

**HERMOSA TOWN BOARD  
TUESDAY, AUGUST 1, 2023  
REGULAR MEETING @ 6:00pm**

ROLL CALL: Styles called the meeting to order on Tuesday, August 1, 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: Unanimous, motion carried.

SPECIAL ITEMS: Oath of Office for Boddicker. Motion made and seconded to remove Oath of Office from agenda; vote; all ayes, motion carried. Meeting protocol was presented by Styles. Motion made and seconded to adopt a special rule of order to limit the time for each speech by the BOT member to 3 minutes; vote; Ferguson, aye; Henrichsen, aye; Styles, aye; Holsworth, nay; Kramer, nay; motion carried.

CONSENT CALENDAR: Motion made and seconded to approve the July 18, 2023, BOT regular minutes with discussion; vote: all ayes, motion carried. A correction will be made to correct D.J. Holsworth to G.J. Holsworth in the July 18 minutes.

CONFLICT OF INTEREST DECLARATION: None

CLAIMS: Motion made and seconded to approve August 1, 2023, Payroll and Claims as presented with discussion. Discussion to request Ferguson's contract payment be separated from the other services in claims. Discussion regarding Ferguson's services in pushing the dumpster: he was previously requested to provide a written proposal and town has not received said proposal. Motion made to amend the approval of the claims to remove the dumpster services portion of the claims until the proposal has been received; motion seconded; vote; Ferguson, abstained; Henrichsen, nay; Holsworth, aye; Kramer, nay; Styles, nay; motion carried. Substitute motion made and seconded to approve Ferguson's payment as presented but to withhold any further payments until the town has received his written proposal for services to push the dumpsters; vote; Ferguson, abstained; Henrichsen, aye; Holsworth, nay; Kramer, aye; Styles, aye; motion carried. Discussion continued on Golden West services regarding email services for board members. A recent ruling by the state indicates sending emails to all board members constitutes a quorum. Discussion regarding email services for each board member; this issue to be placed on next agenda.

Following discussion, vote on the original motion: vote; Ferguson, aye; Henrichsen, aye; Holsworth, nay; Kramer, aye; Styles, aye; motion carried.

Black Hills Electric Coop, Utilities, \$2,745.54; Chuck Ferguson, Monthly agreement 07/2023, Reimb(Gloves), Inspections, Ferguson subdivision - pull pump, push dumpster, \$2,989.84; Custer County Auditor, Wages, travel, \$693.37; Custer Co Sheriff, Law enforcement contract, \$8,666.67; DANR, Water treatment exam, \$60.00; Door Security Products, Change passwords, \$133.93; Golden West Technologies, IT support, \$175.00; Harvey's Lock & Security, Walk through for new keys, \$102.00; HAWKINS, Inc, Water treatment chemicals, degreaser, \$755.84; Jill Dybvig, Milage-Training-GIS, \$70.56; Johnson Law office, T/C with Monika and BOT meeting, \$389.50; Metering & Technology Solutions, Meters and parts, \$35.00; Midwest Assistance Program, Annual contract 2023-2024, \$485.00; Rural Development, RD1 loan-August Interest/Principal, \$1,278.00; RD2 loan-August Interest/Principal, \$417.00; RD3 loan-August Interest/Principal, \$222.00; South Dakota 811, Message fees/voice out 06/2023, \$221.76; US Bank, SRF August Interest/Principal, \$1,493.23; **Accounts Payable Total: \$20,934.24.** Payroll Total Paid On: Legislative, \$591.27; , Financial administration, \$1,878.17; Gen. Gov't Buildings, \$121.21; Water, \$372.53; Sewer, \$157.94; Promoting City/ BBB, \$52.64; EFTPS-Electronic Federal Tax, FED/FICA TAX, \$802.40; Health Pool of SD, Admin single health, \$917.87; SD Retirement System, \$704.86. **Payroll Total, \$5,598.89.** UB Deposit Refunds, \$402.96. **Refund Checks Total: \$402.96.** **Report Total: \$26,936.09.** GENERAL: \$16,764.07. BBB GROSS RECEIPTS TAX: \$68.83. WATER: \$7,591.41. SEWER: \$2,511.78.

LAW ENFORCEMENT/ ABATEMENTS/COMPLAINTS: A background check was conducted on the applicant being considered for the law enforcement position and the town is currently waiting for those results before proceeding with hiring. Abatement discussion regarding the process how citizens are informed of their issues. Abatement committee was requested to be consistent with the process of notifying citizens: courtesy call, courtesy letter, notice to abate.

LEGAL: No report.

ENGINEER: Water Rehab Project (WRT System) - pending resubmittal by ACES. Hermosa sidewalk project – second phase in progress. Sewer project (Lagoon design & expansion): pending SD DANR response to the last submittal. 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: motion made and seconded to request a licensed professional engineer to inspect the loft construction to be reimbursed to

the town by Mr. Westergard; vote: Ferguson, aye; Henrichsen, aye; Holsworth, nay; Kramer, aye; Styles, aye; motion carried. Motion made and seconded to rescind the motion made at a previous meeting to request Ferguson to perform the inspection on the loft in the town shop; vote: Henrichsen, aye; Ferguson, abstain; Kramer, aye; Holsworth, nay; Styles, aye; motion carried.

PUBLIC WORKS: Henrichsen reported on behalf of Ferguson: issues with a leak at the water tower which is being monitored; lagoon aerator pending, sign on Ferguson Street should be put back up. Walter Street: Holsworth waiting on gravel and will place on Walter Street.

FINANCE OFFICE: Monthly financials to be presented on August 15, 2023, meeting. Department updates: special thanks to Monika Serviss for service to the Town of Hermosa. Motion made and seconded to approve the Temporary Sign for the Beers and Ears event; vote: all ayes, motion carried. 2021 audit has been completed, it is posted on the website and has been presented to the Legislative Audit. Motion made and seconded to approve the purchase of state and city flags; vote: all ayes, motion carried. Motion was amended to include the approval to purchase a light to illuminate the flags at nighttime, motion carried. The 2024 budget meetings are scheduled for August 16, 17, and 18 at 6:00 pm. Motion made and seconded to approve the purchase of a safe for the town office; vote: all ayes, motion carried. Motion made and seconded to approve Gail Boddicker to be placed on the signature card at Pioneer Bank and Trust and to take Monika Serviss off the signature card; vote: all ayes, motion carried. Motion made and seconded to approve Jill Dybvig to have flexible work hours during the school year; vote: all ayes, motion carried. Motion made and seconded to remove: Town Office safe, Signature Card, and flexible hours from the agenda; vote: all ayes, motion carried.

OLD BUSINESS: Voluntary annexation – three citizens on Fairgrounds Place wish to voluntarily annex, process to be followed with Public Hearing, etc. Town Sign - pending. Town Office and Library deck staining - pending. Hermosa Connects – August 2 meeting. Information about Hermosa Connects and upcoming events can be found at [www.hermosaconnects.com](http://www.hermosaconnects.com) website as well as Facebook page. Law enforcement contract with Custer County - signed and submitted. Sidewalk extension - from Ingalls Blvd – Boddicker to contact Van Sambeek and King to ask about maintenance of the sidewalk in front of the American Legion and Catholic Church. Motion made and seconded to schedule an unpaid Work Session on August 8, 2023, to discuss Backyard Hen permit; vote: all ayes, motion carried. Motion made and seconded to remove Law Enforcement Contract from the agenda; vote: all ayes, motion carried.

NEW BUSINESS: Southern Black Hills Water (SBHW) presentation - pending. Contractor licensing ordinance – pending. Water meters: with the change in the law, quotes under \$100,000 do not require competitive bids. The service contract also changed from \$25,000 to \$50,000. Motion made and seconded to change Whitney Street speed limit from 15mph to 25mph; vote: all ayes, motion carried. Motion made and seconded to have the police vehicle detailed and tires looked at once a law enforcement person has been hired; vote: all ayes, motion carried. Motion made and seconded to remove: Letter of support for new library, Chapter 91, Water Meters, Change Speed Limit on Whitney and Detailing police vehicle from the agenda; vote: all ayes, motion carried. .

ITEMS FROM CITIZENS: Citizen requested the light on the flagpole be repaired in order for the flags to be lit at night. Citizen said the new sidewalks look great. Serviss thanked the board for the opportunity to work in the town and best wishes to the town.

TRUSTEE INPUT: Very good meeting; thanks. Sidewalks are a great improvement to the town! Welcome back to Boddicker and thank you to Serviss. Concern about the issue of BOT members are limited with the time they can speak. Best wishes to Monika, thanks for her service.

EXECUTIVE SESSION: Motion made and seconded to enter executive session at 7:28 pm for legal purposes; vote: all ayes, motion carried. Motion made and seconded to exit executive session at 8:02 pm; vote: all ayes; motion carried. Motion made and seconded to approve the board president to attend the 8 August 2023 meeting with the two federal lawyers and Southern Black Hills Water representative. The motion was amended to approve Attorney Johnson to ask the federal lawyer if he can also attend the meeting, the motion was seconded; vote: Ferguson, aye; Henrichsen, aye; Holsworth, aye; Kramer, aye; Styles, nay; motion carried. The board then voted on the initial motion (to approve the board president to attend the meeting), vote: all ayes, motion carried.

ADJOURN: Motion made, seconded to adjourn the meeting at 8:08 pm; Vote: Unanimous, motion carried.

ATTEST:

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Jerry Styles, Town Board President

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Gail Boddicker, Finance Officer

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