

Secret agreement goes to court

Huron school appeals Daily Republic's right to see document

By CHRIS MUELLER
The Daily Republic

HURON — The Huron School District is appealing to circuit court to keep an agreement with an ex-superintendent secret. In March, a state hearing examiner ordered the district to provide The Daily Republic with a copy of

the agreement. The district has since filed a notice that it will appeal the decision to Beadle County Circuit Court.

The agreement between the district and ex-superintendent Ross Opsal resulted in payments to him totaling nearly \$175,000 while the district also paid Opsal's successor, according to public financial information obtained by The Daily Republic. The newspaper seeks to learn the reason for the payments to Opsal, but the agreement will apparently remain sealed throughout the appeal process.

The Daily Republic first requested a copy of the agreement in early

2012 after getting a tip that the district was still paying an ex-superintendent. The district and its lawyer refused to release a copy of the Opsal agreement but did acknowledge payments to Opsal of \$10,916.51 per month since his March 2011 resignation.

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

At the time of his resignation, Opsal and the district released a public letter from him citing his "personal health issues" as a reason

for his departure.

The Daily Republic wrote a story in February 2012 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 in September for the district's agreement with Opsal, but was once again denied by the district. The

newspaper appealed that new denial to the state Office of Hearing Examiners, which is the office assigned by state law to handle open-records disputes. The OHE found that the district's agreement with Opsal is a public record and should be open to inspection, since it was never declared closed or confidential as a result of civil or criminal court proceedings and is not classified as closed by any other law.

Calls to Rodney Freeman, the district's attorney, and Terry Nebelsick, the district's current superintendent, made Wednesday by The Daily Republic were not immediately returned.

Circus images



Above: Gladys Beckman enjoys the afternoon showing of the Shrine Circus on Tuesday at the Mitchell Corn Palace.

At right: Camels were among the featured animals this year at the circus, which finished its last day of shows Wednesday.



Photos by Jordan Steffen/Republic

Downtown Clean-Up Day scheduled Sunday

Mitchell Main Street and Beyond, an organization that works to promote and preserve Mitchell's downtown district, is holding Downtown Clean-Up Day from noon to 5 p.m. on Sunday.

Downtown Clean-up Day provides an opportunity to ready downtown Mitchell for summer. New projects this year include two upper-story clean-up efforts to prepare for living spaces.

In addition, volunteers will do light clean-up, which includes painting, window washing, sweeping, debris removal from property and paint removal.

Volunteers should meet at 11:45 a.m. Sunday at the corner of Third Avenue and Main Street

— Source: Mitchell Main Street and Beyond

SDSU Extension offers food safety training this month

BROOKINGS (AP) — South Dakota State University's Extension is offering food safety training for growers of fresh fruit and vegetables later this month at several locations across the state.

The training will be May 23 from 1:30 p.m. to 5 p.m. CDT and 12:30 p.m. to 4 p.m. MDT.

The training will be held at the West River Agricultural Center in Rapid City and available via closed-circuit TV at Extension Regional

Centers in Aberdeen, Watertown, Mitchell, Sioux Falls and Pierre.

The training is geared toward managers of Farmers Markets and other professionals. Topics covered will include recent state and national legislation pertaining to food safety, production and handling practices, third-party safety certification and developing a farm food safety plan.

Hunting guide sentenced on federal gun charge

By The Associated Press

A McLaughlin hunting guide has been sentenced to six months in federal prison for being a felon in possession of a firearm.

The U.S. Attorney's Office says 52-year-old Jess Porras was providing guiding services to a group of hunters from Minnesota in December. After a member of the hunting party missed several shots at a deer, Porras grabbed the hunter's rifle and shot the deer.

Porras had previously been convicted of a felony and was prohibited from possessing firearms.

He was sentenced this week and is

ordered to report to the U.S. Marshal's Service on May 21.

This case was investigated by U.S. Fish & Wildlife Law Enforcement Services.

SD man pleads guilty to pulling shotgun on trooper

ABERDEEN (AP) — A man who pointed an unloaded shotgun at a South Dakota Highway Patrol trooper has pleaded guilty to an aggravated assault charge.

Authorities accused Randall Jungwirth of pulling the shotgun on a trooper who was checking on Jungwirth's stopped vehicle on a Spink County road last November, and pulling the trigger twice before fleeing on foot.

Jungwirth was found the following day hiding in an abandoned mobile home near Ashton.

The American News reports that Jungwirth faces up to 25 years in prison when he is sentenced June 11 on the charge of aggravated assault of a law enforcer. In exchange for his guilty plea, prosecutors dropped a felony drunken driving charge.

Tribe to get \$300K matching grant for popcorn business

LOWER BRULE (AP) — A South Dakota tribe will receive \$300,000 in federal money to promote the sales of its popcorn as part of an attempt to boost the reservation's economy.

Agriculture Secretary Tom Vilsack told The Argus Leader that the money will go to a corporation of the Lower Brule Tribe to help overcome disadvantages its farm enterprise faces in the marketplace.

"This is consistent with our efforts to focus on areas of high and persistent poverty. Our hope is this farm corporation will create a few jobs and a market that didn't exist before and isn't as robust as it could be," Vilsack said in a phone interview Tuesday from Washington, D.C.

The money is part of a matching grant. The tribe will put up \$310,000 of its own cash to commit a total of \$610,000 toward marketing its Lakota Foods popcorn.

The grant is one of 110 awards totaling \$16.9 million the USDA is issuing as part of its annual value-added producer grant program.

Popcorn makes up about 15 percent of the harvest

from a series of Lower Brule farms on tribal land. The tribe packages the popcorn at a plant in Lower Brule, and annual yield is about

13 million pounds.

Lower Brule tribal chairman Michael Jandreau said the growth is encouraging, but the tribe is a relatively inexperienced business trying to establish its brand on equal footing with competitors.

"It's been a struggle and continues to be a struggle," Jandreau said.

"You have years and years of marketing on the part of most of them. If you don't have that skill built in, it's an uphill climb. We have a wonderful product.

"Hopefully, these dollars will help us move the process along."



VILSACK



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