

GOVERNMENT ACCOUNTABILITY BOARD

MINUTES OF MEETING

September 29, 2025, at 11:00 a.m. Central Time
Sioux Falls, SD

BOARD MEMBERS PRESENT: Ret. Judge Larry Long, Ret. Judge David Gienapp, Ret. Chief Justice David Gilbertson, Ret. Judge John Bastian (by telephone)

CALL MEETING TO ORDER: The meeting was called to order at approximately 11:01 a.m. Central Time. A quorum was present. The telephonic line was initiated prior to the meeting being called to order.

OTHERS PRESENT: Nolan Welker, Admin Assistance to the Board
Trooper Luke Sieve, Highway Patrol
Michael Doorn, Keloland TV News

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 June 9, 2025, meeting. The motion was seconded by Ret. Chief Justice Gilbertson and carried unanimously. Ret. Judge Bastian abstained from voting since he was not present at the June 9, 2025 meeting.

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 Complaint 2025-04, 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 2025-04

Ret. Chief Justice Gilbertson moved that Complaint 2025-04 be dismissed because the statutory criteria governing individuals about whom the Board may hear complaints does not include county officials.

The motion was seconded by Ret. Judge Long. Motion carried unanimously.

Motion by Ret. Chief Justice Gilbertson, to move into executive session pursuant to SDCL 1-25-2 and 3-24-4 to discuss Complaint 2025-01, 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

COMPLAINT 2025-01

Ret. Chief Justice Gilbertson moved that the matter be referred to the South Dakota Disciplinary Board of the State Bar without recommendation. The Board Chair shall prepare a letter to be sent to the Disciplinary Board with the referral stating the reason for referral and noting the lack of recommendation. The Board Administrative Assistant shall notify the complainant of the disposition to include notification that even if the Board were to proceed on the matter, the Board could not order restitution under applicable statutory authority.

The motion was seconded by Ret. Judge Bastian. Motion carried unanimously.

PUBLIC COMMENT: The public was invited to comment.

No public comment was provided.

DISCUSSION REGARDING FUTURE MEETINGS:

The next meeting will be scheduled at a later date.

ADJOURNMENT

Motion by Ret. Chief Justice Gilbertson, seconded by Ret. Judge Bastian, to

adjourn the meeting. Motion carried unanimously and the Board adjourned.

Approved on 11th day of December, 2025.

A handwritten signature in dark ink, appearing to be 'J. A. H.', written over a horizontal line.

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.