

Pheasants Forever Opening SD Office

BY NORA HERTEL
Associated Press

PIERRE — Pheasants Forever will set up its first office in South Dakota early July, in recognition of a sharp drop in bird numbers and South Dakota's place as a global center of pheasant hunting.

Future director of the office and longtime Pheasants Forever staffer Dave Nomsen made the announcement Monday to the governor's Pheasant Habitat Work Group.

"They have been very involved in our meetings to date," Chairwoman Pam Roberts said. "I see a lot of opportunity for coordination with them."

Nomsen long has served as vice president of government affairs for the nonprofit, lobbying for several versions of the farm bill since 1996. He graduated from South Dakota State University in Brookings and worked as faculty in the Wildlife Department. The Pheasants Forever office will open July 1 in Brookings.

"In a sense, I'm kind of coming home," Nomsen said.

He called South Dakota the "gold standard" for pheasant hunting worldwide. The move to South Dakota also highlights the dwindling of the bird's habitats and population in the state.

A state report says pheasant numbers have fallen since 2008 as fallow grasslands have been converted to farmland. Roberts said bad weather in the last 18 months also has hurt numbers.

Compared with the 10-year average, the number of pheasants per mile in 2013 was down 76 percent.

Roberts said the state can share resources with Pheasants Forever.

Her committee is tasked with finding ways to boost the pheasant population. The work group consists of legislators, cabinet secretaries, an SDSU dean and others.

It met Monday for the fourth time and will complete a report for the governor by the end of the summer.

Roberts said the group needs to find solutions that make everyone — including farmers and conservationists — happy. There are already eight biologists in

the state with Pheasants Forever, situated in offices with the National Reserve Conservation Service, which distributes some funds through the farm bill.

Task force member Jeff Zimprich, the state conservationist with the National Reserve Conservation Service, said a lot of people in the state are already committed to wildlife habitat.

The committee and Pheasants Forever — which has about 6,000 members in South Dakota — will need good partners.

Nomsen said large tracks with habitat are most helpful to pheasants, but a few acres here and there can be beneficial if managed correctly.

Pheasants were introduced to the state in the 1800s, and Nomsen said the combination of grasslands, wetlands and croplands in the state suits the birds.

They are a commodity here just like corn and beans, he said. "It's going to take more of a focus and targeted effort to continue to manage pheasants," he added.

Fire In Dell Rapids Leads To Evacuation

DELL RAPIDS (AP) — A gas line fire in Dell Rapids led to the closure of area streets Tuesday and the evacuation of homes and businesses.

City Administrator Justin Weiland said a contractor working in the area hit the pipe, but it's unclear what ignited the fire. No injuries were reported.

The operator of the line, MidAmerican Energy, will take until the early evening at least to shut down the line, Weiland said. The gas will continue to burn until then, he said.

Minnehaha County sheriff's Sgt. Preston Evans said the flames initially were 20 to 30 feet high. He said firefighters have contained the flames to about a foot high and will continue to keep water on them to prevent the blaze from spreading until the line is isolated.

A nearby car, whose owner was having trouble starting it, also caught fire, but that blaze was put out. Evans said the gas line fire and car blaze are related, but authorities haven't determined which one started first. He said it is possible that a spark from the car might have ignited the gas.

MidAmerican spokeswoman Abby Bottenfield said the damaged pipe is a 4-inch steel metro gas line that runs down the road and feeds the service lines that go into the residences. She said only one customer will remain without service while repairs are underway.

Evans said electrical power has been shut down in the area as a precaution. It wasn't immediately clear when residents would be allowed back into their homes.

Man Pleads Guilty To Raping 12-Year-Old

SIOUX FALLS (AP) — A man accused of raping a 12-year-old girl in Harrisburg and then hiding from police for months has pleaded guilty to first-degree rape.

Twenty-year-old Obadiah Loyira was charged in January 2013. *The Argus Leader* reports that he reached a plea deal with prosecutors that will cap his prison time at 30 years, if a judge agrees.

Loyira admitted to having sex with the girl and then eluding law enforcement for five months.

Two others were charged in the case. Twenty-one-year-old Elizeo Kalimba was sentenced to 15 years in prison in May for first-degree rape, and a 16-year-old boy's case was settled last year in juvenile court.

Drivers Gathering For Neb. Tractor Ride

WAYNE, Neb. (AP) — It's amazing, drivers say, what you can see as you buzz along at 15 mph on a tractor over hilly rural roads and narrow county backroads.

More than 175 drivers will find out as they gather Friday in Wayne to begin the Great Nebraska Tractor Ride — an easygoing caravan of old mechanized workhorses through part of northeastern Nebraska.

Among the drivers will be Carol and Roger Fuoss, of rural Wayne. They belong to the Tri-State Old Iron Association, an antique tractor group based in Yankton, South Dakota, which sponsors a number of tractor rides. The two days of the Great Nebraska ride, on Friday and Saturday, begin and end at the Wayne County Fairgrounds.

A similar ride began Monday in the Waterloo, Iowa, area.

Proposed Trash Can Rule Worries Some

SIOUX FALLS (AP) — Some garbage haulers and residents in Sioux Falls are worried about a proposed ordinance that would require people to keep their trash cans hidden.

The City Council is expected to vote next week on the ordinance, which would require garbage cans to be inside, behind, or beside a structure. Current city law requires only an "inconspicuous" spot, the *Argus Leader* newspaper reported.

The proposal is in response to concerns voiced by resident John LaVergne.

"To me, it's just a vote on city aesthetics," he said. Landfill Superintendent Dave McElroy said his department gets several similar complaints a year from people who don't like the sight of their neighbor's trash bins.

Resident Mark Liepha said he doesn't like the idea of the city dictating where people can keep their cans.

"There's not a lot of space in people's garages," he said. Some garbage haulers are worried that people would forget to put their trash out on collection day, forcing drivers to have to hunt for cans. That would require more drivers, more time and more fuel, said John Cressman, owner of Cressman Sanitation.

"Like any business in the world, we would have to raise our prices," he said.

SD Board Changes Policies On Job Loans, Grants

BY BOB MERCER
State Capitol Bureau

PIERRE — The state Board of Economic Development decided Tuesday it won't review monthly bills from its service contractors any longer and will look at other bills only if the amounts exceed \$2,500 rather than \$1,000.

The board also reduced the loan origination fee to 1 percent from the recent practice of 1.5 percent but will start passing along its lawyer fees to the loan recipients.

State Commissioner of

Economic Development Pat Costello introduced his new deputy commissioner, Aaron Scheibe.

Scheibe, who began Monday, succeeds Nathan Lukkes in the position.

Lukkes accepted a research and development post for the state Board of Regents central office where he works with university projects.

Scheibe said he is a native of Pierre, holds a law degree and did his undergraduate training in economics and foreign affairs.

Much of his professional

experience came in the federal Foreign Service for the U.S. State Department in nations of central Europe and the former Soviet Union.

He said his background includes work in international trade, consulting with investors at U.S. embassies abroad and involvement in trade agreements and treaties.

"It's good to be home," Scheibe said.

In another change, the state board clarified Tuesday that local infrastructure grants are intended for projects in which a non-profit organization or local

government has at least a majority share in the real estate.

Costello said governments have been making applications on behalf of private developers.

The new policy contains exceptions: Projects in communities of 5,000 or smaller populations; and projects expected to create "significant" jobs.

"These are guidelines. They are not hard and fast rules," Pierre lawyer Tim Engel, who represents the board, said. "There may be a scenario where you want to help get something going."

Nebraska School Seeks To Thwart Government 'Fishing Expedition'

BY MARGERY A. BECK
Associated Press

OMAHA, Neb. — A central Nebraska university sued by the U.S. Justice Department after it banned a therapy dog from student housing is seeking a protective order to prevent what it calls a "fishing expedition" by government attorneys.

An attorney for the University of Nebraska at Kearney said in court documents filed Monday that government attorneys are demanding more than 51,000 electronically stored documents regarding any person with a disability that sought any type of accommodation from the university — including employees and the general public seeking accommodations for areas outside of UNK housing. The school says that's overly broad and would cost it nearly \$159,000 to produce and review, in addition to the \$110,000 it has spent to gather and review nearly 4,300 documents already given to the government.

The Justice Department "has no evidence UNK engaged in disparate treatment and may not use this litigation as a mechanism to justify its fishing expedition to try to drum up evidence that UNK engaged in disparate treatment," attorney Scott P. Moore, of Omaha, wrote in a brief opposing Justice Department attorney's request for the additional documents.

The Justice Department sued the university, the University of Nebraska Board of Regents and several officials in November 2011, saying the university unlawfully denied Brittany Hamilton the chance to keep a 4-pound miniature pinscher named Butch in her university-owned apartment a mile off campus to cope with depression and anxiety. In barring the dog, the lawsuit alleges, the university violated the U.S. Fair Housing Act.

The university bars pets other than fish from its housing unless the student has a disability that requires a service animal or works as a hall director.

The Justice Department lawsuit says Hamilton could not afford other housing options in or around Kearney and needed the dog to focus on her schoolwork. An

Omaha nurse prescribed the dog to help Hamilton handle anxiety attacks that made it difficult to sleep and breathe.

In its brief to compel the university to turn over the documents, the Justice Department argues that UNK has had years to produce them and asked that the court order UNK to turn over all electronically stored documents pertaining to the school's disability policies and its treatment of other requests for disability accommodations.

UNK's argument that its disability policies outside of student housing aren't applicable to the lawsuit are flawed, government attorneys said.

"It is undisputed that the policies and practices challenged by the United States apply outside of the housing context, and that the small group of high-ranking UNK officials who denied the reasonable accommodation requests that gave rise to this lawsuit also apply disability policies in the education, employment, and campus-visitor, as well as housing, contexts," the government's brief said.

A trial is set for early next year.

Field

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The YCHS board voted last month to move forward with the sale of the Westside Athletic Field, with proceeds going toward the Mead Building renovation.

"We thought it was a smart investment for our future, and it turned out to be true," said Crystal Nelson, director of the Dakota Territorial Museum and Mead Building committee member.

Originally created along with Westside Park in 1933, the approximately five-acre field area features the first 100-meter track built in South Dakota, Nelson said. It was mostly used by high school and middle school students when the schools were located on Walnut Steet, she said.

Bob Steinbach, who graduated from Yankton High School in 1939, said he didn't use the field personally, but observed many who did while he was a student and a *Press & Dakotan* carrier for the neighborhood.

"They'd come up from Walnut Street and trot up

Seventh Street for practice," Steinbach said. "There was also a residential area around it, and the neighbors would use it for exercise."

The field continued to be used as a practice field by the school district for many years, Nelson said. It was also used by the Dakota Warriors, Yankton's amateur football team.

"It's a historic field," she said. "There are a lot of people that have memories of being an athlete on that field. We want people to know it's out there and on the market."

The land is zoned agricultural, according to YCHS president Joan Neubauer, as the property was once near the edge of the town.


Nelson said the property will be listed and managed by William Bobzin of Century 21 Professional Real Estate in Yankton.

"It's nestled right next to the park, so it has lots of potential, and we really hope the best for it," she said.

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