

(DRAFT)

SOUTH DAKOTA OPEN MEETINGS COMMISSION

MINUTES OF MEETING

December 18, 2018

Members participating: Kevin Krull, Meade County State's Attorney (Chair); Emily Sovell, Sully County State's Attorney; John Steele, Aurora County State's Attorney; and Mark Reedstrom, Grant County State's Attorney. Steve Blair and Jenna McFarlane, Office of the Attorney General, assisted the Commission. Lisa Rothschadl, Bon Homme County State's Attorney was absent.

Chair Krull called the meeting to order at 3:37 p.m. A time was provided for public comment as required by SDCL 1-25-1; no member of the public provided comment to the Commission.

Ms. Sovell moved to approve the proposed agenda; Mr. Reedstrom seconded. A roll call vote was held: Mr. Steele, Mr. Reedstrom, Chair Krull, and Ms. Sovell all voted aye.

**The following is a summary (not verbatim) of the matters discussed.**

June 7, 2018 minutes

Mr. Reedstrom moved to approve the draft minutes of the June 7, 2018, meeting. Mr. Steele seconded. A roll call vote was held: Mr. Steele, Mr. Reedstrom, Chair Krull, and Ms. Sovell all voted aye.

In the Matter of Open Meeting Complaint 17-04, Canton City Commission

The Commission considered Findings of Fact and Conclusions of Law proposed by Steven Blair, Attorney General's Office, as well as Findings of Fact and Conclusions of Law proposed by Larry Nelson, counsel appearing on behalf of the Canton City Commission.

Mr. Steele made a motion to approve the Findings and Conclusions prepared by the Attorney General's Office. Ms. Sovell seconded this motion.

Mr. Nelson commented that the City of Canton believes that no open meetings violation occurred concerning the facts raised by Mr. Wilcox's complaint. Mr. Steele raised a point of order that it may be inappropriate to take argument from Mr. Nelson regarding the matter without Mr. Wilcox being present. Chair Krull indicated that he did not consider the comments by Mr. Nelson to be new argument.

A roll call vote was held regarding Mr. Steele's motion: Mr. Reedstrom, Ms. Sovell, Mr. Steele, and Chair Krull all voted aye.

In the Matter of Open Meeting Complaint 18-01, Potter County Commissioners

The Commission considered proposed Findings of Fact and Conclusions of Law drafted regarding this matter. Mr. Reedstrom made a motion to approve the Findings of Fact and Conclusions of Law as drafted which was seconded by Ms. Sovell. Mr. Steele, Mr. Reedstrom, Ms. Sovell and Chair Krull all voted aye.

In the Matter of Open Meeting Complaint 18-02, Hot Springs School Board

The Commission considered proposed Findings of Fact and Conclusions of Law drafted regarding this matter. Ms. Sovell made a motion to approve the Findings of Fact and Conclusions of Law as drafted which was seconded by Mr. Reedstrom. Mr. Steele, Mr. Reedstrom, Ms. Sovell and Chair Krull all voted aye.

Election of OMC Chair.

Mr. Steele nominated Mr. Krull. Mr. Reedstrom seconded. A roll call vote was conducted with Mr. Steele, Mr. Reedstrom, Ms. Sovell all voting aye. Chair Krull abstained. Ms. Rothschadl was absent. Chair Krull will serve a third term starting January 1, 2019.

Adjournment.

A motion to adjourn was made by Ms. Sovell, seconded by Mr. Steele, at approximately 3:57 p.m. Mr. Steele, Ms. Sovell, Mr. Reedstrom, and Chair Krull all voted aye and the Commission adjourned.

Approved on \_\_\_\_\_, 2019.

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Kevin J. Krull, Chair  
On behalf of the Open Meeting Commission