learned in her death — will live on. Our hope is that her terrible and unfortunate passing will not entirely be in vain, and Bella's Garden will help ensure that it won't.

TODAY IN HISTORY

Today is Wednesday, Sept. 11, the 254th day of 2013. There are 111 days left in the year.

Today's Highlight in History: On Sept. 11, 2001, America faced its worst day of terrorism. Nearly 3,000 people were killed as 19 al-Qaida members hijacked four passenger jetliners. Two planes smashed into New York's World Trade Center, causing the twin towers to fall; one plowed into the Pentagon; and the fourth was crashed into a field in western Pennsylvania.

Today's Birthdays: Movie director Brian De Palma is 73. Rock singer-musician Jack Ely (The Kingsmen) is 70. Actress Amy Madigan is 63. Rock singer-musician Tommy Shaw (Styx) is 60. Singer-songwriter Diane Warren is 57. Musician Jon Moss (Culture Club) is 56. Actor Scott Patterson is 55. Actor John Hawkes is 54. Actress Anne Ramsay is 53. Actress Virginia Madsen is 52. Actress Kristy McNichol is 51. Singer Harry Connick Jr. is 46. Singer Brad Fischetti (LFO) is 38. Rapper Mr. Black is 36. Rock musician Jon Buckland (Coldplay) is 36. Rapper Ludacris is 36. Country singer Charles Kelley (Lady Antebellum) is 32. Actress Mackenzie Aladjem is 12.

How to write your U.S. lawmakers

Sen. Tim Johnson, 136 Hart Senate Office Bldg., Washington, D.C., 20510, (202) 224-5842, toll free, 1-800-537-0025.

Sen. John Thune, U.S. Senate SR-493, Washington, D.C., 20510, (202) 224-2321, toll free, 1-866-850-3855.

Rep. Kristi Noem, 1323 Longworth HOB, Washington, D.C., 20515, (202) 225-2801, toll free, 1-855-225-2801.



We raise hell — because it's our duty

"It is a newspaper's duty to print the news and RAISE HELL!"

So says a calligraphed and framed sign given to a former Daily Republic publisher years ago by a loyal reader. The quote is from 1861 and is attributed to Wilbur F. Storey, who that year purchased the Chicago Times.

The sign hangs on a wall in what we call our newsroom lounge. It's there partly for comic relief, but it's also a reminder of our duty as journalists to fight the good fight on behalf of readers.

In that spirit, we've been raising hell with the Huron Board of Education for the past couple of years.

It all began in late 2011 or early 2012, when I received an unsolicited phone call from a person who wished to remain anonymous. The person had browsed the Huron School District legal announcements printed in the Classifieds section of The Daily Plainman, a newspaper published in Huron. The tipster said the legals contained a long list of recent bills paid by the district. Buried within that list was a payment of nearly \$11,000 to an ex-superintendent. Would The Daily Republic, the tipster wondered, be willing to investigate?

I assigned a reporter to do just that. District officials acknowledged they had indeed been paying former superintendent Ross Opsal, but they declined to divulge anything else. Based on the scant information available to us, we reported in February 2012 that former superintendent Opsal had been receiving payments of \$10,916.51 per month since what was called his "resignation" in March 2011, and that as far as we could tell, the payments through January 2012 had totaled \$120,082. Meanwhile, new superintendent Terry Nebelsick had been paid \$64,166 to that point since ascending to the job in July 2011.

District officials refused to tell us why Opsal was still being paid or how long the payments would continue. They said the terms of the payment were part of a sealed agreement. I was not satisfied with that answer but sensed help was on the way in the form of state legislation.

That legislation, which was not tied to our fight but was signed by the governor only seven days after our story on the Huron situation published, clarified that "any current or prior contract with any public employee and any related document that specifies the consideration to be paid to the employee" is a public record.

I saw the new law as highly relevant to our dispute with the Huron School District. The district called its agreement with Opsal a "Release of All Claims and Settlements Agreement," but I figured when all the fancy words were stripped away, it was just an agreement between a district and a superintendent. In other words, it was a superintendent contract. And like all superintendent contracts, it should be an open record.

The new law didn't give us an immediate impetus to make a new request for the secret Huron agreement, because like most laws adopted by the Legislature, it did not take effect until July 1.

After the law took effect, I made a new request to the Huron School District for a copy of the secret agreement. With a new refusal in hand, I filed a formal appeal with the South Dakota Office of Hearing Examiners. That office is designated by state law as the arbiter of open-records disputes.

The appeal process amounted to nothing more than my written appeal, followed by a written response from the



Seth Tupper
 Editor

stupper@mitchellrepublic.com

Huron School District's lawyer, and then a couple of additional emails back and forth and a lot of polite inquiries by me about when a decision might finally be issued. It took six months to get the decision; nevertheless, the hearing examiner who studied the appeal sided with The Daily Republic and, in March, determined that the secret Huron agreement was a public record.

Instead of surrendering the record, the Huron School District and its attorney appealed to circuit court. They didn't have any better luck in that setting, where we were joined in our defense of the hearing examiner's ruling by the South Dakota Newspaper Association and its attorney. Last month, the judge in the case affirmed the hearing examiner's earlier decision and ruled that the Huron document is an open record. The district could have appealed to its last resort, the South Dakota Supreme Court, but did not.

Monday night brought the first Huron Board of Education meeting since the judge's ruling, and a vote by the school board to unseal the agreement. When the climactic moment arrived, the newly opened document revealed ... cue the drum roll ... not much of anything. It basically confirmed that money was paid to Opsal as part of an agreement that ended his employment. The document did not contain the only thing we really want, which is a clear explanation of why Opsal's employment ended so abruptly before he was halfway through a three-year contract, and why the school board felt compelled — in exchange for Opsal's departure — to make monthly payments to him that we now know stretched for about 15 months and totaled about \$175,000.

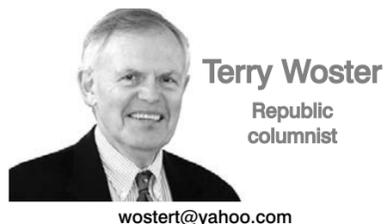
I wonder why the board and its attorney were so committed to concealing a document that didn't really contain any major secrets. The only thing I can guess is that the school board members wanted to part ways with Opsal, but the only way they could do it — perhaps because of resistance from Opsal, who was under contract — was to pay Opsal to go away.

Paying \$175,000 of taxpayers' money to somebody who no longer works for them is not something taxpayers look upon fondly. It's no wonder, then, that the Huron Board of Education went behind closed doors to concoct the Opsal agreement in an "executive session" — a euphemism for a closed-door, non-public meeting — and then proclaimed it forever sealed. The board members and their attorney didn't want the public to know what they did. And they would have gotten away with it, too, if it hadn't been for those darn newspaper legals they had to publish, and that pesky tipster, and that annoyingly persistent newspaper.

That's my theory, anyway. We may never know the truth, because the Huron Board of Education has never come forth with all of it. In that respect, we at The Daily Republic have failed.

But at least we've shown one government board that it can't go behind closed doors, arrange a secret deal, and never answer for it.

We raised hell and we'd gladly do it all over again. You, dear readers and taxpayers, deserve nothing less.



Terry Woster
 Republic columnist

wostert@yahoo.com

My cousin Red

Lifelong friend always anchor to home, family

My cousin Red McManus from Reliance passed the other day, and one of my first thoughts was, "Now who's going to send the goofy Christmas cards?"

For years before my mom died, Red sent a Christmas card to the McManus-related clan with a picture of his Aunt Marie and some outlandish tale of something she'd done during the past year. Sometimes the picture was goofy. Sometimes the picture was normal, legitimate. No matter.

The accompanying story was wild and funny in the way that causes a person to groan aloud but to hope quietly that old Red would never quit sending those things. It wasn't really Christmas without the card from Red. I know he got a kick out of planning and executing the prank each season, but I also know his cards brought a smile to the face of an old widow woman who for a long while was the last surviving McManus of her generation.

His real name was Ronald. Sometimes I called him Ronnie when we were kids, but just about everyone in Lyman County knew him as Red all his adult life. He was one of triplets. Sheila and Sharon were his sisters. I guess if I say he was 68, that doesn't necessarily mean the girls were, too. Either of them could still beat knots in the back of my head if they didn't like me divulging ages.

The triplets are just over a year younger than me, and since we all grew up within a few miles of Reliance, we spent a ton of time together at family reunions, weddings, baptisms, funerals, town socials and a thousand church suppers in Reliance.

It's a common thread among those of us who grew up in the small towns and farm neighborhoods of South Dakota six or seven decades ago, that we were at least 5 years old before we ever had a friend or playmate who wasn't a relative. Our friends were our relatives — and they remained so.

Many of the members of my generation of the extended McManus clan moved away from Lyman County as we grew up and sought our fortunes.

Red and a few others stayed, having discovered early on that fortune could be found at home: In families, in work and in a sense of community. Red and those others who stayed gave those of us who left a reason to come home again, an anchor to our childhoods, you might say. Red made it clear we were always welcome.

He didn't just do that with relatives, though. I ran into a lawyer some years ago — a guy from one of the big cities in the state — who asked me how my cousin Red was doing. There was no earthly reason this guy would have known Red. Turned out, he'd been on a trip with his family and either mechanical trouble or a storm forced them to pull off the highway near Reliance.

He said Red and his wife, Ruth Ann, took care of them like they'd been friends forever — and exchanged Christmas cards ever after.

I remember in 1996 when our younger son, Andy, played in a senior all-star game at the Lyman Garden in Presho. He had a great time, and I enjoyed watching him play in one of the towns of my high-school days. Red was in the crowd that night, running a video camera and a color commentary on the action.

A few days after the game, a package arrived from Red. Inside was a copy of the game video — which focused a lot on Andy — with a note that said Red thought the kid might like the tape to look at someday when he was old like his dad.

For all I know, Red was running half a dozen other cameras that evening and sending memories to other young guys and their families. It wouldn't surprise me. That kind of stuff came naturally to him.

My cousin Red had a big, Irish heart, a love of family and community and a boisterous but gentle nature. I know this: Heaven just became a whole lot more lively.

MALLARD FILLMORE®

By Bruce Tinsley

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Write us, tell us your opinion

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