

**HERMOSA TOWN BOARD
TUESDAY, MARCH 19, 2024
REGULAR MEETING @ 6:00pm**

ROLL CALL: Henrichsen called the meeting to order on Tuesday, March 19, 2024, at 6:00 pm with the following members present: Ferguson, Henrichsen, Holsworth and Kramer. Attorney Johnson and interested citizens also present. Pledge of Allegiance led by Henrichsen.

CALL FOR CHANGES: Motion made and seconded to approve agenda as amended: vote: all ayes, motion carried.
Under Engineer: A1a: Approval to sign FEMA letters.

SPECIAL ITEMS: meeting protocol presented. Terri Cornelison took the Oath of Office as the new Finance Officer. Kelburn Koontz, Hermosa citizen interested in being appointed for the trustee open seat, introduced himself to the board and community members. Appointment for the open seat will be made at the next meeting.

CONSENT CALENDAR: Motion made and seconded to approve March 5, 2024, minutes as amended (to, revise, "Motion made and seconded to remove, "Legal action, 120 2nd St." from the agenda; vote: three ayes, one **abstain**, motion carried." Vote on amended minutes: all ayes, motion carried.

CONFLICT OF INTEREST DECLARATION: All board members are responsible for refraining from discussion and voting on issues where they may have a conflict of interest.

PLANNING AND ZONING: Motion made and seconded to table Permit 2024-09 – Informational Permit – Ferguson, until April 2, 2024, meeting. Discussion. Vote: one nay, two ayes, one abstained. Vote requires three for majority, failed. Permit 2024-10 – Informational Permit – Custer County Fairgrounds; discussion. Fairgrounds recommended to place locator wires on the water lines. No action as this is an Informational Permit. Motion made and seconded to approve Permit 2024-03 Permit 2024-03 – Plat Application – Parcel – 009258 – Replat from 1 lot to 5 lots; discussion. Vote: one nay, three ayes, motion carried. Motion made and seconded to remove, Permit 2024-10 – Informational Permit, Permit 2024-03 and discussion on rezoning question from the agenda; vote: all ayes, motion carried.

CLAIMS: Motion made and seconded to approve Payroll and Claims as presented; vote: all ayes, motion carried.
CITY OF HOT SPRINGS, Wastewater Service, \$1,194.60; CONNIE LEIMER, Trap/Neuter/Release reimbursement, \$153.21; CORNELISON, TERRI, Background Check Reimbursement, \$74.60; EFTPS-Electronic Federal Tax, FED/FICA TAX, \$901.59; CHUCK FERGUSON, Bobcat:5th & Manning, \$299.00; GOLDEN WEST TECHNOLOGIES, Monthly service March 2024, \$576.00; Metering & Tech Solutions, Meters & meter supplies, \$1,384.62; MT RUSHMORE TELEPHONE, PHONE/INTERNET, \$256.47; PIONEER BANK & TRUST, Office supplies, tax forms, \$416.26; PIONEER BANK & TRUST, Bank chg for 2 signature acct, \$25.00; RURAL DEVELOPMENT, RD1 loan-March interest, \$1,278.00, RD2 loan-March interest, \$417.00, RD3 loan-March interest, \$222.00; SANDERS SANITATION, MONTHLY SANITATION SERV, \$3,957.72; SD DEPT OF REVENUE, Sales tax Jan/Feb 2024, \$553.34; Southern Hills Publishing, Publishing/Legal notices 02/2, \$91.86; USA BLUE BOOK, Lagoon, \$113.00; Western Dakota Reg Water Sys, Class 1 Member Annual Dues, \$1,500.00; YESCO Rapid City, LED fixtures, \$952.01. **Accounts Payable Total: \$14,366.28. Total Payroll Paid: \$3,170.34. REPORT TOTAL: \$17,536.62.**
GENERAL: \$10,510.67. BBB GROSS RECEIPTS TAX: \$80.30. WATER: \$5,077.63. SEWER: \$1,868.02. **TOTAL FUNDS: \$17,536.62.**

LAW ENFORCEMENT/ABATEMENTS/COMPLAINTS: A Work Session will be scheduled to discuss the Refuse Ordinance.

LEGAL: Engineer expense reimbursement, ACES Engineering: file complaint with SDBTP on lagoon and WRT projects and Approval to send letter to ACES regarding current Statement – moved to executive session.

ENGINEER: Approval for KLJ Engineering to develop task orders; pending. Lagoon bidding and construction management, motion made and seconded to approve Henrichsen to sign letters notifying citizens of increases in 1% chance water surface elevations and/or future flood hazard revisions along the Ferguson Split of Battle Creek; vote: all ayes, motion carried. Engineering staff reports/office support, ongoing as needed. Highway 79 sewer repair bidding and construction management, pending. Comprehensive Plan proposal review, pending with KLJ. Approval for Claycomb Engineering to perform floodplain permit requirements for the water/sewer expansion project, pending.

PUBLIC WORKS: Ferguson provided updates on streets, water, and sewer departments. Bolted Tank Interior Floor Reseal, pending. Open Work Orders (Attached), ongoing. Motion made and seconded to approve assessing Ferguson Subdivision citizens for Lift Station expenses due to repairs made because of foreign objects being placed in the sewer, with discussion. Vote: all ayes, motion carried. 2nd Street Bridge Guard Rail: Thank you to Lon Waltman for repairing the guard rail. Invoice will be sent to the citizen who damaged the rail. Motion made and seconded to remove, "Approval to assess Ferguson Subdivision and 2nd Street Bridge Guard Rail" from the agenda; vote: all ayes, motion carried. PACE Contract, pending.

FINANCE OFFICE: Monthly financials presented. 2024 Legislature bills discussed. There are funds appropriated for water and wastewater projects – board/finance officer to investigate applying for funding. Motion made and seconded to add Terri Cornelison to Pioneer Bank & Trust signature card; vote: all ayes, motion carried. Motion made and seconded to remove this item from the agenda; vote: all ayes, motion carried.

OLD BUSINESS: Hermosa Connects, Vendor Fair Permits: motion made and seconded to remove this item from the agenda; vote all ayes, motion carried. Motion made to remove, “Reprimand Trustee Holsworth for being disrespectful and calling a board member a name” no second, motion failed.

NEW BUSINESS: Vendor Permit Fees – Hermosa Community Center – Fireworks; discussion on removing the 5% gross sales fee. Motion made to remove the 5% gross sales fee from the permit for this particular incident; no second, motion failed. Motion made and seconded to eliminate the 5% gross sales fee, the board will go into the next Work Session to change the fee schedule so that it reflects it straight across the board; discussion. Vote: one nay, three ayes, motion carried. The Finance Officer will request Hermosa Connects to distribute Vendor Permits to vendors, with no fees. The purpose is to ensure vendors are insured and will be paying sales tax on their sales. Gravel on Tower Road: pending. Will be meeting with landowner to discuss project specs. West River Coalition, Cat care group: Leimer reported conclusion of the project. Motion made and seconded to remove, “Reduction in number of newsletter copies” from the agenda; vote: one nay, three ayes, motion carried. Harris reported a donation was made to the newsletter to help defray expenses. Volunteer of the Year: Connie Leimer for the West River Coalition Cat Care Group and Nancy Schultes for beautifying the town by potting flowers and placing planters in different areas in town. The presentation will be made at a future meeting.

ITEMS FROM CITIZENS: Thanks to the board for the approval of the removal of the 5% vendor gross sales fee. The fairgrounds will also be putting up fence and removing power poles. Citizen requested board to consider going forward to put the Cells B and C into Surcharge; no action. Accolades to the Hermosa Community Center for their activities for children.

EXECUTIVE SESSION:

Motion made and seconded to enter Executive Session allowable by SDCL 1-25-2.1 – Legal at 7:46 pm; vote: all ayes, motion carried. Motion made and seconded to exit executive session at 8:24 pm; vote: all ayes, motion carried. Motion made and seconded to authorize Attorney Johnson to sign off on the SBHW Consent Judgment in order to settle the matter and bring it to final conclusion; vote: one nay, three ayes, motion carried. Motion made and seconded to remove the following items from the agenda: “SBHWS – Consent judgement; Engineer expense reimbursement; ACES Engineering, file complaint with SDBTP on lagoon and WRT projects; and, Approval to send letter to ACES regarding current Statement.” Vote: all ayes, motion carried. Motion made and seconded to adjourn meeting at 8:26 pm, vote: all ayes, motion carried.

ATTEST:

Gail Boddicker
Finance Officer

Vicki Henrichsen
Town Board President

Published once at the approximate cost of _____.