

Deer Mountain Sanitary District
Board of Trustees Special Meeting Minutes
11187 Deer Mountain Road, Lead, SD & via Zoom
July 27, 2026

President Oz Enderby called the meeting to order at 5:00 p.m. Trustees present at the district office were Oz Enderby, Dan O'Connor, Rod Davis, and Marty Fabens. Water Operator Steve Ryan was also present. Attorney Talbot Wieczorek, Trustee Joe Kosel, and Clerk Shari Kosel attended via Zoom.

Approval of the Business Agenda.

Enderby moved one agenda item to after the executive session and opened the meeting to public comments. There were none.

Discussion-only items:

Public Comments. None.

Trustee Comments.

*Adjourn to Executive Session to discuss contractual/legal issues and any item allowed per SDCL Chapter 1-25 (if needed)

Executive Session

Motion by O'Connor, seconded by Davis, to enter executive session pursuant to the agenda to discuss the pending litigation and interim water agreement at 5:02 p.m. Motion carried unanimously.

Executive Session Items:

- Aberle/Morris legal update
- Contractual/legal matters pursuant to SDCL Chapter 1-25
- Operator Ryan was admitted into the session at 5:48 p.m. to discuss the water meter process. He was excused at 6:00 p.m.

Motion by Fabens, seconded by Davis, to exit executive session at 6:08 p.m. Motion carried unanimously.

Meter Pit/Meter Installation Discussion [ACTION].

Motion by Kosel, seconded by O'Connor, to empower Enderby and Wieczorek to negotiate an interim water agreement, at a rate of \$3,450 per month, to be finalized before 5:00 p.m. on Wednesday, July 29, and submitted to the other parties. The agreement will also require installation of a meter pit at the current valve area, allowing the board to monitor gallons per minute and pressure and to shut the water on or off as needed. The meter requirement stems from the board's concerns regarding Aberle's obstructive behavior. Motion carried unanimously.

Adjournment

Motion by O'Connor, seconded by Davis, to adjourn. Motion carried unanimously at 6:15 p.m.

Shari Kosel
Secretary/Clerk/Notary