

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

---

---

## ATTORNEYS AT LAW

ROBERT B. FRIEBERG  
THOMAS H. FRIEBERG  
LARRY A. NELSON  
BRENDA M. ASK (SD & IA)  
SAMUEL J. NELSON

---

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

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

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

April 26, 2022

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 a supplemental response to my July 23, 2021 Conflict of Interest Disclosure and in response to SDCL § 3-23-1 and SDCL § 3-23-2. The letter is intended to address whether I or my wife, 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. Thomas H. Frieberg, a partner attorney with the firm, was recently retained by Kirk and Cheryl Rikansrud, homeowners on Hwy 18 located in rural Canton, South Dakota.

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: Karla Engle, Chief of Legal Counsel, SDDOT

STATE OF SOUTH DAKOTA  
TRANSPORTATION COMMISSION

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

**THIS IS A PUBLIC DOCUMENT**

Date: April 26, 2022 \_\_\_\_\_

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

Kirk and Cheryl Rikansrud, South Dakota residents, and SD Department of Transportation

b) Board Member's role in the contract

I am an employee with the law firm of Frieberg, Nelson & Ask, LLP. Thomas H. Frieberg, a partner in the firm is being retained to advise Kirk and Cheryl Rikansrud. I do not represent nor do I participate in the representation of Kirk and Cheryl Rikansrud in the contract matter.

c) Purpose and objective of the contract

I am informed that the SDDOT have approached the Rikansruds for the purchase of property from them, including their homestead, in relation to the construction project of US Highway 18, Lincoln County, known as NH0018.

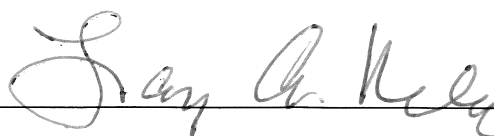
d) Consideration or benefit conferred or agreed to be conferred upon each party

I am informed that Thomas H. Frieberg will be paid by the Rikansruds for his legal work and that the Rikansruds will receive compensation from the State of South Dakota for the sale of their property.

e) Duration of the contract

April, 2022 to a date unknown at this time.

Signature of Requesting Party: \_\_\_\_\_



Date \_\_\_\_\_

4/26/2022

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.

- 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.

- 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
Homeowners Kirk and Cheryl Rikansrud for legal representation in the sale of property to the State of SD for work to be completed on the widening and improving of Highway 18 between Interstate 29 and Canton, Lincoln County	Thomas H. Frieberg, attorney with Frieberg, Nelson & Ask, LLP and Kirk and Cheryl Rikansrud, Sellers of property to the State of SD, DOT	I am an employee of the firm Frieberg, Nelson & Ask, LLP. Thomas H. Frieberg is a partner in the firm and paid by Kirk and Cheryl Rikansrud to provide legal services related to the sale to the SDDOT.	April 2022

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

