

GOVERNMENT ACCOUNTABILITY BOARD

MINUTES OF MEETING

April 13, 2026, at 1:00 p.m. Central Time
Madison, SD

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

CALL MEETING TO ORDER: The meeting was called to order at approximately 1:02 p.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
Lindsey Quasney, Admin Assistance to the Board
Ryan Haug (by telephone)
Brian Phelps (by telephone)
Robert Mercer
Trooper Chris Spielmann

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

APPROVE AGENDA: Motion by Ret. Judge Long, seconded by Ret. Chief Justice Gilbertson. Agenda was approved unanimously.

APPROVAL OF MINUTES: Motion by Ret. Chief Justice Gilbertson to approve minutes from the January 30, 2026, meeting. The motion was seconded by Ret. Judge Long and carried unanimously.

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 Complaints 2025-01, 2025-07, 2026-01, 2026-02, 2026-03, and 2026-04 seconded by Ret. Judge Long. Motion carried unanimously.

The public exited the meeting room. The telephonic line was disconnected. Members of the public present on the telephonic line were instructed to

continue to check the status of the telephonic line to determine whether executive session had ended. The Board proceeded to executive session.

Executive Session ended thereafter. The meeting was again open to the public including the telephonic line being reinitiated.

COMPLAINT 2025-01

Ret. Judge Long recused himself from participation on this complaint.

Ret. Chief Justice Gilbertson moved that the Board maintain its previous dismissal of the complaint in 2025-01 based on the State Bar Disciplinary Board's decision to not take action on the conduct complained of in 2025-01.

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

COMPLAINT 2025-07

Ret. Judge Long moved that the complaint in 2025-07 be dismissed because SDCL 5-25-1.1 appears to cover and allow for the conduct being complained of.

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

COMPLAINT 2026-01

Ret. Chief Justice Gilbertson moved that the complaint in 2026-01 be dismissed because the complaint is an attempted appeal of a South Dakota circuit court's ruling and the Board does not have jurisdiction for such an action.

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

COMPLAINT 2026-02

Ret. Judge Bastian moved that the complaint in 2026-02 be dismissed for mootness and lack of jurisdiction because the proper Respondent is not an employee over whom the Board has jurisdiction and the Respondent listed in the complaint is not involved in the conduct of which the complainant alleges.

The motion was seconded by Ret. Chief Justice Gilbertson. Motion carried unanimously.

COMPLAINT 2026-03

Ret. Judge Bastian moved that the complaint in 2026-03 be dismissed for lack of jurisdiction because the Respondent is a county employee over whom the Board does not have jurisdiction.

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

COMPLAINT 2026-04

Ret. Judge Long moved that the Board send a letter and a copy of the complaint to the named Respondent and to the named Respondent's employer to request a response from both parties within fifteen (15) days as required by the Board's rules.

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

PUBLIC COMMENT: The public was invited to comment.

Mr. Ryan Haug requested the status of a complaint. Mr. Haug was informed that updates regarding actions taken on complaints would be available in writing for confidentiality purposes.

DISCUSSION REGARDING FUTURE MEETINGS:

The next meeting will be scheduled at a later date at the call of the chair. The next meeting date will be scheduled to accommodate the responses in 2026-04.

ADJOURNMENT

Motion by Ret. Chief Justice Gilbertson, seconded by Ret. Judge Long, to adjourn the meeting. Motion carried unanimously and the Board adjourned.

Approved on 5th day of August, 2026.



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.