



Thickening Clouds, Breezy

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A Frozen Concern

Deep Frost Level Creates Water Pipe, Road, Ag Issues

BY DEREK BARTOS
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Despite the spring season approaching, frozen soil depths continue to cause concern and likely will be problematic even when warmer temperatures arrive.

According to state climatologist Dennis Today, many areas of South Dakota have seen above-normal frost depths this winter, with northern parts of the state reporting frozen soil levels of up to 5 feet.

Today said such frost depths are currently

causing problems with both water pipes and road conditions.

"You're hearing about water main breaks all over the place, and in some cases, the lead pipes to houses aren't deep enough for the frost depth we are seeing, and they're freezing up," he said. "Some municipal water systems have mentioned to people to run water more frequently to make sure the water doesn't freeze."



Today

As reported in the *Press & Dakotan* last month, the effects of the frozen ground on roads can be seen locally. Lack of moisture combined with cold temperatures has taken a toll on many surfaces, said Yankton County Highway Superintendent Brian Gustad.

"The frost is so deep, (the roads are) heaving and hoeing," he said.

The frost depths the state is experiencing could also affect agriculture this spring, Today said. The soil will take longer to warm and

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Texting Bill Survives In S.D. Panel

By The Associated Press

PIERRE — A statewide ban on texting while driving was endorsed Wednesday by a South Dakota Senate committee as part of a continuing battle between supporters of two competing measures.

The State Affairs Committee voted 5-4 to approve a measure, passed earlier by the House, which would make it a petty offense carrying a \$25 fine to text behind the wheel.

Law enforcement officers could issue tickets for texting while driving only after stopping drivers for some other traffic offense, and local government could not have texting bans that differ from state law.

Some who spoke at Wednesday's hearing said they prefer a Senate-passed bill, scheduled for a hearing Thursday in a House committee, which would impose a \$100 fine and allow cities and counties to continue passing and enforcing bans that differ from state law.

The committee chairman, Sen. Larry Rhoden, R-Union Center, said the panel needed to keep the issue alive by passing the House bill.

"If we don't pass this, we're going to risk having nothing," Rhoden said.

Rhoden said details of the bills don't matter much because South Dakotans tend to obey the law. He said a majority of people will change their habits not because they fear getting caught "but by virtue of the fact it's against the law."

The bill's sponsor, House Speaker Brian Gosch, R-Rapid City, said the law on texting while driving needs to be the same everywhere in South Dakota so drivers don't have to guess what they can do in each area.

"They need to know the rules of the road are going to be the same wherever they go," Gosch said.

After the Legislature refused to ban texting in recent years, a half-dozen cities passed their own bans. Gosch said cities and counties should be prohibited from having their own bans because a 1929 state law already bars them from having traffic

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A Somber Celebration



PHOTO: AMY MAJERES/MMC

Sister Penny Bingham (right), Sacred Heart Monastery Prioress, places ashes on the forehead of Mount Marty College student Jamie Thelen during MMC's Ash Wednesday Mass at Bishop Marty Memorial Chapel. The service also included musical selections to welcome the arrival of the Lenten season. Easter Sunday is on April 20.

Bloomberg TV Host Shares Business Tips

BY NATHAN JOHNSON
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VERMILLION — It's not often that best-selling author and Bloomberg television host Jeffrey Hayzlett makes a public speaking appearance in his home state of South Dakota.

However, with his brash and impassioned speech about how to succeed in business mixed with his personal anecdotes about years of experience, he made sure the crowd at the Wire Me Awake entrepreneurship conference held at the University of South Dakota wouldn't soon forget him.

"I'm home," Hayzlett said. "This is awesome. I don't get to do this often."

When people ask him why he doesn't do more public appearances in the state, he replies, "Too many people see me naked at the Y."

"If you think this is going to be a normal corporate presentation, you can kiss that good-bye right



Hayzlett

off the bat," Hayzlett assured the laughing crowd.

Hayzlett was the keynote speaker for Wire Me Awake. During its third year, the conference moved from Yankton to Vermillion and began a partnership with the university. Organizers sought to create more learning opportunities for students. In addition to several speakers, the conference included a business pitch competition with a chance for top finishers to win thousands of dollars in order to support their visions.

Much of Hayzlett's speech focused on his time as chief marketing officer of the Eastman Kodak Company, a position he left four years ago.

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INSIDE



Spry

14 DAYS UNTIL
14 SPRING

Corps Faces Flood Lawsuit

BY RANDY DOCKENDORF
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Nearly 200 plaintiffs, including a handful of area residents, filed a federal lawsuit Wednesday against the U.S. Army Corps of Engineers.

The suit challenges the Corps' management of the Missouri River, according to a news release. Farmers, small businesses and other property owners along the Missouri River are seeking millions of dollars in damages.

The suit alleges the Corps' changes in river management has caused recurrent flooding since 2006.

Record flooding in 2011 lasted more than 100 days and was declared the worst in the region's history, the suit notes.

State Sen. Dan Lederman (R-Dakota Dunes), one of the plaintiffs, said his home suffered damages during the 2011 flooding. His family was displaced for four months.

Lederman told the *Press & Dakotan* that damage has occurred along the entire length of the river. He noted an estimated \$2 billion in agricultural losses alone.

"This is an issue that affects residents and farmers along 1,700 miles of the Missouri River," he said. "The lawsuit addresses the losses suffered by not only my family and community but also farms, businesses and local governments along the Missouri River."

Corps spokeswoman Maggie Oldham with the Omaha District acknowledged the Corps was aware of the lawsuit but doesn't comment on pending litigation.

The "mass action lawsuit" seeks to have the legal challenge recognized by the courts, then address each plaintiff's claim on its own.

The lawsuit, *Ideker Farms, Inc. et al. v. the United States of America*, was filed in the U.S. Court of Federal Claims in Washington. The plaintiffs are represented by two law firms, Polsinelli of Kansas City, Mo., and Cohen Milstein Sellers & Toll of Washington, D.C.

The lawsuit was filed on behalf of farmers and other property owners in Missouri, Kansas, Iowa, Nebraska and South Dakota, according to a news release. The suit seeks damages sustained from one or more floods in 2007, 2008, 2010 and 2011. All four floods received a presidential disaster declaration.

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ROB NIELSEN/P&D

Workers from Welf Construction Corp. work on the future home of the Heartland Humane Society. The space they're working in will eventually house kennels and vet services.

Heartland Humane Society's Moving Day On The Horizon

BY ROB NIELSEN
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The Heartland Humane Society (HHS) is another step closer to opening the doors of its new facility on East Highway 50 in Yankton. The construction phase of renovations on the former Yankton Motor Company building have commenced and fundraising is about to enter its next phase.

HHS Executive Director Kerry Schmidt said so far the process of moving into the new building is on track.

"We're moving ahead at a pretty good pace," Schmidt said. "We had a lot of volunteer opportunities in February and January, and got the majority of the move-in part of the shelter painted and ready to go. We have to finish some projects here in March. Welf Construction (of Yankton) started work last week at the shelter, so we are currently in the

process of installing some new plumbing, upgrading water lines and building a laundry/grooming facility, and putting up a few walls to help us with temporary housing for animals until we can move into phase two of the project."

Additionally, window signs have been donated by Signs by Design. Sherwin Williams donated the paint used in the building.

Schmidt said she anticipates being in the building by Easter at the latest.

She added that fundraising for the initial phase of construction was a success and the next phase will deal with the garage portion of the building.

"The first part of the project, as far as giving us the ability to move in here, is about \$60,000 and that includes upgrading the phone systems, the paint and the phase-one

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TOMORROW: Looking At RTEC's Impact On Students

