

**HERMOSA TOWN BOARD
TUESDAY, NOVEMBER 21, 2023
REGULAR MEETING @ 6:00pm**

ROLL CALL: Styles called the meeting to order on Tuesday, November 21, 2023, at 6.00 pm with the following members present: Ferguson, Henrichsen, Kramer and Styles. Holsworth absent. Attorney Johnson also present. Interested citizens 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: Meeting protocol presented.

CONSENT CALENDAR: Motion made and seconded to approve November 7, 2023, BOT regular meeting minutes; vote; all ayes, motion carried.

CONFLICT OF INTEREST DECLARATION: Board members are responsible to refrain from discussion and voting on agenda items that they may have a conflict of interest.

CLAIMS: Motion made and seconded to approve November 21, 2023, Payroll and Claims; discussion. Vote; all ayes, motion carried. CLAYCOMB ENGINEERING, 120 Second Street, \$312.00; GOLDEN WEST TECHNOLOGIES, No internet after power surge, \$720.00; SANDERS SANITATION, MONTHLY SANITATION SERV, \$3,940.95; US BANK, SRF November Principal, \$1,493.63. Accounts Payable Total, \$6,466.58. Payroll related: Financial administration, \$2,496.23, Water, \$307.45; Sewer, \$184.47; Promoting City/ BBB, \$61.48; Mosquito Control, \$716.59; EFTPS-Electronic Federal Tax, FED/FICA TAX, \$1,065.65. Payroll Related Total: \$4,831.87. REPORT TOTAL: GENERAL:\$9,086.66; BBB Gross Receipts Tax, \$79.77; WATER, \$1,892.62; SEWER, \$239.40. TOTAL FUNDS: \$11,298.45.

LAW ENFORCEMENT/ABATEMENTS/COMPLAINTS: Marshal's Report, none. Motion made and seconded for the BOT President to sign the Dispatch Contract, with Custer County Sheriff's Office; vote; all ayes, motion carried. Abatements: Discussion. A letter from the town office will be sent to drive-in property owner regarding prairie dog issue. A concern was brought up regarding unlicensed vehicles on properties in town; to be discussed at a future meeting. Motion made and seconded to remove Dispatch Contract from the agenda; vote; all ayes, motion carried.

LEGAL: Engineer expense reimbursement, pending. Motion made and seconded to approve as written the delegation for signing permits that has been updated based on input from Dybvig; discussion – if Dybvig not comfortable signing, then, to BOT for approval. Mileage to be approved for Dybvig's travel for permitting issues Pre-inspections under Ferguson contract, site visits the office staff may be eligible to sign permits; however, if any issues, then to town engineer or the BOT. Vote; all ayes, motion carried. Non-voting member on the BOT: per attorney, the Town of Hermosa is not allowed to place a non-voting, non-resident member on the Hermosa Board of Trustees. Simons was given Oath of Office for the Finance Officer position. Motion made and seconded to authorize Simons to sign the bank signature card; all ayes, motion carried. Motion made and seconded to remove, "Delegation for signing permits, adding a non-voting member to the BOT from outside city limits, Simons Oath of Office and Simons authorization to sign bank signature card" from the agenda; vote; all ayes, motion carried.

ENGINEER: Hermosa Sidewalk Project, pending. Sewer Project (Lagoon design & expansion) KLJ is working on a construction easement between the Town and Neugebauer's and will have it ready to approve and sign by the 5 Dec 2023 meeting. At that point we will need to discuss this issue with them to see if any concerns arise. Town of Hermosa Water and Sewer Extension Project-pending. Approval for KLJ Engineering to develop task orders; deadline TBD. Lagoon bidding and construction mgmt.: The following issues are being worked: FONSI from the SDDANR. Action Item: the town needs to have a Conditional Letter of Map Revision prepared and sent to the state. This action is being accomplished by KLJ. After the CLOMR is presented to SDDANR they will issue the FONSI to the town and it will need to be placed in the Custer Chronical at that point and there will be a 30-day waiting period before construction can start. Signing of the 05-2023, Clean Water State Revolving Fund Issuer Resolution and the 06-2023, Surcharge for Improvements to the Sewer System Resolution. This is being accomplished in this meeting and then they both will have to be placed in the Custer Chronicle. Pumping of the Lagoon Action item: waiting letter from SDDANR. Motion made and seconded to have Ferguson Construction set up the Lagoon system to have Pond B and C surcharge. This will be a time and materials contract. Vote; three ayes, one abstain, motion carried. Approval for KLJ Engineering to develop task orders; Deadline TBD. Lagoon bidding and construction management, pending. Engineering staff reports/office support, pending. Evaluate lift station at Ferguson Subdivision for storm water issues, pending. Feasibility study for tying into SBHW to submit to SDDANR funding/grants, pending. Feasibility study for placing water, and sewer along Whitney Street from east of the railroad to Highway 79 to submit to SDDANR for funding/grants, pending. Feasibility study for evaluating (stormwater along Whitney and road replacement) the intersection of Whitney and 2nd Street to highway 79 for SDDOT for funding/grants, pending. Highway 79 sewer repair bidding and construction management, pending. Motion made and seconded to have KLJ design the extension to the town's water/sewer lines to service Ferguson properties along Whitney to be removed from the agenda; vote; three ayes, one abstain, motion carried.

PLANNING & ZONING: None.

PUBLIC WORKS: Motion made and seconded to approve and sign the Agreement for Performance of Services of Building Inspector for 2024-2025 and Agreement for Performance of Services of Public Works and Town Maintenance for 2024-2025; vote; three ayes, one abstain, motion carried. Motion amended to strike fluoride testing from original contract; vote; all ayes, motion carried. Modified motion made on amendment; vote; three ayes, one abstain, motion carried. Bolted Tank Interior Floor Reseal, monitored and pending. Open Work Orders, pending. 170 N. Wilder, Garden Meter Refund, motion made to make the refund once the meter is in office possession and in working order; vote; all ayes, motion carried. Motion made to remove Agreement for Performance of Services of Public Works and Maintenance, remove inspection contract, remove 280 Manning St from Open Work Orders, remove Garden Meter Refund; vote; all ayes, motion carried.

FINANCE OFFICE: Financial reports were provided. Motion made and seconded to reinvest the ARPA CD for three months; vote; all ayes, motion carried. Motion made and seconded to remove Election date, Operating Renewals, License Renewals, and CD Renewals from the agenda; vote; all ayes, motion carried.

OLD BUSINESS: Annexation: Voluntary Annexation, pending. Hermosa Connects: Hermosa Connects will meet December 11, 2023, at 9:00 am, Hermosa Coffee Shop.

NEW BUSINESS: SBHW presentation – pending. Headwaters Economics, pending. Andersen Engineers, Survey; Locate 9 Corners, pending. Motion made and seconded to table Shorb’s easement requirements owed to them by town; vote; all ayes, motion carried. Town office camera system investigation, pending. Leasing Town Shop: advertisement sent to Chronicle, waiting for sealed bids. Motion made and seconded to sign the contract services with Joan Harris at \$25 per hour for up to 100 hrs. for a total of \$2,500; vote; all ayes, motion carried. Styles and Kramer met with Hot Springs officials to discuss the town of Hot Springs to take the wastewater from the Town of Hermosa lagoon. The wastewater will be trucked to Hot Springs; they can take up to 25,000 gallons a day. The advertisement for bids to truck the wastewater will be published. Motion made and seconded to proceed with remodeling the town office; discussion. Parking discussion to be on December 5, 2023, agenda. Kramer will call Rich Zacher, SD DOT to discuss parking off of Main Street. Vote on remodeling the town office; all ayes, motion carried. Motion made and seconded to remove 355 Main Street water connection issue from agenda; vote; three ayes, one abstained, motion carried. Item will be placed on Tracking Issues document. Motion made and seconded to approve, “Ordinance 154.02, Definition of Planning & Zoning Commission”; vote; all ayes, motion carried. Motion made and seconded to approve, “Ordinance 155.02, Definition of Planning & Zoning Commission”; vote; all ayes, motion carried. Motion made and seconded to approve, “Chapter 32A”; vote; all ayes, motion carried. (All above ordinances are read as 2nd Reading.) Motion made and seconded to require drainage studies and designs of the storm water systems for the Lone Coyote Development and Carriage Hills Development, and to require the plats be updated with the design of the storm water system, based on the stormwater study, showing all culverts, drainage ways (roads or ditches) retention ponds to ensure the intensity of the flow off the sites are no greater than those before the project before construction can be started. The current plats are no longer approved and they will have to be resubmitted with the design of the storm water system incorporated into the plat; discussion. Attorney concerned about restarting the process; requested the town discuss this issue with KLJ, town engineer, before proceeding. Styles to contact KLJ with KLJ to discuss issue with our floodplain engineer. Concern the process was not correctly followed for final plat process. Motion failed. Motion made and seconded to have KLJ research the Lone Coyote Development and Carriage Hills Development plats to evaluate the requirement for the stormwater and hydrologic design; vote; all ayes, motion carried. Town of Hermosa Resolutions in support of lagoon expansion: motion made and seconded to approve, “05-2023, Clean Water State Revolving Fund Issuer Resolution”; vote; all ayes, motion carried. Motion made and seconded to approve, “06-2023, Surcharge for Improvements to the Sewer System”; vote; all ayes, motion carried. Motion made and seconded to charge the minimum charge for water/sewer connections for all connections to the water and sewer systems, even if the water taps are turned off for any period of time. If a property owner does not want to pay these charges, then the meter will be removed and the service capped and separated from the town system at the property owner’s expense. When the property owner decides to reconnect to the town’s water system, they will be required to pay a new sewer tap and a new water tap at the rate in effect at that time. All decisions to disconnect will be recorded in gWorks. Discussion. Vote; all ayes, motion carried. Motion made and seconded to remove, “Contract services, Utilization of office space, water connection, 355 Main, Ordinance readings, resolutions, and minimum charge for water/sewer connections from the agenda; vote; all ayes, motion carried.

ITEMS FROM CITIZENS: None.

TRUSTEE INPUT: Ferguson: very informative meeting; Kramer: requested January 2024 meetings be reorganized to meet on January 9 and January 23, 2024, issue to be on December 5, 2023, agenda. Wondered if the trustees want to consider a Christmas party – no action. Henrichsen: would be happy for a Christmas party; good meeting; Styles: thanks to everyone for their attendance; appreciates Simons as new finance officer.

EXECUTIVE SESSION: Motion made and seconded to enter into executive session allowable by SDCL 1-25-2.1 for Legal/Personnel/Contract purposes at 8:45 pm; vote: all ayes, motion carried. Motion made and seconded to come out of executive session at 9:20 pm; vote: all ayes, motion carried.

ADJOURN: Motion made, seconded, to adjourn the meeting at 9:21 pm; vote: all ayes, motion carried.

ATTEST:

Jodi Simons, Finance Officer

Jerry Styles, Town Board President

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