

**HERMOSA TOWN BOARD
TUESDAY, APRIL 18, 2023
REGULAR MEETING @ 6.00pm**

ROLL CALL: Holsworth called the meeting to order on Tuesday, April 18th at 6.00 pm with the following members present: Henrichsen, Holsworth, Kramer, Schumack. Also present: Chuck Ferguson, Mitch Johnson, and citizens. Pledge of Allegiance led by Dan Holsworth.

CALL FOR CHANGES: Move 11) C. Volunteer of the year item to follow after the claims. Motion made, seconded to approve agenda as amended; Vote: all ayes, motion carried.

CONSENT CALENDAR: Motion made, seconded to approve April 10th, 2023 regular meeting minutes as presented; Vote: all ayes, motion carried.

CONFLICT OF INTEREST DECLARATION: None

CLAIMS: Black Hills Electric Coop., Inc.: Utilities-Electric 03/2023 \$3,388.59; Bradley Westergard: Fire extinguisher, smoke detectors, bathroom repair \$402.78; Chuck Ferguson: Yard waste sign installation, Snow removal 03/22/23-04/07/23 \$3,293.00; Golden West Technologies: Monthly service-April23 \$563.50; Midcontinent testing lab. Inc.: Water/Lagoon testing for 1st Qtr 2023 \$1,284.25; Nelson's Oil & Gas Inc.: Tank Rent-lower pump house \$36.00; Sanders Sanitation: Monthly sanitation service 03/23, Yard waste dumpster \$4,470.84; South Dakota 811: Message fees/voice out 03/2023 \$16.80; Accounts Payable Total: \$13,455.76; Payroll related: Financial administration \$2,444.31, EFTPS-Electronic Federal Tax \$554.03; Payroll Total \$2,998.34; REPORT TOTAL \$16,454.10. Motion made, seconded to approve claims list as presented; Vote: all ayes motion carried.

LAW ENFORCEMENT/ ABATEMENTS/COMPLAINTS: Custer County Log received, presented at the meeting. Motion made, seconded to request County Sheriff's office to provide more specific information on how many calls throughout the month are addressed outside and within Town limits; Vote: all ayes, motion carried.

LEGAL: Permit #2022-09 for 194 Fairgrounds Place Road – pending. Mitch Johnson will contact Mr. Romey regarding destruction of water meter pit lid on 194 Fairgrounds place to allow Chuck Ferguson to inspect and repair before the water is turned on. Motion made, seconded to allow Mitch Johnson to send a letter presented to the board to Mr. Ortner, regarding Roy's Drive-In connection to the sewer system; Vote: all ayes, motion carried.

ENGINEER: Water Rehab Project (WRT System)- pending. Hermosa Sidewalk Project-pending. Sewer Project (Lagoon design & expansion)- comments received from SDDANR - awaiting design approval. Water/Sewer Facility Plans and Black Hills Council of Local Governments-pending. Town of Hermosa water and sewer extension project-pending, Hermosa Hills drainage-walk-through done, issues addressed what needs to be done for the Town to approve Marie and Walter streets. Whitney street drainage-pending. Roy's drive-in –pending. Facility plan for booster, water meters and Rural development - pending.

PLANNING & ZONING: Review of April 11th, 2023, P&Z meeting minutes. Permit 2022-25-Digging/Row– pending. 2023-06–commercial remodeling permit application – pending. Motion made, seconded to approve Permit 2023-11 – Residential Building/Digging – 15 N. 5th St. – Duplex , per staff report; Vote: all ayes, motion carried. Motion made, seconded to approve Permit 2023-12 - Residential Building/Digging – 175 N. Wilder Blvd with the new staff report and engineers recommendation; Vote: all ayes, motion carried. Motion made, seconded to approve Permit 2023-13 manufactured home moving application – Prairie Hills MH Park, per staff report; Vote: all ayes, motion carried. Motion made, seconded to remove items 9) D. E. & F. from the agenda; Vote: all ayes, motion carried.

PUBLIC WORKS: Streets, streetlights, water, sewer, update report by Chuck Ferguson. Motion made seconded to allow Chuck Ferguson to construct and add an aerator to the lagoons which will help keep lagoons in better condition, expenses not to exceed \$200; Vote: all ayes, motion carried. The agreement for performance of services of public works and town maintenance will be reviewed during the work session with P&Z. Chuck Irvine has no current expenses presented. Motion made, seconded after the research and monitoring, putting the new meter in, and no issues found for the large water usage at 72 Fairgrounds place, all the remaining usage billed as of 04/18/2023 to be paid by the property owners, continue monitoring and if any errors between February 2023 and March 2023 bills are found, town will reimburse the difference; Vote: 3 ayes, 1 nay, motion carried. Water meter pit destruction addressed under Legal.

FINANCE OFFICE: Monthly financials –pending. Department updates: Final Audit report for 2021-pending. Volunteer of the Year: Joe and Carol Rice were nominated by Vonda Belt. Joe volunteers at Disabled America Vets (DAV). Both Joe and Carol are involved in food pantry in the Town of Hermosa every month. Carol makes beautiful quilts to donate to Keystone Project, a group that teaches kids about God. The Board and the Town appreciates all that they do for the community. Annual report for 2022 presented at the meeting, will be submitted to SDML and published. Motion made, seconded to approve Ben Elliot as an auditor for the year of 2022; Vote: all ayes, motion carried. Motion made, seconded to request and pay off Town of Hermosa N Sewer TIF loan #461278-01 in full;

Vote: all ayes, motion carried. Motion made, seconded to remove items 11) C. D. & E. from the agenda; Vote: all ayes, motion carried.

OLD BUSINESS: Annexation: Gumbo Lilly, Fairgrounds Place, McDermand Street-pending. Town Sign- pending. Town Office and Library deck Staining-pending. Hermosa connects- Farmer’s Market & Vendor Fair scheduled for June 24th, same day as Annual garage sale in Town. Information about Hermosa Connects group and upcoming events can be found at www.hermosconnects.com website as well as Facebook page. Next meeting is scheduled for May 9th 2023 @8.30am.

NEW BUSINESS: Boundary updates and Walter street maintenance – pending. Second reading of Ordinance 131A – Open burning and fireworks. Motion made, seconded to approve ordinance 131A – Open burning and fireworks; Vote: all ayes, motion carried. Second reading of Ordinance 50.01 – Application for water connection permit. Motion made, seconded to approve ordinance 50.01 – application for water connection permit; Vote: all ayes, motion carried. Both approved ordinances to be published April 26th 2023 for 2 consecutive weeks. 2023-2024 Malt beverage & SD Farm wine renewals – pending. Resolution 04-2023 RESOLUTION OF THE BOARD OF TRUSTEES OF THE TOWN OF HERMOSA CERTIFYING A DELINQUENT ASSESSMENT PURSUANT TO SDCL 10-23-1.1. The Board of Trustees for the Town of Hermosa, State of South Dakota does hereby assess and levy on and against the lot and parcel of land described below the respective sums of money set against each lot or parcel. This assessment is made to defray the cost of abating a nuisance as per SDCL 21-10-6. The owners of said described lot or parcel have been noticed by certified mail return receipt requested and have failed to pay the amount of said described abatement. The legal owners of the real property described herein are Robbie Schwinger and Wanda Schwinger. The real property is legally described as follows: Lot Twenty-Three (23) in Block Six (6) in the Original Town of Hermosa, Custer County, South Dakota. The facts upon which this assessment against the foregoing lot and parcel are set forth as follows: 1. On April 15, 2009, the Town of Hermosa recorded a “Miscellaneous (Misc.) Document Regarding Tax Assessment by Town of Hermosa”, with the Custer County Register of Deeds against the aforesaid described real property owned by Wanda Schwinger and Robbie Schwinger. The real property was assessed \$3,208.82 for reimbursement to the Town of Hermosa for abatement proceedings. This lien has never been paid and has accrued statutory interest. (See attached Exhibit “A”) 2. On December 9, 2010, the Town of Hermosa recorded a “Miscellaneous (Misc.) Document Regarding Tax Assessment by Town of Hermosa”, with the Custer County Register of Deeds against the aforesaid real property. The real property was assessed \$3,912.00 for reimbursement to the Town of Hermosa for abatement proceedings. The Town of Hermosa’s costs and expenses incurred involved demolition of a building owned by the Schwinger’s on the aforesaid real property. This lien has never been paid and has accrued statutory interest. (See attached Exhibit “B”) 3. On February 11, 2014, the Town of Hermosa recorded another lien with the Custer County Register of Deeds against the aforesaid described real property in the sum of \$312.20 for mowing abatement costs incurred in 2011 and 2012. This lien has never been paid and has accrued statutory interest. (See attached Exhibit “C”) 4. On February 22, 2022, the Town of Hermosa paid the Custer County Treasurer the sum of \$2,770.55 and received a “Certificate of Redemption”, to preserve its liens in as much as a tax deed proceeding had been initiated by Charles Foley. 5. Accordingly, the total of the Town of Hermosa’s special assessment delinquent tax liens are \$10,203.57 plus accrued interest. 6. WHEREFORE, The Town of Hermosa certifies that the foregoing special assessment tax liens are delinquent and the aforesaid described real property should be sold forthwith in accordance with SDCL Chapter 10-23. TOTAL \$10,203.57. The City Finance Officer is directed to file this Resolution with the Custer County Auditor’s Office to certify the delinquent assessment pursuant to SDCL 10-23-1.1. Dated this 18th day of April, 2023 HERMOSA BOARD OF TRUSTEES Dan Holsworth – President, Finance Officer: Monika Serviss. I hereby acknowledge receipt of the Town of Hermosa Resolution Certifying Delinquent Assessment. County Auditor. Motion made, seconded to approve Resolution 04-2023: Vote all ayes, motion carried. Motion made, seconded to remove items 13) A. D. E. F. & H. from the agenda; Vote all ayes, motion carried. Motion made, seconded approve Monika Serviss to write a letter to the Hermosa school requesting to not park cars on 5th street; Vote: all ayes, motion carried.

ITEMS FROM CITIZENS: Audience had input.

TRUSTEE INPUT: Reminder that Town cleanup is on Saturday 04/22/2023. Appreciate all the comments from the audience. Good meeting.

EXECUTIVE SESSION: no executive session.

ADJOURN: Motion made, seconded to adjourn the meeting at 7.42 PM; Vote: all ayes, motion carried.

ATTEST:

Dan Holsworth, Town Board President

Monika Serviss, Finance Officer

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