

## SOUTH DAKOTA OPEN MEETING COMMISSION

### MINUTES OF MEETING

Telephone Conference August 23, 2013

Members participating: John Steele, Aurora County States Attorney (Chair); Kevin Krull, Meade County State's Attorney; ; Mark Reedstrom, Grant County State's Attorney; Lisa Rothschadl, Bon Homme County State's Attorney; and Emily Sovell, Sully County State's Attorney. Diane Best assisted the OMC.

Chairman John Steele called the meeting to order at 10:03 a.m. Rothschadl moved to approve the proposed agenda; Reedstrom seconded. Motion carried.

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

*In the Matter of Open Meeting Complaint 13-01, Mathews Township*

Attorney Don McCarty made a telephonic appearance on behalf of the township, along with Roger Lee.

This involved consideration of Findings of Fact and Conclusions of Law for the matter heard in June. Chairman Steele stated that both the township and complaining party submitted proposed Findings of Fact and Conclusions of Law. Sovell asked that the OMC start its deliberations based on the proposal submitted by attorney Gary Schumacher for the Township. Reedstrom seconded. A roll call vote was taken on the motion and all members voted in favor of the motion.

Steele noted that the proposal had referred to the OMC as a court or a board.

Sovell made a substitute motion to approve the Schumacher proposal with corrections to show that the OMC is a Commission. Reedstrom seconded.

In discussion Reedstrom stated that the proposal submitted by the complaining party included more than just the specific open meeting issues, so the Schumacher proposal should be adopted instead. Rothschadl and Sovell agreed.

A roll call vote was held on the amended motion and all members voted in favor of the Sovell motion.

Chairman Steele asked Diane Best to send out the final Findings of Fact and Conclusions of Law and post them on the website.

*In the Matter of Open Meeting Complaint 13-02, Leola School District*

Attorney Rodney Freeman appeared telephonically on behalf of the school district.

This involved consideration of Findings of Fact and Conclusions of Law for the matter heard in June. Chairman Steele stated that Mr. Freeman had sent in proposals on behalf of the school district. They were the only proposals submitted.

Reedstrom moved to approve the proposals submitted by Mr. Freeman. Krull seconded the motion.

In discussion Steele stated that the proposal correctly reflected the tentative oral decision made by the OMC in June.

A roll call vote was taken and all members voted in favor of the motion.

Chairman Steele asked Diane Best to send out the final Findings of Fact and Conclusions of Law and post them on the website.

Approval of Minutes of June 28, 2013 meeting.

Reedstrom moved to approve the minutes as distributed. Rothschadl seconded the motion. A roll call vote was taken and all members voted in favor.

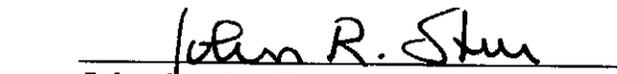
Scheduling future meetings

Diane Best reported that there are no new cases pending. The next meeting was not scheduled.

Adjournment.

Mark Reedstrom moved to adjourn. Lisa Rothschadl seconded the motion. A roll call vote was taken and all members voted in favor.

Approved on 8/29, 2013

  
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John Steele, Chairman  
On behalf of the Open Meeting Commission