

HERMOSA TOWN BOARD
TUESDAY, FEBRUARY 4, 2025
REGULAR MEETING @ 6:00pm

amended at 2-19-25 BOT meeting
amended at 3-4-25 meeting

ROLL CALL: Kramer called the meeting to order on Tuesday, February 4, 2025, at 6:00pm with the following members present: Ferguson, Kramer, Koontz, Harris and Serviss. Interested citizens and Attorney Hagg were also present. Pledge of Allegiance led by Kramer.

CALL FOR CHANGES: Motion by Ferguson and seconded by Koontz to adopt the agenda as presented; vote: all aye, motion carried.

CONSENT CALENDAR: Motion made by Ferguson and seconded by Koontz to approve January 21, 2025, regular meeting minutes and January 28, 2025, special meeting minutes; vote: four aye and 1 abstain for January 21, 2025, regular meeting minutes; all aye for January 28, 2025, special meeting minutes, 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.

ENGINEER: Motion by Harris and seconded by Ferguson to approve Pay Application #2 to Baroque Advantage LLC in the amount of \$37,000 for lagoon expansion; vote: all aye, motion carried. Motion by Ferguson and seconded by Koontz to approve payment of invoice from Engineered Concrete Products for lagoon expansion in the amount of \$10,500 (town will purchase these items and deduct from bid amount awarded for lagoon expansion); vote: all aye, motion carried. Motion by Serviss and seconded by Koontz to approve Pay Application #2 to Conifer Construction in the amount of \$45,000 for wastewater treatment plant; all aye, motion carried. **Motion by Ferguson and seconded by Serviss to approve the quote from DSG in the amount of \$14,321.43 (town will purchase these items and deduct from bid amount awarded for lagoon expansion); vote: all aye, motion carried.** Engineer Theodorou gave an update on his tour of the Keystone, SD, wastewater treatment plant. Planner Putnam gave an update on TIF #2.

PLANNING & ZONING: No items were presented.

CLAIMS: Motion made by Ferguson and seconded by Harris to approve Payroll and Claims as presented; vote: all aye, motion carried; A & B BUSINESS, monthly printer/fax fee, \$535.72; BATTLE CREEK FIRE DISTRICT, return October/November 2024 TIF #1 taxes, \$2,058.52; BENESCH, Lone Coyote Water & Sewer Extension, \$851.50; BENESCH, Hermosa Wastewater Treatment Plant, \$2,064.00; BENESCH, FY22 Drinking Water SRF Project, \$9,475.00; BLACK HILLS ELECTRIC COOP, utilities electric December 2024, \$2,105.01; CONNIE LEIMER, trap/neuter/release program, \$27.00; CUSTER COUNTY AUDITOR, return October/November 2024 TIF #1 taxes, \$6,575.82; CUSTER COUNTY SCHOOL DISTRICT 16-1, return October/November 2024 TIF #1 taxes, \$27,987.91; CHUCK FERGUSON, January 2025 services, \$3,120.00; GOLDEN WEST TECHNOLOGIES, word toolbar missing-administrative assistant, \$90.00; HAGG & HAGG LLP, February 2025 retainer/4.5 billable hours @ \$275/hr and 138 copies, \$3,772.00; HARRIS CONTRACTING, FEMA meetings/minutes/emails-10.75 hours @ \$25/hr, \$268.75; MID CONTINENT TESTING LABS, water testing for 4th quarter 2024, \$422.00; NELSON'S OIL & GAS, propane-city well, \$146.22; RURAL DEVELOPMENT, RD1 loan-January interest/principal, \$1,278.00, RD2 loan-January interest/principal, \$417.00, RD3 loan-January interest/principal, \$222.00; SD MUNICIPAL LEAGUE, annual municipal membership, \$634.00; **Accounts Payable Total: \$ 62,050.45.** Payroll related: Total Paid On:01/31/2025: General, \$4,245.35, Water, \$395.92, Sewer, \$237.55, Promoting City/ BBB, \$79.18; EFTPS-Electronic Federal Tax, FED/FICA TAX, \$1,328.81; SOUTH DAKOTA RETIREMENT, \$1,048.54; HEALTH POOL OF SOUTH DAKOTA, \$2,087.14; **Total Payroll Related Paid: \$9,422.49. REPORT TOTAL: \$71,472.94.**

LAW ENFORCEMENT/ABATEMENTS/COMPLAINTS: Custer County Log was received and provided to board of trustees.

LEGAL: Attorney Hagg reviewed motion made on January 21, 2025, regular BOT meeting. Hagg requested the board to rescind that motion and to reconsider a similar vote due to the board not giving proper notice on the agenda. Motion by Serviss and seconded by Koontz to rescind the motion from the January 21, 2025, regular BOT meeting "to revoke Mr. Styles privileges for attending all regular meetings and work sessions until further notice" with motion being amended "to also include special meetings"; vote: four aye and one abstain, motion carried. Motion by Koontz and seconded by Kramer

to reconsider such a vote specifically for Jerry Styles not being able to attend town board regular meetings, special meetings and work sessions-; vote: four nay and one abstain; motion failed. Discussion on composing a letter to be sent to Mr. Styles ~~as allowed as Roberts Rules of Order~~ in response to a complaint filed. Motion by Serviss and seconded by Koontz to compose a letter stating the behavior of Jerry Styles will not be tolerated in the future and letter to be approved by all board trustees and Attorney Hagg and to send letter before next regular BOT meeting; vote: all aye, motion carried. The board, along with the Town Attorney, reviewed the Town Marshall advertisement. Motion by Harris and seconded by Koontz to approve posting of job advertisement. Motion was amended by Harris and seconded by Serviss to include posting the advertisement for up to thirty days; vote on amended motion: all aye, motion carried. Vote on original motion; all aye, motion carried.

PUBLIC WORKS: Ferguson provided updates on water and sewer departments. ~~Holsworth provided an update on street maintenance.~~ **Update on streets for contracted work provided by Dan Holsworth.**

FINANCE OFFICE: Monthly financials will be provided at the next regular meeting. Finance Officer Cornelison handed out an updated BOT Calendar with meeting dates for 2025. The calendar will be posted on the town website. The Custer Chronicle is preparing the April Progress Edition, and any submissions need to be submitted as soon as possible. Cornelison reviewed the program that Trena Matheny is using for the new town website to post town meeting recordings.

OLD BUSINESS: Joan Harris gave an update on the FEMA/BRIC DTA Grant. Motion by Harris and seconded by Ferguson to approve board president to sign the Letter of Commitment for FEMA BRIC funding; vote: all aye, motion carried. The board acknowledged that Hermosa Area Growth and Development had withdrawn their request for funding and the board will no longer need to reconsider the funding request. Trustee Harris discussed redesigning the loading area for the yard waste dumpsters. Motion by Ferguson and seconded by Serviss to approve Resolution 03-2025 with implementation beginning with the May utility billing; vote: all aye, motion carried.

RESOLUTION #03-2025 SEWER RATE STRUCTURE

A RESOLUTION TO ESTABLISH THE SEWER RATES AND CHARGES FOR THE MUNICIPALITY OF HERMOSA, CUSTER COUNTY, SOUTH DAKOTA.

BE IT RESOLVED by the Municipality of Hermosa, Custer County, South Dakota that the owners or occupants connected with the Hermosa Municipal Sewer System shall pay for discharged sewer at the following rates:

HERMOSA SEWER RATES				
GALLONS	IN TOWN RESIDENTIAL	IN TOWN COMMERCIAL	OUT OF TOWN RESIDENTIAL	OUT OF TOWN COMMERCIAL
0-3000	\$34.10	\$60.50	\$71.50	\$88.00
3001-4000	\$35.75	\$64.35	\$77.83	\$95.15
4001-5000	\$37.40	\$68.20	\$84.15	\$102.30
5001-6000	\$39.05	\$72.05	\$90.48	\$109.45
6001-7000	\$40.70	\$75.90	\$96.80	\$116.60
7001-8000	\$42.35	\$79.75	\$103.13	\$123.75
8001-9000	\$44.00	\$83.60	\$109.45	\$130.90
9001-10000	\$45.65	\$87.45	\$115.78	\$138.05
10001-11000	\$47.30	\$91.30	\$122.10	\$145.20
11001-12000	\$48.95	\$95.15	\$128.43	\$152.35
12001-13000	\$50.60	\$99.00	\$134.75	\$159.50
13001-14000	\$52.25	\$102.85	\$141.08	\$166.65
14001-15000	\$53.90	\$106.70	\$147.40	\$173.80
15001-16000	\$55.55	\$110.55	\$153.73	\$180.95
16001-17000	\$57.20	\$114.40	\$160.05	\$188.10
17001-18000	\$58.85	\$118.25	\$166.38	\$195.25
18001-19000	\$60.50	\$122.10	\$172.70	\$202.40
19001-20000	\$62.15	\$125.95	\$179.03	\$209.55

Each 1000 gallons thereafter shall be calculated at the rate of \$1.65 for in town residential users, \$3.85 for in town commercial users, \$6.33 for out-of-town residential users, and \$7.15 for out-of-town commercial users.

Dated this ____ day of _____, 2025

ATTEST:

TOWN OF HERMOSA

Terri Cornelison
Finance Officer

Linda Kramer
Town Board President

Vote: Kramer - aye

Ferguson - aye

First Reading: February 4, 2025

Koontz - aye

Harris - aye

Published: February 12, 2025

Serviss - aye

NEW BUSINESS: Motion by Serviss and seconded by Harris to approve and authorize the board president to sign the Consent to Assignment of Contract between the Town of Hermosa (“Customer”) and Iron Outfitter Waste Services, Inc. d/b/a Sander Sanitation (“Contractor”), due to sale of Sander Sanitation business to Waste Connections of South Dakota; vote: all aye, motion carried. The town’s current contract terminates on April 1, 2025. The town has a Discord account which can be utilized by board members to attend meetings electronically. Motion by Serviss and seconded by Ferguson to give Engineer Theodorou authority to negotiate purchase price of Vaktor Sewer Cleaning Truck from Hill City, SD; vote: all aye, motion carried.

CITIZENS/TRUSTEE INPUT: Audience and trustees had input.

EXECUTIVE SESSION: No executive session held.

ADJOURN: Motion made by Ferguson and seconded by Serviss to adjourn meeting at 8:26 p.m., vote: all aye, motion carried.

ATTEST:

Terri Cornelison
Finance Officer

Linda Kramer
Town Board President

Published once at the approximate cost of _____.