SOUTH DAKOTA OPEN MEETING COMMISSION

MINUTES OF MEETING

December 10, 2012

Held via Telephone Conference Due to Inclement Weather

Members present: John Steele, Aurora County States Attorney (Chair); Members participating via teleconference: Lisa Rothschadl, Bon Homme County State's Attorney ; Mark Reedstrom, Grant County State's Attorney; Glenn Brenner, Pennington County State's Attorney; Emily Sovell, Sully County State's Attorney.

John Steele called meeting to order at 11:06.

The following includes a summary (not verbatim) of the matters discussed.

Approval of October 29, 2012 minutes.

Motion to approve minutes from Glenn Brenner and seconded by Mark Reedstrom. A roll call vote was made and all members voted in favor.

In the Matter of Open Meeting Complaint 12-02, South Dakota Board of Medical and Osteopathic Examiners.

Jeff Hallem, Assistant Attorney General from Pierre, participating as counsel for the OMC regarding the South Dakota Board of Medical and Osteopathic Examiners (BMOE), sent out findings and did not receive any correspondence from Claimant, Chad Haber.

Lisa Rothschadl motioned to adopt findings and it was seconded by Mark Reedstrom.

Roll call vote was taken, all in favor except for John Steele who recused himself from this case.

Mr. Hallem will send out the final Findings of Fact and Conclusions of Law to the OMC and parties involved in the case.

In the Matter of Open Meeting Complaint 12-03, Union County Weed Board.

All OMC commission members received the proposed Findings drafted by Diane Best. Mark Reedstrom made a motion to approve the Findings of Fact and Conclusions of Law and it was seconded by Emily Sovell.
Roll call was taken. All voted in favor except for John Steele who did not participate as he was absent from October 29, 2012 OMC meeting when oral presentations were made on this matter.

In the Matter of Open Meeting Complaint 12-04, South Dakota Board of Massage Therapy (BMT or Board).

All OMC members received the proposed Findings drafted by Jim Carlon, (Counsel for the BMT) as well as Rhanda Heller's rebuttal (forwarded via email from Diane Best). Reedstrom moved to adopt Proposed Findings of Fact and Conclusions of Law as proposed by the South Dakota Board of Massage Therapy. Seconded by Lisa Rothschadl. Diane will take care of posting and distributing the decision in accordance with usual procedure.

Roll call vote taken, all approved with John Steele abstaining due to not being present at last OMC meeting.

Case Status and 2013 Scheduling.

Diane has not heard from Marty Jackley as to who will replace Glenn Brenner. No new complaints filed or pending. Diane suggested to tentatively schedule the next meeting to coincide with the States Attorney's Training Session in Deadwood, usually held the 1st or 2nd week of May unless pressing items warrant a meeting sooner. This was acceptable to the Commission members.

Adjournment.

Mark Reedstrom moved to adjourn. Lisa Rothschadl seconded the motion. Roll call vote taken; all approved.

Approved on July 2, 2012

John R. Shum

On behalf of the Open Meeting Commission