NE Corn, Soybean Harvests Lag Averages

LINCOLN, Neb. (AP) — A weekly federal report says Nebraska corn and soybean harvests are running behind the average completion for the date.

The U.S. Department of Agriculture report says that as of Sunday, the state's corn harvest was 26 percent finished, ahead of the 18 percent last year by the date but behind the average of 34 percent.

The report says the soybean harvest was 57 percent finished, ahead of the 41 percent last year but below the average of 63 percent for the date.

The sorghum harvest was 17 percent finished, compared with 11 percent last year and 21 percent on average.

Winter wheat planted was 93 percent, which was 2 percentage points ahead of the average planting for the date.

Farmers Want NE Bridge Reopened

FALLS CITY, Neb. (AP) — Owners of two farms near Rulo say they can't reach some of their fields, so they want Richardson County to reopen a closed bridge for them.

Nebraska City radio station KNCY reports that a letter from a law firm says the farm owners want $\$400{,}000$ in damages unless the bridge is reopened.

The bridge north of Rulo is on a minimum maintenance road near the Missouri River. It connects no residences.

Commissioner David Sickel said Tuesday that access depends on the agreeability of other landowners and the use of a flood levee.

The state closed the bridge in 2006 for safety reasons, and Sickel says a replacement isn't in the county's one- or six-year road plans. He also says Richardson County doesn't have authority to reopen the bridge.

Woman To Take Plea Deal In SF Robbery

SIOUX FALLS (AP) — A woman whose boyfriend was killed during a botched robbery in Sioux Falls in December 2013 is expected to plead guilty to two felony drug charges in a deal

Faith Rasmussen initially faced first-degree burglary and robbery charges stemming from the break-in that ended in the shooting death of drug dealer Jordan LeBeau. The Argus Leader reports that those charges were dropped by prosecutors in August after witnesses made statements that negated their credibility.

Defense attorney Shawn Tornow says the remaining charges against Rasmussen, six counts of solicitation to commit a felony, will be dropped in exchange for her guilty plea.

Rasmussen previously was sentenced in federal court to over six years in prison for her role in a drug ring.

FBI Announced Sex Trafficking Arrests

OMAHA, Neb. (AP) — The FBI says two underage victims have been rescued and three pimps arrested in the Omaha area as part of a nationwide crackdown on human trafficking.

In all, the FBI said Tuesday, 21 people were arrested in Omaha as part of the Operation Cross Country IX. The effort was led by the FBI and the National Center for Missing and Exploited Children. The Omaha Police Department, Douglas County Sheriff's Department and various other local departments in the Omaha area worked as part of the task force in

The FBI says the national sting was conducted in 135 cities. Altogether, authorities rescued 149 minors and arrested 153

Name Added To Firefighters Memorial

PIERRE (AP) — A 43rd name has been added to the South Dakota Fallen Firefighters Memorial near Capitol Lake in

KCCR-AM reports that Steven Ackerman's name was added to the memorial during a ceremony this past weekend. The Valley Springs Fire Department firefighter was killed in the line of duty while fighting an April blaze in Brandon.

South Dakota Firefighters Association President Charlie Klundt of Viborg presented Ackerman's family with a ceremo-

Chaplain Charlie Walker of Pierre served as the ceremony's emcee. His father, William Walker, died in the line of duty while serving as state fire marshal.

Groups To Rally On Climate At Governor's

LINCOLN, Neb. (AP) — Nebraska groups are planning to rally outside the governor's residence to call for state action to address global climate change.

Members of the Sierra Club, Bold Nebraska and the Nebraska League of Women Voters will gather outside the residence Wednesday along with students from the University of Nebraska-Lincoln.

The groups say they will present petitions asking state officials to submit a Clean Power Plan to the federal government. Nebraska has joined a coalition of primarily conservative

states that is suing to block the new federal regulations, which seek to reduce power-plant emissions. Gov. Pete Ricketts has said he's concerned that the rules will prove costly and burdensome.

Florida Woman Sentenced For NE Chase

HASTINGS, Neb. (AP) — A 31-year-old Florida woman involved in a police chase through three southern Nebraska counties has been sentenced to time served.

Keri Ansley was given 216 days in jail at her sentencing on Tuesday in Adams County District Court. She'd been convicted of drug possession after making a plea deal with prosecutors

She and her companion in the chase, 34-year-old Christopher White, also of Milton, Florida, led officers through Adams, Kearney and Webster counties in March before running out of gas. Officers say the two had a firearm and methamphetamine with them.

White also made a plea deal and was convicted of distribution of a controlled substance, attempted possession of a firearm by a felon and operating a motor vehicle to avoid arrest. His sentencing is scheduled for Nov. 12.

Chief Fabrication Cuts 30 Positions

GRAND ISLAND, Neb. (AP) — Chief Industries has cut 30 positions from the workforce at its Chief Fabrication plant in Grand Island.

Chief Industries chairman and CEO D.J. Eihusen says the workforce adjustment was a result of reduced demand from its customer base in the agriculture industry. The plant still will have about 160 workers on the payroll.

The Grand Island Independent reports that 10 of the workers have taken jobs in other Chief Industries divisions. Eihusen says that, "When it's all said and done, we'll probably retain about 50 percent" of the 30 workers.

Chief Industries started as a small construction company in 1954 and grew into a diverse corporation with 12 divisions and subsidiaries employing about 1,400 people.

New Fire Station Opens In NE Community

BRADSHAW, Neb. (AP) — After years of planning, the construction of a new fire station in the eastern Nebraska community of Bradshaw has come to fruition.

The planning process began with the old downtown fire station showing its age, the *York News-Times* reported. It wasn't the right size for modern vehicles and equipment.

Planning for the new facility along U.S. 34 included conversations with the public and consideration for community

"This building is to serve the community and we are very proud of the service it will bring to Bradshaw," fire chief Todd

Hellerich said during a recent tour. The new facility will be able accommodate more vehicles in the years to come, Hellerich said. It also has a large meeting room and a tornado shelter that will be open to the public as long as the station is manned.

Secretive Compound In Custer Wins Expanded Water Permit

BY BOB MERCER

State Capitol Bureau

PIERRE - Three months after first taking evidence, the state Water Management Board dissolved its deadlock Wednesday and granted a permit to United Order of South Dakota, allowing the secretive group to use more water at its compound in Custer County.

Many dozens of people had written and sent e-mails to the board opposing the permit. But board members voted 5-1 in favor of the permit Wednesday, agreeing with the group's lawyer that use, rather than user, was the issue under South Dakota's water laws.

Everett Hoyt of Rapid City and Tim Bjork of Pierre changed their previous positions and voted for the permit

The roll-call vote came after an executive session that lasted about 50 minutes.

Peggy Dixon of Rapid City didn't participate in the original hearing but read the 180-page transcript and voted for the permit Wednesday. Rodney Freeman of Huron and Chad

Comes of Madison supported the permit

The other yes vote from July came from Jim Hutmacher of Oacoma, who

wasn't present Wednesday.

Leo Holzbauer of Wagner continued to oppose the permit.

Holzbauer questioned how the permit met the "public interest" requirement in law. Freeman told Holzbauer he needed to read the entire law.

This is not the venue to address other public-interest matters," Comes

The permit allows state Department of Environment and Natural Resources water-rights staff to visit the site any time to determine if the permit qualifications are being met.

The permit runs 20 years and reflects conditions reached earlier between several federal agencies and the group.

The U.S. Forest Service and the U.S. Park Service joined Seth Jeffs in an agreement that would allow the compound to draw twice as much water as it currently can at any given time, but would cap the annual amount at 60 acrefeet. There isn't a cap now.

The cap "is an important aspect," according to Ann Mines-Bailey. She is a state assistant attorney general.

In July the state board voted 3-3 on the permit and told Seth Jeffs, a representative of the group, to return with more answers such as how many people actually live there.

Jeffs at the time said he didn't know despite being there frequently. He said he wasn't authorized to conduct a

But Jeffs didn't show up Wednesday and lawyer Jeffrey Connolly of Rapid City said the group wouldn't be providing further information. Connolly said the group had proved its case.

An opponent who lives near the compound estimated the population at 75 to 100 people and the state wastewater permit is for 126 people.

Seth Jeff is one of the brothers in the Jeffs family that runs the site for members of the Fundamentalist Church of Jesus Christ of Latter Day Saints, a polygamous sect apart from conventional modern Mormonism.

Seth Jeffs' brother Warren Jeffs is the former FLDS president who is serving a life sentence in federal prison for two convictions for child sexual assault. Warren Jeffs is considered the prophet of the group

The additional water is for domestic use and for irrigating up to nine acres of land within the compound, according to Jeffs' testimony in July.

The original permit was issued in 2007 to a different organization that transferred the permit to United Order of South Dakota in 2009.

OSHA Cites Rail Car Company In Worker Deaths

BY MARGERY A. BECK

Associated Press

OMAHA, Neb. — An Omaha rail car cleaning company blatantly ignored warning signs when it sent two workers into a rail car that exploded, federal investigators said Wednesday.

Dallas Foulk, 40, and Adrian LaPour, 44, were killed in the April 14 explosion. A third employee was hurt.

Moments before the blast, a check of the air quality inside the rail car indicated that there was a serious risk of explosion, the Occupational Safety and Health Administration said in a news release. Despite the warning, Nebraska Railcar Cleaning Services sent Foulk and LaPour into the car to clean it without giving them safety equipment and without continuously monitoring for explosion hazards, as required,

The car contained remnants of a natural gasoline commonly called "drip gasoline," added to ethanol and unleaded gasoline to boost its octane level, said Jeff Funke, OSHA's area director in Omaha, on Wednesday.

OSHA has cited Nebraska Railcar Cleaning Services for 33 violations, including seven egregious willful violations for what the agency said was multiple instances of failing to monitor air quality properly in confined spaces. The company has been placed in the agency's severe violator enforcement program and now faces penalties of

A company receptionist who answered the phone Wednesday directed questions about the investigation to Nebraska Railcar Cleaning Services' attorney, David Houghton Jr., who didn't immediately respond to a message seeking comment.

Other citations include those for failing to train workers on hazard materials, first aid and other safety issues, failing to label containers for chemical hazards and failing to remove damaged powered industrial vehicles.

Out of about 40,000 inspections OSHA conducts a year, the agency puts out only about a dozen news releases calling a company's actions "egregious,"

said David Michaels, assistant secretary of labor for occupational safety and health. OSHA did so in this case, in part, because Nebraska Railcar Cleaning Services was cited for many of the same violations two years ago, Michaels said. "It's particularly notable that we had

been in this same facility in 2013 and saw these same hazards and issued citations for them," Michaels said. "Yet, the employer made the decision to continue to expose workers in a way that not just put them at risk, but in this case, killed

The company still could face criminal prosecution in the case, he said, although that decision has not yet been

Nebraska Railcar has had five whistleblower complaints filed with OSHA since 2013, the agency said, and two are under investigation. The U.S. Environmental Protection Agency also is investigating allegations that the company improperly disposed of hazardous waste.

The company has 15 business days to comply, request a conference with the local agency head or contest the findings, OSHA said.

SF Ends Ban On MMA Bouts At City-Owned Facilities

SIOUX FALLS (AP) -Leaders in Sioux Falls have ended the city's decade-old ban on mixed martial arts competitions at city-owned facilities, because new state regulations make the local

ordinance unnecessary. The City Council on Tuesday voted unanimously to repeal the 2005 ordinance prohibiting MMA fights in city parks and buildings and requiring bouts held at private sites to be licensed

by police. The action opens the door for promoters that use large venues, such as Ultimate Fighting Championship, to consider bringing events to Sioux Falls.

Doug Martin, a promoter in the sport, told KELO-TV that fan turnout at a few events held in Sioux Falls shows there is untapped potential.

'The fan base is here. They want it. It's inevitable," he said.

Councilwoman Christine Erickson, who led the effort to end the ban, said it was adopted during a time when the sport was largely unregulated. South Dakota last year established a regulatory athletic commission that oversees fighting sports.

"Back in 2005 there were a lot of bad actors in that industry," Erickson said. "This sport has come a long way from what it was. Gone are the days where two people

would be in the back parking lot of a bar."

Martin, who works with fighters involved with Ultimate Fighting Championship, said UFC could potentially hold events at the Denny Sanford Premier Center.

"It's the fastest-growing sport in the world, and the (state) commission is going to ensure the safety of the fighters," he said.

Council Approves Hatchery

GRAND ISLAND, Neb. (AP) — The Grand Island City Council has unanimously approved up to \$2.6 million in taxincrement financing for a chicken hatchery that would produce 24 million

chicks per year. The proposed Hendrix-ISA hatchery in Grand Island would create 50 new jobs. The Netherlandsbased company is considering four other locations, according to *The Grand* Island Independent.

The project will be "a state-of-the-art maternity ward" for eggs from 40,000 hens contracted between several farmers within 100 miles of Grand Island, said Peter Mumm, Hendrix-ISA managing director. These hens' eggs would be trucked daily to the hatchery and then incubated for 21 days before hatching. The newborn chicks would be vaccinated and shipped across the country within a day.

Citing constituents' concerns about the facility's impact on the city's cleanliness, Grand Island Mayor Jeremy Jensen asked Mumm to explain what the hatchery would look like and how it would

Mumm said the chicks are so young they wouldn't produce waste or shed feathers yet. The hatchery would have a dust collection system and a private company would collect the primary waste material: eggs that don't hatch.



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