

2010 Legal and Public Notices

TO: LORETTA KING
HERMAN

PLEASE TAKE NOTICE that the TERMINATION OF PARENTAL RIGHTS Hearing on the Petition for MINOR IN NEED OF CARE concerning the above named minor(s) has been set for the 23rd Day of June, 2015 at 10:15 a.m. in the Rosebud Sioux Children's Court at the Wanbli Wiconi Tipi Wellness and Renewal Center (JDC) at Ring Thunder Community, South Dakota. This is your official notice of said hearing.

DATED THIS 28th day of May, 2015.

BY THE COURT:

CHERYL THREE STARS
VALANDRA
CHILDREN'S COURT JUDGE

ATTEST:

RIKKI SPOTTED TAIL
CLERK OF COURTS

FBI Ends SD Visa Probe

BY KEVIN BURBACH
Associated Press

SIoux FALLS — The FBI announced Monday it has closed its investigation into South Dakota's investment-for-visa program and the state's U.S. Attorney would not pursue any prosecution.

The program to recruit investment dollars from wealthy immigrants in exchange for easier entry into the U.S. came under scrutiny after the death of a former state official and allegations of financial misconduct. The program and surrounding scandal were frequent talking points during South Dakota's U.S. Senate race last year, with now-U.S. Sen. Mike Rounds criticized by his opponents for his management of the program as governor.

Some questions and answers about what Monday's news means:

WHAT IS EB-5 AGAIN?

It's a state-run federal program that allows states to recruit wealthy immigrant investors for projects in exchange for green cards. Investors approved for the federal program can become legal permanent residents after two years and can later be eligible to become citizens.

South Dakota was one of the states that led the way in EB-5 financing under Joop Bollen and former Governor's Office of Economic Development secretary Richard Benda. But the program came under fire after Benda committed suicide in 2013 as state officials prepared felony theft charges against him.

Bollen headed the EB-5 program for the state when he was in charge of the South Dakota International Business Institute at Northern State University. The program was privatized in 2009 and turned over to SDRIC Inc., a company Bollen had founded and for which he served as president.

The Governor's Office of Economic Development terminated its contract with SDRIC last year and now administers the program.

WHAT HAPPENED?

An investigation into South Dakota's EB-5 program and SDRIC, which had been underway since at least 2013, has been closed. Kyle Loven, the FBI spokesman in Minneapolis, said the agency concluded its investigation recently and forwarded its findings to the office of acting U.S. Attorney Randy Seiler. Seiler's office declined to comment, but Loven confirmed Seiler decided not to pursue prosecution based on the FBI's findings.

THE FBI PROBE

It's still not entirely clear. Loven declined to discuss the details of the investigation or who the agency was looking into, but said the FBI had been investigating the program based on "allegations, which came to our attention."

Bollen, who has rarely spoken publicly about his involvement in the program, declined to comment to The Associated Press on Monday about the investigation. He told legislators in November that he had been interviewed twice by the FBI in 2013 and both interviews focused on Benda.

He said then that he was told Benda was the target of the investigation and that because of an active investigation into the EB-5 program and SDRIC Inc., there were limits on what he could say.

WHAT'S LEFT?

The political fallout is likely over now, but state officials are still investigating how to claw back roughly \$1 million in public funds.

A legislative audit committee released a report in December that found Benda was the only person responsible for more than \$500,000 in "misdirected" funds.

Tony Venhuizen, chief of staff to Gov. Dennis Daugaard, said Monday the state "continues to consider its options regarding any claims the state might have."

The South Dakota Board of Regents is also evaluating how to recover about \$510,000 in fees related to a lawsuit against the state, according to Jack Warner, the board's CEO.

Nebraska

Campaign Seeks To Put Death Penalty On Ballot

BY GRANT SCHULTE
Associated Press

LINCOLN, Neb. — Death penalty supporters on Monday announced a campaign to ask voters to reinstate capital punishment in Nebraska after lawmakers voted to abolish it.

The new group Nebraskans for the Death Penalty will gather signatures in their effort to overturn the law passed last week that prevents the state from carrying out executions. If the group collects enough signatures, the issue would go before voters in the November 2016 general election.

Nebraska lawmakers voted last week to override Republican Gov. Pete Ricketts' veto of the bill. Ricketts said after the vote that he would support a ballot campaign on the issue. The governor also said he has no plans to cancel a shipment of lethal injection drugs that the state bought from a broker in India for \$51,000.

Nebraskans for the Death Penalty spokesman Chris Peterson said his group is reaching out to supporters and will announce more details in the next few days. Peterson said he was optimistic the group can get the issue on the ballot.

The campaign will likely include a combination of volunteer and paid petitioners, said Peterson, who previously worked as a consultant for Ricketts' gubernatorial campaign and transition team.

Campaign board members include Omaha City Councilwoman Aimee Melton, former State Board of Education member Bob Evnen and Judy

Glassburner, the Nebraska Republican Party's third district vice-chair.

Last week, state Sen. Beau McCoy of Omaha announced the formation of a committee, Nebraskans for Justice, to explore the possibility of placing a death penalty measure on

said they plan to organize against the campaign and questioned whether most Nebraskans would support the death penalty when presented with the alternative of life in prison without parole.

They also emphasized one of the key arguments raised during the legislative debate: Even with the death penalty on the books, Nebraska officials have struggled for 18 years to execute an inmate because of legal challenges and problems obtaining the required drugs. Shortly after Ricketts announced last month that the state had purchased two required lethal injection drugs, the U.S. Food and Drug Administration threw up another potential roadblock.

"The majority of senators carefully researched this issue, talked with their constituents and decided that ending the state's death penalty is the best policy," said Stacy Anderson, executive director of Nebraskans for Alternatives to the Death Penalty. "I can't imagine that Nebraskans, being as smart and reasonable as they are, would want to spend the tremendous amount of money and time that it would take to overturn (the law)."

Sen. Ernie Chambers of Omaha, an independent and the law's lead sponsor, has said supporters are within their rights to pursue a ballot measure but questioned whether they would succeed.

"As any person with a lawn knows, a dandelion may pop up at any time," Chambers said Monday. "But it is not cause for alarm."

"The majority of senators carefully researched this issue, talked with their constituents and decided that ending the state's death penalty is the best policy."

STACY ANDERSON

the ballot. A phone message left with McCoy wasn't immediately returned.

Nebraska's referendum process allows citizens to suspend a law if they can collect signatures from 10 percent of the state's registered voters — roughly 115,000 people — in the 90 days before the law goes into effect.

Death penalty supporters also have the option to gather signatures from 5 percent of Nebraska's registered voters, which would place the issue on the ballot but wouldn't keep the law from going into effect.

Supporters have until Aug. 27 to submit enough signatures for a referendum.

Death penalty supporters also have a third option that would give them more time: a petition drive for a constitutional amendment. Residents can propose a constitutional amendment if they collect signatures from 10 percent of registered voters. In that scenario, petitions would have to be submitted to Nebraska's secretary of state by July 2016.

Death penalty opponents

Somalis Not Worried About Terror Recruiting In Sioux Falls

SIoux FALLS, S.D. (AP) — Nearly 2,000 Somalis live in Sioux Falls, yet members of the city's large immigrant community say they aren't nearly as concerned about potential recruiting for the so-called Islamic State group as those in the Minneapolis-St. Paul area.

That may be because the smaller numbers make it harder for those immigrants to be isolated, according to one expert. Much of the Somali population in Minneapolis never fully assimilates, partly because Somalis tend to congregate in closed communities, Justin Heinz, who co-authored a recent report exploring the ongoing terrorist recruitment and radicalization in the Twin Cities' Somali community, told the *Argus Leader*.

A lack of assimilation probably is less likely in Sioux Falls because there aren't any charter schools solely for Somali students, isolated Somali neighborhoods or replica malls, Heinz said.

Many of the Somali children in Sioux Falls are

younger than those in the Twin Cities, according to Said Yusuf, a local businessman who's originally from Somalia.

"We're a small community. Everyone knows each other. That is the difference here," Yusuf's wife, Sofia Mohamed, said.

At least 27 Somali-Americans left the Twin Cities between 2006 and 2011 to return to Somalia and join local militant group al-Shabaab. Many of those people were attracted to the cause, which initially was perceived as a political movement, by the prospect of rebuilding their homeland, Heinz said.

"They were Muslim. They were interested in pushing back against Kenya and Ethiopia's influence in their country. So there was this nationalistic pull," he said.

At least a dozen Somali-Americans have left Minnesota for Syria, where al-Shabaab has shifted its focus after developing a relationship with ISIL, in the past 17 months, according to law enforcement officials.

"Once they stopped go-

ing to Somalia, parents and friends (in the Twin Cities) couldn't understand the draw," Hieng said. "Why go to Syria, where they have no ethnic or cultural ties? Why was there this shift in destination?"

Although there isn't much concern over terrorist recruiting in Sioux Falls, some of the city's native Somalis, like Hirs Mohamed of the African Community Center, want to establish educational programs that will ensure greater integration into the community, making it less likely that ISIL will ever take hold in the area.

"We're trying to make sure this community will be safe," Mohamed said.

Cyclists Ride In Support Of Brewery

WATERLOO, Iowa (AP) — Supporters are putting a little sweat behind their effort to draw attention to the proposed transformation of a former Wonder Bread bakery in Waterloo into a production brewery.

KCRG-TV reports that more than 100 people biked on Sunday from Waterloo to Cedar Falls, where Single Speed Brewing is based. They hope their ride will help compel Waterloo city officials to approve the brewery's plans to renovate the former bakery, which closed in 2012.

The brewery's owner has said he'd like to build a production brewery, dining hall and retail space inside the old bakery, with the hope of eventually bringing between 70 and 100 new jobs.

The city says it also has discussed other plans for the space.

Bond Set For Man Charged In Assault

ABERDEEN, S.D. (AP) — Bond has been set at \$250,000 for a 54-year-old Aberdeen man accused of fatally assaulting another man.

Bradley Quist appeared in court for the first time Monday afternoon. He's charged with felony manslaughter for allegedly assaulting 61-year-old Ronald Witchey, who died early Sunday.

The American News reports police in Aberdeen responded to a report of an unconscious assault victim on Sunday. Officers found Witchey, who was not breathing and had no pulse. Officers performed CPR and Witchey was taken to Avera St. Luke's Hospital, where he was pronounced dead.

Both men are from Aberdeen. Quist said in court he intended to get an attorney.

Flu Found At Turkey Operations In Iowa

DES MOINES, Iowa (AP) — Two more cases of bird flu have been found at Iowa turkey farms.

The Iowa agriculture department announced Monday that the avian influenza had been confirmed at a farm in Hamilton County with 36,000 turkeys and that a preliminary test for the disease was positive at a Calhoun County farm with 21,000 birds. A federal lab in Ames will test the Calhoun County samples to confirm the disease.

Once the flu is confirmed at a farm, all the birds are euthanized.

The agriculture department says the virus has infected poultry at farms with more than 26 million birds.

Boy, 13, Stabs, Wounds Father In Fight

FRIDLEY, Minn. (AP) — A 13-year-old Fridley boy is in custody after police say he stabbed his father in the chest while intervening in a fight between his parents.

The Anoka County sheriff's office says the 47-year-old father is listed in critical condition at Hennepin County Medical Center.

The Star Tribune reports the boy was taken to the Lino Lakes Juvenile Detention Center while prosecutors review the case.

Fridley police responded early Monday to a 911 call about a "heavy domestic."

According to the sheriff's office, a domestic argument was taking place among several adults in the home, including a husband and wife who had been drinking.

When the argument escalated to a physical altercation, authorities say the boy attacked his father with the knife. Fridley police and the sheriff's office are investigating.

Judge Adds 7 Years To Jenkins' Sentence

OMAHA, Neb. (AP) — A Nebraska judge has added seven years to Erica Jenkins' life sentence for assaulting three jail guards.

Jenkins was sentenced Monday for the assaults she pleaded no contest to.

Jenkins maintains that she was defending herself in the altercations with guards. But prosecutors say Jenkins has continually acted out and attacked officers.

In January, Jenkins was sentenced to life in prison plus up to 100 years for her role in the 2013 shooting death of Curtis Bradford.

Jenkins is the sister of Nikko Jenkins, who last year was convicted in the killing of Bradford, as well as the 2013 shooting deaths of Andrea Kruger and two others in separate attacks.

No Jail Time For Former Sewer Official

PIERRE, S.D. (AP) — A former sewer works superintendent in Pierre who has pleaded guilty to falsifying pollution control reports will not be able to work in his former field for the next two years.

Attorney General Marty Jackley says 54-year-old Greg Mohr pleaded guilty to two counts of water pollution control violations.


As punishment, Mohr is required to voluntarily relinquish his certifications to work in a water pollution control or waste water management facility for two years. He must also pay fines and put in 80 hours of community service.

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FREE Community Concert

Wednesday, June 10, 2015
7:00 p.m.

Yankton High School Theater
1801 Summit St., Yankton

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1. <http://usaf-heartland-of-america-band.ticketleap.com/yankton>
2. Click "Register"
3. Select the number of tickets
4. Click "Register"
5. Enter Information (email and name)
6. Click "Register"
7. Click "Download"
8. Click "Download all tickets"
9. Print tickets

If you do not have internet access you can pick up tickets at the Yankton Daily Press & Dakotan, 319 Walnut, Yankton.

This concert brought to you by the Yankton Daily Press & Dakotan, Yankton Public School System and Yankton Hy-Vee.

6+2

BOARD OF WATER AND NATURAL RESOURCES NOTICE OF PUBLIC HEARING TO AMEND RULES

A public hearing will be held on June 25, 2015, at 1:00 p.m. CDT at the Matthew's Training Center / Foss Building in Pierre, at 523 East Capitol Ave., to consider amendments to administrative rule 74:05:05:16.

The effect of the rules will be to make adjustments to the director areas of the James River Water Development District.

The reason for amending the rules is to make changes to director area 3 enacted by the 2015 Legislature, eliminating the portion of Marshall County outside the James River Watershed boundary and to adjust director areas 8 and 9 to minimize the population variance among director areas.

Persons interested in commenting on the proposed amendments may do so by appearing in person or by presenting written comments at the hearing. Written comments may be mailed to the Board of Water and Natural Resources, Department of Environment and Natural Resources, 523 East Capitol Ave., Pierre, SD 57501. Written comments mailed to the Board must be received by close of business on June 24, 2015.

After the hearing, the board will consider all written and oral comments received on the proposed rules. The board may modify or amend a proposed rule at that time to include or exclude matters that are described in this notice.

Notice is given to persons with disabilities that this hearing is being held in a physically accessible place and that interpreter services will be provided, if necessary, during this hearing. Please notify the Department of Environment and Natural Resources at the above address or by calling (605) 773-4216 at least 48 hours prior to the public hearing if you have special needs for which special arrangements must be made.

The proposed rules may be accessed on the DENR webpage at: <http://denr.sd.gov/public/default.aspx> or copies may be obtained without charge from the following address:

South Dakota Department of Environment and Natural Resources
Division of Financial and Technical Assistance
523 East Capitol Ave.
Pierre, SD 57501-3181

/s/ Steven M. Pirner, Secretary
Department of Environment and Natural Resources

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