

MARTY

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Lynette Ashes, editor of the *Sioux Messenger* newspaper.

"The last time, things were gone within a day," she said.

Word of the supplies spread quickly within the Yankton Sioux Tribe, which has half of its 8,500 members living on the reservation, Archambeau said.

"How do we get rid of it? Moccasin press — word of mouth," she said jokingly. "The last donations ended up at just Marty, so this one will go to Lake Andes."

Slaba said Dr. Grisel Rodriguez, the chief medical officer at the Indian Health Service facility in Wagner, approached him for assistance.

"Dr. Rodriguez said people were struggling and wondered if there was anything we could do. They desperately needed food and water," Slaba said. "There was no loss of life, but the flooding has had an incredible impact on more lives than anticipated."

Slaba contacted ASHH in Yankton for a partnership to help the reservation.

"At first, we delivered more than 400 cases of water. Avera Sacred Heart was also running food and clothing drives," he said. "Dr. Tom and Jane Gilmore of Yankton said they had items that they normally took to reservations, and they wanted to help. So I sent two of my employees to pick up the food and clothing."

The Gilmores' involvement carries a special meaning, Archambeau said.

"Dr. Gilmore has delivered our babies," she said. "The kids he delivered are now using the clothing that he is sending."

Other early donations included 75 cases of water from Wagner grocer R.F. Buche, "flood buckets" with cleaning supplies from the Red Cross, and \$1,000 from the Episcopal Diocese of South Dakota to start the YST Disaster Relief Fund at Community State Bank in Wagner.

The change of seasons will require donations of winter clothing, Slaba said. He serves as Wagner Rotary president, and the organization will use its coat drive for kids to meet local needs.

Slaba remained amazed at the ongoing devastation three weeks after the flooding. The area shows signs of water damage, and the air contains odors from sewage problems.

The tribe has been feeding families either at the Fort Randall Casino or through the Marty Indian School's summer nutrition program.

Archambeau said the school program was feeding about 120 elderly Thursday, in addition to about 60 children. "Now, we have parents who come with their children for meals because their electricity is still off or their propane was ripped up," she said.

Appliances and other ruined household items can be found stacked outside homes. The tribe is replacing furnaces and hot water heaters, but residents have to replace other items. Efforts are still under way to dig pits and drain water away from residences.

The tribal council is hampered in providing assistance, as the tribal headquarters in Marty sustained extensive damage and may not be structurally sound, she said.

Phone and electrical service were disrupted, and mold poses a health risk, she said. In addition, the first-floor flooding ruined much of the computers, equipment and files.

Total damages could exceed \$350,000, according to estimates, she added.

The Marty Indian School was spared from flood damage, and a back room serves as a makeshift tribal office. However, those workers need to relocate when students return to classes next month.

The tribe is looking at temporary headquarters at the middle school's administrative offices across the street, Archambeau said. The council may eventually relocate the headquarters from Marty to Wagner.

In dealing with the flooding's aftermath, the tribal council holds daily meetings and works out of the Bureau of Indian Affairs (BIA) office in Wagner.

The tribal council has sent a letter to the state requesting help, Archambeau said. In addition, YST president Robert Cournoyer and treasurer Leo O'Connor are seeking assistance during meetings with the Shakopee tribe in Minnesota.

Amidst the chaos and despair, Archambeau looks for the powwows at Greenwood this weekend and at Marty the following weekend to go ahead as scheduled. In fact, she believes they are needed more than ever.

"Indians are unique. They are devastated, and yet they are still happy and going on with their lives," she said. "The powwow is spiritual, and we truly believe that there is a healing process with a dance."

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Court Asked To Toss Beatrice Center Lawsuits

BY TIMBERLY ROSS
Associated Press Writer

OMAHA, Neb. — Lawsuits brought against Gov. Dave Heineman and other Nebraska officials over residents' safety at the Beatrice State Developmental Center should be dismissed because leaders were acting within their official capacities, so they're immune from such actions, the state argued in a motion filed Thursday.

Lawsuits filed in May 2009 on behalf of eight former center residents accused the state of allowing the facility for the developmentally disabled to become unsafe.

The suits stem from the state's January 2009 decision to remove 47 residents considered medically fragile from the center. That move was ordered following the death of an 18-year-old who received what state officials have acknowledged was inadequate care.

Eventually the cases were consolidated. The state's motion on Thursday sought to dismiss the lawsuit, which is headed to trial in March. The motion said, among other things, that state officials have qualified immunity in these cases and residents "voluntarily resided at BSDC and were free to leave at any time." Qualified immunity generally protects govern-

ment workers from being sued for performing their duties.

U.S. Magistrate Judge Cheryl Zwart on Monday issued a stay in the case in anticipation of the state's filing. No hearing has been set for the judge to weigh the request.

Attorneys for the state had sought a similar dismissal in November, but that request was denied.

The Beatrice center has faced hundreds of allegations of abuse and neglect in recent years. The state reached a settlement with the U.S. Department of Justice in 2008, in which state officials pledged to make improvements.

CENTER

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will do whatever we can to help them."

That spirit of generosity comes directly from the giving spirit that the Yankton community has when it comes supporting the Contact Center.

"Usually, all we have to do is let it be known that we have a need and the community will step up and help us," Stange said. "Right now we are just running into a time of higher demand and lower donations. We usually have a higher

demand during the summer because of schools being out."

The food pantry's biggest donation periods come during the October Boy Scout Food Drive and the December Post Office Food Drive. Throughout the rest of the year, the pantry relies heavily on church, community and organizational donations.

"This community has always stepped up to the plate to help us when we need it," Stange said. "I have no doubts that they will again."

For more information about the food pantry and the Contact Center call 605-260-4400.



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