

**Meeting Minutes**  
**SOUTH DAKOTA ATHLETIC COMMISSION**  
Via Teleconference  
March 22, 2021 12:00 p.m. CDT

Chairman Kilmer called the meeting to order at 12:03 p.m. Stalley called the roll. A quorum was present.

**Members Present via Telephone:** Mike Kilmer, Lee Lohff, Margaret Gillespie, and Richard Little

**Members Absent:** Verle Valentine

**Others Present via Telephone:** Jennifer Stalley, executive secretary; Amber Mulder, Department of Labor Legal Counsel; and Bob Mercer, KELOLand News

Little made a motion to approve the agenda. Lohff seconded the motion. The Commission voted by roll call. Kilmer, Lohff, Gillespie and Little voted aye. **MOTION PASSED.**

Kilmer asked for any public comments. There were no comments offered.

Lohff made a motion to approve the January 15, 2021 commission meeting minutes. Gillespie seconded the motion. The Commission voted by roll call. Kilmer, Lohff, Gillespie and Little voted aye. **MOTION PASSED.**

Lohff made a motion to accept the February 28, 2021 financial report. Little seconded the motion. The Commission voted by roll call. Kilmer, Lohff, Gillespie and Little voted aye. **MOTION PASSED.**

Stalley updated the Commission on legislation regarding medical marijuana. Absent a special session, medical marijuana will become legal on July 1<sup>st</sup>. Commission rules regarding prohibited substances and therapeutic use exemptions are impacted by this change in law. The Commission instructed Stalley to draft changes to the necessary administrative rule changes for consideration at the next meeting.

Stalley updated the Commission on legislation regarding sports wagering. The Gaming Commission is in the process of promulgating rules to effectuate the legalization of sports wagering. The Gaming Commission will have draft rules in June. There is no anticipated impact on the Athletic Commission. The Commission instructed Stalley to draft any necessary administrative rule changes for consideration at the next meeting if the Gaming Commission rules impact the Athletic Commission.

Little made a motion to update the Commission's COVID-19 requirements to reflect that (1) all competitors, corners, and officials must have a negative COVID-19 test within 72 hours of the event unless the competitor, corner, or official has proof of full vaccination at least two weeks prior to the event; provide evidence of COVID-19 antibodies within three months of the event; or, if the competitor, corner or official had COVID-19 in the 90 days prior to the event has a physician's statement of recovery; (2) the perimeter between the cage/ring and spectators be expanded at the direction of the Commission, depending on the venue; (3) all competitors and corners remain in the venue locker room once at the event; and (4) the event venue is responsible to determining the number of spectators and conditions for attendance by spectators. Gillespie seconded the motion.

Lohff made a substitute motion to change the Commission's COVID-19 requirements to reflect that (1) all competitors, corners, and officials must have a negative COVID-19 test within 72 hours of the event unless the competitor, corner, or official has proof of full vaccination at least two weeks prior to the event; provide evidence of COVID-19 antibodies within three months of the event; or, if the competitor, corner or official had COVID-19 in the 90 days prior to the event has a physician's statement of recovery; (2) the perimeter between the cage/ring and spectators be expanded at the direction of the Commission, depending on the venue; (3) all competitors and corners remain in the venue locker room once at the event; (4) the event venue is responsible to determining the number of spectators and conditions for attendance by spectators; (5) events are encouraged to ask spectators to wear masks and maintain social distancing consistent with the Centers for Disease Control's recommendations; and (6) COVID-19 conditions for an approved event are subject to change without notice. Gillespie seconded the motion. The Commission voted by roll call. Kilmer, Lohff, Gillespie and Little voted aye. **MOTION PASSED.**

Lohff made a motion to approve mixed martial arts event for Legacy Fighting Alliance on May 14, 2021 and May 22, 2021, in Sioux Falls, subject to compliance with the Commission's rules, deadlines, regulations and COVID-19 requirements. Little seconded the motion. The Commission voted by roll call. Kilmer, Lohff, Gillespie and Little voted aye. **MOTION PASSED.**

Lohff made a motion to approve a mixed martial arts event for Knockout Events on June 4, 2021, in Huron, subject to compliance with the Commission's rules, deadlines, regulations and COVID-19 requirements and registration as a licensed promoter. Little seconded the motion. The Commission voted by roll call. Kilmer, Lohff, Gillespie and Little voted aye. **MOTION PASSED.**

Lohff made a motion to approve a mixed martial arts event for Ogitchidaa Promotions on June 5, 2021, at Dakota Sioux Casino, in Watertown, subject to compliance with the Commission's rules, deadlines, regulations and COVID-19 requirements, submission of proof of at least a \$20,000 line of irrevocable credit or surety bond, and registration as a licensed promoter. Little seconded the motion. The Commission voted by roll call. Kilmer, Lohff, Gillespie and Little voted aye. **MOTION PASSED.**

Lohff made a motion to approve a mixed martial arts event for Fury Fights on a date to be agreed to between the promoter and Commission, in Watertown, subject to compliance with the Commission's rules, deadlines, regulations and COVID-19 requirements and submission of proof of at least a \$20,000 line of irrevocable credit or surety bond. Gillespie seconded the motion. The Commission voted by roll call. Kilmer, Lohff, Gillespie and Little voted aye. **MOTION PASSED.**

Lohff made a motion to approve boxing events for 15<sup>th</sup> Round Boxing on a date to be agreed to between the promoter and the Commission and on December 9, 2021, in Sioux Falls, subject to compliance with the Commission's rules, deadlines, regulations and COVID-19 requirements, submission of proof of at least a \$20,000 line of irrevocable credit or surety bond, and registration as a licensed promoter. Little seconded the motion. The Commission voted by roll call. Kilmer, Lohff, Gillespie and Little voted aye. **MOTION PASSED.**

Lohff made a motion to renew the contract with Midwest Solutions for executive services of the Commission under the terms of the current contract plus a 2.4% increase in the monthly services fee. Little seconded the motion. The Commission voted by roll call. Kilmer, Lohff, Gillespie and Little voted aye. **MOTION PASSED.**

Kilmer noted the executive session noticed on the agenda was not necessary.

Kilmer noted the next Commission meeting is scheduled for July 9, 2021 at 12:00 p.m. via teleconference.

Lohff made a motion to adjourn the meeting at 1:40 pm. Little seconded the motion. The Commission voted by roll call. Kilmer, Lohff, Gillespie and Little voted aye. **MOTION PASSED.**

Respectfully Submitted,

---

Richard Little, Secretary

DRAFT