

Meeting Minutes
South Dakota Real Estate Commission

November 8, 2018 8:30 a.m. CDT

Chairman Mark Wahlstrom called the meeting to order at 8:30 a.m. A quorum was participating.

Members Participating: Mark Wahlstrom
Ryan Wordeman
Ken Cotton
Dave Bonde
Carol Lawhun

Others Participating: Melissa Miller, Executive Director, SDREC
Michelle Metzinger, Compliance Officer, SDREC
Graham Oey, Staff Attorney, South Dakota Department of Labor and Regulation
Michelle Kleven, Chief Executive Officer, South Dakota Association of Realtors
Christina Klinger, Attorney, May, Adam, Gerdes & Thompson LLP

Cotton made a motion to approve the agenda. Bonde seconded the motion. Wahlstrom called for a vote. **MOTION PASSED.**

Public Comment – None.

The Commission considered the petition for declaratory ruling submitted by the South Dakota Association of Realtors regarding the disposition of earnest money under SDCL 36-21A-81 and proposed draft declaratory ruling. The Commission asked questions of Association staff and Commission staff. Cotton made a motion to adopt the proposed declaratory ruling. Seconded by Lawhun. Wahlstrom called for a vote. **MOTION PASSED.**

Klinger and Kleven left the meeting.

Cotton made a motion to approve the public rules hearing minutes. Bonde seconded the motion. Wahlstrom called for a vote. **MOTION PASSED.**

Bonde made motion to approve the meeting minutes with corrections. (Corrections – where Wordeman made a motion not Wahlstrom to enter into Executive Session) Wordeman seconded the motion. Wahlstrom called for a vote. **MOTION PASSED.**

Summary of the financials for September and October was presented by Director Miller. Wordeman made a motion to acknowledge receipt of financials and to accept for filing. Bonde seconded the motion.

Cotton made a motion to enter Executive Session. Wordeman seconded the motion. Wahlstrom called for a vote. **MOTION PASSED.**

The commission entered executive session at 8:55 a.m.

Metzinger left the meeting at 8:55 a.m.

Metzinger rejoined the meeting at 9:00 a.m.

Wahlstrom called the commission out of executive session at 9:05 a.m.

Complaint 2018-084 / Kale vs. Collin Goodwin

Cotton made a motion to approve the consent agreement. Lawhun seconded the motion. Wahlstrom called for a vote. **MOTION PASSED.**

Complaint 2018-091 / Beyers vs Costello Property Management/Bruske

Wordeman made a motion to dismiss complaint 2018-091. Bonde seconded the motion. Wahlstrom called for a vote. **MOTION PASSED.**

Other Business – A discussion was held on a letter Melissa received. Melissa will do a follow up call.

The next meeting will be scheduled for January 10, 2019.

Wordeman made a motion to adjourn the meeting at 9:28 a.m. Cotton seconded the motion. Wahlstrom called for a vote. **MOTION PASSED.**