

<b>MINUTES</b>	Thursday, March 28, 2019 at 3:30 p.m.	 CITY OF SIOUX FALLS
Board of Ethics Meeting	Commission Room 1st Floor ~ City Hall 224 West Ninth Street Sioux Falls, South Dakota	

**BOARD MEMBERS PRESENT:** Jeff Gednalske, Greg LaFollette, Jack Marsh and Sue Roust

**BOARD MEMBERS ABSENT:** Wanda Harris

**STAFF PRESENT:** Stacy Kooistra, City Attorney and Cari Hanzel, Recording Clerk

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**CALL TO ORDER**

A quorum being present, the meeting was called to order by Board Chair Jack Marsh at 3:30 p.m.

**ELECTION OF CHAIR AND VICE CHAIR**

Following some preliminary discussion gauging members’ interest in the positions, Greg LaFollette nominated Jack Marsh to serve as Chair of the Board of Ethics for 2019. Sue Roust seconded the motion. With no further nominations on the floor, Jack Marsh declared the nominations closed and proceeded with a vote. 4 yeses. Motion carried.

Sue Roust nominated Jeff Gednalske to serve as Vice Chair of the Board of Ethics for 2019. Greg LaFollette seconded the motion. With no further nominations on the floor, Jack Marsh declared the nominations closed and proceeded with a vote. 4 yeses. Motion carried.

**APPROVAL OF MINUTES**

A motion was made by Jeff Gednalske and seconded by Jack Marsh to approve the minutes from the meeting on December 27, 2018. Vote to approve: 3 Yeses. Motion passed.

**APPROVAL OF 2018 ANNUAL REPORT**

A motion was made by Sue Roust and seconded by Greg LaFollette to approve the 2018 Board of Ethics Annual Report dated March 28, 2019. Vote to approve: 4 Yeses. Motion passed.

## **BUSINESS OR PENDING ISSUES BROUGHT BEFORE THE BOARD**

### 1. REQUEST FOR ADVISORY OPINION 19-1 FILED FEBRUARY 21, 2019.

Jack Marsh thanked Kim Koblank for bringing her request to the Board. In addition to copies of Ms. Koblank's request and supporting letter from Bruce Lovett of Recorded Books being published with the Agenda, Jack Marsh advised that copies of the request and letter were available for the public on the back table. The City Attorney's Office also handed out to the Board with copies made available to the public, an email Ms. Koblank received from Chris Pitcher of Recorded Books containing some additional information relevant to today's discussion.

Kim Koblank appeared before the Board and was sworn in. Ms. Koblank indicated that she has been with Siouxland Libraries for 14 years and currently is a librarian at the downtown location in charge of systems support and collections development. Ms. Koblank offered testimony regarding her Request for Advisory Opinion, including her job duties, her attendance at the ALA Conference in June, 2019 and her intent regarding the honorarium offered by Recorded Books.

Jodi Fick, Director of Siouxland Libraries, appeared before the Board and was sworn in. Ms. Fick offered testimony regarding the attendance of employees at conferences and specifically the selection of Ms. Koblank to attend the ALA Conference in June of 2019.

Stacy Kooistra advised the Board on the pertinent ordinances they should consider and what the Board would need to determine as they discussed the Request for Advisory Opinion.

Discussion regarding the Request for Advisory Opinion was held by the Board.

Greg LaFollette stated that with the provision that Ms. Koblank donate the \$500 honorarium to charity, he moved that the Board ask the City Attorney to draft an opinion that the Board does not see a conflict of interest in this situation.

Jack Marsh clarified that Greg LaFollette did not want to include the non-disclosure issue in his motion and that the motion was conditioned on the fact that Ms. Koblank not be directly compensated and therefore, the honorarium must be donated.

Jeff Gednalske seconded the motion.

Further discussion was held by the Board.

Sue Roust moved to amend the motion to prohibit the honorarium from being received by Ms. Koblack and instead direct the donation of the honorarium to the Sioux Falls Area Community Foundation. Jeff Gednalske seconded the amendment. Vote to approve: 4 Yeses. Motion passed.

The Board further discussed the main motion as amended.

Greg LaFollette moved to further amend the original motion to include full declination of the honorarium. Sue Roust seconded the amendment.

The Board clarified that the amendment to the motion would allow Ms. Koblack to serve on the advisory board but that the honorarium would be declined.

Vote to approve the amendment: 4 Yeses. Motion passed.

Vote to approve the main motion as amended: 4 Yeses. Motion passed.

A motion was made by Sue Roust and seconded by Greg LaFollette to authorize the Board's legal advisor, Stacy Kooistra to draft an Advisory Opinion consistent with the discussions and motion of the Board and to authorize the Board Chair to sign the opinion as drafted on behalf of the Board. Vote to approve: 4 Yeses. Motion passed.

The Board thanks Ms. Koblack for taking advantage of the Board of Ethics by bringing this matter before them.

### **PUBLIC INPUT**

Bruce Danielson appeared before the Board and complimented them on their decision today.

### **NEXT MEETING**

No specific date for the next meeting was scheduled.

### **ADJOURNMENT**

A motion was made by Jeff Gednalske and seconded by Greg LaFollette to adjourn the meeting. Meeting adjourned at 4:21 PM.

Respectfully submitted,

Cari Hanzel  
Recording Clerk