

MIDWEST DIGEST

MedCath Sells Stake In Avera For \$20M

SIoux FALLS (AP) — MedCath Corp. on Monday said it will sell its stake in Avera Heart Hospital of South Dakota to Avera McKennan for \$20 million.
Charlotte, N.C.-based MedCath owns one-third of the hospital and management rights. After the sale, Avera McKennan will own two-thirds of Avera Heart. The transaction is expected to close in 45 to 90 days.
Avera McKennan is a member of Avera Health, a regional health care network of more than 235 facilities in South Dakota, North Dakota, Minnesota, Iowa and Nebraska.
When Avera Heart Hospital of South Dakota was formed in 2001 as a cooperative venture among MedCath, Avera McKennan and North Central Heart Institute, it became the region's only hospital dedicated solely to the diagnosis and treatment of heart disease.

College Funding Program Renewed

PIERRE (AP) — A program designed to help Native American and other underrepresented K-12 students in their transition to post-secondary education has been renewed.
The South Dakota College Access Challenge program will provide \$1.5 million annually for the next five years to inform students and families about post-high school opportunities.
The program includes a financial component to link students with possible scholarships and grants, and it helps families with the Free Application for Federal Student Aid process.
Many of the targeted students will be the first generation in their families to attend college.

Victims Of Triple-Fatal S.D. Crash Identified

PINE RIDGE (AP) — Tribal authorities on Monday identified three children killed in the crash of a sport utility vehicle on the Pine Ridge Indian Reservation.
Police Chief Everette Little Whiteman in the Oglala Sioux Tribe Department of Public Safety says 11-year-old Crystal Reyes (RAY-uhs) and 9-year-old Suhauil (suh-HOOL) Reyes died at the scene about 4:30 p.m. Friday. One-year-old Maria Reyes died later at a hospital.
Whiteman says the children's mother, 26-year-old Erica Reyes, suffered serious injuries.
The chief says Erica Reyes told an officer she lost control of her SUV near the town of Kyle after hitting a bird. The vehicle went off the road and rolled.
Whiteman says the Reyes family was from Amarillo, Texas, but had been living on the reservation.
Tear Gas Ends Standoff In Plattsmouth, Neb.
PLATTSMOUTH, Neb. (AP) — Tear gas fired by SWAT officers forced a Plattsmouth man to end his nearly three-hour standoff.
Acting Plattsmouth Police Chief David Murdoch said Monday afternoon that 56-year-old Edward Toman (TOH-mun) surrendered without incident around 5:45 a.m.
Officers were sent to the residence after a tip that a man was holding a gun to the head of a woman there.
Murdoch says Toman freed the woman before the tear gas was fired into the house. She was identified as 45-year-old Diane Beloskur (beh-LOSS-kur).
Murdoch says no one was injured in the standoff, although police are investigating reports that two shots were fired. He says officers are still searching the home for evidence and weapons.

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SDSU Creates New Tool To Aid Farmers

BY SARAH REINECKE
The Argus Leader

BROOKINGS — By next year, South Dakota's farmers might first click a mouse before starting their tractors.
The state's farmers and ranchers soon will have easy access to everything from expert-based blogs to market reports, libraries of information and weather forecasts in one spot through the development of an Internet information system.
The system, called iGrow, is the first product of its kind of this scale, said Barry Dunn, dean of the College of Agriculture and Biological Sciences at South Dakota State University.

iGrow will be launched in January. "It's a very sincere effort to serve our farmers and ranchers at a higher and more sophisticated level," said Dunn, co-creator of the site.
He and Emery Tschetter, assistant director for marketing and accountability at SDSU, came up with the idea for the site last January and started work in June. Dunn said iGrow is a necessary addition to give farmers and ranchers in South Dakota "reliable, ethical and unbiased" information online.
SDSU crop scientist Gregg Carlson said iGrow will make it simple and easy for producers to get the information they need.
"We are in the information age. The decisions we make are becoming more and more information intense," Carlson said. "Our Internet presence has not been the best in the world. I'm optimistic we're going to create something that's very useful."

Dunn said the site will not sell advertising and will be a part of the university's Cooperative Extension Service.
"We want to protect our integrity and make sure that comes across to our farmers and ranchers," he said.

American Indians Gather At Mount Rushmore

RAPID CITY — American Indians gathered at Mount Rushmore National Memorial to mark 40 years since their forebears occupied the monument as a political statement about disputed land claims to the Black Hills.
On Aug. 29, 1970, 23 Native Americans occupied the monument, some of them setting up camp for three months atop the mountain.
"It feels good that we had people who stood up and risked being arrested, losing their freedom at a place that represents freedom," said Robert Cook, former president of the National Indian Education Association.
Those who gathered Sunday said some of the same issues involving tribal sovereignty and treaty rights remain today.
"Over the past 40 years, a lot has changed but a lot hasn't," Andrew Ironshell said. "I find myself fighting the same battles that my father and grandfather fought."
The U.S. government more than a century ago set aside the Black Hills for the Sioux tribe through the

Fort Laramie Treaty. But the land was taken by miners about a decade later when gold was discovered. The Supreme Court in 1980 ruled that the Black Hills were illegally taken and that restitution should be paid, but the Sioux refused the settlement.
"The total consensus of the Sioux nation is we will never accept money for our sacred sites. We will never accept money for our burial sites," said Quanah Parker Brightman, vice president of United Native Americans.

Judge Sets Deadline In Suit Over Neb. Tuition Law

OMAHA, Neb. (AP) — A judge has set an Oct. 4 deadline for attorneys to offer further written arguments about a lawsuit challenging a Nebraska law that allows some illegal immigrants to pay in-state college tuition.
Once those motions are submitted, Jefferson County District Judge Paul Korslund will consider whether to block the 2006 law, allow the case to continue or dismiss the lawsuit.
The lawsuit filed in January on behalf of six Nebraska residents says their taxes are being used to support the state's immigration-tuition law in violation of federal law. It asks the judge to block enforcement of the law.
The lawsuit names the

University of Nebraska Board of Regents and other state college boards as defendants.
John Wiltse, the attorney representing the University of Nebraska, said Monday the rules for residency requirements and nonresident tuition fees are governed by state law.
A message left for the residents' attorney wasn't immediately returned.
The state law says students whose parents brought them to the U.S. illegally may pay in-state tuition fees, as long as they graduated from Nebraska high schools, lived in the state for at least three years and are pursuing or promise to pursue legal status.

Suspect In S.D. Teen's Death Gets Life Sentence

MITCHELL (AP) — A Mexican man accused of stabbing a 16-year-old South Dakota girl then burning her to death in the trunk of a car will spend the rest of his life in prison but will not face the death penalty.
Alexander Salgado, 21, pleaded guilty on Monday to second-degree murder in the death of Jasmine Guevara, of Mitchell, and was sentenced to life in prison without the possibility of parole.
Salgado earlier had pleaded not guilty in the death. He changed his plea Monday.
Prosecutors had planned to seek the death penalty if the case went to trial and Salgado was convicted. His trial had been slated for January.
Prosecutors said Salgado was working illegally in the U.S. when he and a 15-year-old girlfriend stabbed Guevara, put her in the trunk of a car and set the car on fire southeast of Mitchell last Nov. 10. An autopsy determined that the fire killed Guevara.
Court documents allege that Salgado's girlfriend was jealous because Guevara had talked to Salgado at a party three days earlier.
In exchange for Salgado's guilty plea to second-degree murder, which carries an automatic sentence of life behind bars, prosecutors dropped counts of first-degree murder and arson.

Staff negligence and failure to follow procedures resulted in pain, suffering and civil rights violations, the civil lawsuit filed Friday alleges. The government had not filed its answer to the complaint Monday and a spokesman with the U.S.

Mexico Has Fired 10 Pct Of Fed. Police Drilling Begins To Free Chilean Miners

BY ALEXANDRA OLSON
Associated Press Writer

MEXICO CITY — Mexico's federal police agency has fired nearly 10 percent of its force this year for failing checks designed to detect possible corruption, a major obstacle in the country's battle against increasingly brutal drug gangs.
Mexico's approximately 35,000 federal police are required to undergo periodic lie detector, psychological and drug examinations, and the government routinely investigates their finances and personal life.
Federal Police Commissioner Facundo Rosas said 3,200 officers were dismissed this year for failing to meet the agency's standards. He did not give more details.
The fired agents are barred from taking jobs in any other security force — a recurring problem that Mexican governments have vowed to solve for many years. Another 1,020 federal police are facing unspecified disciplinary measures.
Police corruption at all levels is widespread in Mexico. Police are often found to have been involved in cartel attacks, including the assassination two weeks ago of a mayor who had disciplined municipal officers in his northern town. Investigators say local officers aligned with the

Zetas drug gang killed the mayor in retaliation.
Scandals have also ensnared the federal police. Two years ago, a corruption probe known as "Operation Clean House" toppled the former anti-drug czar, Noe Ramirez, and other high-ranking police accused of protecting the Beltran Leyva gang.
President Felipe Calderon, who has deployed tens of thousands of soldiers and federal police to fight drug traffickers in their strongholds, has pointed to the regular police tests and crackdowns such as "Clean House" as evidence that his government is aggressively fighting corruption.
Drug violence has surged since Calderon intensified the crackdown on traffickers upon taking office in late 2006, claiming more than 28,000 lives.
In the latest violence, a 12-hour battle between troops and gunmen left killed seven people in the eastern town of Panuca.
The gunmen opened fire and launched grenades at a government electricity station as they tried to escape the soldiers, causing a power outage in a large part of town, said Salvador Mikel Rivera, attorney general in the Gulf coast state of Veracruz, where Panuca is located.
The battle started Sunday night when gunmen in six cars ignored orders to stop from soldiers at a checkpoint, Rivera

said. Soldiers, along with state and local police, started a chase that ended at two houses where the gunmen tried to hide, he said. The shootout at the houses lasted until Monday morning.
One soldier and six gunmen were killed.
Panuca is just south of the northern border state of Tamaulipas, where marines discovered the bodies of 72 Central and South American migrants believed to have been gunned down by the Zetas drug gang after refusing to smuggle drugs, in what may be the deadliest cartel massacre to date.
The lone survivor, an 18-year-old Ecuadorian, returned to his home country over the weekend after declining a humanitarian visa that would have let him stay in Mexico, the Foreign Relations Department announced Monday.
The dead migrants were discovered at a ranch about 100 miles (160 kilometers) from the U.S. border in Tamaulipas.
Violence has surged in northeastern Mexico this year since the Zetas broke ranks with their former employer, the Gulf cartel.
On Sunday, gunmen killed the mayor of Hidalgo, a town near where the migrants were slain. Two weeks earlier, the mayor of another northeastern town, Santiago, was assassinated, allegedly by police tied to the Zetas.

BY BRADLEY BROOKS
Associated Press Writer

SAN JOSE MINE, Chile — An enormous drill began preliminary work Monday on carving a half-mile chimney through solid rock to free the 33 men trapped in a Chilean mine, their ordeal now having equaled the longest known survival in an underground disaster.
The 31-ton drill bored 50 feet into the rock, the first step in the weeklong digging of a "pilot hole" to guide the way for the rescue. Later the drill will be outfitted with larger bits to expand the hole and pull the men through — a process that could take four months.

The men were trapped Aug. 5 in the San Jose mine in Chile's northern Atacama Desert. Before rescuers dug bore holes to reach them, they survived 17 days without contact with the outside world by rationing a 48-hour supply of food and digging for water in the ground.
Only three miners who survived 25 days trapped in a flooded mine in southern China last year are known to have survived underground as long. Few other rescues have taken more than two weeks.

With Chilean officials saying the men could remain underground for another four months before the rescue hole is completed, the ordeal will be an unprecedented challenge for rescuers, but they have the tools to be successful.

"The drill operators have the best equipment available internationally," said Dave Feickert, director of KiaoOra, a mine safety consulting firm in New Zealand, who has worked extensively with China's government to improve dangerous mines there.
"This doesn't mean it will be easy," he added. "They are likely to run into some technical problems that may slow them down."
In addition, a union leader has expressed concern for the men's livelihoods. San Esteban, the company that operates the mine, has said it has no money to pay their wages and absorb lawsuits, and is not even participating in the rescue. State-run mining company CODELCO has taken over.

Union leader Evelyn Olmos called on the government to pay the workers' wages starting in September, plus cover the roughly 100 other people at the mine who are now out of work and 170 more who work elsewhere for San Esteban. Its license has been suspended by the government.
"We want the government to pay our salaries in full until our comrades are freed and then pay our severances," said Olmos.
Mining Minister Laurence Golborne said the government was prohibiting by labor laws from assuming responsibility for the salaries. He said it was up to the mining company and would have to be worked out in Chilean courts.
Golborne noted the extraordinary circumstances of the mine

collapse but pointed out there are many other Chileans who lack a job and said the government cannot be responsible for all of them.
Union leaders and others blame the government in part for the San Jose accident because the mine had been cited for safety violations in the past but was allowed to continue operating.
In 2007, executives were charged with involuntary manslaughter in the death of a miner. The worker's family settled and the mine was closed until it could comply with safety rules, said Sen. Baldo Prokurica, who has long called for tougher regulations.
The next year, the mine reopened even though the company apparently had not complied with all the regulations, he said, adding that the circumstances surrounding the reopening are being investigated.
Workers at the current rescue operation are using the three existing bore holes to deliver food, water, air and medicine to the 33 miners, who are trapped about 2,200 feet underground in a shelter large enough to walk around in.
In an eight-minute video released by the government, the second made by the trapped miners, about a dozen of the men send greetings to their families and say they are feeling better since receiving the sustenance and supplies, including special clothes to keep them dry in the hot, humid mine.

Suit Alleges Abuse At Tribal Center

BY WAYNE ORTMAN
Associated Press Writer

SIoux FALLS — A boy's guardian has filed a \$10 million lawsuit against the federal government alleging the child was branded with a hot nail and sexually assaulted by another boy while being held at a tribal detention center.
Staff negligence and failure to follow procedures resulted in pain, suffering and civil rights violations, the civil lawsuit filed Friday alleges. The government had not filed its answer to the complaint Monday and a spokesman with the U.S.

Attorney's office said it had no immediate comment.
The boy was 12 when placed in the facility on the Cheyenne River Indian Reservation in September 2008, according to the lawsuit.
The lawsuit says two older boys used a nail and lighter to brand the letter "C" on the boy's arm against his will and that he did not receive medical attention for approximately a week. One of the older boys later sexually assaulted the child, the lawsuit says.
The complaint says the boy was denied counseling services

until his release.
"As a result of the incidents, (the boy) endured pain and suffering, medical and mental health expenses, anxiety, trauma, depression, emotional distress and violations of his civil rights against cruel and unusual punishment," according to the lawsuit.
The complaint says the boy is expected to suffer ongoing emotional problems and likely will incur medical and mental health expenses. It asks for a jury trial under the Federal Tort Claims Act because administrative remedies have been exhausted.

Settlement OK'd Over Contamination

HASTINGS, Neb. (AP) — The city of Hastings will pay \$1 million to the U.S. Environmental Protection Agency and provide \$1.7 million in in-kind services toward cleanup efforts under a settlement approved Monday by a federal judge.
The EPA filed a lawsuit, along with a notice of proposed settlement, last month in U.S. District Court seeking payment for federal costs from cleaning up the site of its old police station. The EPA spent \$14.1 million to clean up the site, according to court

documents.
City documents outlining the settlement show Hastings will make five payments totaling \$1 million by Jan. 10, 2014, and contribute \$1.7 million in in-kind services toward cleanup efforts during the next 10 to 13 years. The services could include removing three buildings from the site, providing security at the site and attending planning meetings.
The old Hastings police station, dubbed the Second Street Subsite, is one of at least six

sources of contamination the EPA has identified in the city. The settlement applies only to cleanup at the Second Street Subsite.
The sources of contamination are known collectively as the Hastings Ground Water Contamination Site. The site includes an aquifer that supplies drinking water for Hastings and the contaminated soil that covers it.
The EPA put the site on its list of the nation's worst Superfund sites in 1986.