

GOVERNMENT ACCOUNTABILITY BOARD

MINUTES OF MEETING

September 18th, 2024, at 2:30 p.m. Central Time
Sioux Falls, SD

BOARD MEMBERS PRESENT: Ret. Judge Larry Long, Ret. Judge David Gienapp, Ret. Chief Justice David Gilbertson

CALL MEETING TO ORDER: The meeting was called to order at approximately 2:36 p.m. Central Time. A quorum was present. The telephonic line was initiated prior to meeting being called to order.

OTHERS PRESENT: Lindsey Quasney, assisting the Board,
Wyatt Rasmussen,
Janet Rasmussen,
Trooper Jamie Hall,
Keith Ryan,
Steve Blair, by phone

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

APPROVE AGENDA: Motion by Ret. Chief Justice Gilbertson, seconded by Ret. Judge Long. Agenda was approved unanimously.

APPROVAL OF MINUTES: Motion by Ret. Judge Long to approve minutes from the July 23, 2024, meeting. The motion was seconded by Ret. Judge Gilbertson, and carried unanimously.

NEW BUSINESS:

DISCUSSION OF PENDING COMPLAINTS:

Motion by Ret. Chief Justice Gilbertson, to move into executive session pursuant to SDCL 1-25-2 and 3-24-4 to discuss Complaints 2024-01 and 2024-04, seconded by Ret. Judge Long. Motion carried unanimously.

The public exited the meeting room. The telephonic line was disconnected. The Board proceeded to executive session.

Executive Session ended and the meeting was again open to the public including the telephonic line being reinitiated.

COMPLAINT 2024-04

Ret. Judge Long made a motion to dismiss Complaint No. 2024-04 based upon *res judicata*, further finding insufficient information to believe that the subject of the complaint has engaged in misconduct in order to hold a contested case hearing under SDCL 3-24-7. The motion was seconded by Ret. Chief Justice Gilbertson. Motion carried unanimously.

COMPLAINT 2024-01

Ret. Chief Justice Gilbertson moved to dismiss Complaint 2024-01, finding the filings do not show malfeasance on the part of subject of the complaint, as defined in *State v. Steffen*, 2000 S.D. 39, 607 N.W.2d 262. The motion was seconded by Ret. Judge Long. Motion carried unanimously.

PUBLIC COMMENT: No public comment was made.

DISCUSSION REGARDING FUTURE MEETINGS:

The next meeting will be scheduled at a later date, at the call of the Chair.

ADJOURNMENT

Motion by Ret. Chief Justice Gilbertson, seconded by Ret. Judge Long. Agenda was approved unanimously.

Approved on _____ day of _____, 2024.

On Behalf of the Government Accountability Board

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