

# **JANUARY 2023**

## **Legal Notice**

Published in Custer County Chronicle on February 8, 2023

## **Location**

Custer County, South Dakota

## **Notice Text**

town of  
buffalo gap  
TOWN BOARD MEETING PROCEEDINGS  
Buffalo Gap,  
South Dakota  
January 9th, 2023

The board of the Town of Buffalo Gap met in regular session at 6:03 p.m. on January 9th, 2022 at the town hall/bank building. Members present were: Trustees Hussey, and Frieden and Finance Officer Clyde. Frieden calls meeting to order. Motion by Hussey and seconded by Frieden to approve agenda as presented. Pledge of Allegiance was conducted. Clyde reports financials and account balances. Motion by Hussey, seconded by Frieden approve the following bills: Salaries and reimbursements-\$1881.21, Cheyenne Sanitation-\$1276.41, Southern Hills Publishing-\$46.98, FRWUD-\$253.50, Golden West-\$43.29, BH Energy-\$1180.28, ACE-60.69, Lance Russell-\$162.30, FMHA (water loan)-\$483. Verizon-\$203.85. Minutes from November meeting including the ordinance were reviewed and approved with a motion by Hussey and second by Frieden. Payroll reviewed and accepted. Positions: The following positions and rates were reviewed and approved for 2023. Finance Officer raised to \$800 per month/\$50 per additional. Water Operator hourly raised to \$16.50 per hour. Water supervisor monthly rate stays at \$61 per month. Trustee remains at \$60 per meeting. Maintenance remains at \$13 per hour. Blade remains at \$15 per hour. Contract Bobcat use at \$40 per hour, Back hoe at \$75 per hour, Gravel hauling-\$50 per load. Motion by Frieden and seconded by Hussey to approve positions and rates. The following individuals are approved in the following roles: Heather Besco (Finance Officer), Terry Kizer, Ray Hussey, Dan Frieden (Trustees), Troy Schmit (water Supervisor), Carrie Zoelick and Troy Schmit (water operators), Carrie Zoelick, Terry Kizer, Steve White, Tammy White, Heather Besco (Maintenance), Carrie Zoelick, Troy Schmit, Steve White, Terry Kizer, Daniel Frieden, Ray Hussey (Blade Operators). Sanitation Report: Friedan reported on Fall River Sanitation Board. States getting credit card payment processing set up for customers. Discussion ensued on the high winds and building. No report available. Water Operator: Resolution 2022-03 titled: A resolution for a surcharge for improvements to the citys water system, for payment of revenue bond and yearly review

of rate; was read in its entirety. Discussion was held on increasing the surcharge from \$10 to \$12 to add a cushion and work towards paying off loan more quickly. Discussion on the fact that most of the loan is forgiven and the remaining balance is a zero interest loan for 30 years. Board would like to make sure citizens are aware of this factor. Resolution read and motion by Frieden seconded by hussey to adopt. Zoelick and Schmit report on water system and testing. Community Center: Board discusses the community center and its current state of affairs and repairs. Board continues to show concern and will work with attorney to address these. Mailboxes: Hussey states he still intends to complete. Public Time: None. Next Meeting: February 6th 2023 at 6 PM. With no further business, Friedan adjourns meeting.

/s/ Finance Officer

Heather Besco-Clyde

Published once at the approximate cost of \_\_\_ and may be viewed free of charge at [www.sdpublicnotices.com](http://www.sdpublicnotices.com).

2/8

URL: [https://www.sdpublicnotices.com/?](https://www.sdpublicnotices.com/?activeNotice=027a.1f48f05e2a55b.f7e8a3bb-1cac.2a18e1b86-dc19.bfc05dbf8-8de0.3ac41aafc-d38b.0ccf243be012b.d0990d9ce5735.17bd90f1c)

activeNotice=027a.1f48f05e2a55b.f7e8a3bb-1cac.2a18e1b86-

dc19.bfc05dbf8-8de0.3ac41aafc-d38b.0ccf243be012b.d0990d9ce5735.17bd90f1c

URL: [https://www.sdpublicnotices.com/?](https://www.sdpublicnotices.com/?activeNotice=1f4e.fd82938cce776.d117fa4b9-1b22.01d6f0f72-c6a2.aa9a16b52-e1db.9d342a136-01d7.8e3ceae2ab694.43d386ff11563.14b2f72db)

activeNotice=1f4e.fd82938cce776.d117fa4b9-1b22.01d6f0f72-c6a2.aa9a16b52-e1db.9d342a136-01d7.8e3ceae2ab694.43d386ff11563.14b2f72db

## **FEBRUARY 2023**

### **Legal Notice**

Published in Custer County Chronicle on February 8, 2023

### **Location**

Custer County, South Dakota

### **Notice Text**

town of  
buffalo gap

RESOLUTION NO\_2022-03

A RESOLUTION PROVIDING FOR A SURCHARGE FOR IMPROVEMENTS TO THE CITY'S WATER SYSTEM, FOR PAYMENT OF REVENUE BOND AND YEARLY REVIEW OF RATE

1. Surcharge for Bond Issue. There shall be charged a monthly surcharge for the services provided by the improvement financed by the Borrower Bond Series 2022 designated as DW-01. The surcharge shall be segregated from other revenues of the utility and shall be used for the payment of the revenue bonds. 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 City 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. 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 Series 2022 and the administrative expense surcharges and all other payments as may be required under the loan agreement and Borrower Bond Series 2022.

3. Borrower Bond Series 2022 Surcharge. The following water debt service surcharge shall be applicable to all customers served whether in or out of the city or whether retail or sales or resale:

Borrower Bond (Drinking Water) Series 2022 Surcharge: \$12.00 per user per month to start six months prior to the Loan Amortization Date which will be set forth in the Loan Agreement for DW-01.

This surcharge shall remain in effect until such time as the revenue bonds are discharged. The initial surcharge shall be collected at the same time as other charges of the water system. The surcharge is found to be equitable for the services provided by the improvement.

4. Segregation. The debt service surcharge shall be segregated from other income of the water system in a separate account and is pledged to the South Dakota Conservancy District for the payment of the loan payments on the Borrower Bond Series 2022.

5. Yearly review. The amount of the surcharge shall be reviewed from year to year and may be modified in order to provide such funds as are set forth herein. The charges shall be reviewed yearly by city personal and administratively adjusted, upwards or downwards, pursuant to SDCL 9-40-15 to such amounts as may be necessary to pay principal, interest, administrative surcharge and other charges as may become due and owing under the Borrower Bond Series 2022.

6. Billing and Accounting. The surcharge shall be included in the monthly user water bill. Nothing contained herein requires the surcharge be indicated on the billing, however, the surcharge segregation shall be indicated on the books of the City.

7. Surcharge not to create constitutional indebtedness. The charges provided herein are for the purpose of paying the Borrower Bond, Series 2022 of the City which do not constitute indebtedness within the meaning of South Dakota Constitutional Chapter XIII Section 4.

8. If any one or more of the provisions of the shall be held invalid, illegal, or unenforceable in any respect, by final decree of any court of lawful jurisdiction, such invalidity, illegality, or unenforceability shall not affect any other provision hereof.

ATTEST:

Finance Officer

First Reading:  
Passed:  
Published:  
Effective:

Published once at the approximate cost of \$40.70 and may be viewed free of charge at [www.sdpublicnotices.com](http://www.sdpublicnotices.com).

2/8

URL: <https://www.sdpublicnotices.com/?activeNotice=6287.ec8beffd1140.7961b9e5a-74b9.b975c30a2-583d.aeb42df44-a895.2be46e018-3715.b36020fdc8f2a.8d7e8c7408cd.10236c90a>

## **Legal Notice**

Published in Custer County Chronicle on March 8, 2023

## **Location**

Custer County, South Dakota

## **Notice Text**

town of  
buffalo gap  
TOWN BOARD MEETING  
PROCEEDINGS Buffalo Gap, South Dakota February 6th, 2023

The board of the Town of Buffalo Gap met in regular session at 6:07 p.m. on February 6th, 2023 at the town hall/bank building. Members present were: Trustees Hussey, and Frieden and Finance Officer Clyde. Frieden calls meeting to order. Motion by Frieden and seconded by Hussey to approve Minutes as presented. Pledge of Allegiance was conducted. Clyde reports financials and account balances. Motion by Hussey, seconded by Kizer approve the following bills: Salaries and reimbursements-\$2312.87, Cheyenne Sanitation-\$1285.54, Southern Hills Publishing-\$279.36, FRWUD-\$253.50, Golden West-\$43.29, BH Energy-\$1307.34, HELMS Associates (Engineers)- \$23,842.00, Lance Russell-\$220.60, FMHA (water loan)-\$483. Verizon-\$203.85. MCGas-\$433.66, CROELL-\$359.58, Midcontinent-\$353.50, Minwater-\$2134.45, Banyon-\$440, CC-\$168 (Stamps). Payroll reviewed and accepted. Sanitation Report: Frieden reported on Fall River Sanitation Board. Citizen request for payment plan: Citizen approaches board for consideration with personal payment plan on water account balance. After hearing citizen request board approves to enter into private payment plan with citizen and outlines requirement to be followed between citizen and water account manager. Water Operations: Discussions were held on past due water account balances and water account manager attempts to bring the few that are in arrears to current. A shut off notice was written and edited by legal representative and water account manager .

These notices will go out for those accounts that meet this requirement that will be timed to allow residents the opportunity to approach the board before shut off commences at a regular board meeting as just seen in action. The only way to avoid disruption of service after receiving a notice will be through approval of board of trustees at next regular meeting following date of sending the notice.

Discussion on implementing the surcharge for bond repayment next billing cycle. All accounts will see an increased surcharge of \$12 effective next month and was in the rate resolution previously adopted by the board. This surcharge will be earmarked specifically for bond repayment for our portion of the water improvement costs not covered by grants. Our costs will be the remaining 20% of the costs at a zero interest rate over 30 years. Animal control: No official reports. One citizen did bring a local dog from Hot Springs back to the Buffalo Gap after thinking it was lost and reunited it with their owners. Maintenance: Discussion on blading roads and alleys. Buildings/ community center: Board held discussion on disrepair and use of community center. Board would like an impartial assesment of the building and a report on what needs addressed to bring it into compliance with regular standards of use and condition. Clyde will reach out to contractor that completed the last asseessment of the town hall for help and report back. Board would like to use the report to offer the counity center committtee as a guidance of what is expected to be completed in a timely manner (30 days) to bring the center into compliance with the current lease before considering taking legal action to withdraw said lease. Board reports: Hussey updated board on discussion with our insurance liabiltiy pool. Discussion held on presenting liability pool with an accident that occurred with private vehicle while being used for town duties. Board encourages the filing of the accident under the town coverage. Mailboxes: Hussey states he still intends to complete. Petitions for Trustee Position: are available online and via H. Clyde. Term is currently held by Ray Hussey and is a three year term. Petitions due back by end of February 2023. Public Time: None. Next Meeting: February 6th 2023 at 6 PM. With no further business, Friedan adjourns meeting.

/s/ Finance Officer

Heather Besco-Clyde

Published once at am appropriate cost of \$39.24 and may be viewed free of charge at [www.sdpublicnotices.com](http://www.sdpublicnotices.com).

3/8

URL: <https://www.sdpublicnotices.com/?activeNotice=4c88.73dbe4e3d0297.f527e23f8-c43d.b555aa55e-174e.5f3052cbe-ef0f.b9d7042c2-61c0.d9c170332b237.fb40b3bbe03f8.fc0aac6d4>

## **MARCH 2023**

### **Legal Notice**

Published in Custer County Chronicle on April 5, 2023

## **Location**

Custer County, South Dakota

## **Notice Text**

town of

buffalo gap

TOWN BOARD MEETING PROCEEDINGS

Buffalo Gap, South Dakota March 7th 2023

The board of the Town of Buffalo Gap met in regular session at 6:07 p.m. on March 7th, 2023 at the town hall/bank building. Members present were: Trustees Hussey, and Frieden and Finance Officer Clyde. Frieden calls meeting to order. Motion by Frieden and seconded by Hussey to approve Minutes with the change of trustees present. Pledge of Allegiance was conducted. Clyde reports financials and account balances. Motion by Hussey, seconded by Frieden to approve the following bills: Salaries and reimbursements-\$2312.87, Cheyenne Sanitation-\$1285.54, Southern Hills Publishing-\$279.36, FRWUD-\$253.50, Golden West-\$43.29, BH Energy-\$1307.34, FMHA (water loan)-\$483. Verizon-\$203.85, Minwater-\$2134.45, Amazon-\$857.90, CC-\$168 (Stamps). Payroll reviewed and accepted. Sanitation Report: Frieden reported on Fall River Sanitation Board. Water Operations: Water testing was reported. Radiation testing is due. Fixed a water leak. Bacti sample sites discussed. Gallons vs pumped reviewed and determined a new way of factoring this will need identified. Discussion of remaining meters needing swapped. Animal control: No official reports. Maintenance: Discussion on the park upgrade and plan of action. Rebar in timbers is hazard. Schmit will mediate and order remaining supplies and get park complete. Community center was discussed and concerns of the disrepair it is exhibiting. Discussion on getting the damages assessed and offering committee a set amount of time to complete repairs or face possibility of being out of compliance of the lease. Road and alleys: Plowing was discussed briefly. Boundaries were discussed and reviewed. No changes needed. Mailboxes were discussed. Trustee position: Ray Hussey completed and filed a nominating petition and ran unopposed. Ray will be sworn in for a three year term in April. Congratulations. Discussion on ordering a sign for the tree branch was held and Besco will order one to state Citizens only. Commercial disposal must contact Board for prior permission to use. Equalization. Besco reports equalization later this month. Petitions due the week prior. Public Time: None. Next Meeting: April 3rd 2023 at 6 PM. With no further business, Frieden adjourns meeting.

/s/ Finance Officer

Heather Besco-Clyde

Published once at the approximate cost of \$25.00 and may be viewed free of charge at [www.sdpublicnotices.com](http://www.sdpublicnotices.com).

URL: <https://www.sdpublicnotices.com/?activeNotice=821d.2577020d332c4.03b42db4-6b29.acb9b01f-ffc5.b28762f5a-f2a4.2c6e84a86-2e55.ddf46ace7f333.1489924e2c6d3.74cefb524>

## **Legal Notice**

Published in Custer County Chronicle on April 5, 2023

## **Location**

Custer County, South Dakota

## **Notice Text**

TOWN OF  
BUFFALO GAP  
LOCAL BOARD OF  
EQUALIZATION  
March 20th 2023

The meeting of the Local Board of Equalization for Town of Buffalo Gap was called to order by President Daniel Frieden at 6:05 PM. Members present were Hussey, Kizer, and Frieden. School board members from Hot Springs school district were invited, but none were present. No conflicts of interest identified. Frieden motions to approve agenda, seconded by Hussey. Motion by Hussey and seconded by Kizer to accept the following:

Objections to Real Estate Valuations

1) Stipulation for Don Klein- County presents local board with stipulation agreement. Motion by Kizer seconded by Hussey to accept stipulation as presented. All in favor. The Local Board of Equalization approved the above noted actions, and approved the remainder of the Assessment Roll as presented. All in favor.  
Adjournment. The Local Board of Equalization unanimously motioned to adjourn.

---

Minutes submitted by: Heather Besco-Clyde, Town Finance Officer

Published once at an approximate cost of \$13.08 and may be viewed free of charge at [www.sdpublicnotices.com](http://www.sdpublicnotices.com).

4/5

URL: <https://www.sdpublicnotices.com/?activeNotice=af33.7f92556e4a253.4256a6cf5-fdb2.1435024be-8ced.c27742322-d032.a5be3f778-e240.07317ea1a3319.670a9e61c3f3.54d7f94d1>

## **Legal Notice**

Published in Custer County Chronicle on April 19, 2023

## **Location**

Custer County, South Dakota

## **Notice Text**

TOWN OF  
BUFFALO GAP  
LOCAL BOARD OF  
EQUALIZATION  
March 20th 2023

The meeting of the Local Board of Equalization for Town of Buffalo Gap was called to order by President Daniel Frieden at 6:05 PM. Members present were Hussey, Kizer, and Frieden. School board members from Hot Springs school district were invited, but none were present. No conflicts of interest identified. Frieden motions to approve agenda, seconded by Hussey. Motion by Hussey and seconded by Kizer to accept the following:

Objections to Real Estate Valuations

1) Stipulation for Don Klein- County presents local board with stipulation agreement. Motion by Kizer seconded by Hussey to accept stipulation as presented. All in favor.

The Local Board of Equalization approved the above noted actions, and approved the remainder of the Assessment Roll as presented. All in favor.

Adjournment. The Local Board of Equalization unanimously motioned to adjourn.

---

Minutes submitted by:  
Heather Besco-Clyde,  
Town Finance Officer

Published once at an approximate cost of \$ and may be viewed free of charge at [www.sdpublicnotices.com](http://www.sdpublicnotices.com).

4/19

URL: <https://www.sdpublicnotices.com/?activeNotice=5d20.3f8fd36d8486f.8be74f6d4-2830.7ee293044-3112.f09932cfd-138d.6c1058c86-b3be.deee164049686.90aa2991e63c9.0ecd3eaad>

## **APRIL 2023**

## **Legal Notice**

Published in Custer County Chronicle on April 19, 2023



## **Location**

Custer County, South Dakota

## **Notice Text**

Town of Buffalo Gap

C462317-01

DATE: April 19, 2023

CATEGORICAL EXCLUSION DETERMINATION  
FOR THE PROPOSED  
PROJECT IN BUFFALO GAP, SOUTH DAKOTA

The South Dakota Department of Agriculture and Natural Resources (DANR) has conducted a review of a proposal from the town of Buffalo Gap located in Custer County to make improvements to their drinking water distribution system.

Buffalo Gaps water main is composed of 4-inch cast iron pipe that was installed in the 1960s. The pipe is too small to provide adequate pressures to users and has reached the end of its useful life. The project will replace all watermain throughout Buffalo Gap with 6-inch PVC pipe. These improvements will also give the town the opportunity to buy bulk water from Fall River Water Users District. Approximately 8,500 feet of 6-inch PVC watermain and related appurtenances will be installed.

The town of Buffalo Gap was awarded a \$1,147,000 Drinking Water State Revolving Fund (SRF) loan (0.0 percent 30 years) with principal forgiveness at 73.8 percent, not to exceed \$846,000. Repayment of the SRF loan will be from water surcharge revenues. Current water rates in Buffalo Gap are \$45.00 per month based on 5,000 gallons usage. A surcharge of \$10.00 is required to achieve 110 percent debt coverage.

Listed below are the reasons for granting a categorical exclusion:

1. No comments requiring mitigative action were received from the South Dakota Historical Society, South Dakota Department of Game, Fish, and Parks, United States Department of Interior, United States Army Corps of Engineers, Natural Resource Conservation Service, or through the public participation process; and
2. The project is solely directed toward minor rehabilitation of existing facilities, functional replacement of equipment, or towards the construction of new ancillary facilities adjacent or appurtenant to existing facilities.

The proposed action does not involve any serious local objections nor does it meet any of the criteria for not granting a categorical exclusion as specified in Section 6.505(c) (i) through (iii) of 40 CFR Part 6, Subpart E.

The project area will not affect any archaeological or historic resources. In the event of an archaeological or historic resource being unearthed during construction, the immediate stoppage of work would be required by the contract specifications. The new improvements should have no adverse effects on plant life or wildlife. The proposed project will have no effect on prime or important farmland. No other environmentally sensitive issues have been identified in the planning of this project. Minor noise, air

pollution, and soil erosion problems will occur during construction, but these will be only temporary in nature.

The review process did not indicate that significant environmental impacts would result from the proposed projects. Consequently, a preliminary decision not to prepare an EIS has been made. This action is taken on the basis of a careful review of the engineering report, environmental information documents, correspondence with responsible governmental agencies and other supporting data which are on file at the Division of Financial and Technical Assistance, Environmental Funding Program, DANR, Pierre, South Dakota, and are available for public scrutiny at the City Hall, Buffalo Gap, South Dakota.

Comments supporting or disagreeing with this decision may be submitted to [DANRMail@state.sd.us](mailto:DANRMail@state.sd.us) for consideration by DANR after publication of the Categorical Exclusion Determination. After evaluating the comments received, DANR will make a final decision.

---

Michael A. Perkovich  
Administrator

Published once at an approximate cost of \$41.99 and may be viewed free of charge at [www.sdpublicnotices.com](http://www.sdpublicnotices.com).

4/19

URL: <https://www.sdpublicnotices.com/?activeNotice=6694.317e9c6695d93.85c737574-2b99.8676ff382-7b70.29fc06da6-0c0d.bdd03e694-039d.48b4cc442a1a7.9471101b77a68.1ed91a8f>

## **MAY 2023**

NO MEETING NOTES FOUND AT [SDPUBLICNOTICES.COM](http://SDPUBLICNOTICES.COM)

## **JUNE 2023**

### **Legal Notice**

Published in Custer County Chronicle on July 12, 2023

### **Location**

Custer County, South Dakota

### **Notice Text**

TOWN BOARD MEETING  
PROCEEDINGS

Buffalo Gap, South Dakota June 12th 2023

The board of the Town of Buffalo Gap met in regular session at 6:03 p.m. on June 12th, 2023 at the town hall/bank building. Members present were: Trustees Hussey, Kizer and Frieden and Finance Officer Clyde. Frieden calls meeting to order. Motion by Frieden and seconded by Kizer to approve agenda. Motion by Frieden seconded by Kizer to approve Minutes from previous meeting. Pledge of Allegiance was conducted. Clyde reports financials and account balances. Motion by Hussey, seconded by Frieden to approve the following bills: Salaries and reimbursements-\$3976.00, Cheyenne Sanitation-\$1280.54, NW Pipe \$200.93, FRWUD-\$253.50, Golden West-\$43.29, BH Energy-\$1204.95, FMHA (water loan)-\$483. Amazon-\$360.58 (supplies-ink envelopes, paper, etc), Verizon-\$203.85, Golden West-42.93, CC-\$970.11 (432.88 water pump) \$182.88 (mower) , \$296 water chemicals, \$25.20 (Stamps). Payroll reviewed and accepted. Sanitation Report: No report available. Water Operations: Schmit reports on different projects needing completed with water including lid on blue tank and cleaning of the tank. Pump may be needing replaced sooner due to sand intake. Also discussed quarterly and annual water testing. Notice to all citizens on failure to monitor (report) and annual consumer confidence report. Zoelick presented information on billing and implementation of late fees. Discussion on water pits needing repairs or upgraded. Hook up fees were addressed for citizens that turn their own water on and off. Discussion on liability this creates and the ordinance does not allow citizens to do so. Board waives fees for the couple that did have fees assessed due to this; but states enforcement of this will continue. All citizens found tampering with water may receive a fine. And all water use will be billed at full rate unless citizens contact town to turn off water for at least three months uninterrupted to get a reduced rate. Engineer joins with update on water project. He presents bids for the project and discussion ensues on accepting Mainline Bid for the project with the caveat that project will be adjusted to be able to fit in the budget given. Jennifer also was present to update on the loan and next steps which is to send her invoices related to the project already incurred for reimbursement. 1.147 is secured and 846000 is in grants and the remaining through 0 percent interest loan for 30 years. To adjust the project to fit into budget they will be taking out a section of the line from upgrades and include it in phase two. Discussion on impact this project will have on citizens plumbing lines and blow outs may be likely depending on the age of citizens plumbing. Home serve insurance could be an option for citizens to pursue as a precaution. Animal control: Reported on dogs in town and calls related. Nuisance Ordinance reports: none Grounds: Clyde reports the mosquito grant has been applied for. Whites have begun their mowing season for right of ways. Maintenance: Park, mosquito spraying and alleys were discussed. Grow operation: Board gave Fanning an application for licensing to complete and return. Sales tax implementation was discussed and will be discussed more in depth in upcoming months. Auditorium board is dissolving and returning building back to town. Plans to do so are in the works. Use of building will be determined by town board for the interim. Contact board member to use. Announcements: Buffalo Gap Blow out Annual event will be held weekend of July 8th and include a COMMUNITY WIDE YARD SALE, fireworks display, rodeo, parade, vendors and more!!! Parade info contact Bev at 891-8759. Yard sale contact Troy at 515-9547. Rodeo and vendors contact Terry at 490-5947 Public

Time: None. Next Meeting: July 3rd. With no further business, Friedan adjourns meeting.

/s/ Finance Officer Heather Besco-Clyde

Published once at an approximate cost of \$38.66 and may be viewed free of charge at [www.sdpublicnotices.com](http://www.sdpublicnotices.com).

7/12

URL: [https://www.sdpublicnotices.com/?](https://www.sdpublicnotices.com/?activeNotice=e069.845b92f182920.fad2b2982-3ed9.d8a809b9-1173.19a7d4db8-070a.9c7b9e7a4-500d.40aa76b660b46.c3292df1c0df5.df0f92c42)

activeNotice=e069.845b92f182920.fad2b2982-3ed9.d8a809b9-1173.19a7d4db8-070a.9c7b9e7a4-500d.40aa76b660b46.c3292df1c0df5.df0f92c42

## **JULY 2023**

### **Legal Notice**

Published in Custer County Chronicle on August 16, 2023

### **Location**

Custer County, South Dakota

### **Notice Text**

town of

buffalo gap

TOWN BOARD MEETING PROCEEDINGS Buffalo Gap, South Dakota

July 3rd, 2023

The board of the Town of Buffalo Gap met in regular session at 6:01 p.m. on July 3rd, 2023 at the town hall/bank building. Members present were: Trustees Hussey, Kizer and Frieden and Finance Officer Clyde. Frieden calls meeting to order. Motion by Frieden and seconded by Kizer to approve agenda. Motion by Frieden seconded by Kizer to approve Minutes from previous meeting. Pledge of Allegiance was conducted. Clyde reports financials and account balances. Motion by Hussey, seconded by Frieden to approve the following bills: Salaries and reimbursements-\$3194.63, Custer Chronicle-\$165.05, Cheyenne Sanitation-\$1280.54, NW Pipe \$200.93, FRWUD-\$253.50, Golden West-\$43.29, BH Energy- \$996.28, FMHA (water loan)-\$483. Amazon-\$287.55 (supplies), Verizon-\$203.85, Golden West-42.93, CC-\$1084.05 (hydr. oil/water tester, door locks (199,20) , stamps (56.91), chemicals (291.15), FO training hotel/fuel (536.74). Payroll reviewed and accepted. Sanitation Report: sanitation board is going well. For more detailed information contact Daniel. Water Operations: Schmit reports on water department. A failure to monitor was issued. The monitoring of the system was

conducted; it was the reporting of the results in a timely manner that was missed. This has been corrected and notice given. All other testing and reporting is current and up to date. Possible leaks in the system are being identified, monitored and plan of action pursued. Discussions were held on the community center and possible uses and management of building when transitioned back to the town board. Repairs will be needed. Open to the public for events such as funerals will still be an option in the interim but limited use until a plan is formed. Please contact a board member for use and more information re: community center. Interested citizens should contact the board if theyd like to help form a committee to brainstorm the future of the community center. Discussion on upcoming Blow out, garage sales, fireworks display and other rodeo events were held briefly. Discussion on mosquito spraying and receiving a grant to do so were held. Also short discussion on the marijuana grow facility were held. No action taken. One application currently out for marijuana cultivation in the city limits. Public Time: None. Next Meeting: August 7th. Daniel will be at basic training and Terry Kizer will be taking over the role of President of the board in the interim. Thank you Daniel for your service to our Country. With no further business, Friedan adjourns meeting. Published once at the approximate cost of ( )  
/s/ Finance Officer  
Heather Besco-Clyde

Published once at an approximate cost of \$27.91 and may be viewed free of charge at [www.sdpublicnotices.com](http://www.sdpublicnotices.com).  
8/16

URL: <https://www.sdpublicnotices.com/?activeNotice=b0be.256514c28c10d.4fa04a982-be7b.6b49d333-4c66.d7d69f2b1-96b8.4ec606e4c-7656.eb71cb2e23c5a.43b7a2026fe92.b5fa88b2e>

## **AUGUST 2023**

### **Legal Notice**

Published in Custer County Chronicle on September 13, 2023

### **Location**

Custer County, South Dakota

### **Notice Text**

TOWN BOARD MEETING  
PROCEEDINGS Buffalo Gap, South Dakota  
August 7th, 2023

The board of the Town of Buffalo Gap met in regular session at 6:03 p.m. on August 7th, 2023 at the town hall/bank building. Members present were: Trustees Hussey, Kizer and Finance Officer Clyde. Kizer calls meeting to order. Motion by Hussey and seconded by Kizer to approve agenda. Motion by Hussey seconded by Kizer to approve Minutes from previous meeting. Pledge of Allegiance was conducted. Clyde reports financials and account balances. Motion by Hussey, seconded by Kizer to approve the following bills: Salaries and reimbursements-\$3194.63, Powerhouse-\$57.99, Custer Chronicle-\$38.66, ACE-\$26 park paint, Midcontinent-\$1784.50, Croell- 888.80, FRWUD-\$253.50, McGas-\$848.83, Golden West-\$42.83, BH Energy-\$1166.16, FMHA (water loan)-\$483. Amazon-\$120.69 (supplies), Verizon- \$203.85. Payroll reviewed and accepted. Clyde reports on submission of first reimbursement from the State Water Loan for the water project. Sanitation Report: No report. For more detailed information contact Daniel. Water Operations: Clyde reports on water payment options and states credit cards can be processed but with a high convenience fee that the customer must pay. She also reports into ACH payments and remote deposits. All of which cost a lot more than anticipated and can't be justified for the amount it will cost at this time. Other forms of payment accepted are direct deposit at any First Interstate Bank, paypal, check or money order to Town of Buffalo Gap PO Box 295 or drop box. Schmit reports on water department operations. He states a mini excavator is needed for the dirt work and got an estimate of \$300 a day plus \$90 delivery fee. Discussion on use of Rural Water to help with repairs. Few repairs are needed in town and rental will become necessary if equipment can't be found. Will continue to monitor leaks and have parts on hand to repair. Also getting quote for costs to clean tanks. He also presents information on a water tasting competition and entertains notion of participating. A failure to monitor was issued. Animal Control: Not available. Need to ask Deines if intends to continue. Nuisance: None reported currently. Maintenance Department: Update by White on the mowing and branch pick up. Community Center: Discussion on future use and plan. No motions made. Chris Rosaaen will be contacted to give estimates on repairs. Cans for recycling will be discontinued. Cans will be disposed of and sign placed to request no more collecting cans on sight. Marijuana Protest. Citizens voiced concerns and presented board with 66 signatures of locals against the cultivation application that was requested from board recently. Lengthy discussion of dissent for the cultivation site included topics of concern such as odor, location, security, morals, etc. Discussion ensued from legal counsel as well as the board. Board states ordinance was published, notice given and all protocol followed in 2021 that allowed for the cultivation license to be issued. Forrest Fanning asks citizens to join him and his group to discuss openly the cultivation license and agrees to rent Auditorium first weekend of September to host discussion before he completes his application for submission. He also discusses the positives of the cannabis cultivation facility for the town including jobs as well as counters many arguments such as regulations for air quality and odor. Lengthy discussions on both sides ensue. Legal counsel states the ordinance can be amended at the request of the board or by initiative but if application is turned it prior, that will not stop the current licensing. Board discusses limiting the dispensary in prior ordinance but were unaware of the allowance of the other licensing types. Further information and research should continue to make an informed decision and course of action. No motions made or requests to amend at this time. Board requests there be another public regular

meeting in which Forrest is given the opportunity to present his plan and address citizens concerns. Meeting will be held September 2nd at the Auditorium. Everyone welcome and open to the public. After which, the board would like to continue the discussion with citizens and Forrest on the cultivation license at the next regular meeting to be held at the Auditorium on September 5th at 6 PM. Public Time: See prior. Next Meeting: Sept 5th. (TUESDAY) due to holiday and will be held at the Auditorium. With no further business, Kizer adjourns meeting.

/s/ Finance Officer  
Heather Besco-Clyde

Published once at an approximate cost of \$43.90 and may be viewed free of charge at [www.sdpublicnotices.com](http://www.sdpublicnotices.com).  
9/13

URL: <https://www.sdpublicnotices.com/?activeNotice=e326.6b9d83eb86b38.58be55c6-ba53.a8b64a82f-32b7.8c0f1e094-570b.06a85a0f2-0eac.c9a2412566408.c25e2f6929250.cb74a4fec>

## **SEPTEMBER 2023**

### **Legal Notice**

Published in Custer County Chronicle on September 20, 2023

### **Location**

Custer County, South Dakota

### **Notice Text**

Town of Buffalo Gap

Regular Town Board Meeting Minutes  
September 6th 2023

The board of the Town of Buffalo Gap met in regular session at 6:15 p.m. on September 6th, 2023, at the auditorium. Members present were Trustees Hussey, Kizer and Finance Officer Clyde. Kizer calls meeting to order. Motion by Hussey and seconded by Kizer to approve agenda. Motion by Hussey seconded by Kizer to approve minutes from previous meeting. A Pledge of Allegiance was conducted. Clyde reports financials and account balances. Motion by Hussey, seconded by Kizer to approve the following bills: Salaries and reimbursements-\$2456.40, Cheyenne Sanitation-\$1200.00, Custer Chronicle-\$27.91, FRWUD-\$253.50, Midcontinent Testing-\$1409.75, Douglas Steletton (back hoe purchase)-\$8,250, Lance Russell (legal)-\$219.00, IRS- SS and Medicare

quarterly-\$791.83, BHE Golden West-\$42.83, BH Energy \$1097.89, FMHA (water loan)-\$483. Verizon-\$203.85. Payroll included, reviewed, and accepted with bills. Discussion was held on a comment made on social media regarding town account balances and the board points out the information being used is outdated and taken out of context. Troy Schmit reports on water operations. States a backhoe was purchased for \$8,200 from a private seller and is intended to be used by the town to complete their own repairs of water mains and other tasks such as clearing driveways in winter if needed. He also states the tanks need cleaned again as it has been three years and provides quote from divers at \$3,900 to clean and inspect tanks. Discussion was held robotic tank cleaning (not being done) and how tanks will be cleaned (hydro-vacuum by divers). Citizen question about having to pay an increase fee in water for the water project but not seeing any work done. Clyde and others report on the process and state bids accepted from Mainline, the next planning meeting coming up, reimbursement of \$99,000 expended already being processed currently, and that action is happening regardless of being seen or not. Also discuss the rate increase being part of the loan agreement and is to insure proper repayment. The loan is the amount (\$385000) not covered by the grant and is at a 0 percent interest rate for 30 years to upgrade lines in the water system. No other discussion or motions made. Animal Control: Clyde reports not reaching out to enforcer Deines and will do so this coming month to determine if he's still interested in the voluntary position or if we should consider appointing another due to his extended travel plans. Nuisance complaints: none reported. Maintenance Department: Declines and states will update the next meeting due to agenda length and public participation. Building and grounds: Kizer reports he and Chris Rosaeen have been looking at the damage the auditorium has incurred Including the roof and the hail damage. After discussion, the board requested to make a claim for insurance on damage to roof due to hail. Clyde will pursue filing a claim and report back. Board approves Schmit to proceed with contracting for tank cleaning services. Board reports- none. New Business: Rural ,ailboxes-tabled. Sales Tax-Clyde presents some information on sales tax and states it will be discussed in upcoming meetings for consideration. Citizen asks when it will be implemented and Clyde states only two times a year that can occur and doesn't anticipate it until at least July of next year if it does. Previously the board has also stated the sales tax will only be implemented after putting it to a vote of the citizens at the next election which is set to be Spring of 2024 if a municipal election is to be held. Next was a lengthy discussion, Q&A, recommendations, ideas, and thoughts shared by those that signed up at the door to speak on the issue of the cannabis cultivation license application that was taken out and anticipated to be filed with the Town. A number of individuals offered their thoughts, concerns, and opinions on the issue. Christine Wells started and addressed the board with her recommendations and experience. She recommended at minimum two studies should be conducted before issuing said licensing: environment study and utility study. Concerns regarding both were echoed throughout the evening by others as well. She also recommends the expense for said studies should fall on applicant. Legal counsel for the town board was available and offered their opinion of the situation for board consideration. Lance Russell states the ordinance was not written by him but one of the model ordinances offered by the municipal league and is the one that didnt offer zoning considerations. He states he can amend our ordinance to have more regulations and



strengthen the application process to address concerns discussed if the board would like to authorize him to do so. He also states due to time restraints and rights that it does not change the current applicant if his application is filed prior to amended ordinance being finalized. Some citizens voiced their concern of said legal counsel and felt he was not protecting the town or citizens and recommended the board to do so. Heather Clyde follows echoing the board, herself, and the citizens of Buffalo Gap failed due to the lack of public participation in general and specifically at meetings and that the time for this discussion has long passed and we need to focus on the options available now to the board. Chris Rosaaen echoed this as well and encouraged some individuals to step down due to said failures and offering no further solution. Its apparent many are against the issuing of licenses for cannabis cultivation and cannabis in general. Its also apparent the applicant intends to file in the immediate future and most likely prior to amending ordinance as it is a lengthy process. The discussion over last month or two has highlighted a number of things that could have been addressed regarding issues at hand or at least provide more information to make an informed decision regarding the licensing and to help regulate the cannabis industry in town. Discussions continued and will continue regarding cannabis industry and our small town. With the intention of the license applicant filing before next meeting a motion by Kizer was made to authorize attorney to redraft ordinance to limit licensing of other types as originally intended, add zoning requirements and strengthen the license application process to help address and resolve issues discussed and once its drafted there will be a special meeting to hold first reading of amended ordinance. Seconded by Hussey. Motion passes. A question on whether this would suspend current license application was asked and it was determined it would not. If a license is applied for before ordinance is amended officially it will be based on current ordinance, notice will be published, and hearing will be held, and board will have to vote on whether to pass or deny the license. All other applications in the future and renewals will be regulated by the amended ordinance if passed. Although discussions could continue, and side bar conversations did continue; the board gathers the attention of everyone and requests to move on with the agenda. Budget 2024: Clyde presents and reads Ordinance 2023-01 Budget appropriations Ordinance for 2024. After reading, motion by Kizer seconded by Hussey to approve and set for second reading at next meeting and then vote. Wind cross Lease: Clyde reports the lease with Windcross is set to expire this year and if board did not want to auto renew current lease as is they will need to provide notice. Motion by Kizer and seconded by Hussey to authorize issuing a notice of non-renewal with Windcross who also agrees, and to commence negotiations at the next meeting regarding lease of land again and any other options presented by either. Halloween Party: Blowout committee will be hosting Halloween party again this year and requests use of auditorium and to have rental fee waived. Motion by Hussey and seconded by Kizer to approve. Hussey also states cemetery committee would like to host meeting in auditorium later this week and to waive fee. Motion by Kizer and seconded by Hussey to allow said use. Public time: Recommendations on communication between board and community were discussed further. Ideas include agenda in with water bills, mass email, social media, etc. No motions made. With no further business and due to length of meeting at hand; motion by Kizer to adjourn. Next regular meeting to be held on October 2nd, 2023, at 6 p.m. in the community center.

Published once at the total approximate cost of \$78.78 and may be viewed free of charge at [www.sdpublicnotices.com](http://www.sdpublicnotices.com).

9/20

URL: <https://www.sdpublicnotices.com/?activeNotice=7fd9.76b66e5843405.2379dd0b6-119d.d7e089e1e-1f86.39b2dea5a-f5c6.54510eab6-bc60.32affa3966fa3.68775a3465076.f61ead6dc>

## **Legal Notice**

Published in Custer County Chronicle on September 13, 2023

## **Location**

Custer County, South Dakota

## **Notice Text**

NOTICE OF  
PUBLIC  
HEARING  
BUFFALO GAP TOWN BOARD OF TRUSTEES  
ORDINANCE #2023-03  
AN ORDINANCE  
ZONING CANNABIS  
ESTABLISHMENTS IN THE TOWN OF BUFFALO GAP,  
SOUTH DAKOTA.

The Buffalo Gap Town Board of Trustees will hold a public hearing on September 25th, 2023 at 6 p.m. at Auditorium located at 29 Main Street Buffalo Gap SD. All interested persons are encouraged to attend in person and comment on Ordinance #2023-03.

After the public hearing, the Town Board of Trustees may have first reading of Ordinance #2023-03 by title, with or without amendment, and set a 2nd reading date.

The proposed Ordinance #2023-03 will be made available for public inspection at the \_\_\_\_\_ located at Town Hall, 200 Main Street Buffalo Gap SD.

Written comments may be filed by emailing the Town Clerk at [buffalogPsd@outlook.com](mailto:buffalogPsd@outlook.com) or by mailing them to the Town Clerk at PO Box 82 Buffalo Gap SD, SD 57722 on or before noon on September 23rd 2023.

Published once at the approximate cost of \$13.89 and may be viewed free of charge at [www.sdpublicnotices.com](http://www.sdpublicnotices.com).

9/13

URL: <https://www.sdpublicnotices.com/?activeNotice=53a7.b5c813cf1271e.4c1f53b9e-e8d2.be413839d-b512.00938a9b4-d886.414804156-4efa.766af2212d3ad.dfbecfcabf54.627aadf26>

## **Legal Notice**

Published in Custer County Chronicle on October 11, 2023

## **Location**

Custer County, South Dakota

## **Notice Text**

Town of Buffalo Gap  
Regular Town Board Meeting Minutes- September 26th 2023

The board of the Town of Buffalo Gap met in special session at 6:05 p.m. on September 26th, 2023, at the auditorium. Members present were Trustees Hussey, Kizer and Finance Officer Clyde. Kizer calls meeting to order. Motion by Hussey and seconded by Kizer to approve agenda. A Pledge of Allegiance was conducted. Kizer states the purpose of said meeting is to introduce and hold hearing on Ordinance 2023-03 a zoning ordinance regarding cannabis establishments. The ordinance was read in its entirety and then opened up for discussion. A number of people interjected comments and questions. After discussion was determined by board to pass ordinance on to the second reading at the next regular board meeting. With no further business; Kizer motions to adjourn. Next regular meeting will be held October 2nd 2023 at 6 pm in the Auditorium.

Published once at an approximate cost of \$11.05 and may be viewed free of charge at [www.sdpublicnotices.com](http://www.sdpublicnotices.com).  
10/11

URL: <https://www.sdpublicnotices.com/?activeNotice=d4ea.a384044e5eea0.1a79aec9-74eb.20cdb84c4-4165.832d9252-e8af.fc692f696-43cd.5c211b2f6a19e.18d93f7024d62.143846423>

## **OCTOBER 2023**

## **Legal Notice**

Published in Custer County Chronicle on October 18, 2023

## **Location**

Custer County, South Dakota

## **Notice Text**

Town of Buffalo Gap

Regular Town Board Meeting Minutes- October 2nd, 2023

The board of the Town of Buffalo Gap met in regular session at 6:03 p.m. on October 3rd, 2023, at the auditorium. Members present were Trustees Hussey, Kizer and Finance Officer Clyde. Kizer calls meeting to order. Motion by Hussey and seconded by Kizer to approve agenda. Motion by Hussey seconded by Kizer to approve minutes from previous special and regular meeting. A Pledge of Allegiance was conducted. Clyde reports financials and account balances. Motion by Hussey, seconded by Kizer to approve the following bills: Salaries and reimbursements-\$2156.60, Cheyenne Sanitation-\$1364.08, Custer Chronicle-\$164.48, FRWUD-\$253.50, Helms-\$77,523.00 (engineers), Powerhouse-\$43.41, BHE- \$1097.81, Golden West-\$42.83, BH Energy-\$1097.89, FMHA (water loan)-\$483. Verizon-\$203.85. Payroll included, reviewed, and accepted with bills. Clyde addresses the previous meeting topic of blaming and insinuating some should step down. Clyde states she's been employed with the board for 16 years and hopes if she is doing something the board does not agree with or is unhappy about, they will let her know. She also states she intends to resign after four years, putting her total service time at 20+ years. Anyone interested in taking over the position should contact Clyde and begin training soon to help with the transition. Clyde had also addressed the comment in reference to board members through social media stating that being in the National Guard and having temporary health issues doesn't warrant the call for resignations in her opinion and thanks the board for their service. The 2024 budget ordinance was presented to the board for second reading and review. Clyde also reports on the supplemental budget for this year that she will be presenting next month to account for the difference not budgeted regarding the water project outstanding balances and that the funds would come from the loan recently approved for. Animal Control: Clyde states Deines has resigned as animal control officer. The board asks for volunteers and opens it up for discussion on how to encourage someone to fill the position and entertains the idea of providing a wage in addition to the current stipend. No motions made. No volunteers were identified (until later in the meeting when one individual Margaret Lamont offered her help and agreed to consider it and let the Board know by the next meeting). One citizen report on another citizen being bitten while walking past a residence. The board was asked how they intended to handle. As this is the first report of this incident, the board would need time to address. No motions made. Nuisance complaints: none reported. No reporter has volunteered for this position either and anyone interested should contact a board member. Also, anyone with complaints has to contact board members in the interim to investigate. Maintenance Department: Steve White presents on grounds and requests use of the tin shed behind fire hall to store mower during winter. The lock has been repaired and it's empty. The board states that would be fine. Other ideas were the old fire hall, but no one has gotten an answer from the current fire chief regarding use of that building. White offers to

approach to discuss with fire chief and board encourages him to do so. Solenoid going out on mower and may need replaced soon. Discussion was also held on auditorium and turning in the roof damage due to hail with insurance co. Clyde is in the process of doing so and will need estimates for the damage. Chris Rosaaen offers to provide. Mailboxes: Discussion on the topic including plan to move when Hussey health allows, how and why the decision to move boxes were reached, etc. No motions made. Sales Tax: Board moves to table topic. Water Operator: Discussion on new equipment purchase, repair of two leaks, identification of other possible leaks in town, etc. Was determined a 35% loss was reported last month between pumped vs. sold and are hoping to see a decrease next month with the two leaks fixed. Backhoe will need new tires soon. Motion by Hussey and seconded by Kizer to approve the purchase of tires for backhoe. Schmit will do so. Clyde presents on Western SD community action and their water assistance program. The department has provided seven low income households with two months of water services and those folks will receive notice of this in their next invoice. Anyone having troubles paying water bill or facing disconnection are encouraged to reach out to WSDCAP in Rapid City. Ordinance 2023-03 An ordinance regulating cannabis establishments and limiting licenses for such to two dispensaries only and the zoning pertaining to these was presented for second reading. Motion by Hussey and seconded by Kizer to accept the ordinance and put it to a vote. All in favor, motion passes. Windcross Conservancy: Lawyer presented board with the letter of nonrenewal to board for consideration. The board agrees to give a letter to Windcross. This letter expresses interest in negotiating new terms of the lease and or other options. The board offers Windcross until October 31st to present a new offer to the board for consideration. Windcross agrees they do not want to enter into the same lease as in previous years and will consider providing an offer to the Board by 31st. Website: Herman Wells presents board with a quazi Town Website and offers board receipt of services for providing and running site for year. Wells would like the board to consider adopting this website and continuing using it. He states services will continue as if the board agrees for free for one year at which point, they can renegotiate; but domain is good, and the board owns it for 3 years. Wells states its his solution to the concerns of citizens not being kept informed. Discussion was held on costs, the rogue nature of developing site on behalf of Board, maintenance, legalities, concerns, and possible use of website, as well as other free or low-cost websites including the State sponsored site that hosts local webpages. Wells would like an answer by the next meeting on whether the board would like to continue his hosting of the site as an official town board website. Clyde and the board thanks Wells for his work and donation. No motions made. Public time: None offered. With no further business and due to length of meeting at hand; motion by Kizer to adjourn. Next regular meeting to be held on October 2nd, 2023, at 6 pm in community center.

Published once at an approximate cost of \$60.47 and may be viewed free of charge at [www.sdpublicnotices.com](http://www.sdpublicnotices.com).

URL: <https://www.sdpublicnotices.com/?activeNotice=184b.7752eb336ce4f.699f623f9-d048.fa2d5a042-d442.6e9910688-aa17.919cb3a66-0a9f.0e540c2348f1e.f9e04044e3a54.8f0dba01c>

## Legal Notice

Published in Custer County Chronicle on October 18, 2023

## Location

Custer County, South Dakota

## Notice Text

town of buffalo gap Ordinance 2023-\_\_\_\_\_

Be it ordained by the Town of Buffalo Gap, Custer County,  
that the following sums are

311.01 Property Taxes - Current \$9,100.00  
311.02 Property Taxes - Delinquent \$2,106.00  
319.00 Penalties and Interest on Del Taxes \$260.00  
320.00 License and Permits \$5,000.00  
321.00 Alcoholic Beverage License \$1,800.00  
335.00 State Shared Revenue \$10,188.00  
335.01 Bank Franchise Tax \$195.00  
335.03 Liquor Tax Reversion \$920.00  
335.04 Motor Vehicle Licenses \$5,603.00  
361.00 Investment Earnings \$510.00  
Total \$35,682.00

### ROAD AND STREET FUND

335.08 Local Govt Highway and Bridge Fund \$23,030.00  
338.03 County Wheel Tax \$16,492.00  
Total \$39,522.00

### WATER FUND REVENUE

340.00 Charges for Goods and Services \$47,000.00  
344.00 Sanitation \$19,000.00  
Total \$63,000.00

*TOTAL REVENUE \$138,204.00*

## TOTAL EXPENDITURES

The following designates the fund or funds, the money derived will be applied to the following sources:

411.1 Board, Council, or  
411.00 Salaries and Wages \$2,500.00  
412.10 Employer Share OASI \$212.00  
421.00 Insurance \$4,200.00  
422.00 Services and Fees \$3,200.00  
423.00 Publishing \$2,800.00  
425.00 Repairs and Maintenance \$1,200.00  
426.00 Supplies and Materials \$4,500.00  
427.00 Travel and Conference \$500.00  
428.00 Utilities \$6,200.00  
434.00 Machinery and Equipment \$1,800.00  
Total \$27,112.00

414.2 Finance Officer  
411.00 Salaries and Wages \$9,600.00  
412.10 Employer Share OASI \$260.00  
426.00 Supplies and Materials \$2,000.00  
427.00 Travel and Conference \$300.00  
434.00 Machinery and Equipment \$500.00  
Total \$12,660.00

414.1 Attorney:  
422.00 Services and Fees \$1,500.00  
Total Attorney \$1,500.00

419.2 General Government  
425.00 Repairs and Maintenance \$1,900.00  
411.00 Salaries and Wages \$1,800.00  
412.10 Employer Share OASI \$250.00  
Total General Government \$3,950.00

422 Fire:  
421.00 Insurance \$1,000.00  
Total Fire \$1,000.00

431 Highways and Streets:  
411.00 Salaries and Wages \$12,000.00  
412.10 Employer Share OASI \$800.00  
422.00 Services and Fees \$1,200.00  
425.00 Repairs and Maintenance \$3,000.00  
426.00 Supplies and Materials \$18,000.00  
428.00 Utilities \$4,200.00  
Total Highways and Streets \$39,200.00  
432 Sanitation:  
422.00 Services and Fees \$18,000.00

Total Sanitation \$18,000.00

Water Department:

411.00 Salaries and Wages \$9,200.00

412.10 Employer Share OASI \$650.00

421.00 Insurance \$500.00

422.00 Services and Fees \$9,000.00

425.00 Repairs and Maintenance \$19,000.00

426.00 Supplies and Materials \$12,000.00

427.00 Travel and Conference \$800.00

428.00 Utilities \$4,000.00

Total Water Department \$55,150.00

470 Debt Service:

441.00 Debt Service \$12,000.00

Total Debt Service \$12,000.00

*TOTAL EXPENDITURES \$85,150.00*

The finance officer is directed to certify the max estimated dollars of \$35,682 to the County Auditor for tax levy purposes.

\_\_\_\_\_  
/s/ President of Board of Trustees Date

Published once at an approximate cost of \$74.61 and may be viewed free of charge at [www.sdpublicnotices.com](http://www.sdpublicnotices.com).

10/18

URL: [https://www.sdpublicnotices.com/?](https://www.sdpublicnotices.com/?activeNotice=de71.1b7075a628e7c.bbcd7f2d8-7648.97c12c77-cfbf.9118408da-38d1.ef9b9994c-de6c.995e80bfad6d1.d22df7d282820.aaae68c3)

[activeNotice=de71.1b7075a628e7c.bbcd7f2d8-7648.97c12c77-](https://www.sdpublicnotices.com/?activeNotice=de71.1b7075a628e7c.bbcd7f2d8-7648.97c12c77-cfbf.9118408da-38d1.ef9b9994c-de6c.995e80bfad6d1.d22df7d282820.aaae68c3)

[cfbf.9118408da-38d1.ef9b9994c-de6c.995e80bfad6d1.d22df7d282820.aaae68c3](https://www.sdpublicnotices.com/?activeNotice=de71.1b7075a628e7c.bbcd7f2d8-7648.97c12c77-cfbf.9118408da-38d1.ef9b9994c-de6c.995e80bfad6d1.d22df7d282820.aaae68c3)

## **Legal Notice**

Published in Custer County Chronicle on October 18, 2023

## **Location**

Custer County, South Dakota

## **Notice Text**

town of

buffalo gap

ORDINANCE NO. 2023-03



AN ORDINANCE ENTITLED, AN ORDINANCE ZONING CANNABIS  
ESTABLISHMENTS IN THE TOWN  
OF BUFFALO GAP,  
SOUTH DAKOTA.

BE IT ORDAINED by the TOWN BOARD of the TOWN of BUFFALO GAP, South  
Dakota:

2023-03.01. Prohibited Uses:

All uses and structures not specifically listed as a permitted use, special permitted use,  
or as a conditional use shall be prohibited in the TOWN OF BUFFALO GAP.

2023-03.02. PERMITTED USES: CANNABIS DISPENSARIES.

1. Maximum Number of Cannabis Dispensaries.

a. In the development and execution of these regulations, it is recognized that there are  
some uses which because of their very nature, are recognized as having serious  
objectionable operational characteristics, particularly when several of them are  
concentrated under certain circumstances thereby having a potential deleterious effect  
upon the adjacent areas. Special regulation of these uses is necessary to ensure that  
these adverse effects will not contribute to the blighting or downgrading of the  
surrounding neighborhood. The primary control or regulation is for the purpose of  
preventing a concentration of these uses in any one area.

b. The TOWN of shall allow up to TWO (2) cannabis dispensaries provided the time,  
place, and manner of said dispensaries comply with this ordinance.

2. Required Separation Distances

a. A cannabis dispensary shall be located not less than 1000 feet from a public or  
private school existing before the date of the cannabis dispensary application;

b. A cannabis dispensary shall be located not less than 1000 feet from a CHURCH,  
PUBLIC PARK, LIBRARY, DAYCARE FACILITY existing before the date of the cannabis  
dispensary application;

c. A cannabis dispensary shall be located not less than 100 feet from a RESIDENCE  
existing before the date of the cannabis dispensary application;

d. Exemption from separation requirements. Any separation distance requirement, other  
than the State requirement from schools (1,000 feet), may be waived, provided:

i. The applicant provides documentation waiving the setback requirement from the title  
holder of the land benefiting from the separation.

e. Prescribed separation/setback distances from certain existing uses are to be  
measured from the lot line of the property where the dispensary is proposed.

3. Other Locational Requirements

a. Permanent or temporary dispensaries are prohibited from and not eligible for a home  
occupation use.

b. It shall be unlawful to operate a dispensary in a building which contains a residence  
or a mixed- use building with commercial and residential uses.

4. Controlled Access - No cannabis establishment shall share premises with or permit  
access directly from another medical cannabis establishment, business that sells  
alcohol or tobacco, or, if allowed by law, other cannabis establishment.

5. Hours of operation:

a. Cannabis dispensaries are allowed to be open between the hours of 10 a.m. and 6 p.m. Monday through Saturday.

6. Documentation of State Licensure.

a. No cannabis dispensary shall acquire, possess, store, deliver transfer, transport, supply or dispense cannabis, cannabis products, paraphernalia without providing documentation of licensure from the State of South Dakota.

7. The Town Board is authorized to issue permits (building/use) for cannabis dispensaries subject to following:

a. Submission of a site plan containing the following:

i. Any information required for applicable building permit;

ii. Ingress and egress plan;

iii. Parking plan;

iv. Lighting plan (including security lighting);

v. Screening/security fencing plan;

vi. Refuse plan;

vii. Sanitary sewer/septic plan meeting all federal, state and local laws, ordinances and regulations;

viii. Hours of Operation;

ix. Any other information as lawfully may be required by the Town Board to determine compliance with this ordinance.

b. Documentation of ability to meet setback/separation requirements.

c. Documentation of State Licensure.

8. All Cannabis Establishments are required to be constructed in conformance with the 2021 Edition of the International Building Code and International Fire Code.

2023-03.03. DEFINITIONS of the Zoning Ordinance are as follows:

1. Cannabis (or Marijuana): all parts of any plant of the genus cannabis, whether growing or not, in its natural and unaltered state, except for drying or curing and crushing or crumbling. The term includes an altered state of marijuana absorbed into the human body. The term does not include fiber produced from the mature stalks of such plant, or oil or cake made from the seeds of such plant. The term does not include the plant Cannabis sativa L. (hemp) and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than three-tenths of one percent on a dry weight basis.

2. Cannabis Cultivation Facility: in addition to the definition in SDCL 34-20G-1, this term is further defined as a legally licensed entity that acquires, possesses, cultivates, delivers, transfers, transports, supplies, or sells cannabis and related supplies to a cannabis establishment.

3. Cannabis Dispensary: in addition to the definition in SDCL 34-20G-1, this term is further defined as a legally licensed entity that acquires, possesses, stores, delivers, transfers, transports, sells, supplies, or dispenses cannabis, cannabis products, paraphernalia, or related supplies and educational materials.

4. Cannabis Establishment: a cannabis cultivation facility, a cannabis testing facility, a cannabis product manufacturing facility, or a cannabis dispensary.

5. Cannabis Product Manufacturing Facility: in addition to the definition in SDCL 34-20G-1, this term is further defined as a legally licensed entity that acquires,

possesses, manufactures, delivers, transfers, transports, supplies, or sells cannabis products to a cannabis dispensary.

6. Cannabis Products: any concentrated cannabis, cannabis extracts, and products that are infused with cannabis or an extract thereof, and are intended for use or consumption by humans. The term includes edible cannabis products, beverages, topical products, ointments, oils, and tinctures.

7. Cannabis Testing Facility: in addition to the definition in SDCL 34-20G-1, this term is further defined as a legally licensed entity legally authorized to analyze the safety and potency of cannabis.

---

Town Board President  
Town of Buffalo Gap, South Dakota

---

Finance Officer  
Town of Buffalo Gap, South Dakota  
1st Reading:  
2nd Reading:  
Date Adopted:  
Date Published:  
Effective Date:

Published once at an approximate cost of \$77.52 and may be viewed free of charge at [www.sdpublicnotices.com](http://www.sdpublicnotices.com).  
10/18

URL: <https://www.sdpublicnotices.com/?activeNotice=0d0d.a6f3bcf8808ca.81c02559c-9504.da25f4044-abb7.02553364d-bc23.0687af3f-5b77.8deb1af725486.699bd4d8acd42.bf4d22ff8>

## **NOVEMBER 2023**

### **Meeting Minutes**

Published in Custer County Chronicle on December 13, 2023

### **Location**

Custer County, South Dakota

### **Notice Text**

Town of Buffalo Gap  
Regular Town Board Meeting Minutes  
NOVEMBER 6TH, 2023

The board of the Town of Buffalo Gap met in regular session at 6:03 p.m. on November 6th, 2023, at the auditorium. Members present were Trustees Hussey, Friedan, and

Finance Officer Clyde. Friedan calls meeting to order. Motion by Hussey and seconded by Friedan to approve agenda. Motion by Hussey seconded by Friedan to approve minutes from previous regular meeting with the correction of adding Ty Fish to the list of bills for trailer use. A Pledge of Allegiance was conducted. Clyde reports financials and account balances. Motion by Hussey, seconded by Friedan to approve the following bills: Salaries and reimbursements-\$2456.40, Cheyenne Sanitation-\$1364.08, FRWUD-\$247, ACE-\$17.94, Helms-\$5250 (engineers), SD One Call -\$3.15, Mainline-\$182616.87, BHE-\$1097.81, Golden West-\$43.36, CC- \$1273.62 (postage, water heater, metal detector, Hawkins, FMHA (water loan)-\$483. Verizon-\$203.85. Payroll included, reviewed, and accepted with bills. Insurance Walk Thru: The walk through will be later this month and Ray has volunteered to conduct with the help of Troy if needed. The Old Fire Hall- was discussed as it is insured through the town. Ray mentions it is locked by the Fire Department on one side and would like to have access to it to get an accurate value for insurance walk through. Steve White had mentioned previously trying to talk to the Fire Chief about the plan for their side of the old fire hall but has not done so. Ray will attempt too as well. Supplemental Budget to 2023: Clyde presents supplemental budget to address the shortage of funds budgeted regarding the water project this year. Read budget in its entirety, second reading and vote next meeting. These funds for this supplemental budget are the funds received from the state on reimbursement basis that was not previously accounted for in the budget this year due to unreliable time frame of the project and how much of the project would be completed. Finance in general: Citizens presented several questions regarding the previously passed budget and financial reports of the town. Discussions were held on not being able to locate certain costs but was corrected that the payment in question was included in the minutes last month. Citizens asking for annual end of the year expenses report and Clyde states the annual yearend report is published and hosted on state website for public viewing every year. As well as expenses published monthly. Clyde reports that annually she submits a report to our lenders on the financial status of the town. She also provides the state with a year-end report in March of every year. She also provides the board with monthly or quarterly at minimum reports on the financial state of the Town. She requests guidance from the board if needing more or different reporting. Citizens state there are a lot of different accounting styles and also rumors being passed regarding the town finances but no justification for these rumors or issues could be identified clearly. Citizens state the finances need more attention to make sure its being done correctly. Clyde has repeatedly provided financial information to individual citizens as requested and continues to provide the necessary information for publishing and state reporting as needed. Surcharge: Discussion about why the board chose to pursue a \$12 surcharge over the \$10 required by the loan providers was held. The board discusses their reasons for wanting to collect additional \$ and planning for any unplanned costs and serve as a buffer. Financing of Water project: More questions regarding the financing of the current water project such as why some of the project was cut, why we received less funding than anticipated, etc. The board addresses these topics again. Reminds citizens that the BH local council of government had came during the process and explained things like debt/income ratio and rationales of the changes, etc. and had done a very good job doing so before we committed to the project. Clyde states she can have Jennifer come again, if need be, to help answer questions again if

needed. 2024 Budget Appropriations Ordinance: After lengthy discussions; board moves to accept budget ordinance for second reading and holds vote. All in favor; ordinance passes. Water: Schmit reports on water operations. Tanks are on the list to be cleaned and inspected soon. A new leak was located and Schmit reports water may be shut off for the repairs. They will be replacing a meter pit at the same time they repair the leak. Pumped vs. Sold showed a loss rate of 35%. Schmit reports having to adjust the chlorine levels and it may have gotten noticeably higher. Citizens were informed they may have physically noticed a smell or change but the pump is set to never allow it to pump chlorine to unsafe levels so that is not an issue to be concerned with. Discussion on communication plan to inform residents of emergency situations such as water disruptions. Clyde and Schmit are working on keeping individuals informed; but as always, the best way is word of mouth and talking to ones neighbors. The board will continue to find other means of communication as well. Animal Control: Margeret Lamonts volunteers to be animal control officer and has met with town attorney to address concerns and issues. Motion by Hussey, seconded by Friedan to accept Lamont as dog control officer. Nuisance complaints: none reported. No reporter has volunteered for this position either and anyone interested should contact a board member. Also, anyone with complaints must contact board members in the interim to investigate. Maintenance Department: Mowing went late into the season but is done; the Whites report. Grounds: Roof estimates for auditorium are being compiled. Progress on pipes being laid was held. Mailboxes: Discussion on the topic including plan to move when Hussey health allows, how and why the decision to move boxes were reached, etc. No motions made. Sales Tax: Board moves to table topic atier pointing out funding such as this increases or income/debt ratio and could open more sources of funding. Wind cross Lease: Roda presented a counteroffer to the town to consider. The board requests more time to review. No action taken. Webpage: Helms presents a rogue webpage created and asks for boards approval to make it an official site. Donates his time and first year of time/costs. The board would like more time to consider the legal ramifications and costs. No action taken. Liquor license applications: On sale and off Sale Liquor license hearing was held for Last chance saloon and the Water hole. Off sale liquor license for Hole in the wall was held. After discussion all voted individually on and each motion passes; all in favor. Public Time: Fireworks display next month was discussed and two individuals approach board for approval to have a display in honor of Linda Weber. The Board will consider at next meeting, adding to agenda. Water issue: Citizen discusses issue with taking over water account on a property they are leasing and will be leasing to own. Heated discussion on needing owners permission in order to turn on water.

Also followed by the need for the property water account balance needing to be paid before water services would be restored. The citizen was asked to provide proof of lease to allow town to work on restoring services. No motions made. With no further business and due to length of meeting at hand; motion by Friedan to adjourn. Next regular meeting to be held on December 4th, 2023, at 6 pm in community center.

Published once at the approximate cost of \$70.64 and may be viewed free of charge at [www.sdpublicnotices.com](http://www.sdpublicnotices.com).

URL: <https://www.sdpublicnotices.com/?activeNotice=41d6.1aeea6188ab1a.27542897-d9bf.e4d1b05bc-f58e.ab781ac52-a2b1.39dff84-66b7.e2fab6a41b4aa.19a90c3cfc8d7.2f6376973>

## **Meeting Minutes**

Published in Custer County Chronicle on December 20, 2023

### **Location**

Custer County, South Dakota

### **Notice Text**

Town of Buffalo Gap  
Regular Town Board Meeting Minutes

NOVEMBER 6TH, 2023

The board of the Town of Buffalo Gap met in regular session at 6:03 p.m. on November 6th, 2023, at the auditorium. Members present were Trustees Hussey, Friedan, and Finance Officer Clyde. Friedan calls meeting to order. Motion by Hussey and seconded by Friedan to approve agenda. Motion by Hussey seconded by Friedan to approve minutes from previous regular meeting with the correction of adding Ty Fish to the list of bills for trailer use. A Pledge of Allegiance was conducted. Clyde reports financials and account balances. Motion by Hussey, seconded by Friedan to approve the following bills: Salaries and reimbursements-\$2456.40, Cheyenne Sanitation-\$1364.08, FRWUD-\$247, ACE-\$17.94, Helms-\$5250 (engineers), SD One Call -\$3.15, Mainline-\$182616.87, BHE-\$1097.81, Golden West-\$43.36, CC- \$1273.62 (postage, water heater, metal detector, Hawkins, FMHA (water loan)-\$483. Verizon-\$203.85. Payroll included, reviewed, and accepted with bills. Insurance Walk Thru: The walk through will be later this month and Ray has volunteered to conduct with the help of Troy if needed. The Old Fire Hall- was discussed as it is insured through the town. Ray mentions it is locked by the Fire Department on one side and would like to have access to it to get an accurate value for insurance walk through. Steve White had mentioned previously trying to talk to the Fire Chief about the plan for their side of the old fire hall but has not done so. Ray will attempt too as well. Supplemental Budget to 2023: Clyde presents supplemental budget to address the shortage of funds budgeted regarding the water project this year. Read budget in its entirety, second reading and vote next meeting. These funds for this supplemental budget are the funds received from the state on reimbursement basis that was not previously accounted for in the budget this year due to unreliable time frame of the project and how much of the project would be completed. Finance in general: Citizens presented several questions regarding the previously passed budget and financial reports of the town. Discussions were held on not being able to locate certain costs but was corrected that the payment in question was included in the minutes last month. Citizens asking for annual end of the year expenses report and Clyde states the annual yearend report is published and hosted on state website for

public viewing every year. As well as expenses published monthly. Clyde reports that annually she submits a report to our lenders on the financial status of the town. She also provides the state with a year-end report in March of every year. She also provides the board with monthly or quarterly at minimum reports on the financial state of the Town. She requests guidance from the board if needing more or different reporting. Citizens state there are a lot of different accounting styles and also rumors being passed regarding the town finances but no justification for these rumors or issues could be identified clearly. Citizens state the finances need more attention to make sure its being done correctly. Clyde has repeatedly provided financial information to individual citizens as requested and continues to provide the necessary information for publishing and state reporting as needed. Surcharge: Discussion about why the board chose to pursue a \$12 surcharge over the \$10 required by the loan providers was held. The board discusses their reasons for wanting to collect additional \$ and planning for any unplanned costs and serve as a buffer. Financing of Water project: More questions regarding the financing of the current water project such as why some of the project was cut, why we received less funding than anticipated, etc. The board addresses these topics again. Reminds citizens that the BH local council of government had came during the process and explained things like debt/income ratio and rationales of the changes, etc. and had done a very good job doing so before we committed to the project. Clyde states she can have Jennifer come again, if need be, to help answer questions again if needed. 2024 Budget Appropriations Ordinance: After lengthy discussions; board moves to accept budget ordinance for second reading and holds vote. All in favor; ordinance passes. Water: Schmit reports on water operations. Tanks are on the list to be cleaned and inspected soon. A new leak was located and Schmit reports water may be shut off for the repairs. They will be replacing a meter pit at the same time they repair the leak. Pumped vs. Sold showed a loss rate of 35%. Schmit reports having to adjust the chlorine levels and it may have gotten noticeably higher. Citizens were informed they may have physically noticed a smell or change but the pump is set to never allow it to pump chlorine to unsafe levels so that is not an issue to be concerned with. Discussion on communication plan to inform residents of emergency situations such as water disruptions. Clyde and Schmit are working on keeping individuals informed; but as always, the best way is word of mouth and talking to ones neighbors. The board will continue to find other means of communication as well. Animal Control: Margeret Lamonts volunteers to be animal control officer and has met with town attorney to address concerns and issues. Motion by Hussey, seconded by Friedan to accept Lamont as dog control officer. Nuisance complaints: none reported. No reporter has volunteered for this position either and anyone interested should contact a board member. Also, anyone with complaints must contact board members in the interim to investigate. Maintenance Department: Mowing went late into the season but is done; the Whites report. Grounds: Roof estimates for auditorium are being compiled. Progress on pipes being laid was held. Mailboxes: Discussion on the topic including plan to move when Hussey health allows, how and why the decision to move boxes were reached, etc. No motions made. Sales Tax: Board moves to table topic atier pointing out funding such as this increases or income/debt ratio and could open more sources of funding. Wind cross Lease: Roda presented a counteroffer to the town to consider. The board requests more time to review. No action taken. Webpage: Helms presents a rogue

webpage created and asks for boards approval to make it an official site. Donates his time and first year of time/costs. The board would like more time to consider the legal ramifications and costs. No action taken. Liquor license applications: On sale and off Sale Liquor license hearing was held for Last chance saloon and the Water hole. Off sale liquor license for Hole in the wall was held. After discussion all voted individually on and each motion passes; all in favor. Public Time: Fireworks display next month was discussed and two individuals approach board for approval to have a display in honor of Linda Weber. The Board will consider at next meeting, adding to agenda. Water issue: Citizen discusses issue with taking over water account on a property they are leasing and will be leasing to own. Heated discussion on needing owners permission in order to turn on water.

Also followed by the need for the property water account balance needing to be paid before water services would be restored. The citizen was asked to provide proof of lease to allow town to work on restoring services. No motions made. With no further business and due to length of meeting at hand; motion by Friedan to adjourn. Next regular meeting to be held on December 4th, 2023, at 6 pm in community center. Published once at the approximate cost of \$70.64 and may be viewed free of charge at [www.sdpublicnotices.com](http://www.sdpublicnotices.com).

12/13

URL: <https://www.sdpublicnotices.com/?activeNotice=b041.200412046b6ba.1a63ae102-5a45.ab5c1f10a-e0bc.f2b276657-164f.4553f79db-edd9.e81bf72f82f59.0206eead232fc.2883cd273>

## **DECEMBER 2023**

### **Notice of Proposed Budget**

Published in Custer County Chronicle on December 13, 2023

#### **Location**

Custer County, South Dakota

#### **Notice Text**

town of buffalo gap  
ordinance no. 2023-04  
supplemental appropriations  
ordinance



Be it ordained by the Town of Buffalo Gap the following sum is supplementally appropriated to meet the obligations of the municipality for 2023.

General Fund

430 Public Works

433 Water

433.1 Assigned Funds - Water Project \$300,000

Total Appropriations \$300,000

Source Funding

331 State Water Loan

331.1 Notes Receivable \$300,000

Revolving Loan Fund

---

Signed and dated by President of the Board of Trustees

Published once at the approximate cost of \$11.79 and may be viewed free of charge at [www.sdpublicnotices.com](http://www.sdpublicnotices.com).

12/13

URL: [https://www.sdpublicnotices.com/?](https://www.sdpublicnotices.com/?activeNotice=4e02.9f7549cda04f3.3408f5c85-6b89.b98d34fc1-6975.b6a05d24a-ba4e.619007c7e-2288.6ed0a91c5e166.01ae85fdb5a18.c69f85ba9)

[activeNotice=4e02.9f7549cda04f3.3408f5c85-6b89.b98d34fc1-6975.b6a05d24a-ba4e.619007c7e-2288.6ed0a91c5e166.01ae85fdb5a18.c69f85ba9](https://www.sdpublicnotices.com/?activeNotice=4e02.9f7549cda04f3.3408f5c85-6b89.b98d34fc1-6975.b6a05d24a-ba4e.619007c7e-2288.6ed0a91c5e166.01ae85fdb5a18.c69f85ba9)

## **DECEMBER 2023**

Town of Buffalo Gap Regular Town Board Meeting Minutes

December 11th, 2023

The board of the Town of Buffalo Gap met in regular session at 6:03 p.m. on December 11th, 2023, at the town hall. Members present were Trustees Hussey, Friedan, Kizer and Finance Officer Clyde. Friedan calls meeting to order. Motion by Hussey and seconded by Kizer to approve agenda. A Pledge of Allegiance was conducted. Treasurers Report. Clyde reports on the town financials including the minutes, bills, account balances, and supplemental budget ordinance. Corrections to previous minutes to include date correction: should be November in body of minutes. Moon should be motion. And liquor license for Hole in the wall should be for on sale liquor while Block 11 LLC and Water Hole hold both on and off sale license. Motion by Kizer and seconded by Hussey to approve the minutes. Motion by Hussey seconded by Kizer to approve the bills. Resolution to supplement the budget for 2023 was read for second reading. Needing to budget 300,000 from state funds to water fund to account for the water project to date that was not budgeted or expected to be completed so soon. All in favor; motion passes. Clyde presents the board with the water reimbursement request from Black Hills Council of Local Governments. After discussion, the board moves to approve the request. Clyde reports she is working on a new form of communication to get notices to citizens in bulk. The board encourages her to continue to pursue means of communication for emergencies. Water Report: Schmit reports on water. Project is progressing and ending for the season. Tanks cleaned and inspected. The lining needs

to be replaced soon. Discussed problems with the valves making isolating leaks difficult and water disconnection through entire town unavoidable at times. Citizen that had previously opted out of services for their additional lines addressed the board confused why the additional lines she opted out from were not being connected. The board assures her when she chooses to reconnect and pay the monthly fee for the lines; it will be available to her, and the price will not change. Schmit states the leak ratio has dropped considerably; but continues to monitor and note some leaks throughout. Clyde reports on the amounts set aside from surcharge and meter upgrades for the year. Schmit states he will be replacing the post at Schroth entrance to water tank. A lengthy discussion was held on the fire hydrants. Confusion about hydrants vs flush hydrants. Believe the lines being upgraded will mean all hydrants should be able to be used as fire hydrants, not just flushes. Engineers also had differing opinions on this. Will continue to investigate this issue. **Animal Control**- Lamont was available to report on dogs. Discussion was held on the actual ordinance and expectations of the enforcer role. Lamont will continue to try and help dog owners and other citizens coexist safely. She will not be expected to intervene or put self in harm to do so and will utilize the sheriff in those instances. Dogs creating a disturbance or running at large could be subject to fines. Her phone number has been updated on the water bills as well and citizens encouraged to reach out if they have issues with any dogs. **Nuisance Ordinance Enforcer**: No new reports. **Grounds and Maintenance**: Roof estimates are being gathered for the auditorium. Only one was available. Discussion on use of the auditorium. Private appreciation event for customers being held in January. After discussion was determined and fee will be requested for all events outside of funerals and memorials. Hussey and Molloy will begin forming a team to head up the auditorium events and future use. **Donation**: Hussey announces a donation of a big screen TV to the auditorium to be used at memorials in the future as the previous one was not left. He requests all donations as such get tagged and become town property and properly inventoried so that does not occur again in the future. Clyde will purchase inventory property tags to be placed on items. Hussey also announces he would like to try and do a sponsor a window program of sorts at the auditorium. Basically, a person or business can put their brand or logo near the window after donating the amount needed to purchase the window and install it. **Board member reports**. Rural Mailboxes. Hussey announces his health will not allow him to remove and replace the rural boxes at their new location and would like this removed from agenda. **Old fire hall**: Randy Schroth discusses the deal with the town and the new fire hall and shared history on the events leading up to. Schroth would like to continue to utilize the portion of the old fire hall they have been for storage if not an issue. He will provide a rough estimate for the contents being stored for insurance purposes. The fire department is looking for new members to help them. FIRE DEPARTMENT MEETING IS THE THIRD MONDAY OF THE MONTH AT 7 P.M. NEW VOLUNTEERS NEEDED. **Website**: Wells presents on his test website and asks if the board would make it official town website. After discussion the board decides not to pursue a website and will not support his site as an official town site. **Windcross Lease**; Lucia was not available, and the board would like more time to consider the lease. Tables for the time being. **Veterans Assistance Project**: Gentleman shares his desire to locate a large veterans assistance project in Buffalo Gap and is looking at utilizing the same area as the rodeo grounds or similar. Presents his

goals and requests the board to consider them. NO motions made at this time.

**Fireworks: Individuals** approach the board for support in fireworks for someone's birthday around the new year. Was determined the board does not need to approve nor will they but they cannot stop them either given the circumstances allow for fireworks based on weather conditions at the time. The board reminds them of noise ordinance after 10 and animals in town as well as elderly that may be bothered by the event and encourages notice to be given and precautions taken if they proceed. No motion made.

**Public Time: Herman Wells** approaches board with formal request for documents and demands response before threatening to follow up with Board of Hearing Examiners. Lengthy discussions ensue regarding approach taken by Wells, his lack of justification for the request considering previously being offered the information and him refusing it; as well as other people and their perspective of the financial situation and current demand that will be resulting in more costs, time, and loss of involvement from people willing to support and keep the town running. Discussion gets heated and no motions are made. The board acknowledges Wells request. Citizen turns in his new location water application. With no further business, motion by Friedan to adjourn. Next regular meeting is January 7th, 2024, at 6 PM in the bank building.

NOTES COPIED FROM PUBLIC BULLETIN BOARD. UNABLE TO LOCATE AT  
SDPUBLICNOTICES.COM.