

**HERMOSA TOWN BOARD
REGULAR MEETING
TUESDAY, FEBRUARY 1, 2022 @ 6:00pm**



ROLL CALL: Holsworth called the meeting to order at 6:00 pm with the following members present: Holsworth, King, and Schumack. Flug and Henrichsen absent. Attorney Johnson, Berg, Ferguson, Harris and interested citizens also in attendance. Pledge of Allegiance led by Holsworth.

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

CONSENT CALENDAR: Motion made and seconded to approve the January 18, 2022, regular meeting minutes; vote; all ayes, motion carried.

CLAIMS: Motion made and seconded to approve the claims as amended; vote; all ayes; motion carried. A&B Business Solutions, Monthly Charge, \$517.77; ACES, Staff Report: 835 Marie Street, 840 Marie Street, \$367.50; Black Hills Cooperative Inc, Monthly Charge, \$3,756.29; Custer Co Sheriff's Office, Hermosa Dispatch Contract - 2/1/22 - 4/30/22, \$2,000.00; Dakota Supply Group, Street lights, \$1,803.34; Ferguson, Chuck, January 2022 Contract, \$2,446.34; Ferguson, Chuck, Snow removal, Inspections, Lagoon fuel bal, to Belle Fourche, \$306.97; Mt Rushmore Telephone Company, Monthly charges, \$240.45; Pioneer Bank & Trust, 2 Signature Account Charge, \$25.00; SD Department of Revenue, November/December Sales Tax, \$484.07; SD One Call, Service charge, \$36.96; Shorb, Nicole, Customer deposit refund, 244 Donna, \$96.17; Turbiville Industrial Electric Works, Pump motor repair, inspections, \$369.94; US Bank, N Sewer TIF Payment, \$3,820.54; Westergard, Brad, Customer deposit refund, 106 2nd Street, \$90.17; Payroll related: Board of Trustees, \$800.00; Finance Department, \$2,772.00; Meter, \$175.00; FTPS, 941 payroll tax deposit, \$821.29; Health Pool of South Dakota, Monthly premium, \$882.97; SD Retirement Fund, January 2022, \$702.88. TOTAL: \$22,515.65.

LAW ENFORCEMENT/ ABATEMENTS/COMPLAINTS: Lieutenant McGraw attended meeting; no action. Follow up on the complaint regarding the semi running – Holsworth reported he had talked to the complainant and explained the truck is parked in a commercial zone and is legally parked; no action. The town has been contacted by a representative from FirstNet to inquire whether the town would be interested in contracting with the company – FirstNet is a nationwide wireless broadband network dedicated to public safety. Custer County contracts for similar services with a different provider; no action taken.

LEGAL: Johnson reported he has not received response from Pennington County regarding the extra-territorial agreement; pending.

ENGINEER: Water Rehab Project (WRT System): waiting on water test results that have been submitted; this topic is on the February 9 Custer County Commissioner's meeting agenda to discuss funding options through the county, item remains pending. N Second Street Box Replacement, Guard Rail: Holsworth reported the DOT will contract with Hilt to install the guard rails by the school and on the bridge, there is no timeline when the guard rails will be installed. Lone Coyote Subdivision (Preston Sub) Preliminary Plat Application: waiting on revised plans from developer's engineer due to changes in their construction plans. Hermosa Sidewalk Project: no updates other than the bid letting is set March 16, 2022. Sewer Project (Lagoon expansion): pending with no updates. Town of Hermosa Water and Sewer Extension Project, Change Order 1: there will be a change order that involves the Dollar General area and the rerouting or other options for the extension. Water/Sewer Facility Plans: submitted with the funding applications to DANR pending their timeline. Hermosa Hills Drainage, pending. Hermosa Hills: Holsworth reported the land on the north side of the drive-in movie theater is not for sale; thus, expansion of Hermosa Hills to the south side of the subdivision is not an option. Ferguson to contact the landowner by the drive-in to discuss their sewer issue. Elmer Claycomb/Dollar General: the town has not received a response from Claycomb from the letter that the town sent to him regarding the Dollar General construction issues. If no response by next meeting, the item will be removed from the agenda. Whitney Street Drainage: FMG Engineering and the school are investigating the issue and the town engineer is waiting for their response. The water has been tested in four locations – samples were submitted to Midcontinent and all tests depict that the water is spring water. The school engineer is conducting their own test and the town board is waiting for the results. Discussion regarding bringing a culvert from the retention pond on Whitney Street to pump the water into the creek; no action. Discussion regarding placing gravel on the road leading to the citizen's home south of Whitney Street; no action. DANR representatives will be meeting with town officials on February 3 to discuss the issues relative to the water and wastewater issues.

PLANNING & ZONING: BOT reviewed minutes from the 1-25-22 BOT meeting; no action. Permit 2021-36; Lone Coyote Subdivision; pending. Review ADU ordinance; pending. Permit 2022-01; Informational Permit-Parcel 9339; Proposed Towing Recovery and Used Car Lot, pending. P&Z requested input from citizens in the area and this issue will return to P&Z for review. Property is not in the floodplain and is zoned Commercial Use. No action. Permit 2021-23; Residential Bldg/Digging Permit-840 Marie St. Lot 10- Approved 8/3/2021 but was revisited because of the direction of the home was revised with a new plot plan submitted. Town engineer provided Staff Report with approval. Motion made and seconded to approve Permit 2021-23 per Staff Report; vote; all ayes, motion carried.

PUBLIC WORKS: Ferguson reported the streetlights have been shipped and should begin to arrive. Will be changing the older lights with new. Ferguson said the old lights are in storage and will plan to surplus. Discussion regarding the water surfacing in several locations in town. Although there have been several tests performed by both the town, the school and private citizens, the tests are indicating different results from each test. Further investigation will be occurring to learn the cause of where the water is coming from.

FINANCE OFFICE: Holsworth to follow up with citizen on 4th Street regarding road maintenance in the Cul-de-Sac. Citizen also requested assistance from town to alleviate the traffic from parents picking up/dropping off their children for school who are parking in his private driveway. Holsworth to request law enforcement on school patrol to assist with informing the parents the Cul-de-Sac is a private road. Citizen in Ferguson Subdivision concerned about the odor from asphalt used to repair potholes; no action. King to follow up with citizens regarding a domestic cat issue in Ferguson Subdivision. King also to follow up with a recall for the Chevy Tahoe. Boddicker provided the 2021 Tax Recap; no action. Boddicker to investigate CPA in Madison to learn whether there is interest in conducting the town's annual audit. The three-year contract for garbage services in Hermosa will conclude at the end of March. Boddicker will send a notice requesting bids for services. Boddicker to further investigate gWorks – a software program to utilize for the town's utility billing and fund accounting. Boddicker and Dybvig will attend a presentation to investigate further and will report at the February 15 meeting. Motion made and seconded to approve applying the \$76,000 Hermosa will receive from the ARPA funds towards the Gumbo Lily project; vote, all ayes, motion carried. Bill Lass, Black Hills Council of Local Governments, will submit an amended budget to indicate Hermosa is planning to use those funds towards that project. Applicants proposing to use local ARPA funds for a project are required to use those funds first and demonstrate to DANR the use of those funds before the state portion of the ARPA funds will be released for reimbursement. The February 15, 2022, meeting must hold public hearings on the funding applications for the projects that have been submitted to the DANR. Motion made and seconded to remove Municipal Tax Recap, ARPA Funds for Water/Sewer Projects, and FirstNet Responder from the agenda; vote, all ayes, motion carried.

OLD BUSINESS: Annexation: Gumbo Lilly, Fairgrounds: The town is proceeding with annexing the properties; a voluntary petition needs signatures in order to proceed. Town Sign, pending. The plans were submitted to DOT for right to occupy the Right-of-Way, awaiting DOT response. Dollar General Malt Beverage/Wine License, pending. ADU Zoning Ordinance, pending. Town Office: Deck Staining, pending. Library: Deck Staining, Mud Jacking, pending. A preliminary cost estimate was submitted; no action. Casey Peterson Hermosa Audit Engagement Letter, pending, this issue was discussed under Finance Officer. 2022 South Dakota Legislature, pending. Chapter 30 Ordinance: This item is on agenda for P&Z review for their approval with an intent for 1st Reading at the BOT February 15, 2022, meeting.

NEW BUSINESS: Custer County Extra-territorial Agreement: There have been some questions regarding the permitting processes to follow when Custer County is involved. Boddicker to request this issue be placed on the Custer County Commissioner's February 9, 2022, agenda for discussion and clarification. 1st Reading for Chapter 117, Transient Merchants. P&Z will review and then to BOT for 2nd Reading on February 15, 2022.

ITEMS FROM CITIZENS: Lois Rudd addressed the board to report the Food Pantry is losing their current location and requested the board to consider utilizing the lower level of the town hall for their program. This item to be on the February 15, 2022, BOT agenda.

EXECUTIVE SESSION: Motion made and seconded to enter into executive session at 7:53; allowable by SDCL 1-25-2; unanimous. Motion made and seconded to exit executive session at 8:38; unanimous. No motions made in executive session.

Boddicker reported the Finance Officer Line Item in the supplementary budget will show an overage. Boddicker granted approval to have assistance with an accounting issue. Also discussed was the Alcoholic Beverage Operating Agreement with Pop's – Boddicker to review the Agreement. The Hermosa Community Center must follow Hermosa Liquor License/Malt Beverage Ordinance. All board members plus Boddicker and Dybvig will plan to attend the March 30, 2022, District 9 meeting in New Underwood.

TRUSTEE INPUT: Schumack and King: good meeting! Henrichsen: requested the board to reconsider marking her absent from the 2-1-22 meeting because she was scheduled for surgery; the board marked her as absent. Holsworth: appreciated everyone's patience as we move forward with the projects. .

ADJOURN: Motion made and seconded to adjourn the meeting at 8:52 vote; all ayes, motion carried.

Dan Holsworth, Town Board President

ATTEST:

Gail Boddicker, Finance Officer

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