

MINUTES

Thursday, June 2, 2011 at 10:00 a.m.



Board of Ethics Special Meeting

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

ROLL CALL

BOARD MEMBERS PRESENT: Bill O'Connor, Howard Paulson, Mari Robbennolt and Bob Swanhorst.

BOARD MEMBERS ABSENT: Mike McKnight

STAFF PRESENT: Dave Pfeifle, Sioux Falls City Attorney and Cari Hanzel, Recording Clerk.

OTHERS PRESENT:

As a quorum was present, Board Chair Bill O'Connor called the meeting to order at 10:04 a.m.

APPROVAL OF MINUTES

A motion was made by Mari Robbennolt and seconded by Howard Paulson to approve the minutes from the Special Meeting of May 13, 2011. Vote to approve: Roll Call: Yeses, Bill O'Connor, Howard Paulson, Mari Robbennolt, Bob Swanhorst, 4. Noes, 0. Motion Passed.

APPROVAL OF CONFIDENTIAL ADVISORY OPINION 11-1

A motion was made by Bob Swanhorst and seconded by Mari Robbennolt to approve Confidential Advisory Opinion 11-1. Vote to approve: Roll Call: Yeses, Bill O'Connor, Howard Paulson, Mari Robbennolt, Bob Swanhorst, 4. Noes, 0. Motion Passed.

BUSINESS OR ISSUES BROUGHT BEFORE THE BOARD

1. Complaint # 11-A filed against Jim Entenman on May 3, 2011:

Board Chair, Bill O'Connor summarized the allegations contained in the Complaint.

Steve Hildebrand, the complainant, informed the Board that Entenman's liquor license application was no longer a concern as the application had been withdrawn.

Captain Jensen explained his role with the Board of Ethics and presented his investigative report. The Board discussed the report and asked questions of Capt. Jensen. Entenman and Hildebrand were also given the opportunity to ask Capt. Jensen questions related to his report.

Dave Pfeifle provided the Board with information regarding the status of McCart Fields and the role the Park Board and City Council would play in approving a parking lot proposal on park land.

Hildebrand made a presentation to the Board concerning the allegations made in his Complaint against Entenman.

Entenman made a presentation to the Board addressing the allegations made against him in Hildebrand's Complaint.

A motion was made by Howard Paulson and seconded by Bob Swanhorst that the Board find there is no probable cause for a financial interest conflict and therefore, there is no conflict of interest under §12 ½ -30(3). Further discussion held by the Board. Vote to approve: Roll Call: Yeses, Bill O'Connor, Howard Paulson, Mari Robbennolt, Bob Swanhorst, 4. Noes, 0. Motion Passed.

Regarding Council Member Entenman's application for liquor license and his statements before the Public Services Committee on April 11, 2011, the Board determined that that issue was resolved with Entenman's removal of his name from the liquor license application list. The Board did caution Council members to be aware of any potential conflicts of interest in matters they are involved in and identify when they should recuse themselves and step away.

A motion was made by Mari Robbennolt and seconded by Bob Swanhorst to authorize Dave Pfeifle as the Board's legal advisor to draft the Board's findings and report to City Council as required by Ordinance and to authorize the Board Chair, Bill O'Connor to sign off on the same. No further discussion. Vote to approve: Roll Call: Yeses, Bill O'Connor, Howard Paulson, Mari Robbennolt, Bob Swanhorst, 4. Noes, 0. Motion Passed.

NEXT MEETING

The Board's next quarterly meeting will be held in September, 2011, unless a matter is brought before the Board requiring a meeting before then.

ADJOURNMENT

Meeting adjourned at 11:17 a.m.

Respectfully submitted,

Cari Hanzel
Recording Clerk