

Warm Weather Helps SD Harvest

SIoux FALLS (AP) — Warm weather has helped South Dakota farmers with the harvest over the past week. The National Agricultural Statistics Service says about 88 percent of the corn and sorghum is out of the field. The sunflower harvest is an estimated 62 percent complete, well behind last year's 100 percent and 83 percent average. The fourth cutting of alfalfa hay is 80 percent complete.

Man Sentenced In Stabbing Death

OMAHA, Neb. (AP) — An Omaha man who says he was under the influence of drugs when he fatally stabbed his roommate will serve at least 15 years in prison. The Omaha World-Herald reports Gregory Dodds was recently sentenced to 30 to 45 years in prison. He will serve at least 15 years under state sentencing guidelines. Dodds pleaded no contest to second-degree murder in September in the March 2012 death of 22-year-old Verdant Patel, an engineering student at the University of Nebraska Omaha. Two doctors say Dodds was insane at the time of the stabbing because of his extensive use of K2, a synthetic substance designed to mirror marijuana.

Theft Reported At Councilman's Home

OMAHA, Neb. (AP) — Authorities say five juveniles are in custody on suspicion of breaking into the home of an Omaha City Council member. Councilman Garry Gernandt tells Omaha television station KETV that authorities arrived at his home Monday afternoon after his neighbor reported seeing young people breaking into the property. Gernandt says the burglars attempted to take his old police gear and loaded guns. He says police arrived at the scene as the suspects were packing up. Lt. Darci Tierney tells the station that five juveniles are in custody. Additional information about the case has not been released.

RC Mayor Wants Removal From Lawsuit

RAPID CITY (AP) — Rapid City Mayor Sam Kooiker wants his name struck from a lawsuit filed by a former city landfill employee who claims Kooiker's actions as a city councilman four years ago helped get him fired and damaged his reputation. Magistrate Judge John Simko will decide whether Kooiker is immune from such claims because he was acting in his official capacity as a councilman, the Rapid City Journal reported. A court would consider benchmarks including "whether or not the conduct was within the scope of a person's duty," said Andrew Knecht, staff attorney for the South Dakota American Civil Liberties Union. Randy Meidinger was fired as a landfill scale house attendant in 2009 during a police investigation of possible corruption prompted by Kooiker's probing of landfill practices. Meidinger was later cleared of all criminal charges. Meidinger sued the city, Kooiker and several city employees in federal court last year, claiming his constitutional rights were violated. The lawsuit did not specify damages. City Attorney John Nooney has filed documents asking a judge to dismiss the case and has asserted a claim of "absolute legislative immunity" on Kooiker's behalf. Nooney argues that as a council member any actions taken by Kooiker are covered by legislative immunity because he was acting in his official capacity. Meidinger argues that Kooiker overstepped his authority to pursue an investigation into landfill operations that later became a foundation for his campaign for mayor. Knecht said that in general, legislative immunity protects legislators, judges and public officials for decisions they make in the course of their public duties. "What would breach that would be if they did something that was very egregious or blatantly outside what their discretionary authority is," he said.

3 Neb. Counties Discuss Regional Jail

BEATRICE, Neb. (AP) — Officials from three southeast Nebraska counties have held preliminary talks about establishing a regional jail agreement. Gage, Jefferson and Saline county officials met earlier this month, the Beatrice Daily Sun said. "Basically, everybody was around the room shaking their heads saying, 'The three of us are going to work together,'" said Gage County Supervisor Matt Bauman. "I don't think there's a desire for Saline to do something new, Gage County to do something new, and Jefferson to do something new." Said Saline County Commissioner Willis Luedtke: "We've had a good working relationship between the counties already." The discussions included the age, condition, capacity and expenses of each county's jails. Saline County's original 48-bed facility and accompanying law enforcement center were completed in 2000 and a 35-bed annex was added later. The jail costs the county between \$1.5 million and \$1.6 million year to operate. It also houses inmates for the U.S. Marshals Service. The Jefferson County Jail, like Gage County's, was built in the 1970s. In one scenario under discussion, inmates awaiting trial and unable to make bond and sentenced inmates from the three counties would be housed in the Saline County facility while shorter-term holding facilities would house other inmates. If a regional jail agreement were reached, Bauman said, Gage County would consider building a 96-hour holding facility. Gage County Sheriff Millard "Gus" Gustafson said a shorter-term facility would change the entire way Gage County Jail operates.

Some EB-5 Investments Transferred To Beef Plant

BY DIRK LAMMERS
Associated Press

SIoux FALLS — More than two dozen foreigners who took part in an investment-for-green-cards immigration program had their \$500,000 contributions transferred to a South Dakota beef plant after initially committing their funds for other projects, according to state records. Federal officials say such transfers are legal if certain conditions are met. Northern Beef Packers, which filed for Chapter 11 bankruptcy protection in July, is one of a handful of large projects in South Dakota to solicit funds from the federal EB-5 program, which allows foreigners to get visas if they invest \$500,000 to \$1 million in projects or businesses that create jobs for U.S. citizens. Approved investors can become legal permanent residents after two years and can later be eligible to become citizens. Six foreigners who contributed to the Dakota Provisions turkey processing plant in Huron had their investments transferred to Northern Beef, according to documents released by the South Dakota governor's office on Monday. Another 21 people who invested in an Iberdrola wind farm, which eventually took another financing route, wound up investing in the failed beef plant. Chris Bentley, a Washington, D.C.-based spokesman for the U.S. Citizenship and Immigration Services, said he

can't comment on specific investment projects, but in general, once an immigrant investor puts money into a project a regional center can move the money around to other projects if certain conditions are met. "It is possible, and it's completely legal," Bentley said Monday. In September, the South Dakota Governor's Office of Economic Development ended its contract with SDRC Inc., the private regional center administering the federal EB-5 immigration program in the state, "for cause." Officials have not specified the cause, but Tony Venhuizen, a spokesman for Gov. Dennis Daugaard, has said it became clear that SDRC needed better oversight. Venhuizen said Monday that any transfers from one project to another would be an issue between the investors and SDRC Inc., which would have managed the process. He said investors are required to sign I-526 forms, which identifies the commercial enterprise being funded, when they make their investments. "If an investor's I-526 is denied, or they otherwise decide to invest their funds elsewhere, the investor would have to sign a new I-526 indicating the commercial enterprise in which their funds are being invested to receive consideration under the EB-5 program," Venhuizen said in a statement. Gov. Daugaard said last month that an investigation was underway into the

Office of Economic Development involving possible financial misconduct prior to his administration. Daugaard said there has also been a federal investigation, but declined to provide details of either. Attorney General Marty Jackley has said that former Gov. Mike Rounds is not the subject of the state investigation. On Monday, the South Dakota Democratic Party called on Jackley to recuse himself and his office from the investigation, saying his political ties present conflicts of interest. "The Rounds-Daugaard Administration granted the lucrative EB-5 contract to SDRC President Joop Bollen," Zach Crago, the party's executive director, said in a statement. "It simply defies belief that a real investigation would not look into the circumstances surrounding that decision." Jackley said that because the alleged financial misconduct did not relate to the attorney general's office there is no direct or indirect conflict of interest. He said the EB-5 program is a federal immigration program run and controlled by federal immigration authorities. "While state authorities should have the ability and the opportunity to assist our federal partners in the enforcement of immigration law and programs, I respect that the United States Supreme Court has significantly limited state authority over federal immigration law," Jackley said in a statement Monday.

Nebraskans Are Providing Christmas Trees Overseas

HASTINGS, Neb. (AP) — The people behind Trees-4-Branches have been hard at work to make sure some U.S. troops in Kuwait and Afghanistan will have Christmas trees at their overseas outposts this year.

The group was founded in 2008 by a Hastings couple, Dave and Dee Koehler, and a veteran of Desert Storm, Jeff Hankins, the Hastings Tribune said. Their goal is to raise enough money to buy 100 trees from a Christmas tree farm in Oregon. The 30- to 36-inch trees are shipped no later than Dec. 6 so they can reach their overseas destinations by Dec. 25. Names of military bases recommended for trees are provided by area residents and military support groups.

The money for the trees comes from donations and from the sale of T-shirts bearing the Trees-4-Branches logo. The group also assembles items for care packages that contain treats and practical items such as toiletries. It's all hard work, said Dee Koehler, who sends out thank-you cards to benefactors. "It gets pretty overwhelming right after Thanksgiving until just before Christmas," she said. "It's a lot of late nights and cleaning up. I wish we could do more, but we work with the funds that we have."

Dee Koehler said she just wants to thank the military men and women for their sacrifices. "Without them, we would not have our country the way it is today," she said. Each year, emails and letters of thanks pour in to the Koehlers and Hankins from the grateful troops and their families. "It's phenomenal knowing we've made a difference," Dave Koehler said.

Neb. Accident Leads To Drug Bust

SUTHERLAND, Neb. (AP) — Nebraska authorities say a car crash that involved a deer has led to a marijuana bust. The Nebraska State Patrol says a trooper responded to a report Saturday night about a crash on Interstate 80 near Sutherland. The accident involved a deer. The trooper reported a strong smell of marijuana coming from the vehicle. The trooper searched the car and found no

drugs. But two duffel bags with 20 pounds of marijuana were located about 10 feet away near a tree. Two men were in the car. The driver, 33-year-old Justin D. Bigon, and 32-year-old James E. Brisco, both of Santa Rosa, Calif., were arrested. They face a charge of marijuana possession with intent to deliver. Court records do not list attorneys for them.



Fill Out The Press & Dakotan Survey Online For Your Chance To Win An iPad Mini!

Go to **yankton.net** and look for the readership survey button to participate!

Your opinion matters to the Press & Dakotan and we want to hear what you have to say. We have compiled a brief survey for you to fill out so we can continue providing what our community wants when it comes to local coverage in both print and online.

Hurry to be one of the first 50 to complete the survey and you will receive a \$5 Hy-Vee Gift Card! Grand prize will be an iPad mini!

*Some exclusions apply. See site for details. Survey ends December 2, 2013

YANKTON DAILY PRESS&DAKOTAN

Senior Citizens: Please Join Us For Coffee, Cookies, Conversation and

FREE BINGO

Thursday, Nov. 21st • 2PM ~ West Bldg.

Autumn Winds LLC 2903/2905 Douglas, Yankton 665-7255
Assisted Living

Congratulations



WOW! Ribbon Cutting

The Yankton Chamber of Commerce Ambassadors hosted a ribbon cutting for WOW! (Wide Open West) located at 2810 Fox Run Parkway. WOW! is a cable, internet and telephone company. They are open M-F 8:30-5:00pm. You can reach them by calling (605)260-7400 or wowway.com.

YANKTON DAILY PRESS&DAKOTAN

A Deal So Good, You'll Think BLACK FRIDAY is Already Here!



Membership Prices With 20% Discount
Community \$24/month
Senior \$19/month
Student \$14/month

Enjoy our beautiful building, two swimming pools, underwater treadmill and swim jets, over 150 group exercise classes each month including yoga, boot camp, Zumba, senior classes, the latest strength and cardio equipment, great staff and much more!

Avera Sacred Heart Wellness Center

Note: To receive 20% Off, annual membership must be paid in full. Offer expires 11/30/13.

605-668-8357 • 501 Summit Street • Yankton, SD 57078