

**HERMOSA TOWN BOARD
TUESDAY, NOVEMBER 5, 2024
REGULAR MEETING @ 6:00pm**

ROLL CALL: Koontz called the meeting to order on Tuesday, November 5, 2024, at 6:01 pm with the following members present: Ferguson, Koontz, Harris and Serviss. Kramer attended via electronic means. Interested citizens and Attorney Hagg were also present. Pledge of Allegiance led by Koontz.

CALL FOR CHANGES: Motion made by Ferguson and seconded by Harris to amend agenda with the addition of Item 7 E under Planning & Zoning 2024-23 Plat Application Lone Coyote Subdivision Preston Tract 1 R & Utility Lot 1 and approve agenda as amended; vote: all aye, motion carried.

CONSENT CALENDAR: Motion made by Ferguson and seconded by Serviss to approve October 15, 2024, regular meeting minutes and October 23, 2024, special 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.

PRESTON FAMILY DEVELOPMENT: Jim Preston presented the Preston Family's intention to auction lots in their new development sometime in May 2025.

ENGINEER: Engineer Theodorou gave an update on the Lagoon Expansion project. Bids will be accepted, with a bid opening on December 2, 2024. The Wastewater Treatment Plant has been staked out and the system is currently being dismantled at Apple Springs. The Siphon design for the Preston sewer is complete. The North Water Tank property acquisition is ready for signature. Smoke testing has been completed and found a potential source of odor. Engineer Theodorou gave his recommendation to the Town to approve Barniers Tracts 1-4 of McDermand Subdivision plat.

PLANNING & ZONING: Motion by Harris and seconded by Koontz to approve the 2024-03 – Plat Application – Barnier Tracts 1 – 4 of McDermand Subdivision; vote: all aye, motion carried. Ken Ward from Iseman Homes presented to the board on the proposed future development of the Carriage Hills Subdivision. Motion by Koontz and seconded by Harris to approve the 2024-22 – Plat Application – 194 Fairgrounds Place – Grasman Tract; vote: four aye, 1 abstain, motion carried. Motion by Ferguson and seconded by Serviss to approve a refund in the amount of \$1,561.12 to Our Savior Lutheran Church for error on meter reading over the last several months; vote: four aye, 1 abstain, motion carried. The board set a special meeting for Thursday, November 7, 2024 at 2:00 p.m. to address the 2024-43 Plat Application – Lone Coyote Subdivision Preston Tract 1R & Utility Lot 1.

CLAIMS: Motion made by Ferguson and seconded by Koontz to approve Payroll and Claims as presented; vote: all aye, motion carried. A & B BUSINESS SOLUTIONS, monthly printer/fax fee, \$539.52; BANKWEST MASTERCARD, stamps/adobe software/conference registration/laptop case/clips, \$512.14; BENESCH, professional services July 29 through October 20, 2024/lagoon expansion design/DANR permit/Lone Coyote water and sewer expansion/wastewater treatment plant/north water tank, \$47,164.44; BLACK HILLS ELECTRIC COOP, utilities-electric October 2024, \$2,962.53; CONNIE LEIMER, Trap/Neuter/Release Program, \$25.00; TERESA CORNELISON, roundtrip mileage to SDML conference in Sioux Falls, SD, \$364.14; Custer County Sheriff, dispatch contract, \$2,000.00; Chuck Ferguson, September 2024 services, \$3,120.00; Chuck Ferguson, Lay pipes for lagoon discharge/electric pump/50 amp breaker/round trip to Rapid City/inspection/street light inspection, \$1,837.63; HAAG & HAGG LLP, November retainer/1.75 billable hours/280 copies, \$3,051.25; HARLAND CLARKE, original check order for new BankWest checking account, \$173.86; HAWKINS, water chemicals, \$592.04; KELBURN KOONTZ, roundtrip mileage to SDML conference in Sioux Falls, SD, \$364.14; MIDCONTINENT TESTING LABS, water testing for 3rd Quarter 2024, \$719.00; NORTHWEST PIPE FITTINGS, pipes/parts water to lagoon, \$849.00; RURAL DEVELOPMENT, RD1 loan-October interest/principal, \$1,278.00, RD2 loan-October interest/principal, \$417.00, RD3 loan-October interest/principal, \$222.00; SDML WORKER'S COMP FUND, 2025 work comp renewal, \$584.00; SOUTH DAKOTA 811, message fees/voice out July-September, 2024, \$59.22; JERRY STYLES, registration fee for Fuel the Growth Conference, \$850.00; SUMMIT SIGNS, slow down/dead end signs/white flagging tape, \$266.50; USA BLUE BOOK, Stenner S Series S-30 pump, \$1,467.08; LEO VAN SAMBEEK, registration fee for Fuel the Growth Conference, \$850.00; NEW CD AT FIRST NATIONAL BANK, \$140,501.08; **Accounts Payable Total: \$ 210,769.57. Utility Deposit Refunds:** Lisa Hussey, \$186.70; **Deposit Refund Total: \$186.70;** Payroll related: Total Paid On: 10/31/2024: General, \$3,912.29, Water, \$441.62, Sewer, \$181.62, Promoting City/ BBB, \$60.50; EFTPS-Electronic Federal Tax, FED/FICA TAX, \$1,156.91;

SOUTH DAKOTA RETIREMENT, \$940.06; HEALTH POOL OF SOUTH DAKOTA, \$1,969.00 **Total Payroll Related Paid: \$8,662.00. REPORT TOTAL: \$219,618.27.**

LAW ENFORCEMENT/ABATEMENTS/COMPLAINTS: Custer County log was provided to the board members. Motion by Ferguson and seconded by Serviss to approve the written warning, \$25 fine for unlicensed animal, \$25 for first offense and \$12 for animal license for complaint filed on 165 N 2nd Steet for dog running in the area; vote: all aye, motion carried.

LEGAL: Motion by Harris and seconded by Serviss to approve Resolution 2024-06 Resolution Dissolving Tax Increment District No. 1; vote: all aye, motion carried.

RESOLUTION NO. 2024-06

A RESOLUTION DISSOLVING TAX INCREMENT DISTRICT NO. 1.

WHEREAS, on September 20, 2005, the Town adopted Resolution No. 2005-12 creating the Town of Hermosa Tax Increment District No. 1 pursuant to SDCL 11-9; and

WHEREAS, on September 20, 2005, the Town adopted Resolution No. 2005-12 approving the Project Plan for the Town of Hermosa Tax Increment District No. 1 pursuant to SDCL 11-9; and

WHEREAS, the development and improvements occurred as outlined within the Project Plan; and

WHEREAS, a total reimbursement of \$303,604.00 was remitted;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN OF HERMOSA, SD:

That Town of Hermosa Tax Increment District No. 1 is hereby dissolved.

Date adopted: 11/5/24

PUBLIC WORKS: Ferguson provided updates on streets, water, and sewer departments.

FINANCE OFFICE: Monthly financials will be presented at the next meeting. Motion by Harris and seconded by Serviss to approve the payment of \$5,625 to Independent Audit Services for draft of the 2022 and 2023 Audit and approve payment of \$1,875 for the final audit with check for final audit being held until after town receives approval from the South Dakota Department of Legislative Audit; vote: all aye, motion carried.

OLD BUSINESS: Gravel on Tower Road is pending. Jerry Styles gave a power point presentation on his attendance to Fuel the Growth 2024 conference held in Rapid City, South Dakota, October 7 – 10, 2024. Leo VanSambeek also commented on his attendance to this conference.

NEW BUSINESS: Motion by Serviss and seconded by Kramer to approve the 2025 Operating Agreements Renewals for:

1. Operating Agreement Corner Pantry Travel Center; Package (off-sale) Liquor
2. Operating Agreement Hermosa Deli & Lounge; Retail (on-sale) Liquor
3. Operating Agreement Lazy R Bar and Grill; Retail (on-sale) Liquor-Restaurant

4. Operating Agreement TW Saloon LLC; Retail (on-sale) Liquor

Vote: all aye, motion carried.

Motion made by Kramer and seconded by Serviss to approve 2025 Uniform Alcoholic Beverage License Renewals for:

- 1. PL-4469, Corner Pantry Travel Center; Package (off-sale) Liquor
- 2. RL-5208, Hermosa Deli & Lounge; Retail (on-sale) Liquor
- 3. RR-22505, Lazy R Bar and Grill; Retail (on-sale) Liquor
- 4. RL-30258, TW Saloon LLC; Retail (on-sale) Liquor

Vote: all aye, motion carried.

Motion by Kramer and seconded by Ferguson to appoint Kelburn Koontz and the media representative for the Town of Hermosa, using form provided; motion rescinded. Motion by Kramer and seconded by Harris to appoint Kelburn Koontz the media representative for the Town of Hermosa until July 2025; vote: all aye, motion carried. Motion by Serviss and seconded by Kramer to approve the use of the media policy that was presented; vote: all aye, motion carried. Motion by Koontz and seconded by Ferguson to approve the Hermosa Food Panty to use the refrigerator located in the break room in the basement of the town office on the days they are distributing food each month; vote: all aye, motion carried. Finance Officer Cornelison informed the board that Triple J & K Properties have given notice to terminate their contract for the town shop and will vacate by November 30, 2024. Christmas Parade ideas will be discussed at the next meeting.

CITIZENS/TRUSTEE INPUT: Audience and trustees had input.

EXECUTIVE SESSION: No Executive Session was held.

ADJOURN: Motion made by Ferguson and seconded by Serviss to adjourn meeting at 9:07 p.m., vote: all aye, motion carried.

ATTEST:

Terri Cornelison
Finance Officer

Kelburn Koontz
Town Board Vice-President

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