

## Archer

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Youth Championships earlier this month, according to Josahan Jaime-SantaCruz, a Level 4 coach at the Yankton complex.

"Now that we've seen how the community came out to support these events, we thought it would be an additional experience for Yankton and for these archers to come in," she said.

The host family would be responsible for providing Cezair with a place to stay (a single or double occupancy

room), at least breakfast and dinner and local transportation to and from the archery center.

With five weeks comes the natural down time, which Santacruz said would give the family an opportunity to take Cezair with them to various community events — perhaps including the upcoming Fourth of July festivities.

"I know that five weeks is a long time; that's a big commitment for any family," Santacruz said. "But we're just trying to reach as many people as we can, for this summer or for future programs."

Yankton has welcomed international archers in the past (and not just for tournaments), and Santacruz had earlier extended an invitation to Cezair — the coach has known the family for a few years.

"I told her if she was ever interested in training, I'd be more than happy to have her come here," Santacruz said. "And they immediately jumped on it. They're so eager for her to improve her skills."

Ideally, the five-week stay in Yankton would provide Cezair with the necessary tools when she returns home to compete in the Open Out-

Medicine decision.

Jackley said his office has advised prosecutors and law enforcement officers since Fierro that DUI advisement cards aren't a requirement any longer.

He said that the cards "while used with good intentions may give rise to unintended legal complications." The preferred action now is to simply request consent.

Law enforcement officers can request warrants electronically from circuit judges and magistrate judges while at the scene of the pending arrest.

A third decision by the South Dakota Supreme Court appears to be necessary to clearly overturn the doctrine of implied consent.

"The Medicine decision demonstrates that reference to South Dakotas implied consent statute can be problematic in gaining actual consent, though the South Dakota Supreme Court did not officially declare it unconstitutional or say that a reference to it would completely foreclose the possibility of getting actual voluntary consent," Jackley said.

that declared warrants were necessary for blood draws in most circumstances.

South Dakota Attorney General Marty Jackley's office argued in the Fierro case that the McNeely decision didn't apply to South Dakota's implied-consent law. The South Dakota Supreme Court disagreed.

Likewise Jackley's office argued in the Medicine case that the fifth point on the Rapid City police officer's DUI advisement card asked for the defendant's consent. The South Dakota Supreme Court said that didn't offset the two preceding passages on the card.

The court in the Medicine decision pointed out the court's position should have been clear from the Fierro decision regarding implied consent.

"Although we did not hold SDCL 32-23-10 invalid per se... our holding certainly recognized as invalid the invocation of SDCL 32-23-10 for the purpose of eliciting express 'consent' by declaring such has already been impliedly given," Chief Justice David Gilbertson wrote in the

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cifically address the constitutionality of the state's implied consent law, because it was not noticed at the circuit court level and wasn't argued on appeal.

"They didn't quite go that far," Rohl said. "There's still a little bit of door open."

In the Medicine decision, however, the South Dakota Supreme Court indicated in a footnote on page 8 that the implied-consent law might be moot: "The remaining validity of SDCL 32-23-10, if any, is not before us."

Rohl said the victory in Medicine's case is important because it is judicial recognition of the constitution's significance.

"Those are things our country was founded on," Rohl said. "It's important we fight to protect it and the rights bestowed upon us."

The two cases come in the wake of the Missouri v. McNeely decision by the U.S. Supreme Court in 2013

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at upcoming forecasts and conditions.

Dennis Todaye, South Dakota State Climatologist, shared with conference call participants the National Oceanic and Atmospheric Administration's (NOAA) Climate Prediction for the month of July.

"The activity we've seen over the last couple weeks will quiet down some," he said. "There are still a few chances of precipitation, but not as much as we have seen."

He explained that because of the wetter conditions, cooler temperatures can be expected.

"We will continue to have more than average chances of precipitation in July, but if you remember your climatology throughout the basin, climatologically we tend to see less precipitation during the month of July," he said. "We will have increased chances, but that's at a time where we tend to have less precipitation, anyway."

However, the possibility of decreased precipitation was not the only factor presented to the Corps.

"As a result of these last six weeks of above-normal precipitation and runoff into the system, we have changed gears from a water conservation mode to a flood control/flood evacuation mode," said

Kevin Stamm, senior hydraulic engineer on the Reservoir Regulation Team for the Missouri River Basin Water Management.

Stamm shared the Upper Basin Runoff Report for 2015. He explained that increased temperatures in the upper basin areas of Montana and Wyoming have caused excessive mountain snowpack melt off, drastically increasing runoff levels into the lower basin.

"June runoff in the upper basin above Sioux City is forecast to be approximately 130 percent of normal," he said. "Therefore, as of June 17, we expect the runoff to increase from about 89 percent of normal overall to about 110 percent normal."

Considering the forecast and the elevated runoff levels, Stamm said the system storage level at Gavins Point Dam has been increased to 3,000 cubic feet/second and decreased releases to 24,000 cubic feet/second, where it is likely to stay.

"The increase target

(3,000 cubic feet/second) gives us the ability to evacuate flood control storage at a slightly higher discharge if downstream conditions permit," he said. "The decreased release rate) allows us to provide some downstream flood reduction while still providing minimum service to navigation in the regions with commercial navigation. We are also providing good service for water supply and recreation."

Joel Knofczynski, senior hydraulic engineer on the power production team of the Missouri River Basin Water Management, released the current storage level capacity.

"At the current storage level, 29 percent of the total storage has been used," he said. "In other words, 11.5 million acre feet of the 16.3 million acre feet of total flood storage are available to capture runoff and benefit downstream flood risk reduction."

System storage has risen

## Michigan Ex-Con Gets Life Without Parole In 2 Killings

The Associated Press

MUSKEGON, Mich. (AP) — An ex-convict charged in two additional deaths was sentenced to life in prison without the possibility of parole Monday for killing two western Michigan women last fall.

Leon Means pleaded no contest April 28 to two counts of first-degree murder in the slayings of Anna Lawson, 63, and Judy Bushman, 62. Their bodies were found last October in their homes just blocks apart in Muskegon Heights, about 40 miles northwest of Grand Rapids.

Means also is charged in the killings of his estranged wife, Cynthia H. Means, 30, and her mother, Linda Herrera, 48, after his escape from prison in 1989. Muskegon Heights police say Means has confessed to

those slayings.

"Take your punishment like a man. Be a man," Tesa Griffin, Lawson's niece, told Means before the sentencing.

"I guess God will be the final judgment of my fate," Means, 62, said before the sentencing. "And I want to ... say I'm sorry to the families, my family, the victims."

"Sorry won't cut it for my mom and sister," called out Celestino Herrera, Linda Herrera's son and Cynthia Means' brother.

Muskegon County Circuit Judge Timothy G. Hicks imposed the sentence on Means under Michigan's law mandating life without parole for first-degree murder.

Open murder charges are pending in the earlier case. No trial date has been set.

## Plaza

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"Their artistic look goes in with the statues and the sculptures that we're doing, along with all the COR-TEN steel and stainless steel," he said. "We still have a lot of 'rough' metal that ties in with that old, iconic bridge."

Phase two will join the additions of phase one, which include a fountain and a splash pad which includes a number of interactive fountains that will be open for children to run through during the summer months.

Phase one, however has fallen behind schedule due to weather and fountain design issues. In addition to a vote on moving forward with phase one, the commission also voted to move the substantial completion date for phase one to June 26.

Larson said that he's not sure on a completion date, but doesn't anticipate Welfl Construction will be able to meet the new deadline.

"The last we had a meeting with Welfl was right at the end of last month," he said. "We haven't had one this month so I don't have an updated schedule, but I would say I do not think it's going to be done on Friday."

Starting Saturday, a \$500-per-day fine will

be levied against Welfl for every day it is late.

Despite the delays in construction on phase one of the project, Larson said the next section can begin as soon as phase one is complete.

"Once phase one is done, we have the ability to start on phase two," he said.

Commissioner Nathan Johnson said it would be best to move ahead as soon as possible.

"If we could make progress on this in 2015, I would certainly favor that," Johnson said. "I think we've done lots of thinking and planning for this project and we have the money set aside. When I talk to the public, it's not, 'Hey, let's wait around.' Let's get this done as soon as possible."

In other business Monday, the commission:

\* Voted unanimously to hold a strategic planning session in January 2016.

\* Awarded two street work bids for Park St. and 5th St.

\* Approved Jeff May's appointment as the fifth member of the Yankton County regional rail authority board.

\* Approved a Tax Increment District for the Westbrook Estates project.

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