

**HERMOSA TOWN BOARD  
TUESDAY, MARCH 21, 2023  
REGULAR MEETING @ 6.00pm**

ROLL CALL: Holsworth called the meeting to order on Tuesday, March 21st at 6.00 pm with the following members present: Henrichsen, Holsworth, Kramer, Schumack. Also present: Chuck Ferguson, Mitch Johnson, law enforcement and citizens. Pledge of Allegiance led by Dan Holsworth.

PUBLIC HEARING: Motion made, seconded to start public hearing at 6:13 pm for the following rezoning application 2023-07-parcel #009322-Residential to Commercial; Vote: all ayes, motion carried. First public hearing was held with P&Z board and motion was made to recommend leaving property as residential. Citizens had no issues with how the property is being used now but expressed concerns if property should be sold in the future and what kind of business would be allowed. The proposed property for rezoning to Commercial is surrounded by residential properties and citizens had concerns regarding extra traffic and noise. Ferguson expressed he prefers it to be rezoned to commercial, which would give him more options to what he can do on the property since he has a business. Motion made to leave property as Residential with Ferguson to continue with a Conditional Use Permit, offer to grant any variances that would be needed at no charge, take the publishing and administrative expenses out of the permit fee and refund the rest, seconded for discussion; Vote: 2 ayes; 2 nays, motion failed. Motion made, seconded to leave property as Residential (parcel #009322) and research the possibility of the permit fee refund amount; Vote: 3 ayes, 1 nay, motion carried. Motion to do research on the fee schedule and review at the next BOT meeting; Vote: all ayes, motion carried. Motion made and seconded to adjourn public hearing at 6:38 pm.; Vote: All Ayes, motion carried.

CALL FOR CHANGES: Item (2) Public hearing postponed until Chuck Ferguson arrives to the meeting. Motion made, seconded to accept the agenda as amended; Vote: all ayes, motion carried.

CONSENT CALENDAR: Motion made, seconded to approve March 7th, 2023, regular meeting minutes as presented; Vote: all ayes, motion carried.

CONFLICT OF INTEREST DECLARATION Terri Schumack (applicant)– demolition permit #2023-09 – 260 Folsom St. – demo trailer house.

CLAIMS: ACES Engineering INC Encroachment survey, research, WRT system, lagoon updates \$16,585.00; Chuck Ferguson: Snow removal, sign installation, pond doctor maintenance \$2,513.30, Dakota Supply group: Meter cplg, pipe nipple \$344.45; Golden West Technologies: Monthly service-February23 \$563.50; Harvey's Lock & Security Master keys, locks \$280.02; Office Depot: Paper, Stamp, Tape, Highlighter \$187.85; Pioneer bank & Trust: Adobe fee, postal stamps \$295.19; SD Dept. of Revenue: Sales tax Jan/Feb 2023 \$576.68; Vanway trophy & award: Name plate-Westergard \$20.00; Custer County Sheriff: Law enforcement contract \$6,666.67; Accounts Payable Total: \$28,032.66; Payroll related: EFTPS-Electronic Federal Tax \$962.88; Financial administration: FO & Admin \$3,661.86; Payroll Total \$4,624.74. REPORT TOTAL \$32,657.40. By Fund: General 17,367.84; BBB gross receipts tax \$103.40; Water \$13,463.73; Sewer \$1,722.43. Motion made, seconded to approve claims as presented, except for ACES engineering invoice for \$16585.00 until further research; Vote: all ayes, motion carried.

LAW ENFORCEMENT/ ABATEMENTS/COMPLAINTS: February report presented in the packet and discussed at the meeting.

LEGAL: Permit #2022-09 for 194 Fairgrounds Place Road – pending. Motion made, seconded to remove item B. from the agenda; Vote: all ayes, motion carried.

ENGINEER: Water Rehab Project (WRT System)- proposal for Water Treatment System (WRT) presented in the packet. Hermosa Sidewalk Project-pending. Sewer Project (Lagoon design & expansion)-awaiting design approval from DANR. Water/Sewer Facility Plans and Black Hills Council of Local Governments-pending. Town of Hermosa water and sewer extension project-pending, Hermosa Hills drainage-pending, walkthrough to be scheduled. Whitney street drainage-pending. Roy's drive-in – pending research. Motion made, seconded to allow request an estimate on the cost of facility plan for booster and information on the next round for submittals with DANR; Vote: 3 ayes, 1 nay, motion carried. Rural development-pending.

PLANNING & ZONING: Review of March 14th, 2023, P&Z meeting minutes. Permit 2022-25-Digging/Row - sewer connection for parcels 009318 & 009319 – pending. 2023-06 – commercial remodeling permit application – 250 Main street – storage loft – inspection done and a few items need to be addressed: contractor, insurance, liability. Motion to allow to accept as pending: Vote: all ayes, motion carried. 2023-07 – zoning application – parcel #009322 – Residential to Commercial – BOT decision was to keep it zoned Residential. Motion made, seconded to approve demolition permit 2023-09; Vote: 3 ayes, 1 abstained, motion carried. Motion made, seconded to remove items D. and E. from the agenda; Vote: all ayes, motion carried.

PUBLIC WORKS: Streetlights, water, sewer, update report by Chuck Ferguson. The agreement for performance of services of public works and town maintenance will be reviewed at the next work session with P&Z. Chuck Irvine has no current expenses presented. Motion made, seconded to adjust current bill for 72 Fairgrounds place due 04/15/2023 to \$92.40 and change the meter, remaining

amount hold as pending until new water meter has been read and checked for any large usage for next month, if no problems are found, balance is due in full, no late fee charges to be applied for pending amount; Vote: all ayes, motion carried.

FINANCE OFFICE: Monthly financials – pending for March. Department updates: sign by the yard waste dumpsters and speed radars-pending installation. Senator rounds mobile office hours set for April 6<sup>th</sup> from 9:30am-11:00am at the Town office. Purpose of it is so citizens, if they have questions/concerns with any federal agencies i.e. VA, IRS, or retirement issues with OPM, they can ask to start a case for them when appropriate and help resolve any issues. District 9 annual meeting on March 29<sup>th</sup>-pending. Equalization meeting done. Elections -will be combined with Custer County, agreement to be signed. Motion made, seconded for Monika Serviss to attend Black Hills area finance officer’s meeting on March 22, 2023 at 10 am in Hill City during office hours; Vote: all ayes, motion carried. Motion made seconded to remove items D. and F. from the agenda; Vote: all ayes, motion carried.

OLD BUSINESS: Annexation: Gumbo Lilly, Fairgrounds Place, McDermant Street-pending. Town Sign- pending. Town Office and Library deck Staining-pending. Hermosa connects- no updates.

NEW BUSINESS: Motion made, seconded to choose Brosz engineering for Bridge reinspection program resolution; Vote: all ayes, motion carried. Boundary updates, US Census Bureau – pending. Motion made, seconded to allow Chuck Ferguson to move the stop sign on Walter street, cost not to exceed \$100; Vote: all ayes, motion carried. Resolution 02-2023, Resolution adopting Custer County natural hazard mitigation plan, 2023. Whereas, the Town of Hermosa supports the contents of the Custer County natural hazard mitigation plan, 2023 and; whereas, the Custer County natural hazard mitigation plan, 2023 will be utilized as a guide for planning related to FEMA hazard mitigation and other purposes as deemed appropriate by the Town of Hermosa Board of Trustees. Now therefore it be resolved, that the Town of Hermosa hereby adopts, supports, and will facilitate the Custer County natural hazard mitigation plan, 2023 implementation. Adopted by the Town of Hermosa this 21<sup>st</sup> day of March, 2023. Dan Holsworth, board president, attest, Monika Serviss, finance officer. Motion made, seconded to approve resolution 02-2023 – Custer County natural hazard mitigation plan, 2023; Vote all ayes, motion carried. Ordinance regulating open burning in Hermosa – pending. Ordinance 50.02 Meters – pending.

ITEMS FROM CITIZENS: Audience had input.

TRUSTEE INPUT: Informative meeting.

EXECUTIVE SESSION: no executive session.

ADJOURN: Motion made, seconded to adjourn the meeting at 8.26 PM; Vote: all ayes, motion carried.

ATTEST:

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Dan Holsworth, Town Board President

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Monika Serviss, Finance Officer  
Published once at the approximate cost of \_\_