

**HERMOSA TOWN BOARD
MONDAY, MARCH 7, 2023
REGULAR MEETING @ 6.00pm**

- 1) **ROLL CALL:**
 - A. BOT Roll Call: Henrichsen, Holsworth, Kramer, Schumack
 - B. Acknowledgement of other Attendees
 - C. Pledge of Allegiance to be led by Holsworth

- 2) **CALL FOR CHANGES:**
 - A. Review of current agenda items
 - B. Motion to accept the agenda as presented/amended

- 3) **CONSENT CALENDAR:**
 - A. Approval of the February 27th, 2023, regular meeting minutes

- 4) **CONFLICT OF INTEREST DECLARATION**

- 5) **CLAIMS:**
 - A. Review payroll and claims
 - B. Motion to approve the claims as presented/amended

- 6) **LAW ENFORCEMENT/ ABATEMENTS/COMPLAINTS:**
 - A. Committee report
 - B. Custer County Log
 - C. Abatements
Properties, Dumpster

- 7) **LEGAL:**
 - A. Permit #2022-09 for 194 Fairgrounds Place road
 - B. Tax certificates for Lot 26 and 15 of Ferguson Subdivision

- 8) **ENGINEER:**
 - A. Water Rehab Project (WRT System)
 - B. Hermosa Sidewalk Project
 - C. Sewer Project (Lagoon design & expansion)
 - D. Water/Sewer Facility Plans
Resolution(s) review
DANR Award
Bruels Email
 - E. Black Hills Council of Local Governments
 - F. Town of Hermosa Water and Sewer Extension Project
 - G. Hermosa Hills Drainage
Town accept Marie Street-pending
Town accept Walter Street-pending
 - H. Whitney Street Drainage
SDARWS Report, Pending technician assistance, update on timeline
Camera drainage/awaiting meeting with school board
 - I. Roy's Drive In Sewer Line
Pending Roy's response
 - J. Facility Plan for Booster, Water Meters
Possibly to add to USDA-pending
 - K. Rural Development
Application pending

- 9) **PLANNING & ZONING**
 - A. Review P&Z meeting minutes from February 28th, 2023, meeting
 - B. Permit 2022-25 - REVISED- Digging/ROW-Sewer Connection- Parcels 009318 & 009319
 - C. Review Commercial/Residential Building Permit Application- add information regarding drainage.
 - D. Establish new address for parcel 009336
 - E. 2023-05 – Plat Application for Parcel 000253 – Preliminary & Final
 - F. 2023-06 – Commercial Remodeling Permit Application – 250 Main St. – Storage Loft
 - G. 2023-08 – Information Permit – 198 Fairgrounds Place – construct fence on north property line.

- H. 2023-07 – Zoning Application – Parcel 009322 – Residential to Commercial
- I. Permit 2023-04 – Plat Application – Parcel #000202 - Final

10) **PUBLIC WORKS**

- A. Committee Report
- B. Streets, Street Light Repairs, Water & Sewer Department Updates
Trustee report on town lighting needs
- C. Agreement for performance of services of public works and town maintenance
- D. PACE – Municipal maintenance contract
- E. Chuck Irvine training expenses
- F. 72 Fairgrounds place

11) **FINANCE OFFICE:**

- A. Monthly financials.
- B. Department updates
- C. District 9 annual meeting
- D. Equalization meeting
- E. Elections
- F. Town of Hermosa Newsletter

12) **OLD BUSINESS:**

- A. Annexation: Gumbo Lilly, Fairgrounds Place, McDermard Street
- B. Town Sign, pending
- C. Town Office: Deck Staining, pending
- D. Library: Deck Staining, pending
- E. Hermosa Connects

13) **NEW BUSINESS:**

- A. South Dakota PFAS Cost Recovery Program
- B. Traffic control device grant application
- C. Bridge reinspection program resolution
- D. Annual verification of SD DOT street layer data
- E. Boundary updates, U.S Census Bureau
- F. Review of the letter to the school board

14) **ITEMS FROM CITIZENS:** No action will be taken (3-minute time limit per speaker)

Meetings of the Board of Trustees are open to the public. The audience may be allowed to comment on specific agenda items during the time allotted on the agenda for those items, according to established procedures of the Board. This is a time for members of the public to express concerns or discuss issues having relevance to the town. Anyone wishing to address the Town Board during this time shall be asked to identify themselves. The number of presentations and time allotted to individuals may be limited by the board president and individuals shall refrain from discussing personalities. The president at his discretion, may recognize patrons at other times during the board meeting. No action will be taken by the board on any issue related without being first placed on a future agenda, by the board, to allow for proper notice.

15) **TRUSTEE INPUT:**

16) **EXECUTIVE SESSION:**

- A. Motion to enter Executive Session allowable by SDCL 1-25-2.1 – Legal/Personnel/Contract
- B. Motion to exit out of Executive Session
- C. Motions resulting from Executive Session

17) **ADJOURN:** Motion by _____; Second by _____ to adjourn the meeting at _____ PM.

3 A.

**HERMOSA TOWN BOARD
TUESDAY, FEBRUARY 27, 2023
REGULAR MEETING @ 5.00pm**

ROLL CALL: Holsworth called the meeting to order on Tuesday, February 27th at 5.04 pm with the following members present: Henrichsen (absent), Holsworth, Kramer, Schumack. Mitch Johnson (will attend the meeting at 6 pm), Chuck Irvine, Pam Somerwold, Cole Romey and citizens also present.

CALL FOR CHANGES: At 6.00 pm will be entering into executive session for legal purposes. Motion made, seconded to accept the agenda as amended: Vote: all ayes, motion carried.

CONSENT CALENDAR: Motion made, seconded to approve February 7th, 2023, regular meeting minutes as presented; Vote: all ayes, motion carried. Motion made, seconded to accept February 13th, 2023 special meeting minutes as presented; Vote: all eyes, motion carried.

CONFLICT OF INTEREST DECLARATION None

CLAIMS: ACES: Permit Review #2023-02 & #2023-04. Staff reports \$520.00; Custer County sheriff: Law enforcement contract-monthly fee \$6,666.67; Chuck Irvine: Training expenses January 2023 \$300.00; DANR: Water treatment & water distribution exam 03/09/2023 \$120.00; Farmers supply: Main well repair: labor, milage, misc. parts \$7,336.58; Ferguson Chuck: Snow removal, lagoon samples, inspections \$700.00; Monte Waltman: Reimburse For SDDANR commercial application course \$55.88; Mt Rushmore telephone: Phone/Fax/Internet \$272.64; Pioneer Bank & Trust Bank charge for 2 signature Acct. \$25.00 SD Municipal league: SD Municipal street maintenance association annual fee \$36.95; Jerome Moore: Deposit refund 528 Main street E \$35.20; Preble Mark & Dawn Deposit refund 349 McDermand St \$25.20; Payroll related: Finance Department \$2,490.48; EFTPS 941 payroll tax deposit \$568.85. TOTAL Claims (without payroll) \$16,094.12. Total Claims \$19,153.45. Motion made, seconded to approve claims as presented; Vote: all ayes, motion carried.

LAW ENFORCEMENT/ ABATEMENTS/COMPLAINTS: Report log for January presented in the packet.

LEGAL: Permit #2022-09 for 194 Fairgrounds Place Road – pending, extraterritorial agreement with Custer county to be sent to Mr. Cole Romey.

ENGINEER: Water Rehab Project (WRT System)- pending. 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 on March 6th. Whitney street drainage-pending. Facility plans for booster, water meters and rural development-pending.

PLANNING & ZONING: Review of February 14th, 2023 P&Z meeting minutes. Permit 2022-25-Digging/Row - sewer connection for parcels 009318 & 009319 – pending. Motion made, seconded to approve Preliminary Permit 2023-04 – Plat application – Parcel #000202, to follow engineers staff report and provide a mylar copy to the Board of Trustees for final review, approval and signatures; Vote: all ayes, motion carried. Motion made, seconded to approve Brad Westergard for Hermosa Planning and Zoning board seat; Vote: all ayes, motion carried. Motion made, seconded to remove C. Permit 2023-04 – Plat application - parcel #000202 and D. Brad Westergard' s letter of intent from the agenda; Vote: all ayes, motion carried.

PUBLIC WORKS: Streetlights, water, sewer, snow removal update report by Chuck Irvine. The agreement for performance of services of public works and town maintenance will be reviewed at the next work session with P&Z. PACE-Municipal maintenance contract – to be signed. Reimbursed Chuck Irvine for training expenses for the Month of January and paid for two exams in March to DANR.

FINANCE OFFICE: Monthly financials – pending. Department updates: Volunteer of the year nominations to be submitted: starting March 1st, 2023 until March 20th, 2023. Paint South Dakota 2023 campaign – applications to be submitted by April 21, 2023. Board of Trustees will meet on March 20th, 2023 for equalization, last day to appeal March 16th, 2023. Funds from Edward Jones bank in the amount of \$19260.45 transferred to General funds. District 9 annual meeting on March 29th-pending. Motion made, seconded to remove C. Edward Jones bank 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-February 2nd organizational meeting minutes of Hermosa Connects Inc and employer identification number documents presented at the meeting. The organizational meeting of Hermosa Connects Inc, a South Dakota nonprofit corporation was held on February 2nd, 2023. The articles of Incorporation establishing Hermosa Connects Inc has been signed by the incorporators on January 27th, 2023 and were filed and accepted by the South Dakota Secretary of State on January 31st, 2023. Directors nominated and elected by unanimous consensus directors to the following offices: President – Rick W. Mills,

Vice President – Daniel C. Martin, Secretary and Treasurer – Valena Baker. Next meeting March 14th at 8.30am at the Hermosa Coffee house.

NEW BUSINESS: SD PFAS Cost recovery program-pending. Traffic control device: 2 speed radars ordered and application for grants submitted on February 15th, 2023. Bridge reinspection program resolution – pending, contact KLJ engineering and Banner associates Inc to ask for availability and quotes. Motion made, seconded to send annual verification of SD DOT street layer data sheets marked as no changes were made within the last year, Vote: all ayes, motion carried. Boundary updates, US Census Bureau – changes need to be made to the Town of Hermosa boundary map, contact ACES for quotes. Motion made, seconded to send letter for the school board to ACES for review and corrections; Vote: all ayes, motion carried.

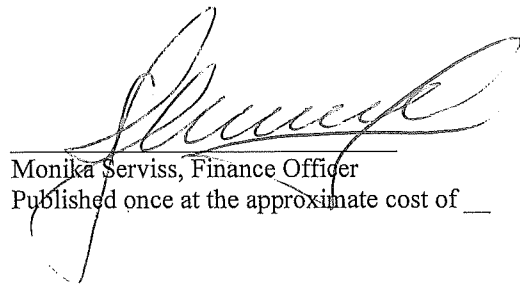
ITEMS FROM CITIZENS: Audience had input.

TRUSTEE INPUT: Good meeting.

EXECUTIVE SESSION: Motion made, seconded to move into executive session allowable by SDCL 1-25-2.1 for Legal purposes at 6.02 pm.; Vote: all ayes, motion carried. Pam Somerwold’s attorney, Mr. Romey requested to come out of executive session to discuss issues for Permit #2022-09. Motion made, seconded to come out of executive session at 6.07 pm.; Vote: all ayes, motion carried. No action taken. Motion made, seconded to move into executive session allowable by SDCL 1-25-2.1 for Legal purposes at 6.51 pm; Vote: all ayes, motion carried. Motion made, seconded to come out of executive session at 7.49 pm; Vote: all ayes, motion carried. No action taken.

ADJOURN: Motion made, seconded to adjourn the meeting at 7.33 PM; Vote: all ayes, motion carried.

ATTEST:



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



Dan Holsworth, Town Board President

5 A.

Claims for Approval 03-07-2023

VENDOR	REFERENCE	AMOUNT
A & B BUSINESS EQUIPMENT INC	MONTHLY PRINTER/FAX FEE	\$ 575.79
ACES Engineering INC	Perm review 2023-05,staff rep	\$ 215.00
BLACK HILLS ELECTRIC COOP.,Inc	Utilities-Electric 02/2023	\$ 3,921.20
Boom Concrete Inc.	20' Full tile-lids for meter	\$ 600.00
CHUCK FERGUSON	Monthly agreement 02/2023	\$ 2,600.01
Current Electric	Retrofit florescent fixtures	\$ 341.70
Gworks	UB absorbed fees	\$ 82.45
GOLDEN WEST TECHNOLOGIES	Monthly service-March23	\$ 563.50
JOHNSON LAW OFFICE	BOT meet,e-mails,calls	\$ 1,513.00
MT RUSHMORE TELEPHONE	PHONE/INTERNET 12923342	\$ 260.34
ODP BUSINESS SOLUTIONS LLC	Office supplies	\$ 47.88
PIONEER BANK & TRUST	Checks+shipping 02/2023	\$ 253.62
PSN-Payment Service Network	Last Payment January 2023	\$ 92.70
RURAL DEVELOPMENT	RD1 loan-March	\$ 1,278.00
RURAL DEVELOPMENT	RD2 loan March	\$ 417.00
RURAL DEVELOPMENT	RD3 loan March	\$ 222.00
SANDERS SANITATION	MONTHLY SANITATION SERV 02/23	\$ 3,890.64
SD MUNICIPAL LEAGUE	District 9 meet.-11 attendees	\$ 275.00
Southern Hills Publishing	Publishing/Legal notices 02/23	\$ 157.57
Temperature technology Inc.	Newer water tower pressure	\$ 258.00
Traffic Logix	Solar speed radars	\$ 5,981.00
Turbiville Indust. Elec.Works	Disassembled,inspected,tested	\$ 179.30
Accounts Payable Total		\$ 23,725.70
Payroll related:		
EFTPS-Electronic Federal Tax	941 Payroll tax deposit	\$ 805.33
HEALTH POOL OF SOUTH DAKOTA	FO/Admin Single health/life 03/23	\$ 1,835.74
SOUTH DAKOTA RETIREMENT SYSTEM	SDRS	\$ 728.40
Payroll	Finance department	\$ 2,513.56
	Legislative	\$ 738.80
	Gen Gov't build	\$ 135.06
	Water	\$ 51.36
Total Payrol related		\$ 6,808.25
Total CLAIMS		\$ 30,533.95



7 B.

Garland Lee Goff, Attorney at Law, LLC

February 15, 2023

Monika Serviss
Hermosa Finance Officer, Utility & Administration
gail@hermosasd.com
605-255-4291
Fax: (605) 255-4094

Re: Tax Certificate

Dear Ms. Serviss:

I am an attorney in Custer, and I am working on acquiring a Tax Deed for my client. Pursuant to SDCL §§ 10-25-3, 10-25-4, I am providing you a copy of the *Notice of Intention to Take Tax Deed*. I am providing you notice because the property is located within the municipality of Hermosa.

The property is legally described as:

Lot 26 of Ferguson Subdivision, formerly a portion of Lot Vicki of McDermand Subdivision, a portion of Outlot D, in NW 1/4 of Section 32, Township 2 South, Range 8 East of the Black Hills Meridian, Hermosa, Custer County, South Dakota, as shown on the Plat filed in Book 11 of Plats, Page 668

Thank You.

Sincerely,

Garland Lee Goff

NOTICE OF INTENTION TO TAKE TAX DEED
Lot 26 of Ferguson Subdivision

TO: Charles Irvine owner of the real property described hereinbelow, Derrick A. Schwenn, those parties in possession of the real property described hereinbelow, and/or the unknown personal representatives, heirs, devisees, and legatee of Charles Irvine and Derrick A. Schwenn to any other interested person pursuant to SDCL Chapter 10-25.

NOTICE IS HEREBY GIVEN that the real property legally described as:

Lot 26 of Ferguson Subdivision, formerly a portion of Lot Vicki of McDermand Subdivision, a portion of Outlot D, in NW 1/4 of Section 32, Township 2 South, Range 8 East of the Black Hills Meridian, Hermosa, Custer County, South Dakota, as shown on the Plat filed in Book 11 of Plats, Page 668

was first offered for sale to competitive bidders on the 17th day of December, 2012, at public auction and identified as *Certificate of Purchase at Tax Sale Number 12391* (hereinafter referred to as the "Certificate"), but not having been sold for want of bidders, the Certificate was purchased by Custer County, South Dakota at such regular tax sale on the 17th day of December, 2012 for the sum of \$2181.16, said sum being the amount of taxes assessed against said real property, plus penalties, interest, and costs of the sale. On the 24th day of December, 2020, Custer County, by and through its Treasure, Dawn McLaughlin, assigned the Certificate to Tres AG Services LLC for a payment in the amount of \$2,181.16 for previous property tax liabilities, and by virtue of said assignment, Tres AG Services LLC is the legal owner and holder of said *Certificate of Purchase at Tax Sale Number 12391* concerning the property.

BE ADVISED AND TAKE NOTICE that the right of redemption of said Property from said tax sale will expire sixty days from the date of the completed service of said Notice, and that unless the Property is redeemed from the Custer County Treasurer within said time, a tax deed will be made and issued by the Treasure to Tres AG Services LLC in the manner permitted by law. The Custer County Treasure can provide the amount required to redeem said Certificate, including interest through the date of redemption, plus costs and attorney fees incurred in this Tax Deed action as are allowed pursuant to SDCL § 10-25-9

Dated, this 15th day of February 2023.



Garland Lee Goff
Attorney at Law, LLC
220 N. 5th St.
Custer, SD 57730
(605)-673-3529



Garland Lee Goff, Attorney at Law, LLC

February 15, 2023

Monika Serviss
Hermosa Finance Officer, Utility & Administration
gail@hermosasd.com
605-255-4291
Fax: (605) 255-4094

Re: Tax Certificate

Dear Ms. Serviss:

I am an attorney in Custer, and I am working on acquiring a Tax Deed for my client. Pursuant to SDCL §§ 10-25-3, 10-25-4, I am providing you a copy of the *Notice of Intention to Take Tax Deed*. I am providing you notice because the property is located within the municipality of Hermosa.

The property is legally described as:

Lot Fifteen (15) of Ferguson Subdivision, formerly a portion of Lot Vicki of McDermand Subdivision, a portion of Outlot D, in the Northwest Quarter (NW 1/4) of Section Thirty-two (32), Township Two South (T2S), Range Eight East (R8E) of the Black Hills Meridian, Hermosa, Custer County, South Dakota, as shown by the Plat recorded in Book 11 of Plats on Page 668 in the Office of the Register of Deeds, Custer County, South Dakota

Thank You.

Sincerely,

Garland Lee Goff

NOTICE OF INTENTION TO TAKE TAX DEED
Lot 15 of Ferguson Subdivision

TO: Josie Lou Hunsaker owner of the real property described hereinbelow, those parties in possession of the real property described hereinbelow, and/or the unknown personal representatives, heirs, devisees, and legatee of Josie Lou Hunsaker, and to any other interested person pursuant to SDCL Chapter 10-25.

NOTICE IS HEREBY GIVEN that the real property legally described as:

Lot Fifteen (15) of Ferguson Subdivision, formerly a portion of Lot Vicki of McDermand Subdivision, a portion of Outlot D, in the Northwest Quarter (NW 1/4) of Section Thirty-two (32), Township Two South (T2S), Range Eight East (R8E) of the Black Hills Meridian, Hermosa, Custer County, South Dakota, as shown by the Plat recorded in Book 11 of Plats on Page 668 in the Office of the Register of Deeds, Custer County, South Dakota

was first offered for sale to competitive bidders on the 19th day of December, 2011, at public auction and identified as *Certificate of Purchase at Tax Sale Number 11234* (hereinafter referred to as the "Certificate"), but not having been sold for want of bidders, the Certificate was purchased by Custer County, South Dakota at such regular tax sale on the 19th day of December, 2011 for the sum of \$342.06, said sum being the amount of taxes assessed against said real property for the year 2011, plus penalties, interest, and costs of the sale. On the 24th day of December, 202~~2~~, Custer County, by and through its Treasure, Dawn McLaughlin, assigned the Certificate to Tres AG Services LLC for a payment in the amount of \$744.91 for previous property tax liabilities, and by virtue of said assignment, Tres AG Services LLC is the legal owner and holder of said *Certificate of Purchase at Tax Sale Number 11234* concerning the property.

BE ADVISED AND TAKE NOTICE that the right of redemption of said Property from said tax sale will expire sixty days from the date of the completed service of said Notice, and that unless the Property is redeemed from the Custer County Treasurer within said time, a tax deed will be made and issued by the Treasure to Tres AG Services LLC in the manner permitted by law. The Custer County Treasure can provide the amount required to redeem said Certificate, including interest through the date of redemption, plus costs and attorney fees incurred in this Tax Deed action as are allowed pursuant to SDCL § 10-25-9

Dated, this 15th day of February 2023.



Garland Lee Goff
Attorney at Law, LLC
220 N. 5th St.
Custer, SD 57730
(605)-673-3529

**HERMOSA PLANNING & ZONING BOARD
REGULAR MEETING
February 28, 2023 @ 6:00pm**



9 A.

ROLL CALL: Harris called the meeting to order at 6:00pm with the following members present; Harris, Waltman, Irvine, Westergard, Klaski absent and Liaison Holsworth. Pledge of Allegiance led by Harris.

CALL FOR CHANGES: Motion made; seconded to amend the agenda and change 7a) parcel number from 009336 to 009322; vote; all aye; motion carried.

CONSENT CALENDAR: Motion made; seconded to approve the February 14, 2023, meeting minutes; vote; all aye; motion carried.

OATH OF OFFICE: Bradley Westergard appointed to the office of Planning and Zoning.

CONFLICT OF INTEREST DECLARATION: Westergard declares conflict of interest regarding Permit 2023-06. Irvine declares conflict of interest regarding permits 2023-07 and 2023-08.

OLD BUSINESS: Permit 2022-18 – Custer County Concession Stand – Pending

NEW BUSINESS:

Review Commercial/Residential Building Permit Application – Motion made, seconded to add the following information on Commercial and Residential Building Permit Application. Drainage on property must not affect neighboring lots and/or town right-of-way. Vote; all aye; motion carried.

Address for parcel #009336 – Motion made, seconded to accept 221 3rd St. as new address. Vote; all aye; motion carried.

Permit 2023-05 – Plat Application for parcel #000253 – Motion made; seconded to approve both Preliminary and Final based on ACES Staff Report recommendations; vote; all aye; motion carried.

Permit 2023-06 – Commercial Remodeling Permit Application – 250 Main St. – 15x15 storage loft. Motion made and seconded to approve with required Load Limit of 15,000 lbs. be posted and Ferguson perform final inspection when complete. vote; all aye; motion carried. 150.04(D) states any remodel or renovation be inspected by a town appointed Building Inspector. Preliminary inspection from Ferguson required installation of Fire Extinguisher, Smoke Detector and Carbon Monoxide Detector. All items have been installed and receipt/invoice for expenses submitted at the meeting. Westergard also presented invoice for items to fix non-working restroom. Board agreed Westergard should be reimbursed for both invoices for a total of \$402.78. Motion made and seconded to reimburse \$402.78 to Westergard. vote; all aye; motion carried. Westergard asked if the board would consider reimbursement of any of the cost of materials to construct the loft. Estimate submitted from Waylon Clarke for material cost. The loft increased the usable square footage and adds value to the building. Motion made and seconded to have the BOT consider request on March 7, 2023, meeting. Vote; all aye; motion carried.

2023-08 – Informational Permit – 198 Fairgrounds Pl. – Construct fence on north property line. Motion made and seconded to approve following ordinance 155.02, and a thank you to the owners for submitting the informational permit; vote; all aye; motion carried.

Permit 2023-07 – Zoning Application – Parcel 009322 – Request to rezone parcel from Residential to Commercial. Public Hearing set for March 14, 2023. Public Notice letters sent on February 23, 2023, to all owners of property adjacent to or within 250 ft. of the perimeter of the property. Motion made; seconded; to approve rezoning application; vote; all aye; motion carried.

Discussion regarding board make a motion and vote to remove items from agenda. Dybvig will continue to remove items forwarded on to the BOT from the P&Z agenda without a motion. Motion made to approve; seconded; vote; all aye; motion carried.

REVIEW BOT MINUTES: BOT meeting was rescheduled for Monday, February 27th. Minutes will be presented at the March 14th meeting.

ORDINANCE REVIEW & WORK ITEMS:

Next Work Session scheduled for March 14, 2023, following P&Z regular meeting.

Fire Ordinance – Pending

Emergency Management Ordinance - Pending

Solar (Panels) Ordinance - Pending

Review of 2018 Comprehensive Plan - Pending

There may be a quorum of Board of Trustees present at Planning & Zoning Meetings

TRUSTEE INPUT: Irvine stated it was a good meeting and welcomed Westergard to the board.

CITIZEN INPUT:

ADJOURN: Motion made, seconded to adjourn the meeting at 7:10 pm; Vote; all aye; motion carried.

Joan Harris, Planning & Zoning Board President

Jill Dybvig, Administrative Assistant

Hours of Operation:
Monday – Friday 8:00—5:00

90.

TYPE OF CONSTRUCTION

Wood _____ Concrete _____ Block _____ Brick _____ Modular _____ Other _____

FOUNDATION

Thickness of Foundation _____ Thickness of footings _____ Width of Footings _____ Depth _____
Pier Foundation System: _____ Diameter of pier _____ Spacing of pier _____

CONTRACTOR INFORMATION

Contractors must all be registered with the Town of Hermosa

General Contractor
(Project POC/responsible party): _____ Phone: _____

Structural Contractor: _____ Phone: _____

Electrical Contractor: _____ Phone: _____

Plumbing Contractor: _____ Phone: _____

Heat/Mechanical Contractor: _____ Phone: _____

Excavation Contractor: _____ Phone: _____

Are there any of the following on site: Hazardous materials Yes _____ No _____
Lead paint Yes _____ No _____
Asbestos Yes _____ No _____

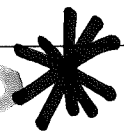
Does the building have a Historical Designation: Yes _____ No _____

Current utilities on site: Gas _____ Water _____ Electricity _____ Municipal Sewer _____ Septic _____

Proposed utilities: _____

Describe Work: _____

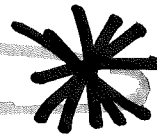
Drainage on property must not affect neighboring lots and/or town right-of-way.



TOTAL COST ESTIMATE OF IMPROVEMENTS: \$ _____

TOTAL SQUARE FOOTAGE OF PROJECT: _____

Drainage on property will not affect neighboring lots and/or town right of way.



Are signs to be constructed: YES / NO

(If yes, a detailed drawing and sign permit are required)

Current utilities on site: Gas Water Electricity Municipal Sewer Septic

Proposed utilities: _____

Describe Work: _____

TOTAL COST ESTIMATE OF IMPROVEMENTS: \$ _____

TOTAL SQUARE FOOTAGE OF PROJECT _____

Every permit issued by the Planning Administrator under the provisions of this code shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within 12 months from the date of such permit or if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of one year. If so, before such work can be re-started, an extension of the permit shall be first obtained to do so, and a service charge of \$35.00 shall be required, provided no changes have been made or will be made in the original plans and specifications for such work.

In filling this application, I hereby grant to the Hermosa Planning & Zoning commission, and the Hermosa Town Board, and their designee(s), permission to inspect any and all structures and land involved in my application for the purpose of ascertaining compliance with the ordinance of the Town of Hermosa and the State of South Dakota, which permission shall continue so long as the application or an appeal there-on is pending. It is my responsibility to ensure the presence of the Town Maintenance Supervisor during water and sewer connections.

I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction or the performance of construction.

I understand Permit application fees are due upon submittal and are non-refundable. Final fees are based upon building calculations and are due and payable when permit has been approved. Permits are reviewed by the town engineer; those expenses will be included with the permit fees and applicant will be responsible for those expenses.

A CERTIFICATE OF OCCUPANCY MUST BE OBTAINED BEFORE OCCUPYING STRUCTURE.

Signature(s) Of Owner(s) (If Owner Builder)

Date

Signature(s) of Contractor/Authorized Agent

Date

ALL APPLICATIONS MUST BE APPROVED BY THE HERMOSA PLANNING AND ZONING COMMISSION AND THE HERMOSA BOARD OF TRUSTEES PRIOR TO COMMENCEMENT

PLANNING AND ZONING COMMISSION	HERMOSA BOARD OF TRUSTEES
<input type="checkbox"/> Approved <input type="checkbox"/> Denied	<input type="checkbox"/> Approved <input type="checkbox"/> Denied
NAME: _____	NAME: _____
TITLE: _____	TITLE: _____
SIGNATURE: _____	SIGNATURE: _____
DATE: _____	DATE: _____
APPLICATION FEE: \$75.00 DATE PAID: _____	DATE PERMIT ISSUED: _____

Jill Dybvig

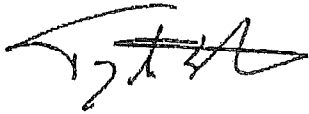
9 D.

COPY

From: Troy Schmidt <tschmidt@custercountysd.com>
Sent: Thursday, February 16, 2023 1:59 PM
To: Jill Dybvig
Subject: RE: Address for Parcel -Hermosa

Hi Jill,

It looks like the neighbor property across the street from the driveway (parcel 009336) is 222 3rd Street. I would think 221 or 223 3rd St addresses are going to be your best options.



*** 2-28-2023 - P+2 motion
to approve
221 3rd St.**

Troy A. Schmidt | GIS Director
Custer County GIS Office
420 Mt. Rushmore Rd | Custer, SD 57730
Office: (605) 673-8141 | Mobile: (605) 760-0960
GISdepartment@custercountysd.com



CUSTER COUNTY

From: Jill Dybvig <jill@hermosasd.com>
Sent: Thursday, February 16, 2023 1:52 PM
To: Troy Schmidt <tschmidt@custercountysd.com>
Subject: Address for Parcel -Hermosa

Troy,
Good afternoon! I have someone who has submitted a Rezoning Application for parcel 009322. He was renting it but has now purchased it. It is a shop and zoned residential and he would like to zone Commercial. I need to establish an address for this parcel. The parcel to the north is 207 3rd St. I appreciate any help you can me.
Thank you and have a great day!

Jill Dybvig

Town of Hermosa
605-255-4291



imate IDn/a
 is Residential
 eage 0.41

Owner Address FERGUSON CHELSEA D & DONNA M & NOVAK CHRISTOPHER & CHRISTINA M JT WROS
 PO BOX 205
 HERMOSA, SD 57744-0205

16.1-7-0-0-0-0
 LOT 8 BLOCK 15 & OUTLOT J LOT 9 SEC 32 T2 R8
 744-00-058-000-007-00
 (Note: Not to be used on legal documents)

009322

Town of Hermosa

9 E.

PO Box 298 • 230 Main Street • Hermosa, SD 57744

Phone (605) 255-4291 • Fax (605) 255-4094, Email: town@hermosasd.com

1 PLAT APPLICATION

Sketch Plan _____ Preliminary Plan _____ Final Plat X

Date: February 6 2023

Permit # 2023-05

Is any property in the Flood Plain? No Yes _____ **IF YES-YOU WILL NEED A FLOODPLAIN DEVELOPMENT PERMIT**

Receipt # _____	Cash _____	Check # <u>76279</u>	Amount <u>75.00</u> (\$75.00) -
-----------------	------------	----------------------	---------------------------------

Applicant:
 Name: John + Catherine Allan
 Address: 24679 SD Hwy 79
 City, State, Zip: Hermosa SD 57744
 Phone & Email: 605-431-7419
 Sign & Date: JL Allan 1-30-23

Other Owners:
 Name: Strater Lode, LLC
 Address: - same
 City, State, Zip: _____
 Phone & Email: jallan@mt-rushmore.net
 Sign & Date: JL Allan 1-30-23

Name: _____
 Address: _____
 City, State, Zip: _____
 Phone & Email: _____
 Sign & Date: _____

Name: _____
 Address: _____
 City, State, Zip: _____
 Phone & Email: _____
 Sign & Date: _____

Surveyor/Engineer:
 Name: Anderson Engineers Inc.
 Address: Box 446
 City, State, Zip: Edgemont SD 57735
 Phone & Email: 605-662-5500 andersonengineers@qwc.net
 Registration Number: SDLS 5904
 Sign & Date: Jan McBrink 2-6-23

Name: _____
 Address: _____
 City, State, Zip: _____
 Phone & Email: _____
 Sign & Date: _____

Current Legal Description:

Subdivision/H.E.S./M.S. Title: Part of NE 1/4 Section 31 T2S R8E B1M
 Secondary Title/Description: _____
 Aliquot Location: NE 1/4 Total Acres: 130.5
 Township: 2S Range: 8E Section(s): 31 Book: _____ Page: _____

Proposed Legal Description:

Primary Title (Subdivision Name): BHEC TRACT
 Secondary Title: (Description): NE 1/4 Section 31 T2S R8E B1M Custer County South Dakota

Does this plat continue to divide an existing subdivision? Yes _____ No X FIRM Panel _____

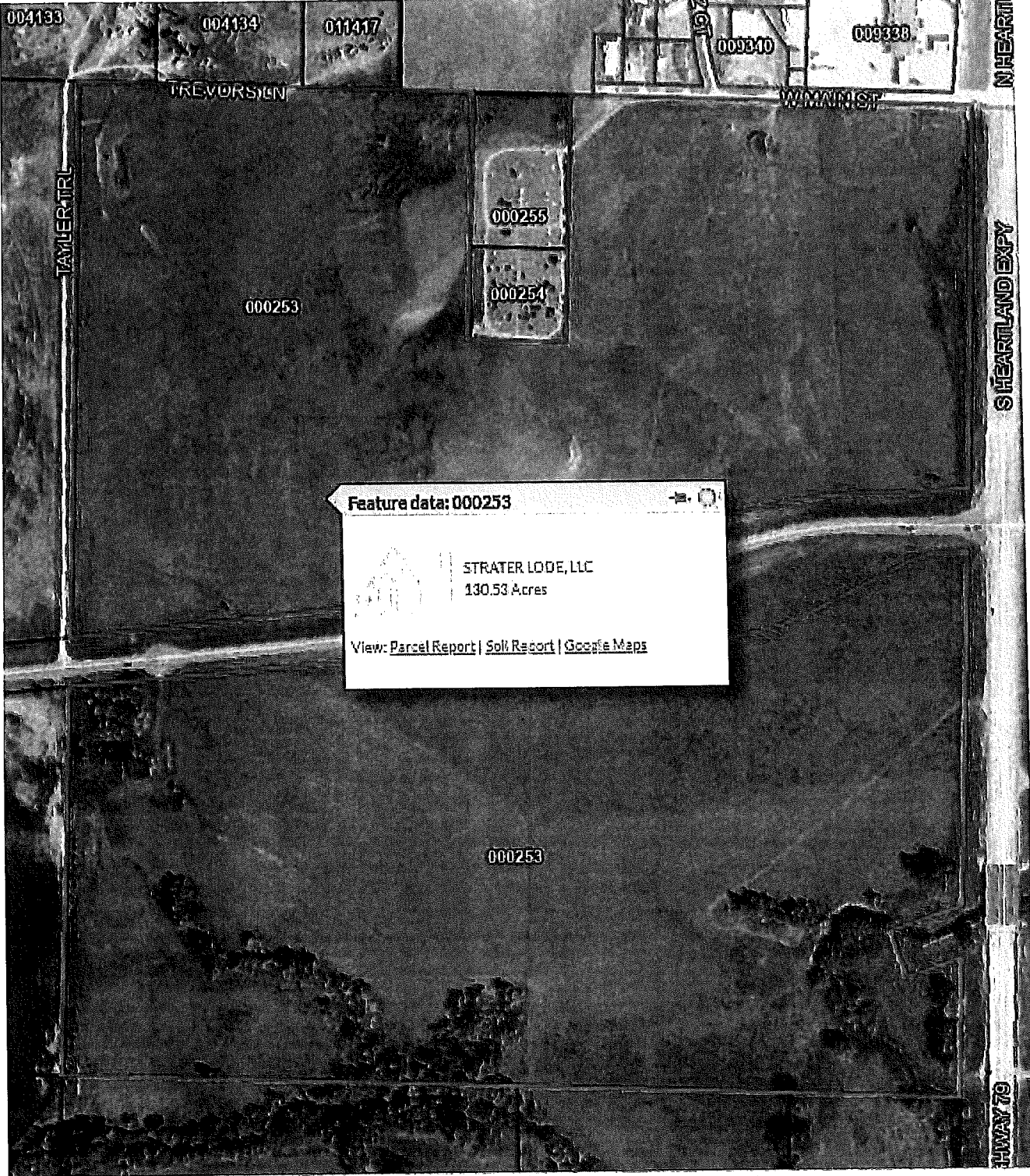
Will this subdivision require construction of roads or installation of other improvements? NO

What is the intended land use within the subdivision? Residential _____ Commercial _____ Industrial _____ Mixed Use _____ (Specify on attached plat copy)

ALL APPLICATIONS MUST BE APPROVED BY THE HERMOSA PLANNING AND ZONING COMMISSION AND THE HERMOSA BOARD OF TRUSTEES PRIOR TO COMMENCEMENT. ***** Engineering fees may apply *****

<p>PLANNING AND ZONING COMMISSION</p> <p><input type="checkbox"/> Approved <input type="checkbox"/> Denied</p> <p>Name: _____ Title: _____ Signature: _____ Date: _____ Application Fee: <u>\$75.00</u> Register of Deeds Fee: <u>\$60.00</u> Date Paid: _____ Balance Due: _____</p>	<p>HERMOSA BOARD OF TRUSTEES</p> <p><input type="checkbox"/> Approved <input type="checkbox"/> Denied</p> <p>Name: _____ Title: _____ Signature: _____ Date: _____ Date Permit Issued: _____</p>
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Original Parcel # 000253 Office Use

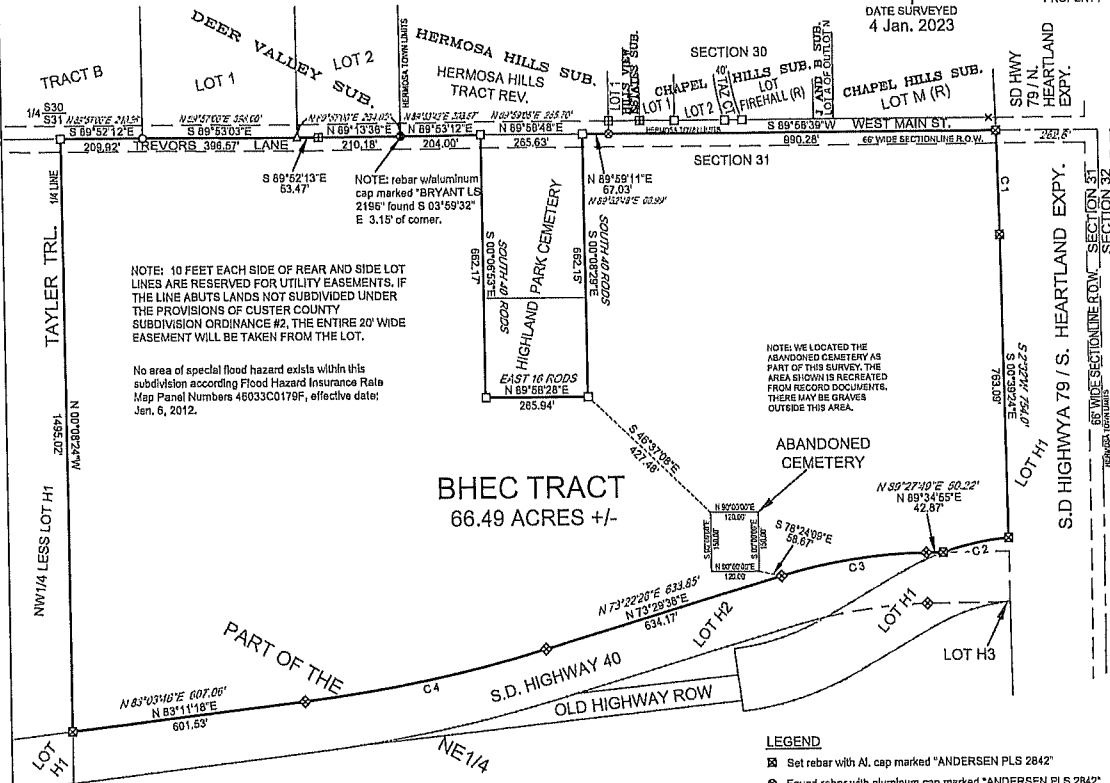
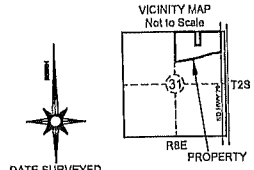


Parcel ID: 000253
Use: Agricultural
Area: 130.529

Owner Address: STRATER LODE, LLC
JOHN S ALLAN 24679 S HIGHWAY 79
HERMOSEA, SD 57744-5000

A PLAT OF
BHEC TRACT, LOCATED IN NE 1/4 OF SECTION 31, T2S, R8E, BHM,
CUSTER COUNTY, SOUTH DAKOTA

BASIS OF BEARING - GPS OBSERVATION
 (taken N 55°17'26" E 788.30' from the NE corner
 of BHEC Tract.
 OPUS STATIC SOLUTION NAD83(2011)
 LAT: 43°50'30.08263"
 LONG: -103°12'12.40326"



NOTE: 10 FEET EACH SIDE OF REAR AND SIDE LOT LINES ARE RESERVED FOR UTILITY EASEMENTS. IF THE LINE ABUTS LANDS NOT SUBDIVIDED UNDER THE PROVISIONS OF CUSTER COUNTY SUBDIVISION ORDINANCE #2, THE ENTIRE 20' WIDE EASEMENT WILL BE TAKEN FROM THE LOT.

No area of special flood hazard exists within this subdivision according Flood Hazard Insurance Rate Map Panel Numbers 46033C0179F, effective date: Jan. 6, 2012.

NOTE: WE LOCATED THE ABANDONED CEMETERY AS PART OF THIS SURVEY. THE AREA SHOWN IS RECREATED FROM RECORD DOCUMENTS. THERE MAY BE GRAVES OUTSIDE THIS AREA.

Curve	Radius	Tangent	Length	Delta	Degree	Chord	Chord Bear.
C1	34273.10'	131.72'	283.44'	0°28'25"	0°10'02"	283.44'	S 00°52'37" E
C1	34273.10'	131.72'	283.44'	0°28'25"	0°10'02"	283.44'	S 00°52'37" E
C2	672.96'	85.31'	171.67'	14°36'59"	8°30'50"	171.21'	S 77°50'43" W
C2	672.96'	85.31'	171.67'	14°36'59"	8°30'50"	171.21'	S 77°50'43" W
C3	1338.24'	188.92'	376.36'	16°04'15"	4°16'53"	374.13'	S 81°31'21" W
C3	1338.24'	188.92'	376.36'	16°04'15"	4°16'53"	374.13'	S 81°31'21" W
C4	3754.72'	317.94'	634.39'	9°40'49"	1°31'33"	633.62'	S 78°21'27" W
C4	3754.72'	317.94'	634.39'	9°40'49"	1°31'33"	633.62'	S 78°21'27" W

WATER PROTECTION STATEMENT
 Pursuant to SDCL 11-3-8.1 and 11-3-8.2, the developer of the property described within this plat shall be responsible for protecting any waters of the state, including groundwater, located adjacent to or within such platted area from pollution from sewage from such subdivision and shall in prosecution of such protections, conform to and follow all regulations of the South Dakota Department of Agriculture and Natural Resources relating to the same.

LEGEND

- ⊠ Set rebar with Al. cap marked "ANDERSEN PLS 2842"
- ⊙ Found rebar with aluminum cap marked "ANDERSEN PLS 2842"
- ⊡ Found rebar with aluminum cap marked "BRYANT RLS 2196"
- △ Found rebar with plastic cap marked "HANSON 6261"
- Found rebar with plastic cap marked "HILTON 2696"
- ⊕ Found rebar with aluminum cap marked "DOT"
- × Found "X" in concrete
- Found rebar

slant lettering denotes record calls

GRAPHIC SCALE - FEET

CERTIFICATE OF SURVEYOR
 I, John D. McBride Registered Land Surveyor No. 5906 in the State of South Dakota, do hereby certify that being so authorized, I have prepared the within plat of land shown and described hereon from notes taken during an actual survey made by me or under my direct supervision, and that to the best of my knowledge and belief, the same is a true and correct representation of said survey.
 IN WITNESS WHEREOF, I hereunto set my hand and official seal.
 Dated this ___ day of ___, 2023.

 John D. McBride SDRLS No. 5906

CERTIFICATE OF COUNTY TREASURER
 I, Custer County Treasurer, do hereby certify that all taxes and special assessments which are liens upon the within described lands are fully paid according to the records of this office.
 Dated this ___ day of ___, 2023.

 Custer County Treasurer

STATE OF _____ COUNTY OF _____
 Srater Lode, LLC, does hereby certify that it is the owners of the within described lands and that the within plat was made at its direction for the purposes indicated therein, and that the development of this land shall conform to all existing zoning, subdivision, and erosion and sediment control regulations.
 Dated this ___ day of ___, 2023.

 Srater Lode, LLC.

CERTIFICATE OF COUNTY DIRECTOR OF EQUALIZATION
 I, Director of Equalization of Custer County, do hereby certify that my office has been furnished with a true copy of the within plat.
 Dated this ___ day of ___, 2023.

 Director of Equalization of Custer County

ACKNOWLEDGMENT OF OWNERSHIP
 STATE OF _____ COUNTY OF _____
 On this ___ day of ___, 2023, before me, the undersigned officer, personally appeared John S. Alan, who acknowledged himself to be a member of Srater Lode, LLC, a Limited Liability Company, and that he, as such member being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself as member.
 IN WITNESS WHEREOF I hereunto set my hand and official seal.

Notary Public
 My commission expires _____

RESOLUTION OF THE TOWN BOARD OF TRUSTEES
 Whereas there has been presented to the Town Board of Trustees of Hermosa, South Dakota, the within plat of the above described lands, and it appearing to the Board that said plat conforms to the existing plats of said Town, that the streets set forth therein conforms to the system of streets of the municipality, that all provisions of the subdivision regulations have been complied with, that all taxes and special 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 ___ day of ___, 2023.

 Town Board Chairman

APPROVAL OF ACCESS BY ROAD AUTHORITY
 The location of the existing access to the Highway or Street as shown herein is hereby approved. This access approval does not replace the need for any permits required by law, including Administrative Rule of South Dakota 70:09:01:02.
 Dated this ___ Day of ___, 2023

 Town of Hermosa Finance Officer

SDDOT Authority

OFFICE OF THE REGISTER OF DEEDS
 Filed for record this ___ day of ___, 2023, at ___ o'clock ___ M., and recorded in Book ___ of Plats on page _____.
 Custer County Register of Deeds

Prepared by
ANDERSEN ENGINEERS
Land Surveyors

Drawn by DR/RW	Date 1/24/2023	P.O. Box 446 Edgemont, SD 57735 (605)-662-5500
Approved by McB	Date 1/25/2023	andersenengineers@gwtc.net
Scale 1"=200'	Sheet 1 of 1	File Name: S31_T2S_R8E_2022



STAFF REPORT *Revised*

MUNICIPALITY: Town of Hermosa, 230 Main Street, Hermosa, SD 57744
PROJECT: BHEC TRACT
Highway 40, Custer County, Section 31, Township 2S, Range 8E
1-Mile Extraterritorial Platting Jurisdiction for Hermosa, SD
DATE: February 22, 2023
PERMIT NUMBER: 2023-05
REPORTED BY: Leah M. Berg, P.E.

ITEMS:

Conditions:

Two (2) parcels, located within Custer County share Parcel ID's No. 253 (130.53 AC). This application has been submitted to request a split the PLAT via South Dakota Highway 40. This area is contiguous to the Town of Hermosa and is within the 1-mile extraterritorial platting jurisdiction.

Submitted Plat Application and Plat document are attached.

Comments:

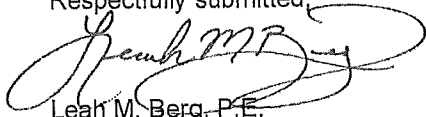
1. BHEC TRACT 1 is agricultural and the application does not include a change in use.
2. This purposed PLAT, as described above, is not within a FEMA designated flood hazard zone.
3. Access shall be assumed by way of the existing adjacent Right-of-Ways. Approach location is not included on the proposed plat.
 - a. Approach permit will be required if access is to be off a State Highway
4. Legal description shall be verified by the licensed surveyor to ensure remaining area is recorded properly.
5. No improvements are proposed with this plat application.

Recommendations – Permit 2023-05:

Based on the application information, the permit complies with the Town of Hermosa's requirements. Recommendation is to approve with the following stipulations:

1. Custer County Register of Deeds must review and accept plat format, legal description, and any other aspects of the plat document.
 - a. Current legal description shall be verified by licensed surveyor.
2. If approved by the Hermosa Planning and Zoning Board, a mylar copy shall be provided by the Owner to the Board of Trustees for final review, approval, and signature.
3. The Owner is responsible for submitting the plat to Custer County, paying applicable taxes, and having the plat signed and recorded.

Respectfully submitted,



Leah M. Berg, P.E.

LBerg@proacesinc.com

END OF STAFF REPORT

Copy: Town of Hermosa & G:\My Drive\Jobs\21-1144 Hermosa\21-1144c Permit Review\2-28-23 Meeting P&Z\2023-05 Allan

9 F.

Town of Hermosa

PO Box 298 • 230 Main Street • Hermosa, SD 57744
Phone (605) 255-4291 • Fax (605) 255-4094
Email: town@hermosasd.com

COMMERCIAL BUILDING REMODELING PERMIT APPLICATION

(This Building Permit Is Valid for One Year - Please See Page 2 for Exceptions)

DATE 2-15-23

PERMIT # 2023-06

Receipt # _____	Cash _____	Check # _____	Amount <u>N/A</u>
-----------------	------------	---------------	-------------------

Is Property in the Flood Plain? Yes No Zoning District _____

IF YES - YOU NEED A FLOODPLAIN DEVELOPMENT PERMIT

ALL PLANS TO BE PREPARED, SEALED AND SIGNED BY A REGISTERED ENGINEER OF SOUTH DAKOTA!!

Property Owner Name(s): TOWN OF HERMOSA TENANT (BRAD WESTERGAARD)
 Mailing Address BOX 495
 City HERMOSA State SD Zip 57744
 Phone # Home 605 360 3030 Work _____
 Building address if different than mailing address: 250 MAIN ST
 Email: BLWEST62LAW@OUTLOOK.COM

LEGAL DESCRIPTION:

Subdivision name: _____ Lot# _____ Block _____ Lot size _____
 Zoning District _____

CLASS OF WORK TO BE DONE:

New structure _____ Demolition _____ Remodel Addition _____
 Proposed Use of Building: PERSONAL HOBBY SHOP + 15 x 15 STORAGE LOFT
 Building Area (Sq. Ft.): _____ Height: _____ # of Units: _____
 No. of Stories: _____ No. Bathrooms: _____ Deck: _____ Deck Area (Sq. Ft.): _____

TYPE OF USE:

Commercial _____ Accessory _____ Other _____

CONTRACTOR INFORMATION:

Contractors must all be registered with the Town of Hermosa

General Contractor (Project POC/responsible party): BRAD WESTERGAARD Phone 605 360 3030
 Structural Contractor _____ Phone _____
 Electrical Contractor _____ Phone _____
 Plumbing Contractor _____ Phone _____
 Heat/Mechanical _____ Phone _____
 Excavation Contractor _____ Phone _____
 Landscape Contractor _____ Phone _____

Are there any of the following on site: Hazardous materials YES / NO
 Lead paint YES / NO
 Asbestos YES / NO
 Does the building have a Historical Designation: YES / NO?

Parcel # 009158
OFFICE USE ONLY

Are signs to be constructed: YES / (NO)

(If yes, a detailed drawing and sign permit are required)

Current utilities on site: Gas Water Electricity Municipal Sewer Septic

Proposed utilities: _____

Describe Work: INSTALL A LOFT FOR STORAGE

TOTAL COST ESTIMATE OF IMPROVEMENTS: \$ _____

TOTAL SQUARE FOOTAGE OF PROJECT _____

Every permit issued by the Planning Administrator under the provisions of this code shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within 12 months from the date of such permit or if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of one year. If so, before such work can be re-started, an extension of the permit shall be first obtained to do so, and a service charge of \$35.00 shall be required, provided no changes have been made or will be made in the original plans and specifications for such work. Provided that such suspension or abandonment has not exceeded two (2) years.

In filling this application, I hereby grant to the Hermosa Planning & Zoning commission, and the Hermosa Town Board, and their designee(s), permission to inspect any and all structures and land involved in my application for the purpose of ascertaining compliance with the ordinance of the Town of Hermosa and the State of South Dakota, which permission shall continue so long as the application or an appeal there-on is pending. It is my responsibility to ensure the presence of the Town Maintenance Supervisor during water and sewer connections.

I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction or the performance of construction.

I understand Permit application fees are due upon submittal and are non-refundable. Final fees are based upon building calculations and are due and payable when permit has been approved. Permits are reviewed by the town engineer; those expenses will be included with the permit fees and applicant will be responsible for those expenses.

A CERTIFICATE OF OCCUPANCY MUST BE OBTAINED BEFORE OCCUPYING STRUCTURE.

Brent
Signature(s) Of Owner(s) (If Owner Builder)

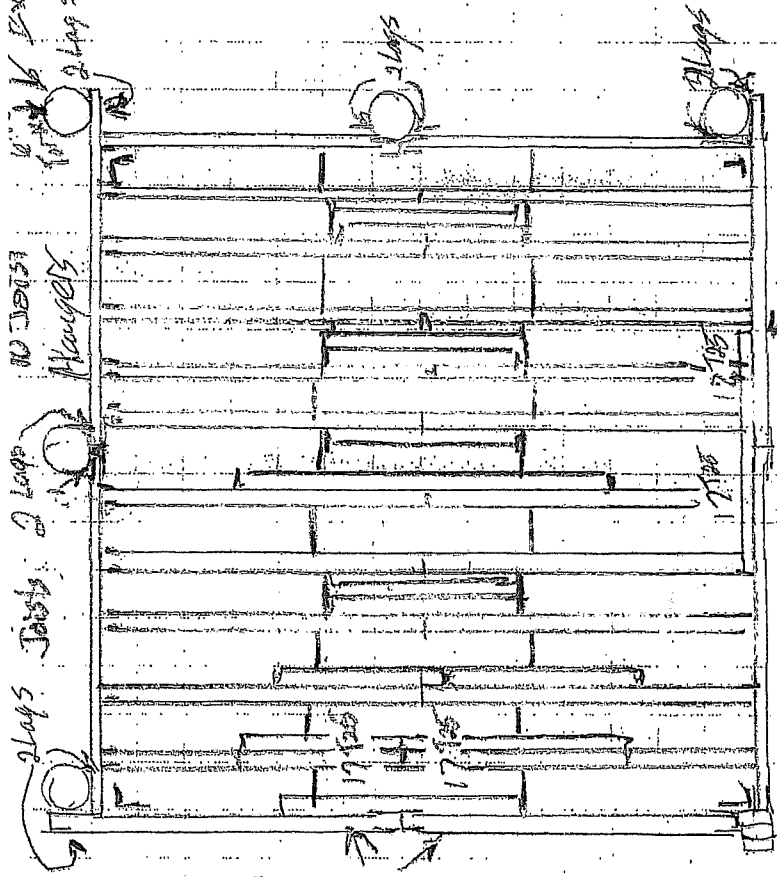
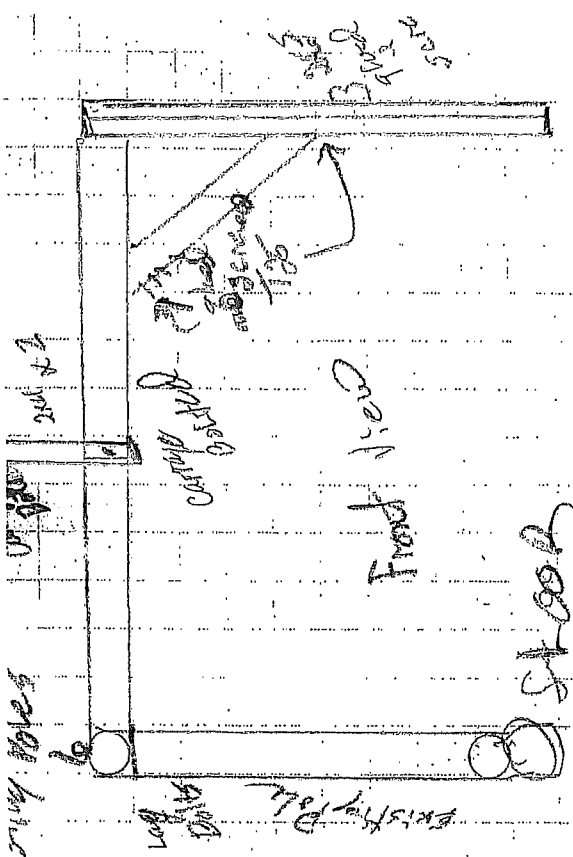
2-15-23
Date

Brent
Signature(s) of Contractor/Authorized Agent

2-15-23
Date

ALL APPLICATIONS MUST BE APPROVED BY THE HERMOSA PLANNING AND ZONING COMMISSION AND THE HERMOSA BOARD OF TRUSTEES PRIOR TO COMMENCEMENT

PLANNING AND ZONING COMMISSION	HERMOSA BOARD OF TRUSTEES
<input type="checkbox"/> Approved <input type="checkbox"/> Denied NAME: _____ TITLE: _____ SIGNATURE: _____ DATE: _____ APPLICATION FEE: \$75.00 DATE PAID: _____	<input type="checkbox"/> Approved <input type="checkbox"/> Denied NAME: _____ TITLE: _____ SIGNATURE: _____ DATE: _____ DATE PERMIT ISSUED: _____



Top View

32" 10x4 125 34 2 1/2" 10x4 125

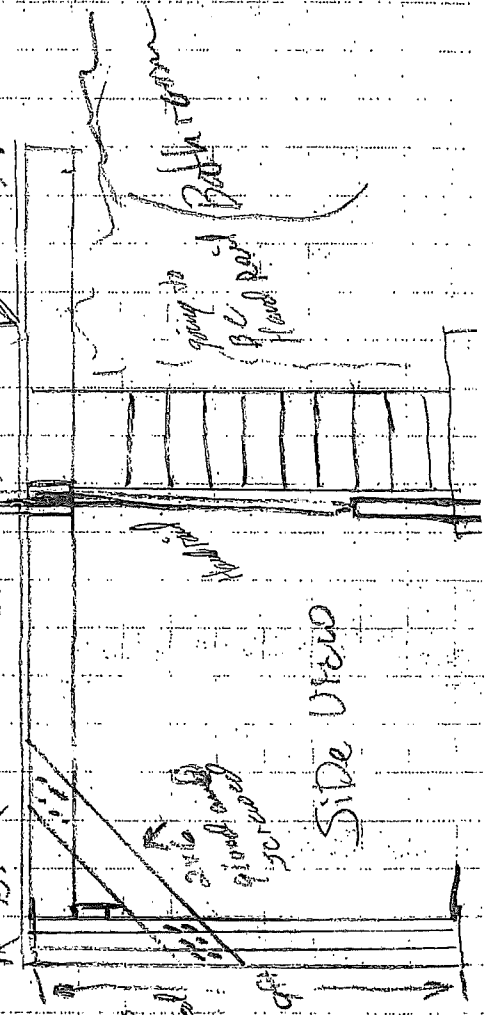
All 4 corners
corner brackets
with
1000 nails

To Be Hand Rail 2x6

16 15.2

3 2x6's
glued
and screwed
to joists

Side View



2x6 9\"/>

Head post
2x6 9\"/>

Bath room

Jill Dybvig

From: Monika Serviss
Sent: Thursday, February 16, 2023 1:12 PM
To: Jill Dybvig
Subject: FW: Question? Hermosa

From: lberg@proacesinc.com <lberg@proacesinc.com>
Sent: Wednesday, February 15, 2023 2:10 PM
To: Jill Dybvig <jill@hermosasd.com>; dfinch@proacesinc.com
Subject: RE: Question? Hermosa

Jill,

The Town of Hermosa does not have an ordinance, that we can find, that requires a design to be completed by a licensed engineer for an interior storage use loft. Since it is a Town building approval by the Town appears sufficient. Jerry can supply the documents outlining the requirements he feels are being violated.

I hope that helps.

Thanks,
Leah M. Berg, P.E.
Civil Engineer / President



Affordably Creative Engineering Services, Inc
324 St. Joseph St, Suite 200
Rapid City, SD 57701
Fax 605-716-1144
Phone 605-716-4646
Cell 605-545-1120
LBerg@proacesinc.com

If Mr. Ferguson is qualified to inspect a stick built home he is certainly capable of inspecting a loft, and determining the load limit.

§ 150.04 COMMERCIAL REMODELING.

(A) *Purpose.*

(1) The purpose of this section is to establish the requirement that a permit be issued by the town prior to the commencement of any remodel project on any commercial structure in excess of 160 square feet. Said permit application may be made by a general contractor or other person or entity intending to perform the remodel. Said application must also be signed by the owner of the property if not the same.

(2) The Town Board deems this section to be necessary for the protection of the health, safety and welfare of its citizens and the general public by requiring that the remodeling, renovation and construction activity contemplated herein be subject to the review of qualified inspectors.

(B) *Permit required.* A permit for the remodel of any commercial structure shall be required if said remodel includes any of the following: The Town of Hermosa does not need to permit itself. But asked for a Commercial FYI for paper trail

* (1) Removal, construction or replacement of any interior or exterior wall, structural support or change to the ingress/egress to the structure;

(2) Removal, relocation or addition of all or part of any heating or ventilation system;

(3) Removal, relocation or addition of any electrical wiring or electrical system components;

(4) Removal, addition or relocation of any plumbing;

(5) Removal, addition, relocation or installation of any sewer or water service lines; and

(6) Change in the footprint of existing structure.

(C) *Permit not required.* No permit shall be required for any remodeling which is solely aesthetic in nature, such as, but not limited to, painting, carpeting, roofing, siding, window replacement or any other improvement considered general maintenance.

* (D) *Inspection required.* Any remodel or renovation for which a state permit is required, shall be inspected by a town- appointed Building Inspector or State Plumbing, Electrical, Mechanical Inspector or Structural Inspector as appointed by the town. The State Fire Marshal shall also inspect any commercial renovation or remodel requiring a permit under this section.

(E) *Contractor licensing.* In addition to the particular trade license which may be required by the state, any contractor performing services for which a permit is required under this section must first apply for and receive a contractors license from the town. The annual fee for said contractor's license shall be \$50 per year, renewable every 12 months after date of issuance, or as may be amended from time to time by the Town Board. Contractor shall provide to and maintain with the town proof of current liability insurance coverage.

(F) *Severability clause.* Should any division, sentence, clause or phrase of this section, for any reason, be held invalid by a court of competent jurisdiction, such decision shall not offset the validity of the remaining portions of this section. The town hereby declares that it would have passed this section and each division, sentence, clause and phrase hereof irrespective of the possibility that any one or more division, sentence, clause or phrase be declared unconstitutional or invalid.

(G) *Certificate of occupancy.*

(1) A certificate of occupancy may be required, based on the level of remodel, only after review of any applicable inspectors.

(2) The Town Board may require re-certification if warranted under the Building Code requirements.

(Ord. 10.8, passed 12-4-2012) Penalty, see § 150.99

§ 150.99 PENALTY.

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99.

(B) The town is authorized to provide for the punishment of §150.01 of this chapter with a fine not to exceed \$500, or by imprisonment not exceeding 30 days, or by both the fine and imprisonment.

(C) Upon conviction of § 150.02, the person shall be punished by a fine of not less than \$5 or more than \$100, or by imprisonment in the county jail for a period of not exceeding 30 days, or by both the fine and imprisonment.

(D) A violation of any of the provisions of §150.03 or of the emergency warning systems rules as established by town is an infraction and shall be punished by a fine as set by the Finance Committee, and fees increasing weekly.

(E) A violation of § 150.04 is punishable by up to \$100 and/or up to 30 days in jail. Each day that contractor services are provided in violation of § 150.04 shall constitute a separate violation.

(Ord. 8, passed 12-8-1959; Ord. passed 4-6-1987; Ord. 10.07, passed - -2009; Ord. 10.8, passed 12-4-2012)

Statutory reference:

§ 150.04 COMMERCIAL REMODELING.

(A) Purpose.

(1) The purpose of this section is to establish the requirement that a permit be issued by the town prior to the commencement of any remodel project on any commercial structure in excess of 160 square feet. Said permit application may be made by a general contractor or other person or entity intending to perform the remodel. Said application must also be signed by the owner of the property if not the same.

(2) The Town Board deems this section to be necessary for the protection of the health, safety and welfare of its citizens and the general public by requiring that the remodeling, renovation and construction activity contemplated herein be subject to the review of qualified inspectors.

(B) Permit required. A permit for the remodel of any commercial structure shall be required if said remodel includes any of the following:

(1) Removal, construction or replacement of any interior or exterior wall, structural support or change to the ingress/egress to the structure;

(2) Removal, relocation or addition of all or part of any heating or ventilation system;

(3) Removal, relocation or addition of any electrical wiring or electrical system components;

(4) Removal, addition or relocation of any plumbing;

(5) Removal, addition, relocation or installation of any sewer or water service lines; and

(6) Change in the footprint of existing structure.

(C) Permit not required. No permit shall be required for any remodeling which is solely aesthetic in nature, such as, but not limited to, painting, carpeting, roofing, siding, window replacement or any other improvement considered general maintenance.

(D) Inspection required. Any remodel or renovation for which a state permit is required, shall be inspected by a town-appointed Building Inspector or State Plumbing, Electrical, Mechanical Inspector or Structural Inspector as appointed by the town. The State Fire Marshal shall also inspect any commercial renovation or remodel requiring a permit under this section.

(E) Contractor licensing. In addition to the particular trade license which may be required by the state, any contractor performing services for which a permit is required under this section must first apply for and receive a contractor's license from the town. The annual fee for said contractor's license shall be \$50 per year, renewable every 12 months after date of issuance, or as may be amended from time to time by the Town Board. Contractor shall provide to and maintain with the town proof of current liability insurance coverage.

(F) Severability clause. Should any division, sentence, clause or phrase of this section, for any reason, be held invalid by a court of competent jurisdiction, such decision shall not offset the validity of the remaining portions of this section. The town hereby declares that it would have passed this section and each division, sentence, clause and phrase hereof irrespective of the possibility that any one or more division, sentence, clause or phrase be declared unconstitutional or invalid.

(G) Certificate of occupancy.

(1) A certificate of occupancy may be required, based on the level of remodel, only after review of any applicable inspectors.

(2) The Town Board may require re-certification if warranted under the Building Code requirements.

(Ord. 10.8, passed 12-4-2012) Penalty, see § 150.99

§ 150.99 PENALTY.

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99.

(B) The town is authorized to provide for the punishment of §150.01 of this chapter with a fine not to exceed \$500, or by imprisonment not exceeding 30 days, or by both the fine and imprisonment.

(C) Upon conviction of § 150.02, the person shall be punished by a fine of not less than \$5 or more than \$100, or by imprisonment in the county jail for a period of not exceeding 30 days, or by both the fine and imprisonment.

(D) A violation of any of the provisions of §150.03 or of the emergency warning systems rules as established by town is an infraction and shall be punished by a fine as set by the Finance Committee, and fees increasing weekly.

(E) A violation of § 150.04 is punishable by up to \$100 and/or up to 30 days in jail. Each day that contractor services are provided in violation of § 150.04 shall constitute a separate violation.

(Ord. 8, passed 12-8-1959; Ord. passed 4-6-1987; Ord. 10.07, passed - -2009; Ord. 10.8, passed 12-4-2012)

Statutory reference:

TOWN OF HERMOSA
 PLANNING & ZONING
 PO BOX 298
 HERMOSA, SOUTH DAKOTA 57744
 PH (605) 255-4291 • FAX (605) 255-4094
INSPECTOR'S REPORT

Address 250 Main St Date 2-15-23

Owner Town of Hermosa Time _____

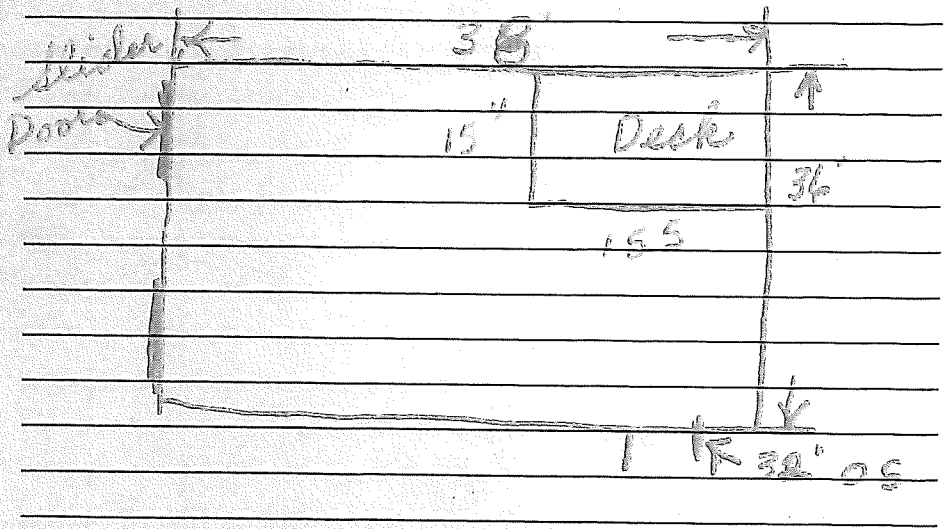
Contractor W J Clarke

Kind of Work Loft

Premises Used For _____

- Elec Plbg Mech Conc Exca Fram Final
 Other _____ Job Complete

Corrections/Comments: Fire Ex - Smoke Det - Carbon Mon
Need - Done
15'4" & 15'5"



You are hereby notified to immediately correct the conditions as stated above. Reinspection will be conducted after _____ days from date of service of this notice.

Signed Chuck Simpson

BRAD WESTERGARD
250 MAIN ST HERMOSA SD. 57744

INVOICE

COPY

TOWN OF HERMOSA SD
240 MAIN ST HERMOSA SD 57744

Invoice # 0000001

Invoice Date 02/28/2023

Due Date 02/28/2023

Item	Description	Unit Price	Quantity	Amount
Product	12' 3/4 BLUE PEX PIPE	1.33	1.00	1.33
Product	3 3/4 PEX TEE'S	1.69	3.00	5.07
Product	6 THREADED TO BARB PEX NIPPLES	7.73	6.00	46.38
Product	10 3/4 PEX CLAMPS	10.00	0.80	8.00
Product	1 USED WATER HEATER (CHUCK)	75.00	1.00	75.00
Service	LABOR 4 HOURS	20.00	4.00	80.00

NOTES: THERE WAS NO HEATER AND WATER LINES WERE UNHOOKED AND SOME BROKEN, THESE REPAIRS WERE TO ENABLE WATER TO BE USED IN THE BATHROOM.

	Subtotal	215.78
	Total	215.78
	Amount Paid	0.00
	Balance Due	\$215.78

BRAD WESTERGARD
250 MAIN ST HERMOSA SD. 57744

INVOICE**COPY**

TOWN OF HERMOSA SD
240 MAIN ST

Invoice # 0000002

Invoice Date 02/28/2023

Due Date 02/28/2023

Item	Description	Unit Price	Quantity	Amount
		187.00	1.00	187.00
<p>NOTES: THIS IS FOR THE FIRE EXTINGUISHERS, SMOKE DETECTORS, CARBON MENOXIDE DECTORS, SAFETY YELLOW AND BRUSHES.</p> <p>RECEIPT FROM RUNNINGS ATTACHED.</p>				
			Subtotal	187.00
			Total	187.00
			Amount Paid	0.00
			Balance Due	\$187.00



1020 N. LaCrosse St.
 Rapid City, SD 57701
 605-342-9008 (Runnings)
 605-342-9119 (Lena's Liquor)

COPY

PROD ID	QTY	UM	PRICE	TOTAL
SHOP LIGHT LED 5500 LUMEN 4FT LINK				
9496259	1	EA	34.990	
Sale Price			24.990	24.99 t
CB ANTENNA FIBERGLASS 4 FT BLACK				
2080329	1	EA	23.990	23.99 t
EXTINGUISHER FIRE 5BC BASIC				
4390499	2	EA	23.990	47.98 t
GAL SAFETY YELLOW				
7221581	1	EA	59.990	59.99 t
CO DETECTOR BATTERY POWERED				
960085	1	EA	25.990	25.99 t
SMOKE DETECTOR DC BASIC				
4390127	2	EA	10.990	21.98 t
CHIP BRUSH 3"				
65740541	2	EA	2.290	4.58 t
ROLLER COVER 4" 2PK WOVEN				
22425702	1	EA	6.890	6.89 t
SANDING SPONGE JUMBO 3PK COARSE/MED				
65752908	1	EA	4.990	4.99 t
SUBTOTAL				221.38
Tax 221.38 @ 6.500% =				14.39
Tax				14.39
TOTAL				235.77
Cash				250.00
Cash Change				-14.23

You Saved Today
 \$10.00

02/15/23 12:46:51 027 73510349027
 1 Valued Customer
 ATB:
 INVOICE #: 6641392 WSID: RSIWS2169
 09607800-0840-4547-BF90-03E880EE5FF4
 0079CE 5.0.22.412 TILL ID: 18
 Thanks for visiting

Town of Hermosa

96

PO Box 298 • 230 Main Street • Hermosa, SD 57744
Phone (605) 255-4291 • Fax (605) 255-4094
Email: town@hermosasd.com

DATE Feb 21, 2023

PERMIT # 2023-08

Informational Permit No Fee

Is Property in the Flood Plain? Yes No Zoning District N/A

***IF YES - YOU **NEED** A FLOOD PLAIN DEVELOPMENT PERMIT**

Property Owner Name(s): Neugebauer (land) Wyone Leonard (buildings)

Mailing Address: 198 Fairgrounds Pl Hermosa, SD 57744 605-517-0043

Email: sdleonards@gmail.com sjneugebauer@hcinet.net

Address of Project: 198 Fairgrounds Place, Hermosa

Legal Description: Neugebauer Tract 3 of W2E2NE4 Sec 32 T2 R8
Subdivision _____ Block _____ Lot(s) Lot Size _____

Description of Work: Fence on property line (wood)

i.e. Fence below 4' (front yard), 6' (side/rear yard), Accessory Building/Deck less than **160 sq.ft.**; Sidewalk; Driveway; Concrete; Renovation / Remodel / Repairs / Maintenance not requiring Building Permit (i.e. shingle replacement)

Total Cost Estimate of Project \$600 Total Square Footage of Project _____

Building Area (Sq. Ft.) _____ Height: _____

Accessory Bldg. Setbacks From Lot Lines: Front: _____ Ft. (20' Town Minimum)

(See Ord.155) Rear: _____ Ft. (5' Town Minimum)

Side: _____ Ft. (8' Town Minimum)

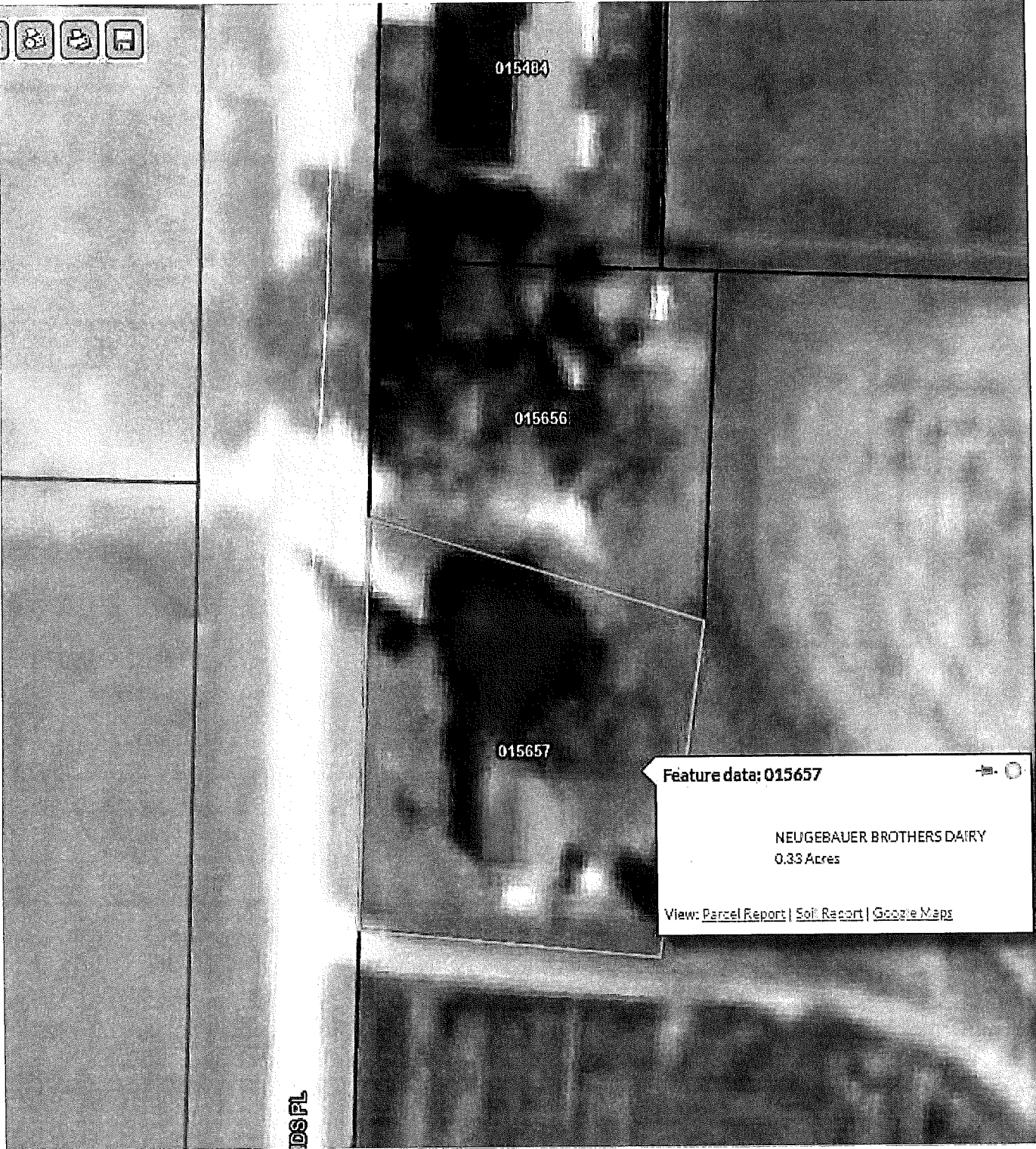
Side: _____ Ft. (8' Town Minimum)

Licensed Contractor / Person doing work _____

Address of Contractor / Person _____

Contact Phone Number of Contractor / Person _____

Parcel # D15057
OFFICE USE



015484

015656

015657

Feature data: 015657

NEUGEBAUER BROTHERS DAIRY
0.33 Acres

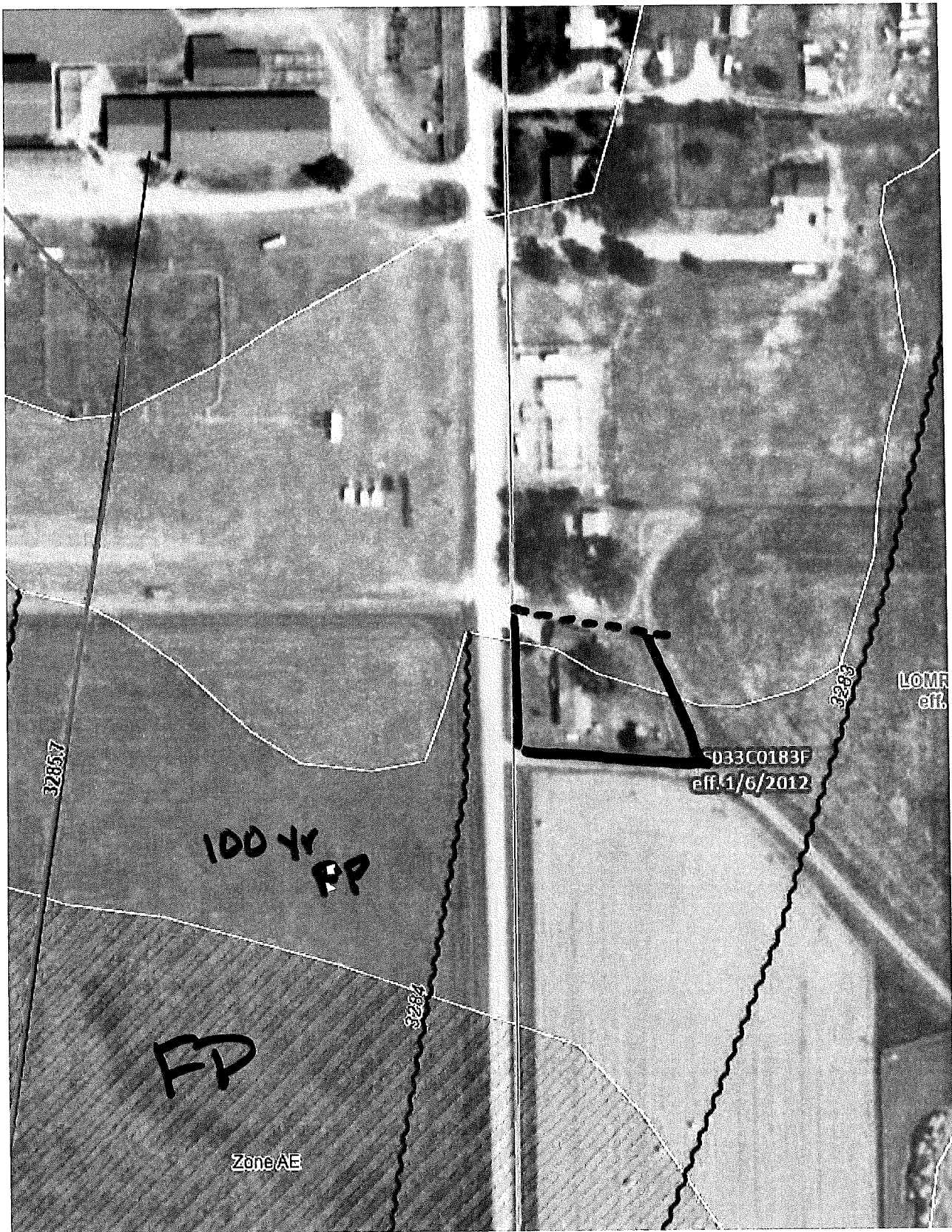
View: [Parcel Report](#) | [Soil Report](#) | [Google Maps](#)

DSFL

Alternate IDn/a
Class Residential
Acreage 0.33

Owner Address NEUGEBAUER BROTHERS DAIRY
14197 SD HIGHWAY 40
HERMOSA, SD 57744-5048

015657



Parcel
015657

Town of Hermosa

9 H.

PO Box 298 • 230 Main Street • Hermosa, SD 57744
Phone (605) 255-4291 • Fax (605) 255-4094
Email: town@hermosasd.com

ZONING APPLICATION

DATE 2-16-2023

PERMIT # 2023-07

Receipt # _____ Cash _____ Check # 1011 Amount 750⁰⁰ (\$750.00)

OWNER Chuck + Donna Ferguson Chris + Christina NavaK PHONE: 605-390-0045

CONTACT ADDRESS: 220 Ferguson St. Hermosa SD 57744 EMAIL: _____

STREET ADDRESS OF PROPERTY: 3rd St.

LEGAL DESCRIPTION: Lot 8 Block 15 + Outlot J Lot 9 Sec. 32 T2 R8

TYPE OF APPLICATION: NEW ANNEXATION _____ ZONING CHANGE X

CURRENT ZONING: RESIDENTIAL 1 X RESIDENTIAL 2 _____ HIGHWAY SERVICE _____ NO USE _____
AGRICULTURAL _____ COMMERCIAL _____ GENERAL INDUSTRIAL _____

CURRENT USE(S): Storage of Equipment - maintenance

REQUESTED ZONING: RESIDENTIAL 1 _____ RESIDENTIAL 2 _____ HIGHWAY SERVICE _____ NO USE _____
AGRICULTURAL _____ COMMERCIAL X GENERAL INDUSTRIAL _____

PROJECTED USE(S)/PURPOSE OF REQUEST: Storage of Equipment - maintenance

SIGNATURE OF APPLICANT: Chuck Ferguson DATE OF APPLICATION: 2-16-2023

DOCUMENTATION: Site Plan reflecting adjoining property zoning status
 Survey Report Photos Neighbor Agreements

ALL APPLICATIONS MUST BE APPROVED BY THE HERMOSA PLANNING AND ZONING COMMISSION AND THE HERMOSA BOARD OF TRUSTEES PRIOR TO COMMENCEMENT

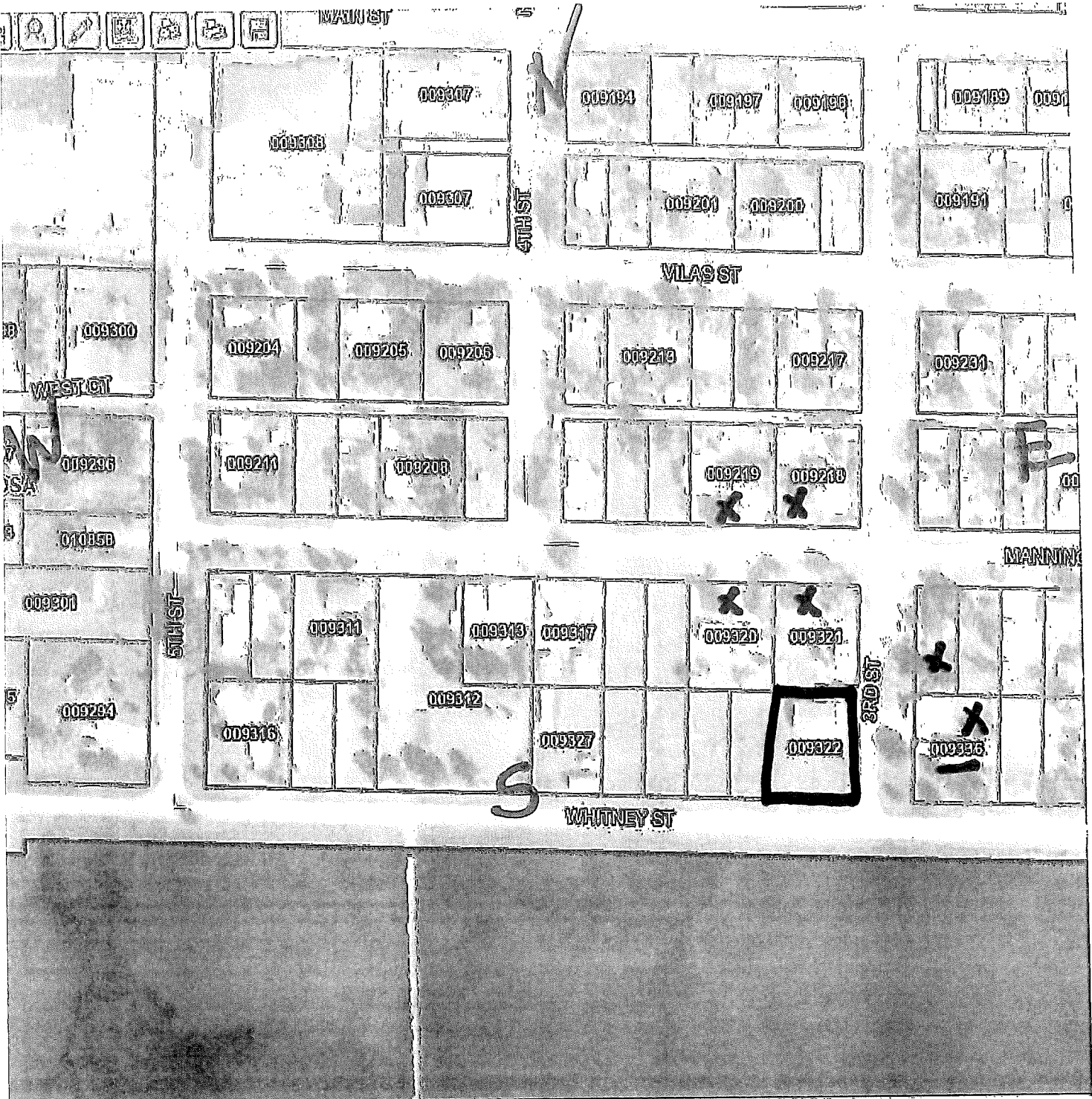
Parcel # 009322
OFFICE USE ONLY

PLANNING AND ZONING COMMISSION
 Approved Denied

NAME: _____
 TITLE: _____
 SIGNATURE: _____
 DATE: _____
 APPLICATION FEE \$750.00
 DATE PAID: _____

HERMOSA BOARD OF TRUSTEES
 Approved Denied

NAME: _____
 TITLE: _____
 SIGNATURE: _____
 DATE: _____
 DATE PERMIT ISSUED: _____



plat ID n/a
 Use Residential
 Page 0.41
 16.1-7-0-0-0-0
 LOT 8 BLOCK 15 & OUTLOT J LOT 9 SEC 32 T2 R8
 744-00-058-000-007-00
 (Note: Not to be used on legal documents)

Owner Address FERGUSON CHELSEA D & DONNA M & NOVAK CHRISTOPHER & CHRISTINA M JT WROS
 PO BOX 205
 HERMOSA, SD 57744-0205

009322

X - Letters sent on Public Hearing

Town of Hermosa

9 I.

PO Box 298 • 230 Main Street • Hermosa, SD 57744

Phone (605) 255-4291 • Fax (605) 255-4094, Email: town@hermosasd.com

SUBDIVISION PLAT APPLICATION

Sketch Plan _____ Preliminary Plan _____ Final Plat X

Date: 2-10-2023

Permit # 2023-04

Is any property in the Flood Plain? NO Yes _____ **IF YES-YOU WILL NEED A FLOODPLAIN DEVELOPMENT PERMIT**

Receipt # _____	Cash _____	Check # <u>15095</u>	Amount <u>75.00</u> (\$75.00)
-----------------	------------	----------------------	-------------------------------

Applicant:
 Name: Lane + Susan Ostenson
 Address: PO Box 367
 City, State, Zip: Edgemont, SD 57735
 Phone & Email: 605-389-7036 Lane
 Sign & Date: 605-517-0200

Other Owners:
 Name: Stan + Mary Neugebauer
 Address: 14197 SD Hwy 40
 City, State, Zip: Hermosa, SD 57744
 Phone & Email: 605-484-7890
 Sign & Date: Stanley O Neugebauer

Agent:

Name: _____	Name: _____
Address: _____	Address: _____
City, State, Zip: _____	City, State, Zip: _____
Phone & Email: _____	Phone & Email: _____
Sign & Date: _____	Sign & Date: _____

Surveyor/Engineer:
 Name: Andersen Engineers
 Address: PO Box 440
 City, State, Zip: Edgemont, SD 57735
 Phone & Email: 605-662-5500
 Registration Number: SDRIS No. 13405
 Sign & Date: _____

Name: _____
 Address: _____
 City, State, Zip: _____
 Phone & Email: andersenengineers@gwtc.net
 Sign & Date: _____

Current Legal Description:
 Subdivision/H.E.S./M.S. Title: E 1/2 NE 1/4 of section 36, T2S, R7E, B4M, Custer Co. SD
 Secondary Title/Description: _____
 Allquot Location: _____ Total Acres: _____
 Township: _____ Range: _____ Section(s): _____ Book: _____ Page: _____

Proposed Legal Description:
 Primary Title (Subdivision Name): _____
 Secondary Title (Description): _____

Does this plat continue to divide an existing subdivision? Yes _____ No X FIRM Panel _____

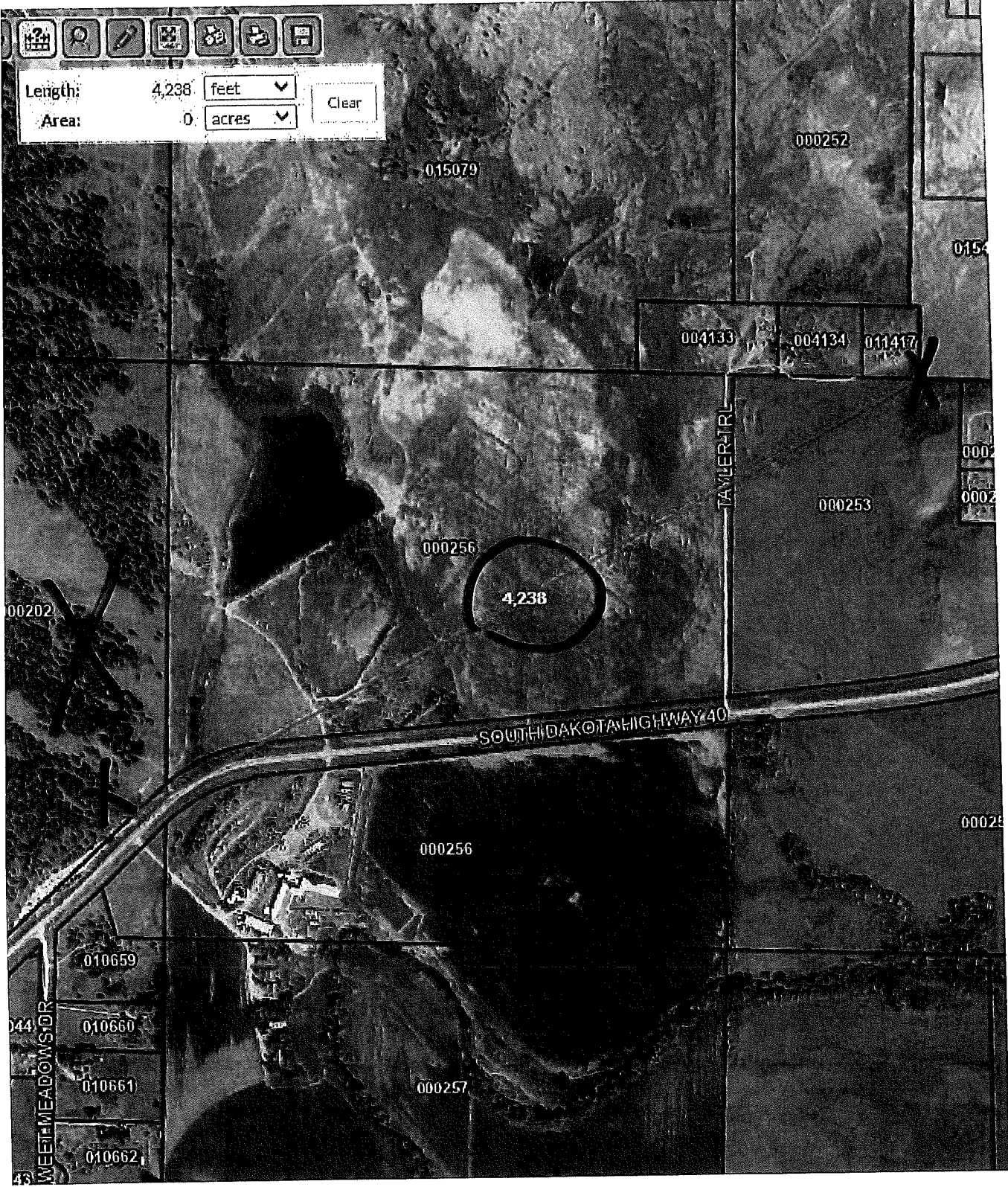
Will this subdivision require construction of roads or installation of other improvements? NO

What is the intended land use within the subdivision? Residential X Commercial _____ Industrial _____ Mixed Use _____ (Specify on attached plat copy)

ALL APPLICATIONS MUST BE APPROVED BY THE HERMOSA PLANNING AND ZONING COMMISSION AND THE HERMOSA BOARD OF TRUSTEES PRIOR TO COMMENCEMENT. *** Engineering fees may apply*******

<p align="center">PLANNING AND ZONING COMMISSION</p> <p><input type="checkbox"/> Approved <input type="checkbox"/> Denied</p> <p>Name: _____ Title: _____ Signature: _____ Date: _____ Application Fee: <u>\$75.00</u> Register of Deeds Fee: <u>\$60.00</u> Date Paid: _____ Balance Due: _____</p>	<p align="center">HERMOSA BOARD OF TRUSTEES</p> <p><input type="checkbox"/> Approved <input type="checkbox"/> Denied</p> <p>Name: _____ Title: _____ Signature: _____ Date: _____ Date Permit Issued: _____</p>
---	--

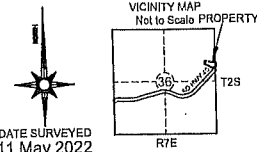
Original Parcel # 000202, Office Use



000202

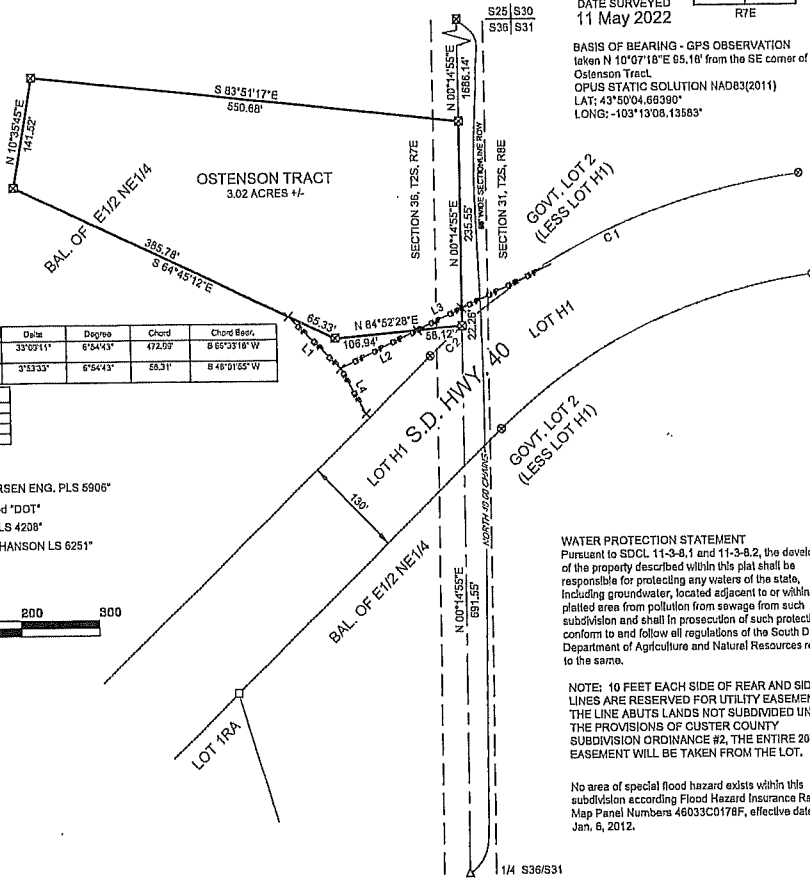
Approx - 4.238 ft.

A PLAT OF
**OSTENSON TRACT, LOCATED IN E1/2 NE1/4 OF SECTION 36, T2S,
 R7E, BHM, CUSTER COUNTY, SOUTH DAKOTA**



DATE SURVEYED
 11 May 2022

BASIS OF BEARING - GPS OBSERVATION
 taken N 10°07'18" E 65.16' from the SE corner of
 Ostenson Tract.
 OPUS STATIC SOLUTION NAD83(2011)
 LAT: 43°50'04.66390"
 LONG: -103°13'06.13683"



Curve	Radius	Tangent	Length	Delta	Degree	Chord	Chord Bear.
C1	633.34'	246.72'	479.69'	33°09'11"	6°54'43"	472.59'	S 69°31'16" W
C2	633.34'	246.72'	479.69'	3°53'33"	6°54'43"	58.31'	S 49°31'55" W
C3	633.34'	246.72'	479.69'	3°53'33"	6°54'43"	58.31'	S 49°31'55" W

Course	Bearing	Distance
L1	S 44°55'22" E	92.76'
L2	N 64°33'47" E	110.73'
L3	N 64°33'47" E	64.15'
L4	S 29°17'41" E	65.29'

- LEGEND**
- ☒ Set rebar with Al. cap marked "ANDERSEN ENG. PLS 5906"
 - ⊙ Found rebar with aluminum cap marked "DOT"
 - △ Found rebar with plastic cap marked "LS 4208"
 - Found rebar with plastic cap marked "HANSON LS 6251"
 - × Angle point not monumented
 - SLANT LETTERING Slant lettering denotes record calls



WATER PROTECTION STATEMENT
 Pursuant to SDCL 11-3-8.1 and 11-3-8.2, the developer of the property described within this plat shall be responsible for protecting any waters of the state, including groundwater, located adjacent to or within such platted area from pollution from sewage from such subdivision and shall in prosecution of such protections, conform to and follow all regulations of the South Dakota Department of Agriculture and Natural Resources relating to the same.

NOTE: 10 FEET EACH SIDE OF REAR AND SIDE LOT LINES ARE RESERVED FOR UTILITY EASEMENTS. IF THE LINE ABUTS LANDS NOT SUBDIVIDED UNDER THE PROVISIONS OF CUSTER COUNTY SUBDIVISION ORDINANCE #2, THE ENTIRE 20' WIDE EASEMENT WILL BE TAKEN FROM THE LOT.

No area of special flood hazard exists within this subdivision according to Flood Hazard Insurance Rate Map Panel Numbers 46033C0178F, effective date: Jan. 6, 2012.

CERTIFICATE OF SURVEYOR
 I, Dustin M. Ross Registered Land Surveyor No. 13405 in the State of South Dakota, do hereby certify that being so authorized, I have prepared the within plat of land shown and described hereon from notes taken during an actual survey made by me or under my direct supervision, and that to the best of my knowledge and belief, the same is a true and correct representation of said survey.
 IN WITNESS WHEREOF, I hereunto set my hand and official seal.
 Dated this ___ day of ___, 2023.

Dustin M. Ross SDRLS No. 13405

CERTIFICATE OF COUNTY TREASURER
 I, Custer County Treasurer, do hereby certify that all taxes and special assessments which are liens upon the within described lands are fully paid according to the records of this office.
 Dated this ___ day of ___, 2023.

Custer County Treasurer

STATE OF _____, COUNTY OF _____
 Neugebauer Brothers Dairy, does hereby certify that it is the owner of the within described lands and that the within plat was made at its direction for the purposes indicated therein, and that the development of this land shall conform to all existing zoning, subdivision, and erosion and sediment control regulations.
 Dated this ___ day of ___, 2023.

Neugebauer Brothers Dairy

CERTIFICATE OF COUNTY DIRECTOR OF EQUALIZATION
 I, Director of Equalization of Custer County, do hereby certify that my office has been furnished with a true copy of the within plat.
 Dated this ___ day of ___, 2023.

Director of Equalization of Custer County

ACKNOWLEDGMENT OF OWNERSHIP
 STATE OF _____, COUNTY OF _____
 On this the ___ day of ___, 20___, before me, the undersigned officer, personally appeared Stanley O. Neugebauer, who acknowledged himself to be the Representative of Neugebauer Brothers Dairy, and that he, as such Representative being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by himself as Representative.
 IN WITNESS WHEREOF I hereunto set my hand and official seal.

Notary Public
 My commission expires _____

RESOLUTION OF THE TOWN BOARD OF TRUSTEES
 Whereas there has been presented to the Town Board of Trustees of Hermosa, South Dakota, the within plat of the above described lands, and it appearing to the Board that said plat conforms to the existing plats of said Town, that the streets set forth therein conforms to the system of streets of the municipality, that all provisions of the subdivision regulations have been complied with, that all taxes and special assessments upon the tract have been fully paid, and that said plat and the survey thereon have been executed according to law, now
BE IT RESOLVED, that said plat is hereby approved in all respects.
 Dated at Hermosa, South Dakota this ___ day of ___, 2023.

Town Board Chairman

CERTIFICATE OF TOWN FINANCE OFFICER
 I, Finance Officer of the Town of Hermosa, South Dakota, do hereby certify that the foregoing instrument is a true and correct copy of the resolution adopted by the Town Board of Trustees of Hermosa, South Dakota at a meeting held on the ___ day of ___, 2023.

Town of Hermosa Finance Officer

APPROVAL OF ACCESS BY ROAD AUTHORITY
 The location of the existing access to the Highway or Street as shown herein is hereby approved. This access approval does not replace the need for any permits required by law, including Administrative Rule of South Dakota 70:09:01:02.
 Dated this ___ Day of ___, 2023

SDDOT Authority

OFFICE OF THE REGISTER OF DEEDS
 Filed for record this ___ day of ___, 2023, at ___ o'clock ___ M, and recorded in Book ___ of Plats on page ___.

Custer County Register of Deeds

Prepared by
ANDERSEN ENGINEERS
Land Surveyors

Drawn by DR	Date 2/9/2023	P.O. Box 446 Edgemont, SD 57735 (605)-682-5500
Approved by MCB	Date 2/9/2023	andersengineers@gwc.net
Scale 1"=100'	Sheet 1 of 1	File Name: NE_S36_T2S_R7E

11 A.

Transaction No	Date	Mod	Emp1/Vend	Vendor/Employee Name	Other No	Checks	Deposits
1 PIONEER BANK & TRUST CHECKING						Beginning Statement Balance	761,829.96
203	1/31/2023	RM					1,100.80
204	1/30/2023	RM					99.80
211	2/01/2023	RM					1,889.62
213	2/02/2023	RM					673.97
214	2/02/2023	RM					.09
215	2/05/2023	RM					1,478.47
216	2/06/2023	RM					772.85
217	2/07/2023	RM					977.02
218	2/08/2023	RM					312.32
219	2/09/2023	RM					4,772.61
220	2/10/2023	RM					180.00
221	2/01/2023	BK					51.50
222	2/02/2023	BK					276.25
223	2/05/2023	BK					209.55
224	2/04/2023	BK					916.63
225	2/09/2023	BK					99.80
226	2/10/2023	BK					293.45
227	2/11/2023	BK					269.22
228	2/12/2023	BK					1,403.55
229	2/13/2023	RM					2,479.49
230	2/14/2023	RM					2,617.01
231	2/15/2023	RM					919.78
232	2/16/2023	BK					568.20
233	2/15/2023	BK					199.09
234	2/16/2023	BK					406.30
235	2/20/2023	RM					560.00
236	2/21/2023	RM					462.24
237	2/14/2023	BK					99.80
238	2/17/2023	BK					5,737.50
239	2/18/2023	BK					507.32
240	2/19/2023	BK					579.00
241	2/20/2023	BK					78.50
242	2/22/2023	GL					18,004.55
243	2/22/2023	GL					2,727.51
244	2/22/2023	RM					2,047.79
245	2/23/2023	RM					100.00
246	2/24/2023	RM		Separate deposit			275.00
250	2/23/2023	BK					964.27
251	2/24/2023	BK					378.15
252	2/25/2023	BK					618.80
253	2/28/2023	GL					17,550.74
254	2/28/2023	GL					27.79
255	2/28/2023	BK					99.80
258	2/24/2023	BK					321.94
17000	12/30/2022	AP	999999999	JOHN & CRYSTAL WILES	2	75.00	
17001	12/30/2022	AP	999999999	LEANN MAUDE	3	50.00	
17005*	1/13/2023	PR		2 GAIL L BODDICKER		789.81	
17021*	1/30/2023	PR		1 VONDA BELT		93.50	
17022	1/30/2023	PR		9 VICKI L HENRICHSEN		138.52	
17023	1/30/2023	PR		10 DANNY J HOLSWORTH		253.96	
17024	1/30/2023	PR		4 LINDA M KRAMER		318.25	
17025	1/30/2023	PR		12 TERRI V SCHUMACK		207.79	

Transaction No	Date	Mod	Empl/Vend	Vendor/Employee Name	Other No	Checks	Deposits
1 PIONEER BANK & TRUST CHECKING						- continued -	
17026	1/30/2023	PR		5 MONIKA SERVISS		1,380.04	
17028*	1/30/2023	AP		3 SOUTH DAKOTA RETIREMENT SYSTEM		833.52	
17031*	2/07/2023	AP		20 DSG-DAKOTA SUPPLY GROUP		1,038.32	
17032	2/07/2023	AP		33 GOLDEN WEST TECHNOLOGIES		1,158.13	
17033	2/07/2023	AP		34 GWORKS		3,605.51	
17034	2/07/2023	AP		25 HAGG & HAGG LLP		2,124.00	
17035	2/07/2023	AP		26 HEALTH POOL OF SOUTH DAKOTA		1,835.74	
17036	2/07/2023	AP	999999999	JOAN HARRIS	5	308.85	
17037	2/07/2023	AP		41 JOHNSON LAW OFFICE		782.00	
17038	2/07/2023	AP	999999999	KYLE SIM	8	41.29	
17039	2/07/2023	AP		66 Midcontinent testing lab. Inc		785.00	
17040	2/07/2023	AP		71 Nelson's Oil & Gas Inc.		398.86	
17041	2/07/2023	AP		67 Riteway business forms Inc.		204.41	
17042	2/07/2023	AP		43 C.C. Chronicle/Western trader		115.10	
17043	2/07/2023	AP		65 SOUTH DAKOTA 811		53.76	
17044	2/07/2023	AP		64 Temperature technology Inc.		238.00	
17047*	2/07/2023	AP		68 YESCO Rapid City		573.98	
17048	2/08/2023	AP		18 ACES Engineering INC		20,190.90	
17049	2/08/2023	AP		21 DANR		2,700.00	
17050	2/15/2023	PR		6 JILL R SWIER-DYBVIG		1,102.94	
17051	2/15/2023	PR		5 MONIKA SERVISS		1,387.54	
1*	2/28/2023	GL		4			19,260.45
65	2/07/2023	AP		11 PIONEER BANK & TRUST		295.25	
66	2/07/2023	AP		6 A & B BUSINESS EQUIPMENT INC		539.31	
67	2/07/2023	AP		13 SANDERS SANITATION		3,873.87	
68	2/07/2023	AP		14 US BANK		1,493.23	
69	2/07/2023	AP		12 RURAL DEVELOPMENT		1,278.00	
70	2/07/2023	AP		12 RURAL DEVELOPMENT		417.00	
71	2/07/2023	AP		12 RURAL DEVELOPMENT		222.00	
72	2/07/2023	AP		40 BLACK HILLS ELECTRIC COOP.,Inc		2,108.48	
73	2/15/2023	AP		1 EFTPS-Electronic Federal Tax		568.85	
74	2/21/2023	AP		8 MT RUSHMORE TELEPHONE		272.64	
75	2/21/2023	AP		37 SD MUNICIPAL LEAGUE		36.95	
76	2/21/2023	AP		11 PIONEER BANK & TRUST		25.00	
78	2/27/2023	AP		11 PIONEER BANK & TRUST		105.62	
79	2/27/2023	AP		17 PSN-Payment Service Network		92.70	
80	2/27/2023	AP		11 PIONEER BANK & TRUST		148.00	
				Fund Description			

				101 GENERAL		40,559.27	63,506.05
				211 BBB GROSS RECEIPTS TAX		215.72	1,025.23
				301 DEBT SERVICE			3,603.14
				602 WATER		8,743.72	15,839.42
				604 SEWER		4,742.91	8,721.80
				Fund Grand Total		54,261.62	92,695.64
						Ending Statement Balance	800,936.86

Transaction No	Date	Mod	Empl/Vend	Vendor/Employee Name	Other No	Checks	Deposits
1	PIONEER BANK & TRUST CHECKING					Beginning Statement Balance	761,829.96
				44 Credit Transactions		54,261.62	
				45 Debit Transactions			93,368.52
						Ending Statement Balance	800,936.86

BUDGET REPORT
CALENDAR 3/2023, FISCAL 3/2023

ACCOUNT NUMBER	ACCOUNT TITLE	TOTAL BUDGET	PTD BALANCE	YTD BALANCE	PERCENT EXPENDED	UNEXPENDED
	LEGISLATIVE TOTAL	32,220.38	432.57	3,902.60	12.11	28,317.78
	ELECTIONS TOTAL	1,215.00	.00	.00	.00	1,215.00
	FINANCIAL ADMINISTRATION TOTA	131,465.00	3,855.08	26,113.50	19.86	105,351.50
	LEGAL TOTAL	25,000.00	1,513.00	5,090.50	20.36	19,909.50
	GENERAL GOV'T BUILDINGS TOTAL	1,936.00	.00	266.44	13.76	1,669.56
	ENGINEER TOTAL	50,000.00	215.00	21,140.90	42.28	28,859.10
	POLICE TOTAL	88,000.00	.00	22,000.01	25.00	65,999.99
	PROTECTIVE INSPECTION TOTAL	3,000.00	.00	175.00	5.83	2,825.00
	PUBLIC WORKS TOTAL	77,213.62	7,214.71	9,563.63	12.39	67,649.99
	SOLID WASTE COLLECTION TOTAL	51,990.00	3,890.64	11,705.46	22.51	40,284.54
	PLANNING/ZONNING TOTAL	4,695.00	.00	.00	.00	4,695.00
	GENERAL TOTAL	466,735.00	17,121.00	99,958.04	21.42	366,776.96
	URBAN REDEVELOP/HOUSING TOTAL	4,500.00	.00	.00	.00	4,500.00

BUDGET REPORT
CALENDAR 3/2023, FISCAL 3/2023

ACCOUNT NUMBER	ACCOUNT TITLE	TOTAL BUDGET	PTD BALANCE	YTD BALANCE	PERCENT EXPENDED	UNEXPENDED
	PROMOTING THE CITY TOTAL	.00	230.32	446.04	.00	446.04-
	TRANSFERS OUT TOTAL	3,807.00	.00	.00	.00	3,807.00
	BBB GROSS RECEIPTS TAX TOTAL	8,307.00	230.32	446.04	5.37	7,860.96
	URBAN REDEVELOP/HOUSING TOTAL	1,500.00	.00	.00	.00	1,500.00
	FEMA/CONSTRUCTION TOTAL	1,500.00	.00	.00	.00	1,500.00
	DEBT SERVICE TOTAL	16,810.00	.00	3,820.54	22.73	12,989.46
	DEBT SERVICE TOTAL	16,810.00	.00	3,820.54	22.73	12,989.46
	WATER TOTAL	598,263.00	2,909.39	20,518.02	3.43	577,744.98
	DEBT SERVICE TOTAL	27,661.00	1,597.50	6,285.72	22.72	21,375.28
	TRANSFERS OUT TOTAL	33,826.00	.00	.00	.00	33,826.00
	WATER TOTAL	659,750.00	4,506.89	26,803.74	4.06	632,946.26
	SANITATION TOTAL	124,002.00	333.95	7,768.44	6.26	116,233.56

BUDGET REPORT
CALENDAR 3/2023, FISCAL 3/2023

ACCOUNT NUMBER	ACCOUNT TITLE	TOTAL BUDGET	PTD BALANCE	YTD BALANCE	PERCENT EXPENDED	UNEXPENDED
	DEBT SERVICE TOTAL	4,218.00	319.50	958.51	22.72	3,259.49
	SEWER TOTAL	128,220.00	653.45	8,726.95	6.81	119,493.05
	TOTAL EXPENSES	1,281,322.00	22,511.66	139,755.31	10.91	1,141,566.69

REVENUE REPORT
CALENDAR 3/2023, FISCAL 3/2023

ACCOUNT NUMBER	ACCOUNT TITLE	FISCAL ESTIMATE	PTD BALANCE	YTD BALANCE	PERCENT RECVD	UNCOLLECTED
	GENERAL TOTAL	466,735.00	500.39	80,677.48	17.29	386,057.52
	BBB GROSS RECEIPTS TAX TOTAL	8,307.00	.00	2,274.28	27.38	6,032.72
	FEMA/CONSTRUCTION TOTAL	1,500.00	.00	.00	.00	1,500.00
	DEBT SERVICE TOTAL	16,810.00	.00	9,136.44	54.35	7,673.56
	WATER TOTAL	659,750.00	2,006.47	33,130.83	5.02	626,619.17
	SEWER TOTAL	128,220.00	1,323.74	21,069.48	16.43	107,150.52
	TOTAL OF ALL REVENUE	1,281,322.00	3,830.60	146,288.51	11.42	1,135,033.49

BALANCE SHEET
CALENDAR 3/2023, FISCAL 3/2023

ACCOUNT NUMBER	ACCOUNT TITLE	PTD BALANCE	YTD BALANCE
101-00000-10100	CASH	16,609.52-	276,650.22
211-00000-10100	CASH	230.32-	63,731.94
301-00000-10100	CASH		110,437.28
602-00000-10100	CASH	2,500.42-	146,829.21
602-00000-10700	CASH - RESERVE		11,218.84
602-00000-10800	CASH - CUSTOMER DEP RSRV		8,340.13
602-00000-11500	UNDIST RCPTS UTILITY AR		5,407.42-
604-00000-10100	CASH	670.29	143,996.66
604-00000-10700	CASH - RESERVE		313.83
		-----	-----
	CASH TOTAL	18,669.97-	756,110.69
272-00000-10150	CASH - CONSTRUCTION		1,500.00
		-----	-----
	CASH - CONSTRUCTION TOTAL	.00	1,500.00
101-00000-10300	PETTY CASH		232.98
		-----	-----
	PETTY CASH TOTAL	.00	232.98
101-00000-10400	CASH INVESTED - SDFIT		41,824.88
602-00000-10400	CASH INVESTED - SDFIT		30,876.67
604-00000-10400	CASH INVESTED - SDFIT		67,119.04
		-----	-----
	CASH INVESTED - SDFIT TOTAL	.00	139,820.59
	TOTAL CASH	=====	=====
		18,669.97-	897,664.26
		=====	=====

TREASURER'S REPORT
CALENDAR 3/2023, FISCAL 3/2023

FUND#	TITLE	LAST MONTH CASH BALANCE	REVENUES	EXPENSES	LIABILITY BALANCE	THIS MONTH CASH BALANCE
101	GENERAL	335,317.60	500.39	17,121.00	337,956.00	318,708.08
211	BBB GROSS RECEIPTS TAX	63,962.26		230.32	61,903.70	63,731.94
272	FEMA/CONSTRUCTION	1,500.00			1,500.00	1,500.00
301	DEBT SERVICE	110,437.28			105,121.38	110,437.28
602	WATER	194,357.85	2,006.47	4,506.89	185,550.74	191,857.43
604	SEWER	210,759.24	1,323.74	653.45	199,099.24	211,429.53
Report Total		916,334.23	3,830.60	22,511.66	891,131.06	897,664.26

11 E.

MUNICIPAL INITIATIVE PETITION IN THE MUNICIPALITY OF HERMOSA

WE, THE UNDERSIGNED qualified voters of the municipality of Hermosa the state of South Dakota, petition that the following ordinance be submitted to the voters of that municipality for their approval or rejection pursuant to law.

The proposed ordinance in proper form is as follows:

30.08 No person may be elected to, or appointed to, the Town of Hermosa Board of Trustees that would cause the person to serve more than four (4) consecutive three (3) year terms. No person who, at the time of election or appointment, or at the expiration of his [or her] current term if he [or she] is so serving, will have served twelve (12) or more consecutive years is eligible for election or appointment. Any person who is not eligible for election or appointment under the terms of this ordinance shall not be eligible for election or appointment until at least six (6) years have passed since the expiration of the person's most recent term.

This ordinance shall not be amended or repealed unless approved by a majority of the votes cast at a general election.

INSTRUCTIONS TO SIGNERS:

1. Signers of this petition must individually sign their names in the form in which they are registered to vote or as they usually sign their names.
2. Before the petition is filed, each signer or the circulator must add the residence address of the signer and the date of signing. If the signer is a resident of a second or third class municipality, a post office box may be used for the residence address.
3. Before the petition is filed, each signer or the circulator must print the name of the signer in the space provided and add the county of voter registration.
4. Abbreviations of common usage may be used. Ditto marks may not be used.
5. Failure to provide all information requested may invalidate the signature.

NAME	RESIDENCE	DATE/COUNTY
SIGN 1 ----- PRINT	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER ----- CITY OR TOWN	DATE OF SIGNING ----- COUNTY OF REGISTRATION
SIGN 2 ----- PRINT	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER ----- CITY OR TOWN	DATE OF SIGNING ----- COUNTY OF REGISTRATION
SIGN 3 ----- PRINT	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER ----- CITY OR TOWN	DATE OF SIGNING ----- COUNTY OF REGISTRATION
SIGN 4 ----- PRINT	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER ----- CITY OR TOWN	DATE OF SIGNING ----- COUNTY OF REGISTRATION
SIGN 5 ----- PRINT	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER ----- CITY OR TOWN	DATE OF SIGNING ----- COUNTY OF REGISTRATION
SIGN 6 ----- PRINT	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER ----- CITY OR TOWN	DATE OF SIGNING ----- COUNTY OF REGISTRATION
SIGN 7 ----- PRINT	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER ----- CITY OR TOWN	DATE OF SIGNING ----- COUNTY OF REGISTRATION
SIGN 8 ----- PRINT	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER ----- CITY OR TOWN	DATE OF SIGNING ----- COUNTY OF REGISTRATION
SIGN 9 ----- PRINT	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER ----- CITY OR TOWN	DATE OF SIGNING ----- COUNTY OF REGISTRATION

SIGN 10	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	DATE OF SIGNING
PRINT	CITY OR TOWN	COUNTY OF REGISTRATION
SIGN 11	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	DATE OF SIGNING
PRINT	CITY OR TOWN	COUNTY OF REGISTRATION
SIGN 12	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	DATE OF SIGNING
PRINT	CITY OR TOWN	COUNTY OF REGISTRATION
SIGN 13	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	DATE OF SIGNING
PRINT	CITY OR TOWN	COUNTY OF REGISTRATION
SIGN 14	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	DATE OF SIGNING
PRINT	CITY OR TOWN	COUNTY OF REGISTRATION
SIGN 15	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	DATE OF SIGNING
PRINT	CITY OR TOWN	COUNTY OF REGISTRATION
SIGN 16	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	DATE OF SIGNING
PRINT	CITY OR TOWN	COUNTY OF REGISTRATION
SIGN 17	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	DATE OF SIGNING
PRINT	CITY OR TOWN	COUNTY OF REGISTRATION
SIGN 18	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	DATE OF SIGNING
PRINT	CITY OR TOWN	COUNTY OF REGISTRATION
SIGN 19	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	DATE OF SIGNING
PRINT	CITY OR TOWN	COUNTY OF REGISTRATION
SIGN 20	STREET AND NUMBER OR RURAL ROUTE AND BOX NUMBER	DATE OF SIGNING
PRINT	CITY OR TOWN	COUNTY OF REGISTRATION

VERIFICATION BY PERSON CIRCULATING PETITION

INSTRUCTIONS TO CIRCULATOR: This section must be completed following circulation and before filing.

 Print name of the circulator Residence Address City State

I, under oath, state that I circulated the above initiative petition, that each signer personally signed this petition in my presence, that either the signer or I added the printed name, the residence address of the signer, the date of signing, and the county of voter registration, that I attest the legality of the signatures and that each person signing this petition is a resident and qualified voter of the municipality of Hermosa.

Sworn to before me this ____ day of _____, _____.

(Seal)

My commission expires _____.

 Signature of Circulator

 Signature of Officer Administering Oath

 Title of Officer Administering Oath