STATE OF SOUTH DAKOTA) : SS.
COUNTY OF MOODY)

SOUTH DAKOTA
OPEN MEETINGS COMMISSION

* *

STATE OF SOUTH DAKOTA,
Plaintiff,

vs-

COMPLAINT FOR
OPEN MEETINGS VIOLATION

CITY OF EGAN, SD
A South Dakota Municipal Corporation

Defendant.

* *

The undersigned being duly sworn upon oath charges:

COUNT 1

That on or about January 7, 2026, in Moody County, South Dakota, the CITY OF EGAN, did commit the public offense of **Failing to Provide Notice of Meeting of Political Subdivision** (SDCL 1-25-1.1) in that it did fail to provide public notice, with proposed agenda, that is visible, readable, and accessible for at least an entire, continuous twenty-four hours immediately preceding its official meeting, and that it failed to provide such notice on the political subdivision's website and at its principal office; and as to

COUNT 2

That on or about January 27, 2026, in Moody County, South Dakota, the CITY OF EGAN, did commit the public offense of **Failing to Make Unapproved Draft Minutes Available for Inspection** (SDCL 1-27-1.17) in that it did fail to make available the unapproved draft minutes of its January 7, 2026, public meeting for inspection by any person within ten business days after the meeting,

contrary to statute in such case made and provided against the peace and dignity of the State of South Dakota.

The Complainant states this Complaint is based upon investigation of Egan City Trustees Michelle Ten Eyck and Jerome Olson.

Dated July 24, 2026.

Complainant

Subscribed and sworn to before me July 24, 2026.

Notary Public, South Dakota
My Commission expires: 01-30-2031

Heidi K. Miller
SEAL Notary Public South Dakota SEAL

	New additional complaints		
7-Jan-26	quorum meeting from 6:20-6:35 Mike, Nancy, Cody	SDCL 1-25-1 Quorum	Jerome Olson, Karlie Ten Eyck, Mike Larson
18-Jun-25	quorum meeting from 6:55-7:10 Mike, Nancy, Cody	SDCL 1-25-1 Quorum	Jerome Olson, Michelle Ten Eyck, Barb Warborg
15-Oct-25	quorum meeting from 7:10-7:25 Mike, Nancy, Cody	SDCL 1-25-1 Quorum	Mike Larson, Barb Warborg, Michelle Ten Eyck
27-Jan-26	Kayla failed to publish minutes in the paper. Minutes for 12/17/25 still have not been published in the newspaper	1-27-1.17. Draft minutes of public meeting to be available--Exceptions--Violation as misdemeanor.	9-18-1.1. Time for delivery of copy to official newspaper.
27-Jan-26	Kayla has failed to publish minutes from 1/5/26 and 1/7/26 on either the website or in the paper. No copy is published for the public.	1-27-1.17. Draft minutes of public meeting to be available--Exceptions--Violation as misdemeanor.	9-18-1.1. Time for delivery of copy to official newspaper.
27-Jan-26	No Agenda was posted on the website for the meeting on 1/7/26. I cannot confirm whether it was posted in the window 24 hours prior as I was out of town.	1-25-1.1. Notice of meeting of political subdivision--Agenda--Violation as misdemeanor.	
5-Jan-26	Agenda was not posted on website or city office 24 hours prior.	1-25-1.1. Notice of meeting of political subdivision--Agenda--Violation as misdemeanor.	
19-Nov-25	Kayla was told that she needed to itemize each person and their pay. She said the next finance office could worry about it. Stated she would not answer to me or my questions as she did not like me.	9-18-1. Governing body to publish minutes of meetings including statement of expenditures--Rate of payment for publication.	This has not been done for multiple years.



PAUL M. LEWIS

MOODY COUNTY
STATE'S ATTORNEY

310 S. Wind Street
P.O. Box 347, Flandreau, SD 57028-0347
Phone: (605) 997-2207
Fax: (605) 573-4533
E-Mail: paul@bruninglewis.com

Attorney General
FEB 23 2026

February 19, 2026

Ms. Beverly Katz
Office of the Attorney General
1302 East Highway 1889, Suite 1
Pierre, SD 57501-3215

RE: *Open Meetings Violation Complaint against the City of Egan, SD, dated January 28, 2026*

Dear Ms. Katz,

After reviewing the materials sent to my office by Ms. Ten Eyck and Mr. Olson, dated January 28, 2026, it is my decision, in accordance with SDCL §1-25-6(3), to refer this matter to the South Dakota Open Meetings Commission for further action. Enclosed for your review is a copy of Ms. Ten Eyck's and Mr. Olson's written complaint and supporting materials.

Thank you for your kind consideration of this letter, and please do not hesitate to contact me if you should have any questions, comments, or concerns.

Sincerely Yours,

Paul M. Lewis

Encls.

Cc. Ms. Michelle Ten Eyck
211 South Fred Street
Egan, SD 57024

Mr. Jerome Olson
201 South Irving Street, Apt. 128
Egan, SD 57024

1/28/2026

Paul,

Enclosed you will find the packet that was sent to you from Mr. Marty Jackley/Open Meeting commission for you to investigate. This was sent to you on November 22, 2025. As of today, Jan 28, 2026, Neither Jerome Olson or myself have heard from you as to the investigation. We reached out to you on January 19, 2026 via email with no response from you or your office.

We take the violation of South Dakota Codified Law seriously and we would hope that you will investigate this and put a stop to the rest of our board and finance officer violating those laws. We have added additional SDCL violations to the original list. We hope that you will take this matter seriously and investigate these items.

We look forward to hearing from you and to assist you in this matter.

Thank you

Michelle Ten Eyck _____ 1/29/26

Jerome Olson _____ 1/29/26

Marlys J. Arneson
Notary Public

MARLYS J. ARNESON
SEAL NOTARY PUBLIC SOUTH DAKOTA SEAL

My commission expires
11-13-2029

Cc: Open Meeting Comission

CC: AG Marty Jackley

City of Egan Complaint

michelle.teneyc.../Sent

michelle teneyck <michelle.teneyck@yahoo.com>
To: paul@bruninglewis.com
Cc: Jerome Olson <jcorec@gmail.com>

Jan 19 at 5:21 PM

Paul,

We are just checking in to see if you have started your investigation into the SDCL violations by the board of the City of Egan. Jerome and I are aware it was sent to your office by the open meetings commission/Marty Jackley offices on November 24th. We are wondering when you will be interviewing us for your investigation and what the process is. We have more violations to report and those will be coming within the week for you to add to the complaint. We understand that you are busy but this is a priority for our city and the breaking of state laws should be of concern to everyone. We want our city to be run within the scope of the law but Jerome and I are unable to get the rest of the board to see what must be done to be within the confines of SDCL. Please advise when you will be looking into this. Thank you for your time and attention in this matter.

V/R
Jerome Olson and Michelle Ten Eyck

cc:: paper copy to Open Meeting Comission

	New additional complaints		
7-Jan-26	quorum meeting from 6:20-6:35 Mike, Nancy, Cody	SDCL 1-25-1 Quorum	Jerome Olson, Karlie Ten Eyck, Mike Larson
18-Jun-25	quorum meeting from 6:55-7:10 Mike, Nancy, Cody	SDCL 1-25-1 Quorum	Jerome Olson, Michelle Ten Eyck, Barb Warborg
15-Oct-25	quorum meeting from 7:10-7:25 Mike, Nancy, Cody	SDCL 1-25-1 Quorum	Mike Larson, Barb Warborg, Michelle Ten Eyck
27-Jan-26	Kayla failed to publish minutes in the paper. Minutes for 12/17/25 still have not been published in the newspaper	1-27-1.17. Draft minutes of public meeting to be available--Exceptions--Violation as misdemeanor.	9-18-1.1. Time for delivery of copy to official newspaper.
27-Jan-26	Kayla has failed to publish minutes from 1/5/26 and 1/7/26 on either the website or in the paper. No copy is published for the public.	1-27-1.17. Draft minutes of public meeting to be available--Exceptions--Violation as misdemeanor.	9-18-1.1. Time for delivery of copy to official newspaper.
27-Jan-26	No Agenda was posted on the website for the meeting on 1/7/26. I cannot confirm whether it was posted in the window 24 hours prior as I was out of town.	1-25-1.1. Notice of meeting of political subdivision--Agenda--Violation as misdemeanor.	
5-Jan-26	Agenda was not posted on website or city office 24 hours prior.	1-25-1.1. Notice of meeting of political subdivision--Agenda--Violation as misdemeanor.	
19-Nov-25	Kayla was told that she needed to itemize each person and their pay. She said the next finance office could worry about it. Stated she would not answer to me or my questions as she did not like me.	9-18-1. Governing body to publish minutes of meetings including statement of expenditures--Rate of payment for publication.	This has not been done for multiple years.

5-Jan-26	Discussion about new hire needing to be bonded. Asked if Kayla had provided us with a bond. The answer by Nancy was yes, although it was unable to be verified.	9-14-6.1. Amount of finance officer's bond.	
Multiple	Kayla takes all finance records, bills, checkbook, city records to her home office. This was not approved by the board. Only Cody approved it outside of a meeting. No board discussion and when she was interviewed it was for 20-25 hours a week at the office.	9-14-17. Records maintained by finance officer--Warrants on treasury--Expense estimates--Contracts.	
multiple	Kayla and Cody refuse to let me be paid for my time on the board.	9-14-28. Salaries and compensation of municipal officers.	
Multiple	Cody making decisions with Mike or Nancy, outside of a meeting that benefit their agenda. No discussion with the entire board. IE, did not want to interview for snow plow driver, he and mike did not like the choices. Same with the maintenance person interviews.	9-14-37. Neglect of duty or misconduct by municipal officer as misdemeanor--Removal from office.	
	Cody and Kayla deciding to go to city attorney to have Michelles position challenged. No discussion with the board, decision made outside of meeting and action was taken.	9-14-37. Neglect of duty or misconduct by municipal officer as misdemeanor--Removal from office.	
	Cody and Kayla decided that they are the only two people who are allowed by them to speak with the attorney for the city.	9-14-37. Neglect of duty or misconduct by municipal officer as misdemeanor--Removal from office.	

28-Jan-26	Once again for multiple years, no review of open meeting laws has been done.	1-25-13. Annual review of open meeting laws--Acknowledgment.	
	Previous Complaints		
11-Jul-24	Complaint by Thomas Ten Eyck for failure to provide an interview to him for maintenance position. Was told to turn it to city and states attorney	SDCL 1-25-1.1 and SDCL Chapter 3-3	see packet dated July 11, 2024
15-Jan-25	Asking for information from finance officer about a rural districting ordinance that the city made and that the county assessor told us should be undone. It directly benefited board memebers and it unfairly raised the taxes of the citizens who do not adjoin rural land.		see email dated 1/15/2025
13-Mar-25	citizen complaint about agendas being posted in the window and on the website and to include location and time. Kayla refused to do this.	1-25-1.1. Notice of meeting of political subdivision--Agenda--Violation as misdemeanor.	see email dated 03/13/25
13-Mar-25	email to kayla also asking her for the citizen to post the time and location of the meetings.	SDCL 1-25-2	see email dated 3/13/25
16-Apr-25	Kayla threw a cittizen out of the meeting with no direction from the board. Gentleman had raised his voice but it was not exclusively him being loud over a hot button topic.		see email dated April 17, 2025

17-Apr-25	Email to Kayla asking to put the agenda and minutes in a more visible spot for people to find them.	SDCL 1-27	See email
5/26/2025	May 21, 2025 meeting, Cody Chamblain declared executive session at end of the meeting. This was not listed on the agenda.	9-14-28. Salaries and compensation of municipal officers.	see email dated May 26, 2025
17-Jun-25	rural taxing questions. Was told the only way to undo an ordinace is to prove it was done nephariously.	SDCL 1-25-1 Quorum	see text message grouping 6/17/25
11-Jul-25	requested information of public record from Kayla. No answer and not provided.	SDCL 1-25-1 Quorum	see email dated 7/11/25
27-Jul-25	request for pay by Michelle	9-7-6. Regular and special meetings of board.	see email dated 7/27/25
6-Aug-25	Cody Chamblain "replied all" to a group email multiple times	SDCL 1-27	see email dated 8/6/25
6-Aug-25	Nancy Hanson "replied all" to a group email a couple of times		Jerome Olson, Nancy Hanson, Mike Hein, Cody Chamblin see email dated 8/6/25
6-Aug-25	I requested of Kayla first and then cody at a later date to have a special meeting for volunteers questions to be answered prior to playground project. Refusal to cooperate.	SDCL 1-25-1 Quorum	see email dated 8/6/25
7-Aug-25	reuested information of public record from Kayla. No answer and not provided.	SDCL 1-25-1 Quorum	see email dated 8/7/25
20-Aug-25	Kayla told the board I purposefully provided wrong addresses for homes for code enforcement violations	SDCL 1-25-1 Quorum	see email dated Aug 21, 2025
22-Aug-25	Cody Chamblain "replied all" to a group email	SDCL 1-27	see email dated 8/22/25

25-Aug-25	Cody Chamblain "replied all" to a group email	SDCL 1-27	see email dated 8/25/25
9/9/2025	requested information of public record from Kayla. No answer and not provided.	9-14-28. Salaries and compensation of municipal officers.	see email dated 9/9/25
15-Oct-25	Michelle requested of kayla pay and hours of each employee. Kayla refused to answer or provide.	1-27-37. Written request for disclosure of records.	see email 10/15/24
16-Oct-25	Email sent out stating the board would go into executive session in a special meeting to fact gather for bridge project.	1-25-2. Executive or closed meetings--Purposes--Authorization--Violation as misdemeanor.	see email dated 10/2/25
3-Nov-25	Michelle requested to be paid for the third time.	9-14-28. Salaries and compensation of municipal officers.	see email 11/3/25
25-Jan	Kayla refused to help someone take out a petition. She was not in the office when her hours were posted. Persons petition was ultimately rejected because it was not filled out properly, due to her not helping the person.	9-13-7. Municipal office--Nominating petition--Contents.	
25-Feb	Kayla refused to be in the office on the last day of petitions so people could turn them in. They were left in the drop box.	9-13-7. Municipal office--Nominating petition--Contents.	

Code enforcement

michelle.teneyc.../Sent

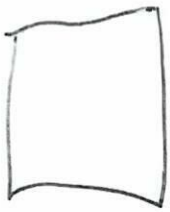
michelle teneyck <michelle.teneyck@yahoo.com>
To: Kayla Charles <egancity@outlook.com>

Aug 21 at 9:11 AM

I heard the argument last night about code enforcement addresses. I took pictures and used google maps for addresses as most houses don't have addresses on the front of their house. I guess I was wrong to assume you would have verified that I had the correct address. Since I don't have beacon to use and I only had google to verify I thought you would double check or ask if you had questions. Things work better when we communicate!!!

Michelle Ten Eyck

Bullying / Intimidation



Re: Website

michelle.teneyc.../Sent

michelle teneyck <michelle.teneyck@yahoo.com>
To: Kayla Charles <egancity@outlook.com>

Apr 17 at 1:12 PM

My apologies. I totally missed them at the bottom of the page. And I'm really tired of people complaining about how they cannot find the agenda. Thanks again for everything that you do for us. Have a happy Easter also.
Michelle Ten Eyck

On Apr 17, 2025, at 11:49 AM, Kayla Charles <egancity@outlook.com> wrote:

Hey Michelle,

The office hours are on the front page on Upcoming Events. They are also posted on the door of the office. I can look into posting the agenda link, but that is also posted on the office door the same time it goes on the website.

Have a Happy Easter!

Agenda / minutes / hours hard to find.

Kayla Charles
Finance Officer
City of Egan
120 W 3rd Street
Egan, SD 57024
605 997-2274

From: michelle teneyck <michelle.teneyck@yahoo.com>
Sent: Thursday, April 17, 2025 11:39 AM
To: Kayla Charles <egancity@outlook.com>
Subject: Website

Kayla

Is there anyway we can post the agenda for the upcoming meeting on the very front homepage of our website. And then move it to the agenda part after the meeting. Also, can we please post your hours on the homepage of the website too so people know when you are in the office and when you are not? Hopefully this will help alleviate people complaining that they never know when you're there.

Michelle Ten Eyck

Re: Fwd: Website

michelle.teneyc.../Inbox

Cody Chamblin <codyc@dakotalayers.com>
To: michelle teneyck <michelle.teneyck@yahoo.com>

Apr 17 at 11:53 AM

Kayla's hours are posted i look to know when I can call her for one and it's not hard to find our agenda it's no different then looking for like the flandreau school boards.

cody chamblin-pullet manager
DL pullets
48291 234th st
flandreau SD 57028
605-997-2191 ext 315

On Apr 17, 2025 11:43 AM, michelle teneyck <michelle.teneyck@yahoo.com> wrote:
I sent this request to Kayla. Hoping this will alleviate the complaint that I sent you as well as some of the other ones.

Michelle Ten Eyck

Begin forwarded message:

From: michelle teneyck <michelle.teneyck@yahoo.com>
Date: April 17, 2025 at 11:39:01 AM CDT
To: Kayla Charles <egancity@outlook.com>
Subject: Website

Kayla

Is there anyway we can post the agenda for the upcoming meeting on the very front homepage of our website. And then move it to the agenda part after the meeting. Also, can we please post your hours on the homepage of the website too so people know when you are in the office and when you are not? Hopefully this will help alleviate people complaining that they never know when you're there.

Michelle Ten Eyck

Agenda posting issues

Re: Executive session

michelle.teneyc.../Sent

michelle teneyck <michelle.teneyck@yahoo.com>
To: Barbara Warborg <bwarborg@icloud.com>

May 26 at 12:44 PM

I fully agree. I ask that you send this to Paul Lewis and tell him he needs to investigate this. I too will be reaching out to him when I get home over all the concerns. Unless everyone stands up and sends it to him for investigator they will continue to do this bs. I just found out the executive session was called to discuss Kayla working from home and getting paid for it and not spending more than 6 hours a weeks in The office. Jerome got assholed by the other three over this. He also was told by all of them that the new time clock that was bought will not be used by anyone because it is stupid (according to them). Here is where everyone can help and send all these law violations to the states attorney. Donna is good at riling the group, maybe she can help.

Michelle Ten Eyck

> On May 26, 2025, at 3:02 AM, Barbara Warborg <bwarborg@icloud.com> wrote:
>
> The screen shot is from the Attorney General guidance on open meeting laws.
> After you hung up, at the end of the meeting, Cody stood up and said "motion for executive session" Executive session was not on the agenda. I did not hear a second or a vote, because everyone was leaving.
> I was shaking my head and Cody looked at me and I said " what is the reason?"
> He didn't say anything so I said "the reason for executive session? Personnel?" Then he said " Ya personnel "
> Invoking executive session improperly is a violation of the open meeting laws. A misdemeanor crime. Discussing anything that isn't one of the specific reasons for executive session is also a violation.
> You can Google "SDCL executive session" to see the specific reasons. It's not that hard to do it right! Especially after 10 years as a board member. Also, actions taken in an executive session that was not properly invoked can cause personal liability for board members. Executive session improperly invoked is the number one reason boards get reported to the States Attorney.
> Is that what has to happen before things change? The citizens of Egan deserve better.
> I know it's a Holiday, but we are leaving for Canada soon, and I just wanted to give you a heads up. You do have the right to know what is going on.
>
>
>
>
>
> <IMG_8314.jpg>

>
> Sent from my iPhone

Citizen compdaint - Brought to board. No response

Fwd: Open meeting laws

michelle.teneyc.../Sent

michelle teneyck <michelle.teneyck@yahoo.com>
To: codyc@dakotalayers.com

Apr 17 at 8:21 AM

Michelle Ten Eyck

Begin forwarded message:

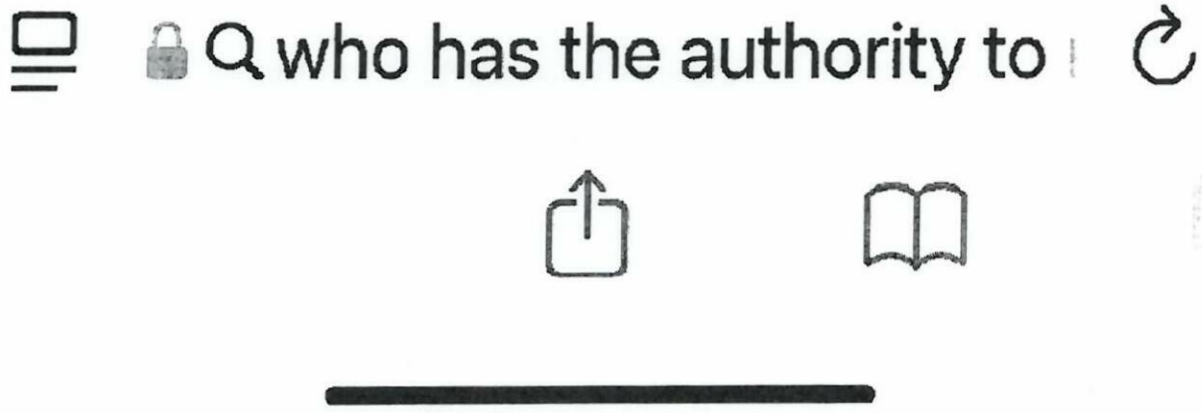
From: Barbara Warborg <bwarborg@icloud.com>
Date: April 17, 2025 at 8:00:29 AM CDT
To: Michelle TenEyk <Michelle.teneyck@yahoo.com>
Subject: Open meeting laws

Michelle, I am sending you a screen shot of the overview of the laws regarding what happened at that meeting last night. I frankly am shocked. A member of the public can not be ejected from an open meeting without following strict procedures that have been set in place. John knows that Kayla had no right to evict him from that meeting.
Why did he just calmly leave? Hmmm?
Bet he calls his lawyer friend Greg Gass or the States Attorney.

Public bodies in South Dakota have the right to establish their own rules of order and conduct for meetings.

Presiding Officer:

The chair or presiding officer is usually responsible for enforcing those rules, including the authority to address disruptive behavior or order someone to leave if they are violating the rules of the meeting.



Sent from my iPhone

Special Meeting 5:30pm October 1

michelle.teneyc.../Inbox

Egancity <egancity@mcisweb.com>

Oct 2, 2024 at 9:40 AM

Good morning,

The Attorney reached out and she has confirmed with everyone needed for the Bridge update that they can be present for a special meeting at 5:30 before the regular meeting. This meeting will strictly be executive session to fact gather on how to proceed with the bridge. We will of course have to have public comment at the beginning and then motion to go into executive session. Please feel free to reach out with any questions. I will be posting the agenda for that meeting online today.

Have a great day everyone!

Kayla Charles
Egan City Finance Officer
120 W 3rd Street
Egan, SD 57024
605 997-2274

Executive session violation

Re: Executive session

michelle.teneyc.../Sent

michelle teneyck <michelle.teneyck@yahoo.com>
To: Barbara Warborg <bwarborg@icloud.com>

May 26 at 12:44 PM

I fully agree. I ask that you send this to Paul Lewis and tell him he needs to investigate this. I too will be reaching out to him when I get home over all the concerns. Unless everyone stands up and sends it to him for investigator they will continue to do this bs. I just found out the executive session was called to discuss Kayla working from home and getting paid for it and not spending more than 6 hours a weeks in The office. Jerome got assholed by the other three over this. He also was told by all of them that the new time clock that was bought will not be used by anyone because it is stupid (according to them). Here is where everyone can help and send all these law violations to the states attorney. Donna is good at riling the group, maybe she can help.

Michelle Ten Eyck

> On May 26, 2025, at 3:02 AM, Barbara Warborg <bwarborg@icloud.com> wrote:
>
> The screen shot is from the Attorney General guidance on open meeting laws.
> After you hung up, at the end of the meeting, Cody stood up and said "motion for executive session" Executive session was not on the agenda. I did not hear a second or a vote, because everyone was leaving.
> I was shaking my head and Cody looked at me and I said " what is the reason?"
> He didn't say anything so I said "the reason for executive session? Personnel?" Then he said " Ya personnel "
> Invoking executive session improperly is a violation of the open meeting laws. A misdemeanor crime. Discussing anything that isn't one of the specific reasons for executive session is also a violation.
> You can Google "SDCL executive session" to see the specific reasons. It's not that hard to do it right! Especially after 10 years as a board member. Also, actions taken in an executive session that was not properly invoked can cause personal liability for board members. Executive session improperly invoked is the number one reason boards get reported to the States Attorney.
> Is that what has to happen before things change? The citizens of Egan deserve better.
> I know it's a Holiday, but we are leaving for Canada soon, and I just wanted to give you a heads up. You do have the right to know what is going on.
>
>
>
>
>
> <IMG_8314.jpg>

>
> Sent from my iPhone

Citizen compdaint - Brought to board. No response

Open meeting laws/agenda

michelle.teneyc.../Inbox

Barbara Warborg <bwarborg@icloud.com>
To: Michelle TenEyk <michelle.teneyck@yahoo.com>

Mar 13 at 10:44 AM

Michelle, I have included screenshots of the SDCL and the Attorney General guidance in the question and answer section. All the information is available by simply googling open meetings laws in South Dakota.
By definition a third class municipality is a political subdivision.
Subject to the open meeting laws of this state.
In October of last year I requested in person, in front of a reliable witness, that the agenda be posted on the website so I could see the agenda on the morning of the meeting. I was told that they didn't have to by Kayla. Rather than argue, I went home, printed out the law, and requested again by email that the agenda be posted. The agenda was posted in November and that's when I noticed that two of the three components that the law says "shall"and the AG says "at a minimum" is missing on our agenda. The time and location. So I emailed Kayla again and told her.
No reply and no changes in December, January or February.
Upon further investigation, the agendas back to Brenda Duncan have not included the required time and location. Special meetings do have the time. My information is violations have a seven year statute of limitations.
So what's the big deal? A violation is a class 2 misdemeanor. How about 7 continuous years?
Norm Koehn said he was going to talk to Cody and Nancy. I'm not sure they will share any information with you.
In February, the Governor signed into law a bill that would require entities subject to open meetings laws to review those law annually and attest to that fact. That's a little late in this case.
The citizens of Egan deserve governance that is aware and obeys all the laws. I just want it fixed. But how do you fix something that has not been in compliance for at least 7 years and even when pointed out, simply ignored?
Every violation I could find, brought before the Open Meeting Commission, is for a single violation.
I'm sure you didn't sign up for this, but I'm not going to allow this to be ignored either.

Citizen complaint

Sent from my iPhone

3 Files 1.6 MB

IMG_8112.PNG
876 kB

IMG_8103.jpg
256 kB

IMG_8104.jpg
493 kB

Open meeting lawsagenda

michelle.teneyc.../Sent

michelle teneyck <michelle.teneyck@yahoo.com>
To: Kayla Charles <egancity@outlook.com>

Mar 13 at 11:44 AM

Kayla

This was just brought to my attention. Can we facilitate these changes to post not only the time but the location as well as post on our website. We should also have the entire packet posted with the agenda for the public to review prior to the meeting. That was decided a couple of years ago by the board that in full transparency those things would be posted with the agenda every month prior to the meeting.

On a separate note is there a way to put the calendar on the home page so people know your hours.

I tried calling in for the meeting last night but no one answered.

Have a great day.

Thanks
Michelle.

Michelle Ten Eyck

1 File 554.6 kB



Open meeting lawsagenda.jpeg
555 kB

Q: HOW ARE THE PUBLIC AND MEDIA NOTIFIED WHEN PUBLIC BUSINESS IS BEING DISCUSSED?

A: SDCL 1-25-1.1 requires that all political subdivisions (except the state and its boards, commissions, or departments as provided in § 1-25-1.3) prominently post a notice and copy of the proposed agenda at the political subdivision's principal office. At a minimum, the proposed agenda must include the date, time, and location of the meeting and must be visible, readable, and accessible to the public for 24 continuous hours immediately preceding the meeting. Also, if the political subdivision has its own website, the notice must be posted on the website upon dissemination of the notice. For special or rescheduled meetings, political subdivisions must comply with the regular meeting notice requirements as much as circumstances permit. The notice must be delivered in person, by mail, by email, or by telephone to all local news media who have asked to be notified. It is good practice for local media to renew requests for notification of special or rescheduled meetings at least annually.

SDCL 1-25-1.3 varies slightly from SDCL 1-25-1.1 and requires the State and its

PRINTER FRIENDLY

1-25-1.1. Notice of meeting of political subdivision--Agenda--Violation as misdemeanor.

Each political subdivision shall provide public notice, with proposed agenda, that is visible, readable, and accessible for at least an entire, continuous twenty-four hours immediately preceding any official meeting, by posting a copy of the notice, visible to the public, at the principal office of the political subdivision holding the meeting. The proposed agenda shall include the date, time, and location of the meeting. The notice shall also be posted on the political subdivision's website upon dissemination of the notice, if a website exists. For any special or rescheduled meeting, the information in the notice shall be delivered in person, by mail, by email, or by telephone, to members of the local news media who have requested notice. For any special or rescheduled meeting, each political subdivision shall also comply with the public notice provisions of this section for a regular meeting to the extent that circumstances permit. A violation of this section is a Class 2 misdemeanor.

Source: SL 1987, ch 22, § 2; § 1-25-1.2; SL 1990, ch 19; SL 1990, ch 30, § 2; SL 2012, ch 6, § 1; SL 2013, ch 9, § 1; SL 2015, ch 11, § 1; SL 2016, ch 10, § 1; SL 2019, ch 3, § 5.

Q: WHAT HAPPENS IF THE MEDIA OR PUBLIC IS IMPROPERLY EXCLUDED FROM A MEETING OR OTHER VIOLATIONS OF THE OPEN MEETING LAWS OCCUR?

A: Excluding the media or public from a meeting that has not been properly closed subjects the public body or the members involved to: (a) prosecution as a Class 2 misdemeanor punishable by a maximum sentence of 30 days in jail, a $500 fine or both; or (b) a reprimand by the Open Meeting Commission ("OMC"). The same penalties apply if the agenda for the meeting is not properly posted, or other open meeting violations occur.

Also, action taken during any meeting that is not open or has not been properly noticed could, if challenged, be declared null and void. It could even result in personal liability for members of the governing body involved, depending upon the action taken.

July 11, 2024 – applied for position via email

July 17, 2024 – city meeting, board discussed interviewing for finance officer first and then they would interview for maintenance position right after.

August 1, 2024 – Interviews for finance officer position held. After meeting Mike and Cody were talking and stated that they wanted Nick Otto for the Snow plow driver and that Mike and Cody would continue to be the maintenance people.

August 21, 2024 – discussion held regarding the maintenance position. Cody and Mike stated they were going to just do the position. Michelle argued with them that there were 4 applicants on the table and we needed to do something with these. Cody disagreed, back and forth discussion was held and decided that they will advertise again. They also discussed sending letters to 4 applicants stating that they were still in the running and that the board was giving one more opportunity to add to the potential applicants.

September 18, 2024 – Kayla advised board that the facebook account was going live and the position will be advertised for snow plow driver.

September 23, 2024 – position was posted but It was a different description from the one the board approved and the pay was different than the previous one.

Oct 16, 2024 - Board meting it was brought up again
cody stated he had 1 applicant

Subscribe Today to Receive News & Alerts via Text and or Email

City of Egan

Employment Opportunities

Current open positions:

Finance Officer: 24-28 hours/3 days per week. Pay depending on experience

Maintenance Support: 20-25 hoursd per week. Pay depending on experience
- Listed as this

To apply for any position at the City of Egan, please complete our required Application Form (if available) below or obtain an application in person at our offices. Please make sure you meet the specific qualifications for the position you are applying for; otherwise the application will not be processed. We look forward to receiving your application and discussing the employment opportunity of interest. Applications can be emailed to egancity@outlook.com

City of Egan is an Equal Opportunity Employer. Applications will be considered for all positions without regard to race, color, national origin, age, religion, sex, marital status, veteran status, or any other legally protected status.

Relevant Documents

- Employment Application
- City Finance Office Job Description
- City Maintenance Job Description

website posting

GOVERNMENT

- City Hall
  - City Finance Officer
- Code Compliance
  - Ordinances
- Financial Reports & Budgets
  - Annual Budget
  - Financial Reports/Audits
- Human Resources
  - Application Process
  - Employment Opportunities
- City Council
  - Council
- Meeting Agendas & Minutes
  - Agendas
  - Minutes
- Open Records
  - Public Information Request

Actual JD description

City Maintenance Superintendent
City of Egan, SD
Position: 25 Hour/Week
Closing Date: Open Until Filled
Salary Range: Negotiable

The City of Egan is looking for an experienced maintenance/construction superintendent that can perform a wide variety of semi-skilled and unskilled work including, operation of different equipment. This work includes determining the resources required to complete tasks in the field and carry out those tasks without specific direction or instruction. Engage in maintenance and/or improvements of city streets, storm drains, public buildings, among other public works tasks as required. May also perform similar work functions in public utilities operations if so assigned and needed.

Example of Maintenance Duties:

- Asphalt Patching
- City Building Maintenance
- City Street Maintenance
- City Vehicle Maintenance/Repairs
- Clearing & Digging Ditches
- Clearing Culverts
- Clearing Curbs & Gutters
- Clearing Storm Drains

- Equipment Maintenance/Repairs
- Facility repairs/construction
- Hauling & Unloading Materials
- Heavy Equipment Operation
- Landscaping/lawn care
- Pavement Maintenance

- Plumbing & Electrical Repairs
- Record Keeping of Supplies
- Street Grading
- Street Sign Repairs

- Water & Sewer Line Repairs

Knowledge and Abilities:

The ideal candidate will have knowledge of construction methods, equipment, and tools used in construction and maintenance of streets, buildings, and sewer facilities. Candidate will also have knowledge and ability to use/drive skid loaders, tractors, mower, plows and trucks. Ability to keep records and inventory logs. Ability to follow oral and written instructions. Ability to layout and direct the work of any sub-contractors and establish and maintain effective relationships with city staff.

Qualifications:

- High School Graduate or Equivalent
- Four years of Experience in construction.
- Three Years of Experience in Public Works or Related Field
- Valid SD Driver's License
- This Job Requires Heavy Lifting – at least 40 pounds
- CDL Preferred or working toward completion of CDL

Employment applications are available at City Hall and online at www.egansd.com 110 W. 3rd St. Egan, SD 57024

Citizen Complaint.

U.S. Department Labor
Employment and Training Administration

OMB Approval No. 1205-0039
Expiration Date: 10/31/2023

For Official Use Only **Complaint/Apparent Violation Form**[1]

Complaint/Apparent Violation No.	Date Received

Part I. Contact Information[2]	**Respondent's Information**[3]
1. Name of Complainant/(Last, First, Middle Initial)[4] Thomas B Ten Eyck	4. Name of Person, Company, or Agency the Complaint is Made Against City of Egan, SD
2a. Permanent Address (No., St., City, State, ZIP Code) 211 S Fred St. Egan, SD 57024	5. Name of Employer (if different from Part I #4 above) /One-Stop Office
b. Temporary Address (if Appropriate)	6. Address of Employer/One-Stop Office 110 W. 3rd St. Egan, SD 57024

3a. Permanent Telephone	b. Temporary Telephone	7. Telephone Number of Employer/One-Stop Office
(605) 351 - 5476	( ) -	(605) 997- 2274

8a. Description of Complaint or Apparent Violation (If additional space is needed, use separate sheet(s) of paper and attach to this form)

On July 11, 2024 I applied for a maintenance superintendent position with the city of Egan, SD. On my application I indicated that I was a veteran.

On July 17, 2024 at the city meeting, a discussion was held about completing interviews for the finance officer, and once that was completed the board would hold interviews for the maintenance position.

On August 1, 2024 Interviews for finance officer position were held. After the meeting, two board members Mike and Cody were talking and stated they wanted a guy named Nick as the snowplow operator and that Mike and Cody would just continue their dual employment as board members and as maintenance people.

On August 21, 2024 at the city meeting another discussion was held regarding the city maintenance position. Cody and Mike maintained that they were just going to continue to do the position. Board member Michelle argued with them that there were 4 applicants on the table and the board needed to do something with those applicants. Cody refused and back and forth happened and then it was decided to advertise position again to add more to the pile before interviewing. They also discussed sending letters to the 4 applicants stating that they were still under consideration.

On September 18, 2024 Kayla (city finance officer/secretary) advised the board that the facebook account was going live and the position would be advertised. No letters had been sent.

On September 23, 2024 Position was posted but it was a different description from the one the board approved and the pay was different than the previous one.

On October 16, 2024 at the city meeting it was brought up again and stated that they had 1 applicant for the snow plow position and Cody was going to check with the guy to see if he had a CDL. Michelle questioned the maintenance position again and was sternly shut down by Cody, with him stating that the letters do not need to go out as he has applied to other jobs and never got letters and that He and Mike were going to continue to do the maintenance position and they were not going to interview. Michelle stated that there were employment law violations and they should look into it.

These denials and refusals violate SD Codified law 3-3-1 thru 3-3-9.

8b. ☐ I hereby give authorization to: _____ to act on my behalf regarding this complaint.
Phone #: _____ Address: _____

Certification I CERTIFY that the information furnished is true and accurately stated to the best of my knowledge. I AUTHORIZE the disclosure of this information to other enforcement agencies for the proper investigation of my complaint. I UNDERSTAND that my identity will be kept confidential to the maximum extent possible, consistent with applicable law and a fair determination of my complaint.

9. Signature of Complainant[5]	10. Date Signed / /

[1] For information regarding complaints that are covered through the Employment Service and Employment-Related Law Complaint System see 20 CFR 658 Subpart E.
[2] If the Complaint/Apparent Violation Form is used to submit an Apparent Violation, the name of the Complainant is not necessary and may remain anonymous. Parts 2a and 2b also do not need to be filled out if the form is used for an Apparent Violation.
[3] For definition of "Respondent" see 20 CFR 651.10.
[4] Pursuant to 658.400(d), "A complainant may designate an individual to act as his/her representative." If the complainant has a designated representative, the name and contact information of the designated representative must be provided in 8b.
[5] No signature is required at Part 9 if this form is submitted as an Apparent Violation. If the form is submitted as a complaint and a designated representative is acting on behalf of the complainant, the designated representative must sign here.

No action by DOL.

13

Part II. For Official Use Only

1. Migrant or Seasonal Farmworker?
☐ Yes ☐ No

2. Complaint or Apparent Violation Employment Service Related ("X" Appropriate Box(es))
☒ Complaint against the Employer
☒ Apparent violation involving the Employer
☐ Complaint against the Local Employment Service Office
☐ Apparent violation involving the Employment Service Office

2a. Job Order No, if available:

3. Complaint or Apparent Violation Employment-Related Law:
☐ Yes ☐ No

4. Issue(s) involved in Complaint or Apparent Violation ("X" Appropriate Box(es)):

☐ Wage Related	☐ Housing
☐ Child Labor	☐ Pesticides
☐ Health/Safety	☒ Discrimination
☐ Transportation	☐ Trafficking
☐ Sexual harassment/coercion/assault	
☒ Other (Specify)_____	

Failure to follow state codified law

5. If employer is an H-2A/Criteria Employer, is the complainant a:
("X" Appropriate Box):
☐ U.S. Worker
☐ H-2A Worker

6a. Referrals To Other Agencies ("X" Appropriate Box(es))
☐ WHD. U.S. DOL. ☐ OSHA U.S. D.O.L.
☐ EEOC ☐ Other _____

6b. Next Follow-up Date if complainant is an MSFW
_____/_____/_____

7. Address of Referral Agency (No., St., City, State, ZIP Code and Telephone No.)
_____
_____
(___)___-_____

8. Actions Taken on Complaint/Apparent Violation (If additional space is needed for multiple actions taken, use a separate paper):

Action Taken By: _____ On: _____
(First and Last Name) (Date)

Action Taken:

9. Complaint resolved at the local level ☐ Yes ☐ No If "No," explain* _____

10. Apparent violations resolved at the local level ☐ Yes ☐ No, If "No," explain* _____

11. Provided other American Job Center Services ☐ Yes ☐ No If "No," explain* _____

*If additional space is needed for explanations, use a separate paper.

12a. Name and Title of Person Receiving Complaint	12b. Office Address (No., St., City, State, ZIP Code)	
12c. Phone Number ( )	12d. Signature	12e. Date / /

Public Burden Statement
Persons are not required to respond to this collection of information unless it displays a currently valid OMB Control Number. Obligation to reply is required to obtain or retain benefits (44 USC 5301). Public reporting burden for this collection is estimated to average 2 hours and 30 minutes per response, including the time to review instructions, search existing data sources, gather and maintain the data needed, and complete and review the collection of information. Send comments regarding this burden estimate or any other aspect of this collection, including suggestions for reducing this burden, to the U.S. Department of Labor, Employment and Training Administration, Office of Workforce Investment, Room C-4510, 200 Constitution Avenue, NW, Washington, DC 20210.

CHAPTER 3-3
VETERANS' PREFERENCE IN EMPLOYMENT

3-3-1 Veterans preferred in public employment--Age or physical impairment not disqualifying--Veterans with service-connected disabilities preferred .
3-3-2 Investigation and interview of veteran applicants.
3-3-3 Mandamus available to enforce veterans' preference.
3-3-4 Restrictions on removal of veteran from employment--Hearing and review--Burden of proof.
3-3-5 Noncompliance as misdemeanor.
3-3-6 Confidential and policy-making positions exempt from chapter.
3-3-7 Unmarried spouse of deceased veteran--Entitlement to preference under certain conditions.
3-3-8 Spouse of disabled veteran--Entitlement to preference under certain conditions.
3-3-9 Distribution of information about state laws on veterans' preference in employment.

3-3-1. Veterans preferred in public employment--Age or physical impairment not disqualifying--Veterans with service-connected disabilities preferred .

In all public departments and subdivisions and upon all public works of this state and of the counties, municipalities, and school districts of this state, any veteran, as defined in § 33A-2-1, who is a citizen of the United States, shall receive preference for appointment, employment, and promotion. Age, loss of limb, or other physical impairment which does not in fact incapacitate does not disqualify the veteran if the veteran possesses the qualifications and business capacity necessary to discharge the duties of the position involved. A veteran who has a service-connected disability shall be given a preference over a nondisabled veteran. In order to determine if the veterans' preference applies, each applicant for employment under this chapter shall complete an employment application on which the applicant is asked if the applicant is a veteran as defined by § 33A-2-1.

Source: SL 1935, ch 188, §§ 1, 2; SL 1937, ch 227, § 1; SDC 1939, §§ 41.0501, 41.0502; SL 1939, ch 159, § 1; SL 1943, ch 147, § 1; SL 1951, ch 214, § 1; SDC Supp 1960, § 41.0508; SL 1980, ch 27, § 1; SL 1992, ch 60, § 2; SL 2010, ch 19, § 8; SL 2011, ch 1 (Ex. Ord. 11-1), § 20, eff. Apr. 12, 2011; SL 2015, ch 20, § 1; SL 2015, ch 21, § 1; SL 2016, ch 30, § 1.

3-3-2. Investigation and interview of veteran applicants.

If a veteran as defined in § 33A-2-1 applies for appointment for employment under this chapter, the officer, board, or person whose duty it is to appoint or employ some person to fill the position shall investigate the qualifications of the applicant. If the applicant possesses at least the minimum qualifications necessary to fill the position, the officer, board, or person shall interview the applicant.

Source: SL 1935, ch 188, § 3; SDC 1939, § 41.0503; SL 2010, ch 19, § 9; SL 2011, ch 1 (Ex. Ord. 11-1), § 20, eff. Apr. 12, 2011; SL 2016, ch 30, § 2.

3-3-3. Mandamus available to enforce veterans' preference.

A refusal to allow the preference provided for in this chapter, or a reduction of the salary for the position with intent to bring about the resignation or discharge of the incumbent, entitles the applicant or

incumbent to maintain an action mandamus to right the wrong.

Source: SL 1935, ch 188, § 4; SDC 1939, § 41.0504; SL 2010, ch 19, § 10.

3-3-4. Restrictions on removal of veteran from employment--Hearing and review--Burden of proof.

No person holding a public position by appointment or employment, and belonging to any of the classes of persons to whom a preference is granted pursuant to this chapter, may be removed from the position or employment unless replaced by another person of a class to whom such preference is granted. However, the person may be removed for incompetency or misconduct shown after a hearing, upon due notice, upon stated charges, and with the right of the employee or appointee to a review by writ of certiorari. The burden of proving incompetency or misconduct rests upon the party alleging the incompetency or misconduct.

Source: SL 1935, ch 188, §§ 5, 6; SL 1937, ch 227, § 2; SDC 1939, §§ 41.0505, 41.0506; SL 2010, ch 19, § 11.

3-3-5. Noncompliance as misdemeanor.

Any person in the public service who neglects or refuses to comply with the provisions of this chapter is guilty of a Class 1 misdemeanor.

Source: SL 1935, ch 188, § 8; SDC 1939, § 41.9903; SL 1980, ch 24, § 33; SL 2010, ch 19, § 12.

3-3-6. Confidential and policy-making positions exempt from chapter.

Nothing in this chapter applies to department heads, to policy-forming officials, to the position of private secretary of any official or department, or to any person holding a strictly confidential relation to the appointing officer.

Source: SL 1935, ch 188, § 7; SDC 1939, § 41.0507; SL 1939, ch 159, § 2; SL 1943, ch 147, § 2; SL 1951, ch 214, § 2; SDC Supp 1960, § 41.0508; SL 2010, ch 19, § 13.

3-3-7. Unmarried spouse of deceased veteran--Entitlement to preference under certain conditions.

The unmarried spouse of a veteran who died while in service, or later died from a service connected cause, is entitled to the preferences given to the veteran in § 3-3-1 if the spouse possesses the qualifications and business capacity necessary to discharge the duties of the position involved.

Source: SL 1980, ch 27, § 2; SL 2010, ch 19, § 14.

3-3-8. Spouse of disabled veteran--Entitlement to preference under certain conditions.

If a veteran disabled due to a service connected cause is unable to exercise the right to a veteran employment preference due to the disability, the veteran's spouse is entitled to the preferences given in § 3-3-1 if the spouse possesses the qualifications and business capacity necessary to discharge the duties of the position involved.

Source: SL 1980, ch 27, § 3; SL 2010, ch 19, § 15.

3-3-9. Distribution of information about state laws on veterans' preference in employment.

Beginning on July 1, 2016, the Department of Veterans Affairs shall create informative materials about current state laws pertaining to veterans' preference in employment to be both posted on the Department of Veterans Affairs website for public access and for distribution by the council and its member organizations.

Source: SL 2016, ch 30, § 3; SL 2020, ch 140, § 2.

CHAPTER 3-3

VETERANS' PREFERENCE IN EMPLOYMENT

3-3-1 Veterans preferred in public employment--Age or physical impairment not disqualifying--Veterans with service-connected disabilities preferred .

3-3-2 Investigation and interview of veteran applicants.

3-3-3 Mandamus available to enforce veterans' preference.

3-3-4 Restrictions on removal of veteran from employment--Hearing and review--Burden of proof.

3-3-5 Noncompliance as misdemeanor.

3-3-6 Confidential and policy-making positions exempt from chapter.

3-3-7 Unmarried spouse of deceased veteran--Entitlement to preference under certain conditions.

3-3-8 Spouse of disabled veteran--Entitlement to preference under certain conditions.

3-3-9 Distribution of information about state laws on veterans' preference in employment.

3-3-1. Veterans preferred in public employment--Age or physical impairment not disqualifying--Veterans with service-connected disabilities preferred .

In all public departments and subdivisions and upon all public works of this state and of the counties, municipalities, and school districts of this state, any veteran, as defined in § 33A-2-1, who is a citizen of the United States, shall receive preference for appointment, employment, and promotion. Age, loss of limb, or other physical impairment which does not in fact incapacitate does not disqualify the veteran if the veteran possesses the qualifications and business capacity necessary to discharge the duties of the position involved. A veteran who has a service-connected disability shall be given a preference over a nondisabled veteran. In order to determine if the veterans' preference applies, each applicant for employment under this chapter shall complete an employment application on which the applicant is asked if the applicant is a veteran as defined by § 33A-2-1.

Source: SL 1935, ch 188, §§ 1, 2; SL 1937, ch 227, § 1; SDC 1939, §§ 41.0501, 41.0502; SL 1939, ch 159, § 1; SL 1943, ch 147, § 1; SL 1951, ch 214, § 1; SDC Supp 1960, § 41.0508; SL 1980, ch 27, § 1; SL 1992, ch 60, § 2; SL 2010, ch 19, § 8; SL 2011, ch 1 (Ex. Ord. 11-1), § 20, eff. Apr. 12, 2011; SL 2015, ch 20, § 1; SL 2015, ch 21, § 1; SL 2016, ch 30, § 1.

3-3-2. Investigation and interview of veteran applicants.

If a veteran as defined in § 33A-2-1 applies for appointment for employment under this chapter, the officer, board, or person whose duty it is to appoint or employ some person to fill the position shall investigate the qualifications of the applicant. If the applicant possesses at least the minimum qualifications necessary to fill the position, the officer, board, or person shall interview the applicant.

Source: SL 1935, ch 188, § 3; SDC 1939, § 41.0503; SL 2010, ch 19, § 9; SL 2011, ch 1 (Ex. Ord. 11-1), § 20, eff. Apr. 12, 2011; SL 2016, ch 30, § 2.

3-3-3. Mandamus available to enforce veterans' preference.

A refusal to allow the preference provided for in this chapter, or a reduction of the salary for the position with intent to bring about the resignation or discharge of the incumbent, entitles the applicant or incumbent to maintain an action of mandamus to right the wrong.

Source: SL 1935, ch 188, § 4; SDC 1939, § 41.0504; SL 2010, ch 19, § 10.

3-3-4. Restrictions on removal of veteran from employment--Hearing and review--Burden of proof.

No person holding a public sition by appointment or employment. d belonging to any of the classes of persons to whom a preference is granted pursuant to this chapter, may be removed from the position or employment unless replaced by another person of a class to whom such preference is granted. However, the person may be removed for incompetency or misconduct shown after a hearing, upon due notice, upon stated charges, and with the right of the employee or appointee to a review by writ of certiorari. The burden of proving incompetency or misconduct rests upon the party alleging the incompetency or misconduct.

Source: SL 1935, ch 188, §§ 5, 6; SL 1937, ch 227, § 2; SDC 1939, §§ 41.0505, 41.0506; SL 2010, ch 19, § 11.

3-3-5. Noncompliance as misdemeanor.

Any person in the public service who neglects or refuses to comply with the provisions of this chapter is guilty of a Class 1 misdemeanor.

Source: SL 1935, ch 188, § 8; SDC 1939, § 41.9903; SL 1980, ch 24, § 33; SL 2010, ch 19, § 12.

3-3-6. Confidential and policy-making positions exempt from chapter.

Nothing in this chapter applies to department heads, to policy-forming officials, to the position of private secretary of any official or department, or to any person holding a strictly confidential relation to the appointing officer.

Source: SL 1935, ch 188, § 7; SDC 1939, § 41.0507; SL 1939, ch 159, § 2; SL 1943, ch 147, § 2; SL 1951, ch 214, § 2; SDC Supp 1960, § 41.0508; SL 2010, ch 19, § 13.

3-3-7. Unmarried spouse of deceased veteran--Entitlement to preference under certain conditions.

The unmarried spouse of a veteran who died while in service, or later died from a service connected cause, is entitled to the preferences given to the veteran in § 3-3-1 if the spouse possesses the qualifications and business capacity necessary to discharge the duties of the position involved.

Source: SL 1980, ch 27, § 2; SL 2010, ch 19, § 14.

3-3-8. Spouse of disabled veteran--Entitlement to preference under certain conditions.

If a veteran disabled due to a service connected cause is unable to exercise the right to a veteran employment preference due to the disability, the veteran's spouse is entitled to the preferences given in § 3-3-1 if the spouse possesses the qualifications and business capacity necessary to discharge the duties of the position involved.

Source: SL 1980, ch 27, § 3; SL 2010, ch 19, § 15.

3-3-9. Distribution of information about state laws on veterans' preference in employment.

Beginning on July 1, 2016, the Department of Veterans Affairs shall create informative materials about current state laws pertaining to veterans' preference in employment to be both posted on the Department of Veterar Affairs website for public access and for distribution by the council and its member organizations.

Source: SL 2016, ch 30, § 3; SL 2020, ch 140, § 2.

City Maintenance Superintendent
City of Egan, SD
Position: 25 Hour/Week
Closing Date: Open Until Filled
Salary Range: Negotiable

The City of Egan is looking for an experienced maintenance/construction superintendent that can perform a wide variety of semi-skilled and unskilled work including, operation of different equipment. This work includes determining the resources required to complete tasks in the field and carry out those tasks without specific direction or instruction. Engage in maintenance and/or improvements of city streets, storm drains, public buildings, among other public works tasks as required. May also perform similar work functions in public utilities operations if so assigned and needed.

Example of Maintenance Duties:

- Asphalt Patching
- City Building Maintenance
- City Street Maintenance
- City Vehicle Maintenance/Repairs
- Clearing & Digging Ditches
- Clearing Culverts
- Clearing Curbs & Gutters
- Clearing Storm Drains

- Equipment Maintenance/Repairs
- Facility repairs/construction
- Hauling & Unloading Materials
- Heavy Equipment Operation
- Landscaping/lawn care
- Pavement Maintenance

- Plumbing & Electrical Repairs
- Record Keeping of Supplies
- Street Grading
- Street Sign Repairs

- Water & Sewer Line Repairs

Knowledge and Abilities:

The ideal candidate will have knowledge of construction methods, equipment, and tools used in construction and maintenance of streets, buildings, and sewer facilities. Candidate will also have knowledge and ability to use/drive skid loaders, tractors, mower, plows and trucks. Ability to keep records and inventory logs. Ability to follow oral and written instructions. Ability to layout and direct the work of any sub-contractors and establish and maintain effective relationships with city staff.

Qualifications:

- High School Graduate or Equivalent
- Four years of Experience in construction.
- Three Years of Experience in Public Works or Related Field
- Valid SD Driver's License
- This Job Requires Heavy Lifting – at least 40 pounds
- CDL Preferred or working toward completion of CDL

Employment applications are available at City Hall and online at www.egansd.com 110 W. 3rd St. Egan, SD 57024

Subscribe Today to Receive News & Alerts via Text and or Email

City of Egan

Employment Opportunities

Current open positions:

Finance Officer: 24-28 hours/3 days per week. Pay depending on experience

Maintenance Support: 20-25 hoursd per week. Pay depending on experience

To apply for any position at the City of Egan, please complete our required Application Form (if available) below or obtain an application in person at our offices. Please make sure you meet the specific qualifications for the position you are applying for; otherwise the application will not be processed. We look forward to receiving your application and discussing the employment opportunity of interest. Applications can be emailed to egancity@outlook.com

City of Egan is an Equal Opportunity Employer. Applications will be considered for all positions without regard to race, color, national origin, age, religion, sex, marital status, veteran status, or any other legally protected status.

Relevant Documents

- Employment Application
- City Finance Office Job Description
- City Maintenance Job Description

GOVERNMENT

- City Hall
  - City Finance Officer
- Code Compliance
  - Ordinances
- Financial Reports & Budgets
  - Annual Budget
  - Financial Reports/Audits
- Human Resources
  - Application Process
  - Employment Opportunities
- City Council
  - Council
- Meeting Agendas & Minutes
  - Agendas
  - Minutes
- Open Records
  - Public Information Request

Re: Taxes

michelle.teneyc.../Inbox

Kayla Charles <egancity@outlook.com>
To: michelle teneyck <michelle.teneyck@yahoo.com>

Jan 15 at 4:09 PM

1/15/25

I haven't gotten a chance to circle back to that with DeAnna to see what has changed with Rural Districting that would allow us to change it. When I filed the amended ordinance with her, they were out accessing and I left it in their mailbox.

Kayla Charles
Finance Officer
City of Egan
120 W 3rd Street
Egan, SD 57024
605 997-2274

Still no information given

From: michelle teneyck <michelle.teneyck@yahoo.com>
Sent: Wednesday, January 15, 2025 3:30 PM
To: Kayla Charles <egancity@outlook.com>
Subject: Taxes

Good afternoon. Before I forget by tonight, where are we at with the taxes of the properties on the perimeter of town.

I was thinking of this last week and just forgot to ask. Lol.

Michelle Ten Eyck

Re: Meeting Needed

michelle.teneyc.../Inbox

Kayla Charles <egancity@outlook.com> Aug 25 at 9:31 AM
To: Cody Chamblin <codyc@dakotalayers.com>
Cc: Michelle Ten Eyck <michelle.teneyck@yahoo.com>, Mike Hein <heinm43@yahoo.com>, Jerome Olson <jcorec@gmail.com>, Nancy Hansen <dnhansen@hotmail.com>

Good Morning,

We will meet tomorrow morning at 9am. The only item on the agenda will be to approve the increase amount which ended up being 5443.68.

Thanks!

Kayla Charles
Finance Officer
City of Egan
101 N Irvin Street
Egan, SD 57024
605 997-2274

Cody Reply All

From: Cody Chamblin <codyc@dakotalayers.com>
Sent: Friday, August 22, 2025 12:30 PM
To: Kayla Charles <egancity@outlook.com>
Cc: Michelle Ten Eyck <michelle.teneyck@yahoo.com>; Mike Hein <heinm43@yahoo.com>; Jerome Olson <jcorec@gmail.com>; Nancy Hansen <dnhansen@hotmail.com>
Subject: Re: Meeting Needed

It would have to be late afternoon for me. But I also dont need to be there. Just need three. Should be simple less then five minutes

cody chamblin-pullet manager
DL pullets
48291 234th st
flandreau SD 57028
605-997-2191 ext 315

On Aug 22, 2025 12:27 PM, Kayla Charles <egancity@outlook.com> wrote:
Good Afternoon,

We need to have a special meeting on Monday August 25th to approve an addition to the street maintenance. 3 blocks were left off of the original bid. The estimated cost is 5,000. This still makes sealpros the lowest bid and we still fall under our budgeted amount for street maintenance. What time works for three of you on Monday? I am already in the office in the morning until 12:30. Then I will need to head to Flandreau for the FEMA meeting at 1pm. Please respond with what time ranges will work for you.

Thanks!

Kayla Charles
Finance Officer
City of Egan
101 N Irvin Street
Egan, SD 57024
605 997-2274

code violations

michelle.teneyc.../Sent

michelle teneyck <michelle.teneyck@yahoo.com>
To: Kayla Charles <egancity@outlook.com>

Jul 27 at 10:25 PM

Here are the code violations Jerome and I found with a description of each. There are about 5 more but I need to verify address and plates. The pics I had of those were not good.

Also, Did the locate get completed or should I call them.

I have a crew and we will be building the playground equipment over the next few weeks.

I would also like to be paid for my time on the board, can you please take care of this.

Michelle

1 File 19 MB

Code violation sheets.docx
19 MB

Request for pay by Michelle

Re: Meeting Needed

michelle.teneyc.../Inbox

Kayla Charles <egancity@outlook.com>
To: Cody Chamblin <codyc@dakotalayers.com>
Cc: Michelle Ten Eyck <michelle.teneyck@yahoo.com>, Mike Hein <heinm43@yahoo.com>, Jerome Olson <jcorec@gmail.com>, Nancy Hansen <dnhansen@hotmail.com>

Aug 25 at 9:31 AM

Good Morning,

We will meet tomorrow morning at 9am. The only item on the agenda will be to approve the increase amount which ended up being 5443.68.

Thanks!

Kayla Charles
Finance Officer
City of Egan
101 N Irvin Street
Egan, SD 57024
605 997-2274

Reply All ccdy

From: Cody Chamblin <codyc@dakotalayers.com>
Sent: Friday, August 22, 2025 12:30 PM
To: Kayla Charles <egancity@outlook.com>
Cc: Michelle Ten Eyck <michelle.teneyck@yahoo.com>; Mike Hein <heinm43@yahoo.com>; Jerome Olson <jcorec@gmail.com>; Nancy Hansen <dnhansen@hotmail.com>
Subject: Re: Meeting Needed

It would have to be late afternoon for me. But I also dont need to be there. Just need three. Should be simple less then five minutes

cody chamblin-pullet manager
DL pullets
48291 234th st
flandreau SD 57028
605-997-2191 ext 315

On Aug 22, 2025 12:27 PM, Kayla Charles <egancity@outlook.com> wrote:
Good Afternoon,

We need to have a special meeting on Monday August 25th to approve an addition to the street maintenance. 3 blocks were left off of the original bid. The estimated cost is 5,000. This still makes sealpros the lowest bid and we still fall under our budgeted amount for street maintenance. What time works for three of you on Monday? I am already in the office in the morning until 12:30. Then I will need to head to Flandreau for the FEMA meeting at 1pm. Please respond with what time ranges will work for you.

Thanks!

Kayla Charles
Finance Officer
City of Egan
101 N Irvin Street
Egan, SD 57024
605 997-2274

Re: Meeting Needed

michelle.teneyc.../Egan City

Nancy Reply all

Don and Nancy Hansen <dnhansen@hotmail.com>
To: Cody Chamblin <codyc@dakotalayers.com>, Kayla Charles <egancity@outlook.com>
Cc: Michelle Ten Eyck <michelle.teneyck@yahoo.com>, Jerome Olson <jcorec@gmail.com>, Mike Hein <heinm43@yahoo.com>
Aug 6 at 2:05 PM

1. Why do we need to meet?
2. Does Michelle and team have a proposal?
3. Friday at 10 works for me.

Sent from Samsung Galaxy smartphone.
Get Outlook for Android

Cody Reply All

From: Cody Chamblin <codyc@dakotalayers.com>
Sent: Wednesday, August 6, 2025 12:18:08 PM
To: Kayla Charles <egancity@outlook.com>; Don and Nancy Hansen <dnhansen@hotmail.com>
Cc: Michelle Ten Eyck <michelle.teneyck@yahoo.com>; Jerome Olson <jcorec@gmail.com>; Mike Hein <heinm43@yahoo.com>
Subject: RE: Meeting Needed

I would be able to move my work schedule around for 10am Friday since Kayla is willing to come back from her vacation. Friday does not work my family and I have things planned already. But if the 3 of you can make Friday at 530 work. You can do it then

Cody Chamblin - Pullet Manager
DL Pullets
48291 234th St
Flandreau, SD 57028
605-997-2191 Ext 315

From: Kayla Charles <egancity@outlook.com>
Sent: Wednesday, August 6, 2025 12:12 PM
To: Don and Nancy Hansen <dnhansen@hotmail.com>
Cc: Cody Chamblin <codyc@dakotalayers.com>; Michelle Ten Eyck <michelle.teneyck@yahoo.com>; Jerome Olson <jcorec@gmail.com>; Mike Hein <heinm43@yahoo.com>
Subject: Re: Meeting Needed

Nancy or Michelle,

Will one of you take minutes for a Frida 30pm meeting at the city ball diamond?

12:09

< Inbox

Michelle Ten Eyck
To: Kayla Charles >

Re: Meeting Needed

The meeting is for the people that are he
build this. They do this professionally ar
volunteering their time. So Friday evenir
5:30 works best for them. It sounds like
Nancy and I are all available and you cou
Nancy to keep minutes.

Michelle Ten Eyck

On Aug 6, 2025, at 11:48 AM, Kayla Ch

On Aug [redacted], 2025, at 11:48 AM, Kayla Cha
<egancity@outlook.com> wrote:

I am on vacation but will drive back for a
meeting on Friday morning. Does that w
least 3 of you?

On Aug 6, 2025, at 11:39 AM, Cody Cha
<codyc@dakotalayers.com> wrote:

Tommorow works for me. Friday evenin
and Saturday does not





Re: Meeting Needed

[redacted]

On Aug 6, 2025, at 12:08 PM, Don and Nancy Hansen <dnhansen@hotmail.com> wrote:

Works for me. Please confirm date and time

Thanks!

Don and Nancy

From: Kayla Charles <egancity@outlook.com>
Sent: Wednesday, August 6, 2025 11:48:06 AM
To: Cody Chamblin <codyc@dakotalayers.com>
Cc: Don and Nancy Hansen <dnhansen@hotmail.com>; Michelle Ten Eyck <michelle.teneyck@yahoo.com>; Jerome Olson <jcorec@gmail.com>; Mike Hein <heinm43@yahoo.com>
Subject: Re: Meeting Needed

I am on vacation but will drive back for a 10am meeting on Friday morning. Does that work for at least 3 of you?

On Aug 6, 2025, at 11:39 AM, Cody Chamblin <codyc@dakotalayers.com> wrote:

Tommorow works for me. Friday evening will not and Saturday does not

cody chamblin-pullet manager
DL pullets
48291 234th st
flandreau SD 57028
605-997-2191 ext 315

On Aug 6, 2025 10:44 AM, Don and Nancy Hansen <dnhansen@hotmail.com> wrote:
Either day works for me.

Don and Nancy Hansen

From: Kayla Charles <egancity@outlook.com>
Sent: Wednesday, August 6, 2025 10:37 AM
To: Michelle Ten Eyck <michelle.teneyck@yahoo.com>; Cody Chamblin <codyc@dakotalayers.com>; Jerome Olson <jcorec@gmail.com>; Mike Hein <heinm43@yahoo.com>; Nancy Hansen <dnhansen@hotmail.com>
Subject: Meeting Needed

Good Morning,

We need a special meeting to discuss the playground. Can anyone meet tomorrow or Friday? Please respond only about when you would be able to meet and not about the subject to be discussed at the meeting.

Thank you,

Kayla Charles
Finance Officer
City of Egan
101 N Irvin Street
Egan, SD 57024
605 997-2274

Re: Meeting Needed

michelle.teneyc.../Inbox

Reply All by Cody

Cody Chamblin <codyc@dakotalayers.com>
To: Don and Nancy Hansen <dnhansen@hotmail.com>
Cc: Kayla Charles <egancity@outlook.com>, Michelle Ten Eyck <michelle.teneyck@yahoo.com>, Jerome Olson <jcorec@gmail.com>, Mike Hein <heinm43@yahoo.com>
Aug 7 at 10:05 AM

We have a meeting set Saturday morning at 8am at the ball feild

cody chamblin-pullet manager
DL pullets
48291 234th st
flandreau SD 57028
605-997-2191 ext 315

On Aug 6, 2025 5:21 PM, Cody Chamblin <codyc@dakotalayers.com> wrote:
So something needs to get decided. Not sure why meeting is needed either but if one is needed need to get posted also.

cody chamblin-pullet manager
DL pullets
48291 234th st
flandreau SD 57028
605-997-2191 ext 315

On Aug 6, 2025 4:05 PM, Don and Nancy Hansen <dnhansen@hotmail.com> wrote:

1. Why do we need to meet?
2. Does Michelle and team have a proposal?
3. Friday at 10 works for me.

Sent from Samsung Galaxy smartphone.
Get Outlook for Android

Reply All by Cody

From: Cody Chamblin <codyc@dakotalayers.com>
Sent: Wednesday, August 6, 2025 12:18:08 PM
To: Kayla Charles <egancity@outlook.com>; Don and Nancy Hansen <dnhansen@hotmail.com>
Cc: Michelle Ten Eyck <michelle.teneyck@yahoo.com>; Jerome Olson <jcorec@gmail.com>; Mike Hein <heinm43@yahoo.com>
Subject: RE: Meeting Needed

I would be able to move my work schedule around for 10am Friday since Kayla is willing to come back from her vacation. Friday does not work my family and I have things planned already. But if the 3 of you can make Friday at 530 work. You can do it then

Cody Chamblin - Pullet Manager
DL Pullets
48291 234th St
Flandreau, SD 57028
605-997-2191 Ext 315

From: Kayla Charles <egancity@outlook.com>
Sent: Wednesday, August 6, 2025 12:12 PM
To: Don and Nancy Hansen <dnhansen@hotmail.com>
Cc: Cody Chamblin <codyc@dakotalayers.com>; Michelle Ten Eyck <michelle.teneyck@yahoo.com>; Jerome Olson <jcorec@gmail.com>; Mike Hein <heinm43@yahoo.com>
Subject: Re: Meeting Needed

Nancy or Michelle,

Re: Meeting Needed

michelle.teneyc.../Egan City

Reply All by Nancy

Don and Nancy Hansen <dnhansen@hotmail.com>
To: Cody Chamblin <codyc@dakotalayers.com>, Kayla Charles <egancity@outlook.com>
Cc: Michelle Ten Eyck <michelle.teneyck@yahoo.com>, Jerome Olson <jcorec@gmail.com>, Mike Hein <heinm43@yahoo.com>

Aug 6 at 4:05 PM

1. Why do we need to meet?
2. Does Michelle and team have a proposal?
3. Friday at 10 works for me.

Sent from Samsung Galaxy smartphone.
Get Outlook for Android

Reply All by Cody

From: Cody Chamblin <codyc@dakotalayers.com>
Sent: Wednesday, August 6, 2025 12:18:08 PM
To: Kayla Charles <egancity@outlook.com>; Don and Nancy Hansen <dnhansen@hotmail.com>
Cc: Michelle Ten Eyck <michelle.teneyck@yahoo.com>; Jerome Olson <jcorec@gmail.com>; Mike Hein <heinm43@yahoo.com>
Subject: RE: Meeting Needed

I would be able to move my work schedule around for 10am Friday since Kayla is willing to come back from her vacation. Friday does not work my family and I have things planned already. But if the 3 of you can make Friday at 530 work. You can do it then

Cody Chamblin - Pullet Manager
DL Pullets
48291 234th St
Flandreau, SD 57028
605-997-2191 Ext 315

From: Kayla Charles <egancity@outlook.com>
Sent: Wednesday, August 6, 2025 12:12 PM
To: Don and Nancy Hansen <dnhansen@hotmail.com>
Cc: Cody Chamblin <codyc@dakotalayers.com>; Michelle Ten Eyck <michelle.teneyck@yahoo.com>; Jerome Olson <jcorec@gmail.com>; Mike Hein <heinm43@yahoo.com>
Subject: Re: Meeting Needed

Nancy or Michelle,

Re: Meeting Needed

Reply All by Nancy

michelle.teneyc.../Egan City

Don and Nancy Hansen <dnhansen@hotmail.com>
To: Kayla Charles <egancity@outlook.com>, Michelle Ten Eyck <michelle.teneyck@yahoo.com>, Cody Chamblin <codyc@dakotalayers.com>, Jerome Olson <jcorec@gmail.com>, Mike Hein <heinm43@yahoo.com>

Aug 6 at 10:44 AM

Either day works for me.

Don and Nancy Hansen

From: Kayla Charles <egancity@outlook.com>
Sent: Wednesday, August 6, 2025 10:37 AM
To: Michelle Ten Eyck <michelle.teneyck@yahoo.com>; Cody Chamblin <codyc@dakotalayers.com>; Jerome Olson <jcorec@gmail.com>; Mike Hein <heinm43@yahoo.com>; Nancy Hansen <dnhansen@hotmail.com>
Subject: Meeting Needed

Good Morning,

We need a special meeting to discuss the playground. Can anyone meet tomorrow or Friday? Please respond only about when you would be able to meet and not about the subject to be discussed at the meeting.

Thank you,

Kayla Charles
Finance Officer
City of Egan
101 N Irvin Street
Egan, SD 57024
605 997-2274

Prices

michelle.teneyc.../Sent

michelle teneyck <michelle.teneyck@yahoo.com>
To: Egancity <egancity@mcisweb.com>

Oct 15, 2024 at 10:24 AM

Good morning Kayla

Today can you send me a copy of the final bridge bill from the state. the 11 thousand dollar one. Also how much have we spent to date in legal fees pertaining to the bridge?

On a separate note in the next week or so will you help me with some research I am doing for pay before we approve it again in January. Can you send me each employee name and total hours worked for this year and last year. Please do not include board member salaries, just the hours they worked as employees.

Thanks for everything. Have a great day.

Michelle Ten Eyck

request for employee hours & pay & Bridge info.
- Not given - No answer

Fwd: Payroll

michelle.teneyc.../Sent

michelle teneyck <michelle.teneyck@yahoo.com>
To: Jerome Olson <jcorec@gmail.com>

Nov 3 at 9:36 AM

3rd request for pay

Michelle Ten Eyck

Begin forwarded message:

From: michelle teneyck <michelle.teneyck@yahoo.com>
Date: November 3, 2025 at 9:35:47 AM CST
To: Kayla Charles <egancity@outlook.com>
Subject: Payroll

Kayla

I asked in July to be paid for my time in the board. I still have not received that. Upon further checking I was told my salary could be donated to a special line item earmarked for the gazebo park. I assumed this was being done and everything was good. However, there is no line item in the finances for this. However, I verified this with the SDML and I was told that this never should have happened and that the information was incorrectly given that it could be done. That it was not legal and I was told I had to be paid for my time and if I chose to donate it back I could do it after the check was cashed. Listed below is every meeting to date for my time on the board.

City meetings

April 25, 2024
May 15, 2024
June 19, 2024
June 27, 2024 Special
July 17, 2024
July 23, 2024 special
August 1, 2024 special
August 21, 2024 regular
August 21, 2024 special
September 9, 2024 special
September 18, 2024 special
September 18, 2024 regular
October 16, 2024 special
October 16, 2024 regular
November 7, 2024 special
November 20, 2024
December 18, 2024
January 15, 2025
February 19, 2025
March 19, 2025
April 16, 2025 special
April 16, 2025 regular
May 21, 2025
June 18, 2025
July 16, 2025
August 9, 2025 special
August 20, 2025
August 26, 2025 special
September 17, 2025
October 15, 2025

Michelle Ten Eyck

Questions

michelle.teneyc.../Sent

michelle teneyck <michelle.teneyck@yahoo.com>
To: Kayla Charles <egancity@outlook.com>

Aug 7 at 4:00 PM

Kayla

What specific issues is the atty working on. Can you send a list and the status of each.

Also have a e seen a bill?

What is the status of the rural taxation ordinance?

Has there been a bill for the private investigator? Or did the attorney pay for it?

Michelle Ten Eyck

info request ignored

Ordinances

michelle.teneyc.../Sent

michelle teneyck <michelle.teneyck@yahoo.com>
To: Kayla Charles <egancity@outlook.com>

Sep 9 at 12:35 PM

Good morning

At one time I scanned all the ordinances and resolutions for Kelly to put on the website. Can we please get all of those on the website for easier access for our citizens and board to find what we need. I still have a copy of them if your need them. Thank you.

The easiest way to put them in the site would be a tab for all ordinances and one for all resolutions. I like the quick access ones for the commonly used ones but then by doing this we would have all ordinances and resolutions easily accessible by all.

Thanks.
Michelle Ten Eyck

Information Request ignored

Re: Meeting

michelle.teneyc.../Sent

michelle teneyck <michelle.teneyck@yahoo.com>
To: Cody Chamblin <codyc@dakotalayers.com>

Aug 6 at 6:13 PM

Have fun explaining this lack of any cooperation to the volunteers. They requested this. I also see you blind copied Kayla and I also understand there were a lot of back door conversations to make this project fail. Your priority should be the town and its improvement not sabotaging and attacking me. Thats pretty vindictive and harassing. It's even worse when you get everyone on board before a meeting so you everyone can sit and holler at me. That is so mature and professional.

Michelle Ten Eyck

On Aug 6, 2025, at 5:59 PM, Cody Chamblin <codyc@dakotalayers.com> wrote:

Well it dont look like you have a board on Friday night either. Im taking time off to meet Friday at 10. Again there two spots down there it could go and not sure what else needs if under 1000 dollars

cody chamblin-pullet manager
DL pullets
48291 234th st
flandreau SD 57028
605-997-2191 ext 315

On Aug 6, 2025 5:50 PM, michelle teneyck <michelle.teneyck@yahoo.com> wrote:

Don't lie. You know exactly why the meeting is needed. But in case you need another refresher basically nobody trusts you or the board to not screw a bunch of volunteers!!!

So for the third time of explaining this, a crew was ready to build the playground on Saturday. We were able to obtain volunteer help from people who build playgrounds professionally. This morning after being able to see the blueprints for the equipment they had some questions regarding placement and some associated cost of concrete and equipment. They reached out this morning to see if it would be possible for the board to meet them Saturday morning, so these questions could be answered and the placement could be determined. Due to the nature of minds being changed frequently, the group under the direction of the playground builders would like a meeting with the board members so everything is documented and legal. Friday morning will not work as they have regular jobs to go to. That's why we originally asked for Saturday morning. But that does not work for the majority, so we are now asking for Friday evening at 5:30 to be respectful of their jobs and time. They would like these things to be determined by the board prior to work starting And also so no volunteer is held liable or accused of something wrong.

Michelle Ten Eyck

Refusal to cooperate
I requested a special mtg & none was given prior to this

Re: Ordinance

Jul 11 at 3:46 PM

Kayla Charles <egancity@outlook.com>
To: michelle teneyck <michelle.teneyck@yahoo.com>

I will get those to you Monday. The ordinance is #211. There are not any correspondence from the attorney. All meetings have either been in person or on the phone.

Thanks and have a great weekend!

On Jul 9, 2025, at 2:19 PM, michelle teneyck <michelle.teneyck@yahoo.com> wrote:

Kayla,

In addition to the items below, can you get me the total hours worked per person on payroll for each week or month for the last 3 months. Thank you so much.

Michelle

On Monday, June 30, 2025 at 02:59:40 PM CDT, michelle teneyck <michelle.teneyck@yahoo.com> wrote:

Good afternoon

Have a great 4th weekend this weekend. Can you give me the ordinance number for that rural taxation change. Also will you please send the email correspondence from the atty about overturning it. I would appreciate it.
Thanks for everything. Have a great day.

Michelle Ten Eyck

still not given info.

Re: Items

michelle.teneyc.../Inbox

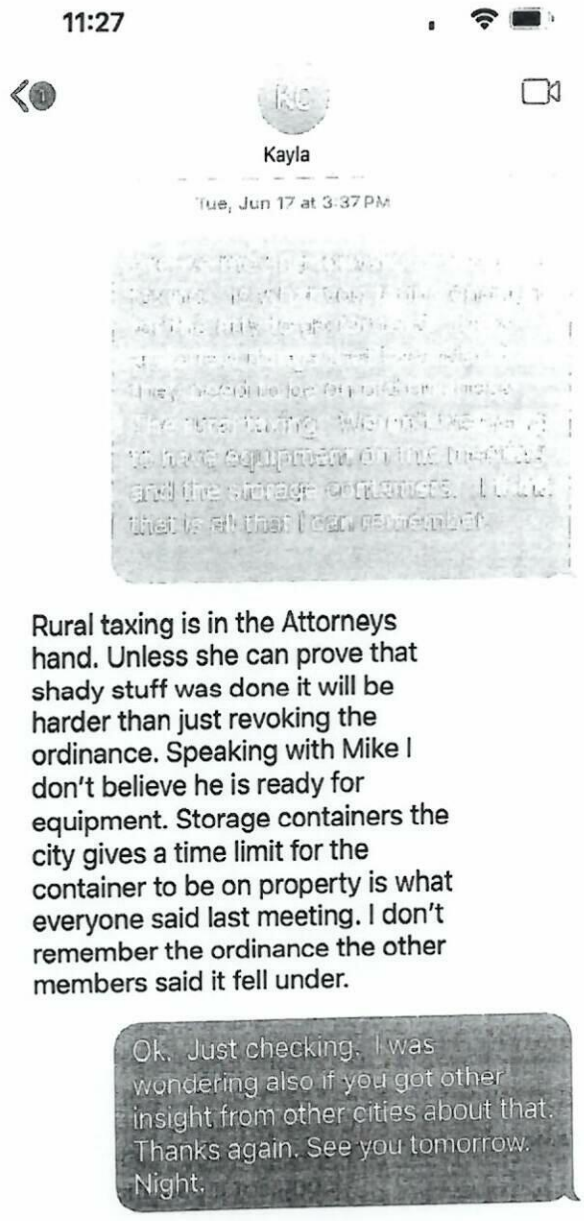
Jul 11 at 3:43 PM

Kayla Charles <egancity@outlook.com>
To: michelle teneyck <michelle.teneyck@yahoo.com>

Yes she does. I have not received a bill from her in the last 3 month.

> On Jul 11, 2025, at 10:45 AM, michelle teneyck <michelle.teneyck@yahoo.com> wrote:
>
> Kayla
>
> Does the atty send an itemized billing so we know what it is all for? Can you send me a copy of the itemized billing from the last 3 months from the attorney.
>
> Thank you.
> Michelle Ten Eyck

still not given info



Asked about undoing / repeal / recind or change a specific ordinance this was guidance given.



There is a yellow folder on my desk that has all the past petitions and new petitions on it.

In*

Do I need to do anything or just hand them the paper

I have a guy at my house was wondering how to get it before he leaves Sunday.

They will need to have it notarized by someone. If you wanna give them my number I can arrange to meet them at the office and help them fill out the top part and notarize it for them.

I will. He will be calling. I will grab him the form.

F.O. would not come in for a petitioner so I had to figure it out.

Alan Loehr 605-864-1711

notarize it for them.

[redacted]

Ok!

[redacted]

5

Mon, Feb 24 at 8:15 AM

When you have a second today, will you call me? We're in appointments in Sioux Falls all day today, but I'll try and catch you when you call.

Yep! Good luck at appointments!

Thank you and I hope you have a great day

Wed, Mar 19 at 5:30 PM

RICHARD J. HELSPER
DONALD M. MCCARTY
ERIC N. RASMUSSEN
GREGG A. GASS
REED T. MAHLKE
JENNIFER GOLDAMMER
TEREE A. NESVOLD
STACIA JACKSON
PATRICK A. REITER

HMR
HELSPER, MCCARTY
& RASMUSSEN, P.C.
LAW FIRM

George S. Mickelson
1941 - 1993

W.R. McCann
1909 - 2000

M.E. McCann
(Retired)

www.lawinsd.com

August 28, 2026

Ms. Beverly Katz
Office of the Attorney General
1302 East Highway 1889, Suite 1
Pierre, SD 57501

RE: OMC 2026-03

Ms. Katz,

I represent the City of Egan Board of Trustees. I am in receipt of the July 24th, 2026, Moody County Open Meetings Violation Complaint submitted to the South Dakota Open Meetings Commission by Paul Lewis. I'm also in receipt of your August 5th, 2026, correspondence regarding the same. I also understand that the September 14th meeting before the Open Meetings Commission has been canceled and now will be heard in October or November.

I'm submitting this letter as an admission to the count 1 and count 2 noted in the Moody County Complaint concerning the January 7th, 2026, regular meeting of the Egan Board of Trustees.

At the June 17th, 2026, regular meeting of the Board of Trustees, Paul Lewis spoke to the board regarding the open meeting complaints brought against the board by Michelle Ten Eyck and Jerome Olson. I was also present at the meeting. Mr. Lewis encouraged the Board to plead guilty to two of the approximately 34 complaints, which included posting the January 7th agenda 24 hours in advance and timely posting minutes for the January 7th meeting. After discussion, there was a motion made by Nancy Hansen seconded by Mike Hein to continue down the current path to accept the two violations that were noted in the April 23rd stipulation regarding the agenda not being posted on the website at least 24 hours before the meeting and non-timely minutes not being posted concerning the January 7th, 2026, meeting. More discussion followed. This motion passed with Nancy Hansen, Mike Hein, and Cody Chamblin voting in favor. Jerome Olson and Michelle Ten Eyck abstained. The motion passed.

Laserfiche

As a matter of clarification, both counts of the July 24th complaint contain the same admission as the April 23rd OMC 2026-03 stipulation and agreement. In addition, these two instances were discussed at the June 17th meeting and a motion passed regarding these two instances and the subsequent admission.

Please advise if you need any additional information prior to the upcoming October or November meeting in front of the Open Meetings Commission.

Sincerely,

HELSPER, McCARTY & RASMUSSEN, P.C.

REED T. MAHLKE

RTM:dek
Cc: Michelle Ten Eyck, Jerome Olson, and Paul Lewis

HOME OFFICE:
1441 SIXTH STREET, SUITE #200
BROOKINGS, SD 57006

BOTH LOCATIONS:
TEL: (605) 692-7775
FAX: (605) 692-4611

WATERTOWN OFFICE:
17 1ST AVE SE
WATERTOWN, SD 57201

Laserfiche

STATE OF SOUTH DAKOTA

OPEN MEETINGS COMMISSION

IN THE MATTER OF OPEN MEETINGS COMPLAINT AGAINST CITY OF EGAN BOARD OF TRUSTEES – MOODY COUNTY	)))))	OMC 2026-03 STIPULATION AND AGREEMENT WITH REPRIMAND

STIPULATION AND AGREEMENT

This Stipulation and Agreement with Reprimand is made and entered into by the South Dakota Open Meetings Commission, hereinafter referred to as "OMC" and the City of Egan Board of Trustees, witness and agree to the following:

1. On November 24, 2025, the Attorney General's Office on behalf of the OMC received a complaint from Michelle Ten Eyck and Jerome Olson, which complaint was forwarded to Moody County State's Attorney Paul Lewis to review and take action.

2. On February 19, 2026, Moody County State's Attorney Paul Lewis referred the matter to the Attorney General's Office for the OMC to hear the matter in accordance with SDCL § 1-25-6(3).

3. The complainants made numerous allegations of violations of the open meetings laws against the City of Egan City Board of Trustees which are summarized in the attached Exhibit A entitled "New Additional Complaints" and the Previous Complaints contained therein.

4. The City of Egan Board of Trustees understands they have the right to consult with an attorney of their own choosing and expense and did so

with counsel Reed Mahlke. The City of Eagan Board of Trustees understands they have the right to an administrative hearing. City Attorney Reed Mahlke and Trustee Chair Cody Chamblin have been authorized to sign this Stipulation and Agreement and are waiving the board's right to a hearing.

5. The City of Egan Board of Trustees admits to the open meetings laws violations relating to the agenda not being posted on their website at least 24 hours before the meeting and there was no timely publishing of minutes, both concerning the January 7, 2026 meeting.

6. A copy of the open meetings brochure dated December 31, 2025, was provided and explained to the City of Egan City Board of Trustees at the April 16, 2026 Board of Trustees meeting, by city attorney Reed Mahlke and the City of Egan Board of Trustees acknowledge receipt and review the same.

7. The City of Egan Board of Trustees, as the governing body of City of Egan, South Dakota, is a public body subject to the open meetings requirements of SDCL ch. 1-25.

8. The City of Egan Board of Trustees admits, and the OMC concludes, the City of Egan Board of Trustees did violate the open meetings law by failing to properly post the agenda 24 hours before the meeting on the website and failed to timely publish minutes of the January 7, 2026 meeting as required by SDCL § 1-25-1.1.

9. It is the intent of the City of Egan Board of Trustees to provide an offer of an informal compromise and settlement of all issues which could be raised in a formal contested hearing.

10. This Stipulation and Agreement is a public record of the OMC and shall be published on the OMC's website.

11. This Stipulation and Agreement is subject to OMC approval. In the event the OMC does not approve this Stipulation and Agreement, OMC will proceed to hear this matter and any argument is waived that the OMC members considering this Stipulation and Agreement should be disqualified from later rendering a decision in any subsequent contested case hearing regarding this pending action.

12. Findings of Fact and Conclusions of Law are hereby waived.

Dated this 23 day of April, 2026.

Cody Chamblin
Board of Trustees Chair

Reed T. Mahlke
Attorney for City of Egan
Board of Trustees

REPRIMAND

Based upon the foregoing, the South Dakota Open Meetings Commission **REPRIMANDS** the City of Egan Board of Trustees for violating SDCL § 1-25-1.1 by failing to timely and properly post the agenda and publish the minutes of the January 7, 2026 meeting.

Decision entered by Commissioners **M. Smith** (Chair), **K. Hoffman** (Vice Chair), **A. Hoffman**, **E. Sovell** and **L. Russell**.

Dated this _____ day of April, 2026.

Michael R. Smith, Chair
South Dakota Open Meetings Commission

EXHIBIT A

	New additional complaints		
7-Jan-26	quorum meeting from 6:20-6:35 Mike, Nancy, Cody	SDCL 1-25-1 Quorum	Jerome Olson, Karlie Ten Eyck, Mike Larson
18-Jun-25	quorum meeting from 6:55-7:10 Mike, Nancy, Cody	SDCL 1-25-1 Quorum	Jerome Olson, Michelle Ten Eyck, Barb Warborg
15-Oct-25	quorum meeting from 7:10-7:25 Mike, Nancy, Cody	SDCL 1-25-1 Quorum	Mike Larson, Barb Warborg, Michelle Ten Eyck
27-Jan-26	Kayla failed to publish minutes in the paper. Minutes for 12/17/25 still have not been published in the newspaper	1-27-1.17. Draft minutes of public meeting to be available--Exceptions--Violation as misdemeanor.	9-18-1.1. Time for delivery of copy to official newspaper.
27-Jan-26	Kayla has failed to publish minutes from 1/5/26 and 1/7/26 on either the website or in the paper. No copy is published for the public.	1-27-1.17. Draft minutes of public meeting to be available--Exceptions--Violation as misdemeanor.	9-18-1.1. Time for delivery of copy to official newspaper.
27-Jan-26	No Agenda was posted on the website for the meeting on 1/7/26. I cannot confirm whether it was posted in the window 24 hours prior as I was out of town.	1-25-1.1. Notice of meeting of political subdivision--Agenda--Violation as misdemeanor.	
5-Jan-26	Agenda was not posted on website or city office 24 hours prior.	1-25-1.1. Notice of meeting of political subdivision--Agenda--Violation as misdemeanor.	
19-Nov-25	Kayla was told that she needed to itemize each person and their pay. She said the next finance office could worry about it. Stated she would not answer to me or my questions as she did not like me.	9-18-1. Governing body to publish minutes of meetings including statement of expenditures--Rate of payment for publication.	This has not been done for multiple years.

5-Jan-26	Discussion about new hire needing to be bonded. Asked if Kayla had provided us with a bond. The answer by Nancy was yes, although it was unable to be verified.	9-14-6.1. Amount of finance officer's bond.	
Multiple	Kayla takes all finance records, bills, checkbook, city records to her home office. This was not approved by the board. Only Cody approved it outside of a meeting. No board discussion and when she was interviewed it was for 20-25 hours a week at the office.	9-14-17. Records maintained by finance officer--Warrants on treasury--Expense estimates--Contracts.	
multiple	Kayla and Cody refuse to let me be paid for my time on the board.	9-14-28. Salaries and compensation of municipal officers.	
Multiple	Cody making decisions with Mike or Nancy, outside of a meeting that benefit their agenda. No discussion with the entire board. IE, did not want to interview for snow plow driver, he and mike did not like the choices. Same with the maintenance person interviews.	9-14-37. Neglect of duty or misconduct by municipal officer as misdemeanor--Removal from office.	
	Cody and Kayla deciding to go to city attorney to have Michelles position challenged. No discussion with the board, decision made outside of meeting and action was taken.	9-14-37. Neglect of duty or misconduct by municipal officer as misdemeanor--Removal from office.	
	Cody and Kayla decided that they are the only two people who are allowed by them to speak with the attorney for the city.	9-14-37. Neglect of duty or misconduct by municipal officer as misdemeanor--Removal from office.	

28-Jan-26	Once again for multiple years, no review of open meeting laws has been done.	1-25-13. Annual review of open meeting laws--Acknowledgment.	
	Previous Complaints		
11-Jul-24	Complaint by Thomas Ten Eyck for failure to provide an interview to him for maintenance position. Was told to turn it to city and states attorney	SDCL 1-25-1.1 and SDCL Chapter 3-3	see packet dated July 11, 2024
15-Jan-25	Asking for information from finance officer about a rural districting ordinance that the city made and that the county assessor told us should be undone. It directly benefited board memebers and it unfairly raised the taxes of the citizens who do not adjoin rural land.		see email dated 1/15/2025
13-Mar-25	citizen complaint about agendas being posted in the window and on the website and to include location and time. Kayla refused to do this.	1-25-1.1. Notice of meeting of political subdivision--Agenda--Violation as misdemeanor.	see email dated 03/13/25
13-Mar-25	email to kayla also asking her for the citizen to post the time and location of the meetings.	SDCL 1-25-2	see email dated 3/13/25
16-Apr-25	Kayla threw a cittizen out of the meeting with no direction from the board. Gentleman had raised his voice but it was not exclusively him being loud over a hot button topic.		see email dated April 17, 2025

17-Apr-25	Email to Kayla asking to put the agenda and minutes in a more visible spot for people to find them.	SDCL 1-27	See email
5/26/2025	May 21, 2025 meeting, Cody Chamblain declared executive session at end of the meeting. This was not listed on the agenda.	9-14-28. Salaries and compensation of municipal officers.	see email dated May 26, 2025
17-Jun-25	rural taxing questions. Was told the only way to undo an ordinace is to prove it was done nephariously.	SDCL 1-25-1 Quorum	see text message grouping 6/17/25
11-Jul-25	requested information of public record from Kayla. No answer and not provided.	SDCL 1-25-1 Quorum	see email dated 7/11/25
27-Jul-25	request for pay by Michelle	9-7-6. Regular and special meetings of board.	see email dated 7/27/25
6-Aug-25	Cody Chamblain "replied all" to a group email multiple times	SDCL 1-27	see email dated 8/6/25
6-Aug-25	Nancy Hanson "replied all" to a group email a couple of times		Jerome Olson, Nancy Hanson, Mike Hein, Cody Chamblin see email dated 8/6/25
6-Aug-25	I requested of Kayla first and then cody at a later date to have a special meeting for volunteers questions to be answered prior to playground project. Refusal to cooperate.	SDCL 1-25-1 Quorum	see email dated 8/6/25
7-Aug-25	reuested information of public record from Kayla. No answer and not provided.	SDCL 1-25-1 Quorum	see email dated 8/7/25
20-Aug-25	Kayla told the board I purposefully provided wrong addresses for homes for code enforcement violations	SDCL 1-25-1 Quorum	see email dated Aug 21, 2025
22-Aug-25	Cody Chamblain "replied all" to a group email	SDCL 1-27	see email dated 8/22/25

25-Aug-25	Cody Chamblain "replied all" to a group email	SDCL 1-27	see email dated 8/25/25
9/9/2025	requested information of public record from Kayla. No answer and not provided.	9-14-28. Salaries and compensation of municipal officers.	see email dated 9/9/25
15-Oct-25	Michelle requested of kayla pay and hours of each employee. Kayla refused to answer or provide.	1-27-37. Written request for disclosure of records.	see email 10/15/24
16-Oct-25	Email sent out stating the board would go into executive session in a special meeting to fact gather for bridge project.	1-25-2. Executive or closed meetings--Purposes--Authorization--Violation as misdemeanor.	see email dated 10/2/25
3-Nov-25	Michelle requested to be paid for the third time.	9-14-28. Salaries and compensation of municipal officers.	see email 11/3/25
25-Jan	Kayla refused to help someone take out a petition. She was not in the office when her hours were posted. Persons petition was ultimately rejected because it was not filled out properly, due to her not helping the person.	9-13-7. Municipal office--Nominating petition--Contents.	
25-Feb	Kayla refused to be in the office on the last day of petitions so people could turn them in. They were left in the drop box.	9-13-7. Municipal office--Nominating petition--Contents.	

Egan City Minutes

June 17, 2026

The Board of Trustees of the City of Egan, South Dakota met in regular session on June 17, 2026, at Egan City Hall, 101 N Irvin St, Egan, SD.
Present: Board of Trustees – Cody Chamblin, Jerome Olson, Nancy Hansen, Mike Hein, Michelle Ten Eyck, Finance Officer Maeghen Putnam, and City Attorney Reed Mahlke. Citizens Attending: Don Hansen, Mike Larson, Carol Larson, Barb Warborg, Paul Lewis, Allen Loehr, and Ted Thull. Reed Mahlke left the meeting at 6:45.
The 6:00 pm meeting was called to order by Chairman Chamblin.
Motion by Olson, second by Hansen to approve the agenda.
Motion by Hansen to approve May 20, 2026, Regular Meeting Minutes, Second by Hein. All present voted "aye."

Public Comment: Theodore Thull spoke about getting a building permit for the Bank building on 3rd St. He wants to extend out the back, make a breezeway, garage, and living quarters on the second floor (Carriage House). Putnam did not know if the area was zoned commercial or residential, a variance/conditional use may be needed. The Board said that they would have to investigate zoning and Thull should work with Putnam to get a building permit. If the project needs special approval, the board will call a special meeting to facilitate a permit faster.
Allen Loehr spoke about sidewalk maintenance on the south and north side of 3rd street. Chamblin felt like it should be the property owner's responsibility to maintain the sidewalk. The city will have to investigate what statutes govern who is responsible for maintenance of those sidewalks.
Barb Warburg mentioned that the sink at the community center is dripping profusely. Mike Hein said he would put it on his list of faucets to replace.

Zoning: Nothing

Old Business: Paul Lewis spoke to the Board regarding the Open Meeting Complaint brought against the Board by Michelle Ten Eyck and Jerome Olsen. It was sent back to the State's Attorney after an SD Open Meetings Commission meeting. Paul encouraged the Board to plead guilty to two out of the 34 complaints against them, which includes posting agenda 24 hours in advance and posting timely minutes. Ten Eyck discussed how she believes pleading guilty to only two incidents out of the many complaints are inadequate, plus the non-open meetings items that still have not been addressed. Mahlke believes he worked with the board to draft the agreement to plead guilty to two incidents were decided by the board and is the most cost-effective way for the city. There was a motion by Hansen, seconded by Hein to "continue down the current path to accept the stipulation that were agreed to with the two items related to the agenda not being posted on the website at least 24 hours before the meeting and non-timely minutes not being posted concerning the January 7th, 2026, meeting." Chamblin opened for more discussion, Olson believes the three board members that did not bring the complaint were the ones being charged, Hansen told Olson that this was all our guilty plea, the whole board. Mahlke reiterated that this was against the board as a whole. Chamblin voted "aye", Olson abstained, Ten Eyck abstained. Motion passed.
Tree Dump was discussed. Chamblin spoke about how Madison and Flandreau charge a fee at a certain time of the year and Madison/Garretson has had the same problems as us with people dumping prohibited items. Chamblin assured the board that they were trying to come up with a long-term solution and the use of the Flandreau Yard Waste site at no cost to Egan residents should be good for the rest of the summer. Egan is still on the list for Flandreau Fire Department to burn the Tree pile on the Jones land. Chamblin will reach out to Neil (Jones Land Manager) after request from Olsen, but doubts anything will happen with purchase of property.

The Pump Hose was discussed. Trent requested a light to be installed at the Pump House. The city will accommodate that request. An idea was to reach out to Steinhauer for use of the gravel pit for an emergency spot to pump water if the pump house cannot keep up.

New Business: A list is getting compiled for city surplus. The city is looking into using an online government surplus site for larger items, since moody county/school is not having an auction this year. Putnam will look into SD Federal Property Agency, Purple Wave Auction, or Govdeals. Items mentioned are the box blade, the tractor mower to possibly get a disk mower, old generators, and the large snowplow and possibly get a smaller plow where a cdl is not required. More will be added to the list. Old chemicals that the city will not use will be discarded.
Ten Eyck wanted information on how to get a fine fee schedule set up with Egan and Moody County Sheriff's office. Ten Eyck referred to Mahlke who explained a recent fine schedule approved by the board is the first step, next getting with Sherriff Wellman to figure out a process for city tickets being written. Next a complaint needs to be filed, getting them served, along with a hearing scheduled in front of a judge. This will not be prosecuted through the state's attorney, the Egan City Attorney Mahlke would have to represent the city in the proceedings. Putnam will compile a current fee schedule with ordinances and put the matter on the agenda next month for further discussion.

Committee Reports: *Compliance*/Code Enforcement: TenEyck will compile a list of junk cars and ordinance violations so that letters can be sent out soon. Next meeting Ten Eyck wants to look at the ordinance regarding auto nuisances.
Maintenance/Streets: The siren is fixed. The company came on June 10th to maintain and fix the rotator belt. Quotes were presented to the board from SealPros. Camblin/Hein will work to get two additional quotes for street improvements by next meeting. The next meeting the board will discuss whether to overlay Prospect and patch parts of 1st St. or overlay all of 1st street.
Parks: QR sign for camping will be ready in a week, so campers have an option to pay by credit card.
Personnel/Compliance: nothing
Utilities: nothing

Motion by Ten Eyck, second by Hansen to approve Financial Report. All present voted "aye."
Motion by Hein, second by Ten Eyck to approve the following bills: City of Flandreau (Yard Waste Agreement) $1000.00; OtterTail $879.77 (Electricity); USDA Water Loan $569.00 (May Loan Payment); Moody County Auditor $983.33 (Deputy Coverage); City of Sioux Falls (Water Test) $26.37; Total: $3,458.47. All present voted "aye."
Correspondence: Moody County Museum asking for donation of $500. Board decided not to donate.
Motion by Ten Eyck, second by Hein to adjourn regular session at 7:07. All present voted "aye."
Next Regular Meeting – Wednesday, July 15, 2026, at 6pm.
Minutes submitted pending Board approval.
Cody Chamblin, Chairman
Attest: Maeghen Putnam, Finance Officer