

# E Growing Families & Opportunities Vol. 137 No. 26 & Groton, South Dakota & Wednesday, Feb 26, 2020 & Established in 1889

# Five Groton grapplers head to state!



A pep rally was held Tuesday afternoon for the five Groton Area grapplers heading to the state tournament this weekend in Sioux Falls. The high school wrestlers had to grappler with a younger Tuff Tiger and all of the younger Tuff Tigers won! Pictured above are Dragr Monson pictured with Parker Zoellner, Grady O'Neill with Kyson Kucker, Christian Ehresmann pictured with Bentley Ehresmann, Lane Krueger pictured with Keagan Kucker and Thomas Cranford pictured with Mason Locke. In front in the referee for the event, Ryan Scepaniak. (Photo by Paul Kosel)



# Dinger, Meier in Middle School All State Band

The South Dakota Music Education Association will present the SD Middle School All-State Band on March 7, 2020 at the Mitchell Performing Arts Center at 3:00 PM. This concert will feature over 200 6th-8th graders from across the state performing in two bands under the direction of Dr. Haley Armstrong (School of Mines & Technology) and Dr. Cassandra Bechard (University of Dubuque).

Groton Area School is proud to have Gretchen Dinger and Lydia Meier participating this year. Gretchen is a 7th grader and was selected as a fourth chair Honor Band Member. She is attending Middle School All State Band for the second year in a row. Lydia is an 8th grader and was selected to be apart of the Festival Band.

There is a \$5.00 admission fee for the concert, tickets will be available for purchase at the door the afternoon of the concert. Students 18 and under are free. Congratulations Gretchen and Lydia! We are so proud of you!

From left to right: Gretchen Dinger (Flute) and Lydia Meier (Trumpet) Students are directed by Mrs. Desiree Yeigh and Mr. Austin Fordham.

(Courtesy photo)

#### Groton to host first round games

The Groton Area basketball teams will be hosting the first round region games next week. The girls will play Monday and the boys Tuesday. The games will be at 7 p.m. both nights at the Groton Area Arena.



# Classifieds and Card of Thanks

The following rates are for Classifieds published in both the Groton Daily Independent and the Groton Independent, and posted online at www.grotonsd.net. Cut rate in half if you just want it in the GDI or just the weekly. 1 Week: \$9 for first 30 words, 20¢/word thereafter 2 Wks: \$17 for first 30 words, 38¢/word thereafter 3 Wks: \$24 for first 30 words, 54¢/word thereafter 4th consecutive week is free **605/397-NEWS (6397)** PO Box 34, Groton SD 57445

#### EMPLOYMENT

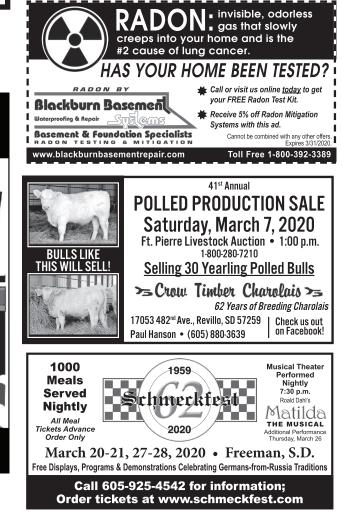
SPEECH-LANGUAGE PATHOLOGIST and/or Speech-Language Pathology Assistant. Northwest Area Schools in Isabel, South Dakota, is seeking a Speech and Language Pathologist and/or a Speech and Language Pathology Assistant. South Dakota licensure is required. NWAS offers competitive salary, benefits, transportation and SD Retirement. Position is open until filled. Contact Quinn Lenk, Director, at 605-466-2206, or email quinn.lenk@ k12.sd.us

CEO/GM POSITION with Scranton Equity Exchange, Scranton, ND. Manage very successful multi-location cooperative. Grain experience preferred. For consideration, submit resume David.lemmon@chsinc.com 320-219-0270 https://chsmembercooperative.catsone.com/ careers/

CATHOLIC SOCIAL SERVICES COMMUNI-CATIONS AND DEVELOPMENT DIRECTOR: Responsible for all communications, marketing and fundraising programs for a 25-employee social service agency in Rapid City, S.D., serving all of western South Dakota. Special emphasis on social media marketing, digital publishing and major event planning and coordination. Position requires a minimum BA or BS degree in related field; strong organizational skills; basic understanding of Catholic social justice teachings; full range of digital marketing skills. Position reports to the Executive Director and the Development Committee. Salary commensurate with experience. Full benefit package. Send cover letter and resume to 529 Kansas City Street, Rapid City, SD 57701 or to css@cssrapidcity.com. Application deadline April 30, 2020.

#### **MISCELLANEOUS**

GOT LAND? Our Hunters will Pay Top \$\$\$ to hunt your land. Call for a Free info packet & Quote. 1-866-309-1507 or www.BaseCampLeasing.com.



#### **Brown County** Feb 18, 2020 **Meeting Minutes**

February 18, 2020 – GENERAL MEETING

Meeting called to order by Commission Chair Kippley at 8:45 A.M. in the Commissioner's Chambers, Courthouse Annex, Brown County, SD. Present were Commissioners Feickert, Fjeldheim, and Wiese. Com-missioner Sutton was absent. Commissioner Fieldheim led the Pledge of Allegiance. MINUTES:

Moved by Wiese seconded by Feickert to approve the general meeting minutes from February 11th, 2020. All members present voting aye. Motion carried.

CLATMS and PAYROLL:

Moved by Fjeldheim seconded by Wiese to approve the following claims and payroll: Payroll: Commission

\$4,285.10; Auditor \$8,721.00, Treasurer \$13,559.01; SA \$22,330.37; SVAWA \$1,193.49; Maintenance \$7,921.84; As-sessor \$12,798.94; Register of Deeds \$8,983.40; VSO \$4,285.10; Auditor \$8,721.00; of Deeds \$8,983.40; VSO \$2,568.70; GIS \$2,387.50; IT \$8,583.07: HR \$2,173.85: Sheriff \$39,474.26; Jail \$47,764.59; Court Security \$4,427.03; JDC \$22,312.50; Welfare \$2,077.70; Museum \$7,498.76; Parks/Fair-grounds \$4,986.55; Fair Board \$3,976.56; 4-H \$642.79; Weed \$901.58; Planning & Zoning \$4,499.44; Highway \$46,327.29; Dispatch \$26,643.01; Emergency \$4,119.58; Teen Court \$503.99; JDAI \$1,596.93; 24/7 Sobriety \$3,421.40; Landfill \$12,802.14; MATCHING BENEFITS: fica @\$19,559.92, Medicare @ \$4,574.47, Discovery HSA. @ \$175.00.CLAIMS: Insurance: Insurance Plus \$102.68; SDPAA \$1,145.23. Professional Fees: BMI Music License \$358.00; Dohrer Law Office \$914.50; Haar Law Office \$292.60; Mark Katterhagen \$33.00; Kuck Law Office \$86.80; LaCroix Law Office \$243.05; Language Line Services \$1,143.28; Lewis & Clark BHS \$712.00; Lucy Lewno \$420.00; Lincoln Co. Treasurer \$101.25; Darcy Lockwood \$33.00; Microfilm Imaging Systems \$1,530.00; SDACHS \$275.00; Christy Griffin-Serr Law Office \$3,222.00; Jodi Sudweeks \$45.60; US Bank \$566.87; Yankton Co. Sheriff \$100.00; Yankton Co. Treasurer \$451.20. Publishina: Aberdeen American News \$243.25; Midstates Printing \$450.00. Réntals: 446-Praxair \$26.71. Repairs & Maintenance: Aberdeen Area Radiator \$288.00; Cintas \$153.42; Digi Security Systems \$564.00; DMC Wear Parts \$275.00; Leidholt Electric \$504.03; Midwest Pump & Tank \$65.54; Newman Signs \$14.19; Pantorium \$55.00; US Bank \$107.36. Supplies: A&B Business Solutions \$127.90; Aberdeen Downtown Assn \$280.00; Advance Auto \$1,301.02; Scott Bader \$70.38; DSG \$2,156.16; DMC Wear Parts \$14,720.00: Hansen Tools \$116.00; Kyle Hoeltzner \$375.99; Lucy Lewno \$15.25; Midwest Pump & Tank \$95.32 Newman Signs \$2,334.80: NVC \$26.31; Performance Oil & Lubricants \$290.00; PharmChem \$100.55; US Bank \$12,831.52; Jeff's Home Improvement \$285.71. Travel & Conference: Mark Milbrandt \$112.00; US Bank \$954.98. Utilities: Aberdeen City Treasurer \$412.12; CenturyLink \$1,166.09; City of Hecla \$240.30; Dependable Sanitation \$348.00; Executive Mgmt \$82.35: James Valley Telecommunications \$218.30; North-ern Electric \$3,525.69; NWPS 3.99 481.19 US Bank \$729.24; Verizon \$3,541.77; Web Water Development \$79.12. Other: William Bishop \$98.00; Safe Harbor \$583.67; SDACO \$854.00. All members present voting aye. Motion carried.

erty from its present zoning designation as Chapter 4.06 Agricultural Preservation District (AG-P) to Chapter 4.07 Mini-Aq District (M-AG): Lots 1&2, "Geist Subdivision" in the N1/2NE1/4 of Section 29-T123N-R62W of the 5th P.M., Brown County, South Dakota . All members present

voting aye. Motion carried. ORD 157- FIRST READING:

Moved by Fjeldheim, sec-onded by Wiese to approve first reading of ordinance 157, an Ordinance to amend Title 4-Zoning, Second Revision Brown County Ordinances, to rezone the following described property from its present zoning designation as Chapter 4.06 Agricultural Preservation District (AG-P) to Chapter 4.07 Mini-Ag District (M-AG): "Wayne Cutler Subdivision" in the NE1/4 of Section 9-T125N-R60W of the 5th P.M., Brown County, South Dakota. All members present voting aye. Motion carried. ORD 158- FIRST READING:

Moved by Feickert, seconded by Fjeldheim to approve first reading of ordinance 158, an Ordinance to amend Title 4-Zoning, Second Revision Brown County Ordinances, to rezone the following described property from its present zoning designa tion as Chapter 4.06 Agricultural Preservation District (AG-P) to Chapter 4.10 Lake Front Residential (R-3): Lot 2A of Lot 2 Schaeffer Richmond Lake Subdivision" in the NW1/4 of Section 25-T124N-R65W of the 5th P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

APPLICATION FOR OCCU-PANCY:

Moved by Feickert, seconded by Fjeldheim to approve applications for occupancy with Northern Electric for primary voltage electrical at the follow ing locations: Occupancy of Brown County Highway 148th st in Section 33, Township 121N, Range 65 W; Brown County Highway 148th St in Section 31 Township 121 N, Range 65W; Brown County Highway 148th Street in Section 34, Township 121N, Range 65W of the 5th P.M., Brown County, South Dakota. All members present voting aye. Motion carried.

HIGHWAY DEPARTMENT UP-DATE:

Dirk Rogers (Highway Superintendent) met to update the commission on highway projects and answer questions.

SET BID DATE HAULING CON-TRACT: Moved by Wiese, seconded

by Feickert to set public hearing and authorize advertising for public hearing to open, read and consider sealed bids for solid and yard waste collection service at Brown County container sites. Hearing date set for March 10, 2020, at 8:45 a.m. in the Brown County Courthouse Commission Chambers. All members present voting ave. Motion Carried.

LANDFILL GROUNDWATER MONITORING CONTRACT:

Moved by Fjeldheim, seconded by Wiese to authorize chair sign contract with WSP USA INC, (WSP) to provide professional services related to the Brown County Landfill with a project budget of \$58,800. All members present voting aye. Motion Carried.

LANDFILL DEPARTMENT UP-DATE:

Mike Scott (Landfill Manager) gave an update on the landfill and discussed the beginning stages of cell 4 development. SHERIFF REPORTS:

Moved by Fjeldheim seconded by Wiese to approve the fol-

Magnascanner Magnetometer to landfill. The magnetometer is not serviceable and has no value. All members present voting aye. Motion carried.

EXECUTIVE SESSION:

Moved by Fjeldheim, sec-onded by Wiese to go into executive session to discuss personnel per SDCL 1-25-2(1). All members present voting ave. Motion carried.

The Chair declared the executive session closed with the following action taken: Moved by Fjeldheim, seconded by Feickert to remove Chief Information Officer effective immediately as services were no longer needed. Roll Call Vote: Sutton - absent, Wiese- Nay, Fjeldheim- Aye, Kip-pley – Aye, Feickert- Aye. Motion carried carried.

ADJOURNMENT:

Moved by Wiese, seconded by Fjeldheim to adjourn the Brown County Commission. All members present voting aye. Motion carried.

Cathy McNickle, Brown County Auditor

Published once at the total approximate cost of \$93.15. 18653

#### **Brown County** Solid & Yard Waste Collection

NOTICE SOLID & YARD WASTE COL-LECTION SERVICE

BROWN COUNTY CONTAINER SITES

Notice is hereby given that sealed bids will be received in the Chambers of the Brown County Board of Commissioners at the Court House Annex, Aberdeen, South Dakota, 57401, until 8:45 A.M. on March 10, 2020, at said time and place all bids will be publicly opened, read, and considered by the Brown County Board of Commissioners for the "BID ON THE SOLID & YARD WASTE COLLECTION SERVICE FOR THE BROWN COUNTY CON-TAINER SITES"

Envelopes containing bids shall be addressed to the Brown County Auditor, Brown County Courthouse Annex, 25 Market Street, Aberdeen, South Dakota, 57401, and are to be clearly marked on the outside of the envelope: "BID ON THE SOLID & YARD WASTE COLLECTION SER-VICE FOR THE BROWN COUINTY CONTAINERSITES "to be opened on Tuesday, March 10, 2020.

PROPOSAL GUARANTEE:.... The proposal guarantee required and must accompany each bid is a certified check, cashier's check or back draft. This guarantee must be certified or issued by a national or state bank and payable at sight to Brown County, South Dakota in the amount of five per cent (5%) of the total amount of the bid. In lieu thereof, bidder may furnish a bid bond of ten percent (10%) of the bid, such bond is to be issued, 'by a surety company authorized to do business in South Dakota and pavable to Brown County, South Dakota.

Brown County will give notice to the successful bidder that his/ her proposal has been accepted, and said bidder shall within ten (10) days thereafter enter into a contract with Brown County, South Dakota. The successful bidder shall also furnish proper certificates of insurance required by Brown County.

The Brown County Board of Commissioners reserves the right to accept or reject any or all bids that they deem to be in the best interest of Brown County, and to aive anv informa larities therein. Brown County is exempt from all Federal Excise Tax and State Sales Tax. Copies of the specifications are on file at the Brown County Auditor's Office and the Brown County Solid Waste Department Office and may be obtained at no charge.

as presented. Motion carried. No potential conflicts of interest were reported pursuant to

SDCL 23-3. Members of the public were allowed five minutes to address the board on any topic of their choice. With no public members present to speak, the board proceeded with their remaining agenda items.

Moved by Gengerke, second Rix to go into executive session at 7:01 pm pursuant to SDCL 1-25-2(2) for a student issue. Motion carried.

Smith declared the board out of executive session at 8:33 pm. Moved by Harder, second Pha-

ris to adjourn. Motion carried. M. J. Weber, Business Manager

Steven R. Smith, President The addition of signatures to

this page verifies these minutes as official.

Published once at the total ap-proximate cost of \$13.52. 18655

#### **Frederick Town** February 12, 2020 **Meeting Minutes** Town of Frederick

February 12, 2020 Minutes

Frederick's town board meeting was held Wednesday February 12, 2020 in the Frederick School lunch room beginning at 8 PM. The location of the board meeting was changed for the week due to an overlap in events at the Community Center, and the time was also moved later due to conflicts with the board members schedules. Attending the meeting were chairman R. Campbell, board members Troy Millard and Jeff Kosters, and assistant finance officer Mariah Heine.

Chairman Campbell opened the meeting and led in the Pledge of Allegiance.

The minutes of the January meeting were read and approved with a motion by Millard/Kosters. Motion carried. The financial statements were reviewed and accepted with a motion by Millard/Campbell. Motion carried. The February accounts payable was approved with a motion by Kosters/Millard. Motion carried.

ACCOUNTS PAYABLE

MDU electric Mun/Wtr/SP/ Swr/EBL/Sts/Swr/BP \$1,786.15; Badger Meter meter fees Wtr \$115.70; Century Bus Products printer lease + copies Gen'l \$92.86; D. Bruns CC Wage \$124.67; D. Bruns, Expenses Wtr \$39.85; D. Bruns wage FO \$1,438.05; FDC Econ Dev ..... \$1,200; Frederick Fire Department reimburse Sts \$65; FU Oil Co propane EBL/Mun Bldg \$1,225.22; GDI minutes Gen'l. \$43.78; J. Kosters wage Gen'l \$46.17; JHC Services, LLC hy-draulic fluid Sts \$75.01; JVT phone/svc/internet FO/EBL/Wtr/ \$340.58; M. Cox library Gen'l wage EBL \$566.58; M. Heine wage FO \$922.50; Menard's supnlies Wtr \$86.08: R. Bakeberg wage St/Wtr/Swr \$199.48; R. Bakeberg vehicle allow. St/Wtr/ Swr \$75; R.S. Campbell wage Gen'l \$69.26; SD Assoc of Twns & Tships dues Gen'l \$214.75; SD Department of Health test Wtr \$15; SD Dept of Rev tax Gbg \$83.60; T. Millard wage Gen'l \$46.17; True Value spplies Sts. \$25.47; USDA-RD loan Wtr \$475; WEB Water Wtr \$3,137.75

OLD BUSINESS The board discussed the wastewater project and payments due to Helm's and Associates. They decided to wait until after the pre-construction meeting and setting up of the line of

#### **Bates Township** Notice of Annual Meeting

Bates Township BATES TOWNSHIP ANNUAL MEETING NOTICE

Bates Township will hold its annual meeting and election on Tuesday, March 3rd, 2020 at the home of the Clerk, 14523 409th Ave, Conde.

Élection of officers and business meeting will be held at 6:30 p.m.

We will be receiving bids for road maintenance and gravel. Please mail bids to

Betty Geist, Bates Township Clerk, 14523 409th Ave., Conde, SD 57434 prior to meeting date.

Betty Geist, Township Clerk (0219.0226)

Published twice at the total approximate cost of \$14.69.

18645

#### **Riverside Twp.** Notice of Annual Meeting NOTICE OF CAUCUS AND

ELECTION IN RIVERSIDE TOWN-SHIP

Notice is hereby given that the annual Riverside Township Caucus and Election of Officers will be held Tuesday, March 3, 2020, at Bruce Sippel's Shop. Caucus 30 p.m., followed by election of officers from 8 p.m. to 9 p.m. Sealed bids will be accepted for 2.000 vards, more or less, of gravel, loaded and delivered to designated places in Riverside Township. The township board reserves the right to inspect the gravel before awarding the bid. Bids must be addressed to Bruce Sippel, Township Clerk, sealed and plainly marked "Bids for Gravel." Separate bids will be accepted for mowing weeds along road ditches. Bidders are to furnish township with name and address of insurance agent. Bids will be opened by the Board of Supervisors, Tuesday, March 2020, at Bruce Sippel's shop 3, at 7:30 p.m. The board reserves the right to accept or reject any

or all bids. Bruce Sippel, Township Clerk (0219.0226)

Published twice at the total approximate cost of \$23.51. 18649

### **Putney Township** Notice of

Annual Meeting NOTICE OF CAUCUS AND ELECTION IN PUTNEY TOWN-SHIP

Notice is hereby given that the annual Putney Township Caucus and Election of Officers will be held Tuesday, March 3, 2020, at Mark Thompson's Shop

Caucus at 3 p.m. followed by election of officers.

Sealed bids will be accepted for gravel, loaded and delivered, to designated placed in Putney Township. The township board reserves the right to inspect the aravel before awarding the bid. Bids must be addressed to Mark Thompson, Township Clerk, sealed and plainly marked "Bid for Gravel." Separate bids will be accepted for mowing weeds along road ditches, removal of snow and blading. Bidders are to furnish township with name and address of insurance agent. Bids will be opened by the Board of Supervisors, Tuesday, March 3, 2020, at Mark Thompson's Farm House shop at 3 p.m. The board reserves the right to accept or reject any or all bids.

#### **Frederick Town** February 20, 2020 Special Meeting

Town of Frederick Special Pre-Construction Meeting

February 20, 2020

A Special Pre-Construction Wastewater Project meeting was held Thursday, February 20, 2020, 11 AM, in the Frederick Community Center. Attending the meeting were Helms and Associates Engineer Brandon Smid, NECOG Program Coordinator Ted Dickey, Dahme Construction Co., Inc. Vice-President Hugh Dahme and Crew Foreman Don Ganie. Jr., USDA Rural Development Loan Specialist Val Jensen, Frederick Chairman R. Scott Campbell and Board Members Troy Millard and Jeff Kosters, Utility Manager Rich Bakeberg and Finance Officer Diane Bruns.

Chairman Campbell opened the meeting and passed the meeting lead to Smid whom said the Pre-Construction meeting is for answering questions. He explained the paperwork he had handed out. It included 'Responsibilities of Consulting Engineer' - Helms and Associates: Responsibilities of Association' City of Frederick; 'Responsibilities of Agency Representative' -USDA Rural Development where Jensen explained her handouts showing the payment estimates, change orders, and financial payments. Jensen represents the Governments interest in the project and they also conduct preliminary and final inspections.

'Responsibility of Contractor' - Dahme Construction Co., Inc., agreed to all terms of the contract relating to construction. Dahme passed out paperwork showing a rough time line of work to be done and a list of all suppliers and sub-contractors they will use. Don Ganje, Jr., was introduced as Project Manager. There is also an inspector for the project. A project meeting, open to the public, was agreed to on the 2nd Thursday of each month at Noon in the Frederick Community Center during construction.

'Other Agency Contributing to Project' - Rural Development/ USDA/NECOG will be represented at the meetings by Ted Dickey, NECOG Program Coordinator. NECOG will prepare reimbursement requests.

Many other terms were discussed from throughout the 10page handout from Smid.

After all questions had been answered the meeting was adjourned at 11:45 AM.

Diane Bruns,

Frederick Finance Officer Published once at the total approximate cost of \$22.92. 18657

## West Hanson Twp. Notice of

Annual Meeting

The annual meeting for West Hanson township will be held at the Red Horse in Groton on March 3, 2020 at 6:30 pm There will be an election of officers and other business necessary to address. In case of inclement weather. It will be on the next Tuesdav.

(0219.0226)

Published twice at the total approximate cost of \$9.40.

HR REPORT:

Moved by Wiese seconded by Feickert to approve the following HR Office Report, which includes the following personnel changes: Acknowledge employment end date of Tyler Nelson, Brown County Jail Correctional Officer effective February 13, 2020, and approve request to fill vacancy. Approve temporary hiring of Jenny White as Brown County Jail shift Sergeant (FT) at @ \$22.15 per hour, effective February 23, 2020. Approve hiring of Donovan Kopetsky as Brown County JDC Correctional Officer (PT) at \$14.19 per hour, effective February 18, 2020. All members present voting aye. Motion carried.

ORD 156- FIRST READING: Moved by Feickert, seconded by Fjeldheim to approve first reading of ordinance 156, an Ordinance to amend Title 4-Zoning, Second Revision Brown County Ordinances, to rezone the following described prop-

lowing January 2020 Sheriff Reports: Incidents and offenses. Prisoner care, JDC, and Money deposited with the County Treasurer. All members present voting aye. Motion carried.

FAIR CONTRACTS:

Moved by Feickert, seconded by Fjeldheim to approve the following fair contracts, Lew's Fireworks, Inc for fireworks display August 18, 2020 @ \$5,000; Jo Dee Messina (entertainment) @ \$25,000.; Piles of Smiles (enter-tainment) @ \$1,700; Randy Buker (entertainment)@ \$5,000; TAS, INC (carnival) on tiered ticket sales commission rate.; Gompf Displays (curtain rentals) @ \$1,985.0; Street Smart (Traffic signal rental) @ \$5,400.00; Sutton Rodeo @ \$44,000. All members present voting aye. Motion carried.

#### ABATEMENTS:

Moved by Fjeldheim, sec-onded by Wiese to approve the following abatements: Northern State University @ \$1,518.74 (tax-exempt sale), Aberdeen Aqua Addicts @ \$2,452.56 (taxexempt). All members present voting aye. Motion carried. SURPLUS EQUIPMENT:

Moved by Wiese, seconded by Feickert to authorize surplus of Garrett Pinpoint PD 6500

#### (0226.0304)

Cathy McNickle, Auditor Published twice at the total approximate cost of \$48,19. 18654

#### **Groton School** Feb. 19

Special Meeting UNOFFICIAL PROCEEDINGS OF BOARD OF EDUCATION GROTON AREA SCHOOL DIS-TRICT NO. 06-6 SPECIAL MEETING February 19, 2020 President Smith called the meeting to order at 7:00 pm in the High School Conference Room. Members present: Fliehs, Gengerke, Harder, Pharis, Rix, Smith and Weismantel. Others present were Superintendent chwan and Principal Sombke.

Moved by Weismantel, second Gengerke to approve the agenda credit. The board noted the new LED street lights. Also discussed were the fund statement from Wayside cemetery, past due bills, and a notice about opening a road from the US postal service. There are petitions for the upcoming board member opening available at the city office.

NEW BUSINESS

Motion to approve all cur-rent board members eligible to sign 440-11 USDA's request for concurrency made by Millard/ Campbell. Motion carried. The city's articles of incorporation were located and a copy will be kept in the safety deposit box at the bank. There was discussion about the possibility of extending water lines to go across the river if it would come up in the future. Other discussion included the consumer price index for 2021. the bid to fix the lighting in the community center, and the 2019 annual report.

Motion to adjourn made by Kosters/Millard at 8:48. Motion Carried.

M. Heine

Assistant Finance Officer Published once at the total approximate cost of \$31.74. 18656

Mark Thompson Township Clerk Published once at the total approximate cost of \$12.41. 18659

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Groton Independent  $\diamond$  Wed., Feb. 26, 2020  $\diamond$  3

19040

### The Groton Independent

21 N Main, Groton 605/397-NEWS (6397) Paul Irvin Kosel, Publisher paperpaul@grotonsd.net ~ 605-397-7460

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# February Students of the Month

From Back Left: Nathan Unzen (6th), Emma Kutter (8th), Sage Mortenson (11th), Megan Fliehs (10th)

From front Left: Anna Fjeldheim (8th), Sierra Ehresmann (9th), Payton Colestock (12th)

Groton Area MS/HS School works to ensure that all levels of academic instruction also include the necessary life skills teaching, practicing, and modeling that encourages essential personal life habits that are universally understood to facilitate helping our students become good human beings and citizens.

It is learning with our heads, hearts and hands to be caring and civil, to make healthy decisions, to effectively problem solve, to be respectful and responsible, to be good citizens, and to be empathetic and ethical individuals.

Students are selected based on individual student growth in the areas of: positive behavior, citizenship, good attendance, a thirst for knowledge, and high academic standards.

# Groton Prairie Mixed

February 19 Team Standings: Shih Tzus 3, Jackelopes 3, Chipmunks 3, Coyotes 1, Cheetahs 1, Foxes 1

Men's High Games: Brad Waage 214, Roger Colestock 203, Roger Spanier 202 Women's High Games: Darci Spanier 197, Karen Spanier 176, Nancy Radke 165 Men's High Series: Brad Waage 567, Roger Colestock 539, Brad Larson 533 Women's High Series: Karen Spanier 485, Nicole Kassube 468, Darci Spanier 453

February 12 Team Standings: Jackelopes 83, Cheetahs 75 1/2, Shih Tzus 72, Coyotes 68 1/2, Foxes 68, Chipmunks 63

Men's High Games: Roger Spanier 211, Brad Waage 209, Brad Larson 204 Women's High Games: Karen Spanier 165, Sue Stanley 164, Nicole Kassube 162 Men's High Series: Brad Larson 565, Brad Waage 562, Tony Waage 547 Women's High Series: Karen Spanier 456, Sue Stanley 449, Nicole Kassube 442

# Groton Coffee Cup League

Feb. 25 Team Standings: Ten Pins 24, Biker Chix 21, James Valley 17, Kens 10 High Games: Vickie Kramp 201, Nancy Radke 179, Mary Jane Jark 168 High Series: Vickie Kramp 511, Nancy Radke 452, Mary Jane Jark 449

Feb. 18 Team Standings: Biker Chix 21, Ten Pins 20, James Valley 14, Kens 9 High Games: Nancy Radke 171, 169; Vickie Kramp 162, 159; Heather Nelson 159 High Series: Nancy Radke 478, Vickie Kramp 468, Sam Bahr 159

Feb. 11 Team Standings: Biker Chix 18, Ten Pins 17, James Valley 13, Kens 8 High Games: Vickie Kramp 198, 188, Heather Nelson 147. Nancy Radke 145 High Series: Vickie Kramp 537, Nancy Radke 401, Heather Nelson 396

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# Conde National League

Feb. 24 Team Standings: Cubs 29, Mets 21, Giants 19, Braves 18, Tigers 17, Pirates 16 Men's High Games: Lance Frohling 200, 179; Ryan Bethke 180; Tim Olson 174. Men's High Series: Lance Frohling 544, Ryan Bethke 462, Butch Farmen 459 Women's High Games: Sandy Hoops 195, Nancy Radke 184, Mary Larson 181. Women's High Series: Joyce Walter 488, Vickie Kramp 488, Mary Larson 477, Nancy Radke 469.

Feb. 17 Team Standings: Cubs 29, Giants 19, Mets 17, Tigers 16, Braves 14, Pirates 13 Men's High Games: Troy Lindberg 199, 197; Butch Farmen 196; Rick Carlson 196; Lance Frohling 186

Men's High Series: Troy Lindberg 545, Lance Frohling 536, Butch Farmen 532 Women's High Games: Mary Larson 197, Sandy Hoops 154, Nancy Radke 152 Women's High Series: Mary Larson 438, Nancy Radke 413, Sandy Hoops 407

Feb. 10 Team Standings: Cubs 25, Giants 16, Tigers 15, Mets 14, Braves 14, Pirates 12 Men's High Games: Ryan Bethke 221; Austin Schulke 211; Russ Bethke 208, 200; Butch Farmen 202

Men's High Series: Russ Bethke 599, Butch Farmen 548, Ryan Bethke 515 Women's High Games: Vickie Kramp 189, 187; Nancy Radke 169; Mary Larson 162 Women's High Series: Vickie Kramp 523, Nancy Radke 472, Mary Larson 448

# Lady Tigers beat Milbank

Groton Area's defense provided problems for Milbank's shooters as the Tigers posted a 41-35 win over Milbank. The game was played in Groton Thursday night.

Groton Area led at the guarterstops at 9-6, 15-12 and 33-24. Groton Area opened up an 10-point lead in the game, 40-30, and held off a late Milbank rally for the win.

Gracie Traphagen led the Tigers with 19 points followed by Alyssa Thaller and Allyssa Locke with seven apiece, Brooke Gengerke had four and Madeline Fliehs and Kaycie Hawkins each had two points.

Groton Area made 14 of 47 shots for 29 percent while Milbank was 15 of 43 for 35 percent. From the line, Groton Area was 10 of 16 for 63 percent off of Milbank's 17 team fouls and Milbank was

three of five for 60 percent off of Groton Area's nine team fouls. The Tigers had eight turnovers while Milbank had 11.

Maurina Street led the Bulldogs with 15 points while Jaecy Engebretson had 12, Madi Thue four and Lindsey Mertens and Isabella Anderson each had two points.

Groton Area won the junior varsity game, 29-14. Scoring for Groton Area: Trista Keith 5, Sydney Leicht 4, Shallyn Foertsch 4, Maddie bjerke 4, Aspen Johnson 3, Emma Schinkel 3, Marlee Tollifson 2, Madeline Fleihs 2, Cadence Feist 1.

Jenna Dexter led Milbank with eight.

Milbank made a basket win the C game, 31-29.



Allyssa Locke gets ready to inwith four seconds left to **bound the ball.** (Photo by Paul Kosel)

Scoring for Groton Area: Emma Schinkel 10, Anna Fjeldheim 6, Carly Guthmiller 5, Sydney Leicht 4, Lydai Meier 2 and Cadence Feist 2. - Paul Kosel



Madeline Fliehs ties up Maurina Street in the scramble for the basketball. (Photo by Paul Kosel)



Gracie Traphagen looks for an opening through the Milbank defense. (Photo by Paul Kosel)

Latex and MP/Jar Balloons Groton Daily Independent 21 N Main 605-397-NEWS (6397)Delivery in the Groton area

# Five Groton Area wrestlers advance to state

Five of the seven wrestlers competing at the regional tournament Saturday in Sisseton have qualified for the state tournament. Dragr Monson was the regional champion at 113 pounds and also got his 100th win at the regionals. Grady O'Neill was the runner-up at 285 pounds. Christian Ehresmann placed third at 106 pounds and Lane Krueger at 182 pounds and Thomas Cranford at 160 pounds both placed fourth.

#### 106: Christian Ehresmann (27-14) placed 3rd and scored 18.0 team points.

Champ. Round 1 - Christian Ehresmann (Groton Area) 27-14 received a bye () (Bye)

Quarterfinal - Christian Ehresmann (Groton Area) 27-14 won by fall over Gannon Gilligan (Kingsbury County) 25-19 (Fall 4:41)

Semifinal - Gunnar Kvistad (Clark/Willow Lake) 38-5 won by decision over Christian Ehresmann (Groton Area) 27-14 (Dec 6-0) Cons. Semi - Christian Ehresmann (Groton Area) 27-14 won by fall over Ethan Opitz (Webster Area) 17-22 (Fall 1:54) 3rd Place Match - Christian Ehresmann (Groton Area) 27-14 won by decision over Jaxon Quail (Deuel) 22-17 (Dec 5-1)

won by fall over Cole Bisbee (Groton Area) 6-21 wood) 27-19 won by fall over Caleb Furney (Groton (Fall 0:24)

Cons. Round 2 - Cole Bisbee (Groton Area) 6-21 won by tech fall over Braeden Johnson (Clark/ Willow Lake) 5-26 (TF-1.5 4:11 (15-0))

Cons. Round 3 - Kadyn Weisser (Ipswich/Leola/ Bowdle) 11-9 won by decision over Cole Bisbee (Groton Area) 6-21 (Dec 9-6)

160: Thomas Cranford (17-12) placed 4th and scored 17.5 team points.

Champ. Round 1 - Thomas Cranford (Groton Area) 17-12 won by forfeit over forfeit forfeit (Tiospa Zina) 2-10 (For.)

Quarterfinal - Joe Hornick (Sioux Valley) 28-23 won by decision over Thomas Cranford (Groton Area) 17-12 (Dec 2-1)

Cons. Round 2 - Thomas Cranford (Groton Area) 17-12 received a bye () (Bye)

Cons. Round 3 - Thomas Cranford (Groton Area) 17-12 won by tech fall over Grant Weisser (Ipswich/Leola/Bowdle) 15-23 (TF-1.5 4:05 (16-0)) Cons. Semi - Thomas Cranford (Groton Area) 17-12 won by fall over Nate Kersting (Kingsbury County) 20-17 (Fall 4:35) 3rd Place Match - Joe Hornick (Sioux Valley) 28-23 won by decision over Thomas Cranford (Groton Area) 17-12 (Dec 10-3) 182: Lane Krueger (23-17) placed 4th and scored 13.5 team points. Champ. Round 1 - Lane Krueger (Groton Area) 23-17 received a bye () (Bye) Quarterfinal - Lane Krueger (Groton Area) 23-17 won by decision over Sam Grantham (Hamlin/ Castlewood) 24-19 (Dec 7-3) Semifinal - Gage Carter (Faulkton Area) 34-5 won by fall over Lane Krueger (Groton Area) 23-17 (Fall 2:47) Cons. Semi - Lane Krueger (Groton Area) 23-17 won by tech fall over Dylan Geary (Kingsbury County) 11-15 (TF-1.5 4:53 (17-2)) 3rd Place Match - Sean Domke (Redfield Area) 26-11 won by fall over Lane Krueger (Groton Area) 23-17 (Fall 2:17) 195: Caleb Furney (4-9) placed 6th and scored 3.0 team points.

Area) 4-9 (Fall 4:28)

Cons. Round 1 - Caleb Furney (Groton Area) 4-9 received a bye () (Bye)

Cons. Semi - Owen Kerkvliet (Kingsbury County) 16-14 won by decision over Caleb Furney (Groton Area) 4-9 (Dec 11-4)

5th Place Match - Connor Appel (Redfield Area) 21-15 won by fall over Caleb Furney (Groton Area) 4-9 (Fall 1:47)

#### 285: Grady O`Neill (25-16) placed 2nd and scored 18.0 team points.

Quarterfinal - Grady O`Neill (Groton Area) 25-16 received a bye () (Bye)

Semifinal - Grady O'Neill (Groton Area) 25-16 won by fall over Ethan Skarnagel (Sisseton) 12-24 (Fall 4:49)

1st Place Match - Joey Hubsch (Webster Area) 33-5 won by fall over Grady O'Neill (Groton Area) 25-16 (Fall 1:35)

#### 113: Dragr Monson (36-7) placed 1st and scored 26.0 team points.

Champ. Round 1 - Dragr Monson (Groton Area) 36-7 won by fall over Parker Gill (Ipswich/Leola/ Bowdle) 8-20 (Fall 1:19)

Quarterfinal - Dragr Monson (Groton Area) 36-7 won by fall over Joshua Kannegieter (Clark/Willow Lake) 24-22 (Fall 1:15)

Semifinal - Dragr Monson (Groton Area) 36-7 won by decision over Cael Larson (Webster Area) 35-9 (Dec 4-2)

1st Place Match - Dragr Monson (Groton Area) 36-7 won by decision over Riley Whitley (Redfield Area) 17-1 (Dec 7-5)

152: Cole Bisbee (6-21) scored 2.5 team points.

Champ. Round 1 - Cole Bisbee (Groton Area) 6-21 received a bye () (Bye)

Quarterfinal - Cullen McNeil (Redfield Area) 27-11

Quarterfinal - Michael Stevenson (Hamlin/Castle- Groton Independent & Wed., Feb. 26, 2020 & 5

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# S.D. hunter residency investigation and arrest create 'nightmare' for retired combat veteran

The legal language describing who qualifies as a South Dakota resident when it comes to instate hunting privileges is laid out in state law, but the real-world definition is now murkier than ever.

A recent drawn-out, highly charged criminal case in South Dakota could have further defined residency, particularly when it comes to so-called "snow birds" or part-time residents. Instead, the case has done the opposite, adding confusion rather than clarity to what it takes to become a resident and upending the life of a retired combat veteran along the way.

The recently settled criminal case in Aurora County has left the retired optometrist and veteran outraged and feeling persecuted, and has left state game officials and a local prosecutor disappointed that they were unable to convict the doctor of fraudulently obtaining resident hunting licenses.

Neither side of the equation says it feels good about the outcome of the case that involved an extensive two-year state investigation and cost the doctor nearly \$20,000 in legal fees, and which even swelled to involve Kelly Hepler, secretary of the South Dakota Game, Fish & Parks Department.

The case has also called into question the language in the GFP "Hunting and Trapping Handbook" — of which 180,000 free copies are distributed annually — that guides people on how to qualify as a legal resident for hunting purposes.

The defendant in the 2019 case was Jeffrey Peters, 64, a retired optometrist and a lieutenant colonel who served 30 years combined in the Army and National Guard, including a stint with the 101st Airborne Division in 2003-04 in which he treated the medical and ocular issues of U.S. soldiers while at Camp Anaconda and other sites on the front lines of the war in northern Iraq.

A state game official involved in the case said Peters' military record is laudable but is not relevant to the criminal case or whether he is a legal resident.

Peters was born and raised in Stickney, S.D., graduated from South Dakota State University, and spent most his career as an optometrist in Colorado.

Peters owns 581 acres of pastureland in

Aurora County, and Peters' goal in 2017, he said, was to shift his life back to South Dakota in retirement, including establishing residency and hunting on his farm.

But because Peters still has a home in Colorado where his wife still lives and where he spent most of his time from 2017 to 2019, a local GFP game warden, his supervisors and the Aurora County state's attorney became determined to prove that Peters was not a legal South Dakota resident and had committed fraud.

Their certainty that Peters had violated the law led them to engage in an investigation that lasted nearly two years, delved deeply into Peters' life and cost untold thousands of state dollars.

Before filing four misdemeanor charges against Peters in November 2018, state investigators obtained nearly two years of Peters' cellphone records and correlated which cell towers were pinged; they drove by his South Dakota house at least 27 times and took 65 photos; they tracked his Facebook use; they interviewed his neighbors in White Lake and a contractor who worked on the property; they obtained real estate transaction and utility usage data; they recorded phone calls between Peters and an investigator; they examined UPS delivery information to both his homes; and they sent a state investigator to the Denver area in a failed attempt to interview Peters' wife. Peters called the investigation and prosecution "a nightmare" that has cost him more than \$18,000 in legal fees, prevented him from hunting on his own land and shaken his faith in the GFP and the local prosecutor's office. He also had a potential one-year jail sentence hanging over his head for nearly a year. "It's been a circus, a disgraceful circus what they put me through, an annoyance and a frustration for two full years," Peters said. "Here I am a com**By: Bart Pfankuch** 



holds his South Dakota driver's license while sitting at the kitchen table of the home he owns in White Lake, S.D. In the video, Peters describes how the investigation into his life and whereabouts have affected him. Photo/

video: Bart Pfankuch,

bat veteran, a doctor with a successful practice, and for some reason the state decided that no way are we going to let some high-speed doctor come in here and violate our residency rules."

David Jencks, the Madison, S.D., attorney who represents Peters, said the state wanted to use Peters and the fact he owned a home elsewhere to set an example and clarify what he called "vague language" in state hunting-residency laws. He called the state's prosecution "arbitrary and capricious" and said he believed the case somehow became personal for the local game warden and prosecutor and ultimately led to an unreasonable level of investigation.

"This wasn't a rape or a murder or a milliondollar fraud, and in all my years I've never seen even close to this level of effort put forth on a misdemeanor case," Jencks said. "This went on far too long, was over-investigated, over-thought and irrationally thought. How and why they picked on this guy, a decorated military veteran with more ties to South Dakota than most South Dakotans, I just don't understand it and am at a loss to understand it."

In the end, just days before a trial was about to begin in September 2019, the four charges against Peters were dropped, and the state offered a plea agreement to a single, lower misdemeanor administrative count of "applying for a license when ineligible." On the advice of Jencks, Peters pleaded no contest, paid \$310 in fines and court fees and did not lose his hunting privileges.

#### State: Peters is not a S.D. resident

Aurora County GFP conservation officer Lynn Geuke led the investigation into Peters' residency. He refused to speak to News Watch but did say



Jeffrey Peters of Peters in a brief phone call, "Well, he was convicted."

> John R. Steele, the Aurora County State's Attorney at the time of the Peters prosecution, pointed out that Peters had taken a homestead tax exemption on his Colorado property and that Peters had a prior misdemeanor conviction for illegally obtaining a resident hunting license in Lake County, S.D.

> Peters pleaded guilty to that charge in 2016 and received a suspended imposition of sentence, effectively sealing the records from public view. Peters said he had researched residency laws before applying for that resident license and believed at the time he was in compliance by claiming residency at his brother's house in Madison, but now acknowledges that he likely was mistaken. He said he learned a lesson from that incident and sought in 2017 to obtain residency legally according to guidelines in the hunter handbook.

> The cellphone information tracked by the state indicated that Peters spent 52 days in South Dakota in 2017 and 67 days in 2018, according to records obtained by News Watch.

> In an interview and a subsequent letter to News Watch, Steele said that given the results of the investigation, he and the GFP did not consider Peters a resident for hunting purposes, and that the prosecution was based on that decision.

> Steele acknowledged that South Dakota hunterresidency laws as written create "a gray area that involves making some judgment calls" and that Peters' dual residency became "the nub" of the case.

> He said Peters may have generally followed the residency rules in the hunting handbook, but that Steele and the GFP took the position that a person's true residency is ultimately based "on where you actually live."

> "The language of the handbook; I don't know that it's terribly relevant," said Steele, who resigned as Aurora County state's attorney in January and now serves as an unpaid deputy in the state's attorney's office. "The law speaks of residence, where you actually live ... you can do everything on the checklist but if you don't live here, you're not entitled to resident hunting privileges.

> Based on the cost difference between resident and non-resident deer-hunting licenses in South Dakota, the monetary gain to Peters in the four crimes Peters was charged with would be about \$700.

> But the state's motivation for prosecuting Peters goes far beyond the financial advantage he obtained by getting a resident license, said Emmett Keyser, southeast regional supervisor for the GFP Division of Wildlife.

> Residents of South Dakota enjoy several opportunities for hunting that non-residents do not, such as being able to hunt waterfowl and pheasants in longer seasons, to hunt bighorn sheep or mountain goats, and to hunt elk in the Black Hills, Keyser said.

Legal residents expect that the GFP will uphold residency laws and investigate and prosecute those who may violate the laws, he said. "It's important to note how passionate residents are in protecting those opportunities and ensuring that people do not attempt to fraudulently become residents," he said. That view is supported by Chris Hesla, executive director of the South Dakota Wildlife Federation, a Pierre-based group whose motto is "Working to Preserve South Dakota's Hunting & Fishing Heritage." Hesla said the state must be vigilant in prosecuting residency scofflaws to protect the rights of bona fide resident hunters, but also because actual residents pay regular taxes and license fees that support their ability to hunt. He added that people who live in South Dakota endure things like bad weather and low-pay jobs in order to obtain the benefits of "quality hunting and fishing and clean living" in a great environment. "There's a big distinction between a resident and a non-resident, and the money has nothing to do with it in terms of the different price of the licenses," Hesla said. "Hunting and fishing is the reason

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Jeffrey Peters holds his 2019 deer hunting tags while standing on the porch of the home he owns in White Lake, S.D. In the video, Peters discusses his disappointment with how the state investigated him and pursued criminal charges against him. Photo/video: Bart Pfankuch,

South Dakota News Watch

#### **Continues on next page**

#### Continued from previous page

a lot of people stay in South Dakota, and there has to be benefits to living here, because it certainly isn't our pay."

# Peters: I followed the law as written

Peters and his attorney say Peters followed the law as laid out both in the hunting handbook and state statutes.

Before applying for retary of the South a resident deer license Dakota Game, Fish in 2017, Peters bought & Parks Departa house in White Lake ment more than 90 days be-

fore applying. He paid to have it fixed up and built a shed in the back yard.

He also obtained a South Dakota driver's license, registered his vehicles in Aurora County and registered to vote in South Dakota. He said he relinquished his Colorado residency and even purchased a non-resident license when he once returned to Colorado to hunt pheasants.

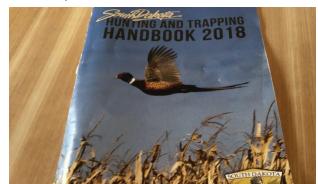
He applied for and received a South Dakota resident East River landowner deer license and resident small-game license in 2017.

But the day before the 2017 deer season opened, Peters said he received a phone call from Geuke, the GFP conservation officer. Peters said Geuke told him that he did not consider Peters a resident and that his deer tags were not valid. Furthermore, Peters said Geuke told him that if Peters killed a deer, he could be liable for civil penalties. Though frustrated, Peters decided not to hunt that year.

Thus began the full investigation into Peters' living arrangements, movements, habits and use of his White Lake home.

The next fall, Peters once again applied for and received resident hunting licenses for deer and small game. Again, Geuke waited until just before the deer season started to confront Peters, though this time he appeared at his home with a sheriff's deputy to confiscate the hunting tags and inform Peters that he was being charged with four counts of unauthorized procurement of a hunting license, a Class 1 misdemeanor punishable by up to a year in jail, a \$2,000 fine or both. He was immediately released on his own recognizance.

While the hunter handbook lays out basic elements of residency, state law has language that is open to interpretation, indicating that a person must have a domicile for 90 consecutive days before applying for a license, make no claim of residency elsewhere and have a state driver's



license and vehicle registrations.

# Defining the word **`domicile**'

The critical definition in Peters' case, and the one that the case could have clarified, is that of "domicile."

The law states: "A person's domicile is that person's established, fixed and permanent home to which the person, whenever absent, has the present intention of returning."

Jencks notes that nowhere does the law say how many days a year a person must live in the domicile, or whether the person needs to stay there for any specific period of time, only that the person intends to return at some point,

which Peters did at the White Lake home on a fairly regular basis.

South Dakota also has an uneven track record in regard to establishing residency. A 2019 South Dakota News Watch investigation revealed that thousands of people who only spend one night in the state have qualified as residents in terms of obtaining a driver's license, registering a vehicle and becoming a legal South Dakota voter.

Peters and Jencks prepared for trial and agreed to continuances requested by the state. Steele had issued a dozen subpoenas in the case, both for witnesses and information such as Peters' cellphone records.

Less than two weeks before the start of the Sept. 30, 2019, trial, Jencks filed a subpoena asking the court to require GFP Secretary Hepler to appear in court. Jencks wanted Hepler to explain how GFP defines a resident, what he knew about the investigation into Peters, and who had authorized such an extensive investigation.

Paul E. Bachand, special assistant to the state attorney general, filed a motion on Sept. 23, 2019, to quash the subpoena, arguing in part that, "some of the information sought would invade the client-attorney privilege and that other ideas were outside Secretary Hepler's knowledge."

The judge in the case, however, denied the state's motion to quash and ordered that Hepler would have to appear and testify at the trial.

Just prior to the trial, Jencks said he was contacted by Steele, the prosecutor, offering to drop the higher charges and instead offer Peters a plea deal with no jail time, a small fine and no loss of hunting privileges. It was also agreed that Peters would be able to hunt as a resident moving forward.

In an interview with News Watch, Hepler said he was aware of the Peters case but only because he was subpoenaed to testify. None of the decisions surrounding the case or investigation rose beyond the level of regional GFP supervisors, Hepler said.

Hepler said departmental attorneys fought the



For three years straight, from 2017-19, the state Game, Fish & Parks Department issued resident deer tags to Jeffrey Peters, but he was unable to hunt in 2017 and 2018 due to an ongoing criminal case against him. in 2019, Peters was able to hunt as a legal resident using these tags as part of a plea agreement with the state. Photo: Bart Pfankuch, South Dakota News Watch

wife both live.

"In his defense, Mr. Peters has attempted to look at all the facts and try to meet all these standards as best he can, but it still boils down to whether his domicile is in South Dakota or in Colorado, and it can only be one," Keyser said. "I'm sure he argues that, 'I live in South Dakota and I live in this small little house in small-town South Dakota and never mind that \$700,000 house or whatever I have in Colorado, this is where I live.""

Keyser acknowledged that the investigation into Peters' residency was extensive, and that someone who is the subject of a potentially precedentsetting case may suffer some cost and hardship.

"It probably seems like it's kind of odd the we would look at that with that much scrutiny," Keyser said. "But it could, as with any case, it has the potential to set precedent."

Keyser said the investigation was initially driven forward by Geuke, the local game warden, but that eventually Steele, the state's attorney, became the key player in deciding what investigative options would be pursued.

Steele told News Watch that, in regard to the extent of the investigative effort, "that's not my bailiwick. The Game, Fish & Parks Department runs its affairs and it decides what investigations are warranted." He added: "We did not run the investigation; that was run by GFP."

Keyser said it was necessary to get all the facts needed to make a strong case that Peters was a non-resident when he applied for a hunting license.

"If you want to paint that in a negative light, that it seemed like we wasted a lot of resources to determine if he was really domiciled in South Dakota, you can make that argument," Keyser said. "But at the same time, the public would always want us to do the right thing. At some point there's probably a level of reasonableness in terms of the expenditure of time and effort, but it was still our intent to look at the definition of domicile to make sure we had all the facts we needed to have in terms of this case.'



Kelly Hepler, sec-

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state to Jiately precess purchasing or y hunting, fishing or nicile is a persor thome to and permanent nome the whenever absent, has the of returning; f residency in any other state or Make no claim of residency in any other state of foreign country for any purpose:
Claim no resident hunting, fishing or trapping privileges in any other state or foreign country. Prior to any application for any license transfer to this state the person's driver's license and motor vehicle registrations. EXCEPTIONS: The following persons are deemed to be residents of this state as long as they continue to meet any of the conditions set forth elow: · Any person who previously had a domicile in

es or of this the armed forces of the United States or the spouse of an active duty military person; Any person who previously had a domicile in this state who is absent due to the person's regular attendance at a post high school institution as a full time student or in a medica or detable incidence. Institution as a full time student or in a medical or dental residency program. • Any person in the active military of the United States, or that person's spouse, who is continuously stationed in this state; • Any person who is a patient in any war veterans' hospital within this state; • Any person who is an employee of the veterans' administration or any veterans' hospital in this state; • Any person residing on restricted military reservations in this state; Any person attending regularly a post-high school institution in this state as a full time student for 30 days or more immediately preceding the application;

2018 South Dakota Hunting Handbook

About 180,000 copies of the 2018 South Dakota Hunting and Trapping Handbook were distributed free across the state and provided instructions, on Page 10, about requirements to establish residency to gain in-state hunting privileges. Photo: Bart Pfankuch, South Dakota News Watch

subpoena because Hepler felt he had nothing to add to the case. He said he would have appeared if ordered to do so, and added that to his knowledge, his subpoena and the judge's ruling upholding it had nothing to do with Peters' being offered a reduced charge before trial.

"I would have appeared, but I thought it was foolish because I had no interaction with these people whatsoever," Hepler said. "If they were making an assumption that I was directly involved in this case or that I directly made a decision on statutory law, that's way outside what I do for a living."

Steele would not discuss his reason for offering a plea.

Keyser, the GFP law enforcement supervisor, pointed out that the definitions of residency and domicile in state law are relatively new and somewhat open to interpretation. He noted that the Peters case could "potentially" have been a case that set precedent in terms of narrowing and clarifying those definitions.

Keyser said he still believes that Peters is not a South Dakota resident and that his home in Colorado is the permanent residence where he and his

#### **Unusual step: Local** quidelines written

After the case, Steele took the unusual step of authoring a new set of residency guidelines called, "Prosecution standards for part time residents seeking SD hunting licenses.

Steele told News Watch the guidelines are "an internal policy" in place only for Aurora County and that the policy was distributed only to Jencks, Peters, Officer Geuke and Steele's staff.

Steele and new Aurora County State's Attorney Rachel Mairose told News Watch the policy was discussed as part of the plea agreement with Peters and then written and provided to Peters, Jencks and Geuke after the case had ended.

"It was our attempt to formulate a consistent policy that would be applicable to people who fall between the cracks, who have two residences in the sense of houses or other abodes and spend time in both of them," Steele said. "How are we going to consistently handle those situations so that we've got clear lines of demarcation as to

#### **Continues on next page**

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#### Continued from previous page

what we will look at as a violation of game laws and what we won't?"

However, the local policy includes elements of residency that are not addressed in state law, such as defining "dwelling" as a structure with permanent electrical service, an indoor, functional kitchen and bathroom with hot and cold running water, and a sewage connection.

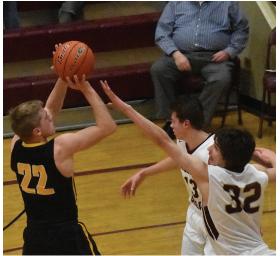
Now that the Peters case has ended, Steele said he still does not consider Peters a South Dakota resident but has agreed not to prosecute him further.

"Do I think he's a bona fide resident at this point? No, I don't," Steele said. "But he's jumped through enough hoops that, yeah, we're going to make the call that we're not going to prosecute this case. That's what that policy is all about."

Peters went deer hunting in November and had no interactions with Geuke or any other game warden. He said in February that he was considering a move to Rapid City.

Peters said he deserves an apology for the stress and heartache he has endured during the investigation and prosecution.

"I feel it's very disgraceful that the GFP has had the opportunity to invade my life for the past two years," he told News Watch. "With no apology from the game, fish and parks, nor the [GFP] commission nor the secretary nor the game warden. No one has offered an apology for taking control of my life for the past two years."



Jonathan Doeden shoots over Milbank's Carter Hartman. (Photo by

changes in the first guarter before Milbank took a 14-13 lead at the end of the first guarter. The Bulldogs went

> second quarter. Lane Tietz made a near half court shot right before the half time buzzer to cut Milbank's lead

Milbank went back on top by 11, 31-20, and the Tigers battled back, making it a three point game at one point, 35-32. Milbank held a 41-36 lead at the end of the third quarter.

Milbank made 13 of 14 free throws in the fourth quarter. Groton Area closed to within two points, 52-50, and had chances to tie or take the lead. Milbank then scored eight straight points to take a 10-point lead, 60-50.

Jonathan Doeden led the Tigers with 18 points, four rebounds, one assist, one block and two steals. Kaden Kurtz had 16 points, four rebounds and one steal. Cade Guthmiller had 10 points, four rebounds and one steal. Lane Tietz had five points and four rebounds. Austin Jones had three points and one rebound. Tristan Traphagen had two points. Tate Larson had one point and one rebound.



Bennett Schwenn led the Bulldogs with 29 points and four rebounds. Max McCulloch had a double-double with 11 points, 10 rebounds and was nine of 10 from the line. Carter Hartman had 13 points and six rebounds. Ryker Trevett had five points and Will Cummins and Evan Erickson each had two points.

Groton Area was four of 13 in three-pointers while Milbank was four for 14. In field goals, Groton Area was 20 of 46 and Milbank was 22 of 47. Milbank had more turnovers, 9-6.

The game was broadcast live on GDILVE.COM, sponsored by the Aberdeen Chrysler Center.

Milbank won the junior varsity game, 48-43. Groton held a 17-10 lead at the end of the first quarter



Cade Guthmiller looks for an open player. (Photo by Paul Kosel)

and a 28-17 lead at half time. The Tigers enjoyed a 32-20 lead early in the third quarter, but Milbank scored 13 straight points to take a 33-32 lead at the end of the third quarter. The lead changed hands two more times and the game was tied once before Milbank pulled away for the win.

Isaac Smith led Groton Area with 12 points while Lane Tietz had eight, Jayden Zak seven, Jacob Zak four and Kannon Coats 2. Stevie Ash led Milbank with 15 points while Karson Weber had 10, Kellen Hoeke eight, Carter Hartman and Tanner Mertens each had six and Justus Osborn had three points.

The junior varsity game was broadcast live on GDILIVE.COM, sponsored by the Julie and Carson Larson family.

Groton Area won the C game, 42-36. That game was tied six times and there were seven lead changes with the last lead change happening late in the game as Groton Area took a 37-36 lead. The Tigers scored the last seven points.

Tate Larson led Groton Area with 15 points while Cole Simon had 12, Jackson Cogley six, Jacob Zak five and Wyatt Hearnen four.

Wylie Mursu led the Bulldogs with 17 points as Aiden Fell had 11, Eli John-

# **Rebounds and free throws propel Milbank to** win over Groton Area

Rebounds and free throws were the key element to Groton Area's 62-55 loss to Milbank in boys' basketball action played Friday in Milbank.

Groton Area goes to 14-4 on the season while Milbank improves to 11-7. The Tigers will travel to Clear Lake on Thursday where a double header will be played with Deuel.

The Bulldogs controlled the boards, 35-21, with Groton Area getting just two offensive rebounds while Milbank had seven offensive rebounds. Milbank missed just one free throw, making 14 of 15 for 93 percent off of Groton Area's 17 team fouls. Groton Area made 11 of 19 free throws for 58 percent off of Milbank's 15 team fouls.

The game was tied five times and there were two lead on an eight point run to take a 25-13 lead midway in the down to nine at half time, 29-20.

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son six and Justus Osborn added two points.

The C game was broadcast live on GDILIVE.COM, sponsored by Ronayne Paul Kosel Law Office.

# Petitions due 5 p.m. Friday

Petitions for the Groton City Council and the Groton Area School District are due by 5 p.m. Friday. As of Tuesday, two petitions were handed in for both races.

According to Groton Area Business Manager Mike Weber, incumbents Steve Smith and Grant Rix have turned in their petitions for their three-year term. Weber also said that one other petition was downloaded from the Secretary of State website. That one has not yet been returned.

Meanwhile City Finance Officer Hope Block provided an update on the Groton City Council openings.

Councilman, Ward 1, 2 year term: Incumbent David Blackmun has taken out a petition but has not turned it in yet.

Councilman, Ward 1, 1 year term: Incumbent Jon Cutler has taken out a petition, but has not turned it in yet.

Councilman, Ward 2, 2 year term: Troy Lindberg has turned in his petition. Incumbent David McGannon has not taken out a petition. Councilman, Ward 3, 2 year term: Kristie Fliehs has turned in her petition. That spot was held by Burt Glover who has moved out of town.