

FRIEBERG, NELSON & ASK, L.L.P.

ATTORNEYS AT LAW

ROBERT B. FRIEBERG
THOMAS H. FRIEBERG
LARRY A. NELSON
BRENDA M. ASK
SAMUEL J. NELSON
AUSTIN J. FELTS

Sender's Address:
206 E. 5th Street
P.O. Box 38
Canton, SD 57013-0038

AUGUST FRIEBERG (1863-1932)
ROSCOE A. FRIEBERG (1903-1982)
BLAINE O. RUDOLPH (1925-2016)

PHONE: (605) 987-2686
FAX: (605) 987-5779
EMAIL: lnelson@frieberglaw.com

July 24, 2024

Joel Jundt, Secretary of Transportation
South Dakota Transportation Commission
South Dakota Department of Transportation
700 East Broadway Avenue
Pierre, SD 57501

Re: *Conflict of Interest Disclosure*

Dear Secretary Jundt:

This letter is in response to SDCL § 3-23-1 and SDCL § 3-23-2, and is intended to address whether I, my wife, or any entity in which we have ownership interests derives any direct benefit from a contract or transaction with the State of South Dakota that specifically relates to the South Dakota Department of Transportation and my involvement as an active SDDOT Commissioner. I have enclosed the completed Annual Disclosure for Commission Member pursuant to SDCL Chapter 3-23.

I am employed with the law firm of Frieberg, Nelson & Ask, L.L.P. The law firm is providing legal services for the municipalities of Hartford, Worthing, Canton, Alcester, Beresford, Wakonda, Viborg, and Wagner, all of which are located in South Dakota. Should a situation arise with a SDDOT contract or transaction with any of these municipalities disclosure of any potential conflict will be made at that time.

I will continue to review the agenda items for upcoming Transportation Committee meetings and be forthcoming in any potential conflict of interest. Thank you for your consideration.



LARRY A. NELSON
Commissioner
South Dakota Transportation Commission

LAN/src

CC: Karla Engle, Chief of Legal Counsel, SDDOT

ANNUAL DISCLOSURE FOR AUTHORITY/BOARD/COMMISSION MEMBER
PURSUANT TO SDCL CHAPTER 3-23

THIS IS A PUBLIC DOCUMENT

Name of Member: Larry A. Nelson

Name of Board, Authority or Commission: Transportation Commission

The Member shall disclose below any contract in which the Member has an interest or from which the Member derives a direct benefit if the contract is:

- 1) With the state agency to which the Member's board, authority or commission is attached for reporting or oversight purposes and which contract requires the expenditure of government funds;
- 2) With the state and which contract requires the approval of the Member's board, authority or commission and the expenditure of government funds; or
- 3) With a political subdivision of the state if the political subdivision approves the contract and:
 - a. Is under the regulatory oversight of the authority, board, or commission, or
 - b. Is under the regulatory oversight of the agency to which the Member's board, authority or commission is attached.

The Member shall disclose the contract even though no additional authorization is needed from the Member's board, authority or commission to have an interest or derive a benefit from the contract.

The Member shall also identify every entity in which the Member possesses an ownership interest of five percent or greater if:

- 1) The entity receives grant money from the State, either directly or by a pass-through grant or
- 2) The entity contracts with the State or any political subdivision for services.

1. Contracts in which you have an interest pursuant to SDCL Chapter 3-23 and which do not violate any other provision of law - Provide the following for each contract in which you have, or will have, an interest. For further information see SDCL 3-23-2.1 and 3-23-3.1.

| Description of the contract | Parties | Description of your interest/role in the contract | Date contract was previously disclosed, if applicable |
|-----------------------------|---------|---|---|
| | | | |

Attach additional pages, if necessary.

2. Contracts in which you have a direct benefit pursuant to SDCL Chapter 3-23 - Provide the following for each contract from which you derive, or will derive, a direct benefit. For more information see SDCL 3-23-2, 3-23-2.2 and 3-23-3.1.

| Description of the contract | Parties | Description of the direct benefit | Date contract was authorized |
|-----------------------------|--|--|------------------------------|
| Hired Attorney | Lincoln County Rural Water Systems, Inc. & Frieberg, Nelson & Ask, LLP, law firm | Hired Attorney paid by LCRW for legal services | 1996 - Renews yearly |
| Hired Attorney | City of Canton, South Dakota & Frieberg, Nelson & Ask, LLP, law firm | Hired Attorney paid by the City of Hartford for legal services | 1990 - Renews yearly |
| Hired Attorney | City of Worthing, South Dakota & Frieberg, Nelson & Ask, LLP, law firm | Hired Attorney paid by the City of Worthing for legal services | 1994 - Renews yearly |
| Hired Attorney | City of Hartford, South Dakota & Frieberg, Nelson & Ask, LLP, law firm | Hired Attorney paid by the City of Hartford for legal services | 1996 - Renews yearly |

Attach additional pages, if necessary.

Please see additional pages attached

2. **Contacts in which you have a direct benefit pursuant to SDCL Chapter 3-23** - Provide the following for each contract from which you derive, or will derive, a direct benefit. For more information see SDCL 3-23-2, 3-23-2.2, and 3-23-3.1.

| Description of the Contract | Parties | Description of the direct benefit | Date contract was authorized |
|--|---|--|--|
| Hired Attorney | City of Beresford, South Dakota & Frieberg, Nelson & Ask, law firm | Hired Attorney paid by the City of Beresford for legal services | 1992 - Renews yearly |
| Hired Attorney | City of Alcester, South Dakota & Frieberg, Nelson & Ask, law firm | Hired Attorney paid by the City of Alcester for legal services | 2018 - Renews yearly |
| Hired Attorney | City of Wagner, South Dakota & Frieberg, Nelson & Ask, law firm | Hired Attorney paid by the City of Wagner for legal services | 2014 – Renews yearly |
| Hired Attorney | City of Wakonda, South Dakota & Frieberg, Nelson & Ask, law firm | Hired Attorney paid by the City of Wakonda for legal services | 2018 – Renews yearly |
| Hired Attorney | City of Vibrog, South Dakota & Frieberg, Nelson & Ask, law firm | Hired Attorney paid by the City of Viborg for legal services | 2024 – as needed basis |
| Legislative Contract Lobbyist | Larry A. Nelson, Samuel J. Nelson, & The Economic Development Professionals Association | Hired lobbyist paid by The Economic Development Professionals Association for lobbying services. | 2020 – original contract date, subsequent yearly renewals. |
| Hired Attorney | University of South Dakota School of Law & Frieberg, Nelson & Ask, law firm | Hired attorney to provide students with Legal Aid | 2023-2024 school year |
| Clay County Court Appointments for criminal legal services | Austin J. Felts, of Frieberg, Nelson & Ask, LLP, and Clay County | Hired by Clay County as Court Appointed Attorney paid by Clay County for legal services to criminal defendants who cannot afford a retained attorney | 2023- Renews yearly |

2. **Contacts in which you have a direct benefit pursuant to SDCL Chapter 3-23** - Provide the following for each contract from which you derive, or will derive, a direct benefit. For more information see SDCL 3-23-2, 3-23-2.2, and 3-23-3.1.

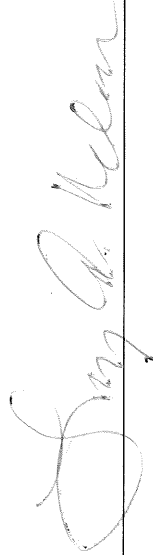
| Description of the Contract | Parties | Description of the direct benefit | Date contract was authorized |
|--|--|--|---|
| Counsel for the Disciplinary Board of South Dakota Bar Association | Thomas H. Frieberg and South Dakota Bar Association | Hired by and paid by Disciplinary Board of South Dakota Bar Association, which Association receives money from the Attorney General's office | Hired June 2018 by President of the Board as determined by President of the Board |
| Hired Attorney | Thomas Frieberg of Frieberg, Nelson & Ask, LLP & Beresford School District | Hired Attorney paid by the Beresford School District | Firm has represented since approximately 1960 – Renews yearly |
| Legislative Contract Lobbyist | Larry A. Nelson, Samuel J. Nelson & Sioux Falls School District 49-5 | Hired lobbyist paid by Sioux Falls School District 49-5 for lobbying services | 2014 - original contract date, subsequent yearly renewals |

3. Entities in which you possess an ownership interest of five percent or more that receive grant money from the State, either directly or by a pass-through grant, or that contract with the State or any political subdivision for services – Provide the following for each such entity. See SDCL 3-23-3.1.

| Description of the contract or grant | Party in which you possess the interest | State agency or subdivision |
|--------------------------------------|---|-----------------------------|
| | | |

Attach additional pages, if necessary.

The member shall complete a separate authorization request for any contract identified above that requires authorization from the Member's board, authority or commission in order for the Member to legally derive a direct benefit.



Signature of Member: _____

Date: 7/24/2024