

SOUTH DAKOTA OPEN MEETING COMMISSION

MINUTES OF MEETING

April 21, 2011
Teleconference Meeting

Members participating: Mark Reedstrom, Grant County State's Attorney (Chairman); Glenn Brenner, Pennington County State's Attorney; Lisa Rothschadl, Bon Homme County State's Attorney; Emily Sovell, Sully County State's Attorney, and John Steele, Aurora County State's Attorney. Diane Best assisted the Commission.

The public listening place for this meeting was 300 N. Dakota Ave. Sioux Falls, SD. Persons participating at this location were Kermit Staggers, Tena Haraldson, and Megan Luther.

Telephonic participants were the Mayor of Parkston, Attorney Keith Goerhing, Attorney Paul Tschetter, Attorney Paul Swedlund, and Jay Vogt.

Chairman Mark Reedstrom called the meeting to order at 9:37 am. Roll call was taken and all members participated.

Matter of Open Meeting Complaint 11-02, South Dakota State Historical Society.

The parties were given notice to call into the conference call. Jay Vogt South Dakota Historical Society appeared by phone with counsel Paul Swedlund. The Complainant did not participate.

The Commissioners discussed the Historical Society motion to dismiss as well as the statute of limitations for criminal offenses. Steele moved to dismiss the Complaint due to lack of jurisdiction; Rothschadl seconded. Diane Best was directed to prepare an order for the Chairman's signature.

A roll call vote was held and all voted in favor.

Matter of Open Meeting Complaint 11-01, City of Parkston and Parkston Board of Adjustment.

The parties were given notice to call into the conference call. The Mayor of the City of Parkston and Attorney Keith Goehring appeared on behalf of the City of Parkston. Attorney Paul Tschetter appeared on behalf of the Complainant, Jim Weiss.

The Commissioners discussed whether to delay oral presentations on this matter until a ruling had been received on a lawsuit filed by Jim Weiss against

the City. City asked for delay until Judge Eng rules. Weiss asked that the OMC matter proceed. The parties anticipate a ruling within the next few months.

The Commissioners discussed scheduling the matter for July or August.

Steele moved to schedule oral presentations for August 1, 2011 at 1 pm in Sioux Falls (tentative location Sioux Falls Public Library-Main Branch) Rothschadl seconded. A roll call vote was held and all voted in favor.

City of Sioux Falls Ethics Board 10-03

Oral presentations were previously held regarding the Sioux Falls Ethics Board Complaint. See November 18, 2010 minutes.

The parties were given notice to call into the conference call. The agenda listed this matter as deliberations only.

Complainant Kermit Staggers appeared in person at the public listening place. The Sioux Falls Ethics Board did not appear.

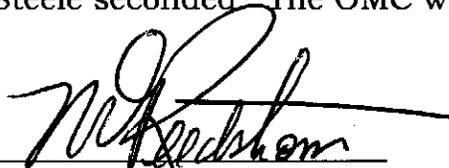
The Commissioners discussed proposed Findings of Fact and Conclusions of Law that had been drafted by Diane Best and edited by Chairman Reedstrom.

The Commission discussed whether to issue the reprimand to the individual members of the Board of Ethics or to the Board itself, as agreed upon during previous deliberations.

Brenner moved to approve the Findings of Fact and Conclusions of law as drafted. A second was made. The motion carried on a roll call vote, with Commissioner Reedstrom, Brenner, Rothschadl, and Sovell voting in favor.

Minutes of November 18, 2010 meeting. Rothschadl moved to adopt the minutes as drafted. Steele seconded. A roll call vote was held and all voted in favor.

Rothschadl moved to adjourn. Steele seconded. The OMC was adjourned at 10:45 am.



Mark Reedstrom
Open Meeting Commission Chairman