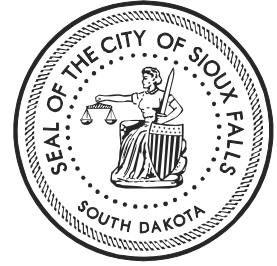


MINUTES

Thursday, March 5, 2009 at 3:45 PM

Board of Ethics Special Meeting

Commission Room – First Floor – City Hall
224 West Ninth Street, Sioux Falls, SD



ROLL CALL

BOARD MEMBERS PRESENT: Lloyd Stivers, Mike McKnight and Howard Paulson

BOARD MEMBERS ABSENT: Mari Robbennolt and Bill O'Connor

STAFF PRESENT: Robert Amundson, Sioux Falls City Attorney, R. Shawn Tornow, Assistant City Attorney and Cari Hanzel, Recording Clerk.

OTHERS PRESENT: City Council members Greg Jamison, Bob Litz, J. Pat Costello and Kermit Staggers, City Clerk, Debra Owen, and June Staggers

Board Chair, Lloyd Stivers called the meeting to order at 3:45 p.m.

APPROVAL OF MINUTES FROM FEBRUARY 17, 2009 MEETING

A motion was made by Mike McKnight and seconded by Howard Paulson to approve the minutes from the Quarterly Meeting of February 17, 2009. Motion carried unanimously.

APPROVAL OF MINUTES FROM FEBRUARY 25, 2009 MEETING

A motion was made by Mike McKnight and seconded by Howard Paulson to approve the minutes from the Special Meeting of February 25, 2009. Motion carried unanimously.

REVIEW PROPOSED SUGGESTIONS TO ETHICS ORDINANCES

The timeline for the adoption of the new ethics ordinances was discussed.

The Board of Ethics' suggested changes to the proposed ethics ordinances as set forth in the handout, were reviewed and discussed individually.

Sec. 12 ½ - 11: Following review and discussion of proposed changes to Sec. 12 ½. – 11, Stivers called for a motion. McKnight made a motion that the proposal in the

handout be considered acceptable language to propose to the City Council. Howard Paulson seconded. Opened for discussion.

Discussion was held regarding the history of the Board of Ethics clerk position.

Further discussion was held regarding the Board's procedure for providing notice of its meetings. It was agreed that the Board would include the City Council in future meeting notices distributed through email.

Vote to approve motion: Roll Call: Yeses, Stivers, McKnight, Paulson, 3. Noes, 0. Motion Passed.

Secs. 12 ½ - 19, 12 ½ - 19.1 and 12 ½ - 22: The proposed changes to these sections were reviewed and discussed.

There was discussion that the person requesting the opinion is the one who controls the confidentiality and a suggestion was made to perhaps include a provision stating that the opinion remains confidential until the Board or person asking for the opinion releases it.

Discussion followed

Sec. 12 ½ - 34: Stivers provided some history regarding the first request for opinion heard by the Board.

Discussion and input from Council Members was heard by the Board.

Further discussion was held regarding who should be able to request advisory opinions from the Board and who can file complaints.

Discussion was held regarding the terms "officials" and "officers" as used in the proposed ordinances.

The Board then discussed whether the ethics ordinances should apply to city elected official candidates.

Discussion followed, including comments and input on the remainder of the Board's proposals.

A motion was made by Howard Paulson and seconded by Mike McKnight to send the Board's proposals as drafted to the Council as suggested changes. Vote to approve motion: Roll Call: Yeses, Stivers, McKnight, Paulson, 3. Noes, 0. Motion Passed.

NEXT MEETING

No future meetings were scheduled.

ADJOURNMENT

A motion was made by Lloyd Stivers to adjourn the meeting. Meeting adjourned at 4:50 p.m.

Respectfully submitted,

Cari Hanzel
Recording Clerk