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September 18, 2020

Mr. Mike Vehle, Chair
South Dakota Transportation Commission
South Dakota Department of Transportation
700 East Broadway Avenue
Pierre, SD 57501

Re: *Conflict of Interest Disclosure*

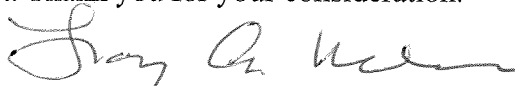
Dear Chairman Vehle:

This letter is a supplemental response to my July 29, 2020 Conflict of Interest Disclosure and 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 am an employee in the law firm of Frieberg, Nelson & Ask, L.L.P. Tom Frieberg, a partner attorney with the firm, was recently retained by the City of Sioux Falls to advise the City Council.

I have enclosed the completed the Supplemental Disclosure for Commission Member pursuant to SDCL Chapter 3-23, and Supplemental Request for State Board Waiver pursuant to SDCL Chapter 3-23.

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: Darin Bergquist, Secretary of Transportation, SDDOT
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:
South Dakota 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. **Contract 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
City of Sioux Falls City Council	Tom Frieberg, attorney with Frieberg, Nelson & Ask, LLP and Sioux Falls City Council	Tom Frieberg hired as Attorney and paid by City of Sioux Falls to advise the City Council and perform legal work in relation thereto.	September 2020

Attach additional pages, if necessary.

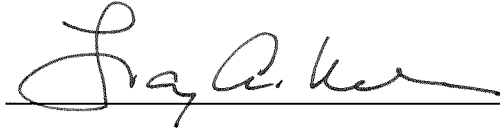
3. Entities in which you possess an ownership interest of five percent or more that receive grant money from the State, either directly or by a pass-through grant, or that contract with the State or any political subdivision for services – Provide the following for each such entity. See SDCL 3.23-3.1.

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

9/18/2020

STATE OF SOUTH DAKOTA
TRANSPORTATION COMMISSION

REQUEST FOR STATE BOARD WAIVER
PURSUANT TO SDCL 3-23-3

THIS IS A PUBLIC DOCUMENT

Date: _____

Name of Board Member or Former Board Member: Larry A. Nelson

Name of Board, Authority, or Commission: South Dakota Transportation Commission

Brief explanation of contract for which a waiver is requested:

a) Parties to the contract

Tom Frieberg, attorney of Frieberg, Nelson & Ask, LLP and Sioux Falls City Council.

b) Board Member's role in the contract

I am an attorney with the law firm of Frieberg, Nelson & Ask, LLP, and employee of Frieberg, Nelson & Ask, LLP.

c) Purpose and objective of the contract

Tom Frieberg was hired to perform legal work in advising the City Council of Sioux Falls.

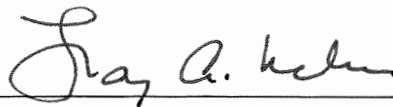
d) Consideration or benefit conferred or agreed to be conferred upon each party

Tom Frieberg is paid by the City of Sioux Falls for his legal work.

e) Duration of the contract

September, 2020 to a date unknown at this time.

Signature of Requesting Party: _____



Date _____

9/18/2020