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# Commissioners halt tobacco ban

By LEANN ECKROTH  
Bismarck Tribune

The Bismarck City Commission nipped a proposed ban on all tobacco sales in the butt Tuesday.

Yet, an ordinance that allows smoking huts for city bars moves forward to a Sept. 28 public hearing. A revision to the hut law might give bar owners until April to

build them. The actions come just weeks after commissioners approved a smoking ban in all city bars to start Nov. 1.

Commissioners acted early at the meeting on Tuesday.

Commissioner Brenda Smith asked that the proposed ban on all tobacco sales be pulled from the

**INSIDE**  
Medora considers city-wide smoking ban, 1B

agenda; then made it clear she opposed it.

"I don't think this is even something we should be looking at — the banning of the sale of tobacco in Bismarck," she said. "I think it should be taken off the agenda, and we should move on."

"It's obvious there isn't



Bismarck City Commissioner Mike Seminary listens Tuesday as fellow commissioners defeat his proposal to ban all tobacco products in the city. (WILL KINCAID/Tribune)

specific support for this proposal. ... I am opposed to setting this for a public hearing," said Commissioner Parrell

Grossman. He then moved to deny a public hearing on the matter.

Commissioner Mike Sem-

inary, who helped sponsor the draft tobacco sale ban ordinance, objected. He was

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Associated Press

Sarah Shourd, 32, of the U.S., right, embraces her mother Nora Shourd, left, on Sarah Shourd's arrival at the royal airport in Muscat, Oman, on Tuesday, after leaving Tehran, Iran.

# U.S. woman freed after bail deal

By NASSER KARIMI and BRIAN MURPHY  
Associated Press Writers

TEHRAN, Iran — In just a few dizzying hours, American Sarah Shourd exchanged a cell in Tehran's Evin Prison for a private jet crossing the Persian Gulf on Tuesday, after an apparent diplomatic deal to cover a \$500,000 bail and secure a release that seemed in jeopardy from the start.

Shourd was met by her mother and U.S. diplomats at a royal airfield in the capital of Oman, which U.S. officials say played a critical role in organizing the bail payment and assuring it did not violate American economic sanctions on Iran.

Shourd stepped off the private Omani jet and into the arms of her mother in their first embrace since a brief visit in May overseen by Iranian authorities — and her first day of freedom in more than 13 months. Shourd smiled broadly as they strolled arm-in-arm through the heat of the late summer night along the Gulf of Oman.

"I'm grateful and I'm very humbled by this moment," she said before boarding the plane in Tehran for the two-hour flight to Oman.

The whirlwind departure of the 32-year-old Shourd brought little change for two other Americans — her fiancé Shane Bauer and Josh Fattal — who remained behind bars while authorities moved toward possible

**"I can only imagine how bittersweet her freedom must be ... leaving Shane and Josh behind."**

*Nora Shourd, mother of Sarah Shourd, held for 13 months in Iran*

trials on spy charges that could bring up to 10 years in prison if they are convicted.

The three were detained along the Iraq border in July 2009. Their families say they were innocent hikers in the scenic mountains of Iraq's Kurdish region and if they did stray across the border into Iran, they did so unwittingly.

"All of our families are relieved and overjoyed that Sarah has at last been released, but we're also heartbroken that Shane and Josh are still being denied their freedom for no just cause ... They deserve to come home, too," said a statement by the three families.

Iran, however, has shown no hints of clemency for the two 28-year-old men. Indictments on espionage-related charges have been filed and Tehran's chief prosecutor has suggested the cases could soon move into the courts, with Shourd

Continued on 9A



# To their rescue

*Farm Rescue speeds up harvest time*

By JENNY MICHAEL  
Bismarck Tribune

STEELE — At first glance, David Schultz doesn't look like he'd need any help harvesting his crops or with much of anything else around his farm. But a closer look reveals a slow stride and a slight limp, the result of an ATV accident a few months ago.

Though he's doing well now, just more than two months ago, David, who farms and ranches north of Steele, wasn't sure how well he'd be walking in the future. On July 8, he was chasing a bull on a four-wheeler. He swerved to avoid a big rock and ended up rolling the vehicle, which smashed his pelvis and hip.

He's recovered well. He can drive a pickup and walk around some. But bouncing around in a combine or a tractor is off limits.

"They're pretty adamant that I can't do anything yet," David said.

"I need to get Gorilla Glue and glue him to the chair," his wife, Brenda, about her husband's restlessness.

Summer and fall are tough times for farmers to be laid up, though there really isn't a good time of year.

Hay must be put up for winter and crops must be brought in from the fields. David's son, Jonathan, has taken on much of his father's share of the field work, and Brenda has done



MIKE McCLEARY/Tribune

David Schultz is thankful for neighbors and Farm Rescue volunteers helping him continue his harvest of flax on his Kidder County farm north of Steele on Tuesday. On July 8, Schultz broke his pelvic bone in an accident while he was driving an all-terrain vehicle.

the fencing and worked with the cattle.

But that still left a lot of work for a crew that was one person short. So, where David couldn't work, neighbors and Farm Rescue stepped in to help.

About two weeks after the accident, neighbors arrived with 10 mowers to take down hay fields alongside the Schultzes' own mower. Two days later, they were back with five V-rakes and six balers to get the hay baled.

Without the neighbors' help, David doesn't know how the summer work would have progressed.

"We'd be still probably haying," he said.

Brenda says her husband wasn't moving very well at that point.

"For him to get from the house to the picnic table (in the yard) was a big job," she said.

Shortly after his accident, Gerald Horner, a banker at Northland Financial in Medina, called Farm Rescue

to assist David. Horner is on the Farm Rescue board of directors.

"They called me. I didn't call them," David said.

The organization, which provides planting and harvesting assistance to farm families who have experienced a major illness, injury or natural disaster, is helping David harvest his flax crop. On Monday, one Farm Rescue combine, two neighbors' combines and the Schultz combine, operated

Continued on 9A

# I-94 closed after morning acid spill

DICKINSON (AP) — Emergency crews temporarily closed Interstate 94 at Dickinson mid-Tuesday after a semitrailer carrying 2,100 gallons of hydrochloric acid overturned near an exit ramp. No one was hurt.

Health Department spokesman Curt Erickson says about 165 gallons spilled. He says the affected soil is being dug up.

Highway Patrol Lt. Kyle Kirchmeier says the truck

overturned while turning a corner on an exit ramp. Kirchmeier says the highway was reopened early Tuesday afternoon.

Erickson says the acid was being hauled from Montana to North Dakota's oil patch.

The Dickinson Press reported that all the acid was hauled away from the crash site Tuesday, and the truck was upright by Tuesday afternoon.



A truck lays on its side off of Interstate 94 on the edge of Dickinson. (Associated Press)

**Joining the party**  
Tea party candidates triumph in several key primaries — 2A

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# Commission halts tobacco ban

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the only commissioner who voted against the smoking ban for bars last month.

"There are people who have an intention to support it at a public discussion opportunity," Seminary said. "I find it strange we would deny the people who have an interest in that ordinance the opportunity to express themselves."

Mayor John Warford said he favored striking the proposal ban on tobacco sales. "I think a smoker has a right to smoke. You just don't have the right to inflict the secondhand smoke to another person," Warford said. "A smoker has a right to smoke, but if we start

taking issues like this before the city commission, where would we stop?"

Seminary said the ordinance has nothing to do with somebody's ability to smoke, but more to do with stopping the city from benefiting from tobacco taxes and sales. "Would you be receptive to where people could buy them wherever they want and the city would find another way to begin the process of not taking into its coffers the benefits of the sale of products?" he asked.

"I think that is a pretty slippery slope we could get on," Smith said. "Are we next going

to ban Twinkles, french fries? Where are we going to stop? Government should not be intruding on people's personal lives."

## Smoke huts

With a 4-1 vote, commissioners approved a Sept. 28 public hearing on a proposed ordinance that allows smoking huts for bars; an amendment added a six month window to build them.

Commissioner Josh Askvig voted no on the grounds it might delay the start of the smoking ban for bars set last month.

Grossman, who spon-

sored the hut law proposal, asked it be revised to give bar owners until April 1 build the smoking huts — six months past the original Nov. 1 start of the smoking ban for bars.

"My understanding was the huts were not specifically banned," Askvig said. "This certainly loosens the restrictions. I am not prepared to loosen those restrictions until we've seen the need to do that."

City attorney Charlie Whitman said he wanted to avoid loopholes. "I wanted the city commission to consider that specifically whether or not they wanted

to have them and how they wanted to allow them," Whitman said. Grossman said bar owners were not asked about huts when the bar smoking ban was drafted.

"There was never a discussion with industry of those most directly affected on how 'butt huts' might work," Grossman. He said the public hearing would give them that chance.

Warford said the smoking ordinance was a compromise, saying, "I am not going to support anything that allows service in them or any way for workers to be exposed to secondhand smoke."

After the meeting, Warford said he might be willing to allow an extension for the huts depending on the Sept. 28 testimony. He said he favored the huts if they met city building code and caused no harm workers with secondhand smoke.

"I'm a little hesitant on the April 1 date, but may support that because the construction season is going to come to an end soon. I hate to compromise these businesses for six months," he said.

(Reach reporter LeAnn Eckroth at 250-8264 or leann.eckroth@bismarcktribune.com.)

# U.S. woman freed

Continued from 1A

tried in absentia. Any other scenario could bring more unwanted attention to the growing rivalries inside Iran's Islamic leadership.

Even the gesture to release Shourd on health grounds — first raised as an act of Islamic benevolence last week by President Mahmoud Ahmadinejad — turned into a spectacle of high-level political bullying and sniping over who controlled her fate and the overall wisdom of letting her go.

The open bickering seemed to harden the divisions that have been developing since the brush with

chaos after Ahmadinejad's disputed re-election last year.

On one side are Ahmadinejad and his allies, led by the vast military and economic network of the Revolutionary Guard — what some analysts have called the "militarization" of the Islamic state. The other pole reflects the old guard of Iran's once-unchallenged authority, Supreme Leader Ayatollah Ali Khamenei, and the traditional pillars of theocracy such as the judiciary.

In Shourd's case, the judges came out on top.

They humbled Ahmadinejad and set the ground rules for her release with a staggeringly high bail.

But in the wider sense, the feuds display the fraying consensus among Iran's conservative leadership — with Ahmadinejad's critics increasingly outspoken in their claims he is trying to expand his reach and redraw Iran's political map.

Such rifts could eventually make it harder for Iran to speak in one voice on key issues, such as its nuclear program and any future overtures to end 30 years of diplomatic estrangement

with the United States.

"Iran's leadership managed to put down the opposition after Ahmadinejad's election, and now they are fighting among themselves," said Mehrzad Boroujerdi, a professor of Iranian affairs at Syracuse University.

Ahmadinejad may have felt the sting from the judiciary over the handling of Shourd's release.

But he came away with the outcome he sought: a goodwill gesture less than a week before he is scheduled to arrive in New York ahead of the U.N. General Assembly.

Ahmadinejad has said Shourd was being released on compassionate grounds. Her mother says she has serious medical problems, including a breast lump and precancerous cervical cells.

Shourd's release, some analysts say, could be used by Iran as a way to deflect the international outcry over a stoning sentence for a woman convicted of adultery and the continued crackdown on opposition groups — which led two Iranian ambassadors in Europe to quit this week and seek asylum.

"Ahmadinejad is possibly

trying to make the environment less hostile in New York," said Rasool Nafisi, a researcher on Iranian affairs at Strayer University in Virginia.

Shourd's mother, Nora, said she has hoped and prayed for this moment for 410 days.

"Sarah has had a long and difficult detainment and I am going to make sure that she now gets the care and attention she needs and the time and space to recover," she said. "I can only imagine how bittersweet her freedom must be for her, leaving Shane and Josh behind."

# To their rescue

Continued from 1A

by Jonathan, harvested 170 acres of flax.

Tuesday, Jonathan was combining along with Farm Rescue volunteer Bill Krumwiede. Krumwiede began volunteering with Farm Rescue five years ago after responding to an advertisement in the Minot Daily News, seeking volunteers.

"We work for a lot of

needy farmers, and they appreciate it," he said.

He said the crops have been good everywhere; the problem has been getting into the fields. Wet weather has delayed harvesting in many areas.

Tuesday, the Schultzes' flax wasn't ready to combine until early afternoon due to recent wet conditions. Considering all the work yet to

be done, David said Farm Rescue and the help of his neighbors have been invaluable in getting them close to caught up.

"We only get a window of two days," David said.

"It's really nice that Farm Rescue came to help us out," Brenda said.

After the flax is done, the Schultzes still have sunflower to combine and corn to

chop. Some of the work might have to be hired out to get it done.

But the situation in some ways could have been worse had David not had his accident.

When he was in the hospital, the doctors asked if there was anything else wrong he needed checked out.

David mentioned numbness in his hands. Tests

revealed calcium deposits on his vertebrae, which a doctor said could have paralyzed him within a few years.

"I'm lucky in some ways," he said.

So, he's listening to his doctors and keeping out of the combines and tractors. As hard as it is to stay out of the fields at this time of year, he's doing it to avoid being back on the operating table.

The Schultzes have helped other people in the fields who have been down on their luck, and they plan to help others out in the future after seeing the difference it has made for them.

"I guess it comes around," David said.

(Reach reporter Jenny Michael at 250-8225 or jenny.michael@bismarcktribune.com.)



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