

HERMOSA TOWN BOARD
PUBLIC HEARING and REGULAR MEETING
TUESDAY, JANUARY 4, 2022 @ 6:00pm



ROLL CALL: Holsworth called the meeting to order at 6:02 pm with the following members present: Flug, Holsworth, King, Schumack and Henrichsen by phone. Johnson, Berg, and Ferguson, Custer County Sheriff Marty Mechaley and interested citizens also in attendance. Pledge of Allegiance led by Holsworth.

PUBLIC HEARING: . Resolution No. 02-2022, Preston Tract 3, Lone Coyote Subdivision, Located in Section 19, T2S, R8E, BHM, Pennington County, South Dakota. Being no objections, motion made and seconded to approve Resolution No. 02-2022, Preston Tract 3, Lone Coyote Subdivision, Located in Section 19, T2S, R8E, BHM, Pennington County, South Dakota; vote; all ayes, motion carried. Motion made and seconded to adjourn the Public Hearing and enter into Regular Meeting at 6:05; vote; all ayes, motion carried.

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

CONSENT CALENDAR: Motion made and seconded to approve the December 21, 2021, regular meeting minutes and December 28, special meeting minutes; vote; all ayes, motion carried.

CLAIMS: Motion made and seconded to approve the claims as presented; vote; all ayes; motion carried. A&B Business Solutions, Copier lease payment, \$529.45; Bechard, Don, 4th Place Christmas Light Contest, \$25.00; Black Hills Electric Co-op, Monthly charge, \$750.83; Claycomb Engineering, 239 Donna, \$264.00; Code Works, Hermosa school addition inspection, \$167.62; Cole, Kellie, 255 Vilas, \$50.00; EFTPS, 941 payroll tax, \$1,339.65; Ferguson Construction, December 2021 Contract, \$2,266.67; Golden West Technologies, Monthly charges, \$563.50; Health Pool of South Dakota, Monthly Premium, \$882.97; Holsworth, Arlo, 1st Place Christmas Light , \$100.00; Johnson Law Office, Monthly charges, \$1,071.00; Kespert, Paul, 3rd Place Christmas Light Contest, \$50.00; Maude, LeAnn, 4th Place Christmas Light Contest, \$25.00; Mt. Rushmore Telephone Co, Monthly charges, \$240.45; Neugebauer Brothers, Pumping lagoon, tractor, \$2,225.00; Office Depot, Tax supplies, office supplies, \$98.17; Payment Service Network, Monthly charge, annual security compliance 2022, \$129.50; Pillen, Gary and Kathy, 2nd Place Christmas Light Contest, \$75.00; Pioneer Bank and Trust, Visa: CC Payment, \$73.66; Pioneer Bank and Trust, 2 Signature Account Charge (1010E), \$25.00; Rural Development: Mistake: duplicate payments in December of \$222.00 and \$417; Sander Sanitation, Monthly charge, \$2,858.90; SD Retirement System, December Retirement, \$821.40; Southern Hills Publishing, Monthly charge, \$199.37; Westergard, Brad, Stipend, \$300.00; Payroll: Board of Trustees, \$1,200.00, Finance Department, \$4,077.00, Planning & Zoning, \$640.00, Meter, \$168.00. TOTAL: \$21,856.14.

LAW ENFORCEMENT/ ABATEMENTS/COMPLAINTS: Welcome to Sheriff Mechaley in attendance at meeting. Mechaley presented the Town of Hermosa laws enforcement calls and activity logs; no action. Mechaley reported he has received many positive calls regarding their service in Hermosa. Discussion regarding citizen complaint received in town office regarding a semi running at night; board will review.

LEGAL: Hermosa is requesting an extra-territorial agreement with Pennington County and their commissioners have asked for details why an agreement is needed. Berg and Johnson reported the document was finalized and was sent to Pennington County Commissioner's for their review.

ENGINEER: Water Rehab Project (WRT System), pending as the engineer is waiting for the water sample results on the new well. N Second Street Box Replacement, Guard Rail: Holsworth to follow up with SD DOT to discuss installing guard rails at the school and on the N 2nd Street Bridge. Lone Coyote Subdivision Preliminary Plat Application – Permit #2021-18: pending, but will now be able to proceed as the annexation has been approved. Hermosa Sidewalk Project: on target for 2022 bid letting. Sewer Project (Lagoon expansion), pending. Town of Hermosa Water and Sewer Extension Project, Change Order 1: Berg reported construction has commenced on the water and sewer extension project on the west side of Highway 79, just north of the Heartland storage driveway heading north. Water/Sewer Facility Plans: with the assistance of ACES, Bill Lass, Black Hills Council of Local Governments and the town office, the submission of the facility plans and funding applications were submitted to SD DANR within the required timeline. The town will now await DANR's review and questions they may have regarding the projects and documents submitted. Hermosa Hills Drainage: the developer and contractor have not provided any updates; the item remains pending. Whitney Street: the retention pond that was constructed with the new school project is not holding the water and there is an issue with the drainage. It is accumulating and flowing into the ditches and into a citizen's pasture rather than the water being contained in the pond. Motion made and seconded to approve Berg to contact the engineering firm who provided the drainage study/project to discuss the ongoing issues; vote; all ayes, motion carried. Ferguson sampled the above-mentioned water and will report at next meeting. Elmer Claycomb/Dollar General: there is a conference call scheduled for January 5 to discuss the issues related to the utility easement area and construction at the Dollar General store.

PLANNING & ZONING: Board reviewed P&Z January 3, 2022, (rescheduled from December 28) minutes; no action. Review ADU ordinance; pending. Permit 2021-44 – Digging/Grading/Residential Building: 835 Marie St: motion made and seconded to approve Permit 2021-44 per staff report recommendations; vote; all ayes, motion carried. Heartland Health Concepts – 300 E. Main

St. #C – Jeff & Jennie Haas-Application for Cannabis Establishment: motion made and seconded to approve Heartland Health Concepts application; vote; two nays, three ayes, motion carried.

PUBLIC WORKS: Ferguson provided updates on streetlights: awaiting delivery of new lights. Ferguson reported the test results of the radiological compliance sample collected from the Old System Public Water System. Although the test results indicate the town is in compliance, the town will continue to monitor quarterly. Ferguson investigating water/ice surfacing in alley between Main and Vilas.

FINANCE OFFICE: Boddicker provided financial reports; no action. Motion made and seconded to approve authorization for signature on the South Dakota Public Assurance Alliance Intergovernmental Contract following a review by attorney; vote; all ayes, motion carried.

OLD BUSINESS: Annexation: Gumbo Lilly, Fairgrounds Place: ACES to perform study required by state statute to begin process for Gumbo Lily, Fairgrounds Place, and south of Hermosa. ACES will provide report at the February 15, 2022, meeting.

Town Sign, pending. Whitney Street Drainage: item moved under Engineer. Item is pending. Transparency in City Government, Response to December 21 discussion: Holsworth provided a statement in response to citizens concerns with the lack of municipal government transparency. Statement is available in the town office for public review.

Motion made and seconded to remove the following items from the agenda:

- Hermosa Municipal Water System
 - Resolution 10-2021, Authorizing an application for financial assistance, authorizing the execution and submittal of the application, and designating an authorized representative to certify and sign payment requests.
 - Certification regarding debarment, suspension, and other responsibility matters
- Hermosa Municipal Wastewater Treatment and Collection System
 - Resolution 11-2021, Authorizing an application for financial assistance, authorizing the execution and submittal of the application, and designating an authorized representative to certify and sign payment requests.
 - Certification regarding debarment, suspension, and other responsibility matters
 - Cost effectiveness certification form

1st Reading: 2.073A 2021 Supplemental Ordinance (Revised)

Traffic Citation Details

Long-term Law Enforcement for Town of Hermosa. Vote; all ayes, motion carried.

NEW BUSINESS: Dollar General Malt Beverage/Wine License: Dollar General was informed the board did not accept their revisions to the Operating Agreement. DG has not responded; no action. ADU Zoning Ordinance, pending. Town Office: Deck Staining, Library: Deck Staining, Mud Jacking, pending. Neighborhood Watch Sign: motion made and seconded to approve the purchase of 9 signs; vote; all ayes, motion carried. 2022 Election Date & Combining Agreement: motion made and seconded to approve to combine the June 7, 2022, election with Custer County; vote; all ayes, motion carried. Designation of Custer County Chronicle as Official Newspaper for 2022: motion made and seconded to approve the designation of Custer County Chronicle as 2022 official newspaper; vote; one nay, four ayes, motion carried. Designation of Pioneer Bank & Trust as Official Financial Institution for 2022: motion made and seconded to approve Pioneer Bank and Trust as 2022 official financial institution; vote; all ayes, motion carried. Resolution 01-2022 Salary and Wages: motion made and seconded to approve Resolution 01-2022 Salary and Wages; vote; all ayes, motion carried. Public Works Contract Renewal for Building Inspector, Public Works & Town Maintenance, and Wastewater; motion made and seconded to approve two-year contract with the amendments made to the Building Inspector contract; vote; all ayes, motion carried. Announcement of Christmas Lighting Contest Winners for 2021: 1st Place: Arlo Holsworth, 2nd Place: Gary & Kathy Pillen, 3rd Place, Cheryl & Paul Kespert; 4th Place (Tie), Deborah Bechard and LeAnn Maude – thank you to the citizens of Hermosa for their support. Motion made and seconded to remove the following items from the agenda: Neighborhood Watch Signs, 2022 Election Date & Combining Agreement, Designation of Custer County Chronicle as Official Newspaper for 2022, Designation of Pioneer Bank & Trust as Official Financial Institution for 2022, Resolution 01-2022 Salary and Wages, Contract Renewal: Building Inspector, PW & Town Maintenance, and Wastewater, and Announcement of Christmas Lighting Contest Winners for 2021; vote; all ayes, motion carried.

ITEMS FROM CITIZENS: No personnel issues are allowed during citizen input.

TRUSTEE INPUT: Henrichsen: appreciates the board allowing her to attend meetings by phone as she convalesces from surgery. Flug: welcome to the citizens attending the meeting. Schumack: stands by her voting on issues. King: great meeting; Happy New Year! Holsworth: requested board enter into an executive session.

EXECUTIVE SESSION: Motion made and seconded to enter into executive session at 8:37; allowable by SDCL 1-25-2; unanimous. Motion made and seconded to exit executive session at 9:05; unanimous. Motion made and seconded to enter into regular session at 9:05pm; unanimous. No motions made in executive session.

ADJOURN: Motion made and seconded to adjourn the meeting at 9:06; vote; all ayes, motion carried.

Dan Holsworth, Town Board President

ATTEST:

Gail Boddicker, Finance Officer

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