

**HERMOSA TOWN BOARD  
REGULAR MEETING  
TUESDAY, APRIL 5, 2022 @ 6:00pm**



**ROLL CALL:** Holsworth called the meeting to order at 6:00 pm with the following members present: Henrichsen, Holsworth, King, and Schumack. Attorney Johnson, Harris, Ferguson and interested citizens also in attendance. Pledge of Allegiance led by Holsworth.

**CALL FOR CHANGES:** Motion made and seconded to approve agenda as amended to move Intro of Nick Benton following Claims and Roy Reitenbaugh following Hermosa Hills Drainage/Engineer; vote; all ayes, motion carried.

**OATH OF OFFICE:** Linda Kramer was appointed to complete the term of office for Berni Flug – through June 7, 2022. Kramer took the Oath of Office.

**CONSENT CALENDAR:** Henrichsen objected to the edits made on her trustee input in the March 1, 2022, meeting minutes. Requested the minutes be revised to reflect she stated she was disappointed in the reasons being used for the ordinance changes; further, she stated she was not providing input because she was tired of being ridiculed after she gives her input. March 1, 2022, minutes to be approved as amended, March 15, 2022, March 21, 2022, regular and March 21, 2022, special meeting minutes, be approved as presented; vote; Kramer, abstain; all other ayes, motion carried.

**CLAIMS:** Motion made and seconded to accept the claims as presented; motion carried. A&B Business Solutions, Monthly Charge, \$555.54; Banyon Data Systems, Pet module, \$195.00; Black Hills Cooperative Inc, Monthly Charge, \$3,875.43; Coolahan Trucking LLC, Hauled water from Fairgrounds to Water Line at Mud Bog/Shorb Road, \$675.00; Dakota Supply Group, Pipe nipple, \$75.80; Ferguson, Chuck, March 2022 Contract, \$2,446.34; Golden West, Monthly charges, \$563.50; Harris, Joan, Bike reimbursement, \$1,688.25; Hawkins, Supplies, \$581.40; Hilt Construction, Inc, Guardrail/2nd Street Bridge, \$12,546.00; Johnson Law Office, Monthly billing, title report, tax deed matter, \$1,560.50; Lingo, Monthly billing, \$34.46; Metering & Technology Solutions, Bronze Bare Meters, screws, couplings, \$1,223.40; Miller Construction, Haul and spread 3 loads clean rock, Nickels' Road, \$1,122.00; Morris, Mandy, Accounting assistance, \$400.00; Mt. Rushmore Telephone, Monthly charges, \$240.02; Nelson's Oil & Gas, Inc, Tank rental, Propane, \$327.95; Northwest Pipe Fittings, Inc, Valve, screw, flange adapter, \$583.99; Office Depot, Inc, Paper, office supplies, \$115.72; Pace, Clean and video sewer, \$37,584.73; Payment Service Network, Monthly billing (February and March), \$262.95; Pioneer Bank & Trust, Monthly charges, \$278.98; Pioneer Bank & Trust, 2 Signature Account Charge, March, \$25.00; Rapid Rooter, Jet, camera, mileage, \$1,169.40; RCS Construction, Contractor's Application for Payment #3, \$141,301.84; RCS Construction, Change Order 1, \$32,568.73; Rural Development (RD1), April 2022 Payment, \$1,278.00; Rural Development (RD2), April 2022 Payment, \$417.00; Rural Development (RD), April 2022 Payment, \$222.00; Sander Sanitation, Monthly billing, \$2,933.75; SD DANR, Land application permit, \$50.00; Southern Hills Publishing, March 2022 billing, \$533.43; Story, Kara, Customer deposit refund, 269 Ferguson, \$101.93; USA Blue Book, Replacement glass sample tubes, \$47.84; USPS, Post Office Box Service Fee, \$100.00; US Bank, TIF SRF Pay, \$3,820.54; Verizon Connect, Monthly billing, \$32.38; Payroll related: Board of Trustees, \$750.00; Finance Department, \$4,280.85; Planning & Zoning, \$910.00; Janitorial, \$165.00; Meter, \$185.50; EFTPS, 941 payroll tax deposit, \$1,395.68; Health Pool of South Dakota, Monthly premium, \$882.97; SD Retirement Fund, March 2022, \$872.82. TOTAL: \$260,981.62.

Nick Benton, Candidate for Custer County Commissioner, attended the meeting to introduce himself, with questions and feedback from citizens.

**LAW ENFORCEMENT/ ABATEMENTS/COMPLAINTS:** Deputy Thompson provided the Custer County Sheriff's Office Log; fairly routine activities. Law enforcement services contract needs to be reviewed as the six-month contract is nearing completion.

**LEGAL:** Pennington County Extraterritorial Agreement: Pennington County Commissioners are reviewing the Agreement; no response has been received at this time. Question on SBHWS litigation

**ENGINEER:** Berg provided a written report: Water Rehab Project (WRT System): pending due to awaiting results from water test. Lone Coyote Subdivision (Preston Sub) Preliminary Plat Application: waiting on new application items. Hermosa Sidewalk Project: motion made and seconded to approve to break into two plan sets. Set 1 would be at budget level per SDDOT and Set 2 would be the remainder of the project; vote; all ayes, motion carried. Sewer Project; no update. Town of Hermosa Water and Sewer Extension Project: project is near completion, Change Order 1 submitted for approval; motion made and seconded to approve Change Order 1 final package; vote; all ayes, motion carried. Water Sewer Extension, Pay Application 3 certified by ACES; motion made and seconded to approve Pay App 3; vote; all ayes, motion carried. SDDANR, waiting for response following additional information provided after the March 15 exchange of information. Water/Sewer Facility Plans; no update. ACES has responded to all SDDANR questions; no update. Hermosa Hills Drainage: no update. Discussion regarding drainage on Marie and Walter Streets – developer must install culvert on Walter Street as well as coconut seeding in ditches. Roy Reitenbaugh attended meeting regarding the installation of the sewer line from the drive-in theater. Land and property owners need to meet to discuss what is going to work for Reitenbaugh to be able to get sewer installed. Whitney Street/SDARWS: SDARWS planning to return to Hermosa to conduct flow tests. Engineer recommended to submit a temporary certificate of occupancy to school until the parking lot is paved and site complete. Drainage is still occurring and hoping it will subside on Whitney Street; however, the alley way has slowed down. Annexation Study: approval granted to include McDermand Street was approved at last meeting.

**PLANNING & ZONING:** P&Z March 22, 2022, minutes: no action. Permit 2022-02; Subdivision Plat Application- G&G Development- Walnut Grove Park. It is zoned as R2 and it should be R1. Motion made and seconded to leave as pending until the zoning question/issue is resolved; vote; all ayes, motion carried. Permit 2022-06; Digging/Grading Permit; Buried Fiber Optic – Range/MP Nexlevel, LLC; motion made and seconded to approve; vote; all ayes, motion carried.

**PUBLIC WORKS:** Ferguson provided updates on streetlights and streets; no action. Water: plan to flush Well 2268, water to be directed to the state ROW, RAD to be retested as the DANR did not accept the test performed in November. Need to inform ACES she will need to use the last test sample results for the WRT info. Sewer: lagoon level has exponentially dropped. Ferguson reported the town is in compliance with DANR. Ferguson reported the results of the recent camera-ing and jetting indicates there is little to no infiltration in the lagoon. Citizen concerned about the water flowing into the lagoon from resident pump sumps. Ferguson reported the consumption is down from the previous month. Request for Ferguson to provide the water consumption report after the meters are read in April. CMOM to be completed and sent to SDDANR before May 1, 2022. 2021 Drinking Water Report: to be made available to the public. Booster pump fitting: Ferguson to provide a cost estimate to perform the work. PACE: contract was sent to the town after the work was accomplished; their invoice was significantly higher than expected, pending. Midwest Assistance Program, Valve Marking: motion made and seconded to contact MAP to request their assistance to combine maps and provide details of the valve function; vote; all ayes, motion carried. SD DANR: letter to town to provide best practices guidance to follow when flushing or repairing water mains; no action. Motion made and seconded to rescind the approval of the claims; vote; all ayes, motion carried. Motion made and seconded to approve the claims, with the exclusion of the PACE invoice until Ferguson can discuss the fee with them; vote; all ayes, motion carried. Discussion regarding exercising the valves, flushing the hydrants – SDARWS requested a timeline/schedule of the town’s proposed actions.

**FINANCE OFFICE:** Monthly financials and end of year profit loss summary in packet and available at town hall. Following a lengthy discussion, Boddicker instructed to investigate Hermosa’s alcoholic beverage ordinance and report at the April 19, 2022, meeting. Garbage rate analysis: pending.

**OLD BUSINESS:** Annexation: Gumbo Lilly, Fairgrounds Place: McDermand Street will be added to the annexation properties. Public Hearing is scheduled for May 3, 2022. Town Sign: Boddicker to request if Hermosa trustees can be on the April 11, 2022, school board meeting agenda to discuss installing the town sign on the school property. Town Office: Deck Staining, pending. Library: Deck Staining, Mud Jacking, pending.

**NEW BUSINESS:** 1<sup>st</sup> Reading Accessory Dwelling Unit Ordinance, An ordinance amending Chapter 155 to define and regulate accessory dwelling units and tiny houses on wheels. Food Pantry: change of date to move into town office building, the lease will be revised as the Food Pantry is no longer under the church auspices. Motion made and seconded to allow Pennington County to blotter patch roads in Hermosa; vote; all ayes, motion carried. Motion made and seconded to approve placing gravel on Nickels Road; vote; all ayes, motion carried. Volunteer of the Year: Robert King was selected to receive the 2021 Volunteer of the Year; award was presented to King to honor him for his exemplary service to the community.

**ITEMS FROM CITIZENS:** Citizen requested the town board to discuss the poor condition of Marie Street with the developer. The gravel has been scraped and no gravel on the road.

**EXECUTIVE SESSION:** Motion made and seconded to adjourn meeting at 9:26; vote; all ayes, motion carried. Motion to enter into executive session at 9:30 allowable by SDCL 1-25-2 personnel and contract; vote; all ayes, motion carried. Motion made and seconded to exit executive session at 9:53; vote; all ayes; motion carried. No motions made in executive session. Motion made and seconded to reconvene meeting at 9:55; vote; all ayes, motion carried.

**TRUSTEE INPUT:** Henrichsen: would love to have the camaraderie return to the board relationships. King: no comment. Kramer: asked if she will be placed on any committees; Holsworth will appoint committees at next meeting. Kramer hopes the board can move forward with positivity. Holsworth: the board needs to put differences aside and work as a team with all that is going on. A wise citizen told me of his father's words regarding future development growth who did a lot of river-rafting in Colorado. If you don't paddle faster than the current of water the water controls everything you do.

**ADJOURN:** Motion made and seconded to adjourn the meeting at 10:05 pm; vote; all ayes, motion carried.

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Dan Holsworth, Town Board President

ATTEST:

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Gail Boddicker, Finance Officer  
Published once at the approximate cost of \_\_