

**HERMOSA TOWN BOARD
REGULAR MEETING
TUESDAY, MAY 4, 2021 @ 6:00 PM**



ROLL CALL: Henrichsen called the meeting to order at 6:00 p.m. with the following members present: Flug, Henrichsen, Holsworth, King and Schumack. Attorney Johnson, Daggett, Westergard, Ferguson and Boddicker also present. Several interested citizens also present.

CALL FOR CHANGES: Motion by Flug, second by Holsworth, to amend the agenda to move executive session to beginning of the meeting; vote; Flug, aye, Henrichsen, nay, Holsworth, aye, King, aye, Schumack, aye, motion carried.

EXECUTIVE SESSION: Motion by Holsworth, second by Flug to enter executive session at 6:03; vote; Flug, aye, Henrichsen, nay, Holsworth, aye, King, aye, Schumack, aye, motion carried. Motion by Holsworth, second by Flug, to exit executive session at 6:23 pm; vote; all aye, motion carried. Motion by Flug, second by King to enter in regular session at 6:25; vote; all aye, motion carried. No motion made in executive session.

CONSENT CALENDAR: Motion by Flug, second by King, to approve, 4-19-21 Special Meeting and 4-20-21 Regular Meeting minutes; vote; all aye, motion carried.

CLAIMS: Motion by Flug, second by Holsworth, to approve claims as presented; vote; all aye, motion carried. A & B Business Solutions, Monthly contract, \$517.77, Copy Country, Xerox scanning plat, \$14.32, Corr Construction Services, Inc., "Relocate existing 3", pipe fittings, labor, \$4,056.75, Ferguson Construction, \$890.00, Ferguson Construction, Monthly charges, \$2,266.67, Lingo (Formerly Birch), Long distance service, \$29.00, McLeod's Printing & Office Supply, Law Enforcement Traffic Tickets, \$129.99, Metering & Technology Solutions, Meters, \$939.86, Miller Construction, 22 ton clean rock and trackster, \$943.50, Mt Rushmore Telephone Company, Monthly charges, \$238.51, Norton Ross, Deposit refund, \$125.00, Pioneer Bank and Trust/Visa, Monthly charges, \$894.16, SD DENR, Bi-annual - Water/Sewer TIF, \$3,630.38, SD Dept. of Revenue, renewal malt beverage licenses, \$300.00, SD Dept. of Transportation, 2nd Street Bridge, \$18,876.13, Sander Sanitation, Monthly charges, \$2,819.90, Southern Black Hills Publishing, Monthly services, \$112.97, US Bank, SRF Loan Payment, \$1,493.23, Verizon Connect, Monthly services, \$32.38, Westergard Brad, Monthly services, \$300.00, Payroll related: Board of Trustees, \$1,175.00, Finance Department, \$2,695.00, Law Enforcement, \$808.55, Janitorial, \$111.00, Meter, \$154.00, EFTPS, 941 payroll tax deposit, \$1,068.99, Health Pool of South Dakota, Monthly premium, \$841.42, SD Retirement Fund, March Retirement Funds, \$643.38. TOTAL: \$46,107.86

LAWENFORCEMENT/ABATEMENTS/COMPLAINTS: Daggett provided updates to include complaint regarding citizens living in a camper. Motion by Flug, second by King, to allow citizens to live in the camper for another week while remodeling home and will be reevaluated at that time; vote; all aye, motion carried. Daggett continued his report: issuing ticket for allowing dog to roam at large; reckless driver, 911 hang-up, abandoned dog with no food and water; dog picked up and taken to Humane Society; domestic, Neighborhood Watch – 3rd meeting; break-in at storage containers, fatal heart attack, drive off at gas pump, video lottery machine break in, continuing concern with speeding motorcyclist. SD Public Assurance Alliance LE Policies, pending.

LEGAL: None.

ENGINEER: Discussion regarding closing out the well rehab project loan. Motion by Holsworth, second by King, to not draw from the well rehab project loan for the Interstate Engineers invoices (that have already been paid from General Fund); vote; all aye, motion carried. Motion by Holsworth, second by Flug, to approve Bengs to work with Attorney Johnson to draft a legal document to Weston to close the project; vote; all aye, motion carried. Motion by Holsworth, second by Flug, to close out the well rehab loan and leave the remaining funds in the loan; vote; all aye, motion carried. 2nd Street Box Culvert: there is an issue with the culvert being placed in an incorrect location on property by the box culvert. Trustees met with citizen, DOT, engineer, and corrected the problem and the culvert will be moved to correct location. Issues occurred on only one property. Sewer Project: Preliminary Engineer Report submitted to DANR (formerly DENR). Hermosa Sidewalk Project: final plans have been submitted to DOT. Water Project: funding application has been delayed until further discussions take place. GIS Mapping: Flug reported there is a fee to contract with MAP for the GIS Mapping system. Motion by King, second by Flug, to remove GIS Mapping from the agenda; vote; all aye, motion carried. Citizen contacted town to inform his water heater is not working properly and expressed it was damaged when the water lines on 2nd Street were hit. Motion by King, second by Henrichsen, to contact citizen to obtain additional details and bring it back to May 18, meeting; vote; all aye; motion carried.

PUBLIC WORKS: Ferguson no reports on streets. Streetlights are all working. Ferguson reported West Main citizens complained of no water; booster pumps were tripped, it did not start, consequently static level went down which affected the booster pump. Installed a transducer pump. Control box has to be reset through a computer, and believes the problem has been repaired. He will continue to monitor. Ferguson reported the town is on notice for quarterly water reports due to the high radon reading. Will continue to monitor. Holsworth asked Ferguson to be sure to map the new water line at the box culvert; to also obtain correct information with the line at the new school. Discussion regarding foregoing a booster station and purchasing individual boosters for homes on Taz Court, plus a few others in the area. Motion by Holsworth, second by King, to correct our gravity line going over the highway, we will possibly need to purchase up to 14 individual boosters, if we need to purchase back flow units it will be included in this motion; vote; all aye, motion carried. Ferguson reported the fees for each individual unit could be up to \$825.00 per unit plus the back flow preventer. Ferguson reported crops were planted by lagoon which opens the door for Hermosa to land apply waste. Holsworth graveling streets and requested approval to purchase another load of gravel. Motion by Holsworth, second by King, to approve purchase 22 ton of clean rock for \$440.00 and a load of base course for \$330.00 from Miller Construction; vote; all aye, motion carried. Holsworth also discussed purchasing millings for school route roads. Holsworth requested Boddicker follow up with Pennington County to inform them the emergency horn in southeast Hermosa is not working. Holsworth reported Pennington County worked on Hermosa roads, used 250 gallons of oil on roads. Requested Boddicker send a thank you letter to Pennington County for their help on the roads. Holsworth reported Simons to give us a quote on chip seal to report on May 18 meeting. Also asked to place purchase of UPM at the May 18 meeting.

FINANCE OFFICER: Boddicker reported no new updates on Midcontinent providing services in Hermosa, municipalities should hear details on the American Recovery Act funds by mid-May. Motion by Holsworth, second by Henrichsen, to approve Boddicker to complete the West Nile scholarship application; vote; all aye, motion carried. Western South Dakota Missouri River Development: Motion by Holsworth, second by Schumack, to remove the Western South Dakota Missouri River Development issue from the agenda; vote; all aye, motion carried. Motion by Holsworth, second by Henrichsen, to approve Boddicker to attend June 23 budget training in Rapid City; vote; all aye, motion carried. Boddicker presented the 2020 Annual Report for board review. Motion by Holsworth, second by King, to approve 2020 Annual Report; vote; all aye, motion carried. Boddicker to publish report and send to Legislative Audit. There is new flexibility in the budget adoption process; municipalities can, by ordinance, adopt its budget as late as November 1. Hermosa board plans to adhere to the September deadline. Boddicker received a call from Custer Co School District asking if we wanted to take the playground equipment from the Hermosa School as they are purchasing new equipment. Motion by Henrichsen, second by Schumack, to request Boddicker to follow up with school superintendent to inform them we would take the equipment; vote; all aye, motion carried. Motion by Holsworth, second by Flug, to approve Dybvig and Henrichsen, as well as anyone else who would like to attend the May 12-13, 2021, Code Enforcement training in Pierre, SD; this will include mileage, lodging, meals; vote; all aye, motion carried.

PLANNING & ZONING: April 27, 2021 P&Z Meeting minutes; no action. Motion by Holsworth, second by Henrichsen, to approve Permit #2021-10, 24549 Hwy 79-Permanent Sign Permit; vote; all aye, motion carried. Motion by Holsworth, second by Henrichsen, to remove Walnut Grove Zoning issue from agenda; vote; all aye, motion carried. Town to begin utilizing Pre-inspection Form. Ferguson to complete the pre-inspections and fees will be included in the permit fees. Motion by Henrichsen, second by Schumack to approve Ferguson (inspector) to complete the pre-inspections @\$35.00 per hour, inspection fees are included with permit fees; vote; all aye, motion carried. 1st Reading, Chapter 154: Accessory Dwelling Units (ADU) (154.02), moved to pending. Planning and Zoning was requested to add a preamble (subject) to the ordinance as well as this structure needs to comply to the 40% rule (cannot take up more than 40%) of the property, plus, it has to be a family member in the ADU. If it sells, it must be in a trust. Holsworth requested the board to review the ordinance and inform P&Z with any other concerns. Can not be turned into a rental; must be used by family or guest of family. On the Guest House side of the ordinance, the language needs to include more details on the allowable length of time they can stay; a time limit must be set. Radon Testing: attorney advised board to allow the state to mandate as they require, the buyer needs to do their own due diligence and town should not be involved in mandating radon testing. Motion by Holsworth, second by King, to remove item from agenda; vote; all aye, motion carried.

OLD BUSINESS: Annexation: Gumbo Lilly, Fairgrounds Place, pending. Southern Black Hills Water System presentation delayed until following the submittals of the engineering and construction administration services proposals for the WRT System and the Sanitary Sewer extension project, which are expected by May 18, 2021. Motion by Flug, second by Schumack, pending until next meeting after which the board will have received the engineer's quotes; vote; Flug, aye; Henrichsen, nay; Holsworth, aye; King, aye; Schumack, aye; motion carried. Southern Hills RV Park and Campground, pending. Preston Family Inc: John Preston asked the board for the timeline when the infrastructure will be brought to the development. Preston was informed there can be no decisions made until following the engineer's proposals. Will possibly be able to provide him with a plan at the May 18 meeting. Holsworth met with Wade Shorb to discuss annexation, easement, and grazing. Attorney reported the annexation must include the entire legal description of the property.

ITEMS TO REMOVE FROM AGENDA: Motion by Flug, second by Schumack, to remove N Ferguson Road at Pop's, Gravel by school property, and Volunteer of the Year from agenda; vote; all aye, motion carried.

NEW BUSINESS: Financial agreement with SD DOT, pending. 1st Reading: Chapter 50: Application for Water Connection Permit (Amended), (50.01). Resolution No. 04-2021, Rates and Charges for Municipal Sewer Tap Fees. Motion by Holsworth, second by King, to approve Resolution No. 04-2021; vote; all aye, motion carried. Custer County Ordinance No. 20: Custer County requesting Hermosa to consider adopting. The ordinance purpose addresses open burning is not allowed without a permit. Flug requested Planning & Zoning review this ordinance, provide it to the local fire department for their review, compare it with Hermosa's ordinance and bring it back to a future meeting.

ITEMS FROM CITIZENS: Citizen asked about testing the water and asked for verification her hydrant is in working condition at her residence. Also requested details regarding properties being designated flood plain or flood way.

TRUSTEE INPUT: Holsworth distributed Rapid City's nuisance ordinance which contains excellent descriptions; medical marijuana legislation needs to be understood; appreciate the meeting everyone's wisdom, King thanked everyone for coming to the meeting, board does its best to solve town issues; Schumack, appreciated the great meeting; thanks to Ferguson for his assistance; Henrichsen, thanked everyone for coming.

ADJOURN:
Motion by King; second by Flug to adjourn the meeting at 9:15 pm.

Vicki Henrichsen, Town Board President

ATTEST:

Gail Boddicker, Finance Officer
Published once at the approximate cost of __