

**HERMOSA TOWN BOARD
TUESDAY, AUGUST 19, 2025
REGULAR MEETING @ 6:00 PM**



- 1) **ROLL CALL:**
 - A. BOT Roll Call: Kramer, Ferguson, Koontz, Harris, Serviss
 - B. Acknowledgement of other Attendees
 - C. Pledge of Allegiance to be led by Koontz
- 2) **CALL FOR CHANGES:**
 - A. Review of current agenda items
 - B. Motion to accept the agenda as presented/amended
- 3) **CONSENT CALENDAR:**
 - A. Approval of August 5, 2025, regular meeting minutes, August 13, 2025, and August 14, 2025, budget meeting minutes
- 4) **CONFLICT OF INTEREST DECLARATION:**
- 5) **TOWN/FEMA UPDATES:**
 - A. Town of Hermosa Critical Infrastructure Energy Resilience Project selected to be forwarded to FEMA
- 6) **ENGINEER:**
 - A. John Burckhard introduction
 - B. Wastewater Treatment Plant Update
- 7) **PLANNING & ZONING:**
 - A. Permit #2025-16 – Carport – 51 N 5th St. – Parcel #009284
 - B. FYI - Temporary Sign Permit Application – Dan & Deb Holsworth
 - C. Approve permit in extra-territorial jurisdiction – James & Julie Bendlin – 850 Marie St
- 8) **CLAIMS:**
 - A. Review of payroll and claims. Motion to approve as presented/amended.
- 9) **LAW ENFORCEMENT/ABATEMENTS/COMPLAINTS:**
 - A. Marshal report
 - B. Custer County Log
- 10) **LEGAL:**
 - A.
- 11) **PUBLIC WORKS:**
 - A. Presentation of cumulative plan for streets
 - B. Streets, Street Light Repairs, Water & Sewer Department Updates
 - C. Open Work Orders
 - D. Streets- Contract work
 - E. Approve cost to repair Vac Truck
 - F. Quote for Mag-Chloride
- 12) **ECONOMIC DEVELOPMENT:**
 - A. Approval of SD GF & P office space use fee

- 13) **FINANCE OFFICE:**
A. Monthly financials
B. Department updates
C. Approve new hire of Kim Muir as part-time Administrative Assistant
D. Approve closure of Town Office at noon on Fridays
- 14) **OLD BUSINESS:**
A. 2nd Reading 2.077A – Supplemental 2025 Appropriations Ordinance
B. 2nd Reading Ordinance 116.04 Alcoholic beverages, malt beverages and wine license requirements and fees
- 15) **NEW BUSINESS:**
A. Alcohol license discussion
B. 1st Reading Chapter 91: Public Nuisances Ordinance
C. Board President enumerated powers
D. Prairie Dogs on Tower Hill
- 16) **ITEMS FROM CONSTITUENTS:** No action can be taken by the board on any issue related without being first placed on a future agenda, to allow for proper notice.
1. Reserved time for public comment is **15 minutes**.
2. This is a time for citizens of the town of Hermosa or owners of property within town Limits to express concerns or discuss issues having relevance to the town.
3. Anyone wishing to address the Town Board during this time shall be asked to stand and Identify themselves after being recognized the Board President.
4. Each person will be allotted **3 minutes** to speak.
5. After these time limits are reached, all further commentary shall be made only with the Chair's approval.
- 17) **TRUSTEE INPUT:**
- 18) **EXECUTIVE SESSION:**
A. Motion to enter Executive Session allowable by SDCL 1-25-2.1 – Legal/Personnel/Contract
B. Motion to exit out of Executive Session
C. Motions resulting from Executive Session
- 19) **ADJOURN: Motion** by _____; Second by _____ to adjourn the meeting at _____ PM.

HERMOSA TOWN BOARD
TUESDAY, AUGUST 5, 2025
REGULAR MEETING @ 6:00pm

3A

ROLL CALL: Koontz called the meeting to order on Tuesday, August 5, 2025, at 6: p.m. with the following members present: Kramer, Ferguson, Koontz, Harris and Serviss. Interested citizens, Attorney Hagg, and Town Engineer Theodorou were also present. Pledge of Allegiance led by Koontz.

CALL FOR CHANGES: Motion by Serviss and seconded by Ferguson to approve the agenda as presented; vote: all aye, motion carried.

CONSENT CALENDAR: Motion by Serviss and seconded by Ferguson to approve the July 18, 2025, special meeting minutes as presented; vote: four aye and Harris abstained, motion carried. Motion by Koontz to accept the minutes of the July 22, 2025 regular meeting with the following changes: under Claims change from directed to requested the Town Attorney and under Old Business change per operating dollar to dollar per operating hour for off-sale liquor; vote: all aye, motion carried.

CONFLICT OF INTEREST DECLARATION: All board members are responsible for refraining from discussion and voting on issues where they may have a conflict of interest.

TOWN UPDATES: No items presented.

ENGINEER: Motion by Kramer and seconded by Ferguson to approve Notice of Award Schedule A of the North Water Tank to Quinn Construction in the amount of \$532,453.00; vote: all aye, motion carried. Motion by Serviss and seconded by Kramer to approve the FEMA BRIC Grant 2025 Consulting Services Agreement in the amount of \$436,920.00; vote: all aye, motion carried.

PLANNING & ZONING: Motion by Serviss and seconded by Ferguson to table Permit #2025-16 until the next regular meeting; Motion was amended by Harris and seconded by Ferguson to table until necessary information is received; vote: all aye, motion carried.

CLAIMS: Motion by Kramer and seconded by Serviss to approve the Payroll and Claims as presented: vote: all aye, motion carried. A & B BUSINESS, monthly printer/fax fee, \$554.96; BANK WEST, classic web banking fee, \$25.00; BANK WEST CREDIT CARD, adobe/stamps/plungers/business cards, \$192.83; BATTLE CREEK FIRE DEPARTMENT, April/May/June 2025 TIF #1 taxes, \$2,638.06; BLACK HILLS ELECTRIC COOP, utilities electric June 2025, \$3,160.03; CUSTER COUNTY AUDITOR, April/May/June 2025 TIF #1 taxes, \$8,503.25; CUSTER COUNTY SCHOOL, April/May/June 2025 TIF #1 taxes, \$1,129.07; CHUCK FERGUSON, July 2025 contract services, repair alley and mow lot across from town office, \$3,270.00; GOLDEN WEST 23TECHNOLOGIES, set up marshal email account/configure board president and vice president emails, \$360.00; LOWER 48 INSTRUMENTS, vegapuls c 11 radar transmitter, \$885.20; MIDCONTINENT TESTING LABORATORIES, lagoon testing, \$52.00; RURAL DEVELOPMENT, RD1 Loan-July 2025 interest & principal, \$1,278.00; RD2 Loan-July 2025 interest & principal, \$417.00; RD3 Loan-July 2025 interest & principal, \$222.00; SOLBERG KNOWLES & ASSOCIATES, indoor/outdoor panels for WWTP, \$27,269.23; US BANK, August 2025 quarterly SRF loan payment, \$1,493.23; **Accounts Payable Total: \$81,449.86. UTILITY DEPOSIT REFUNDS: SAVANNA WARREN, \$86.44; Deposit Refund Total: \$86.44.** Payroll related: Total Paid on 7/31/2025; General, \$4,905.68; Water, \$391.86; Sewer, \$164.39; Promoting City/BBB, \$54.80; EFTPS-Electronic Federal Tax, FED/FICA TAX, \$1,451.98, SOUTH DAKOTA RETIREMENT, \$1,158.86; HEALTH POOL OF SOUTH DAKOTA, \$2,087.14; **Total Payroll Related Paid: \$10,214.71. REPORT TOTAL: \$91,751.01.**

LAW ENFORCEMENT/ABATEMENTS/COMPLAINTS: Town Marshal Alias gave a Marshal report. Discussion was held on recent abatement given to property owners regarding mowing and weed-eating yards. It was stated that if a resident has a complaint, they should file a written complaint.

LEGAL: Attorney Hagg stated he is currently working with Pennington County on establishing an extraterritorial agreement.

PUBLIC WORKS: Serviss gave an update on plan to repair streets. North 2nd Street is currently scheduled to be repaired by Dakota Asphalt. Serviss is also searching for town owned space to stockpile gravel and rip rap to have on hand for repairs. Engineer Theodorou reported on currently discharging from WWTP and system has passed all required testing. Lagoon expansion project should be 95% complete by the end of the month and then issues with Fairgrounds Place will be addressed. Jerry Styles reported that contractor removed the dirt needed for the lagoon expansion project from the lots on Main Street and Hermosa Area Growth & Development will provide a letter to the town stating contractor met all obligations. Holsworth reported on contracted street maintenance work. Motion by Harris and seconded by Kramer to approve the purchase of three loads of ¾ base course gravel for Holsworth to complete needed repairs; vote: two aye and three nays, motion failed. Repair of Vac Truck is pending until the next meeting due to the need to receive more information on estimate of cost for parts.

ECONOMIC DEVELOPMENT: Serviss reported that he had attended the Hermosa Connects and Hermosa Area Growth and Development meeting on Monday night, August 4, 2025. The group is still seeking someone to coordinate the enhancement of in-home daycares. The Huckster event will be held next year on the same day as the rock show, which will be June 6, 2026. Fuel the Growth will be held October 6th through the 9th in Rapid City. The group is still working on the ambulance project.

FINANCE OFFICE: Monthly financials will be presented at the next meeting. Cornelison is currently working on budgets for budget meetings scheduled for August 13th, 14th and 15th starting at 4:00 p.m. each day.

OLD BUSINESS: Motion by Harris and seconded by Kramer to remove Future of the Hermosa Library from the agenda; vote: all aye, motion carried.

NEW BUSINESS: The first reading of Ordinance No. 2.077A Supplemental Appropriations Ordinance was held. Mark Einerwold stated he has circulated a petition and collected thirty signatures to request the board not to approve the supplement to the Legal budget. The first reading of Ordinance 116.04 Alcoholic Beverages, Malt Beverages and Wine License Requirements and Fees was held.

CITIZENS/TRUSTEE INPUT: Audience and trustees had input. For full verbiage, please see the video recording posted on the town's You Tube channel.

EXECUTIVE SESSION: Motion by Kramer and seconded by Harris to enter Executive Session allowable by SDCL 1-25-2.1 – Personnel/Contracts at 8:14 p.m.; vote: all aye, motion carried. Motion made by Ferguson and seconded by Serviss to exit Executive Session at 10:15 p.m.; vote: all aye, motion carried. There were no motions made from executive session.

ADJOURN: Motion made by Harris and seconded by Kramer to adjourn meeting at 10:15 p.m., vote: all aye, motion carried.

ATTEST:

Terri Cornelison
Finance Officer

Kelburn Koontz
Town Board President

Published once at the approximate cost of _____.

**HERMOSA TOWN BOARD
WEDNESDAY, AUGUST 13, 2025
BUDGET MEETING @ 4:00pm**

ROLL CALL: Koontz called the meeting to order on Wednesday, August 13, 2025, at 4:00 p.m. with the following members present: Kramer, Ferguson, Koontz, Harris and Serviss. Interested citizens were also present. Pledge of Allegiance led by Koontz.

CALL FOR CHANGES: Motion by Kramer and seconded by Ferguson to approve the agenda as presented; vote: all aye, motion carried.

NEW BUSINESS: Finance Officer Cornelison presented the projected revenues in support of the 2026 fiscal year. The board reviewed each line item of the proposed 2026 revenue budget. No action was taken.

CITIZENS/TRUSTEE INPUT: Audience and trustees had input. For full verbiage, please see the video recording posted on the town's You Tube channel.

EXECUTIVE SESSION: Motion by Serviss and seconded by Kramer to enter Executive Session allowable by SDCL 1-25-2.1 – Contracts at 5:08 p.m., with a five minute recess prior to entering Executive Session; vote: all aye, motion carried. Motion made by Kramer and seconded by Ferguson to exit Executive Session at 5:38 p.m.; vote: all aye, motion carried. There were no motions made from executive session.

ADJOURN: Motion made by Kramer and seconded by Harris to adjourn meeting at 5:39 p.m., vote: all aye, motion carried.

ATTEST:

Terri Cornelison
Finance Officer

Kelburn Koontz
Town Board President

Published once at the approximate cost of _____.

**HERMOSA TOWN BOARD
THURSDAY, AUGUST 14, 2025
BUDGET MEETING @ 4:00pm**

ROLL CALL: Koontz called the meeting to order on Thursday, August 14, 2025, at 4:00 p.m. with the following members present: Kramer, Ferguson, Koontz, Harris and Serviss. Interested citizens were also present. Pledge of Allegiance led by Koontz.

CALL FOR CHANGES: Motion by Serviss and seconded by Kramer to amend the agenda with the addition of Item 3A Utilization of lower-level space by outside agencies and approve the agenda as amended; vote: all aye, motion carried.

NEW BUSINESS: Finance Officer Cornelison presented the projected expenses in support of the 2026 fiscal year. The board reviewed each line item for the general fund of the proposed 2026 revenue budget. No action was taken. The Budget Meeting scheduled for Friday, August 15, 2025 at 4:00 p.m. was cancelled. The next budget meeting was scheduled for Tuesday, August 26, 2025 at 5:00 p.m. Serviss departed the meeting at 6:00 p.m. and discussion of Item 3A that was added was pended to the next meeting.

CITIZENS/TRUSTEE INPUT: Audience and trustees had input. For full verbiage, please see the video recording posted on the town's You Tube channel.

EXECUTIVE SESSION: Motion by Ferguson and seconded by Kramer to enter Executive Session allowable by SDCL 1-25-2.1 – Personnel at 6:10 p.m.; vote: all aye, motion carried. Motion made by Kramer and seconded by Ferguson to exit Executive Session at 6:34 p.m.; vote: all aye, motion carried. There were no motions made from executive session.

ADJOURN: Motion made by Kramer and seconded by Ferguson to adjourn meeting at 6:35 p.m., vote: all aye, motion carried.

ATTEST:

Terri Cornelison
Finance Officer

Kelburn Koontz
Town Board President

Published once at the approximate cost of _____.

5A



SOUTH DAKOTA
DEPARTMENT
OF PUBLIC SAFETY
prevention — protection — enforcement
EMERGENCY MANAGEMENT

08/14/2025

Kelburn Koontz
Town of Hermosa
Po Box 298
Hermosa, SD 57744-0298

Dear Mr. Koontz,

The State Hazard Mitigation Team (SHMT) met on July 16, 2025 to review and consider projects that have been submitted to the Office of Emergency Management for Hazard Mitigation Grant Program funding. We are happy to announce that the Town of Hermosa Critical Infrastructure Energy Resilience Project project has been selected to be forwarded to FEMA.

Since this project's application is still under review for approval at FEMA, you may not start any of the project until you receive the official approval notice from FEMA and the State.

If you have any questions, please let our office know.

Thank you,

A handwritten signature in blue ink, appearing to read 'Jim Poppen'.

Jim Poppen
State Hazard Mitigation Officer

cc

File

Steve Esser, Custer County Emergency Manager
Brandy Petersen, Regional Coordinator

221 S. Central Avenue • PIERRE, SOUTH DAKOTA 57501

P: 605.773.3231

F: 605.773.3580

www.facebook.com/SDEmergencyMgmt

7A

Terri Cornelison

From: Cindy Nicholson <cnicholson71@gmail.com>
Sent: Tuesday, August 12, 2025 7:56 AM
To: Terri Cornelison
Subject: carport bldg permit

Good Morning Terri,

I am emailing you in regards to the permit that Jamey Nolan paid for on our carport. (51 N 5th Street) I was told that there were questions from the last board meeting addressing our permit and that I needed to send pictures. I have attached pictures of the actual carport in place and the anchoring system on the carport to provide its stability. We moved the carport from our previous home that we rented at 27 N 5th Street to our current home that we own, 51 N 5th Street. Sorry it has taken so long to get pictures to you as we were in the process of remodeling our new home and then moving. This carport is 12 x 20 and has a metal roof. It has been secured to the ground extensively. I wouldn't park my car underneath if I had any concerns about the stability of the carport. We have used 8 - 42" inch screw in anchors on each side of the carport that are attached to the legs. We attached a 49" screw in anchor to the two front legs of the carport. We also have 4 slant anchors on the north side of the carport. We have strapped the back (closet to garage) legs of the carport to the cement pad that is for the garage and we have secured the roof of the carport to the permanent garage. I will have to send several emails so you can get all photos. I am not sure what other information you are needing, but please feel free to email us or call us anytime.

Cindy Nicholson





Terri Cornelison

From: Cindy Nicholson <cnicholson71@gmail.com>
Sent: Tuesday, August 12, 2025 7:57 AM
To: Terri Cornelison
Subject: carport pic 2







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Cindy Nicholson

Terri Cornelison

From: Cindy Nicholson <cnicholson71@gmail.com>
Sent: Tuesday, August 12, 2025 7:57 AM
To: Terri Cornelison
Subject: carport pics 3







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Cindy Nicholson

Town of Hermosa

PO Box 298 • 230 Main Street • Hermosa, SD 57744

Phone (605) 255-4291 • Fax (605) 255-4094

Email: town@hermosasd.com

1B
FYI

TEMPORARY SIGN PERMIT APPLICATION

Name: Dan + Deb Holsworth PHONE: 605-381-4645
Contact Address: 120 2nd St.
Email: gj.holsworth@midco.net

DATE SIGNS TO BE PLACED: FROM 8-7-25 THROUGH 8-10-25

TEMPORARY SIGNS MAY BE ERECTED OR POSTED FOR A PERIOD NOT TO EXCEED 30 DAYS

Type of Sign(s): Banner (☒) Paper () Wood () Other ()

LOCATION INFORMATION

Sign #1

Property Owner of Sign Location: Dan + Deb Holsworth

Address of Sign Location: lot next to Ferguson St + Main St.

Type, Material, & Size of Sign: 2-4 x 8

Other Information: Sgt. Gaulten Derr Foundation

Sign #2

Property Owner of Sign Location: _____

Address of Sign Location: _____

Type, Material, & Size of Sign: _____

Other Information: _____

Sign #3

Property Owner of Sign Location: _____

Address of Sign Location: _____

Type, Material, & Size of Sign: _____

Other Information: _____

ALL SIGNS MUST BE MAINTAINED IN GOOD CONDITION AND
MAY BE PLACED **ONLY ON THE DATES NOTED ABOVE.**

SIGNATURE OF APPLICANT: [Signature] DATE: 8-7-25

Parcel #

FOR OFFICE USE

PLANNING COMMISSION

☐ Approved ☐ Denied

NAME: _____

TITLE: _____

SIGNATURE: _____

DATE: _____



STAFF REPORT

August 14, 2025

TO: Town of Hermosa

FR: Neil Putnam AICP and Anthony Theodorou, PE

RE: 850 Marie St, permit

Legal Description: J & K Tract 2 in the NW1/4SE1/4, Sec 30, T2, R8, Custer County

Names James and Julie Bendlin

Current Zoning: Custer County, no zoning.

Jurisdiction:

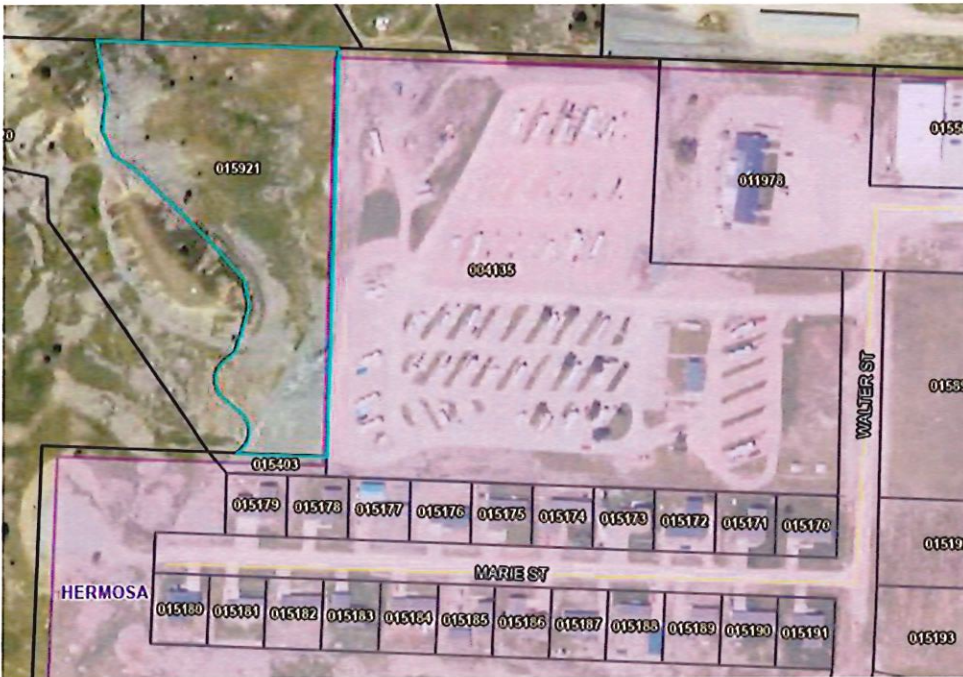
Jurisdiction: The property is outside the town limits. The property is contiguous to the town limits and within the extra-territorial jurisdiction of the Town of Hermosa and Custer County. Custer County will issue the permit.

Existing use: vacant and unimproved

Comments: the property owner will be served by Southern Hills for water and a septic tank. The owner wishes to place a manufactured home on the site. See the attached building permit application from Custer County.

Recommendations:

1. The staff recommends approval of the permit.
2. The owner complies with the codes of Custer County
3. The owner is responsible for submitting the permit to Custer County and paying applicable fees.
4. The town is not providing utilities



RELOCATION PERMIT APPLICATION
Mobile Homes, Modular Structures and Other Structures
Custer County, South Dakota

**Owner/
Applicant:**

Name(s) James + Julie Bendlin
Mailing Address 850 Marie St. PO Box 42
City: Hermosa State SD Zip Code 57744 Phone 712-260-6575

Structure:

☐ Mobile Home ☒ Manufactured Home ☐ Modular Home
☐ Cabin ☐ Detached Garage ☐ Storage Building
☐ Other Structure. Describe: _____

New / Used used 1988 Cost \$28,000 Structure total Sq. Ft. 1,320

**Location/
Origin:**

Property Owner DAN NELSON
Property Address 24496 GUMBO LILY LANE
Legal Description (for Custer County Point of Origin) CUSTER, SOUTH DAKOTA

Destination (County, State) CUSTER SOUTH DAKOTA
Relocator / Dealer DAN NELSON (605-415-0788)

The information I provided above accurately describes the structure(s) to be relocated.


Applicant Signature

7-24-25
Date

Approving Officer Signature

Date

Note: South Dakota Law requires all mobile homes to be registered each year with the Director of Equalization for the county in which the mobile home is located. Registration must be completed on or before the first day of February.

Planning Department Use Only:

Custer County Point of Origin: Record # 4111 Custer County Destination: Record # 15921

Circle Type of Improvement(s)

Stick-Built New Residence Mobile Home Modular Home Cabin/Tiny Home

Home Addition Outbuilding Garage Carport

Addition to Outbuilding/Garage

Other Improvement: _____

IMPROVEMENT INFORMATION

RESIDENCE/ADDITION

Main Floor Sq. Ft: 1320 30x44
Second Story/Loft Sq. Ft: _____
Basement Sq. Ft: _____
Total Sq. Ft: 1320
No. of Bedrooms: 3
No. of Bathrooms: 2
Heat Type: Forced air furnace
Central Air: X Yes _____ No
Fireplaces: 0 Type: _____
Garbage Disposal: _____ Yes X No
Deck Sq. Ft: 480
Size (length x width): 12x40
Patio/Slab Sq. Ft: _____
Size (length x width): _____

GARAGE/OUTBUILDING #1

X Attached _____ Detached
Size: 28x40
(LENGTH X WIDTH)
Electricity: X Yes _____ No
Plumbing: _____ Yes X No
Finished: X Yes _____ No
Insulated: X Yes _____ No
Floor Type: CONCRETE

GARAGE/OUTBUILDING #2

_____ Attached _____ Detached
Size: _____
(LENGTH X WIDTH)
Electricity: _____ Yes _____ No
Plumbing: _____ Yes _____ No
Finished: _____ Yes _____ No
Insulated: _____ Yes _____ No
Floor Type: _____

Will structures be in a floodplain area? _____ Yes X No
Will structures meet Custer County's property setback requirements? X Yes _____ No
Water Source (if applicable): _____ Private Well _____ Cistern _____ Central Water

SOUTHERN HILLS WATER SERVICE

Wastewater Disposal System Information

A Residential Building Permit will NOT be issued without the Percolation test if a new septic system will be installed.

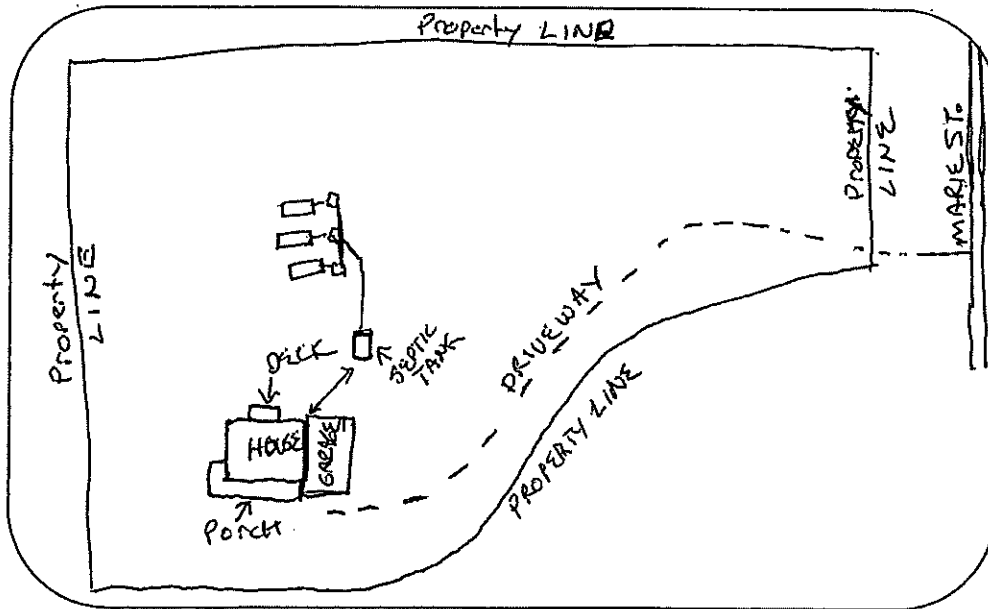
A separate Individual Wastewater Disposal Permit Application must be submitted for new installations.

Is there an existing individual wastewater disposal system on the property? _____ Yes X No (Attach documentation)

If there is no system, estimated date when a system will be installed 7-29-25

08-03-2024

I acknowledge, by initialing this statement, that I am meeting all Custer County setbacks for this structure JB



The information I have provided accurately describes the structure(s) to be built:

JH
Applicant Signature

7-24-25
Date

FOR OFFICE USE ONLY:

\$100 App Fee

Residence: \$.10 Sq. Ft

Main Floor Total Sq. Ft. = 1320
Story/Loft Total Sq. Ft. = _____
Basement Total Sq. Ft. = _____
Other Floor Total Sq. Ft. = _____

RESIDENCE TOTAL 1320

Garages/Outbuildings \$.05 Sq. Ft

Porches/Decks (covered) Total Sq. Ft. = 480
Garage Total Sq. Ft. = 1120
Shop Total Sq. Ft. = _____
Storage Bldg./Shed Total Sq. Ft. = _____

GARAGE/OUTBUILDING TOTAL 1600

Receipt # _____

8A

Claims for approval 8-19-2025

VENDOR	REFERENCE	AMOUNT
ARLVARK PEST CONTROL	PEST CONTROL FOR TOWN OFFICE	211.34
BENESCH	LONE COYOTE WATER & SEWER EXTENSION ENGINEERING FEES	\$ 1,244.00
BENESCH	HERMOSA WASTEWATER TREATMENT PLAN ENGINEERING FEES	\$ 1,608.00
BENESCH	COMP PLAN/LAGOON/OPERATIONS CONTRACT	\$ 1,896.00
BENESCH	FY22 DRINKING WATER SRF ENGINEERING FEES	\$ 6,295.00
BENESCH	ON-CALL SERVICES -BUILDING OFFICIAL	\$ 3,058.50
DAKOTA ASPHALT	SHOULDER REPAIR N 2ND STREET (BOT APPROVED 7/1/25)	\$ 6,751.50
CHUCK FERGUSON	PULL FERGUSON LIFT ST PUMP/GRAVEL FAIRGROUNDS/TOWER HILL	\$ 733.00
GOLDEN WEST TECHNOLOGIES	MONTHLY SERVICE FEE - AUGUST 2025	\$ 583.65
GOLDEN WEST TECHNOLOGIES	DEACTIVATE OLD ADMIN EMAIL AND SET UP NEW EMAIL FOR ADMIN	\$ 180.00
KIEFFER SANITATION	MONTHLY SANITATION SERVICE - JULY 2025	\$ 4,175.73
MT RUSHMORE TELEPHONE	PHONE & FAX, INVOICE 13647570, 13660939, 13663308	\$ 268.85
SOUTHERN HILLS PUBLISHING	PUBLISHING/LEGAL NOTICE - JULY 2025	\$ 346.15
Accounts Payable Total		\$ 27,351.72
Utility Deposit Refund		
NANCY LEWELLEN	300 MAIN ST #12	\$ 30.60
	Deposit Refund total	\$ 30.60
Payroll related		
Total Paid On: 7/15/2025		
	Legislative, Financial Administration, Govt Blds	\$ 3,073.93
	Water	\$ 227.44
	Sewer	\$ 136.46
	Promoting City/BBB	\$ 45.49
EFTPS-ELECTRONIC FEDERAL TAX	FED/FICA TAX	\$ 973.56
Payroll Total		
		\$ 4,456.88
***** REPORT TOTAL *****		
		\$ 31,839.20

VENDOR NAME	REFERENCE	AMOUNT	VENDOR TOTAL	CHECK#	CHECK DATE
A & B BUSINESS EQUIPMENT INC	MONTHLY PRINTER/FAX FEE				
Ardvark Pest Control	PEST CONTROL - TOWN OFFICE		211.34	18369	8/19/25
BENESCH	FY22 DWSRF ENGINEERING FEES		14,101.50	18370	8/19/25
DAKOTA ASPHALT LLC	SHOULDER REPAIR N 2ND STREET		6,751.50	18371	8/19/25
DANR	WASTEWATER DISCHARGE PERMIT				
EFTPS-Electronic Federal Tax	FED/FICA TAX		973.56	569	8/15/25
CHUCK FERGUSON	PULL PUMP FERGUSON LIFT ST		733.00	18372	8/19/25
GOLDEN WEST TECHNOLOGIES	MONTHLY SERVICE FEE AUG 2025		763.65	18373	8/19/25
KIEFFER SANITATION	MONTHLY SANITATION FEE/JUL 25		4,175.73	570	8/17/25
MT RUSHMORE TELEPHONE	PHONE/INTERNET, 13660939		268.85	571	8/15/25
Southern Hills Publishing	PUBLISHING/LEGAL JULY 2025		346.15	18374	8/19/25
SILVERSMITH DATA	SOFTWARE INTEGRATION/SETUP				
	Accounts Payable Total		28,325.28		
	Utility Refund Checks				

602	WATER		30.60		
	Refund Checks Total		30.60		
	Payroll Checks				

101	GENERAL		3,073.93		
211	BBB GROSS RECEIPTS TAX		45.49		
602	WATER		227.44		
604	SEWER		136.46		
	Total Paid On: 8/15/25		3,483.32		
	Total Payroll Paid		3,483.32		
	Report Total		31,839.20		

CLAIMS REPORT
CLAIMS FUND SUMMARY

FUND	NAME	AMOUNT
101	GENERAL	31,029.82
211	BBB GROSS RECEIPTS TAX	58.75
602	WATER	324.38
604	SEWER	426.25

	TOTAL FUNDS	31,839.20



CUSTER COUNTY SHERIFF'S OFFICE
SHERIFF MARTY MECHALEY
420 MT RUSHMORE ROAD, CUSTER, SOUTH DAKOTA, 57730
PHONE: (605) 673-8146 FAX: (605) 673-8154



Hermosa July 2025 - CFS's

Printed on August 6, 2025

CFS Date/Time	CFS #	Case Number	Code	Code : Description	Outstanding Forms Name Zone
07/01/25 17:01:56	CFS2506475		WEATHER	WEATHER : Weather	FAIRVFD HERMOSA
07/01/25 17:14:30	CFS2506476		EXT	EXT : Extra Patrol	21A10 HERMOSA
07/01/25 20:14:03	CFS2506482		FIREWRKS	FIREWRKS : Fireworks	HP201 HERMOSA TENAYA ST (0.1 miles)
07/02/25 01:12:16	CFS2506501		EXT	EXT : Extra Patrol	21A10 HERMOSA
07/02/25 05:07:29	CFS2506510		CONCIT	CONCIT : Concerned	21A6, 21A7 HERMOSA MAIN ST (171.3 feet)

9B

CFS Date/Time	CFS #	Case Number	Code	Code : Description	Outstanding Forms Name Zone
07/02/25 20:05:36	CFS2506545		PAPSERV	PAPSERV : Paper Service	21A10 HERMOSA 2ND ST (219.2 feet)
07/02/25 20:21:15	CFS2506546		EXT	EXT : Extra Patrol	21A10 HERMOSA
07/03/25 10:53:52	CFS2506569		TSTOP	TSTOP : Traffic Stop	21A3 HERMOSA N HEARTLAND EXPY
07/03/25 11:27:04	CFS2506571		TSTOP	TSTOP : Traffic Stop	21A4 HERMOSA
07/03/25 11:49:43	CFS2506572		TSTOP	TSTOP : Traffic Stop	21A3 HERMOSA
07/03/25 11:59:03	CFS2506573		TSTOP	TSTOP : Traffic Stop	21A1 HERMOSA N 5TH ST (0.1 miles)
07/03/25 12:15:39	CFS2506576		TSTOP	TSTOP : Traffic Stop	21A3 HERMOSA

CFS Date/Time	CFS #	Case Number	Code	Code : Description	Outstanding Forms By Zone
07/03/25 12:20:56	CFS2506578		TSTOP	TSTOP : Traffic Stop	21A1 HERMOSA
07/03/25 12:26:43	CFS2506579		EXT	EXT : Extra Patrol	21A7 HERMOSA VILAS ST (48.0 feet)
07/03/25 13:03:28	CFS2506580		TSTOP	TSTOP : Traffic Stop	21A1 HERMOSA
07/03/25 13:16:25	CFS2506581		TSTOP	TSTOP : Traffic Stop	21A3 HERMOSA
07/03/25 13:23:39	CFS2506582		TSTOP	TSTOP : Traffic Stop	21A1 HERMOSA
07/03/25 17:15:04	CFS2506607		PAPSERV	PAPSERV : Paper Service	21A13 HERMOSA INGALLS BLVD (29.7
07/03/25 17:37:40	CFS2506612		EXT	EXT : Extra Patrol	21A13 HERMOSA

CFS Date/Time	CFS #	Case Number	Code	Code : Description	Outstanding Forms By Date Zone
07/03/25 21:35:28	CFS2506619		FIREWRKS	FIREWRKS : Fireworks	21A7, 21A10
07/03/25 22:26:02	CFS2506621		EXT	EXT : Extra Patrol	HERMOSA 4TH ST (97.9 feet) and 21A7
07/04/25 05:32:03	CFS2506636	2025-00335	DISVEH	DISVEH : Disabled	HERMOSA VILAS ST (48.0 feet) 21A6, 21A5
07/04/25 07:49:41	CFS2506638		EXT	EXT : Extra Patrol	HERMOSA 21A6
07/04/25 14:03:32	CFS2506662	2025-00340	THREATS	THREATS : Threats	HERMOSA VILAS ST (48.0 feet) 21A17, 21A19, 21A13
07/04/25 17:10:34	CFS2506686		EXT	EXT : Extra Patrol	HERMOSA 4TH ST (208.5 feet) and 21A10
07/04/25 18:36:03	CFS2506691	2025-00341	DIST	DIST : Disturbance	HERMOSA 21A7
					HERMOSA 4TH ST (97.9 feet) and

CFS Date/Time	CFS #	Case Number	Code	Code : Description	Outstanding Name Zone	Outstanding Height Feet
07/04/25 22:21:58	CFS2506703		FIREWRKS	FIREWRKS : Fireworks	21A13	215
07/05/25 01:44:31	CFS2506710		911A	911A : 911 Abandoned	HERMOSA 2ND ST (204.3 feet) 21A10	215
07/05/25 21:30:33	CFS2506766		EXT	EXT : Extra Patrol	HERMOSA W MAIN ST (92.2 feet) 21A9	215
07/05/25 21:43:41	CFS2506767		EXT	EXT : Extra Patrol	HERMOSA INGALLS BLVD (49.7 21A13	215
07/06/25 14:05:09	CFS2506797		911MISC	911MISC : 911Misc	HERMOSA 3RD ST (200.7 feet) 21A19	215
07/06/25 16:36:00	CFS2506810		ALRBS	ALRBS : Burglar Alarm -	HERMOSA FOLSOM ST (198.7 21A17	215
07/07/25 21:18:56	CFS2506853		AOA	AOA : Assist Other	HERMOSA	215

CFS Date/Time	CFS #	Case Number	Code	Code : Description	Outstanding Complaints Forms By Name Zone
07/07/25 23:24:26	CFS2506859		EXT	EXT : Extra Patrol	21A17 HERMOSA
07/08/25 10:13:18	CFS2506871		WARRANT	WARRANT : Search	21A4, 21A2 HERMOSA 4TH ST (97.9 feet) and
07/08/25 17:15:53	CFS2506900		EXT	EXT : Extra Patrol	21A10 HERMOSA
07/08/25 20:03:28	CFS2506906		CONCIT	CONCIT : Concerned	21A17 HERMOSA W MAIN ST (92.2 feet)
07/09/25 08:52:33	CFS2506931		AOA	AOA : Assist Other	21A12, 21A4, 212A, HERMOSA DRY CREEK RD (0.5
07/09/25 20:03:29	CFS2506959		EXT	EXT : Extra Patrol	21A17 HERMOSA
07/10/25 04:32:15	CFS2506975		SUSP	SUSP : Suspicious	21A17 HERMOSA W MAIN ST (92.2 feet)

CFS Date/Time	CFS #	Case Number	Code	Code : Description	Outstanding Forms Signee Zone
07/10/25 05:10:45	CFS2506977		WILDMISC	WILDMISC : Wildlife Misc	21
07/10/25 12:13:41	CFS2506990		EXT	EXT : Extra Patrol	HERMOSA GUMBO LILY LN (0.4 21A7
07/10/25 15:39:53	CFS2506995		TSTOP	TSTOP : Traffic Stop	HERMOSA VILAS ST (48.0 feet) 21A7
07/10/25 15:56:38	CFS2506996		FOLLOWUP	FOLLOWUP : Follow-up	HERMOSA E MAIN ST (112.4 feet) 21A13
07/10/25 15:57:48	CFS2506997		FOLLOWUP	FOLLOWUP : Follow-up	HERMOSA 4TH ST (208.5 feet) and 21A7
07/10/25 17:13:51	CFS2506999		EXT	EXT : Extra Patrol	HERMOSA 4TH ST (208.5 feet) and 21A10
07/10/25 21:47:53	CFS2507010		EXT	EXT : Extra Patrol	HERMOSA 21A7 HERMOSA VILAS ST (48.0 feet)

CFS Date/Time	CFS #	Case Number	Code	Code : Description	Outstanding Forms Name Zone
07/10/25 22:02:54	CFS2507011		TRAFFCOMP	TRAFFCOMP : Traffic	21A6
07/10/25 22:49:35	CFS2507014		EXT	EXT : Extra Patrol	HERMOSA N HEARTLAND EXPY 21A6
07/11/25 20:07:23	CFS2507055		PAPSERV	PAPSERV : Paper Service	HERMOSA 21A10
07/11/25 20:24:01	CFS2507057		PAPSERV	PAPSERV : Paper Service	HERMOSA 4TH ST (208.5 feet) and 21A10
07/11/25 21:52:15	CFS2507064		EXT	EXT : Extra Patrol	HERMOSA SOUTH DAKOTA 21A10
07/15/25 02:02:44	CFS2507217		EXT	EXT : Extra Patrol	HERMOSA 21A7
07/15/25 21:41:29	CFS2507258		EXT	EXT : Extra Patrol	HERMOSA VILAS ST (48.0 feet) 21A7
					HERMOSA

CFS Date/Time	CFS #	Case Number	Code	Code : Description	Outstanding Forms Name Zone
07/16/25 17:18:49	CFS2507299		EXT	EXT : Extra Patrol	21A10 HERMOSA
07/17/25 09:21:02	CFS2507316		PAPSERV	PAPSERV : Paper Service	21A5 HERMOSA E MAIN ST (0.1 miles)
07/17/25 20:25:36	CFS2507336		TRAFFCOMP	TRAFFCOMP : Traffic	21 HERMOSA W MAIN ST (92.2 feet)
07/18/25 03:00:23	CFS2507361		EXT	EXT : Extra Patrol	21A10 HERMOSA
07/18/25 23:18:12	CFS2507446		CONCIT	CONCIT : Concerned	212A HERMOSA
07/19/25 13:15:09	CFS2507475		TSTOP	TSTOP : Traffic Stop	212A HERMOSA N 5TH ST (0.1 miles)
07/19/25 13:40:41	CFS2507478		TSTOP	TSTOP : Traffic Stop	212A HERMOSA

CFS Date/Time	CFS #	Case Number	Code	Code : Description	Outstanding Forms Figure Zone
07/19/25 14:16:31	CFS2507481		CONCIT	CONCIT : Concerned	21A4 HERMOSA DONNA ST (214.6 feet)
07/19/25 17:13:33	CFS2507492		EXT	EXT : Extra Patrol	HERMOSA
07/19/25 21:40:53	CFS2507505		EXT	EXT : Extra Patrol	21A13 HERMOSA
07/21/25 08:39:09	CFS2507563		911MISC	911MISC : 911Misc	21A4 HERMOSA N 4TH ST (0.1 miles)
07/21/25 10:53:41	CFS2507570		VEHABND	VEHABND : Abandoned	212A, 21A7 HERMOSA W MAIN ST (92.2 feet)
07/21/25 19:02:05	CFS2507596		FOLLOWUP	FOLLOWUP : Follow-up	21A7 HERMOSA 4TH ST (208.5 feet) and
07/21/25 21:54:15	CFS2507608		EXT	EXT : Extra Patrol	21A7 HERMOSA

CFS Date/Time	CFS #	Case Number	Code	Code : Description	Outstanding Arms Name Zone
07/22/25 10:29:41	CFS2507626		EXT	EXT : Extra Patrol	21A7 HERMOSA
07/23/25 08:15:55	CFS2507678		EXT	EXT : Extra Patrol	21A13 HERMOSA
07/23/25 12:35:05	CFS2507687		EXT	EXT : Extra Patrol	21A7 HERMOSA
07/24/25 21:26:45	CFS2507747		JUVMISC	JUVMISC : Juvenile Misc	HP130 HERMOSA W MAIN ST (92.2 feet)
07/25/25 13:27:15	CFS2507780		SOCOMP	SOCOMP : Sex Offender	21A9 HERMOSA GUMBO LILY LN (247.0)
07/25/25 13:32:22	CFS2507782		SOCOMP	SOCOMP : Sex Offender	21A9 HERMOSA MCDERMAND ST (40.0)
07/25/25 20:55:56	CFS2507833		CONCIT	CONCIT : Concerned	21A6 HERMOSA WALTER ST (39.9 feet)

CFS Date/Time	CFS #	Case Number	Code	Code : Description	Outstanding Forms Sign Zone
07/25/25 22:54:40	CFS2507835		EXT	EXT : Extra Patrol	21A6 HERMOSA
07/26/25 07:33:06	CFS2507846		NOTRSPS	NOTRSPS : No Trespass	21A5, 21A27 HERMOSA WALTER ST (39.9 feet)
07/26/25 12:26:06	CFS2507866		EXT	EXT : Extra Patrol	21A13 HERMOSA
07/27/25 12:02:59	CFS2507918	2025-00385	THEFTOT	THEFTOT : Theft - All	21A6 HERMOSA WALTER ST (28.5 feet)
07/27/25 13:52:59	CFS2507925		EXT	EXT : Extra Patrol	21A6 HERMOSA
07/30/25 12:24:41	CFS2508031		EXT	EXT : Extra Patrol	21A7 HERMOSA
07/31/25 02:45:53	CFS2508051		EXT	EXT : Extra Patrol	21A13 HERMOSA

CFS Date/Time	CFS #	Case Number	Code	Code : Description	Outstanding forms Bygone Zone
07/31/25 10:41:14	CFS2508070		EXT	EXT : Extra Patrol	21A7 HERMOSA

Total Records: 83

QUOTATION

Quote Number: 114

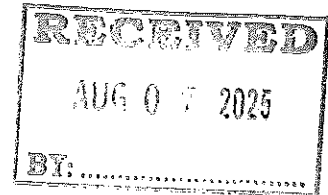
Quote Date: Aug 4, 2025

Page: 1

11F

Voice:

Fax:

**Quoted To:**

Town of Hermosa
P.O.Box 298
Hermosa, SD 57744

Customer ID	Good Thru	Payment Terms	Sales Rep
CIOHE	9/3/25	Net 30 Days	

Quantity	Item	Description	Unit Price	Amount
14,500.00	MGSD	Mag-Cloride SD This would be for doing the dust control that we have done in the past plus we added for Marie and Walters street. Dan asked me to send you this Quote.	1.65	23,925.00
Subtotal				23,925.00
Sales Tax				
TOTAL				23,925.00

TOWN OF HERMOSA
ORDINANCE NO. 2.077A
SUPPLEMENTAL APPROPRIATION ORDINANCE

14A

Be it ordained by the Town of Hermosa that the following sums are supplementally appropriated to meet obligations of the municipality.

EXPENDITURES

**General Fund
Fund 101**

41400 Finance Office

Wages	\$ 12,000.00	20% of Finance Officer wages budgeted out of BBB Fund
Total Finance Office	<u>\$ 12,000.00</u>	

41410 Legal

Professional Fees	\$ 10,000.00
Total Legal	<u>\$ 10,000.00</u>

41960 Engineer

Professional Fees	\$ 250,000.00	Supplement with funds received from CWSRF Loan
Total Engineer Fees	<u>\$ 250,000.00</u>	

Total Appropriations

\$ 272,000.00

EXPENDITURES

**TIF Debt Service
Fund 301**

46500 TIF Debt Service

Debt Service Expense	\$ 106,000.00	Supplement with taxes disbursed from TIF #1 - no budget for TIF
Total TIF Debt Service	<u>\$ 106,000.00</u>	

Total Appropriations

\$ 106,000.00

The following designates the fund or funds to which the money derived from the following source is applied.

REVENUE

**General Fund
Fund 101**

SOURCE OF FUNDING

Unassigned Fund Balance	<u>\$ 272,000.00</u>
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TOTAL MEANS OF FINANCE

\$ 272,000.00

REVENUE

**TIF Debt Service
Fund 301**

SOURCE OF FUNDING

Unassigned Fund Balance	\$ 106,000.00
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TOTAL MEANS OF FINANCE

\$ 106,000.00

Dated this 5th day of August, 2025.

ATTEST:

Terri Cornelison, Finance Officer

Vote: Kramer:
 Koontz:
 Ferguson:
 Harris:
 Serviss:

Published once at the approximate cost of \$_____.

Kelburn Koontz, Board President

First Reading: August 5, 2025
Second Reading:
Publication:

Accepted
8-25-24

Hagg & Hagg, LLP
Attorneys at Law

Brian D. Hagg

601 West Boulevard
Rapid City, South Dakota 57701
MAILING ADDRESS:
P.O. Box 750
Rapid City, SD 57709-0750

Kent R. Hagg*
*Also licensed to practice in Nebraska

Telephone 605-348-6521

August 6, 2024

Hermosa Town Board
PO Box 298
Hermosa, SD 57744

Re: *Proposal for City Attorney*

Dear President Kramer and Hermosa Town Board Members:

The purpose of this letter is to submit this firm's proposal to act as Attorney for the Town of Hermosa. The monthly retainer fee would be \$2,500 plus costs, which would include up to 10 hours of legal services each month. This fee is a monthly, non-cumulative retainer fee due on or about the 1st of each consecutive month. Any legal services provided over said ten hours would be billed at the hourly rate of \$300.

\$275.00

I appreciate the opportunity to be of service.

Sincerely,

HAGG & HAGG, LLP

Kent R. Hagg

**HERMOSA TOWN BOARD
TUESDAY, APRIL 15, 2025
REGULAR MEETING @ 6:00pm**

ROLL CALL: Koontz called the meeting to order on Tuesday, April 15, 2025, at 6:02 p.m. with the following members present: Ferguson, Koontz, Harris and Serviss. Kramer was available via the phone. Interested citizens and Attorney Hagg were also present. Pledge of Allegiance led by Koontz.

CALL FOR CHANGES: Motion by Ferguson and seconded by Harris to approve the agenda as presented; vote: all ayes, motion carried.

CONSENT CALENDAR: Motion by Kramer and seconded by Ferguson to approve April 1, 2025, regular meeting minutes and April 4, 2025, special meeting minutes as presented; vote: all aye, motion carried.

CONFLICT OF INTEREST DECLARATION: All board members are responsible for refraining from discussion and voting on issues where they may have a conflict of interest.

TOWN UPDATES: Koontz stated the claims includes a payment to Bierschbach Equipment in the amount of \$5,085.00 for the purchase of a 4" trash pump and hoses that was needed to pump out pond B into the new retention pond at the lagoons. Motion by Harris and seconded by Kramer to approve the emergency appropriations for the purchase of the pump and hoses; vote: all aye, motion carried.

ENGINEER: Discussion was held on a request from Wade and Bridget Shorb for outstanding items. This will be discussed at a future work session. The board discussed the pump purchase to temporarily feed treatment plant. Engineer Theodorou will work on a change order for the estimated cost of \$699 to be put toward the control panel. Pay Application for Wastewater Treatment Plant is pending until the next meeting. Discussion was held on the Vilas crossing.

PLANNING & ZONING: Permit #2025-06 – Concrete lifting – 410 Manning St, was presented for informational purposes. Permit #2025-07 – Installing solar panels on garage – 780 Marie St was presented for informational purposes. Motion by Serviss and seconded by Kramer to approve Permit #2025-08 – Hen Permit Application – 41 N 4th St.; vote: all aye, motion carried. Renewal Permit #2024-12 – Hen Permit – 340 Manning St. was presented for informational purposes.

CLAIMS: Motion made by Serviss and seconded by Ferguson to separate Hagg claim pending executive session; vote: two aye, 3 nay, motion failed. Motion by Koontz and seconded by Ferguson to correct Koontz claim to be fuel for marshal vehicle. Motion was amended by Harris and seconded by Ferguson to reduce Hagg bill by \$33.25 for copies; vote: all nay, motion failed. Original motion amended by Koontz and seconded by Ferguson to approve the Payroll and Claims as presented with the correction to Koontz claim to state reimbursement for fuel for marshal vehicle; vote: four aye and 1 nay, motion carried. BAROQUE ADVANTAGE LLC, Pay Application #4, \$126,376.11; BIRSCHBACH EQUIPMENT, 4" trash pump and hoses, \$5,085.00; CUSTER COUNTY REGISTER OF DEEDS, filing fee for easement, \$30.00; DAKOTA PUMP, Lagoon lift station pumps, \$18,906.11; EMTEC LLC, electric service for wastewater treatment plant, \$3,328.55; CHUCK FERGUSON, lagoon pumping/fuel/2 hours backhoe/roundtrip to Rapid City, \$2,037.52; GETTYSBURG FLAG WORKS, Hermosa flags x 3, \$731.95; GOLDENWEST TECHNOLOGIES, monthly service – April 2025, \$559.00, GOLDENWEST TECHNOLOGIES, access administrative assistant computer/back-up, \$270.00; HAGG & HAGG LLP, May 2025 retainer/9.5 billable hours @ \$275/hour/135 copies, \$5,145.75; HERMOSA COMMUNITY CENTER, rental of community center for comp plan survey meeting, \$50.00; KELBURN KOONTZ, 8' wrench and fuel for marshal vehicle, \$79.14; LINDA KRAMER, fuel for lagoon pumping, \$54.12; MT RUSHMORE TELEPHONE, monthly service – April 2025, \$268.32; NELSON'S OIL & GAS, tank rental-lower pump house, \$36.00; PENNINGTON COUNTY REGISTER OF DEEDS, filing fee for easement, \$30.00; SANDER SANITATION, monthly sanitation service, \$4,142.19; SOUTHERN HILLS PUBLISHING, publishing/legal/marshal advertisement, administrative assistant advertisement, \$403.19; SOUTH DAKOTA 811, msg fee/voice out January-March 2025, \$18.90; US POSTAL SERVICE, annual PO box service fee, \$120.00; **Accounts Payable Total: \$167,671.85. Utility Deposit Refunds: HELEN NANCE, \$50.00; Deposit Refund Total: \$50.00.** Payroll related: Total Paid On:04/15/2025: General, \$1,882.67; EFTPS-Electronic Federal Tax, FED/FICA TAX, \$553.46; **Total Payroll Related Paid: \$2,436.13. REPORT TOTAL: \$170,157.98.**

LAW ENFORCEMENT/ABATEMENTS/COMPLAINTS: Custer County log was provided.

**HERMOSA TOWN BOARD
TUESDAY, JUNE 24, 2025
REGULAR MEETING @ 6:00pm
Draft Minutes**

ROLL CALL: Kramer called the meeting to order on Tuesday, June 24, 2025, at 6:00 p.m. with the following members present: Kramer, Ferguson, Koontz, and Serviss. Harris arrived at 6:03 p.m. Interested citizens, and Attorney Hagg were also present. Town Engineer Theodorou attended via the phone. Pledge of Allegiance led by Kramer.

CALL FOR CHANGES: Motion by Ferguson and seconded by Serviss to approve the agenda as presented; vote: all aye, motion carried.

CONSENT CALENDAR: Motion by Koontz and seconded by Serviss to approve June 10, 2025, regular meeting minutes as presented; vote: all aye, motion carried.

CONFLICT OF INTEREST DECLARATION: All board members are responsible for refraining from discussion and voting on issues where they may have a conflict of interest.

PUBLIC HEARING: A public hearing for a new application from the Hermosa Community Center for an on-sale liquor license was held. Currently TW Saloon holds an on-sale liquor license for 122 Vilas Street and an additional license cannot be approved for the same address. The South Dakota Department of Revenue Special Tax Division has stated that the current license will need to be transferred or relinquished back to the town before a new license can be approved. Motion by Serviss and seconded by Ferguson to dismiss the new application from the Hermosa Community Center for an on-sale liquor license based on the information received from the South Dakota Department of Revenue Special Tax Division; Vote: three aye and two nays, motion carried. Motion by Serviss and seconded by Ferguson to dismiss the new application from the Hermosa Community Center for a malt beverage and South Dakota wine license for the same reason as stated above; vote: three aye and two nays, motion carried.

TOWN UPDATES: Motion by Harris and seconded by Koontz to approve the RFP for the 2025 Hermosa Drainage and Sewer Assessment and Improvement Plans to be published as required; Vote: all aye, motion carried.

CLAIMS: Motion by Serviss and seconded by Ferguson to withhold the Hagg & Hagg claim until discussion in Executive Session. Serviss amended the motion to reduce the claim by \$2,500.00 for the July retainer until further discussion in Executive Session; Vote: two aye, two nays and one abstain, motion failed. Motion by Harris and seconded by Koontz to approve the Payroll and Claims as presented; Vote: all aye, motion carried. AMERICAN LEGAL PUBLISHING, internet renewal 7/25 to 7/26, \$495.00; BENESCH, On-Call Services/Building Official Support, On-Call Services/Office Support, WWTP engineering fees, North Water Tank engineering fees, FY22 DWSRF engineering fees, \$23,722.00; TERRI CORNELISON, round trip mileage to Pierre, SD for Finance Officer School, \$188.70; DOOR SECURITY PRODUCTS, remove user and add accounts for finance officer and administrative assistant, \$146.68; GOLDEN WEST TECHNOLOGIES, monthly service fee for June 2025, \$568.65; HAGG & HAGG LLP, July 2025 retainer/9.25 billable hours at \$275 per hour and copies, \$5,070.50; KIEFFER SANITATION, monthly sanitation service for May 2025, \$4,142.19; MT RUSHMORE TELEPHONE, phone and fax for June 2025, \$265.64; RAMKOTA HOTEL, lodging for finance officer, \$228.00; SOUTHERN HILLS PUBLISHING, publishing/legal notices for May 2025, \$232.85; **Accounts Payable Total: \$35,060.21**, Payroll related: Total Paid on 6/13/2025: General, \$2,437.69; Water, \$173.41; Sewer, \$103.99; Promoting City/BBB, \$34.75; EFTPS-Electronic Federal Tax, \$752.93; **Total Payroll Related Paid: \$3,502.77.** **REPORT TOTAL; \$38,562.98.**

ADJOURN: Motion by Harris and seconded by Ferguson to adjourn the meeting with the old board members at 6:40 p.m.; Vote: all ayes, motion carried.

BOARD OF TRUSTEES: Oath of office was administered to Linda Kramer, Donna Ferguson and Aaron Serviss by Attorney Kent Hagg.

RECOMMENCEMENT WITH NEW BOARD: Roll call with the following members present: Kramer, Ferguson, Koontz, Harris and Serviss. Trustee Conduct and Obligations were acknowledged and signed by all board members.

**HERMOSA TOWN BOARD
TUESDAY, JULY 22, 2025
REGULAR MEETING @ 6:00pm**

Amended 8-5-25

ROLL CALL: Koontz called the meeting to order on Tuesday, July 22, 2025, at 6:00 p.m. with the following members present: Kramer, Ferguson, Koontz, and Serviss. Harris arrived at 6:11 p.m. Interested citizens, Attorney Hagg, and Town Engineer Theodorou were also present. Pledge of Allegiance led by Koontz.

CALL FOR CHANGES: Motion by Kramer and seconded by Ferguson to amend the agenda with the addition of Item 9C Meet and Greet for Town Marshall, Item 7F Temporary Sign Permit Application from Custer County Fair Association, Item 16B Application for Permit to Occupy Right of Way from Custer County Fair Association and Item 16 A Future of the Hermosa Library pending until next meeting and approve the agenda as amended; vote: all aye, motion carried.

CONSENT CALENDAR: Motion by Ferguson and seconded by Serviss to approve July 8, 2025, regular meeting minutes as presented; vote: all aye, motion carried.

CONFLICT OF INTEREST DECLARATION: All board members are responsible for refraining from discussion and voting on issues where they may have a conflict of interest.

TOWN UPDATES: One RFP was received from Benesch for the 2025 Hermosa Drainage and Sewer Assessment and Improvement Plans. Bridget Mitchell with Headwaters and Joan Harris reviewed the RFP and determined it met all the necessary requirements. Motion by Serviss and seconded by Ferguson to award the 2025 Hermosa Drainage and Sewer Assessment and Improvement Plans to Benesch; vote: all aye, motion carried.

ENGINEER: Motion by Kramer and seconded by Harris to approve the 4-Year Contract Operations and On-Call Inspection Master Service Agreement Hermosa Drinking Water and Sanitary System Agreement from Benesch, which includes 341 hours per year for Wastewater System Operations at a rate of \$145 per hour, 213 hours per year for Water Systems Operations at a rate of \$145 per hour and On-Call (emergency) Wastewater and Water Inspection Services at a rate of \$150 per hour for the first year; vote: all aye, motion carried. Motion by Kramer and seconded by Ferguson to approve the quote for the purchase of Control Panel for UF, UV and Dropbox not to exceed \$43,571; vote: all aye, motion carried. Motion by Kramer and seconded by Serviss to approve the purchase of a Level Sensor for Dropbox not to exceed \$900; vote: all aye, motion carried. Item B3 – 3 Floats were included in the quote approved for \$43,571. The North Water Tower Bid award is pending until the next regular meeting on August 5, 2025.

PLANNING & ZONING: Motion by Harris and seconded by Ferguson to approve Permit #2025-14 – Digging Permit – 360 Vilas St. – Parcel #009202 as the requested information had been received; vote: all aye, motion carried. Motion by Serviss and seconded by Ferguson to table Permit #2025-16 – Carport – 51 N 5th St. – Parcel #009284 pending further information and any other building permit information required; vote: all aye, motion carried. Motion by Harris and seconded by Kramer to approve the Temporary Sign Application from the American Legion Post 303; vote: all aye, motion carried. Motion by Serviss and seconded by Kramer to waive the requirement to connect to municipal sewer for Permit #2025-17 – Extraterritorial Area – James Bendlin – 850 Marie St; vote: all aye, motion carried. Motion by Kramer and seconded by Ferguson to approve the new address of 340 Whitney Street for Parcel #009324; vote: all aye, motion carried. Motion by Kramer and seconded by Ferguson to approve the Temporary Sign Application from the Custer County Fair Association; vote: all aye, motion carried.

CLAIMS: Motion by Serviss and seconded by Ferguson to reduce the distribution to Hagg and Hagg in the amount of \$2,500 for the August legal retainer to ensure compliance with SDCL 9-21-9; vote: one aye, three nay and one abstain, motion failed. Motion by Harris and seconded by Kramer to allow the Finance Officer to prepare a formal supplemental budget to stay in compliance for professional attorney fees and any other budget line items that will need a supplement to get to end of the year and approve the Payroll and Claims as presented; four aye and one nay, motion carried. Koontz requested the Town Attorney to consult with the board and finance officer when fees will arise above the monthly retainer. ARIC ALIAS, reimbursement for fuel for town marshal, \$47.30; BENESCH, engineering fees for Lone Coyote Water & Sewer Extension, Hermosa Wastewater Treatment Plant, North Water Tank, FY22 Drinking Water SRF, On-Call Building Official Services, Tax Increment Financing District 2 and Lagoon Expansion, \$32,442.12; CUSTER COUNTY SHERIFF, Dispatch Contract August 1 – October 31, 2025; \$2,000.00; CHUCK FERGUSON, 17 hours lagoon pumping @ \$17 per hour and fuel, \$174.01; GOLDEN WEST TECHNOLOGIES, monthly service fee July 2025,

\$568.65, HAGG & HAGG LLP, August Retainer, 5.5 billable hours @ \$275 per hour and 142 copies, \$4,048.00; KIEFFER SANITATION, \$5,014.99; MT RUSHMORE TELEPHONE, phone & fax, Invoice 13624153, 13620639 & 13620655, \$261.84; REIMER ELECTIC, replace 11 light fixtures with LED in town office, \$830.00; SDARWS, Annual Class B membership dues, \$410.00; SD DEPARTMENT OF REVENUE, sales tax May and June 2025, \$602.39; SOUTH DAKOTA 811, message fees/voice out April – June 2025, \$95.13; **Accounts Payable Total: \$46,494.43**, Payroll related: Total paid on 7/15/2025; General, \$2,256.68; Water, \$246.07; Sewer, \$147.64; Promoting City/BBB, \$49.21; EFTPS-Electronic Federal Tax, FED/FICA TAX, 787.40; **Total Payroll Related Paid: \$3,486.00. REPORT TOTAL: \$49,980.43.**

LAW ENFORCEMENT: Town Marshal Alias gave a Marshal report. Motion by Serviss and seconded by Ferguson to authorize Benesch to do research on Marshal parking opportunities on the south side of the town office property. Motion was amended by Serviss and seconded by Koontz to authorize Town Engineer Theodorou to collect documentation on possible parking opportunities pursued in the past and work with grant writers to not exceed a cost of \$500 to be expended out of the Law Enforcement Professional Services budget line item; vote: four aye and one nay, motion carried. Motion by Serviss to approve the \$50 fee for rental of the Hermosa Community Center to host a Meet and Greet for the Town Marshal. Motion died for a lack of a second. Philip Preston volunteered to pay the \$50 rental fee. Mortitz and Andrea Espy volunteered to donate funds to provide refreshments at the Town Marshal Meet and Greet.

LEGAL: Discussion was held on current budget for legal. Motion by Harris and seconded by Kramer to request Town Attorney to notify the Finance Officer and Board President when hours worked for the town get close to hours covered under the retainer fee; vote: all aye, motion carried.

PUBLIC WORKS: Public Works Director Ferguson was not in attendance at the meeting. Town Engineer Theodorou gave an update on the water and sewer. Serviss and Holsworth gave an update on current contracted street maintenance work. A citizen reported issues with the alley located between 3rd and 4th Street. Serviss will investigate and create work order for any necessary repairs. Motion by Koontz and seconded by Kramer for the intent of the Board to be committed to following the ordinances of the Town (50.27 Repairs of City Water Mains and Service Lines and 51.11 Repairs of City Sewer Mains and Service Lines) and in most cases the owner of the property will be responsible for repairs to their water and sewer system inside their property lines. However, in the case of the booster pump installations, any repairs will be addressed by the Board on an individual basis; vote: four aye and Serviss abstained, motion carried.

ECONOMIC DEVELOPMENT: Serviss reported on an opportunity for possible rental of part of the Marshal's office from a State Agency.

FINANCE OFFICE: Monthly financials were provided. Finance Officer Cornelison reminded the board that the SDML Annual Conference is being held in Pierre, SD, September 30 through October 3, 2025.

OLD BUSINESS: Serviss stated he had a conflict of interest with Item 15 A Pop's Grocery Shoppe Operating Agreement. Motion by Koontz and seconded by Ferguson to allow the board to accommodate Operating Agreement for Pop's Grocery Shoppe and take maximum \$350 fee and divide by other off-sale hours to calculate a dollar per operating hour for off-sale liquor amount and apply that to Pop's Grocery Shoppe operating hours to determine fee for operating agreement; vote: four aye and Serviss abstained, motion carried. Motion by Kramer and seconded by Harris to approve the operating agreement upon the edits being completed and approved by Hagg and Kramer; vote: four aye and Serviss abstained, motion carried. Motion by Serviss and seconded by Ferguson to table Item 15B Operating Agreement Notice of Cancellation – TW Saloon until the September 23, 2025, BOT Meeting; vote: all aye, motion carried.

NEW BUSINESS: Motion by Kramer and seconded by Harris to approve the Custer County Fair Association Application for Permit to Occupy Highway Right of Way; vote: all aye, motion carried.

CITIZENS/TRUSTEE INPUT: Audience and trustees had input. For full verbiage, please see the video recording posted on the town's You Tube channel.

BREAK: The Board took a five-minute break.

EXECUTIVE SESSION: Motion by Koontz and seconded by Kramer to enter Executive Session allowable by SDCL 1-25-2.1 – Personnel/Contracts at 10:04 p.m.; vote: all aye, motion carried. Motion made by Ferguson and seconded by Kramer to exit Executive Session at 10:44 p.m.; vote: all aye, motion carried. There were no motions made from the Executive Session.

ADJOURN: Motion made by Kramer and seconded by Serviss to adjourn meeting at 10:45 p.m.

ATTEST:

Terri Cornelison
Finance Officer

Kelburn Koontz
Town Board President

Published once at the approximate cost of _____.

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AN ORDINANCE TO AMEND TOWN OF HERMOSA ORDINANCE SECTION 116.04 (ALCOHOLIC BEVERAGES, MALT BEVERAGES AND WINE LICENSE REQUIREMENTS AND FEES) BY AMENDING SECTION 116.04 THERETO TO ENSURE CONSISTENT AND APPLICATION OF RELATED FEES

BE IT ORDAINED BY THE BOARD OF TRUSTEES FOR THE TOWN OF HERMOSA THAT THE TOWN OF HERMOSA ORDINANCE SECTION 116.04 (ALCOHOLIC BEVERAGES, MALT BEVERAGES AND WINE LICENSE REQUIREMENTS AND FEES) BE ENACTED TO ENSURE CLARITY AND SUSTAINABILITY AS FOLLOWS:

§ 116.04 Alcoholic beverages, malt beverages and wine license requirements and fees.

(A) With the exception of any considerations referenced within the sections of this chapter, classifications and fees are established for on-sale, off-sale, on/off-sale, and/or package dealers in distilled spirits, liquors, wines, and malt beverages, as outlined per the fee schedule.

(B) The monthly operating agreement fee for a non-profit organization or association applicant, or holder, shall be reviewed and set annually by the Hermosa Town Board upon the issuance, or renewal, of any liquor, liquor restaurant, wine, malt beverage, or temporary, license, and shall not exceed the monthly amount listed for the equal classification of license listed within the fee schedule.

(C) Non-profit organizations and associations shall be required to provide a copy of the following items; Federal EIN letter, letter of incorporation, bi-laws, tax exempt status. Additionally, an annual report, along with any changes made to addresses, directors, officers, or registered agents, shall be submitted annually to effectively maintain non-profit status with the town.

(D) [Repealed]

(Ord. 4.0, passed 9-15-2015; Ord. Passed ?-??-2025)

BOARD OF TRUSTEES:

Board President

Date

ATTEST:

Finance Officer

First Reading: _____

Second Reading: _____

Publication Date: _____

Effective Date: _____

CHAPTER 91: PUBLIC NUISANCES

Section

- 91.01 Definitions
- 91.02 Prohibited conditions
- 91.03 Enforcement authority
- 91.04 Notice to abate
- 91.05 Abatement by town authority
- 91.06 Abatement by town cost assessment
- 91.07 Notification guidelines
- 91.08 Exceptions
- 91.09 Application
- 91.10 Complaints
- 91.11 Conflicts with other laws

- 91.99 Penalty

§ 91.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

NOXIOUS MATTER. Includes trash, garbage, refuse and all other material which has been strewn about, is otherwise apparently abandoned or of no apparent value, which is unsightly or malodorous, or which may be potentially hazardous as a breeding ground for insects and rodents and other undesirable animals, or which may prove hazardous to individuals using the area upon which these noxious matters exist.

NUISANCE. All substances which emit any foul, unhealthy, noxious or disagreeable smell or odor; any stable or shop which is kept in a condition so as to be offensive or annoying to the public; all green or salted hides and carcasses left or deposited in any open or public area; personal property of any kind if unlicensed, unprotected by a durable cover, or not maintained in a neat and safe manner for a period of 30 days or more. This includes, but is not limited to, automobiles, machinery, equipment, accessories, parts, structures, property accouterments such as fences, accessways.

WEEDS. Includes all weeds on the state and/or county weed lists, including, but not limited to, of the kind known as Russian Thistle, Canadian Thistle, Cocklebur, Rag Weed, Golden Rod, Burdock, Creeping Jennie and all other noxious or unhealthful vegetation, especially those whose pollen is known to cause hay fever. To allow to grow to maturity on any private property or vacant lot shall constitute a nuisance.

(Ord. 10.012, passed 4-3-2001; Ord. 91.1A, passed 5-30-2017)

§ 91.02 PROHIBITED CONDITIONS.

(A) All weeds, tall grass in excess of eight inches in height, noxious matter, open wells and nuisances are declared a violation of this chapter and no owner of any lot, place or area within the town, or the agent of the owner or the occupant of the lot, place or area, shall permit on the lot, place or area, or upon any public way abutting the same, any weeds, tall grass, noxious matter or other nuisance to grow, lie, or be located thereon.

(B) Notwithstanding the prohibitions set forth in division (A), for parcels of three acres or more in undeveloped commercial and residential properties, grass growing in excess of eight inches shall be permitted for haying purposes so long as the owner, agent of the owner, or the occupant of the parcel of land of three acres or more maintains a 20-foot wide cut of the growing grass within the perimeter of the parcel of land of eight inches or less. The eight-inch or less cut shall not be necessary for that portion of the parcel that constitutes the boundary line of the town.

(Ord. 10.012, passed 4-3-2001; Ord. passed 5-7-2019) Penalty, see § 10.99

§ 91.03 ENFORCEMENT AUTHORITY.

The Board of Trustees may appoint an authorized agent for the purpose of performing inspections, providing appropriate notifications of violations, including photographs of violations, conducting enforcement and abatement action as may be required to ascertain compliance with ordinances of the town, and obtaining legal counsel as required. Detailed reports with photographic documentation of all action taken by the appointed enforcement authority will be provided at each regular meeting of the Board of Trustees.

(Ord. 10.012, passed 4-3-2001)

§ 91.04 NOTICE TO ABATE.

(A) The Board of Trustees or the duly authorized agent is authorized and empowered to notify, in writing, or by a documented phone call, the owner of any lot, place or area within the town, or the agent of the owner, and the occupant of the premises, to cut, destroy or remove any weeds, tall grass noxious matter or nuisance found growing, lying or located on the property or upon the public way abutting same.

(B) The notice shall notify the owner, agent and/or occupant to cut, destroy, remove or otherwise remedy any such weeds, tall grass, noxious matter or other nuisance within a prescribed amount of time and shall be delivered as set for below.

(Ord. 10.012, passed 4-3-2001; Ord. passed 8-4-2020)

§ 91.05 ABATEMENT BY TOWN AUTHORITY.

Upon failure, neglect or refusal of any owner, agent or occupant to comply with the notice provided for in § 91.04, within the prescribed time after the mailing thereof, the Board of Trustees or the duly authorized agent is authorized and empowered to provide for the cutting, destroying, removal or any other remedy as may be required, of the weeds, tall grass, noxious matter or other nuisance and to defray the cost of the work, including administrative costs, by special assessment against the property as set out in § 91.06.

(Ord. 10.012, passed 4-3-2001; Ord. passed 8-4-2020)

§ 91.06 ABATEMENT BY TOWN COST ASSESSMENT.

The Board of Trustees or the duly authorized agent shall cause an account to be kept against each lot upon which work is done pursuant to § 91.05, and have same certified to the Finance Officer upon completion of the work. The Finance Officer shall thereupon certify the account, showing the amount, the description of the property and add the assessment to the general assessment against the property, and certify the special assessment, together with the regular assessment, to the County

Auditor to be collected as municipal taxes for general purposes. The assessment shall be subject to review and equalization the same as assessment for taxes for general purposes.

(Ord. 10.012, passed 4-3-2001; Ord. passed 8-4-2020)

§ 91.07 NOTIFICATION GUIDELINES.

All notices will carry an original signature by at least one member of the Town Board of Trustees.

(A) First notice - courtesy note.

(1) The courtesy note shall be delivered by regular mail and/or hand delivered by Town Marshal/Deputy to the last known address of the property owner, agent and/or occupant. Hand deliveries are to be signed by the occupant if present. If occupant not present, notice will be hung on doorknob with date noted as to date and time of placement by law enforcement. The courtesy note shall contain the specific violation, the expected remedy, shall reference the ordinance violated, and shall state the date of the re-inspection. Re-inspection date shall be determined by the Board of Trustees or authorized agent and shall give sufficient time for the required remedy, usually seven calendar days from the postmarked date and noted on door hanger.

(2) Weeds, tall grass, malodorous, unhealthy, and dangerous violations require only one notice. Weeds and tall grass shall be removed within seven calendar days of the postmarked or hand delivered date of the notice. Malodorous, unhealthy, or dangerous violations shall be remedied within three calendar days of the date of the notice.

(B) Second notice - notice of violation. The notice of violation shall be delivered via door hanger (hand delivered by law enforcement) to the last known address of the property owner, agent and/or occupant. The notice of violation shall contain the specific violation, the expected remedy, shall reference the code section or ordinance violated, shall state the date of the re-inspection, and shall state consequential action which will be abatement. State the abatement action being taken, the cost of the abatement action to be assessed against the property, and the date the action shall be taken. Re-inspection date shall be determined by the Board of Trustees or authorized agent and shall give sufficient time for the required remedy, usually two weeks from date of the notice.

(C) Third notice - notice of abatement. The notice of abatement shall be delivered via registered mail, return receipt requested, with a copy delivered via regular mail, to the last known address of the property owner, agent, and/or occupant, and/or hand delivered by law enforcement. The notice of abatement shall contain the specific violation, shall reference the ordinance violated, shall state the abatement action taken, the date the action was taken, and the cost of the action to be assessed against the property.

(D) Subsequent violations. Upon subsequent violation of this chapter within a 24-month period after notice has been given as provided above, the town shall immediately send notice of pending abatement action and require the owner to remedy the nuisance within three days of delivery by regular mail and hand delivered by Marshal to the last known address.

(Ord. 10.012, passed 4-3-2001; Ord. 10.012A, passed 12-7-2004; Ord. passed 4-17-2018; Ord. passed 4-17-2018; Ord. passed 8-4-2020)

§ 91.08 EXCEPTIONS.

The Board of Trustees shall act and perform all the duties and exercise the powers of the Board of Adjustments. The Board of Adjustments shall have the power to make special exceptions to provisions of this chapter, provided that the applicant for the special exception shall first file with the Board of Adjustment a consent, signed by not less than 75% of the owners of property within 500 feet of the lot or site of which the special exception is sought, provided further that the special exception be granted by not less than a majority vote of the full Board of Adjustments.

(Ord. 10.012, passed 4-3-2001; Ord. passed 8-4-2020)

§ 91.09 APPLICATION.

For the health, safety and welfare of the citizens of this community, all properties within the jurisdictional boundaries of the town will comply with all provisions of this chapter without regard to conditions existing at the time that it goes into effect.

(Ord. 10.012, passed 4-3-2001; Ord. passed 8-4-2020)

§ 91.10 COMPLAINTS.

(A) Should any member of the Town Board of Trustees or Town Office staff receive a written or verbal complaint, a Trustee on the Town Board shall, within two days, investigate the complaint and make immediate determination of required action and so notify both the plaintiff and owner of the determination. The complaint shall be required before any courtesy notice or abatement action shall be initiated and shall remain confidential. ~~be anonymous.~~

(B) Should the complaint be declared valid, the Town Board of Trustees, upon majority vote, may give the violating owner a courtesy notice of the violation of the first offense.

(C) All notices will carry an original signature by at least one member of the Town Board of Trustees.

(Ord. 10.012A, passed 12-7-2004; Ord. passed 8-4-2020)

§ 91.11 CONFLICTS WITH OTHER LAWS.

(A) In the interpretation and application of the provisions of this chapter, these provisions shall be held to a minimum requirements adopted for the promotion of the public health, morals, safety and the general welfare.

(B) Whenever the requirements of this chapter are at variance with the requirements of other lawfully adopted rules, regulations or ordinances, the most restrictive, or that imposing the higher standards, shall govern.

(Ord. 10.012, passed 4-3-2001)

§ 91.99 PENALTY.

Each day any violation of this chapter continues shall constitute a separate offense. In addition to the remedies provided in this chapter, any person violating any provision of this chapter shall be subject to the general penalty provision as set forth in § 10.99 of this code.

(Ord. 91.1A, passed 5-30-2017)