

MIDWEST DIGEST

Drunk Driver Sentenced For Vehicular Battery

SIoux FALLS (AP) — A repeat drunken driver who hit a 21-year-old college student in Vermillion during a blackout and kept driving has been sent to prison.

Twenty-nine-year-old Eric Oldre on Tuesday was sentenced to serve five years for vehicular battery and third-offense DUI.

Authorities said Beau Brady had been celebrating his 21st birthday on Nov. 6 and was himself drunk when he tried to cross a street and was struck by Oldre's car. Brooke Brady said her brother almost died and continues to suffer from a brain injury.

Authorities say that when Oldre was tracked down at home seven hours later, he was still legally drunk and did not remember the incident.

Oldre during his sentencing read a letter he wrote to Beau Brady saying he was "eternally sorry."

Mitchell Officials Talk Community Center

MITCHELL (AP) — Officials in Mitchell are discussing a community center that could cost up to \$18 million, though some City Council members say there is overwhelming opposition because of the cost.

Mark Buche, chairman of a volunteer community planning group, said he thinks opposition can be overcome with an informational campaign.

"Let's get some dialogue," he said. "Let's educate the public on what's going on with this."

City leaders have decided to continue discussions with Dakota Wesleyan University and Avera Queen of Peace Health Services.

The proposed city-owned center on the DWU campus would have a pool, floor and gym space, a walking track and an adult fitness facility for the public. University students and staff would have wrestling rooms, locker areas, gym space, classrooms, athletic training space and a weight room. Avera's benefits would include training space and an adult wellness facility.

The city's would pay up to \$10 million, while its partners would raise up to \$9 million.

Councilman Travis Carpenter said he has heard from residents worried about the cost.

"I haven't had a lot of positive responses," he said.

Councilman Marty Barington said he felt his constituents are "98 percent opposed" and that he would vote against the proposal now, though he thinks educational efforts could change a lot of minds.

Mayor Lou Sebert will appoint members to an advisory board to review the plan, as will DWU and Avera leaders.

Trial Delayed In Mobile Home Park Shooting

HURON (AP) — The trial for a Sturgis man accused in a 2009 shooting death at a Huron mobile home park has again been pushed back.

Circuit Judge Vince Foley on Wednesday rescheduled John LeGrand's trial for Oct. 11. He cited the Huron police department's failure to share evidence with defense attorneys in granting the delay.

LeGrand's trial had previously been scheduled for April 21 and then July 26.

LeGrand has pleaded not guilty to alternate counts of second-degree murder and first-degree manslaughter.

Authorities say he and Hein had fought over money that LeGrand allegedly owed Hein for construction work and that LeGrand shot the 23-year-old Hein four times with a shotgun.

Attorney: Teen May Be Unfit For Prosecution

TEKAMAH, Neb. (AP) — A Tekamah teen accused of sexually assaulting and killing his 4-year-old half sister has the mental capacity of a second-grader and may not understand the charges against him, his attorney said Wednesday.

Stuart Mills said he plans to ask for a mental evaluation of the teen charged as an adult with first-degree murder, rape and arson.

"He's 14 years old and functions as a second-grader. I've yet to meet a second-grader that can comprehend all of this," Mills said. The teen plans to plead not guilty, his attorney said.

The Associated Press isn't using the names of the boy or girl to protect their privacy.

Tekamah police say the girl was found dead in the family's home after a May 1 fire. The boy escaped with his mother and another sister.

Court documents say an autopsy performed on the girl revealed evidence of sexual assault and suggested she had been smothered before the fire. No smoke was found in her lungs.

A Burt County Court judge ruled Tuesday there's probable cause to charge the teen and sent the case over to district court, where there's a hearing set for Aug. 11.

Mills said he'll file a motion to have the case sent to juvenile court, where a conviction would likely set the teen free at age 19. A conviction in adult court could get him a life sentence, the attorney said.

■ Get Updates At Yankton Online (www.yankton.net)

Neb. Smoking Ban Violator Keeps His Liquor License

LINCOLN, Neb. (AP) — A bar in central Nebraska was put on probation Wednesday for ignoring the state's smoking ban three times, showing that officials won't automatically snuff out establishments that are repeat offenders.

The Nebraska Liquor Control Commission had considered yanking the liquor license of Henry "Fred" Schumacher, owner of Sylvester's Bar & Lounge in Broken Bow, because his flouting of the state law suggested he might be unfit to sell alcohol.

"By no means are we sanctioning smoking in bars," said Commissioner Robert Batt, who voted with other commissioners to put Schumacher on probation instead of taking away his liquor license. "It's a new rule."

Schumacher acknowledged after the vote by commissioners to put him on probation that he allowed smoking inside his bar because he objected to the smoking ban. Schumacher's still a staunch opponent, but said he learned his lesson.

"I went about it wrong, plain and simple," Schumacher told reporters. "It's the law, and nothing gives me the right to violate the law."

According to his yearlong probation, he will immediately lose his liquor license if he violates the law again.

Schumacher's case has gained attention because he is the only known bar owner to be fined repeatedly for openly breaking the smoking ban that went into effect June 1, 2009. It's unknown exactly how many citations have been issued against business owners for allegedly breaking the law in the year

since then because local agencies aren't required to report the information to the state. But health departments across the state normally tell the state of citations.

Thus far, just four known citations have been issued — three of them against Schumacher.

The other was issued late last week to a Hastings bar, the Halftime Lounge, according to the Hastings Police Department.

The small number of violations isn't due to a lack of complaints — residents have lodged more than 200 complaints of smoking against about 160 businesses since the law was enacted.

One reason for the small number of violations is that businesses suspected of allowing smoking are given warnings and educated about the law when smoking is alleged to have occurred. Only those that continue to allow smoking are ticketed.

"Businesses are doing a good job of following the law if there are complaints and the local health departments are doing a good job of working with business owners on following the law," said Kathie Osterman, spokeswoman for the state department of Health and Human Services.

DECISION 2010

Heidepriem Faces Fight For Governor

BY **CHET BROKAW**
Associated Press Writer

PIERRE — South Dakota's campaign for governor began in earnest Wednesday, just hours after Lt. Gov. Dennis Daugaard claimed the Republican nomination. But the state's political history suggests Democrat Scott Heidepriem faces a tough fight in a GOP-dominated state.

Since South Dakota became a state in 1889, it's had 24 Republican governors and five Democratic ones. A Democrat last occupied the governor's office 32 years ago.

But Heidepriem, a Sioux Falls lawyer who is the state Senate's minority leader, said he believes he can win because voters are fed up with a looming budget deficit

and a state government that has grown in the eight years Daugaard has been Republican Gov. Mike Rounds' second in command.

"Which candidate is more likely to solve that problem?" Heidepriem said. "Is it the administration that created it or is it someone who has been a critic of state spending?"

Daugaard, who far outdistanced his four rivals in Tuesday's vote to win the GOP nomination, has argued that the state's budget problems can be solved with some commonsense moves.

The lieutenant governor has said he would cut some spending, limit state government growth and use some reserve funds if necessary to balance the budget. But he has noted that state revenues are beginning to rebound after the

recession, and South Dakota is in much better financial shape than most other states.

Daugaard expects Heidepriem will run a competitive race.

"I think it'll be very competitive," Daugaard said. "Scott will be a strong adversary. He's very articulate and he's a good debater as a trial lawyer."

Because Heidepriem had no primary opponent, he has spent the past few months running television ads criticizing the Republican approach to running state government, Anderson said.

Heidepriem has frequently criticized Rounds for adding approximately 1,300 state employees during the past eight years, and he has blamed Rounds' policies for causing a budget deficit that could be \$100 million or so next year.

Rounds counters that budget problems have stemmed from declining revenue and increased spending on medical care for poor people during the recession. Most of the additional state employees have been hired in higher education to meet increased university enrollment, he said.

Heidepriem said the state cannot justify adding more than 400 employees outside higher education in the past eight years when the recession cost 8,000 South Dakotans their jobs.

Republicans have criticized Heidepriem for seeking to add spending to state budgets in past years. He said he wants to spend more on K-12 education and economic development, but that won't be possible until spending is cut in the rest of state government.

OBITUARIES

Donald J. Lane

GAYVILLE — Donald Jacob Lane, age 89, of Gayville and Mission Hill, South Dakota, died Monday, June 7, 2010 at Avera Sacred Heart Hospital in Yankton, South Dakota.

Funeral services are 2:00 PM, on Friday, June 11, 2010 at the Gayville-Volin United Methodist Church in Gayville, South Dakota with Pastor Tom Petersen officiating. Burial will be in the Gayville Cemetery with military honors provided by the Rudolph Christensen American Legion Post No. 237. Visitation is from 5:00 to 8:00 PM on Thursday, June 10, at the Wintz & Ray Funeral Home in Yankton. A time of sharing stories and memories of Don begins at 7:00 PM. Visitation resumes one hour prior to the funeral at the church on Friday, June 11.

Don was born August 15, 1920 in Gayville, South Dakota, second son of Lee and Margaret (Diebold) Lane. He grew up in Gayville, graduating from high school in 1938. Don attended Southern State Teachers College

in Springfield, SD where he became the National Extemporaneous Speaking Champion for all junior colleges. He graduated from Northern State College in Aberdeen, SD with a Bachelor of Science Degree in Education. In June 1943, he joined the United States Navy, serving on a destroyer escort in the Atlantic and Mediterranean Theaters, and on a destroyer in the Pacific Ocean during World War II. Don earned the rank of Lieutenant and received the Bronze Star for his service. After his discharge in 1946, Don married Julie Neal and had three children. In New York, Don started his own film production company: Don Lane Pictures. Over the course of his long career, he was recognized as one of the largest producers of industrial films on animal husbandry and agriculture, earning numerous top awards - Golden Eagle and Ciné among others - in



Lane

his field. Later in his career, he also produced films focused upon human health. His work took him all over the world. Don was always active in his community: he was a member of the Scarsdale Congregational Church, where he served as President of the Men's Club. Active in the Scarsdale Volunteer Fire Department for over 25 years, he served as Captain for several terms. He was a Little League coach for each of his daughters, President of the PTA, and involved in numerous local political campaigns. Don retired in 1991 and moved to Mission Hill, South Dakota where he continued to be an enthusiastic member of the community, joining Kiwanis and the American Legion. Don loved gardening, fishing, politics, and playing bridge, but most of all, he loved his family.

Donald is survived by his three daughters, Donna Lane (Bill Copeland) of Valdez, Alaska, Linda Lane (Dave Murchison) of Long Beach, California, and Andrea Lane of Anchorage, Alaska; one granddaughter,

Ardea Lane Copeland of Valdez; and two brothers, Keith Lane of Gayville, and Dennis (Margaret) Lane of Ponte Vedra Beach, Florida; and many nieces and nephews.

Donald was preceded in death by his parents, wife, and two brothers, Dale and John Lane.

Please send all memorials to Senior Companions Program of South Dakota (605-361-1133). Senior Companions Program of South Dakota, 1000 Northwest Ave. Suite 260, Sioux Falls, SD 57104, 605-361-1133.

To post an online sympathy message, please visit wintzrayfuneralhome.com.

Yankton Press & Dakotan
June 10, 2010



Hartington * Coleridge * Crofton
203 W. Franklin, PO Box 505
Hartington, Nebraska 68739

Eunice L. Engen

MITCHELL — Eunice L. Engen age 78 of Mitchell, SD and formerly of Yankton, SD passed away at the Avera Queen of Peace Hospital in Mitchell on Sunday, June 6, 2010. Funeral services will be at 11:00 AM, Saturday, June 12, 2010 at the United Church of Christ (Congregational) in Yankton, SD with Rev. Paul Opsahl officiating. Burial will be in the Yankton Cemetery. Visitations will begin at 9:30 AM, Saturday, at the church and continue until the time of the service. Opsahl-Kostel Funeral Home and Crematory, Yankton is in charge of the arrangements.

Eunice Lorraine was born on November 19, 1931 near

Temple, ND to Birger Wilhelm Erickson and Olga Marie Olson Erickson. She attended elementary school at Tioga, ND and later at Ray, ND. She attended high school at Ray, ND for three years and graduated from Williston High School, Williston, ND. Eunice then graduated from Sacred Heart School of Nursing in Yankton, SD. She went on to attend Yankton College where she received her B.S. in Nursing, before completing her Masters Degree at the University of South Dakota in Vermillion, SD.



Engen

She became a staff nurse at the Yankton State Hospital and served several years in psychiatric nursing. Subsequently, she joined Staff Development and later became Director of Staff Development at the South Dakota Human Services Center in Yankton where she continued in that capacity until she moved to Georgia in 1994. She was then appointed as Director of Quality Assurance at Satilla Park Hospital, Waycross, GA and later she accepted a position as Director of Nursing at Charter-by-the-Sea Hospital, St. Simons Island, GA. She retired from that position in 1999. Eunice then worked with her husband in his private psychological practice in Waycross, GA until their return to South Dakota in 2009. On June 1, 1957, Eunice mar-

ried Eugene Paul Engen in Baton Rouge, LA.

Eunice is survived by her devoted husband of 53 years, Eugene of Mitchell, SD; sons: Paul of Mitchell, SD, Brendan and daughter-in-law, Sarah of Waycross, GA; and several nieces and nephews. She was preceded in death by her parents, three brothers: Roy, Earl and Stanley and five sisters: Doris, Cecile, Theresa, Mabel and Ella.

Yankton Press & Dakotan
June 10, 2010



Online condolences at:
www.opsahl-kostelfuneralhome.com

Delores Becker

WYNOT, Neb. — Delores Marie Becker, age 79 of Wynot, Nebraska, died on Tuesday (June 8, 2010) at St. Elizabeth's Hospital in Lincoln, Neb.

Mass of Christian Burial will be on Saturday at 10 a.m. at the Holy Family (Sacred Heart) Catholic Church in Wynot with Rev. Eric Olson officiating. Burial

will be in the Sacred Heart Cemetery in Wynot. Visitation will be on Friday from 5-8 p.m. with a vigil service at 7:30 p.m. at the church. Visitation will begin one hour prior to services on Saturday at the church. The Wintz Funeral Home in Hartington is in charge of arrangements. To post on line condolences, please visit www.wintzrayfuneralhome.com.

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Gayville

Ersey D. Ebsen
10:30 AM, Thursday
Congregational United Church of Christ
Crofton

Delores M. Becker
10:00 AM, Saturday
Holy Family (Sacred Heart) Catholic Church, Wynot

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