

**HERMOSA TOWN BOARD
TUESDAY, JULY 16, 2024
REGULAR MEETING @ 6.00pm**

- 1) **ROLL CALL:**
 - A. BOT Roll Call: Henrichsen, Kramer, Ferguson, Koontz, Harris
 - B. Acknowledgement of other Attendees
 - C. Pledge of Allegiance to be led by Kramer

- 2) **CALL FOR CHANGES:**
 - A. Review of current agenda items
 - B. Motion to accept the agenda as presented/amended

- 3) **SPECIAL ITEMS:**
 - A. Meeting Protocol

- 4) **CONSENT CALENDAR:**
 - A. Approval of the July 2, 2024, regular meeting minutes

- 5) **CONFLICT OF INTEREST DECLARATION:**

- 6) **ENGINEER:**
 - A. Waterworth billing
 - B. Planning & Zoning service offered by Benesch

- 7) **PLANNING & ZONING:**
 - A. 2024-03 – REVISED – Plat Application-Parcel 9258-Tract 8A & 8Z
 - B. 2024-25 – Conditional Use Application – 749 Teneya St.- Temporary Office
 - C. 2024-28 – Conditional Use Application – 749 Teneya St. – Temporary Shipping Container
 - D. FYI – Temporary Sign Application – American Legion Post 303
 - E. FYI - Temporary Sign Application - Custer County Fair Assoc.
 - F. Motion to form Planning & Zoning board

- 8) **CLAIMS:**
 - A. Review payroll and claims. Motion to approve as presented/amended

- 9) **LAW ENFORCEMENT/ABATEMENTS/COMPLAINTS:**
 - A. Marshal's Report
 - B. Custer County Log
 - C. Abatements

- 10) **LEGAL:**
 - A. Job description and advertisement for Town Attorney position

- 11) **PUBLIC WORKS:**
 - A. Committee Report
 - B. Streets, Street Light Repairs, Water & Sewer Department Updates
 - C. Bolted Tank Interior Floor Reseal
 - D. Open Work Orders

- 12) **FINANCE OFFICE:**
 - A. Monthly financials
 - B. Department updates
 - C. Bank West CD

- 13) **OLD BUSINESS:**
- A. Appointment of Subcommittees
 - 1. Appoint _____ as Chairman and _____ as Vice Chair of the Water Committee
 - 2. Appoint _____ as Chairman and _____ as Vice Chair of the Sewer Committee
 - 3. Appoint _____ as Chairman and _____ as Vice Chair of the Streets Committee
 - 4. Appoint _____ as Chairman and _____ as Vice Chair of the Law Enforcement Committee
 - 5. Appoint _____ as Chairman and _____ as Vice Chair of the Finance Committee
 - B. Quotes for dumpster sign
 - C. Appoint authorized agents for code enforcement
 - C. Motion to send letters for follow-up of previous complaints received.
- 14) **NEW BUSINESS:**
- A. Work Order 2024-24 – Replace damaged culvert at 260 Ferguson?
 - B. Revision of Ordinance 91.10
- 15) **ITEMS FROM CITIZENS:** No action will be taken by the board on any issue related without being first placed on a future agenda, by the board, to allow for proper notice. (Reserved time for public comment is 15 minutes). Meetings of the Board of Trustees are open to the public. The audience will be allowed to comment on specific agenda items during the time allotted on the agenda for those items, according to established procedures of the Board. This is a time for members of the public (citizens, business owners, and those living within one mile of the town limits) to express concerns or discuss issues having relevance to the town. Anyone wishing to address the Town Board during this time shall be asked to stand and identify themselves after being recognized by the Board President.
- 16) **TRUSTEE INPUT:**
- 17) **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
- 18) **ADJOURN:** Motion by _____; Second by _____ to adjourn the meeting at _____ PM.

HERMOSA TOWN BOARD
TUESDAY, JULY 2, 2024
REGULAR MEETING @ 6:00pm

4A

ROLL CALL: Kramer called the meeting to order on Tuesday, July 2, 2024, at 6:00 pm with the following members present: Ferguson, Kramer and Koontz. Henrichsen and Harris were absent. Interested citizens and attorney Hagg were also present. Pledge of Allegiance led by Kramer.

CALL FOR CHANGES: Motion made and seconded to approve agenda with the following changes: moving item 12F KLJ invoice to 6D under Engineer, add Item 6E CLOMR & Environmental Clearance Work Authorization under Engineer and add Item 12H Friday July 5th office hours under Finance Office; vote: all aye, motion carried.

SPECIAL ITEMS: meeting protocol presented. Motion made and seconded to remove item 3B from the agenda: vote: all aye, motion carried.

CONSENT CALENDAR: Motion made and seconded to approve June 18, 2024, 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.

ENGINEER: Motion made and seconded to approve and authorize Kramer to sign the Water Distribution Model and Water Facilities Plan; vote: all aye, motion carried. Motion made and seconded to add \$2,000 to Lagoon Expansion Design, new DANR permit for CLOMR & Environmental Clearance and approve and authorize Kramer to sign; vote: all aye, motion carried. Motion made and seconded to approve referring Ordinance 50.02 Meters to Benesch for final revision; vote: all aye, motion carried. Discussion was held on a KLJ invoice regarding a partial payment made. Anthony will email Cornelison information supporting adjustment of the invoice.

PLANNING & ZONING: Motion made and seconded to approve the proposed address of Parcel #009339 to be 749 Tenaya St.; vote: all aye, motion carried. Motion made and seconded to approve Digging/Grading/ROW Permit 2024-23; vote: all aye, motion carried. Informational Permit 2024-24 was presented. Dybvig was instructed to obtain more information from applicant and bring back to the next meeting. Informational Permits 2024-19, 2024-20, 2024-21 and Temporary banner sign permit were presented. Discussion on the formation of a Planning & Zoning Board again. This item will be addressed at the next town board meeting.

CLAIMS: Motion made and seconded to approve Payroll and Claims as amended; vote: all aye, motion carried. A & B BUSINESS, monthly printer/fax fee, \$538.89; AMERICAN LEGAL PUBLISHING, Internet renewal 7/11/24-7/11/25, \$495.00; BENESCH, Professional Services 4/22-6/24, civil service, process design, plan, \$17,587.00; BLACK HILLS ELECTRIC COOP, Utilities/Electric, \$2,795.82; D & R SERVICE, Air conditioner maintenance, \$345.32; CHUCK FERGUSON, June 2024 services, locates, clean tap site, curb stop/Forgey property, \$4,940.00; NORTHWEST PIPE FITTINGS, saddle/pipe/curb stop wire, \$1,091.98; PIONEER BANK & TRUST, stop payment, \$25.00; T & B UNDERGROUND, Waterline boring, \$3,000.00; **Accounts Payable Total: \$ 30,819.01.** Payroll related: Total Paid On: 6/28/24: General, \$3,696.49, Water, \$419.11, Sewer, \$162.23, Promoting City/ BBB, \$54.03, EFTPS-Electronic Federal Tax, FED/FICA TAX, \$1,80.86; South Dakota Retirement System, \$893.92; Health Pool of South Dakota, \$1,990.00 **Total Payroll Related Paid: \$8,296.64. REPORT TOTAL: \$39,115.65**

LAW ENFORCEMENT/ABATEMENTS/COMPLAINTS: Ferguson informed the board of a recent complaint in the Ferguson neighborhood. Consensus was that this complaint is a law enforcement issue. Discussion was held on abatements. Dybvig will be composing a letter to send to current complaints stating it is under review. Any new complaints need to be made at the town office and signed. Town office staff will keep anonymous if requested. The complaints will also be addressed at the next work session. Motion was made and seconded to have Ferguson put a stop sign at the northeast corner of Folsom and 3rd Street; vote: all aye, motion carried.

LEGAL: Motion made and seconded to approve Attorney Hagg to draft job description for Town Attorney and to have finance committee review before posting; vote: all aye, motion carried. Discussion was held on the current TIF, and this item will be discussed at a future work session.

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

FINANCE OFFICE: Monthly financials were presented. Cornelison stated there had been more fraudulent activity on the town checking account and the account has been placed on a restricted status so each transaction can be reviewed daily and approved if authorized. Cornelison stated she has started work on the 2025 budget and the board can schedule special budget meeting dates at the next meeting. Motion was made and seconded to approve the immediate opening of a new checking account with BankWest and to transfer town banking business to BankWest; vote: all aye, motion carried. Motion made and seconded to changed authorized signers at Pioneer Bank & Trust if there is no charge for that; motion amended to authorize Cornelison, Kramer and Koontz to be authorized signers with the new BankWest checking account and update authorized signers with the Pioneer Bank & Trust checking account by deleting Henrichsen and adding Kramer and Koontz; vote: all aye, motion carried. Motion made and seconded to remove King and Serviss as account holders with SD Fit and to add Cornelison and Kramer as account holders; vote: all aye, motion carried. A work session is scheduled for Tuesday, July 9, 2024, at 6:00 p.m. Motion made and seconded to grant town office staff Friday, July 5th off with pay; vote: 2 aye, 1 nay, motion carried.

OLD BUSINESS: Appointment of Subcommittees was tabled until the next meeting.

NEW BUSINESS: Motion made and seconded to waive penalty for unauthorized dumping in town yard waste dumpsters and town to draft apology letter stating not all circumstances were known; vote: all aye, motion carried. Motion made and seconded to refund \$25.00 vendor permit fee paid by Mai's Thai Café due to vendor fees were waived for event and vendor was not allowed to set up; vote: all aye, motion carried. Motion made and seconded to rescind motion made on April 16, 2024, Town Board meeting regarding charges passed on to Mt Rushmore telephone for all locate fees conducted by Ferguson Construction over the 20 per month allowed in his contract; vote: all aye, motion carried. Discussion was held regarding who was responsible for maintenance of wooden fence between Hermosa Hills housing development and Southern Hills RV Park. It was determined that according to Hermosa Ordinance, residents have the responsibility of keeping a fence in place. Fence was originally constructed as a buffer, sound and privacy between the housing development and RV Park.

ITEMS FROM CITIZENS: Audience had input.

TRUSTEE INPUT: Koontz appreciated comment made by Henrichsen at last meeting regarding item being addressed that was not included on the agenda. Suggested a work session be held regarding Robert's Rules. Ferguson stated that it had been a good meeting. Kramer thanked everyone in attendance and comments that were made. Wished all a happy and safe 4th of July.

EXECUTIVE SESSION: Motion made and seconded to enter Executive Session allowable by SDCL 1-25-2.1 – Legal/Personnel at 8:46; vote: all aye, motion carried. Motion made and seconded to exit executive session at 9:09 p.m., vote: all aye, motion carried. Motion made and seconded to allow Attorney Hagg to write up signage for town office regarding guidelines and code of conduct expected of public; vote: all aye, motion carried.

ADJOURN: Motion made and seconded to adjourn meeting at 9:16 pm, vote: all ayes, motion carried.

ATTEST:

Terri Cornelison
Finance Officer

Linda Kramer
Town Board President

Published once at the approximate cost of _____.

6A

HERMOSA TOWN BOARD
TUESDAY, MAY 7, 2024
REGULAR MEETING @ 6:00pm

ROLL CALL: Henrichsen called the meeting to order on Tuesday, May 7, 2024, at 6:00 pm with the following members present: Ferguson, Henrichsen, Holsworth, Kramer and Koontz. Attorney Hagg and interested citizens also present. Pledge of Allegiance led by Henrichsen.

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

SPECIAL ITEMS: meeting protocol presented. Motion made and seconded to remove Item C from agenda; vote: all ayes, motion carried.

CONSENT CALENDAR: Motion made and seconded to approve April 16, 2024; minutes with the correction of vendor fair date to be June 22, 2024 under old business, April 30, 2024 Special Meeting minutes as presented and amend March 18, 2024, Board of Equalization minutes with the correction of Parcel #015346 land value changed to \$16,274 under current and final value and current valuation total changed to \$351,286; vote: all ayes, 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.

ENGINEER: Lagoon bidding and construction management and engineering staff reports/office support now being handled by Benesch. Highway 79 sewer repair bidding and construction management is pending. Motion and second to approve agreement from Benesch for Lagoon Expansion; vote: all ayes, motion carried. Motion made and seconded to approve proposal from Benesch for disinfecting lagoon water for irrigation (and meet DANR permit requirements) with selection of Peragreen 22WW vendor drum in the amount of \$1052 and S420 Series Pump in the amount of \$1380 and additional freight cost; vote: all ayes, motion carried. Motion made and seconded to table and move Comprehensive Plan, TIF District proposal and Rate Methodology Model proposals from Benesch to the next work session; vote: 2 ayes, 3 nays, motion failed.

Motion and seconded to approve the Rate Methodology Model from Benesch in the amount of \$5500 and move Comprehensive Plan and TIF District proposals to the next work session; vote: all ayes, motion carried.

PLANNING AND ZONING: Permit 2024-15 – MM moving/digging/ROW/WT/ST – Is exception needed for 14' rear setback (current ordinance requires 15'). Motion made and seconded to approve Permit 2024-15 rear setback being met with measurement being taken from foundation rather than end of actual manufactured home; vote: all ayes, motion carried. Permit 2024-16 – Informational Permit – Request for letter from BOT stating it is acceptable to operate a used car lot at Farmhouse Vintage & Design and is in conformance with all applicable building codes, zoning, and land use ordinances. Motion made and seconded to approve Permit 2024-16; vote: all ayes, motion carried. Mainstreet Fireworks LLC – Permission to operate a fireworks stand at the Corner Pantry – 25 N. Heartland. Motion made and seconded to approve operation of fireworks stand at the Corner Pantry; vote: all aye, motion carried.

CLAIMS: Motion made and seconded to remove Item A from the agenda under Claims; vote: all aye, motion carried. Motion made and seconded to remove Items A, B & C from the agenda under Planning & Zoning and remove Items C, D, & E from the agenda under Engineer; vote: all aye, motion carried. Motion made and seconded to approve Payroll and Claims as presented; vote: all ayes, motion carried. A & B BUSINESS, Monthly printer/fax fee, \$655.74; BLACK HILLS ELECTRIC COOP, Utilities-Electric 3/2024, \$2,797.79; BLACK HILLS ELECTRIC COOP, New street light – Whitney Street, \$2,551.03; CITY OF HOT SPRINGS, Wastewater service, \$688.20; TERRI CORNELSION, Office supplies, \$31.82 DSG-DAKOT SUPPLY GROUP, Street lights, \$1,416.96; CHUCK FERGUSON, April 2024 services, \$3,120 and dig up meter/free up value/locates, \$1,396; GWORKS, Front Desk – 50 additional users, \$329; HILLS SEPTIC, lagoon pumping, \$15,930; JOHNSON LAW OFFICE, BOT meeting, email/review legal documents, \$657.61; PIONEER BANK & TRUST, pump repair/shop light/office supplies, \$2,250.43; SOUTH DAKOTA DEPARTMENT OF REVENUE, half of malt beverage fees, \$300; SOUTHERN HILLS PUBLISHING, Publishing/Legal notices 04/24, \$144.77; SUMMIT SIGNS AND SUPPLY INC, speed limit sign, \$223.50; VANWAY TROPHY & AWARD, Name plate -Koontz, 24.50; **Accounts Payable Total: \$ 32,517.35.** Payroll related: Total Paid On: 4/30/24: General, \$5,425.22, Water, \$406.66, Sewer, \$152.67, Promoting City/ BBB, \$50.89, EFTPS-Electronic Federal Tax, FED/FICA TAX, \$1,492.59, HEALTH POOL OF SD, Admin single health 4/24 & Life insurance, \$1,984.75, SD Retirement System, \$875.10. **Total Payroll**

Related Paid: \$10,387.88. Utility Deposit Refunds: Thomas Mandarino, \$51.99; Brent Wurdeman, \$33.55; Tatianna Clark \$76.73. **Deposit Refund Total: \$162.27. REPORT TOTAL: \$43,067.50.**

LAW ENFORCEMENT/ABATEMENTS/COMPLAINTS: Custer County log in packet. Ferguson gave an update on conversation she had with Sheriff Mechaley. Abatements – no further action will be taken on current abatements/letters of complaint until a work session is completed. Motion made and seconded to set the work session for Wednesday, May 22, 2024 at 6 p.m.; vote: 4 aye, 1 nay, motion carried.

LEGAL: Kent Hagg was in attendance and stated he will be available during the interim of seeking a new attorney.

PUBLIC WORKS: Ferguson provided updates on streets, water, and sewer departments. Bolted Tank Interior Floor Reseal, pending. Open Work Orders (Attached), ongoing. PACE Contract, pending and still scheduled for May. Ferguson discussed ordering “slow down” signs to deter speeders. Motion made and seconded to do nothing with the slow down signs; vote: 2 aye, 2 nay, 1 abstain, motion failed.

FINANCE OFFICE: Monthly financials will be presented at the next meeting on May 21, 2024. Finance Officer Cornelison provided information on the Town of Hermosa policy only designating that pay day is on the 15th and last day of each month. When a pay day falls on a weekend or holiday, that pay day is moved up to the first banking day prior. Motion made and seconded to change pay periods to end on the 5th and 21st of each month ; vote: all aye, motion carried. Information was reviewed on pricing for GWorks upgrade. Cornelison was instructed to get pricing on the HR module only and bring to the next meeting. Motion made and seconded to approve \$75 registration fee, meals and mileage for Cornelison to attend the Finance Officer School in Spearfish, SD, on June 12-14, 2024; vote: all aye, motion carried. Motion made and seconded to approve \$30 registration fee, meals and mileage for Cornelison to attend Budget Training in Rapid City, SD, on June 18, 2024; vote: all ayes, motion carried.

OLD BUSINESS: Hermosa Connects meets the second Monday of each month at 9a.m. at the Hermosa Coffee House. Motion made and seconded to remove Item B under Old Business; vote: all aye, motion carried. Motion made and seconded to remove Item C under Old Business; vote: all aye, motion carried. Motion made and seconded to rescind Resolution 06-2023; vote: all aye, motion carried. Motion made and seconded to remove Item D under Old Business from agenda; vote: all aye, motion carried.

NEW BUSINESS: Gravel on Tower Road is pending. Kramer will not be attending the Custer County Commission meeting on May 8, 2024. The vendor permit fees will be discussed at the next work session on May 22, 2024. Discussion was held on supplementing the general fund budget for other expenses which has been used for the TNR program. Motion made and seconded to keep the budget where it currently at; motion died for a lack of a second. Motion made and seconded to supplement the general fund other expense budget by \$500; vote: 4 ayes, 1 nay, motion carried. Motion made and seconded to remove Item D under New Business from the agenda; vote: all aye, motion carried.

ITEMS FROM CITIZENS: Audience had input.

EXECUTIVE SESSION: Tabled until the next meeting on May 21, 2024.

ADJOURN: Motion made and seconded to adjourn meeting at 8:19 pm, vote: all ayes, motion carried.

ATTEST:

Terri Cornelison
Finance Officer

Vicki Henrichsen
Town Board President



INVOICE

Hermosa, SD
230 Main St
HERMOSA SD 57744

Invoice Date
28 Jun 2024

Invoice Number
INV-1202

Waterworth
PO Box 23118
Victoria, BC V8V 4Z8
Canada
-
www.waterworth.net
info@waterworth.net
1-844-34-WATER

Description	Quantity	Unit Price	Amount USD
Annual Waterworth Software Subscription (Wastewater)	1.00	3,000.00	3,000.00
Annual Waterworth Software Subscription (Water)	1.00	2,000.00	2,000.00

This invoice is towards software as a service that will be delivered over a 12-month period starting June 28, 2024, through June 27, 2025.

Equated amounts corresponding to the monthly value delivery will be credited to your account upon the completion of each month of software value delivered.

Subtotal 5,000.00

TOTAL USD 5,000.00

Due Date: 28 Jun 2024

Please make all checks payable to: Waterworth

For US customers paying by check, international postage is required.

We also accept ACH or credit card payment. Contact payments@waterworth.net for more information.

GST: 789699329

IRS TIN: 98-1320761

For US customers, Waterworth is required by the IRS to provide a W-8-BENE instead of a W-9, contact us for a copy.



[View and pay online now](#)

Revised Plat Drawing

Town of Hermosa

7A
COPY

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

Phone (605) 255-4291 • Fax (605) 255-4094, Email: town@hermosasd.com

SUBDIVISION PLAT APPLICATION

Sketch Plan _____ Preliminary Plan Final Plat

Date: 18 Jan 24

Permit # 2024-03

Is any property in the Flood Plain? No Yes _____ ****IF YES-YOU WILL NEED A FLOODPLAIN DEVELOPMENT PERMIT****

Receipt # _____	Cash _____	Check # <u>1383</u>	Amount <u>75⁰⁰</u>	(\$75.00)
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Applicant:
 Name: Jerald E Styles
 Address: 340 Falsura
 City, State, Zip: Hermosa, SD 57744
 Phone & Email: 605 390-1257 Kstyle@hermosa.com
 Sign & Date: Jerald E Styles 18 Jan 24

Other Owners:
 Name: _____
 Address: _____
 City, State, Zip: _____
 Phone & Email: _____
 Sign & Date: _____

Agent:

Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____
Phone & Email: _____	Phone & Email: _____
Sign & Date: _____	Sign & Date: _____

Surveyor/Engineer:
 Name: Andersen Engineers
 Address: PO Box 446
 City, State, Zip: Edgemont, SD 57735
 Phone & Email: 605-662-5500
 Registration Number: _____
 Sign & Date: _____

Name: _____
 Address: _____
 City, State, Zip: _____
 Phone & Email: _____
 Sign & Date: _____

Current Legal Description:
 Subdivision/H.E.S./M.S. Title: Tract 8 and Tract 9 of out Lot A, Hermosa in
 Secondary Title/Description: SEC 4 of SW 1/4, Section 39, T2S R8E,
 Aliquot Location: _____ Total Acres: B.H.M.
 Township: _____ Range: _____ Section(s): _____ Book: _____ Page: _____

Proposed Legal Description:
 Primary Title (Subdivision Name): _____
 Secondary Title (Description): _____

Does this plat continue to divide an existing subdivision? Yes _____ No _____ FIRM Panel _____
 Will this subdivision require construction of roads or installation of other improvements? _____
 What is the intended land use within the subdivision? Residential _____ Commercial _____ Industrial _____ Mixed Use _____ (Specify on attached plat copy)
ALL APPLICATIONS MUST BE APPROVED BY THE HERMOSA PLANNING AND ZONING COMMISSION AND THE HERMOSA BOARD OF TRUSTEES PRIOR TO COMMENCEMENT. *** Engineering fees may apply *******

PLANNING

Approved Denied

Name: _____
 Title: _____
 Signature: _____
 Date: _____ Application Fee: **\$75.00**
 Register of Deeds Fee: **\$60.00** Date Paid: _____ Balance Due: _____

HERMOSA BOARD OF TRUSTEES

Approved Denied

Name: _____
 Title: _____
 Signature: _____
 Date: _____
 Date Permit Issued: _____

Original Parcel #
009258
Office Use

§ 155.58 YARD, BUILDING SETBACK, AND OPEN SPACE EXCEPTIONS.

The following requirements are intended to provide exceptions or qualify and supplement, as the case may be, the specific district regulations set forth in §§ 155.30 through 155.39.

(A) The following regulations provide for the maximum safety of persons using sidewalks and streets, and for the maximum enjoyment of the use of property.

(1) Except in districts allowing the construction of buildings or structures to the property line, there shall be provided an unobstructed view across the triangle formed by joining points measured 20 feet along the property line from the intersection of two streets or 15 feet along both the street and alley line from the intersection of a street and alley. Within said triangle there shall be no sight obscuring or partly obscuring walls, fence, or foliage higher than 30 inches above grade, or in the case of trees, foliage lower than eight feet. Vertical measurement shall be made at the top of the curb on the street or alley adjacent to the nearest side of the triangle or if no curb exists, from the edge of the nearest traveled way. This provision does not apply to chain link fences, on which no obstructions are attached thereto.

(2) In any required front yard, except as provided in division (A)(1) above, no fence, wall, hedge, or yard ornament shall be permitted which materially impedes vision across such yard above the height of five feet. This does not include single ornamental bushes and shrubs.

(3) *Trimming of trees required - city trimming at owner's expense.* The occupant of any private premises or the owner of the same if not occupied, abutting on any public street, road, or alley within the town shall keep all trees standing upon such premises or between the same and the center of the adjoining street, road or alley so trimmed that no bough or branch thereof shall be lower than 12 feet above the surface of the street, road, or alley, or eight feet above the surface of any sidewalk thereon, and shall keep all such trees trimmed so that no trunk, limb, or branch thereof shall be in any way or at any time interfere with the movement of delivery, maintenance, garbage disposal, and emergency service vehicles, or come in contact with any street lighting, power, or other electrically charged wire when such wires are lawfully strung on posts located on any public street, road, or alley, or between the lot lines and curb of any street. Said occupants or owners shall remove all dead, diseased, or dangerous trees, or broken or decayed limbs, which constitute a menace to the safety of the public, and shall trim any tree or shrub which interferes with visibility of any traffic control device or signs; provided that upon the failure of any occupant or owner to trim such trees as in this section provided, the Director of Streets and Public Property of the town shall have the authority to remove them or cause them to be removed under his or her supervision, whether such trees be growing on privately owned property or on public property. The Director may cause the same to be trimmed and the expense charged to the occupant or owner of such property.

(B) The purpose here is to clarify certain conditions pertaining to the use of lots and access points:

(1) *Dwellings on small lots.* Where there are existing recorded lots which do not meet the minimum lot area requirement and are under separate ownership, single-family dwellings may be constructed as long as a side yard shall be not less than four feet and the arm of the side yards shall be not less than 12 feet, and as long as all other requirements, except lot size, are met.

(2) *Principal uses without building.* Where a permitted use of land involves no structures, such use, excluding agricultural uses, shall nonetheless comply with all yards and minimum lot area requirements applicable to the district in which located, as well as obtain any other license or permit applicable to that particular use.

(3) No dwelling shall be erected on a lot which does not abut on at least one street for at least 25 feet. A street shall form the direct and primary means of ingress and egress for all dwelling units. Alleys, where they exist, shall form only a secondary means of ingress and egress.

(Ord. 10.6, passed 3-17-2009; Ord. passed 1-8-2019)

§ 155.59 MINIMUM OFF-STREET PARKING REQUIREMENTS.

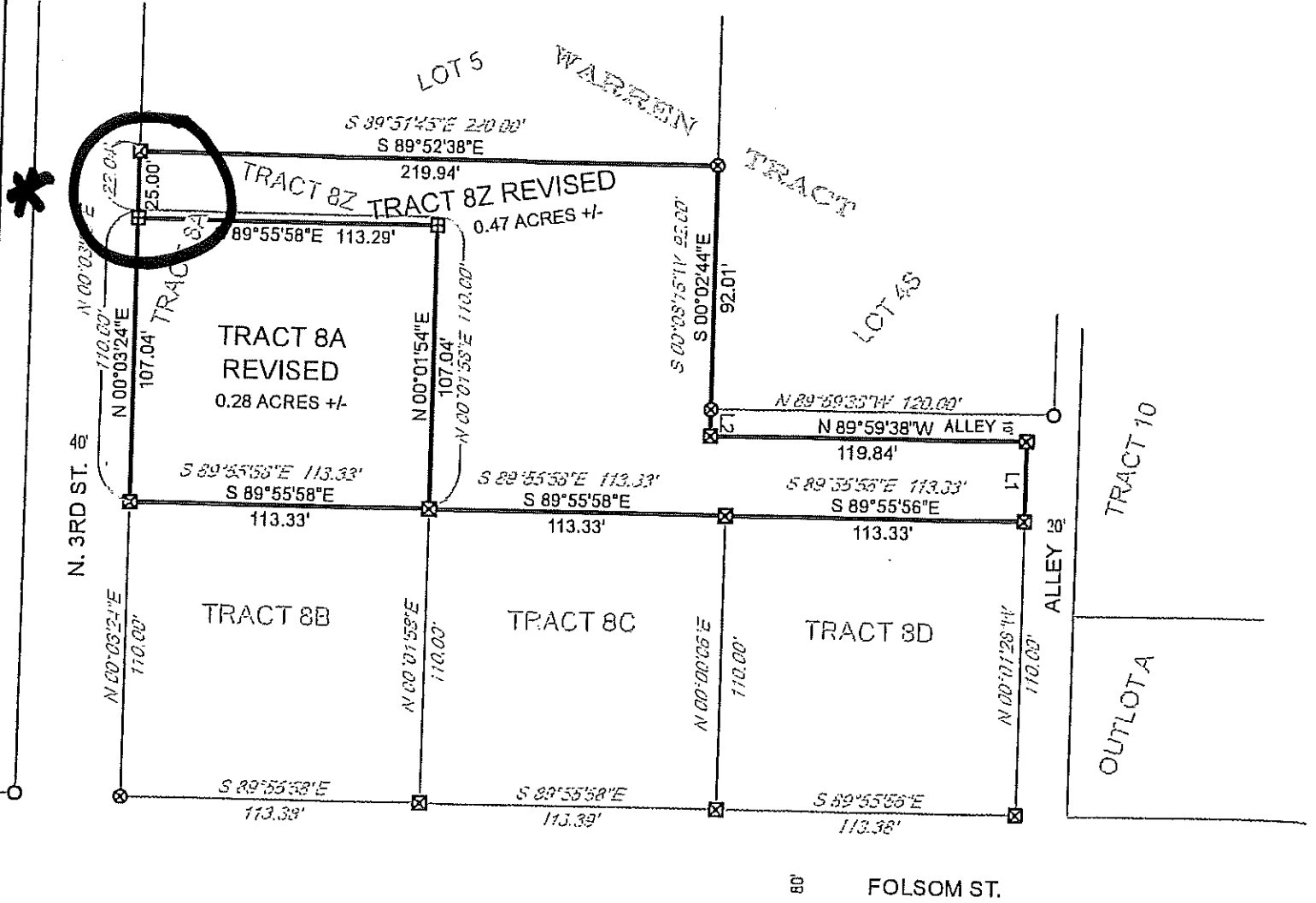
TOWN OF HERMOSA, CUSTER COUNTY

FORMERLY TRACT 8A AND TRACT 8Z OF (

Revised

NOTE: See Book 13 of Plats on Page 27 for plat of Tract 8A and 8Z of Outlot A.

NOTE: For a Map of Hermosa see book 1 of plats page 161.



Course	Bearing	Distance
L1	N 00°01'30" W	29.95'
L1	N 00°01'30" W	29.95'
L2	N 00°03'26" E	10.00'
L2	N 00°03'25" E	10.00'



CERTIFICATE OF SURVEYOR

I, John D. McBride Registered Land Surveyor No. 5906 in the State of South Dakota, do hereby certify that being so authorized, I have prepared the within plat of land shown and described hereon from notes taken during an actual survey made by me or under my direct supervision, and that to the best of my knowledge and belief, the same is a true and correct representation of said survey.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.
Dated this ___ day of ___, 2024.

NOTE: 10 FEET EACH SIDE OF REAR AND SIDE LOT LINES ARE RESERVED FOR UTILITY EASEMENTS. IF THE LINE ABUTS LANDS NOT SUBDIVIDED UNDER THE PROVISIONS OF CUSTER COUNTY SUBDIVISION ORDINANCE #2, THE ENTIRE 20' WIDE EASEMENT WILL BE TAKEN FROM THE LOT.

PRELIMINARY FOR CLIENT REVIEW

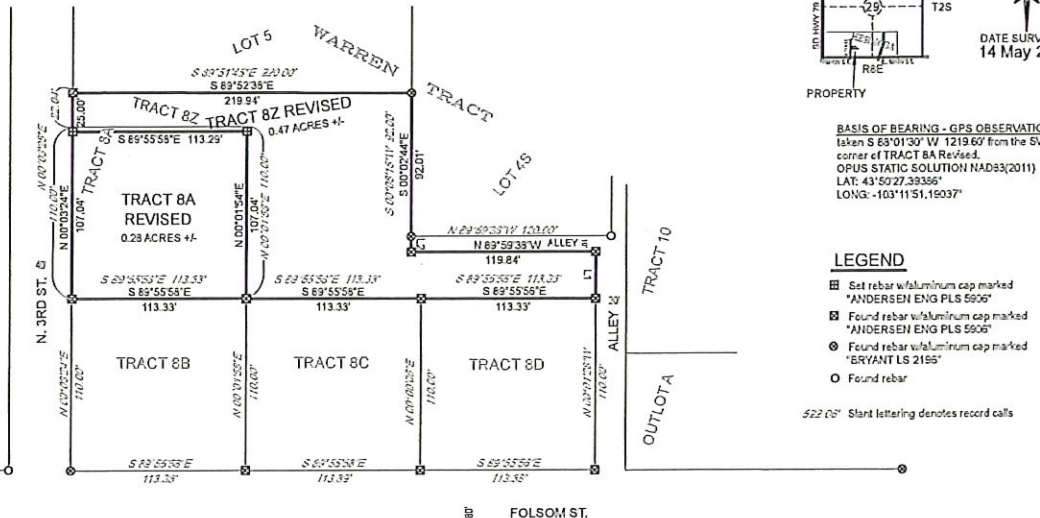
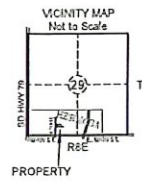
John D. McBride SDRLS No. 5906

WATER PROTECTION STATEMENT
Pursuant to SDCL 11-3-8.1 and 11-3-8.2, the responsible for protecting any waters of the platted area from pollution from sewage from conform to and follow all regulations of the S

A PLAT OF TRACTS 8A REVISED & TRACT 8Z REVISED OF OUTLOT A, TOWN OF HERMOSA, CUSTER COUNTY, SOUTH DAKOTA FORMERLY TRACT 8A AND TRACT 8Z OF OUTLOT A

NOTE: See Book 13 of Plats on Page 27 for plat of Tract 8A and 8Z of Outlot A.

NOTE: For a Map of Hermosa see book 1 of plats page 161.



BASIS OF BEARING - GPS OBSERVATION
taken S 83°01'33" W 1219.60' from the SW corner of TRACT 8A Revised.
OPUS STATIC SOLUTION NAD83(2011)
LAT: 43°02'27.3936"
LONG: -103°11'51.19037"

LEGEND

- ⊠ Set rebar w/aluminum cap marked "ANDERSEN ENG PLS 5500"
- ⊠ Found rebar w/aluminum cap marked "ANDERSEN ENG PLS 5500"
- ⊙ Found rebar w/aluminum cap marked "ERVANT LS 2155"
- Found rebar

522 15' Slant lettering denotes record calls

Course	Bearing	Distance
L1	N 00°01'30" W	29.55'
L1	N 02°01'32" W	29.55'
L2	N 02°03'26" E	10.00'
L2	N 02°03'26" E	10.00'



CERTIFICATE OF SURVEYOR

I, John D. McBride Registered Land Surveyor No. 5505 in the State of South Dakota, do hereby certify that being so authorized, I have prepared the within plat of land shown and based hereon from notes taken during an actual survey made by me or under my direct supervision, and that to the best of my knowledge and belief, the same is a true and correct representation of said survey.
IN WITNESS WHEREOF, I hereunto set my hand and official seal.
Dated this ___ day of ___, 2024.

John D. McBride SDRLS No. 5505

NOTE: 10 FEET EACH SIDE OF REAR AND SIDE LOT LINES ARE RESERVED FOR UTILITY EASEMENTS, IF THE LINE ABUTS LANDS NOT SUBDIVIDED UNDER THE PROVISIONS OF CUSTER COUNTY SUBDIVISION ORDINANCE #2, THE ENTIRE 20' WIDE EASEMENT WILL BE TAKEN FROM THE LOT.

No area of special flood hazard exists within this subdivision according to Flood Hazard Insurance Rate Map Panel No. 4603300175F, effective date: Jan. 6, 2012.

WATER PROTECTION STATEMENT

Pursuant to SDCL 11-3-8.1 and 11-3-8.2, the developer of the property described within this plat shall be responsible for protecting any waters of the state, including groundwater, located adjacent to or within such platted area from pollution from sewage from such subdivision and shall in prosecution of such protections, conform to and follow all regulations of the South Dakota Department of Agriculture and Natural Resources relating to the same.

CERTIFICATE OF HIGHWAY AUTHORITY

It appears that every lot has an acceptable approach location onto a public road and the location of the intersection(s) of the proposed subdivision road(s) with the existing public road(s) is hereby approved.

Highway Authority _____ Date: _____

CERTIFICATE OF COUNTY TREASURER

I, Custer County Treasurer, do hereby certify that all taxes and special assessments which are liens upon the within described lands are fully paid according to the records of this office.
Dated this ___ day of ___, 2024.

Custer County Treasurer _____

PRELIMINARY FOR COMMENT REVIEW

STATE OF _____ COUNTY OF _____
Triple J & K Properties, LLC, does hereby certify that it is the owners of the within described lands and that the within plat was made at its direction for the purposes indicated therein, and that the development of this land shall conform to all existing zoning, subdivision, and erosion and sediment control regulations.
Dated this ___ day of ___, 2024.

Triple J & K Properties, LLC.

ACKNOWLEDGMENT OF OWNERSHIP

STATE OF _____ COUNTY OF _____
On this the ___ day of ___, 2024, before me, the undersigned officer, personally appeared Jerry Styles, who acknowledged himself to be a member of Triple J & K Properties, LLC, a Limited Liability Company, and that he, as such member being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself as member.
IN WITNESS WHEREOF I hereunto set my hand and official seal.

Notary Public _____

My commission expires _____

RESOLUTION OF THE TOWN BOARD OF TRUSTEES

Whereas there has been presented to the Town Board of Trustees of Hermosa, South Dakota, the within plat of the above described lands, and it appearing to the Board that said plat conforms to the existing plats of said Town, that the streets set forth therein conforms to the system of streets of the municipality, that all provisions of the subdivision regulations have been complied with, that all taxes and special assessments upon the tract have been fully paid, and that said plat and the survey thereof have been executed according to law, now therefore,

BE IT RESOLVED, that said plat is hereby approved in all respects.
Dated at Hermosa, South Dakota this ___ day of ___, 2024.

Town Board Chairman _____

CERTIFICATE OF TOWN FINANCE OFFICER

I, Finance Officer of the Town of Hermosa, South Dakota, do hereby certify that the foregoing instrument is a true and correct copy of the resolution adopted by the Town Board of Trustees of Hermosa, South Dakota at a meeting held on the ___ day of ___, 2024.

Town of Hermosa Finance Officer _____

CERTIFICATE OF COUNTY DIRECTOR OF EQUALIZATION

I, Director of Equalization of Custer County, do hereby certify that my office has been furnished with a true copy of the within plat.
Dated this ___ day of ___, 2024.

Director of Equalization of Custer County _____

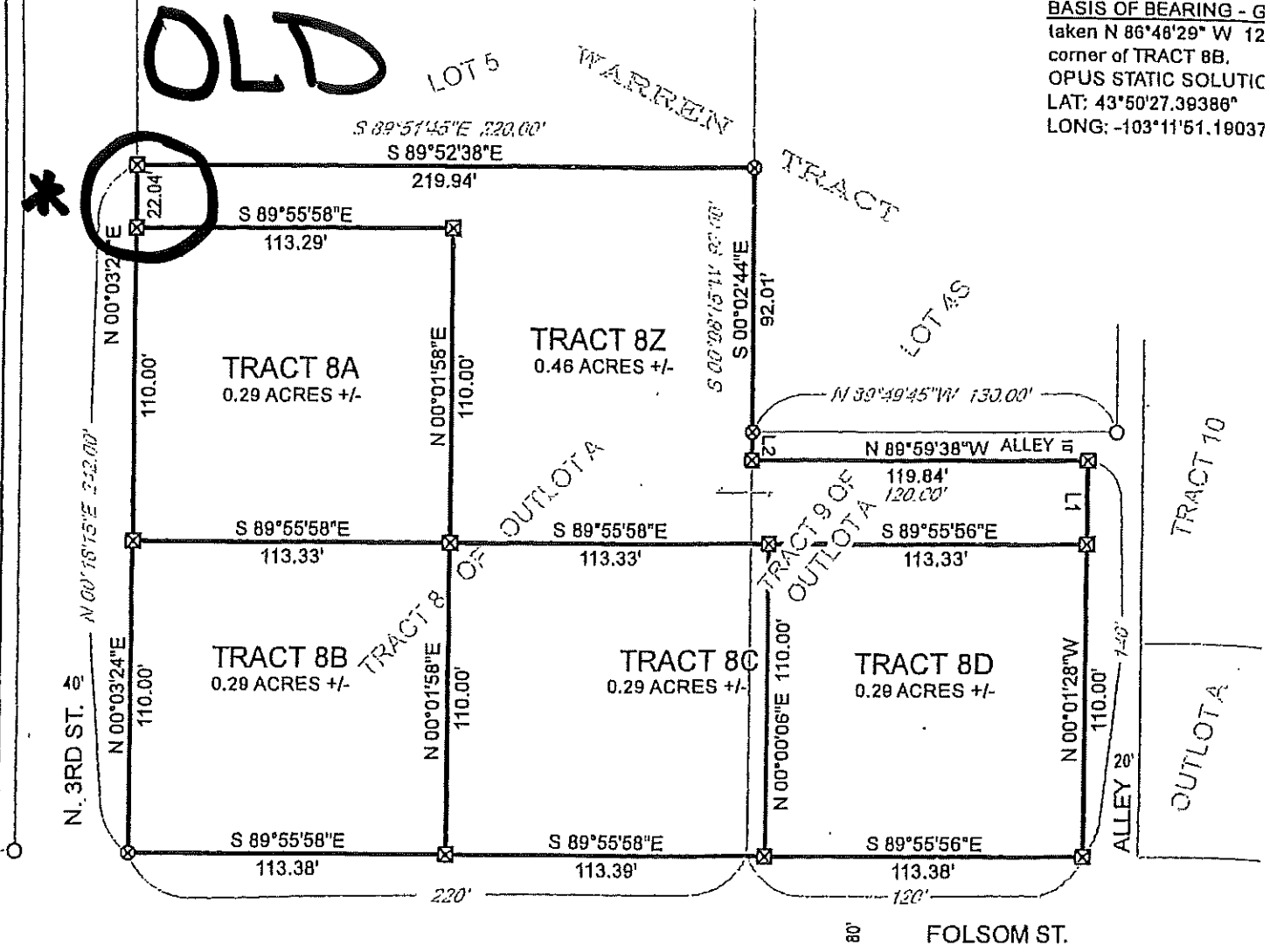
OFFICE OF THE REGISTER OF DEEDS
Filed for record this ___ day of ___, 2024, at ___ o'clock ___ M, and recorded in Book ___ of Plats on page ___.

Custer County Register of Deeds _____

Prepared by
ANDERSEN ENGINEERS
Land Surveyors

Drawn by RW	Date 5/23/2024	P.O. Box 445 Edgemont, SD 57735 (605) 652-5500
Approved by WJB	Date 7/9/2024	andersenengineers@gvtc.net
Scale 1"=50'	Sheet 1 of 1	File Name: TR8A_TR8Z_HERMOSA

BASIS OF BEARING - G
 taken N 86°48'29" W 12
 corner of TRACT 8B,
 OPUS STATIC SOLUTIC
 LAT: 43°50'27.39386"
 LONG: -103°11'51.19037



Course	Bearing	Distance
L1	N 00°01'30" W	29.95'
L1	N 00°03'15" E	
L2	N 00°03'26" E	10.00'
L2	N 00°03'15" E	10.6'

NOTE: 10 FEET EACH S AND SIDE LOT LINES AR FOR UTILITY EASEMENT ABUTS LANDS NOT SUB THE PROVISIONS OF CU SUBDIVISION ORDINANC ENTIRE 20' WIDE EASEN TAKEN FROM THE LOT.

WATER PROTECTION S Pursuant to SDCL 11-3-8. responsible for protectng platted area from pollution conform to and follow all r relating to the same.

CERTIFICATE OF SURVEYOR

I, John D. McBride Registered Land Surveyor No. 5906 in the State of South Dakota, do hereby certify that being so authorized, I have prepared the within plat of land shown and described hereon from notes taken during an actual survey made by me or under my direct supervision, and that to the best of my knowledge and belief, the same is a true and correct representation of said survey. IN WITNESS WHEREOF, I hereunto set my hand and official seal. Dated this ___ day of ____, 2024.

John D. McBride SDRLS No. 5906

CERTIFICATE OF HIGHW It appears that every lot ha Intersection(s) of the propo

Highway Authority

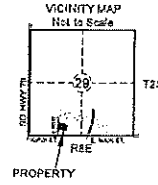
A PLAT OF TRACTS 8A THRU 8D & TRACT 8Z OF OUTLOT A, TOWN OF HERMOSA, CUSTER COUNTY, SOUTH DAKOTA FORMERLY TRACT 8 OF OUTLOT A AND TRACT 9 OF OUTLOT A

NOTE: See Book 2 of Plats on Page 26 for plat of Tract 8 of Outlot A.

NOTE: See Book 2 of Plats on Page 87 for plat of Tract 9 of Outlot A.

NOTE: For a Map of Hermosa see Book 1 of plats page 181.

BASIS OF BEARING - GPS OBSERVATION
taken N 65°46'23" W 1220.65' from the SW corner of TRACT 8B.
OPUS STATIC SOLUTION NAD83(2011)
LAT: 43°50'27.39368"
LONG: -103°11'51.16037"

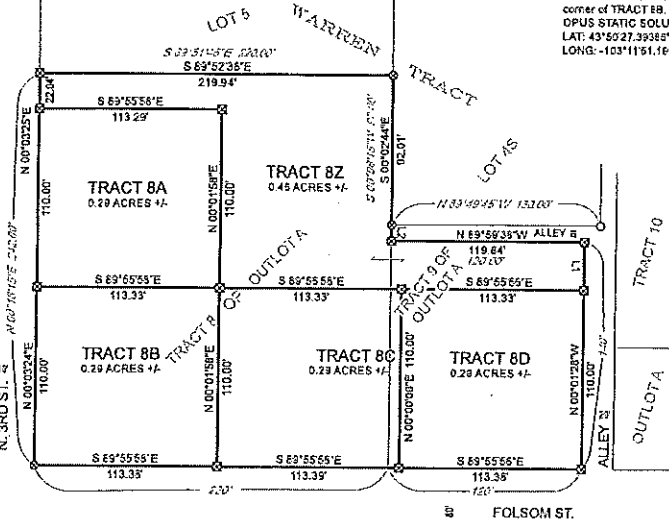
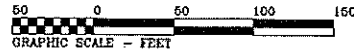


DATE SURVEYED
22 Jan. 2024

LEGEND

- ⊗ Set rebar w/aluminum cap marked "ANDERSEN ENG PLS 5605"
- ⊙ Found rebar w/aluminum cap marked "BRYANT LLS 2165"
- Found rebar

502.63' Slant lettering denotes record calls



Course	Bearing	Distance
L1	N 00°01'30" W	29.65'
L1	N 00°03'15" E	10.62'
L2	N 00°03'26" E	10.62'
L2	N 00°03'15" E	10.62'

NOTE: 10 FEET EACH SIDE OF REAR AND SIDE LOT LINES ARE RESERVED FOR UTILITY EASEMENTS. IF THE LINE ABUTS LANDS NOT SUBDIVIDED UNDER THE PROVISIONS OF CUSTER COUNTY SUBDIVISION ORDINANCE #2, THE ENTIRE 20' WIDE EASEMENT WILL BE TAKEN FROM THE LOT.

No area of special flood hazard exists within this subdivision according to Flood Hazard Insurance Rate Map Panel No. 46033C0176F, effective date: Jan. 6, 2012.

CERTIFICATE OF SURVEYOR

I, John D. McBride Registered Land Surveyor No. 5506 in the State of South Dakota, do hereby certify that being so authorized, I have prepared the within plat of land shown and described hereon from notes taken during an actual survey made by me or under my direct supervision, and that to the best of my knowledge and belief, the same is a true and correct representation of said survey.
IN WITNESS WHEREOF, I hereunto set my hand and official seal.
Dated this ___ day of ___, 2024.

John D. McBride SDRLS No. 5506

WATER PROTECTION STATEMENT

Pursuant to SDCL 11-3-3.1 and 11-3-3.2, the developer of the property described within this plat shall be responsible for protecting any waters of the state, including groundwater, located adjacent to or within such platted area from pollution from sewage from such subdivision and shall by provision of such protections, conform to and follow all regulations of the South Dakota Department of Agriculture and Natural Resources relating to the same.

CERTIFICATE OF HIGHWAY AUTHORITY

It appears that every lot has an acceptable approach location onto a public road and the location of the intersection(s) of the proposed subdivision road(s) with the existing public road(s) is hereby approved.

Highway Authority _____ Date: _____

STATE OF _____ COUNTY OF _____

Triple J & K Properties, LLC, does hereby certify that it is the owners of the within described lands and that the within plat was made at its direction for the purposes indicated therein, and that the development of this land shall conform to all existing zoning, subdivision, and erosion and sediment control regulations.
Dated this ___ day of ___, 2024.

Triple J & K Properties, LLC.

CERTIFICATE OF COUNTY TREASURER

I, Custer County Treasurer, do hereby certify that all taxes and special assessments which are liens upon the within described lands are fully paid according to the records of this office.
Dated this ___ day of ___, 2024.

Custer County Treasurer

ACKNOWLEDGMENT OF OWNERSHIP

STATE OF _____ COUNTY OF _____
On this the ___ day of ___, 2024, before me, the undersigned officer, personally appeared Jerry Styles, who acknowledged himself to be a member of Triple J & K Properties, LLC, a Limited Liability Company, and that he, as such member being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself as member.
IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Notary Public

My commission expires _____

RESOLUTION OF THE TOWN BOARD OF TRUSTEES

Whereas there has been presented to the Town Board of Trustees of Hermosa, South Dakota, the within plat of the above described lands, and it appearing to the Board that said plat conforms to the existing plats of said Town, that the streets set forth therein conforms to the system of streets of the municipality, that all provisions of the subdivision regulations have been complied with, that all taxes and special assessments upon the tract have been fully paid, and that said plat and the survey thereof have been executed according to law, now therefore,
BE IT RESOLVED, that said plat is hereby approved in all respects.
Dated at Hermosa, South Dakota this ___ day of ___, 2024.

Town Board Chairman

CERTIFICATE OF TOWN FINANCE OFFICER

I, Finance Officer of the Town of Hermosa, South Dakota, do hereby certify that the foregoing instrument is a true and correct copy of the resolution adopted by the Town Board of Trustees of Hermosa, South Dakota at a meeting held on the ___ day of ___, 2024.

Town of Hermosa Finance Officer

CERTIFICATE OF COUNTY DIRECTOR OF EQUALIZATION

I, Director of Equalization of Custer County, do hereby certify that my office has been furnished with a true copy of the within plat.
Dated this ___ day of ___, 2024.

Director of Equalization of Custer County

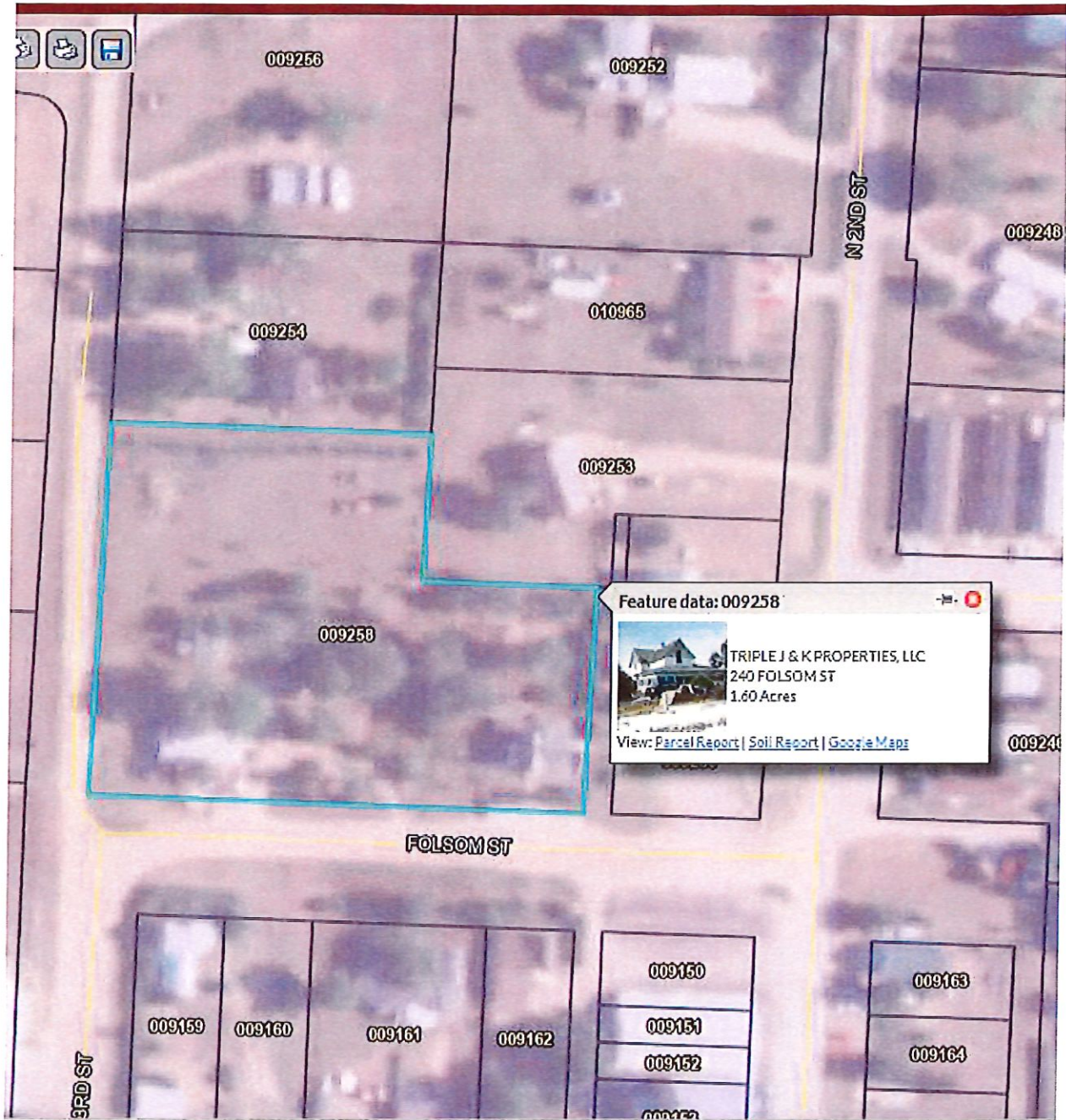
Prepared by
ANDERSEN ENGINEERS
Land Surveyors

Drawn by RW	Date 1/30/2024	P.O. Box 446 Edgemont, SD 57735 (605) 662-5500
Approved by MzB	Date 2/21/2024	andersenengineers@gwo.net
Scale 1"=50'	Sheet 1 of 1	File Name: TR8_OUTA_HERMOSA

OFFICE OF THE REGISTER OF DEEDS

Filed for record this ___ day of ___, 2024, at ___ o'clock ___ M, and recorded in Book ___ of Plats on page ___.

Custer County Register of Deeds



Feature data: 009258



TRIPLE J & K PROPERTIES, LLC
240 FOLSOM ST
1.60 Acres

[View: Parcel Report](#) | [Soil Report](#) | [Google Maps](#)

Alternate IDn/a
Class Residential
Acreage 1.6

Owner Address TRIPLE J & K PROPERTIES, LLC
PO BOX 300
HERMOSA, SD 57744-0300

009258

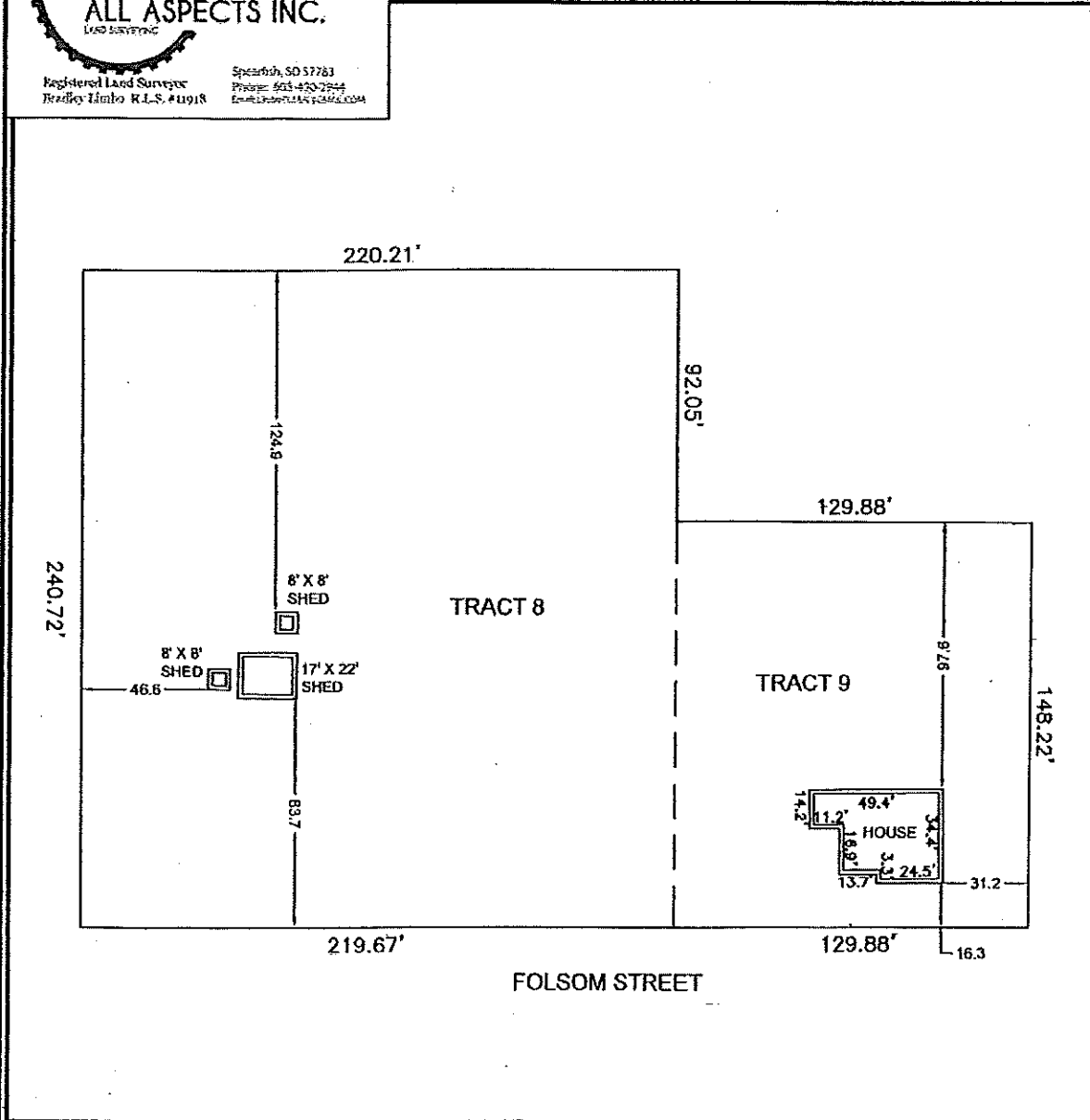


Registered Land Surveyor
Bradley Limbo R.L.S. #11918

CREATED BY
Maple/Book Survey
All Aspects Inc.
Formal Final Boundary Confirmation
Local Development Survey
Engineering through Survey

Spearfish, SD 57781
Phone: 605-420-7244
Email: limbo@allaspects.com

IMPROVEMENT LOCATION EXHIBIT



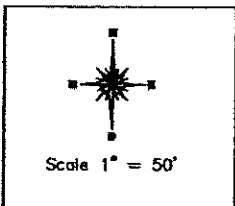
LEGAL DESCRIPTION
TRACT 8 AND TRACT 9 OF OUTLOT A,
HERMOSA IN SEX OF SW¼, SEC 29, T2S
R8E, B.H.M.

PROPERTY ADDRESS: 240 FOLSOM ST.



IMPROVEMENT LOCATION EXHIBIT

The purpose of this Survey is to provide a representation of the information gathered at the time of inspection for the interested parties. This Survey is based on existing but not confirmed boundary evidence and is subject to any inaccuracies that a Boundary Survey might reveal. It is not intended to be a Boundary or Property Line Survey, and all dimensions are of record and no corners were set. This should not be relied on for establishment of any fence, building or other improvements. No responsibility is extended hereon to the present or future landowners.



SURVEYED BY: JMA
DRAWN BY: AH
JOB NO. AAJ-23-225
DATE: 9-8-2023

SURVEYOR'S CERTIFICATE

John Arleth, Registered Land Surveyor No. 3977 in the State of South Dakota, so hereby certify, that this Record of survey was performed by me or under my supervision, and that this survey is true and correct to the best of my knowledge and belief, ~~and free of~~ ^{without} restrictions of miscellaneous record or private agreements that are not known to me, and not shown hereon.



STAFF REPORT

February 26, 2024

TO: City of Hermosa

FR: Neil Putnam, AICP and Anthony Theodorou, PE

RE: Permit No. 2024-03

Applicant: Jerry Styles, 240 Folsom, Hermosa, SD 57744

Action Requested: Preliminary Plat and Final Plat Approval

Salient Facts:

Legal Description: A Plat of Tracts 8A thru 8D and Tract 8Z of Tract 8 of Outlot A, Town of Hermosa, Custer County, South Dakota (formerly Tract 8 of Outlot A and Tract 9 of Outlot A)

Current Zoning District: R2 Stick Built, Manufactured Homes.

Existing Use: Residential

Comments:

The plat is intended to delineate property lines. There are three addresses on the site, now they will have separate legal descriptions. The three lots along Folsom have water and sewer. The two lots to the north will be new lots, there is a 22-foot access to the street. 8Z will be accessed from 3rd street and the alley. Section 154.22-24 Content of Final Plats, compliant with existing city code.

Recommendations:

Planning and Zoning: Approval with stipulations.

1. All fees to be paid prior to issuing approval.
2. Custer County Register of Deeds reviews and accepts plat, legal description, and other requirements of the plat.
3. If approved by the City of Hermosa, a mylar copy will be provided by the Owner to the Board of Trustees for final review, approval, and signature.
4. The owner is responsible for submitting the plat to Custer County, paying applicable taxes, and having the plat signed and recorded.

Engineering: none

A handwritten signature in black ink, appearing to read 'Neil Putnam', written over a horizontal line.

Neil Putnam, AICP, Community Planner

Jill Dybvig

From: Davis, Edward - FS, SD <Edward.Davis2@usda.gov>
Sent: Monday, March 18, 2024 10:12 AM
To: Jill Dybvig
Subject: RE: [External Email]Hermosa - Permit 2024-03-Plat Application

No known issues involving the USFS

Thank you,

Clark



E Clark Davis
Lands Specialist

Forest Service
Black Hills National Forest
Hell Canyon Ranger District - Custer
p: 605-673-9325
Edward.Davis2@usda.gov

1019 North 5th Street
Custer, SD 57730
www.fs.fed.us



Caring for the land and serving
people

From: Jill Dybvig <jill@hermosasd.com>
Sent: Friday, March 15, 2024 4:01 PM
To: Terri Kester <tkester@custercountysd.com>; Davis, Edward - FS, SD <Edward.Davis2@usda.gov>; jdoyle@custercountysd.com; jsorenson@bhec.coop; Leah Vissia <lvissia@custercountysd.com>; Rich.Zacher@state.sd.com; Steven Esser <sesser@custercountysd.com>; tlmorgan@custercounty.sd.com; tkelley@custercountysd.com; Troy Schmidt <tschmidt@custercountysd.com>
Cc: Jerry Styles <styles@hermosasd.com>
Subject: [External Email]Hermosa - Permit 2024-03-Plat Application

You don't often get email from jill@hermosasd.com. [Learn why this is important](#)

[External Email]

If this message comes from an **unexpected sender** or references a **vague/unexpected topic**;
Use caution before clicking links or opening attachments.
Please send any concerns or suspicious messages to: Spam.Abuse@usda.gov

Please see attached Permit 2024-03-Plat Application for Triple J&K Properties (Hermosa). Please let me know if you have any questions or concerns?

Thank you,

Jill Dybvig

From: Steven Esser <sesser@custercountysd.com>
Sent: Monday, March 18, 2024 7:35 AM
To: Jill Dybvig
Subject: RE: Hermosa - Permit 2024-03-Plat Application

I see no issues.

Steve Esser
Emergency Management Director
Custer County Emergency Services
420 Mt. Rushmore Rd.
Custer, Sd 57730
Phone: 605.673.8152



CUSTER COUNTY

The information contained in this message is confidential, protected from disclosure and may be legally privileged. If the reader of this message is not the intended recipient or an employee or agent responsible for delivering this message to the intended recipient, you are hereby notified that any disclosure, distribution, copying, or any action taken or action omitted in reliance on it, is strictly prohibited and may be unlawful. If you have received this communication in error, please notify us immediately by replying to this message and destroy the material in its entirety, whether in electronic or hard copy format. Thank you.

From: Jill Dybvig <jill@hermosasd.com>
Sent: Friday, March 15, 2024 4:01 PM
To: Terri Kester <tkester@custercountysd.com>; Edward Davis <Edward.Davis2@usda.gov>; Jesse Doyle <jdoyle@custercountysd.com>; Jesse Sorenson <jsorenson@bhec.coop>; Leah Vissia <lvissia@custercountysd.com>; Rich.Zacher@state.sd.com; Steven Esser <sesser@custercountysd.com>; tlmorgan@custercounty.sd.com; Tracy L. Kelley <tkelley@custercountysd.com>; Troy Schmidt <tschmidt@custercountysd.com>
Cc: Jerry Styles <styles@hermosasd.com>
Subject: Hermosa - Permit 2024-03-Plat Application

Please see attached Permit 2024-03-Plat Application for Triple J&K Properties (Hermosa). Please let me know if you have any questions or concerns?

Thank you,



Jill Dybvig

Town of Hermosa
605-255-4291

Jill Dybvig

From: Teri L. Morgan <tlmorgan@custercountysd.com>
Sent: Monday, March 18, 2024 1:28 PM
To: Jill Dybvig
Subject: FW: Message from "RNP583879691A45"
Attachments: 20240318132915487.pdf

I have checked the plat over & it looks good to me. I need you to correct my e-mail address.

Teri L Morgan
Custer County Register of Deeds
420 Mt Rushmore Rd | Custer, SD 57730
Office:(605) 673-8171 | Fax:(605) 673-8148 tlmorgan@custercountysd.com

-----Original Message-----

From: tech@custercounty.com <tech@custercounty.com>
Sent: Monday, March 18, 2024 1:29 PM
To: Teri L. Morgan <tlmorgan@custercountysd.com>
Subject: Message from "RNP583879691A45"

This E-mail was sent from "RNP583879691A45" (IM C3000).

Scan Date: 03.18.2024 13:29:15 (-0600)
Queries to: tech@custercounty.com

Sent From:
Custer County Register of Deeds Department

Jill Dybvig

* Permit 2024-03

From: Davis, Edward - FS, SD <Edward.Davis2@usda.gov>
Sent: Monday, March 18, 2024 10:12 AM
To: Jill Dybvig
Subject: RE: [External Email]Hermosa - Permit 2024-03-Plat Application

No known issues involving the USFS

Thank you,

Clark



E Clark Davis
Lands Specialist

Forest Service
Black Hills National Forest
Hell Canyon Ranger District - Custer

Jill Dybvig

From: Teri L. Morgan <tlmorgan@custercountysd.com>
Sent: Monday, March 18, 2024 1:28 PM
To: Jill Dybvig
Subject: FW: Message from "RNP583879691A45"
Attachments: 20240318132915487.pdf

I have checked the plat over & it looks good to me. I need you to correct my e-mail address.

Teri L Morgan

Custer County Register of Deeds

420 Mt Rushmore Rd | Custer, SD 57730

Office:(605) 673-8171 | Fax:(605) 673-8148 tlmorgan@custercountysd.com

Jill Dybvig

From: Steven Esser <sesser@custercountysd.com>
Sent: Monday, March 18, 2024 7:35 AM
To: Jill Dybvig
Subject: RE: Hermosa - Permit 2024-03-Plat Application

I see no issues.

Steve Esser

Emergency Management Director
Custer County Emergency Services
420 Mt. Rushmore Rd.
Custer, Sd 57730
Phone: 605.673.8152



CUSTER COUNTY

Town of Hermosa

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

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

Email: town@hermosasd.com

COPY 7B

DATE 7-9-2024

PERMIT # 2024-25

Receipt # _____ Cash _____ Check # 1009 Amount 50⁰⁰ (\$50.00)

**** PLEASE INCLUDE TO-SCALE DRAWINGS ****

APPLICATION CONDITIONAL USE PERMIT

Applicant Travis Baker

Physical Address 749 Teneya St.

Mailing Address 15033 Spring Creek Cutoff

Email tgbaker05@hotmail.com

Daytime Phone 605-381-7884 Evening Phone _____

Owner of Property (if different from applicant) _____

Owner Address _____

Permitted conditional use Requested:

Place temporary 10x20 office on lot until shop is built. Will not be hooked up to water or sewer, only electric. Temporary bldg will be anchored with screw down anchors.

Legal Description SE4SE4SEC30T2R8

Length of Time Permit is requested (6 MONTH MAXIMUM) Bldg will not stay on property.

APPLICATION MUST BE APPROVED BY THE HERMOSA PLANNING AND ZONING COMMITTEE AND THE BOARD OF TRUSTEES PRIOR TO START OF PROJECT.

By signing below, I acknowledge that I have read and understand all requirements for a Permitted Conditional Use Permit.

[Signature]
Signature of Applicant

X 7-9-24
Date

Parcel # 009339
OFFICE USE ONLY

PLANNING ADMINSTRATOR
Name: _____
Title: _____
Signature: _____
Date: _____

BOARD OF TRUSTEES & PLANNING & ZONING
Name: _____
Title: _____
Signature: _____
Date: _____

Application Fee: 50⁰⁰ Date Paid: 7-9-2024 Issue Picked Up: _____

"In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, age, disability, religion, sex, and familial status. (Not all prohibited bases apply to all programs.) To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TDD)."

Parcel 009339 - 749 Teneya St.



Site ID n/a

Commercial

Area 3.435

Owner Address BAKER TRAVIS

15033 SPRING CREEK CUTOFF

HERMOSA, SD 57744-5120

3011 V IN SE4EFA SEC 30 T2 DR 3 435 AC



CHAPTER 150: BUILDING CODE

Section

- 150.01 Codes adopted
- 150.02 Building permits
- 150.03 Emergency warning system
- 150.04 Commercial remodeling

150.99 Penalty

§ 150.01 CODES ADOPTED.

The town hereby adopts, either in full or partially, the 2009 International Residential Building Code, the 2009 International Property Maintenance Code and the 2009 International Existing Building Code. These Codes are incorporated herein as if set out in full.

(Ord. 15.13(R-2012), passed - -2012; Ord. 15.14(R-2012), passed - -2012; Ord. 15.15(R-2012), passed - -2012) Penalty, see § 150.99

§ 150.02 BUILDING PERMITS.

(A) Any person desiring to **build** or to **add on** to an existing building in the town limits will obtain a building permit application from the Clerk.

(B) The application will then be presented to the Board of Trustees for approval or disapproval.

(C) If the application is approved, the applicant may then purchase the building permit from the Treasurer at a price set by the Board of Trustees. The price shall be in an amount set by the Board of Trustees, as per the current fee schedule.

(Ord. 33, passed 4-9-1979; Ord. passed 4-6-1987)

§ 150.03 EMERGENCY WARNING SYSTEM.

(A) *Emergency warning systems required.* Emergency warning systems are required for all new subdivisions that are out of reach of the existing emergency warning systems.

(B) *Emergency warning systems fees to be set by resolution.* Fees for emergency warning systems will be split equally between the developer and the town.

(Ord. 10.07, passed - -2009) Penalty, see § 150.99

§ 150.04 COMMERCIAL REMODELING.

(A) *Purpose.*

(1) The purpose of this section is to establish the requirement that a permit be issued by the town prior to the commencement of any remodel project on any commercial structure in excess of 160 square feet. Said permit application may be made by a general contractor or other person or entity

or seasonal uses, non-permanent in nature that are customarily done for profit and generating a flow of customers.

(A) An application for temporary use permit shall be made to the governing body and shall contain the following information:

(1) A survey or legal description of the property to be used, rented, or leased for a temporary use, including all information necessary to accurately portray the property;

(2) A description of the proposed use; and

(3) Sufficient information to determine the yard requirements, setbacks, sanitary facilities, and availability of parking space to service the proposed use.

(B) The following uses are deemed to be temporary uses and shall also be subject to the specific regulations and time limits which follow, and to the regulations of any district in which such use is located.

(1) *Carnival or circus.* In any non-residential district, a temporary use permit may be issued for a carnival or circus, but such permit shall be issued for a period not longer than 15 days. Such a use shall set back from all residential districts at a distance of 100 feet or more.

(2) *Christmas tree sale.* In any non-residential district, a temporary use permit may be issued for the display and open-lot sales of Christmas trees, but such permit shall be issued for a period not longer than 30 days.

(3) *Temporary buildings.* In any district, a temporary use permit may be issued for a contractor's temporary office and equipment sheds incidental to a construction project. Such office or shed shall not contain sleeping or cooking accommodations. Such permit shall be valid for not more than one year but may be renewed a maximum of two one-year extensions. However, such office or shed shall

be removed upon completion of the construction project or upon expiration of the temporary use permit, whichever occurs sooner.

(4) *Real estate sales office.* In any district a temporary use permit may be issued for a temporary real estate office in an approved new subdivision. Such office shall contain no sleeping or cooking accommodations. Such permit shall be valid for not more than one year, but may be renewed a maximum of three one-year extensions. Such office shall be removed or converted to a conforming use upon completion of the development of the subdivision or upon expiration of the temporary use permit, whichever occurs sooner.

(Ord. 10.6, passed 3-17-2009)

§ 155.66 TENTS.

No tent shall be used, erected, or maintained as a permanent living quarters.

(Ord. 10.6, passed 3-17-2009)

§ 155.67 SWIMMING POOLS.

The following regulations shall apply to swimming pools.

(A) A private swimming pool shall be any pool or open tank not located within a completely enclosed building, and containing or normally capable of containing water to a depth at any point greater than three feet. Private swimming pools are permitted in any residential district provided:

(1) The pool is intended and is to be used solely for enjoyment of the occupants of the property on which it is located and their guests;

(A) *General description.* This district is limited to recreational purposes for use by the public.

(B) *Permitted principal and accessory uses and structures.* This shall include, but not be limited to, the following:

- (1) Picnic facilities;
- (2) Playgrounds;
- (3) Athletic fields;
- (4) Rodeo or roping arenas;
- (5) Foot and bike trails;
- (6) Greenways; and
- (7) Associated structures.

(C) *Uses permitted on review:* jails and juvenile detention facilities.

(Ord. 10.6, passed 3-17-2009).

§ 155.34 COMMERCIAL DISTRICT (CO).

(A) *General description.* This commercial district is for personal and business services and general business activity. This district is established for the accommodation of those specified retail and business services activities that typically may be located and grouped along a major street or about a major street intersection or highway.

(B) *Uses permitted.* The following uses shall be permitted in the Commercial District:

- (1) Retail establishments, including incidental manufacturing of goods for sale at retail on the premises, provided, however, that the space devoted to manufacturing does not exceed 20% of the gross floor area of the establishment; sales and display rooms and lots, not including yards for storage of new or used building materials or yards for any scrap of new or used building materials or yards for any scrap or salvage, or secondhand materials. The storage, display, and sale of used, repossessed, or traded-in merchandise incidental to a retail operation engaged primarily in the sale of new merchandise, if permitted;
- (2) Eating and drinking establishments;
- (3) Service and repair establishments;
- (4) Personal service establishments;
- (5) Hotel, motels, rooms, and boarding houses (and travel parks) as regulated in § 155.55;
- (6) Commercial recreational structures and uses, such as theaters, bowling alleys, pool rooms, amusement and recreation establishments, but not including miniature golf courses, driving ranges, and similar uses provided such structures meet all ordinances concerning public health, fire codes, morality codes, and all current building codes;
- (7) Parking lots and garages;
- (8) New and used car, truck, motorcycle, farm implement, and machinery sales, service, or rentals (U-Haul type);
- (9) Manufactured home sales and service;
- (10) Offices, studios, human health services clinics, and laboratories;

- (11) Financial institutions;
- (12) Private clubs and lodges;
- (13) Outdoor advertising as regulated in § 155.62;
- (14) Auditoriums provided such structures meet all ordinances concerning public health, fire codes, morality codes, and all current building codes;
- (15) Public or municipal swimming pools as subject to § 155.67;
- (16) Public buildings and grounds other than elementary or high schools;
- (17) Business and vocational schools not involving operations of an industrial character;
- (18) Wholesale and distributing centers not involving the use of any delivery vehicle rated at more than two and one-half ton capacity; nor a total of more than five delivery vehicles;
- (19) On the same premises, and in connection with permitted principal uses and structures, other uses and structures which are customarily accessory and clearly incidental to permitted or permissible uses and structures;
- (20) Any other store or shop for retail trade or for rendering personal, professional, or business service which does not produce more noise, dust, odor, vibration, blast, or traffic than those permitted uses enumerated above;
- (21) Dwelling units will be allowed in multi-storied structures wherein the street or ground floor level is occupied by one of the permitted retail or business services enumerated above; and
- (22) Other uses similar in character to those enumerated above and which in the opinion of the governing body will not be injurious to the district.

(C) *Uses permitted on review.* Uses may be permitted on review by the governing body in accordance with the provisions contained in § 155.89.

(D) *Area regulations.* The following requirements shall apply to all uses permitted in this district:

- (1) *Front yard:* none;
- (2) *Side yard:* no side yard is required except that the width of a side yard which abuts a residential district shall be not less than 25 feet;
- (3) *Rear yard:* where a commercial building is to be serviced from the rear, there shall be provided an alleyway, service courts rear yard, or combination thereof of not less than 35 feet in depth. The depth of a rear yard, which abuts a residential district, shall be not less than 30 feet. In all other cases, no rear yard is required; and
- (4) *Maximum lot coverage:* main and accessory buildings shall cover not more than 75% of the lot area.

(E) *Height regulations.* No building or structure shall exceed two and one-half stories or 35 feet in height except as provided in § 155.57.

(F) *Off-street parking.* For permitted retail, business, and personal services establishments, off-street parking requirements are as per § 155.59(B).

(G) *Screening and landscaping.* All yard areas required under this section and other yards and open spaces existing around buildings shall be landscaped and maintained in a neat condition, as per Chapter 92.

(Ord. 10.6, passed 3-17-2009)

Town of Hermosa

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

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

Email: town@hermosasd.com

COPY 7C

DATE 7-12-2024

PERMIT # 2024-26

Receipt # _____ Cash _____ Check # 1012 Amount 50⁰⁰ (\$50.00)

**** PLEASE INCLUDE TO-SCALE DRAWINGS ****

APPLICATION CONDITIONAL USE PERMIT

Applicant Traavis Baker MTB Holdings LLC DBA Western Pine Equipment

Physical Address 749 Tenaya St

Mailing Address 15033 Spring Creek Cut off Hermosa SD 57744

Email tbaker05@hotmail.com

Daytime Phone 605-381-7884

Evening Phone _____

Owner of Property (if different from applicant) _____

Owner Address _____

Permitted conditional use Requested:

Shipping Containers 8x20'

Legal Description SE 1/4 SEC 30 T2 R8

Length of Time Permit is requested (6 MONTH MAXIMUM)

APPLICATION MUST BE APPROVED BY THE HERMOSA PLANNING AND ZONING COMMITTEE AND THE BOARD OF TRUSTEES PRIOR TO START OF PROJECT.

By signing below, I acknowledge that I have read and understand all requirements for a Permitted Conditional Use Permit.

Signature of Applicant

7-12-24

Date

PLANNING ADMINISTRATOR

Name: _____

Title: _____

Signature: _____

Date: _____

BOARD OF TRUSTEES & PLANNING & ZONING

Name: _____

Title: _____

Signature: _____

Date: _____

Application Fee: _____

Date Paid: _____

Issue Picked Up: _____

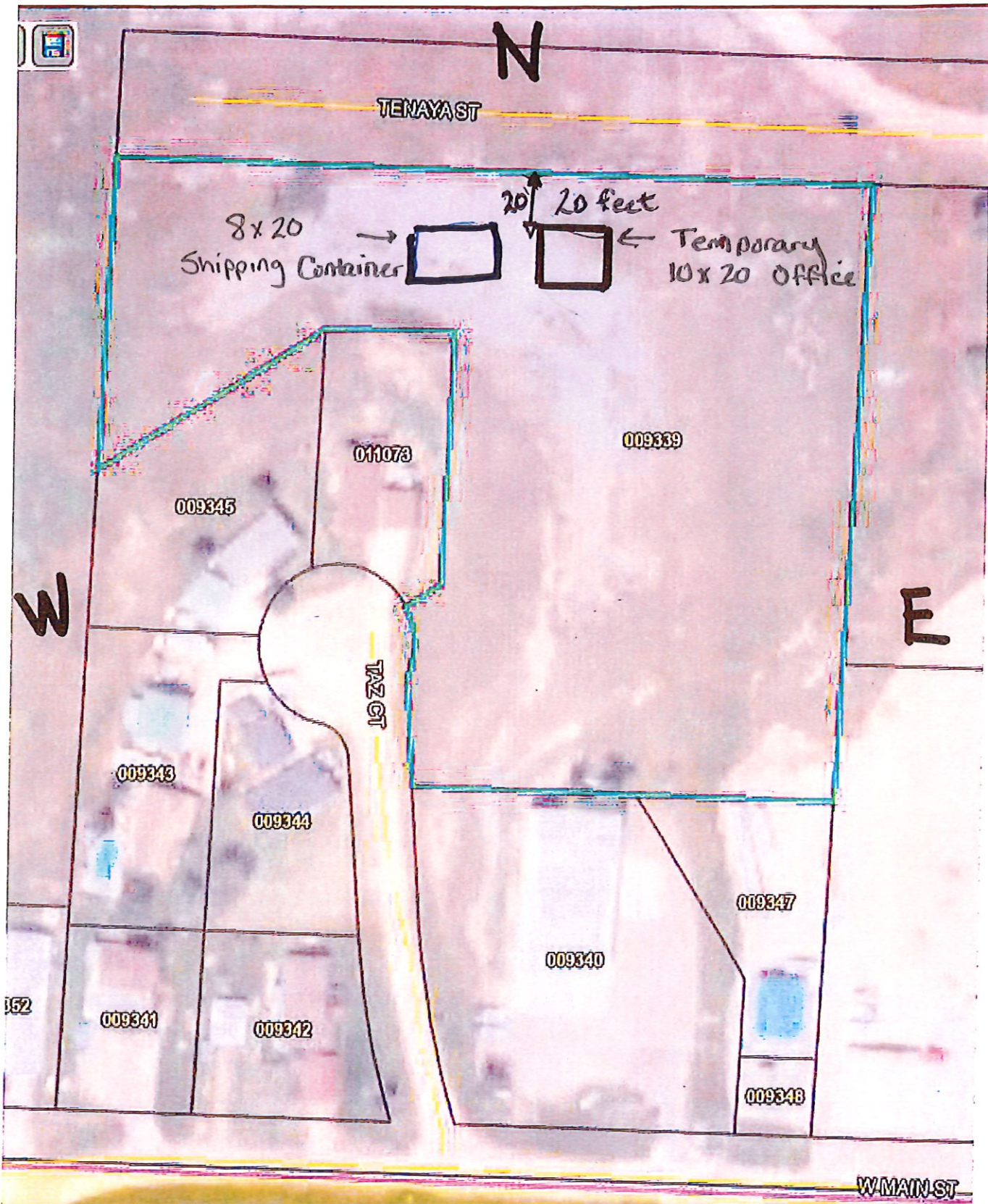
"In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, age, disability, religion, sex, and familial status. (Not all prohibited bases apply to all programs.) To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TDD)."

Parcel #

009339

OFFICE USE ONLY

Parcel 009339 - 749 Teneya St.



iteIDn/a
Commercial
e 3.435

Owner Address BAKER TRAVIS
15033 SPRING CREEK CUTOFF
HERMOSA, SD 57744-5120

S

FYI

Town of Hermosa

PO Box 298 • 230 Main Street • Hermosa, SD 57744
Phone (605) 255-4291 • Fax (605) 255-4094
Email: town@hermosasd.com

3E
COPY

TEMPORARY SIGN PERMIT APPLICATION

Name: Custer County Fair Association PHONE: 605-863-1170 Philip Preston
Contact Address: 30 W. Ferguson St
Email: custercfair@Lotmail.com or ppreston77@gmail.com

DATE SIGNS TO BE PLACED: FROM August 7, 2024 THROUGH August 12, 2024

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: Northwest Corner of Custer County Schools/Right of Way

Address of Sign Location: _____

Type, Material, & Size of Sign: _____

Other Information: On the SE corner of 79 & HY40 East Intersection

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: Philip J. Preston DATE: 7-9-24

Parcel #
FOR OFFICE USE

PLANNING COMMISSION	
<input type="checkbox"/> Approved <input type="checkbox"/> Denied	
NAME:	_____
TITLE:	_____
SIGNATURE:	_____
DATE:	_____

Claims for approval 07-16-2024

VENDOR	REFERENCE	AMOUNT
BENESCH	PROFESSIONAL SERVICES 6/3-6/30/24	2263
CBH CO-OP	SHOP PROPANE, TANK RENTAL FEE	75.70
CONNIE LEIMER	TRAP/NEUTER/RELEASE PROGRAM	68.00
DANR	DRINKING WATER PERMIT FEE	100
DSG - DAKOTA SUPPLY GROUP	BOOSTER PUMP - WATER	1290.28
CHUCK FERGUSON	PATCH HOLES/ST LIGHT INSP/ADD'L LOCATES	1722
GOLDEN WEST TECHNOLOGIES	MONTHLY SERVICE - JULY 2024	576
MT RUSHMORE TELEPHONE	PHONE/INTERNET, 13317295,13318822,13332938	258.19
PIONEER BANK & TRUST	ST LIGHT/STAMPS/OFFICE SUPPLIES/ADOBE-MAY	2846.11
SANDERS SANITATION	Monthly sanitation service	4,523.80
SDARWS	ANNUAL DUES: CLASS B MEMBER	410
SOUTHERN HILLS PUBLISHING	PUBLISHING/LLEGAL NOTICES, ANNUAL SUBSCRIP	286.4
Accounts Payable Total		14,419.48
Payroll related		
Total Paid On: 7/15/2024		
	Legislative, Financial Administration, Govt Blds	2,785.93
	Water	186.11
	Sewer	111.69
	Promoting City/BBB	37.15
EFTPS-Electronic Federal Tax	FED/FICA TAX	807.57
Payroll Total		3,928.45
***** REPORT TOTAL *****		18,347.93

CLAIMS REPORT
 Check Range: 7/03/2024- 7/16/2024

VENDOR NAME	REFERENCE	AMOUNT	VENDOR TOTAL	CHECK#	CHECK DATE
BENESCH	PROFESS SERVICES 6/3-6/30/2024		2,263.00	17677	7/16/24
CBH CO-OP	SHOP PROPANE, TANK RENTAL FEE		75.70	17678	7/16/24
CONNIE LEIMER	TRAP/NEUTER/RELEASE PROGRAM		68.00	17679	7/16/24
DANR	DRINKING WATER PERMIT FEE		100.00	17680	7/16/24
DSG-DAKOTA SUPPLY GROUP	BOOSTER PUMP - WATER		1,290.28	17681	7/16/24
EFTPS-Electronic Federal Tax	FED/FICA TAX		807.57	285	7/15/24
CHUCK FERGUSON	LAGOON V DITCH		1,722.00	17682	7/16/24
GOLDEN WEST TECHNOLOGIES	MONTHLY SERVICE - JULY 2024		576.00	17683	7/16/24
MT RUSHMORE TELEPHONE	PHONE/INTERNE, 13318822		258.19	286	7/15/24
PIONEER BANK & TRUST	NEW ST LIGHT-WHITNEY ST		2,846.11	287	7/15/24
SANDERS SANITATION	MONTHLY SANITATION SERV		4,523.80	288	7/08/24
SDARWS	ANNUAL DUES: CLASS B MEMBER		410.00	17684	7/16/24
Southern Hills Publishing	PUBLISHING/LEGAL NOTICES 6/24		286.40	17685	7/16/24
	Accounts Payable Total		15,227.05		
	Utility Refund Checks				
	Refund Checks Total				
	Payroll Checks				
	101 GENERAL		2,785.93		
	211 BBB GROSS RECEIPTS TAX		37.15		
	602 WATER		186.11		
	604 SEWER		111.69		
	Total Paid On: 7/15/24		3,120.88		
	Total Payroll Paid		3,120.88		
	Report Total		18,347.93		

CLAIMS REPORT
CLAIMS FUND SUMMARY

FUND	NAME	AMOUNT
101	GENERAL	15,104.02
211	BBB GROSS RECEIPTS TAX	48.02
602	WATER	2,209.45
604	SEWER	986.44

	TOTAL FUNDS	18,347.93

X X

7-3-2024 - INSPECTIONS - Reinspected on 7/9/2024

ADDRESS:	ABATEMENT TYPE:	Citizen	Town	NOTICE DATE:	Call/Door Hanger or Letter	Date sent	Only 1 notice required	Notice Deadline	1st Notice (7 days)	Dangerous (3 days)	2nd Notice	PAID	Notes:
245 Hwy 79	Weed Whack/DOT ROW		X	7/10/2024	Letter	7/11/2024		7/18/2024					
755 Marie St.	Mow/Weed Whack		X	7/10/2024	Door Hanger	7/11/2024		7/18/2024					
810 Marie St.	Mow/Weed Whack		X	N/A	Good	N/A		N/A					
825 Marie St.	Mow/Weed Whack		X	7/10/2024	Door Hanger	7/11/2024		7/18/2024					
845 Marie St.	Mow/Weed Whack		X	7/10/2024	Door Hanger	7/11/2024		7/18/2024					
48 Taz Ct.	Weed Whack		X	N/A	Good	N/A		N/A					
Carriage Hills Dev	East side of property mow - 20 ft wide cut		X	7/10/2024	E-mail	7/10/2024		7/18/2024					Never has mowed east side.
11 4th St.	Weeds on east side - weed whack or spray		X	7/10/2024	Letter	7/11/2024		7/18/2024					
2 West Ct.	Weed whack empty lot to the east		X	7/10/2024	Letter*	7/11/2024		7/18/2024					
10 West Ct.	Weed whack - east fence line		X	7/10/2024	Door Hanger	7/10/2024		7/18/2024					
145 5th St.	Weed whack - east side		X	N/A	Good	N/A		N/A					
235 Main St	Mow/Weed Whack		X	N/A	Good	N/A		N/A					
102 Main St.	Mow/Weed Whack		X	7/10/2024	Door Hanger	7/10/2024		7/18/2024					
250 Ferguson	Mow/Weed Whack		X	N/A	Good	N/A		N/A					
255 Ferguson	Mow/Weed Whack		X	N/A	Good	N/A		N/A					
265 Ferguson	Mow/Weed Whack		X	N/A	Good	N/A		N/A					
Parcel 9295	Mow/Weed Whack		X	7/10/2024	Letter	7/11/2024		7/18/2024					
115 Folsom Ct.	Weed Whack/DEAD TREE		X	7/10/2024	Letter*	7/11/2024		7/18/2024					Future plan to work on trees
401 Vilas	Mow/Weed Whack/DEAD TREE		X	7/10/2024	Door Hanger	7/10/2024		7/18/2024					Future plan to work on trees
355/375 Vilas	Mow/Weed Whack - all lots/DEAD TREE		X	N/A	Good	N/A		N/A					Future plan to work on trees
125 2nd St.	DEAD TREE/Trim branches - clean up		X		OK								Future plan to work on trees
222 3rd St.	Empty lot - Trim TREES - east side		X										Future plan to work on trees
270 Manning St.	DEAD TREE		X										Future plan to work on trees
330 Vilas	DEAD TREE		X										Future plan to work on trees
101 3rd/255 Vilas	DEAD TREE		X										Future plan to work on trees
31 3rd St.	DEAD TREE		X										Future plan to work on trees
455 Vilas	DEAD TREE		X										Future plan to work on trees
	Prairie Dog!!!!		X										
	Mow/Weed Whack		X	7/10/2024	Town								7/10/24-Irvine working on!
	Mow/Weed Whack			7/10/2024	Town								
	Mow/Weed Whack			7/10/2024	Town								
Grove													

9c



Pioneer Bank & Trust

Local.

12A

Date 6/28/24 Page 2
Primary Account Ending 6395

BUSINESS PLUS ACCOUNT		Image Statement	34
Account Number	Ending 6572	Statement Dates	6/01/24 thru 6/30/24
Previous Balance	1,076,184.87	Days in the statement period	30
52 Deposits/Credits	75,050.04	Average Ledger Balance	1,072,098
50 Checks/Debits	75,993.99	Ave Collected Balance	1,070,642
Service Charge	.00		
Interest Paid	66.88		
Ending Balance	1,075,307.80	2024 Interest Paid	380.67

DEPOSITS AND OTHER CREDITS

Date	Transaction	
6/03	8662240369 MerchPayout SV9T 1043575881	126.07 ✓
	06/03/24Town of Hermosa TRACE-242071759572214 CCD	
6/03	8662240369 MerchPayout SV9T 1043575881	405.85 ✓
	06/03/24Town of Hermosa TRACE-242071754284228 CCD	
6/03	8662240369 MerchPayout SV9T 1043575881	1,069.69 ✓
	06/03/24Town of Hermosa TRACE-242071759544533 CCD	
6/04	8662240369 MerchPayout SV9T 1043575881	116.71 ✓
	06/04/24Town of Hermosa TRACE-242071753663650 CCD	
6/05	8662240369 MerchPayout SV9T 1043575881	299.92 ✓
	06/05/24Town of Hermosa TRACE-242071753978814 CCD	
6/06	8662240369 MerchPayout SV9T 1043575881	97.84 ✓
	06/06/24Town of Hermosa TRACE-242071754252781 CCD	
6/07	8662240369 MerchPayout SV9T 1043575881	223.92 ✓
	06/07/24Town of Hermosa TRACE-242071753183652 CCD	
6/07	AP ACH STATE OF SOUTH D 6466000364 06/07/24 PPD	1,109.03 ✓
	ID# - 12054624 001701269755	
6/07	REGULAR DEPOSIT	100.00 ✓
6/07	REGULAR DEPOSIT	176.38 ✓
6/07	REGULAR DEPOSIT	240.79 ✓
6/07	REGULAR DEPOSIT	278.84 ✓
6/07	REGULAR DEPOSIT	405.22 ✓
6/07	REGULAR DEPOSIT	438.47 ✓
6/07	REGULAR DEPOSIT	766.34 ✓
6/07	REGULAR DEPOSIT	1,332.25 ✓
6/07	REGULAR DEPOSIT	2,047.55 ✓
6/10	8662240369 MerchPayout SV9T 1043575881	99.74 ✓
	06/10/24Town of Hermosa TRACE-242071755606934 CCD	
6/10	8662240369 MerchPayout SV9T 1043575881	299.22 ✓
	06/10/24Town of Hermosa TRACE-242071751296650 CCD	
6/12	PAYABLES Custer School Di 466001309 HERMOSATOW	425.10 ✓
	06/12/24HERMOSA TOWN TREASURER TRACE-092901681559066 CCD	
6/12	8662240369 MerchPayout SV9T 1043575881	2,086.53 ✓
	06/12/24Town of Hermosa TRACE-242071754642493 CCD	
6/14	Capital One ACH Dispute Refund	320.00 ✓
6/14	ACH Dispute Refund	1,440.00 ✓
6/17	8662240369 MerchPayout SV9T 1043575881	115.15 ✓
	06/17/24Town of Hermosa TRACE-242071755747783 CCD	
6/17	8662240369 MerchPayout SV9T 1043575881	375.63 ✓
	06/17/24Town of Hermosa TRACE-242071755722627 CCD	
6/17	8662240369 MerchPayout SV9T 1043575881	8,886.56 ✓
	06/17/24Town of Hermosa TRACE-242071750752072 CCD	
6/18	8662240369 MerchPayout SV9T 1043575881	199.48 ✓
	06/18/24Town of Hermosa TRACE-242071757444426 CCD	



Pioneer Bank & Trust

Local.

Date 6/28/24
Primary Account

Page 3
Ending 6395

BUSINESS PLUS ACCOUNT

Ending 6572 (Continued)

DEPOSITS AND OTHER CREDITS

Date	Transaction	
6/18	REGULAR DEPOSIT	231.25 ✓
6/18	REGULAR DEPOSIT	402.22 ✓
6/18	REGULAR DEPOSIT	543.83 ✓
6/18	REGULAR DEPOSIT	622.74 ✓
6/18	REGULAR DEPOSIT	933.00 ✓
6/18	REGULAR DEPOSIT	1,418.14 ✓
6/18	REGULAR DEPOSIT	5,702.05 ✓
6/20	AP PENNINGTON COUNT 1466000381 APP229	7.12 ✓
	06/20/24TOWN OF HERMOSA, TRACE-091000015289113 CCD	
6/20	8662240369 MerchPayout SV9T 1043575881	413.13 ✓
	06/20/24Town of Hermosa TRACE-242071756820410 CCD	
6/20	A/P EFT Custer County 1466000115 01-0647	11,004.88 ✓
	06/20/24HERMOSA TOWN TRACE-092901681722663 CCD	
6/21	E-PAYMENT DISCOVER 2510020270 06/20/24 WEB	5,000.00 ✓
	ID #-8341 DC PYMNTS DCIINTNET	
6/21	8662240369 MerchPayout SV9T 1043575881	378.96 ✓
	06/21/24Town of Hermosa TRACE-242071751603720 CCD	
6/21	REGULAR DEPOSIT	50.00 ✓
6/21	REGULAR DEPOSIT	205.00 ✓
6/21	REGULAR DEPOSIT	971.08 ✓
6/21	REGULAR DEPOSIT	3,775.52 ✓
6/24	8662240369 MerchPayout SV9T 1043575881	115.49 ✓
	06/24/24Town of Hermosa TRACE-242071759892948 CCD	
6/24	8662240369 MerchPayout SV9T 1043575881	860.54 ✓
	06/24/24Town of Hermosa TRACE-242071753954079 CCD	
6/25	AP ACH STATE OF SOUTH D 6466000364 06/25/24 PPD	18,052.63 ✓
	ID# - 12054624 001701269755	
6/26	8662240369 MerchPayout SV9T 1043575881	99.94 ✓
	06/26/24Town of Hermosa TRACE-242071752971303 CCD	
6/27	ACCTVERIFY Yardi Penny Test 9000652497 06/27/24 PPD	.24 ✓
	ID# - WJYJKG 805-699-2040	
6/27	8662240369 MerchPayout SV9T 1043575881	372.31 ✓
	06/27/24Town of Hermosa TRACE-242071751776669 CCD	
6/28	ACCTVERIFY Yardi Penny Test 9000652497 06/27/24 PPD	.24 ✓
	ID# - WJYJKG 805-699-2040	
6/28	CPC-CLIENT STATE FARM RO 08 9000313004 27 S 1267192527	308.16 ✓
	06/21/24Ashley williams TRACE-021000029947719 CCD	
6/28	8662240369 MerchPayout SV9T 1043575881	99.29 ✓
	06/28/24Town of Hermosa TRACE-242071750479396 CCD	
6/30	INTEREST PAID 30 DAYS	66.88 ✓

WITHDRAWALS AND OTHER DEBITS

Date	Transaction	
6/03	PAYMENT USDA RD DCFO 1220040804 0000	222.00 ✓
	06/03/24TOWN OF HERMOSA TRACE-041036041150053 CCD	
6/03	PAYMENT USDA RD DCFO 1220040804 0000	417.00 ✓
	06/03/24TOWN OF HERMOSA TRACE-041036041150051 CCD	

Pioneer Bank & Trust

Local.

Date 6/28/24 Page 4
 Primary Account Ending 6395

BUSINESS PLUS ACCOUNT Ending 6572 (Continued)

WITHDRAWALS AND OTHER DEBITS

Date	Transaction	Amount
6/05	BHEC BILL BLACK HILLS ELEC 460111503 0000401100	2,709.83 ✓
	06/05/24Town of Hermosa TOWN O TRACE-092901681392558 CCD	
6/05	PAYMENT Sander Sanitatio 7323501000 7732350079332	4,024.80 ✓
	06/05/24TOWN OF HERMOSA TRACE-091408596871067 CCD	
6/07	A & B BUSI A & B BUSINESS I 1541507947 ID6309JP9U	17.10 ✓
	06/07/24TOWN O HERMOSA TRACE-242071757745143 CCD	
6/12	PAYMENT TAZ VISA PAYMENT 2460177437 06/12/24 WEB	644.76 ✓
	ID #-413952010776503	
6/14	USATAXPYMT IRS 3387702000 270456645209608	739.61 ✓
	06/14/24TOWN OF HERMOSA TRACE-061036010011328 CCD	
6/17	MONTHLYPMT HANSON COMMUNICA 1411506466 00007655-5	56.42 ✓
	06/17/24Town of Hermosa TRACE-091904851637465 CCD	
6/17	MONTHLYPMT HANSON COMMUNICA 1411506466 00030190-2	66.00 ✓
	06/17/24Town of Hermosa TRACE-091904851637513 CCD	
6/17	MONTHLYPMT HANSON COMMUNICA 1411506466 00054247-0	135.61 ✓
	06/17/24Town of Hermosa TRACE-091904851637481 CCD	
6/17	A & B BUSI A & B BUSINESS I 1541507947 ID6CO9TD3L	635.72 ✓
	06/17/24TOWN O HERMOSA TRACE-242071755877225 CCD	
6/17	WEB PYMT CARDMEMBER SERV 5911111111 06/17/24 WEB	883.20 ✓
	ID #-*****6934	
6/20	STOP PAYMENT CHARGE	25.00 ✓
6/20	E-PAYMENT DISCOVER 2510020270 06/20/24 WEB	5,000.00 ✓
	ID #-8341 DC PYMNTS DCIINTNET	
6/21	CPC-CLIENT STATE FARM RO 08 9000313004 27 s 1267192527	308.16 ✓
	06/21/24Ashley williams TRACE-021000029947719 CCD	
6/21	PAYMENT USDA RD DCFO 1220040804 0000	1,278.00 ✓
	06/21/24TOWN OF HERMOSA TRACE-041036042343380 CCD	

Checks in Check Number Order

Date	Check No.	Amount	Date	Check No.	Amount	Date	Check No.	Amount
6/26	17588	51.99 ✓	6/18	17621	89.00 ✓	6/17	17635	1,655.42 ✓
6/04	17610*	92.35 ✓	6/06	17622	54.78 ✓	6/17	17636	1,253.87 ✓
6/03	17611	1,645.79 ✓	6/13	17623	1,830.62 ✓	6/26	17637	312.24 ✓
6/03	17612	230.87 ✓	6/06	17624	4,947.00 ✓	6/24	17638	191.15 ✓
6/03	17613	184.70 ✓	6/14	17625	1,969.00 ✓	6/20	17639	145.86 ✓
6/10	17614	115.44 ✓	6/24	17626	28,252.03 ✓	6/21	17640	1,026.00 ✓
6/07	17615	230.87 ✓	6/07	17627	127.00 ✓	6/24	17641	576.00 ✓
6/05	17616	328.41 ✓	6/18	17628	36.78 ✓	6/25	17642	1,525.26 ✓
6/03	17617	1,267.33 ✓	6/24	17629	13.43 ✓	6/25	17643	100.30 ✓
6/04	17618	1,100.86 ✓	6/12	17630	35.43 ✓	6/25	17646*	6,195.00 ✓
6/14	17619	21.00 ✓	6/07	17631	75.00 ✓			
6/03	17620	3,120.00 ✓	6/17	17634*	30.00 ✓			

Daily Balances

Date	Balance	Date	Balance	Date	Balance
6/01	1,076,184.87	6/06	1,057,955.23	6/13	1,064,908.39
6/03	1,070,698.79	6/07	1,064,624.05	6/14	1,063,938.78
6/04	1,069,622.29	6/10	1,064,907.57	6/17	1,068,599.88
6/05	1,062,859.17	6/12	1,066,739.01	6/18	1,078,526.81



Pioneer Bank & Trust

Local.

Date 6/28/24 Page 5
Primary Account Ending 6395

BUSINESS PLUS ACCOUNT

Ending 6572 (Continued)

Daily Balances

Date	Balance	Date	Balance	Date	Balance
6/20	1,084,781.08	6/25	1,074,724.97	6/28	1,075,240.92
6/21	1,092,549.48	6/26	1,074,460.68	6/30	1,075,307.80
6/24	1,064,492.90	6/27	1,074,833.23		

INTEREST RATE INFORMATION

Date	Interest Rate
5/31	.08%

CERTIFICATE OF DEPOSIT

Account Number	Current Balance	Interest Rate	Maturity Date	2024 Interest
Ending 3571	512,137.47	2.5000%	9/03/24	5,573.34

2018 Mt Rushmore RD
Rapid City SD 57701
PHONE (605) 399-1510

Date 6/28/24 Page 1
Primary Account Ending 6395

Town Of Hermosa
PO Box 298
Hermosa SD 57744-0298

ACCOUNTS INCLUDED ON THIS STATEMENT

Account Number	Account Type	Current Balance	Enclosures
Ending 6395	Small Business Account	1,500.00	
Ending 6572	BUSINESS PLUS ACCOUNT	1,075,307.80	34

Beginning in 2024, many businesses are required to report information about their Beneficial Owners to FinCEN. Is YOUR business one of them? Visit <https://www.fincen.gov/boi> for details. There are penalties for non-compliance so be sure to review the requirements!

Small Business Account		Image Statement	0
Account Number	Ending 6395	Statement Dates 6/01/24 thru	6/30/24
Previous Balance	1,500.00	Days in the statement period	30
Deposits/Credits	.00	Average Ledger Balance	1,500
Checks/Debits	.00	Ave Collected Balance	1,500
Service Charge	.00		
Interest Paid	.00		
Ending Balance	1,500.00		

Daily Balances
Date Balance
6/01 1,500.00

Beginning in 2024, many businesses are required to report information about their Beneficial Owners to FinCEN. Is YOUR business one of them? Visit <https://www.fincen.gov/boi> for details. There are penalties for non-compliance so be sure to review the requirements!

Transaction No	Date	Mod	Emp1/Vend	Vendor/Employee Name	Other No	Checks	Deposits
1 PIONEER BANK & TRUST CHECKING						Beginning Statement Balance	1,076,184.87
1002	5/31/2024	RM					176.38
1003	5/29/2024	RM					100.00
1004	5/30/2024	RM					405.22
1006	6/02/2024	RM					2,047.55
1007	6/03/2024	RM					766.34
1008	6/04/2024	RM					438.47
1009	6/05/2024	RM					240.79
1010	6/07/2024	RM					1,332.25
1011	6/07/2024	RM					278.84
1012	6/09/2024	RM					402.22
1013	6/11/2024	RM					5,702.05
1014	5/29/2024	BK		BANK FRAUD			320.00
1015	5/29/2024	BK		BANK FRAUD			1,440.00
1016	6/07/2024	GL					1,109.03
1019	6/01/2024	BK					405.85
1020	6/02/2024	BK					1,069.69
1021	6/03/2024	BK					126.07
1022	6/05/2024	BK					299.92
1023	6/06/2024	BK					97.84
1024	6/09/2024	BK					99.74
1025	6/04/2024	BK					116.71
1026	6/07/2024	BK					223.92
1029	6/10/2024	RM					622.74
1031	6/11/2024	RM					1,418.14
1032	6/12/2024	RM					1,358.10
1033	6/14/2024	RM					231.25
1034	6/16/2024	RM					543.83
1035	6/17/2024	RM					3,775.52
1036	6/18/2024	RM					205.00
1037	6/19/2024	RM					971.08
1038	6/21/2024	RM					50.00
1039	6/19/2024	BK					413.13
1040	6/18/2024	BK					199.48
1042	6/12/2024	BK					2,086.53
1043	6/15/2024	BK					8,886.56
1044	6/16/2024	BK					375.63
1045	6/17/2024	BK					115.15
1046	6/20/2024	BK					378.96
1048	6/20/2024	GL					11,004.88
1049	6/25/2024	GL					18,052.63
1050	6/20/2024	GL					7.12
1051	6/22/2024	BK					115.49
1052	6/23/2024	BK					860.54
1055	6/30/2024	GL					66.88
1056	6/26/2024	BK					99.94
1057	6/27/2024	BK					372.31
1058	6/28/2024	BK					99.29
1062	6/20/2024	BK		BANK FRAUD			5,000.00
1063	6/21/2024	BK		BANK FRAUD			308.16
1066	6/08/2024	BK					299.22
1075	6/27/2024	BK		BANK FRAUD			.24
1076	6/28/2024	BK		BANK FRAUD			.24

Transaction No	Date	Mod	Empl/Vend	Vendor/Employee Name	Other No	Checks	Deposits
1 PIONEER BANK & TRUST CHECKING					- continued -		
17588	5/07/2024	UB	10240002	Thomas Mandarino		51.99	
17610*	5/31/2024	PR		1 VONDA BELT		92.35	
17611	5/31/2024	PR		25 TERESA J CORNELISON		1,645.79	
17612	5/31/2024	PR		20 Donna M Ferguson		230.87	
17613	5/31/2024	PR		9 VICKI L HENRICHSEN		184.70	
17614	5/31/2024	PR		10 DANNY J HOLSWORTH		115.44	
17615	5/31/2024	PR		26 KELBURN S KOONTZ		230.87	
17616	5/31/2024	PR		4 LINDA M KRAMER		328.41	
17617	5/31/2024	PR		6 JILL R SWIER-DYBVIG		1,267.33	
17618	5/31/2024	AP		3 SOUTH DAKOTA RETIREMENT SYSTEM		1,100.86	
17619	5/31/2024	AP		26 HEALTH POOL OF SOUTH DAKOTA		21.00	
17620	5/31/2024	AP		23 CHUCK FERGUSON		3,120.00	
17621	6/04/2024	AP		135 CONNIE LEIMER		89.00	
17622	6/04/2024	AP		137 CORNELISON, TERRI		54.78	
17623	6/04/2024	AP		145 E/Z TRUCKING		1,830.62	
17624	6/04/2024	AP		23 CHUCK FERGUSON		4,947.00	
17625	6/04/2024	AP		26 HEALTH POOL OF SOUTH DAKOTA		1,969.00	
17626	6/04/2024	AP		62 PACE		28,252.03	
17627	6/04/2024	AP		109 SIMPSONS PRINTING		127.00	
17628	6/04/2024	UB	11290001	Kayla Akley		36.78	
17629	6/04/2024	UB	11700001	PATTY SHINABARGER		13.43	
17630	6/04/2024	UB	10170001	WILLIAM/REBECCA WARREN		35.43	
17631	6/03/2024	AP		123 SD GOV'T FO ASSOC		75.00	
17634*	6/04/2024	AP		37 SD MUNICIPAL LEAGUE		30.00	
17635	6/14/2024	PR		25 TERESA J CORNELISON		1,655.42	
17636	6/14/2024	PR		6 JILL R SWIER-DYBVIG		1,253.87	
17637	6/18/2024	AP		127 CBH CO-OP		312.24	
17638	6/18/2024	AP		135 CONNIE LEIMER		191.15	
17639	6/18/2024	AP		137 CORNELISON, TERRI		145.86	
17640	6/18/2024	AP		23 CHUCK FERGUSON		1,026.00	
17641	6/18/2024	AP		33 GOLDEN WEST TECHNOLOGIES		576.00	
17642	6/18/2024	AP		39 HAWKINS, Inc.		1,525.26	
17643	6/18/2024	AP		43 Southern Hills Publishing		100.30	
17646*	6/20/2024	AP		25 HAGG & HAGG LLP		6,195.00	
12*	6/20/2024	BK		BANK FRAUD		5,000.00	
13	6/21/2024	BK		BANK FRAUD		308.16	
14	6/12/2024	BK		BANK FRAUD		644.76	
264	6/01/2024	AP		6 A & B BUSINESS EQUIPMENT INC		17.10	
265	6/05/2024	AP		40 BLACK HILLS ELECTRIC COOP., Inc		2,709.83	
270	6/04/2024	AP		12 RURAL DEVELOPMENT		1,278.00	
271	6/04/2024	AP		12 RURAL DEVELOPMENT		417.00	
272	6/04/2024	AP		12 RURAL DEVELOPMENT		222.00	
273	6/14/2024	AP		1 EFTPS-Electronic Federal Tax		739.61	
276	6/15/2024	AP		8 MT RUSHMORE TELEPHONE		258.03	
278	6/17/2024	AP		11 PIONEER BANK & TRUST		883.20	
279	6/20/2024	AP		13 SANDERS SANITATION		4,024.80	
283	6/20/2024	AP		11 PIONEER BANK & TRUST		25.00	
284	6/04/2024	AP		6 A & B BUSINESS EQUIPMENT INC		635.72	

Fund Description

101 GENERAL	28,140.84	35,562.91
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Transaction No	Date	Mod	Empl/Vend	Vendor/Employee Name	Other No	Checks	Deposits
1 PIONEER BANK & TRUST CHECKING					- continued -		
			211	BBB GROSS RECEIPTS TAX		123.76	1,636.77
			301	DEBT SERVICE			4,718.99
			602	WATER		6,164.58	16,420.48
			604	SEWER		35,611.89	9,470.32
				Fund Grand Total		70,041.07	67,809.47
						Ending Statement Balance	1,075,307.80

Transaction No	Date	Mod	Emp1/Vend	Vendor/Employee Name	Other No	Checks	Deposits
1	PIONEER BANK & TRUST CHECKING					Beginning Statement Balance	1,076,184.87
				48 Credit Transactions		75,993.99	
				52 Debit Transactions			75,116.92
						Ending Statement Balance	1,075,307.80

Town of Hermosa
Public Works Department

COPY 14A

Work Order Request Form

Work Order #2024-24

Date: <u>7.2.2024</u>	Requested by: <u>Jill</u>	Requesting Department:	Phone:
-----------------------	---------------------------	------------------------	--------

CATEGORY:

<input type="checkbox"/> Water	<input type="checkbox"/> Sewer	<input type="checkbox"/> Drainage
<input checked="" type="checkbox"/> Streets	<input type="checkbox"/> Lights	<input type="checkbox"/> Other _____

Name: Jaz + Tyler Phelps Address: 260 Ferguson

Location: driveway - culvert

Permission to enter property: call - Jaz ⁶⁰⁵ - 545-8390

Requested date for work: ASAP. Budgeted Project: Yes No Budget Acct. _____

Priority Emergency High Medium Low

REQUEST DISCIPTION:
Please replaced damaged culvert!

PUBLIC WORKS DEPARTMENT USE ONLY BELOW

Date:	Assigned to:	Estimate Job Completion Date:
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**Work approved by Public Works Department

Public Works Supervisor _____ Date _____

Materials Used

Quantity	Part #	Description	Unit Cost	Total Cost

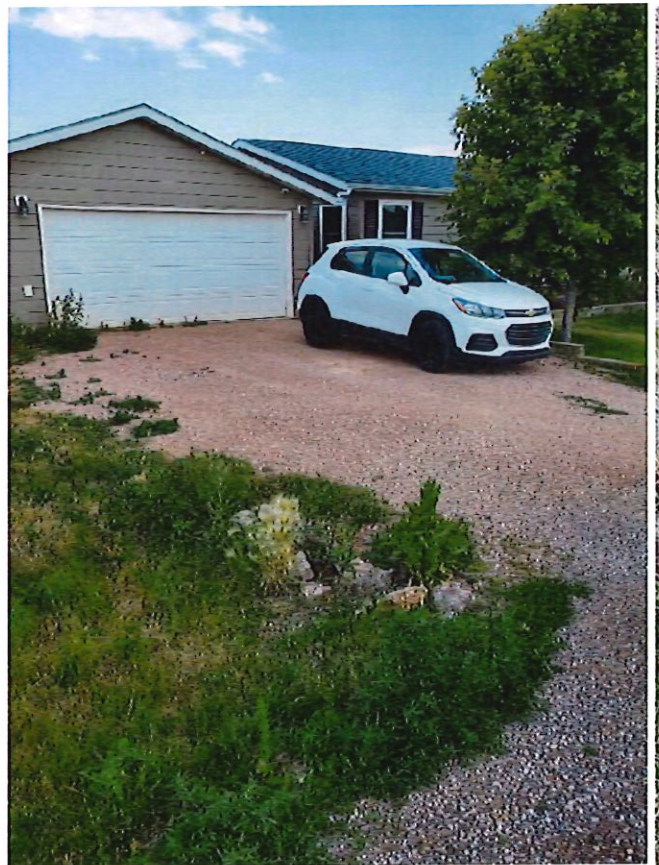
***** PRIVATE WATER SERVICE LINE - LEAD - GALVANIZED - NON-LEAD - UNKNOWN - SIZE _____ *****

NOTES:

Work Completed by: _____ Date: _____ Time: _____

Owner Notified of Completed Work- By: _____ Date: _____

260 Ferguson – Replace Culvert?



North End of Culvert



South Side of Culvert

§ 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, 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 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, 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 hangar (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 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 inflated and shall 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)