

**HERMOSA TOWN BOARD
REGULAR MEETING
TUESDAY, AUGUST 16, 2022 @ 6:00pm**



ROLL CALL: Holsworth called the meeting to order at 6:00 pm with the following members present: Henrichsen, Holsworth, Kramer, Schumack and Thomason. Attorney Hagg, Ferguson and several interested citizens also present. Pledge of Allegiance was led by Holsworth.

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

CONSENT CALENDAR: Motion made and seconded to approve with discussion approval of the August 2, 2022, regular meeting minutes; vote; one aye, four nays, motion failed. Motion made and seconded to add the Citizen and Trustee Input back into the August 2, 2022, minutes; vote; one nay, four ayes, motion carried. Motion made and seconded to approve the August 11, 2022, Special and Executive Session minutes; vote; one abstained, four ayes, motion carried.

CONFLICT OF INTEREST DECLARATIONS: None.

CLAIMS: Motion made and seconded to approve August 16, 2022, Payroll and Claims as amended; vote: all ayes, motion carried. ACES, Attendance at Hermosa Special BOT meetings, Pierre, mileage, \$2,347.30; Custer County Sheriff, Dispatch services, \$2,000.00; Ferguson, Chuck, Inspections, \$105.00; Ferguson, Chuck, Contract (August 2022 Contract, Pay 8/30/2022), \$2,446.34; Hawkins, Chemical, \$458.69; Johnson Law Office, July 2022 services, \$756.50; Kramer, Linda, Two American Flags, \$107.88; Metering & Technology Solutions, Meters, \$1,078.54; Pioneer Bank & Trust, 2 Signature Account Charge, \$25.00; Payment Service Network, 7/1/2022 - 7/31/2022, \$133.40; Verizon Connect, Monthly charge, \$32.38; Payroll related: Finance Department, \$2,762.56; Gail Boddicker, Health insurance, \$200.00; EFTPS, 941 payroll tax deposit, \$646.51. TOTAL: \$13,100.10.

LAW ENFORCEMENT/ ABATEMENTS/COMPLAINTS: Law enforcement not in attendance, no log available.

AbateMENTS/Complaints: Thomason attempted to present the board with complaints/citizen input he has received; however, he was instructed to address the complaints with the town attorney before he brings anything further to the board. The attorney will review and bring the facts to the board. **AbateMENTS:** the town will abate those properties that have not mowed/trimmed their yards.

Dumpster – motion made to send a letter to an out-of-town person who was using the dumpster and ask them to refrain from using the dumpster; vote; all ayes, motion carried. Trustees to discuss at future meeting eliminating the yard dumpsters.

LEGAL: No report. Attorney confirmed the Notice of Violation, listed under Public Works, is appropriate to be discussed in Executive Session. Motion made and seconded to engage Hagg as interim attorney until Attorney Johnson's return from leave of absence; vote; all ayes, motion carried.

ENGINEER: Water Rehab Project (WRT System): pending ARPA funds. Hermosa Sidewalk Project: pending. Sewer Project (Lagoon expansion): acceptance letter signed, to DANR, pending. Water/Sewer Facility Plans: pending. Town of Hermosa Water and Sewer Extension Project: pending. Hermosa Hills Drainage: pending until final review. Whitney Street Drainage, pending. 5th Street Repair: under Old Business. Roy's Drive In Sewer Line: pump records will be brought to the office. Facility Plan for Booster, Water Meters: pending. Rural Development Application: pending.

PLANNING & ZONING: P&Z August 9, 2022, minutes, no action. Motion made and seconded to approve Permit 2021-25 – Digging/Grading – Southern Hills RV Park – Extension; vote; all ayes, motion carried. Motion made and seconded to approve Permit 2022-12 – Residential Building – 315 Manning St. – Revised location of carport; vote, one abstained, four ayes, motion carried. Motion made and seconded to approve Permit 2022-23 – Digging/Grading/Manufactured Moving -Walnut Grove Mobile Home Park – Lot 59; vote; all ayes, motion carried. Motion made and seconded to remove Permits 2021-25, Permit 2022-12, and Permit 2022-23, from the agenda; vote; all ayes, motion carried.

PUBLIC WORKS: Motion made and seconded to move agenda item, “Notice of Violation, Order of Compliance and Settlement Agreement” to executive session; vote; one nay, four ayes, motion carried. Ferguson provided updates on speed limit signs, street lights. Citizens to be reminded that house numbering is very important for the health, safety and welfare of the community.

FINANCE OFFICE: Monthly financials were provided in packet. Department updates: board was asked to provide the FEMA narrative to student in Urban Planning; the board declined and will request the student to provide additional information before he receives the narrative.

OLD BUSINESS: Annexation: Gumbo Lily, Fairgrounds Place, McDermand Street, pending. Annexation, Concrete Ordinance, Public Works, Mosquito Spraying to be on August 23, 2022, Work Session agenda. Town Sign, pending. Town Office: Deck Staining, pending. Board members offered to stain the decks when weather cooperates. Library: Deck Staining, Mud Jacking, pending. Camera drainage, pending SDARWS investigation. Motion made and seconded to submit the Certificate of Occupancy to the school with no Stipulations; vote; all ayes, motion carried. Motion made and seconded to remove the CoO from agenda; vote; all ayes, motion carried.

NEW BUSINESS: Water user rate issues: discussion regarding NHWU water rates. NHWU water rates to be placed on September 6, 2022, agenda. Prairie Winds: discussion regarding user rates; trustee and park owner to meet to discuss. 1st Reading: Ordinance 2.075 Appropriating Funds for the Fiscal Year 2023.

ITEMS FROM CITIZENS: Individuals requested to refrain from discussing personalities. Citizen asked what the board plans to do regarding the fact the SD DANR has not approved the water/sewer extension project. Citizen was informed the board plans to correct the problem rather than take a legal approach. Citizen requested the tree next to the town shop be trimmed as there is concern a resident /child could be injured by falling branches. Citizen concerned water/sewer project drawings were not sent to the state for approval as required. Concerned with the monies this project has cost the taxpayers; requested the engineer to not be hired for any other town projects as state laws have been violated. Fair board representatives advised the board they are planning to erect additional fence around their property – they were advised to follow ordinance to be placed on the P&Z agenda.

EXECUTIVE SESSION: Motion made and seconded to enter Executive Session at 7:45 p.m. allowable by SDCL 1-25-2.1; unanimous. Motion made and seconded to exit executive session at 9:03; unanimous. Motion made and seconded to direct Attorney Hagg to send a letter to SD DANR to respond to the Notice of Violation, Order of Compliance, and Settlement Agreement; vote; all ayes, motion carried. Motion made and seconded to request ACES to submit the water distribution system to DANR as a separate plan set; vote; 1 nay, four ayes, motion carried.

TRUSTEE INPUT: Henrichsen: good meeting, congratulations to the Hermosa Coffee Shop on their one-year anniversary of successful business; sends condolences to the Hammer family on the passing of Hermosa citizen and former Hermosa board member Steve Hammer. Thomason: good meeting. Schumack: good meeting. Kramer: thank you, good informative meeting, questioning if the library has responded to the letter requesting rent. Holsworth: thanks to the board for their wisdom, let's move forward in a positive way.

Motion made and seconded to adjourn at 9:07 pm; unanimous.

ATTEST:

Dan Holsworth, Town Board President

Gail Boddicker, Finance Officer
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