

**HERMOSA TOWN BOARD
TUESDAY, OCTOBER 1, 2024
REGULAR MEETING @ 6:00pm**

ROLL CALL: Kramer called the meeting to order on Tuesday, October 1, 2024, at 6:03 pm with the following members present: Ferguson, Kramer, Koontz, Harris and Serviss. Interested citizens and attorney Hagg were also present. Pledge of Allegiance led by Kramer.

CALL FOR CHANGES: Motion made by Ferguson and seconded by Serviss to approve agenda with the change of moving Item 7 Claims to Item 5, Item 8 Law Enforcement moved to Item 7, Item 9 Public Hearing moved to Item 8 and Item 5 Engineer moved to Item 9; vote: all aye, motion carried.

CONSENT CALENDAR: Motion made by Ferguson and seconded by Serviss to approve September 17, 2024, regular meeting minutes; vote: all aye, motion carried.

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

CLAIMS: Motion made by Ferguson and seconded by Harris to approve Payroll and Claims as presented; vote: all aye, motion carried. AMERICAN LEGAL PUBLISHING, 2-7 supplement pages, \$802.35; BLACK HILLS ELECTRIC COOP, power at lagoon for wastewater treatment system, \$29,872.50; BLACK HILLS LANDSCAPES, sewer line excavate/repair 470 Manning Street, \$2,847.34; CONNIE LEIMER, trap/neuter/release program, \$20.00; DOOR SECURITY PRODUCTS, replace dumpster camera/IC real time/smart IR, \$652.43; DAKOTA SUPPLY GROUP, 8 FLEX CPLG Concxpvc, \$31.38; CHUCK FERGUSON, September 2024 services, \$3,120.00; CHUCK FERGUSON, discharge pipe/pull pump #1/waterline for lagoon, \$3,536.00; GOLDEN WEST TECHNOLOGIES, MFA setup for Administrative Assistant, \$90.00; H2I CKEAR SOLUTIONS, down payment on wastewater treatment system, \$100,000.00; HAGG & HAGG LLP, October retainer/8 billable hours and 98 copies, \$4,724.50; RURAL DEVELOPMENT, RD1 loan-September interest/principal, \$1,278.00, RD2 loan-September interest/principal, \$417.00, RD3 loan-September interest/principal, \$222.00; NORTHWEST PIPE FITTINGS, test ball plug/extension hose for pump/NPT saddle/bushing/PVC sewer, \$545.25; SOUTH DAKOTA DEPARTMENT OF REVENUE, sales tax July and August 2024, \$569.45; **Accounts Payable Total: \$ 148,728.20. Utility Deposit Refunds:** Brandon/Elizabeth Allen, \$65.04; Nicole/Jared Barlow, \$154.95; Triple J & K Properties, \$200.00. **Deposit Refund Total: \$419.99.** Payroll related: Total Paid On: 9/30/2024: General, \$3,686.60, Water, \$454.58, Sewer, \$191.29, Promoting City/ BBB, \$63.67, SOUTH DAKOTA RETIREMENT, \$972.54; EFTPS-Electronic Federal Tax, FED/FICA TAX, \$1,100.94; HEALTH POOL OF SOUTH DAKOTA, \$1,969.00; **Total Payroll Related Paid: \$8,438.62. REPORT TOTAL: \$157,586.81.**

PLANNING & ZONING: Motion made by Kramer and seconded by Serviss to direct Floodplain Administrator to complete hydraulic analysis for Permit #2024-35 – Floodplain Development Application – 259 Donna Street – 10' x 8' wooden shed and to pend permit until next meeting; vote: four aye and one abstain, motion carried. Motion by Serviss and seconded by Ferguson to allow Floodplain Administrator to review Plat for Permit #202-33 – Floodplain Development/Subdivision Plat Application – Parcel 004139 and review at next meeting; vote: all aye, motion carried. Information Permit #2024-38 – Digging/Grading – 500 & 510 Walter Street was presented for information purposes only.

PUBLIC HEARING: Motion made by Ferguson and seconded by Serviss to open public hearing at 7:07 p.m.; vote: all aye, motion carried. Motion by Ferguson and seconded by Serviss to approve the transfer of Malt Beverage License #RB-27834 from Hermosa Community Center LLC to TW Saloon LLC; vote: all aye, motion carried. Motion by Ferguson and seconded by Serviss to approve the new application from TW Saloon LLC for a Retail (on-sale) Liquor License; vote: all aye, motion carried. Motion by Harris and seconded by Ferguson to close the public hearing at 7:08 p.m.; vote: all aye, motion carried.

LAW ENFORCEMENT/ABATEMENTS/COMPLAINTS: There was no Custer County log provided. There are no new current abatements.

ENGINEER: Motion made by Serviss and seconded by Ferguson to approve the cost of smoke testing, unless it was proven there was negligence by the homeowner, for seven sewer customers at \$300 each; vote: four aye and one abstain, motion carried. Motion made by Koontz and seconded by Ferguson to approve the purchase price of \$15,000 and authorize Kramer to sign the land agreement with the Preston family for the North Water Tank once the legal description is received;

vote: all aye, motion carried. Motion made by Kramer and seconded by Koontz to authorize the finance officer to transfer \$140,501.08 from the checking account into a six-month interest-bearing CD at the financial institution offering the best interest rate; vote: all aye, motion carried. This amount represents the amount paid by the Preston family for water tap fees and will be used for sewer development. Motion made by Kramer and seconded by Koontz to approve the proposal with Conifer Construction in the amount of \$149,212.00 for the transport and set-up of the Apple Springs wastewater treatment system; vote: all aye, motion carried. Motion by Harris and seconded by Koontz to approve Ferguson Construction to install a 1,725 foot 1-inch water line to the new Wastewater Treatment Plant at a cost of \$8 per lineal feet and not to exceed the amount of \$13,800; vote: four aye and one abstain, motion carried. Motion made by Ferguson and seconded by Serviss to approve the purchase of 350 lineal feet of 4-inch SDR-35 sewer from the Preston Family for the wastewater treatment plant at a cost of \$5.68 per lineal foot; vote: all aye, motion carried. Neil Putnam, Planner with Benesch joined the meeting by phone to give recommendations for TIF #1 and future TIFs.

BREAK: The board took a 5-minute break and reconvened at 8:30 p.m.

LEGAL: Hagg explained that the project plan for TIF #1 can be amended, and current funds can be used to complete the project identified. Motion by Harris to direct the Town Engineer and Town Attorney to create an amendment to TIF #1 after a work session and be reviewed by the Board of Trustees and present to the county. Motion died for a lack of a second. Motion by Serviss and seconded by Ferguson to dissolve TIF #1; vote, two aye, three nay, motion failed. Motion by Harris and seconded by Koontz to direct the Town Engineer and Town Attorney to create an amendment to TIF #1 and present to the Board of Trustees; vote: three aye, two nay, motion carried.

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

FINANCE OFFICE: The bank reconciliation report was presented. The SDML conference will be held in Sioux Falls, South Dakota, October 8th through October 11th. Cornelison will reserve motel rooms for those wishing to attend. The Finance Officer presented the list of volunteers for the Town of Hermosa, which included Trena Matheny for town website design and Dan Holsworth for town street maintenance. Volunteers for the Town of Hermosa for 2024 were recognized and it is the intent of the Hermosa Town Board of Trustees to cover these volunteers for Work Comp purposes. Motion by Harris and seconded by Koontz to approve the Work Comp coverage for the two volunteers listed; vote: four aye and one nay, motion carried.

OLD BUSINESS: Gravel on Tower Road is pending. Motion by Koontz and seconded by Ferguson to approve the payment for two registrations for members of Hermosa Connects to attend the Fuel the Growth conference being held in Rapid City, October 7th through October 10th, with those attending to report back to the Town Board on what they learned at the conference; vote: all aye, motion carried. Motion made by Harris and seconded by Koontz to support a contest for artwork for the new website design; vote: all aye, motion carried.

NEW BUSINESS: Motion by Koontz and seconded by Harris to approve the proposal from Dan Holsworth in the amount of \$2,750.00 for machine time and fuel expenses; Kramer amended the motion and Serviss seconded the amendment to approve the proposal from Holsworth in the amount of \$2,750.00 for street maintenance; vote: four aye and one nay, motion carried. Motion made by Koontz and seconded by Harris to approve the use of electric service from the town office building for the Christmas tree lights on the tree located between the town office building and the post office building; vote: four aye and one nay, motion carried. The street sign height was pended until the next meeting.

ITEMS FROM CITIZENS/TRUSTEE INPUT: Audience and trustees had input.

EXECUTIVE SESSION: Motion made by Harris and seconded by Koontz to enter Executive Session allowable by SDCL 1-25-2.1- Personnel at 11:07 p.m.; vote: all aye, motion carried. Motion made by Harris and seconded by Serviss to exit Executive Session at 11:17 p.m.; vote: all aye, motion carried. There were no motions made from executive session.

ADJOURN: Motion made by Ferguson and seconded by Serviss to adjourn meeting at 11:17 p.m., vote: all aye, motion carried.

ATTEST:

Terri Cornelison
Finance Officer

Linda Kramer
Town Board President

Published once at the approximate cost of _____.