

**HERMOSA TOWN BOARD
REGULAR MEETING
TUESDAY, OCTOBER 4, 2022 @ 5:00pm**



ROLL CALL: Holsworth called the meeting to order at 5:04 pm with the following members present: Henrichsen, Holsworth, Kramer, Schumack and Thomason. Attorney Johnson, Attorney Hagg, Ferguson and several interested citizens also present.

EXECUTIVE SESSION: Motion made and seconded to enter Executive Session at 5:05 pm allowable by SDCL 1-25-2.1; vote; all ayes, motion carried. Motion made and seconded to exit executive session at 6:23; vote; all ayes, motion carried. Motion made to authorize Attorney Hagg to proceed with the final settlement agreement with DANR on the sewer land application, the north water/sewer extension, and discuss the assessment of fees with Mr. Ferguson, seconded; vote; all ayes, motion carried. Motion to authorize Attorneys Johnson, Hagg and Goff to discuss the delinquent assessment on property at Lot twenty-three (23) Block six (6), Hermosa, with the authority to file the resolution, if appropriate, and to discuss this issue at the October 18, 2022, Board of Trustees meeting; vote; one abstention, four ayes, motion carried. Motion to conclude executive session at 6:30 pm; vote; all ayes, motion carried.

ROLL CALL: Holsworth reconvened the regular portion of the meeting to order at 6:30 pm with the following members present: Henrichsen, Holsworth, Kramer, Schumack and Thomason. Attorney Hagg, Ferguson and several interested citizens also present. Pledge of Allegiance was led by Holsworth.

CALL FOR CHANGES: Motion made and seconded to approve agenda as amended – to add the P&Z items - vote; all ayes, motion carried.

CONSENT CALENDAR: Motion made and seconded to approve September 20, 2022, minutes as presented; vote; all ayes, motion carried.

CONFLICT OF INTEREST DECLARATIONS: None.

CLAIMS: Motion made and seconded to approve October 4, 2022, Payroll and Claims as presented; vote: all ayes, motion carried. A&B Business Solutions, Monthly Charge; \$560.28; Arledge, David, Customer deposit refund, 360 Vilas Street; \$125.00, Baker Mudjacking, LLC, Sidewalk(s) repair; \$2,346.94; Barber, Tim, Customer deposit refund, 10 West Court (Brian Barber); \$50.00; Black Hills Electric Cooperative, Monthly services; \$3,564.14; Boddicker, Gail Reimbursement for lunch for RCAP/MAP visitors, 9/20/2022; \$160.00; Cass, Cindy, Customer deposit refund, 24 No 5th Street; \$53.16; Dustbusters, DustGard; \$13,541.00; gWorks, 2nd payment on contract; \$4,080.00; Johnson Law Office, September 2022 Services; \$314.50; Midco Diving & Marine Svcs, Underwater Dye/Leak Testing; \$3,724.50; Miller Construction, Deliver 22 Ton Base Course to Stockpile; \$459.00; ODP Office Solutions, LLC, Office supplies; \$172.33; Payment Service Network, 9/1/2022 - 9/30/2022 services; \$133.40; Pioneer Bank and Trust, Charge for 2 signature account; \$25.00; Pioneer Bank and Trust (VISA), Office supplies; \$405.34; Rural Development (RD1), October 2022 Payment; \$1,278.00; Rural Development (RD2), October 2022 Payment; \$417.00; Rural Development (RD), October 2022 Payment; \$222.00; Sander Sanitation Service, September 2022 services; \$4,156.91; SDARWS (Rural Water Systems) Equipment, testing, technical assistance; \$830.00; SD DOT, Share of costs paid: Project PTAPR, Sidewalk; \$336.03; Southern Hills Publishing, September publications; \$359.82; US Bank, N Sewer TIF; \$3,820.54; Payroll related: Board of Trustees; \$675.00, Finance Department; \$2,772.00, Planning & Zoning; \$910.00; Janitorial, \$201.50; Meter; \$133.00; EFTPS, 941 payroll tax deposit (9-30-2022 Payroll); \$965.85; Health Pool of South Dakota, Monthly premium; \$882.97; SD Retirement Fund, September 2022 SDRS, \$699.48; TOTAL: \$48,374.69.

LAW ENFORCEMENT/ ABATEMENTS/COMPLAINTS: Town requested assistance from Custer County Sheriff's Office to have extra patrol available for October 5, 2022, Walk to School Day. Custer County Sheriff's Office requested the town (Hermosa) assign the law enforcement radios to Custer County. Motion made and seconded to authorize the loan of the law enforcement radios, per approval from Homeland Security, to Custer County with stipulation they will be returned if Hermosa hires its own law enforcement personnel, Thomason to pull the serial numbers; vote; all ayes, motion carried. President Holsworth requested the follow up on properties that should have been abated. Motion made and seconded to approve P&Z to review the Garbage and Refuse Ordinance to specifically review the fines associated with illegal dumping and update the sign; vote; all ayes, motion carried. Thanks to Custer County Sheriff's Office for their service to the community. Request to place attendance at Custer County Commissioner's meetings, plus per diem on October 18, 2022, agenda.

LEGAL: Hagg to draft a full disclosure of his representation of Preston Family to assist them with the TIF in the Lone Coyote Subdivision.

ENGINEER: Water Rehab Project (WRT System): pending release of ARPA funds. President Holsworth requested town official be represented at Custer County Commissioners meetings: attendance and per diem be placed on the October 18, 2022, agenda. Hermosa Sidewalk Project: received notice there is an increase of \$12,000 above the budgeted amount; town will proceed with the project. Sewer Project: motion made and seconded to remove approval to sign the plan plus direct the town board president to execute an agreement with ACES to complete the final design plan for the lagoon expansion from the agenda; vote; all ayes, motion carried.

Water/Sewer Facility Plans: pending. Town of Hermosa Water and Sewer Extension Project, pending. Hermosa Hills Drainage: Holsworth to meet with contractor to follow up. Whitney Street Drainage, pending. 5th Street Repair: Holsworth to assist in repairing by brush and broom the areas that were damaged. Holsworth to request an estimate to mag water 5th Street. Roy's Drive In Sewer Line: pending. Facility Plan for Booster, Water Meters: pending. Rural Development Application: pending.

PLANNING & ZONING: Review of September 27, 2022, P&Z minutes; no action taken.

Motion made and seconded to approve, based on engineer's Staff Report, Permit 2022-33 – Residential Bldg./Digging - 10 West Court – Remove carport & addition. Add 24x28 new garage; vote; all ayes, motion carried.

Motion made and seconded to approve based on engineer's staff report, Permit 2022-34 – Residential Bldg./Digging – 810 Marie (Lot 7); vote; all ayes, motion carried.

Motion made and seconded to approve, Request for official address for Parcel 015192 & 015193 Hermosa Hills – Lots 23&24; vote; all ayes, motion carried.

With no commercial permit required, and any inspection requirements made by Ferguson and Harris, motion made and seconded to approve Permit 2022-30 – Informational - Desa Lintz, CPA Prof. LLC- setting up office at Hermosa Community Center. Lintz reported a name change to Lintz LLC. Welcome to the new business in town.

Welcome to Tanya Stockham, new Planning and Zoning member.

Motion made and seconded to approve appointment of Bobbie Klaski to Planning & Zoning Board; vote; all ayes, motion carried.

Motion made and seconded to remove all above items from agenda; vote; all ayes, motion carried.

PUBLIC WORKS: Ferguson provided updates on streetlights – streetlights being repaired due to the contractors in town who have been trenching and sliced through lines. Water: quarterly tests were completed and sent for results. The Land application contract is pending. Ferguson is working on ensuring all the sump pumps are no longer going into the sewer system. Ferguson reported the master pump run time has decreased exponentially. Ferguson reported the lagoon will need to be pumped prior to November 1; Holsworth requested Ferguson to perform the test on the lagoon prior to pumping. Town requested an estimate on fencing the lower pump house; to be discussed on October 18, 2022, agenda. Motion made and seconded to not act on inspection on the small tower and to remove this item from the agenda; vote; all ayes, motion carried. Fluoride test is pending.

FINANCE OFFICE: Financial reports provided in packet. gWorks training to begin next week. Final interview scheduled for 10-5 for finance officer position .

OLD BUSINESS: Annexation: Gumbo Lily, Fairgrounds Place, McDermand Street – still in the pending mode. A letter of intent will be sent to proposed area citizens to let them know annexation plans and to request their feedback whether they are in favor or against annexation. Catholic Church and the American Legion will be taken off the map for annexation consideration. Town Sign, pending. Town Office: Deck Staining: pending. Library: Deck Staining, pending. Mud Jacking: contractor repaired the sidewalks on Main Street from Pop's Grocery to Tower Hill. Motion made and seconded to remove item from the agenda; vote; all ayes, motion carried. Camera drainage, pending.

NEW BUSINESS: Motion made and seconded to approve Prairie Winds users should be billed for the minimum amount of users and excess to be billed accordingly; vote; all ayes, motion carried. Motion made and seconded to approve NHWU users should be billed for the minimum amount of users and excess to be billed accordingly; vote; all ayes, motion carried. Water rate increase: motion made and seconded to approve a water rate increase for all users. Rates will increase \$10.00 for all users plus an increase in the rate for overage of 3000 gallons. Vote; one nay; four ayes, motion carried. Motion made and seconded to amend the motion to reflect the new rates will be implemented in the January 2023 water/sewer bills; vote; one nay, four ayes, motion carried. Hermosa Library: Holsworth, Kramer and Boddicker met with the library board to discuss lease. The library presented minutes from past meetings indicating the lease is in effect until 2028 rent free. The library will meet with the county commissioners to suggest they will pay the electricity at a rate of \$200.00 a month. Motion made and seconded to remove, Prairie Winds, NHWU rates, water rate increases, bird deaths investigation and tree trimming from the agenda; vote; all ayes, motion carried.

ITEMS FROM CITIZENS: Two citizens had input.

TRUSTEE INPUT: Five Board of Trustees had input.

Motion made and seconded to adjourn at 8:25 pm; unanimous.

ATTEST:

Dan Holsworth, Town Board President

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