

2010

Legal and Public Notices

Room at the Technical Education Center, 1200 West 21st Street, Yankton, South Dakota, where any person or persons interested in the approval or rejection of the above application may appear and be heard.

Dated at Yankton, South Dakota this 9th day of July, 2012.

Ann Clough
DEPUTY FINANCE OFFICER

7+13

NOTICE OF HEARING UPON APPLICATION FOR SALE OF ALCOHOLIC BEVERAGES

NOTICE IS HEREBY GIVEN that an application has been received by the Board of City Commissioners of the City of Yankton, South Dakota, for the transfer of location of a Retail (on-sale) Liquor License for January 1, 2012, to December 31, 2012, from Drotzmann & Portillo Enterprises, LLC, (Steve Drotzmann, partner) d/b/a Rounding 3rd Bar & Casino, 304 West 3rd Street, Yankton, S.D.

NOTICE IS FURTHER GIVEN that a Public Hearing upon the application will be held on Monday, July 23, 2012, at 7:00 p.m. in the City of Yankton Community Meeting Room at the Technical Education Center, 1200 West 21st Street, Yankton, South Dakota, where any person or persons interested in the approval or rejection of the above application may appear and be heard.

Dated at Yankton, South Dakota this 9th day of July, 2012.

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Guns Deemed OK On City Property In Sioux Falls

SIoux FALLS (AP) — Residents of South Dakota's largest city can once again freely carry guns on city property, after officials decided a ban imposed 15 years ago was never enforceable.

Sioux Falls Mayor Gary Hanson in 1995 issued an executive order prohibiting city employees from bringing guns on city property. He expanded it two years later to include all people. After a review of executive orders on the books in Sioux Falls, City Attorney Dave Pfeifle recommended lifting the gun ban because state law did not allow for it.

"This executive order — though it was not a law and it was very well-intended — it had absolutely no teeth," current Mayor Mike Huether said Wednesday.

Huether signed a revised executive order that applies only to city employees, turning it into a personnel regulation.

Hanson told the *Argus Leader* newspaper that he created the executive order in 1995 because a number of city workers were bringing rifles, shotguns and pistols to work, cleaning them in the cafeteria and keeping them in their lockers. A number of workplace shootings also had occurred throughout the country, and Hanson said he wanted to take preventive action.

Hanson said when he amended his order in 1997, he and other administrators were unaware that the state prohibited cities from banning firearms.

"I appreciate the fact that Mayor Huether took the action that he did; I think it's quite appropriate," Hanson said.

Hells Angels To Hold Annual Event In Spearfish

BY CHET BROKAW
Associated Press

PIERRE — Extra law enforcement officers will be brought in to help patrol the northern Black Hills when the Hells Angels Motorcycle Club holds a major event in Spearfish later this month, a police department official said Thursday.

Up to 1,200 people, including 400-600 club members, are expected to attend the club's annual USA Run in Spearfish July 25-29, Spearfish Police Lt. Curt Jacobs said. The event has been described as the club's annual convention.

The South Dakota Highway Patrol will

have extra troopers in the area, and other law agencies will help patrol the area, Jacobs said.

"We expect them to follow the rules that the citizens do in this area for 365 days out of the year. As long as they follow those rules, there shouldn't be any issues," he said.

Jacobs said he and Spearfish Police Chief Pat Rotert met earlier with representatives of the Hells Angels, but they have no valid phone numbers for the club. The club did not immediately respond to an email requesting comment.

"The Hells Angels are used to this. Anytime they have their USA Run they know

that law enforcement is going to beef up their numbers in that area," Jacobs said.

"They have their meetings, their barbecues, their picnics and then they head back home," he added.

Jacobs said the crowd at the Hells Angels event will be small compared with the hundreds of thousands of bikers who attend the annual Sturgis Motorcycle Rally held in the area each year. This year's Sturgis rally is set for Aug. 6-12.

Christina Steele, a Sturgis city official who also represents the rally, said some of the people who attend the Hells Angels USA Run will likely stay in the area for the Sturgis rally.

"It's an economic boost anytime you get a group like that," Steele said.

Steele said officials are not expecting any major problems from the Hells Angels event. The club also held its USA Run in the area a few years ago, she said.

"I don't recall there being any problems that last time they were all here. They'll be treated just like anybody else," Steele said.

Members of the Hells Angels have had run-ins with the law during Sturgis rallies in past years. Two club members involved in a stabbing that left two people with injuries during last year's rally were convicted of assault charges.

Petition Submitted For Probe Of 2008 Nebraska Toddler Death

GERING, Neb. (AP) — Supporters of a grand jury investigation into the 2008 death of a 2-year-old Nebraska girl say they have gathered enough petition signatures to force the probe.

A petition containing more than 1,700 signatures was submitted Wednesday to Scotts Bluff County authorities calling for the grand jury probe into the death of Juliette Geurts, the *Scottsbluff Star-Herald* reported (<http://bit.ly/Li-ilmK>). Nebraska is one of six states that allow grand juries to convene by petition.

The signatures must be verified by the county clerk before the petition is submitted to District Court Judge Randy Lippstreu, who will review its language. By law, 974 valid signatures are needed to force a grand jury to convene and to have a special prosecutor assigned to the case.

The petition effort was started earlier this year by relatives and others who are dissatisfied with officials' efforts to find out whether the Gering toddler was a homicide victim and who might have killed her. An autopsy showed Juliette died of blunt-force trauma to her head and abdomen on July 11, 2008.

"This has been a long day coming," Juliette's aunt, Monica Hall, said of turning in the petition signatures. "This is a small step in the mountain we have to climb. Maybe Juliette will finally get some justice."

No arrests have been made in the girl's death, and Scotts Bluff County Attorney Doug Warner told The Associated Press on Thursday that the case is still under investigation.

Warner said he has sought the help of the FBI, asking the agency to review the case.

In 2008, Warner said the girl's mother was among three suspects in the girl's death.

The mother and two men were in the home when Juliette suffered the fatal injuries. The child's father, who had separated from her mother in 2007, was serving with the U.S. Army at the time of the death.

Relatives of the father have said she moved out of Nebraska. She lost custody of Juliette's twin after the death.

Warner said he is not put off by the petition effort and that a grand jury would not hinder the investigation that's already under way. But he added: "I can't predict whether it will help."

"I will cooperate fully with the grand jury if one is convened," Warner said. "This case needs to be solved, and I will do what I can to accomplish that goal."

LOSING GREEN



JOHN SLEEZER/KANSAS CITY STAR/MCT
A stressed and fallen leaf loses its green coloring in the brown grass of a home in Olathe, Kansas, on Thursday, July 12, 2012. Temperatures in the area topped 90 degrees Thursday with forecasts calling for rising numbers into the weekend.

Man Convicted Of Abusing Disabled People

BEATRICE, Neb. (AP) — A Nebraska jury on Thursday convicted a former worker of abusing residents at a state-run center for developmentally disabled people.

Matthew Pangborn, 31, was found guilty on four counts of abuse of a vulnerable adult, one count of attempted abuse, three counts of strangulation and one count of attempted strangulation.

Pangborn was acquitted on one count of abuse of a vulnerable adult.

The jury deliberated for about four hours on Wednesday and resumed Thursday morning.

Pangborn was accused of beating and choking residents when he worked at the Beatrice State Developmental Center last summer.

Sixteen employees were suspended after an investigation found that at least seven of the center's developmentally disabled residents

were routinely slapped, shoved, violently pinched, punched, ridiculed and choked. Five workers were initially charged with abuse.

Pangborn was the only one to face trial, after the four others pleaded to reduced charges.

Prosecutors said in their opening statement that the case was about the "fundamental rights" of the residents.

On Monday and Tuesday, former co-workers testified about the abuse they say they saw Pangborn deliver.

Connie Baird, who was fired for failing to report abuse and neglect, said she saw Pangborn threaten one person and choke another.

Carmen Yates, who pleaded guilty to misdemeanor attempted abuse of a vulnerable adult, said she saw Pangborn choke a resident into unconsciousness.

In Pangborn's defense, his attorney put on the stand another co-worker, Martha McCarthy, who said the center residents liked Pangborn.

"They were happy to see Matt," said McCarthy, describing some residents as getting "smiley" when they saw Pangborn.

The Beatrice center has suffered a string of problems. A U.S. Justice Department investigation reported about 200 cases of alleged neglect and abuse at the center from late 2006 to late 2007. In September 2009, the state lost its appeal to regain Medicaid certification that would bring \$29 million in annual federal funding.

The state later decided to divide the center into five smaller, independently licensed care facilities on the Beatrice campus and regained funding.

Buffett Says General Economy Slowing This Summer

BY JOSH FUNK
AP Business Writer

OMAHA, Neb. — Billionaire investor Warren Buffett said Thursday that U.S. economic growth has slowed in the last two months as fears about Europe's debt woes mounted.

Buffett's comments during an interview Thursday on the cable TV network CNBC contrast with what he has been saying for a couple years. Buffett has said the economy was gradually improving since the fall of 2009 in every area except businesses related to housing.

Buffett said the U.S. economy has not turned negative, but business in Europe has dropped off quickly in the past two months. Berkshire Hathaway's chairman and CEO draws insight into the economy from the reports he gets from the Omaha-based company's subsidiaries and investments which range from railroads and



Buffett

power companies to insurance, carpet and soft drinks.

"The general economy has been pretty much flat," said Buffett, who was in Sun Valley, Idaho, attending the annual conference hosted by investment banker Allen & Co. that attracts Wall Street and media moguls.

He said one bright spot is that businesses tied to residential housing are improving a bit.

"The little pickup in housing has not been enough to offset what has been going on in the rest of the world," Buffett said.

Buffett said he's not sure why the overall economy has been slowing.

Buffett was also asked about JPMorgan Chase CEO Jamie Dimon, a day before the bank is set to report its latest earnings re-

sults and shed more light on its loss on a bad trade.

Buffett reiterated his confidence in Dimon even though JPMorgan has said it may lose \$2 billion or more on a bad trade. Dimon has apologized to shareholders, and days after the loss was disclosed, Chief Investment Officer Ina Drew, who oversaw the trading group responsible for the trade, left the company.

"I think Jamie Dimon is one of the best bankers in the world. He understands banking and risk," said Buffett, who invested in the bank in his personal portfolio and often suggests investors read Dimon's letters to shareholders.

JPMorgan's loss has heightened concerns that the biggest banks still pose risks to the U.S. financial system, less than four years after the financial crisis in the fall of 2008.

Buffett was also asked about recent troubles at the British bank

Barclays, which has been fined \$453 million by U.S. and British authorities for supplying false data which went into calculations of the London interbank offered rate, LIBOR, a key global interest rate.

Buffett said he understood why Bob Diamond subsequently resigned as CEO of Barclay's.

"I don't think he had any choice but to go," Buffett said.

Diamond agreed to terms for a final settlement, which includes forfeiting up to \$31 million in bonuses and incentives, on Tuesday.

Berkshire owns roughly 80 subsidiaries, including railroad, clothing, furniture and jewelry firms, but its insurance and utility businesses typically account for more than half of the company's net income. It also has major investments in such companies as Coca-Cola Co. and Wells Fargo & Co.

S.D. Officer Accused Of Mistreating Woman

WAGNER (AP) — An officer with the Custer County Sheriff's Office is accused of mistreating a woman after misidentifying her as a suspect.

The South Dakota Division of Criminal Investigation is looking into the accusations against David Keale. An agency spokeswoman declined to provide details to the *Rapid City Journal* (<http://bit.ly/PSH8Rg>). Sheriff Rick Wheeler also declined to talk about the case.

Susan Brown, of Custer, says she was shopping when Keale mistakenly tried to arrest her for an outstanding warrant. She says the officer treated her roughly. She says Keale later apologized but she refused to accept the apology.

Keale was put on paid leave June 22. A telephone listing for him could not immediately be found.

Man Pleads In Fed Court In S.D. Bank Robbery

SIoux FALLS (AP) — A Michigan man has pleaded not guilty in federal court to robbing a Sioux Falls bank.

Twenty-one-year-old Alvione Jones earlier had pleaded not guilty in state court to robbery and kidnapping charges. *The Argus Leader* newspaper reports (<http://argusne.ws/MmEvBV>) that the case has been moved to federal court because the Great Western Bank is federally insured.

Authorities say the Grand Rapids, Mich., man ambushed two bank employees in the parking lot on June 25, forcing them to hand over more than \$60,000 in cash from the bank's vault.

If Jones is convicted on the federal robbery charge he would face at least 10 years in prison and possibly a life term. He is being held without bond.

S.D. Guard Unit Wins Weapons Award

RAPID CITY, S.D. (AP) — A South Dakota Army National Guard unit has won an award for having the nation's highest weapons qualification rate.

The 740th Transportation Company, headquartered in Milbank, won the National Guard Association Pershing Award for the second time in six years.

The unit earned the highest figure of merit score during annual qualification firing with assigned individual weapons.

The unit's overall qualifications rate was 99.4 percent. It qualified 64 experts, 75 sharpshooters and 30 marksmen.

Capt. Jeremy Schafer, the company commander, says the award is reassurance that the unit's training is effective and sufficient.

Search On For Women In Neb. Jewelry Thefts

OMAHA, Neb. (AP) — Douglas County authorities are looking for two women who are targeting homes and stealing jewelry.

KETV-TV in Omaha says the sheriff's office says two women have hit at least three homes in the past three weeks in the western part of the county. In one home, over \$100,000 worth of jewelry was taken.

In surveillance video on June 29, the women can be seen ringing the doorbell at a house and trying to see if anyone is inside. The two leave, but then they walk out the front door about 15 minutes later.

The women are suspects in similar crimes two days earlier and again on July 7.

USDA Loan To Help SE Electric Improve Line

SIoux FALLS (AP) — The U.S. Agriculture Department says it is guaranteeing a loan of nearly \$37 million to Southeastern Electric Cooperative to help it build and improve 467 miles of distribution line and make other system improvements for more than 1,600 customers.

It's part of \$287 million in loan guarantees announced Thursday by USDA Rural Development's Rural Utilities Service.

Agriculture Secretary Tom Vilsack says the guarantees will help ensure that rural areas can retain existing businesses, support new ones and have reliable, up-to-date infrastructure.

The loan to Marion-based Southeastern includes \$2.8 million in smart grid projects.

Vilsack says the smart grid funding helps utilities make efficiency improvements to the electric grid and helps consumers lower their electric bills by reducing energy use in homes and businesses.

Officials: Man Aimed Laser Pointer At Planes

OMAHA, Neb. (AP) — Authorities have questioned an Omaha man who is suspected of flashing a laser pointer at planes and helicopters.

KETV-TV in Omaha says the most recent incident occurred Tuesday night when a police helicopter was targeted. Authorities say he also may have aimed the pointer at passenger planes flying in and out of Omaha's Eppley Airfield.

The man has not been arrested, so authorities aren't releasing his name. The laser pointer has been confiscated.

Experts say a laser beam could harm a pilot's night vision or cause blindness.

The Federal Aviation Administration has announced that it will pursue civil penalties on those who point lasers into the cockpits of aircraft.

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