

Colo. Man Pleads Not Guilty In Child's Death

RAPID CITY (AP) — A Colorado man has pleaded not guilty to murder in the death of a 2-year-old Rapid City girl.

Twenty-three-year-old Edward Berges is accused of killing the girl last month after her mother left the child with him.

Berges is charged with second-degree murder, manslaughter, aggravated child abuse and aggravated infant battery. The murder charge carries a mandatory life sentence.

Rapid City police found the girl Aug. 15 after they got a call about a medical emergency. The child was taken to a Rapid City hospital, and then flown to Sanford Children's Hospital in Sioux Falls, where she died.

Police have said Berges is the boyfriend of the girl's mother.

Capt. Marty Graves with the Pennington County Sheriff's Department tells KOTA TV that the girl died of blunt force trauma.

Man Pleads No Contest In Hutterite Dispute

ABERDEEN (AP) — A man accused of using a front-end loader to chase a security guard at a Hutterite colony in South Dakota has pleaded no contest to a misdemeanor charge and been given a suspended jail term.

The *American News* reports that 22-year-old Raymond Waldner, of Stratford, originally was charged with felony aggravated assault in the April incident. That charge was dismissed in exchange for his plea to a reduced disorderly conduct count.

Waldner must pay \$175 in fines and fees and spend six months on probation.

The Hutterite colony in Brown County has two factions that are at odds over which branch of the Hutterite religion to follow. Waldner was accused of driving the loader toward a security worker hired by one of the disputing factions.

Mitchell Mayor Wants Texting-And-Driving Ban

MITCHELL (AP) — The mayor of Mitchell wants the city to follow the lead of Sioux Falls and ban texting while driving.

The ban in Sioux Falls goes into effect Sept. 28. The Daily Republic newspaper reports that Mitchell Mayor Ken Tracy told the city's Traffic Commission that he thinks the group and the City Council should discuss emulating the ordinance in South Dakota's largest city.

The city of Huron also is considering a ban.

Superintendent Gets \$1M Payday In Retirement

OMAHA, Neb. (AP) — The Omaha school district will pay its outgoing superintendent more than \$1 million because of a special retirement benefit and his unused vacation and sick time.

The Omaha school board learned Monday that John Mackiel's contract requires the district to pay him \$1,011,068.90 as he begins retirement. The district had to shift \$800,000 from other funds in the budget to cover Mackiel's payment.

OPS spokesman Dave Patton says the district had not calculated how much Mackiel would receive until recently, so only about \$200,000 had been set aside for the retirement payment.

The district shifted \$600,000 out of a contingency fund and \$200,000 out of the budget for purchased services to pay for Mackiel's one-time payment.

Most of the payment is for a retirement benefit the district added in 2004 to make sure Mackiel would continue accruing retirement benefits for pay he received above \$250,000.

Federal rules don't allow employees to accrue salary-based benefits on pay above \$250,000 under traditional retirement plans. So the school board added a special retirement benefit for Mackiel, who was paid \$413,607 during the 2010-11 school year. He also made a similar amount last school year.

Instead of receiving monthly benefits over seven years, Mackiel's contract calls for him to get a one-time payment of \$924,875.97 upon retirement.

Mackiel also is receiving \$86,192.93 for unused sick, vacation and personal days.

Patton said Mackiel's longevity with the district contributed to the size of the payment. Mackiel worked for the Omaha district for 40 years and spent the last 15 years as superintendent.

SDSU Planning New \$3.8M Greenhouse Complex

BY DIRK LAMMERS

Associated Press

SIoux FALLS — South Dakota State University is looking to build a new \$3.8 million greenhouse complex that will replace old, run-down space with a research-quality facility with stricter environmental controls.

The 11,000 square feet of new greenhouses will replace ones that are "held together with masking tape or duct tape and wire," are difficult to keep heated and have lighting issues, said David Graper, an SDSU professor of horticulture.

"They've been in bad shape for many years," Graper said. "In fact, there are areas in there we don't even use because it's just in such bad shape."

Plans call for funding the greenhouse complex and headhouse with \$1 million from Higher Education Facilities Fund bond pro-

ceeds and nearly \$2.8 million in private gifts, Plant Science service fees, and Foundation Seed Stock funds.

Graper said the department is working to raise additional funds for the greenhouse space.

The South Dakota Board of Regents, which approved a preliminary facility statement in March, is meeting in Pierre Tuesday to consider SDSU's design plan.

The 5,650-square-foot headhouse eventually will be used as support space for the greenhouses, but the building first will go to the visual arts program to serve as interim space for sculpture, ceramics, and three-dimensional design classes.

That will allow construction of a new home for the visual arts department on the site of the current west greenhouse-headhouse and seed house.

When the plant science department takes

back the headhouse space within the next few years, it will house a classroom and meeting room, an environmental control room, drying oven and growth chamber space, vernalization chambers and potting benches and areas to store soil.

Graper said demand for greenhouse space has increased on the campus since SDSU's horticulture and landscape architecture faculty merged recently with the plant science department. The influx of new faculty has more researchers looking to fulfill grant commitments, but they need better controls.

The new greenhouses will provide computer-controlled temperature and lighting levels, which is important for accuracy with experiments.

"You need very strict environmental control," Graper said. "You need to be able to monitor that environment."

Nebraska Senator Pleads Guilty To 2 Misdemeanors

OMAHA, Neb. (AP) — State Sen. Brenda Council pleaded guilty Tuesday to filing false campaign finance reports that prosecutors say concealed her misuse of more than \$60,000 in campaign donations at casinos.

A Lancaster County judge sentenced Council on Tuesday to pay a \$500 fine and court costs. She has apologized for her actions, and plans to continue running for reelection in northeast Omaha.

After her court appearance, Council told the Lincoln Journal Star that her gambling problem "caused me to commit a grave error in judgment."

And that is being addressed as well, has been addressed, and right now I'm just looking forward to moving forward and continuing to serve the great residents of the state of Nebraska.

"We all fall down and what I'm doing right now is getting back up," said Council, 59. She also said she is getting treatment for a gambling addiction.

Nebraska Attorney General Jon Bruning, whose office prosecuted the case, said the sentence was appropriate.

"Senator Council knowingly filed false campaign finance statements,"

Bruning said. "Today's guilty plea helps to ensure she is held accountable for her unlawful actions."

Bruning said bank records and casino security videos show that Council withdrew a total of \$63,052 at casinos on several occasions and then deposited \$36,166 in cash back into the campaign fund. Council has agreed to repay the \$27,000 shortfall.

Council is an attorney and former Omaha city councilwoman and school board member.

Council is running in District 11 against her predecessor, Ernie Chambers, who was the longest-serving member of the Nebraska Legislature before term limits forced him to leave office in 2009. A write-in candidate, Susan Smith, is also seeking the seat.

Council faced both her opponents in a televised debate Monday night, and opened by apologizing for her actions. She also encouraged anyone else dealing with a gambling addiction to seek help from professionals, family and friends.

Council said she believes she can still effectively represent her district. But Chambers won more votes than Council in the two-way May primary.

Neb. Appeals Court: Man Must Face 4th DUI Charge

BY MARGERY A. BECK

Associated Press

OMAHA, Neb. — The Nebraska Court of Appeals on Tuesday ordered charges reinstated against a man facing his fourth drunken driving offense, saying his right to a speedy trial had not been violated.

Joshua Florea, 31, of Malcolm, was arrested in February 2011 after a sheriff's deputy said he spotted Florea's pickup on a rural state highway in Saline County swerving and traveling 15 mph. The deputy said Florea smelled strongly of alcohol and claimed he'd had five beers that night before driving.

Florea refused to perform field sobriety tests and declined to submit to breath or blood tests, according to the deputy's report.

Florea was initially charged on April 5, 2011, with fourth-offense drunken driving, among other traffic charges. But prosecutors dropped the charges on July 25 of that year to slightly amend them, and refiled them on Oct. 13. Florea argued that violated his right to a trial within six months of being charged, and the Saline County District Court agreed and dismissed the charges.

But the appeals court said the lower court misinterpreted a Nebraska Supreme Court ruling in counting the time between when the first charges were dropped and the amended charges refiled.

"When we recalculate the speedy trial time, taking into account that the time was tolled from July 25 to Oct. 13, we conclude that when Florea filed his motion for absolute discharge on Nov. 10, the state still had time to bring him to trial," the appeals court wrote.

Saline County Attorney Tad Eickman lauded the opinion as "the right decision."

Florea's attorney, Jeremy Jorgenson of Omaha, said Tuesday he had not had a chance to read the opinion and didn't return follow-up messages seeking comment.



Kid Scoop

THE AWARD-WINNING PRINT & ONLINE FAMILY FEATURE



"Like" Kid Scoop on Facebook!

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Advertising: Fact or Opinion?

KNOW THE DIFFERENCE

When companies want you to see something, they advertise their products. Their ads are carefully crafted to make you want to buy what is being advertised.

Just the Facts

Look at the bike ad at right. Some things an advertiser claims to be true are **facts** and some are **opinions**. **Facts are statements that can be proven true or false.** Such as:

- ✓ The bike has three gears.
- ✓ The bike is available in red or blue.
- ✓ The price of the bike is \$99.

That's Your Opinion

Opinions, on the other hand, are true for some people, but may not be true for others. For example:

- ✗ This bike is the best.
- ✗ This bike is more fun to ride.
- ✗ This bike will make you popular.

Look at these two ads. With a **GREEN** crayon, circle the **FACTS**. With a **RED** crayon, circle the **OPINIONS**.

The best bike in town!

The 2012 Cruise Star is more fun to ride than other bikes. That's because it has an easy shift for 3 speeds, a softer saddle and cushion-grip rubber handgrips. And you get it all for just \$99.

Available in red or blue, the Cruise Star will make you the coolest kid on the block.

Cruise Star

Made in the USA since 1923.



A movie packed with double-decker laughs!

The non-stop comedy hit for the whole family is now on DVD and Blu-Ray. Available for a limited time only at BigBox Mart.

★★★★★

—Meghan Usher, Film Fans

From the director of RUNAWAY POPCORN CART

\$19.99



Photos: www.pand.com

Chips so crunchy, they'll wake your neighbors.

We've been making potato chips for 100 years. They're the crispiest, most delicious chips in America. Try a bag today.



Let's Talk About It

Which would you rely on to decide whether or not to buy a product: Fact, opinion or both? Discuss this with your family this evening.

Try This:

Watch a TV commercial. How many facts can you count? How many opinions can you count?

Extra! Extra!

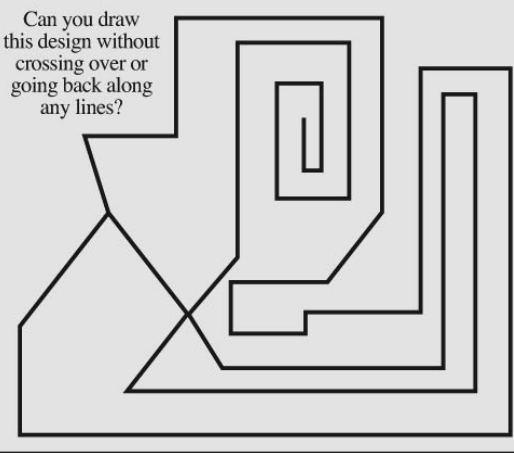
Ad Study

Look through the newspaper and select five or more ads. Count the number of facts in each ad. Count the number of opinions. Draw a graph to show your results.

Standards Link: Math: Summarize informational data in a graph.

Kid Scoop Puzzler

Can you draw this design without crossing over or going back along any lines?



Standards Link: Visual Discrimination: Hand-eye coordination.

Double Double Word Search

ADVERTISE
COMPANIES
PRODUCTS
OPINION
CLAIMS
DESIGN
CREATE
PROVEN
CRUISE
FALSE
FACT
TRUE
KNOW
BUY

Find the words in the puzzle. Then look for each word in this week's Kid Scoop stories and activities.

C R A F A L S E F S
S T C U D O R P C E
N T L Y V G C A R I
E O A D E O R D U N
V Y I T R U E V I A
O U M N T S A E S P
R B S C I R T T E M
P I A G S P E S I O
N F N G E W O N K C

Standards Link: Letter sequencing. Recognized identical words. Skim and scan reading. Recall spelling patterns.

FROM THE Kid Scoop LESSON LIBRARY

www.kidscoop.com

Ad Funnies

Select an ad in today's newspaper that has five or more adjectives. Replace each of the adjectives with one that means the opposite. Then read the ad aloud to a friend.

Standards Link: Vocabulary Development: Identify adjectives and antonyms.

Write On!

Fruit Facts

Write a paragraph about your favorite fruit. Include two facts and two opinions.

Send your story to:

Press & Dakotan
C/o Noelle Schlechter
319 Walnut Street
Yankton, SD 57078
605-665-7811, ext 112

Deadline: October 14 **Published:** Week of Nov. 11
Please include your school and grade.

Weekly Writing Corner

Sell That Book

Write an ad to sell your favorite book.

If you like action, romance, and mystery, you'll like "The Hunger Games." If you want to be on the edge of your seat and don't want to put the book down, try "The Hunger Games." And if you like to read more than just one book about the same thing, "The Hunger Games" in a trilogy — that means there's three books! If you like feeling any of these things while you read a book, I would suggest "The Hunger Games." I'm reading it for the third time! I hope you give it a try and feel the same way that I do.

Brooke, 6th grade

I recommend the book "The Dangerous Book for Boys" because it gives you hundreds of facts, phrases and it teaches you how to make things like go-carts, batteries, crystals, tree houses and a pocket light. It teaches you about grammar, latin phrases, wars, the fifty states of America, space, time and the inner and outer map of the world. "The Dangerous Book for Boys" is VERY interesting. I liked it a lot!

Evan, 3rd grade

I think you should read "A Lion to Guard Us." It is a great book. People are on a ship when there's a big storm and people get knocked off! It takes place in the 1760s, a time when people made stuff by hand, and I think that would be hard. I like a mystery and this book has a lot. People in Jamestown have gone missing and people don't know what to do. When they send people out to find them, they don't come back!

Jackson, 2nd grade

I think kids should read "James and the Giant Peach" because it is really good. James has mean aunts and he finds a hole in a peach and goes in to escape. Then he flies away in the peach with huge bugs.

Jamie, 3rd grade

Design an Ad

In the space at right, design an ad for a product you like. Include at least two facts but no more than two opinions. Have a friend circle the facts and opinions.

Standards Link: Language Arts: Distinguish between fact and opinion.