

### Neb. Dems: Fischer Had Conflict Of Interest

OMAHA, Neb. (AP) — The Nebraska Democratic Party is accusing Republican U.S. Senate candidate Deb Fischer of not disclosing her conflict over a piece of land that was later involved in a bill she introduced.

Fischer and her husband sued their elderly neighbors, Les and Betty Kime, in 1995 claiming ownership of a parcel of land along the Snake River. The Fischers had used the land — free of charge and with permission from the Kimes — for years to water their cattle. Based on that, the Fischers claimed “adverse possession,” of the land, a legal term akin to squatter’s rights.

The Fischers lost.

Incoming state Democratic Party Chairman Vince Powers said Thursday that a bill by Fischer last year hampered the sale of the Kimes’ land to the Nebraska Game and Parks Commission.

### Drought Conditions Worsen In The Dakotas

SIoux FALLS (AP) — Drought conditions have worsened dramatically in South Dakota, and all parts of North Dakota have now slipped into some form of drought.

The latest U.S. Drought Monitor map shows 27 percent of South Dakota in the “exceptional” drought category, up from about 7 percent a week ago. More than 82 percent of the state is in severe, extreme or exceptional drought, up from 75 percent.

About half of North Dakota is in severe or extreme drought, up from about 28 percent last week. Areas that were considered just abnormally dry last week are now categorized as being in at least moderate drought.

### S.D. West Nile Victim Was From Minnehaha Co.

SIoux FALLS (AP) — South Dakota health officials say the state’s third death from the West Nile virus this season happened in Minnehaha County.

The Health Department says the person was older than 75, and died the last week of September.

The agency does not release the names of West Nile victims. The previous two deaths were in Hughes and McPherson counties.

Nearly 200 West Nile cases have been reported in South Dakota this year. The state ranks first in the nation in cases per capita, with about 21 infections for every 100,000 people.

### S.D. Hospital Being Fined For Radiation Mishap

SIoux FALLS (AP) — The Nuclear Regulatory Commission plans to fine a Sioux Falls hospital \$11,200 for incidents in which a breast cancer patient suffered skin burns during treatment.

The commission says the incident at Avera McKennan Hospital involved brachytherapy, which irradiates cancerous tumors inside the body. The agency says the patient’s skin was exposed directly to radiation twice in January because of a computer programming error.

Avera McKennan issued a statement Thursday saying it took the incidents seriously and cooperated with the NRC. The hospital says the patient is doing well, and that it has taken steps to ensure a similar incident doesn’t happen in the future.

The NRC says Avera McKennan has taken steps that provide “reasonable assurance” that such an incident will not reoccur.

### Report Cites Higher Minority Enrollment At UNL

LINCOLN, Neb. (AP) — A new report says the percentages of Hispanic and black students at the University of Nebraska-Lincoln rose between fall 2004, when the university removed consideration of race as an admissions factor, and fall 2010, a year after the state implemented a ban on affirmative action.

The *Lincoln Journal Star* says a Century Foundation report released Wednesday says that over those years, the percentage of Hispanic students increased to 4 percent and the percentage of black students rose to 2.7 percent of overall enrollment.

Nebraska is one of seven states with a ban on racial and gender preferences in public admissions and hiring decisions.

### Mitchell Hit Hard By Fires; Damage Tops \$1.3M

MITCHELL (AP) — The southeast South Dakota town of Mitchell is reeling from a string of unrelated fires that have so far killed two people and caused more than \$1.3 million in damage.

Fire officials say that through August, the damage estimates are up by more than five times last year’s total of about \$250,000. In the same time period, the total number of fires has eclipsed all of last year’s — 62 to 57.

Those numbers don’t include September’s tallies, when two more homes were destroyed.

Assistant Fire Chief Paul Morris tells the *Mitchell Daily Republic* that it’s “an unusual trend.”

Officials say there’s no common link among the blazes. The city’s fire division is giving away 270 smoke detectors at the city’s Walmart from noon-2 p.m. Oct. 13.

### OBITUARIES

#### Lloyd Reiff

Funeral services for Lloyd A. Reiff, 92, of Avon will be 2 p.m. Saturday, October 6, 2012 at the First Baptist Church in Avon, with Pastor Lorne Van Gerpen officiating. Burial will be in the Trinity Presbyterian Cemetery, rural Avon, with military honors.

Visitation will be at the church from 4-5 p.m. Friday, with the family present and then a 5 p.m. prayer service. Visitation will resume Saturday morning from 11 a.m. to the time of service.

Lloyd Albert Reiff, son of George and Marie (Radtko) Reiff, was born November 16, 1919 on a farm near Tyndall. He died Thursday, October 4, 2012 at the Wagner Community Memorial Hospital. Lloyd attained the age of 92 years, 10 months and 19 days.

Lloyd received an eighth grade education. He was a farm hand at Centerville before going to work at two different factories every day in Racine, WI. Lloyd joined the U.S. Army in February of 1942, during WW II. He served in various places in the Pacific Islands, where he trained and earned his Ranger certificate. Lloyd was honorably discharged in September 1945. He returned home to farm until his retirement.

Lloyd married Ethel Marie Mount on April 11, 1953 at Avon. Four children were blessed to their union.

Lloyd was a member of the Arthur Wissman American Legion Post for over 60 years and was a past commander. He also was a member of the First Presbyterian Church and Farmer’s Union in Avon.

Lloyd enjoyed farming, raising cattle, attending cattle sales and gardening. He was proud of



Reiff

all of his grandchildren and great grandchildren’s achievements.

Thankful for having shared his life are his wife Ethel of Avon; his children: Tom and wife Jo of Parkston, Deb Voigt and husband Wally, Richard and wife Nina, all of Avon, and Kay Shumock and husband Bryan of Bethlehem, PA; 10 grandchildren: Amy and husband Matt Yost of Avon; Nikki Reiff and fiance Brent Weller of Sioux Falls, Riley Reiff of Canton, MI, Eric and Brady Reiff of Parkston, Lance and Amanda Reiff of Avon; and Kara, Ericka and Kali Shumock of Bethlehem, PA; two great grandchildren: Emma and Lydia Yost; two brothers: Dale and wife Cleo and Bob and wife Joann, all of Avon; three sisters-in-law: Merlie Reiff of Avon, Clarice Reiff of Sioux Falls, and Anita Reiff Bitterman of Washington; one brother-in-law, Ronald Mount of Avon; and many nieces, nephews and friends.

Lloyd was preceded in death by his parents and parents-in-law; one sister, Alma Nelson; four brothers: Francis, Marvin, Ray and Johnnie; two sisters-in-law: Joyce Merkwan and Ruth Ann Mount; and two brothers-in-law: Dale Nelson and Robert Mount.

**Yankton Press & Dakotan**  
October 5, 2012

#### Ruben Mehlhaf

Ruben Mehlhaf, 96, went to bed with his Savior on Thursday morning, Oct. 4, 2012, at the Menno-Olivet Care Center.

Funeral services are at 10:30 a.m. Monday, Oct. 8, at Zion Reformed Church, Menno.

Visitations begin at 2 p.m. Sunday at the church, with the family present from 6-7:30 p.m. with a prayer service at the Zion Reformed Church on Sunday evening at 7:30 p.m. Visitations will resume one hour prior to the service at the church.

Aisenbrey-Opsahl-Kostel Memorial Chapel, Menno, is in charge of the arrangements.

# Moeller Admits 1990 Rape, Murder Of Girl

BY DIRK LAMMERS  
Associated Press



Moeller

SIoux FALLS — Donald Moeller regularly reads the Bible while on death row, but the graying 60-year-old is forgoing mercy and taking an Old Testament approach to his fate.

For the first time, Moeller admitted Thursday that he kidnapped, raped and killed 9-year-old Becky O’Connell more than 20 years ago. He told a federal judge that what he did was evil and that he has to pay for it.

“The law has spoken,” said Moeller, who was twice convicted of first-degree murder in the 1990 slaying. “I killed. I deserve to be killed.”

U.S. District Court Judge Lawrence Piersol ordered Moeller to appear at Thursday’s hearing, which was supposed to deal with the constitutionality of South Dakota’s one-drug capital punishment procedure. But the proceedings have become mired in a series of bizarre motions that pit Moeller’s state-court lawyer against Arkansas-based public defenders arguing the federal case.

Piersol listened to arguments about the attempt to dismiss but not specifics on the lethal injection protocol. He took the dismissal under advisement and will rule later. Moeller is scheduled to be executed in late October or early November.

The Arkansas lawyers contend that the execution method using pentobarbital violates the constitutional ban on cruel and unusual punishment, but there are few details about those issues as

many of the recent filings have been kept under seal.

Piersol told Moeller that the attorneys allege there’s a high probability that solely using pentobarbital in the execution could cause him pain, and asked if Moeller still wanted to dismiss the appeal.

“Yes, I do,” he responded.

Authorities say Moeller kidnapped O’Connell from a Sioux Falls convenience store, drove her to a secluded area near the Big Sioux River, and then raped and killed her. Her naked body was found the next day; she had been stabbed and her throat was slashed.

Just before the hearing Thursday, Little Rock, Ark.-based attorney Scott Braden filed a motion asking Piersol to appoint a guardian for Moeller, saying he’s incompetent and incapable of making voluntary and rational decisions. An affidavit from a psychology professor said Moeller’s abusive upbringing and time in solitary confinement have undermined his will to live.

Moeller disputed the assessment of his mental state.

“Judge, I know what’s happening. I am competent, and I don’t want this dragging through the courts anymore,” he said.

Braden said Moeller has not been informed properly about South Dakota’s execution protocol, mistakenly telling the attorney he thought the state was going to use propofol, the “drug that

killed Michael Jackson.”

Moeller said he might have misspoken but knows what lies ahead.

“They’re going to put poison in my veins and they’re going to kill me,” he said.

“I’ve OD’d before. I’m not scared.”

Attorney Mark Marshall, who was appointed to represent Moeller in his state court case, said Moeller has wanted to drop the federal challenge for months and the Arkansas attorneys have refused.

Marshall told the judge that Moeller has dismissed the case and no ruling is required, but Piersol told him that he can ask questions before deciding whether to accept that dismissal.

Moeller initially was convicted in 1992, but the state Supreme Court overturned it, ruling that improper evidence was used at trial. He was again convicted and sentenced to die in 1997.

Piersol has upheld the constitutionality of Moeller’s conviction and sentence, but hasn’t ruled on South Dakota’s execution protocol. Piersol told the attorneys Thursday that the case is not about whether Moeller will be executed, but how — and possibly when — the punishment will be carried out.

Moeller said he doesn’t have a death wish, but executing him is “right.” He said if the rape and killing of a little girl doesn’t warrant the punishment of death, then nothing does.

“I don’t want to be executed,” Moeller said. “I don’t want to die. I want to pay for what I owe.”

## Many States Fall Short Of Federal Sex Offender Law

BY SEAN MURPHY  
Associated Press

OKLAHOMA CITY — Nearly three dozen states have failed to meet conditions of a 2006 federal law that requires them to join a nationwide program to track sex offenders, including five states that have completely given up on the effort because of persistent doubts about how it works and how much it costs.

The states, including some of the nation’s largest, stand to lose millions of dollars in government grants for law enforcement, but some have concluded that honoring the law would be far more expensive than simply living without the money.

“The requirements would have been a huge expense,” said Doris Smith, who oversees grant programs at the Arkansas De-

partment of Finance and Administration. Lawmakers weren’t willing to spend that much, even though the state will lose \$226,000.

The Adam Walsh Child Protection and Safety Act, named after a boy kidnapped from a Florida mall and killed in 1981, was supposed to create a uniform system for registering and tracking sex offenders that would link all 50 states, plus U.S. territories and tribal lands. When President George W. Bush signed it into law, many states quickly realized they would have to overhaul their sex offender registration systems to comply.

Some lawmakers determined that the program would cost more to implement than to ignore. Others resisted the burden it placed on offenders, especially

certain juveniles who would have to be registered for life. In Arizona, for instance, offenders convicted as juveniles can petition for removal after rehabilitation.

The deadline to comply with the law was July 2011. Thirty-four states have still been unable to meet the full requirements, and five of those have decided they won’t even try. Arizona, Arkansas, California, Nebraska and Texas will instead forfeit 10 percent of the law-enforcement funding made available through the Justice Department.

In Texas, a Senate committee conducted two years of hearings and recommended that the state disregard the law, citing concerns about juvenile offenders and other new mandates. The committee’s report acknowledged the loss of an estimated

\$1.4 million. But that figure paled when compared with the cost to implement the changes, which could have exceeded \$38 million.

The Arizona Legislature drew a similar conclusion, rejecting the law in 2009 after a committee determined it would cost about \$2 million to fulfill all requirements — far more than the estimated \$146,700 in grants that would be withdrawn.

California, the nation’s most populous state, risked losing nearly \$800,000 in funding this year, but a 2008 estimate put the cost of complying at \$32 million.

The five states that have given up on the program still have the option to reapply for the withheld money. The 29 states that are in partial compliance have asked to have their withheld money released to help them meet conditions of the law.

## Wire

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nies in a phase of development and market research.

Hall recently moved to Sioux Falls from Seattle with his own startup, GunUp.com. He gave up what he described as a cushy military job that paid well and would have allowed him to retire at age 44. Despite the benefits, the job made Hall miserable.

That began a two-year timespan of having no paychecks as he developed a site that allows users to share, discuss, review and compare guns.

Why would you create a startup under any circumstances?

“Mostly because you’re crazy,” Hall said. “No sane person would look at (the rate of failure for startups) and say, ‘I want to do that!’”

If you are a small portion of the population that wants to embark down that road, Hall advised that it be pursued full-time.

Nick Zahasky, the CEO and founder of Barrel Aid, also stressed the need to be persistent.

He left his career as a chef in order to found the non-profit organization in November 2011.

Seeing usable shoes being discarded after a muddy obstacle course race gave Zahasky the idea

to collect the shoes, clean them and ship them to people who need them in Haiti.

The shoes are transported in barrels that can also be fitted with gravity filters and used to capture rain water for those without plumbing in their homes.

Barrel Aid has partnered with Mission-Haiti.org to get the supplies to the orphans it assists.

Zahasky became emotional while thinking of the children the shoes have helped. Parasites getting into the body through the feet are a major cause of death in Haiti, he said.

“These people have no other options,” Zahasky stated.

Faith and an unquenchable desire to help drive Zahasky and his family to attend races around the country and spend money out of his own pocket to get the barrels of shoes to Haiti.

Ultimately, it was Frank Fritz of The History Channel’s hit series “American Pickers” that got the most response out of the crowd Thursday. He delivered a free-wheeling speech about how he became interested in picking and was able to get a television show with his childhood friend, Mike Wolfe.

Often, his stories had the audience laughing.

“I’m single, never married and I have a cat,” the Davenport, Iowa, resident said. “He knows I date.”

Fritz said his success has come in part by taking the advice of his

grandmother.

“My grandmother told me a long time ago, when you’ve got your mouth running, you’re not learning,” he stated. “If you notice on the show or while talking to me, I listen. I’m a sponge. That’s how I know things. There are a lot of people who know a lot more than me and are a lot smarter, but I pay attention. I can’t stress that enough.”

He began collecting things as a child, and that continued into adulthood. During 24 years as a fire inspector, he came into contact with many items that people would let him have or buy. In 2000, Fritz decided he could make a living buying and selling items.

At some point, Fritz and Wolfe decided to film their trips because people wouldn’t believe their stories. It took five years of shopping footage around to find a television network willing to green light a show.

“It was a long road,” Fritz said. “People kept shutting the door on us.”

Now he spends about 20 days every month on the road filming with those days often stretching 15 hours.

“Careful what you wish for,” Fritz told the audience.

Still, the work can feel worth it when people tell him the one time they come together as a family during the week is to watch “American Pickers.”

“I kind of like that,” Fritz said.

Also speaking at the event were Jim Beddow, a rural development advocate, and members of Bozell, an Omaha, Neb., ad agency. Dana Severson of Wahooly, a startup that helps emerging companies gain traction by matching them with online influencers, was the emcee for the day.

Speaking after the event, Jessi Koch of Mission Hill said she attended because she is looking to start her own business.

“It was good to see people and speakers from really diverse backgrounds,” she said.

The level of sacrifice and commitment shown by the speakers to their dreams was impressive, said Annie Lanning of Sioux Falls.

“Seeing an event like this come together in Yankton and the caliber of people, it’s good to see that entrepreneurship, leadership and initiative around here,” she stated.

Both women said they hope the event returns again next year.

That wish, Hanten said, will be granted.

“We’ll definitely make it an annual event,” he stated. “We’ll probably do an annual event here, but we may do smaller, more frequent events throughout the area, too.”

*You can follow Nathan Johnson on Twitter at twitter.com/AnInlandVoyage*

## Winner

From Page 1A

Hagerty for bringing him onto the *Volante* staff after his lone disastrous attempt at radio broadcasting.

“I had the great good fortune of having Marilyn Hagerty as my first boss, when she was running *The Volante*, and I was a young kid trying to get a start in journalism,” he said. “She was ... a tremendous guide, and one of the best bosses I ever had.”

Neuharth said he was proud to add Hagerty’s name to the list of the award’s recipients.

“I’ve never been more delighted and thrilled than to welcome my former boss back to win this award,” he said.

For her part, Hagerty jokingly said she wondered why he waited until she was 86 years old to bestow the honor upon her.

“I don’t have much time left,” she said.

In all seriousness, she added that the experience was “overwhelming.”

“It’s such a thrill to be back, and it’s unbelievable to be honored this way,” Hagerty said.

Following her receipt of the award, Hagerty joined Neuharth onstage, along with Jack Marsh,

president of the Al Neuharth Media Center, her son, James Robert “Bob” Hagerty of The Wall Street Journal and her granddaughter Carrie Sandstrom, a freshman journalist at the University of North Dakota.

During the post-award conversation, Marsh and Neuharth both marveled at Hagerty’s continued high rate of productivity.

“You’re as active as any journalist I know, writing five columns a week at age 86,” Marsh said. “Where do you get your energy?”

“Well, it doesn’t take much energy to sit there and punch around on the computer,”

Hagerty said. “But, it’s what I like to do.”

Neuharth said most people don’t realize the hard work that goes into composing a single column, much less five.

“You don’t understand how difficult that is,” he said. “I sweat and spend hours writing one column a week, and if I had to write five ... there’s no way I could do it.”

“You could go to the Olive Garden,” Hagerty suggested.

*Dorothy Mae Sherman*

Oct 5, 1920 - Feb 11, 2008

We love and miss you.

Jerry, Sharon, Gary, Carol

**IN REMEMBRANCE**

**Glenn Talsma**  
11:00 AM, Friday  
First United Methodist Church  
Yankton

**Judith “Judy” Kay Wescott**  
10:30 AM, Saturday  
Wintz & Ray Funeral Home  
Yankton

**James Monroe Kirkendall**  
2:00 PM, Tuesday  
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