



The Daily Republic



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Ministerial

MELTING POT



Chris Huber/Republic

The Rev. Cathal Gallagher is pictured in the Armour church he serves. Gallagher, who was born and raised in Ireland, is the priest of Catholic parishes in Armour and Stickney.

Foreign-born priests, pastors filling more area pulpits

By CANDY DENOUDEN
The Daily Republic

When she was a German exchange student at Brandon Valley High School in 1987-88, someone painted a swastika on Constanze Hagmaier's locker. After spending some time in the superintendent's office, Hagmaier and the young man who drew the infamous symbol of Adolf Hitler and the Nazi Party came to an understanding — and that was that. Her broader experience in South Dakota was

still positive enough that she wanted to return. And she did, about a decade later, as a pastor. As two of a handful of foreign-born pastors in their synod, or region, of the Evangelical Lutheran Church in America, Constanze and her husband Dirk said people have, for the most part, welcomed them into South Dakota with open arms. "I always tell people, I experienced God's grace, God's love, the most when we emigrated," Dirk said. No matter where they're from, priests

and pastors all across the country have been busy this week, which culminates in Christianity's biggest holiday: Easter Sunday. But gradually, it's becoming less unusual for small-town South Dakota churches to be shepherded by non-American-born priests and pastors. The Center for Applied Research in the Apostolate, a nonprofit affiliate of Georgetown University in Washington, D.C., that researches issues pertaining to the Catholic church, estimates there are

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Secretive contract ordered public

State directs school to divulge agreement that paid ex-superintendent \$175K

By CHRIS MUELLER
The Daily Republic

HURON — A secret agreement that directed nearly \$175,000 to an ex-superintendent should be open to public inspection, a state examiner ruled Friday. The order from the state Office of Hearing Examiners says the Huron School District must release a copy of the settlement agreement between it and former

superintendent Ross Opsal to The Daily Republic. The settlement agreement resulted in the district making monthly payments to Opsal after his March 2011 resignation, according to public information previously obtained by the newspaper. The Daily Republic's initial request for a copy of the agreement was made more than a year ago. Dave Bordewyk, who as general manager

of the South Dakota Newspaper Association is a frequent lobbyist on behalf of government transparency, called Friday's decision a victory for the public. "We are glad to see the hearing examiner's decision affirmed that this settlement agreement is a public record," Bordewyk said. "It's not right that it took so long to get a decision. Nevertheless, we think the

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What's inside



Proud to be 'punks'

Most people probably wouldn't want to be called a punk. But for steampunks, well, they're used to living outside the mainstream. In Mitchell, a small but passionate group of steampunk enthusiasts recently gathered to set up bylaws and a charter. D1

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State shuts down area grain facility

PUC suspends licenses because of money woes

By BOB MERCER
Republic Capitol Bureau

PIERRE — Gregory Farmers Elevator Company saw its grain-buyer and grain-warehouse licenses suspended Friday morning by the state Public Utilities Commission. Commissioners voted 3-0 to suspend effective immediately. Commissioner Chris Nelson said it's clear the action was needed to protect against any further farmer losses. There will be an automatic revocation in 15 days unless the elevator's management appeals or presents a work-out plan. More than \$300,000 of checks haven't been cleared and there is another outstanding payment. State regulators have been monitoring the cooperative's financial status for two years. It is the first grain case for the PUC this year. Last year the PUC dealt with the financial insolvency of a Redfield grain buyer.

PUC grain-warehouse division director Jim Mehlhaff said the Gregory elevator's financial statements in 2011 showed they "were on the edge" with working capital of a little more than \$10,000. "They'd lost \$378,000 in (fiscal 2011)," he said. Updated statements filed in October 2011 showed improved financial condi-

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“I guess ‘treading water’ would be a good way to explain their situation.”
Jim Mehlhaff, PUC

Easter's 'strange business' begins

Get an exact count of eggs before it's too late

I don't know the age of the spare refrigerator in our basement, but if you looked at reruns of some of the television sitcoms about families from the early 1970s, you'd surely recognize both the style and the lime-green color of our appliance. The doors don't seal quite as firmly as they did when it was new, and the motor labors with groans and grunts when it's trying to cool heavy loads. Still, it remains a serviceable thing. Without a doubt, we owe it more than it owes us at this point in our relationship. I heard the motor working away the other evening as I walked down the stairs to get a soda after work. I opened the door and came face-to-face



Terry Woster
Republic columnist

wostert@yahoo.com

with a wall of egg cartons. Well, sure, here it was Easter Week, and here were the dozens of hard-cooked eggs just waiting for kids and grandkids to come home so we could break out the dyes and wax pencils and stencils and stickers. Later today, everyone who is home for Easter will gather around the big dining room table and color eggs for the Sunday morning hunt. The polished oak surface of the table will be covered with oil cloths and other tow-

els and drapes. Cups of warm, dye-colored water will be strategically located for easy dunking of eggs. For a long, long while, the family will concentrate on the strange business of taking perfectly good, farm-fresh eggs and giving them all manner of colors, designs and slogans. Members of the family take to the task with varying degrees of enthusiasm, once they have been convinced that, yes, again this year we're all going to take part in the ritual. The grandkids get a kick out of it, for the most part. Last year the 4-year-old performed with gusto, coloring as many eggs as she could reach and spreading a little color on her hands and arms, the table cloths and a few other fixtures in the dining room. The older granddaughters showed a high level of creativity in use of color and patterns.

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Dr. Patricia
Larson Shields



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Today's forecast: Chance of rain, mostly early. Partly sunny with high near 53. Details, A2.



High 53° Low 31°

Delivery questions?
Circulation: 996-5514
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OBITUARIES

Wilbert Tiede, Parkston

Wilbert Clinton Tiede, 87, Parkston, died Sunday, March 24, 2013, at Centura Health Littleton Adventist Hospital, Littleton, Colo. Funeral services will be at 10:30 a.m. Wednesday at Salem Lutheran Church, Parkston. Visitation will be from 4 to 7 p.m. Tuesday at Koehn Brothers Funeral Home, Parkston.

Leo Leichtnam, Mount Vernon

Leo Leichtnam, 65, Mount Vernon, died Wednesday, March 27, 2013, at his home in Mount Vernon. He was born on March 19, 1948. Funeral services will be at 10:30 a.m. Tuesday at Christ The King Catholic Church, Presho. Burial will be in Holy Angels Cemetery, Presho. Visitation will be from 6 to 7 pm. Monday at Isburg Funeral Chapel, Presho.

James Tyler, Mitchell

James Francis Tyler, 63, Mitchell, died Thursday, March 28, 2013, at Firesteel Healthcare Center. He was born on Jan. 20, 1950.

CONTRACT

Continued from Page A1

decision reinforces the public's expectations to know how their taxpayer dollars are being spent, regardless of the situation."

What's unknown, and what The Daily Republic seeks to learn from the agreement, is why the school paid the money to Opsal. At the time of his resignation, Opsal and the school district released a public letter from him citing his "personal health issues" as a reason for his departure, but with no further specifics.

Despite Friday's order, The Daily Republic still has not seen the agreement, because the newspaper was not able to reach the Huron School District's current superintendent or lawyer immediately.

The order says a copy of the agreement "shall be made available" to The Daily Republic, but it also says the school district may appeal to circuit court. If the district appeals the order, the Opsal agreement would remain sealed during the appeal process.

The Daily Republic first sought a copy of the agreement in early 2012 after receiving a tip that the Huron School District was still paying an ex-superintendent, even as the district paid its new superintendent. The district and its lawyer refused to provide a copy of the agreement, but did acknowledge payments to ex-superintendent Opsal of \$10,916.51 per month since his March 2011 resignation.

According to monthly payment information obtained from the district and compiled by The Daily Republic, the payments stopped after 16 months and totaled \$174,664.

The newspaper wrote a story in February 2012

Funeral services will be at 10:30 a.m. Wednesday at Holy Family Catholic Church, Mitchell. Burial will be in Calvary Cemetery, Mitchell.

Visitation will be from 6 to 8 p.m. Tuesday at Will Funeral Chapel, Mitchell, with a 7 p.m. prayer service.

Dennis Schaff, Lake Andes

Dennis Schaff, 65, Lake Andes, formerly of Mandan, N.D., died Friday, March 22, 2013, at Avera St. Benedict Health Center, Parkston. He was born on June 8, 1947. Graveside services with military honors will be at 11 a.m. Friday at North Dakota Veterans Cemetery, Mandan, N.D. Arrangements are under the direction of Bittner Funeral Chapel, Mitchell.

Carol Ann Hansen, Phoenix

Carol Ann Hansen, 73, Phoenix, formerly of Mitchell, died Monday, March 25, 2013. Funeral services will be at 11 a.m. today at Hansen Mortuary, Phoenix. Visitation will be one hour prior to the service at the funeral home.

detailing the payments and the district's refusal to speak further about the issue or release a copy of the agreement.

Then, in July, a new state law took effect clarifying that a superintendent contract is a public record. That change was sparked partly by a controversy in Sioux Falls, where the superintendent refused to divulge her contract.

Citing the new law, The Daily Republic made a new request for the Huron agreement in September and was once again denied by the district and its lawyer. The newspaper appealed that new denial to the state Office of Hearing Examiners, which is the office charged with settling open-records disputes in South Dakota.

In its decision released Friday, the Office of Hearing Examiners said the district's settlement agreement with Opsal is open to public inspection.

All public records are open to inspection unless the law expressly says otherwise, the decision says.

It also notes that the Huron settlement agreement was never declared closed or confidential as a result of civil or criminal court proceedings.

"There was no litigation filed in this matter," the decision says. "The district admits this agreement was formulated after 'threatened litigation' only."

Rodney Freeman, the district's attorney, could not be reached Friday for comment. A person answering the phone at his office said he was out all week. There was no school Friday in Huron because of the Good Friday holiday, and The Daily Republic was not able to reach current superintendent Terry Nebelsick.

LUNCH MENUS

JOHN PAUL II ELEMEN-TARY SCHOOL

Monday — Easter Monday, no school.

Tuesday — Chicken taco, lettuce/tomato, refried beans, pears, milk.

Wednesday — Hamburger stroganoff over noodles, homemade bread, corn, peaches, milk.

Thursday — Taco goulash, carrots, orange, cinnamon toast, milk.

Friday — Hot dog on whole wheat bun, broccoli with cheese, fruit, milk.

MITCHELL ELEMENTARY SCHOOLS

Monday — Easter Monday, no school.

Tuesday — Cavatini, steamed broccoli, Mandarin oranges, whole wheat dinner roll.

Wednesday — Nacho grande, Spanish rice, refried beans, steamed corn, peaches.

Thursday — Pork fritter, mashed potatoes, pork gravy, steamed carrots, fruit cocktail, whole wheat dinner roll.

Friday — Cheese sticks with marinara, potato wedges, steamed green beans, apple.

MITCHELL SENIOR MEALS

Monday — No meals.

Tuesday — Scalloped potatoes and ham, whole wheat dinner roll, steamed broccoli, Mandarin oranges.

Wednesday — BBQ chicken, baby baked potatoes, three bean salad, peaches.

Thursday — Pork fritter, mashed potatoes, pork gravy, steamed carrots, fruit cocktail.

Friday — Meatloaf, baked potatoes, steamed green beans, apple, rice crispy bar.

MITCHELL CHRISTIAN SCHOOL

Monday — Easter Monday, no school.

Tuesday — Cavatini, steamed broccoli, Mandarin oranges, whole wheat dinner roll.

Wednesday — Nacho Grande, Spanish rice, refried beans, steamed corn, peaches.

Thursday — Pork fritter, mashed potatoes, pork gravy,

steamed carrots, fruit cocktail, whole wheat dinner roll.

Friday — Pizza Hut pizza, steamed green beans, apple.

EMERY SENIOR MEALS
Monday — Slice of ham, scalloped potatoes, green beans, orange fluff.

Tuesday — Roast beef, mashed potatoes, corn, fruit cup.

Wednesday — Spaghetti, corn, tossed salad, fresh bread, peaches.

Thursday — Creamed chicken on a biscuit, mixed vegetables, apple.

Friday — Pork chop, mashed potatoes, carrots, peach cobbler.

TRIPP SENIOR MEALS

Monday — Swedish meatballs with creamed egg noodles, roll, dessert.

Tuesday — Barbecue sandwich, fries, dessert.

Wednesday — Pork tenderloin, sweet potato, mashed potatoes, vegetable, dessert.

Thursday — Ham and cheese melt with chili, dessert.

Friday — Fried chicken, mashed potatoes, gravy, corn,

dessert.

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Entrée Salads: Chicken Caesar salad.

Entrées: Filet mignon au truffle, chicken Oscar, Grand Marnier orange roughy, coconut shrimp, crepe Marco Polo, daily chef's feature.

Side Dishes: Asparagus, baked sweet potato, pasta au gratin, sautéed seasonal vegetable.

Dessert: Daily dessert special.

All entrees are served with choice of one side and freshly baked bread and rolls. Additional sides, appetizers, soup, salad and dessert are available ala carte.

BANKRUPTCIES

Here are bankruptcy filings in U.S. Bankruptcy Court, District of South Dakota, for March 21 through March 27. Individuals can file Chapter 7 petitions (asking that debts be liquidated); Chapter 12 (a simplified reorganization method for farmers and ranchers whose gross debt does not exceed \$1.5 million); and Chapter 13 (a plan to repay some debts in three to five years). Businesses can file Chapter 11 petitions to reorganize their debts under a court-approved plan for repayment.

- **Aberdeen:** Scott Allen Hulshof, Chapter 7; Hope Noel Hieb, Chapter 7; Amy Lynn Williams, Chapter 7.
- **Alexandria:** Joseph Craig Plagmann, Chapter 13.

- **Ashton:** Sara Mercedes Voeller, Chapter 7.
- **Baltic:** Kevin Dane Meyers, Chapter 7.
- **Box Elder:** Donal Russell Harper, Chapter 7; Debra Jo Harper, Chapter 7.
- **Brookings:** Roxanne Fay Trandberg, Chapter 7; Richard Neal Kelzer, Chapter 7; Penny Mae Kelzer, Chapter 7.
- **Castlewood:** Gordon Andrew Graham II, Chapter 7.
- **Hot Springs:** Kurt Edward Seegrist, Chapter 7.
- **Huron:** Tonya Kae Petersen, Chapter 7.
- **Lennox:** Anthony Todd Tripp, Chapter 7; Melissa Grace Tripp, Chapter 7.
- **Madison:** Daniel Richard Johnson, Chapter 7; Tina Marie

Johnson, Chapter 7.

- **Marion:** Joel Calvin Nelson, Chapter 7; Tammy Lynn Nelson, Chapter 7.
- **Mitchell:** Kelly Ann Ireland, Chapter 7.
- **Mount Vernon:** Kasee Jean Hetland, Chapter 7.
- **Parker:** Diane Rosanna Meyers, Chapter 7.
- **Pierre:** Jose Guadalupe Magana, Chapter 13; Tammy Sue Magana, Chapter 13.
- **Rapid City:** Dwayne Lesley Gordon Jr., Chapter 7; Pamela Kay Gordon, Chapter 7; Chad Michael Freeman, Chapter 7.
- **Redfield:** Steven Erb, Chapter 7; Debra Mae Erb, Chapter 7.
- **Sioux Falls:** Robert Edward Brenner, Chapter 7; Nichole Angelica Brenner, Chapter 7;

Thomas Joseph Croushore, Chapter 7; Lindamarie (no middle name) Croushore, Chapter 7; Robert Francis Huling, Chapter 7; Cynthia Lynn Seeger, Chapter 7; Darrell Lee Gubbins, Chapter 7; Joanne Marie Gubbins, Chapter 7; Amanda Melissa Wardel, Chapter 7; Charles William Bresson, Chapter 7; Sou (no middle name), Chapter 7.

- **Spearfish:** Ruben (no middle name) Ramirez Jr., Chapter 7; Jeanette Renee Ramirez, Chapter 7; William Darrell Audiss, Sr.; Chapter 7.
- **Tabor:** Matthew John Boden, Chapter 7.
- **Watertown:** Miguel Angel Torres-Soto, Chapter 7; Jaura Marie Carlson, Chapter 7.
- **Yankton:** Sherri Dawn Schroeder, Chapter 7.

ELEVATOR

Continued from Page A1

tions, according to Mehlhaff. There was further improvement in the February 2012 statements, he said. "They were on an abbreviated inspection cycle at that time," he said.

On Aug. 2, the commission received a call from a producer who demanded payment and hadn't received his check. Mehlhaff said he sent two inspectors to conduct a "very thorough" examination on Aug. 3.

The elevator was in a negative working-capital situation at \$108,000 in the hole.

"I guess 'treading water' would be a good way to explain their situation," Mehlhaff said.

The PUC received weekly reports. In November 2012 Mehlhaff learned the manager had been suspended and was under investigation for criminal embezzlement. An outside consultant was brought in.

PUC staff kept in close contact and gave the opportunity for a turn-around. On Feb. 20, the PUC staff attended a patrons meeting and explained the situation.

Mehlhaff said the consensus among patrons was a merger should be sought. "Plan B was to seek additional capital if that wasn't possible," he said.

A merger couldn't be achieved. A check from the elevator was presented by a board member, Sherman Vomacka of Gregory, for \$144,000 and there wasn't sufficient cash to cover the check.

A patrons meeting was held March 21. A call for capital pledges was made. It generated \$173,000 but

\$400,000 was necessary to provide "enough freeboard" to operate, Mehlhaff said. Another patron came forward later to offer \$25,000 more.

"We left that meeting hopeful but concerned," Mehlhaff said. "The other day, it just became apparent they would not be able to raise the additional capital."

Mehlhaff said the \$144,102 check remains un-cashed. Another check for \$3,648 is outstanding. There is another payment owed of about \$5,300.

Vomacka participated by telephone Friday in the PUC hearing. He said he agreed with Mehlhaff's statements explaining the situation. He is the elevator board's president.

"There is ongoing talks here, our local cooperative possibly coming to some ideas they might buy it. I don't know at this time. That's between the bank and the other cooperative," Vomacka said. "There is some hope there, right now."

Vomacka (pronounced vo-mahch-kuh) said he is the holder of the un-cashed \$144,000 check.

The elevator has a \$800,000 warehouse bond and a \$100,000 buyer bond, Mehlhaff said. "My assessment is all the producers should be taken care of and the bond would not even come into play," he said.

"My opinion is their equity is still sufficient but their working capital is not and it has not been and it appears they will not be able to bring it up to an area where they can continue as a going concern," Mehlhaff said.

A suspension would allow a two-week period for the elevator management to bring forth a plan to correct the problem.

Mehlhaff was asked by PUC chair-

man Gary Hanson whether the Gregory Farmers Elevator's financial situation was indicative of any problems involving other warehouses in South Dakota. "I do not see a weakening of the grain-handling industry in general," Mehlhaff replied.

Moments later Vomacka said he had just learned two checks have been returned and didn't clear. He said one is owed to a board member and the other is owed to a former board member.

Mehlhaff said the PUC relied on an audited May 31, 2011, statement and an Oct. 31, 2011, compiled statement to issue the 2012 license renewals. He said his office also received the Feb. 29, 2012, statement that showed improved financial conditions with \$142,000 positive.

All of the money is owed to current or former board members. "That is something very, very honorable," commissioner Kristie Fiegen said.

A new law takes effect April 1 requiring that any warehouse or buyer who is in a negative working-capital situation must notify the PUC. The law is part of a package of reforms passed by the Legislature at the PUC's request in the wake of the Anderson Seed insolvency a year ago. Mehlhaff said he's unaware of any other warehouse or buyer who's currently negative.

He said it "would be key" for the Gregory elevator to bring in an experienced grain manager or partner with one.

"It was the former two managers who brought the elevator into where they are at now," he said.

The former manager facing embezzlement charges allegedly took about \$17,000 over the course of a few months last year.

‘Bachelorette’ contestant sentenced for bar fight

FRESNO, Calif. (AP) — Former "Bachelorette" contestant Kasey Kahl will avoid jail time after pleading no contest to battery stemming from a bar fight in California.

The Fresno Bee reports Kahl entered the plea Thursday to a felony count of battery causing bodily injury. An assault count was dismissed.

The 30-year-old Clovis man was sentenced to 180 days of community service.

Kahl was accused of breaking a man's nose

during a fight last year in Fresno. His attorney, Gerald Schwab, says his client acted in self-defense.

Kahl was a contestant on ABC reality TV show's "The Bachelorette" in 2010.

Rapper says he’s an epileptic

NEW YORK (AP) — Lil Wayne says he's an epileptic and has had seizures for years.

In an interview with Los Angeles-based radio station Power 106 on Thursday, the 30-year-old rapper said epilepsy caused his most recent health scare earlier this month when he was rushed to a hospital. Wayne said he had three back-to-back seizures.

The Grammy winner says: "I've had a bunch of seizures, y'all just never hear about them."

Wayne says he "could've died" and that the recent seizures were a result of "just plain stress, no rest, over-

working myself."

He released his 10th album, "I Am Not a Human Being II," this week. He'll embark on a 40-city tour in July with rappers T.I. and Future.

The New Orleans native, whose given name is Dwayne Michael Carter Jr., is one of the biggest stars not only of his genre but in all music.



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