



Today
High 80
Low 45

Weather, C4



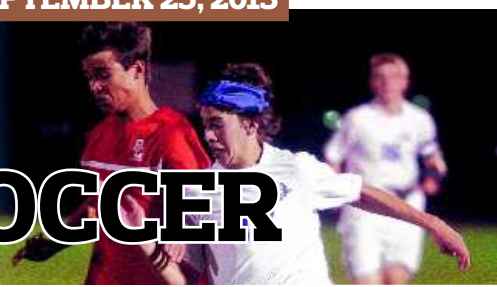
Rapid City Journal

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WEDNESDAY, SEPTEMBER 25, 2013

STEVENS CRUSHES CENTRAL IN BOYS SOCCER

» Read the story on D1



Vets home in Hot Springs breaks ground

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Sentencing takes a twist

Black Hawk man faces 10 years in prison

Andrea J. Cook
Journal staff

The sentencing for former Chief Warrant Officer Dennis Mallow was continued Tuesday after attorney Michael Hofmann launched an attack on the government's presentence investigation and the military procedures used in the initial investigation.

A 28-year veteran of the National Guard, Mallow was the warehouse supervisor for the South Dakota National Guard at Camp Rapid when he was accused

in November 2012 of stealing government property and stealing from an agency receiving federal funds. He pleaded guilty to theft of government property in May and faces 10 years in a federal prison.

Mallow, 46, has paid the government \$25,479.93 in restitution. Surrounded Tuesday by family and friends, the former chief of the Black Hawk Volunteer Fire Department arrived in federal court expecting to hear Chief U.S. District Judge Jeffrey Viken pronounce his sentence.

Federal procedures, however, prolonged Tuesday's sentencing to a five-hour hearing that ended at 6:30 p.m. and will now reconvene at 8:30 a.m. today.

Last week, Hofmann filed several objections to the presentence investigation completed by the U.S. Probation/Pretrial Services Office. Those objections allowed her to call witnesses during the sentencing hearing.

Assistant U.S. Attorney Wayne Vanhuizen responded to Hofmann's objections by calling on Lt. Col. Scott Petrick, who conducted the National Guard investigation into the case that eventually revealed that Mallow, his late co-defendant Sgt. Damon Bohnet and others connected to the warehouse were taking National Guard property.



Kristina Barker, Journal staff

Dennis Mallow and his wife, Mary Beth, walk into the Andrew W. Bogue federal building for the first of what became a two-day sentencing hearing on Tuesday. Mallow faces up to 10 years in prison for stealing federal property while he was the warehouse supervisor for the South Dakota National Guard.

» Mallow, A10

SOLDIERS RETURN HOME

South Dakota Army National Guard soldiers return from Operation Enduring Freedom in Afghanistan



Benjamin Brayfield photos, Journal staff

South Dakota Army National Guard Sgt. 1st Class Jack Hahne plays with his nephew Patton Glines during the welcome home ceremony for the 1978th Contingency Contracting Team at Camp Rapid. Four soldiers returned from a 10-month deployment to Afghanistan.



Members of the 1978th Contingency Contracting Team are greeted by friends and family after the welcome home ceremony at Camp Rapid. The four soldiers will have a month of leave to reacclimate to life in the United States.



South Dakota Army National Guard soldiers Sgt. 1st Class Jack Hahne, left, Capt. Paula Moore, Staff Sgt. Amanda Galdo and Maj. Matthew Symonds line up for roll call during the welcome home ceremony for the 1978th Contingency Contracting Team at Camp Rapid.

Online:

See more photos and find out more about the four soldiers at rapidcityjournal.com/photo

Council to spend \$500,000 for study

Money would come from Vision funds

John Lee McLaughlin
Journal staff

The Rapid City Council will use Vision funds to pay as much as a \$500,000 for a study to determine how much it would cost to build a new arena at the Rushmore Plaza Civic Center.

The council approved the plan 6-0 during a special meeting Tuesday with the absence of council members Jerry Wright, John Roberts, Bill Clayton and Amanda Scott.

Civic center officials had asked the city to fund the study during a Sept. 16 council meeting. The council, however, wrestled with where to find the money. The vote allows the city to seek bids for the study.

Mayor Sam Kooiker said awarding the contract for the study will be a joint effort

» Study, A10

Several new technical details emerge about uranium proposal

Powertech hopes to also mine for vanadium, inject wastewater underground

Joe O'Sullivan
Journal staff

Powertech Uranium Corp. plans to not only mine for uranium if granted permits to operate near Edgemont. It also plans to mine for a metal used in steel called vanadium.

That was among several new details about the controversial

mining project that emerged Tuesday afternoon during a public hearing in Rapid City.

The company also revealed that the project, known as Dewey-Burdock, will likely begin in the Dewey area.

And, Powertech says that if allowed, it wants to dispose wastewater from its in-situ mining into deep injection wells into

the Deadwood or Minnelusa aquifers, rather than spraying it across surface land.

The plans for vanadium extraction and beginning in Dewey came from testimony by Powertech Project Manager Mark Hollenbeck during the hearings at the Best Western Ramkota Hotel. The wastewater plan came from Powertech

attorney Max Main during the hearing.

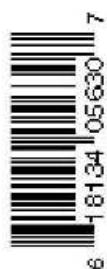
The details emerged as the state Board of Minerals and Environment permit hearing shifted from testimony by the public and less formal opponents to a more formal hearing resembling a courtroom trial.

On one side is Powertech and attorneys for the state Department of Environment and Natural Resources (DENR). On the other,

a diverse band of opponents including the Clean Water Alliance and the Black Hills Wild Horse Sanctuary.

While the hearings, which began Monday morning, have largely been civil, a member of the public brought a gun to the hearing on Monday, prompting hearing chair Rex Hagg to ban firearms at the proceedings.

» Uranium, A10



COMING TOMORROW

Buffalo Roundup

Coverage of the annual event in Custer State Park

STOCKS

Dow -116.50

S&P -12.49

Nasdaq -6.47

THE BIG NUMBER

8.12

Percent that Deadwood gaming is down from this month last year.

» Read about it on A3

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Advice/Comics	B5,6
Classifieds	D9
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» From A1
Study

between the city and civic center officials.

"That will be a joint process between the Public Works Department and the civic center," Kooiker said after the meeting. "It would be the civic center board that would be approving many aspects of the study."

The money initially will come from a loan from a capital improvements fund. That loan would be repaid through the next round of Vision funds, which are generated by a half-cent sales tax and are typically used for city projects.

Council member Chad Lewis said repaying the money through future Vision funds is the quickest route to get the study done.

"Part of the deal is the city council can make adjustments to the money as it sees fit," Lewis said. "It was a situation where we have to have an answer soon. Bottom line: we have to know what the (arena) is going to cost before we move forward. You can't vote on an unknown."

Lewis said using Vision funds to repay the loan is an option that doesn't raise taxes on residents.

"It's money that's going to be there," he said. "It's all paid through sales tax and a large part of that comes from outside of the community."

Kooiker said there's always contingencies in allocating Vision funds while the process itself evolves from each round of funding.

"Each round is a bit different," Kooiker said. "The process hasn't been determined. The ordinance has to be updated because the ordinance references the previous round (2010) and there are usually amendments. Each round is a little bit different but what is emphasized is a high level of community participation."

He said the Vision Fund Committee will meet on Sept. 30 to review the status of the current round of Vision resources and decide how that round will be handled.

Contact John Lee McLaughlin at 394-8421 or john.mclaughlin@rapidcityjournal.com

"The ordinance has to be updated because the ordinance references the previous round (2010) and there are usually amendments. Each round is a little bit different but what is emphasized is a high level of community participation."

Mayor Sam Kooiker

» From A1
Uranium

And a South Dakota State Trooper Tuesday escorted a mining opponent from the podium. The opponent, who did not identify himself, was not allowed to speak since public testimony had ended Monday.

After opening statements by the company, the DENR, and various opponents, Powertech called Hollenbeck as its first witness. After narrating a slide show presentation, Michael Hickey, an attorney representing the horse sanctuary, cross-examined Hollenbeck, which produced the details on where mining will begin and the mining of vanadium.

If it mines vanadium, Powertech must inform the DENR of its "updated process and facilities," according to a statement read by Hickey during the cross-examination.

Vanadium is used in steel alloys to form a strong metal that is resistant to shock and corrosion. Alloys with vanadium are used in products such as gears for cars, jet engine parts and cutting tools.

The proposed Dewey-Burdock mine, which would be about 15 miles northwest of Edgemont, would employ a method known as in situ. That means the company



Kristina Barker, Journal staff

Rex Hagg, hearing chairman for the state Board of Minerals and Environment, Tuesday. The board is one of two state-level boards considering Powertech Uranium Corp. permits for a proposed uranium mine near Edgemont.

would inject oxygenated water into the ground to absorb uranium. The water would then be pumped back to the surface, where the uranium would be extracted and processed.

Throughout public input and other testimony Monday and Tuesday, opponents railed against the project. Among other things, opponents worry that the project will pollute or drain the region's aquifers; that potential

If you go ...
WHAT: State Board of Minerals and Environment continues its permit hearing for proposed Dewey-Burdock uranium mine.
WHEN: Wednesday, Sept. 25. Begins 8:30 a.m.
WHERE: Best Western Ramkota Hotel and Conference Center in Rapid City, Sylvan I and II rooms.
DETAILS: No public testimony will be taken, but the public is free to watch the hearings.

contamination could harm wildlife and livestock; and that the South Dakota

Legislature's removal of state regulation may hinder oversight of the

mine. Mine proponents argue that it will bring jobs to the Edgemont area and tax revenue to the region and state.

Hollenbeck will testify again Wednesday to be questioned by attorney Bruce Ellison, representing the Clean Water Alliance, as well as other mine opponents.

Contact Joe O'Sullivan at 394-8414 or joe.osullivan@rapidcityjournal.com

» From A1
Mallow

In his plea, Mallow admitted to using money from the Army National Guard Operations and Maintenance appropriation to order "expensive wristwatches, sunglasses, knives, ranger finders and other gear." He also ordered bigger ticket items such as band saws and cabinet-sized tool boxes.

National Guard investigators recovered more than \$10,000 in National Guard equipment when they searched his home.

A search of Bohnet's house produced less than \$7,000 worth of property purchased with Guard funds. Bohnet committed suicide in December 2012.

Patrick explained that Mallow manipulated the ordering system by using certain codes to order the equipment and prevent their detection by the warehouse inventory system. He also used an invoicing code that made it easy to intercept the items when they were delivered and divert the orders to his office. Larger items were put in cold storage then eventually taken home.

The irregularities started to surface in June 2012 when the computer system rejected purchase orders because there was no money in the designated fund, which triggered the investigation.

Patrick described an "inner circle" of staff in the warehouse that was involved in the thefts.

Hofmann named others when she was making her case for her client.

Mallow's immediate supervisor, Lt. Col. John Emick, and others took items for personal use, Hofmann said. She accused Emick of being a co-conspirator who misled investigators and denied he

accepted items from Mallow.

Mallow, meanwhile, cooperated fully with the investigation and answered questions honestly, Hofmann said.

Hofmann also called

Major General Timothy Reisch, adjutant general of the South Dakota National Guard, and Col. Ronald Czmowski to challenge comments they submitted about the impact Mallow's actions had on the

Guard. Mallow's actions were "an abuse of that trust," Reisch said.

Contact Andrea J. Cook at 394-8423 or andrea.cook@rapidcityjournal.com

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 Captain Morgan Spiced Rum 1 Liter \$17⁹⁹	 Ménage à Trois Wines Select Varieties 750 ml \$8²⁵	 Sutter Home Wines 750 ml \$4⁹⁹	 Peter Vella Box Wines 5 Liter \$12⁹⁹
 Bud, Bud Light, Select, Select 55 24 pack, 12 oz cans \$16⁹⁹	 Busch & Busch Light 30 pack, 12 oz cans \$18⁹⁹	 Coors & Coors Light 24 pack, 12 oz cans \$16⁹⁹	 PBR 24 pack, 12 oz cans \$14⁹⁹

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\$8⁹⁹


Keystone Light
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\$4⁷⁹


Patron Silver Tequila
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\$20⁹⁹

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Marlboro 72PACK.....\$5.01 Plus Tax	Pyramid.....PACK.....\$4.32 Plus Tax	Sonoma.....PACK.....\$4.71 Plus Tax
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