

**HERMOSA TOWN BOARD  
REGULAR MEETING  
TUESDAY, DECEMBER 7, 2021 @ 6:00pm**



**ROLL CALL:** Holsworth called the meeting to order at 6:02 pm with the following members present: Holsworth, King, Schumack and Henriksen by phone. Flug absent. Johnson, Berg, Ferguson, Westergard and several interested citizens also in attendance. Pledge of Allegiance led by Holsworth.

**CALL FOR CHANGES:** Motion made and seconded to amend the agenda to move Annexation from Old Business following Law Enforcement plus add consideration of purchasing Neighborhood Watch signs; vote; all aye, motion carried.

**CONSENT CALENDAR:** Motion made and seconded to approve the November 16, 2021, regular meeting minutes, November 23 and 29, 2021 special meeting minutes; vote; all aye, motion carried.

**CLAIMS:** Motion made and seconded to approve the claims as presented; vote; one, nay; three, ayes ; motion carried. A&B Business Solutions, Copier lease payment, \$536.49; Black Hills Electric Co-op, Monthly charge, \$3,527.23; Boddicker, Gail, Reimburse for Resolution fee filing, mileage to Custer, \$64.44; Dakota Supply Group, Supplies, \$202.39; EFTPS, 941 payroll tax, \$972.91; Ferguson Construction, November 2021 Contract, \$2,266.67; Ferguson Construction, Trenching, Labor, \$715.00; Fisher, Freddy, Refund on deposit, 37 2nd St., \$9.67; Golden West, Monthly charge, \$561.50; Health Pool of South Dakota, Monthly Premium, \$841.42; Johnson Law Office, Monthly charge, \$773.50; Lauzon, Ryan, Refund on deposit, 241 Folsom St, \$71.17; Lingo, Monthly charge, \$35.97; Maude, Carl, Refund on deposit, 45 N. Ingalls Blvd, \$102.17; Metering & Technology Solutions, Supplies, \$1,025.94; Mt. Rushmore Telephone, Monthly charge, \$241.67; Neugebauer Brothers, Clamps, Screen, Hose, Pipe, \$985.24; Nelson's Oil & Gas, Propane, \$389.45; Office Depot, Supplies, \$144.80; Payment Service Network, Monthly charge, annual security compliance 2022, \$216.45; Pioneer Bank and Trust, Blank checks, \$62.26; Pioneer Bank and Trust, 2 Signature Account Charge, \$25.00; Sander Sanitation, Monthly charge, \$2,820.95; SD Dept or Revenue, Sales tax - Sept – Oct, \$480.75; SD Municipal League, 2022 Yearly dues, \$571.43; SD Gov. Finance Officers Assoc, 2022 Yearly dues, \$40.00; SD Gov. Human Resource Assoc, 2022 Yearly dues, \$25.00; SD Municipal Street Maint. Assoc, 2022 Yearly dues, \$35.00; SD Assoc. of Code Enforcement, 2022 Yearly dues, \$40.00; SD Retirement System, October retirement, \$673.18; US Bank, DWSRF, \$1,493.23; Southern Hills Publishing, Monthly Charge, \$244.14; Verizon, LE GPS Unit monthly, \$32.38; Westergard, Brad, Stipend, \$300.00; Whiting, Hagg, Hagg, Services rendered, \$9,189.30; Wiest, Crystal, Refund on deposit, 45 N. Ingalls Blvd, \$102.17; Yesco, Pole light across from school to LED, \$267.86. Payroll related: Board of Trustees: \$1850.00, Finance: 2680.50, Meter: 217.00. Total: \$34,834.23

**LAW ENFORCEMENT/ ABATEMENTS/COMPLAINTS:** Welcome to Lieutenant Jeff McGraw, Custer County Sheriff's Office. Custer County is now providing Hermosa's law enforcement services. The board requested McGraw to consider the presence of law enforcement at the monthly Neighborhood Watch meetings. Sheriff Mechaley to provide report logs on a monthly basis. Citizens concerned with the minimal patrol in the school zone and requested there be increased support of police patrol in the area. The board requested Ferguson to change the school zone speed zone timer to reflect the 15 mph is in effect until 5:00pm to ensure all students have departed from the school. Discussion also included to research installing strobe lights at the crosswalk, no action on this issue. Homeland Security Grant awarded to Hermosa to purchase new law enforcement vehicle radios. Westergard, Oath of Office: The Law Enforcement Officers Standards and Training Commission granted approval to Westergard to attend the spring training program. Motion made and seconded to allow Westergard to obtain his Oath of Office; vote; one, nay; three ayes; motion carried. Motion made and seconded to not allow Westergard to perform patrol until the insurance company has approved him to operate a motor vehicle; vote; one, nay; three, ayes ; motion carried. Motion made and seconded to approve the "County of Custer South Dakota Law Enforcement Agreement;" vote; all aye, motion carried.

**ANNEXATION: GUMBO LILY, FAIRGROUNDS PLACE:** Letters were sent to citizens requesting their signatures to approve the town proceed with voluntary annexation of Gumbo Lily and Fairgrounds Place properties. Citizens of those properties were in attendance with questions and concerns and the majority do not approve of the annexation. Attorney Johnson will reach out to Black Hills Council of Local Government for assistance to proceed with the involuntary annexation process.

**LEGAL:** Attorney Johnson sent the extraterritorial agreement to Pennington County. Pennington County Commissioners have requested a letter from the town indicating the intention of such agreement. Berg and Boddicker to provide information to Johnson.

**ENGINEER:** Water Rehab Project (WRT System): pending the Well #2 water test results. N Second Street Box Replacement, Guard Rail: pending. Lone Coyote Subdivision (Preston Sub) Preliminary Plat Application – Permit #2021-18, Rescind Resolution Re: Pennington County, reschedule Public Hearing. Motion made and seconded to rescind Resolution 08-2021; vote; all aye, motion carried. Motion made and seconded to schedule January 4, 2022, Public Hearing to present the correct resolution for the Pennington County annexation resolution; vote; all aye, motion carried. Hermosa Sidewalk Project: Plans are in final format and should follow the standard DOT bidding for next year. Sewer Project (Lagoon expansion), pending the completion and submittal of the facilities plans. Town of Hermosa Water and Sewer Extension Project: the pre-construction meeting with the contractor was held last week.

Water/Sewer Facility Plans: The facility plans have been submitted to Bill Lass, Black Hills Council of Local Government for his review. The approval and board president signatures will be required at the December 21, 2021, meeting. Hermosa Hills Drainage, pending. Elmer Claycomb/Dollar General: Berg and Claycomb are working on the issues. Town Sign: the survey was accomplished to determine the location where the sign would be installed, and the survey indicates the sign is in the DOT Right-of-Way. Motion made and seconded to approve ACES to submit a permit to SD DOT to allow the town to install the sign in the Right-of-Way; vote; all aye, motion carried. Preston Family Contract: the initial contract was revised to correct minor typographical mistakes and was resubmitted for approval. Motion made and seconded to approve Holsworth to sign the "Agreement for Contribution of Developer Funds for Public Improvements;" vote; one, nay; three, ayes; motion carried.

Whitney Street Drainage: there are drainage issues on Whitney Street. Boddicker to request the drainage study that was completed prior to the new school construction.

**PLANNING & ZONING:** P&Z November 23, 2021, minutes: board review, no action. Work Session scheduled for December 14, 2021, to finalize fee schedule.

**PUBLIC WORKS:** Ferguson provided update on water and sewer; no action.

**FINANCE OFFICE:** Boddicker provided the November 2021 financial reports. Motion made and seconded to approve Boddicker to sign the Propane Gas System Lease Agreement with CBH Coop; vote; all aye, motion carried. Motion made and seconded to remove "Propane Gas System Lease Agreement" from the agenda; vote; all aye, motion carried. Motion made and seconded to remove, "Rescind Resolution" under Engineer from the agenda; vote; all aye, motion carried. Motion made and seconded to remove, "Custer County Law Enforcement Contract" from the agenda; vote; all aye, motion carried. Motion made and seconded to remove, "Preston Family Contract" from the agenda; vote; all aye, motion carried.

**OLD BUSINESS:** Annexation: Gumbo Lilly, Fairgrounds Place, Town Sign: discussed earlier in agenda.

**NEW BUSINESS:** Dollar General Malt Beverage/Wine License, pending due to the board's review of the revisions made by Dollar General to the Operating Agreement. ADU Zoning Ordinance, pending P&Z review. 1<sup>ST</sup> Reading: 2.073A 2021 Supplemental Ordinance. Discussion of Medical Marijuana Ordinance: general discussion regarding the issues related with licensing; no action. Motion made and seconded to remove, "Medical Marijuana Ordinance" from the agenda; vote; all aye, motion carried. Town Office: Deck Staining and Library Deck Staining and Mud jacking: Holsworth to contact contractor for prices to mud jack the library sidewalk and the sidewalk by the railroad tracks. Deck staining to be accomplished Spring/Summer of 2022.

**ITEMS FROM CITIZENS:** None.

**TRUSTEE INPUT:** Trustees appreciated the productive meeting; appreciated citizens attending the meeting.

**ADJOURN:** Motion made and seconded to adjourn the meeting at 9:31pm; vote; all aye, motion carried.

---

Dan Holsworth, Town Board President

ATTEST:

---

Gail Boddicker, Finance Officer

Published once at the approximate cost of \_\_