

SOUTH DAKOTA REAL ESTATE COMMISSION  
MARCH 17 & 18, 2009  
GOVERNOR'S INN  
700 WEST SIOUX AVENUE  
PIERRE, SOUTH DAKOTA

The South Dakota Real Estate Commission convened at 1:05 p.m. on March 17, 2009 in the Kneip Room of the Governor's Inn, Pierre, South Dakota. Present for the meeting were Chairman Eileen Fischer and commission members Dennis Eisnach, Brian Jackson, Charles Larkin and Paula Lewis. Also present were executive director Dee Jones Noordermeer and licensing program administrator Norma Schilling.

Motion made and seconded to approve the minutes of the February 4 & 5, 2009 meeting.  
Motion carried.

Motion made and seconded to accept the financial reports for January & February 2009. Motion carried.

Motion made and seconded to enter into executive session at 1:13 p.m. to review complaints.  
Motion carried.

Motion made and seconded to come out of executive session at 1:21 p.m. Motion carried.

Complaint #2008-019, Beene vs. Vision Real Estate/Specht/Weinandt & Anderson Realty LLC/Noecker/Benson. Motion made and seconded to dismiss the complaint and have the executive director write a letter to the complaint to seek legal advise. Motion carried.

Jared Grosshans appeared before the commission at 1:35 on his application for conditional approval.

Motion made and seconded to enter into executive session at 1:45 p.m. Motion carried.

Motion made and seconded to come out of executive session at 1:47 p.m. Motion carried.

Motion made and seconded to approve the application for conditional approval of Jared Grosshans. Mr. Grosshans left at 1:50 p.m.

Chairman Eileen Fischer at 1:53 p.m. convened the hearing on the application appeal of LaQuita Long. Those present for the hearing in addition to the members of the commission were executive director Dee Jones Noordermeer, licensing program administrator Norma Schilling, applicant LaQuita Long and Corina Bittner. The hearing closed at 2:10 p.m.

Motion made and seconded to enter into executive session at 2:11 p.m. Motion carried.

Motion made and seconded to come out of executive session at 2:13 p.m. Motion carried.

Motion made and seconded to approve the residential rental agent application of LaQuita Long.  
Motion carried. Ms. Long and Ms. Bittner left at 2:15 p.m.

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The executive director informed the commission that the 5 legislative bills involving the Real Estate Commission had passed and had been signed by the Governor.

Discussion was held on the proposed electronic records storage policy. Following discussion, motion made and seconded to adopt the policy for electronic records storage. Motion carried.

Compliance officer Michelle Metzinger joined the meeting at 3:15 p.m.

Motion made and seconded to enter into executive session at 3:29 p.m. to interview for legal counsel. Motion carried.

Motion made and seconded to come out of executive session at 4:05 p.m. Motion carried.

Compliance officer Michelle Metzinger left the meeting at 4:10 p.m.

Discussion was held on a letter received from Jim Strain with his concerns on individuals holding only an auctioneer's license. Following discussion, the executive director was instructed to respond to Mr. Strain's letter.

The executive director informed the commission on the ARELLO District Conference to be held in Louisville, Kentucky June 25-27, 2009. Motion made and seconded to request the attendance of 3 at the ARELLO District Conference. Motion carried.

The meeting recessed at 4:45 p.m. and reconvened at 8:00 a.m. on March 18, 2009.

Further discussion was held on reciprocal agreements. Following discussion, the commission decided to leave reciprocal licensing as is and have the commission staff review the reciprocal agreements that are still in place.

The executive director handed out copies of the rules drafts and asked the commission to review them and email her with any changes. It will then be decided if the commission needs to hold a special meeting to review the changes.

The executive director informed the commission that committees will be formed for the additional prelicensing education and post licensing education. Chairman Fischer volunteered to sit on these committees.

Compliance officer Michelle Metzinger joined the meeting at 8:20 a.m.

Motion made and seconded to enter into executive session at 8:30 a.m. to interview for legal counsel. Motion carried.

Motion made and seconded to come out of executive session at 9:22 p.m. Motion carried.

Motion made and seconded to enter into a contract with Matt Konenkamp of Estes, Campbell, Konenkamp Law Firm. Following discussion, motion was tabled.

Motion made and seconded to enter into executive session at 10:46 p.m. for personnel issues. Motion carried.

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Motion made and seconded to come out of executive session at 11:20 p.m. Motion carried.

Decision on contracting for legal counsel was tabled pending call from law firm on fees.

The executive director handed out an ARELLO Survey for informational purposes.

The executive director informed the commission on the REEA Conference to be held in Portland, Oregon June 14-17, 2009. Motion made and seconded to request the attendance of the education director at the REEA Conference. Motion carried.

Substitute motion made to sign a contract with Riter, Rogers, Wattier & Northrup LLP law firm for legal services. Substitute motion seconded and carried.

Motion made and seconded to offer the contract for legal services with Riter, Rogers, Wattier & Northrup LLP at a contract fee of \$115 per hour to expire June 30, 2010 and per diem at State rates with maximum amount of contract to be \$115,000. Motion carried with one abstaining.

The next meeting of the commission will be held May 6 & 7, 2009 in Pierre.

There being no further business, motion made and seconded to adjourn at 12:10 p.m. Motion carried.

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Eileen Fischer, 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 March 17 & 18, 2009.

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Dee Jones Noordermeer, Executive Director