

**HERMOSA TOWN BOARD  
REGULAR MEETING  
TUESDAY, JUNE 1, 2021 @ 6:00 PM**



ROLL CALL: Henrichsen called the meeting to order at 6:02 p.m. with the following members present: Flug, Henrichsen, Holsworth, King and Schumack. Attorney Johnson, Ferguson, Daggett, Westergard, and Boddicker plus several interested citizens also present. Pledge of Allegiance led by Henrichsen.

CALL FOR CHANGES: Motion by Holsworth, second by Flug, to approve the agenda as amended; vote; Flug, aye; Henrichsen, nay; Holsworth, aye; King, aye; Schumack, aye; motion carried.

EXECUTIVE SESSION: Motion by Holsworth, second by King, to enter Executive Session at 6:04 pm allowable by SDCL 1-25-2.1 Personnel; vote; Flug, aye, Henrichsen, nay; Holsworth, aye; King, aye; Schumack, aye; motion carried. Motion made by Henrichsen, seconded, to exit executive session at 6:26; unanimous. No action taken in executive session. Motion made and seconded to enter into regular meeting session at 6:20; motion carried.

CONSENT CALENDAR: Motion by Schumack, second by Flug, to approve the 5-18-2021 Regular Meeting and 5-26-2021 Special Meeting minutes Vote; Holsworth, nay; Flug, aye, King, aye, Schumack, aye; motion carried (Henrichsen not available at time of vote).

CLAIMS: Motion to approve by Holsworth, second by Schumack, to approve Claims for discussion. Holsworth amended the motion, second by Flug, to delay paying the SD DOT invoice until the town receives additional details regarding their invoice; vote; all aye, motion carried. Vote on original motion; all aye, motion carried.

Claims: Alexander, Ashley, Customer deposit refund, \$34.91; Current Electric, Repair town office light ballast, \$96.90; Dakota Supply Group, 14 boosters plus hardware to install, \$10,862.53; Door Security Products, Inc, Troubleshooting house call, \$96.94; Ferguson Construction, Monthly charges, \$2,266.67; Gabel, Tom, Water heater replacement , \$200.00; Haas, Jeff & Jennie, Customer deposit refund, \$48.79; Henrichsen, Vicki, Pierre, Code Enforcement, Dinner: Vicki, Jill - 34.68; Lunch: Brad, Jim, Vicki, Jill - 47.32", \$82.00; Holsworth, El Restaurant, Customer deposit refund, \$15.40; Lingo (Formerly Birch), Long distance service, \$43.85; McLeod's Printing & Office Supply, Election supplies, \$3.90; SD DOT, Share of costs for Project OB8017(05), \$21,093.36; SD Municipal League, Budget training, \$25.00; Southern Black Hills Publishing, Monthly services, \$430.48; Verizon Connect, Monthly services, \$32.38; Westergard, Brad, Monthly services, \$300.00; Payroll related: Board of Trustees, \$675.00, Finance Department, \$2,528.50, Law Enforcement, \$808.55, Janitorial, \$108.00, Meter, \$154.00, EFTPS, 941 payroll tax deposit, \$948.38, Health Pool of South Dakota, Monthly premium, \$841.42, SD Retirement Fund, March Retirement Funds, \$634.62. TOTAL: \$42,331.58

LAWENFORCEMENT/ABATEMENTS/COMPLAINTS: Daggett provided updates to include, dog issues, person sleeping in the ditch, Law Enforcement performed Security at the Hermosa School, concern regarding why sirens did not go off during the last storm, feral cats being trapped, medical call, high speed pursuit – citizen being ticketed for several issues, found a stolen motorcycle at the east end of town, domestic violence call. Emergency Management discussed. Emergency Plan should be provided to Law Enforcement for their review. A flyer with emergency information and include a map should be created to provide to campground guests, mobile home courts, other citizens, etc. SD Public Assurance Alliance LE Policies, pending.

LEGAL: None.

ENGINEER: Water Rehab Project: review and approve final packet to Weston with Attorney's letter; N Second Street Box Replacement: invoicing in progress; Sewer Project: next step is funding application; Hermosa Sidewalk Project: final plans have been submitted to SD DOT; Water Project: Holsworth spoke with authorities at Edgemont and New Underwood requesting their opinions on the WRT Systems. After receiving positive reactions from both towns and the board discussing what the best alternative is for Hermosa, a motion was made by Holsworth, seconded, to allow ACES Engineering, to pursue the WRT System; vote; Flug, aye; Henrichsen, abstained, Holsworth, aye; King, aye; Schumack, aye; motion carried.

Motion by Holsworth, second by Flug, to request ACES to put together the proposal to submit the WRT Facilities Plan through Bill Lass, Black Hills Council of Local Government, to be submitted to DANR; vote; Flug, aye, Henrichsen, nay; Holsworth, aye; King, aye; Schumack, aye; motion carried.

Motion by Holsworth, second by Flug, to request ACES to provide the town with a proposal for the lagoon facilities plan to be submitted to the Black Hills Local Council of Government; vote; Flug; vote; Henrichsen, nay; Flug, aye, Holsworth, aye, King, aye, Schumack, aye, motion carried.

Motion by Holsworth, second by Flug, to request ACES prepare and submit the sewer line; motion withdrawn.

Motion by Holsworth, second by Flug, to request Interstate Engineering, Renner Associates and ACES to bid the addition of the lagoon cell to the existing lagoon system; vote; Flug, aye; Henrichsen, nay; Holsworth, aye; King, aye; Schumack, aye; motion carried. Holsworth will prepare the bid document.

Motion by Holsworth, second by Flug, to request Interstate Engineering, Renner, and ACES engineering firms to bid the Sewer Facilities Plan to go to Black Hills Council of Local Governments to be submitted to the state; vote; Flug, aye, Henrichsen, nay; Holsworth, aye; King, aye; Schumack, aye; motion carried.

Motion by Holsworth, second by Schumack, to accept the contract by ACES Engineering to begin design on the Preston Family Development Water/Sewer Extension project; vote; Flug, aye; Henrichsen, nay; Holsworth, aye; King, aye; Schumack, aye; motion carried.

**PUBLIC WORKS:** No report on streets. Streetlights are all working, there are a few new LED lights in inventory. Ferguson beginning to install the personal booster units. Pumping the lagoon is still on the agenda, should be accomplished soon. Holsworth will call Terry Sewell regarding purchasing millings to be used on town roads. Thanks to Custer County for their blading/graveling project on Gumbo Lilly. Discussion regarding the problems with the new box culvert regarding drainage, lack of millings on one property, drop off on the edge of the box culvert; awaiting invoice from Corr Construction.

**FINANCE OFFICER:** Monthly financials were submitted for board review. Boddicker reported she met with auditors for audit exit interview. Auditors will present final report to board at their July 6, 2021 meeting.

**PLANNING & ZONING:** BOT review for May 11 and May 25, 2021, P&Z minutes; no action. Motion by King, second by Flug, to approve Permit #2021-14, Digging and Grading Permit, 222 Vilas; vote; all aye, motion carried. Motion by Henrichsen, second by Flug, to approve Permit #2020-14, Permit Extension, 240 Ferguson St.; vote; Flug, aye; Henrichsen, aye; Holsworth, aye; King, abstain; Schumack, aye; motion carried. Hermosa Ordinance 131.02, Fireworks: proposed revisions to the current fireworks ordinance were discussed. Motion by Holsworth, second by Flug, to abide by the current ordinance with no revisions; vote; all aye, motion carried. P&Z Board Vacancy: there is a seat available on the P&Z Board; no action taken. Custer Co. Ordinance No. 20. – Hermosa regulates its own burning process and the board's consensus is to not adopt and not enforce the county's ordinance. Motion by Holsworth, second by Flug, to take no action on this issue and remove it from the agenda. Additionally, the Fireworks Ordinance, Permit 2021-14 and Permit 2020-14 also to be removed from the agenda; vote; all aye, motion carried.

**OLD BUSINESS:** Annexation: Gumbo Lilly, Fairgrounds Place: Annexation to be delayed until fall. Motion by Holsworth, second by Flug, to remove item from the agenda; vote; all aye, motion carried. Southern Black Hills Water System Presentation, pending. Motion by Holsworth, second by King, to remove SBHW System presentation from the agenda and to send a letter to SBHW to inform them the board has chosen to not purchase water from SBHW as the town is planning to proceed with the WRT System; vote; Flug, aye, Henrichsen, nay, Holsworth, aye; King, aye; Schumack, aye; motion carried. Southern Hills RV Park and Campground, pending. Water/Sewer infrastructure for Preston Family Development: Holsworth reported negotiations are ongoing to negotiate an easement with property north of town leading to the annexation of the Preston Family Development.

Citizen submitted a synopsis for discussion purposes describing a means to alleviating the town's expense for the installation of the water and sewer lines to the Preston Family Development; no action taken. Motion by Holsworth, second by King, to remove this issue from the agenda; vote; all aye, motion carried. Water and Sewer Infrastructure: discussion with Preston regarding submitting his preliminary plat. Preston will begin digging after P&Z and BOT have approved the plat. Motion by Holsworth, seconded, to remove, "Surcharge due to out-of-town status" and "Water/Sewer Infrastructure" from the agenda; vote; all aye, motion carried. Playground equipment: The Custer Co School District donated playground equipment to Hermosa. As there is no land to put the equipment on at this time, the best plan is to put the equipment at the pump house until there is land available. Motion by Holsworth, second by King, to remove park planning from the agenda; vote; all aye, motion carried. Medical Marijuana Ordinance: Attorney Johnson provided an example of Keystone, SD's Medical Marijuana Ordinance for board consideration. Hermosa may adopt Keystone's ordinance; Johnson will send the ordinance to be included for 1<sup>st</sup> Reading on June 15, 2021, board meeting. Motion by Henrichsen, second by Schumack, to remove, "Status of engineer structural analysis, 105 2<sup>nd</sup> Street" from agenda; vote; all aye, motion carried.

**NEW BUSINESS:** Financial agreement with SD DOT, pending. ACES Contract: Motion by Holsworth, second by Schumack, to remove from the agenda; vote; all aye, motion carried. Town of Hermosa signage: moved to June 15, 2021,

board meeting. Hermosa website domain renewal: motion by Henrichsen, second by Holsworth; to renew website domain for five years; vote; all aye, motion carried. Boddicker asked to research prices to update the Hermosa website.

ITEMS FROM CITIZENS: Citizen hearing concerns from other citizens regarding the town paying for the expenses associated with bringing water/sewer to Preston Family Development.

TRUSTEE INPUT: Schumack thanked Alex Gomez, Deb and Dan Holsworth's grandson for mowing her lawn. Flug: thanked everyone for coming and their input. Holsworth: best wishes to Flug on healing from his surgery, requested the correct processes be brought to the board as it is the steps to the process that is important, has never stopped citizens from voicing their opinions, is proud of the community, hope everyone gets out to vote, thanks to the attorney, feels strong about the community and where it is headed; pleased with the good decisions made at this meeting. Henrichsen thanked everyone for a good meeting and safe travels home.

ADJOURN: Motion by King; second by Flug, to adjourn the meeting at 9:57pm; vote; all aye, motion carried.

\_\_\_\_\_  
Vicki Henrichsen, Town Board President

ATTEST:

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