

SOUTH DAKOTA REAL ESTATE COMMISSION
MARCH 5 & 6, 2008
CAPITOL LAKE PLAZA
711 EAST WELLS AVE
PIERRE, SOUTH DAKOTA

The South Dakota Real Estate Commission convened at 1:00 p.m. on March 5, 2008 in Conference Room 240 of the Capitol Lake Plaza, Pierre, SD. Present for the meeting were Chairman Brian Jackson, Vice Chairperson Eileen Fischer and commission members Dennis Eismach, Charles Larkin and Paula Lewis. Also present were legal counsel Jim Robbenolt, executive director Dee Jones Noordermeer, licensing program administrator Norma Schilling and compliance officer Michelle Metzinger.

Motion made and seconded to approve the minutes of the January 30 & 31, 2008 meeting. Motion carried.

Motion made and seconded to accept the financial report for January 2008. Motion carried.

Motion made and seconded to enter into executive session at 1:17 p.m. Motion carried.

Motion made and seconded to come out of executive session at 1:40 p.m. Motion carried.

Complaint #2008-013, Karn vs. Cheri St. Pierre. Motion made and seconded to hold an informal consultation. Motion carried.

Complaint #2008-015, Lhotak vs. Central Hills Real Estate, Inc./Benning/Schaub. Motion made and seconded to dismiss the complaint. Motion carried.

Legal counsel informed the Commission that licensee Brian DeNeui was sentenced to 12 years in the State Penitentiary.

Compliance officer Michelle Metzinger left the meeting at 1:45 p.m.

Discussion was held on the proposed forms. The executive director informed the Commission that she had received comments from some of the local boards. The Commission requested that the comments be forwarded to the forms task force committee.

Gary Bixler appeared before the Commission at 2:45 with a request for an education and experience waiver for himself and his wife Darcy to open their own real estate office. Mr. Bixler left the meeting at 3:10 p.m.

Jimmy Morrow appeared before the commission on his application for condition approval. Following discussion, motion was made and seconded, to grant Mr. Morrow an extension on his education and allow him to take the real estate exam within 30 days. Motion carried.

Motion made and seconded to waive the Principals and Practices of Real Estate course for Gary Bixler and Darcy Bixler and that they complete the 40 hour broker course and 6 hour real

estate license law course and pass the broker exam before they make application for a broker associate license. Motion carried.

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The executive director informed the Commission that the National Land Council Seminar will be held May 21-24, 2008 in Charleston, SC. Motion made and seconded to request the attendance of two commission members and two office staff at the seminar. Motion carried.

The executive director informed the Commission that the REEA Conference will be held June 21-25, 2008 in Bonita Springs, FL. Motion made and seconded to request the attendance of two office staff and one commission member at the conference. Motion carried.

The executive director furnished the Commission with copies of legislation that may have an effect on the Real Estate Commission.

The meeting recessed at 4:30 p.m. and reconvened at 8:40 a.m. on March 6, 2008.

Commission Member Lewis informed the Commission that their office would like to keep transaction files electronically and asked for Commission input. The executive director informed the Commission that according to Statute that files must be kept for four years. After four years those files could be stored electronically.

Larry Eliason, executive secretary for the Commission on Gaming, joined the Commission meeting at 9:00. The Commission asked for his input on implementing criminal background checks and if the Commission had the authority to do the background check through Administrative Rule. Mr. Eliason informed the Commission that in order to obtain federal background checks through the FBI that this would have to be in Statute. Mr. Eliason left the meeting at 9:40 a.m. The Commission directed the executive director to begin conducting state criminal background checks on all applicants and draw up proposed legislation that would permit FBI background checks which will be reviewed at the next meeting.

The executive director furnished the Commission with information she had on on-line services.

Further discussion was held on the proposed forms. Following discussion, the executive director was instructed to send the Commission a summary of the feedback she receives on the forms and the Commission will discuss the responses at the June meeting.

The next meeting of the commission will be held April 9 & 10, 2008 in Pierre.

There being no further business, motion made and seconded to adjourn at 10:20 a.m. Motion carried.

Brian Jackson, Chairman

Dee Jones Noordermeer, Executive Director

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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 5 & 6, 2008.

Dee Jones Noordermeer, Executive Director