

**HERMOSA TOWN BOARD**  
**PUBLIC HEARING FOLLOWED BY REGULAR MEETING**  
**Tuesday, May 3, 2022 @ 6pm**



ROLL CALL: Holsworth called the meeting to order at 6:00 pm, with the following members present; Henrichsen, Holsworth, Kramer and Schumack. Johnson, Berg, Finch and Ferguson and citizens were also in attendance. Pledge of Allegiance led by Holsworth.

CALL FOR CHANGES: Motion made and seconded to accept the agenda as presented; vote; all ayes, motion carried.

**PUBLIC HEARING**

Public Hearing for 03-2022 Resolution of Intent to Annex – Fairgrounds Place

Motion made and seconded to enter Public Hearing at 6:02; vote; all ayes, motion carried. Public Hearing to discuss plans for annexation. Board members heard objections and endorsements for annexing Fairgrounds Place properties. Per Robert's Rules of Order, motion made and seconded to remove three citizens from the meeting; vote; all ayes, motion carried. Discussion regarding agricultural territories. Motion made and seconded to amend the resolution to provide for the new paragraph:

NOW, THEREFORE, BE IT RESOLVED the Board of Trustees for the Town of Hermosa hereby declares an, "Intent to Annex" the following contiguous territory:

1. The territory subject to this Resolution of Intent to Annex Contiguous property consists of agricultural territory as defined at SDCL § 9-4-5 and SDCL § 10-6-110 as follows:

Description:

- a. Neugebauer Tract 2 & 3 Located in E 1/2, NE 1/4, Section 32, T2S, R8E, BHM, Custer County
- b. PT of W2E2NE4 SEC 32 T2 R8 MHBLS – Neugebauer Tract 3, Located in E ½, N ¼, Section 32, T2S R8E, BHM Custer County

These agricultural territories will require the approval of the Custer County Commissioners prior to the adoption of this resolution. Vote; all ayes, motion carried. Motion made and seconded to adjourn Public Hearing for 03-2022 Resolution of Intent to Annex – Fairgrounds Place at 6:54pm, vote; all ayes, motion carried. Motion made and seconded to send the amended Resolution of Intent to Annex – Fairgrounds Place to Custer County Commissioners for approval due to the fact agricultural territory has been identified in the resolution; vote; all ayes, motion carried.

Public Hearing for: 04-2022 Resolution of Intent to Annex – Gumbo Lily

Motion made and seconded to enter into Public Hearing at 6:56pm; vote; all ayes, motion carried. Public Hearing to discuss plans for annexation. Board members heard citizen's concerns and questions regarding the annexation process. Motion made and seconded to adjourn the Public Hearing for 04-2022 Resolution of Intent to Annex – Gumbo Lily, Public Hearing at 7:37pm; vote; all ayes, motion carried. Motion made and seconded to amend 04-2022 Resolution of Intent to Annex – Gumbo Lily to create the paragraph which will identify the agricultural territory, to be submitted to the Custer County Commissioners to approve the agricultural land.

Public Hearing for 05-2022 Resolution of Intent to Annex – McDermand Street

Motion made and seconded to enter into Public Hearing at 7:37pm; vote; all ayes, motion carried. Public Hearing to discuss plans for annexation. Board members heard citizen's concerns and questions regarding the annexation process. Motion made and seconded to adjourn the Public Hearing for 05-2022 Resolution of Intent to Annex – McDermand Street at 7:51pm; vote; all ayes, motion carried. Motion made and seconded to table this resolution pending the Custer County Commissioners rendering and decision of 03-2022 Resolution of Intent to Annex – Fairgrounds Place and 04-2022 Resolution of Intent to Annex – Gumbo Lily; all of the resolutions will be voted on at the same time; vote; all ayes, motion carried.

Motion made and seconded to enter into regular meeting at 7:55pm; vote; all ayes, motion carried.

CALL FOR CHANGES: Motion made and seconded to accept the agenda as presented; vote all ayes, motion carried. A&B Business Solutions Monthly Charge, \$599.81; Black Hills Cooperative Inc, Monthly Charge, \$3,310.55; Southern Hills Publishing, Monthly publications, \$760.36; Ferguson, Chuck, April 2022 Contract, \$2,446.34; Johnson Law Office, April 2022 services, \$493.00; Lingo, Monthly billing, \$31.61; Morris, Mandy, Accounting assistance, \$570.00; Mt. Rushmore Telephone Company, Monthly billing, \$240.02; Northwest Pipe Fittings, Valve box, sawzall blade, pipe, Anode Connection, \$225.18; Office Depot, Office supplies, \$152.61; Pioneer Bank & Trust, 2 Signature Account Charge, April, \$25.00; Rural Development (RD1), April 2022 Payment, \$1,278.00; Rural Development (RD2), April 2022 Payment, \$417.00; Rural Development (RD), April 2022 Payment, \$222.00; SDML, District 9 meeting, \$156.00; South Dakota 811, Message fees January - March 2022, Voice Out Charge, \$74.97 ; Time Rental, Jackhammer, Air compressor, \$220.40; Troy's Tree Stump Removal, mobilization, contractor's permit, \$275.00; Verizon Connect, Monthly billing, \$32.38; Payroll related: Board of

Trustees, \$1,275.00; Finance Department, \$2,849.18, Janitorial, \$114.00; Meter, \$175.00 ; EFTPS, 941 payroll tax deposit, \$932.11; Health Pool of South Dakota, Monthly premium, \$882.97; SD Retirement Fund, April 2022 SDRS, \$708.38. TOTAL: \$18,466.87.

CONSENT CALENDAR: Motion made and seconded to approve the April 18, April 19, April 22, and April 25, special and regular meeting minutes as presented; vote; all ayes, motion carried.

CLAIMS: Motion made and seconded to approve the May 3, 2022, claims as presented; vote; all ayes, motion carried.

LAW ENFORCEMENT/ ABATEMENTS/COMPLAINTS: Appreciated Deputy Thompson's presence at tonight's meeting. President Holsworth discussed the process for the future for the citizen sign-up sheet. In the future, citizens will sign in with addressing the purpose why they are attending the meeting – this will be on the sign in sheet. Custer County provided log report; a request made to have law enforcement attend each meeting. No other action.

LEGAL: Johnson to resubmit request to Pennington County as he has not received a response from them regarding the extraterritorial agreement.

ENGINEER: Water Rehab Project (WRT System): pending due to awaiting results from water test. Ferguson requested to provide a new sample in order to have current results. Hermosa Sidewalk Project: motion made and seconded to approve to sign the Work Order; vote; all ayes, motion carried. Sewer Project (Lagoon expansion): no update. Water/Sewer Facility Plans: board will be meeting with DANR, BHCLG to discuss their decision on the deferment for a loan or grant on the Water Facility Plan. Town of Hermosa Water and Sewer Extension Project, Approval of Change Order 2: motion made and seconded to table this item until time to meet with RCS Construction to discuss the concern with the fee; vote; all ayes, motion carried. Hermosa Hills Drainage: Preston will follow up with contractor to discuss completing the project. Whitney Street Drainage, SDARWS Report: no update. Hermosa School Certificate of Occupancy: letter sent to contractor and school informing them the Certificate of Occupancy will be issued once the paving is completed. 5<sup>th</sup> Street repair discussion: street to be chip sealed to repair the road from the school construction. Roy's Drive In Sewer Line: waiting on clarification from DANR regarding when Roy's needs to hook up to the sewer line. Waive Staff Report Fee on Permit 2022-07: motion made and seconded to waive the fee; vote; Henrichsen, Kramer, and Schumack; ayes, Holsworth abstained; motion carried. Facility Plan for Booster, Water Meters: motion made and seconded to approve ACES to put together a facility plan for the meters and six-inch booster; vote; all ayes, motion carried.

PLANNING & ZONING: P&Z April 26, 2022, minutes – board reviewed; no action. Permit 2022-10; Subdivision Plat Application; Lone Coyote Subdivision: motion made and seconded to approve per engineer's staff report; vote; all ayes, motion carried. Permit 2022-14; Digging/Grading; Mt. Rushmore Telephone; Fiber Optic Telecommunications Line Upgrade: motion made and seconded to approve; vote; all ayes, motion carried.

PUBLIC WORKS: Ferguson to order speed limit and stop signs for Hermosa Hills area. No report on streetlights. Ferguson provided update on water and sewer – no action taken. Land Application contract: request the landowner to meet with Ferguson and sewer committee member trustee to negotiate a contract. Motion made and seconded to remove, "Waive Staff Report Fee" from agenda; vote; all ayes, motion carried.

FINANCE OFFICE: FO presented the 2021 Annual Report for board member review. Motion made and seconded to approve 2021 Annual Report; vote; all ayes, motion carried. Discussion to close the Edward Jones account; no action. Motion made and seconded to remove, "2021 Annual Report" from agenda; vote; all ayes, motion carried. Motion made and seconded to approve issuing an Information Request Form to citizens when they request certain documents from the office; vote; all ayes, motion carried. Motion made and seconded to remove this item from the agenda; vote; all ayes, motion carried.

OLD BUSINESS: Annexation: Gumbo Lilly, Fairgrounds Place, McDermant Street, pending. Town Sign, pending. Town Office: Deck Staining, pending. Library: Deck Staining, Mud Jacking, pending. Holsworth and Henrichsen will walk the site to review what should be repaired and report at next meeting.

NEW BUSINESS: Malt Beverage, Liquor License, Operating Agreement: motion made and seconded that malt beverage and wine licenses will be charged \$300.00 renewal fee with no Operating Agreement; vote; all ayes, motion carried. Liquor licenses will be reviewed at a later date. Motion made and seconded to remove item from the agenda; vote; all ayes, motion carried. Food Pantry, Lease approval, pending. The lease will be signed at the May 17, 2022, meeting. Request to postpone the Food Pantry moving into the building until June 1, 2022. Motion made and seconded to accept with regret the resignation of Robert (Bob) King as Hermosa Board of Trustee; vote; all ayes, motion carried. Motion made and seconded to nominate Terri Schumack as Hermosa Board of Trustee Vice

President, motion made and seconded to cease nominations; vote; all ayes, motions carried. Motion made and seconded to remove King and Vice President nomination from agenda; vote; all ayes, motion carried.

ITEMS FROM CITIZENS: None.

TRUSTEE INPUT: Henrichsen: good meeting. Kramer: good job. Schumack: apologized to Ferguson for the insult hurled at him earlier in the evening by citizen. Holsworth: thanked members for their time. Will continue to work together as a team and strive to keep the meetings in a professional format. Meeting tomorrow with Dollar General to go over the drainage and landscaping.

ADJOURN: Motion made and seconded to adjourn the meeting at 9:30pm; vote; all ayes, motion carried.

Published once at the approximate cost of \_\_\_\_\_.

ATTEST:

\_\_\_\_\_  
Gail Boddicker  
Finance Officer

\_\_\_\_\_  
Dan Holsworth  
Town Board President