

STANLEY COUNTY COMMISSION MEETING

MINUTES

May 5, 2026

The regular meeting of the Stanley County Commission was called to order at 5:00 P.M.(CT) by Chairman Dana Iversen with Commissioners Mike Kenzy, Craig Heller, Sonny Harrowa and Gary Grittner. Also present was State's Attorney Tom P. Maher, Treasurer Bill Konst, Director of Equalization Jodi Bothwell, Director of Equalization Assistant Danielle Daak-Sherwood, Highway Superintendent Lee Smith, Emergency Manager Dustin Baxter, Fort Pierre Chamber of Commerce Shane Kramme, GrowSD Megan Fischer, Kynlee Stoddard, Kylie Stoddard, Don Kirkpatrick, Lura Kirkpatrick, Raymond Tibbs, Darla Tibbs, Jennifer Carter, Chris Carter, and Auditor Philena Burtch. The meeting commenced with the recitation of the Pledge of Allegiance.

Kynlee Stoddard introduced herself, a Stanley County Elementary School student. Kynlee informed the Commission that she was in attendance for extra credit for school.

Auditor Burtch requested to amend the Agenda by adding GrowSD – Megan Fisher.

AGENDA: Motion by Sonny Harrowa, second by Mike Kenzy, to approve the Amended Agenda. All voted Aye. Motion Carried.

MINUTES: Motion by Mike Kenzy, second by Sonny Harrowa, to approve April 7, 2026 Minutes. All voted Aye. Motion Carried.

Motion by Craig Heller, second by Mike Kenzy, to approve April 21, 2026 Minutes. All voted Aye. Motion Carried.

Conflict of Interest Declaration: Commissioner Heller declared a Conflict of Interest and will recuse himself from discussion regarding Owner Status-Record 8972.

CLAIMS: Motion by Sonny Harrowa, second by Craig Heller, to approve Claims as presented. All voted Aye. Motion Carried.

ACE STEEL & RECYCLING INC 162.01 R&B; SUPPL

ACE STEEL & RECYCLING INC 96.51 FRGRNDS MAINT

AMERICAN MEDICAL RESPONSE INC 4156.93 APRIL SUBSIDY BILLING

ARAMARK 143.82 R&B; MAINT

AT&T; MOBILITY 384.23 CELL PHONES

AVERA ST MARYS HOSPITAL 71.00 R&B; TEST

MICHELLE BARRETT 222.34 4-H SDSU FAIR TRAINING

DURWARD BENBOW 474.00 CH BLDG/LOG CABIN MAINT

BOTTOM LINE WELDING 372.00 R&B; SUPPL

CARMELLA BOURK 82.81 OVERPAID TAXES

BUTLER MACHINERY CO 2709.78 R&B; SUPPL-AIR COMPRESSOR

CAPITAL AREA COUNSELING INC 620.00 MARCH MCR

CENTURY BUSINESS PRODUCTS 210.60 COPIER LEASE & COPIES

CLEARFLY 359.92 OFFICE PHONES

COLUMN SOFTWARE PBC 522.65 COMM MINS/VOTER REG/WES/P&Z;

COMFORT INN & SUITES 171.02 4-H SDAE4-HC CONF

COMMTECH INC 130.00 GOV BLDG MAINT

COMMUNITY YOUTH INVOLVED INC 2083.33 MAY SUPPORT

COWBOY COUNTRY STORES 222.26 GOV BLDG/FRGRNDS/DOE FUEL

CROSSROADS TRAILER SALES-SF 57.00 R&B; SUPPL - D7

DAKOTA DATA SHRED 66.75 AUD MAINT

JLF ENTERPRISES INC 49.42 R&B; SUPPL

DEERE CREDIT INC 69791.52 2023 JD 772G MOTOR GRADER

DEERE CREDIT INC 56218.64 2022 JD 772G MOTOR GRADER

JOHN DUFFY 80.00 CH SHOP LOT RENT

ELECTION SYSTEMS & SOFTWARE 1094.31 PRIMARY ELECTION SUPPL

FLEET SERVICES 1804.93 R&B//FRGRNDS FUEL

FLOYD'S TRUCK CENTER 204.63 R&B; SUPPL-T3/T10/T12

FORT PIERRE CITY 94087.58 DUE TO CITY OF FORT PIERRE

FORT PIERRE CITY 576.73 EXT COPIER LEASE/FRGRNDS REPR

FORT PIERRE CITY 2393.82 UTILITIES

FORUM COMMUNICATIONS COMPANY 292.80 ANNUAL SUBSCRIPTN

GOLDEN WEST TELECOMMUNICATIONS 200.00 E-911

GROSSENBURG IMPLEMENT OF PIERR 128.92 R&B; SUPPL-M6

HUGHES COUNTY FINANCE OFFICE 14175.00 MARCH JAIL BILLING

HUGHES COUNTY FINANCE OFFICE 12990.00 ANNUAL VETERAN SRVC OFFICR

HUGHES COUNTY JAIL 42.44 MEDICAL CARE

JUSTIN JONES 150.00 R&B; CDL

KIRBY D KROGMAN 1288.50 CRT APPT ATTRNY

LERETA LLC 5939.06 OVERPAID TAXES 9292/7208

LINCOLN COUNTY 526.40 MENTAL ILLNESS

BRENDA LOUNSBURY 1200.00 BLOOD TESTS-DEC-APR

THOMAS P MAHER 354.78 APRIL EXPENSES

MENARDS - PIERRE 259.00 GOV BLDG/R&B; SUPPL

MICROFILM IMAGING SYSTEMS INC 790.00 ROD EQUIP RENTAL

MIDCONTINENT COMMUNICATION 180.21 R&B; PHONE/INTERNET

MIDCONTINENT COMMUNICATION 289.32 OFFICE PHONES

MONTANA-DAKOTA UTILITIES CO 192.41 R&B; NATURAL GAS

MONTANA-DAKOTA UTILITIES CO 439.73 CH BLDG/FRGRNDS NATURAL GAS

NAPA 48.79 GOV BLDG SUPPL

NORTHWEST PIPE FITTINGS INC 248.55 FRGRNDS REPAIR & MAINT

KIRBY DEAN O'DEA 125.00 R&B; CDL

CITY OF PIERRE 7715.95 MAR-APR MED DIR/2ND QTR E911

PITNEY BOWES 443.16 POSTAGE

QUILL CORPORATION 1963.76 OFFICE SUPPL

REDWOOD TOXICOLOGY LABORATORY 789.00 TOXICOLOGY TESTS

RIDDLE'S GLASS 3106.66 CH MAINT-EAST & WEST DOORS

RIVER BOTTOM SANITATION INC 84.74 GOV BLDG APRIL TRASH BILLING

RIVER CITIES TRANSIT 5000.00 ANNUAL SUPPORT

WENDI ROBERTS 20.00 4-H SDSU FAIR TRAINING

ROBINS WATER CONDITIONING INC 40.50 R&B; SUPPL

RUNNINGS SUPPLY INC 525.24 R&B; SUPPL

RUNNINGS SUPPLY INC 276.30 FRGRNDS MAINT

STANLEY COUNTY LAW ENFORCEMENT 1130.36 EM 3/22-4/18

STANLEY COUNTY SCHOOL DISTRICT 230522.02 DUE TO SC SCHOOL

STANLEY COUNTY TREASURER 28.70 EM TRAFFIC TRL TITLE/PLATES

JOAN BOOS SCHUELLER 1692.00 CRT APPT ATTRNY

SD ASSN OF COUNTY COMMISSIONER 1681.00 2ND QTR CLERP

SD ASSN OF COUNTY OFFICIALS 102.00 ROD M/P FUND

SD DEPT OF REVENUE 121526.74 MV/VITALS/MENTAL ILL

SERVALL UNIFORM/LINEN CO 146.00 GOV BLDG SUPPL

SHARPE RENTALS INC 625.00 R&B; EQUIP RENTAL

TIGER'S FIRE EXTINGUISHER INC 905.00 R&B; ANNUAL INSPECTION

TWOTREES TECHNOLOGIES 1483.00 SRVR MAINT

ULINE 244.51 GOV BLDG SUPPL

WW TIRE SERVICE INC 971.31 R&B; REPAIR/SUPPL-T3/TR15

ZANDER AUTO PARTS 591.68 R&B; SUPPL

ZANDER AUTO PARTS 123.49 FRGRNDS MAINT

Treasurer Report: Treasurer Bill Konst informed the Commission of interest earned for April 2026 is \$11,292.05, Wheel Tax collection is \$3,964.66, and delinquent taxes to collect is \$55,930.

Auditor Report: Auditor Philena Burtch presented the Commissioners with the Budget Expenditure Report showing each department's expenses as of March 31, 2026, Fiscal Revenue Report as of March 31, 2026, and Outstanding Disbursements as of May 5, 2026.

SALARIES BY OFFICE: Commissioners - \$3,888.22; Auditor - \$4,683.82; Treasurer - \$5,950.23; States Attorney - \$11,940.15; Custodial - \$2,943.07; Director of Equalization - \$3,897.32; Register of Deeds - \$3,788.44; Road & Bridge - \$31,299.26; Weed & Pest - \$465.08; Fairgrounds - \$7,016.62; Extension - \$1,456.84; Planning & Zoning - \$47.56; Employee Health Insurance - \$18,466.80; SD Retirement System, withheld and match - \$10,291.64; Electronic Transfer; FICA, Medicare and Withholding Tax - \$22,868.27.

Register of Deeds:

Regular Fees April 2026 - \$ 2,004.42

Transfer Fees April 2026 - \$ 9,310.50

Ordinance 2025-01 Wind Energy System Amendment – 2nd and Final Reading: Director of Equalization Jodi Bothwell read the 2nd and Final Reading of the Stanley County Wind Energy Systems Ordinance #2025-01 Amendments.

Page 4, Definitions 38: Suggested Amendment: SUBSTANTIAL COMPLETION – A certification issued by the project owner or engineer indicating that project construction is sufficiently completed for the owner to begin use for the intended project purpose. Completion of punch list items and construction warranties may still be addressed by contractors following issuance of certification.

Page 4, Section 102 B: Original – The South Dakota Public Utilities Commission (PUC) has siting authority for WES facilities with a capacity of 100 megawatts or more. Smaller wind projects are not regulated by the PUC.

Suggested Amendment: The South Dakota Public Utilities Commission (PUC) has permitting and regulatory authority for WES energy production facilities within South Dakota. Energy projects producing less than 100 megawatts are not subject to PUC siting.

Page 8, Section 105 xii e: Suggested Amendment: The setback distance from the nearest point of the U.S. Army Corps of Engineers take line along the Missouri River and its impoundments shall be twenty-six thousand and four hundred feet (26,400). In areas where a USACOE take line is not present, the setback is measured from the high-water level/mark location.

Page 11, Section 106 A)p: Original: The owner and/or operator of the WES facility shall maintain a current general liability policy covering bodily injury and property damage, with limits of at least two million dollars (\$2,000,000.00) per occurrence and five million dollars (\$5,000,000.00) in aggregate with a deductible of no more than five thousand dollars (\$5,000.00). Any loss of coverage must be reported within three (3) working days of loss. Failure to maintain coverage shall be considered a cessation of operations.

Suggested Amendment p: The owner and/or operator of the WES facility shall maintain a current general liability policy covering bodily injury and property damage, with limits of at least five million dollars (\$5,000,000.00) per occurrence and fifteen million dollars (\$15,000,000.00) in aggregate with a deductible of no more than five thousand dollars (\$5,000.00). Any loss of coverage must be reported within three (3) working days of loss. Failure to maintain coverage shall be considered a cessation of operations.

Page 13, Section 107 G)b: Original: The financial assurance is funded by the WES facility owner, prior to construction, in the amount of the full and complete cost of the project plus additional funds added annually matching the amount of inflation based on the Consumer Price Index (CPI).

Suggested Amendment: The financial assurance is funded by the WES facility owner, prior to construction, in the form of a required bond, in the amount of the full and complete cost of the project plus additional funds added to the bond annually matching the amount of inflation based on the Consumer Price Index (CPI).

Typo correction on page 7 Section 105 xii d): Correct property line setback to 7,920 feet. It was 7,290 feet. Original agreed upon setback was a mile and a half.

Comments: There were no comments.

Written Submissions: There were no written submissions received.

Suggestions: There were no suggestions.

Motion by Gary Grittner, second by Craig Heller, to adopt the Ordinance 2025-01 Wind Energy System Amendments. Grittner voted Aye. Heller voted Aye. Harrowa voted Aye. Kenzy voted Nay. Motion Carried.

GrowSD: Megan Fischer explained Grow South Dakota programs are sustainable to communities through housing, community, and economic development. GrowSD strengthens homes by completing major and minor home repairs, furnace repairs and replacements and weatherization services. Empowers people through housing loans by making their dream of homeownership come true with the financing of a home. Investing in businesses by supporting entrepreneurs through loans and technical assistance. Megan explained that GrowSD has done a reassessment of needs in our county. Services provided by GrowSD are business loans/coaching, digital literacy, emergency assistance, financial coaching and homebuyer education, home mortgage loans, weatherization and furnace repair/replacement.

One recipient wrote "Having been in foster care as a child and moving constantly throughout my life, I dreamed of owning my own house. Grow SD made that dream a reality." GrowSD is a positive program.

Owner Status – Record #8972: Motion by Gary Grittner, second by Sonny Harrowa, to approve Ownership status for Record #8972 from NA/Other to Owner Occupied for 2026 taxes due and

payable 2027. All voted Aye. Motion Carried.

Highway Department - Lee Smith presented the Commission with a report of work performed by the Highway Department for the month of April 2026, which consists of screen gravel at the Buffalo Pit, grinding stumps in right-of-way along Bad River Road, hauling and laying gravel on Bad River Road, Norm Stoesser Road, War Creek Road, blading, fill cuts and washouts on Mike Norman Road, metal fabrication/build scarifier, service and maintain equipment.

Lee Smith and Dana Iversen attended the Highway Superintendent Annual Short Course conference. One of the distributors had an attachment for a motor grader that works out washboard. Tyrel Hall changed a few things and built one.

Lee Smith feels that Tyrel Hall has improved and does a lot, fabrication, mechanic, truck driver. Lee would like to give Tyrel a \$1.25 per hour raise. This will be added to the June 4th Commission Meeting Agenda for consideration.

Lee Smith informed the Commission that he is planning to Mag-Cloride 1 ½ mile of Bad River Road, starting at US Highway 83, going west.

Don Kirkpatrick asked if the County plans to do any more work on South Brown Church Road where the culvert washed out last fall? Lee explained that more gravel will be added to it. Don explained that near the cement box culvert there was a berm, but it has been taken out. The water flows and is cutting out the box culvert, a berm needs to be put back to redirect the water flow.

Jennifer Carter asked when the big dip at Fischer Hill is going to be fixed, it is deep and very rough. Lee explained that they will work on it this week. Bad River Road is a well-traveled road and needs to be worked.

Emergency Management Services – Monthly Report: Dustin Baxter informed the Commission that the storm shelter signs are made and ready to be installed. Dustin explained that plans for the week of July 4th are getting put together. Everyone is working well together with good ideas, suggestions and feedback.

Revisit Resolution 2026-09 Burn Ban: Dustin Baxter informed the Commission that Stanley County is still in D1 drought. Don Kirkpatrick stated that around the Hayes area, fire won't get too far. Raymond Tibbs stated that north Stanley County is the same. The lightning storm that went through our area last week started six small fires. One fire burned 22 acres in a field that had not been worked, grazed or hayed for a few years, so there was natural fuel for the fire.

Motion by Sonny Harrowa, second by Gary Grittner, to dissolve Resolution 2026-09 Burn Ban. All voted Aye. Motion Carried. Chairman Iversen reminded everyone that Ordinance 2016-01 for Fire Hazards is still active.

Stanley County Website Upgrade: Stanley County website is outdated. For better cyber security it has been suggested that an upgrade is needed. Motion by Sonny Harrowa, second by Craig Heller, to accept factor360 proposal for the Stanley County Website Upgrade not to exceed \$3,000.00. Harrowa voted Aye. Heller voted Aye. Kenzy voted Aye. Grittner voted Nay. Motion Carried.

Malt Beverage License Renewal – Brandy Lodge LLC: Motion by Craig Heller, second by Mike Kenzy, to approve 2026-2027 Malt Beverage & SD Farm Wine License Renewal for Brandy Lodge LLC. All voted Aye. Motion Carried.

Log Cabin Sidewalk: The sidewalk to the east and the south of the log cabin need to be replaced. They are cracked; part of the eastside is incomplete from 2025 work. They are an insurance liability. Only one bid was received. The Commission requested more bids.

Courthouse Boiler Repair: Motion by Craig Heller, second by Mike Kenzy, to accept proposal from Rasmussen Mechanical Services to complete the courthouse boiler repair, not to exceed \$6,436.00. All voted Aye. Motion Carried.

Automatic Budget Supplement – Law Enforcement: Motion by Craig Heller, second by Gary Grittner, to approve Automatic Budget Supplement in the amount of \$32,694.90 to Law Enforcement Quarter Payment (101-214-422.00), to reflect payment from Stanley County Law Enforcement for 2025 payroll deductions reimbursement to Stanley County. All voted Aye. Motion Carried.

Due to the Primary Election Tuesday June 2, 2026, the regular June commission meeting will be held Thursday June 4, 2026, at 5:00 P.M. (CT)

Upcoming Workshops: Spring County Officials Workshop

Adjournment: Motion by Mike Kenzy, second by Gary Grittner, to adjourn at 6:24 P.M. All voted Aye. Motion Carried.

ATTEST: BOARD OF STANLEY COUNTY COMMISSIONERS

(SEAL)

Philena Burtch, Auditor Dana Iversen, Chairman