

**HERMOSA TOWN BOARD
REGULAR MEETING
TUESDAY, OCTOBER 19, 2021 @ 6:00pm**



ROLL CALL: Flug, Henrichsen, Holsworth, King, Schumack, Johnson, Berg and one interested citizen also in attendance. Pledge of Allegiance led by Holsworth.

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

CONSENT CALENDAR: Motion made and seconded to approve the October 5, 2021, regular meeting minutes and October 14, 2021, work session minutes; vote; all aye, motion carried.

CLAIMS: Motion made and seconded to approve with discussion to approve October 19, 2021, Payroll and Claims as presented; unanimous. ACES, Plat and permit review, \$593.75; Ferguson Construction, Meter parts, Inspections, \$334.48; Golden West, 10/1/2021 - 10/31/2021, \$561.50; Hawkins, Chemicals, \$515.10; Miller Construction, Millings, \$6,018.00; Mt Rushmore Telephone, Monthly charges, \$237.17; Northwest Pipe Fittings, \$521.67; Office Depot, FO supplies, \$82.88; Payment Service Network, 8/1/2021-8/31/2021 services \$78.45, 9/1/2021 - 9/30/2021 services, \$78.95; Rural Development #1, \$417.00, Rural Development #2, \$222.00, Rural Development #3, \$1,278.00; Rushmore Equipment, LLC Equipment rental, vibratory, delivery, fuel, \$875.96; Westergard, Brad, Monthly services, \$300.00; Payroll related: Finance Department, \$2,823.50, Law Enforcement, \$1,425.00; Gail Boddicker, Health insurance, \$200.00; Jim Daggett, Health insurance, \$200.00; EFTPS, 941 payroll tax deposit, \$1,005.90. Total: \$17,769.31.

LAW ENFORCEMENT/ ABATEMENTS/COMPLAINTS: Holsworth reported updates on behalf of Marshal Daggett. Boddicker requested to schedule a Work Session to discuss Law Enforcement on October 27, 6:00.

LEGAL:

Motion made and seconded to rescind the Resolution of Annexation that was passed on August 17, 2021, pertaining to the following described real property, as the relevant plats had not been properly signed or recorded with the Custer County Register of Deeds prior to the resolution:

UTILITY LOT 1 OF HEARTLAND STORAGE SUBDIVISION LOCATED IN THE SE1/4 OF THE NE1/4 OF SECTION 30, T2S, R8E, B.H.M., CUSTER COUNTY, SOUTH DAKOTA.

UTILITY LOT 1 OF THE NE1/4 LOCATED IN SECTION 30, T2S, R8E, B.H.M., CUSTER COUNTY, SOUTH DAKOTA.

UTILITY LOT 1 OF HEARTLAND RACEWAY SUBDIVISION LOCATED IN THE N1/2 OF THE NE1/4 OF SECTION 30, T2S, R8E, B.H.M., CUSTER COUNTY, SOUTH DAKOTA.

PRESTON TRACT 1 LOCATED IN SECTION 19, T2S, R8E, BHM, CUSTER COUNTY, SOUTH DAKOTA. Vote; all aye, motion carried.

Motion made and seconded to approve the Lone Coyote Subdivision Plat of Preston Tracts 1 & 2, to make the corrections to the original plat and authorize the president and the finance officer to resign the plat; with the reading of the following: "Resolution of Governing Board: Whereas, there has been presented to the Town Board of Hermosa, South Dakota, the within plat of the above described lands, and it appearing to the Board that said plan conforms to the existing plats of said Town, that the streets set forth therein conform to the system of streets of the municipality, that all provisions of assessments upon the tract have been fully paid, and that said plat and the survey thereof have been executed according to law, now therefore, be it resolved, that said plat is hereby approved in all respects. Dated at Hermosa, South Dakota, this 19th day of October 2021." Vote; all aye, motion carried.

Motion made and seconded to suspend consideration of the plat pending further review submitted for: UTILITY LOT 1 OF HEARTLAND STORAGE SUBDIVISION LOCATED IN THE SE1/4 OF THE NE1/4 OF SECTION 30, T2S, R8E, B.H.M., CUSTER COUNTY, SOUTH DAKOTA; vote; all aye, motion carried.

Motion made and seconded to suspend consideration of the plat pending further review submitted for: UTILITY LOT 1 OF HEARTLAND RACEWAY SUBDIVISION LOCATED IN THE N1/2 OF THE NE1/4 OF SECTION 30, T2S, R8E, B.H.M., CUSTER COUNTY, SOUTH DAKOTA; vote; all aye, motion carried.

Motion made and seconded to suspend consideration of the plat pending further review submitted for: UTILITY LOT 1 OF THE NE1/4 LOCATED IN SECTION 30, T2S, R8E, B.H.M., CUSTER COUNTY, SOUTH DAKOTA; vote; all aye, motion carried.

Agenda Item: Amend August 17, 2021, BOT minutes. Motion made and seconded to remove this item from the agenda; vote; all aye, motion carried.

ENGINEER: Water Rehab Project (WRT System), this project will be presented to the Custer Co. Commission November meeting for their funding consideration; item is pending. N Second Street Box Replacement Guard Rail: awaiting word from SD DOT for funding assistance for installing the guard rail. Lone Coyote Subdivision (Preston Sub) Preliminary Plat Application – Permit #2021-18, pending. Hermosa Sidewalk Project: bid letting is scheduled for 2022. Sewer Project (Lagoon expansion), pending, will be part of the facilities plan. Berg working on this issue. Lone Coyote Water and Sewer Project: bids were opened for installing the infrastructure on September 29. This item is to remain pending; Berg will follow up with RCS Construction to request an extension on the date that is required to advise them if we have accepted their bid. Water/Sewer Facility Plans: Berg working on the Facility Plans. Hermosa Hills Drainage: Berg will follow up with Pulis.

PLANNING & ZONING: Review of October 14, 2021, meeting minutes. Motion made and seconded to approve, per Staff Report, Permit 2021-24, 259 Donna St. Floodplain Development, Fence; vote; all aye, motion carried. Fence must be a break away and in the shadow of the house. Permit 2021-36, Preston Tract 3, Pennington Co, Subdivision Plat Application – Lone Coyote Subdivision FYI – Annexation Petition-Preston Tract 3, pending, no action taken. Permit 2021-32 – Parcel #000208/Preston Tract 3, Pennington Co.– Digging/Grading Permit-Lone Coyote Subdivision; motion made and seconded to remove from the agenda; motion carried. Leah Killian – Parcel 011738 - Pumpkin Patch, pending. Motion made and seconded to approve 2021-41-Permanent Sign Permit-Rosenbaum Signs 24545 SD Hwy 79, Dollar General; vote; all aye, motion carried. Discussion regarding the retaining wall on the Dollar General property. The retaining wall was deleted from the revised plans. The town will inform the contractor the wall is not allowed and needs to be removed.

PUBLIC WORKS: Flug reported ponds need to be pumped; Ferguson investigating if DANR will extend the November 1, 2021, timeline to land apply. Spare pump is in inventory. Pulling the well and pump and the perforating will occur soon.

FINANCE OFFICE: Financial reports were provided in packet. Department Updates: Johnson to provide a Medical Marijuana License Application for the town. Discussion regarding official records of board proceedings; per the SD Municipal League, the written minutes are the official documentation, audio to be deleted following approval of the minutes. Dollar General Malt Beverage/Wine License discussion. They have requested an extension on the timeline of providing receipts as stipulated in the Operating Agreement. Board requested Dollar General provide what they propose for revisions to the Operating Agreement and the board will review and possibly revise the OA.

OLD BUSINESS: Annexation: Gumbo Lilly, Fairgrounds Place: Attorney requested legal descriptions, assessed value of property, names and addresses of Gumbo Lily and Fairgrounds Place citizens to begin annexation proceedings. Town Sign: motion made and seconded to accept Rosenbaum Sign quote on new town sign. Rental agreements will be discussed at a future meeting. Boddicker to request company representative to meet with board to discuss process for proceeding with the new sign.

NEW BUSINESS: Hermosa School, Phase 2 Traffic Control Plan: Boddicker to schedule a meeting with school officials to discuss Whitney Street drainage issue. Penalty to Hermosa Hills Resident Re: Penalty for Illegal Digging (Culvert): motion made and seconded to remove from agenda as penalty was paid; vote; all aye, motion carried. Fees for Travel Park, 2021 retroactive or remainder of year, pending. ADU Zoning Ordinance, 1st Reading to be scheduled for November 2, 2021, board meeting.

ITEMS FROM CITIZENS: None.

TRUSTEE INPUT: All trustees voiced their appreciation for the productive meeting.

ADJOURN: Motion made and seconded to adjourn the meeting at 9:34pm.