

## N.D. Man Wanted In 4 States Captured In S.D.

SIoux FALLS (AP) — A North Dakota man wanted in four states for defrauding farmers has been captured in Sioux Falls, S.D.

The Sioux Falls Area Fugitive Task Force found 63-year-old Dennis Burton on Wednesday. He's wanted in South Dakota, Nebraska, Minnesota and Iowa. Burton is accused of promising buildings to customers, collecting a down payment and failing to deliver. He operated under the business name of Pioneer. Burton, of West Fargo, N.D., also goes by the name Dennis Walker.

Burton will be transported first to Grant County in South Dakota to face charges.

## Neb. Grain Co-Op Acquires Another Location

YORK, Neb. (AP) — A grain cooperative based in eastern Nebraska now has 32 locations after acquiring Midwest Ag Partners.

United Farmers Cooperative in York said it completed its acquisition of the Marquette-based co-op on Tuesday. Terms of the deal were not disclosed.

United Farmers CEO Carl Dickinson says the acquisition will help the co-op improve efficiency and reliability across its 32 locations in Nebraska and Kansas.

The co-op says the Marquette location primarily will be an agronomy office.

United Farmers says it serves more than 6,200 voting members and close to 5,000 nonvoting members in 22 counties in Nebraska and Kansas.

## Hurricane Force Winds Cause Accidents In Neb.

SCOTT'S BLUFF, Neb. (AP) — Hurricane force winds are wreaking havoc and causing accidents on roads in western Nebraska.

KNEB reports that wind gusts over 70 miles per hour have been reported across the region Thursday afternoon. The National Weather Service reported wind gusts of 75 mph near Harrisburg and 71 mph at Sidney.

The Nebraska State Patrol says three accidents, including two with injuries, happened during a 30-minute period on Nebraska Highway 71.

The first involved a semitrailer that was blown off the road. The other two accidents involved cars that were also off the road.

The highway was closed for a while but has since reopened.

## S.D. Man Rescued From Grain Bin

ABERDEEN (AP) — Authorities say rescue crews pulled a man from a grain bin full of corn near Webster.

Day County Sheriff Barry Hillestad tells the *Aberdeen American News* that the man was trapped up to his shoulders in corn Wednesday afternoon.

The sheriff says the man was inside the bin was trying to get the corn to flow toward a discharge opening and was sucked down into the grain.

Rescuers removed corn from the bin and were able to get the man out in about 90 minutes. The sheriff says the man had no apparent injuries but was taken to a Webster hospital.

His name was not released.

## Puppy Stolen From Sioux Falls Shelter Is Found

SIoux FALLS (AP) — A puppy stolen from the Sioux Falls Area Humane Society has been returned to the man who'd been ready to adopt her.

Robin, a 2-month-old cocker-spaniel and husky mix, was minutes from being adopted when someone smuggled her from her cage Dec. 15. KELO-TV reports that a police officer spotted a woman walking the dog in Sioux Falls last week.

The woman readily handed the pooch over to authorities. KELO reports that police don't believe the woman was the dog-snatcher, and no charges have been filed. Robin has been reunited with the man who had planned to give her a "forever" home.

The area Humane Society's director, Kori Baade, said the man had called about Robin every day since her disappearance. Getting her back was a "Christmas present."

# S.D. Bar Owner Charged With Raping 3 Girls

BY KRISTI EATON

Associated Press

HURON — The shots of alcohol and mixed drinks began flowing in the early morning hours. Three friends — two 14-year-olds and a 12-year-old — were supposed to be babysitting over a Saturday night. Instead, police say, they met up with a bar owner, who drove them to the closed tavern and began pouring them drinks — vodka shots, orange juice and vodka, vodka and coke and energy drinks.

Two of the girls say they got sick, and all three say they either passed out or fell asleep at the bar.

That's when, according to prosecutors, 34-year-old Werner Fajardo raped each of them. Fajardo, who owns and operates a bar in the South Dakota city of Huron, was charged with six counts of rape and three counts of giving alcohol to minors. He was released after posting a \$10,000 cash bond.

A week later, the Huron Police Department conducted its first-ever alcohol compliance check of the El Cuervo bar. When police discovered 11 minors inside, Fajardo was arrested a second time and charged with violating beverage laws, five counts of furnishing alcohol to a minor and allowing people under the age of 21 on the premises.

Fajardo, who has not publicly discussed the cases, pleaded not guilty to all the charges during an arraignment on Dec. 20 and requested jury trials in both cases. He is being held on

\$150,000 bond. Fajardo's lawyer has not responded to repeated requests for comment.

City leaders have scheduled a public hearing Friday to consider whether to recommend that the state Department of Revenue revoke or suspend Fajardo's liquor license.

El Cuervo, located on the first floor of a two-story building along one of Huron's main streets, regularly posts signs promoting a teen night, said Sheila Moore, manager of Homecare Services, an independent living agency next door.

"I questioned how they were able to have teen night in a bar," she said. "We saw teenagers go in and out."

According to police, Fajardo exploited an outdated ordinance that allowed 18- to 21-year-olds in an establishment serving alcohol if it was designated as a dance hall. City records show Fajardo applied for the dance hall license in June 2010, and it took effect two months later. The ordinance was repealed soon after, but El Cuervo apparently still welcomed minors.

It was through the teen nights that Fajardo met the girls, said Michael R. Moore, Beadle County's state's attorney.

Police said until Fajardo's arrest they had no knowledge of underage drinking or any other crimes at the bar, said Sgt. Brandon Neitzert, spokesman for the Huron Police Department. He said police have not regularly conducted alcohol compliance checks at bars around town for years.

## Nebraska Medical Clinic Sues Ex-Worker, Alleging Theft

LINCOLN, Neb. (AP) — A Lincoln medical clinic has sued its former administrator, alleging she embezzled nearly \$634,000 over several years.

Nebraska Pulmonary Specialties filed the lawsuit Dec. 19 against Royann Schmidgall, of Lincoln. The clinic said it fired Schmidgall on Dec. 9 after discovering financial irregularities.

The allegations against Schmidgall have been reported to Lincoln Police. Police spokeswoman Katie said Thursday that the investigation is in its early stages and that Schmidgall has not been arrested.

Schmidgall and her attorney didn't immediately return calls Thursday from The Associated Press.

The clinic says in its lawsuit that its investigation showed Schmidgall had manipulated records on the clinic's paid time off program for employees, which includes vacation, sick time and personal time. The clinic allowed employees to cash in some of the unused personal time they have banked.

The lawsuit says that starting in 2004 or earlier, Schmidgall began accruing and cashing in some of her unused personal time off at mathe-

matically impossible levels and for higher hourly rates than she was being paid.

The clinic lawsuit also names Schmidgall's husband, Kevin Schmidgall, and their daughter, Taylor Schmidgall.

Kevin and Taylor Schmidgall "knew or had reason to know" about her scheme and "willingly accepted the fruits of Royann Schmidgall's dishonesty," the lawsuit says.

The lawsuit also says Taylor Schmidgall had a part-time job at the clinic and that her mother paid her \$10,260.66 more than she was entitled to in paid time off benefits.

Kevin and Taylor Schmidgall didn't immediately return phone calls from The Associated Press. Neither did his attorney. Taylor Schmidgall's attorney declined to comment.

The lawsuit asks for the Schmidgalls to return the money that the clinic says Royann Schmidgall stole. The clinic also seeks a court order that would bar all the Schmidgalls from selling or disposing of any property that the clinic "believes were acquired in whole or part with its money."

## Rare Arctic Owls Visit Nebraska Looking For Food

LINCOLN, Neb. (AP) — Snowy owls from the Arctic are being spotted in Nebraska and other Plains states this winter because greater numbers of the bird migrated farther south this year in search of food.

The Nebraska Game and Parks Commission told the *Lincoln Journal Star* that that 58 sightings of snowy owls have been recorded in the state.

"It's an exceptional year — perhaps a once-in-a-lifetime invasion for the species," said Joel Jorgensen, the state agency's nongame bird specialist.

The owls are identifiable by their brilliant white color, measure 2 feet or taller and can have wingspans of nearly 5 feet.

In recent weeks 49 snowy owl sightings have been reported in Iowa and more than 100 were reported in Wisconsin, Betsy Finch of Raptor Recovery Nebraska said.

Audubon magazine's website reports that snowy owls have been spotted as far south as Oklahoma and Hawaii.

But the owls that fly this far

south often arrive weak and hungry, and they may not be strong enough to return to the arctic.

Finch's organization in Elmwood has already treated one snowy owl after it was hit by a car. She said that owl should have weighed 5 pounds, but instead weighed 2 pounds, 11 ounces. That bird died Tuesday.

The reason more snowy owls are flying south this year is because the small rodents they usually eat are scarce.

"They are leaving their habitats and heading south in search of food because the lemming population has crashed," Finch said.

Paul Johnsgard, ornithologist and professor emeritus at the University of Nebraska-Lincoln, said it's rare to see snowy owls around Lincoln, but one reportedly was spotted near Wilderness Park.

"It's an unlikely habitat for snowy owls, because they nest on the tundras," said Johnsgard, referring to the southwest Lincoln park. "You would not find one nesting in a tree."

## OBITUARIES

### Donald 'Digger' Weiland

RAPID CITY — Donald "Digger" Weiland, 87, Rapid City, died Sunday, December 25, 2011 at Rapid City Regional Hospital.

Donald L. Weiland, or "Digger" as he has been known since college, was born January 4, 1924 at Scotland, South Dakota. He was the fourth youngest in a family of 15 children.

He attended Scotland High School where he excelled in athletics even though he was a small man. In 1943 he entered the army before graduating. Every year he told his family about landing in Okinawa on Easter Sunday. After returning from the Army he attended Black Hills Teachers College in Spearfish. There he met Gladys Poppe and convinced her to get married while they were still in college. For 65 years she was the love of his life. They remained dedicated and devoted to each other. This was never more obvious than in the last few years.

Donald and Gladys had three children: Cynthia, Steven, and Jeffrey.

Donald received a degree in teaching in 1950 and taught in Newcastle, Wyoming and Cathedral High School. He taught for over 37 years finishing his career at North Junior High teaching eighth grade social studies. He

was a remarkable teacher who kept his students captivated day in and day out. Throughout his teaching career he also coached football, basketball, and track, loving every minute of it. He was the first girls' basketball coach at Central High School. In addition to teaching and coaching, Donald refereed high school basketball games nearly every Friday and Saturday night for 30 years. He was inducted into the South Dakota Basketball Coaches Hall of Fame after refereeing 15 State AA basketball tournaments.

After retirement Donald became an avid golfer and gardener. He loved to dance and was known as Jitterbug King of Scotland, South Dakota. He was an amazing storyteller with a repertoire of stories that were requested to be told again and again.

Donald was a devout Catholic who never missed mass. He was a long-standing member of Blessed Sacrament Church. He also belonged to the Rapid City Elks Lodge where he pursued his love of golf. After a round, he enjoyed sharing a beer and golf stories with his many friends.

Donald loved nothing more than being with his family at holiday functions or the infamous Weiland family reunions. But highest on his list of favorites was watching one of his sons or grandchildren in a sporting event. His children and grandchildren loved him dearly. He left us on Christmas Day surrounded by his family.

Donald is survived by his wife

Gladys; his daughter Cynthia Hilton and her husband Clacie Neu of Rapid City; his son Steve and wife Cindy of Yankton, SD; his son Jeffrey and wife Jeanette of New Orleans, LA. His four grandchildren: Adrien Hilton and husband Brendan Fitzpatrick of Brooklyn, New York, Taylor Hilton of Rapid City, Sophie Hilton of Portland, Oregon, and Josh Weiland and fiancé Emily Peterson of Vancouver, British Columbia, Canada; and one sister: Marie Ulmer and husband Merrit of Menno, SD; and many nieces and nephews.

He was preceded in death by his parents: Joseph and Julia Mohr Weiland; nine brothers: Clarence, Joseph, Ray, Vince, Bill, Harold, Edward, Arthur, and Frank; four sisters: Alice, Gertrude, Julia, and Vi; and one son-in-law: Jimmy Hilton.

A Vigil Service was held at Osheim & Schmidt Funeral Home on Tuesday, December 27, 2011. The Memorial Funeral Service will be held at Blessed Sacrament Church, 4500 Jackson Boulevard at 11:30 am on Wednesday, December 28 with Rev. Father Tyler Dennis officiating.

Burial was to be held at Black

Hills National Cemetery near Sturgis with Military Honors by Rushmore VFW Post #1273 and South Dakota National Guard.

A memorial has been established to Black Hills State University.

His online guestbook is available to sign at [www.osheim-schmidt.com](http://www.osheim-schmidt.com).

Yankton Press & Dakotan  
December 30, 2011

### Vicky (Milander) Kennedy

Vicky (Milander) Kennedy, age 55 of Coleridge, NE died on Thursday, December 29, 2011 at St. Lukes Hospital in Sioux City, Iowa after battling cancer.

Funeral Services are pending at the Wintz Funeral Home in Coleridge.

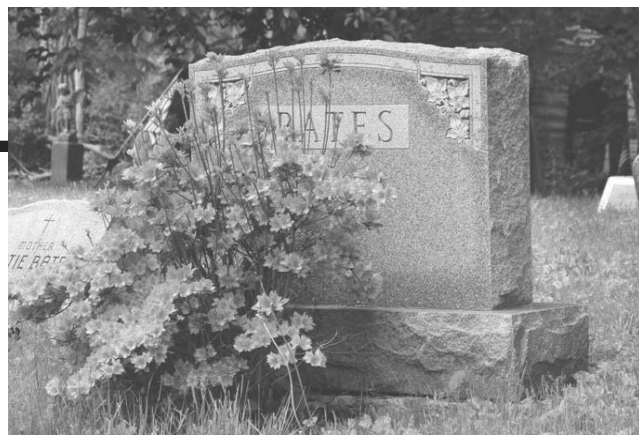
## NEWS AROUND THE CLOCK

[www.yankton.net](http://www.yankton.net)

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WINTZ & RAY FUNERAL HOME and Cremation Service, Inc. 605-665-3644  
WINTZ FUNERAL HOME INC. Hartington, Coleridge, Crofton 402-254-6547

New Year's Eve Dinner 5-9pm  
Petite Filet Mignon \$10<sup>95</sup>  
OR Burgundy Sirloin \$12<sup>95</sup>  
Either served with choice of potato, soup & salad bar  
Yesterday's Cafe 23rd & Broadway Yankton, SD

## "He said he was OK to drive..." HE LIED.



Maybe it wasn't an intentional lie.  
Maybe he really thought he was OK.  
It doesn't matter now.  
Two people are dead...  
two families are grieving.  
One mistake. That's all it takes.  
Don't let anyone drink and drive.

"We'd Rather Not Meet This Way."<sup>SM</sup>



Kevin P. Opsahl  
Funeral Director



Tami Keller  
Funeral Director

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Our Office Will Be Closing at 3:00pm on Friday, December 30.  
We Wish You & Your Families A Very Happy New Year!  
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