



# SERIOUS FUN

Toys, nostalgia take over in Hjemkomst exhibit, LIFE

# The Forum

OF FARGO - MOORHEAD

EARLY EDITION

TUESDAY, OCTOBER 22, 2019

INFORUM.COM



Soybeans sit in a soggy field Monday, Oct. 21, north of West Fargo.

Michael Vosburg / Forum Photo Editor

# FALL FLOODING

## As farmers grapple with wet weather woes, Burgum declares statewide emergency

**By Dave Olson**  
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**Fargo**  
Gov. Doug Burgum on Monday, Oct. 21, signed an executive order declaring a statewide flood emergency as he and other officials held meetings in communities affected by high water.

At a gathering in Fargo

Monday morning, Burgum and state Agriculture Commissioner Doug Goehring talked about the unprecedented nature of the water issues farmers and other are facing across the state as wet conditions have all but stopped the fall harvest in its tracks.

Burgum said North Dakota was experiencing conditions

“we haven’t seen before across the whole state” and officials said perhaps \$2 billion worth of soybeans had water standing on them in North Dakota and western Minnesota.

The National Weather Service said Monday it was compiling a list of historically high fall river levels for points around the region, but it

had yet to document official benchmarks it could use to compare the recent levels with.

Sarah Lovas, whose family farms near Hillsboro, N.D., told the group of officials, which included Fargo Mayor Tim Mahoney and West Fargo Mayor Bernie Dardis, that she

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**Special to The Forum**  
Gene Kirkpatrick is shown in this 2018 photo at the South Dakota State Penitentiary in Sioux Falls, where he is incarcerated. Also shown are the children and grandchild of Kirkpatrick's daughter, Regan Williams.

## Murdered Fargo dentist's former sister-in-law still convinced dad isn't guilty

*Editor's note: This is the third of four stories looking back on the murder-for-hire plot that led to Philip Gutter-so's death in 2009.*

**FARGO** — Regan Williams makes a point to visit her father in prison three times a year — in February, May and October — most recently last weekend.

Gene Kirkpatrick, 73, is serving a life sentence with no chance for parole for his role in a Fargo murder-for-hire case 10 years ago this week, on Oct. 26, 2009.

Williams brings as many family members as possible for the long drive from Oklahoma to the South Dakota State Penitentiary in Sioux Falls, where Kirkpatrick is incarcerated.

Her mother, Sharon Kirkpatrick, visits as often as she can, but

**WILLIAMS:** Page A5



Robin Huebner reports

# ‘We’re really broken’

## County leaders unsure if director’s plan to fix child protection unit will suffice

**By April Baumgarten**  
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**FARGO** — Cass County commissioners question whether a social services director’s plan to address claims of a toxic work environment in the child protection unit will improve culture there, but one

leader says firing management would not be possible without a battle.

“Obviously, we’re really broken here,” Commission Chairwoman Mary Scherling said of the work environment. “The trust has been broken.”

County employees, parents and residents

almost filled a conference room where the Cass County Social Services Board met Monday, Oct. 21, to discuss an investigation into what Social Services Director Chip Ammerman has called “systemic problems” within the child protection unit.

No action was taken

during the two-hour meeting, but Ammerman laid out a three-page plan to address the issues, including changes for the workflow, himself, Family Services Division Manager Linda Dorff and unit supervisors.

The investigation and

**UNIT:** Page A8



Cass County Social Services Director Chip Ammerman speaks during a special meeting of the Cass County Social Services Board on Monday, Oct. 21, to discuss allegations of a hostile work environment and heavy caseloads in the child protection unit.

Michael Vosburg / Forum Photo Editor

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**Today's weather**

44°  
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## ‘That’ll never be enough’ ND man gets life for role in murder on Spirit Lake reservation

**By Raju Chaduvula**  
rchaduvula@forumcomm.com

**FARGO** — After four years, a heartbreaking chapter in the lives of Amanda Stach Engst’s family came to a close Monday, Oct. 21, when a federal judge ruled that a man involved in her killing will spend the rest of his life in prison.

“We’ve been waiting four years for this day,”



Engst

said Denise Steven-son, Engst’s mother, in a statement she gave in court before Judge Peter Welte handed down his sentence.

Billy Joe Herman, 40, of Warwick, N.D., appeared Monday morning at the federal courthouse in downtown Fargo to continue a sentencing hearing

**HERMAN:** Page A8

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### FLOODING

From Page A1

was grateful her farm had been able to harvest about 9% of its soybean crop at a time when many in the region have not been as fortunate.

Lovas said the worry isn't only for this year's crops, but also next spring's planting, which she said may or may not be possible given saturated soils that have prevented many typical fall activities, including the application of fertilizer.

She said the fact that the farm economy is also facing low commodity prices only exacerbates the situation for growers.

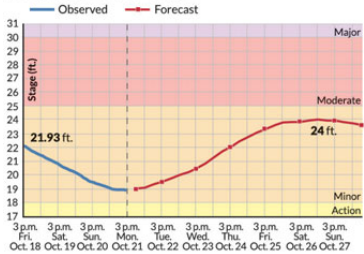
Extension service officials attending the Fargo meeting warned that haying has been deeply curtailed because of water and the potential for a severe shortage of livestock feed, looms in the not-too-distant future.

Goehring agreed that a lack of silage "is going to be a real issue," and he warned that farm stress is becoming more and more an issue.

In tough times like the ones farmers now face, Goehring said the tendency sometimes is for growers to go quiet and not share their concerns with loved ones out of fear of burdening them.

However, he urged farmers to fight such impulses and instead share their thoughts with

### Red River at Fargo



Observation time: 3 p.m. Monday  
Source: National Weather Service Forum News Service

those closest to them as a way of sharing the load. "We don't need another travesty in our community," said Goehring, who along with others at the meeting stressed that resources are available for people in crisis, including the 211 help line.

And Goehring had these words for farmers worried about what the future might bring: "Take a deep breath, and hold on," Goehring said. "You can call me, too. That's been happening a lot."

Goehring and other officials also urged drivers to be mindful of the condition of rural roads and to limit or avoid driving on dirt and minimum maintenance roads when possible in order to preserve them for use by agricultural vehicles during harvest.

In addition to Fargo, Burgum and Goehring

visited with people in Grand Forks, Jamestown and Fessenden to hear firsthand about potential impacts of this fall's unusually wet weather.

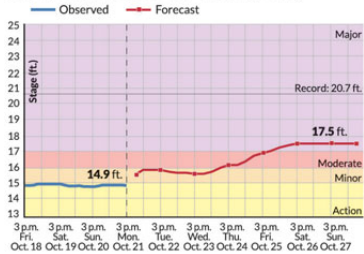
Information was being gathered for possible requests for a USDA secretarial disaster designation and a presidential disaster declaration, Burgum said. "There's an economic hardship that we're facing here relative to this fall's harvest that is likely unprecedented," Burgum said. "We have a whole team of people across the state who will be activated as part of our whole-of-government approach."

"Any agency that can help will be helping," Burgum added.

### River levels rising, again

As of Monday morning, eight counties and

### Sheyenne River at Valley City



Observation time: 3 p.m. Monday  
Source: National Weather Service Forum News Service

four cities in North Dakota had issued flood emergency declarations, with more expected. Later Monday, the Cass County Commission was expected to declare an emergency as well.

Places where emergencies had been declared as of Monday morning included the counties of Barnes; Cavalier; Grand Forks; LaMoure; Stutsman; Traill; Walsh and Wells and the cities of Grand Forks; Jamestown; LaMoure; and Valley City.

Last week, the city of Fargo offered the city of Jamestown 40,000 filled sandbags from its stockpile and late last week workers from Jamestown arrived in Fargo to take the city up on its offer.

The James River at Jamestown, which had been hovering around 12 feet for most of this

past weekend, which is the threshold for minor flooding, had crept up to 12.55 feet by Monday morning. The city begins to take active steps to protect against flooding at 11 feet.

Officials warned that while some river levels had dropped in recent days, they were expected to jump higher again in the wake of rain Sunday night and Monday morning.

According to the Weather Service, the Sheyenne River at Valley City was at about 14.82 feet Monday morning, and it was expected to rise to about 17.5 feet by Saturday, where it was expected to hover for several days at just over the line into major flood stage status.

The record spring flood level in Valley City is 20.7 feet. The Sheyenne River

had dropped to 84.42 feet at Harwood Monday morning, or just over the threshold into minor flood stage status. But, it was expected to start rising again, reaching about 90 feet — in moderate flood stage territory — by Friday night, where it was expected to hover for several days.

The record spring flood level at Harwood is 92 feet.

Major flood stage at Harwood is 91 feet.

The Maple River in Mapleton was at about 15.28 feet Monday morning, but it was expected to rise to about 20 feet — minor river stage — by Thursday before falling again. Moderate flood stage in Mapleton is 21 feet and the record spring river level in Mapleton is 23.4 feet.

As of about 1 p.m. Monday, the Red River at Fargo had dropped to about 18.2 feet, though the Weather Service said the river would start rising again Monday evening.

The river at Fargo was expected to reach about 24 feet — just below moderate flood stage — by Saturday and then start dropping slowly.

Major flood stage in Fargo is 30 feet.

The record spring flood level in Fargo is 40.84 feet.

Readers can reach reporter Dave Olson at 701-241-5555.

### WILLIAMS

From Page A1

suffers from health problems. Williams said her father is involved in church services at the prison and never complains.

"He's going to act like everything is fine, like he's staying in a five-star resort," Williams said during an interview from her home in Jones, Okla.

She said the family also tries to keep an upbeat mindset despite Kirkpatrick's 2011 conviction on a murder conspiracy charge.

Kirkpatrick was found guilty of hiring handyman Michael Nakvinda to kill his son-in-law, Fargo dentist Philip Gattuso. The aim — to gain custody of 3-year-old Kennedy Gattuso after the death of her mother, Valerie Gattuso.

Williams still believes, steadfastly, that her father is not guilty.

"He does not have what it takes to take someone's life," she said.

Williams was the only person in the two families contacted by The Forum who was willing to interview with The Forum.

Neither Philip Gattuso's brother Roy, nor Roy's daughter Molly and her husband, Adam Massey, who have since adopted Kennedy, wanted to speak on the record.

### Mother's death sparked custody rift

Williams' younger sister was 37 when she died. Valerie and Philip Gattuso moved to Fargo from Oklahoma in the early 2000s for him to pursue a periodontist practice.

Before giving birth to daughter Kennedy in 2006, Valerie began experiencing heart problems.

In August 2007, she underwent surgery at then-MeritCare, now Sanford, to repair a mitral valve, a procedure that was supposed to be somewhat routine, the family was told.

Valerie had a serious complication and within days was transferred to a Twin Cities medical facility, where she was put on a ventricular assist device and medically sedated for nearly two months. She



Submitted photo  
Regan Williams, of Jones, Okla., is the daughter of Gene Kirkpatrick, who is incarcerated in South Dakota for a murder-for-hire scheme in Fargo 10 years ago.

would battle organ failure, blood infection and mini-strokes, and would lose parts of her limbs during her nine-month stay there.

After being released from the hospital, she went with daughter Kennedy to live with her parents, Gene and Sharon Kirkpatrick, in Oklahoma to face a long rehabilitation while husband Philip continued working in Fargo.

According to Williams, Philip didn't support Valerie enough during this time and that he "rarely" came to visit.

"I don't want to speak ill of the dead...but he was not a shining example," Williams said.

Ultimately, the surgery complications were too

much and Valerie died on March 30, 2009.

Her husband took Kennedy back to Fargo after the long stint in Oklahoma, further deepening a rift between the families.

Philip Gattuso would be dead just seven months later.

### 'Knocked off'

Nakvinda killed Gattuso with more than 10 blows to the head with a hammer in Gattuso's south Fargo condominium sometime after the father dropped off his daughter at daycare that morning. Nakvinda also took Gattuso's silver 1999 Porsche Boxster and other valuables.

Surveillance video of a pickup and trailer hauling the tarp-covered vehicle

led police to Nakvinda in Oklahoma within days, and to Kirkpatrick shortly afterward.

Following his arrest, Kirkpatrick implicated himself in a statement to police about his granddaughter and son-in-law.

"I thought her future welfare was more valuable than his life," Kirkpatrick said in a recording that was played during his trial.

Williams said her dad likely said that because he'd been in a small room for hours, answering the same questions over and over and finally said what police wanted to hear.

Williams believes Nakvinda's motivation was mostly financial — seeing Gattuso as a target because of his dental practice and fancy car.

She claims the family knew nothing about Nakvinda's previous criminal history, which included rape, kidnapping and armed robbery. She said he came recommended as a handyman from one of her dad's co-workers.

Kirkpatrick admitted at trial he'd spoken with Nakvinda about having Gattuso killed, but that it was just "talk."

Williams said while it's common for people to joke about wanting

others' feelings. I never saw someone who could be so cold," Williams said.

This is a sharp contrast to how others described Philip Gattuso following his death, with friends and colleagues calling him a soft-spoken person who was devoted to daughter Kennedy.

When Valerie Gattuso was sick, Williams said her sister repeatedly asked that she, rather than Philip, raise Kennedy if something were to happen.

Williams had custody for a few weeks after the murder until it became evident her father may have been involved in Philip's death.

She fought for custody for a while, but it would be the last time she or any other family members saw a Kennedy, who's now 13. A permanent restraining order is in place preventing them from contacting the girl.

Williams said she would never try to enter Kennedy's life uninvented but hopes someday, after Kennedy turns 18, she will look them up.

"We'd love to know that she's doing well and that she's happy and has a good life," Williams said.

Readers can reach Robin Huebner at rhuebner@forumcomm.com. Huebner is also a reporter on WDAY-TV.

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