



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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TO: SD Weed & Pest Control Commission & Designees

FROM: Brenda Sievers, Plant Industry Program Manager

DATE: August 28, 2026

SUBJECT: SD Weed & Pest Control Commission Meeting
September 15, 2026

Attached the agenda for the upcoming SD Weed and Pest Control Commission Meeting. We will have our business meeting at 10:30 am CT on Tuesday, September 15th at the Matthews Training Center located in the Foss Building, 523 E. Capitol Ave., Pierre, SD. Though we had planned to have a short afternoon session with SD Game Fish and Parks on zebra mussels, personnel from their office were unable to make the date/time work due to staff on leave, required survey work, and interns returning to school.

Please bring your ideas for the Commission to review and supply input for expenditure of the upcoming grant dollars for FY2028. **The spending authority for this year will be increased to \$600,000.** Last year, the Commission's spending authority was \$500,000 and of that amount allowed a total of \$350,000 for contractual/regular grants and \$150,000 for competitive grants. I have included copies of the draft grant criteria for you to reference, with upcoming dates changed on them, as well as some recommended changes and a history of the grants funded by fiscal year.

With a 10:30 am meeting start time and no tour scheduled, I won't be making any hotel reservations for Commission members. If you don't want to travel to Pierre for the meeting, we will have a Teams link available for you to participate in the meeting. Please let me know if that's how you will be attending so I can send the information to you.

Feel free to call me with any additional questions you may have – 605.280.4463.

Please find enclosed:

- Meeting Agenda
- Draft minutes of the last meeting
- Guide to South Dakota's Open Meeting Laws
- draft grant criteria
- SD DANR Staff Recommended Changes to Grant Criteria
- Summary of Weed & Pest Grants FY2020-FY2026

SOUTH DAKOTA WEED & PEST CONTROL COMMISSION MEETING

Matthews Training Center, Foss Building, 523 E. Capitol Ave., Pierre, SD

Tuesday, September 15, 2026

10:30 am CT

To listen to the online stream, go to <https://www.sd.net/>

Call to Order Chairman Feickert
Approval of Agenda Chairman Feickert
Approval of April 20, 2026 minutes Chairman Feickert

ACTIVITY REPORTS

1. Weed and Pest Coordinator's Report Brenda Sievers
2. Weed and Pest Program Specialist Report Jeremiah Phelps
3. District Reports District Representatives
4. Agency Reports Agencies Present
5. Cooperative Agricultural Pest Survey Update Jeremiah Phelps/Brenda Sievers

Public Comment Period Duration set by Chairman

To make public comments via teleconference, please contact Brenda Sievers at 605.280.4463 or email brenda.sievers@state.sd.us by September 14th.

OLD BUSINESS

1. DakotaFest Update. Jeremiah Phelps/Brenda Sievers
2. Brown County Fair Jeremiah Phelps/Brenda Sievers
3. State Fair Update. DANR/SDSU Staff

NEW BUSINESS

1. Annual Review of State Open Meeting Laws Bill Smith
2. Discussion - Weed & Pest Grant Criteria Proposals Commission
Approval for FY2028 Grant Criteria – Spending Authority of \$600,000
- Call for Grants to Open October 1, 2026. Grants will be due back to the
Department by Monday, November 16, 2026.
3. 2027 Weed & Pest Conference -
The Best Western Ramkota Hotel, Aberdeen, February 24-26, 2027
Commission Meeting will be held Wednesday morning, February 24, 2027
4. Approval of Bills Brenda Sievers
(Mtg expenses, per diem/salary this meeting)

MINUTES OF THE SOUTH DAKOTA ANNUAL WEED & PEST CONTROL COMMISSION MEETING

April 20, 2026 – 10:30 am CT

Matthews Training Center, Foss Bldg., 523 E Capitol Ave., Pierre, SD

Chairman Darwin Kurtenbach called the meeting to order at 10:32 am.

Members Present: Commissioners Darren Bauer, Darwin Kurtenbach, Dennis Feickert, Deb Schultz, Association of SD County Commissioners representative Charles Verhulst; Department of Transportation representative Christina Bennett; Game Fish & Parks representative Ryan Wendinger; and School and Public Lands representative Brock Greenfield. Non-Voting Members - SD Department of Agriculture and Natural Resources representative Bill Smith; South Dakota State University representative Eric Jones; and Commission Secretary and Plant Industry Program Manager Brenda Sievers.

Ryan Wendinger made a motion to approve the agenda. Seconded by Christina Bennett. Roll Call: Bauer – yes; Bennett – yes; Feickert – yes; Greenfield – yes; Schultz – yes; Verhulst – yes; Wendinger – yes. Motion carried.

A motion was made by Charles Verhulst, seconded by Dennis Feickert, to approve the minutes from Meeting 1 and Meeting 2 held on February 18. Roll Call: Bauer – yes; Bennett – yes; Feickert – yes; Greenfield – yes; Schultz – yes; Verhulst – yes; Wendinger – yes. Motion carried.

Activity Reports

Weed & Pest Coordinator's Report – Department of Agriculture & Natural Resources

Brenda Sievers reported that contractual grant amounts for FY2027 full grant will depend on the Commission's decision for one county's conference attendance, and then agreements will go out to the counties. Phelps and Sievers have both attended some spring annual weed meetings.

District Reports

District reports were given by Dennis Feickert, District 1 – counties are getting equipment ready and they are not sitting too bad for moisture, but the southern areas really need it; Darwin Kurtenbach, District 2 – attended the Douglas and Charles Mix annual meetings, which had good attendance. Some common mullein is showing up in District 2; Darren Bauer, District 3 – reported that Corson County is updating their spray truck to do section lines, and since they recently received an inch of rain, are doing okay for moisture; and Deb Schultz, At Large – reported her area in southern Spink County is dry. She's noticed a lot of soil erosion with dirt blown in the ditches in Hand and Hyde counties due to wind.

Brock Greenfield joined the meeting in person.

Association of SD County Commissioners

Charles Verhulst had nothing to report, except they could use a good rain in Harding County.

Department of Agriculture & Natural Resources

Bill Smith, Division Director of Resource Conservation & Forestry, reported on federal grant notifications. RBI is wrapping up. They received \$3 million from the legislature, the ARPA funds for RBI has a deadline for this fall. The legislature provided additional funds and had staffing changes. The Conservation Commission Meeting will be held April 30 at noon and it is a grant round meeting.

Department of Game Fish & Parks

Ryan Wendinger reported they are gearing up for summer. There is lots of diversity with wet vs dry as well as north vs south, which is really dry. They are targeting wormwood sage while they have time. Burning might be an option in the north part of the state, but probably not in the south because it is too dry.

Department of Transportation

Christina Bennett reported they have 19 new contracts for regional bid lettings and then spring spraying will start.

School and Public Lands

Commissioner Brock Greenfield reported that they have concluded the lease season. Their AUM rate is \$28.63 so their minimum starting bids are high. Only a few weren't leased. They have had a few requests for weed and pest control. Not all areas are dry.

SDSU

Eric Jones reported that Range and Pasture guides are printed and on campus. They are gearing up for the field season. He is getting an article together for planning for noxious weed control. He is working on greenhouse trials that they hope to apply in the field.

USDA APHIS-PPQ

Mike Stenson reported they have two seasonal employees hired – one in North Dakota and one in South Dakota. They will do a grasshopper survey. They plan to make four emerald ash borer bio control releases in Grant and Codington counties this year. He also reported that they might not be able to mail out as many spongy moth traps as in the past and may have to cut back on the ones sent to Master Gardeners.

Other Reports

Nate Jagim asked about blowing soil. Bill Smith said anyone can file a complaint with their local conservation district and they have 30 days to respond. It involves a site visit and investigative work with the local NRCS office to get a resolution. Bill Smith also answered a timber sale question that was asked.

Old Business

Fall Tour in District 3

Discussion was held on having a fall tour in District 3 following the September Commission Meeting. Several sites and ideas were discussed. Deb Schultz made a motion, seconded by Christina Bennett, to not have a fall tour in District 3. Roll Call: Bauer – no; Bennett – yes; Feickert – no; Greenfield – yes; Schultz – yes; Verhulst – no; Wendinger – yes. Motion carried to not having a fall tour.

There was discussion on zebra mussels and invasive species. Game Fish and Parks offered to show how then inspect boats for those species, suggesting that the Commission could go to the river to view this after the September Commission Meeting.

New Business

Turner County Conference Attendance Medical Exemption Request

A letter from Turner County was received explaining that their weed supervisor was in the hospital during the Weed and Pest Conference and they were unable to get another person to attend the Conference on such short notice. They were asking for an exemption from the Commission to allow them to receive the full contractual grant. A motion was made by Darren Bauer, seconded by Ryan Wendinger, to allow the exemption so Turner County could receive the full contractual grant in FY2028. Roll Call: Bauer – yes; Bennett – yes; Feickert – yes; Greenfield – yes; Schultz – yes; Verhulst – yes; Wendinger – yes. Motion carried.

Weed & Pest Conference 2026 & 2027

Gary Pribyl reported that there were 171 people registered for the 2026 Conference. There were eight exhibitors and four sponsors. Gary went over financial details from the 2026 Conference. The 2027 Weed and Pest Conference will be held February 24-26 at The Best Western Ramkota in Aberdeen.

Christina Bennett left the meeting.

Long Range Directives

The Long Range Directives were presented. Brenda Sievers explained the changes made to the document from last year. Discussion was held on the document. A motion was made by Brock Greenfield, seconded by Dennis Feickert to approve the Long Range Directives as presented. Roll Call: Bauer – yes; Feickert – yes; Greenfield – yes; Schultz – yes; Verhulst – yes; Wendinger – yes. Motion carried.

Annual Work Plan

The Annual Work Plan was presented. Brenda Sievers went over the changes made, including the new dates on the calendar of events. Discussion was held on the document and possible dates for the September Commission Meeting. The Commission Meeting is scheduled for District 3 on September 15, at 10:30 am at the Matthews Training Center in the Foss Building in Pierre. A motion was made by Dennis Feickert, seconded by Charles Verhulst, to approve the Annual Work Plan as presented, with the corrections to the fall meeting information. Roll Call: Bauer – yes; Feickert – yes; Greenfield – yes; Schultz – yes; Verhulst – yes; Wendinger – yes. Motion carried.

Elections

Chairman Kurtenbach turned the meeting over to Brenda Sievers to conduct elections. Sievers called for nominations for Chairman. Dennis Feickert nominated Darwin Kurtenbach for Chairman. Darren Bauer nominated Dennis Feickert for Chairman. Roll call vote was held. Bauer – Feickert; Feickert – Kurtenbach; Greenfield – Kurtenbach; Schultz – Feickert; Verhulst – Feickert; Wendinger – Kurtenbach; Kurtenbach - Feickert. Dennis Feickert was elected as the Chairman. Motion carried.

Sievers turned the meeting back to Chairman Kurtenbach, who called for nominations for Vice-Chairman position. Darren Bauer nominated Darwin Kurtenbach. A motion was made by Darren Bauer, seconded by Ryan Wendinger, to have nominations cease and cast a unanimous ballot for Darwin Kurtenbach for Vice-Chairman. Roll Call: Bauer – yes; Feickert – yes; Greenfield – yes; Schultz – yes; Verhulst – yes; Wendinger – yes. Motion carried.

Public Comment Period

Chairman Kurtenbach opened the meeting for public comments. Steve Molengraaf, Codington County Weed Supervisor, asked a few questions about emerald ash borer and firewood being sold via Facebook. Sievers and Smith addressed the questions and requested any posts found be sent to the department so they can follow up on them, since not all sites are accessible to the general public.

Approval of Bills

A motion was made by Ryan Wendinger, seconded by Brock Greenfield, to pay the meeting expenses, salary and per diem for meetings attended. Roll Call: Bauer – yes; Feickert – yes; Greenfield – yes; Schultz – yes; Verhulst – yes; Wendinger – yes. Motion carried.

A motion was made by Brock Greenfield, seconded by Dennis Feickert, to adjourn the meeting. Roll Call: Bauer – yes; Feickert – yes; Greenfield – yes; Schultz – yes; Verhulst – yes; Wendinger – yes. Motion carried.

Meeting adjourned at 12:08 pm.

Brenda Sievers
Commission Secretary

Dennis Feickert, Commission Chairman
(Approved Minutes)

of the reasons therefor and findings of fact on each issue and conclusions of law necessary for the proposed decision. The final decision shall be made by a majority of the commission members, with each member's vote set forth in the written decision. The final decision shall be filed with the attorney general and shall be provided to the public entity and or public officer involved, the state's attorney, and any person that has made a written request for such determinations. If the commission finds a violation of this chapter, the commission shall issue a public reprimand to the offending official or governmental entity. However, no violation found by the commission may be subsequently prosecuted by the state's attorney or the attorney general. All findings and public censures of the commission shall be public records pursuant to § 1-27-1. Sections 1-25-6 to 1-25-9, inclusive, are not subject to the provisions of chapter 1-26.

1-25-8. OMC MEMBERS. The South Dakota Open Meeting Commission is comprised of five state's attorneys or deputy state's attorneys appointed by the attorney general. Each commissioner serves at the pleasure of the attorney general. The members of the commission shall choose a chair of the commission annually by majority vote.

1-25-12. DEFINITIONS. Terms used in the open meetings laws mean:

(1) "Official meeting," any meeting of a quorum of a public body at which official business or public policy of that public body is discussed or decided by the public body, whether in person or by means of teleconference or electronic means, including electronic mail, instant messaging, social media, text message, or virtual meeting platform, provided the term does not include communications solely to schedule a meeting or confirm attendance availability for a future meeting;

(2) "Political subdivision," any association, authority, board, municipality, commission, committee, council, county, school district, task force, town, township, or other local governmental entity, which is created by statute, ordinance, or resolution, and is vested with the authority to exercise any sovereign power derived from state law;

(3) "Public body," any political subdivision or the state;

(4) "State," each agency, board, commission, or department of the State of South Dakota, not including the Legislature; and

(5) "Teleconference," an exchange of information by any audio, video, or electronic medium, including the internet.

1-25-13. ANNUAL REVIEW OF OPEN MEETING LAWS. Any agency, as defined in § 1-26-1, or political subdivision of this state, that is required to provide public notice of its meetings pursuant to § 1-25-1.1 or 1-25-1.3 must annually review the following, during an official meeting of the agency or subdivision:

(1) The explanation of the open meeting laws of this state published by the attorney general, pursuant to § 1-11-1; and

(2) Any other material pertaining to the open meeting laws of this state provided by the attorney general.

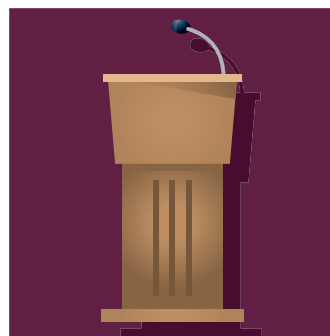
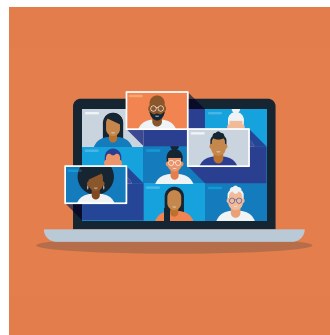
The agency or subdivision must include in the minutes of the official meeting an acknowledgement that the review was completed.

1-27-1.16. MEETING PACKETS AND MATERIALS.

If a meeting is required to be open to the public pursuant to § 1-25-1 and if any printed material relating to an agenda item of the meeting is prepared or distributed by or at the direction of the governing body or any of its employees and the printed material is distributed before the meeting to all members of the governing body, the material shall either be posted on the governing body's website or made available at the official business office of the governing body at least twenty-four hours prior to the meeting or at the time the material is distributed to the governing body, whichever is later. If the material is not posted to the governing body's website, at least one copy of the printed material shall be available in the meeting room for inspection by any person while the governing body is considering the printed material. However, the provisions of this section do not apply to any printed material or record that is specifically exempt from disclosure under the provisions of this chapter or to any printed material or record regarding the agenda item of an executive or closed meeting held in accordance with § 1-25-2. A violation of this section is a Class 2 misdemeanor. However, the provisions of this section do not apply to printed material, records, or exhibits involving contested case proceedings held in accordance with the provisions of chapter 1-26.

1-27-1.17. DRAFT MINUTES. The unapproved, draft minutes of any public meeting held pursuant to § 1-25-1 that are required to be kept by law shall be available for inspection by any person within ten business days after the meeting. However, this section does not apply if an audio or video recording of the meeting is available to the public on the governing body's website within five business days after the meeting. A violation of this section is a Class 2 misdemeanor. However, the provisions of this section do not apply to draft minutes of contested case proceedings held in accordance with the provisions of chapter 1-26.

1-27-1.18. WORKING GROUP REPORTS. Any final recommendations, findings, or reports that result from a meeting of a committee, subcommittee, task force, or other working group which does not meet the definition of a political subdivision or public body pursuant to § 1-25-1, but was appointed by the governing body, shall be reported in open meeting to the governing body which appointed the committee, subcommittee, task force, or other working group. The governing body shall delay taking any official action on the recommendations, findings, or reports until the next meeting of the governing body.



Conducting the Public's Business in Public

An explanation of
South Dakota's
Open Meetings Laws
(Effective July 1, 2026)

Prepared by:
S.D. Attorney General's Office
in partnership with the
S.D. NewsMedia Association

Published by:
South Dakota NewsMedia Association
1125 32nd Ave. Brookings, SD 57006

Q: WHAT ARE SOUTH DAKOTA'S OPEN MEETINGS LAWS?

A: South Dakota's open meetings laws embody the principle that the public is entitled to the greatest possible information about public affairs and are intended to encourage public participation in government. SDCL Ch. 1-25 requires that official meetings of public bodies must be public and advance notice is to be given of such meetings. The statutes define an "official meeting" as one where a quorum of the public body is present and at which official business or public policy of the body is discussed or decided. **Openness in government is encouraged.**

Q: WHO DOES THE OPEN MEETINGS LAWS APPLY TO?

A: The open meetings laws apply to all public bodies of the state and its political subdivisions. SDCL 1-25-1, 1-25-12(3). This includes cities, counties, school boards and other public bodies created by ordinance or resolution, such as appointed boards, task forces, and committees, so long as they have authority to exercise sovereign power. SDCL 1-25-12(2). Although no court decisions have been issued on the subject, this probably does not include bodies that serve only in an advisory capacity. The State Constitution allows the Legislature and the Unified Judicial System to create rules regarding their own separate functions.

Q: WHAT MUST BE INCLUDED ON THE PROPOSED AGENDA?

A: A proposed agenda, as required by § 1-25-1.1 or 1-25-1.3, must list all items to be considered by a public body during any official meeting. The proposed agenda items must be described in sufficient detail to reasonably inform the public of any official business or public policy intended to be considered at the meeting.

Q: ARE TELECONFERENCES CONSIDERED PUBLIC MEETINGS?

A: Yes. The open meetings laws allow meetings, including executive or closed meetings, to be conducted by teleconference – defined as an exchange of information by audio, video, or electronic means (including the internet) – if a place is provided for the public to participate. SDCL 1-25-1.5, 1-25-12(5). In addition, for teleconferences where less than a quorum of the public body is present at the location open to the public, arrangements must also be made for the public to listen by telephone or internet (except for portions of meetings properly closed for executive sessions). SDCL 1-25-1.6. The media and public must be notified of teleconference meetings under the same notice requirements as any other meeting.

Q: HOW ARE THE PUBLIC AND MEDIA NOTIFIED WHEN PUBLIC BUSINESS IS BEING DISCUSSED?

A: SDCL 1-25-1.1 requires that all political subdivisions (except the state and its boards, commissions, or departments as provided in § 1-25-1.3) prominently post a notice and copy of the proposed agenda at the political subdivision's principal office. At a minimum, the proposed agenda must include the date, time, and location of the meeting and must be visible, readable, and accessible to the public for 24 continuous hours immediately preceding the meeting. Also, if the political subdivision has its own website, the notice must be posted on the website upon dissemination of the notice. For special or rescheduled meetings, political subdivisions must comply with the regular meeting notice requirements as much as circumstances permit. The notice must be delivered in person, by mail, by email, or by telephone to all local news media who have asked to be notified. It is good practice for local media to renew requests for notification of special or rescheduled meetings at least annually.

SDCL 1-25-1.3 varies slightly from SDCL 1-25-1.1 and requires the State and its agencies, boards, commissions, or departments to post a proposed agenda both on <http://boardsandcommissions>.

business or public policy intended to be considered at the meeting. A violation of this section is a Class 2 misdemeanor.

1-25-2. EXECUTIVE SESSION. An executive session or closed meetings may be held only for the purposes of:

(1) Discussing the character, competence, fitness, performance, or qualifications of any current or prospective public officer or employee, not including an independent contractor;

(2) Discussing a student's:

(a) Discipline, expulsion, or suspension;

(b) Assignment or educational program; or

(c) Eligibility to participate in interscholastic activities provided by the South Dakota High School Activities Association;

(3) Consulting with legal counsel, or reviewing communications from legal counsel, about proposed or pending litigation or contractual matters;

(4) Preparing for contract negotiations or negotiating with employees or employee representatives;

(5) Discussing marketing or pricing strategies by a board or commission of a business that is owned by the state or any of its political subdivisions, if public discussion may be harmful to the competitive position of the business; or

(6) Discussing the following information pertaining to the protection of public or private property and any person on or within the property:

(a) Any vulnerability assessment or response plan intended to prevent or mitigate criminal acts;

(b) Emergency management or response;

(c) Public safety information that would create a substantial likelihood of endangering public safety or property, if disclosed;

(d) Communications network schema, computer systems, cyber security plans, passwords, or user identification names;

(e) Guard schedules;

(f) Lock combinations; and

(g) Any blueprint, building plan, or infrastructure record regarding any building or facility, which would expose or create vulnerability through disclosure of the configuration, location, or security of critical systems of the building or facility;

(7) Discussing any emergency or disaster response plans or protocols, safety or security audits or reviews, or lists of emergency or disaster response personnel or material; and

(8) Discussing the location of or listing any:

(a) Ammunition or weapons;

(b) Biological, chemical, or nuclear agents; or

(c) Other military or law enforcement equipment or personnel.

An executive session or closed meeting may be held only upon a majority vote of the members of the public body present and voting at an otherwise open official meeting.

In the absence of a unanimous vote, any vote to

enter executive session must be taken by roll call. A motion to enter executive session must state the applicable subdivision in this section, or any other applicable law, pursuant to which the executive session is to be held. The motion and vote to enter executive session must be reported in the minutes of the proceedings. Discussion during executive session is restricted to the purpose specified in the motion to enter executive session.

Any official action concerning the matters considered pursuant to this section must be taken at an open official meeting.

Nothing in § 1-25-1 or this section prevents an executive session or closed meeting if the federal or state Constitution or any federal or state statute permits or requires the session or meeting. A violation of this section is a Class 2 misdemeanor.

1-25-6. DUTY OF STATE'S ATTORNEY. If a complaint alleging a violation of chapter 1-25 is made pursuant to § 23A-2-1, the state's attorney shall take one of the following actions:

(1) Prosecute the case pursuant to Title 23A;

(2) Determine that there is no merit to prosecuting the case. Upon doing so, the state's attorney shall send a copy of the complaint and any investigation file to the attorney general. The attorney general shall use the information for statistical purposes and may publish abstracts of such information, including the name of the government body involved for purposes of public education; or

(3) Send the complaint and any investigation file to the South Dakota Open Meetings Commission for further action.

1-25-6.1. DUTY OF STATE'S ATTORNEY (COUNTY COMMISSION ISSUES). If a complaint alleges a violation of this chapter by a board of county commissioners, the state's attorney shall take one of the following actions:

(1) Prosecute the case pursuant to Title 23A;

(2) Determine that there is no merit to prosecuting the case. The attorney general shall use the information for statistical purposes and may publish abstracts of the information as provided by § 1-25-6;

(3) Send the complaint and any investigation file to the South Dakota Open Meetings Commission for further action; or

(4) Refer the complaint to another state's attorney or to the attorney general for action pursuant to § 1-25-6.

1-25-7. REFERRAL TO OMC. Upon receiving a referral from a state's attorney or the attorney general, the South Dakota Open Meetings Commission shall examine the complaint and investigatory file submitted by the state's attorney or the attorney general and shall also consider signed written submissions by the persons or entities that are directly involved. Based on the investigatory file submitted by the state's attorney or the attorney general and any written responses, the commission shall issue a written determination on whether the conduct violates this chapter, including a statement

PERTINENT S.D. OPEN MEETINGS STATUTES

(other specific provisions may apply depending on the public body involved)

1-25-1. OPEN MEETINGS.

An official meeting of a public body is open to the public unless a specific law is cited by the public body to close the official meeting to the public.

It is not an official meeting of one public body if its members provide information or attend the official meeting of another public body for which the notice requirements of § 1-25-1.1 or 1-25-1.3 have been met. It is not an official meeting of a public body if its members attend a press conference called by a representative of the public body.

For any event hosted by a nongovernmental entity to which a quorum of the public body is invited and public policy may be discussed, but the public body does not control the agenda, the public body may post a public notice of a quorum, in lieu of an agenda. The notice of a quorum must meet the posting requirements of § 1-25-1.1 or 1-25-1.3 and must contain, at a minimum, the date, time, and location of the event.

The public body shall reserve at every official meeting a period for public comment, limited at the public body's discretion as to the time allowed for each topic and the total time allowed for public comment, but not so limited as to provide for no public comment.

Public comment is not required at an official meeting held solely for the purpose of meeting in executive session, an inauguration, presentation of an annual report to the public body, or swearing in of a newly elected official, regardless of whether the activity takes place at the time and place usually reserved for an official meeting.

If a quorum of township supervisors, road district trustees, or trustees for a municipality of the third class meets solely for purposes of implementing previously publicly adopted policy; carrying out ministerial functions of that township, district, or municipality; or undertaking a factual investigation of conditions related to public safety; the meeting is not subject to the provisions of this chapter.

A violation of this section is a Class 2 misdemeanor.

1-25-1.1. PUBLIC NOTICE OF POLITICAL SUBDIVISIONS. Each political subdivision shall provide public notice, with proposed agenda, that is visible, readable, and accessible for at least an entire, continuous twenty-four hours immediately preceding any official meeting, by posting a copy of the notice, visible to the public, at the principal office of the political subdivision holding the meeting. The proposed agenda shall include the date, time, and location of the meeting. The notice shall also be posted on the political subdivision's website upon dissemination of the notice, if a website exists. For any special or rescheduled meeting, the information in the notice shall be delivered in person, by mail, by email, or by telephone, to members of the local news media who have requested notice. For any

special or rescheduled meeting, each political subdivision shall also comply with the public notice provisions of this section for a regular meeting to the extent that circumstances permit. A violation of this section is a Class 2 misdemeanor.

1-25-1.3. PUBLIC NOTICE OF STATE. The state shall provide public notice of a meeting, at least seventy-two hours before the meeting is scheduled to start, not including Saturday, Sunday, or any legal holiday, by posting a copy of the proposed agenda:

(1) At the principal office of the board, commission, or department holding the meeting;

(2) That includes the date, time, and location of the meeting;

(3) That is visible, readable, and accessible to the public; and

(4) On a state website, designated by the commissioner of the Bureau of Finance and Management.

For any special or rescheduled meeting, the information in the notice must be delivered in person, or by mail, email, or telephone, to members of the local news media who have requested notice. The state shall also comply with all other requirements of this section, for a special or rescheduled meeting, as circumstances permit. A violation of this section is a Class 2 misdemeanor.

1-25-1.5. TELECONFERENCE MEETING. Any official meeting may be conducted by teleconference. A teleconference may be used to conduct a hearing or take final disposition regarding an administrative rule pursuant to § 1-26-4. A member is deemed present if the member answers present to the roll call conducted by teleconference for the purpose of determining a quorum. Each vote at an official meeting held by teleconference may be taken by voice vote. If any member votes in the negative, the vote shall proceed to a roll call vote.

1-25-1.6. TELECONFERENCE PARTICIPATION. At any official meeting conducted by teleconference, there shall be provided one or more places at which the public may listen to and participate in the teleconference meeting. For any official meeting held by teleconference, that has less than a quorum of the members of the public body participating in the meeting who are present at the location open to the public, arrangements shall be provided for the public to listen to the meeting via telephone or internet. The requirement to provide one or more places for the public to listen to the teleconference does not apply to official meetings closed to the public pursuant to specific law.

1-25-1.7. AGENDA DETAILS ARE REQUIRED. A proposed agenda, as required by § 1-25-1.1 or 1-25-1.3, must list all items to be considered by a public body during any official meeting. The proposed agenda items must be described in sufficient detail to reasonably inform the public of any official

sd.gov and at their principal place of business at least 72 continuous hours before a meeting is scheduled to start (this does not include any weekend or legal holiday).

Q: WHO ARE LOCAL NEWS MEDIA?

A: There is no definition of "local news media" in SDCL ch. 1-25. "News media" is defined in SDCL 13-1-57 generally as those personnel of a newspaper, periodical, news service, radio station, or television station regardless of the medium through which their content is delivered. The Attorney General is of the opinion that "local news media" is all news media – broadcast and print – that regularly carry news to the community.

Q: IS A PUBLIC COMMENT PERIOD REQUIRED AT PUBLIC MEETINGS?

A: Yes. Public bodies are required to provide at every official meeting a period of time on their agenda for public comment. SDCL 1-25-1. Each public body has the discretion to limit public comment as to the time allowed for each topic commented on, and as to the total time allowed for public comment. Public comment is not required at meetings held solely for an executive session, inauguration, presentation of an annual report, or swearing in of elected officials.

Q: CAN PUBLIC MEETINGS BE RECORDED?

A: Yes, SDCL 1-25-11 requires public bodies to allow recording (audio or video) of their meetings if the recording is reasonable, obvious, and not disruptive. This requirement does not apply to those portions of a meeting confidential or closed to the public.

Q: WHEN CAN A MEETING BE CLOSED TO THE PUBLIC AND MEDIA?

A: SDCL 1-25-2 allows a public body to close a meeting for the following purposes: 1) to discuss personnel issues pertaining to officers or employees; 2) consideration of the performance or discipline of a student, or the student's participation in interscholastic activities; 3)

consulting with legal counsel, or reviewing communications from legal counsel about proposed or pending litigation or contractual matters; 4) employee contract negotiations; 5) to discuss marketing or pricing strategies of a publicly-owned competitive business; or 6) to discuss information related to the protection of public or private property such as emergency management response plans or other public safety information. The statute also recognizes that executive session may be appropriate to comport with other laws that require confidentiality or permit executive or closed meetings. Federal law pertaining to students and medical records will also cause school districts and other entities to conduct executive sessions or conduct meetings to refrain from releasing confidential information. Meetings may also be closed by cities and counties for certain economic development matters. SDCL 9-34-19.

Note that SDCL 1-25-2 and SDCL 9-34-19 do not require meetings be closed in any of these circumstances.

Any official action based on discussions in executive session must, however, be made at an open meeting.

Q: WHAT IS THE PROPER PROCEDURE FOR EXECUTIVE SESSIONS?

A: A motion to enter executive session must be made and seconded, followed by a vote. If the motion does not receive a majority vote, a roll call vote is required. Both the motion and the resulting vote must be recorded in the minutes of the proceedings.

Q: WHAT MUST BE STATED IN A MOTION FOR EXECUTIVE SESSION?

A: Motions for executive sessions must refer to the specific state or federal law allowing for the executive session i.e. "pursuant to SDCL 1-25-2(3)." Also, best practice to avoid public confusion would be that public bodies explain the reason for going into executive session. For example, the motion might state "motion to go into executive session pursuant to SDCL 1-25-2(1) for the purposes of discussing a personnel matter," or "motion to go into executive session pursuant to SDCL 1-25-2(3) for

the purposes of consulting with legal counsel."

Discussion in the executive session must be strictly limited to the announced subject. No official votes may be taken on any matter during an executive session. The public body must return to open session before any official action can be taken.

Q: WHAT HAPPENS IF THE MEDIA OR PUBLIC IS IMPROPERLY EXCLUDED FROM A MEETING OR OTHER VIOLATIONS OF THE OPEN MEETING LAWS OCCUR?

A: Excluding the media or public from a meeting that has not been properly closed subjects the public body or the members involved to: (a) prosecution as a Class 2 misdemeanor punishable by a maximum sentence of 30 days in jail, a \$500 fine or both; or (b) a reprimand by the Open Meeting Commission ("OMC"). The same penalties apply if the agenda for the meeting is not properly posted, or other open meeting violations occur.

Also, action taken during any meeting that is not open or has not been properly noticed could, if challenged, be declared null and void.

Q: HOW ARE ISSUES REFERRED TO THE OPEN MEETINGS COMMISSION ("OMC")?

A: Persons alleging violations of the open meetings laws must make their complaints with law enforcement officials in the county where the offense occurred. After a signed and notarized complaint is made under oath, and any necessary investigation is conducted, the State's Attorney may: (a) prosecute the case as a misdemeanor; (b) find that the matter has no merits and file a report with the Attorney General for statistical purposes; or (c) forward the complaint to the OMC for a determination. The OMC is comprised of five State's Attorneys or Deputy State's Attorneys appointed by the Attorney General. The OMC examines whether a violation has occurred and makes written public findings explaining its reasons. If you have questions on the procedures or status of a pending case, you may contact the Attorney General's

Office at 605-773-3215 to talk to an assistant for the OMC. Procedures for the OMC are posted on the website for the Office of Attorney General.
<http://atg.sd.gov/>.

Q: WHAT DOES THE TERM "SOVEREIGN POWER" MEAN?

A: The open meetings laws do not define this term, but it generally means the power to levy taxes, impose penalties, make special assessments, create ordinances, abate nuisances, regulate the conduct of others, or perform other traditional government functions. The term may include the exercise of many other governmental functions. If an entity is unclear whether it is exercising "sovereign power" it should consult with legal counsel.

Q: MAY AGENDA ITEMS BE CONSIDERED IF THEY ARE ADDED LESS THAN 24 HOURS BEFORE A MEETING?

A: Proposed agendas for public meetings must be posted at least 24 hours in advance of the meeting. The purpose of providing advance notice of the topics to be discussed at a meeting is to provide information to interested members of the public concerning the governing body's anticipated business. Typically, the public body adopts the final agenda upon convening the meeting. At the time the final agenda is adopted, the governing body may add or delete agenda items and may also change the order of business. See *In re Yankton County Commission, Open Meetings Commission Decision # 20-03*, December 31, 2020. New items cannot be added after the agenda has been adopted by the governing body.

Public bodies are strongly encouraged to provide at least 24 hours' notice of all agenda items so as to be fair to the public and to avoid dispute.

For special or rescheduled meetings, public bodies are to comply to the extent circumstances permit. In other words, posting less than 24 hours in advance may be permissible in emergencies.

Q: ARE EMAIL DISCUSSIONS "MEETINGS" FOR PURPOSES OF THE OPEN MEETINGS LAWS?

A: The definition of an "official meeting" in SDCL 1-25-12(1) specifically includes meetings conducted by "electronic means, including electronic mail, instant messaging, social media, text message, or virtual meeting platform[.]" A quorum of a public body that discusses official business of that body via electronic means is conducting an official meeting for purposes of the open meetings laws. Electronic communications made solely for scheduling purposes do not fall within the definition of an official meeting.

Q: WHAT RECORDS MUST BE AVAILABLE TO THE PUBLIC IN CONJUNCTION WITH PUBLIC MEETINGS?

A: SDCL 1-25-1.4 requires state boards, commissions, or departments to make public meeting materials available on <http://boardsandcommissions.sd.gov>. SDCL 1-27-116 requires that any other public body must post meeting materials on the public body's website or make those materials available to the public at least twenty-four hours prior to the hearing or when made available to the members of the public body, whichever is later. Finally, SDCL 1-27-117 requires that draft minutes of public meetings must be made available to the public at the principal place of business for the public body within 10 business days after the meeting (or any audio and visual recording must be made available on the website for the public body within five business days).

These laws are in addition to any specific requirements for public bodies (i.e., publication requirements in state laws pertaining to cities, counties, or school districts). Enforcement of public records laws contained in SDCL Ch. 1-27 are handled by separate procedures found in SDCL 1-27-35, et. seq. rather than the open meeting procedures described above. Violations of SDCL 1-27-116 and 1-27-117 are also Class 2 misdemeanors.

Q: WHAT REQUIREMENTS APPLY TO TASK FORCES, COMMITTEES AND WORKING GROUPS?

A: Task forces and committees that exercise "sovereign power," and are created by statute, ordinance, or proclamation are required to comply with the open meetings laws. SDCL 1-25-12(1). Task forces, committees, and working groups that are not created by statute, ordinance, or proclamation, or are advisory only, may not be subject to the open meetings laws, but are encouraged to comply to the extent possible when public matters are discussed. Ultimately, if such advisory task forces, committees and working groups present any reports or recommendations to public bodies, the public bodies must wait until the next meeting (or later) before taking final action on the recommendations. SDCL 1-27-118.

Q: ARE PUBLIC BODIES REQUIRED TO REVIEW THE OPEN MEETINGS LAWS?

A: Public bodies must annually review an explanation of the open meetings laws provided by the Attorney General, along with any other material pertaining to the open meetings laws made available by the Attorney General. SDCL 1-25-13. Each public body must report in its minutes that the annual review of the open meetings laws was completed.

~~FY2027~~FY2028 CALL FOR GRANTS & CONTRACTUAL AGREEMENTS

To be considered, all grant applications **must** be received by the Department of Agriculture and Natural Resources, Resource Conservation and Forestry – Plant Industry Program, postmarked or emailed on or **before November 164, 20265**. The Commission will act on these applications on February ~~24~~18, 20276, at The ~~Best Western Ramkota Hotel~~Lodge, ~~Aberdeen~~Deadwood, SD.

Specific **REQUIREMENTS, PRIORITIES, and EVALUATIONS CRITERIA** are enclosed. The application forms to be used are also enclosed. If awarded a weed and pest grant, funds must be expended between July 1, 20276 through May 20, 20287. The grant fund dollars, if approved, cannot be spent prior to July 1, 20276.

Weed & Pest Fund Grant Requirements for FY20287 are:

- a. Counties must have prior year's inspection, fiscal, and annual reports filed with the Department of Agriculture & Natural Resources by February 1, 20276.
- b. County Weed & Pest Supervisor and/or a county representative must attend at least one training session per year if provided by the department. (1 county personnel must attend)
- c. County Weed & Pest Supervisor and a county representative or board member must attend the annual weed and pest conference. If the representative isn't a board member, they must be a resident of the county. (2 county personnel must attend) (See note below**)
- d. 50/50 cost share is required
- e. A husband and wife will not be considered two representatives from a county.

**** NOTE ****

- If only one person (supervisor or designee) attends the conference they are qualified to receive grant funds.
- If a grant is awarded, the breakdown of funds will be:
 - Full amount of the grant will be awarded if the county meets all the requirements, including 2 attendees at the Conference
 - One half of the full amount of the grant will be awarded if the county meets all the requirements, but has only 1 attendee at the Conference
- If in the event that a county or counties don't qualify for funding, the remaining funds will be divided equally to the nearest \$100, amongst those remaining counties that have met the requirements, without exceeding spending authority.

A. STATUTORY REQUIREMENT

The Commission may expend weed and pest control funds through grants or contracts to weed and pest county boards, governmental agencies or other entities it considers appropriate for weed and pest control projects for the following (SDCL 38-22-38):

1. Employment of a new and innovative weed and pest control project or development, implementation or demonstration of any weed and pest control project that may be proposed,

implemented or established by local, state or national organizations, whether public or private. Such expenditures shall be on a cost-share basis with such organizations;

2. Weed and pest control cost share programs with the county weed and pest boards;
3. Special grants to county weed and pest control boards to eradicate or contain significant weeds or pests newly introduced into the county. These grants may be issued without matching funds from the board;
4. Assist county weed and pest boards in purchasing pesticides and application equipment and hiring labor necessary to protect against expansion of noxious weeds and declared pests;
5. Support multi-county weed and pest control and eradication efforts;
6. Promote landowner responsibility to control noxious weeds and pests in South Dakota;
7. Support educational and research efforts to find new and better ways of controlling noxious weeds and declared pests.

A project is eligible to receive funds only if the county in which the project occurs has funded its own weed and pest program. The commission may also expend funds to pay for the costs of administering the weed and pest control fund not to exceed three percent of the allowable expenditure for each fiscal year and for administrative expenses incurred by the commission.

B. COMMISSION POLICY

The Commission has established the following as characteristics for available funding.

1. Continue and increase public information and education programs.
 - a. Mass media involving television, radio, newspapers, magazines, and newsletters.
 - b. Weed and pest booths at major agricultural trade shows.
 - c. Educating youth via programs integration with FFA, 4-H, Ag in the Classroom, etc.
 - e. County noxious weed management seminars, workshops, etc.
2. Continue to support large scale cooperative noxious weed management projects.
3. Continue and expand County Weed & Pest Supervisor training and certification.
4. Continue and expand research on noxious weed and declared pest management.
5. The commitment by documentation of other resources by the applicant is required to ensure successful completion of the project. The Commission does require a 50/50 cost share for the project.
6. Allocate a pool of money equally between all eligible counties requesting funds. Based on evaluation criteria below

C. EVALUATION CRITERIA

Applications shall be evaluated on the following:

1. Program accomplishments by the applicant during the past year; copy of bills submitted to the Department of Agriculture and Natural Resources prior to reimbursement showing how money was spent, i.e..chemical or equipment.
 - a. Prior year's inspection, fiscal, and annual reports have been filed with the Department of Agriculture and Natural Resources.
 - b. County Weed & Pest Supervisor or a county representative must attend at least one training session per year if provided by the department.
 - c. County Weed & Pest Supervisor or designee must attend a district meeting and annual conference.
 - d. At least one County Commissioner, Weed and Pest Board member or county representative must attend a district weed meeting and the annual weed and pest conference.

These grants are intended to support the programs and policies established by the SD Weed & Pest Control Commission. The intent is to encourage new, improved, or innovative activities that will allow the program to become more effective. The intent is not to replace current operational budgets for ongoing control activities. The Commission has given priority to grant applications that are directed at thistle and leafy spurge control efforts. Grant applications that include pickups, trucks, other licensed vehicles, supervisor's wages or benefits will not be permitted, however the purchase of chemical will be allowed. Only herbicides for noxious weed control will be reimbursable for the grant. Products labeled as bareground are not for noxious weed control and will not be allowed. The only exception would be for a specific state or locally noxious weed issue which will be addressed on a case by case basis. **Requests for educational meetings will be allowed, but only meeting room expense is reimbursable.**

Applications must be postmarked or emailed no later than November 1614, 20265. If emailed, the original must still be sent and must be postmarked no later than November 1614, 20265.

WEED & PEST FUND GRANTS – FY202~~8~~7

Date: _____

County: _____

Applicant: _____

Address: _____

Name & Telephone Number of Contact Person: _____

Please describe in the space below what the grant funds will be used for. Please be specific. (If additional space is needed, please add additional pages to this application.)

Signature of Applicant: _____

Please return form to the following address:

**South Dakota Department of Agriculture & Natural Resources
Resource Conservation & Forestry
Plant Industry Program
523 E. Capitol Ave., Foss Bldg.
Pierre, SD 57501-3182**

Application must be postmarked or emailed no later than November 1614, 20265. If emailed, the original must still be sent and must be postmarked no later than November 1614, 20265.

SOUTH DAKOTA WEED AND PEST CONTROL COMMISSION

FY 20~~28~~²⁷ Competitive Weed and Pest Grant for County Priority Weed Control Projects

April 1, 202~~7~~⁶ – March 31, 202~~8~~⁷

Objective: The South Dakota Weed and Pest Control Commission offers a competitive grant to promote the development and dispersal of new information regarding the control of noxious weeds or pests in South Dakota. Proposals may be submitted to fund efforts to control noxious weeds or pests, evaluate tools or techniques for control, print and disperse information on identification and control, or offset costs needed to develop management partnerships with other individuals or organizations. This grant will provide county weed and pest programs funds to implement innovative pest management programs in their county, weed management area, federal lands, or other entities.

Targeted projects:

Technology development: New control information may be gained by evaluating tools that may include pesticides, mechanical tools, biological control agents, or other means of controlling weeds or pests. Evaluation could be completed by establishing side-by-side comparisons and would not need to include replicated treatments. However, comparing tools or tactics is not always necessary. If a noxious weed or pest is identified, information could be gained through an effort to control that organism even though multiple tools are not being compared. It is not required that the noxious weed or pest being evaluated is on the state or local noxious lists but must be an emerging invasive weed/pest of concern to the county and be clearly articulated and justified as such in the project narrative. Implementing alternative control options, such as establishing biological control agents, could also provide opportunities to gain information even if that control agent is well established in other parts of South Dakota. Proposals for projects that build partnerships with individuals or organizations, such as weed management areas, are also encouraged.

Technology transfer: Proposals may also be submitted for efforts to deliver information to the community. Examples may include publications, mailing, advertising, or hosting informational meetings or field days.

Funding: The Commission will be granting \$~~150,000~~. There will be no standards set for the number of projects that will be funded, but it will be most desirable to fund more than one project in the state. Proposals may request funds for supplies that will only be used directly for the proposed project, such as pesticides, biological control agents, or equipment rental, whereas requests for purchasing equipment is discouraged. Matching funds will not be required, but may increase the probability of the proposal being approved. Cash and in-kind work will be considered as an in-kind match. Documentation of matching funds must be provided for reimbursement of grant funds.

Project requirements:

- a. Counties shall have prior year's inspection, fiscal, and annual reports filed with the Department of Agriculture and Natural Resources by February 1, 202~~7~~⁶.
- b. County Weed & Pest Supervisor and/or a county representative must attend at least one training session per year if provided by the department. (1 county personnel must attend)
- c. County Weed & Pest Supervisor and a county representative or board member must attend the annual weed and pest conference. If the representative isn't a board member, they must be a resident of the county. (2 county personnel must attend)
- d. A husband and wife will not be considered two representatives from a county.
- e. Results of this grant must be presented at the next SD Annual Weed and Pest Conference after the project funds have been awarded. Results must be presented in such a way that others can learn from the project efforts. Failure to present the results will jeopardize

future grant awards. Therefore, it will be important to document the progress of the project with pictures or data.

A. STATUTORY REQUIREMENT

The Commission may expend weed and pest control funds through grants or contracts to weed and pest county boards, governmental agencies or other entities it considers appropriate for weed and pest control projects for the following (SDCL 38-22-38):

1. Employment of a new and innovative weed and pest control project or development, implementation or demonstration of any weed and pest control project that may be proposed, implemented or established by local, state or national organizations, whether public or private. Such expenditures shall be on a cost-share basis with such organizations;
2. Weed and pest control cost share programs with the county weed and pest boards;
3. Special grants to county weed and pest control boards to eradicate or contain significant weeds or pests newly introduced into the county. These grants may be issued without matching funds from the board;
4. Assist county weed and pest boards in purchasing pesticides and application equipment and hiring labor necessary to protect against expansion of noxious weeds and declared pests;
5. Support multi-county weed and pest control and eradication efforts;
6. Promote landowner responsibility to control noxious weeds and pests in South Dakota;
7. Support educational and research efforts to find new and better ways of controlling noxious weeds and declared pests.

A project is eligible to receive funds only if the county in which the project occurs has funded its own weed and pest program. The commission may also expend funds to pay for the costs of administering the weed and pest control fund not to exceed three percent of the allowable expenditure for each fiscal year and for administrative expenses incurred by the commission.

Proposal requirements: Each submitted proposal shall be for one year funding for a state or locally listed noxious weed or pest, or an emerging invasive weed/pest of concern to the county. There is no page number requirement or limitation, but proposals should be just long enough to convincingly state the need for the project and how it will be implemented. A budget must also be submitted for expected costs of supplies, labor, vehicle rental or mileage, land rental, and so on. **Please note: requests for educational meetings will be allowed, but only meeting room expense is reimbursable.** The intent of the competitive grant is not to replace current operational budgets for ongoing control activities and expenses. Applications proposing to fund pickups, trucks, other licensed vehicles, supervisor's wages, or supervisor's benefits with grant funds will not be considered. Supervisor's wages and benefits, when properly documented, can be used for in kind match. If a county is planning to use their own equipment for a project and wants to be reimbursed for the use of their equipment instead of using it for in kind work, the reimbursement rates will not be allowed to exceed the following: Tractor - \$60 per hour; ATV (including 4Wheelers and Rangers) - \$50 per hour; Pickup/Truck Sprayer - \$60 per hour. The Weed and Pest Control Commission has determined that indirect costs are unallowable under this program and no funds will be approved for this purpose.

Evaluation criteria: Projects will be evaluated according to the following criteria:

- 1) Importance will be based on the potential of the targeted weed or pest to spread or cause economic hardship.
- 2) Innovation will be based on the ingenuity of the proposed project to bring new options to controlling weeds or pests, creating new partnerships, or developing new and effective means of promoting weed and pest control.
- 3) Success potential will be based on the expected probability of providing educational information and having a positive response. In many cases, even unexpected or negative results can be educational, but projects with an unsuccessful history or high probability of failure will not likely be funded.

Deadline: Proposals must be sent to the Department of Agriculture & Natural Resources, Resource Conservation & Forestry Division – Plant Industry Program, and postmarked or emailed no later than

November ~~1614~~, 202~~65~~. Original application forms must follow if emailed and must be postmarked no later than November ~~1614~~, 202~~65~~.

**APPLICATION FOR
FY202~~87~~ COMPETITIVE WEED AND PEST GRANT**

PART I. Applicant/Project Identification

ID. NO.: WP-_____

1. APPLICANT:

Legal Name: _____

Organizational Unit: _____

Address (city, state, and zip code) _____

2. NAME AND TELEPHONE NUMBER OF THE CONTACT PERSON:

3. DESCRIPTIVE PROJECT TITLE:

4. AREAS AFFECTED BY PROJECT (cities, counties, states, etc.):

5. PROJECT PERIOD: STARTING DATE: 4-1-202~~76~~ ENDING DATE: 3-31-202~~87~~

6. REMARKS:

**7. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA AND INFORMATION IN THIS APPLICATION IS TRUE AND CORRECT.
THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT.**

TYPED NAME OF APPLICANT _____

(County Weed & Pest Board Chairman or Head of Organizational Unit)

TITLE OF APPLICANT _____

SIGNATURE OF APPLICANT _____

DATE SIGNED _____

1.) OBJECTIVES TO BE ACCOMPLISHED.

2.) DESCRIPTION OF PROJECT (NARRATIVE)

3.) WORK PLAN:

ACTIVITY	RESPONSIBLE PERSON	DATES
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1) BUDGET CATEGORIES

Categories	State Weed & Pest Fund	Applicant	Other	Program Income	Total
Personnel					_____.
Fringe Benefits					_____.
Travel					_____.
Equipment					_____.
Equipment Use					_____.
Supplies					_____.
Contractual					_____.
Construction					_____.
Other					_____.
Totals					_____.

SD DANR Staff Recommended Changes to Grant Criteria

In both contractual and competitive grant criteria, existing language states “A husband and wife will not be considered two representatives from a county.”

Staff recommendation is to add the following statement after that statement in contractual grant requirement letter e and in competitive grant project requirement letter d:

A federal or state employee representing their respective agency will not qualify as a county representative at meetings. Exception - SD Weed and Pest Control Commission members will be allowed to represent their respective county.

In the contractual grant criteria, the paragraph that follows the C. Evaluation Criteria, it is recommended to add in the highlighted:

These grants are intended to support the programs and policies established by the SD Weed & Pest Control Commission. The intent is to encourage new, improved, or innovative activities that will allow the program to become more effective. The intent is not to replace current operational budgets for ongoing control activities. The Commission has given priority to grant applications that are directed at thistle and leafy spurge control efforts. Grant applications that include pickups, trucks, other licensed vehicles, supervisor's wages or benefits will not be permitted, however the purchase of chemical will be allowed. Only herbicides for noxious weed control will be reimbursable for the grant. Products labeled as bareground are not for noxious weed control and will not be allowed. The only exception would be for a specific state or locally noxious weed issue which will be addressed on a case by case basis. **Requests for educational meetings will be allowed, but only meeting room expense is reimbursable.** Per statute 38-22-38, a project is eligible to receive funds only if the county in which the project occurs has funded its own weed and pest program. Funding your own program includes but is not limited to hiring a weed supervisor, having a weed board, purchasing a truck or other licensed vehicles to spray with, training/applicator costs for their supervisor and sprayers, and a building to operate out of. Examples of items not reimbursable include supervisor's salary, benefits or per diem, board members' salary or per diem, commercial applicator training or license costs, fuel, tires, batteries, insurance, building costs, licensed vehicle purchases including UTV's and ATV's, and Weed & Pest Conference costs.

Summary of Weed & Pest Grants for FY2020-FY2026

FY 2026 Grant Information

Spending Authority	\$ 500,000.00
Commission Approved	
Competitive Grants	\$ 121,100.00
Regular/Contractual Grants	\$ 378,300.00
Total Approved for FY2025	\$ 499,400.00
Actually Spent	
Competitive Grants	\$ 115,977.09
Regular/Contractual Grants	\$ 354,854.95
Total Reimbursed in FY2025	\$ 470,832.04
Amount left over - remained in fund	
Competitive	\$ 5,122.91
Regular	\$ 23,445.05
Total not spent for FY2026	\$ 28,567.96

FY 2025 Grant Information

Spending Authority	\$ 500,000.00
Commission Approved	
Competitive Grants	\$ 163,000.00
Regular/Contractual Grants	\$ 332,800.00
Total Approved for FY2025	\$ 495,800.00
Actually Spent	
Competitive Grants	\$ 144,036.80
Regular/Contractual Grants	\$ 291,545.87
Total Reimbursed in FY2025	\$ 435,582.67
Amount left over - remained in fund	
Competitive	\$ 18,963.20
Regular	\$ 41,254.13
Total not spent for FY2025	\$ 60,217.33

Summary of Weed & Pest Grants for FY2020-FY2026

FY2024 Grant Information

Spending Authority	\$ 450,000.00
Commission Approved	
Competitive Grants	\$ 164,200.00
Regular/Contractual Grants	\$ 281,500.00
Total Approved for FY2024	\$ 445,700.00
Actually Spent	
Competitive Grants	\$ 133,435.71
Regular/Contractual Grants	\$ 249,133.85
Total Reimbursed in FY2024	\$ 382,569.56
Amount left over - remained in fund	
Competitive	\$ 30,764.29
Regular	\$ 32,366.15
Total not spent for FY2024	\$ 63,130.44

FY2023 Grant Information

Spending Authority	\$ 450,000.00
Commission Approved	
Competitive Grants	\$ 182,200.00
Regular/Contractual Grants	\$ 263,700.00
Total Approved for FY2023	\$ 445,900.00
Actually Spent	
Competitive Grants	\$ 154,378.32
Regular/Contractual Grants	\$ 237,773.48
Total Reimbursed in FY2023	\$ 392,151.80
Amount left over - remained in fund	
Competitive	\$ 27,821.68
Regular	\$ 25,926.52
Total not spent for FY2023	\$ 53,748.20

Summary of Weed & Pest Grants for FY2020-FY2026

FY2022 Grant Information

Spending Authority	\$ 450,000.00
Commission Approved	
Competitive Grants	\$ 217,600.00
Regular/Contractual Grants	\$ 232,000.00
Total Approved for FY2022	\$ 449,600.00
Actually Spent	
Competitive Grants	\$ 201,775.75
Regular/Contractual Grants	\$ 181,977.74
Total Reimbursed in FY2022	\$ 383,753.49
Amount left over - remained in fund	
Competitive	\$ 15,824.25
Regular	\$ 50,022.26
Total not spent for FY2022	\$ 65,846.51

FY2021 Grant Information

Spending Authority	\$ 450,000.00
Commission Approved	
Competitive Grants	\$ 210,750.00
Regular/Contractual Grants	\$ 236,300.00
Total Approved for FY2021	\$ 447,050.00
Actually Spent	
Competitive Grants	\$ 198,260.77
Regular/Contractual Grants	\$ 187,686.56
Total Reimbursed in FY2021	\$ 385,947.33
Amount left over - remained in fund	
Competitive	\$ 12,489.23
Regular	\$ 48,613.44
Total not spent for FY2021	\$ 61,102.67

Summary of Weed & Pest Grants for FY2020-FY2026

FY2020 Grant Information

Spending Authority	\$ 650,000.00
Commission Approved	
Competitive Grants	\$ 302,587.00
Regular/Contractual Grants	\$ 346,500.00
Total Approved for FY2020	\$ 649,087.00
Actually Spent	
Competitive Grants	\$ 268,684.21
Regular/Contractual Grants	\$ 308,957.74
Total Reimbursed in FY2020	\$ 577,641.95
Amount left over - remained in fund	
Competitive	\$ 33,902.79
Regular	\$ 37,542.26
Total not spent for FY2020	\$ 71,445.05