

**HERMOSA TOWN BOARD
MONDAY, APRIL10, 2023
REGULAR MEETING @ 6.00pm**

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

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

- 3) **CONSENT CALENDAR:**
 - A. Approval of the March 20th, 2023, Equalization minutes
 - B. Approval of the March 21th, 2023, regular meeting minutes

- 4) **CONFLICT OF INTEREST DECLARATION**

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

- 6) **LAW ENFORCEMENT/ ABATEMENTS/COMPLAINTS:**
 - A. Committee report
 - B. Custer County Log
 - C. Abatements
Properties, Dumpster

- 7) **LEGAL:**
 - A. Permit #2022-09 for 194 Fairgrounds Place road
 - B. Jerry Styles - refund

- 8) **ENGINEER:**
 - A. Water Rehab Project (WRT System)
 - B. Hermosa Sidewalk Project
 - C. Sewer Project (Lagoon design & expansion)
 - D. Water/Sewer Facility Plans
Resolution(s) review
DANR Award
Bruels Email
 - E. Black Hills Council of Local Governments
 - F. Town of Hermosa Water and Sewer Extension Project
 - G. Hermosa Hills Drainage
Town accept Marie Street-pending
Town accept Walter Street-pending
 - H. Whitney Street Drainage
SDARWS Report, Pending technician assistance, update on timeline
Camera drainage/awaiting meeting with school board
 - I. Roy's Drive In Sewer Line
Pending Roy's response
 - J. Facility Plan for Booster, Water Meters
Possibly to add to USDA-pending
 - K. Rural Development
Application pending

- 9) **PLANNING & ZONING**
 - A. Review P&Z meeting minutes from March 28th, 2023, meeting
 - B. Permit 2022-25 - REVISED- Digging/ROW-Sewer Connection- Parcels 009318 & 009319
 - C. 2023-06 – Commercial Remodeling Permit Application – 250 Main St. – Storage Loft - pending
 - D. Permit 2023-10 – Custer School District – 11 4th St. – Install 360 sq. ft. Carport

- 10) **PUBLIC WORKS**
- A. Committee Report
 - B. Streets, Street Light Repairs, Water & Sewer Department Updates
Trustee report on town lighting needs
 - C. Agreement for performance of services of public works and town maintenance
 - D. Chuck Irvine training expenses
 - E. 72 Fairgrounds place (meter reading verification)
- 11) **FINANCE OFFICE:**
- A. Monthly financials.
 - B. Department updates
 - C. District 9 annual meeting
 - D. Elections
Draw for ballot order for the candidates
Official election ballots for initiative petitions.
 - E. Volunteer of the Year
- 12) **OLD BUSINESS:**
- A. Annexation: Gumbo Lilly, Fairgrounds Place, McDermand Street
 - B. Town Sign, pending
 - C. Town Office: Deck Staining, pending
 - D. Library: Deck Staining, pending
 - E. Hermosa Connects
- 13) **NEW BUSINESS:**
- A. Bridge reinspection program resolution 03-2023 reading
 - B. Boundary updates, U.S Census Bureau
 - C. Walter street maintenance – move stop sign request, add gravel
 - D. Resolution 02-2023 – Custer County Natural Hazard Mitigation Plan, 2023
 - E. Ordinance 131A –Open burning and Fireworks
First reading – 04/10/2023
 - F. Ordinance 50.01 – Application for water connection permit
First reading – 04/10/2023
 - G. Annual drinking water report
 - H. 2023-24 Malt beverage & SD Farm wine renewals
- 14) **ITEMS FROM CITIZENS:** No action will be taken (3-minute time limit per speaker)
Meetings of the Board of Trustees are open to the public. The audience may 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 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 identify themselves. The number of presentations and time allotted to individuals may be limited by the board president and individuals shall refrain from discussing personalities. The president at his discretion, may recognize patrons at other times during the board meeting. 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.
- 15) **TRUSTEE INPUT:**
- 16) **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
- 17) **ADJOURN:** Motion by _____; Second by _____ to adjourn the meeting at _____ PM.

3 A.



HERMOSA BOARD OF EQUALIZATION
Monday, March 20, 2023 @ 6:00pm

ROLL CALL: Holsworth called the meeting to order at 6:05 pm with the following members present: Henrichsen, Holsworth, Schumack, Krainer. Also in attendance were Larry Baker, School Board Member, Leah Vissia, Custer County Equalization Director, representatives from the Equalization Office and interested citizens.

CALL FOR CHANGES: Motion made and seconded to approve agenda as presented. Board of Equalization Member Oath taken by all.

OBJECTION TO REAL PROPERTY ASSESSMENT:

Parcel #015760 - Walnut Grove MH CT - Lot 59

Owner: Robinson, Susan

Current Valuation: Land: N/A Structure: \$107,164 Total: \$107,164

Final: Land: N/A Structure: \$88,945 Total: \$88,945

Motion made and seconded to approve as recommended by county STIP; Vote: all ayes, motion carried.

Parcel #15030 - Walnut Grove MH CT - Lot 10

Owner: Peters, Nick or Shawnee

Current Valuation: Land: N/A Structure: \$111,926 Total: \$111,926

Final: Land: N/A Structure: \$111,926 Total: \$111,926

Motion made and seconded to approve as recommended by county; Vote: all ayes, motion carried.

Parcel #009226 - Lots 10-11-12 Block 11, Hermosa

Owner: Harris, Shanna, Raelene

Current Valuation: Land: \$8,700 Structure: \$118,349 Total: \$127,049

Final: Land: \$8,700 Structure: \$116,238 Total: \$124,938

Motion made and seconded to approve as recommended by county STIP; Vote: all ayes, motion carried.

No objections to real property assessments were presented from Pennington County.

ASSESSMENT ROLL: Motion made and seconded to accept the assessment roll as amended and corrected and equalized by the review board; Vote: all ayes, motion carried.

ADJOURN: Motion made and seconded to adjourn the Equalization Board meeting at 6:39; Vote: all ayes, motion carried.

ATTEST:

Monika Serviss, Finance Officer
Published once at the approximate cost of __

Dan Holsworth, Town Board President

**HERMOSA TOWN BOARD
TUESDAY, MARCH 21, 2023
REGULAR MEETING @ 6.00pm**

3 B.

ROLL CALL: Holsworth called the meeting to order on Tuesday, March 21st at 6.00 pm with the following members present: Henrichsen, Holsworth, Kramer, Schumack. Also present: Chuck Ferguson, Mitch Johnson, law enforcement and citizens. Pledge of Allegiance led by Dan Holsworth.

PUBLIC HEARING: Motion made, seconded to start public hearing at 6:13 pm for the following rezoning application 2023-07-parcel #009322-Residential to Commercial; Vote: all ayes, motion carried. First public hearing was held with P&Z board and motion was made to recommend leaving property as residential. Citizens had no issues with how the property is being used now but expressed concerns if property should be sold in the future and what kind of business would be allowed. The proposed property for rezoning to Commercial is surrounded by residential properties and citizens had concerns regarding extra traffic and noise. Ferguson expressed he prefers it to be rezoned to commercial, which would give him more options to what he can do on the property since he has a business. Motion made to leave property as Residential with Ferguson to continue with a Conditional Use Permit, offer to grant any variances that would be needed at no charge, take the publishing and administrative expenses out of the permit fee and refund the rest, seconded for discussion; Vote: 2 ayes; 2 nays, motion failed. Motion made, seconded to leave property as Residential (parcel #009322) and research the possibility of the permit fee refund amount; Vote: 3 ayes, 1 nay, motion carried. Motion to do research on the fee schedule and review at the next BOT meeting; Vote: all ayes, motion carried. Motion made and seconded to adjourn public hearing at 6:38 pm.; Vote: All Ayes, motion carried.

CALL FOR CHANGES: Item (2) Public hearing postponed until Chuck Ferguson arrives to the meeting. Motion made, seconded to accept the agenda as amended; Vote: all ayes, motion carried.

CONSENT CALENDAR: Motion made, seconded to approve March 7th, 2023, regular meeting minutes as presented; Vote: all ayes, motion carried.

CONFLICT OF INTEREST DECLARATION Terri Schumack (applicant)– demolition permit #2023-09 – 260 Folsom St. – demo trailer house.

CLAIMS: ACES Engineering INC Encroachment survey, research, WRT system, lagoon updates \$16,585.00; Chuck Ferguson: Snow removal, sign installation, pond doctor maintenance \$2,513.30, Dakota Supply group: Meter cplg, pipe nipple \$344.45; Golden West Technologies: Monthly service-February23 \$563.50; Harvey's Lock & Security Master keys, locks \$280.02; Office Depot: Paper, Stamp, Tape, Highlighter \$187.85; Pioneer bank & Trust: Adobe fee, postal stamps \$295.19; SD Dept. of Revenue: Sales tax Jan/Feb 2023 \$576.68; Vanway trophy & award: Name plate-Westergard \$20.00; Custer County Sheriff: Law enforcement contract \$6,666.67; Accounts Payable Total: \$28,032.66; Payroll related: EFTPS-Electronic Federal Tax \$962.88; Financial administration: FO & Admin \$3,661.86; Payroll Total \$4,624.74. REPORT TOTAL \$32,657.40. By Fund: General 17,367.84; BBB gross receipts tax \$103.40; Water \$13,463.73; Sewer \$1,722.43. Motion made, seconded to approve claims as presented, except for ACES engineering invoice for \$16585.00 until further research; Vote: all ayes, motion carried.

LAW ENFORCEMENT/ ABATEMENTS/COMPLAINTS: February report presented in the packet and discussed at the meeting.

LEGAL: Permit #2022-09 for 194 Fairgrounds Place Road – pending. Motion made, seconded to remove item B. from the agenda; Vote: all ayes, motion carried.

ENGINEER: Water Rehab Project (WRT System)- proposal for Water Treatment System (WRT) presented in the packet. Hermosa Sidewalk Project-pending. Sewer Project (Lagoon design & expansion)-awaiting design approval from DANR. Water/Sewer Facility Plans and Black Hills Council of Local Governments-pending. Town of Hermosa water and sewer extension project-pending, Hermosa Hills drainage-pending, walkthrough to be scheduled. Whitney street drainage-pending. Roy's drive-in – pending research. Motion made, seconded to allow request an estimate on the cost of facility plan for booster and information on the next round for submittals with DANR; Vote: 3 ayes, 1 nay, motion carried. Rural development-pending.

PLANNING & ZONING: Review of March 14th, 2023, P&Z meeting minutes. Permit 2022-25-Digging/Row - sewer connection for parcels 009318 & 009319 – pending. 2023-06 – commercial remodeling permit application – 250 Main street – storage loft – inspection done and a few items need to be addressed: contractor, insurance, liability. Motion to allow to accept as pending; Vote: all ayes, motion carried. 2023-07 – zoning application – parcel #009322 – Residential to Commercial – BOT decision was to keep it zoned Residential. Motion made, seconded to approve demolition permit 2023-09; Vote: 3 ayes, 1 abstained, motion carried. Motion made, seconded to remove items D. and E. from the agenda; Vote: all ayes, motion carried.

PUBLIC WORKS: Streetlights, water, sewer, update report by Chuck Ferguson. The agreement for performance of services of public works and town maintenance will be reviewed at the next work session with P&Z. Chuck Irvine has no current expenses presented. Motion made, seconded to adjust current bill for 72 Fairgrounds place due 04/15/2023 to \$92.40 and change the meter, remaining

amount hold as pending until new water meter has been read and checked for any large usage for next month, if no problems are found, balance is due in full, no late fee charges to be applied for pending amount; Vote: all ayes, motion carried.

FINANCE OFFICE: Monthly financials – pending for March. Department updates: sign by the yard waste dumpsters and speed radars-pending installation. Senator rounds mobile office hours set for April 6th from 9:30am-11:00am at the Town office. Purpose of it is so citizens, if they have questions/concerns with any federal agencies i.e. VA, IRS, or retirement issues with OPM, they can ask to start a case for them when appropriate and help resolve any issues. District 9 annual meeting on March 29th-pending. Equalization meeting done. Elections -will be combined with Custer County, agreement to be signed. Motion made, seconded for Monika Serviss to attend Black Hills area finance officer's meeting on March 22, 2023 at 10 am in Hill City during office hours; Vote: all ayes, motion carried. Motion made seconded to remove items D. and F. from the agenda; Vote: all ayes, motion carried.

OLD BUSINESS: Annexation: Gumbo Lilly, Fairgrounds Place, McDermand Street-pending. Town Sign- pending. Town Office and Library deck Staining-pending. Hermosa connects- no updates.

NEW BUSINESS: Motion made, seconded to choose Brosz engineering for Bridge reinspection program resolution; Vote: all ayes, motion carried. Boundary updates, US Census Bureau – pending. Motion made, seconded to allow Chuck Ferguson to move the stop sign on Walter street, cost not to exceed \$100; Vote: all ayes, motion carried. Resolution 02-2023, Resolution adopting Custer County natural hazard mitigation plan, 2023. Whereas, the Town of Hermosa supports the contents of the Custer County natural hazard mitigation plan, 2023 and; whereas, the Custer County natural hazard mitigation plan, 2023 will be utilized as a guide for planning related to FEMA hazard mitigation and other purposes as deemed appropriate by the Town of Hermosa Board of Trustees. Now therefore it be resolved, that the Town of Hermosa hereby adopts, supports, and will facilitate the Custer County natural hazard mitigation plan, 2023 implementation. Adopted by the Town of Hermosa this 21st day of March, 2023. Dan Holsworth, board president, attest, Monika Serviss, finance officer. Motion made, seconded to approve resolution 02-2023 – Custer County natural hazard mitigation plan, 2023; Vote all ayes, motion carried. Ordinance regulating open burning in Hermosa – pending. Ordinance 50.02 Meters – pending.

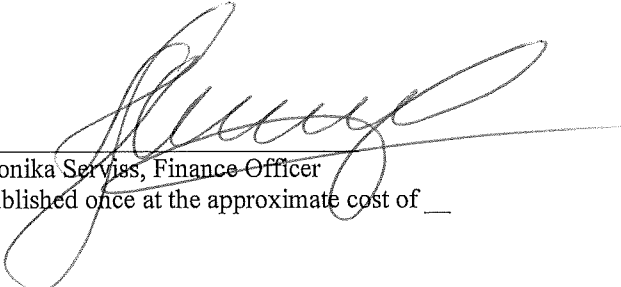
ITEMS FROM CITIZENS: Audience had input.

TRUSTEE INPUT: Informative meeting.

EXECUTIVE SESSION: no executive session.

ADJOURN: Motion made, seconded to adjourn the meeting at 8.26 PM; Vote: all ayes, motion carried.

ATTEST:



Monika Serviss, Finance Officer
Published once at the approximate cost of ____



Dan Holsworth, Town Board President

5 A.

Claims for approval 04-04-2023

VENDOR	REFERENCE	AMOUNT
A & B busness equipment Inc.	Monthly printer/fax	\$ 557.91
ACES Engineering Inc	Permit Reviews/Staff reports. SDDANR permit and wetland area review	\$ 1,850.00
Independent audit services, PC	2021 Audit Draft	\$ 3,750.00
Chuck Ferguson	Monthly agreement 03/2023	\$ 2,600.00
Claycomb engineering	Floodplain administ. services	\$ 712.00
Door Security Products Inc.	IC Realtime NVR 1TB HD+Labor	\$ 927.55
Johnson Law office	Legal advise/Jerry S.e-mails	\$ 1,513.00
Mt. Rushmore telephone	Monthly Phone/Internet	\$ 257.24
Pioneer Bank & Trust	Bank charge for 2 signat.acct.	\$ 25.00
Pioneer Bank & Trust	Adobe software-monthly fee/Postal stamps	\$ 212.89
Rural development	RD1 loan-April interest/principal	\$ 1,278.00
	RD2 loan-April interest/principal	\$ 417.00
	RD3 loan-April interest/principal	\$ 222.00
Southern Hills Publishing	Publishin/Legal notices 03/23	\$ 299.27
Summit Signs and Supply Inc.	Dumpster sign 8'X4'	\$ 950.00
Temperature technology Inc.	Spencer Vortex air pump repair	\$ 319.39
US Bank	N Sewer TIF-April principal	\$ 3,820.54
Accounts Payable Total		\$ 19,711.79

1 Item pending for approval from 03/21/2023 Claims list: **ACES Engineering \$16,585.00**

Payroll related		
Total Paid On: 3/30/23		
	Legislative	\$ 1,059.47
	Financial administration	\$ 2,074.96
	Gen. Gov't buidings	\$ 135.06
	Water	\$ 397.06
	Sewer	\$ 165.44
	Planing/Zoning	\$ 748.03
	Promoting City/ BBB	\$ 55.14
South Dakota Retirement system	SDRS	\$ 922.20
EFTPS-Electronic Federal Tax	FED/FICA TAX	\$ 1,012.52
Health pool of SD	Admin single health 04/23	\$ 1,835.74
Payroll Total		\$ 8,405.62
***** REPORT TOTAL *****		
GENERAL		\$ 12,847.82
BBB GROSS RECIPITS TAX		\$ 291.99
DEBT SERVICE		\$ 3,820.54
WATER		\$ 3,499.58
SEWER		\$ 2,057.48

7 B.

From: Kathy Styles
Sent: Sunday, March 12, 2023 12:30 PM
To: Monika Serviss
Subject: The town will provide the meter

Monika

One of the things I do after listening to a meeting recording is to go back and look at every ordinance and SDCL pertaining to the subjects in the meetings. When I attend a meeting I do the review prior to the meeting. One of the items in the town ordinances I came across is below.

50.02 METERS.

All connections shall be metered. The town will provide the meter. Only persons designated by the town shall read the meter on or about the twentieth of each month for all service meters. A person, designated by the town, shall read and verify meter and remote once each year to verify accuracy.

(Ord. 10, passed 6-20-2006; Ord. 10R-2015, passed 2-2-2015; Ord. 52.02A, passed 11-21-2017)

This ordinance does not say commercial or residential it states "The town will provide the meter"

On 8-18-2021 I paid to the Town of Hermosa Receipt No. 78116 \$959.96 for a water meter. The water meter was for a 2 inch connection to my new sites at my campground.

If you are unable to find a Town Ordinance (in place at the time of billing) stating the town only provides residential meters and not commercial meters please refund my \$959.96. If there was an ordinance in place stating commercial meters will be paid for by the property owner please provide a copy of that to me.

Thanks

Jerry

Customer/Vendor

Search Status Use In Ba
 848 Type
 Check Name
 Attention Phone
 Address Email
 Print Label Website
 Envelope

1099 & Shipping Recur Transactions Checks/Deposits Invoice/PO Assets P
 Display Format Simple Detail Extended Extended Hi

Tran/Batch	Account/Comment	Amount	Period
Cash Receipt	R 101-32100 BUILDING PERMIT REVENUE	\$1,310.00	2022
03/19/22 REC	Permit 2021-25	03/19/22	Mar
Cash Receipt	R 602-38190 OTHER WATER REVENUE	\$959.96	2021
082421REC	2nd water meter for new addition at RV Park	08/24/21	Aug
Cash Receipt	R 101-32100 BUILDING PERMIT REVENUE	\$35.00	2021
072021REC	2021-25, Digging and Grading	07/20/21	JUL
Cash Receipt	R 101-32100 BUILDING PERMIT REVENUE	\$2,632.00	2021
072021REC	2021-06 Building Permit	07/20/21	JUL
Cash Receipt	R 101-32100 BUILDING PERMIT REVENUE	\$1,174.00	2021
052121REC	Digging/Grading Permit	05/26/21	May
Cash Receipt	R 101-32100 BUILDING PERMIT REVENUE	\$35.00	2020
5-18-20REC	2020-12 Digging Permit	07/29/20	Jun
Cash Receipt	R 101-32000 LICENSES & MISC PERMITS	\$150.00	2018
17-18-18 REC	2018-29 & 2018-30	12/18/18	Dec
Cash Receipt	R 101-32000 LICENSES & MISC PERMITS	\$35.00	2018
08-18 REC	2018-20 Grading Permit	08/30/18	Aug
Cash Receipt	R 101-32000 LICENSES & MISC PERMITS	\$35.00	2018
03/06/18 REC	Permit 2018-05 Digging Permit	03/06/18	Mar
Cash Receipt	R 602-38190 OTHER WATER REVENUE	\$60.00	2017
08/01/17 REC		08/01/17	

⏪ ⏩ ⏴ ⏵ * Delete Vendor

Invoice	Claim/Ref	Amount	PO	Comments	Discount	Invoice Total
20162	0	\$959.96		E 602-43300-42900 RV Park meter, reimbursed by RV P	\$0.00	\$959.96

Vendor Account

Check Total

\$959.96

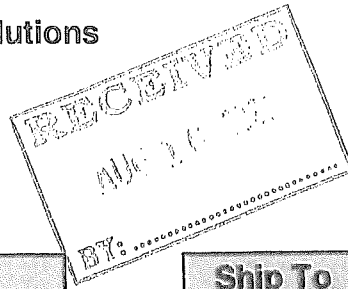
Please remit payment to:



Metering & Technology Solutions

P.O. Box 22088
Eagan, MN 55122
1-877-398-0450

Invoice



Date	Invoice #
8/10/2021	20162

Bill To
City of Hermosa PO Box 298 Hermosa, SD 57744

Ship To
City of Hermosa Water Department 230 Main Street Hermosa, SD 57744

P.O. Number	Terms	Rep	Ship Date	Ship Via	F.O.B.
Verbal-Chuck	Net 30	H	8/10/2021	SpeedDee	

Qty Shipp...	Qty Ordered	Item C...	Description	Price Each	Amount
1		M170B...	2" M170 Low Lead Bare Meter Long Elliptical; Piggyback Label	685.00	685.00
1		UG170...	M170 Gallon 6-dial HRE; 25' Twist Tight Wire; Torx Seal Screw	95.00	95.00
1		ACTOU...	Remote Badger Touch Module (Round) with Installation Kit	20.00	20.00
1		FLGS2...	2" Elliptical Low Lead Bronze Flange Set	134.00	134.00
		Shippin...	Shipping Cost	25.96	25.96
Pd by Southern Hills RV Park #1267 8/18/2021					
				Total	\$959.96

Voucher

Claimant: Metering & Technology Solutions

Invoice Number	Invoice Date	Description	Invoice Amount
20162	8-10-21	3/4" Water Meters with Touch Pad	959.96
		Other _____	
		Southern Hills RV	
		pd 8/18/21	
		CK # 1267	

Fund-Department-Account Number	Disbursement Amount	Fund-Department-Account Number	Disbursement Amount
602-43300-42900	959.96	other expense	100%

I declare and affirm under penalty of perjury that this claim has been examined by me and to the best of my knowledge and belief is in all things true and correct.

Department Manager Signature

Department Manager Signature

Department Manager Signature

Department Manager Signature

I hereby certify that the within account is just and true and that no part of same has been paid and the same is hereby approved. Amount Allowed \$ _____ Date Approved: _____

Finance Officer



Board of Trustees



Received By

Date 9-7-2021

TRIPLE JK PROPERTIES, LLC
DBA SOUTHERN HILLS RV PARK CAMPGROUND
25549 HWY 79
HERMOSA, SD 57744
605-939-7609

1267

78-4/914 090

18 Aug 2021

Date 96

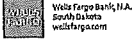
Pay to the
Order of

Town of Hermosa

\$ 959.96

nine hundred fifty nine & 96/100

Dollars



Wells Fargo Bank, N.A.
South Dakota
wellsfargo.com

For

2" Meter

[Signature]

8c.

Town of Hermosa

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

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

E-mail monika@hermosasd.com

www.hermosasd.com

March 31st, 2023

Kyle Doerr,
Pretreatment & Biosolids Coordinator
Water Quality Program
SD Dept. of Agriculture and Natural Resources
Joe Foss Building, 523 E. Capitol, Pierre, SD 57501

Dear Kyle,

This letter is regarding the quarterly update for the lagoon project.

2022 Settlement agreement required to submit plans and specifications detailing the upgrades to DANR by January 1st, 2023. The Town e-mailed DANR on December 16th, 2022, requesting an extension to the plans and specification submittal date as the town approved an alternative layout for the upgrades. DANR approved the extension date for January 31st, 2023. The plans and specifications that were submitted on January 31st were not stamped or signed by an engineer and the Town received \$2700 fine. Stamped plans were submitted to the Department on February 2nd, 2023.

Town received comments from DANR, for the submitted lagoon plans and specifications, on February 28th, 2023. The revisions to the Lagoon Expansion Project have been completed as requested and required by SDDANR and submitted on March 30th, 2023.

Please note the Bid date is planned for Tuesday, May 2, 2023. Advertising is set to start April 18th.

Thank you for your time and please let us know if you have any questions.



Dan Holsworth
Board President

From: Doerr, Kyle
Sent: Monday, April 3, 2023 7:59 AM
To: Monika Serviss
Cc: McFarling, Tina
Subject: RE: Quarterly Update Report - Town of Hermosa

Monika,

That is perfect. Thank you and sorry I was on the road when you called.

Thanks,

Kyle Doerr
Pretreatment & Biosolids Coordinator
Water Quality Program
SD Dept. of Agriculture and Natural Resources
Joe Foss Building, 523 E. Capitol, Pierre, SD 57501
Kyle.Doerr@state.sd.us
(605) 773-4810

From: Monika Serviss <monika@hermosasd.com>
Sent: Friday, March 31, 2023 8:57 AM
To: Doerr, Kyle <Kyle.Doerr@state.sd.us>
Cc: McFarling, Tina <Tina.McFarling@state.sd.us>
Subject: [EXT] Quarterly Update Report - Town of Hermosa

Good morning Kyle,
Please see attached a letter from Town of Hermosa, quarterly update for the lagoon project.
Let me know if this is acceptable and if you need anything else.

Thank you,

Monika Serviss
Finance Officer
Town of Hermosa
605-255-4291



230 Main St., PO Box 298
Hermosa, SD 57744



TRANSMITTAL

Mail Hand Deliver Fax:
 UPS Electronic Hard copy to follow Hard copy will not follow

DATE: March 30, 2023
 TO: SDDANR
 Attn: Tina McFarling

 Pierre, SD
 FAX #: _____

FROM: Leah Berg
 PROJECT: Town of Hermosa – Lagoon Expansion
 Project, Hermosa, SD
 PROJECT #: 20-1144j
 PAGES (including cover): _____

Herewith we are sending the following:

- Shop Drawing(s) Report(s) Specifications RFP Estimate Letter(s) CD(s) Observation Report
- Change Order Addenda Pay Request Plan(s) Permit(s) Contract Photo(s) Other

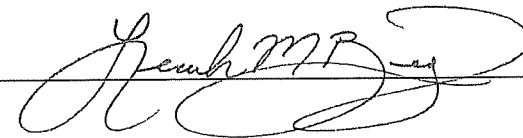
Enclosed are: Revised Project Manual including Design Plans, Revised Design Narrative, and Responses to
Comments from SDDANR.

- For Approval For Your File For Review & Comment As Requested For Distribution Submittal/Resubmittal
- For Action For Your Use Returned for Corrections For Signature Please Return Other

MESSAGE:

Items uploaded via SharePoint

Any questions or comments please let me know, cell 605-545-1120, L.Berg@proacesinc.com.
Thank You!

SIGNED: 

COPY: Town of Hermosa

File



8c.

MEMORANDUM

PROJECT: CWSRF, Town of Hermosa C461278-02- Lagoon Expansion Project
LOCATION: Hermosa, South Dakota
DATE: April 4, 2023
TOPIC: Surface Water Discharge Permit Issues

This Memorandum shall review the current effluent limits and discussion of non-compliance events.

The Town of Hermosa has been enrolled with the NPDES permit program with the state of South Dakota with the purpose to regulate the Town's lagoon system and its controlled discharging operations. This permit, SD0022349, issued to the Town by South Dakota Department of Agriculture and Natural Resources (SDDANR) provides an outline of provisions to help keep the Town and its system within compliance of South Dakota Water Pollution Control Act & Administrative Rules of South Dakota, Article 74:52. Conditions outlined in this permit are to be followed by the town along with and noncompliance occurring will constitute a violation and becomes grounds for enforcement action.

A letter dating April 18th, 2022 from the Town's current Operator of the Lagoon/wastewater system was issued and sent to Mr. Raul Vasquez of SDDANR as a response of Mr. Vasquez's visit in February 2022. Examples of non-compliance to Permit SD0022349 came from the Town in forms of not reporting samples taken to the agency SDDANR prior to land applying. This is outlined as a requirement within the agreement the Town signed. The letter to Mr. Vasquez had attached items of concern he stressed with the Town and its current operator. Proper sampled results were reported as outlined in Table 1 provided on the next page. This reporting was not being completed as required. The removal of non-essential sources of water from the wastewater system were addressed, three sump pumps removed. Jetting and reporting of the Town's infrastructure was provided to show the on-going monitoring to properly identify and repair planning for I & I issues.

Based on the information provided by the Town of Hermosa's operator, a tabulated discussion can be made showing which areas are of concern that report higher than normal regulated amounts. The nine (9) instance of land application occurring each time since 2019 has been provided. There are four separate events of land application reported that were performed within a dated window that were not to occur normally, due to cold weather factors, had been approved by SDDANR to be done. Not applying during the time of Nov 1 – Mar 31 is the designator but on 3-28-19, 11-8-19, 11-8-2020, 1-13-2022 these land application events were completed. Two other instances on 10-31-22 & 1-13-2022 have been mentioned as being performed in an emergency manor, therefore samples were not collected to be tested prior to land applying.

Table 1:

Parameter	03/28/19		11/18/19		06/18/2020		11/18/20		7/19/2021		9/17/2021		10/31/2021		1/13/2022		4/1/2022	
	Thursday	Friday	Thursday	Friday	Thursday	Friday	Sunday	Friday	Tuesday	Sunday	Thursday	Monday	Thursday	Monday	Thursday	Monday	Thursday	Monday
Date & Time of Sample	11:30 AM	3:00 PM	1:00 PM	12:00 PM	12:00 PM	9:00 AM	12:00 PM	9:00 AM	12:00 PM	500 gpm	500 gpm	500 gpm	500 gpm	500 gpm	500 gpm	500 gpm	500 gpm	500 gpm
Rate of Land Application, MGD	500 gpm	500 gpm	500 gpm	500 gpm	500 gpm	500 gpm	500 gpm	500 gpm	500 gpm	500 gpm	500 gpm	500 gpm	500 gpm	500 gpm	500 gpm	500 gpm	500 gpm	500 gpm
Total Amount Land Applied, MG		1.29												0.74	0.72			
pH, standard units	7.88	8.15	7.73	7.64	7.64	8.42	9.08	9	7.68	7.7								
Water Temperature °C	39	14	23.3	13.5	13.5	19.6	28.5	20.5	12.2	17.8								
<i>Escherichia coli</i> (<i>E. coli</i>) MPN/100mL	197,000	13,800	452	1990	1990	> 2420	517											
Sodium Absorption Ratio (SAR)	1.19	0.925	0.91	1.2	1.2	1.15	1.36											
Conductivity, µmhos/cm	1950	2720	2820	2440	2440	2120	2198											
Total Kjeldahl Nitrogen (as N), mg/L	52.1	29.4	26.4	34.7	34.7	20.9	23.5											
Ammonia-Nitrogen (as N), mg/L	50.3	21.6	15.9	22.9	22.9	13.2	10.7											
Total Nitrates (as N), mg/L	<0.050	0.053	<0.050	<0.050	<0.050	<0.050	<0.050											
Total Nitrites (as N), mg/L	<0.050	<0.050	<0.050	<0.050	<0.050	<0.050	0.063											
Total Sulfates, mg/L	294	1240	1250	937	937	690	804											
Total Chlorides, mg/L	169	114	115	123	123	110	120											
Total Phosphorus (as P), mg/L	5.45	2.15	2.36	3.6	3.6	3.47	4.11											
Total Dissolved Solids (TDS), mg/L	1100	2290	2390	1750	1750	1560	1660											

X-Land apply occurred during restricted times per SDDANR policy on NPDES permit

No No No No No No
Sample Sample Sample Sample Pump

The project to update the Town's Lagoons system is aiming to help their capacity issue to combat the need to land apply more often each year. The high levels of E. Coli as shown within the provided Table 1 illustrates that the system isn't meeting the desired and required amount of detention time to allow for treatment and the purification process to be done.

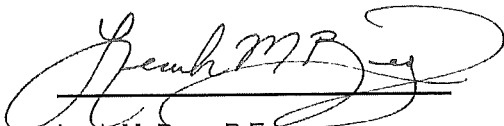
As corrective action to land applying occurring within the discussed times the Town at a minimum created a process to help them address, reduce or eliminate the frequencies know as a Capacity, Management, Operation, and Maintenance (CMOM) program to follow. Failure to sample and submit those reports have been corrected in attempts to reduce further violations leading to fines and penalties.

Outgrowing the design capacity of 400 persons and seeing significant growth over the last few years along with the frequencies, the Town is looking to increase the amount of holding space and a reconfiguration to reduce the amounts of short-circuiting that is occurring. The Town needs to ensure the samples are taken and reported to SDDANR each time, along with records being maintained at the Town's office for a minimum of three years in the form of EPA Form 3320-1 or Discharge Monitoring Reports (DMR). The current operator has attended conferences that offer training to the digital applications to upload the DMR forms and should be considered for future uses to prevent the lack of data and reporting instances. The Town does have a summary form for the land application process that can be seen within their permit packet from SDDANR. The following is outlined requirements for the town:

Self-Monitoring Table: Outfall 002R

Insert Sampling Frequency Below						
Parameter	Required Influent	Actual Influent	Required Effluent	Actual Effluent	Onsite/Lab	Test Method and Detection Limits
Ammonia			Monthly	Monthly	Lab	EPA M350.1
Total Chlorides			Monthly	Monthly	Lab	SM 4500-Cl E
Conductivity			Monthly	Monthly	Lab	SM 2501B
E. coli			Monthly	Monthly	Lab	SM9223 Quanti-Tray
Total Nitrates			Monthly	Monthly	Lab	SM 4500-NO3 F
Total Nitrites			Monthly	Monthly	Lab	SM 4500-NO2 B
pH			Monthly	Monthly	Onsite	
Total Dissolved Solids			Monthly	Monthly	Lab	SM2540 C
Water Temperature			Monthly	Monthly	Onsite	
Sodium Absorption Ration			Monthly	Monthly	Lab	Calculation
Total Kjeldahl Nitrogen			Monthly	Monthly	Lab	EPA 351.2
Total Sulfates			Monthly	Monthly	Lab	SM 4500-SO4 E
Total Nitrogen			Monthly	Monthly	Lab	SM 4500-N
Total Phosphorus			Monthly	Monthly	Lab	SM 4500-P

Any technical questions or additional information needed please contact the Town of Hermosa.



Leah M. Berg, P.E.



MEMORANDUM

PROJECT: CWSRF, Town of Hermosa C461278-02- Lagoon Expansion Project
LOCATION: Hermosa, South Dakota
DATE: April 4, 2023
TOPIC: Wetlands

This Memorandum shall include a copy of the wetlands mapper results for the area and a brief discussion of the fact that there will be no wetland effect by the project.

Researching the Wetlands Mapper data base for the area containing the Town of Hermosa's Lagoon ponds, it was discovered the system display information identifying it as a Freshwater Pond classification (PUBFx). As seen with the image(s) provided on the next page you can see the outlined pond shape (0.17 acres) and where it resides within the lagoon ponding system. This wetland type of freshwater pond contains a Palustrine unconsolidated bottom along with a Palustrine aquatic bed.

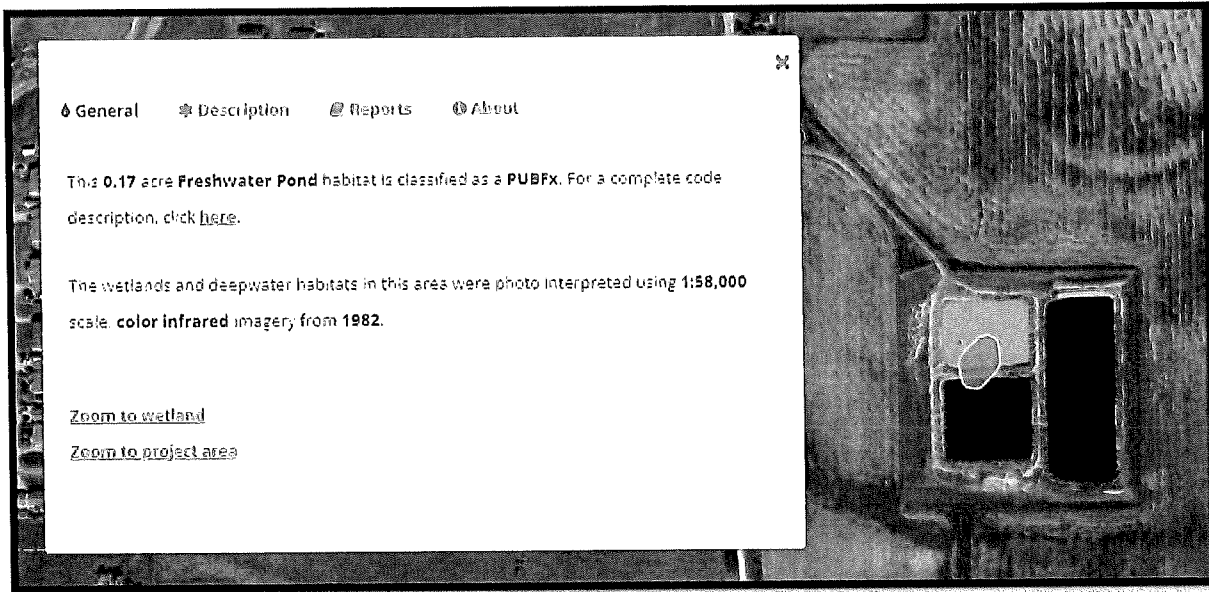
A Palustrine system along with Lacustrine systems, nearest being Sheridan Lake, are types of classifiers within the wetlands systems near this location. Both are being mentioned because the pond in discussion could be classified as both to some extent. Lacustrine systems are indicated with open waters such as small lakes, watering places and ponds. This pond however is better suited to be classified as a Palustrine system because it meets more of the descriptors being that of a marsh like or wet/swampy meadow, bog, or fen. The following also applies to this classification (P): an area less than 20 acres, wetland lacking vegetation, deepest part being less than 8.2 ft deep at low water, and a salinity less than 0.5 ppt. Small in size, shallow intermittent body of water are other types of identifiers for this particular wetland area.

The unconsolidated bottom portion mentioned above is characteristic for this pond indicating a lack of large, stable surfaces for plant and animal attachment. This classification is a descriptor for a habitat that has at least 25 percent cover of particles smaller than that of stones. This low energy bottom has exposures to wave and/or currents, temperature, salinity and light penetration are factors in determining the composition and distribution of organisms within.

This pond system has a water regime classification of F – semi-permanently Flooded with a nontidal modifier. This modifier indicates these surface water(s) will persists throughout the growing season for most years and when the surface of the water is absent the water table can often be found near or at the land's surface.

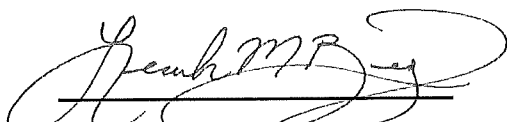
The final descriptor for this pond/wetland is an "x". This is a special modifier used to identify basins within wetlands or any channel like formations that show excavations having been performed by humans.

With a determination based on the provided information of the lagoon and the lands it resides on or within, it can be assumed and understood this upgrade to the Town's lagoon ponds will not affect the lands around it. A series of ponds already exist and a reconfiguration to how this system operates will be solely for capacity issues and BOD performances.



Classification code: PUBFx

Any technical questions or additional information needed please contact the Town of Hermosa.


Leah M. Berg, P.E.

**HERMOSA PLANNING & ZONING BOARD
REGULAR MEETING
March 28, 2023 @ 6:00pm**



9 A.

ROLL CALL: Harris called the meeting to order at 6:00pm with the following members present; Harris, Waltman, Irvine, Westergard absent and Klaski absent. Liaison Holsworth. Pledge of Allegiance led by Harris.

CALL FOR CHANGES: Motion made; seconded to amend the approve the agenda as presented; vote; all aye; motion carried.

CONSENT CALENDAR: Motion made; seconded to approve the March 14, 2023, meeting minutes; vote; all aye; motion carried.

CONFLICT OF INTEREST DECLARATION: None

OLD BUSINESS:

Permit 2022-18 – Custer County Concession Stand – Pending

Permit 2022-25 – Parcels 009318 & 009319 – Design for Sewer System - Pending

NEW BUSINESS:

2023-10 – Custer School District – 11 4th St. – Install 360 ft. carport. Motion made, seconded to approve; vote; all aye; motion carried.

Lone Coyote Subdivision – Discussion on 40-acre parcels – Cancelled

REVIEW BOT MINUTES: March 21, 2023

ORDINANCE REVIEW & WORK ITEMS:

Fire Ordinance – Preliminary Draft will be presented from town attorney for approval. Discussion included adding to 131A.1 (5) and 131A.5 – Must go through a stack, chimney, or spark arrester and to change 131A.99 to any person violating any provision of this chapter is subject to the penalties set forth in Hermosa’s Fee Schedule. Motion to approve for changes and to send back to town attorney for update. seconded; vote; all aye; motion carried.

Resolution 2021-03 – Extraterritorial Area Policy Agreement (Custer County) – Discussion on the content of Resolution 2021-03 regarding the permitting process within Area #1 (Adjacent and Contiguous). Board discussed having someone from Custer County Planning attend a P&Z meeting for clarification on the policies.

Emergency Management Ordinance – Harris requested copies of the Emergency Response Plan – 2021 be provided at the next P&Z meeting for review. - Pending

Solar (Panels) Ordinance - Pending

Review of 2018 Comprehensive Plan - Pending

TRUSTEE INPUT: Harris provided dates for the Annual Town Rummage Sale on June 24th and Bike Rodeo on June 17th, along with a meeting on parks at the Hermosa Town office at noon on Wednesday, March29, 2023. Everyone is invited.

CITIZEN INPUT:

ADJOURN: Motion made, seconded to adjourn the meeting at 7:05 pm; Vote; all aye; motion carried.

Joan Harris, Planning & Zoning Board President

Jill Dybvig, Administrative Assistant

There may be a quorum of Board of Trustees present at Planning & Zoning Meetings

9 D.

Town of Hermosa

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

COMMERCIAL BUILDING / REMODELING PERMIT APPLICATION

(This Building Permit Is Valid for One Year-----Please See Page 2 for Exceptions)

DATE 3-16-23

PERMIT # 2023-10

Receipt # _____	Cash _____	Check # _____	Amount <u>75⁰⁰</u> (\$75.00)
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Is Property In the Flood Plain? Yes No Zoning District _____

IF YES - YOU NEED A FLOODPLAIN DEVELOPMENT PERMIT

ALL PLANS TO BE PREPARED, SEALED AND SIGNED BY A REGISTERED ENGINEER OF SOUTH DAKOTA!!

Property Owner Name(s): Custer School District
 Mailing Address 11 4th Street
 City Hermosa State SD Zip 57744
 Phone # Home 605-255-4345 Work 970-405-2375 Kevin call when approved
 Building address if different than mailing address: _____
 Email: Kevin.Metzger@K12.SD.US

LEGAL DESCRIPTION: Lot A PT of Outlot C in NW4NW4 Sec 32 T2 R8

Subdivision name: _____ Lot# _____ Block _____ Lot size _____
Zoning District _____

CLASS OF WORK TO BE DONE:

New structure Demolition _____ Remodel _____ Addition _____

Proposed Use of Building: store outdoor Equipment / Plow Equipment

Building Area (Sq. Ft.): 360 Height: 15 # of Units: _____

No. of Stories: 0 No. Bathrooms: 0 Deck: 0 Deck Area (Sq. Ft.): 0

TYPE OF USE:

Commercial Accessory _____ Other _____

CONTRACTOR INFORMATION:

Contractors must all be registered with the Town of Hermosa

General Contractor (Project POC/responsible party): Kevin Metzger Phone: 970-405-2375
 Structural Contractor _____ Phone _____
 Electrical Contractor _____ Phone _____
 Plumbing Contractor _____ Phone _____
 Heat/Mechanical _____ Phone _____
 Excavation Contractor _____ Phone _____
 Landscape Contractor _____ Phone _____

Are there any of the following on site:

Hazardous materials	YES	<input checked="" type="checkbox"/> NO
Lead paint	YES	<input checked="" type="checkbox"/> NO
Asbestos	YES	<input checked="" type="checkbox"/> NO

Does the building have a Historical Designation: YES NO

Parcel #
009295
OFFICE USE ONLY

Are signs to be constructed: YES NO
 (If yes, a detailed drawing and sign permit are required)
 Current utilities on site: Gas Water Electricity Municipal Sewer Septic
 Proposed utilities: _____

Describe Work: Install carport NE side of school, use ground anchors for carport 10x12x36 carport
 TOTAL COST ESTIMATE OF IMPROVEMENTS: \$ 5000
 TOTAL SQUARE FOOTAGE OF PROJECT 360

Every permit issued by the Planning Administrator under the provisions of this code shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within 12 months from the date of such permit or if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of one year. If so, before such work can be re-started, an extension of the permit shall be first obtained to do so, and a service charge of \$35.00 shall be required, provided no changes have been made or will be made in the original plans and specifications for such work.

In filling this application, I hereby grant to the Hermosa Planning & Zoning commission, and the Hermosa Town Board, and their designee(s), permission to inspect any and all structures and land involved in my application for the purpose of ascertaining compliance with the ordinance of the Town of Hermosa and the State of South Dakota, which permission shall continue so long as the application or an appeal there-on is pending. It is my responsibility to ensure the presence of the Town Maintenance Supervisor during water and sewer connections.

I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction or the performance of construction.

I understand Permit application fees are due upon submittal and are non-refundable. Final fees are based upon building calculations and are due and payable when permit has been approved. Permits are reviewed by the town engineer; those expenses will be included with the permit fees and applicant will be responsible for those expenses.

A CERTIFICATE OF OCCUPANCY MUST BE OBTAINED BEFORE OCCUPYING STRUCTURE.


[Signature] 3-16-23
 Signature(s) Of Owner(s) (If Owner Builder) Date


 Signature(s) of Contractor/Authorized Agent Date

ALL APPLICATIONS MUST BE APPROVED BY THE HERMOSA PLANNING AND ZONING COMMISSION AND THE HERMOSA BOARD OF TRUSTEES PRIOR TO COMMENCEMENT

<p>PLANNING AND ZONING COMMISSION <input type="checkbox"/> Approved <input type="checkbox"/> Denied</p> <p>NAME: _____ TITLE: _____ SIGNATURE: _____ DATE: _____ APPLICATION FEE: <u>\$75.00</u> DATE PAID: _____</p>	<p>HERMOSA BOARD OF TRUSTEES <input type="checkbox"/> Approved <input type="checkbox"/> Denied</p> <p>NAME: _____ TITLE: _____ SIGNATURE: _____ DATE: _____ DATE PERMIT ISSUED: _____</p>
---	---

Jill Dybvig

From:  Metzger, Kevin <Kevin.Metzger@k12.sd.us>
Sent: Tuesday, March 28, 2023 4:38 PM
To: Jill Dybvig
Subject: Re: Check for Permit

Yes I did they cut checks Thursday's 

Sent from my Verizon, Samsung Galaxy smartphone
Get [Outlook for Android](#)

From: Jill Dybvig <jill@hermosasd.com>
Sent: Tuesday, March 28, 2023 3:39:02 PM
To: Metzger, Kevin <Kevin.Metzger@k12.sd.us>
Subject: [EXT] Check for Permit

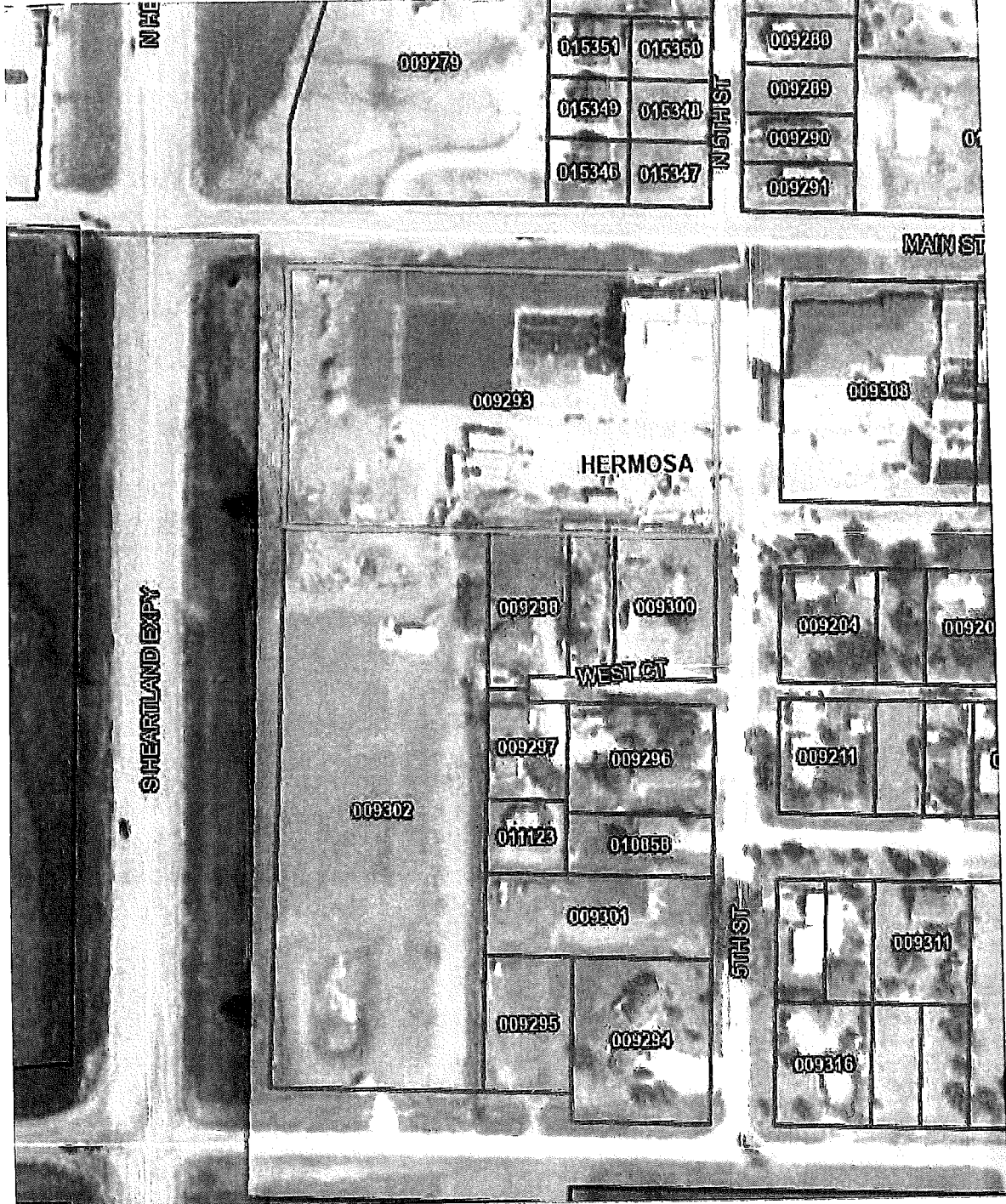
Caution: This email originated from outside the K-12 email system. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Kevin,
Good afternoon! Did you ever talk to anyone about sending the \$75.00 for the Building Permit for the carport? Just want to know because I have my Planning & Zoning meeting tonight and I know someone will ask about it.
Thank you and have a great day!!



Jill Dybvig

Town of Hermosa
605-255-4291

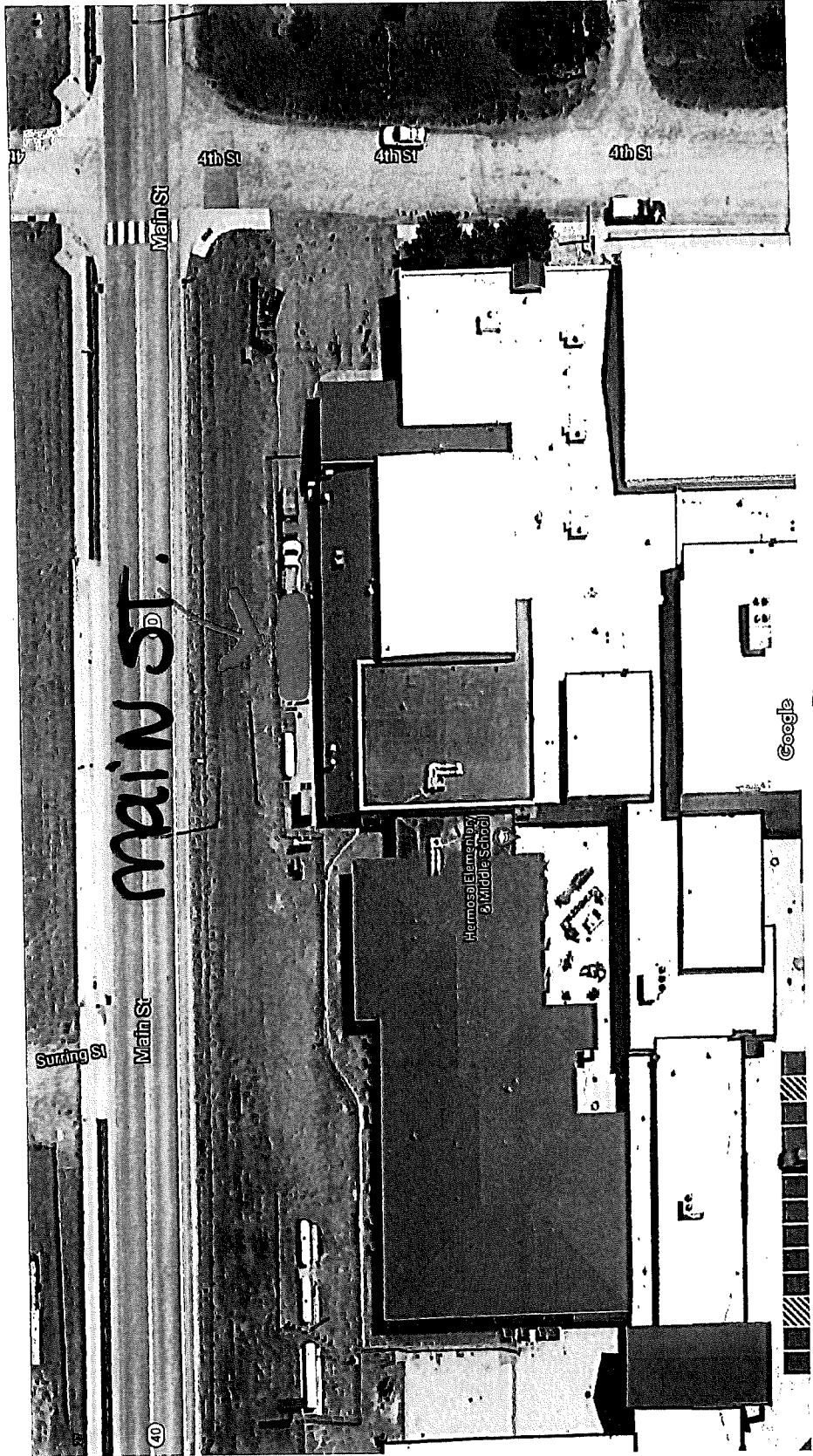


Alternate IDn/a
 Class Exempt
 Acreage 4.186

Owner Address CUSTER SCHOOL DIST
 527 MONTGOMERY ST
 CUSTER, SD 57730-1124

009293

N



E

S

W

11 A.

Transaction No	Date	Mod	Emp1/Vend	Vendor/Employee Name	Other No	Checks	Deposits
1 PIONEER BANK & TRUST CHECKING						Beginning Statement Balance	800,936.86
247	2/26/2023	RM					805.60
248	2/27/2023	RM					746.10
249	2/28/2023	RM					517.90
256	3/01/2023	RM					847.70
257	2/24/2023	BK		Separate deposit			314.55
259	3/02/2023	RM					2,514.58
260	3/03/2023	RM					420.00
261	3/05/2023	RM					1,146.80
262	3/06/2023	RM					220.90
263	3/07/2023	RM					627.40
264	3/09/2023	RM					1,359.64
265	3/10/2023	RM					258.00
266	3/13/2023	RM					374.46
267	3/13/2023	RM					1,745.34
268	3/13/2023	RM					.50-
269	3/14/2023	RM					974.51
270	3/15/2023	RM					2,322.90
271	3/02/2023	BK					300.25
272	3/02/2023	BK					95.58
273	3/04/2023	BK					255.29
274	3/05/2023	BK					466.05
275	3/08/2023	BK					170.90
276	3/09/2023	BK					328.06
277	3/12/2023	BK					408.86
278	3/13/2023	BK					228.85
279	3/10/2023	BK					199.15
280	3/16/2023	BK					1,576.77
281	3/10/2023	BK					199.60
282	3/17/2023	RM					634.85
283	3/18/2023	RM					1,489.26
284	3/20/2023	RM					2,903.03
289	3/21/2023	BK					99.80
291	3/18/2023	BK					164.64
292	3/22/2023	BK					226.06
293	3/24/2023	BK					325.61
294	3/25/2023	BK					108.00
295	3/26/2023	BK					544.18
296	3/19/2023	BK					6,839.86
297	3/23/2023	BK					555.75
298	3/28/2023	GL					20,908.91
299	3/28/2023	GL					2,058.96
303	3/27/2023	BK					101.75
307	3/31/2023	GL					17,550.50
308	3/31/2023	GL					57.74
309	3/31/2023	GL					35.20
310	3/17/2023	BK					502.25
311	3/17/2023	BK					1.90-
17045	2/07/2023	AP		70 Vanda Belt		8.30	
17046	2/07/2023	AP		69 Wiles Real Estate LLC		100.00	
17052*	2/21/2023	AP		18 ACES Engineering INC		520.00	
17053	2/21/2023	AP		53 CHUCK IRVINE		300.00	
17054	2/21/2023	AP		54 CUSTER COUNTY SHERIFF		6,666.67	

Transaction No	Date	Mod	Emp1/Vend	Vendor/Employee Name	Other No	Checks	Deposits
1 PIONEER BANK & TRUST CHECKING						- continued -	
17055	2/21/2023	AP	21	DANR		120.00	
17056	2/21/2023	AP	72	Farmers Supply		7,336.58	
17057	2/21/2023	AP	23	CHUCK FERGUSON		700.00	
17058	2/21/2023	AP	73	Monte Waltman		55.88	
17063*	2/21/2023	UB	12710001	BRIDGET & WADE SHORB		35.20	
17065*	2/28/2023	PR	1	VONDA BELT		135.06	
17066	2/28/2023	PR	9	VICKI L HENRICHSEN		184.70	
17067	2/28/2023	PR	10	DANNY J HOLSWORTH		184.70	
17068	2/28/2023	PR	4	LINDA M KRAMER		236.06	
17069	2/28/2023	PR	12	TERRI V SCHUMACK		184.70	
17070	2/28/2023	PR	5	MONIKA SERVISS		1,410.62	
17071	2/28/2023	PR	6	JILL R SWIER-DYBVG		1,102.94	
17072	2/28/2023	AP	3	SOUTH DAKOTA RETIREMENT SYSTEM		728.40	
17073	2/28/2023	AP	23	CHUCK FERGUSON		2,600.01	
17074	3/07/2023	AP	18	ACES Engineering INC		215.00	
17075	3/07/2023	AP	74	Boom Concrete Inc.		600.00	
17076	3/07/2023	AP	75	Current Electric		341.70	
17077	3/07/2023	AP	33	GOLDEN WEST TECHNOLOGIES		563.50	
17078	3/07/2023	AP	26	HEALTH POOL OF SOUTH DAKOTA		1,835.74	
17079	3/07/2023	AP	41	JOHNSON LAW OFFICE		1,513.00	
17080	3/07/2023	AP	4	ODP BUSINESS SOLUTIONS LLC		47.88	
17081	3/07/2023	AP	37	SD MUNICIPAL LEAGUE		275.00	
17082	3/07/2023	AP	43	Southern Hills Publishing		157.57	
17083	3/07/2023	AP	64	Temperature technology Inc.		258.00	
17084	3/07/2023	AP	76	Trafic Logix		5,981.00	
17085	3/07/2023	AP	77	Turbiville Indust. Elec.Works		179.30	
17086	3/15/2023	PR	5	MONIKA SERVISS		2,043.35	
17087	3/15/2023	PR	6	JILL R SWIER-DYBVG		1,618.51	
17090*	3/21/2023	AP	23	CHUCK FERGUSON		2,513.30	
17091	3/21/2023	AP	33	GOLDEN WEST TECHNOLOGIES		563.50	
17092	3/21/2023	AP	79	Harvey's Lock & Security		280.02	
17094*	3/21/2023	AP	78	Vanway trophy & award		20.00	
17095	3/20/2023	AP	54	CUSTER COUNTY SHERIFF		6,666.67	
2*	3/15/2023	UB	1	NSF CHECK		200.00	
2	3/20/2023	GL	4				9.61
77	2/28/2023	AP	1	EFTPS-Electronic Federal Tax		805.33	
81	3/07/2023	AP	12	RURAL DEVELOPMENT		1,278.00	
82	3/07/2023	AP	12	RURAL DEVELOPMENT		417.00	
83	3/07/2023	AP	12	RURAL DEVELOPMENT		222.00	
84	3/07/2023	AP	40	BLACK HILLS ELECTRIC COOP.,Inc		3,921.20	
85	3/07/2023	AP	6	A & B BUSINESS EQUIPMENT INC		575.79	
86	3/07/2023	AP	13	SANDERS SANITATION		3,890.64	
87	3/07/2023	AP	8	MT RUSHMORE TELEPHONE		260.34	
88	3/15/2023	AP	1	EFTPS-Electronic Federal Tax		962.88	
89	3/21/2023	AP	11	PIONEER BANK & TRUST		295.19	
90	3/21/2023	AP	15	SD DEPT OF REVENUE		576.68	
91	3/30/2023	AP	1	EFTPS-Electronic Federal Tax		1,012.52	
92	3/31/2023	AP	11	PIONEER BANK & TRUST		25.00	
Fund Description							
101 GENERAL						44,268.10	38,883.85

Transaction No	Date	Mod	Emp1/Vend	Vendor/Employee Name	Other No	Checks	Deposits
1 PIONEER BANK & TRUST CHECKING					- continued -		
			211	BBB GROSS RECEIPTS TAX		347.41	1,164.32
			301	DEBT SERVICE			8,640.67
			602	WATER		15,018.44	16,103.19
			604	SEWER		2,891.48	9,064.01
				Fund Grand Total		62,525.43	73,856.04
						Ending Statement Balance	812,750.73

Transaction No	Date	Mod	Emp1/Vend	Vendor/Employee Name	Other No	Checks	Deposits

1				PIONEER BANK & TRUST CHECKING			
						Beginning Statement Balance	800,936.86
				52 Credit Transactions		62,725.43	
				48 Debit Transactions			74,539.30
						Ending Statement Balance	812,750.73

OUTSTANDING TRANSACTION REGISTER OPEN

BANK NO	NAME	OD CODE	NUMBER	DATE	PERIOD	VEND/EMPL	OTHER NUMB	DEPOSITS	CHECKS AND WITHDRAWALS	RECONCILING	VOIDED	MANUAL
1 PIONEER BANK & TRUST CHECKING STATEMENT DATE:												
M DEP		285		3/21/23	03/23	DEPOSIT		363.80				
M DEP		286		3/22/23	03/23	DEPOSIT		199.60				
M DEP		287		3/23/23	03/23	DEPOSIT		1,231.30				
M DEP		288		3/24/23	03/23	DEPOSIT		283.52				
M DEP		290		3/26/23	03/23	DEPOSIT		1,128.68				
M DEP		300		3/27/23	03/23	DEPOSIT		170.00				
M DEP		301		3/28/23	03/23	DEPOSIT		1,192.15				
M DEP		302		3/29/23	03/23	DEPOSIT		199.60				
M DEP		304		3/30/23	03/23	DEPOSIT		100.00				
M DEP		305		4/02/23	04/23	DEPOSIT		1,905.34				
M DEP		306		3/20/23	03/23	Kelly Colleen		82.00				
M CHK		16695		5/04/22	06/22	SOUTH DAKOTA MUNICIPAL LE			156.00			
M CHK		16726		6/08/22	06/22	CHUCK IRVINE			10.00			
M CHK		16875		10/08/22	10/22	DAVID ARLEDGE			125.00			
M CHK		16956		12/06/22	12/22	BRIDGET SHORB			59.15			
M CHK		17064		2/21/23	02/23	PREBLE MARK & DAWN			25.20			
M CHK		17088		3/21/23	03/23	ACES			16,585.00			
M CHK		17089		3/21/23	03/23	DSG-DAKOTA SUPPLY GROUP			344.45			
M CHK		17093		3/21/23	03/23	ODP BUSINESS SOLUTIONS			187.85			
M CHK		17096		3/30/23	03/23	BELT, VONDA			135.06			
M CHK		17097		3/30/23	03/23	HARRIS, JOAN E			221.64			
M CHK		17098		3/30/23	03/23	HENRICHSN, VIC			161.61			
M CHK		17099		3/30/23	03/23	HOLSWORTH, DANN			410.96			
M CHK		17100		3/30/23	03/23	IRVINE, CHARLES			138.52			
M CHK		17101		3/30/23	03/23	KLASKI, BOBBIE			110.82			
M CHK		17102		3/30/23	03/23	KRAMER, LINDA M			377.35			
M CHK		17103		3/30/23	03/23	SCHUMACK, TERRI			230.87			
M CHK		17104		3/30/23	03/23	SERVISS, MONIKA			1,468.34			
M CHK		17105		3/30/23	03/23	STOCKHAM, TANYA			55.41			
M CHK		17106		3/30/23	03/23	SWIER-DYBVIG, J			1,102.94			
M CHK		17107		3/30/23	03/23	WALTMAN, LON			166.23			
M CHK		17108		3/30/23	03/23	WESTERGARD, BRA			55.41			
M CHK		17109		3/30/23	03/23	SOUTH DAKOTA RETIREMENT			922.20			
M CHK		17110		3/30/23	03/23	FERGUSON CHUCK			2,600.00			
BANK TOTAL								6,855.99	25,650.01	.00		
DEPOSITS-CHECKS								18,794.02-				

BANK NO	DATE	JOURNAL	PENDING DEPOSITS	ADJUSTMENTS*
1	1/06/2023	RM 0052	816.40	.00
1	1/06/2023	RM 0054	816.40-	.00
1	3/17/2023	RM 0383	99.80	.00
1	3/17/2023	RM 0416	99.80-	.00
1	3/28/2023	RM 0424	150.00	.00
1	3/30/2023	RM 0434	209.32	.00
BANK TOTAL			359.32	.00

OUTSTANDING TRANSACTION REGISTER

OPEN

OD CODE	BANK NO NUMBER	DATE	PERIOD	VEND/EMPL	OTHER NUMB	DEPOSITS	CHECKS AND WITHDRAWALS	RECONCILING	VOIDED	MANUAL
REPORT TOTAL						359.32				

*Adjustments include fees and returns that reduce Gworks Payments Deposits.

OUTSTANDING TRANSACTION REGISTER

OPEN

MOD CODE	BANK NO	NAME	DATE	PERIOD	VEND/EMPL	OTHER NUMB	DEPOSITS	CHECKS AND WITHDRAWALS	RECONCILING	VOIDED	MANUAL
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1 PIONEER BANK & TRUST CHECKING STATEMENT DATE:

RM DEP	285	3/21/23	03/23	DEPOSIT			363.80				
RM DEP	286	3/22/23	03/23	DEPOSIT			199.60				
RM DEP	287	3/23/23	03/23	DEPOSIT			1,231.30				
RM DEP	288	3/24/23	03/23	DEPOSIT			283.52				
RM DEP	290	3/26/23	03/23	DEPOSIT			1,128.68				
RM DEP	300	3/27/23	03/23	DEPOSIT			170.00				
RM DEP	301	3/28/23	03/23	DEPOSIT			1,192.15				
RM DEP	302	3/29/23	03/23	DEPOSIT			199.60				
RM DEP	304	3/30/23	03/23	DEPOSIT			100.00				
RM DEP	305	4/02/23	04/23	DEPOSIT			1,905.34				
BK DEP	306	3/20/23	03/23	Kelly Colleen			82.00				
BK DEP	312	4/01/23	04/23	CR Card Deposit			209.32				
BK DEP	313	4/02/23	04/23	CR Card Deposit			144.55				
RM DEP	314	4/03/23	04/23	DEPOSIT			1,337.55				
BK CHK	16695	5/04/22	06/22	SOUTH DAKOTA MUNICIPAL LE				156.00			
BK CHK	16726	6/08/22	06/22	CHUCK IRVINE				10.00			
BK CHK	16875	10/08/22	10/22	DAVID ARLEDGE				125.00			
AP CHK	16956	12/06/22	12/22	BRIDGET SHORB				59.15			
UB CHK	17064	2/21/23	02/23	PREBLE MARK & DAWN				25.20			
AP CHK	17088	3/21/23	03/23	ACES				16,585.00			
AP CHK	17089	3/21/23	03/23	DSG-DAKOTA SUPPLY GROUP				344.45			
AP CHK	17093	3/21/23	03/23	ODP BUSINESS SOLUTIONS				187.85			
PR CHK	17096	3/30/23	03/23	BELT, VONDA				135.06			
PR CHK	17097	3/30/23	03/23	HARRIS, JOAN E				221.64			
PR CHK	17098	3/30/23	03/23	HENRICHSEN, VIC				161.61			
PR CHK	17099	3/30/23	03/23	HOLSWORTH, DANN				410.96			
PR CHK	17100	3/30/23	03/23	IRVINE, CHARLES				138.52			
PR CHK	17101	3/30/23	03/23	KLASKI, BOBBIE				110.82			
PR CHK	17102	3/30/23	03/23	KRAMER, LINDA M				377.35			
PR CHK	17103	3/30/23	03/23	SCHUMACK, TERRI				230.87			
PR CHK	17104	3/30/23	03/23	SERVISS, MONIKA				1,468.34			
PR CHK	17105	3/30/23	03/23	STOCKHAM, TANYA				55.41			
PR CHK	17106	3/30/23	03/23	SWIER-DYBVIIG, J				1,102.94			
PR CHK	17107	3/30/23	03/23	WALTMAN, LON				166.23			
PR CHK	17108	3/30/23	03/23	WESTERGARD, BRA				55.41			
AP CHK	17109	3/30/23	03/23	SOUTH DAKOTA RETIREMENT				922.20			
AP CHK	17110	3/30/23	03/23	FERGUSON CHUCK				2,600.00			
AP CHK	17111	4/04/23	04/23	CLAYCOMB ENGINEERING				712.00			
AP CHK	17112	4/04/23	04/23	DOOR SECURITY PROD				927.55			
AP CHK	17113	4/04/23	04/23	HEALTH POOL OF SD				1,835.74			
AP CHK	17114	4/04/23	04/23	JOHNSON LAW OFFICE				1,513.00			
AP CHK	17115	4/04/23	04/23	SHP HOLDINGS				299.27			
AP CHK	17116	4/04/23	04/23	SUMMIT				950.00			
AP CHK	17117	4/04/23	04/23	TEM-TECH INC				319.39			
AP CHK	17118	4/04/23	04/23	ACES				1,850.00			
AP CHK	17119	4/04/23	04/23	INDEPENDENT AUDIT SERVICES				3,750.00			
AP ETR	93	4/04/23	04/23	US BANK				3,820.54			MANUAL
AP ETR	94	4/04/23	04/23	RURAL DEVELOPMENT				1,278.00			MANUAL
AP ETR	95	4/04/23	04/23	RURAL DEVELOPMENT				417.00			MANUAL
AP ETR	96	4/04/23	04/23	RURAL DEVELOPMENT				222.00			MANUAL
AP ETR	97	4/04/23	04/23	MT RUSHMORE TELEPHONE				257.24			MANUAL
AP ETR	98	4/04/23	04/23	PIONEER BANK & TRUST				212.89			MANUAL

OUTSTANDING TRANSACTION REGISTER

OPEN

MOD CODE	BANK NO	NAME	DATE	PERIOD	VEND/EMPL	OTHER NUMB	DEPOSITS	CHECKS AND WITHDRAWALS	RECONCILING	VOIDED	MANUAL
AP ETR	99	4/04/23	04/23	A & B	BUSINESS EQUIPMENT			557.91			MANUAL
					BANK TOTAL		8,547.41	44,572.54	.00		
					DEPOSITS-CHECKS		36,025.13-				

BANK NO	DATE	JOURNAL	PENDING DEPOSITS	ADJUSTMENTS*
1	1/06/2023	RM 0052	816.40	.00
1	1/06/2023	RM 0054	816.40-	.00
1	3/17/2023	RM 0383	99.80	.00
1	3/17/2023	RM 0416	99.80-	.00
1	4/03/2023	RM 0444	112.15	.00
1	4/04/2023	RM 0445	171.80	.00
		BANK TOTAL	283.95	.00
		REPORT TOTAL	283.95	

*Adjustments include fees and returns that reduce GWorks Payments Deposits.

REVENUE REPORT
CALENDAR 3/2023, FISCAL 3/2023

ACCOUNT NUMBER	ACCOUNT TITLE	FISCAL ESTIMATE	PTD BALANCE	YTD BALANCE	PERCENT RECVD	UNCOLLECTED
	GENERAL TOTAL	466,735.00	39,749.88	119,926.97	25.69	346,808.03
	BBB GROSS RECEIPTS TAX TOTAL	8,307.00	1,164.32	3,438.60	41.39	4,868.40
	FEMA/CONSTRUCTION TOTAL	1,500.00	.00	.00	.00	1,500.00
	DEBT SERVICE TOTAL	16,810.00	8,640.67	17,777.11	105.75	967.11-
	WATER TOTAL	659,750.00	16,604.78	47,129.14	7.14	612,620.86
	SEWER TOTAL	128,220.00	10,344.77	30,090.51	23.47	98,129.49
	TOTAL OF ALL REVENUE	1,281,322.00	76,504.42	218,362.33	17.04	1,062,959.67

BUDGET REPORT
CALENDAR 3/2023, FISCAL 3/2023

ACCOUNT NUMBER	ACCOUNT TITLE	TOTAL BUDGET	PTD BALANCE	YTD BALANCE	PERCENT EXPENDED	UNEXPENDED
	LEGISLATIVE TOTAL	32,220.38	1,589.82	5,059.85	15.70	27,160.53
	ELECTIONS TOTAL	1,215.00	.00	.00	.00	1,215.00
	FINANCIAL ADMINISTRATION TOTA	131,465.00	11,739.29	33,997.71	25.86	97,467.29
	LEGAL TOTAL	25,000.00	1,513.00	5,090.50	20.36	19,909.50
	GENERAL GOV'T BUILDINGS TOTAL	1,936.00	157.44	423.88	21.89	1,512.12
	ENGINEER TOTAL	50,000.00	3,440.00	24,365.90	48.73	25,634.10
	POLICE TOTAL	88,000.00	6,666.67	28,666.68	32.58	59,333.32
	PROTECTIVE INSPECTION TOTAL	3,000.00	70.00	245.00	8.17	2,755.00
	PUBLIC WORKS TOTAL	77,213.62	9,746.01	12,094.93	15.66	65,118.69
	SOLID WASTE COLLECTION TOTAL	51,990.00	3,890.64	11,705.46	22.51	40,284.54
	PLANNING/ZONNING TOTAL	4,695.00	1,021.15	1,021.15	21.75	3,673.85
	GENERAL TOTAL	466,735.00	39,834.02	122,671.06	26.28	344,063.94
	URBAN REDEVELOP/HOUSING TOTAL	4,500.00	.00	.00	.00	4,500.00

BUDGET REPORT
CALENDAR 3/2023, FISCAL 3/2023

ACCOUNT NUMBER	ACCOUNT TITLE	TOTAL BUDGET	PTD BALANCE	YTD BALANCE	PERCENT EXPENDED	UNEXPENDED
	PROMOTING THE CITY TOTAL	.00	413.28	629.00	.00	629.00-
	TRANSFERS OUT TOTAL	3,807.00	.00	.00	.00	3,807.00
	BBB GROSS RECEIPTS TAX TOTAL	8,307.00	413.28	629.00	7.57	7,678.00
	URBAN REDEVELOP/HOUSING TOTAL	1,500.00	.00	.00	.00	1,500.00
	FEMA/CONSTRUCTION TOTAL	1,500.00	.00	.00	.00	1,500.00
	DEBT SERVICE TOTAL	16,810.00	.00	3,820.54	22.73	12,989.46
	DEBT SERVICE TOTAL	16,810.00	.00	3,820.54	22.73	12,989.46
	WATER TOTAL	598,263.00	18,281.57	35,890.20	6.00	562,372.80
	DEBT SERVICE TOTAL	27,661.00	1,597.50	6,285.72	22.72	21,375.28
	TRANSFERS OUT TOTAL	33,826.00	.00	.00	.00	33,826.00
	WATER TOTAL	659,750.00	19,879.07	42,175.92	6.39	617,574.08
	SANITATION TOTAL	124,002.00	3,411.14	10,845.63	8.75	113,156.37

BUDGET REPORT
CALENDAR 3/2023, FISCAL 3/2023

ACCOUNT NUMBER	ACCOUNT TITLE	TOTAL BUDGET	PTD BALANCE	YTD BALANCE	PERCENT EXPENDED	UNEXPENDED
	DEBT SERVICE TOTAL	4,218.00	319.50	958.51	22.72	3,259.49
	SEWER TOTAL	128,220.00	3,730.64	11,804.14	9.21	116,415.86
	TOTAL EXPENSES	1,281,322.00	63,857.01	181,100.66	14.13	1,100,221.34

TREASURER'S REPORT
CALENDAR 3/2023, FISCAL 3/2023

FUND#	TITLE	LAST MONTH CASH BALANCE	REVENUES	EXPENSES	LIABILITY BALANCE	THIS MONTH CASH BALANCE
101	GENERAL	334,426.76	39,749.88	39,834.02	336,776.52	334,065.07
211	BBB GROSS RECEIPTS TAX	63,962.26	1,164.32	413.28	61,903.70	64,713.30
272	FEMA/CONSTRUCTION	1,500.00			1,500.00	1,500.00
301	DEBT SERVICE	110,437.28	8,640.67		105,121.38	119,077.95
602	WATER	195,248.69	16,604.78	19,879.07	187,347.53	192,280.35
604	SEWER	210,759.24	10,344.77	3,730.64	199,100.82	217,374.95
Report Total		916,334.23	76,504.42	63,857.01	891,749.95	929,011.62

BALANCE SHEET
CALENDAR 3/2023, FISCAL 3/2023

ACCOUNT NUMBER	ACCOUNT TITLE	PTD BALANCE	YTD BALANCE
101-0000-10100	CASH	812.67-	291,556.23
211-0000-10100	CASH	751.04	64,713.30
301-0000-10100	CASH	8,640.67	119,077.95
602-0000-10100	CASH	3,271.67-	146,348.80
602-0000-10700	CASH - RESERVE		11,218.84
602-0000-10800	CASH - CUSTOMER DEP RSRV	303.33	9,243.46
602-0000-11500	UNDIST RCPTS UTILITY AR		5,407.42-
604-0000-10100	CASH	6,615.71	149,942.08
604-0000-10700	CASH - RESERVE		313.83
	CASH TOTAL	12,226.41	787,007.07
272-0000-10150	CASH - CONSTRUCTION		1,500.00
	CASH - CONSTRUCTION TOTAL	.00	1,500.00
101-0000-10300	PETTY CASH		232.98
	PETTY CASH TOTAL	.00	232.98
101-0000-10400	CASH INVESTED - SDFIT	450.98	42,275.86
602-0000-10400	CASH INVESTED - SDFIT		30,876.67
604-0000-10400	CASH INVESTED - SDFIT		67,119.04
	CASH INVESTED - SDFIT TOTAL	450.98	140,271.57
	TOTAL CASH	12,677.39	929,011.62

11 B.

From: Natalia Perez
Sent: Tuesday, March 21, 2023 11:04 AM
To: Monika Serviss
Subject: RE: Town of Hermosa-PFAS recovery program

Good afternoon Ms. Serviss,

Thank you for choosing Napoli Shkolnik PLLC. This email confirms that we have received your signed retainer.

Our attorney has countersigned your retainer and a copy has been attached for your records.

As we are looking to have our information as up to date as possible, we ask that you make sure to submit any additional positive testing results you may receive.

Please feel free to reach out to us at any time with questions.

Sincerely,

Natalia Perez

Paralegal



(787) 493-5088 Ext.5124 | NPerez@NSPRLaw.com
1302 Avenida Ponce de Leon, Santurce, Puerto Rico 00907

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From: Monika Serviss <monika@hermosasd.com>
Sent: Wednesday, March 8, 2023 10:56 AM
To: Natalia Perez <NPerez@NSPRLaw.com>
Subject: Town of Hermosa-PFAS recovery program

Good morning Natalia,

Please see attached signed retainer agreement. Please let me know if all looks good and issue confirmation of receipt.

**OFFICIAL MUNICIPAL ELECTION BALLOT
HERMOSA SOUTH DAKOTA
TUESDAY June 6, 2023**

The following initiative is brought before the voters of the Town of Hermosa, South Dakota, for their acceptance or rejection:

(QUESTION TO BE VOTED ON)

Whether the following proposed amendment to ordinance §90.07(B)(2) to allow chickens for the purpose of egg production to be allowed within the Hermosa municipal boundaries and regulations pertaining thereto should become law in the Town of Hermosa?

90.07(B)(2) The maintenance of structures or enclosures and the keeping therein of livestock, with the exception of chickens for the purpose of egg production may be kept in accordance with the provisions of subsection (1) and (2) of this ordinance, and or grazing or staking of livestock within 200 feet of any building or structure occupied by, or intended to be occupied by, human beings as a residence within the corporate limits of the town is prohibited and considered to constitute a public nuisance.

(A) Chickens may only be kept on premises licensed by the Town for the keeping of domestic chickens and the following requirements to be followed.

(1) Permit required. No person or household may own or possess chickens within the Town limits without obtaining an annual permit, which will need to be renewed each year by April 1st. An application shall be submitted to finance officer, on the form provided by the Town office.

(2)Application. A person applying for the permit pursuant to the provision of this chapter shall provide all information requested on the permit form. Ann application fee shall be charged and due upon submission of the permit application to the finance officer. The amount of this fee shall be set by resolution of the Town Board of Trustees.

(3) Notification of Neighbors. In addition to the application requirements, the applicant shall give notice by ordinary mail to all property owners within one hundred (100) feet from the lot that is the subject of the permit application. The notice shall include at a minimum:

(A) the name and contact information of the applicant;

(B) the address of the lot that is the subject of the permit application;

(C) a description of the animals that are the subject of the permit application;

(D) a statement that the applicant wishes to own or possess those animals at lot that is the subject of the permit application; and

(E) the date and time of the meeting at which the City Council will be making its decision regarding whether to issue the permit. Notices shall be postmarked not less than ten (10) days prior to the date of the meeting at which the City Council will be making its decision. The applicant is responsible for meeting all of these requirements and shall provide documentation to the Finance Officer that these public notice requirements have been satisfied at least four (4) days prior to the date of the meeting. If this is not done, the matter will be pulled from the agenda.

(4) Permit decision. The Board of Trustees may permit the possession of chickens if the applicant demonstrates the area the chickens are to be kept is appropriate for such a purpose and the possession of the chickens will not annoy the health, safety, and comfort of neighboring properties. The Town board of Trustees may deny any such request if it determines that issuing such permit would not be in the best interest of the Town of Hermosa.

(5) Revocation. Notwithstanding any other provision of this section, the license granted under this subsection is may be revoked by a majority vote of the Board of Trustees if it determines the either: information supplied by the owner on the permit application was false or misleading, or the permittee has otherwise violated the terms of his or her permit. License is immediately null and void upon the licensee's conviction of any cruelty to animal charge. If licensee violates any of the section (2) criteria, the Town board of Trustees have the right to revoke the license.

(B) Each licensee shall meet the following criteria:

(1) Property. Properties with land size of 0.25 acres (10890 sq ft) can hold up to 8 chickens. For properties sized 1 ac or more up to 15 chickens. Properties under 0.25 acres (10890 sq ft), livestock is prohibited. Only property owners are allowed to apply for livestock permit.

(2) Prohibited. Roosters are prohibited.

(3) Enclosure. Chickens shall be housed in a secure and well-ventilated roofed structure or any attached fenced yard enclosure at all times. The fence around the yard enclosure shall be securely constructed and shall have protective netting to keep the chickens separated from other animals. Chickens will be allowed to roam in the fenced in yard without the overhead netting if wings have been clipped to prevent flight and escaping the yard/enclosure.

(4) Maintenance. Droppings and body excretions must be collected on a weekly basis or more often if necessary and must be properly disposed of, or composted, to maintain the floors and walls of the structure in a sanitary and healthy condition. All chickens must be cared for, and enclosure must be kept neat and orderly.

(CITY ATTORNEY'S EXPLANATION)

Some citizens of the Town of Hermosa have submitted an initiative petition proposing an ordinance to allow persons within the municipal boundaries of the Town of Hermosa to raise chickens for egg production. Permission to raise chickens

for egg production would be subject to an application and licensing process through the Hermosa Board of Trustees who would conduct a public hearing with notice being delivered to any property owner within 100 feet of the proposed location and the Hermosa Board of Trustees after such public hearing and after considering the public's comments on the same, would make the determination on a case by case basis of whether to permit chickens at any particular location within the Town. Annual permission to allow chickens for egg production at any particular location must be applied for by the licensee and an annual license granted by the Hermosa Board of Trustees to the licensee.

To vote use a cross (x) or a check mark () in the square in front of "For" or "Against"

_____ **FOR** the proposed ordinance to allow raising chickens for egg production within the municipal boundaries of the Town of Hermosa subject to an annual licensing process and permission from the Hermosa Board of Trustees after public hearing.

_____ **AGAINST** the proposed ordinance to allow raising chickens for egg production within the municipal boundaries of the Town of Hermosa subject to an annual licensing process and permission from the Hermosa Board of Trustees after public hearing.

OFFICIAL MUNICIPAL ELECTION BALLOT
HERMOSA SOUTH DAKOTA
TUESDAY June 6, 2023

To vote use a cross (X) or a check mark () in the square in front of "For" or "Against"

The following initiative is brought before the voters of the Town of Hermosa, South Dakota, for their acceptance or rejection:

(QUESTION TO BE VOTED ON)

Whether the following proposed ordinance §30.08 to limit the number of terms and years a citizen may hold public office as a member of the Town of Hermosa Board of Trustees should become law in the Town of Hermosa?

§30.08 No person may be elected to, or appointed to, the Town of Hermosa Board of Trustees that would cause the person to serve more than four (4) consecutive three (3) year terms. No person who, at the time of election or appointment, or at the expiration of his [or her] current term if he [or she] is so serving, will have served (12) or more consecutive years is eligible for election or appointment. Any person who is not eligible for election or appointment under the terms of this ordinance shall not be eligible for election or appointment until at least six (6) years have passed since the expiration of the person's most recent term.

This ordinance shall not be amended or repealed unless approved by a majority of the votes cast at a general election.

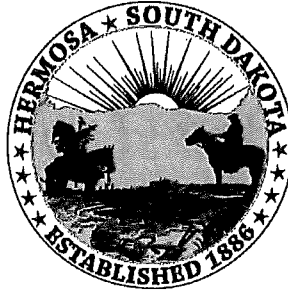
(CITY ATTORNEY'S EXPLANATION)

Some citizens of the Town of Hermosa have submitted an initiative petition proposing an ordinance to limit the number of terms and years a citizen can hold public office as a member of the Town of Hermosa Board of Trustees. Specifically, the proposed ordinance would mandate that no citizen can hold office as a Trustee if they have held office for 12 consecutive years. Also, any current Trustee would be barred from being elected or appointed as a Trustee if they were so elected in 2011 or prior to 2011 and has remained a Trustee continuously during those years. Also, a citizen who is prohibited from being a Trustee, is barred from being appointed or elected for at least 6 years. Finally, the proposed ordinance prohibits and bars all future Hermosa Town Boards from ever amending or repealing the ordinance.

FOR the proposed ordinance to limit the number of terms and years a citizen may hold public office as a member of the Town of Hermosa Board of Trustees.

AGAINST the proposed ordinance to limit the number of terms and years a citizen may hold public office as a member of the Town of Hermosa Board of Trustees.

Town Of Hermosa Volunteer of the Year



NOMINATION FORM

How to nominate:

Please fill out and return it to the Town of Hermosa office located at: 230 Main street, Hermosa SD 57744 or mail it to the address: PO Box 298, Hermosa SD 57744 on or before March 20th.

Nominations are open from March 1st through March 20th, 2023.

Nominee should have contributed time, talent and energy to the community. The effort should be of a charitable nature, and non-political. The nominee has contributed to our community over a period of years, including the past 2022 year.

Nominee details

First name: <i>Joe & Carol</i>	Last Name: <i>Rice</i>
Nominee's postal address: <i>1 -</i>	
Nominee's phone number: <i>↑</i>	
Nominee's phone cell :	
Nominee's email address:	

When making your nominations, please provide short statements describing how the nominee demonstrates qualities of someone you believe is worthy of the award. Where possible, provide examples to support the statements.

Joe - Volunteers at DAV
(Disabled America Vets)

Joe + Carol Food Pantry every month

Joe + Carol Keystone Food Distribution

Carol - Makes tied Quilts to
donate to Key stone Project

(Group that teaches kids about
God)

Nominated by:

Name:	Jonda Best
Organization:	
Address:	111 ... St ... 11111059
Telephone:	
Mobile:	
Email:	
Relationship to nominee:	Sister
Signature	Jonda Best
Date:	3-16-2023

13 A.

RESOLUTION 03-2023

BRIDGE REINSPECTION PROGRAM RESOLUTION

FOR USE WITH SDDOT RETAINER CONTRACTS

WHEREAS, 23 CFR 650, Subpart C, requires initial inspection of all bridges and reinspection at intervals not to exceed two years with the exception of reinforced concrete box culverts that meet specific criteria. These culverts are reinspected at intervals not to exceed four years.

THEREFORE, the Town of Hermosa is desirous of participating in the Bridge inspection program using Bridge Replacement funds.

The city requests SDDOT to hire Brosz Engineering Inc. (Consulting Engineers) for the inspection work. SDDOT will secure Federal approvals, make payments to the Consulting Engineer for inspection services rendered, and bill 20% of the cost. The Town will be responsible for the required 20% matching funds.

Dated this ____ day of April, 2023 at Hermosa, South Dakota.

Attest:

Monika Serviss

Finance officer

Dan Holsworth

BOT President

Vote:

Holsworth –

Kramer –

Henrichsen –

Schumack -

First reading: April 4th, 2023

Published:

AN ORDINANCE AMENDING THE TOWN OF HERMOSA ORDINANCES TO ADD A NEW CHAPTER THERETO AS CHAPTER 131A TO REGULATE OPEN BURNING AND REVISE FIREWORKS DISCHARGE TO PROTECT THE PUBLIC'S HEALTH, WELFARE AND SAFETY AND TO REDUCE THE THREATS OF SUCH OPEN FIRES AND FIREWORKS DISCHARGE TO THE PUBLIC.

BE IT ORDAINED BY THE HERMOSA BOARD OF TRUSTEES TO ENACT AN ORDINANCE AMENDING THE TOWN OF HERMOSA ORDINANCES TO ADD A NEW CHAPTER THERETO AS CHAPTER 131A TO REGULATE OPEN BURNING AND REVISE FIREWORKS DISCHARGE TO PROTECT THE PUBLIC'S HEALTH, WELFARE AND SAFETY AND TO REDUCE THE THREATS OF SUCH OPEN FIRES AND FIREWORKS DISCHARGE TO THE PUBLIC AS FOLLOWS:

§131A.1 DEFINITIONS.

1. **Open Fire:** Means any outdoor fire, including campfires and burn barrels, which have been banned or if legal are not contained within a fully enclosed fire box or structure from which the products of combustion are emitted directly to the open atmosphere without passing through a stack, duct or chimney and/or spark arrester. The term "Open Fire" shall not include "Charcoal Grills" and "Liquid fuel Grills", as defined herein.
2. **Charcoal Grill:** Means a metal or stone device not resting on the ground with a metal grate designed to cook food using charcoal briquettes, char wood, hard wood, or similar fuel.
3. **Liquid Fuel Grill:** Means a metal or stone device designed to cook food using liquefied or gaseous combustible fuel.
4. **Burn Barrel:** Means a metal container used to hold combustible or flammable waste materials so they can be ignited outdoors for the purpose of disposal.
5. **Outdoor Fireplace:** Means a manufactured appliance constructed of non-combustible materials, with a maximum fuel area of three (3) feet, fueled by cut or split wood, located not closer than 15 feet to any combustible surface and continually attended.
6. **Campground:** Means any permitted commercial campground operated by private individuals or corporations, the State of South Dakota, or the United States Forest Service.

§131A.3 OPEN FIRES UNLAWFUL.

1. It is unlawful for any person to ignite any open fires or outdoor fires, including campfires and burn barrels within the Hermosa town limits, which have been banned or if legal are not contained within a fully enclosed fire box or structure from which the products of combustion are emitted directly to the open atmosphere without passing through a stack, duct or chimney and/or spark arrester.

§131A.4 BURN BARREL FIRES UNLAWFUL.

1. It is unlawful for any person to ignite a fire in a burn barrel within the Hermosa town limits, nor burn toxic materials of any kind including, but not limited to, creosote wood, tires, or asbestos.

§131A.5 CERTAIN FIRES LAWFUL.

1. This chapter does not apply to the use of “Charcoal Grills”, “Liquid Fuel Grill”, “Outdoor Fireplaces” or “Campground fires”

§131A.6 FIREWORK REGULATIONS.

1. Reasonable Hours; It shall be unlawful for a person to discharge fireworks within the Hermosa town limits, except during the period beginning July 2nd and extending through July 5th, and during the period beginning December 28, and extending through January 1, as permitted within SDCL § 34-37-16.1.
2. It shall be further unlawful for a person to discharge fireworks within the Hermosa town limits during the times outside of July 2, 3, and 5 between 9:00 a.m. to 12:00 (midnight) a.m., July 4th between the hours of 9:00 a.m. and 2:00 a.m. On New Year’s Eve between the hours of 9:00 p.m. and 2:00 a.m., News Years Day 9:00 a.m. to 12:00 (midnight) a.m..
3. The Hermosa Town Board of Trustees may declare non-use of fireworks if fire conditions are unfavorable.
4. All liability from the discharge of fireworks remains with the person and/or property owner involved, including but not limited to injuries, death or property damage that may occur from discharging fireworks inside the Hermosa town limits.

§131A.7 REPEAL OF THE TOWN OF HERMOSA ORDINANCE NO. 131.

1. The Town of Hermosa, Ordinance Chapter 131, is hereby repealed in its entirety.

§131A.99 PENALTY.

1. Any person violating any provision of this chapter is subject to the penalties set forth in Hermosa Ordinance §10.99.

BOARD OF TRUSTEES:

Dan Holsworth, President

ATTEST:

Monika Serviss, Finance Officer

First Reading: _____

Second Reading: _____

Adopted: _____

Published: _____

Effective Date: _____

AN ORDINANCE AMENDING SECTION 50.01 OF THE TOWN OF HERMOSA ORDINANCES BY AMENDING SECTION 50.01 BY ADDING A NEW SUBSECTION THERETO THAT WAS INCORRECTLY AND INADVERTENTLY REDACTED IN A PRIOR AMENDMENT THAT TOOK EFFECT JUNE 16, 2021.

BE IT ORDAINED BY THE TOWN OF HERMOSA THAT SECTION 50.01 OF THE TOWN OF HERMOSA ORDINANCES BE AMENDED BY ADDING A NEW SUBSECTION THERETO, SECTION 50.01(D) REGARDING EXPENSES TO BE PAID BY THE WATER SERVICE APPLICANT:

§50.01

(D) If the permit is granted, applicant assumes all expenses covering material, labor, etc. for installation and connection of such pipes. This shall include, but is not limited to, curb stops, valves and boxes and dual check back flow prevention valves and water meters. Applicant shall assume all responsibility, cost, and expense of maintenance and repairs of such components including, but not limited to, such pipes, curb stops, valves and boxes and dual check back flow prevention valves and water meters, from the property owner's property line to the structure.

BOARD OF TRUSTEES

President

ATTEST:

Finance Officer

First Reading: _____
Second Reading: _____
Publication Date _____
Effective Date: _____



DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES

JOE FOSS BUILDING
523 E CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

136

March 23, 2023

Ms. Monika Serviss
Town of Hermosa
PO Box 298
Hermosa, SD 57744-0298

SENT VIA EMAIL ONLY TO monika@hermosasd.com AND town@hermosasd.com;
monika@hermosasd.com

RE: Annual Drinking Water Report for Town of Hermosa (EPA ID 0154)

Dear Ms. Serviss:

It is time again for all community public water systems to issue the annual *Drinking Water Report* to their customers. The intent of this requirement is to ensure that consumers using your system know about the quality of their drinking water. Each community public water system must make the drinking water report available to its individual customers by **July 1, 2023** for water quality data collected during or prior to calendar year 2022.

The Department of Agriculture and Natural Resources (DANR) has generated a drinking water report for your system. **Check the information in the attached report for accuracy and make changes as required. Distribute the report to your customers, and send a copy to DANR with the certification form as soon as possible but no later than July 1, 2023.** If you determine the attached report is correct you can use DANR's report to distribute to your customers. Be sure to indicate that you are using DANR's report by marking the check box on the certification form. ***By marking the check box, your system will not be required to submit a copy of the report to DANR.***

A Microsoft Word version of your 2022 Drinking Water Report has been sent to the finance officer and the utility manager. You can use this electronic link for electronic distribution of your 2022 Drinking Water Report: <http://danr.sd.gov/OfficeofWater/DrinkingWater/docs/WaterSystemMap/DWQPDFs/0154ccr.pdf> . If you have questions concerning the content or distribution of the drinking water report, please contact me at (605)773-6576.

Sincerely,

Sammi Blood
Drinking Water Program

cy: Chuck Ferguson, Utility Manager

Instructions for Report Delivery and Recordkeeping

The Town of Hermosa public water system must distribute the report and the Department of Agriculture and Natural Resources must receive a copy of your report no later than July 1, 2023.

*Your community water system must provide annual notice to your customers of the availability of the Drinking Water Report by mail, door-to-door delivery, or by posting in an appropriate location that the report is available upon request. A good faith effort must be made to reach all of your consumers. EPA has determined that electronic delivery of the CCR is appropriate under certain circumstances. Information on the electronic delivery requirements is available online at <https://danr.sd.gov/OfficeOfWater/DrinkingWater/AnnualDWReport.aspx> Your water system must make the report available upon request and keep it on file for three years. The Department of Agriculture and Natural Resources must receive a copy of your report no later than July 1, 2023. **Complete the following form and return it to us after you distribute the drinking water report to your customers.***

2022 Annual Drinking Water Report Certification of Distribution Town of Hermosa

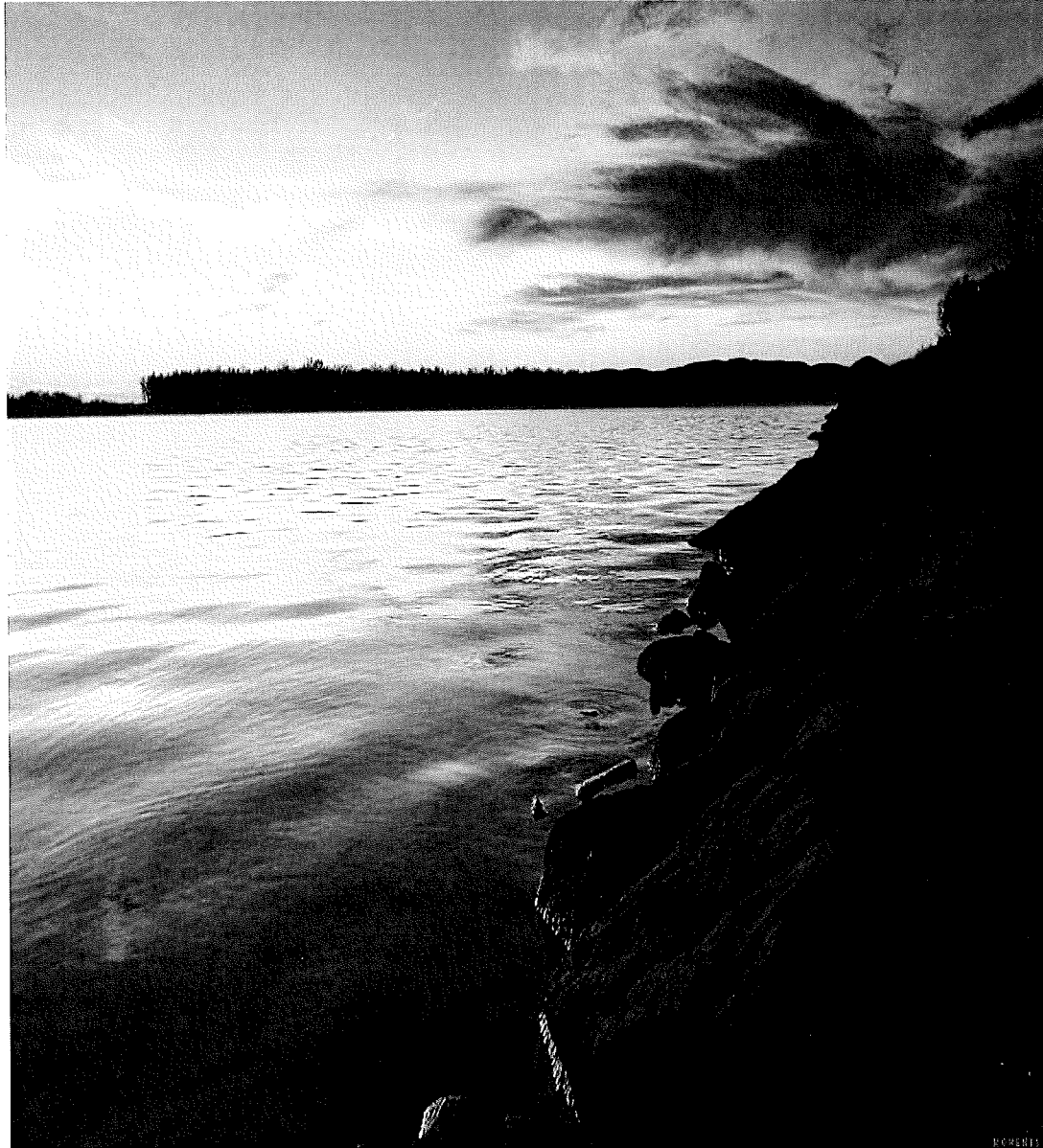
I certify that the information contained in the drinking water report for the Town of Hermosa is true and correct based upon my best information, knowledge, or belief and that the report has been distributed as required and a good faith effort has been made to reach all consumers. The Town of Hermosa public water system has returned a copy of the drinking water report to the Department of Agriculture and Natural Resources and will make the report available upon request for three years.

Signature of Authorized Representative

Date

I have checked the accuracy of the Drinking Water Report sent by DANR and have determined that it is complete and accurate. I am using DANR's report to distribute to my customers, therefore I am not required to return a copy of the report to DANR.

TOWN OF HERMOSA



2022

Drinking Water Report

Contact us by calling (605)255-4291 or write us at PO Box 298 Hermosa SD
57744-0298

Town of Hermosa

DRINKING WATER REPORT

WATER QUALITY

Last year, the Town of Hermosa monitored your drinking water for possible contaminants. This report is a snapshot of the quality of the water that we provided last year. Included are details about where your water comes from, what it contains, and how it compares to Environmental Protection Agency (EPA) and state standards. We are committed to providing you with information because informed customers are our best allies.

Water Source

We serve more than 443 customers an average of 69,000 gallons of water per day. Our water is groundwater that we produce from local wells. The state has performed an assessment of our source water and they have determined that the relative susceptibility rating for the Hermosa-Old System public water supply system is medium.

For more information about your water and information on opportunities to participate in public meetings, call (605)255-4291 and ask for Monika Serviss.

Additional Information

The sources of drinking water (both tap water and bottled water) include rivers, lakes, streams, ponds, reservoirs, springs, and wells. As water travels over the surface of the land or through the ground, it dissolves naturally-occurring minerals, and can pick up substances resulting from the presence of animals or from human activity.

Contaminants that may be present in source water include:

- *Microbial contaminants*, such as viruses and bacteria, which may come from sewage treatment plants, septic systems, agricultural livestock operations, and wildlife.
- *Inorganic contaminants*, such as salts and metals, which can be naturally-occurring or result from urban stormwater runoff, industrial or domestic wastewater discharges, oil and gas production, mining, or farming.
- *Pesticides and herbicides*, which may come from a variety of sources such as agriculture, urban stormwater runoff, and residential uses.
- *Organic chemical contaminants*, including synthetic and volatile organic chemicals, which are by-products of industrial processes and petroleum production, and can also come from gas stations, urban stormwater runoff, and septic systems.
- *Radioactive contaminants*, which can be naturally-occurring or be the result of oil and gas production and mining activities.

In order to ensure that tap water is safe to drink, EPA prescribes regulations which limit the amount of certain contaminants in water provided by public water systems. FDA regulations establish limits for contaminants in bottled water which must provide the same protection for public health.

Drinking water, including bottled water, may reasonably be expected to contain at least small amounts of some contaminants. The presence of contaminants does not necessarily indicate that water poses a health risk. More information about contaminants and potential health effects can be obtained by calling the Environmental Protection Agency's Safe Drinking Water Hotline (800-426-4791).

Some people may be more vulnerable to contaminants in drinking water than the general population. Immuno-compromised persons such as persons with cancer undergoing chemotherapy, persons who have undergone organ transplants, people with HIV/AIDS or other immune system disorders, some elderly, and infants can be particularly at risk from infections. These people should seek advice about drinking water from their health care providers. EPA/CDC guidelines on appropriate means to lessen the risk of infection by *Cryptosporidium* and other microbial contaminants can be obtained by calling the Environment Protection Agency's Safe Drinking Water Hotline (800-426-4791).

If present, elevated levels of lead can cause serious health problems, especially for pregnant women and young children. Lead in drinking water is primarily from materials and components associated with service lines and home plumbing. The Town of Hermosa public water supply system is responsible for providing high quality drinking water, but cannot control the variety of materials used in plumbing components. When your water has been sitting for several hours, you can minimize the potential for lead exposure by flushing your tap for 30 seconds to 2 minutes before using water for drinking or cooking. If you are concerned about lead in your water, you may wish to have your water tested. Information on lead in drinking water, testing methods, and steps you can take to minimize exposure is available from the Safe Drinking Water Hotline or at <http://www.epa.gov/safewater/lead>.

Detected Contaminants

The attached table lists all the drinking water contaminants that we detected during the 2022 calendar year. The presence of these contaminants in the water does not necessarily indicate that the water poses a health risk. Unless otherwise noted, the data presented in this table is from testing done January 1 – December 31, 2022. The state requires us to monitor for certain contaminants less than once per year because the concentrations of these contaminants are not expected to vary significantly from year to year. Some of the data, though representative of the water quality, is more than one year old.

2022 Table of Detected Regulated Contaminants For Hermosa-Old System (EPA ID 0154)

Terms and abbreviations used in this table:

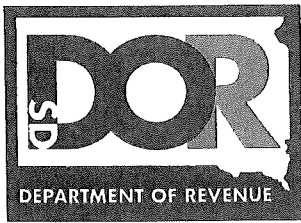
- * Maximum Contaminant Level Goal(MCLG): the level of a contaminant in drinking water below which there is no known or expected risk to health. MCLGs allow for a margin of safety.
- * Maximum Contaminant Level(MCL): the highest level of a contaminant that is allowed in drinking water. MCLs are set as close to the MCLGs as feasible using the best available treatment technology.
- * Action Level(AL): the concentration of a contaminant which, when exceeded, triggers treatment or other requirements which a water system must follow. For Lead and Copper, 90% of the samples must be below the AL.
- * Treatment Technique(TT): A required process intended to reduce the level of a contaminant in drinking water. For turbidity, 95% of samples must be less than 0.3 NTU
- * Running Annual Average(RAA): Compliance is calculated using the running annual average of samples from designated monitoring locations.

Units:

- *MFL: million fibers per liter
- *pCi/l: picocuries per liter(a measure of radioactivity)
- *ppm: parts per million, or milligrams per liter(mg/l)
- *NTU: Nephelometric Turbidity Units
- *ppb: parts per billion, or micrograms per liter(ug/l)
- *ppt: parts per trillion, or nanograms per liter
- *ppq: parts per quadrillion, or picograms per liter
- *pspm: positive samples per month

Substance	90% Level	Test Sites > Action Level	Date Tested	Highest Level Allowed (AL)	Ideal Goal	Units	Major Source of Contaminant
Copper	0.3	0	09/29/20	AL=1.3	0	ppm	Corrosion of household plumbing systems; erosion of natural deposits; leaching from wood preservatives.
Lead	2	0	09/29/20	AL=15	0	ppb	Corrosion of household plumbing systems; erosion of natural deposits.
Alpha emitters							
Barium	0.026	ND - 15	04/04/22	15	0	pCi/l	Erosion of natural deposits.
Combined Radium	4	ND - 4	04/04/22	5	0	ppm	Discharge of drilling wastes; discharge from metal refineries; erosion of natural deposits.
Combined Uranium	13	ND - 13	10/04/22	30	0	ppb	Erosion of natural deposits.
Fluoride	0.3		11/09/20	4	<4	ppm	Erosion of natural deposits; water additive which promotes strong teeth; discharge from fertilizer and aluminum factories.
Nitrate (as Nitrogen)	0.100		06/28/22	10	10	ppm	Runoff from fertilizer use; leaching from septic tanks; sewage; erosion of natural deposits.
Selenium	24		11/09/20	50	50	ppb	Discharge from petroleum and metal refineries; erosion of natural deposits; discharge from mines.

Please direct questions regarding this information to Mr Chuck Ferguson with the Hermosa-Old System public water system at (605)255-4291.



SOUTH DAKOTA DEPARTMENT OF REVENUE

445 East Capitol Avenue • Pierre, SD 57501
(800) 829-9188 • dor.sd.gov

13 H.

DATE: March 2023

RE: 2023-24 Malt Beverage & SD Farm Wine Renewals

RENEWAL APPLICATIONS MUST BE RECEIVED IN OUR OFFICE **BY MAY 20, 2023**, TO BE PROCESSED TIMELY.

Any renewal applications received **AFTER JUNE 30, 2023**, will be denied, and the licensee must complete a new application.

If the licensee opts not to renew, please email our office to advise or return the application and state "not renewing" at the top.

Please review applications before submitting them to ensure every line is completed. Incomplete applications will be returned to you and will delay the renewal process.

Important Reminders:

- The alcohol license and sales tax license **must** be in the same name and have the same address.
- Property taxes, if the licensee is responsible, must be paid up to date.
- Licensees cannot have a felony on their record, or the license will be denied. Please see SDCL 35-2-6.2
- Licensee must be current on all state taxes.
- The city council/county commission may approve most renewals without a public hearing.
- All city-owned licenses will be treated the same as though they are privately owned.
- The renewal fee is \$300.00. Half stays with the city/county and half to the state.

Please mail all applications and fees to:

Dept of Revenue, Alcohol Licensing, 445 E Capitol Ave, Pierre, SD 57501.

Thank you,

Lara Cunningham
Senior Revenue Agent
lara.cunningham@state.sd.us
605-668-2939

INSTRUCTIONS FOR COMPLETING APPLICATION

*** Please note – the application has changed ***

City & County Issued - New Licenses, Renewals & Transfers

A separate application is required for each license type.

Section A: Complete with the Corporation, LLC, Partnership or Sole Proprietor's name, mailing address and telephone number. If the ownership is a Corporation or LLC, page 2 of the application must be completed.

Section B: Complete with the Doing Business As name, physical address and telephone number.

Section C: Mark the type of license being applied for. All questions in this area must be completed. The licensee cannot have a felony on their record per SDCL 35-2-6.2.

Section D: Enter the legal description of the property that is to be licensed for alcoholic beverage sales. The legal description is not the street address.

Section E: Enter the sales tax license number for the business. **Remember that the sales tax license and the alcoholic beverage license must be in the same name.** A copy of the sales tax license may be submitted along with the application to ensure the licenses are in the same name. If the sales tax license has not yet been received but has been applied for, put in this section "applied for". Note: the sales tax license number looks something like this: 1000-0000 ST.

Section F: Mark this as a new license, renewal, or transfer.

Section G: This is for the licensee's signature. For a Corporation, LLC, or Partnership, the officer, member or partner should sign. For city owned/operating agreement licenses, the owner of the business should sign this section.

Section H: This section is for the local government to complete. A notice of hearing must be published in the local newspaper **at least seven days** prior to the actual hearing. After the application has been approved, the mayor signs this section, and the finance officer sends the paperwork to Pierre.

When DOR approves the license, we will issue a license number, renew or transfer the license and send the license to the Finance Officer or County Auditor who will in turn send it on to the licensee.

One half of any malt beverage license fee is sent to the Department of Revenue along with the application.

CITY OWNED LIQUOR AND WINE LICENSES

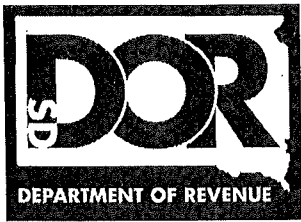
Important Note: The city must have an operating agreement with the person running the business unless the business itself is owned by the city and run by city employees.

License type and fee information:

LICENSE	DESCRIPTION	ON SALE	OFF SALE	COST	DISTRIBUTION	PERIOD
RB	Malt Beverage and South Dakota Farm Wine	X	X	\$300	Split	Fiscal year
RW	All types of Wine and Cider	X	X	\$500	Local Govt	Calendar year
PL	Package Liquor - All alcoholic beverages		X	Set locally	Local Govt	Calendar year
RL	Retail Liquor - All alcoholic beverages	X		Set locally	Local Govt	Calendar year
CL	Convention Center Liquor - All alcoholic beverages	X		Set locally	Local Govt	Calendar year
RR	Restaurant - All alcoholic beverages	X		Set locally	Local Govt	Calendar year
HP	Hunting Preserve - All alcoholic beverages	X		\$500	Local Govt	Sept 1-March 31
PD	Delivery - All alcoholic beverages See SDCL 35-4-127		X	\$150	Local Govt	Calendar year

Please mail all applications and fees to:

Department of Revenue, Alcohol Licensing, 445 E Capitol Ave, Pierre SD 57501



SOUTH DAKOTA DEPARTMENT OF REVENUE

445 East Capitol Avenue • Pierre, SD 57501
(800) 829-9188 x1 • dor.sd.gov

IMPORTANT ALCOHOL STATUTES

An alcohol licensee whose agents or employees sell or serve alcohol to a person under the legal age is subject to a mandatory civil penalty. The civil penalty is \$500 for a first offense and is \$1,000 for a second offense within 24 months. The civil penalty is doubled if the agent or employee making the illegal sale has not been certified by an alcohol training program approved by the Department of Revenue. **SDCL 35-2-10.1**

It is a Class 2 Misdemeanor for any licensee to sell or give for use as a beverage any alcoholic beverage to any person who is eighteen years of age or older but less than twenty-one years of age unless:

- It is done in the immediate presence of a parent or guardian or spouse over twenty-one years of age
- By prescription or direction of a duly licensed practitioner or nurse of the healing arts for medicinal purposes **SDCL 35-9-1.1**

Anyone making an underage sale of alcohol may be subject to a driver's license suspension. **SDCL 35-9-7**

It is a Class 2 Misdemeanor for any person under the age of twenty-one to purchase, attempt to purchase, or possess or consume alcoholic beverages. **SDCL 35-9-2**

Any on-sale or off-sale licensee may permit persons eighteen years or older to sell or serve alcoholic beverages if less than fifty percent of the gross business transacted by the establishment is from the sale of alcoholic beverages, or the licensee or an employee of the licensee that is at least twenty-one years of age is on the premises when the alcoholic beverage is sold or served. To sell or serve means tending bar or drawing, pouring, or mixing alcoholic beverages. Any person tending bar or drawing, pouring or mixing alcoholic beverages must be certified by a nationally recognized alcohol management program. **SDCL 35-4-79.4**

No retailer with any type of off-sale license may make any deliver of alcoholic beverages outside of the premises authorized by the license unless they qualify for and have obtained an off-sale delivery license. **SDCL 35-4-74; 35-4-127**

No alcoholic beverage may be sold below the wholesale cost of the alcoholic beverage. The wholesale cost is the consideration paid by a retailer to a wholesaler to acquire an alcoholic beverage and includes the purchase price and freight charges. **SDCL 35-4-129**

No retailer with an on-sale license shall serve alcoholic beverages outside of the legal premises authorized by the license. **SDCL 35-4-75**

No retail licensee may allow alcoholic beverages to be sold, served, or consumed between the hours of 2:00 a.m. and 7:00 a.m. Local ordinances may be more restrictive. **SDCL 35-4-81.2**

An alcohol license that violates any law or regulation governing licensees is subject to revocation or suspension of its alcohol license. **SDCL 35-2-10, 35-2-21**

The person named on the license must be the owner or actual lessee of the premises where the business is conducted and must be the sole owner of the business operated under the license. **SDCL 35-2-6.3**

No license may be reissued or transferred until all municipal and state sales and use tax incurred by the licensee have been paid and all property taxes which the licensee is liable for have been paid or are not delinquent. All taxes must be current, including unemployment tax. **SDCL 35-2-24**

Licensed retailers may only buy or receive alcoholic beverages from wholesalers properly licensed by the State of South Dakota. **SDCL 35-4-60**

Retail licensees must pay for malt beverages upon sale and delivery by a wholesaler. **ARSD 64:75:04:02**

Commercial bribery.

- No wholesaler or manufacturer may induce any retailer to purchase alcoholic beverages by giving to the retailer, or to any or representative of the retailer, a bonus, premium, gift, compensation, or any other concession of financial value. **ARSD 64:75:04:09**

Industry relations.

- The offering of a bonus, premium, gift, compensation, or concession of financial value, to induce the purchase of an alcoholic beverage is prohibited, except as specifically authorized by SDCL 35-4-130 and this chapter. The terms bonus, premium, gift, compensation, or concession of financial value refer to any article offered to a consumer which is in addition to the immediate container of an alcoholic beverage.
- A wholesaler may rotate alcoholic beverages which they sell provided products purchased from other industry members are not altered or disturbed. The setting or resetting of all or part of an alcoholic beverage retail premises is permitted if written notice is given forty-eight hours prior to the set or reset to each wholesaler serving the retailer. Pullups, filling of displays, and rotation is only allowed at the point of order taking or invoicing. Shelf stocking is prohibited.
- An industry member may provide to a business licensed to sell alcoholic beverages at retail any type of device, equipment, or item intended to prevent the sale of alcoholic beverages to anyone not legally able to purchase the beverages.
- An industry member, for reasonable compensation, may provide to a business licensed to sell alcoholic beverages at retail any type of device or equipment necessary to maintain the integrity of a malt beverage or cider product. The device or equipment may only be provided to the business for a maximum of fifteen days in a calendar year. Providing tap wagons or draft trailers is specifically prohibited. **ARSD 64:75:04:14**

A list of approved alcohol training programs can be found on the Department of Revenue's website at <https://dor.sd.gov/businesses/taxes/alcohol/#training> at the bottom of the page.

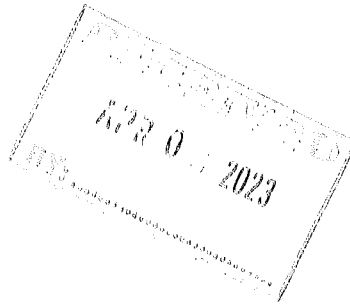
The alcohol license and sales tax license MUST be in the same name. **SDCL 35-2-25**

FYI



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov



March 28, 2023

Gail Boddicker
City of Hermosa
PO Box 298
Hermosa 57744

RE: South Dakota's Free Abandoned Underground Tank Removal Program

Dear Sir or Ma'am,

The State of South Dakota has entered the 22nd year of our free voluntary abandoned tank removal program and has removed abandoned underground petroleum tanks at approximately 3,700 sites. Under the program, South Dakota Department of Agriculture and Natural Resources (DANR) will remove tanks that qualify, and perform environmental cleanup actions we deem necessary to protect human health at no cost to the owner.

The state wants to remove every abandoned underground storage tank that was used to store a petroleum product. Examples of petroleum products are gasoline, diesel, fuel oil, aviation fuel, waste oil, etc. In many of these situations, petroleum products may still be in the tanks or may have leaked into the ground. This spillage can cause our ground water to become polluted and may be a risk to people in the area. The state will not remove petroleum tanks that may be inaccessible, such as beneath a building. The free tank removals do not apply to tanks that were in retail service on or after April 1, 1988. Non-petroleum tanks such as propane tanks, cisterns, and septic tanks are not eligible under this program.

We wanted your city to know about this ongoing program. Enclosed with the tank removal application form is a summary fact sheet. The sheet lists the steps tank owners need to take to get tanks removed. Any help you can give us in getting the word out about it would be appreciated. Please forward information to anyone within your office and county who would benefit from the program and give copies of the forms to anyone you know who may have abandoned tanks on their property.

For more information, please contact Justin Allen of DANR at 605-773-3296) or visit our website at (<https://danr.sd.gov/Funding/EnvironmentalFunding/AbandonedTankRemoval.aspx>) for more information. Thank you for your help.

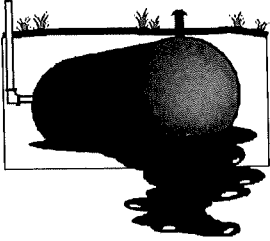
Sincerely,

Justin Allen
Engineer III
Inspection, Compliance, and Remediation Program
Department of Agriculture and Natural Resources
523 E. Capitol Ave. Pierre SD, 57501
605.773.3296
danr.sd.gov



Abandoned Tank Removal Program

Why should I consider getting my tank removed?



Tanks should be removed for two reasons. First, as tanks corrode, any petroleum that may still be in them will leak into our state's ground water. One gallon of gasoline has the potential to render one million gallons of water undrinkable. Leaks from tanks can also contaminate soil around the tanks and cause unhealthy gasoline vapors to seep into basements of private homes and businesses. Since these tanks are buried under several feet of soil, these problems can go unnoticed for years.

Second, the longer these old tanks remain in the ground, the more corroded they become. As the tanks become more corroded, there is an increased risk of the tank collapsing, and someone, or something, falling into the hole or tank.

What tanks will the state remove?

The state wants to remove every out-of-service underground storage tank that was used to store a petroleum product. Examples of petroleum products are gasoline, diesel, fuel oil, aviation fuel, waste oil, etc. The state will not remove petroleum tanks that may be inaccessible, such as beneath a building. The free tank removals do not apply to tanks that were in service for the sale of petroleum fuels on or after April 1, 1988. Also, non-petroleum tanks such as propane tanks, cisterns, and septic tanks are not eligible under this program.

How are the tanks removed?

All you need to do is give the state permission to dig up your tanks and do any necessary cleanup. After you give your permission, the Department of Agriculture and Natural Resources (DANR) will hire private contractors to remove any remaining product from the tank, remove the tank, and test the soil. The contractor will also remove piping and contaminated backfill around the tank. The contractor then fills the hole. The state pays for all the costs associated with removing the tanks from your property and any additional cleanup that is needed. However, the state does not pay to have the site resurfaced with new pavement, concrete, gravel, or grass.

What does the program cost me?

The best news associated with this program is that with the exception of resurfacing costs, it is free to the landowner! This is an opportunity that you cannot pass up if you own property with eligible underground storage tanks that are no longer in service.

The program is funded by DANR's Petroleum Release Compensation Fund (PRCF). This is a fund created in part to address environmental problems associated with spills from tanks. The money comes from a tank inspection fee imposed on wholesale distributors of petroleum fuels.

Is there a lien placed on my property by the state?

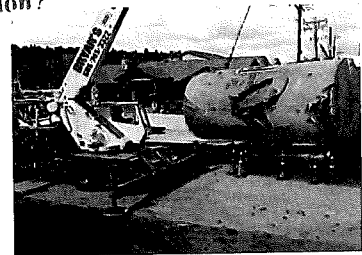
The answer is NO! When the program was first approved by the 2000 Legislature, the state was required to place a lien on the property for five years. However, a bill was introduced during the 2001 legislative session to eliminate the lien. The bill was approved by the legislature and, because of an emergency clause on the bill, went into effect immediately after it was signed.

How do I give my permission to have my tanks removed?

All you need to do is fill out the Tank Removal Form on the reverse of this sheet and return it to the address at the top of the form.

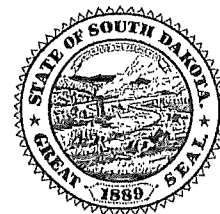
If I have questions, how can I get more information?

- Visit <http://danr.sd.gov/TankYank>
- Call the Abandoned Tank Removal Program at (605) 773-3296;
- E-mail at DANRMail@state.sd.us; or
- Write to: Abandoned Tank Removal Program, Department of Agriculture and Natural Resources, 523 E. Capitol Avenue, Pierre, SD 57501



**Get Your Abandoned Underground Petroleum
Tanks Removed for FREE!!**

TANK REMOVAL FORM



Return To:
Petroleum Release Compensation Fund
Department of Agriculture & Natural Resources
Joe Foss Building
523 E. Capitol Ave. Pierre, SD 57501

Email: DANRMail@state.sd.us
Phone: 605-773-3769

Name of owner or person having legal custody of the property: _____

Mailing Address (Street/City/Zip): _____

Phone # _____ Cell or Evening # _____

Site Information:

Name or former name of business where tanks are located: _____

Site Address (Street/City/Zip): _____

Nearest Cross Street to the Site: _____ County: _____

Were any of the tanks at this facility used for the sale of petroleum fuels on or after April 1, 1988? Yes No

Type(s) of surfacing overlying tanks? Select all that apply: Concrete Asphalt Gravel Grass/Dirt

Number of pump islands: _____ Other Surfacing _____

Please fill out the following table to the best of your knowledge for the tanks at this location:

	Capacity (Gallons)	Used for storing what Substances?	Current contents & amount	Date last used
1				
2				
3				
4				
5				

I hereby give the state permission to remove my abandoned underground storage tank(s) and I certify and agree to the following terms:

1. I certify I am the owner or person having legal custody of an abandoned site and the taxes are current at the location described above;
2. I waive all claims against the state, its officers, agents, and employees for damages resulting directly or indirectly from the tank pulling or corrective action;
3. I agree to transfer ownership of the tanks and their contents to the state upon removal;
4. I understand the state will fill the excavations back to grade after removal, but will not replace or provide any resurfacing;
5. I, the owner or person having legal custody of the property described on this form, consent to officers, agents, employees, and authorized representatives of the state of South Dakota entering and having continued access to the property for the following purposes:
 - Removal of abandoned underground storage tanks and petroleum contaminated soil;
 - Taking of such soil, water, and air samples as necessary; and
 - Other actions related to the investigation, assessment, and corrective action of surface or subsurface contamination.

 Printed Name of Owner or Legal Custodian

 Signature

 Date

JX

Statutes, codes, and regulations

South Dakota Codifie...

Title 9 - MUNICIPAL ...

Chapter 29 - GENER...

S.D. Codified Laws § 9-29-1

[Download](#)

Current with changes from the 2023 Legislative Session through 3/16/2023

Section 9-29-1 - Territorial jurisdiction of municipalities

Every municipality shall have power to exercise jurisdiction for all authorized purposes over all territory within the corporate limits and over any public ground or park belonging to the municipality, whether within or without the corporate limits, and in and over all places, except within the corporate limits of another municipality, within one mile of the corporate limits or of any public ground or park belonging to the municipality outside the corporate limits, for the purpose of promoting the health, safety, morals, and general welfare of the community, and of enforcing its ordinances and resolutions relating thereto.

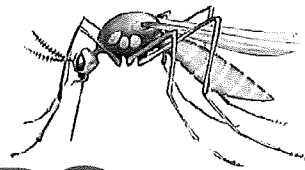
SDCL 9-29-1

PolC 1877, ch 24, § 23; CL 1887, § 1044; SL 1890, ch 37, art IV, § 15; RPolC 1903, §§ 1212, 1439; SL 1913, ch 119, § 30; RC 1919, § 6187; SL 1931, ch 193; SDC 1939, § 45.0201 (24).

FYI

RECEIVED
BY: MAR 27 2023

VAN DIEST SUPPLY CO. 2023 SPRING MOSQUITO WORKSHOPS



COME JOIN US FOR A DAY OF LEARNING FROM THE LEADERS IN THE MOSQUITO INDUSTRY. MAKE SURE YOU ARE READY TO PROTECT YOUR COMMUNITY FOR THE UPCOMING SEASON!

8:00 AM – 8:45 AM	EQUIPMENT CHECK-IN AND REGISTRATION
8:45 AM – 12:00 PM	CLASSROOM TRAINING, PRODUCT UPDATES AND VENDOR PRESENTATIONS
12:00 PM – 12:45 PM	FREE LUNCH PROVIDED BY VAN DIEST SUPPLY CO.
8:45 AM – 1:00 PM	ULV UNIT INSPECTION, CALIBRATION AND DROPLET TESTING ANALYSIS

REMEMBER THE EPA NOW REQUIRES THE FOLLOWING:
Application equipment must be tested on an annual basis to confirm that pressure at the nozzle (droplet size) and nozzle flow rates (calibration) are properly adjusted. This is performed free of charge at the Van Diest Supply Company workshop.

Please indicate which workshop, if you have a ULV unit, and number attending when you RSVP by calling 800-652-9306

PIERRE, SD
Tuesday, April 18th
1200 Izaak Walton Road (SE of the Oahe Softball Complex)

ABERDEEN, SD
Wednesday, April 19th
Wylie Park Welcome Center 2301 24th Ave. NW (1 mile N. of Aberdeen on US 281)

MITCHELL, SD
Thursday, April 20th
3200 W Havens Ave (Davison Co. Fairgrounds)

RAPID CITY, SD
Tuesday, May 2nd
601 E. Centre St off Lacrosse St. Walter Taylor 4-H BLD @ Pennington Co. Ext Office

If you are bringing your ULV unit, please be sure of the following:

- ✓ ULV unit is fueled up
- ✓ ULV unit battery has a full charge
- ✓ ULV unit will start and run
- ✓ ULV unit is in good condition
- ✓ ULV unit is clean and free of residue
- ✓ Know your product, flow rate and speed
- ✓ Desired insecticide in chemical tank
- ✓ Have ear protection and chemical gloves

