

# South Dakota Tribe To Open Nation's 1st Marijuana Resort

BY REGINA GARCIA CANO  
Associated Press

FLANDREAU — The Santee Sioux tribe has already proven its business acumen, running a successful casino, a 120-room hotel and a 240-head buffalo ranch on the plains of South Dakota. But those enterprises have not been immune to competition and the lingering effects of the Great Recession, so the small tribe of 400 is undertaking a new venture — opening the nation's first marijuana resort on its reservation. The experiment could offer a new money-making model for tribes nationwide seeking economic opportunities beyond casinos.

Santee Sioux leaders plan to grow their own pot and sell it in a smoking lounge that includes a nightclub, arcade games, bar and food service, and eventually, slot machines and an outdoor music venue.

"We want it to be an adult playground," tribal President Anthony Reider said. "There's nowhere else in American that has something like this."

The project, according to the tribe, could generate up to \$2 million a month in profit, and work is already underway on the growing facility. The first joints are expected to go on sale Dec. 31 at a New Year's Eve party.

The legalization of marijuana on the Santee Sioux land came in June, months after the Justice Department outlined a new policy that allows Indian tribes to grow and sell marijuana under the same conditions as some states.

Many tribes are hesitant to jump into the pot business. And not everyone in Flandreau, about 45 miles north of Sioux Falls, believes in the project. But the profit potential has attracted the interest of many other tribes, just as the debut of slot machines and table games almost 27 years ago.

"The vast majority of tribes have little to no economic opportunity," said Blake Trueblood, business development director at the National Center for American Indian Enterprise Development. For those tribes, "this is something that you might look at and say, 'We've got to do something.'"

Flandreau's indoor marijuana farm is set against a backdrop of soybean fields. If not for a security booth outside, the building could pass as an industrial warehouse.

Inside, men are working to grow more than 30 different strains of the finicky plant, including those with names like "Gorilla Glue," "Shot Glass" and "Big Blue Cheese."

Pot is prone to mildew and mold, picky about temperature and pH level and intolerant to tap water. So the Santee Sioux have hired Denver-based consulting firm Monarch America to teach them the basics.

Tribal leaders from across the country and South Dakota legislators will tour the Flandreau facility in mid-October.

"This is not a fly-by-night operation," said Jonathan Hunt, Monarch's vice president and chief grower. Tribal leaders "want to show the state how clean, how

efficient, how proficient, safe and secure this is as an operation. We are not looking to do anything shady."

Elsewhere, crews have begun transforming a bowling alley into the resort.

A marijuana resort open to the public has never been tried in the U.S. Even in states such as Colorado and Washington, where pot is fully legal, consumption in public places is generally forbidden, although pro-pot activists are seeking to loosen those restrictions. Colorado tolerates a handful of private marijuana clubs.

Unlike the vast reservations in western South Dakota, where poverty is widespread, the little-known Flandreau Santee Sioux Reservation is on 5,000 acres of gently rolling land along the Big Sioux River. Trailer homes are scarce and houses have well-trimmed lawns.

The Santee Sioux hope to use pot in the same way that many tribes rely on casinos — to make money for community services and to provide a monthly income to tribal members. The existing enterprises support family homes, a senior living community, a clinic and a community center offering afterschool programs.

Reider hopes marijuana profits can fund more housing, an addiction treatment center and an overhaul of the clinic. Some members want a 24/7 day care center for casino workers.

The prosperity that marijuana could bring to Indian Country comes with huge caveats. The drug remains illegal under federal law, and only Congress can change

its status. The administration that moves into the White House in 2017 could overturn the Justice Department's decision that made marijuana cultivation possible on tribal lands.

Meanwhile, tribes must follow strict security measures or risk the entire operation.

The marijuana cannot leave the reservation, and every plant in Flandreau's growing facility will have a bar code. After being harvested and processed, it will be sold in sealed 1-gram packages for \$12.50 to \$15 — about the same price as the illegal market in Sioux Falls, according to law enforcement. Consumers will be allowed to buy only 1 gram — enough for two to four joints — at a time.

Want another gram? The bar-coded package of the first gram must be returned at the counter.

Since the Santee Sioux announced their plans, the Passamaquoddy Tribe in Maine signed a letter of intent with Monarch to build a cultivation facility for industrial hemp. The Suquamish Tribe and Washington state officials signed a 10-year agreement that will govern the production, processing and sale of pot on the tribe's land.

In the long run, Reider is certain that the benefits will outweigh the risks of tribal marijuana enterprises.

The tribe, he said, must "look at these opportunities because in order to preserve the past we do have to advance in the present."

## Former South Dakota Gov. Walter Dale Miller Dies

BY DIRK LAMMERS  
Associated Press

SIoux FALLS — Former South Dakota Gov. Walter Dale Miller, who stepped in as the state's leader in 1993 after a plane crash killed his predecessor, died Monday night. He was 89.

Miller served as the state's 29th governor through 1995, taking the oath of office on April 20, 1993, a day after the plane carrying Gov. George Mickelson and seven others went down in eastern Iowa.

South Dakota Gov. Dennis Daugaard said Miller was a friend who assumed the governorship at a time of tragedy and sorrow.

"He provided a steady hand as our state mourned the loss of Gov. Mickelson," Daugaard said in a statement. "Through his long career in public office, Walt worked hard and put South Dakota first."

Mickelson's son, state Rep. Mark Mickelson, said the 20-year veteran of the legislature was a strong leader and the perfect man to take over from his father.

"Walter was a steady hand during a very difficult time," Mickelson said Tuesday.

Miller was born near the towns of Viewfield and New Underwood on Oct. 5, 1925, and spent his life on his family's ranch.

The tall, lanky cowboy epitomized the western South Dakota rancher, Mickelson said, and Miller almost never appeared in public without his cowboy boots. A toothpick often dangled from Miller's mouth, and when he ventured outside he completed the look with a western-style sport coat and a cowboy hat.

After attending the South Dakota School of Mines and Technology, Miller ran the 7,000-acre family ranch and was president of Dakota National Life Insurance Co. from 1970 to 1985.

Miller was a prominent Republican member of the state House of Representatives from 1967 through 1986, and he's the only person in state history to serve as speaker, speaker pro tempore, majority leader, assistant majority leader and majority whip. Mickelson said the House was in good hands with Miller and Joe Barnett from Aberdeen at the helm.

"They were institutions and they ran the House," he said. "And it worked well."

Attorney General Marty Jackley, a fellow Meade County native who had served as Miller's business lawyer, described Miller as a strong, passionate leader who was honest and direct.

"He said what he meant, and meant what he said," he said.

Miller was instrumental in Jackley's decision to go into public service, and

Jackley continued to seek Miller's counsel when he took on the role of state attorney general for advice on how to navigate the waters of running for statewide office, meeting key players and attending Republican conventions.

"That was what his leadership quality was," Jackley said. "He would give you advice, and then irrespective of your decision he would help you achieve that."

When George Mickelson won the 1986 gubernatorial race, he made Miller the state's first full-time lieutenant governor and appointed him chairman of a number of task forces. Miller at that time said he had no political ambitions and only wanted to help make the Mickelson administration a success.

But all that changed six years later when Mickelson was killed in the plane crash. Within months of the crash, Miller decided to seek his own term as governor in the 1994 election but lost in the GOP primary to Bill Janklow, who went on to win another term as governor after previously serving eight years in that role.

Miller and his first wife, Mary, who died in 1989, had three daughters and one son. On the Fourth of July 1993, Miller married Pat Caldwell, who had worked as executive assistant to Miller in the lieutenant governor's office for about five years.

## Keystone XL Developer Drops Landowner Lawsuits In Nebraska

BY GRANT SCHULTE  
Associated Press

LINCOLN, Neb. — The developer of the Keystone XL pipeline is shifting course in Nebraska and will withdraw lawsuits seeking to gain access to the property of landowners who oppose the project, the company announced Tuesday.

TransCanada Inc. said it will abandon its current efforts to invoke eminent domain through the courts and will reapply for state approval despite having received the go-ahead from former Republican Gov. Dave Heineman in 2013.

Heineman approved the project under a now-contested pipeline-siting law that granted him the final say over the project's route through Nebraska. TransCanada spokesman Mark Cooper said the company will instead seek a review from the Nebraska Public Service Commission — a small, elected group that regulates most pipeline projects — as many opponents have wanted.

Cooper said the company intends to seek approval for the same route that was ap-

proved by the governor, but reapplying through the commission provides "the clearest path to achieving route certainty," given the lawsuits that sought to overturn Nebraska's 3-year-old pipeline-siting law.

"It ultimately saves time, reduces conflict with those who oppose the project and sets clear rules for approval of the route," Cooper said.

Opponents argued in court that the law was invalid because it allowed TransCanada to circumvent the commission and receive approval from Heineman, who supported the pipeline. Under Nebraska's constitution, the commission has the authority to regulate "common carriers" such as pipelines and railroads.

The company and its supporters argued that the law is valid, and noted that the project was reviewed once by the Nebraska Department of Environmental Quality and five times by the U.S. State Department.

Pipeline opponents celebrated the announcement as a major victory, but still called on President Barack Obama to reject a presidential permit for the project. Federal approval is required because the pro-

ject crosses the U.S.-Canadian border.

"TransCanada is a desperate company in an ever-losing situation in Nebraska," said Jane Kleeb, executive director of the group Bold Nebraska. "Farmers and ranchers continue to stand up to this reckless foreign corporation and we continue to win."

The pipeline would travel from Canada through Montana and South Dakota to Nebraska, where it would connect with existing pipelines to carry more than 800,000 barrels of crude oil a day to refineries along the Texas Gulf Coast.

In January, the Nebraska Supreme Court allowed the pipeline-siting law to stand by default. Four judges on the seven-member court ruled in favor of landowners who challenged the law, but a super-majority of five was needed.

The remaining three judges refused to rule on the law, arguing that they couldn't because the plaintiffs in the lawsuit didn't have legal standing. Opponents responded by filing a nearly identical lawsuit with land-

owners who were directly affected.

Cooper said 91 percent of Nebraska landowners along the pipeline route have agreed to easements so the company can build the pipeline.

Cooper said TransCanada could apply to the Public Service Commission as early as Friday. Reviews by the commission generally take seven months to a year to complete, and its decisions can be appealed in the state's district court system.

Art Tanderup, a farmer and pipeline opponent whose land is on the proposed route, said he's confident the commission will not allow the pipeline to cross the Sandhills — a region of fragile, grass-covered sand dunes — or the Ogallala Aquifer, a major groundwater supply that lies beneath Nebraska and parts of seven other states.

"This is a victory for landowners standing up to prevent a foreign corporation from taking their land for corporate greed through eminent domain," he said.

## Jury Deliberating Over NFL Player's Son

CANTON (AP) — A jury in South Dakota is deciding the fate of a man accused of killing the 2-year-old son of Minnesota Vikings running back Adrian Peterson.

Jury deliberations in the case against 29-year-old Joseph Patterson began Tuesday, following two weeks of tense and often technical testimony.

Patterson has pleaded not guilty to second-degree murder and other charges in the October 2013 death of Tyrese Robert Ruffin, who was the son of his girlfriend and Peterson.

Patterson's defense maintained during the trial that Tyrese choked on a fruit snack. A doctor who testified for the defense said autopsy photos indicate injuries consistent with a child being given CPR after choking.

Prosecutors argued Patterson assaulted Tyrese while they were alone in an apartment.

Patterson faces a mandatory life prison sentence if convicted of second-degree murder.

## Turner Buys 'Dances With Wolves' Ranch

FORT PIERRE (AP) — Media mogul Ted Turner has bought a South Dakota ranch that was the setting for part of the Academy Award-winning movie "Dances with Wolves."

Triple U Buffalo Ranch owner Kay Ingle confirmed the sale to the Capital Journal newspaper in Pierre and KCCR radio, saying the family is selling the property to pay off debts.

Auctioneer Scott Shuman also confirmed the sale to KCCR. The Capital Journal reported that the registered deed for the ranch shows it was sold to a limited liability partnership based at another South Dakota buffalo ranch that Turner owns.

Turner spokesman Phillip Evans told the newspaper that Turner does not comment on private business deals.

The price listed with the register of deeds is \$32.4 million, or about \$720 per acre. Turner is worth about \$2.2 billion, according to Forbes Magazine. He owns three ranches in Argentina and 15 in seven U.S. states, according to the Ted Turner Enterprises website.

Ingle's parents, Roy and Nellie Houck, bought the ranch in the mid-1900s. The buffalo and horses on the ranch are included in the sale, according to Ingle's daughter, Darla Tibbs, who is married to Raymond Tibbs, a great-nephew of the late rodeo legend Casey Tibbs.

"We're done with this now. It's in Mr. Turner's control and it's his operation," she told the Capital Journal.

"Dances with Wolves" was a 1990 western epic about a Union Army soldier who befriends Lakota Indians. Kevin Costner, who co-produced, directed and starred in the movie, filmed much of it in central and western South Dakota. It won seven Academy Awards, including best picture and best director.

## Police Officer Cleared In Fatal Shooting

PIERRE (AP) — South Dakota Attorney General Marty Jackley says a Mitchell police officer who fatally shot a man was justified in using lethal force.

Police Officer Russ Stevenson shot and killed 37-year-old Curtis Meyer on Sept. 4 during a struggle for the man's gun after Stevenson responded to an early morning noise complaint.

Jackley's report says Meyer was legally drunk and had been making suicidal statements the night of the shooting.

## AG Opposes Request In Marriage Case

LINCOLN, Neb. (AP) — The Nebraska attorney general's office is objecting to a new effort by a civil liberties group to have both same-sex spouses listed as parents on their children's birth certificates.

State attorneys argued in a news release Tuesday that plaintiffs in the case are adding statements from couples who were not part of their original lawsuit and claiming additional rights not addressed in the original filings. The original lawsuit challenged Nebraska's same-sex marriage ban.

The American Civil Liberties Union of Nebraska asked a judge last week to order state officials to list both spouses on birth certificates. The group says the Nebraska Department of Health and Human Services has refused to provide married gay couples with birth certificates for their children on the same conditions as married straight couples.

## Judge Allows Republican River Lawsuit

OMAHA, Neb. (AP) — A group of Nebraska farmers who say their crops suffered because the state improperly deprived them of irrigation water from the Republican River can proceed with their lawsuit.

Attorney David Domina, who represents the group of about 150 farmers, said Tuesday that District Judge James Doyle had rejected the state's motion to dismiss the case.

Domina says the farmers in the Frenchman Cambridge Irrigation District agree the state had the authority to send the water to Kansas in 2013 to comply with the Republican River Compact.

But Domina says the farmers should have been compensated for that irrigation water the lost.

A spokeswoman for the state Attorney General said she couldn't immediately comment on the ruling Tuesday afternoon.

## Nebraska Schools Hailed For Excellence

OMAHA, Neb. (AP) — Five Nebraska schools have been recognized as National Blue Ribbons Schools for 2015.

The honors announced Tuesday are based on overall academic excellence or progress in closing achievement gaps among student subgroups.

The U.S. Education Department will honor 285 public and 50 private schools at recognition ceremonies on Nov. 9-10 in Washington.

The five schools are: Arapahoe Elementary School in Arapahoe; Bancroft-Rosalie Elementary School in Bancroft; Douglas County West Elementary School in Valley; St. Robert Bellarmine School in Omaha; and Washington Elementary School in Norfolk.


## 5 Teens Suspected Of ATM Fraud

LINCOLN, Neb. (AP) — Five California teenagers who may be part of a national ATM fraud scheme have been arrested in Nebraska, authorities said.

The five were arrested Friday and remained in Lancaster County custody on Tuesday, Lincoln police spokeswoman Katie Flood said. She didn't know whether they have been charged.

Court documents said Pinnacle Bank staffers, following up on a customer complaint about trouble with one of its ATMs, found electronic devices attached to three of the bank's ATMs in Lincoln that "skim" and record bank card numbers and PIN information.

Police staked out the ATMs and soon saw a teenager drive up to one but then drive off without using the machine, according to the *Lincoln Journal Star*. He resembled a youth who was seen on the ATM's security camera, planting the device.



### Closing Early

## Wednesday, Sept. 30

ConvenientCare will be open Wednesday from 5-7pm, but will be closing early due to electronic medical record updating. Yankton Medical Clinic Pharmacy will remain open until 9pm. We apologize for any inconvenience.

**Regular Clinic Hours:**  
M-F: 8am - 5pm Sat: 8:30am - Noon

**ConvenientCare Hours:**  
M-F: 5pm - 9pm Sat & Sun: Noon - 5pm