

**HERMOSA TOWN BOARD
TUESDAY, OCTOBER 7, 2025
REGULAR MEETING @ 6:00pm**

ROLL CALL: Koontz called the meeting to order on Tuesday, October 7, 2025, at 6:01 p.m. Roll Call was held with Kramer, Ferguson, Koontz and Serviss in attendance. Interested citizens and Town Engineer Theodorou were also present. Pledge of Allegiance led by Koontz.

CALL FOR CHANGES: Motion by Kramer and seconded by Ferguson to add Item 13 A Discussion on Proposal for Annexation Ordinance and approve agenda as amended; vote: all aye, motion carried.

EXECUTIVE SESSION: Motion by Kramer and seconded by Ferguson to enter Executive Session allowable by SDCL 1-25-2.- Legal and Personnel at 6:03 p.m.; vote: all aye, motion carried. Motion made by Ferguson and seconded by Kramer to exit Executive Session at 6:30 p.m.; vote: all aye, motion carried. Motion by Koontz and seconded by Serviss to state that the board has seen direct evidence that demonstrates that the allegations of coercion against the Town Marshal from the last meeting are not valid; vote: all aye, motion carried.

CONSENT CALENDAR: Motion by Ferguson and seconded by Koontz to approve the September 23, 2025, regular meeting minutes as presented; 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.

TOWN/FEMA UPDATES: Koontz gave an update on the vacant board trustee position. The town will accept letters of interest until Thursday, October 30, 2025, and make the appointment on November 4, 2025, regular board meeting. Koontz also stated the board's intention of trying to foster a community of cooperation. Serviss gave an update on changes made to the town's website.

ENGINEER: Robert Baroque spoke on the completion of the Lagoon Expansion project, and he thanked his employees for getting the project completed, the board for their support and the Town Engineer for collaborating with him on the project. Engineer Theodorou spoke on modifications that need to be made to the Drop Box for the Wastewater Treatment Plant. Motion by Serviss and seconded by Kramer to approve a budget not to exceed \$6,500.00 to modify the Drop Box to protect transmission and motor; vote: all aye, motion carried. Change Order No. 9 was discussed. Motion by Kramer and seconded by Serviss to approve Pay Application #11 for Baroque Advantage LLC in the amount of \$84,122.12; vote: all aye, motion carried. Motion by Ferguson and seconded by Serviss to approve payment for the All Aspects Inc. invoice in the amount of \$2,336.40; vote: all aye, motion carried. Motion by Kramer and seconded by Koontz to approve Pay Application No. 4 for Conifer Construction in the amount of \$13,503.00; vote: all aye, motion carried.

PLANNING & ZONING: Permit #2025-18-Wastewater Connection Application-Parcel #004139-349 McDermant St is pending until the October 21, 2025, meeting, per a request from the applicant. Motion by Koontz and seconded by Kramer to approve Permit #2025-19-Carport-267 Main St.-Parcel #009189; vote: all aye, motion carried.

PUBLIC WORKS: Serviss reported on current volunteer street work. Work on Taz Ct. will continue. Ferguson reported on streetlights that have been fixed and a streetlight at the end of Josie Avenue that needs to be fixed. The new water line for the Whitney Street lots has been completed with an inspection report filed. Open work orders were provided in the packet. Theodorou will research protocol for notifying residents when public utility work is being performed and the board will discuss it at the next meeting. Koontz stated he had received paperwork from Dan Holsworth regarding completed street work under his agreement.

LAW ENFORCEMENT/ABATEMENTS/COMPLAINTS: Marshal Alias gave a Marshal report. The Custer County Log was provided in the packet. Motion by Koontz and seconded by Kramer to approve the Animal Control Officer volunteer assignment; vote: all nay, motion failed. Motion by Serviss and seconded by Kramer to approve Marshal Alias to initiate training of Tami Chevalier as Animal Control Officer candidate; vote: all aye, motion carried. Motion by Serviss and seconded by Kramer to approve Tami Chevalier as a volunteer and it is the intent of the Hermosa Board of Trustees to cover her as a volunteer for Work Comp purposes; vote: all aye, motion carried.

BREAK: The board took a ten-minute break and reconvened at 8:10 p.m.

LAW ENFORCEMENT/ABATEMENTS/COMPLAINTS CONTINUED: Motion by Koontz and seconded by Serviss to approve the transition of Town Marshal to full-time status. Motion was amended by Koontz and Serviss seconded the amendment to define full-time status as 40 hours per week; vote on amended motion: all aye, motion carried. Vote on original motion: all aye, motion carried. The board reviewed four complaints that had recently been filed in the town office. Marshal Alias confirmed that per the Chapter 90: Animal Control Ordinance Section 90.09 A, he had investigated the animal complaints and made the determination of the required action and so notified both the plaintiff and owner of such determination. A complaint was received regarding residents having discolored water after waterline work was completed. The board will adopt a protocol for notifying residents when public utilities work is being performed at their next meeting on October 21, 2025.

CLAIMS: Motion by and seconded by to approve the Payroll and Claims as presented: A & B BUSINESS, monthly printer/fax fee/staples, \$640.57, BANK WEST, classic web banking fee, \$25.00; BANK WEST CREDIT CARD, adobe/stamps/copy paper, post it notes, \$365.21; BAROQUE ADVANTAGE LLC, Pay Application #10 – lagoon expansion, \$39,599.56; BENESCH, wastewater treatment plant engineering fees/FY22SRF loan engineering fees, \$4,606.50; BLACK HILLS ELECTRIC COOP, Utilities electric August 2025, \$3,165.93, CHUCK FERGUSON, contract services – September 2025/inspections/pull pump #1 at Ferguson lift station, \$3,746.00; RURAL DEVELOPMENT, RD1 Loan-September 2025 interest & principal, \$1,278.00; RD2 Loan-September 2025 interest & principal, \$417.00; RD3 Loan-September 2025 interest & principal, \$222.00; SOUTHERN HILLS PUBLISHING, publishing/legal notices September 2025, \$183.72; **Accounts Payable Total: \$54,249.49.** UTILITY DEPOSIT REFUNDS: JASON COLE, \$28.00; LINDSEY KINSTLE, \$23.48; TYLER TOAVES, \$121.66; **Deposit Refund Total: \$173.14.** Payroll related: Total Paid on 9/30/2025; General, \$3,445.54; Water, \$299.96; Sewer, \$104.88; Promoting City/BBB, \$34.96; EFTPS-Electronic Federal Tax, FED/FICA TAX, \$992.87; SOUTH DAKOTA RETIREMENT, \$1,049.99; HEALTH POOL OF SOUTH DAKOTA, \$1,043.57; **Total Payroll Related Paid: \$6,971.77. REPORT TOTAL: \$61,394.40.**

LEGAL: No items were presented.

ECONOMIC DEVELOPMENT: Serviss gave an update on the Hermosa Connects and Hermosa Area Growth and Development meetings he attended on Monday, October 6, 2025. Jerry Styles informed the board that Hermosa Connects has planned a series of informational forums for the Hermosa area community. The first forum will discuss replacing the Hermosa Library and solving the ambulance issue. This meeting will be held at the Legion building in Hermosa on Tuesday, October 28, 2025, from 6:30 p.m. to 8:30 p.m.

FINANCE OFFICE: Monthly financials will be presented at the next regular meeting. Cornelison gave an update on the Cyber Security workshop she had attended. There is some grant money available to enhance the town's current Cyber Security and Cornelison will research that.

OLD BUSINESS: No items were presented.

NEW BUSINESS: Motion by Koontz and seconded by Ferguson to amend the Off-Sale Liquor License fee to \$.65 per operating hour with a maximum of \$350 per month; vote: all aye, motion carried. The Annual Fee of \$250 currently listed on the Liquor License fee schedule for off-sale licenses will be addressed at the next regular meeting. Motion by Serviss and seconded by Koontz to approve Breezy Simpson as Town Events and Holiday volunteer assignment with the intent of the board to cover decoration installer as a volunteer for Work Comp purposes.

CITIZENS/TRUSTEE INPUT: Audience and trustees had input. For full verbiage, please see the video recording posted on the town's You Tube channel.

ADJOURN: Motion made by Kramer and seconded by Ferguson to adjourn meeting at 9:17 p.m., vote: all aye, motion carried.

ATTEST:

Terri Cornelison
Finance Officer

Kelburn Koontz
Town Board President

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