

Former Director Wants Job Back

MITCHELL — The former director of the Corn Palace tourist attraction in Mitchell is apparently seeking to get his job back.

Mayor Jerry Toomey told *The Daily Republic* newspaper that attorneys for Dan Sabers have sent him a letter attempting to revoke Sabers' verbal resignation earlier this month. Toomey had no comment on how the city will proceed.

No one has said why Sabers quit. He took the job in January, replacing former director Mark Schilling, who resigned after a state audit concluded he mishandled money.

The City Council on Monday night went into a closed executive session to discuss matters surrounding Sabers. People who wanted to comment were allowed to enter one by one and speak.

The Corn Palace draws about 200,000 tourists each year.

Man Who Injured Father Imprisoned

SIDNEY, Neb. — A Sidney man who authorities say fought and killed his former father-in-law has been given prison time for violating probation.

Court records say 25-year-old Theodore Medina was sentenced on Monday in Cheyenne County District Court to 20 to 60 months for attempted felony assault and a year for misdemeanor assault. The sentences are to be served consecutively. He'd been sentenced to probation in June 2014.

Medina was arrested in November 2013 after fighting with 50-year-old Ernest Ward, of Sidney. Ward suffered brain damage and later died. Court documents say Medina lived in Ward's house despite no longer being married to one of Ward's daughters.

Boy Missing In Bean Field Found Safe

BALTIC — A 13-year-old Baltic boy who was missing for nearly a day after apparently running away from home has been found safe.

The Minnehaha County Sheriff's Office says Caleb Schreurs was found at 6:45 a.m. Wednesday.

The boy had last been seen about 8 a.m. Tuesday, after accompanying his sister to a bus stop and then leaving on a bicycle. The bike was found in a bean field, and more than 50 people scoured the area until the search was suspended about 1 a.m. Wednesday. It resumed at daybreak.

Sgt. Mike Walsh says Caleb was found sleeping outside the water treatment plant north of Baltic and returned to his parents. Walsh says authorities believe the boy had run away.

Police Investigate Head Injuries Of Girl

COUNCIL BLUFFS, Iowa — Police have been investigating how a 5-month-old Council Bluffs girl suffered severe head injuries.

Authorities say officers and medics were sent to a Council Bluffs apartment around 1:20 a.m. Sunday to help the girl, who was having trouble breathing. She was taken to a local hospital and then was transferred to Children's Hospital & Medical Center in Omaha.

Doctors say the girl suffered a skull fracture and had bleeding on the brain.

Residents To Vote On \$8M Indoor Pool

MITCHELL — Residents of Mitchell will vote later this year on a proposed \$8 million indoor pool.

People who wanted the public to weigh in on the proposed aquatics facility circulated petitions to bring the matter to a vote.

The Daily Republic reports that the City Council has decided to hold a special election Dec. 8, rather than wait until the November 2016 general election.

The 22,000-square foot facility would have a competition-size lap pool and a 1,200-square-foot leisure pool.

2 Brothers Charged In Sexual Assault

LINCOLN, Neb. — Two brothers have been charged in the sexual assault of a 10-year-old girl in Lincoln.

Twenty-two-year-old Rafael German Mora and 32-year-old Felipe German Mora were charged with first-degree sexual assault of a child and third-degree sexual assault of a child.

According to prosecutors, the younger brother assaulted the girl between June 1 and Sept. 19. Prosecutors say the older brother assaulted the victim going as far back as Dec. 30, 2011.

The men are each being held on \$1 million bond, and the *Lincoln Journal Star* reports the men requested public defenders at their court appearances Tuesday.

No Foul Play In Death Of Park Hiker

RAPID CITY — Authorities say they do not suspect foul play in the death of a Nebraska man whose body was found in Badlands National Park in southwestern South Dakota.

The Pennington County Sheriff's Office says initial autopsy results on 39-year-old Joshua Jacobsen show no signs of trauma.

The body of the Laurel, Nebraska, hiker was found Sept. 16. He had been missing since mid-July. Dozens of officials from several agencies including the South Dakota National Guard searched for Jacobsen in a helicopter and on the ground, using dogs.

Sheriff's Sgt. Dustin Morrison tells *KEVN-TV* that final autopsy results are pending.

Man Arrested After Punching Officer

SIoux FALLS — A Sioux Falls man is in custody after allegedly punching a police officer in the head.

Authorities say two officers stopped to talk with the man Tuesday night after spotting him walking in traffic and being disorderly. The officers moved the man to a safe spot but he then walked back into traffic. When the officers approached him again, he allegedly assaulted one of them.

The officers used a stun gun to subdue the man and arrest him on charges of assault on a law officer, disorderly conduct and obstructing police.

USD To Hold SD Supreme Court Sessions

VERMILLION — The South Dakota Supreme Court will hold its October sessions at the University of South Dakota School of Law.

The high court will hear oral arguments in three cases each day on October 5, 6 and 7.

In addition to the nine cases scheduled for oral arguments during the court's October term, the justices will consider several non-oral cases.

Arguments at the school in Vermillion are open to the public.

Court will open at 9 a.m., and cases will commence on the hour.

Medicaid System Could Be 10 Years In Finishing

BY BOB MERCER
State Capitol Bureau

PIERRE — South Dakota lawmakers are trying to be patient but aren't pleased by state government's difficulties getting a new Medicaid information system in place.

The original contract was signed in 2008. The project's completion appears to be at least two years away.

The delay results from a contract dispute, intervention by the federal government and changes in federal rules.

So far \$65 million was spent. The original budget has \$11 million left.

State Social Services Secretary Lynne Valenti said the provider enrollment portion of the system is working. But there could be changes in the next 12 months.

The tracking system for pharmacy point of sale is 85 percent complete and could be finished in the next year, she said.

Farther ahead are claims processing, a data warehouse and the Internet portal. Work on those functions likely won't start until fall 2016, according to Valenti, and their completion dates are to be determined.

Valenti is the third secretary of social services since the project began during the second term of Gov. Mike Rounds' administration.

The project shut down in 2010 during a legal tangle with contractor CNSI. It took five years to wind that down.

Valenti met Tuesday with the Legislature's Government Operations and Audit Committee. Many of the lawmakers expressed their dissatisfaction with the lack of progress.

"How much more money is this going to take?" Rep. Roger Hunt, R-Brandon, asked.

Valenti said she doesn't think any more will be needed for the provider enrollment, pharmacy and Internet functions but doesn't know what would be necessary for the claims processing and data warehouse.

Rep. Justin Cronin, R-Gettysburg, said South Dakota should get money back from CNSI because the project wasn't finished.

Valenti said the contract is terminated and a settlement was reached.

Cronin said he's concerned about the timelines. "We don't want to have the sequel here," he said.

Valenti replied, "We're optimistic. We think the timelines are reasonable."

Probe Of South Dakota Deaths Partly Focused On Financials

KEVIN BURBACH
Associated Press

SIoux FALLS — State investigators looking into an apparent murder-suicide involving a family of six are focusing in part on financial issues surrounding the husband, South Dakota's attorney general said Wednesday.

Authorities have said they believe Scott Westerhuis shot his wife and four children last week and then set the family home near Platte ablaze before shooting himself.

Attorney General Marty Jackley said Wednesday at a news conference that investigators will look into financial issues surrounding a \$4.3 million contract that the state Department of Education told Westerhuis and his company it would not renew the day before the fire.

Jackley said investigators will review an audit of and financial information surrounding the contract. He said typically when state auditors see something of criminal concern, they turn it over to law enforcement. He said there was no criminal investigation of Westerhuis before the fire.

"We are trusting their work, but as part of this process we are verifying," he said.

The bodies of Scott and Nicole Westerhuis and their children Kailey, Jaeci, Connor and Michael were found in the burned ruins of their home the morning of Sept. 17. A passer-by reported the blaze early in the morning, but the fire chief said the home was all but destroyed by the time firefighters arrived.

The deaths have shaken Platte, a community of around 1,200 residents about 110 miles west of Sioux Falls. Kailey was a third-grader, Jaeci a fifth-grader, Connor an eighth-grader and Michael a high school sophomore.

Scott and Nicole Westerhuis worked for Mid-Central Educational Cooperative, a Platte-based education organization that provides speech, language and hearing services to several area school districts. Scott was business manager for 15 or 16 years, and Nicole assistant business manager for about eight years.

The state Department of Education decided not to renew the \$4.3 million contract in the wake of a state audit last year that took issue with Mid-Central's documenting of some expenses. The audit found the company owed \$214,000 to the state, which it paid. Tony Venhuizen, chief of staff for Gov. Dennis Daugaard,

said preliminary results of this year's audit showed similar issues.

The \$4.3 million in federal funding was for GEAR UP, a college readiness program for Native American students in South Dakota.

Scott Westerhuis is the registered agent of a handful of companies and nonprofits in South Dakota, according to state records. Internal Revenue Service documents show two of those nonprofits, the American Indian Institute for Innovation and the Oceti Sakowin Education Consortium, have received at least \$2 million between them in GEAR UP funding since 2012.

Mid-Central paid out GEAR UP funds to both organizations, according to cooperative governing board records. Both nonprofits reported to the IRS that they provide services to underrepresented youth in impoverished areas.

The records list Scott Westerhuis as chief financial officer of the American Indian Institute for Innovation and Nicole Westerhuis as business manager of Oceti Sakowin Education Consortium.

Records for the American Indian Institute for Innovation back to 2012 list no compensation for Scott Westerhuis in his role as CFO. Nicole Westerhuis

was paid about \$38,500 in 2013 as business manager and an officer of Oceti Sakowin Education Consortium.

Dan Guernicke, superintendent of Mid-Central, did not immediately respond to an email seeking comment.

State auditor Marty Guindon said last year's audit that discovered issues with Mid-Central's documenting of expenses only examined the state's administration of the grant and involvement with the cooperative, and would not have looked at any organizations that received funding from Mid-Central.

When asked if this year's audit would examine funds Mid-Central issued to other organizations, Guindon declined to comment.

Jackley said federal investigators are not involved in the probe of the Westerhuis family deaths. He said several pieces of evidence have been found in the ruins of the home, including a shotgun and some shells.

He couldn't say whether Scott Westerhuis was known to own a shotgun.

A police dog found a potential accelerant in the home's ruins, but investigators are waiting to receive confirmation from tests results, the attorney general said.

Senators Brainstorming Ideas To Ease Property Taxes

GRANT SCHULTE
Associated Press

LINCOLN, Neb. — A special legislative committee is brainstorming ways to reduce property taxes in Nebraska, but the ideas are still broad and some senators voiced skepticism Wednesday that major changes are possible.

Several lawmakers said any large reforms will take several years to fully enact because of their impact on local and state budgets.

The ideas discussed included an increase in state aid to K-12 schools and a "freeze" in the taxes collected on property for education. But outside attorneys recruited by the Legislature to moderate the hearing stressed that none of the suggestions were firm.

Sen. Mike Gloor of Grand Island said he doubted lawmakers will be able to pass major reforms during the short, 60-day session that begins on Jan. 6, but he said lawmakers can still show progress.

"We have to do something that carries over several years, and likely several budget cycles," said Gloor, chairman of the Revenue Committee.

Sen. Kate Sullivan of Cedar Rapids said she sees no "silver bullet" solution to lower property taxes while preserving the quality of the state's K-12 schools. But lawmakers need to respond to constituents who are calling for lower taxes, she said.

None of the ideas so far have won resounding support, but the discussion was expected to continue

Thursday.

Nebraska's public schools rely heavily on property taxes, but rising agricultural land values have forced farmers and ranchers to pay an increasing share of the cost even when their incomes decline. At the same time, urban senators with fast-growing districts want to protect state aid for their schools.

Speaker of the Legislature Galen Hadley said lawmakers need to demonstrate to the public that they've already taken steps to address the concerns and will likely do more.

In May, lawmakers and Gov. Pete Ricketts approved \$408 million for the state's property tax credit fund in an effort to reduce what property owners have to pay. This year, the owner of a \$150,000 home will receive a \$141 tax credit.

"It's a perception thing, and the perception is we're not doing anything," Hadley said.

Sen. Paul Schumacher of Columbus questioned whether it's possible to substantially lower property taxes without other revenue sources or cutting services.

"There's no wiggle room in the system (for a change) that's meaningful to everybody," said Sen. Paul Schumacher, of Columbus. "We could screw this up a lot easier than we could fix it."

Nebraska's school aid formula distributes money by calculating a school's needs and subtracting what it can generate through local

property taxes and a few other sources. The difference between a district's needs and its local resources determines how much state "equalization" aid it receives.

The funding dispute revolves around larger districts with fast-growing student enrollment but slow-growing property values, and smaller districts with sluggish growth or shrinking numbers. The smaller districts often have

an abundance of valuable land, but agriculture groups say farmers and ranchers are shouldering an unfairly large share of the costs.

The committee has scheduled a Nov. 12 public hearing to get feedback on its recommendations. Its first meetings are intended to generate ideas for possible legislation when the Legislature convenes in January.

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