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SOUTH DAKOTA OPEN MEETING COMMISSION

MINUTES OF MEETING

Telephone Conference August 29, 2013

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

Chairman John Steele called the meeting to order at 10:01 a.m. Reedstrom moved to approve the proposed agenda; Krull seconded. The roll was called and all voted in favor.

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

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

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

Diane Best stated that she had contacted Jerome Mack by telephone and left a message with the teleconference number. She had not heard if he was going to join the call.

Chairman Steele explained the meeting was called to finalize the language in the Leola decision. The OMC had approved Findings of Fact and Conclusions of Law as submitted by Mr. Freeman on August 23, 2013 and authorized them to be issued. However, the language of the final clause was somewhat inconsistent with the usual practice of the OMC in cases where the OMC finds there is no violation.

Rothschadl moved to reconsider the Findings of Fact and Conclusions of Law. Krull seconded the motion. The roll was called and all voted in favor.

The School District's proposal stated "The Complaint of Jerome Mack is hereby dismissed, on its merits, with prejudice thereby." The usual language is "Based on the foregoing Findings of Fact and Conclusions of Law, this Commission holds that the above entitled respondents did not violate the Open Meeting Law on the dates described above."

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Krull moved to adopt the usual language. Reedstrom seconded. The roll was called and all voted in favor.

Approval of Minutes of August 23, 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.

Adjournment.

Reedstrom moved to adjourn. Krull seconded the motion. A roll call vote was taken and all members voted in favor. The meeting was completed at 10:09 am.

Approved on _____, 2013

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John Steele, Chairman
On behalf of the Open Meeting Commission

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