Town of Henry

Official Proceedings

The Town of Henry Board of Trustees held an official meeting on Monday, October 6, 2025 at 5:30 PM located at the Henry Town Hall. In attendance, President Mark O’Neill, Vice President Charles Heustess, Trustees Neil Jensen, Jon Redmond, Connie Wilson, Finance Officer Amber Dill, Water/Wastewater Operator Connor Antoine and numerous community members. President O’Neill called the meeting to order at 5:32 PM. Motion made to adopt the agenda by Trustee Jensen, seconded by Trustee Wilson. Motion carried. President O’Neill called to recite the Pledge of Allegiance. All stood to recite. Motion made to approve September 2, 2025 minutes by Vice President Heustess, seconded by Trustee Redmond. Motion carried.

Old Business

Motion made to approve the 2nd reading of Ordinance 285 by Trustee Jensen, seconded by Trustee Redmond. Motion carried. Vote to adopt Ordinance 285. Yes- 5, No- 0. Ordinance 285 adopted. Motion made to approve the 2nd reading of Ordinance 286 by Trustee Redmond, seconded by Trustee Wilson. Motion carried. Vote to adopt Ordinance 286. Yes- 5, No- 0. Ordinance 286 adopted. Motion to move Ordinance 284 of the table by Trustee Jensen, seconded by Vice President Heustess. Motion carried. Motion made to approve 2nd reading of Ordinance 284 by Vice President Heustess, seconded by Trustee Jensen. Motion carried. Vote to adopt Ordinance 284. Yes- 5, No- 0. Ordinance 284 adopted.

New Business

Motion made to change the meeting time and place of the Board of Trustees by Vice President Heustess, seconded by Trustee Redmond. Motion carried. Board of Trustee meetings will take place at the Henry Town Hall at 5:30 PM on the first Monday of the month. Motion made to approve Resolution 284-2025 by Trustee Jensen, seconded by Trustee Wilson. Motion carried. Vote to adopt Resolution 284-2025. Yes- 5, No- 0. Resolution 284-2025 adopted.

**RESOLUTION NO 284-2025**

**RESOLUTION AMENDING THE TOWN’S RATE STRUCTURE, PROVIDING FOR A SURCHARGE FOR IMPROVEMENTS TO THE WATER SYSTEM, FOR PAYMENT OF A REVENUE BORROWER BOND AND YEARLY REVIEW OF RATE**

**BE IT RESOLVED BY THE TOWN BOARD OF THE TRUSTEES OF THE TOWN OF HENRY AS FOLLOWS**

1. **Surcharge for Borrower Bond**. There shall be charged a monthly surcharge for the services provided by the improvement financed by the DW-02 Conservancy District Loan. The surcharge for each loan shall be segregated from other revenues of the Town and shall be used for the payment of the Borrower Bond DW-02 (the “Borrower Bond”). Provided that such surcharge shall create net income, remaining from time to time after first paying all reasonable and current expenses of maintenance, repairs, replacements and operation, sufficient to fund interest, reserve and debt service fund annual requirements.
2. **Rates and Collection.** The Town does hereby establish the special charge or surcharge payable by each customer of its system who receives or benefits from the services of the project financed with the Borrower Bond. Such charge or surcharge shall be set at a level which, assuming a 10% delinquency rate, will produce income at the times and in amounts sufficient to pay when due the principal of and interest on the Borrower Bond and the administrative expense surcharge and all other payments as may be required under the loan agreement and Borrower Bond.
3. **Borrower Bond Surcharge and Segregation.** In addition to the other charges, the Town hereby establishes a surcharge of $22.75 payable by each customer of its system who receives or benefits from the services of the project financed by the DW-02 loan with the borrower bond. The collection of the surcharge shall start on the 1st day of January 2026. The surcharge shall remain in effect until such time as the borrower bond is paid in full, it shall be collected at the same time as other charges of the system and establish a surcharge account to segregate the income from other system income for bookkeeping purposes to be pledged to the South Dakota Conservancy District.
4. **Yearly Review.** The surcharge shall be reviewed from year to year and modified to provide the required 110 percent debt coverage. The charges or surcharge shall be reviewed yearly by Town and administratively adjusted, upwards or downwards, to such amounts as may be necessary to pay principal, interest, administrative surcharge and other charges as may become due and owing under the loan agreement or Borrower Bond.
5. **Billing and Accounting.** The surcharges shall be included in the monthly user bill. Nothing contained herein requires the surcharge be indicated on the billing, however, the surcharge segregation shall be indicated on the books of the Town.
6. **Automatic Repeal.** The Surcharge for the Borrower Bond shall be automatically repealed when the Borrower Bond is paid in full.
7. **Partial Invalidity.** If any one or more of the provisions of this resolution shall be held invalid, illegal, or unenforceable in any respect, by final decree of any court of law jurisdiction, such invalidity, illegality, or unenforceability shall not affect any other provision hereof.

WHEREAS, the effective date of this resolution shall be the 20th day following its publication, unless suspended by a referendum.

Adopted by the Board of Trustees of the Town of Henry, Codington County, South Dakota on this day 6th of October 2025.

Mark O’Neill

President of Board, Henry, South Dakota

Amber Dill

Finance Officer, Henry, South Dakota

Adopted: 10/06/2025

Published:

Effective:

Motion to adopt Resolution 285-2025 by Vice President Heustess, seconded by Trustee Jensen. Motion carried. Vote to adopt Resolution 285-2025. Yes- 5, No- 0. Resolution 285-2025 adopted.

**Resolution #285-2025**

Contingency Transfer

Motion by Charles Heustess Second by Neil Jensen, to approve Resolution #285-2025. Motion carried.

Resolution # 285-2025

TRANSFER FROM CONTINGENCY FUND

WHEREAS insufficient appropriation was made in the 2025 adopted budget for the following department to discharge just obligations of said appropriations; and

WHEREAS SDCL 9-21-6.1 provides that transfers be made by resolution of the board from the contingency appropriations established pursuant to SDCL 9-21-6.1 to other appropriations.

THEREFORE, BE IT RESOLVED that the appropriation be transferred from the contingency budget tot the following department budget:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| 101-419.2-422 | Govt Building |  | $7050.00 |  |
| 101-422-428 | Fire |  | $1750.00 |  |

WHEREAS, the effective date of this resolution shall be the 20th day following its publication, unless suspended by a referendum.

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Mark O’Neill

President of Board, Henry, South Dakota

Amber Dill

Finance Officer, Henry, South Dakota

Adopted: 10/06/2025

Published:

Effective:

Motion to accept the first reading of Ordinance 287 by Trustee Jensen, seconded by Trustee Redmond. Motion carried. Motion to accept Pay Request #7 by Trustee Jensen, seconded by Vice President Heustess. Motion carried. Motion to accept Helm’s Invoices in the exception of Invoice number 36884 by Trustee Jensen, seconded by Trustee Wilson. Motion carried. Motion to accept LL & Sons change order #2 by Trustee Jensen, seconded by Trustee Wilson. Motion carried. Discussed asking SDML to present board training at an open meeting. No action needed. The Henry Summer Rec Program discussed light pole Christmas banners and the lighted parade. No action needed.

Finance Report

Motion made to accept the 2025 special assessments by Vice President Heustess, seconded by Trustee Redmond. Motion carried.

Water Infrastructure

Discussed a curb stop issue from Phase 1 Water Project. Trustee Jensen to discuss with the engineer company. No action needed.

Motion to approve LL & Sons pay application 6 by Vice President Heustess, second by Trustee Jensen. Motion carried.

Motion made to enter executive session by Vice President Heustess, seconded by Trustee Redmond. Motion carried. Entered executive session at 6:51 PM.

Motion made to exit executive session by Vice President Heustess, seconded by Trustee Wilson. Motion carried. Exit executive session at 7:08 PM

Motion to approve claims by Trustee Jensen, seconded by Trustee Redmond. Motion carried. Heath Kittleson, Streets, Services, $649.50, Amber Dill, Finance Office, Salary, $3129.24, Thomas Bailey, Parks, Salary, $998.49, Connor Antoine, Water/Wastewater, Salary, $813.23, Connie Wilson, Zoning/Board, Salary, $138.53, Mark O’Neill, Board, Salary, $138.53, Charles Heustess, Board, Salary, $138.53, Neil Jensen, Board, Salary, $138.53, Jon Redmond, Board, Salary, $138.53, SDRS, Finance Office, Retirement, $423.80, Dept of Treasury, Employer/Employee Social Security and Medicare withholding, $3987.02, SD Dept of Labor, Employer Unemployment Insurance, $23.94, Dependable Sanitation, Sanitation, Services, $2496.40, Dacotah Bank, Finance Office and Water, Supplies and Equipment, $323.61, Clark Rural Water, Purchased Water, $2690.00, Menards, Parks, Supplies, $39.09, Gannett Local iQ, Board, Publishing, $39.32, Service Plus, Fire Dept, Repairs, $727.67, SD 811, Board, Services, $16.80, Heiman Fire Equipment, Fire Dept, Equipment, $383.35, Office Peeps, Finance Office, Supplies, $240.60, Jorgenson & Olson, Streets, Repairs, $6349.90, Foley and Foley Law Offices, Attorney, Services, $22.50, ITC, Finance Office, Utilities, $108.06, Northwestern Energy, Utilities, $1760.22, A-i Computer Solutions, Govt Building, Utilities, $100.00.

Motion made to adjourn by Vice President Heustess, seconded by Trustee Jensen.

Meeting adjourned at 7:14 PM

Next Board of Trustees meeting on Monday, November 3, 2025 at 5:30 PM at the Town Hall.