

JANUARY 2025

Wednesday, January 15, 2025

Notice Content

Town Of Buffalo Gap

Town Board

Meeting Minutes

January 6, 2025_1800_Old Town Bank

Terry Kizer - Trustee

Ray Hussey – Trust Wendy Ricci - Trustee Shelley Harris - CFO Meeting called to order by Terry Kizer @ 1805

Roll Call: Hussey present, _Ricci present._Kizer present, _Harris present Pledge of Allegiance Approval of January 6, 2025 Agenda

Approval of December 9, 2024 Minutes

Committee Reports

Finance Officer Harris reports that all liquor/alcohol applications submitted to the state were accepted, licenses were received by the town finance officer and hand delivered to the business owners. Harris informed the board that she was served papers a couple of days before the year end to be in Rapid City with city financials on Jan 2, 2025. She advised the board that she called Andrew Berg to inquire about the meeting and was told there was no need to be present, the information the state needed had been updated that day. Mr. Berg sent an email confirmation to the town email to confirm there was no issue or a need to appear. Harris motioned the board to allow the previously opened community center savings account to be used for donations to the community center only, and not to include the budgeted monies for the community center in the 2025 town budget. There is a small group of people who have been hosting community breakfast fundraisers and a few residents who have donated monies to install new windows at the community center. Harris reports notices have been sent to residents with delinquent accounts. Harris reports expenditures

as follows: Checks 10230-10233 (tel:10230-10233)Void per Harris error_voucher and voided checks attached. Checks 10234-10322 (tel:10234-10322) written by previous CFO. Harris begins with ACH _Black Hills Energy_\$1,136.68;

CK#10323_FRWD_\$253.00; CK#10324_Cheyenne Sanitation_\$1,285.54;

CK#10325_Gardner Structures_\$2,321.41; ACH_Golden West_\$110.33;

CK#10326_Midcontinent_\$297.00; CK#10327_Northwest Pipe

Fittings Inc_\$300.93; CK#10328_Russell Law Office_\$537.50; CK#10329_SHP

Holdings LLC_\$49.13; CK#10330_Beguine Enterprises LLC_\$722.41; CK#10332_Ray

Hussey_\$55.41; ACH_Verizon_\$40.01; CK#10331_Winwater_\$24.53; CK#10333_Terry

Kizer_\$55.41; CK#10334_Wendy Ricci_\$55.41; CK#10335_Shelley Harris_\$1,191.32;

CK#10337_Carrie Zoellick_1.295.21; CK#10338_Shelley Harris_\$270.15

(reimbursement for office supplies: Office Home 2024_Smead File Folders_Single Window Envelopes_Postage Stamps); CK#10339_Carrie

Zoellick_\$338.50 (Reimbursement: Mileage 12/17, 12/09, 12/12, per diem 12/10 thru

12/12 class in Spearfish); CK#10340_Terry Kizer_\$24.95 (Reimbursement oil for

snowplow); CK#10341_Pella_\$2,715.00

Sanitation Department_Hussey gave brief report on Fall River Sanitation Water Dept/Grounds_Zoellick gave report on a state mandated class she attended 12/10 thru 12/12, advised she passed the test for the first portion of the class, will return for the second portion of class at the end of January. Zoellick proposed that the town purchases a backup 3 phase generator for the water tank. The board advised they will look into cost and revisit this line item.

Building Maintenance_Hussey advised 3 windows donated by private parties have been delivered by Pella and the community breakfast has raised enough to order 5 more windows for the community center. He advised tentative installation will be in the spring when the weather is permittable. Animal/Nuisance Control_Nothing to report Roads/Alleys_Kizer advised alleys and roads are snow covered.

Old Business

Nothing to report at this time

New Business

Attorney, Lance Russell presented ten cases within SD where open meeting violations occurred. He explained the circumstance and the outcome of each. Advised the board to be aware that employee wages cannot be discussed in executive sessions, advised that all agendas/proposed agendas, meeting minutes, any electronic/public/private communication is within accordance to municipal regulations and state statutes.

In June the town will have two board term expirations. Finance Officer to follow up with notices in the paper, application process and deadlines. The board agreed that there would be no change in salaries or hourly wages.

Employee rates are as follows: Finance Officer_Salary_\$1,290/Month_Road & Maintenance_\$15/hr_\$22.50/OT_Water & Maintenance_\$16.50/hr_\$24.75 OT_Grounds_Mowing Maintenance_\$16/hr_\$24/OT_Trustees_\$60/Meeting. Hussey made the motion to approve wages, Ricci second the motion, all were in favor, motion carried.

No equipment was charged in 2024, but the board will look into rates for tentative use in the future and give an update at the next meeting. Travis Lasseter requested a water meter pit on one of his existing lots, was advised by the board that he needs to fill out a water application. The finance officer was advised to send Mr. Lasseter an application via email and copy Mr. Russell.

John Baird approached the board about renting the community center in Feb for a Buffalo Gap Blowout Fundraiser and requested a one-day liquor license for his event. Hussey made a motion to approve Baird's request, Ricci second, all in favor, motion passed. The board advised they will find the application and

A motion was made by Hussey to approve the disbursements presented by finance officer, Ricci second, all in favor, motion carried. Public Comment: John Baird approached the board about renting the community center in Feb for a Buffalo Gap Blowout Fundraiser and requested a one-day liquor license for his event. Hussey made a motion to approve Baird's request, Ricci second, all in favor, motion passed. The board advised they will find the application and send it to him.

No Executive Session

Meeting Adjourned @ 1910 Next meeting February 3, 2025 Old Bank Building_ Buffalo Gap 6:00 P.M.

Published once at an approximate cost of \$61.63 and may be viewed free of charge at www.sdpublicnotices.com. 1/15

Notice Publish Date:

Wednesday, January 22, 2025

Notice Content

NOTICE OF VACANCY

MUNICIPALITY

OF BUFFALO GAP

The following offices will become vacant due to the expiration of the present term:

Trustee, three (3) year term

Circulation of nominating petitions may begin on 31st day of January 2025 and petitions may be filed in the office of the Finance Officer located at Community Center, 209 S

Third St, Buffalo Gap, SD 57722

United States between the hours of Monday or Thursday 2:00 p.m. and 7:00 p.m., mountain time not later than the 28th day of February 2025, or mailed by registered mail not later than the 28th day of February 2025, at 5:00 p.m. mountain time.

SHELLEY HARRIS,

Finance Officer

Published twice at an approximate cost of \$18.60 and may be viewed free of charge at www.sdpublicnotices.com.

1/22, 1/29

Notice Publish Date:

Wednesday, January 22, 2025

Notice Content

NOTICE OF VACANCY

MUNICIPALITY

OF BUFFALO GAP

The following offices will become vacant due to the resignation of office of the elective officer:

Trustee, two (2) year term

Circulation of nominating petitions may begin on 31st day of January 2025 and petitions may be filed in the office of the Finance Officer located at Community Center, 209 S

Third St, Buffalo Gap, SD 57722

United States between the hours of Monday or Thursday 2:00 p.m. and 7:00 p.m., mountain time not later than the 28th day of February 2025, or mailed by registered mail not later than the 28th day of February 2025, at 5:00 p.m. mountain time.

SHELLEY HARRIS,

Finance Officer

Published twice at an approximate cost of \$19.19 and may be viewed free of charge at www.sdpublicnotices.com.

1/22, 1/29

Back

Notice Publish Date:

Wednesday, January 29, 2025

Notice Content

NOTICE OF MEETING

Buffalo Gap Riverside Ambulance District

The Buffalo Gap Riverside Ambulance District will be holding their annual meeting and election on February 8th at 10AM, at the Buffalo Gap Community Center.

May be viewed free of charge at www.sdpublicnotices.com.

1/29

Notice Publish Date:

Wednesday, January 29, 2025

Notice Content

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MUNICIPALITY

OF BUFFALO GAP

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SHELLEY HARRIS,

Finance Officer

Published twice at an approximate cost of \$19.19 and may be viewed free of charge at www.sdpublicnotices.com.

1/22, 1/29

Notice Publish Date:

Wednesday, January 29, 2025

Notice Content

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MUNICIPALITY
OF BUFFALO GAP

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SHELLEY HARRIS,
Finance Officer

Published twice at an approximate cost of \$18.60 and may be viewed free of charge at www.sdpublicnotices.com.

1/22, 1/29

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FEBRUARY 2025

Notice Publish Date:

Wednesday, May 14, 2025

Notice Content

Town Of Buffalo Gap

Town Board Meeting Minutes

February 3, 2025_1800_Old Town Bank

Terry Kizer - Trustee

Wendy Ricci - Trustee

Shelley Harris - CFO

Meeting called to order by Terry Kizer @ 1805

Roll Call: Ricci present. Kizer present, _Harris present

Pledge of Allegiance

Approval of February 3, 2025, Agenda, motion by Ricci for approval, second by Kizer, motion passed

Approval of January 6, 2025, Minutes, motion by Ricci for approval, second by Kizer, motion passed

Finance Officer Reports

Finance Officer Harris ask board to approve additional coverage on insurance, to review state ordinances; submitted list of delinquent/overdue water accounts; ask that the board approve charging for trash cans on vacant lots per water ordinance, at this time vacant properties were not being charged for trash cans. Harris submitted financial reports for review and asked that they be ready for approval at next meeting so they can

be submitted to the state. Harris advised that the following checks have been outstanding since her employment began, ask the board to approve canceling the following checks 9981, 10391, 10392, 10399, Ricci made motion to approve, Kizer second, all in favor, motion carried. Harris advised two vacant seats are open if anyone would like to file petition. Harris advises that Christine Wells has been helping with data entry, advised she consulted with the state and is asking the board to approve a salary for Wells in the amount of \$100.00/month, Harris advised she is willing decrease her salary to cover the cost of the data entry clerk salary. Ricci made motion to approve, Kizer second, all in favor, motion was passed. Harris reports expenditures as follows:

Check #10342_Beguinn_\$731.69_ACH_Black Hills
Energy_\$1,122.03_Croell_(765.43)_ACH_Golden
West_\$110.33_#10343_Hawkins_#256.06_#10344_Helm's & Ass._\$
\$1,50.00_#10345_IRS_\$1,406.98(941 2nd Qtr 2024)_#10346_IRS_\$1,253.38(941 3rd
Qtr 2024)_#10347_IRS_\$1,248.10(941 4th Qtr
2024)_#10348_Midcontinent_\$75.00_#10349_SD Ass._\$172.50(2025 Membership
dues)_#10350_SDML_\$660.00 (Work Comp/Emp
Liability)_#10351_\$99.42_SHP(Custer Chronicle)_#10352_\$1.05_SD811_#10353_Ray
Hussey_\$55.41_#10354_Terry Kizer_\$55.41_#10356_Shelley
Harris_\$1,191.32_#10355_Wendy Ricci_\$55.41_#10357_Zack Parris_\$336.20(hotel
reimbursement_water training)_#10358_Carrie Zoellick_\$465.42 (hotel and mileage
reimbursement_water training)_#10359_Voided check made out in error by
CFO)_#10360 through #10400_Board acknowledges these were written by previous
CFO in prior years_#10401_Zack Parris_\$391.89_#10402_Carrie
Zoellick_\$1,004.31_#10403_USPS_\$146.00_#10404_500.00 (donation to the RJ
Wright Family)_ACH_Verizon\$40.01

Sanitation Department_No report at this time

Water Dept/Grounds_Zoellick advised she received certificates of completion for
classes taken in previous month, advised board she would appreciate them considering
a pay raise, board acknowledged request and advised they would get back to her.

Building Maintenance_No report at this time

Animal/Nuisance Control_Nothing to report

Roads/Alleys_Nothing to report

Old Business

Nothing to report at this time

New Business

No Public Comment:

No Executive Session

Meeting Adjourned @ 1910

Next meeting March , 2025 Old Bank Building_Buffalo Gap 6:00 P.M.

Published once at an approximate cost of \$38.37 and may be viewed free of charge at
www.sdpublicnotices.com.

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MARCH 2025

MISSING MARCH 2025 MEETING MINUTES

Notice Publish Date:
Wednesday, March 5, 2025

Notice Content
NOTICE
TO PUBLIC
SDCL 10-11-13

NOTICE IS HEREBY GIVEN that the governing body, sitting as the Review Board of BUFFALO GAP, CUSTER COUNTY, SOUTH DAKOTA will meet at the Town Hall (Old Bank Building) in said taxing jurisdiction begins on MONDAY, the 17th day of March, 2025 at 6:00 p.m. and ends on FRIDAY, the 21st day of March, 2025 for the purpose of reviewing, correcting and equalizing the assessment.

All persons considering themselves aggrieved by said assessment are required to file a written appeal to the clerk of the local board (Finance Officer) no later than THURSDAY, the 13th day of March, 2025 by 5:00pm.

Dated this 27th day of February 2025.

Shelley Harris, Finance Officer

Published twice at the approximate cost of \$18.61 and may be viewed free of charge at www.sdpublicnotices.com.

3/5, 3/12

Notice Publish Date:
Wednesday, March 12, 2025

Notice Content
NOTICE
TO PUBLIC
SDCL 10-11-13

NOTICE IS HEREBY GIVEN that the governing body, sitting as the Review Board of BUFFALO GAP, CUSTER COUNTY, SOUTH DAKOTA will meet at the Town Hall (Old Bank Building) in said taxing jurisdiction begins on MONDAY, the 17th day of March, 2025 at 6:00 p.m. and ends on FRIDAY, the 21st day of March, 2025 for the purpose of reviewing, correcting and equalizing the assessment.

All persons considering themselves aggrieved by said assessment are required to file a written appeal to the clerk of the local board (Finance Officer) no later than THURSDAY, the 13th day of March, 2025 by 5:00pm.

Dated this 27th day of February 2025.

Shelley Harris, Finance Officer

Published twice at the approximate cost of \$18.61 and may be viewed free of charge at

www.sdpublicnotices.com.
3/5, 3/12

Notice Publish Date:
Wednesday, March 19, 2025

Notice Content
TAX EXEMPT PROPERTY
FOR 2025

BUFFALO GAP TOWN
LOTS 10-11 BLOCK 6, BUFFALO GAP (OLD TOWN HALL)
S. 10' OF LOT 2 & ALL OF LOTS 3-4 BLOCK 10, BUFFALO GAP (FIREHALL)
S. 50' OF LOTS 7-8 BLOCK 10, BUFFALO GAP (TOWN HALL – OLD BANK BLDG)
S. 25' OF N. 50' OF LOT 7-8 BLOCK 10, BUFFALO GAP TOWN (BARE LAND – TOWN HALL)
LOT 9 BLOCK 10, BUFFALO GAP (BARE LAND – TOWN HALL)
LOTS 17-18-19-20-21 BLOCK 11, BUFFALO GAP (2019) 53 DEEDS PG 873
LOTS 9-10-11-12-13-14-15-16-17-18 BLOCK 13, BUFFALO GAP (OLD COMMUNITY HALL/STORAGE)
W2 OF LOTS 21-26 BLOCK 13, BUFFALO GAP
ALL OF BLOCKS 22-23 + 80' OF VACATED STREET

LOTS 7-8-9-10 BLOCK 9, BUFFALO GAP (COUNTY HIGHWAY SHOP)
BUFFALO GAP VOLUNTEER FIRE DEPARTMENT
PO BOX 68
BUFFALO GAP, SD 57722
E2 OF LOTS 21-26 & ALL OF LOTS 27-28
BLOCK 13, BUFFALO GAP

APRIL 2025

Notice Publish Date:
Wednesday, April 09, 2025

Notice Content
NOTICE OF
PUBLIC
HEARING

for the Town of Buffalo Gap Park Improvements Project
Town of Buffalo Gap is proposing to submit an application to secure funding from the South Dakota Game Fish and Parks to complete critical improvements at the Town of

Buffalo Gap Park. The application will request funding assistance for an amount up to \$12,500 for replacement of playground equipment at 200 Walnut Street, Buffalo Gap, SD. 57722

The purpose of the public hearing is to discuss the need for the project, project alternatives, source of funding, collect public input and support for the project, and to discuss the impact to the community. The public is invited to attend and comment on the project. The public hearing will be held on Thursday April 17 at 6:00pm at Old Bank Building, Buffalo Gap, SD. 57722.

Published once at the total approximate cost of \$11.63 and may be viewed free of charge at www.sdpublicnotices.com.

4/9

Notice Publish Date:

Wednesday, April 09, 2025

Notice Content

resolution of governing body

town of buffalo gap

WHEREAS, the United States of America and the State of South Dakota have authorized the making of grants from the Land and Water Conservation Fund (LWCF) to public bodies to aid in financing the acquisition and/or construction of specific public outdoor recreation projects;

NOW THEREFORE BE IT RESOLVED:

1. That the Park Committee Chair is hereby authorized to execute and file an application on behalf of the Town of Buffalo Gap with the National Park Service, U.S. Department of the Interior, through the State of South Dakota, Department of Game, Fish and Parks, Division of Parks and Recreation, for an LWCF grant to aid in financing Town of Buffalo Gap Park improvements project for the Town of Buffalo Gap, South Dakota and its environs.
 2. That KIM MCNEMAR, Park Committee Chair, is hereby authorized and directed to furnish such information as the above mentioned federal and/or state agencies may reasonably request in connection with the application which is hereby authorized to be filed.
 3. That the Town of Buffalo Gap shall provide a minimum of 50% of the total cost of the project; and will assume all responsibility in the operation and maintenance of the project upon completion of construction, for the reasonable life expectancy of the facility.
- Certification of Recording Officer _____ (signed)

The undersigned duly qualified and acting Chief, Financial Officer of the Town of Buffalo Gap does hereby certify; That the attached Resolutions is a true and correct copy of the Resolution, authorizing the filing of application with the National Park Service as regularly adopted at a legally convened meeting of the Town of Buffalo Gap duly held on the 7th day of April, 2025, and further that such Resolution has been fully recorded in the journal of proceedings and records in my office.

IN WITNESS WHEREOF, I have hereunto set my hand this 7th day of April, 2025.

Recording Officer

Signature: _____

Title: _____

Seal (notary or city)

Published once at the total approximate cost of \$24.87 and may be viewed free of charge at www.sdpublicnotices.com.

4/9

Notice Publish Date:

Wednesday, April 16, 2025

Notice Content

NOTICE OF

PUBLIC

HEARING

for the Town of Buffalo Gap Park Improvements Project

Town of Buffalo Gap is proposing to submit an application to secure funding from the South Dakota Game Fish and Parks to complete critical improvements at the Town of Buffalo Gap Park. The application will request funding assistance for an amount up to \$12,500 for replacement of playground equipment at 200 Walnut Street, Buffalo Gap, SD. 57722

The purpose of the public hearing is to discuss the need for the project, project alternatives, source of funding, collect public input and support for the project, and to discuss the impact to the community. The public is invited to attend and comment on the project. The public hearing will be held on Thursday April 17 at 6:00pm at Old Bank Building, Buffalo Gap, SD. 57722.

Published once at an approximate cost of \$11.63 and may be viewed free of charge at www.sdpublicnotices.com.

4/16

Notice Publish Date:

Wednesday, April 16, 2025

Notice Content

Town Of Buffalo Gap

Town Board Meeting Minutes

April 7, 2025_1800_Old Town Bank

Terry Kizer - Trustee

Ray Hussey - Trustee

Wendy Ricci - Trustee

Shelley Harris - CFO

Meeting called to order by Terry Kizer @ 1800

Roll Call: Ricci present.Hussey present,_Kizer present, _Harris present

Pledge of Allegiance

Approval of March 3, 2025, Minutes_Ricci motioned to approve, Hussey 2nd, All in favor, motion passed

Approval of April 7, 2025, Agenda_Ricci motioned to approve, Hussey 2nd, All in favor, motion passed

Committee Reports

Finance Officer Harris reports expenditures as follows: CK #10417_American Legal Publishing_ACH_Black Hills Energy_\$1,192.25 Checks #10418_Cheyenne Sanitation_\$2,571.08_#10419_SHP

Holdings_\$18.61_ACH_DOR_\$132.89_#10420_Croell (disputed by Kizer, Harris to inquire further about charges)#10421_FRWUD_\$512.50_ACH_Golden West)

\$108.42_#10422_Hawkins_\$473.13_#10423_IRS_(Penalty's for Tax Period 12/31/2024)\$67.39_(Penalties for Tax Period 09/30/2024)\$286.73;

#10424_Midcontinent_\$297.00_#10425_SDML(Annual Municipal Membership)

\$188.00_#10426_SD Dept of Labor_\$50.00_#10427_Ray

Hussey_\$55.41_ACH_Verizon_\$40.01_#10428_Terry Kizer_\$55.41_#10429_Shelley

Harris_\$1,098.97_#10430_Terry Kizer_\$505.67_Labor_Equipment_Mileage

Reimbursement_#10431_Carrie Zoellick_\$1,035.70_#10432_Christine

Wells_\$92.35_#10433_IRS_\$1,057.66_1st QTR 941 2025_Harris reported that alcohol license applications for Last Chance Saloon and Cadillac Ranch had been received in the mail and hand delivered to Tom O'Doan

Sanitation Department_Hussey gave brief report on Fall River Sanitation

Water Dept/Grounds_Zoellick gave report on a class she attended on the 3rd of this month, also advised there is an expo she would like to attend on the 23rd & 24th, cost is \$135, class is in Rapid City. Ricci made motion to approve Zoellick attending the expo, Hussey second, all in favor, motion passed.

Building Maintenance_Hussey advised Pella service man will be in BG on Tuesday morning, advised last month's breakfast brought in \$589 and two private donations in the amounts of \$50 cash and check for \$200

Animal/Nuisance Control_No one available to offer report

Roads/Alleys_Kizer gave brief description of road work that needs to be done

Old Business

Proposal to open 1st & Cedar and 1st & Poplar_Kizer gave personal opinion, no further discussion

New Business

Kim McNemar as park chairman read aloud to the Town a resolution to execute and file an application on behalf of the Town of Buffalo Gap for an LWCF grant to aid in the financing of the town's park improvement project. Public hearing set for Thursday, April 17th, 2025 @1800 at the old bank building.

Public Comment: A concerned citizen suggested putting up a boulder/barricade around the water meter at the old bank where the new CBU units have been set. A second citizen inquired about the pile of dirt on the corner of Cedar. Kizer advised the maintenance crew who worked on the roads would be back to finish laying it out.

No Executive Session

Meeting Adjourned @ 1900 by Kizer, second by Ricci, all in favor

Next meeting May 5, 2025 @ The Community Center_Buffalo Gap 6:00 P.M.

Published once at an approximate cost of \$37.50 and may be viewed free of charge at www.sdpublicnotices.com.

Notice Publish Date:

Wednesday, April 23, 2025

Notice Content

Custer County Commission

Meeting, Wednesday, April 2, 2025.

Draft Minutes

Members present:

Commissioners Jim Lintz, Mark Hartman, Mike Linde, Michael Busskohl, Craig Hindle and Commission Legal Counsel Aaron Davis and Dawn McLaughlin, Finance Officer.

...

L. Equalization

1. DOE Director, Scott Storms, presented abatement request 2025-9A; Parcel 014537 re: Weldon Lasseter in the amount of \$294.30 for Commission approval. Storms found an incorrectly sized vacated alley and noted there is no information available from Buffalo Gap at this time. The new Buffalo Gap Board will have records recreated in the future. Motion to approve made by Hartman; seconded by Busskohl; vote taken, all aye; motion carried.

2. Storms requested Commission approval of Refund 2025-9R; Parcel 014537 re: Weldon Lasseter in the amount of \$36.11, which represents a 24-day pro-rated amount for 2024. Motion to approve made by Busskohl; seconded by Hindle; vote taken, all aye; motion carried.

...

Attest:

Jim Lintz, Chairman

Barbara Cox,
Custer County Deputy Auditor

Published once at the total approximate cost of \$172.97 and may be viewed free of charge at www.sdpublicnotices.com.

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Back

MAY 2025

Notice Publish Date:

Wednesday, May 14, 2025

Notice Content

Town of Buffalo Gap

Meeting Minutes

May 5, 2025 6:00pm

Buffalo Gap Community Center

Part 1. Terry Kizer called the meeting to order on May 5, 2025, 6:10pm.

Roll Call: Terry Kizer - Present, Wendy Ricci - Present, Ray Hussey - Present and Finance Officer - Shelley Harris - Present. Pledge of Allegiance

Approval of May 5, 2025 Agenda. Hussey made a motion to approve, Ricci second the motion, the motion carried with unanimous vote.

Approval of April 8, 2025, Minutes. Hussey made a motion to approve, Ricci second the motion, the motion carried with unanimous vote.

Finance Officer. Pay the town bills. Hussey made a motion to approve, Ricci Second the motion, the motion carried with unanimous vote. ACH_Black Hills Energy_\$1192.25, 10434_FRWUD_\$253.00, 10435_Cheyenne Sanitation_\$1285.54, 10436_SHP Holdings_\$139.41, ACH_Golden West_\$108.42, 10437_Hawkings_\$306.57, 10438_Helms_\$625.00, 10439_Pella_\$2497.44, 10440_USPS_\$219.00, ACH_Verizon_\$40.01, 10441_Ray Hussey_\$60.00, 10442_Terry Kizer_\$443.43, 10443_Wendy Ricci_\$60.00, 10444_Shelley Harris_\$1098.97, 10445_Shelley Harris_\$73.00, 10446_Christine Wells_\$92.35, 10447_Carrie Zoellick_\$739.00.

Beverage License Renewal for Last Chance and Cadillac Ranch. Hussey made a motion to approve, Ricci second the motion, the motion carried with unanimous vote.

Sanitation Department. Fall River Sanitation meeting on May 8, 2025.

Water Department/Grounds. Nothing to report. The board heard from two guest speakers from DANR reference the Drinking Water Improvements Project. Erin Fagnan from SDDENR drinking water program presented why funding the Drinking Water Improvement Phase 2 is important to replace the lead pipe service lines and lead connectors. In order to meet EPA compliance all lead service pipes and connectors must be replace NLT November 2037. The Drinking Water Improvement Project phase 2 will replace the lead pipes and connectors in order to bring Buffalo Gap in compliance with EPA. Jennifer Sietsema emphasized the importance of the Drinking Water Improvement Project Phase 2 and presented to the board two resolutions for signature to begin the water improvement construction. The Town of Buffalo Gap received \$1,314,000 SRF loan with a 74.5% principal forgiveness, repayment of \$338,000 at 3% for 30 years. Kizer noted the new board members will have to read and pass the resolutions. Additionally, Sietsema emphasized the importance of the town belonging to the Custer River County Emergency Management Plan and the benefits of participating at no cost to be covered when a natural disaster occurs. Kizer accepted and signed the letter.

Building Maintenance. Community center has ordered the remaining windows and they will arrive in about 6 weeks. Looking for volunteers to do the installation of the new windows. Community Breakfast will be held May 10, 2025 at the community center.

Animal Nuisance Control. Lamont received reports of stray dogs and was unsuccessful in locating the owners of the dogs at large.

Road/Alleys. No reports

Park Committee. Kim McNemar provided an update on the grant. The town will pursue the grant next year. McNemar requested the board approve the removal of the

playground equipment. Kizer deferred the action to the new board members. McNemar inquired about the water hydrant and the water department stated it should be installed for the summer of 2025.

Old Business. Proposal to Open 1st, Cedar, and Popular Streets. No action taken.

Public Comments. No Public Comments Received.

Hussey moved to adjourn the meeting for reorganization, Ricci second the motion.

Motion carried with unanimous vote.

Part 2. Travis Lasseter and Christine Wells were sworn in by the Finance Office as new board members.

Christine Wells called the meeting to order at 7:20pm. Roll Call - Christine Wells - present, Travis Lasseter - present, Ray Hussey - present, Finance Officer Shelley Harris - present. Pledge of Allegiance

Conflicts of Interest for Board Members. None were declared.

New Business. Election of Board President. Hussey motioned Christine Wells as the Board President, seconded by Lasseter. Motion carried with unanimous vote.

Appoint Finance Officer. Shelley Harris declined the appointment as the finance officer and offered to provide interim support as needed until a finance officer can be appointed. The town will publish an announcement to fill the finance officer position.

Moved by Hussey, second by Lasseter, motion carried with unanimous vote.

Set Town Newspaper as Custer County Chronicle. Moved by Hussey, second by Lasseter, motion carried with unanimous vote.

Set Town Bank as First Interstate Bank. Moved by Hussey, second by Lasseter, motion carried with unanimous vote.

Set Town Attorney. Motion to move this decision to the next board meeting. Moved by Hussey, second by Lasseter, motion carried with unanimous vote.

Set Rate of Rental for Auditorium (Community Center) at \$150.00 Plus Tax of \$6.30 (4.2%) plus \$150 cleaning fee. Moved by Hussey, second by Lasseter, motion carried with unanimous vote.

Set Mileage and Per Diem rates as the rates set by the State of South Dakota for government employees for 2025 (DEPARTMENT OF EXECUTIVE MANAGEMENT BUREAU OF FINANCE AND MANAGEMENT dated: April 16, 2024). Moved by Hussey, second by Lasseter, motion carried with unanimous vote.

Authorize Attendance to Attend Job Specific Training Provided by SDML. Budget Training, Rapid City, June 18, 2025 for board members and finance officer, cost estimate, \$323.00 Moved by Lasseter, second by Hussey, motion carried with unanimous vote. Human Resource Training, Pierre, June 10-11, 2025, Cost Estimate, \$389.20. Hussey stated that Wells will attend the training, moved by Lasseter, seconded by Hussey motion carried with unanimous vote. Election Board Training for Wells, Pierre, 16-17 July, 2025, Cost Estimate \$414.20. Moved by Lasseter, second by Hussey, motion carried with unanimous vote.

First reading of RESOLUTION 2025-1, PUBLICATION OF PAYROLL INFORMATION. Moved by Lasseter, second by Hussey, motion carried with unanimous vote.

Set Posting Date, Time, and Location of Agenda and Meeting Minutes. Agenda Posted NLT Thursday at 6pm Prior to Board Meeting. Meeting Minutes Posted and Published in the Newspaper Within 5 Business Days of Board Meeting. Moved by Lasseter, second by Hussey, motion carried with unanimous vote.

Set maximum of 40 hours/month for Water and Sanitation and 20 hours/month for Road and Street Departments (Includes mowing) due to concerns the town may be over budget in 2025. Hours do not apply to Emergency Services. Concerns from the water operator the hours were too restrictive. Wells stated there would be a discussion of the water operator's duties to understand what is critical. All board members will be present for the discussion with no action to be taken. Date of discussion is to be determined.

Moved by Lasseter, second by Hussey, motion carried with unanimous vote.

Establish Employee Reporting Policy. Item tabled. Moved by Lasseter, second by Hussey, motion carried with unanimous vote.

Establish Human Resources Policy, Time Card Policy, and Job Descriptions NLT August 4, 2025. Item tabled. Moved by Lasseter, second by Hussey, motion carried with unanimous vote.

Proposal to Update and Organize all Town Ordinances. Discussion: Lasseter stated the intent is to create as needed and update all ordinance and this will be done in an open forum to receive input from town citizens. Moved by Lasseter, second by Hussey, motion carried with unanimous vote.

Provide Short/Long Term Cost Estimate for Maintenance, Repair, and Vulnerabilities Identified NLT August 4, 2025. Item tabled. Moved by Lasseter, second by Hussey, motion carried with unanimous vote.

Provide Town Road and Street Survey to Begin Road Grading and Street Repair Operations in June 2025. Item tabled. Moved by Lasseter, second by Hussey, motion carried with unanimous vote.

Two items were added to New Business from the previous board members.

Removal of unsafe playground equipment from the Park. Discussion: playground equipment was identified as risk with the insurance company. Moved by Lasseter, second by Hussey, motion carried with unanimous vote.

First reading of Resolution 2025-003 Resolution Amending 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 & Resolution 2025-004 Resolution giving approval to certain drinking water facilities improvements; giving approval to the issuance and sale of a revenue bond to the finance, directly or indirectly, the improvements to the facilities; approving the form of the loan agreement and the revenue bond and pledging project revenues and collateral to secure the payment of the revenue bond; and creating special funds and accounts for the administration of funds for operating of the system and retirement of the revenue bond and providing for segregate special charge or surcharge for the payment of the bonds. Moved by Hussey, second by Lasseter, motion carried with unanimous vote.

Adjourn meeting. Moved by Hussey, second by Lasseter, motion carried with unanimous vote.

The next meeting will be June 2, 2025 at the Old Bank Building.

Minutes Unapproved

Minutes Approved:

President of the Board

VOTE:

Board, Ray Hussey aye/nay

Board Member, Travis Lasseter aye/nay
Board Member, Christine Wells aye/nay

Finance Officer

Name:

Town of Buffalo Gap

(Seal)

Published once at an approximate cost of \$102.33 and may be viewed free of charge at www.sdpublicnotices.com.

5/14

Notice Publish Date:

Wednesday, May 14, 2025

Notice Content

Town of Buffalo Gap

C462317-02

DATE _____

AMENDMENT TO

CATEGORICAL EXCLUSION DETERMINATION

FOR THE PROPOSED

PROJECT IN BUFFALO GAP, SOUTH DAKOTA

The South Dakota Department of Agriculture and Natural Resources (DANR) issued a Categorical Exclusion (CATEX) published April 19, 2023, for a proposed project from the town of Buffalo Gap located in Custer County to make improvements to their drinking water distribution system. The CATEX is being amended to reflect additional funding to the town of Buffalo Gap that was provided by DANR to complete the project. Phase 2 of the project was included in the Phase 1 review.

The town of Buffalo Gap is proposing to complete phase 2 of replacing all the water mains 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.

In September of 2022 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. This funding covered phase I of the project, additional funding is required to complete phase II.

On March 27, 2025, the town of Buffalo Gap was awarded a \$1,314,000 Drinking Water State Revolving Fund (SRF) loan (3.00 percent – 30 years) with principal forgiveness at 74.5 percent, not to exceed \$978,000. The repayment source for this loan will be with a project surcharge of \$17.00. Current water usage rates, based on 5,000 gallons, are \$57.00 per month.

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

Tim McFarling
Administrator

Published once at an approximate cost of \$23.90 and may be viewed free of charge at
www.sdpublicnotices.com.

5/14

Notice Publish Date:

Wednesday, May 14, 2025

Notice Content

town of

buffalo gap

RESOLUTION 2025-2

PUBLICATION OF PAYROLL INFORMATION

RESOLUTION 2025-2

PUBLICATION OF PAYROLL INFORMATION

WHEREAS, the Board of Trustees for the Town of Buffalo Gap, County of Custer, South Dakota resolves to provide a listing of the classification and salaries of Municipal officers and employees for the Town of Buffalo Gap in accordance with SDCL 6-1-10 and SDCL 9-14-28, for the period commencing May 5, 2025;

AND WHEREAS, all employees shall be paid not later than 5 business days after approval from the Board of Trustees;

AND WHEREAS, all salaries and compensation of the Town of Buffalo Gap officer's and employee's names herein shall be as follows; BOARD OF TRUSTEES Ray Hussey, Christine Wells and Travis Lasseter, \$60.00 each regular, \$50 each special meeting; FINANCE OFFICER \$1190 per month Shelley Harris; DATA ENTRY \$100.00 per month Christine Wells; ROAD MAINTENANCE Steve White and Terry Kizer \$15.00 per hour, \$22.50 per OT hour; WATER MAINTENANCE Terry Kizer and Zach Parris \$16.50 per hour, 24.75 per OT hour; WATER MAINTENANCE (CERT) Carrie Zoellick \$18.50 per hour, 27.75 per OT hour; GROUNDS/MOWING MAINTENANCE Steve White, Tammy White \$16.00 per hour, \$24.00 per OT hour; ANIMAL CONTROL Margaret Lamont \$16.00 per hour, \$24.00 per OT hour; EQUIPMENT RATES: Board approval required

NOW THEREFORE, BE IT RESOLVED that these wages, salaries, and specific services of municipal officers and employees are hereby approved this 5th day of May 2025.

ORIGINAL SIGNED BY CHRISTINE WELLS Buffalo Gap Town Board President

Vote: Trustee Ray Hussey - aye/nay; Trustee Christine Wells - aye/nay; Trustee Travis Lasseter - aye/nay

First Reading: May 5, 2025

ATTEST:

ORIGINAL SIGNED BY SHELLEY HARRIS, CFO, Town of Buffalo Gap

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www.sdpublicnotices.com.

5/14

Notice Publish Date:

Wednesday, May 14, 2025

Notice Content

TOWN OF

BUFFALO GAP

RESOLUTION NO 2025-3

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 TRUSTEES OF THE TOWN OF
BUFF'ALO GAP 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. The following drinking water debt service surcharge shall be applicable to all customers served:

Borrower Bond DW-02 Surcharge: \$17.00 per user per month commencing Jan. 1, 2026.

This surcharge shall remain in effect until such time as the revenue bond is paid in full. The initial surcharge shall be collected at the same time as other charges of the system. The surcharge is found to be equitable for the services provided by the improvements.

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

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 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.

6. 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.

7. Automatic Repeal. The surcharge for the Borrower Bond shall be automatically repealed when the Borrower Bond is paid in full.

8. Partial Invalidity. 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 lawfull jurisdiction, such invalidity, illegality, or unenforceability shall not affect any other provision hereof.

President of the Board of Trustees

(SEAL)

ATTEST:

Finance Officer

Published once at an approximate cost of \$39.73 and may be viewed free of charge at www.sdpublicnotices.com.

5/14

Notice Publish Date:

Wednesday, May 14, 2025

Notice Content

town of

buffalo gap

RESOLUTION NO. 2025-4

RESOLUTION GIVING APPROVAL TO CERTAIN DRINKING WATER
FACILITIES

IMPROVEMENTS; GIVING APPROVAL TO THE ISSUANCE AND SALE OF A
REVENUE BOND TO FINANCE, DIRECTLY OR INDIRECTLY, THE IMPROVEMENTS
TO THE FACILITIES; APPROVING THE FORM OF THE LOAN AGREEMENT AND
THE

REVENUE BOND AND PLEDGING PROJECT

REVENUES AND

COLLATERAL TO SECURE THE PAYMENT OF THE

REVENUE BOND; AND

CREATING SPECIAL FUNDS AND ACCOUNTS FOR THE ADMINISTRATION OF
FUNDS FOR OPERATION

OF THE SYSTEM AND RETIREMENT OF THE

REVENUE BOND AND

PROVIDING FOR A

SEGREGATED SPECIAL CHARGE OR SURCHARGE FOR THE PAYMENT
OF THE BONDS.

WHEREAS, one of the purposes of SDCL Chapter 9-40 (the "Act") as found and
determined by the Legislature is to provide for financing the acquisition, maintenance,
operation, extension or improvement of any system or part of any system of waterworks

for the purpose of providing water and water supply for domestic, municipal, together with extensions, additions, and necessary appurtenances; and,
WHEREAS, a municipality is authorized by Section 6 of the Act to issue revenue bonds to defray the cost of extensions, additions and improvements to any utility previously owned without pledging its credit and is authorized to pledge the net income or revenues from the Project in accordance with Section 15 of the Act; and,
WHEREAS, the Town of Buffalo Gap (the "Town") currently operates a water distribution system to supply municipal, industrial and domestic water to its inhabitants and has determined that improvements to the drinking water facilities are necessary for the conduct of its governmental programs and qualifies as an improvement, extension or addition to its drinking water system; and,
WHEREAS, the Town has determined to issue its revenue bonds to finance the improvements to its system of waterworks for the purpose of providing water and water supply for domestic, municipal, and industrial purposes (the "System") and has applied to the South Dakota Conservancy District (the "District") for a Drinking Water State Revolving Fund Loan to finance the improvements;
WHEREAS, the Town shall adopt special rates or surcharges for the improvements to be pledged, segregated and used for the payment of the Bonds.

NOW THEREFORE BE IT RESOLVED by the Town as follows:

SECTION 1. Definitions. The terms when used in this Resolution shall have the following meanings set forth in this section unless the context clearly requires otherwise. All terms used in this Resolution which are not defined herein shall have the meanings assigned to them in the Loan Agreement unless the context clearly otherwise requires.

"Act" means South Dakota Codified Laws Chapter 9-40.

"Loan" means the Loan made by the South Dakota Conservancy District to the Town pursuant to the terms of the Loan Agreement and as evidenced by the Revenue Bond.

"Project" means the Town of Buffalo Gap Phase 2-Cast Iron Pipe and 4-inch distribution line replacement Project.

"Revenue Bond" means the revenue bond or bonds issued the date of the Loan Agreement by the Town to the South Dakota Conservancy District to evidence the Town's obligation to repay the principal of and pay interest and Administrative Expense Surcharge on the Loan.

"System" means the Town's system of waterworks used for the purpose of providing water and water supply for domestic, municipal, and industrial purposes.

SECTION 2. Declaration of Necessity and Findings.

2.1. Declaration of Necessity. The Town hereby declares and determines it is necessary to construct and finance improvements to its drinking water facilities within its System described as the Project.

2.2. Findings. The Town does hereby find as follows:

2.2.1. The Town hereby expressly finds that if the Project is not undertaken, the System will pose a health hazard to the Town and its inhabitants, and will make the Town unable to comply with state and federal law.

2.2.2. Because of the functional interdependence of the various portions of the System, the fact that the System may not lawfully operate unless it complies with State and federal laws, including SDCL Chapter 34A-3A, and the federal Safe Drinking Water Act, and the nature of the improvements financed, the Town hereby finds and determines

that the Project will substantially benefit the entire System and all of its users within the meaning of Sections 15 and 17 of the Act.

2.2.3. The Town hereby determines and finds that for the purposes of the Act, including, in particular, Sections 15 and 17 of the Act, that only the net income from the Project financed by the Revenue Bond be pledged for its payment.

SECTION 3. Authorization of Loan, Pledge of Revenue and Security.

3.1. Authorization of Loan. The Town hereby determines and declares it necessary to finance up to \$1,314,000 of the costs of the Project through the issuance of bonds payable from the revenue of the Project and other funds secured by the Town. The Town hereby determines that because the Revenue Bond is issued in connection with a financing agreement described in SDCL 46A-I-49, pursuant to Section 15 of the Act no election is required to issue the Revenue Bond.

3.2. Approval of Loan Agreement. The execution and delivery of the Revenue Obligation Loan Agreement (the "Loan Agreement"), the form of which is on file with the Town Finance Officer (the "Finance Officer") and open to public inspection, between the Town as Borrower and the District, is hereby in all respects authorized, approved and confirmed, and the President and Finance Officer are hereby authorized and directed to execute and deliver the Loan Agreement in the form and content attached hereto, with such changes as the Attorney for the Town deems appropriate and approves, for and on behalf of the Town. The President and Finance Officer are hereby further authorized and directed to implement and perform the covenants and obligations of the Town set forth in or required by the Loan Agreement. The Loan Agreement herein referred to and made apart of this Resolution is on file in the office of the Finance Officer and is available for inspection by any interested party.

3.3. Approval of Revenue Bond. The issuance of a revenue bond in a principal amount not to exceed \$1,314,000 as determined according to the Loan Agreement in the form and content set forth in Appendix B attached to the form of Loan Agreement (the "Revenue Bond") shall be and the same is, in all respects, hereby authorized, approved, and confirmed and the President, Finance Officer, and other appropriate officials shall be and are hereby authorized and directed to execute and seal the Revenue Bond and deliver the Revenue Bond to the District, for and on behalf of the Town, upon receipt of the purchase price, and to use the proceeds thereof in the manner set forth in the Loan Agreement. The President and Finance Officer are hereby authorized to approve the final terms of the Revenue Bond and their execution and delivery thereof shall evidence that approval. The Revenue Bond shall be issued under the authority of SDCL Chapter 9-40 and SDCL Chapter 6-8B, and the provisions of the Act are hereby expressly incorporated herein as provided in Section 19 of the Act.

3.4. Pledge of Revenues. The Revenue Bond together with the interest thereon, shall not constitute a charge against the Town's general credit or taxing power, but shall be a limited obligation of the Town payable solely out of the Project Debt Service Account, which payments, revenues and receipts are hereby and in the Loan Agreement pledged and assigned for the equal and ratable payments of the Revenue Bond and shall be used for no other purpose than to pay the principal, interest and Administrative Surcharge on the Revenue Bond, except as may be otherwise expressly authorized in the Loan Agreement (including the purpose of securing Additional Bonds issued as permitted by the terms thereof). The Town covenants and agrees to charge rates for all

services from the Project or establish special charges or surcharges which will be sufficient to provide for the payments upon the Revenue Bond issued hereunder as and when the same become due, and as may be necessary to provide for the operation and maintenance and repairs of the Project, and depreciation, and the Rate Resolution shall be revised from time to time so as to produce these amounts. The Town hereby reserves the right to determine on a periodic basis the appropriate allocation of operation and maintenance expenses, depreciation, repair and reserves associated with the facilities financed with the Revenue Bond, provided that such determination of allocable operation and maintenance expenses shall in no event abrogate, abridge or otherwise contravene the covenant of the Town set forth in this Section 3 or any other covenant or agreement in the Loan Agreement.

SECTION 4. Special Charge or Surcharge for Revenue Bond. The Town does hereby create the Revenue Bond Special-Surcharge District (the "surcharge District") which shall include all users which benefit from the Project. There shall be charged a special charge or surcharge pursuant to Section 15 of the Act for the services provided by Project financed by the Revenue Bond. The special charge or surcharge shall be segregated from other revenues of the System and shall be used for the payment of the Revenue Bond. The special charge or 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 and shall be 110% of the debt service requirements on the Revenue Bond.

4.1. Rates and collection. The rate herein specific will be collected as a special charge or surcharge for the Project. This special charge or surcharge shall remain in effect until such time as the Revenue Bond is defeased or paid in full.

4.2. Initial Surcharge. The initial special charge or surcharge shall be set by resolution and collected at the same time as other charges of the utility. All users within the Surcharge District which benefit from the Project, current and future, shall be charged the special charge or surcharge. The special charge or surcharge is found to be equitable for the services provided by the Project. The special charge or surcharge shall begin at such time as will produce sufficient revenue to pay principal, interest and Administrative Surcharge on the Revenue Bond when due.

4.3. Segregation. The Finance Officer shall set up bookkeeping accounts in accordance with South Dakota Legislative Audit guidelines for the segregation of the revenue, special charges and surcharges.

4.4. Periodic review. The amount of the surcharge shall be reviewed from time to time, not less than yearly, and shall be modified in order to produce such funds as are necessary and required to comply with the Loan Agreement's rate covenant and to pay principal of, interest and Administrative Surcharge on the Revenue Bond when due. The surcharge may be set by resolution in accordance with this Section. The rate resolution shall be necessary for the support of government and shall be effective upon passage.

SECTION 5. Additional Bonds. As permitted by Sections 8 and 9 of the Act, Additional Bonds payable from revenues and income of the System or Project may be issued, as permitted in the Loan Agreement, and no provision of this Resolution shall have the effect of restricting the issuance of, or impairing the lien of, such additional parity bonds with respect to the net revenues or income from the extensions, additions or

improvements. The Town shall have the right to issue additional bonds secured by a lien subordinate to the lien from the Revenue Bond pursuant to the Loan Agreement.

SECTION 6. Project Fund Accounts. For the purpose of application and proper allocation of the income of the Project and to secure the payment of principal, Administrative Surcharge and interest on the Revenue Bond, the following mandatory asset segregations shall be included in the water system account of the Town and shall be used solely for the following respective purposes until payment in full of the principal, interest and Administrative Surcharge on the Revenue Bond:

6.1. Project Revenue Account. There shall be deposited periodically into the Project Revenue Account the net revenues as defined in Section 17 of the Act derived from the operation of the Project collected pursuant to the resolutions and ordinances of the Town of Buffalo Gap, South Dakota (collectively the "Rate Resolution"). Moneys from the Project Revenue Account shall be transferred periodically into separate funds and accounts as provided below.

6.2. Project Debt Service Account. Out of the revenues in the Project Revenue Account, there shall be set aside no later than the 25th day of each month into the account designated Project Debt Service Account, a sum sufficient to provide for the payment as the same become due of the next maturing principal of, interest and Administrative Surcharge on the Revenue Bonds and any reserve determined by the Town's governing body to be necessary. The amount set aside monthly shall be not less than one-third of the total principal, interest, and Administrative Surcharge payable on the following February 15, May 15, August 15 or November 15 and if there shall be any deficiency in the amount previously set aside, then the amount of such deficiency shall be added to the current requirement.

6.3. Depreciation Account. There shall be established a General Depreciation Account. Out of the revenues of the Project Revenue Account there shall be set aside each month into the General Depreciation Account an amount determined by the Board of Trustees to be a proper and adequate amount for repair and depreciation of the Project.

6.4. Project Surplus Account. There shall be established the Project Surplus Account. Revenues remaining in the Project Revenue Account at the end of any fiscal year after all periodic transfers have been made therefrom as above required, shall be deemed to be surplus and shall be transferred to the Project Surplus Account. If at any time there shall exist any default in making any periodic transfer to the Project Debt Service Account, the Board of Trustees shall authorize the Town Finance Officer to rectify such default so far as possible by the transfer of money from the Project Surplus Account. If any such default shall exist as to more than one account or fund at any time, then such transfer shall be made in the order such funds and accounts are listed above.

When not required to restore a current deficiency in the Project Debt Service Account, moneys in the Project Surplus Account from time to time may be used for any of the following purposes and not otherwise:

(a) To redeem and prepay the Revenue Bond when and as such Revenue Bond becomes prepayable according to its terms;

(b) To pay for repairs of or for the construction and installation of improvements or additions to the System; and, if the balances in the Project Debt Service Account and the Project Depreciation Account are sufficient to meet all payments required or reasonably anticipated to be made there from prior to the end of the then current fiscal

year, then:

(c) To be held as a reserve for redemption and prepayment of any bonds of the System which are not then but will later be prepayable according to their terms; or

(d) To be used for any other authorized municipal purpose designated by the Board of Trustees.

(e) No moneys shall at any time be transferred from the Project Surplus Account or any other account of the Fund to any other fund of the Town, nor shall such moneys at any time be loaned to other municipal funds or invested in warrants, special improvements bonds or other obligations payable from other funds, except as provided in this Section.

SECTION 7. Approval of Paying Agent/Registrar. The Revenue Bond shall be payable at the office of U.S. Bank Trust Company, National Association, St. Paul, Minnesota, hereby designated as paying agent and registrar.

SECTION 8. Approval of Bond Counsel. Meierhenry Sargent LLP is hereby retained as Bond Counsel with respect to the Revenue Bond.

SECTION 9. Tax Matters. The Interest on the Revenue Bond shall be excludable from gross income for federal income tax purposes under the Internal Revenue Code of 1986, as amended ("the Code") and applicable Treasury Regulations (the "Regulations").

SECTION 10. Covenants. The Town hereby covenants and agrees with the District and other owners of the Revenue Bond as follows:

10.1. The Town will punctually perform all duties with reference to the Project, the System and the Revenue Bond required by the constitution and laws of the State of South Dakota and by this Resolution.

10.2. The Town agrees and covenants that it will promptly construct the improvements included in the Project.

10.3. The Town covenants and agrees that pursuant to Sections 25 through 27 of the Act, the lawful holders of the Revenue Bond shall have a statutory mortgage lien upon the Project and the extensions, additions and improvements thereto acquired pursuant to the Act, until the payment in full of the principal, interest and Administrative Surcharge on the Revenue Bond, and the Town agrees not to sell or otherwise dispose of the System, the Project, or any substantial part thereof, except as provided in the Loan Agreement and shall not establish, authorize or grant a franchise for the operation of any other utility supplying like products or services in competition therewith, or permit any person, firm or corporation to compete with it in the distribution of water for municipal, industrial, and domestic purposes within the Town.

10.4. The Town covenants and agrees with the District and other owners of the Revenue Bond that it will maintain the System in good condition and operate the same in an efficient manner and at a reasonable cost, so long as any portion of the Revenue Bond remains outstanding; that it will maintain insurance on the System for the benefit of the holders of the Revenue Bond in an amount which usually would be carried by private companies in a similar type of business; that it will prepare, keep and file records, statements and accounts as provided for in this Resolution and the Loan Agreement. The Revenue Bond shall refer expressly to this Resolution and the Act and shall state that it is subject to all provisions and limitations thereof pursuant to Section 19 of the Act.

SECTION 11. Depositories. The Finance Officer shall cause all moneys pertaining to the

Funds and Accounts to be deposited as received with one or more banks which are duly qualified public depositories under the provisions of SDCL Ch. 4-6A, in a deposit account or accounts, which shall be maintained separate and apart from all other accounts of the Town, so long as any of the Bonds and the interest thereon shall remain unpaid. Any of such moneys not necessary for immediate use may be deposited with such depository banks in savings or time deposits. No money shall at any time be withdrawn from such deposit accounts except for the purposes of the Funds and Accounts as authorized in this Resolution; except that moneys from time to time on hand in the Funds and Accounts may at any time, in the discretion of the Town's governing body, be invested in securities permitted by the provisions of SDCL 4-5-6; provided, however, that the Depreciation Fund may be invested in such securities maturing not later than ten years from the date of the investment. Income received from the deposit or investment of moneys shall be credited to the Fund or Account from whose moneys the deposit was made or the investment was purchased, and handled and accounted for in the same manner as other moneys therein.

SECTION 12. Consent to Appointment. In the event of mismanagement of the Project, a default in the payment of the principal or interest of the Revenue Bond, or in any other condition thereof materially affecting the lawful holder of the Revenue Bond, or if the revenues of the Project are dissipated, wasted or diverted from their proper application as set forth in the Loan Agreement, Revenue Bond, or herein, the Town hereby consents to the appointment of a receiver pursuant to Section 33 of the Act, and agrees that the receiver will have the powers set forth therein, and in Sections 34 and 35 of the Act to operate and administer the Project, and charge and collect rates as described therein.

SECTION 13. Severability. If any section, paragraph, clause or provision of this Resolution, the Loan Agreement, the Revenue Bond, or any other Loan Document shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this Resolution or said Loan Agreement, Revenue Bond, or any other Loan Document.

SECTION 14. Repeal of Resolution. At such time as the Project Revenue Bond is defeased or paid in full, this Resolution and the special charge or surcharge shall automatically be repealed without any further action of the Town.

SECTION 15. Authorization of Town Officials. The President, Finance Officer, Town Attorney and Town officials shall be and they are hereby authorized to execute and deliver for and on behalf of the Town any and all other certificates, documents or other papers and to perform such other acts as they may deem necessary or appropriate in order to implement and carry out the actions authorized herein.

SECTION 16. Effective Date. This Resolution shall take effect on the 20th day following its publication, unless suspended by a referendum.

Adopted at Buffalo Gap, South Dakota this 5th day of May, 2025.

APPROVED:

President
(SEAL)

Attest:_____
Town Finance Officer

Adopted: _____
Published: _____
Effective: _____

Published once at an approximate cost of \$235.79 and may be viewed free of charge at www.sdpublicnotices.com.

5/14

JUNE 2025

Notice Publish Date:

Wednesday, June 04, 2025

Notice Content

NOTICE OF
PUBLIC
HEARING

UPON APPLICATION FOR NEW MALT BEVERAGE LICENSE

Notice is hereby given that the Board of Trustees of Buffalo Gap in the Town of Buffalo Gap, South Dakota, on the 5th day of May, 2025 at 6:00 PM in the Community Center, Buffalo Gap, County of Custer, will meet to consider the applications for the 2025-2026 On-Off Sale Malt Beverage/On-Off Sale SD Farm Wine Licenses. Applications to be considered pursuant to SDCL 35-4 are as follows:

LAST CHANCE SALON

BUFFALO GAP, SOUTH DAKOTA

CADILLAC RANCH

BUFFALO GAP, SOUTH DAKOTA

Notice is further given that any person/persons or their attorney may appear and be heard at said scheduled public hearing who is interested in the approval or rejection of any such application for license.

Dated this 7th Day of April, 2025

Shelley Harris, Buffalo Gap Finance Officer

Published once at an approximate cost of \$13.57 and may be viewed free of charge at www.sdpublicnotices.com.

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Notice Publish Date:

Wednesday, June 11, 2025

Notice Content

NOTICE OF
SPECIAL
MEETING

TOWN OF BUFFALO GAP, SOUTH DAKOTA

June 17, 2025, 6:00pm, Buffalo Gap Town Hall

NOTICE IS HEREBY GIVEN that the Town of Buffalo Gap, South Dakota, will hold a Special Meeting on the above date, time, and location to discuss and act upon the following agenda items:

1. Call to Order and Roll Call
2. Pledge of Allegiance
3. Approval of Agenda
4. Drinking Water Project Phase 2 - Review Engineering Contract from Helms
 - Discussion and potential action regarding Drinking Water Project Phase 2.
5. Town Water System and Maintenance Plan
 - Review and discussion of the town's water system operations and proposed upgrades to the well pump house.
 - Potential action to approve or amend the deficiencies lists and maintenance plan.
6. Town Attorney Resolution
 - Adoption of a resolution regarding the appointment or contract of the town attorney.
7. Finance Officer Appointment
8. Hire Water Operator
9. Public Hearing Opt Out Customers
10. Other Business
 - Discussion of any additional items properly brought before the council, as permitted under SDCL 1-25-1.1.
 - Pay bills not presented at the monthly town hall meeting.
 - Discuss potential budget issues or making funds available as a result of decisions made with the agenda items above.
11. Public Comment (This is time for citizens to discuss issues or concerns for the Town of Buffalo Gap directly to the Board of Trustees. The amount of time for discussion or presentations can be limited by the President of the Board. Individuals shall refrain from discussing personalities. No action will be taken by the Board of Trustees without first being placed on a future agenda)
8. Adjournment

Christine Wells, President Board of Trustees

ATTEST:

Shelley Harris, Finance Officer

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Notice Publish Date:

Wednesday, June 11, 2025

Notice Content

NOTICE OF

PUBLIC

HEARING

UPON APPLICATION FOR MALT BEVERAGE LICENSE renewal

Notice is hereby given that the Board of Trustees of Buffalo Gap in the Town of Buffalo Gap, South Dakota, on the 5th day of May, 2025 at 6:00 PM in the Community Center, Buffalo Gap, County of Custer, will meet to consider the applications for the 2025-2026 On-Off Sale Malt Beverage/On-Off Sale SD Farm Wine Licenses. Applications to be considered pursuant to SDCL 35-4 are as follows:

LAST CHANCE SALON

BUFFALO GAP, SOUTH DAKOTA

CADILLAC RANCH

BUFFALO GAP, SOUTH DAKOTA

Notice is further given that any person/persons or their attorney may appear and be heard at said scheduled public hearing who is interested in the approval or rejection of any such application for license.

Dated this 7th Day of April, 2025

Shelley Harris, Buffalo Gap Finance Officer

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Notice Publish Date:

Wednesday, June 11, 2025

Notice Content

town of

buffalo gap

RESOLUTION 2025-5

SUPPLEMENTAL

APPROPRIATIONS

WHEREAS, the Board of Trustees for the Town of Buffalo Gap, County of Custer, South Dakota resolves to supplementally appropriate funds to meet the obligations of the municipality for the period commencing June 2, 2025;

AND WHEREAS, that the following sum is supplementally appropriated to meet the obligations of the municipality.

General Fund

432.3 Sanitation

499.0 Sales Tax Remittance \$9,000.00

391.01 Transfers In \$21,348.66

411.5 Contingency \$4,250.00

Total Appropriations \$34,598.66

=====

Source of Funding

Water Improvement Fund

511 Transfers Out \$34,598.66

=====

NOW THEREFORE, BE IT RESOLVED that the movement of funds are hereby approved this 2nd day of June 2025.

Christine Wells

Buffalo GapTown Board President

Vote:

Trustee Ray Hussey - ABSENT

Trustee Christine Wells - AYE

Trustee Travis Lasseter - AYE

First Reading: June 2, 2025

Published: _____

Effective: _____

ATTEST:

Shelley Harris, Finance Officer

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6/11

Notice Publish Date:

Wednesday, June 11, 2025

Notice Content

notice of

public

hearing

Town of Buffalo Gap, Custer County,
South Dakota

June 17, 2025, 6:00 PM Buffalo Gap Town Hall

Subject: Mandatory Water Meter Upgrade for Continued Water Service

Notice is hereby given that the Town of Buffalo Gap will hold a public hearing to discuss an upcoming water infrastructure project affecting water customers who opted out of installing new water meters.

The Town is implementing a water system improvement project that will bypass properties with non-upgraded meters. To ensure continued water service, affected customers must install the new water meters and pay monthly non-user fees in accordance with Ordinance 2018-002. Failure to comply will result in discontinuation of water service to the property and additional fees will apply for future connection to the Town of Buffalo Gap Water System.

All interested persons are encouraged to attend the hearing to provide comments or ask questions. Those interested persons not able to attend are invited and encouraged to send written comments to President, Board of Trustees, PO Box 295, Buffalo Gap, SD 57722 or email:buffalogapservicescfo@outlook.com

Christine Wells, President

ATTEST

Shelley Harris, Finance Officer

Published once at the total approximate cost of \$16.80 and may be viewed free of

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Notice Publish Date:

Wednesday, June 11, 2025

Notice Content

TOWN OF

BUFFALO GAP

MEETING MINUTES

Meeting Call to Order on June 2, 2025, 6:02pm at the Old Bank Bldg Buffalo Gap, SD. Roll Call. Absent-Hussey; Wells, Lasseter & Harris Present. Pledge of Allegiance. No conflict-of-interests declared. All motions are consider unanimous unless noted. June 2, 2025 Agenda was amended to correct language from Public Time to Public Comment, Adds: Black Hills Wildfire Safety and Prevention Update, Annual 2026 Budget receive public input, Drinking Water Report. Motion-Lasseter, second-wells. Approval of May 5, 2025 Meeting Minutes, motion-Lasseter, second-Wells. COMMITTEE REPORTS: Finance Officer: ACH DOR 83.40;DOR (#10448) \$150.00;DOR(#10449) \$150.00; Winwater (#10454) 48.97;Hawkins(#10453) 306.51;ACH BHE \$1264.67; Cheyenne(#10450) \$1285.54; DOL(#10451) \$200.00;FRWUD(#10452) \$253.50;Ray Hussey(#10455) \$60;Travis Lasseter(#10456) \$60;Christine Wells (#10457) \$234.31;Shelley Harris(#10458) \$1098.97; Christine Wells(#10459) \$92.35; Steve White (#10460) \$302.91;Tammy White(#10461) \$506.08;Carrie Zoellick(#10462) \$1081.88;ACH Verizon \$40.01;ACH USDA \$483;ACH Sec Chg \$2;ACH Golden West \$108.42;Water Acct Charge Offs \$2,007.40, motion-Wells, second-Lasseter. Water & Sant Dept. Significant water loss occurred in the past month, leak was detected and repaired by Mainline Construction under warranty. Meter pit stop at Old Bank will be secured - employee will place a barrier to protect the meter pit. Presented the board with a cost estimate for additional system components for the well pump house to ensure monitoring and alerts are relayed timely to the water operator. Board voted to hold a special meeting to review the components and cost estimate, June 17, 2025, 6PM. Road & Street/Grounds & Mowing. Update received for needed maintenance and repair of equipment. Roads were graded. A citizen offered to assist the roads & streets on an as needed basis. Building Maint-no reports. Animal Control-no reports. Community Center-no reports. Park Committee. Presented and signed a thank you letter to Black Hills Energy for replacing the electrical line that was identified as a risk by the insurance company. Playground equip may be removed in the near future. Board of Trustees. Mail Call - Citizens send emails/text messages to thank the road & streets for grading the roads. Finance Officer Vacancy, two interviews to be conducted Friday June 6, 2025. Notice of Meeting Events published. Update on Black Hills Wildfire Safety and Prevention. Receive input from public on the Annual 2026 Budget, date to be determined. Drinking water report will be mailed with May water invoices. OLD BUSINESS. Proposal to Open 1st, Cedar, and Popular Streets. Initiate Engineering Survey, motion-Wells, second-Lasseter. Initiate Utility Survey, motion-Wells, second-Lasseter. Update and Organize all Town Ordinances. Ordinances and resolutions

consolidated and available for public view at the town office. A review will begin to identify ordinances or resolutions that need to be updated. NEW BUSINESS. Water Construction Phase 2-Briefing by Helms Project Manager, Brandon Smid. Board received the contract from review and signature. Phase 2 scope is to replace cast iron on Walnut Street 4th to 1st Street, Cedar & 2nd Streets. Set Town Attorney Jacob Stewart of Gunderson, Palmer, Nelson, Ashmore, motion-Wells, second-Lasseter. Resolution 2025-5 - Supplemental Appropriations first reading, motion- Lasseter, second-Wells. Public Hearing for Opt Out Meter Customers - June 17, 2025 at 6pm Old Bank. Motion-Lasseter, second-Wells. Procedures for Notifying Customers of Water Shut Off. Continue discussion to develop a communication plan. Water Works Maintenance List. Water Dept contact rural water to assist with top three deficiencies, motion-Wells, second-Lasseter. Windcross Conservancy Use of Town Acreage. Continue discussion with land owner; land owner states a fence will be installed soon to ensure access to the well pump house. PUBLIC COMMENTS: Citizen requested assistance with the Buffalo Gap Blowout July 11-12, contact Custer County to close Main Street for the parade on Jul 12. No Executive Session. Meeting Adjourned 7:24pm, Next Meeting July 7, 2025, Old Bank Bldg. Special Meeting Jun 17, 6:00pm. Minutes Unapproved
Christine Wells, President
ATTEST:
Shelley Harris, Finance Officer
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JULY 2025

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AUGUST 2025

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SEPTEMBER 2025

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OCTOBER 2025

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NOVEMBER 2025

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DECEMBER 2025

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