



CITY OF SIOUX FALLS

BOARD OF ETHICS

224 West Ninth Street, P.O. Box 7402
Sioux Falls, SD 57117-7402
605-367-8880 • FAX 605-367-7330
TTY/Hearing Impaired 605-367-7039
www.siouxfalls.org

DATE: January 4, 2012
TO: Mayor Mike Huether
City Council Members
FROM: Sioux Falls Board of Ethics
Bill O'Connor, Chair
Bob Swanhorst, Vice Chair
Mike McKnight
Howard Paulson
Mari Robbennolt

SUBJECT: Annual Report 2011

The Board of Ethics met five times in 2011 and issued one confidential written advisory opinion, which was later redacted and published for the benefit of others. The opinion dealt with the following subject:

1. Whether taking a position with a non-profit organization that would involve fundraising would conflict with a council member's responsibilities in his/her present position with the City.

The Board investigated two complaints in 2011. In the first, the Board found no probable cause that a violation of ethics ordinance § 12 ½-30(3) occurred. This finding was submitted to the City Council in a non-confidential report. With regard to the second complaint filed, the Board found that it lacked subject matter jurisdiction and thereafter dismissed the complaint. In doing so, the Board of Ethics made no determination on the merits of the complaint. This action was reported to the City Council in a confidential report.

In addition, the Board also provided the Public Services Committee with recommendations regarding amendments to Chapter 12 ½ of the Revised Ordinances of Sioux Falls.

Pursuant to Sec. 12 ½ -11(b) of the Revised Ordinances of Sioux Falls, it should be noted that the Board incurred necessary legal expenses of \$1,850.00 for outside legal counsel when the City Attorney had to recuse himself from acting as the Board's legal advisor for Complaint 11-B. Significant legal issues were presented by the Complaint that required the assistance of outside counsel.

Attachment

City of Sioux Falls Board of Ethics Opinions and Complaints, 2002-2011

