

STATE OF SOUTH DAKOTA  
OPEN MEETINGS COMMISSION

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IN THE MATTER OF OPEN	)	OMC 2025-01
MEETINGS COMPLAINT AGAINST	)	
CENTRAL CITY BOARD OF	)	FINDINGS OF FACT, CONCLUSIONS
TRUSTEES – LAWRENCE COUNTY	)	OF LAW, AND DECISION
	)	

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The above captioned matter was heard before the South Dakota Open Meetings Commission (hereafter “Commission”) on July 28, 2025.

Complainant Christle Beukens appeared personally without counsel. The Central City Board of Trustees appeared through counsel Kellen Willert. Prior to the hearing, the Commission reviewed the written submissions of the parties as well as any other exhibits, pleadings or papers on file herein. Based upon the materials submitted, and the arguments of the parties, the Commission enters the following Findings of Fact and Conclusions of Law.

FINDINGS OF FACT

1. The Commission takes official notice that the Central City Board of Trustees is a Third-Class municipality located in Lawrence County, South Dakota, and has been organized and operated according to applicable provisions of South Dakota Codified Law.

2. The Commission further takes notice that the Central City Board of Trustees is a three-member public body elected pursuant to applicable provisions of state law to govern Central City.

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3. The Central City Board of Trustees held a special budget meeting on September 23, 2024.

4. Christle Beukens attended the meeting and interrupted the meeting stating that the Central City Board of Trustees could not vote on the budget or take formal action at this meeting as no public notice had been posted.

5. The Central City Board of Trustees then adjourned the meeting with no further action being taken.

6. The Central City Board of Trustees gave no public notice with a proposed agenda concerning the September 23, 2024, special budget meeting.

7. SDCL 1-25-1.1 requires in pertinent part that:

[e]ach political subdivision shall provide public notice, with proposed agenda, that is visible, readable, and accessible for at least an entire, continuous twenty-four hours immediately preceding any official meeting, by posting a copy of the notice, visible to the public, at the principal office of the political subdivision holding the meeting. The proposed agenda shall include the date, time, and location of the meeting. The notice shall also be posted on the political subdivision's website upon dissemination of the notice, if a website exists. For any special or rescheduled meeting, the information in the notice shall be delivered in person, by mail, by email, or by telephone, to members of the local news media who have requested notice. For any special or rescheduled meeting, each political subdivision shall also comply with the public notice provisions of this section for a regular meeting to the extent that circumstances permit.

(emphasis added).

8. Christle Beukens' open meetings complaints were submitted to the Lawrence County State's Attorney on October 25, 2024, November 18, 2024,

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and December 19, 2024. The complaints mostly allege the same failures of the Central City Board of Trustees for violations of the state open meetings laws by failing to give proper notice of a special meeting as required by SDCL 1-25-1.1, failing to provide for public comment, and allegations of routinely meeting privately to discuss public business. Concerning the other separate issues raised by Christle Beukens, Lawrence County Deputy State's Attorney Kristi Sims opined that these issues were beyond the scope of the Commission's jurisdiction and were not referred on to the Commission.

9. On February 24, 2025, Lawrence County Deputy State's Attorney Kristi Sims forwarded the complaints to the Commission pursuant to SDCL 1-25-6(3).

10. In its written response to the complaint dated May 28, 2025, the Central City Board of Trustees, by and through its Attorney Kellen Willert, did not refute that it failed to properly give notice of the special meeting held on September 23, 2024. The Central City Board of Trustees relayed that once it was brought to their attention, the Trustees adjourned without taking action.

11. Any Finding of Fact more appropriately labeled as a Conclusion of Law is hereby re-designated as such and incorporated below therein.

#### CONCLUSIONS OF LAW

1. The Central City Board of Trustees, as the governing body of Central City, South Dakota, is a public body subject to the open meetings

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requirements of SDCL ch. 1-25. The Open Meetings Commission has jurisdiction over this matter pursuant to SDCL ch. 1-25.

2. The notice requirements of SDCL 1-25-1.1 apply to special meetings of a public body, as circumstances permit, as equally as they do to regularly scheduled meetings of a public body. It is uncontested that the Central City Board of Trustees failed to give proper public notice of its September 23, 2024, special meeting.

3. The Commission concludes the Central City Board of Trustees did violate the open meetings laws by failing to give proper notice of its September 23, 2024, special meeting as required by SDCL 1-25-1.1.

4. The Commission concludes the finding of no violation concerning the alleged public comment violation because the commission did not have enough facts to determine whether there was or was not a violation.

5. The Commission concludes the finding of no violation concerning the alleged routinely meeting privately to discuss public business without going into formal executive session because the Commission did not have enough facts to determine whether there was or was not a violation.

6. Any Conclusion of Law more appropriately labeled as a Finding of Fact is hereby re-designated as such and incorporated above therein.

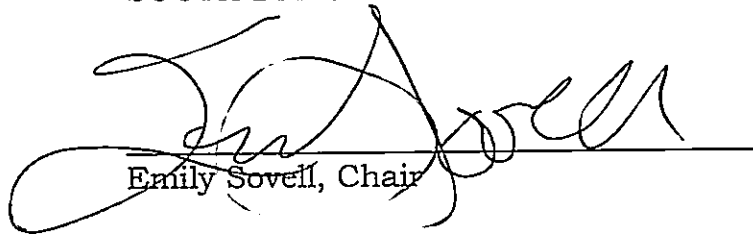
DECISION

Based upon the foregoing Findings of Fact and Conclusions of Law, the South Dakota Open Meetings Commission hereby **REPRIMANDS** the Central City Board of Trustees for violating SDCL 1-25-1.1 by failing to give proper notice of its September 23, 2024, special meeting.

Decision entered by Commissioners **Sovell** (Chair), **A. Hoffman**, **K. Hoffman**, **Russell** and **Smith**.

Dated this 3 day of November 2025.

SOUTH DAKOTA OPEN MEETINGS COMMISSION



Emily Sovell, Chair