

Groton Daily Independent

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Wednesday, Aug. 27

Senior Menu: Hot Roast Beef Combination, Carrots, Mandarin Oranges, Peanut Butter Cookie
Birthdays: Amanda Zimmerman • Paula Dobbins • Kory Anderson
7:00am: United Methodist Men's Bible Study
12:00pm: Kiwanis meets at the Community Center
6:00pm: Men's Golf League
7:00pm: Christian Missionary & Alliance Midweek Family night (kids, youth, adults)
7:00pm: Emmanuel Lutheran Confirmation Kick-off

Thursday, Aug. 28

Senior Menu: Baked Chicken Breast, Noodles Romanoff, Lemon Buttered Broccoli, Pineapple Strawberry Ambrosia, Whole Wheat Bread
Anniversary: Rob & Jeanne Wanous
Birthdays: Kendra Bull • Lester Stearns • Abby Gibbs • Jordan Kjellsen • Ken Tobin • Rhonda Carda • Chanise Pray
10:00am: NEC Boys Golf Meet at Olive Grove, Groton
2:00pm: WELCA "Do Day" Stewardship Projects / Election of Officers

Friday, Aug. 29

Senior Menu: Sloppy Joe on Wheat Bun, Oven Roasted Potatoes, Mixed Vegetables, Crunchy Cranberry Salad
Birthdays: • Chuck Padfield • Kristi Thurston • William Zoellner • Jody Bull • Terry Leonhardt • Felicia Ethridge • Tonica Larson • Shawn McDonald
6:30am: Christian Missionary & Alliance Men's Bible Study at Dairy Queen

Dr. Geoffrey Rath - Optometrist

Eye Exams Glaucoma Tests Rx's Filled
- All Types Contact Lenses -

Doctor here Mondays Only - Office open Thursdays.
701-349-3223 to make appointments & adjustments

Hours at Ellendale, N.D. are:

Monday 9 - 12 & 1 - 5 Thursday 1:00 - 4:00

The cardboard/paper

recycling trailer at the school is back and is open!

Recycling Trailer in Groton

The recycling trailer is back in Groton at 10 East Railroad Ave. Don't forget, there is also a dumpster at the city shop for aluminum cans with the proceeds going to the pool.

Two bedroom apartment in the Rix Apartments (former city apartments) at 407 N Garfield

FOR RENT

Attached garage.

Major appliances included.

\$700 per month

Roger: 605/397-7118

Council gives preliminary approval for \$1 million street project for 2015

The Groton City Council grappled with a budget that had a \$1.1 million shortfall. "We can't spend more than what we take in," said Councilman Mary Flihs. The 2015 street project was on the chopping block for next year. Councilman Flihs said that the street project should be axed next year, and that \$500,000 be put away next year and the following year so the project can be done in the third year. The total of the street project is \$1.4 million.

The council went through the budget, line item by line item, leaving the street project until the final end. About \$350,000 was taken out of the budget. They include eliminating \$80,000 for an electric switch and pole replacement that would separate the north substation and the south substation off of the feeder line, reduce the purchase of transformers from \$45,000 to \$25,000, eliminated a water valve exercising tool for \$8,600, reduced the moving tree expenditure in the cemetery from \$5,000 to \$2,500, eliminate storm sewer improvements for part of the west side of town in the amount of \$90,000, eliminated \$8,500 for a new gator, reduced the chip seal project from \$100,000 to \$80,000, eliminated \$8,000 for repainting the stripes on Main Street, eliminated \$635 for a new portable police radio as the one that Jerry Bjerke has will last another year, eliminated \$30,000 for a new police vehicle, eliminated \$600 for a new printer, eliminated \$3,000 for garage door openers for the west warehouse, cut the water distribution supplies from \$20,000 to \$10,000, eliminated repairs to a pit under the water tower in the amount of \$10,000, eliminated \$15,000 for the Chamber sign, cut the stump grinding budget in half to \$2,500, eliminated \$10,000 for a new commercial lawn mower, reduced baseball repairs by \$5,000, reduced the cost of elections by \$675 as there is no plan for a special election, and cut salaries increase to allow for raises, overtime or other benefits from 10 percent to 5 percent, saving \$34,000.

The revenue side was also discussed. There was a proposal to tack on from \$2 to \$5 a month on the utility bills which would be set aside for the construction of a new water tower that will need to be done in the future. At \$2, it would add up to \$14,000 a year. Also discussed was passing a bucket at baseball games for gate charges instead of the box at the gate.

After all was said and done, the council agreed, 4-2, with Councilman Mary Flihs and Councilman Eddy Opp saying no (Opp wanted the street project cut in half), to do a \$1 million street project next year. Councilman Burt Glover said that promises were made and the council should keep them. The streets to be done are Fifth Avenue West from Broadway to Garfield, Fourth Avenue from Broadway to Lincoln, Lincoln Street from Third Avenue to Meadowbrook Lane, Washington Street from Third Avenue to Seventh, and Sixth Avenue from Broadway to Washington Street. Once the street project is done, the council was in agreement that there would be no more major projects for a few years to allow the city to pay down its debt.

Other items that need more clarification were:

\$5,000 for paneling and tables at the community center. They questioned if the paneling can be removed and then the wall painted and also how many tables really needed to be replaced.

\$40,000 to reline waste water lines on Fourth Street and First Avenue. They questioned if it could be postponed for a year.

\$4,000 for boring a water service line to Feist's as the water service line needs to be changed before the South Dakota Highway 37 project is done in 2016. Councilman David McGannon said his service comes in from the west and questioned as to why Feist's service line couldn't come in from the west as well. There is a water main on Washington Street that runs to a fire hydrant near the west warehouse.

Of course, all of these are tentative as the council gave first reading at the meeting and will give second and final reading at the September 2 meeting.

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Notice

Sugar Babes/Sweet Sensations dance groups registration is **Wednesday, Sept. 3**, at the Groton Community Center from 4 p.m. to 6:30 p.m. Instructor Gwen Briscoe from Aberdeen ARCC will be offering a sixth, seventh and eighth grade dance team new this year! Call Gwen at 605/290-0410 or Kim at 605/380-7148 for more information.

Lawson/Vietor Thank You

Going through these difficult times after losing a husband, father, brother, son-in-law, and friend has been made easier by the help and support of so many people. It is hard to articulate the depth of our gratitude to this ever growing list, but heartfelt thanks needs to be given to the SD highway patrol, Groton police, fight crew and ER staff at Avera Hospital, and ICU staff. The Avera team took amazing, personal care not only of Lynn but also of family and friends streaming in and out daily. Professionalism and compassion have never been combined so well.

A special thanks needs to be given to the man who accidently left his keys in his car. Without his unlikely oversight Lynn would not have been able to find help. Also, a sincere thanks to all of the people who searched for our faithful dog, Nelly.

The Gus Lawson and Vietor families

Help Wanted

Wheatcrest Hills - New Wage Scale - is hiring for PT and FT CNA positions. We are looking for caring compassionate individuals to join our team. CNA certification training class to start September 15 and we have benefit packages available. Please stop in for application or contact Kristin at 605/448-2251. (0826.0902)

For Rent

ONE AND TWO bedroom apartment for rent. HDS subsidized. Rent includes utilities and heat. No smoking. Pets okay. Contact Darlene Daly at 605/397-8131.

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SOUTH DAKOTA DEPARTMENT OF TRANSPORTATION NOTICE OF PUBLIC INFORMATION MEETING/ OPEN HOUSE

Project P 0037(129)207; PCN 039K; BROWN COUNTY

SD37 from Aspen Avenue to US12 in Groton

Grading, Storm Sewer, Curb & Gutter, Sidewalk, Roadway Lighting, AC Surfacing

Date: September 4, 2014

Time: 5:30 to 6:30 p.m. CDT

Place: Groton Community Center
109 N. 3rd Street
Groton, SD 57445

The South Dakota Department of Transportation (SDDOT) will hold an open house style public meeting to discuss and receive public input on the above project. The open house will be informal, with one on one discussion with SDDOT design staff.

A presentation will take place shortly after 5:30 p.m. Afterwards, SDDOT staff will be available with displays to discuss the proposed project and answer your questions. During this time, you will also have the opportunity to present written comments.

Information will be available on the acquisition of right-of-way and relocation assistance. This project is being developed in compliance with state and federal environmental regulations.

Notice is further given to individuals with disabilities that this public meeting is being held in a physically accessible place. Any individuals with disabilities who will require a reasonable accommodation in order to participate in the public meeting should submit a request to the department's ADA Coordinator at 605-773-3540 or 1-800-877-1113 (Telecommunication Relay Services for the Deaf). Please request the accommodations no later than **2 business days prior to the meeting** in order to ensure accommodations are available.

All persons interested in this project are invited to attend this meeting to share your views and concerns any time between 5:30 and 6:30 p.m.

For further information regarding this project, contact Mark Leiferman, Chief Roadway Design Engineer at (605) 773-3433.

Information presented at the Public Meeting/Open House will be posted on the SDDOT web site after the meeting at <http://sddot.com/dot/publicmeetings/default.aspx>.

Notice published twice at a cost of \$ _____.

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Achieving the Dream

**Lots for Sale
in a
family
oriented
neighborhood**



Olson Development - North Groton ~ 605/397-8262

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Today in Weather History

1983: High winds tore through Glenham and Wakpala, destroying several structures and damaging crops. The worst damage occurred in Glenham, in Walworth County, where two mobile homes were destroyed, the roof of a school torn off, and trees limbs down. A tall TV antenna was blown over and a boat was blown off a trailer. Highs winds also tore through the Bowdle area, downing power lines and tree limbs. Numerous roofs were also damaged.

2013: Numerous severe thunderstorms brought large hail along with wind gusts from 60 to 90 mph to parts of north central and northeast South Dakota. Numerous trees were downed along with many structures damaged. Eighty mph winds near Polo in Hand County snapped off two large cottonwood trees. Ninety mph winds snapped numerous trees off at their base along with destroying a garage and tipping several campers over onto their side at Cottonwood Lake near Redfield.

1881: A Category 3 hurricane made landfall near Savannah, GA and is estimated to have killed about 700 people.

1893: A Category 3 (possibly Category 4) hurricane slammed into Savannah, GA with a 16 foot storm surge. It is estimated that one to two thousand people were killed.

1964: Miami took a direct hit from Hurricane Cleo. Winds gusted to 135 mph, while the hurricane caused \$125 million in damage. Hurricane Hunter flights through the storm were so turbulent that one airman was injured to the point that he was unable to fly again. It was the first direct hit on Miami in 14 years.

1971: Tropical Storm Doria swept directly over New York City, flooding subways in the Big Apple.

1973: Canada's largest hailstone, 4.5" in diameter, fell on Cedoux, Saskatchewan.

1893 - The first of three great hurricanes that year struck South Carolina drowning more than 1000 persons in a tidal surge at Charleston. (David Ludlum)

1964 - Hurricane Cleo battered Miami and the South Florida area. It was the first direct hit for Miami in fourteen years. Winds gusted to 135 mph, and the hurricane caused 125 million dollars damage. (David Ludlum)

1970 - Elko, NV, was deluged with 3.66 inches of rain in just one hour, establishing a state record.

One of Groton's finest homes looking for a new family

Reduced to \$565,000



403 E. 15th Ave.

Over 7,000 sq. ft. of living area. Six bedrooms, six baths, two kitchens, living room, dining room, study room, two family rooms, theater room, oversized three-stall garage, irrigation system.

**JOHNSON
AGENCY**

Jay Johnson, Broker

www.johnsonagencygroton.com

102 N Main, Groton

Office: 605/397-2424

Home: 605/397-8565



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(The Weather Channel)

1987 - Washington D.C. soared to a record hot 100 degrees, while clouds and rain to the north kept temperature readings in the 50s in central and southeastern New York State. (The National Weather Summary)

1988 - Afternoon thunderstorms produced locally heavy rains in the southwestern U.S. Thunderstorms in eastern New Mexico produced wind gusts to 75 mph near the White Sands Missile Range, and produced three inches of rain in two hours near the town of Belen. (National Weather Summary) (Storm Data)

1989 - Afternoon and evening thunderstorms produced severe weather in southeastern Nebraska, eastern Kansas and Missouri. Thunderstorms produced baseball size hail south of Belleville KS, and tennis ball size hail south of Lincoln NE. Thunderstorms produced golf ball size hail and wind gusts to 70 mph at Saint Joseph MO. Thunderstorms in North Dakota deluged the town of Linton with six inches of rain in one hour. (The National Weather Summary) (Storm Data)



Come 'n' Get It!
Friday is Taco Bar and Soup Night
Andover Bar & Grill Serving 5-9 p.m.
120 S Main St. • 298-5252

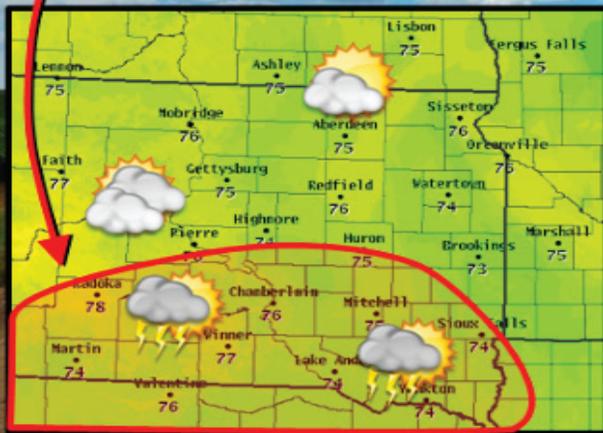
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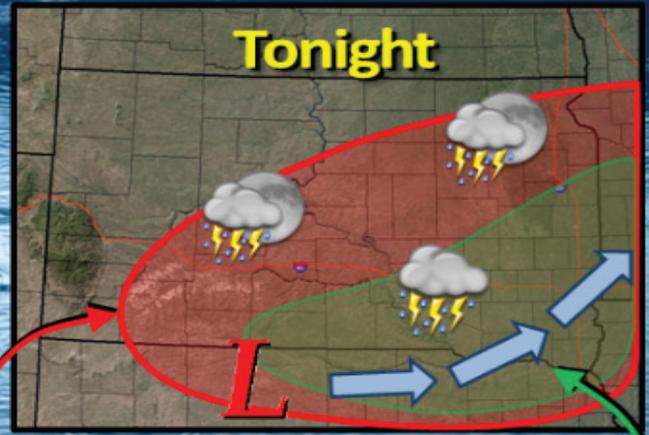
TODAY	TONIGHT	THURSDAY	THURSDAY NIGHT	FRIDAY	FRIDAY NIGHT	SATURDAY
						
Mostly Sunny High: 75 °F	Slight Chc Thunderstorms Low: 58 °F 20%	Chance Thunderstorms High: 76 °F 30%	Partly Cloudy Low: 58 °F	Mostly Sunny High: 81 °F	Partly Cloudy Low: 57 °F	Mostly Sunny High: 78 °F

INCREASING CLOUDS TODAY – STORMS SOUTH STORMS PUSH NORTH & EAST OVERNIGHT

Weak Storms Today



Tonight



**Widespread Weak Storms
Heavy Rain Possible***

*Low Confidence In Storm Track
=
Uncertainty In Placement Of Heaviest Rainfall



weather.gov/Aberdeen



National Weather Service Aberdeen



@NWSAberdeen

Low pressure will move into the Central Plains today, helping support weak thunderstorms as far north as Pierre. As the system moves east and then lifts north, it will bring storms to much of South Dakota and Minnesota. Models differ on the intensity of the system, which determines how far north we can expect heavy rain. The whole system pushes out of the area during the day Thursday.

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Yesterday's Weather

High: 63.8°F at 5:20 PM

Low: 43.4°F at 7:02 AM

High Gust: 7 mph 1:47 AM

Precip: 0.00

Today's Info

Record High: 106° in 1973

Record Low: 38° in 1967

Average High: 80°F

Average Low: 54°F

Average Precip in Aug.: 2.04

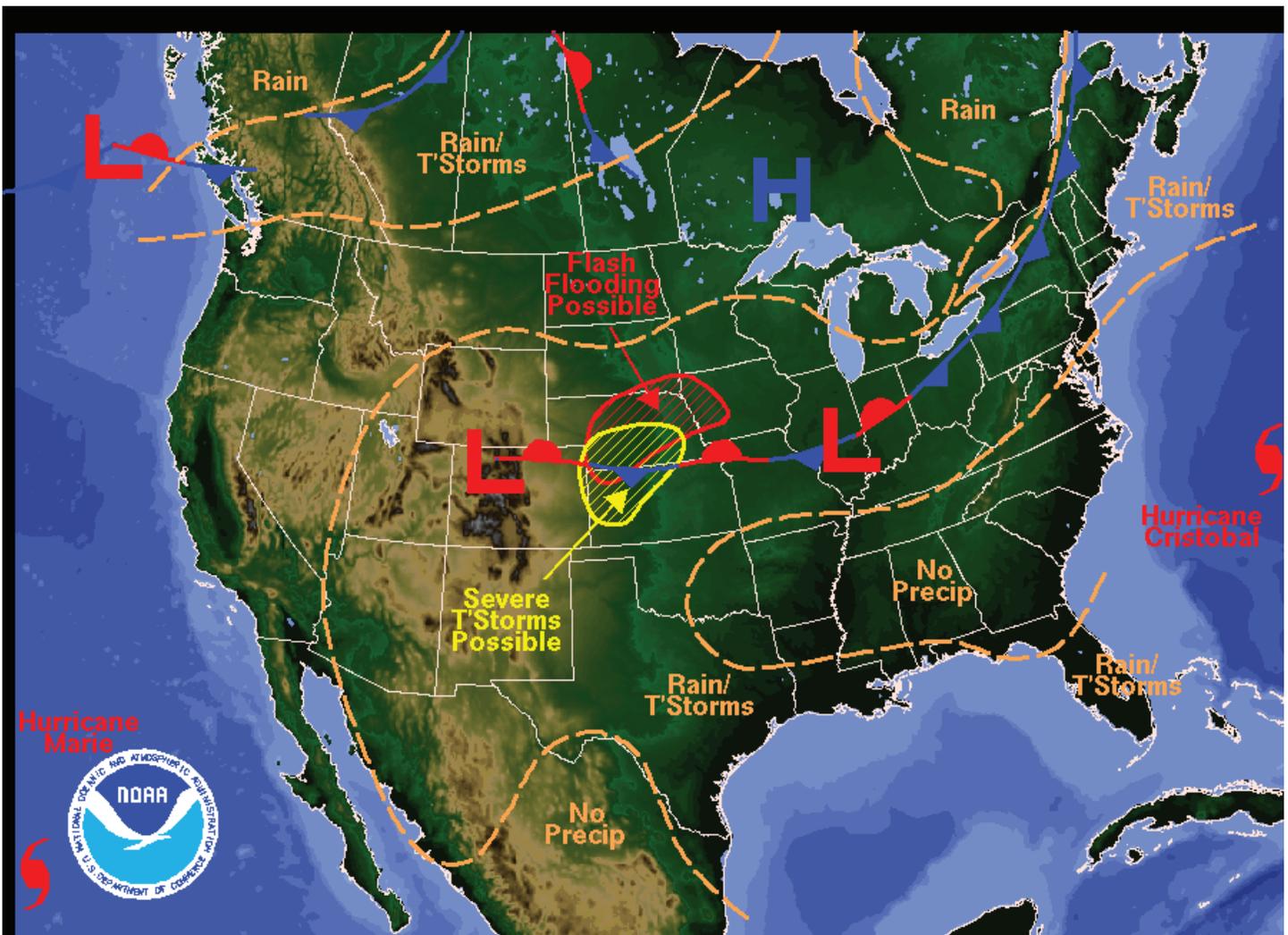
Precip to date in Aug.: 2.95

Average Precip to date: 15.90

Precip Year to Date: 11.93

Sunset Tonight: 8:20 p.m.

Sunrise Tomorrow: 6:50 a.m.



Weather Forecast for Wed, Aug 27, 2014, issued 3:09 AM EDT
DOC/NOAA/NWS/NCEP/Weather Prediction Center
Prepared by Mc Reynolds based on WPC, SPC and NHC forecasts



BEING ALONE IS A CHOICE

We all enter this world alone and we all depart this world alone. But we do not need to go through life alone.

A visitor walked through the Garden and then came into the office. After sitting quietly for a moment he began to weep loudly, his body trembling. "You know," he said, "I am so alone and so misunderstood. I wish I belonged to somebody, anybody. I hate life with all of its bitterness and loneliness but I am afraid to die."

Continuing on he said, "I have wealth and property, success and influence. But I would rather feel accepted by someone, anyone in exchange for all of my possessions."

Unfortunately, he was not aware of our Father. The Psalmist said, "O, Lord, You have searched me and You know me. You know when I sit and when I rise; You perceive my thoughts from afar. You discern my going out and my lying down; You are familiar with all my ways. Before a word is on my tongue, You know it completely, O Lord."

Many lead lonely lives because of a fear of being known - or as some might say, "being found out." This comes from a fear of not being acceptable to others for who we are or what we might have done in the past. "If you know me," so it seems, "you probably won't like me."

vPerhaps that may be true of people, but not God! He has searched us, knows everything about us, and in spite of it all, loves us so much that "He gave His only begotten Son to die on our behalf so we can be saved." And if we accept His salvation, He'll never leave us nor forsake us.

Prayer: Thank You, Father, that You offer us a love we do not deserve and Your salvation that we cannot earn. In Jesus' Name, Amen.

Scripture for Today: Psalm 139:2, 2a-4b You know when I sit and when I rise; Before a word is on my tongue you, Lord, know it completely.

Winter wheat harvest wrapping up in South Dakota

SIOUX FALLS, S.D. (AP) — The winter wheat harvest in South Dakota is nearly wrapped up. The weekly crop report from the federal Agriculture Department says 94 percent of the winter wheat is in the bin. That's ahead of 93 percent at the same time last year but behind the five-year average of 98 percent.

The report says rain and humidity last week slowed the small grain harvest, but above-average temperatures in the eastern part of the state aided the development of row crops.

Pasture and range conditions in South Dakota are rated 67 percent good to excellent.

Bricks fall from Sioux Falls building; no one hurt

SIOUX FALLS, S.D. (AP) — No injuries were reported when bricks fell from the side of a three-story building in Sioux Falls.

Bricks began falling to the sidewalk at the Larson Square building about 10 p.m. Tuesday. The incident prompted the closure of a section of Main Avenue, and firefighters were called to the scene to peel loose bricks from the wall.

The building houses apartments and a restaurant. Fire Department Capt. Troy Scandin says the structural integrity of the building is fine.

The bricks fell from a veneer wall. Authorities believe rotting wood behind the bricks might have caused the bricks in a 250-square-foot section to fall.

Driver dies in cement truck crash near Lake City

LAKE CITY, S.D. (AP) — A Britton man is dead after losing control of the cement truck he was driving. The South Dakota Highway Patrol says 45-year-old Donald Mosen was driving on state Highway 10 just west of Lake City on Tuesday morning when he lost control of the cement truck and it flipped onto the driver's side.

Authorities say the truck then slid and spun down the roadway, throwing Mosen from the vehicle and killing him.

Faulkton to be honorary SD capital for a day

PIERRE, S.D. (AP) — Gov. Dennis Daugaard's office has chosen the city of Faulkton to serve as South Dakota's capital for one day next month.

The city of about 750 people will be the state's honorary capital on September 23.

The governor will tour the city's main street and businesses. He will also hold a social hour with the public and hold a meeting for community leaders.

Mayor Slade Roseland says he's excited to show the city's progress to the governor.

USD using drone to capture images for marketing

VERMILLION, S.D. (AP) — The University of South Dakota is taking to the air to capture video used in marketing the Vermillion campus.

The Volante (<http://bit.ly/1ry4let>) reports USD bought its first unmanned aerial vehicle, or drone, and used the tiny craft during last week's move-in day.

Communications director Tena Haraldson says it's intended to capture outdoor campus shots but could also be used inside the DakotaDome.

The white drone cost \$1,300, has four propellers, can fly at more than 30 mph and is equipped with a high-definition camera and technology to keep it steady.

Haraldson says Vermillion's airport is not a controlled air space, so the drone won't be a safety hazard to other aircraft.

The long-term legality of drones by public universities is still unclear.

Feds: Report shows progress in tribal prosecutions

DAVE KOLPACK, Associated Press

FARGO, N.D. (AP) — Federal attorneys say an updated report released Tuesday on investigations and prosecutions on tribal lands shows continued improvement since a 5-year-old study that criticized the Department of Justice for turning its back on reservation crime.

The report from the DOJ states that 2,542 cases were filed in Indian Country in the 2013 fiscal year, a 34 percent increase from when the federal government began its tribal justice initiative in 2009. That's down from the 3,145 cases brought in 2012, which DOJ officials attribute primarily to reduced budgets and a hiring freeze.

Timothy Purdon, U.S. attorney for North Dakota and chair of an advisory committee on Native American issues, said the study proves that federal prosecutors are "keeping our promises" to improve tribal public safety.

"If you deal with more cases, you're moving more violent predators and drug dealers and people like that from the reservation," Purdon said. "I feel like we're making progress, but these problems are centuries in the making. We're not going to solve this at DOJ in three years with a new program."

A U.S. Government Accountability Office report released in 2010 revealed that federal prosecutors had declined 50 percent of American Indian cases in a five-year period ending in 2009. Federal officials responded with a report in April 2013 that provided the first look at government investigations and prosecutions on tribal lands.

The updated figures show that 34 percent of the cases were declined in 2013, compared with 31 percent in 2012 and 37 percent in 2011.

Federal prosecutors say they take the rates of cases declined seriously but they're not always the best measure because some of the cases wind up elsewhere, such as tribal court.

"I think this report tells an important story, but only part of the story," Associate Attorney General Tony West told The Associated Press on Tuesday. "It's difficult to be able to just look at the numbers and come up with an easy or facile explanation for what they mean. They can indicate a lot of things, but I think you always have to look below the surface when trying to think through what declination rates mean."

For instance, West said, more victims — particularly women — are stepping forward to report crimes in Indian Country because they have "some sense of certainty" that the offenses will be prosecuted.

The rates of cases declined were the lowest in the southwestern and northern Great Plains states, which have the largest treaty-based reservations in the country. Arizona brought the highest number of cases at 733, and declined 28 percent of cases. South Dakota was next with 470 cases brought and 26 percent declined.

Among the cases that were declined by federal prosecutors in 2013, 56 percent were because of insufficient evidence. About a quarter of them are referred to another prosecuting authority.

Purdon said the commitment to fighting reservation crime was shown last year in a double homicide prosecution on the Spirit Lake Indian Reservation in North Dakota that involved four assistant prosecutors from his office. Valentino "Tino" Bagola was sentenced to life in prison for the May 2011 slayings of 9-year-old Destiny Jane Shaw-Dubois and her 6-year-old brother, Travis Lee DuBois Jr., known to the family as "Baby Travis."

"There was nothing that happened in North Dakota during the year that was as important to me and the office and the people of Spirit Lake as that case and making sure we brought about some measure of justice for Destiny and 'Baby Travis,'" Purdon said.

Former Oglala Sioux Tribe police officer indicted

RAPID CITY, S.D. (AP) — A federal grand jury has indicted a former Oglala Sioux Tribe police officer accused of improperly using a stun gun.

U.S. Attorney Brendan Johnson says 32-year-old Rebecca M. Sotherland was indicted Tuesday on charges of deprivation of rights under color of law and assault with a dangerous weapon.

Authorities say Sotherland used a Taser several times on a man lying on the ground. A passer-by shot video and posted it online, drawing attention to the incident.

Sotherland was fired Thursday for the Aug. 15 incident in Manderson.

It's unclear whether Sotherland has legal representation. She couldn't be reached Tuesday. Conviction carries a maximum penalty of 10 years in prison and a \$250,000 fine.

The man shot with the stun gun wasn't seriously hurt. Thirty-two-year-old Jeffrey Eagle Bull posted bond last week on three charges.

Young pheasant tally shows birds to increase

KEVIN BURBACH, Associated Press

PIERRE, S.D. (AP) — This year's tally of young pheasants is a good sign bird numbers in the state are expected to increase a year after one of the lowest roadside counts in three decades, the state Department of Game, Fish and Parks said Tuesday.

The department released its annual brood count Tuesday, which found an average of 2.68 pheasants per mile, a 76 percent increase from 1.52 in 2013.

The report is welcome news to hunters who saw a 64 percent decline from 2012 to 2013 after months of persistent drought, poor winter and spring conditions and less bird habitat.

Below-average snowfall this winter and near-average rain levels this spring likely helped some of the population rebound and the young survive, according to the report.

The report is compiled every year in late August after officials survey more than a hundred 30-mile pheasant brood routes throughout the state from July 25 to Aug. 15. Officials use the data in addition to other reports to help predict hunter success and satisfaction for the coming season.

State officials said they're happy with the numbers, but noted they're still far below the state's 10-year average of 5.75 pheasants per mile.

"Even with the substantial increase in 2014, statewide abundance is still half of the (10-year) average, but similar to 2002 when hunters harvested 1.26 million roosters," game officials wrote in the report.

Pheasants Forever, a national conservation and hunting organization, also said the report was good news, but cautioned South Dakota hunter's that there's still more work to be done. The group said

Tuesday that while weather plays a role in year-to-year populations in the state, long-term population decline still stems from habitat loss.

"We're thrilled for this year's bird hunters, but it's not going to take us off target from what our long-term trends and needs are," said Dave Nomsen, who recently opened the state's first Pheasant Forever office in Brookings.

This year's survey demonstrates how much pheasants can reproduce with the right habit and weather conditions, Nomsen said.

"In the areas of the state where we had good habitat and good weather, there is a virtual explosion of birds," he said.

The majority of the pheasant routes — 78 percent — showed increased brood numbers over 2013.

The total number of roosters counted during the 2014 survey was similar to last year, but the number of hens increased 55 percent and the number broods increased 81 percent. The statewide brood size also increased to 5.96 from 5.5 young birds.

South Dakota's traditional statewide pheasant hunting season opens on Saturday, Oct. 18, and runs through Jan. 4, 2015.

Democrats asking 4 men to testify about EB-5

SIOUX FALLS, S.D. (AP) — Two Democratic lawmakers are asking the governor and three other men to testify under oath and in person about an investment-for-green-card program.

Sen. Larry Lucas and Rep. Bernie Hunhoff on Tuesday called for testimony at the Sept. 24 Government Operations & Audit Committee meeting.

The EB-5 visa program is under scrutiny over allegations of financial misconduct at the Governor's Office of Economic Development. A state audit found that before Richard Benda left his job as head of economic development in 2010, he tacked on an extra \$550,000 to a grant to help an Aberdeen beef plant.

Invitations are going to Gov. Dennis Daugaard, former Gov. Mike Rounds, Aberdeen lawyer Jeff Sveen (SVEN) and Joop (YOHP) Bollen.

The committee asked Daugaard to submit written answers, and his office said he would.

Pierre asks judge to dismiss stun gun lawsuit

PIERRE, S.D. (AP) — Pierre officials want a judge to dismiss a federal lawsuit alleging that a police officer used excessive force by using a stun gun on an 8-year-old girl.

In its response to the lawsuit, the city argues that it, its former police chief and four officers are immune from being sued because they were acting in their capacity as government workers. It also denies that police used excessive force.

Authorities say the officer shot the girl with the stun gun from 5 or 6 feet away last October because she was suicidal and brandished a knife. The state Division of Criminal Investigation later concluded that the officer was justified in using his stun gun on the girl because it was the safest way to defuse the situation.

The girl's mother, Dawn Stenstrom, is seeking unspecified damages for what she alleges is a violation of her daughter's rights. She filed the lawsuit in July and the city filed its response last week.

In its response, the city doesn't deny that the incident occurred. It says one officer used the stun gun on the girl, "permitting the officers present to disarm her, prevent her from doing harm to herself and diffuse the situation." The defendants reject Stenstrom's assertions that "the force of the electricity shot

through (the girl's) body, lifted her, and threw her against the wall."

The lawsuit lists the girl's weight as 70 pounds. One of Stenstrom's attorneys, Dana Hanna, has said the girl suffered physical, psychological and emotional injuries.

The mother and child now live on the Rosebud Indian Reservation.

Libertarians sue Gant to put Gaddy on the ballot

SIOUX FALLS, S.D. (AP) — South Dakota's Libertarian Party is suing Secretary of State Jason Gant to try to get its Public Utilities Commission candidate on the ballot.

The lawsuit filed Monday in U.S. District Court asks a judge to put Ryan Gaddy on the Nov. 4 general election ballot, joining Republican, Democrat and Constitution party candidates for the office.

Gant last week ruled Gaddy ineligible to run, saying Gaddy did not comply with a state law that requires candidates to be members of the party that nominates them. Gaddy changed his party affiliation from Republican at the Libertarian convention, and the paperwork wasn't filed until later. That meant Gaddy was still a Republican at the time of his Libertarian nomination, according to Gant.

The Libertarian lawsuit argues that the law is unconstitutional.

"Secretary Gant's refusal to place the (party's) nominee on the ballot implicates the party's right to free association and an individual's basic rights to expressive political activity," the lawsuit states.

The Libertarian Party also claims that Gant has "failed to show any precise state interest that is served by withholding Mr. Gaddy's name from the ballot box."

Gant has said he is not allowed to consider whether state laws are constitutional when deciding whether to enforce them, according to the Argus Leader newspaper.

"My job is to follow state law," Gant said. "If there's constitutional requirements, I'm leaving that up to the attorneys and the judges."

Attorney General Marty Jackley told The Associated Press on Tuesday that the state will file its response to the lawsuit by midday Wednesday. He said the state will argue that Gant is required to follow South Dakota law, and that a 2005 U.S. Supreme Court ruling in another case indicated that such a law protects the political party process and "guards against party-raiding and sore-loser candidacies by spurned primary contenders."

Several federal courts have cited a 1986 Supreme Court ruling in overturning similar laws in other states, according to the Argus Leader.

Gant last week certified another Libertarian candidate for the ballot, saying attorney general candidate Chad Haber had complied with the state law because he filled out his party affiliation form at a recognized voter registration facility the day before the Libertarian convention.

The Libertarian lawsuit is the second this month challenging Gant's candidate approval decisions. He lost a lawsuit filed by independent governor candidate Mike Myers asking Gant to let him change his running mate.

The Libertarian Party's lawsuit was assigned to the same federal judge who ruled in favor of Myers, Lawrence Piersol. Attorney Edward Welch, who represented Myers, is also representing the Libertarians.

10 Things to Know for Today

The Associated Press

Your daily look at late-breaking news, upcoming events and the stories that will be talked about today:

1. TOUGH ISSUES REMAIN FOLLOWING GAZA TRUCE DEAL

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Israel and Hamas agree to an open-ended cease-fire after seven weeks of fighting, but barriers to lasting peace persist — such as Palestinian appeals for the end of a Gaza blockade.

2. FREED AMERICAN JOURNALIST BACK HOME

Peter Theo Curtis who was held by a Syrian extremist group of nearly two years is reunited with his family in Boston.

3. EX-FLA. GOV. CRIST CONTINUES POLITICAL COMEBACK

Democratic voters select him as their nominee to challenge Republican Gov. Rick Scott in the Sunshine State.

4. WHY CORPORATE INVERSIONS ARE RISING

More and more U.S. companies are merging with foreign ones to avoid American taxation.

5. WHO GIVES 'POSITIVE ASSESSMENT' OF UKRAINE SUMMIT

Russian President Putin suggested he was encouraged following talks for a peace plan in Eastern Ukraine, while Ukraine President Petro Poroshenko also voiced support.

6. TWITCH SALE SHOWS VIDEO GAMES HAVE COME OF AGE

Amazon's commitment to buy the online gaming community for \$1 billion highlights the value of revenue streams coming from gamers.

7. AFGHANISTAN'S FINANCES SLOW DOWN AHEAD OF TROOP WITHDRAWAL

A rise in violent attacks combined with fears over the country's political future is hurting its lopsided economy.

8. WHERE FOOD SHORTAGE MEANS BULGING WAISTLINES

Most Venezuelans can't find enough to eat so they are binging on empty calories.

9. FIFA, CANADA FACE HEAT OVER WOMEN'S WORLD CUP

Athletes and fans including Tom Hanks are criticizing plans to hold the 2015 soccer tournament on artificial turf and not grass.

10. NEW FALL TV SHOWS WORTHY OF FIRST-NIGHT LOOK

FOX's "Red Band Society" and ABC's "Black-ish" are among the fresh autumn crop of programs.

AP News in Brief

Gaza cease-fire holding as Israel, Palestinians weigh gains after 50 days of fighting

JERUSALEM (AP) An open-ended cease-fire between Israel and Palestinian militants in the Gaza Strip was holding Wednesday, as many people on both sides of the conflict wondered what was gained during 50 days of fighting.

The Gaza war the 3rd round of fighting since the Islamic militant group Hamas seized power in 2007 left more than 2,200 people dead, caused widespread destruction in the densely populated coastal territory, and paralyzed large parts of southern Israel during much of the summer.

After more than seven weeks of fighting, the two sides settled for an ambiguous interim agreement in exchange for a period of calm. Hamas, though badly battered, remains in control of Gaza with part of its military arsenal intact. Israel and Egypt will maintain a blockade tightened seven years ago, despite Hamas' long-running demand that the border restrictions be lifted.

Early Wednesday the Israeli military said there were no reports of violations since the cease-fire went into effect at 7 p.m. (1600 GMT) Tuesday.

Hamas declared victory, even though it had little to show for a war that killed 2,143 Palestinians,

wounded more than 11,000 and left some 100,000 homeless. On the Israeli side, 64 soldiers and six civilians were killed, including two by Palestinian mortar fire shortly before the cease-fire was announced.

Journalist Peter Curtis arrives back in US 2 days after being freed by Syrian captors

BOSTON (AP) Journalist Peter Theo Curtis returned home to the United States on Tuesday, two days after being freed by a Syrian extremist group that held him hostage for 22 months, his family said.

Curtis family spokeswoman Betsy Sullivan said in a statement that Curtis arrived at Newark Liberty International Airport Tuesday afternoon after leaving Tel Aviv. By evening he had been reunited with his mother Nancy Curtis at Boston Logan International Airport.

"I have been so touched and moved, beyond all words, by the people who have come up to me today strangers on the airplane, the flight attendants, and most of all my family to say welcome home," Curtis said in the statement.

He also said he was "deeply indebted" to the U.S. officials who worked to get him released.

Curtis, 45, of Boston, was released by al-Nusra Front, a Sunni extremist group.

US health official says Ebola has 'upper hand' in W Africa but experts have tools to stop it

MONROVIA, Liberia (AP) Ebola still has the "upper hand" in the outbreak that has killed more than 1,400 people in West Africa, but experts have the means to stop it, a top American health official said during a visit to the hardest-hit countries.

Dr. Tom Frieden, director of the U.S. Centers for Disease Control and Prevention, was in Liberia on Tuesday and later planned to stop in Sierra Leone and Guinea. Nigeria also has cases, but officials there have expressed optimism the virus can be controlled.

"Lots of hard work is happening. Lots of good things are happening," Frieden said at a meeting attended by Liberian President Ellen Johnson Sirleaf on Monday. "But the virus still has the upper hand."

Even as Liberia has resorted to stringent measures to try to halt Ebola's spread, frustration mounted over the slow collection of bodies from neighborhoods of Monrovia. A group of residents attached plastic ties to the wrists and ankles of one suspected Ebola victim and dragged his corpse to a busy street.

Authorities have decreed that all the dead must be collected by government health workers and cremated because contact with bodies can transmit the virus.

Corporate inversions

WASHINGTON (AP) Burger King plans to become the latest U.S. company to shift its legal address out of the country by merging with a foreign company. Burger King has announced plans to buy Tim Hortons, the Canadian coffee-and-doughnut chain.

Burger King's operations will stay in Miami. But the corporate headquarters of the new company will be in Canada.

The transaction is called a corporate inversion, a maneuver that is becoming popular among companies looking to lower their tax bills.

Burger King stressed that the deal is being driven by the international growth possibilities of Tim Hortons, not a desire to take advantage of Canada's lower tax rates.

Still, at least one senator Democrat Sherrod Brown of Ohio is urging fast-food patrons to take their business elsewhere, to Wendy's or White Castle, two fast-food chains that happen to be based in Ohio.

AP source: American believed to be killed in Syria was fighting alongside militant group

NEW HOPE, Minn. (AP) An American man believed to have been killed in Syria was there to fight alongside an extremist militant group, most likely the Islamic State, a U.S. official has said.

Investigators were aware that Douglas McAuthur McCain was in the country to fight with the militant group, but they did not yet have his body and were still trying to verify information about his death, the official said on Tuesday. The official was not authorized to discuss by name an ongoing investigation and spoke only on condition of anonymity.

A relative, Kenneth McCain, told The Associated Press that the State Department had called to tell his family that Douglas McCain had been killed in Syria. "We do not know if he was fighting anyone," he said.

U.S. officials, concerned about what they say is the growing threat posed by the extremist Islamic State group, say surveillance flights and spy planes have begun over Syria on the orders of President Barack Obama. The move could pave the way for airstrikes against the group, which controls a large part of eastern Syria and crossed into Iraq earlier this year. The militant group also killed an American, journalist James Foley, and is holding an American woman hostage.

It was unclear when McCain, who had most recently lived in San Diego, traveled to Syria. He grew up outside Minneapolis in the town of New Hope.

IMF chief Lagarde under official investigation in France for 'negligence' in corruption probe

PARIS (AP) Christine Lagarde, the chief of the International Monetary Fund, was placed Wednesday under official investigation for negligence in a French corruption probe that dates back to her days as France's finance minister.

In a statement after a fourth round of questioning before magistrates, Lagarde said she would return to her work in Washington later in the day and said the decision was "without basis."

She and her former chief of staff face questions about their role in a 400 million-euro (\$531 million) payment to a businessman.

"After three years of proceedings, dozens of hours of questioning, the court found from the evidence that I committed no offense, and the only allegation is that I was not sufficiently vigilant," she said in her statement.

Under French law, the official investigation is equivalent to preliminary charges, meaning there is reason to suspect an infraction. Investigating judges can later drop a case or issue formal charges and send it to trial.

Investigators say VA provided shoddy care to Phoenix veterans, no proof delays caused deaths

WASHINGTON (AP) Government investigators found no proof that delays in care caused veterans to die at a Phoenix VA hospital, but they found widespread problems that the Veterans Affairs Department

is promising to fix.

Investigators uncovered large-scale improprieties in the way VA hospitals and clinics across the nation have been scheduling veterans for appointments, according to a report released Tuesday by the VA's Office of Inspector General.

The report said workers falsified waitlists while their supervisors looked the other way or even directed it, resulting in chronic delays for veterans seeking care.

"Inappropriate scheduling practices are a nationwide systemic problem," said the report by Richard Griffin, the VA's acting inspector general. "These practices became systemic because (the Veterans Health Administration) did not hold senior headquarters and facility leadership responsible and accountable."

The report could deflate an explosive allegation that helped launch the scandal in the spring: that as many as 40 veterans died while awaiting care at the Phoenix VA hospital. Investigators identified 40 patients who died while awaiting appointments in Phoenix.

In wake of Ferguson, other police departments reach out to black communities to build trust

DALLAS (AP) In the aftermath of the police shooting in Ferguson, Missouri, some police departments are renewing efforts to reach out to black communities to build trust holding public meetings, fielding questions and letting people voice the anger they feel toward officers who patrol their neighborhoods.

Dallas Police Chief David Brown considers it a preventative step.

"I'd much rather they shout at me at a town hall meeting at a church and get to know me afterward than not have a relationship," Brown said. After a police shooting has already happened, "it's too late to try to establish relationships."

Dallas has had 13 police shootings so far this year, leading to eight deaths. That follows last year's tally of 22 shootings and six deaths, according to police.

To reassure the public, Dallas County District Attorney Craig Watkins recently announced he would begin sending two prosecutors to independently investigate each police shooting.

Govt-held town in southeast Ukraine hit by shelling, residents fear pro-Russian rebel advance

NOVOAZOVSK, Ukraine (AP) Separatist rebels shelled a town in southeastern Ukraine on Wednesday, raising fears they are launching a counter-offensive on government-held parts of the region, one day after the leaders of Ukraine and Russia met to discuss the escalating crisis.

In response to outgoing fire early Wednesday, rebel forces lobbed at least 10 shells at the government-held town of Novoazovsk. Plumes of black smoke rose above the town, which was also hit repeatedly by shelling Tuesday, injuring four people in a hospital, mayor Oleg Sidorkin said.

Novoazovsk lies on the Azov Sea on the road that runs from Russia to the major Ukrainian port of Mariupol and west to Crimea, raising fears the separatists are seeking to create a land link between Russia and Crimea, which Russia annexed in March.

On Tuesday, Russian President Vladimir Putin and his Ukrainian counterpart, Petro Poroshenko, met in the Belarusian capital of Minsk for their first ever one-on-one meeting, which lasted over two hours. But there was no indication of a swift resolution to the fighting that has dragged on since April and claimed at least 2,000 civilian lives.

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Poroshenko called the talks "overall positive" and said Putin had accepted the principles of his peace plan, which includes an amnesty for those in the east not accused of serious crimes and calls for some decentralization of power to the region.

Today in History

The Associated Press

Today is Wednesday, August 27, the 239th day of 2014. There are 126 days left in the year.

Today's Highlights in History:

On August 27, 1964, President Lyndon Baines Johnson accepted his party's nomination for a term in his own right, telling the Democratic National Convention in Atlantic City, New Jersey, "Let us join together in giving every American the fullest life which he can hope for." The Walt Disney movie musical fantasy "Mary Poppins," starring Julie Andrews and Dick Van Dyke, premiered at Grauman's Chinese Theater in Hollywood. Comedian Gracie Allen, the wife of George Burns, died in Los Angeles.

On this date:

In 1776, the Battle of Long Island began during the Revolutionary War as British troops attacked American forces, who ended up being forced to retreat two days later.

In 1883, the island volcano Krakatoa erupted with a series of cataclysmic explosions; the resulting tidal waves in Indonesia's Sunda Strait claimed some 36,000 lives in Java and Sumatra.

In 1908, Lyndon Baines Johnson, the 36th president of the United States, was born near Stonewall, Texas.

In 1928, the Kellogg-Briand Pact was signed in Paris, outlawing war and providing for the peaceful settlement of disputes.

In 1939, the first turbojet-powered aircraft, the Heinkel He 178, went on its first full-fledged test flight over Germany.

In 1949, a violent white mob prevented an outdoor concert headlined by Paul Robeson from taking place near Peekskill, New York. (The concert was held eight days later.)

In 1957, the USS Swordfish, the second Skate Class nuclear submarine, was launched from the Portsmouth Naval Shipyard in Maine.

In 1962, the United States launched the Mariner 2 space probe, which flew past Venus in December 1962.

In 1967, Brian Epstein, manager of The Beatles, was found dead in his London flat from an overdose of sleeping pills; he was 32.

In 1979, British war hero Lord Louis Mountbatten and three other people, including his 14-year-old grandson Nicholas, were killed off the coast of Ireland in a boat explosion claimed by the Irish Republican Army.

In 1989, the first U.S. commercial satellite rocket was launched from Cape Canaveral, Florida - a Delta booster carrying a British communications satellite, the Marcopolo 1.

In 2008, Barack Obama was nominated for president by the Democratic National Convention in Denver.

Ten years ago: President George W. Bush signed executive orders designed to strengthen the CIA director's power over the nation's intelligence agencies and create a national counterterrorism center. Three students were killed in a fire at a University of Mississippi fraternity house.

Five years ago: Mourners filed past the closed casket of the late Sen. Edward Kennedy at the John F. Kennedy Presidential Library and Museum in Boston. Jaycee Lee Dugard, kidnapped when she was

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11, was reunited with her mother 18 years after her abduction in South Lake Tahoe, California. Alex Grass, 82, founder of the Rite Aid drugstore chain, died in Harrisburg, Pennsylvania.

One year ago: Maj. Nidal Hasan, the Army psychiatrist who'd fatally shot 13 people at Fort Hood, Texas, in 2009, rested his case without presenting any evidence during his trial's penalty phase. (Hasan ended up being sentenced to death.)

Today's Birthdays: Author Dame Antonia Fraser is 82. Actor Tommy Sands is 77. Bluegrass singer-musician J.D. Crowe is 77. Musician Daryl Dragon is 72. Actress Tuesday Weld is 71. Actor G.W. Bailey is 70. Rock singer-musician Tim Bogert is 70. Actress Marianne Sagebrecht is 69. Country musician Jeff Cook is 65. Actor Paul Reubens is 62. Rock musician Alex Lifeson (Rush) is 61. Actor Peter Stormare is 61. Actress Diana Scarwid is 59. Rock musician Glen Matlock (The Sex Pistols) is 58. Golfer Bernhard Langer is 57. Country singer Jeffrey Steele is 53. Gospel singer Yolanda Adams is 53. Country musician Matthew Basford (Yankee Grey) is 52. Writer-producer Dean Devlin is 52. Rock musician Mike Johnson is 49. Rap musician Bobo (Cypress Hill) is 46. Country singer Colt Ford is 45. Actress Chandra Wilson is 45. Rock musician Tony Kanal (No Doubt) is 44. Actress Sarah Chalke is 38. Actor RonReaco (correct) Lee is 38. Rapper Mase is 37. Actress-singer Demetria McKinney is 36. Actor Aaron Paul is 35. Rock musician Jon Siebels (Eve 6) is 35. Actor Shaun Weiss is 35. Contemporary Christian musician Megan Garrett (Casting Crowns) is 34. Actor Kyle Lowder is 34. Actor Patrick J. Adams is 33. Singer Mario is 28. Actress Alexa Vega is 26. Actress Savannah Paige Rae (TV: "Parenthood") is 11.

Thought for Today: "Reality can destroy the dream; why shouldn't the dream destroy reality?" - G.E. Moore, British philosopher (1873-1958).