

**HERMOSA TOWN BOARD  
REGULAR MEETING  
TUESDAY, AUGUST 17, 2021, @ 6:00pm**



**ROLL CALL:** Holsworth called the meeting to order at 6:01pm with the following members present: Flug, Henrichsen, Holsworth, King and Schumack. Law Enforcement, Public Works, Attorney Johnson, Berg & interested citizen also present. Pledge of Allegiance was led by Holsworth.

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

**CONSENT CALENDAR:** Motion made and seconded to approve August 3, 2021; minutes as presented; vote; all aye; motion carried.

**CLAIMS:** Motion made and seconded to approve August 17, 2021, Payroll and Claims; ACES, Water and sewer expansion project, permit reviews, \$18,310.00; Black Hills Electric, Monthly charges, \$3,615.89; Code Works, Hermosa School Inspections, \$670.48; Flagpole Farm, SD state flags, \$68.95; Flug, Berni, Abatements, \$50.00; Golden West, Monthly charges & Help Desk, \$831.50; Interstate Engineering, Weston Well Rehab Closeout, \$470.00; Johnson Law, Monthly Invoice, \$756.50; Lingo, Monthly charges, \$33.77; Pioneer Bank & Trust, Monthly charges, \$3,311.63; Rural Development #1, \$417.00; Rural Development #2, \$222.00; Rural Development #3, Monthly charges, \$1,278.00; Mt. Rushmore Telephone, Monthly charges, \$238.02; Sanders Sanitation, Monthly charges, \$2,908.45; Southern Hills Publishing, Monthly charges, \$167.12; US Bank, DWSRF Loan, \$1,493.23; Westergard, Brad, Monthly services, \$300.00; Payroll related: Finance Department, \$3,421.88; Law Enforcement, \$808.55; Gail Boddicker, Health insurance, \$200.00; Jim Daggett, Health insurance, \$200.00; EFTPS, 941 payroll tax deposit, \$1,065.86. TOTAL: \$40,838.83

**LAW ENFORCEMENT/ ABATEMENTS/COMPLAINTS:** Marshal Daggett provided local updates. Motion made and seconded to remove SD Public Assurance Alliance LE Policies from the agenda; vote; all aye, motion carried. Boddicker to send a notice to SDPAA to inform them the town is relying on their own policies and will not be adopting their proposed policies.

**OLD BUSINESS:** Midcontinent Communications representatives, Andrew Curley and Shawn Doherty, provided a presentation seeking authorization from the Town of Hermosa to construct and operate high speed broadband system in the town. Andrew Curley, Midco representative, presented the plan to provide Hermosa citizens with broadband. Franchise agreement is required; this will need to be in place prior to beginning construction. Attorney advised the agreement will need to be a new town ordinance. Motion made and seconded to approve Midco to proceed to have them give us their version of the franchise agreement, compile the ordinance, provide to Attorney Johnson for review and then to BOT for ordinance completion; vote; all aye, motion carried.

**LEGAL:** None.

**ENGINEER:** Water Rehab Project (WRT System); pending. N Second Street Box Replacement, pending SD DOT Punch List. Lone Coyote Subdivision Preliminary Plat Application: project proceeding engineer in design stage. Hermosa Sidewalk Project, pending. Sewer Project (Lagoon expansion), pending discussion at Custer Co. Commissioners meeting who will be discussing federal infrastructure funds. Water and Sewer Project, pending. Water/Sewer Facility Plans: due at the end of the year in order to be on the schedule for the first of the year funding. Hermosa Hills Drainage, ACES provided the drainage report. ACES needs to know if the town is going to take on the surveying and construction staking; what additional steps do we need to remediate the downstream on Marie Street. Motion made and seconded the Town of Hermosa will be responsible for the engineering invoices pertaining to the drainage issues, the developer will be responsible for the expenses related to the corrections: surveying, staking, with inspections by ACES, plus the culverts. Preston to provide at the 9-7-2021, meeting, the timeline of when corrections will occur; vote; all aye, motion carried. Motion made and seconded to confirm the developer is responsible for the expenses related to install a 24" flared-ends culvert at Walter Street and Marie Street, with inspections by ACES; vote; all aye; motion carried. Weston Closeout: motion made and seconded to approve president to sign the Davis-Bacon Act Certification; vote; all aye, motion carried. Motion made and seconded to confirm the town will not request any additional funding with this project; vote; all aye, motion carried.

**EXECUTIVE SESSION.** Motion made and seconded to enter Executive Session at 7:34 p.m. for legal matters; vote all aye, motion carried. Motion to exit Executive Session at 8:01; vote; all aye, motion carried. Motion made and seconded to approve Henrichsen to depart meeting at 8:03 and will be paid for attendance; vote; Flug, aye; Henrichsen, abstained; Holsworth, nay; King, aye; Schumack, aye; motion carried. Motion made and seconded to approve Annexation Resolution No. 07-2021; vote; Flug, aye; King, aye; Schumack, aye; Holsworth, aye; Henrichsen, absent; motion carried. Motion made and seconded to approve ACES to attend the 8-25-21, Custer Co. Commissioners meeting; vote; all aye, motion carried.

**PLANNING & ZONING:** Review of August 10, 2021, meeting minutes; no action. Permit 2021-26, 300 E Main, Lot 55, Manufactured Home Moving Permit Application: motion made and seconded to approve permit; vote; all aye, motion carried. Paul Kespert P&Z resignation: motion made and seconded to accept Kespert's resignation; vote; all aye, motion carried. Motion made and seconded to remove this item from the agenda; vote; all aye, motion carried. Review of ADU Ordinance: trustees requested to review the draft ordinance as there may be revisions to be made. Ordinance to be placed on Work Session agenda (to be scheduled later in September), and to invite P&Z board to attend session; vote; all aye, motion carried. Permit Processes brochure, pending edits.

**PUBLIC WORKS:** Ferguson provided updates.

**FINANCE OFFICE:** No financial reports provided. Fee Schedule: pending discussion at an upcoming Work Session. Motion made and seconded to disapprove book sales performed downstairs; upstairs is acceptable; vote; all aye, motion carried. Motion made and seconded to approve payment of \$150,000 on the TIF loan; vote; all aye, motion carried. Concern with the school construction large truck traffic. The guard rail at the school on Highway 40 is very concerning as the slope is dangerous. Holsworth to request Westergard schedule a meeting with school officials.

**OLD BUSINESS:** Annexation: Gumbo Lilly, Fairgrounds Place, pending. Preston Family Inc, pending. Motion made and seconded to remove Legislative Audit, Resolution 2021-05 Water Rate Structure and Resolution 2021-06 Sewer Rate Structure; vote; all aye, motion carried. Broadband Grant Awards – Midco, issue to remain on agenda for agreement. Town Sign, pending. Mosquito Control Private Property Contract

**NEW BUSINESS:** Mag Water Application: project was completed. Hermosa School: motion to approve to remove Inspections, Fire Sprinkler Test, Legislative Audit, and Annexation Resolution from the agenda; vote; all aye, motion carried. St. Pierre has made inspections and the Certificate of Occupancy for Phase 1 can be issued. Phase 2 Traffic Control Plan to remain as pending.

**ITEMS FROM CITIZENS:** Discussion of streamlining building permitting processes; the timeline for project approval is too lengthy.

**TRUSTEE INPUT:** King: good meeting, a lot of information was discussed and many projects are ongoing; Schumack; great meeting; Holsworth: SDPAA's info on Cybersecurity is interesting and should be reviewed; monies may be available; pedestrian crossing signs to be installed soon; fair went well.

**ADJOURN:** Motion made and seconded to adjourn the meeting at 9:59 pm; unanimous.

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Dan Holsworth, Town Board President

ATTEST:

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Gail Boddicker, Finance Officer

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