

**HERMOSA TOWN BOARD
TUESDAY, AUGUST 15, 2023
REGULAR MEETING @ 6:00pm**

ROLL CALL: Styles called the meeting to order on Tuesday, August 15, 2023, at 6.00 pm with the following members present: Ferguson, Henrichsen, Holsworth, Kramer and Styles. Mitch Johnson, Town Attorney, was also present. Pledge of Allegiance led by Jerald Styles.

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

SPECIAL ITEMS: Dybvig presented details on the Lead-Free SD program. "As part of a nationwide initiative, water systems are asking people to look at their pipes and report their results, regardless of what they find. Knowing where lead lines are is just as important as knowing where they are not." The program is mandated by the EPA and all results are due by October 2024. Motion made and seconded to remove Lead-Free SD from the agenda; vote; all ayes, motion carried.

CONSENT CALENDAR: Motion made and seconded to approve the August 1, 2023, BOT regular minutes and August 9, 2023, BOT special meeting minutes; vote; all ayes, motion carried.

CONFLICT OF INTEREST DECLARATION: None.

CLAIMS: Motion made and seconded to approve August 15, 2023, Payroll and Claims as presented with discussion. A & B Business Equipment, Monthly Printer/FAX/Newsletter, \$554.05; Chuck Ferguson, Fuel for Lagoon Aerator, \$303.09; Donna Ferguson, Pierre/New officer wkshop, \$50.78; Dakota Supply Group, Lumen Photo Eye, Pump House, \$165.55; Dakota Supply Group, Lagoon, \$99.63; Flagpole Farm, SD Flags x 3, \$117.95; Golden West Technologies, Monthly service-Aug 2023, \$651.00; Harvey's Lock & Security, New keys for town office, \$647.96; HAWKINS, Inc, Hydrogen peroxide for lagoon, \$219.95; Jerry Styles, Pierre/New officer wkshop, \$269.60; Midco Diving & Marine Services, Repair work and inspection, \$3,876.00; Mt Rushmore Telephone, Phone/Internet, \$261.47; Pioneer Bank & Trust VISA, Office supplies, \$354.96; Pioneer Bank & Trust, Bank charge for 2 signature acct, \$25.00; Riteway business forms Inc, Laser utility bill, \$203.78; Sanders Sanitation, Monthly Sanitation Services: 07/23, \$4,207.22; Southern Hills Publishing, Publishing/Legal 07/23, \$286.04; Vicki Henrichsen, Pierre/New officer wkshop, \$245.42. **Accounts Payable Total: \$12,539.45. Payroll:** Financial Administration, \$3,316.89; EFTPS-Electronic Federal Tax, FED/FICA TAX, \$828.73. **Payroll Total: \$4,145.62. REPORT TOTAL: \$16,685.07. GENERAL:** \$10,987.38; BBB GROSS RECEIPTS TAX: \$289.16; WATER: \$4,481.28; SEWER: \$927.25

LAW ENFORCEMENT/ ABATEMENTS/COMPLAINTS: AbateMENTS: committee is working on helping citizens become compliant. Dispatch Contract, pending. Law Enforcement: Ferguson received quotes for car detailing, car needs full-service checkup. Custer County Deputy Elizabeth Allen attended to offer discussion on the Custer County Log Report. Motion made and seconded to approve to hire Slade Heeb as the Hermosa Town Marshal beginning August 21, 2023; vote; all ayes, motion carried. Motion made and seconded to remove Law Enforcement Approval to Hire from agenda; vote; all ayes, motion carried.

LEGAL: No report.

ENGINEER: Water Rehab Project (WRT System) - pending resubmittal by ACES. Hermosa sidewalk project – second phase nearing completion. Sewer project (Lagoon design & expansion): pending SD DANR response to the last submittal. AET hired by town to perform borings to determine soil characteristics. Motion made and seconded to allow BOT president to request a proposal for the bid services and construction administration for the lagoon expansion project. The contract needs to be online before the lagoon expansion project is approved by SD DANR so construction and bidding can begin; discussion; vote; all ayes, motion carried. Water/Sewer Facility Plans - pending. Black Hills Council of Local Governments – pending. Town of Hermosa Water and Sewer Extension Project: project plan resubmitted to DANR – issue pending the response from DANR. Hermosa Hills drainage - pending. Whitney Street drainage – pending the continued monitoring the situation. Facility plans for booster, water meters – pending. Rural development - pending.

PLANNING & ZONING: Permit 2022-25, Revised Digging/ROW, pending. Permit 2023-06–Commercial Remodeling Permit Application: update – motion made and seconded to send letter to Westergard to have loft removed by 15 September 2023; failure to meet this date will result in termination of the contract, discussion; none. Vote; Holsworth, nay; Kramer, nay; Henrichsen, aye; Ferguson, aye; Styles, aye; motion carried. Motion made and seconded to send a letter to Westergard, he needs to provide a key to the town shop, as per the contract, by 21 August 2023; failure to do so will result in termination of the contract; discussion. Motion made and seconded to amend the main motion from 21 August 2023 to 15 September 2023; vote; Holsworth, nay; Kramer, nay; Ferguson, aye; Henrichsen, aye; Styles, aye, motion carried. Vote on main motion to have the letter sent with the date of 15 of September, vote; Ferguson, aye; Henrichsen, aye; Styles, aye; Holsworth, nay; Kramer, nay; motion carried.

PUBLIC WORKS: Ferguson reported on status of streets, streetlights, water and water tower. Ferguson requesting quotes on sealing the tower. Agreement for performance of public work services, pending. Irvine training, pending. Walter Street maintenance/add gravel, pending weather. Ferguson to put up the “No Parking” sign on Ferguson Street.

FINANCE OFFICE: Monthly financials in packet. Department updates: so very sad to see Jill Dybvig resign but the opportunity for her is incredible. Time Capsule outside of town hall – no plans to open it. Budget meetings are scheduled for August 16, 17, and 18, 2023. Discussion to research town program to trap, spay/neuter, release feral cats; no action. Motion made and seconded to take Monika Serviss off of the SD FIT authorization and to add Gail Boddicker for authorization; vote; all ayes, motion carried. Boddicker reported on pricing for all board members to have a town email address; no action. Motion made and seconded to remove SD FIT and Hermosa BOT Email from agenda; vote; all ayes, motion carried.

OLD BUSINESS: Annexation: Voluntary Annexation, pending. Town Sign, pending. Town Office: Deck Staining, pending. Library: Deck Staining, pending. Hermosa Connects, no report. Sidewalk extension – from Ingalls Blvd: future plans include extending the sidewalk east to extend to the east end of the American Legion. The sidewalk will be installed on the north side of Highway 40 East in front of the Catholic Church and American Legion. Representatives from the church and the Legion have agreed to clearing the sidewalk in inclement weather but will not be responsible for repairs or replacement. Chicken ordinance – Backyard hen permit application form and fees: motion made and seconded to approve the hen permit; vote; Ferguson, aye, Henrichsen, aye, Holsworth, nay, Kramer, aye, Styles, aye; motion carried. Motion made and seconded to remove Chicken Ordinance/Hen Permit from the agenda; vote; all ayes, motion carried.

NEW BUSINESS: SBHW presentation – pending – Mid to late August. Contractors Licensing Ordinance – Chapter 112 – Review 112.03 - Requirement and Obligations, pending. Administrative Assistant Position: Rescind motion for temporary position: motion made and seconded to rescind the motion made at a previous meeting to hire the administrative assistant position as a temporary position; vote; Ferguson, aye; Henrichsen, aye; Holsworth, nay; Kramer, aye; Styles, aye; motion carried. Approve new position description: Motion made and seconded to table advertising the administrative assistant position until the next meeting; vote; Ferguson, aye; Henrichsen, nay; Holsworth, nay; Kramer, nay; Styles, nay; motion failed. Motion made and seconded to approve the revisions made to the position description; vote; all ayes, motion carried. Motion made and seconded to approve to advertise the administrative assistant permanent position with consideration for either part time or full time; vote; all ayes, motion carried. Fuel the Growth – Economic Development Course: Black Hills State will host the economic development course, “Fuel the Growth – 2023: Advancing Economic Development in Communities” to be held on September 12-14, 2023. Motion made and seconded to approve Harris, Holsworth, Styles, the FO/Admin Assistant, and a representative from Hermosa Connects to attend, to fund the registration fee with BBB Funds; plus, approve anyone to attend the Western Dakota Regional Water System conference; vote; all ayes, motion carried. Headwaters Economics: motion made and seconded to approve board president to sign the Memorandum of Understanding with Headwater Economics, vote; all ayes, motion carried. Hermosa was selected to participate in the FloodWise Community Assistance Program administered by Headwater Economics to assist communities in decreasing flood risk. Andersen Engineers, Survey; Locate 9 Corners: motion made and seconded to have Andersen Engineers perform a survey to identify locate 9 corner pins, discussion. Motion made and seconded to contact the railroad before the survey is performed; vote; all ayes, motion carried. Vote on initial motion; all nays, motion carried.

ITEMS FROM CITIZENS: Citizen voiced concern the electric company did not request a SD 811 Locate while performing utility work west of Hermosa.

TRUSTEE INPUT: Trustees had input.

EXECUTIVE SESSION: Motion made and seconded to enter executive session at 8:09 pm for legal purposes; vote; all ayes, motion carried. Motion made and seconded to exit executive session at 8:12 pm; vote; all ayes; motion carried. No motions made coming out of executive session.

ADJOURN: Motion made, seconded to adjourn the meeting at 8:13 pm; Vote: Unanimous, motion carried.

ATTEST:

Gail Boddicker, Finance Officer

Jerry Styles, Town Board President

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