

**HERMOSA TOWN BOARD
TUESDAY, DECEMBER 3, 2024
REGULAR MEETING @ 6:00pm**

ROLL CALL: Kramer called the meeting to order on Tuesday, December 3, 2024, at 6:00 pm with the following members present: Kramer, Ferguson, Koontz, Harris and Serviss. Interested citizens and Attorney Hagg were also present. Pledge of Allegiance led by Kramer.

CALL FOR CHANGES: Motion made by Ferguson and seconded by Kramer to amend agenda with the addition of Item C under Planning and Zoning Temporary Sign Permit FYI, move Item 14A under New Business to Item A under Legal, add Item B Silversmith contract under Legal, add Item C Discussion on Town's ability to donate under Legal and approve agenda as amended; vote: all aye, motion carried.

CONSENT CALENDAR: Motion made by Serviss and seconded by Ferguson to approve November 19, 2024, regular meeting minutes; 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.

SDML WORK COMP: Brad Wilson, Administrator for SDML Work Comp joined the meeting via Teams and Gary Drewes, Marketing Representative for SDML Work Comp, attended the meeting. Wilson reviewed how the town should oversee volunteers and requirements for work comp on volunteers. Clarification was made on Dan Holsworth volunteering his time to do street maintenance and his compensation would be for the use of equipment and fuel and that can be treated as an expense reimbursement for the town. Holsworth also stated he did not want to be covered under the town's work comp policy for any of his volunteer duties.

ENGINEER: Engineer Theodorou stated the State Department of Environment and Natural Resources had issued a Finding of No Significant Impact regarding the Wastewater Lagoon Expansion Project and would need to be published in the newspaper. Motion by Ferguson and seconded by Harris to accept the low bid from Baroque Advantage LLC in the amount of \$842,419 for the lagoon expansion project, with contractor not to begin until 30 days after the publication of the Finding of No Significant Impact report; vote: all aye, motion carried. Motion by Serviss and seconded by Harris to instruct Engineer to get estimates for repairs and negotiate acquisition for Vaktor Sewer Cleaning truck from Hill City, SD; vote: all aye, motion carried. Motion by Ferguson and seconded by Serviss to approve and authorize the chairman to sign Benesh Consulting Services Agreement for FY22 DWSRF loan C462278-03 New Well, Water Treatment Plant, Booster Station Upgrades, Water Pressure Zones and Tank Repair in the amount of \$250,000; vote: all aye, motion carried.

PLANNING & ZONING: Motion by Harris and seconded by Ferguson to approve the new address of 860 Marie Street for Parcel 015920; vote: all aye, motion carried. Dybvig presented Permit 2024-45 – Residential Building Permit Application for informational purposes only. Dybvig also presented a Temporary Sign Permit for informational purposes only.

CLAIMS: Motion made by Ferguson and seconded by Kramer to approve Payroll and Claims as presented; vote: all aye, motion carried; A & B BUSINESS EQUIPEMENT, monthly printer/fax fee, \$541.66; BANKWEST MASTERCARD, lodging/stamps/adobe/tv/tv stand/wet vac \$1,843.04; BENESCH, lagoon expansion bid & contract administration, lone coyote water/sewer extension civil design, hermosa wastewater treatment plant construction plans, smoke testing & sewer evaluations and north water tank design, \$29,297.92; , BLACK HILLS ELECTRIC COOP, utilities electric November 2024, \$3,016.71; CLAYCOMB ENGINEERING, Floodplain Development Permits #2024-29, #2024-32, #2024-34 & #2024-35, \$2,032.00; COLLIERS SECURITIES, placement agent fees for wastewater bond, \$12,000.00; CONIFER CONSTRUCTION, wastewater treatment plant construction payment #1, \$45,000.00; CUSTER COUNT AUDITOR, remaining TIF funds, \$91,409.60; CHUCK FERGUSON, November 2024 services, \$3,120.00; H2O Clear Solutions, remaining payment for wastewater treatment system, \$235,000.00; HAGG & HAGG LLP, monthly retainer fee/5 billable hours @275/copies, \$3,98.00; HARLAND CLARKE, checking account deposit slips, 165.64; MAY ADAMS GERDES & THOMPSON LLP, bank counsel fees for wastewater bond, \$725.00; MEIHERHENRY SARGENT LLP, bond counsel fees for wastewater bond, \$3,350.00; CHERYL NEUGEBAUER, reimbursement for water testing, \$83.90; Pennington Title Company, purchase of utility lot 1/closing costs, \$15,639.00; RURAL DEVELOPMENT, RD1 loan-November interest/principal, \$1,278.00, RD2 loan-November interest/principal, \$417.00, RD3 loan-November interest/principal, \$222.00; **Accounts Payable Total: \$ 449,089.47.** Payroll related: Total Paid On:11/29/2024: General, \$3,935.44, Water,

\$430.45, Sewer, \$179.03, Promoting City/ BBB, \$59.58; EFTPS-Electronic Federal Tax, FED/FICA TAX, \$1,188.93; SOUTH DAKOTA RETIREMENT, \$1,024.66; HEALTH POOL OF SOUTH DAKOTA, \$1969.00; **Total Payroll Related Paid: \$8,787.09. REPORT TOTAL: \$457,876.56.**

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

LEGAL: Motion by Serviss and seconded by Ferguson to approve and authorize the chairman to sign the FEMA DTA – Memorandum of Understanding (MOU); vote: four aye and 1 abstain; motion carried. Discussion was held on the Silversmith contract that was approved on November 19, 2024, regular meeting. Engineer Theodorou will collaborate with Attorney Hagg and Silversmith to get wording corrected to meet the attorney’s satisfaction. Discussion was held on the town’s ability to make monetary donations. Attorney Hagg advised that municipalities are not encouraged to donate any monetary amounts, but the law allows for donations of real property.

PUBLIC WORKS: Ferguson provided updates on water and sewer departments. Holsworth provided an update on street maintenance.

FINANCE OFFICE: Monthly financials will be presented at the next meeting. Finance Officer Cornelison informed the board that she had contacted the South Dakota Municipal League to have the Town of Hermosa featured in their magazine for the month of February 2025. The town shop has been vacated and the town will need to decide if they will choose to lease the building again. The board will have a Work Session on January 28, 2025. Kramer asked board members to bring their lists of items to discuss at the work session to the next meeting. Motion by Serviss and seconded by Harris to allow the town office to close at noon on Tuesday, December 24, 2024, and give office staff two additional paid holidays along with Christmas day; vote: all aye, motion carried.

OLD BUSINESS: Joan Harris gave an update on Headwaters Economics. Discussion was held on the town’s participation in the Christmas Parade to be held on Saturday, December 14, 2024.

NEW BUSINESS: Leo VanSamBeek presented to the board on behalf of Hermosa Area Growth & Development. The organization is bringing a daycare facility to Hermosa and asked the town board if they would allow the use of \$6,000 from the BBB Fund to support this endeavor. This item is pending until the next meeting.

CITIZENS/TRUSTEE INPUT: Audience and trustees had input.

EXECUTIVE SESSION: No Executive Session was held.

ADJOURN: Motion made by Serviss and seconded by Harris to adjourn meeting at 9:31 p.m., vote: all aye, motion carried.

ATTEST:

Terri Cornelison
Finance Officer

Linda Kramer
Town Board President

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