

**HERMOSA TOWN BOARD**  
**TUESDAY, JULY 2, 2024**  
**REGULAR MEETING @ 6:00pm**

ROLL CALL: Kramer called the meeting to order on Tuesday, July 2, 2024, at 6:00 pm with the following members present: Ferguson, Kramer and Koontz. Henrichsen and Harris were absent. Interested citizens and attorney Hagg were also present. Pledge of Allegiance led by Kramer.

CALL FOR CHANGES: Motion made and seconded to approve agenda with the following changes: moving item 12F KLJ invoice to 6D under Engineer, add Item 6E CLOMR & Environmental Clearance Work Authorization under Engineer and add Item 12H Friday July 5<sup>th</sup> office hours under Finance Office; vote: all aye, motion carried.

SPECIAL ITEMS: meeting protocol presented. Motion made and seconded to remove item 3B from the agenda: vote: all aye, motion carried.

CONSENT CALENDAR: Motion made and seconded to approve June 18, 2024, minutes as presented: vote: all aye, motion carried.

CONFLICT OF INTEREST DECLARATION: All board members are responsible for refraining from discussion and voting on issues where they may have a conflict of interest.

ENGINEER: Motion made and seconded to approve and authorize Kramer to sign the Water Distribution Model and Water Facilities Plan; vote: all aye, motion carried. Motion made and seconded to add \$2,000 to Lagoon Expansion Design, new DANR permit for CLOMR & Environmental Clearance and approve and authorize Kramer to sign; vote: all aye, motion carried. Motion made and seconded to approve referring Ordinance 50.02 Meters to Benesch for final revision; vote: all aye, motion carried. Discussion was held on a KLJ invoice regarding a partial payment made. Anthony will email Cornelison information supporting adjustment of the invoice.

PLANNING & ZONING: Motion made and seconded to approve the proposed address of Parcel #009339 to be 749 Tenaya St.; vote: all aye, motion carried. Motion made and seconded to approve Digging/Grading/ROW Permit 2024-23; vote: all aye, motion carried. Informational Permit 2024-24 was presented. Dybvig was instructed to obtain more information from applicant and bring back to the next meeting. Informational Permits 2024-19, 2024-20, 2024-21 and Temporary banner sign permit were presented. Discussion on the formation of a Planning & Zoning Board again. This item will be addressed at the next town board meeting.

CLAIMS: Motion made and seconded to approve Payroll and Claims as amended; vote: all aye, motion carried. A & B BUSINESS, monthly printer/fax fee, \$538.89; AMERICAN LEGAL PUBLISHING, Internet renewal 7/11/24-7/11/25, \$495.00; BENESCH, Professional Services 4/22-6/24, civil service, process design, plan, \$17,587.00; BLACK HILLS ELECTRIC COOP, Utilities/Electric, \$2,795.82; D & R SERVICE, Air conditioner maintenance, \$345.32; CHUCK FERGUSON, June 2024 services, locates, clean tap site, curb stop/Forgey property, \$4,940.00; NORTHWEST PIPE FITTINGS, saddle/pipe/curb stop wire, \$1,091.98; PIONEER BANK & TRUST, stop payment, \$25.00; T & B UNDERGROUND, Waterline boring, \$3,000.00; **Accounts Payable Total: \$ 30,819.01.** Payroll related: Total Paid On: 6/28/24: General, \$3,696.49, Water, \$419.11, Sewer, \$162.23, Promoting City/ BBB, \$54.03, EFTPS-Electronic Federal Tax, FED/FICA TAX, \$1,80.86; South Dakota Retirement System, \$893.92; Health Pool of South Dakota, \$1,990.00 **Total Payroll Related Paid: \$8,296.64. REPORT TOTAL: \$39,115.65**

LAW ENFORCEMENT/ABATEMENTS/COMPLAINTS: Ferguson informed the board of a recent complaint in the Ferguson neighborhood. Consensus was that this complaint is a law enforcement issue. Discussion was held on abatements. Dybvig will be composing a letter to send to current complaints stating it is under review. Any new complaints need to be made at the town office and signed. Town office staff will keep anonymous if requested. The complaints will also be addressed at the next work session. Motion was made and seconded to have Ferguson put a stop sign at the northeast corner of Folsom and 3<sup>rd</sup> Street; vote: all aye, motion carried.

LEGAL: Motion made and seconded to approve Attorney Hagg to draft job description for Town Attorney and to have finance committee review before posting; vote: all aye, motion carried. Discussion was held on the current TIF, and this item will be discussed at a future work session.

PUBLIC WORKS: Ferguson provided updates on streets, water, and sewer departments.

FINANCE OFFICE: Monthly financials were presented. Cornelison stated there had been more fraudulent activity on the town checking account and the account has been placed on a restricted status so each transaction can be reviewed daily and approved if authorized. Cornelison stated she has started work on the 2025 budget and the board can schedule special budget meeting dates at the next meeting. Motion was made and seconded to approve the immediate opening of a new checking account with BankWest and to transfer town banking business to BankWest; vote: all aye, motion carried. Motion made and seconded to change authorized signers at Pioneer Bank & Trust if there is no charge for that; motion amended to authorize Cornelison, Kramer and Koontz to be authorized signers with the new BankWest checking account and update authorized signers with the Pioneer Bank & Trust checking account by deleting Henrichsen and adding Kramer and Koontz; vote: all aye, motion carried. Motion made and seconded to remove King and Serviss as account holders with SD Fit and to add Cornelison and Kramer as account holders; vote: all aye, motion carried. A work session is scheduled for Tuesday, July 9, 2024, at 6:00 p.m. Motion made and seconded to grant town office staff Friday, July 5<sup>th</sup> off with pay; vote: 2 aye, 1 nay, motion carried.

OLD BUSINESS: Appointment of Subcommittees was tabled until the next meeting.

NEW BUSINESS: Motion made and seconded to waive penalty for unauthorized dumping in town yard waste dumpsters and town to draft apology letter stating not all circumstances were known; vote: all aye, motion carried. Motion made and seconded to refund \$25.00 vendor permit fee paid by Mai's Thai Café due to vendor fees were waived for event and vendor was not allowed to set up; vote: all aye, motion carried. Motion made and seconded to rescind motion made on April 16, 2024, Town Board meeting regarding charges passed on to Mt Rushmore telephone for all locate fees conducted by Ferguson Construction over the 20 per month allowed in his contract; vote: all aye, motion carried. Discussion was held regarding who was responsible for maintenance of wooden fence between Hermosa Hills housing development and Southern Hills RV Park. It was determined that according to Hermosa Ordinance, residents have the responsibility of keeping a fence in place. Fence was originally constructed as a buffer, sound and privacy between the housing development and RV Park.

ITEMS FROM CITIZENS: Audience had input.

TRUSTEE INPUT: Koontz appreciated comment made by Henrichsen at last meeting regarding item being addressed that was not included on the agenda. Suggested a work session be held regarding Robert's Rules. Ferguson stated that it had been a good meeting. Kramer thanked everyone in attendance and comments that were made. Wished all a happy and safe 4<sup>th</sup> of July.

EXECUTIVE SESSION: Motion made and seconded to enter Executive Session allowable by SDCL 1-25-2.1 – Legal/Personnel at 8:46; vote: all aye, motion carried. Motion made and seconded to exit executive session at 9:09 p.m., vote: all aye, motion carried. Motion made and seconded to allow Attorney Hagg to write up signage for town office regarding guidelines and code of conduct expected of public; vote: all aye, motion carried.

ADJOURN: Motion made and seconded to adjourn meeting at 9:16 pm, vote: all ayes, motion carried.

ATTEST:

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Terri Cornelison  
Finance Officer

\_\_\_\_\_  
Linda Kramer  
Town Board President

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