

SOUTH DAKOTA REAL ESTATE COMMISSION  
JANUARY 11 & 12, 2010  
HILTON GARDEN INN SIOUX FALLS  
5300 SOUTH GRAND CIRCLE  
SIOUX FALLS, SOUTH DAKOTA

The South Dakota Real Estate Commission convened at 8:30 a.m. on January 11, 2010, in Salon D of the Hilton Garden Inn, Sioux Falls, SD. Present for the meeting were Chairman Dennis Eisnach and commission members Paula Lewis, Eileen Fischer, Brian Jackson and Charles Larkin. Also present were legal counsel Lindsey Riter-Rapp and executive director Dee Jones Noordermeer.

Upon reconsideration of a decision to proceed to a formal hearing on complaint #2010-004, a motion was made and seconded to dismiss the complaint based on further facts received that proved there were no grounds for disciplinary action. Motion carried.

Hearing examiner Hillary Brady at 9:10 a.m. convened the formal hearing on complaint #2009-019, South Dakota Real Estate Commission vs. Kristol O'Connor. Present for the hearing in addition to the commission members were legal counsel Lindsey Riter-Rapp, executive director Dee Jones Noordermeer, court reporter Stacy Wiebesiek, defendant Kristol O'Connor, defendant's attorney Robert Christenson and witnesses Pat Goebel and Dr. Carol Behrmann. The hearing closed at 11:30 a.m.

Hearing examiner Hillary Brady at 11:40 a.m. convened the formal hearing on complaint #2009-022, South Dakota Real Estate Commission vs. Kristol O'Connor. Present for the hearing in addition to the commission members were legal counsel Lindsey Riter-Rapp, executive director Dee Jones Noordermeer, court reporter Stacy Wiebesiek, defendant Kristol O'Connor, defendant's attorney Robert Christenson and witnesses Kelli Bartscher and Wayne Bartscher. The hearing closed at 1:27 p.m.

Hearing examiner Hillary Brady at 1:45 p.m. convened the formal hearing on complaint #2009-001, South Dakota Real Estate Commission vs. Merlyn Grave and Prairie Winds REALTORS®. Present for the hearing in addition to the commission members were legal counsel Lindsey Riter-Rapp, executive director Dee Jones Noordermeer, court reporter Stacy Wiebesiek, defendant Merlyn Grave, defendant's attorney Cameo Anders, compliance officer/witness Angela Hagena and witnesses Debra Peterson and Roger Munce. The hearing closed at 3:29 p.m.

Legal counsel left the meeting at 3:35 p.m.

A motion was made and seconded to enter into executive session for the purpose of deliberation. Motion carried.

The commission came out of executive session at 3:45 p.m.

The commission recessed at 3:55 p.m.

The commission reconvened on January 12, 2010 at 8:55 a.m. Commission members present for the meeting were Chairman Dennis Eisnach and commission members Paula Lewis, Brian

Jackson and Charles Larkin. Commissioner Fischer was absent. Also present were legal counsel Lindsey Riter-Rapp and executive director Dee Jones Noordermeer.

Hearing examiner Hillary Brady at 9:01 a.m. convened the formal hearing on complaint #2010-003, South Dakota Real Estate Commission vs. Barbara Kimmel. Present for the hearing in addition to the commission members were legal counsel Lindsey Riter-Rapp, executive director Dee Jones Noordermeer, court reporter Stacy Wiebesiek, defendant Barbara Kimmel, defendant's attorney Steve Landon and witness Steven Alloy. The hearing closed at 11:10 a.m.

A motion was made and seconded to enter into executive session for the purpose of deliberation.

The commission came out of executive session at 11:41 a.m.

There being no further business to come before the commission, a motion was made and seconded to adjourn at 11:42 p.m. Motion carried.

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Dennis Eisnach, Chairman

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Dee Jones Noordermeer, Executive Director

I, Dee Jones Noordermeer, hereby certify that the above is a true and correct copy of the minutes of the South Dakota Real Estate Commission meeting held on October 7 & 8, 2009.

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Dee Jones Noordermeer, Executive Director