

# GOVERNMENT ACCOUNTABILITY BOARD

## MINUTES OF MEETING

January 25, 2021, at 11:00 a.m. CT\*\*  
Sioux Falls, SD

**BOARD MEMBERS PRESENT:** Lori Wilbur (via zoom), Patricia Riepel (via zoom), David Gienapp (via zoom), Gene Kean (telephonically)

**CALL MEETING TO ORDER:** Wilbur called the meeting to order at 11:10 a.m. Central Time. A quorum was present.

**OTHERS PRESENT:** Katie Mallery, assisting the Board.  
Wendy Feste, via zoom  
Debbie Dougherty, via zoom

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

**APPROVE AGENDA:** Agenda was approved.

**APPROVAL OF MINUTES:** Motion by Gienapp, seconded by Riepel, to approve the minutes of the June 30, 2020, meeting. Motion carried unanimously.

**NEW BUSINESS:** The Board's Annual Report was submitted to the Legislature and to the Governor's Office. It was also posted on the Board's website. Wilbur suggested looking at the complaint form and possibly adding more language to explain the Board's jurisdiction. Wilbur discussed adding a more detailed description of what type of employee falls under the Board's jurisdiction. Riepel agreed and said it would be helpful to the public. Wilbur agreed to draft an explanation for the Board's review.

**DISCUSSION OF PENDING COMPLAINTS:**

Motion by Wilbur, seconded by Riepel, to move into executive session pursuant to SDCL 1-25-2 and 3-24-4 to discuss Complaint 2020-02. Motion carried unanimously. Board proceeded to executive session.

Executive Session ended and meeting was again open to the public.

**COMPLAINT 2020-02**

Gienapp moved that the Board dismiss Complaint 2020-02 solely for lack of jurisdiction as the Board only has jurisdiction over complaints that involve an employee of a statewide office as defined in SDCL 12-27-1(20). Kean seconded the motion. Motion carried unanimously. Gienapp also noted that the Board rendered no opinion as to the merit of the substance of the complaint.

**PUBLIC COMMENT:** Time was allowed for public comment. Wendy Feste was present via zoom and she asked how she should proceed with her complaint. She understood that the Board does not have jurisdiction over her complaint but wanted assistance in where to take her complaint from there. The Board explained it could not give Ms. Feste legal advice on how to proceed.

**DISCUSSION REGARDING FUTURE MEETINGS:**

The next meeting will be scheduled at a later date.

**ADJOURNMENT**

Motion by Gienapp, seconded by Riepel, to adjourn the meeting. Motion carried unanimously and the Board adjourned.

Approved on \_\_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
On Behalf of the Government Accountability Board

\*\* Members of the public were provided an option to appear at the meeting in person or via zoom. The information on how to appear via zoom was listed on the Agenda.