



OFFICE OF THE STATE'S ATTORNEY  
HUGHES COUNTY, SOUTH DAKOTA

ROXANNE HAMMOND, STATE'S ATTORNEY

104 E. Capitol • Pierre, SD 57501  
Tel. (605) 773-7462 • Fax (605) 773-7460

Attorney General  
431285  
JUL 28 2020

JESSICA LAMIE  
CHIEF DEPUTY STATE'S ATTORNEY  
ROXANNE.HAMMOND@CO.HUGHES.SD.US

DANIEL J. TODD  
DEPUTY STATE'S ATTORNEY

DENISE RICHARDS  
VICTIM WITNESS ADVOCATE

July 24, 2020

Open Meetings Commission  
Office of the Attorney General  
1302 E. Hwy 14  
Suite 1  
Pierre, SD 57501-8501

Members of the Commission:

Attached, please find a case referred up the Hughes County State's Attorney's Office for a possible open meetings violation. We have reviewed the case and are referring it up with our findings:

- 1) The Pierre City Commission met on April 7<sup>th</sup>, 2020, in Pierre, SD.
- 2) The agenda was posted on the door of City Hall, as well as dispersed for broadcast to local media, prior to the meeting.
- 3) There was an attempt to post the agenda online on April 6, 2020, but due to technical issues, the agenda did not post online until the morning of April 7, 2020, at around 9:30 AM.
- 4) The failure to post an agenda was brought to the attention of the City Attorney, as well as the State's Attorney, the morning of April 7, 2020.
- 5) The Pierre City Commission held its meeting at the scheduled time on April 7, 2020.

SDCL § 1-25-1.1 reads:

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.

Despite some apparent confusion of the issues in the police report, it is my opinion that the failure to post the agenda online at least 24 hours in advance of the meeting was in violation of SDCL 1-25-1.1, and I will be forwarding the case to the Attorney General's Office for prosecution due to a conflict of interest in my office.

Please call if you have questions regarding this correspondence.

Best regards,

A handwritten signature in cursive script, appearing to read "Roxanne Hammond".

Roxanne Hammond  
Hughes County State's Attorney



# Hughes County Sheriff's Office

3200 E. Highway 34 Ste 9

Pierre, SD 57501

Administration: 605-773-7470 Dispatch: 605-773-7410

Case H20-00701 - UNAPPROVED DRAFT

Printed on April 16, 2020

<b>Status</b>	Active
<b>Report Type</b>	Patrol
<b>Primary Officer</b>	Dustin Drew
<b>Investigator</b>	None
<b>Reported At</b>	04/08/20 17:00
<b>Incident Date</b>	04/08/20 17:00
<b>Incident Code</b>	C/NC : Civil/Non Criminal
<b>Location</b>	2301 PATRON PKWY, PIERRE, SD 57501 (NEW CITY HALL)
<b>Disposition</b>	Under Investigation
<b>Disposition Date/Time</b>	04/14/20 08:48
<b>Review for Gang Activity</b>	None

## Case Comments

Dispatch advised me that Caleb Gilkerson had contacted PPD about a state law violation concerning proper public notice. I spoke to Caleb on the phone and he provided me with a statute that he claims the City Of Pierre had violated. See narrative for further details. NFAT

Deputy Drew

## Offense Information

<b>Offense</b>	Notice of meetings of public bodies
<b>Statute</b>	1-25-1.1
<b>NIBRS Code</b>	
<b>Counts</b>	1
<b>Include In NIBRS</b>	Yes
<b>Completed</b>	Yes
<b>Bias Motivation</b>	Unknown (offenders motivation not known)
<b>Location</b>	Government/Public Building
<b>Entry Forced</b>	No

## Other

### GILKERSON, CALEB MATTHEW

Male, DOB 6/16/79

210 E 8TH ST

PIERRE, SD 57501

(605) 222-4149 Cell

(605) 222-6572 Cell

Reporting Party: 1-25-1.1 - Notice of meetings of public bodies

**HIGHT, TWILA J**

Female, DOB 2/26/76

503 N MONROE AVE  
PIERRE, SD 57501

(605) 295-4121 Cell

(605) 773-3063 Work

Mentioned: 1-25-1.1 - Notice of meetings of public bodies

**HONEYWELL, KRISTI E**

Female, DOB 8/17/65

817 N POPLAR AVE  
Pierre, SD 57501

(605) 224-9117 Home

(605) 280-0603 Cell

Mentioned: 1-25-1.1 - Notice of meetings of public bodies

**Primary Narrative By Dustin Drew, 04/14/20 10:46**

On 04/08/2020 I received a report from dispatch the Officer Baker of the Pierre PD had taken a complaint of a state law violation by the City Commission for not providing public due notice 24hrs prior to a commission meeting from Caleb Gilkerson. Caleb had spoke with Officer Baker but was now requesting to speak to a Deputy.

I contacted Caleb by phone and spoke with him. Caleb informed me that he felt Officer Baker was handling his complaint and that he wanted a Deputy to be aware of the situation in case of a conflict of interest. He stated that he felt Officer Baker would properly handle his case and did not feel the need to involve me at this time.

On 04/13/2020 Deputy Weber requested that I investigate further into Caleb's complaint as the PD did not want to raise any concerns about conflict of interest.

At approximately 0852hrs I arrived at city hall. I spoke with Kristi Honeywell and Twila Hight. Twila is in charge of posting the agenda and notice of meetings for the city. I informed them that a complaint had been filed that due notice was not properly given in regards to the meeting that had taken place on 04/07/2020. Twila informed me that she had posted the notice and agenda on the city hall door as well she had sent the information out to media outlets as she normally does. Twila stated that on the website where she normally makes the postings in regards to the meetings, that Kristi informed her on Tuesday morning that the agenda was not posted. Twila stated when she attempted to post the information the first time she had a "thinking circle" show up on the computer. This has happened in the past and if left alone will post once the computer processes it. Kristi noticed Tuesday morning that the notice had not posted so Twila immediately checked on the situation. The draft for the post had completed but the final information had not posted on the site. Around 0930hrs Twila posted the notice again, this time without technical glitches. Twila was able to provide me with the SDCL information which I have attached to the report.

After completing my interview with Twila and Kristi I contacted Caleb by phone again. I informed Caleb of my findings and what was stated. Caleb claims that the fact that the meeting time was not posted on the website on time is not the issue at hand. Caleb claims the problem is that the agenda for the meeting was not advertised on any forum or media device for the public to be aware of what was to be discussed at the commission meeting. I asked Caleb to specify which items were discussed and had action taken on them in the meeting that were not posted on the agenda. Caleb stated that neither his mayoral selection discussion nor the covid-19 city ordinance were advertised on any media site, newspaper or the city hall door, let alone the city of Pierre website. I informed Caleb that I would look into the websites and newspaper to see if I could locate and postings regarding the city commission meeting and concluded our conversation.

I searched online on the KCCR website and I was able to find the article about the city commission meeting taking place on 04/07/2020. The article I found on KCCR was posted on 04/07/2020 and clearly states it will "hold a hearing

regarding qualifications for mayoral candidates" as well as "commissioners will consider approval of an emergency ordinance tied to the coronavirus". Both of the items Caleb stated were not advertised. At this time I have not been able to locate postings on DRG News group of the Capital Journal. I have attached photos of the KCCR page to my report.

Caleb had previous email correspondence with Officer Baker and he forwarded the messages that he had sent to Officer Baker to me as well. I have attached them to my report.

My BWC was on and active for both conversations.

Deputy Drew



## Hughes County Sheriff's Office

3200 E. Highway 34 Ste 9

Pierre, SD 57501

Administration: 605-773-7470 Dispatch: 605-773-7410

Property / Evidence Summary

Printed on April 16, 2020

### Property / Evidence for Case H20-00701

Primary Officer: Drew, Dustin

Item #	Type	Status	Location	Description
H20-00701-001	Digital Photo	In Digital Files		IMG_0451
H20-00701-002	Digital Photo	In Digital Files		IMG_0452



# Hughes County Sheriff's Office

3200 E. Highway 34 Ste 9

Pierre, SD 57501

Administration: 605-773-7470 Dispatch: 605-773-7410

H20-00701 - Digital Photos

Printed on April 16, 2020



\*001-IMG\_0451



\*002-IMG\_0452

Caleb Gilkerson  
511 W Dakota Ave.  
Pierre SD 57501  
605-222-4149

8-19-2020

To the Open Meetings Commssion:

I wish to complain about the City of Pierres commission meeting on April 7th 2020. A public notice of the commission meeting and agenda posted gave less than 24 hours notice to the public. There was no notification of the meeting until 9:37 am on April 7th 2020 of the meeting at 5:30 pm April 7th 2020. The Finance officer Twila Hight and the City Administrator were both notified of the City's failure to properly notify the public both on the City's website, at City Hall and through other media outlets. No response of any kind was ever received by myself or by Steve Wegman, who also notified the City personal of the failure to properly notify public.

I attended the commission meeting and took note that there were no other members of the public present. The primary action for the night appeared to be making the Governors Executive order a city ordinance, and prohibiting myself from being on the ballot for Mayoral race. An effort by all associated within the City's commission meeting, to keep the interested members of the public in the dark. This action resulted in very few members of the public being present.

One week prior to this meeting the City Commission brought me in and then notified me they had hired legal counsel outside of the city's normal legal counsel to look into my running for Mayor. I was not given due process. Without legal counsel the commission voted to keep me off the ballot stating that my residence might be in violation of city codes, there-fore my residence is not a recognized residence.



On February 12th 2020 I filed a complaint with the States Attorneys office about 3 members of the Pierre City Commission that met during a party for the airport. 3 of the 5 members constitutes a legal quorum. While there was mention of a celebration for the airport during a commission meeting, there was never proper notification given in any way or at any time there there would be a quorum. A compolaint was filed with Roxanne Hammond on February 12, 2020 at 1:07:44 PM CST. I was advised no action would be taken by her office.

I am complaining because The City of Pierres employees, and elected officials have a wanton disregard for the open meetings rules. I spoke with Jim Melhoff a city commissioner, on February 11th 2020 about the photo showing 3 commission members together. He advised me that they do this all the time, and not to complain about it or it could turn ugly for me. The City Commission not only denied me an opportunity to run for Mayor, but voted to restrict every residents right to assemble. I believe the rules they have violated are in place to protect the people from elected officials conspiring behind the peoples back and hold those elected officials accountable. Without the accountability corruption surely results from power.

When I first learned of these problems, I contacted Roxanne Hammond (1st on February 12, 2020 at 1:07:44 PM CST in relation to the illegal quorum. I was notified on March 30th 2020 by Roxanne Hammond that she would not be seeking any legal action. I believe that this decision was made in error and should be reviewed.

2nd on April 8th 2020 I filed a complaint with Roxanne Hammond. She then notified me that I needed to call dispatch and file a complaint. I filed the complaint on the 8th of April 2020. Roxanne Hammond notified me on July 24th 2020 that she believes there is a violation as to the meeting not being properly posted.

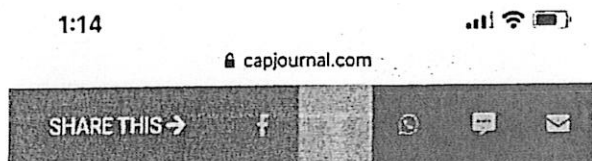
I look forward to hearing from you as soon as possible to resolve this problem.

Sincerely,

(your signature)

Caleb Gilkerson

ATT: (Photo from Capital Journal, Photo of KCCR news letter, City of Pierres Website photo, )



In this photo from April 3, 2019, dignitaries from Pierre and from SkyWest and United airlines gathered on the tarmac for a photo with the first United 50 passenger jet to land in Pierre, operated by SkyWest Airlines. From right: Pierre's Airport Manager Mike Isaacs, Jay Brame of United, City Commissioner Vonda Johnson, Layne Watson, SkyWest spokesman, Greg Atkin marketing manager for SkyWest, City Commissioner Jannie Huizenga, Mayor Steve Harding, Pierre swimming dignitary Caleb Huizenga, job shadowing the mayor.  
Source: Capital Journal.

Mary L. Deichert  
8-21-2020

MARY L. DEICHERT, Notary Public  
My Commission Expires  
July 26, 2022

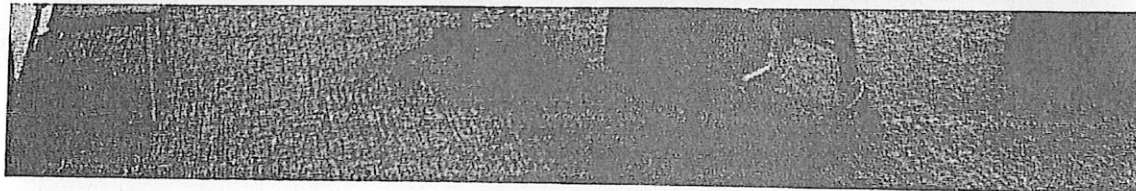
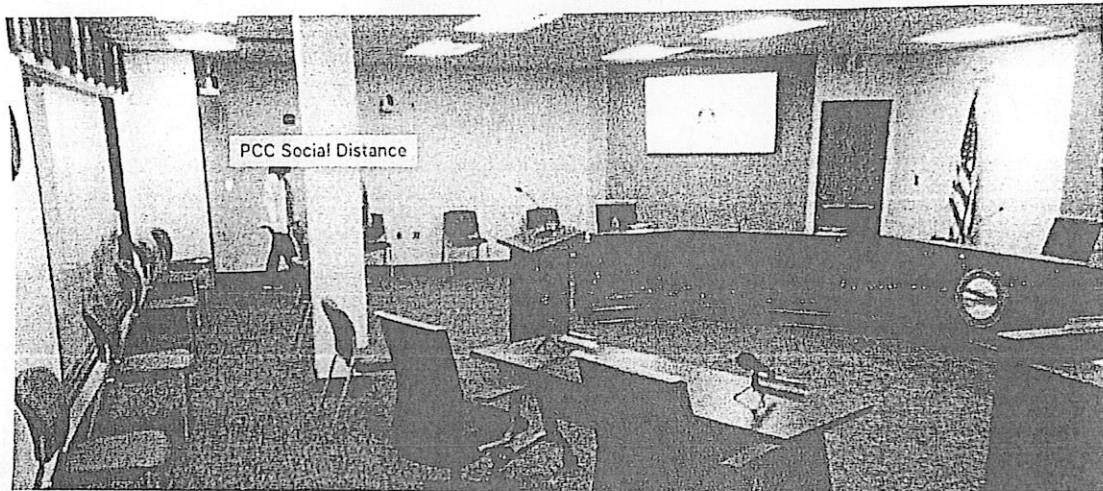


# Pierre City Commission To Meet Tonight

April 7, 2020 Zach Nelson Local News 0



AGRONOMISTS, SPRAYERS & LICENSED APPLICATORS  
SERVING FARMERS & RANCHERS  
IN SULLY COUNTY & BEYOND  
(605) 258-2708



(KCCR) — The Pierre City Commission is meeting tonight at the Pierre Municipal Building. A Covid-19 informational update will begin tonight's meeting in special business. Commissioners will consider approval of an emergency ordinance tied to the coronavirus. The Commission will consider approval of a three item consent calendar. On the calendar are minutes from the March 31st meeting, the hiring of seven seasonal workers in the Golf Department and the claims. A public hearing will be held at 5:45 pm for a conditional use permit request filed by Brett Wheelhouse and Quality Rentals. Commissioners will get an update on Hillsvie Golf Course and hold a hearing regarding qualifications for mayoral candidates. An executive session is on the agenda for personnel issues. The Pierre City Commission meets tonight at 5:30 pm.



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Fort Pierre Passes Resolution To  
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Distancing Guidelines

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Stanley County Commission To Meet  
Tonight



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2020

2019

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April 7, 2020 City Commission Meeting Agenda

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March 31, 2020 City Commission Meeting Agenda

[Mar 24, 2020 — Posted Mar 23, 2020 5:13 PM](#)

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March 24, 2020 City Commission Meeting Agenda

[Mar 17, 2020 — Posted Mar 16, 2020 4:56 PM](#)

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March 17, 2020 City Commission Meeting Agenda

STATE OF SOUTH DAKOTA



**OFFICE OF ATTORNEY GENERAL**

1302 East Highway 14, Suite 1  
Pierre, South Dakota 57501-8501

Phone (605) 773-3215

Fax (605) 773-4106

TTY (605) 773-6585

[www.state.sd.us/atg](http://www.state.sd.us/atg)

**JASON R. RAVNSBORG**  
ATTORNEY GENERAL

**CHARLES D. McGUIGAN**  
CHIEF DEPUTY ATTORNEY GENERAL

September 2, 2020

Caleb Matthew Gilkerson  
511 W. Dakota Avenue  
Pierre, SD 57501

Re: In the Matter of Open Meeting Complaint 2020-04, Pierre City Commission,  
Hughes County, South Dakota

Dear Mr. Gilkerson:

This letter is to acknowledge receipt of an open meetings complaint filed by you against the Pierre City Commission. Hughes County State's Attorney Roxanne Hammond forwarded the complaint to the Open Meetings Commission for its review. A copy of the complaint has been submitted to the Pierre City Commission. I have asked the City Commission to file a response no later than October 1, 2020, and that they mail you a copy of any response filed.

The Open Meetings Commission meets periodically and has not scheduled its next meeting. I will notify you of the date, time and location of the next Commission meeting. The Commission may ask that you make a brief presentation regarding the complaint.

If you have any questions, please don't hesitate to contact me.

Sincerely,

A handwritten signature in dark ink, appearing to read "SRB", followed by a horizontal line.

Steven R. Blair  
Assistant Attorney General

SRB/jm

Cc: Pierre City Commission  
Roxanne Hammond, Hughes County State's Attorney

STATE OF SOUTH DAKOTA



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Pierre, South Dakota 57501-8501

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**JASON R. RAVNSBORG**  
ATTORNEY GENERAL

**CHARLES D. McGUIGAN**  
CHIEF DEPUTY ATTORNEY GENERAL

September 2, 2020

Pierre City Commission  
City Hall  
2301 Patron Parkway  
Pierre, SD 57501

Re: In the Matter of Open Meeting Complaint 2020-04, Pierre City Commission,  
Hughes County, South Dakota

Dear City Commissioners,

I assist the South Dakota Open Meetings Commission with their duties. Pursuant to SDCL 1-25-6(3), Hughes County State's Attorney Roxanne Hammond has forwarded to the Commission a complaint concerning the Pierre City Commission. The complaint was signed by Caleb Gilkerson. Enclosed is a copy of all the materials I have received.

If the City Commission wishes to file a response to the complaint, please send it to the above address on or before October 1, 2020. Please also send copies of any response to Caleb Gilkerson, 511 W. Dakota Avenue, Pierre, South Dakota 57501 and to Roxanne Hammond, Hughes County State's Attorney, 104 E. Capitol, Pierre, South Dakota 57501.

After I have received your response, all materials will be sent to the members of the Commission for their review. The Commission meets periodically and has not yet scheduled its next meeting. You will be given further notice of the meeting date, location, and time once the meeting has been scheduled.

If you have any questions, please don't hesitate to contact me.

Sincerely,

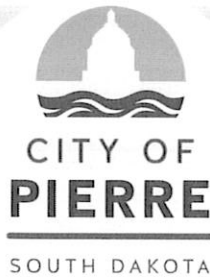
A handwritten signature in dark ink, appearing to read "SRB", followed by a horizontal line.

Steven R. Blair  
Assistant Attorney General

SRB/jm  
Enclosures

Cc w/o Encl: Caleb Gilkerson  
Roxanne Hammond, Hughes County State's Attorney





432954  
Attorney General

OCT - 2 2020

September 30, 2020

Steven Blair  
Assistant Attorney General  
1302 East Highway 14, Suite 1  
Pierre, S.D. 57501  
[steven.blair@state.sd.us](mailto:steven.blair@state.sd.us)

Dear Counsel,

The City of Pierre is providing the following information in response to the open meetings complaint filed by Mr. Gilkerson relative to the April 7, 2020, Pierre City Commission meeting.

The City of Pierre's procedure for providing notice to the public of its Commission meetings is three fold. At least 24 hours prior to commission meetings, a copy of the agenda is posted at City Hall, the agenda is emailed to City of Pierre employees and local media contacts, and the agenda is posted at [cityofpierre.org](http://cityofpierre.org).

To give notice of the regularly scheduled April 7, 2020 meeting (*See*, attached herein as Exhibit 1, Pierre City Commission Agenda, dated April 7, 2020), the City Finance Officer followed normal procedures posting a physical copy of the agenda at City Hall, emailing the agenda to City employees and local media (*See*, attached herein as Exhibit 2, email from Twila Hight, City Finance Officer, on April 6, 2020 at 4:55 p.m. to local media outlets), and posting to the [cityofpierre.org](http://cityofpierre.org).

Unfortunately, there was a speed site error on our [cityofpierre.org](http://cityofpierre.org) hosted page which caused the April 7 agenda to post in draft form only. Although City staff followed normal processes to post the agenda online, it did not become visible for public viewing. Upon realization that a system error had occurred, staff immediately made a second attempt to post the agenda online. The effort was successful, and the agenda was publicly posted at approximately 9:30 a.m. on April 7.

To help prevent a similar error from occurring in the future, City staff has taken the following steps

- worked with our website host to investigate the error and correct site speed concerns;

- changed internal processes to use a website generated confirmation notification to confirm posting of the agenda and use that confirmation as the cue to email agendas to internal and external audiences;
- starting the posting process earlier in the day.

We are confident that these extra measures will ensure that the agenda is properly posted to all required locations 24-hours prior to the meeting as per SDCL 1-25-1.1.

We recognize, in this instance, one element of the required public notice was delayed. However, we would submit that this delay did not impede the due process rights afforded to the complainant; on April 2, 2020, through his attorney, he received formal written notification of the April 7, 2020 hearing. Consequently, he received direct notice more than 48 hours prior to the hearing.

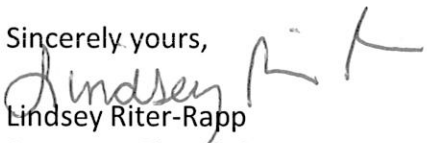
Additionally, prior to the April 7 hearing / City Commission meeting, there was local media coverage by KCCR (See, attached herein as Exhibit 3, KCCR coverage of the meeting) and social media traffic regarding the hearing.

Our commission meeting schedule and agenda posting have been consistent for more than a decade. The three-fold public notice approach, combined with consistent time and location of meetings, provides redundancy. In the event, one approach fails, the public still has two other means for obtaining the information. We believe this consistency is key to transparency and public trust.

Nonetheless, it is certainly the City's commitment to fully comply with SDCL 1-25-1.1. We believe we have implemented measures to ensure that issues of this nature do not arise in the future and that all of the requirements of state statute are met.

We appreciate the opportunity to provide this information to you. Thank you for your consideration.

Sincerely yours,

  
Lindsey Riter-Rapp  
Attorney, City of Pierre

Cc: Roxanne Hammond  
Caleb Gilkerson





*Agenda*  
*City Commission Meeting*  
*April 7, 2020 - 5:30 p.m.*

**PLEDGE and INVOCATION**

**PUBLIC COMMENT**

**SPECIAL BUSINESS:**

- COVID-19 Informational Update
  - COVID-19 Emergency Ordinance #1813

**CONSENT CALENDAR:**

- Minutes – Regular Meeting March 31, 2020
- New Hire Seasonal Golf Department – Hanna Tounsely, Adam Ankrum, Riley Miller, Donald “Dean” DeGooyer, Rollie Isaacson, Frank Summers, Jeff Holden
- Claims

**UNFINISHED BUSINESS:**

- 5:45PM Public Hearing – Conditional Use Permit for 220 W Dakota Ave, Quality Rentals/Brett Wheelhouse

**NEW BUSINESS:**

- Hillsview Golf Course Update
- Hearing Qualifications Mayoral Candidate

**DIALOGUE**

**EXECUTIVE SESSION:**

- Personnel Issues SDCL 1-25-2(1)

**ADJOURN**

**EXHIBIT**

tabbles

IF SPECIAL ACCOMMODATIONS ARE NECESSARY, PLEASE NOTIFY THE FINANCE OFFICER AT LEAST TWENTY-FOUR (24) HOURS PRIOR TO THE DAY OF THE MEETING. FOR MORE INFORMATION, CALL 773-7407.

Commission Meetings are broadcast on OaheTV Channel 8 & HD Channel 608  
Tuesday at 5:30pm, 8:00pm and 10:00pm, Wednesday at 8:00am and 9:00pm.

## Lindsey Riter-Rapp

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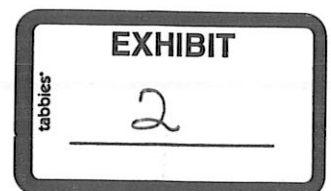
**From:** Twila Hight <Twila.Hight@ci.pierre.sd.us>  
**Sent:** Monday, April 6, 2020 4:55 PM  
**To:** City of Pierre; (news@capjournal.com); jodyheemstra@dakotaradiogroup.com; jseiner@pierre.org; KCCR News; KGFX (news@dakotaradiogroup.com); Lindsey Riter-Rapp; Patrick Callahan; Robert Riter; stephen.lee@capjournal.com  
**Subject:** April 7, 2020 City Commission Meeting Agenda  
**Attachments:** AGENDA 04-07-2020.doc

*Twila Hight, CPA*

*Finance Officer*

*City of Pierre*

*605-773-3063*

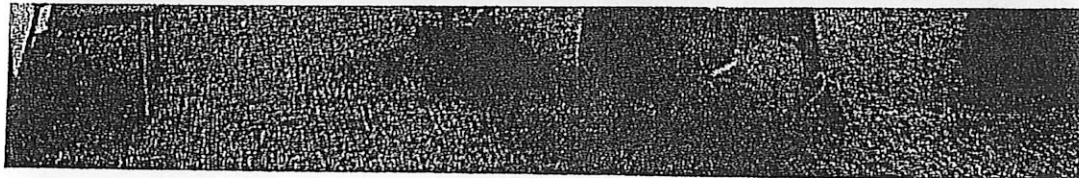
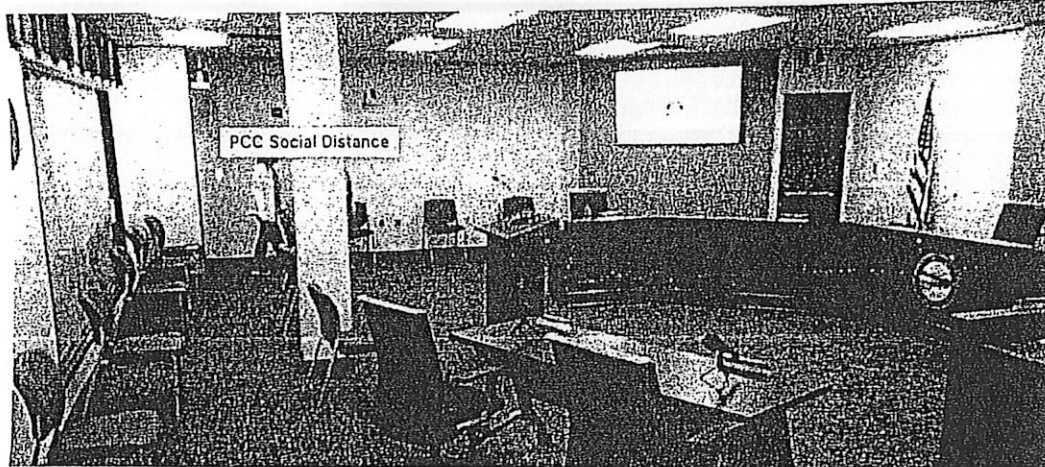


# Pierre City Commission To Meet Tonight

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**AGRONOMISTS, SPRAYERS & LICENSED APPLICATORS**  
**SERVING FARMERS & RANGERS**  
**IN SULLY COUNTY & BEYOND**  
**(605) 258-2708**



(KCCR) — The Pierre City Commission is meeting tonight at the Pierre Municipal Building. A Covid-19 informational update will begin tonight's meeting in special business. Commissioners will consider approval of an emergency ordinance tied to the coronavirus. The Commission will consider approval of a three item consent calendar. On the calendar are minutes from the March 31st meeting, the hiring of seven seasonal workers in the Golf Department and the claims. A public hearing will be held at 5:45 pm for a conditional use permit request filed by Brett Wheelhouse and Quality Rentals. Commissioners will get an update on Hillview Golf Course and hold a hearing regarding qualifications for mayoral candidates. An executive session is on the agenda for personnel issues. The Pierre City Commission meets tonight at 5:30 pm.



« PREVIOUS

Fort Pierre Passes Resolution To  
Address Those Not Holding To Social  
Distancing Guidelines

NEXT »

Stanley County Commission To Meet  
Tonight



EXHIBIT

3

tabbles



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Phone (605) 773-3215

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<http://atg.sd.gov/>

**JASON R. RAVNSBORG**

ATTORNEY GENERAL

**CHARLES D. McGUIGAN**

CHIEF DEPUTY ATTORNEY GENERAL

October 9, 2020

Caleb Matthew Gilkerson  
511 W. Dakota Avenue  
Pierre, SD 57501

Lindsey Riter-Rapp  
Attorney for City of Pierre  
2301 Patron Parkway  
Pierre, SD 57501

Re: In the Matter of Open Meeting Complaint 2020-04, Pierre City Commission –  
Hughes County

Dear Mr. Gilkerson & Ms. Riter-Rapp:

Enclosed please find the Notice of Hearing, and proposed agenda, regarding the October 23rd teleconference meeting of the Open Meetings Commission. As you can see from the agenda, presentations regarding complaints will begin at 9:30 a.m. central time or as soon thereafter as matters may be heard.

If you have any questions, please don't hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "SRB", followed by a horizontal line.

Steven R. Blair  
Assistant Attorney General

SRB/jm  
Enclosures

STATE OF SOUTH DAKOTA  
OPEN MEETINGS COMMISSION

---

IN THE MATTER OF OPEN	)	OMC 2020-04
MEETINGS COMPLAINT AGAINST	)	
PIERRE CITY COMMISSION –	)	NOTICE OF HEARING
HUGHES COUNTY	)	

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TO: Caleb Matthew Gilkerson, 511 W. Dakota Avenue, Pierre, South Dakota 57501; Lindsey Riter-Rapp, Attorney for Pierre City Commission, 2301 Patron Parkway, Pierre, South Dakota 57501:

Please take notice that a telephonic hearing regarding the above referenced open meetings complaint will be held before the South Dakota Open Meetings Commission, on Friday, October 23, 2020. Oral presentations regarding pending complaints will commence at 9:30 A.M. central time, or soon thereafter as matters may be heard, and proceed in the order noted in the attached agenda. The information necessary to access the teleconference is also included in the attached agenda.

Dated this 9<sup>th</sup> day of October 2020.



---

Steven R. Blair  
Assistant Attorney General  
1302 East Highway 14, Suite 1  
Pierre, South Dakota 57501  
Telephone: (605) 773-3215

SOUTH DAKOTA OPEN MEETING COMMISSION

**AGENDA**  
**Teleconference Meeting Only**

**Teleconference dial-in number: 669-224-3412**

**Teleconference Access Code: 719-192-885**

October 23, 2020  
9:30 a.m. Central Time

1. Approval of the Agenda
2. Public Comment period as per SDCL 1-25-1
3. Approval of the Minutes of December 5, 2019 meeting
4. Consideration of Pending Complaints

A. In the Matter of Open Meeting Complaint 20-01, Board of Trustees for the City of Ward

Oral Presentations:

Complainant Tom Kampmann-15 minutes (a portion of this time may be reserved for rebuttal)

Board of Trustees for the City of Ward -15 minutes

B. In the Matter of Open Meeting Complaint 20-02, Belle Fourche City Council

Oral Presentations:

Complainant Mark Watson-15 minutes (a portion of this time may be reserved for rebuttal)

Belle Fourche City Council-15 minutes

C. In the Matter of Open Meeting Complaint 20-03, Yankton County Commission

Oral Presentations:

Complainant Todd B. Woods-15 minutes (a portion of this time may be reserved for rebuttal)

Yankton County Commission-15 minutes

D. In the Matter of Open Meeting Complaint 20-04, Pierre City Commission

Oral Presentations:

Complainant Caleb Matthew Gilkerson-15 minutes (a portion of this time may be reserved for rebuttal)

Pierre City Commission-15 minutes

5. Discussion regarding preparation of the minutes
6. Discussion regarding potential open meetings legislation
7. Election of Commission Chair & Co-Chair
8. Scheduling future meetings

All items are scheduled for 09:30 A.M. Central Time. Scheduled items may be delayed or moved to a later agenda item at the discretion of the OMC.

Due to public health concerns relating to Covid-19, and in accord with SDCL 1-25-1.6 and Executive Orders 2020-14, 2020-16, & 2020-30, this meeting is being held via teleconference only – no physical location will be provided for the public to listen and participate. If you wish to listen or participate in this meeting please dial 669-224-3412 and enter the access code 719-192-885 when prompted.

STATE OF SOUTH DAKOTA  
OPEN MEETINGS COMMISSION

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IN THE MATTER OF OPEN	)	OMC 2020-04
MEETINGS COMPLAINT AGAINST	)	
PIERRE CITY COMMISSION –	)	CERTIFICATE OF SERVICE
HUGHES COUNTY	)	

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The undersigned hereby certifies that a true and correct copy of the Notice of Hearing and proposed Agenda in the above-captioned matter, was served by United States mail, first class, postage prepaid upon Caleb Matthew Gilkerson, 511 W. Dakota Avenue, Pierre, South Dakota 57501; Lindsey Riter-Rapp, Attorney for Pierre City Commission, 2301 Patron Parkway, Pierre, South Dakota 57501.

Dated this 9<sup>th</sup> day of October 2020.



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