

**HERMOSA TOWN BOARD
REGULAR MEETING
TUESDAY, MARCH 1, 2022 @ 6:00pm**



- 1) **ROLL CALL:**
 - A. BOT Roll Call: Flug, Henrichsen, Holsworth, King, 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 15, 2022, regular meeting minutes

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

- 5) **LAW ENFORCEMENT/ ABATEMENTS/COMPLAINTS:**
 - A. Committee report
 - B. Homeland Security Grant Award
 - C. Custer County Log

- 6) **LEGAL:**
 - A. Prepare Extraterritorial Agreement with Pennington County (Platting, Building)
Letter to Pennington County

- 7) **ENGINEER:**
 - A. Water Rehab Project (WRT System): pending due to awaiting results from water test
 - B. N Second Street Box Replacement
Guard Rail
 - C. Lone Coyote Subdivision (Preston Sub) Preliminary Plat Application
(Permit 2021-18 was voided and renumbered to Permit #2021-36, Lots 1-23)
 - D. Hermosa Sidewalk Project
 - E. Sewer Project (Lagoon expansion)
 - F. Town of Hermosa Water and Sewer Extension Project, Change Order 1
Approval of Pay Application No. 1
Approval of easement reroute
 - G. Water/Sewer Facility Plans
 - H. Hermosa Hills Drainage
 - I. Whitney Street Drainage
SDARWS Report

- 8) **PLANNING & ZONING:**
 - A. P&Z February 22, 2022, minutes (To be presented at meeting)
 - B. Permit 2021-36; Lone Coyote Subdivision (Discussed under #7, Engineer)
 - C. Permit 2021-25; Southern Hills RV Park
 - D. Permit 2022-03; Digging/Grading Permit – Midco – Construct Cable Communications system in town of Hermosa.

- 9) **PUBLIC WORKS**
 - A. Committee Report
 - B. Streets, Street Light Repairs, Water & Sewer Department Updates
 - C. Land Application Contract
 - D. CMOM Program Development
 - E. SDARWS Water System Recommendations

- 10) **FINANCE OFFICE:**
A. Monthly Financials, pending accountant
B. Department updates
C. gWorks discussion
- 11) **OLD BUSINESS:**
A. Annexation: Gumbo Lilly, Fairgrounds Place
B. Town Sign, pending
C. ADU Zoning Ordinance, pending
D. Town Office: Deck Staining, pending
E. Library: Deck Staining, Mud Jacking, pending
F. 2022 South Dakota Legislature, pending
- 12) **NEW BUSINESS:**
A. 2nd Reading Hermosa Ordinance: 30.01
B. 2nd Reading Hermosa Ordinance: 30.05
C. 2nd Reading Hermosa Ordinance: 30.06
D. 2nd Reading Hermosa Ordinance: 30.07
E. Food Pantry
 Lease approval
F. Trustee Flug Resignation
- 13) **ITEMS FROM CITIZENS:** No action will be taken (3-minute time limit per speaker)
- 14) **TRUSTEE INPUT:**
- 15) **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
- 16) **ADJOURN:**
Motion by _____; second by _____ to adjourn the meeting at _____ pm.

HERMOSA TOWN BOARD
PUBLIC HEARING AND REGULAR MEETING
TUESDAY, FEBRUARY 15, 2022 @ 6:00pm



3A

ROLL CALL: Holsworth called the meeting to order at 6:00 pm with the following members present: Flug, Holsworth, King, Schumack, & Henrichsen by phone. William Lass, Black Hills Council of Local Governments, Johnson, Berg, Ferguson, and interested citizens also in attendance. Pledge of Allegiance led by Holsworth.

PUBLIC HEARING: The Purpose of the Public Hearing is a requirement of the funding applications that were submitted to DANR for the:

“Sanitary/Storm Sewer Facilities Funding Application” - Wastewater Lagoon Expansion, Gumbo Lily Addition Improvements Project.

Need for the Project: The lagoons need improvement done to the collection treatment. Also, there is an area adjacent to the town that are on septic systems and the plan is to put them on town collection system.

All Alternatives Evaluated and Costs for Each: No Action: Is not reasonable for no action. Regionalization: This is not an option as there are no other sewer treatment facilities in the area. Lagoon Expansion Project: Evaluated with cost: \$680,277.00. Sequencing Batch Reactor (SBR) Wastewater Treatment Plant: with cost: \$2,794,143.00. Relocation of the existing treatment facility: with cost of: \$655,000. Gumbo Lily with cost of: \$469,200. All options looked at for possible expansion that the town could evaluate.

The following alternatives selected and proposed for the funding application are: Lagoon Expansion Project, Gumbo Lily would extend the sewer collection system.

Proposed Financing for the Project: The funding application submitted to DANR is called a, “Sanitary/Storm Sewer Facilities Funding Application”. DANR may fund these projects from one of two primary sources: the Clean Water State Revolving Loan Fund (or SRF) Program and/or the Consolidated Water Facilities Construction Program. It is also possible the DANR will have extra grant or principal forgiveness available if the department receives additional American Rescue Plan Act funds if the legislature allocates funds in 2022. This has not yet occurred during the legislative session.

Amount of Loan to be Borrowed for Project: Total cost of the project is \$1,150,000.00 with \$76,000 local ARPA earmarked for the project. The requested amount to DANR is \$1,074,000.00. The town should always assume the funds will be 100% loan, make plans based on all loan.

Revenue Source Pledged for Loan Repayment: Town will use a sewer surcharge. The surcharge will be used to pay off the loan.

Interest Rate and Term of the Loan: 2.125% for 30 years.

Effect of the Proposed Financing on User Rates: The approximate per-account monthly surcharge resulting from the financing and based on 100% loan plus a 10% debt reserve requirement is (based on approximate information):

\$4,037.18/month debt service + \$403.72/month debt service reserve = \$4,440.90 Total. \$4440.90 divided by 226 accounts = \$19.65/month approximate surcharge.

Holsworth called for Public Comments/Questions.

“Drinking Water Facilities Funding Application” - New Well, WRT System, and the Gumbo Lily Lane Addition Improvements:

Need for the Project: The town has a well that is inactive and requires treatment due to radium levels.

All Alternatives Evaluated and Costs for Each: No Action: Is not reasonable. Blending of the two existing wells: was not feasible or reasonable. Regionalization: Evaluated with cost: \$590,947.50, this is construction side and would also require a purchase of water. Hildebrand Treatment: Evaluated with cost: \$292,793.60 for the cost with ongoing costs for treatment. WRT System: Evaluated with cost: \$526,500.00. Drilling the new Madison Well: Evaluated with cost: \$2,454,410.00. Gumbo Lily Expansion: Evaluated with cost: \$543,480.00. Combined three alternatives together for the funding application: drilling a new well, the WRT System, Gumbo Lily Lane Addition.

Proposed Financing for the Project: The funding application submitted to DANR is called a “Drinking Water Facilities Funding Application”. The DANR may fund this application from one of two primary sources: the Drinking Water State Revolving Loan Fund (or SRF) Program, and/or the Consolidated Water Facilities Construction Program. It is also possible the DANR will have extra grant or principal forgiveness available if the department receives additional ARPA (Americana Rescue Plan Act) funds in 2022. Lass provided two sets of figures: the original amount and the new numbers based on the possible \$500,000 ARPA funds obligated by Custer County.

Revenue Source Pledged for Loan Repayment: Water Surcharge

Interest Rate and Term of the Loan: 1.625% for 30 years

Effect of the Proposed Financing on User Rates:

The approximate per-account monthly surcharge resulting from the financing and based on 100% loan plus a 10% debt reserve requirement is:

\$12,378.04/mo. debt service
\$1,237.81 monthly debt reserve
\$13,615.85 Total

\$13,615.85 divided by 254 accounts = \$53.61/mo. (approx.)

(Note: The below details reflect revisions based on lower loan amount due to County ARPA)

\$12,378.04/mo. debt service	\$10,622.29
<u>\$1,237.81</u> monthly debt reserve	<u>\$1,062.23</u>
\$13,615.85 Total	\$11,684.52

\$11,684.52 divided by 254 accounts = \$46.00/mo. (approx.)

Holsworth called for Public Comments/Questions. Motion made and seconded to conclude the Public Hearing and enter into Regular Session at 6:47 p.m., vote; all ayes, motion carried.

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

CONSENT CALENDAR: Motion made and seconded to approve the February 1, 2022, regular meeting minutes; vote; Flug, aye; Holsworth, aye; King, aye; Schumack, aye; Henrichsen, abstained; motion carried.

CLAIMS: discussed following New Business.

LAW ENFORCEMENT/ ABATEMENTS/COMPLAINTS: The town is waiting for the law enforcement radios to arrive.

LEGAL: Johnson reported Pennington County Commissioners were meeting the same day as the Hermosa board meeting and the Extraterritorial Agreement was on their agenda for review. He will report at the next meeting.

ENGINEER: Water Rehab Project (WRT System): pending due to awaiting water test results. N Second Street Box Replacement Guard Rail, pending. Lone Coyote Subdivision (Preston Sub) Preliminary Plat Application: Berg has received new plans from developer's engineer and will have report prepared to discuss at February 22, 2022, P&Z meeting. Hermosa Sidewalk Project: DOT informed the board the engineer's estimate came in substantially higher than what was originally estimated. Berg will contact DOT to discuss possible solutions. Sewer Project (Lagoon expansion) – no updates. Town of Hermosa Water and Sewer Extension Project, Change Order 1 – the project will require a reroute due to the Dollar General project. Water/Sewer Facility Plans: submitted for DANR review. The funding boards will meet April 12-13, 2022, in Pierre, item pending. Hermosa Hills Drainage – no update. Elmer Claycomb/Dollar General – the town has not received a response from Mr. Claycomb; item to be removed from agenda. Whitney Street Drainage: FMG Engineering conducted their own water sampling from multiple locations in town to attempt to understand the source of the water that is surfacing in areas of Hermosa. Their report indicates the source likely is municipal drinking water. Technicians from the SD Association of Rural Water Systems had also conducted leak detention tests throughout the town on February 8-10; their report indicates no leaks were found in any areas throughout Hermosa. As there is a need for this issue to be resolved quickly, Berg will schedule a meeting with town officials and FMG to discuss the discrepancy between the two reports to discuss resolving this problem. The citizen whose property this is affecting attended the board meeting and requested a solution be made as soon as possible.

PLANNING & ZONING: P&Z February 8, 2022, minutes; no action. Permit 2021-36; Lone Coyote Subdivision; pending Review ADU ordinance; pending. Permit 2022-01; Informational Permit-Parcel 9339; Proposed Towing Recovery and Used Car Lot, pending. Citizen has withdrawn the towing recovery portion of the project and will focus only on a Used Car Lot. Hermosa Ordinance 30 – Proposed updates (Under New Business). Permit 2022-02; Subdivision Plat Application- G&G Development- Walnut Grove Park, pending. Review of Chapter 117 to Regulate and License Transient Merchants (Under New Business). 1-mile Extraterritorial Area Policy Agreement (Under New Business).

PUBLIC WORKS: No reports under streets. New streetlights have finally arrived; East Main light is out and needs to be changed. The new main water meter has arrived and Ferguson will be working on getting it installed. Ferguson to install the motor in the booster. Ferguson reported he is monitoring the lagoon and it is holding containment. The town will proceed with hiring company to camera and jet the town's lines and we will then be able to review the condition of the infrastructure.

FINANCE OFFICE: Boddicker submitted a proposal from Independent Audit Services, PC, to perform the 2021 town audit. Monthly Financials, pending accountant. Motion made and seconded to contract with Mandy Morris to assist Boddicker with a 2021 accounting issue; vote; all ayes, motion carried. Boddicker requested the gWorks discussion, the software company being researched for utility billing and fund accounting, be tabled to March 1, 2022, meeting. Boddicker to send the request for bids to Sander Sanitation, Kiefer Sanitation and the Chronicle for bids on collection and disposal of refuse of solid waste. Motion made and seconded to approve Boddicker to sign the SDPAA Liability Coverage contract; vote; all ayes, motion carried.

OLD BUSINESS: Annexation: Gumbo Lilly, Fairgrounds Place: ACES will have the study prepared to be submitted to P&Z on February 22. Town Sign, pending. Berg will request a variance from the DOT to put the sign in the ROW (the law stipulates no advertisement in the ROW). Motion made and seconded to remove Dollar General Malt Beverage/Wine License and Elmer Claycomb/Dollar General from the agenda; vote; all ayes, motion carried. ADU Zoning Ordinance, pending. Town Office: Deck Staining, pending. Library: Deck Staining, Mud Jacking, pending. Casey Peterson Hermosa Audit Engagement Letter: motion made and seconded to not sign the letter of intent with Casey Peterson for their audit services; vote; all ayes, motion carried. Independent Audit Services, PC: motion made and seconded to enter into contract with Independent Audit Services for the preparation of the 2021 audit; vote; all ayes, motion carried. Motion made and seconded to remove audit discussions from the agenda; vote; all ayes, motion carried. 2022 South Dakota Legislature: there are no present bills that we need to act on. Custer County Extra-territorial Agreement. Berg reported she and Holsworth met with the county commissioners, their attorney and Custer County Planning Director, Kester, to discuss processes. All reviewed the Agreement and made no changes; no action.

NEW BUSINESS: 1st Reading Hermosa Ordinance: 30.01, 1st Reading Hermosa Ordinance: 30.05, 1st Reading Hermosa Ordinance: 30.06, 1st Reading Hermosa Ordinance: 30.07. Food Pantry: motion made and seconded to approve the Food Pantry to move into the lower-level of the town office beginning April 1, 2022, upon the execution of a lease at a fee of one dollar a month, vote; all ayes, motion carried. Motion made and seconded to remove Food Pantry from the agenda; vote; all ayes, motion carried. Meeting recordings: motion made and seconded to publish the next two recordings of the town regular board meetings on the Hermosa website; vote; all ayes, motion carried. Special meetings may be added as well. 2nd Reading Ordinance: Chapter 117, Transient Merchants or leave Ordinance 113 in place with current fee schedule: no action on 2nd Reading on Chapter 117. P&Z recommended there is more detail in the original in Ordinance 113. They were not in favor of 117 and proposed Chapter 117 not be read for 2nd Reading. Motion made and seconded to remove, "Meeting recordings and 2nd Reading Ordinance: Chapter 117, Transient Merchants or leave Ordinance 113 in place with current fee schedule" from agenda; vote; all ayes, motion carried. Reimbursement for sewer bill on city main: motion made and seconded to reimburse Schumack for the costs she incurred due to a city sewer line blockage issue; vote; Flug, aye; Henrichsen, aye; Holsworth, aye; King, aye; Schumack, abstained; motion carried. Approval of rock and leveling on Nickel's Road: motion made and seconded to approve the purchase of two loads of rock and leveling on Nickel's Road; vote; all ayes, motion carried. Approval of rock between 3rd & 4th Streets: motion made and seconded to approve; vote; all ayes, motion carried. Approval of paying redemption of tax lien: motion made and seconded to approve paying the redemption of the tax lien; vote; all ayes, motion carried. Renewal of 250 Main Street Lease Agreement: motion made and seconded to continue the lease on 250 Main Street with Westergard, to leave the rent at \$350.00, with the ability to house one or both of the law enforcement vehicles, all other conditions remain the same; vote; all ayes, motion carried.

CLAIMS: Motion made and seconded to approve the claims; vote; all ayes, motion carried. ACES, Facility Plans, \$22,983.50; Current Electric, Replace ballast in ceiling fixture with new \$96.90; Custer Co. Treasurer's Office, Tax lien redemption, \$2,816.77; Golden West, Monthly charges, \$563.50; Johnson Law Office, January 2022 services, \$1,768.00; Metering & Technology Solutions, Meters, \$1,223.37; Metering & Technology Solutions, Bare meter, gaskets, nuts, \$1,297.92; Miller Construction LLC, Haul 3 loads 1" clean rock and spread, \$918.00; Office Depot, Inc, Supplies, \$147.98; Payment Service Network, Monthly services 1/1/2022-1/31/2022, \$130.65; Pioneer Bank & Trust, Office supplies, \$246.49; R.C.S. Construction, Water/Sewer extension, Pay App #1, \$301,260.52; Rapid Rooter, Inspection of PVC storm drain for infiltration, \$520.00; Riteway Business Forms, Inspection forms, \$246.67; Rural Development #1 Monthly charges, \$417.00; Rural Development #2, Monthly charges, \$222.00; Rural Development #3, Monthly charges, \$1,278.00; Sander Sanitation Service, Monthly charges, \$2,846.25; Schumack, Terri, Reimbursement for root issue which were in the city main, \$181.05; Southern Hills Publishing, Inc, January 2022 charges, \$356.15; US Bank, DWSRF, \$1,493.23; Whiting Hagg & Dorsey, LLP, Attorney services, \$5,726.90; Payroll related: Finance, \$2,861.78; Gail Boddicker, Health insurance stipend, \$200.00; EFTPS, 941 payroll tax deposit, \$673.34; TOTAL: \$350,475.97.

ITEMS FROM CITIZENS: None

EXECUTIVE SESSION: Motion made and seconded to enter executive session at 8:37 pm allowable by SDCL 1-25-2 contract; vote; all ayes, motion carried. Motion made and seconded to exit executive session at 9:21pm; vote; all ayes; motion carried. Motions made in executive session: motion made and seconded to allow board president to sign the Perpetual Utility Easement with Heartland Storage LLC; vote; 4 ayes; 1 nay; motion carried. Motion made and seconded to allow the amendment to the federal lawsuit to be filed; vote; 4 ayes; 1 nay; motion carried.

TRUSTEE INPUT: Trustee Flug reported this is his last meeting as he is moving from town; Requested Flug to send a written letter of resignation. Schumack and King: thanks to Flug for his support, he will be missed. Henrichsen: thanks to the board for their support while she was hospitalized, Flug will be missed. Holsworth: thanks to Flug for his expertise, his volunteerism service; he will be greatly missed.

ADJOURN: Motion by Holsworth, second by King to adjourn the regular meeting at 9:30 pm.

Claims for Approval 3-1-2021		
A&B Business Solutions	Monthly Charge	\$ 580.17
ACES	Staff Report: 2021-25, 2021-36, 2022-02,	\$ 4,467.50
Banyon Data Systems	Payroll, PSN Module, Utility Billing, Fund Acctg.	\$ 2,715.00
Belt, Vonda	Cleaning supplies, ladder	\$ 59.59
Black Hills Cooperative Inc.	Monthly Charge	\$ 3,756.29
Boddicker, Gail	Mileage to Custer, x 2 trips (60.84) Utility Easement Filing (Heartland	\$ 90.84
Ferguson, Chuck	February 2022 Contract	\$ 2,446.34
Ferguson, Chuck	Snow removal, Inspections	\$ 380.00
Lingo	Monthly billing	\$ 33.24
Miller Construction	Haul base course, alley work	\$ 1,803.36
Pioneer Bank & Trust	2 Signature Account Charge	\$ 25.00
Southern Hills Publishing	February 2022 monthly billing	\$ 242.20
Tem-Tech	Installed new hour meter	\$ 275.88
USA Blue Book	Motor, PH Test Kit	\$ 612.98
Verizon Connect	Monthly billing	\$ 32.38
Payroll related:		
Payroll	Board of Trustees	\$ 600.00
Payroll	Finance Department	\$ 2,888.55
Payroll	Planning & Zoning	
Payroll	Janitorial Meter Mosquito Control	\$ 164.50
Gail Boddicker	Health insurance	
EFTPS	941 payroll tax deposit	* \$ 820.19
Health Pool of South Dakota	Monthly premium	
SD Retirement Fund	February 2022 SDRS	\$ 714.04
TOTAL		\$ 22,708.05

7c

Town of Hermosa

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 X Final Plat X

Date: 9-9-21

Permit # 2021-36

Receipt # _____	Cash _____	Check # <u>11684</u>	Amount <u>75⁰⁰</u>	<i>ck date</i> <u>6-3-21</u>
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Applicant:

Name: JOHN PRESTON
 Address: PO BOX 52
 City, State, Zip: HERMOSA, SD 57744
 Phone & Email: 605-381-0555
 Sign & Date: _____

Other Owners:

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

Agent:

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

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

Surveyor/Engineer:

Name: RENNER ASSOCIATES, LLC
 Address: 3231 TEEWINOT DR.
 City, State, Zip: RAPID CITY, SD 57701
 Phone & Email: 605-721-7310
 Registration Number: 9213
 Sign & Date: _____

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

Current Legal Description:

Subdivision/H.E.S./M.S. Title: _____
 Secondary Title/Description: PORTIONS OF THE NW1/4 OF SE1/4; THE SW1/4 OF SE1/4; TRACT W OF NE1/4 OF SE1/4 &
 Aliquot Location: TRACT W OF SE1/4, SE1/4, SECTION 19 Total Acres: 87.221
 Township: 2S Range: 8E Section(s): 19 Book: _____ Page: _____

Proposed Legal Description:

Primary Title (Subdivision Name): LONE COYOTE SUBDIVISION
 Secondary Title: (Description): PRESTON TRACT 3

Does this plat continue to divide an existing subdivision? Yes _____ No X FIRM Panel 46103V1650H
 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.

John Preston

Original Parcel #
Pennington County
Office Use Only

<p style="text-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 style="text-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>
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STAFF REPORT

MUNICIPALITY: Town of Hermosa, 230 Main Street, Hermosa, SD 57744
PROJECT: Preston Family Inc. – John Preston
Lone Coyote Subdivision
Hermosa, SD
DATE: February 20, 2022
PERMIT NUMBER: 2021-36
REPORTED BY: Leah M. Berg, P.E.

ITEMS:

Conditions:

The subdivision is located in the newly annexed area in the NW area of the Town of Hermosa, located west of Highway 79. The Subdivision is within Custer County and Pennington County.

The provided plat includes Phase 1, Lots 1 through 23, Shorb Tract 1, Utility Lot and dedicated Right-Of-Ways.

An initial Staff Report was completed on a previous version of this Preliminary Plat by Interstate Engineering under Permit # 2021-18 dated June 17, 2021. That report is attached for reference.

Annexation:

Phase 1 of the Lone Coyote Subdivision, as submitted, is located in the Town of Hermosa Boundary.

Flood Plain:

Based on the flood map overlay, the proposed expansion is NOT located in any identified special hazard area (floodplain).

Zoning: This area will need to be re-zoned now that annexation is complete.

- The property owner will need to submit application for rezoning. This can be done concurrently with the preliminary plat process.

Water and Sewer service:

The Town's water and sanitary sewer mains have been extended to the property line on the Lone Coyote Subdivision.

- It is the contractor's responsibility to verify the existing mains and that size and supply will meet code requirements and properly serve the proposed lots and future home(s), design was not verified in this review.
- Water supply pressure and supply was not committed by the Town.

Access:

Access shall be from Highway 79 off an existing approach.

- Property owner shall be responsible to reclassify use of approach off of existing SD Highway 79 through the SDDOT.
- Phase 2 will require a second access point.
- Sweet Pea Lane will require temporary turn arounds at each dead end.

Comments:

1. No major drainage easements are shown on the attached plat.
2. County approval of road names Sweet Pea Road, Sweet Pea Lane, and Little Pine Court shall be required
3. Sewer report states that pumps and controls are being designed by West Plains Engineering. No plans were submitted from West Plains Engineering.
4. The sanitary sewer design report includes a lift station with 2 – pump system with high/low level warnings and a backup generator. These are the minimum requirements for a lift station that will be taken over by the Town of Hermosa.
5. It is understood that the developer is proposing gravel roads and open ditch drainage ways. It is up to the Town if sidewalks and streetlights shall be provided.

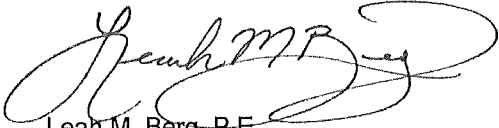
Recommendations – Permit 2021-36:

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 and Pennington County Register of Deeds must review and accept plat format, legal description and any other aspects of the plat document.
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 and Pennington County, paying applicable taxes and having the plat signed and recorded.
4. All fees to be paid prior to issuing permit.
5. Plans shall be submitted to SDDANR for approval, this approval shall be provided to the Town prior to construction.
6. Plat does not include a signature line for the Governing Board president.
7. Plat does not list all Lots being platted in the title/description.
8. No manholes shall be allowed to be spaced over 400' and the submitted plans have the section leading to the lift station at a distance of 519.5'.
9. Developer shall clarify the installation of sidewalks and street lights.
10. It shall be required that the Engineer of Record Provide Construction Administration Services on this project and verify through Observation Reports that all underground utilities are installed per plan. The agreement between Renner Associates and the development group should be provided to ensure services will be provided.
 - a. If Renner is not contracted for Construction Administration for the submitted Phase 1 of the project, it shall be the Developers responsibility to hire a Professional Engineer to complete these services. Progress reports and final approval from the engineer shall be required by the Town prior to Final Platting being approved.
 - b. Construction Administration services shall be verified prior to underground utility construction commencing onsite.
11. Applicable inspections must be performed by the Town of Hermosa
12. Compaction test results for roadways and utility trenches shall be provided by an independent testing agency/firm and test results shall be made available to the Town as completed throughout construction.
13. All construction must meet applicable code requirements as well as Town Ordinance requirements weather stated in this Staff Report or not.
14. Lift Station is located on the Utility Lot, clarify if this Lot shall be dedicated to the Town.
15. Lift station pumps and control details shall be provided to the Town by West Plains Engineering prior to the lift station being installed.

16. Contractor's License with the Town of Hermosa shall be required for all contractors working on the project.
17. As-Builts shall be submitted in AutoCAD and PDF format prior to final plat approval.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Leah M. Berg', written in a cursive style.

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\2-22-22 Meeting P&Z\2021-36

Town of Hermosa



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

Phone (605) 255-4291 • Fax (605) 255-4094

www.hermosasd.com

November 20, 2020

Preston Family Inc.
PO Box 52
Hermosa, SD 57744

Dear John and Preston Family,

Thank you for attending the November 17, 2020, Hermosa Board of Trustees meeting and providing your letter of intent to annex the proposed Preston Family Development with the Town of Hermosa.

As noted in your letter, Preston Family Inc. will agree to annex with the Town of Hermosa in exchange for the city supplying utilities (water and sewer) to the property lot line. The Town of Hermosa will be responsible for expenses incurred for the utilities being brought to the lot line.

The Board of Trustees are agreeable to zoning the development as Residential Ag. In addition, the development will not be required to install streetlights, paved roads, curb and gutter and sidewalks.

On behalf of the town board, we look forward to working with you on this exciting development in our community.

Sincerely,

A handwritten signature in cursive script that reads "Vicki Henrichsen".

Vicki Henrichsen, President *by GB*
Board of Trustees
Town of Hermosa

Town of Hermosa

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 _____

Date: 1/3/2022 Permit # _____

Is any property in the Flood Plain? _____ Yes _____ **IF YES-YOU WILL NEED A FLOODPLAIN DEVELOPMENT PERMIT**

Receipt # _____	Cash _____	Check # _____	Amount _____
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Applicant: John Preston - Preston Family Inc. Other Owners: _____
 Name: _____ Name: _____
 Address: PO Box 52 Address: _____
 City, State, Zip: Hermosa, SD 57744 City, State, Zip: _____
 Phone & Email: 605-291-0555 Phone & Email: _____
 Sign & Date: [Signature] 1/3/2022 Sign & Date: _____

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

Surveyor/Engineer: _____ Name: _____
 Name: Renner Assoc. Address: _____
 Address: 3231 Teewinot Dr. Address: _____
 City, State, Zip: Rapid City, SD 57703 City, State, Zip: _____
 Phone & Email: 605-721-7340 (218) Phone & Email: _____
 Registration Number: 9213 Sign & Date: _____
 Sign & Date: 204-0 1-4-22

Current Legal Description:

Subdivision/H.E.S./M.S. Title: Lone Coyote Sub
 Secondary Title/Description: Preston Tract 3 & Apportion of Preston Tract 1, a portion of TRACT E of SE 4, NE 4 & NE 4 of SE 4, & Jacated Highway Row.
 Allotment Location: _____ Total Acres: 117.1418
 Township: 2S Range: BE Section(s): 19 Book: _____ Page: _____
 Doc# A202121842

Proposed Legal Description:

Primary Title (Subdivision Name): Lone Coyote Sub
 Secondary Title (Description): Lots 1-23 and Dedicated Sweet Pea Lane, Sweet Pea Rd, & Little Pine Ct, Row's

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

Will this subdivision require construction of roads or installation of other improvements? yes

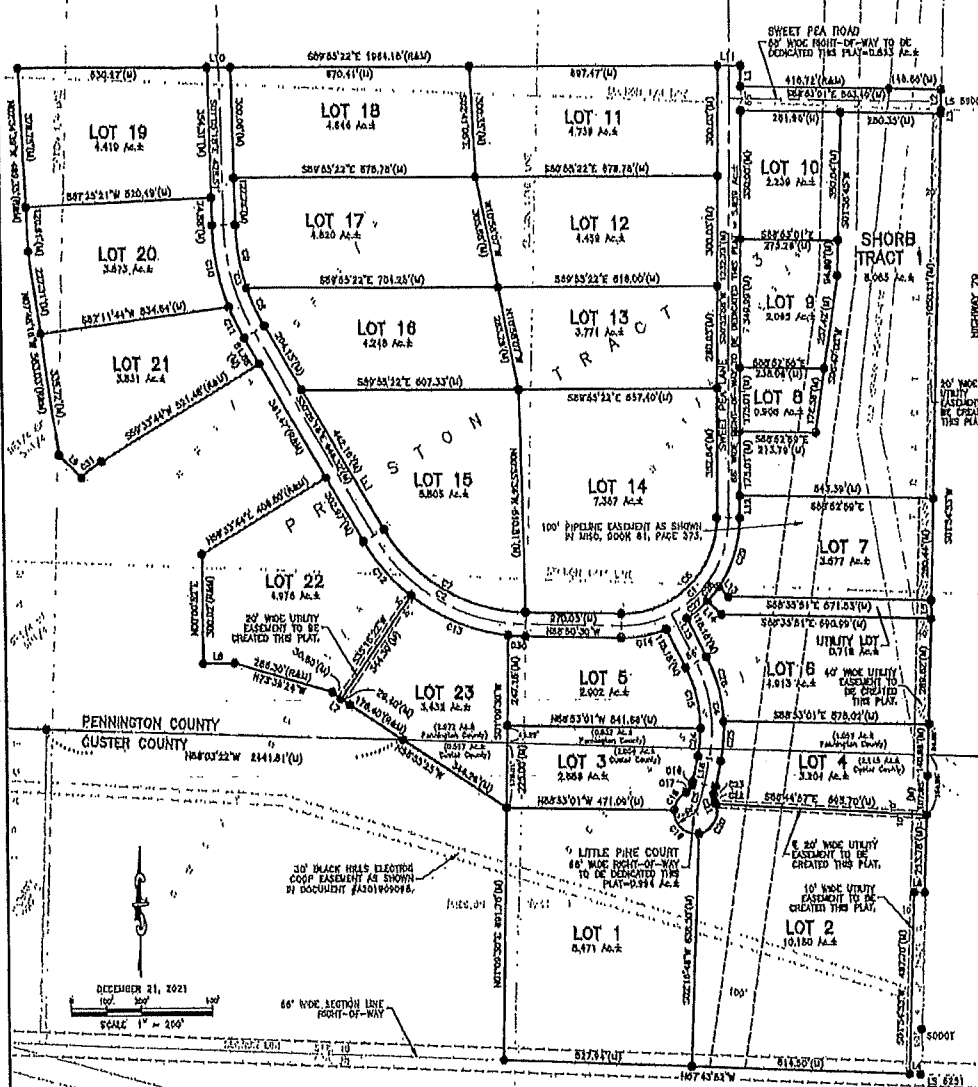
What is the intended land use within the subdivision? Residential Commercial _____ Industrial _____ Mixed Use _____ (Specify on attached plat copy)

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

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

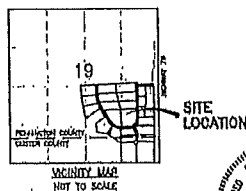
**PLAT OF
LONE COYOTE SUBDIVISION
LOTS 1-23 AND DEDICATED SWEET PEA LANE, SWEET PEA ROAD & LITTLE PINE COURT
RIGHT-OF-WAYS**
(formerly Preston Tract 1 & Preston Tract 3 of Lone Coyote Subdivision, a portion of Tract E of SE1/4 of NE1/4, a portion of Tract E of NE1/4 of SE1/4, a portion of Tract E of SE1/4 of SE1/4 and vacated Highway right-of-way)
LOCATED IN SECTION 19, T2S, R8E, B1M,
HERMOSA, PENNINGTON COUNTY, & CUSTER COUNTY, SOUTH DAKOTA



- LEGEND**
- Denotes 3/8" rebar with survey cap marked "Banner - Arson, 0213"
 - Denotes Found Survey Monument marked LS 0213, unless otherwise noted.
 - (R) Denotes Recorded in previous plat or description.
 - (U) Denotes Measured in this survey.

COURSE	ANG. LENGTH	BEARING	DATA ANGLE	CHORD BEARING	CHORD LENGTH
01(U)	477.41	S09°07'11" W	82°15'17"	S85°49'11" W	478.09
02(U)	602.87	S09°00'00" W	82°11'11"	S85°48'33" W	602.87
03(U)	301.43	S09°00'00" W	82°11'11"	S85°48'33" W	301.43
04(U)	301.43	S09°00'00" W	82°11'11"	S85°48'33" W	301.43
05(U)	74.88	S09°00'00" W	82°11'11"	S85°48'33" W	74.88
06(U)	185.43	S09°00'00" W	82°11'11"	S85°48'33" W	185.43
07(U)	185.43	S09°00'00" W	82°11'11"	S85°48'33" W	185.43
08(U)	185.43	S09°00'00" W	82°11'11"	S85°48'33" W	185.43
09(U)	185.43	S09°00'00" W	82°11'11"	S85°48'33" W	185.43
10(U)	185.43	S09°00'00" W	82°11'11"	S85°48'33" W	185.43
11(U)	185.43	S09°00'00" W	82°11'11"	S85°48'33" W	185.43
12(U)	185.43	S09°00'00" W	82°11'11"	S85°48'33" W	185.43
13(U)	185.43	S09°00'00" W	82°11'11"	S85°48'33" W	185.43
14(U)	185.43	S09°00'00" W	82°11'11"	S85°48'33" W	185.43
15(U)	185.43	S09°00'00" W	82°11'11"	S85°48'33" W	185.43
16(U)	185.43	S09°00'00" W	82°11'11"	S85°48'33" W	185.43
17(U)	185.43	S09°00'00" W	82°11'11"	S85°48'33" W	185.43
18(U)	185.43	S09°00'00" W	82°11'11"	S85°48'33" W	185.43
19(U)	185.43	S09°00'00" W	82°11'11"	S85°48'33" W	185.43
20(U)	185.43	S09°00'00" W	82°11'11"	S85°48'33" W	185.43
21(U)	185.43	S09°00'00" W	82°11'11"	S85°48'33" W	185.43
22(U)	185.43	S09°00'00" W	82°11'11"	S85°48'33" W	185.43
23(U)	185.43	S09°00'00" W	82°11'11"	S85°48'33" W	185.43

LINE BEARING	DISTANCE
01(U)	S09°07'11" W 477.41
02(U)	S09°00'00" W 602.87
03(U)	S09°00'00" W 301.43
04(U)	S09°00'00" W 301.43
05(U)	S09°00'00" W 74.88
06(U)	S09°00'00" W 185.43
07(U)	S09°00'00" W 185.43
08(U)	S09°00'00" W 185.43
09(U)	S09°00'00" W 185.43
10(U)	S09°00'00" W 185.43
11(U)	S09°00'00" W 185.43
12(U)	S09°00'00" W 185.43
13(U)	S09°00'00" W 185.43
14(U)	S09°00'00" W 185.43
15(U)	S09°00'00" W 185.43
16(U)	S09°00'00" W 185.43
17(U)	S09°00'00" W 185.43
18(U)	S09°00'00" W 185.43
19(U)	S09°00'00" W 185.43
20(U)	S09°00'00" W 185.43
21(U)	S09°00'00" W 185.43
22(U)	S09°00'00" W 185.43
23(U)	S09°00'00" W 185.43



NOTES

UTILITY AND OTHER DRAINAGE EASEMENTS TO ON THE INTERIOR SIDES OF ALL LOT LINES NOT ADJACENT TO PUBLIC RIGHT-OF-WAYS.

ANY MAJOR DRAINAGE EASEMENT SHOWN HEREON SHALL BE KEPT FREE OF ALL OBSTRUCTIONS INCLUDING BUT NOT LIMITED TO OUTLETS, WALLS, FENCES, MOLES, TREES AND SHRUBS, THESE EASEMENTS GRANT TO ALL PUBLIC UTILITIES THE RIGHT TO CONSTRUCT, OPERATE, MAINTAIN, INSPECT, AND REPAIR SUCH IMPROVEMENTS AND STRUCTURES AS IT DEEMS NECESSARY TO FACILITATE DRAINAGE FROM ANY SOURCE.

BASE OF MEASUREMENT:
SOUTH DAKOTA STATE PLATE COORDINATE SYSTEM, SOUTH ZONE, NAD83(2011), DERIVED FROM OPUS SOLUTION WITH A COMBINED SCALE FACTOR OF 0.99999897.

MAJOR PROFESSIONAL STATEMENT:
PURSUANT TO SDCL 17-1-11-1 AND 17-1-11-3-8.2, 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 THE PLAT AND FROM POLLUTION FROM SEWAGE TREATMENT PLANTS AND SHALL IN PROTECTION OF SUCH PARTICIPATIONS CONFORM TO AND FOLLOW ALL REGULATIONS OF THE SOUTH DAKOTA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES RELATING TO THE SAME.

FLOODPLAIN STATEMENT:
BASED ON THE FLOOD INSURANCE RATE MAP NUMBER 480301A00N (NOT PRINTED), EFFECTIVE DATE JUNE 3, 2013, INDICATES THE SUBJECT PROPERTY IS LISTED IN ZONE 0.

SHEET 1 OF 2





June 17, 2021

Town of Hermosa
230 Main Street
Hermosa, SD 57744

RE: Staff Report – Lone Coyote Subdivision, Permit 2021-18 Review
IE No.: L21-03-097.09

Planning & Zoning,

Conditions:

The site is located north of Hermosa and west of Hwy 79. The proposed development sits partially in Custer County and the majority in Pennington County.

The applicant has submitted the following:
Preliminary Plat Application for Phase 1 of Lone Coyote subdivision.

NO OTHER PERMITS HAVE BEEN SUBMITTED AND NO OTHER PERMITS ARE BEING REVIEWED AS PART OF THIS REVIEW.

The applicant is proposing to develop a residential subdivision of approximately 277 acres. It is proposed to develop in phases. Phase 1 will include 25 lots per the plat. I note a discrepancy of the phase 1 number of lots between plat and Sewer Report. It appears the plat has been changing up to the revised submittal on June 16 and not all associated documents have been updated. **ALL DOCUMENTS SHOULD BE CROSS CHECKED AND EDITED TO AGREE.**

As part of the development infrastructure to include streets, water, sewer, power and communication will be installed. The streets, water and sewer are planned to be turned over to the city. The development also includes a sewer lift station that will be dedicated to the Town to be operated and maintained by the town.

The City has entered a contract with ACES Engineering to design the water and sewer from the City utilities, near the Lazy R, to the connection points at the subdivision. The Town has agreed to pay for this infrastructure. The development will pay for internal infrastructure and turn it over to the Town at no cost to the Town.

General Discussion:

This review is for preliminary plat only. It has been discussed and it is the town's understanding that once preliminary plat is approved, the improvements will be made and once approved by the town, the final plat can be submitted for approval.

Professionals you need, people you trust.

P.O. Box 226 • 123 East Jackson Blvd., Ste. 1 • Spearfish, SD 57783-0226 • P: 605-642-4772 • F: 605-642-4773 • www.interstateeng.com

Offices in: North Dakota • Montana • Minnesota • South Dakota



It was discussed and understood that if final plat approval is requested before all Phase 1 improvements are made and accepted by the town, surety will be provided for any non-completed improvements before final plat is approved.

Annexation:

The Town has received an email from Bridget Shorb indicating they are willing to annex a portion of the storage lot and their ag parcel, with conditions and at no cost to them. The town has agreed to all conditions with one exception, the deeded property requested by Shorb's. That will need to be finalized as part of the final annexation process required. Dan Holzworth has verbally indicated willingness to annex a portion of the mud bog parcel.

Please note ALL requirements that have been requested by Shorb's which include tap fees on undeveloped lots located in Hermosa as well as commercial zoning. The Wade and Bridget Shorb property on at Preston Development should be identified so the request for commercial zoning can be accomplished.

All three parcels need to be replated and the town has agreed to pay for this replating and was going to contact ACES to do the platting following Tuesday's meeting.

Until annexation is completed, the town has no legal authority or ability to issue grading permits in Custer or Pennington County.

Plating Authority:

Due to the one-mile agreement, the town has the authority to plat the property located ONLY within Custer County (Lots 6-10 Block 1).

Flood Plain:

No floodplain is shown on the County GIS web site in Section 19.

Zoning:

The property will need to be re-zoned if annexation occurs.

Access:

See plat and plans.

The town will require a second access as part of Phase 2. That access can be from Shorb Road or SD Hwy 79, but a second access will be required.

The applicant is responsible for obtaining applicable access permits from appropriate agencies.

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Developers Agreement:

It is recommended that a developer's agreement be created between the developer and the town that outlines all development conditions to include but not limited to annexation, responsibility of costs and a commitment from the developer to connect to municipal water.

and sewer before the town spends taxpayer funds to extend water and sewer to the development.

Plat Comments:

A revised preliminary plat was submitted on June 16. This is the plat layout being approved and is assumed to be correct – plans do not match the plat.

1. See plat comments.
2. Line weight issues need to be corrected – plat boundary.
3. Signature certifications need to be updated for the county being approved in. It may involve two counties if annexation does not occur.
4. The applicant is responsible for plating needs and recording of plats between both counties regardless of annexation or not.
5. No major drainage easements are shown on the plat. They need to be shown and agree with the drainage report.
6. Per one-mile agreement, the plat must go to the county for review as well.
7. What is happening with lift station road (Lot 5 Block 1)? ROW or easement? Currently it is a lot. Will it be deeded to the Town?

Plan Comments:

Since permits cannot currently be issued by Hermosa (must be annexed first) the only review of construction plans is street centerline grades, water and sewer design as the city will accept these improvements to own and maintain.

See plan comments.

Plans need to be revised to agree with the revised preliminary plat.

Developer's agreement needs to be executed.

Plans reference Rapid City specs vs Town of Hermosa specs as well as Black Hawk Water Users District. It appears obvious that plan notes have NOT been updated to reflect project specific conditions. This needs to be done.

Gate valves need to be located at fire hydrants to allow flow control from all directions or approved by public works.

Recommend final plans be provided for review PRIOR to beginning water and sewer installation due to missing information. Gate valve locations should be reviewed and approved by Public Works.

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Manhole spacing exceeds 400 feet.

Lot numbers on P & P sheets would be helpful in checking.

Larger access gate on lift station to allow vehicle access.

Based on guidance from the BOT dated April 15, 2021, this application should be continued due to incorrect information, lacking information and discrepancies between documents. It appears to be a rushed application. However, I believe those items can be corrected following preliminary plat approval and before construction begins.

Recommendation for permit 2021-018:

Based on the application information, I recommend approval of the preliminary plat with the following conditions/stipulations:

These conditions must be resolved before any consideration to final plating is considered or construction begins on water or sewer.

Recommend construction plans be updated and resubmitted for review once complete.

1. Developers Agreement needs to be executed.
2. Plan corrections need to be completed per plan redlines.
3. Plat comments need to be completed per redlines.
4. Plans need to be submitted to SD DANR for approval of water and sewer with approval provided to the Town.
5. Sewer Design Report needs to be edited per comments.
6. Sewer Drainage Report needs to be sealed and signed by a licensed engineer in SD.
7. Plans need to be sealed and signed by a licensed engineer in SD.
8. Drainage Report needs to be submitted by licensed engineer in SD.
9. Manholes cannot exceed 400 feet spacing per Public Works.
10. Applicable variances need to be obtained for asphalt and curb & gutter.
11. Conditions of acceptance of improvements should be specified.
12. Water needs to be available at the lift station.
13. Recommend final plans be provided for review PRIOR to beginning water and sewer installation due to missing information. Gate valve locations should be reviewed and approved by Public works.
14. Drainage has not been reviewed as no Drainage Report has been submitted.
15. Needs coordination between Renner's Plans and ACES plans for connection locations.
16. All construction must meet applicable code requirements as well as Town Ordinance requirements whether stated in this staff report or not.
17. All fees to be paid prior to issuing permit.
18. Applicable inspections must be performed by the Town of Hermosa.

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Respectfully submitted,
INTERSTATE ENGINEERING

A handwritten signature in black ink that reads 'Ronald Bengs' with a long, sweeping flourish extending to the right.

Ronald Bengs, P.E.
Senior Project Engineer
Ron.Bengs@interstateeng.com

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Jill

3 February 2022

I am using the Informational Permit to transmit the "Report of Hydrologic and Hydraulic Calculations" for Southern Hills RV Park & Campground permit # 2021-25 along with the design for the surface drainage and containment structure to ensure that the intensity of run off after installation of the new RV sites is no greater than the intensity prior to construction. These submittals were to be submitted prior to construction starting.

The width of the RV sites was changed from 50 feet to 40 feet. The change in width was done to obtain the optimal grade throughout the construction site. In doing so the engineer was able to change the number of sites from 16 to 19 and keep the RV sites and the designed control structure and pond within the boundary of the project.

This submittal satisfies the requirements outlined in the meeting minutes for August 3, 2021, BOT meeting, and the voice recording of such meeting.

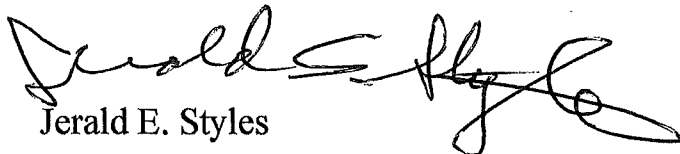
Below grade infrastructure (water, sewer and electric) will be installed per approved permit # 2021-25 submittal package.

Construction will commence on this project 1 April 2022.

Request any action the city may deem necessary on this Informational Permit be accomplish at the soonest meeting agenda (P&Z and BOT) possible to keep this project on track for 1 April 2022 construction start date.

If electronic copies or more hard copies are needed, please let me know immediately.

Thanks


Jerald E. Styles

(605) 390-1257

Town of Hermosa

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

DATE 19 July 2021 DIGGING/GRADING PERMIT PERMIT # 2021-25

Receipt # _____ Cash _____ Check # 1256 Amount 3500

All provisions of the Laws and Ordinances of the Town of Hermosa and the State of South Dakota governing the type of work being done and will be complied with, whether specified herein or not.

The granting of a permit does not presume to give authority to violate, cancel, or set aside any of the provisions of the building code, zoning ordinances, or any other local law or ordinance regulating construction or the performance of construction in the Town of Hermosa.

Sketch and/or describe work: (use separate sheet, or attach grading plan)

Will grading operation be located in the floodplain? Yes X No _____
 If yes, have ordinance requirements been met? Yes _____ No _____
 Will drainage patterns be altered? Yes X No _____
 Will grading operation take place in a geologically hazardous area? Yes X No _____
 If yes, have proper precautions been taken? Yes _____ No _____

Quantity of Grading or Excavation: 1200 ^{5050 cu} Cubic Yards Area to be disturbed by proposed work: 0.32 ^{4.2} acres

Identify types of erosion control to be applied: grass buffer

Source/Destination of materials: no materials will be hauled off site

Provide traffic control per Manual on Uniform Traffic Control Devices.

Hard route: Rock for bedding will be hauled from Simons on Sturgis Road & from Ghost Canyon pit

Buildings constructed on fill will be required to have foundations designated by a professional engineer, per SDCL 36-18 and the current building codes adopted by the Town of Hermosa.

A stormwater discharge permit from the South Dakota DENR (605-773-3351) may be required if the work under this application or the overall plan of development will result in the disturbance of over 1 acre of land.

Stormwater permit application attached? X Yes _____ No _____ N/A

This permit will expire one year from date of issuance.

The Finance Officer will be notified upon start of work and completion of work for inspection purposes (255-4291).

Name Jerry Styles
 Lot Address 24549 Highway 79 south Hermosa SD 57744
 Mailing Address P.O. Box 300 Hermosa SD 57744
 Email KStyles907@msn.com
 Legal Description see page two
 Telephone # 605-390-1257 Cellphone # 605-390-3732

Relationship to Property: X Owner _____ Contractor _____ Owners Representative

I certify that I have read and understand and agree to all terms and conditions set forth herein this entire document. I specifically understand that by signing this document I am agreeing to be jointly and severally responsible, personally, and for any and all work done under this permit.

Signature Gerald S. Styles Date 19 July 2021

Parcel # 004135 OFFICE USE ONLY

PLANNING AND ZONING COMMISSION <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied NAME: <u>Joan Harris</u> TITLE: <u>Pres Planning Zoning</u> SIGNATURE: <u>[Signature]</u> DATE: _____ APPLICATION FEE: \$35.00 DATE PAID: <u>7-19-21</u>	HERMOSA BOARD OF TRUSTEES <input checked="" type="checkbox"/> Approved <input type="checkbox"/> Denied NAME: <u>Don Holsworth</u> TITLE: <u>BOB President</u> SIGNATURE: <u>[Signature]</u> DATE: <u>8-3-21</u> DATE PERMIT ISSUED: <u>8-3-21</u>
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STAFF REPORT – REVISED

MUNICIPALITY: Town of Hermosa, 230 Main Street, Hermosa, SD 57744
PROJECT: **Southern Hills RV Park Expansion**
24549 SD Highway 79, Hermosa, SD
DATE: February 22, 2022
PERMIT NUMBER: 2021-25
REPORTED BY: Leah M. Berg, P.E.

ITEMS:

Conditions:

The site is located in the northwest corner of the Town, west of property with the address 24547 SD Highway 79 locally known as the Lazy R Bar and Grill, west of Hwy 79.

The applicant has submitted the following documents:

Digging/Grading Permit

Printout from Beacon GIS

Project Location Map

The application also includes a site plan, typical lot dimensions, detail for the water vault, and a narrative of the improvements.

Report of Hydrologic and Hydraulic Calculations

Project Construction Plans

The applicant has increased the number of additional RV sites from 16 RV sites to 19 RV sites to the existing RV Park and is planning to serve those additional sites with connections Town's water and sewer systems. Water and sewer system improvements were submitted in Permit 2021-06. Also noted in the Staff Report by Interstate Engineering is that at the time of Permit 2021-06 "the submitted documents do not provide adequate information to verify compliance with the ordinance". It is assumed that this Permit provides the documents needed. The Staff Report for Permit 2021-06 also lists at Item 3 in the stipulations that "3. All supplemental ordinance requirements MUST be met. The Staff Report dated February 19, 2021, is attached for reference.

Improvement Discussion:

On-site Improvements:

The applicant is proposing to install 4-inch collection lines to serve 4-7 sites before connecting to the 6" sewer line along the east side. The layout sketch shows 1-inch water service lines, being looped between 2" water lines to serve 4 to 7 sites per 1" line. This report does not include verifying design sizing of the water and sewer lines. The applicant is proposing the addition of 19 RV sites, oriented in three east-west rows. Each site will feature an 8' by 12' by 4" thick concrete pad for picnic tables per the original layout but that is not included in the construction plans. Two 25' wide interior roads are to separate the three rows of RV sites, with a 30' wide road circling the new sites' perimeter. All roads consist of at least 6" compacted base course aggregate. Each site will contain a 9' wide grass strip, and landscape areas abutting 2 of the lot rows are shown in the site plan. Electrical lines for the southern two rows of RV sites will connect to existing 200-amp services on the southwest side of the project area. The north row's electrical line will connect to an existing electrical pedestal west of the central row of proposed RV sites. All electrical work will be completed by a licensed electrician. This report

does not include verifying design sizing of the expansion's electrical components. A 6' tall 340' long wooden fence will be installed on the east property line.

Flood Plain:

Based on the Beacon GIS flood map layer overlay, a portion of the lot along Hwy 79 is in a floodplain. This should not affect any of the proposed improvements they are located to the west of the floodplain.

Zoning:

Zoning is Commercial (CO) per Ordinance 155.34. The District Regulations section of the Code of Ordinances has a section for Travel Parks, 155.55, (B), under the Supplementary Regulations section. Travel Parks include RV Parks. The submitted application with supporting documents do not comply with all sections of the Supplementary Regulations for Travel Parks. (See comments)

Access:

No change – existing access from Hwy 79 will serve the expansion.

Comments:

1. Areas of disturbance is over 1 acre and a stormwater discharge permit from SDDANR has been provided and should remain in effect through construction.
2. Not less than 10% of the area of the travel park shall be devoted to recreation area, as per Supplementary Regulations for Travel Parks, § 155.55 (B) (1) (g). The applicant has provided areas marked as landscape (LS), but these areas are located next to individual RV lots. The ordinance states this area must be common. Even if the Town should choose to classify the provided LS areas as common area, the 10% threshold is not satisfied.
 - a. A revised plan designating common area has been requested at P&Z Meeting but has not been provided.
3. Provided drainage report states that if proposed RV expansion is constructed as designed the peak flow will be limited to or below pre-construction flows.

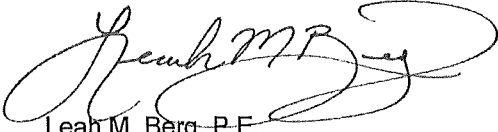
Recommendations – Permit 2021-25:

Based on the application information, the permit does not comply with the Town of Hermosa's requirements. Recommendation is to request the applicant to resubmit the application with the following items being included or addressed:

1. Revise plans to incorporate enough common area to satisfy Supplementary Regulations for Travel Parks (§ 155.55 (B) (1) (g) in Town of Hermosa, Code of Ordinances). The Town of Hermosa can further define "common area" for the applicant. In an RV Park, a standard definition for common area is: "common area is primarily intended for common enjoyment and recreational use of RV Park occupants."
2. Verify that current annual permit fee is paid and the annual fee is adjusted following construction.
Per § 155.55 "Permit fee. The permit fee for operating a travel park shall be as per the current fee schedule, per year, for the first ten trailer spaces and additional fees, per year, for each trailer space in excess of ten. Any travel park adding a trailer space during a permit year shall pay additional fees as stated in the current fee schedule, for each space so added, for the unexpired portion of the year."
3. Contractor's License with the Town of Hermosa shall be required for all contractors working on the project.

4. Post construction of detention pond should be verified to be constructed to match submitted plans.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Leah M. Berg', written in a cursive style.

Leah M. Berg, P.E.

LBerg@proacesinc.com

END OF STAFF REPORT - REVISED

Copy: Town of Hermosa & G:\My Drive\Jobs\21-1144 Hermosa\21-1144c Permit Review
17-27-21 Meeting P&Z/Revised Staff Report 2-22-22

HERMOSA PLANNING & ZONING BOARD
REGULAR MEETING
July 13, 2021 @ 6:00pm



ROLL CALL: Harris called the meeting to order at 6:00pm with the following members present; Harris, Kespert, Waltman, Clarke, and Thomason. Liaison Schumack, BOT President Holsworth, Engineer Berg, Dybvig and 6 interested citizens present. Pledge of Allegiance led by Harris.

CALL FOR CHANGES: Motion made to revise the agenda and remove 4a & 4b. Seconded to approve revised agenda; vote; all aye; motion carried.

Motion made and seconded to approve July 13, 2021 meeting minutes as presented; vote; all aye; motion carried.

OLD BUSINESS:

NEW BUSINESS: Permit 2021-24 - 259 Donna St. Floodplain Permit; Request to install chain-link fence in front yard. Discussion by board included review of Claycomb's staff report which included concerns that the fence would obstruct the Floodway and it extended 10' into the ROW of Donna Street. Claycomb's recommendation is that no additional fencing be allowed. If additional fencing in the front yard would be approved, it should be of a breakaway design and not extend into the street ROW. Following Claycomb's recommendations, Motion was made and seconded to deny permit as presented; vote; all aye; motion carried.

Permit 2021-25 - Digging/Grading Permit-Southern Hills RV; Motion and seconded to open for discussion. Mr. Styles presented Notice of Intent form that was submitted to DENR as requested from previous staff report and new staff report from ACES. Mr. Styles indicated that he has fixed errors on measurements and change calculation of the area to be disturbed from 32 acres to 4.2 acres. Storm water discharge permit is not required as he has sent in Notice of Intent. Direction of drainage plan will be included at the August 3, 2021, BOT meeting. Harris clarified that even though the RV park was built in 2000 before the updated 2009 ordinances, improvements or expanding must comply with all ordinances. Styles stated the RV park is already in compliance in meeting the 10% requirement that must be devoted to recreation (Common area) Because of the acreage he has to the west of the park, suitable for hiking and will have updated information identifying areas on new site plan. Curb stop will be located at the main and the meter will be on Southern Hills property. Motion made and seconded to approve permit with requested drainage plan, updated common area site plan and all recommendations per Berg's staff report. Vote; all aye; motion carried.

Permit 202-01-264 Donna-Floodplain Development (EXTENTION); Request for extension of permit to include finishing 12x13 storage shed. Discussion included shed needs to be secured to the ground and meet the setbacks of 5' in the back and 8' on the side. An elevation certificate of the completed construction is required. Motion to approve per requirements on Claycomb's staff report. Seconded; vote; all aye; motion carried.

REVIEW BOT MINUTES: Harris requested that the contracts for mosquito spraying be checked to make sure it is acceptable to accept grant money.

ORDINANCE REVIEW & WORK ITEMS:

Zoning Ordinance for ADU's - Updated ordinance presented by Harris to include - Applicable to all adopted UBC Codes, ordinances and zoning regulations as stated in 155.3, 155.31, 155.32, 155.37 and 155.39 but not limited to. ADU's may be located in R1 or R2 and must meet land usage requirements. Motion made and seconded to move forward to the BOT for review and changes at August 3, 2021 meeting. Vote; all aye; motion carried.

Permit Processes- Harris still working on. Discussion on making a booklet instead of a brochure; Pending

TRUSTEE INPUT: Paul Kespert indicated that this would be his last meeting and will be resigning. Harris requested that he draft a resignation letter and drop off at the town office.

CITIZEN INPUT:

ADJOURN: Motion made, seconded to adjourn the meeting at 7:00 pm; Vote; all aye; motion carried

Joan Harris, Planning & Zoning Board President

**HERMOSA TOWN BOARD
REGULAR MEETING & PUBLIC HEARING
TUESDAY, August 3, 2021, @ 6:00pm**



ROLL CALL: Holsworth called the meeting to order at 6:01pm with the following members present: Henrichsen, King, Schumack, Flug (available by phone), Johnson, Berg, Dybvig & 8 interested citizen also present. Pledge of Allegiance was led by Holsworth.

PUBLIC HEARING: At 6:01 pm we will do Resolution of Annexation of the following described real property to the town of Hermosa, State of South Dakota.

UTILITY LOT 1 OF HEARTLAND STORAGE SUBDIVISION LOCATED IN THE SE1/4 OF THE NE1/4 OF SECTION 30, T2S, R8E, B.H.M., CUSTER COUNTY, SOUTH DAKOTA.

UTILITY LOT 1 OF THE NE1/4 LOCATED IN SECTION 30, T2S, R8E, B.H.M., CUSTER COUNTY, SOUTH DAKOTA.

UTILITY LOT 1 OF HEARTLAND RACEWAY SUBDIVISION LOCATED IN THE N1/2 OF THE NE1/4 OF SECTION 30, T2S, R8E, B.H.M., CUSTER COUNTY, SOUTH DAKOTA.

PRESTON TRACT 1 LOCATED IN SECTION 19, T2S, R8E, BHM, CUSTER COUNTY, SOUTH DAKOTA

Holsworth indicated that there will be a couple of changes for the Heartland Storage Subdivision and the Shorb property. Holsworth opened meeting for discussion. Some discussion with BOT and town citizens. Holsworth called for a motion to move forward with the next phase. Motion by King, seconded by Schumack. Vote; Henrichsen, aye; Holsworth, aye; King, aye; Schumack, aye; Flug, aye; Motion carried.

CALL FOR CHANGES: Holsworth added that we will go into Executive Session to discuss Law Enforcement and again to discuss Legal. Motion made and seconded to approve agenda as amended; motion carried.

CONSENT CALENDAR: Motion made and seconded to approve July 20, 2021; minutes as presented; Vote; all aye; motion carried.

CLAIMS: Motion made and seconded to approve August 3, 2021, Payroll and Claims; A&B Business Solutions, July/August Svcs., \$586.75; Casey Peterson, 2020 Audit, \$15,125.00; Jim Daggett, Supplies, \$24.92; G Detailing, Vehicle detailing, \$150.00; Chuck Ferguson, Profession Fees, \$2,266.67; Berni Flug, Abatements, 5hrs, \$180.24; Vicki Henrichsen, Dinner-Pierre, \$61.60; Midcontinent Lab, Water test 2nd Qtr, \$311.70; Nelson's Oil & Gas, Propane, \$163.82; Claire Scott, Deposit Refund, \$6.35; Brad Westergard, Monthly Services, \$300.00; Payroll related: Finance Department, \$2,640.00; Law Enforcement, \$808.55; EFTPS, 941 payroll tax deposit, \$856.93; Health Pool of SD, Monthly Premium, \$841.42; SD Retirement Fund, \$660.48; SD Dept of Revenue, May and June Sales Tax, \$476.11. Total \$25,952.54.

LAW ENFORCEMENT/ ABATEMENTS/COMPLAINTS: Committee report from Daggett.

EXECUTIVE SESSION: Motion by King, second by Schumack to enter executive session at 6:15pm for Law Enforcement, allowable by SDCL 1-25-2.1 personnel; Motion made and seconded to exit executive session at 6:31pm. Motion for no action taken in executive session and allowing Brad Westergard's pay to go until January 1, 2022, with his leave of absence. Motion by Schumack to approve, second by Holsworth. Vote; Holsworth, aye; King, aye; Schumack, aye; Henrichsen, nay; Flug, aye; Motion carried.

LEGAL: SBHW response; Discussion will be in Executive Session. Pending

ENGINEER: Water Rehab Project; Berg indicated that it is still pending. N. Second Street Box Replacement; Holsworth is still waiting to talk to Kyle from DOT. Pending. Lone Coyote Subdivision; Pending. Hermosa Sidewalk Project; Encroachment Survey was completed and there are no problems; Pending. Sewer Project (Lagoon Expansion), Pending; Water/Sewer Facility Plans; Pending. Hermosa Hills Drainage; Technical Memorandum provided by ACES to address a variety of issues regarding drainage and culvert sizing. Recommendations for Lot 9 included plan to construct 8 ft x 1 ft deep drainage ditch on centerline of the 10 ft drainage easement. Seed, fertilize and cover ditch area & provide erosion control blanket throughout ditch. Provide silt fence or sediment filtering device on north end of ditch section. Lot 9 & 10 driveway culvert size should be 18" CMP. Culvert ditch flowline should have 1' min. gravel cover above the pipe. Staff report provides recommendations for Marie Street and requires ditches to be maintained in the future. ACES agreed to survey and provide flow lines. Mr. Pulis has agreed to follow recommendations for all upcoming construction. Mr. Preston will need to address issues and follow recommendations for previous construction and take on the financial responsibility; Pending. Weston Closeout; After repeated attempts from Mr. Johnson to contact Weston and no response, the board agreed to sign off without Weston's approval. Motion by Schumack, second by Henrichsen to approve closeout. Vote; all aye; motion carried

PUBLIC WORKS: Committee Report; Lagoon has been pumped again. Waiting for pump on old well. Discussion included the Booster pumps on W. Main and gravity test still needs to be completed. Need to know results of latest RAD test.

EXECUTIVE SESSION: Motion by King, second by Schumack to enter into Executive Session at 7:06pm. Motion made and seconded to exit executive session at 9:45pm; Vote; all aye; motion carried. No action taken.

FINANCE OFFICE: Dybvig presented monthly financial reports for review; no action. Department Updates; Overtime approved for Dybvig. Fee schedule; Review of Hot Springs fee schedule. Board encouraged to take home and review and make recommendations at next meeting.

PLANNING & ZONING: BOT reviewed P&Z July 27, 2021, minutes; no action. Permit 2021-22 & Permit 2021-23; Motion by Schumack, second by King to approve per recommendations required by ACES staff report. **Permit 2021-25; Discussion included questions regarding common area and drainage plan. Mr. Styles indicated all common areas, on revised plan for a total common area of 1,389 acres. ACES requested that a drainage plan or report be submitted detailing the drainage through the expansion area. Mr. Styles agreed to present drainage study prior to construction starting.** Motion by Holsworth, second by Schumack to approve permit per ACES staff report and pending Drainage Report; Vote; all aye; motion carried. Permit 2021-01 (Extension) Motion by Holsworth, second by King to approve; Vote; all aye; motion carried.

OLD BUSINESS: Annexation: Gumbo Lilly, Fairgrounds Place; Pending. Preston Family Inc, Bids for water/sewer lines; Pending. Resolution 2021-05 Water Rate Structure; A resolution to establish water rates and charges for the Municipality of Hermosa, Custer County, South Dakota. Be it resolved by the Municipality of Hermosa, Custer County, South Dakota that the owners or occupants connected with the Hermosa Municipal Water System shall pay for water consumed at the following rates. Motion by King, second by Flug, Vote; all aye; motion carried. 2021-16 Sewer Rate Structure. A resolution to establish sewer rates and charges for the Municipality of Hermosa, Custer County, South Dakota. Be it resolved by the Municipality of Hermosa, Custer County, South Dakota that the owners or occupants connected with the Hermosa Municipal Sewer System shall pay for discharged sewer at the following rates. Motion by Schumack, second by Holsworth, Vote; all aye; motion carried. Broadband Grant Awards-Midco August 17, 2021, presentation; Pending. Town Sign; Pending. Mosquito Control Private Property Contract; Board working on fee schedule; Pending

NEW BUSINESS: Mag Water Application; Plans are to have Magwater applied next week. Holsworth requested 3 loads of rocks. Miller Construction will help with spreading the gravel and DNS will apply the Mag water. Motion by Holsworth, second by Flug; Vote; Schumack, aye; King, Aye; Henrichsen, Nay. Motion carried.

TRUSTEE INPUT: Trustee Input: King made comment that it was a good meeting, and we have a lot of things going on. Schumack agreed that it was a good meeting. Holsworth thanked our professionals. Thanked Jill for filling in and hoped Gail is having a great time.

ADJOURN: Motion made and seconded to adjourn the meeting at 8:10 pm; unanimous.

Dan Holsworth, Town Board President

ATTEST:

Jill Dybvig, Administrative Assistant
Published once at the approximate cost of ____

Town of Hermosa

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

DIGGING/GRADING PERMIT

DATE 19 July 2021

PERMIT # 2021-25

Receipt #	Cash	Check # <u>1256</u>	Amount <u>3500</u>
-----------	------	---------------------	--------------------

All provisions of the Laws and Ordinances of the Town of Hermosa and the State of South Dakota governing the type of work being done and will be complied with, whether specified herein or not.

The granting of a permit does not presume to give authority to violate, cancel, or set aside any of the provisions of the building code, zoning ordinances, or any other local law or ordinance regulating construction or the performance of construction in the Town of Hermosa.

Sketch and/or describe work: (use separate sheet, or attach grading plan)

Will grading operation be located in the floodplain? _____ Yes X No

If yes, have ordinance requirements been met? _____ Yes _____ No

Will drainage patterns be altered? _____ Yes X No

Will grading operation take place in a geologically hazardous area? _____ Yes X No

If yes, have proper precautions been taken? _____ Yes _____ No

Quantity of Grading or Excavation: 1200 Cubic Yards Area to be disturbed by proposed work: 0.32 acres

Identify types of erosion control to be applied: grass but for

Source/Destination of materials: no materials will be hauled off site

Provide traffic control per Manual on Uniform Traffic Control Devices.

Hard route: Rock for bedding will be hauled from Simmons on Sturgis Road & from Ghost Canyon pit

Buildings constructed on fill will be required to have foundations designated by a professional engineer, per SDCL 36-18 and the current building codes adopted by the Town of Hermosa.

A stormwater discharge permit from the South Dakota DENR (605-773-3351) may be required if the work under this application or the overall plan of development will result in the disturbance of over 1 acre of land.

Stormwater permit application attached? _____ Yes _____ No X N/A

This permit will expire one year from date of issuance.

The Finance Officer will be notified upon start of work and completion of work for inspection purposes (255-4291).

Name Jerry Styles

Lot Address 24549 Highway 79 south Hermosa, SD 57744

Mailing Address P.O. Box 1300 Hermosa SD 57744

Email KStyles907@msn.com

Legal Description see page two

Telephone # 605-390-1257 Cellphone # 605-390-3732

Relationship to Property: X Owner _____ Contractor _____ Owners Representative

I certify that I have read and understand and agree to all terms and conditions set forth herein this entire document. I specifically understand that by signing this document I am agreeing to be jointly and severally responsible, personally, and for any and all work done under this permit.

Signature Jerry Styles

Date 19 July 2021

Parcel # 004135 OFFICE USE ONLY

PLANNING AND ZONING COMMISSION

Approved Denied

NAME: _____

TITLE: _____

SIGNATURE: _____

DATE: _____

APPLICATION FEE: \$35.00 DATE PAID: 7-19-21

HERMOSA BOARD OF TRUSTEES

Approved Denied

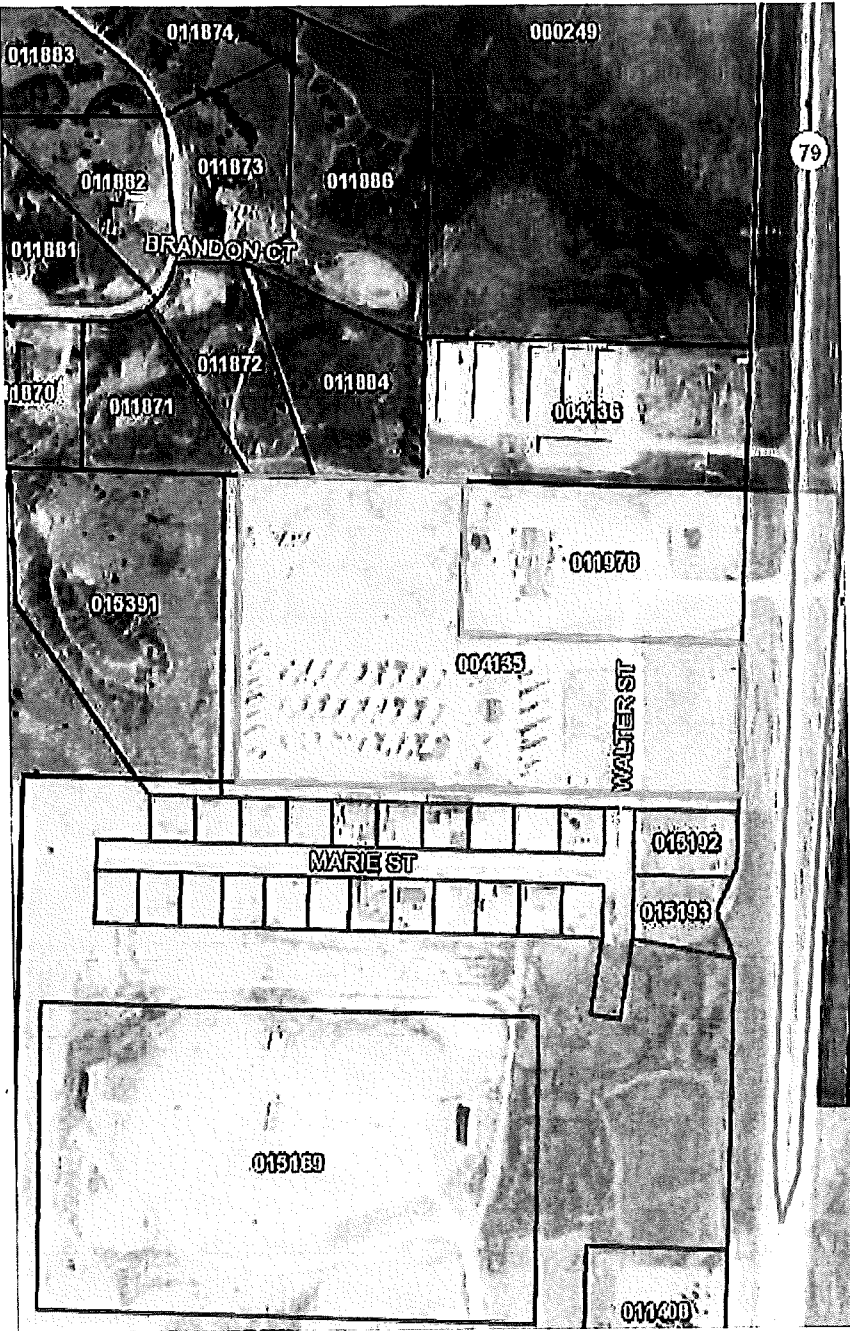
NAME: _____

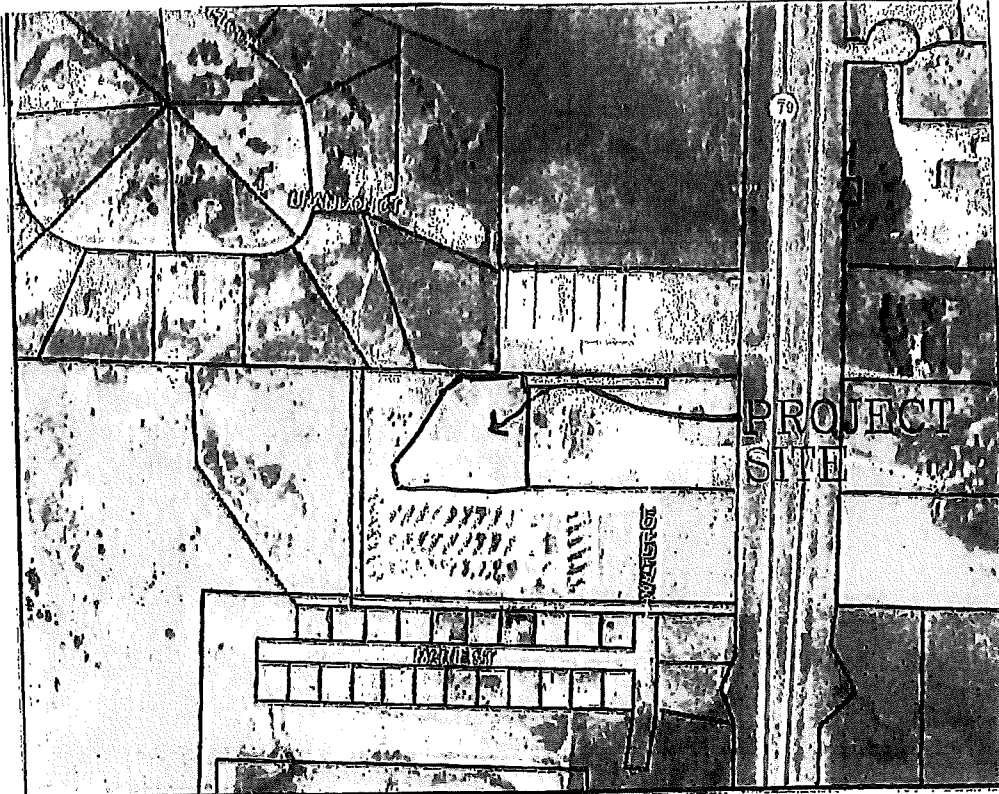
TITLE: _____

SIGNATURE: _____

DATE: _____

DATE PERMIT ISSUED: _____





PROJECT LOCATION MAP NOT TO SCALE

W1/2 NE1/4 NW1/4 NE1/4 SE1/4, NW1/4 NW1/4 NE1/4 SE1/4, AND
S1/2 N1/2 NE1/4 SE1/4 LESS SD HWY 79 ROW

SECTION 30, T2S, R8E, B.H.M.,
HERMOSA, CUSTER COUNTY, SOUTH DAKOTA

Addition of 16 RV sites to
Southern Hills RV Park & Campground

This project will install 16 new pull through RV sites. The sites will be serviced by water, sewer, and electric. The sites and utilities will be installed per the drawing on page 4. The project site is shown on page 2.

Sites will be lever side to side and drop 1-inch per 10-feet along the length of the site. A typical site drawing is shown on page 5.

Sites will be 81' long and 46' wide to include the grass/landscape area. Grass/landscape areas will be 9 ft wide. The utilities hook ups will be placed four feet inside the RV sites west boundary.

A concrete Vault 10 ft long, 8 ft wide and 6 ft deep will be placed on the northeast corner of the project as shown on the drawing on page 4. The vault will be plumbed as shown on the drawing on page 5.

(Reference the drawing on page 4) The water hook up will be to the 2-inch water line installed under Permit #2021-06. Water lines will be Crestline HD 250. The water lines running north/south on the east and west side of the project area will be 2" and the lines running east/west will be 1-inch lines. The 2-inch line on the west side of the project area will be tied into an existing 1-inch line on the southwest corner of the project area. The 16 sites will be serviced with a frost-free farm hydrant. The water lines will be placed 5.5 to 6 ft deep. There will be 3 inches of $\frac{3}{4}$ minus clear rock above and below the waterlines. The 1-inch water lines will be valved just before tying into the 2-inch lines. There will also be a valve before tying into the existing 1-inch line on the 1-inch line.

(Reference the drawing on page 4) The sewer hook up will be to the 6-inch sewer line installed under Permit #2021-06. The sewer line running north/south on the east side of the project will be 6-inch SDR35 gasketed pipe. The sewer lines running east/west will 4-inch SDR35 gasketed pipe. Each site will have 4-inch riser for sewer drainage. The top of the riser will be capped at ground level. There will be 3 inches of $\frac{3}{4}$ minus clear rock above and below the sewer lines. The sewer lines will be laid to grade starting at the northeast side of the project.

(Reference the drawing on page 4) Each site will have a RV Electric Pedestal with 50-, 30-, and 20-amp services. The wire will be direct buried number 250 electric wire. The two south electric lines will be connected to existing 200-amp services on the southwest side of the project area. The north electric wire will be connected to an existing electric pedestal. All electrical hookups will be done by a licensed electrician. All electric lines will be at least 24-inches deep. There will be 4-inches of sand above and below the electric lines.

(Reference the drawing on page 4) A six foot tall 340 long wood fence will be installed on the east property line. There will be a 40' buffer zone between the north property boundary and the east west road on the north side of the project.

Drainage across the site is from the west and south to the north and east. Drainage will be sheet flow across the sites and roads to the northeast corner of the site. At this point it will follow the existing drainage.

Each site will have a 8' by 12' concrete pad 4-inches thick for picnic tables.

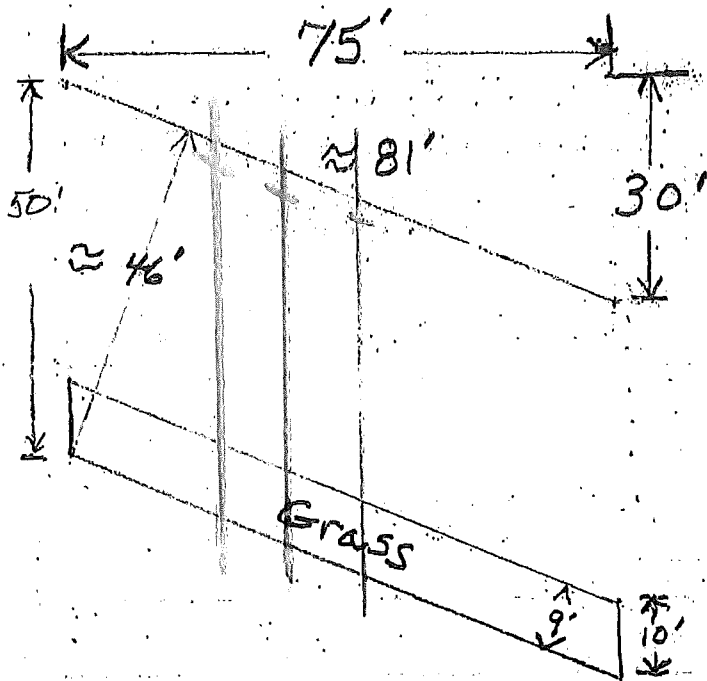
(Reference the drawing on page 4) The road that circles the new sites will be 30' wide, and the two roads going between the sites east/west roads will be 25' wide. The roads and sites will consist of at least 6 inches of compacted base course with 2-inches of $\frac{3}{4}$ minus clean rock.

3 of 5

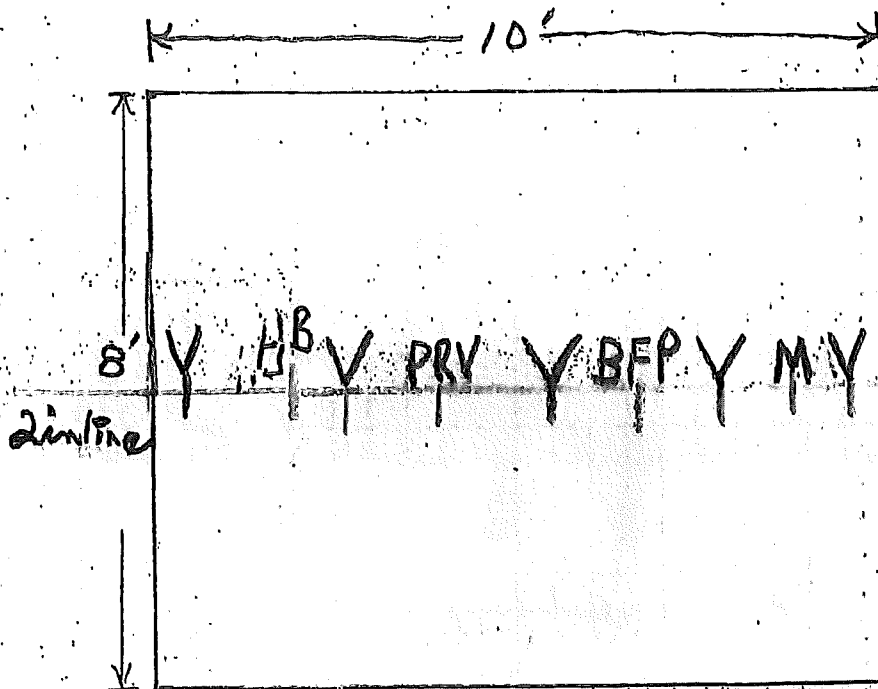
Scale



2" = 50'



Typical Lot



HB = Hose bib
 V = Valve
 M = Meter
 BFP = Backflow
 Preventer
 PRV = Pressure
 Reducing
 Valve
 2 in line

water vault

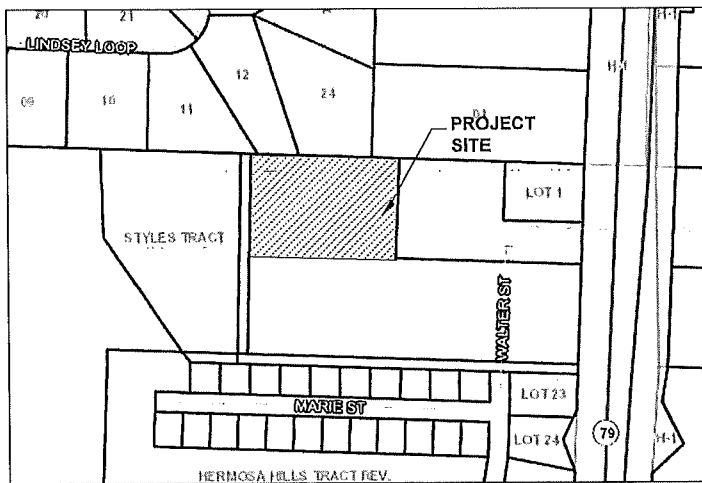
5 of 5

SOUTHERN HILLS RV PARK & CAMPGROUND CAMPGROUND ADDITION CUSTER COUNTY, SOUTH DAKOTA

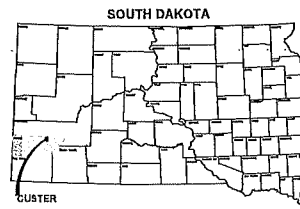
COVER PAGE INCLUDED IN REVISION
STAFF REPORT FOR REFERENCE
ONLY.

INDEX OF SHEETS

SHEET NO.	TITLE
1.1	COVER SHEET
2.1-2.2	GENERAL NOTES
3.1	DETAILED TOPOGRAPHIC MAP
4.1	SITE PLAN
5.1	UTILITY PLAN
6.1-6.2	GRADING PLAN
7.1-7.2	EROSION AND SEDIMENT CONTROL PLANS
8.1	STANDARD DETAIL SHEET
9.1	OUTLET STRUCTURE DETAILS



VICINITY MAP



ONE CALL
BEFORE DIGGING
1-800-781-7474

Professional Engineer
KYLE R. HANFORD
No. 2188
South Dakota
12/15/2011

LONGBRANCH
ENGINEERING & ARCHITECTURE
1000 S. GARDNER ST.
SIOUX FALLS, SD 57105
TEL: 605.336.1111
WWW.LONGBRANCHENGINEERING.COM

LOCAL DESCRIPTION:
CUSTER COUNTY, SOUTH DAKOTA

CAMPGROUND ADDITION
SOUTHERN HILLS RV & CAMPGROUND

PROJECT NO. 3628
SHEET 1.1

all these changes were accomplished prior to the permit going to the BOT

Recommendations - Permit 2021-25:

with the exception of the

Based on the application information, the permit does not comply with the Town of Hermosa's requirements. Recommendation is to request the applicant to resubmit the application with the following items being included or addressed:

complied with the below items

see new permit application package in the city office

Done
* Done
see } Done

1. Submit a copy of SDDANR stormwater discharge permit
2. Clarify the site drainage plan by way of a report of detailed plan showing how additional runoff is being accounted for onsite. As it stands currently, drainage appears to flow to a corner of the site and will discharge onto adjacent private property.
3. Ensure the proposed improvements will fit within the project area using the property dimensions. Applicant provided eastern boundary length is incorrect, and southern boundary length is unclear.
4. Revise plans to incorporate enough common area to satisfy Supplementary Regulations for Travel Parks (§ 155.55 (B) (1) (g) in Town of Hermosa, Code of Ordinances). The Town of Hermosa can further define "common area" for the applicant. In an RV Park, a standard definition for common area is: "common area is primarily intended for common enjoyment and recreational use of RV Park occupants."

Done
see new permit application

Respectfully submitted,

Leah M. Berg, P.E.
LBerg@proacesinc.com

Drainage Report which is being submitted as a condition to 5 foot construction.

END OF STAFF REPORT

Copy: Town of Hermosa & G:\My Drive\Jobs\21-1144 Hermosa\21-1144c Permit Review\7-27-21 Meeting P&Z

* Report of Hydrologic and Hydraulic Calculations & Campground Addition Southern Hills RV & Campground



821 Columbus Street, Suite 1

Rapid City, South Dakota 57701

Phone: 605-721-4040

Email: info@longbrancheng.com

December 2021

Report of Hydrologic and Hydraulic Calculations

Southern Hills RV Park & Campground Addition of 19 RV Sites

Longbranch Project No. 3828

COVER PAGE INCLUDED
IN REVISED STAFF
REPORT FOR
REFERENCE ONLY.

Report Created For:

Southern Hills RV Park and Campground
24549 SD Highway 79
Hermosa, SD 57744

Jill Dybvig

From: Elmer Claycomb <elclaycomb@gmail.com>
Sent: Wednesday, October 6, 2021 6:23 PM
To: Jill Dybvig
Subject: Floodplain Development Permit for underground piping

**CLAYCOMB ENGINEERING
PO BOX 57
815 2nd STREET
FAIRBURN, SD 57738
605-255-4049
elclaycomb@gmail.com**

Jill,

There is really no point in requiring a Floodplain Development Permit for underground piping as it will not impact the water surface elevation.

Elmer



August 17, 2021

Board of Trustees
City of Hermosa
Dan Holsworth, President
230 Main St.
PO Box 298
Hermosa, SD 57744

Re: Midco® Franchise Application

Dear Mr. Holsworth:

Midcontinent Communications® (Midco) is seeking the authorization from the City of Hermosa to construct and operate a state-of-the-art cable communications system in the City. Midco initiated the franchise application process for the City of Hermosa by conversations with the City Council.

Our proposed fiber network will provide advanced telecommunications including a fiber internet solution and internet protocol television (IPTV) services to Hermosa residents and businesses.

Midco is excited about the opportunity to bring fiber network technology to the City of Hermosa. We look forward to working cooperatively with the City and would be happy to respond to any questions or provide any additional information the City may require.

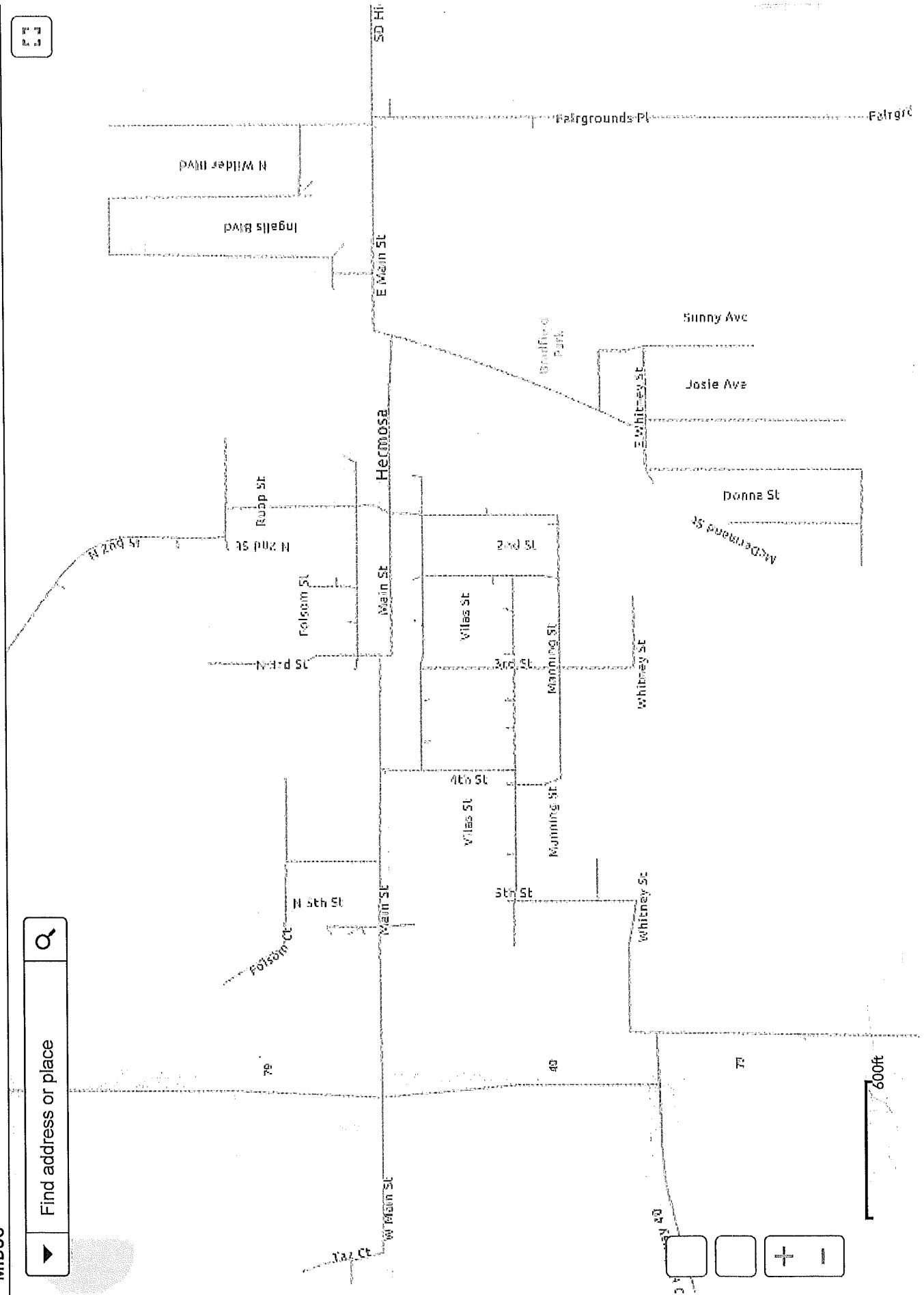
Please reach out to me with any inquiries you may have.

Sincerely,

Andrew Curley
Director of Government Relations
605.357.5835
Andrew.Curley@Midco.com

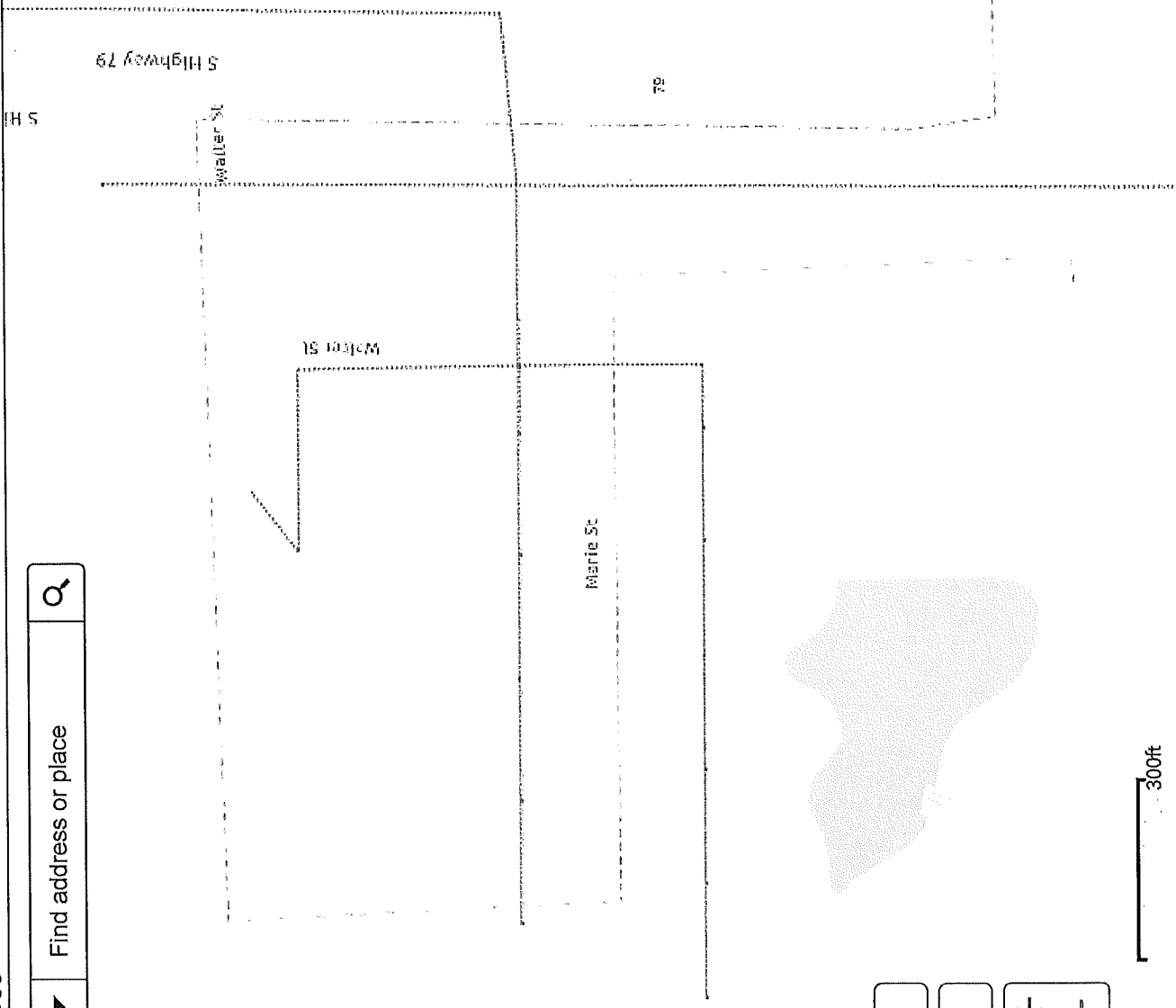


▼ Find address or place 🔍

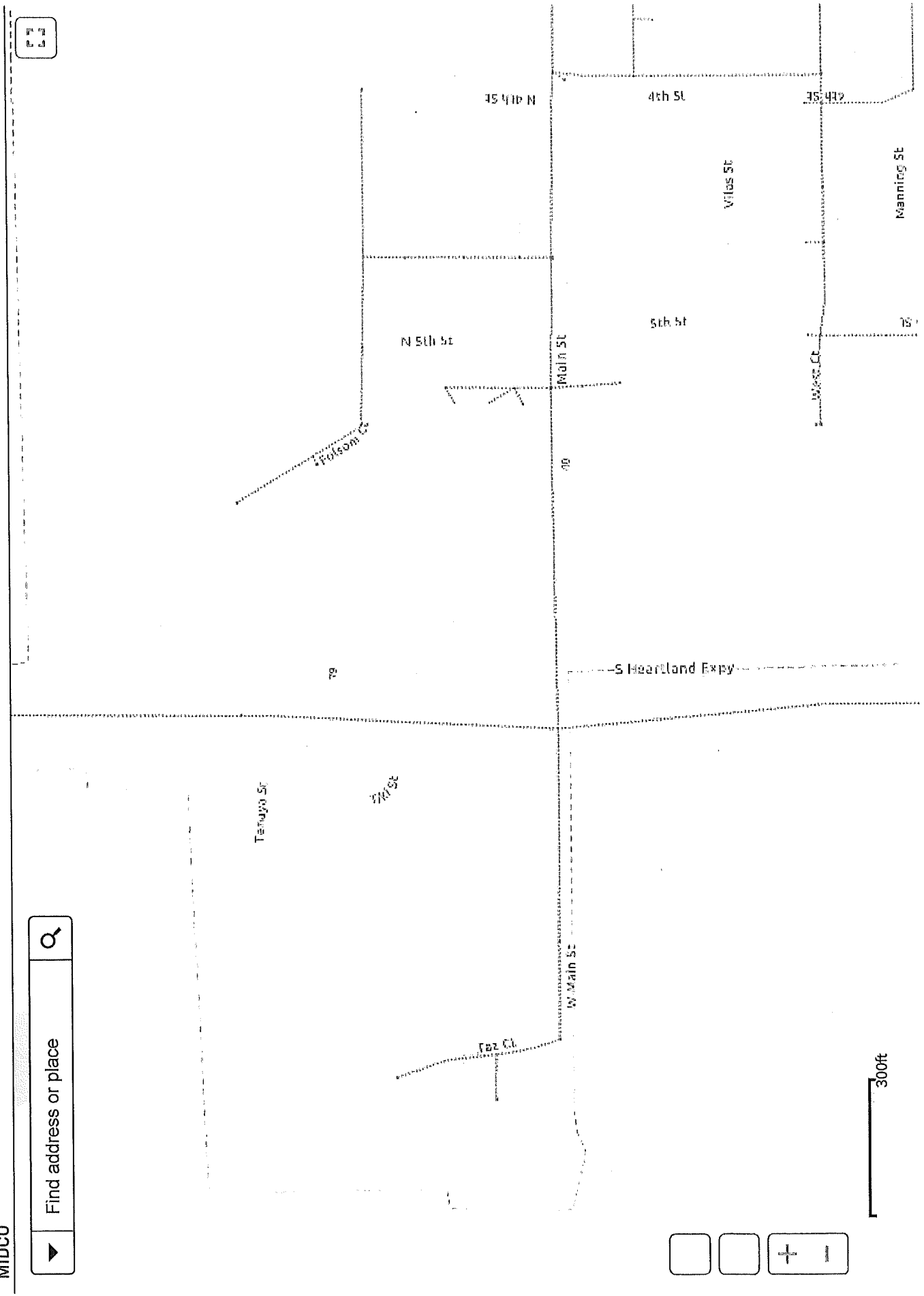




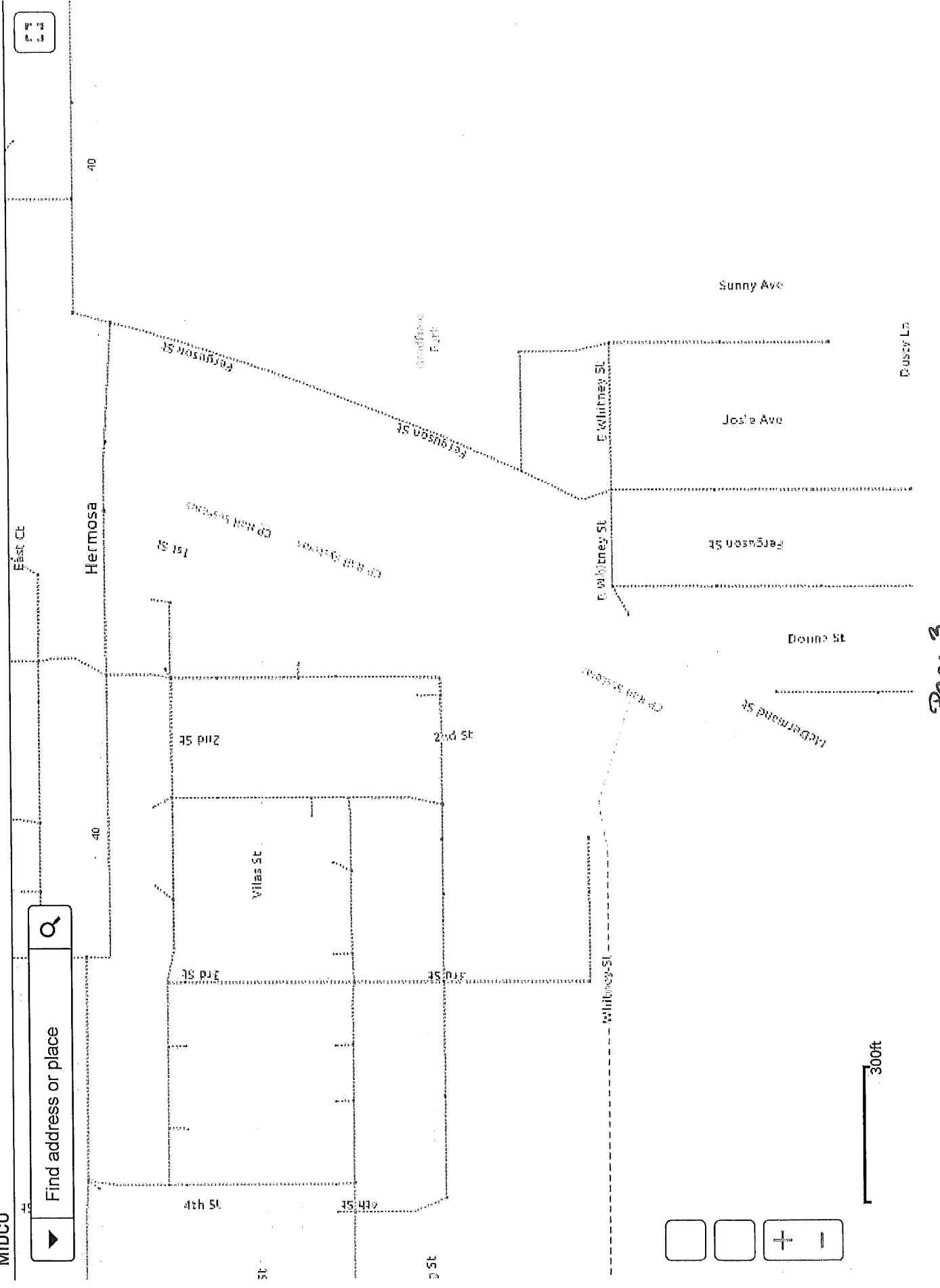
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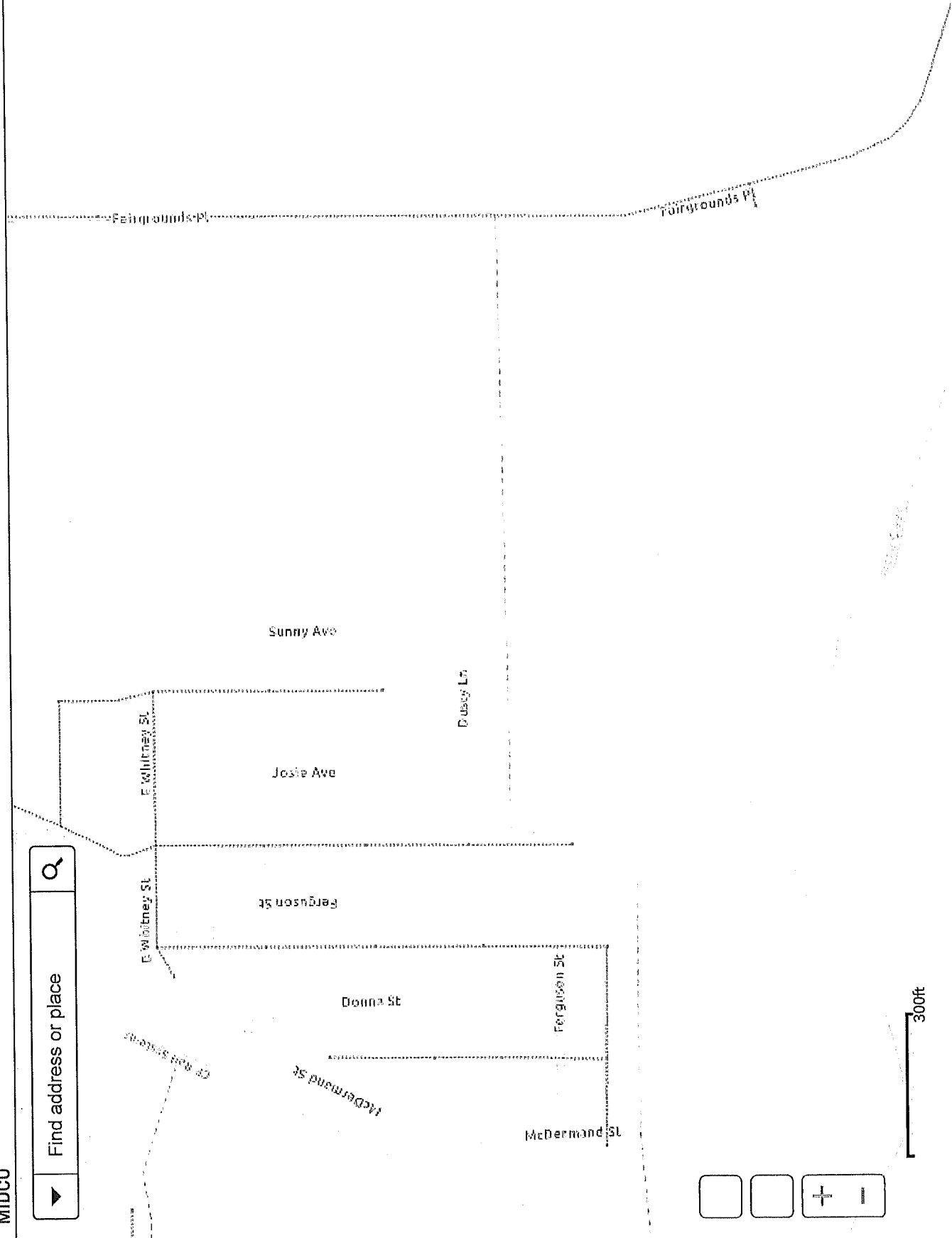


Find address or place



300ft

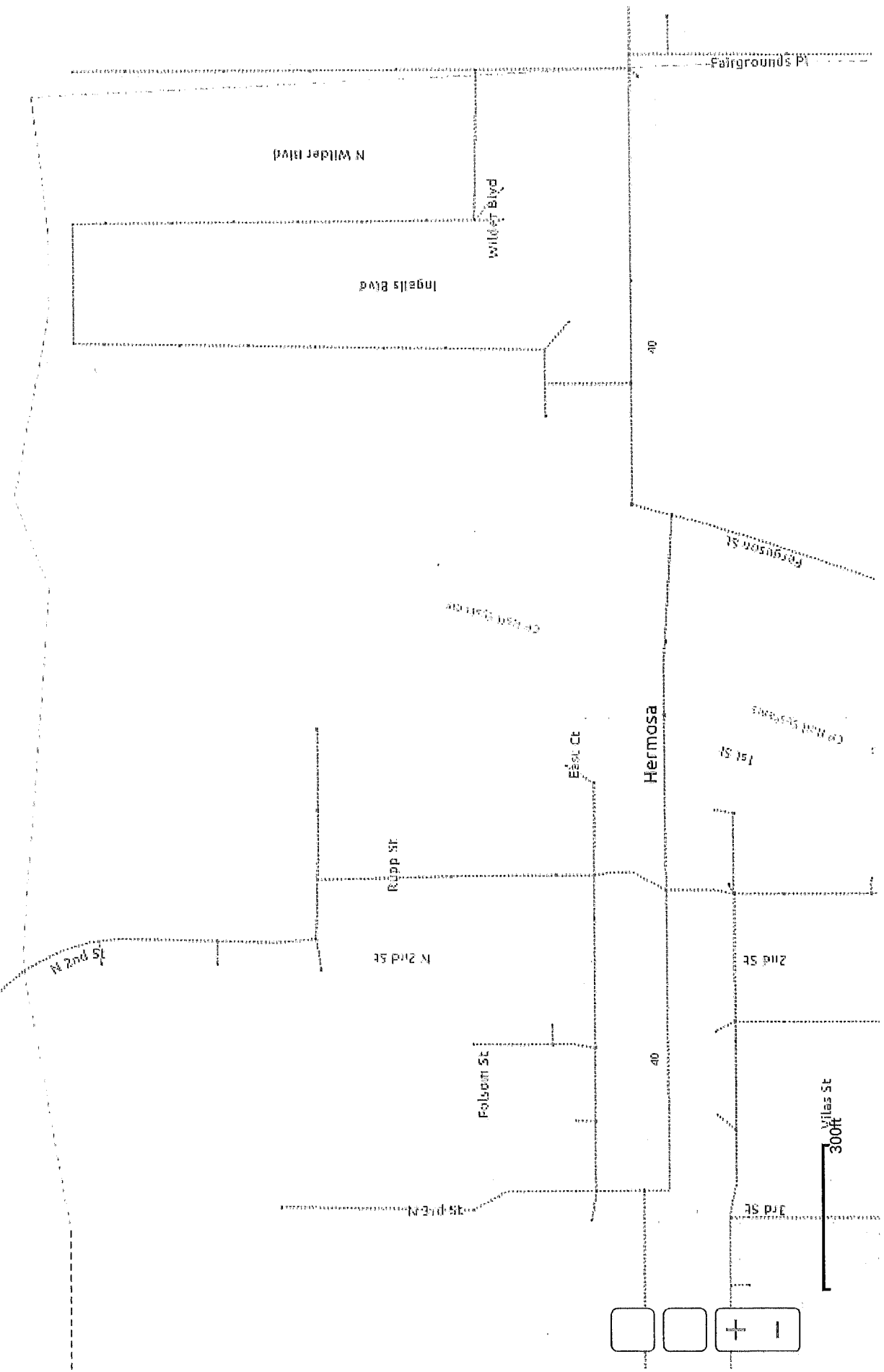
Find address or place



300ft



Find address or place



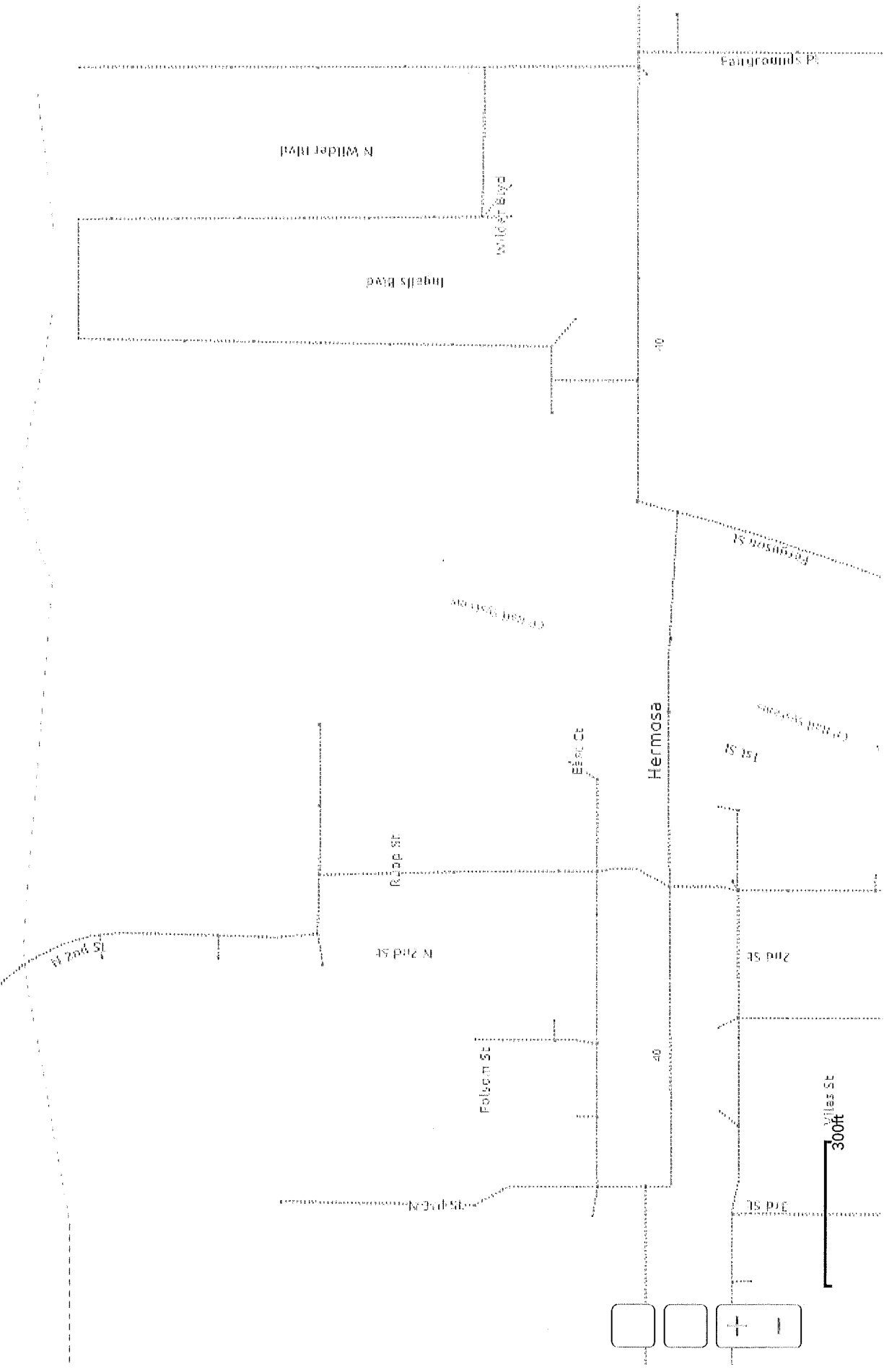


Construction

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100



Find address or place



Page 5



90
**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

February 11, 2022

Dan Holsworth
President, Town of Hermosa
PO Box 298
Hermosa, SD 57744

WARNING LETTER
CERTIFIED MAIL:
Return Receipt Required

Dear President Holsworth:

The town of Hermosa has a Surface Water Discharge permit from the South Dakota Department of Agriculture and Natural Resources (SDDANR) for the operation of its wastewater treatment facility (SWD Permit No. SD0022349). In accordance with **Section 3.4** of the permit, no land application shall take place between November 1 and March 31, unless prior written approval is granted by SDDANR.

The town requested and was granted approval to land apply out of season in November 2019, November 2021, and January 2022. In addition to the out of season land applications, the town was also granted approval for land application in April 2019. SDDANR is concerned about the frequency of land application occurring from the town of Hermosa's wastewater treatment facility.

Thus, at a minimum, the town must take the following actions:

- Develop a capacity, management, operation, and maintenance (CMOM) program to address, reduce, or eliminate the frequency of emergency discharges and land application. Attached is **Section 3.8** of the permit which outlines the requirements of the CMOM program. **Please submit a response with the CMOM program development to SDDANR by March 1, 2022.**
- Remove any and all sources of water that are not sanitary or industrial in nature such as sump pumps. These additional sources of water can contribute a large amount of water to the system and are allowed to be discharged to the sanitary sewer if the facility has capacity for them. The town's system does not currently have capacity as shown by the repeated land applications outside of the designated land application season.

The department will not approve any further land application until the CMOM program is approved. Failure to meet the requirements of this letter is a permit violation and could subject the town to an enforcement action which can include fines of up to \$10,000 per day per violation.

Please feel free to contact our office at (605) 773-3351 with any questions.

Sincerely,

A handwritten signature in cursive script that reads "Tina McFarling".

Tina McFarling, P.E.
Engineer Manager I/Surface Water Discharge Team Leader
Surface Water Quality Program

Enclosure: SWD Permit Section 3.8

cc: Chuck Ferguson, Operator, Town of Hermosa
Tim Flor, Enforcement, SDDANR
SWD File

3.8 Capacity, Management, Operation, and Maintenance

In the event that the Secretary notifies the permittee of the need to develop a capacity, management, operation, and maintenance program in order to address, reduce, or eliminate the frequency of sanitary sewer overflows or emergency discharges, the permittee shall develop and submit the program to the Secretary. The program shall, at a minimum, address the following areas:

1. Sewer management program: This program includes personnel organizational structure, training, communication information systems, noncompliance notification program, and other appropriate items;
2. Collection system operation program: This program includes operational budgeting, monitoring, safety, emergency preparedness and response, pump stations, operational recordkeeping, and other appropriate items;
3. Collection system maintenance program: This program includes maintenance budgeting, planned and unplanned maintenance; sewer cleaning; maintenance recordkeeping, parts and equipment inventory, and other appropriate items; and
4. Sewer system capacity evaluation: The capacity evaluation includes the following:
 - a. System inventory (sewer locations, sizes, slopes, materials, age, condition, etc.);
 - b. Identification of problem areas (overflows, surcharged lines, basement backups, etc.);
 - c. Capacity evaluation of problem areas (utilizing flow and precipitation records, infiltration and inflow investigation, manhole and pipe inspections and televising, smoke and dye testing, and building inspections); and
 - d. Sewer rehabilitation recommendations.
5. Timelines: This program shall identify timelines and specific dates for completing any identified changes or improvements.
6. SDDANR Approval: The permittee shall submit the program to SDDANR for approval. Upon approval, the permittee shall implement the program.

Capacity, Management, Operation and Maintenance Report
Submitted to
Department of Agriculture and Natural Resources

February 28, 2022

The Town of Hermosa, SD is a Third-Class Municipality with a population less than 500.

Sewer Management Program

The Town of Hermosa's Public Works Director attends any and all training session when municipal classes are available.

Collection System Operation Program

Sewer lift stations are monitored regularly. They have hourly meter checks. We clean bi-yearly. We add degreaser quarterly. Screen for sanitary wipes. Both lift stations have emergency alarms and back up power.

Collection System Maintenance Program

We jet and camera every two years, sometimes every year. Have tapes on file to review. We check manholes periodically. We go to the lagoon cell bi-weekly to monitor levels. Log book is used. Hermosa land applies. Lagoon is fenced and secured. We have two Pond Doctors in Pond A.

Sewer System Capacity Evaluation

Lagoon ponds hand book. Three separate ponds are monitored regularly. Original lagoon was built in 1961-1962 with 8" concrete pipes for mains. Monitor water levels in all three ponds. Repair any problems as soon as possible. Influent pipes. Land application with DANR approval. The town does have a sump pump that we are evaluating.

Timelines

Lines will be jetted and camera-ed approximately March 15, 2022. Smoke test is scheduled for Spring 2022. Sludge test will be performed at same time.

The town has purchased adjoining property for lagoon expansion. Hermosa has been on State Facility Plan for many years. Engineering plan was completed last year and submitted. Hermosa is ready to begin the lagoon expansion in Spring of 2022 with DANR. The facilities plan is available upon request. We have digital maps of sewer system.

Chuck Ferguson
P.W.

Water System Recommendations

- Clean main line valve risers (every two years)
- Exercise main line valves (every two years)
- Record master meter readings (daily)
- Record booster pump and well pump run times (daily)
- Calculate water loss (monthly)
- Unidirectional system flushing annually in fall (also a good time to make sure hydrants are draining before winter)

AN ORDINANCE TO AMEND THE TOWN OF HERMOSA ORDINANCE SECTION 30.01 (DEFINITIONS) BY ADDING A NEW SUBPARAGRAPH THERETO TO DEFINE THE TERM LEGAL VOTER FOR PURPOSES OF THE TOWN OF HERMOSA ORDINANCES CHAPTER 30 AND QUALIFICATION AS A HERMOSA BOARD OF TRUSTEE CANDIDATE

BE IT ORDAINED BY THE TOWN OF HERMOSA BOARD OF TRUSTEES THAT THE TOWN OF HERMOSA AMENDS THE TOWN OF HERMOSA ORDINANCE SECTION 30.01 (DEFINITIONS) BY ADDING A NEW SUBPARAGRAPH THERETO TO DEFINE THE TERM LEGAL VOTER FOR PURPOSES OF THE TOWN OF HERMOSA ORDINANCES CHAPTER 30 AND QUALIFICATION AS A HERMOSA BOARD OF TRUSTEE CANDIDATE AS FOLLOWS:

LEGAL VOTER: To qualify as *a legal voter* in the Town of Hermosa elections as a candidate for public office to become a member of the Hermosa Board of Trustees, the candidate must be:

1. Be a citizen of the United States;
2. Actually live at and have no present intention of leaving the address described as their residency;
3. Be at least 18 years of age on the date of the next election
4. Has not been adjudged mentally incompetent
5. Is not currently serving a sentence for a felony conviction
6. Has canceled any previous voter registration
7. Further, pursuant to SDCL § 9-14-2, the candidate must have resided in the municipality at least three (3) months prior to the election. Specifically, SDCL § 9-14-2 provides that except as otherwise provided, no person may hold any elected municipal office who is not a qualified voter of the municipality and who has not resided therein at least three months next preceding his election or appointment. If the person has resided in an area annexed, pursuant to chapter 9-4, for at least three months, he may hold any municipal office. No person may hold any municipal office who is a defaulter to the municipality. This section does not apply to appointive officers.

Dared this ____ day of _____, 2022

BOARD OF TRUSTEES:

President

ATTEST:

Finance Officer

First Reading: _____

Second Reading: _____

Publication: _____

Effective Date: _____

AN ORDINANCE TO AMEND THE TOWN OF HERMOSA ORDINANCE SECTION 30.05 (PLANNING AND ZONING BOARD; WAIVER) BY AMENDING SECTION 30.05 THERETO TO REDACT ITS CURRENT REFERENCE TO THE "Town Board" AND CHANGE THE REQUIRED MEETING ATTENDANCE TO REGULAR MEETINGS TO FOUR.

BE IT ORDAINED BY THE BOARD OF TRUSTEES FOR THE TOWN OF HERMOSA THAT THE BOARD OF TRUSTEES AMENDS ORDINANCE SECTION 30.05 (PLANNING AND ZONING BOARD; WAIVER) BY AMENDING SECTION 30.05 THERETO TO REDACT ITS CURRENT REFERENCE TO THE "TOWN BOARD" AND CHANGE THE REQUIRED MEETING ATENDANCE TO REGULAR MEETING TO FOUR AS FOLLOWS:

§ 30.05 PLANNING AND ZONING BOARD; WAIVER

All members of the Planning and Zoning Board appointed into office before or after the effective date of this chapter, are hereby required to attend at a minimum of four of the Planning And Zoning Board's regularly scheduled meetings per quarter year; with the fiscal year being from June 1 of the current year to June 1 the following calendar year. In the event the member fails to attend meetings as required or should violate any provisions of this chapter, the "at-fault" member may be removed by the Board of Trustees governing board, at which time the governing board, with a two-thirds majority QUORUM vote, may either allow the at-fault member to retain his or her appointed or elected seat, or request a notice of resignation from the at-fault member. Reasons for accepting or denying the appeal must be solely based on what is in the best interest of the town, and the at-fault member's current and future ability to serve their community and board.

Formatted: Font: Bold

Dared this ___ day of _____, 2022

BOARD OF TRUSTEES:

President

ATTEST:

Finance Officer

First Reading: _____
Second Reading: _____
Publication: _____
Effective Date: _____

AN ORDINANCE TO AMEND THE TOWN OF HERMOSA ORDINANCE SECTION 30.06 (BOARD OF TRUSTEES; WAIVER) BY AMENDING SECTION 30.06 THERETO TO ADD SPECIFIC GROUNDS FOR EXPULSION OF A BOARD OF TRUSTEE MEMBER AS A MEMBER OF THE BOARD OF TRUSTEES

BE IT ORDAINED BY THE BOARD OF TRUSTEES FOR THE TOWN OF HERMOSA THAT THE TOWN OF HERMOSA ORDINANCE SECTION 30.06 (BOARD OF TRUSTEES; WAIVER) BE AMENDED TO ADD SPECIFIC GROUNDS FOR EXPULSION AND REMOVAL OF A BOARD OF TRUSTEE MEMBER AS A MEMBER OF THE BOARD OF TRUSTEES AS FOLLOWS:

§ 30.06 BOARD OF TRUSTEES; WAIVER.

- (A) All members of the Board of Trustees appointed or voted into office before or after the effective date of this chapter are hereby required to attend four of the Board’s regularly scheduled meetings per quarter; with the fiscal year being from June 1 of the current year to June 1 of the following calendar year.
- (B) The Board of Trustees may expel and remove any member of the Board of Trustees upon the following grounds: misconduct, malfeasance, nonfeasance, crimes in office, drunkenness, gross incompetency, corruption, theft, oppression, gross partiality, any violation of the Town of Hermosa’s Code of Conduct or failure to physically attend at least four of the six regularly scheduled Board of Trustee scheduled meeting per quarter as described in §30.06(A).
- (C) All members of the Board of Trustees appointed or voted into office before or after the effective date of this chapter shall execute the Town of Hermosa’s Code of Conduct at the time they are sworn into office and shall comply with the same.
- (D) If it appears to the Board of Trustees that a member has violated any provisions of this chapter or grounds exist to expel and remove the violating member, the Board of Trustees shall conduct a fair and public hearing on whether the violating member should retain his or her appointed or elected position as a member of the Hermosa Board of Trustees.
- (E) Any expulsion and removal of a member of the Board of Trustees shall require a vote for expulsion and removal by four (4) members of the Board of Trustees.

Dared this ____ day of _____, 2022

BOARD OF TRUSTEES:

President

ATTEST:

Finance Officer

First Reading: _____

Second Reading: _____

Publication: _____

Effective Date: _____

AN ORDINANCE TO AMEND THE TOWN OF HERMOSA ORDINANCE SECTION 30.07 (BOARD MEMBER COMPENSATION) BY AMENDING SECTION 30.07 THERETO TO REQUIRE A BOARD OF TRUSTEE MEMBER TO PHYSICALLY APPEAR FOR ALL REGULAR MEETINGS OF THE BOARD OF TRUSTEES, THE COMPENSATION PAID TO A MEMBER OF THE BOARD OF TRUSTEES AND PROHIBITING MEETINGS BY ELECTRONIC OR TELECONFERENCE MEANS.

BE IT ORDAINED BY THE BOARD OF TRUSTEES FOR THE TOWN OF HERMOSA THAT THE TOWN OF HERMOSA ORDINANCE SECTION 30.07 (BOARD MEMBER COMPENSATION) BE AMENDED TO REQUIRE A BOARD OF TRUSTEE MEMBER TO PHYSICALLY APPEAR FOR ALL REGULAR MEETINGS OF THE BOARD OF TRUSTEES, THE COMPENSATION PAID TO A MEMBER OF THE BOARD OF TRUSTEES AND PROHIBITING MEETINGS BY ELECTRONIC OR TELECONFERENCE MEANS AS FOLLOWS:

§ 30.07 BOARD MEMBER ATTENDANCE AND COMPENSATION.

- (A) In order to receive payment for meeting attendance, members must be physically present within 15 minutes of the opening of the meeting, and remain physically present until adjournment of the meeting. Any variance of this regulation requires a 60 % (i.e. 3/5ths) vote from the present governing body to approve the payment.
- (B) Barring exigent and exceptional circumstances, no regular or special Board of Trustees meeting shall be conducted through electronic means, teleconference, telephone or the like. All members of the Board of Trustees shall be physically present for the regular or special meetings.

Dared this ___ day of _____, 2022

BOARD OF TRUSTEES:

President

ATTEST:

Finance Officer

First Reading: _____

Second Reading: _____

Publication: _____

Effective Date: _____

FACILITIES USE AND LEASE AGREEMENT

THIS AGREEMENT is made and entered into this 1st day of April 2022, between the Town of Hermosa, a South Dakota Municipal Corporation of P.O. Box 298, Hermosa, South Dakota 57744, (“Lessor”) and, Our Savior’s Lutheran Church, a South Dakota non-profit corporation doing business as “Hermosa /Fairburn Community Food Bank” (“God’s Cupboard”) (“Lessee”) of 386 Main Street, Hermosa, South Dakota, 57744.

RECITALS:

WHEREAS, the Town of Hermosa is the owner of the premises described below and desires to lease the premises to Our Savior’s Lutheran Church, a South Dakota non-profit corporation doing business as “Hermosa /Fairburn Community Food Bank” (“God’s Cupboard”).

WHEREAS, the parties desire to enter into a lease agreement defining their rights, duties and obligations relating to the leased premises;

NOW THEREFORE, in consideration of the sum of One Dollar (\$1.00), and other good and valuable consideration, and in consideration of the mutual covenants contained herein, the adequacy and sufficiency of which is hereby acknowledged each party to the other, the parties agree as follows:

- 1. **Premises:** The Town of Hermosa leases the following described property to “Our Savior’s Lutheran Church”, a South Dakota non-profit corporation doing business as “Hermosa /Fairburn Community Food Bank (God’s Cupboard),:

One room in the lower level of the Hermosa Town Hall located at 230 Main Street, Hermosa South Dakota

- 2. **Term:** Lessee leases the aforementioned premises for a period of one (1) year commencing April 1, 2022 and ending at midnight on March 31, 2023.
- 3. **Use of Premises:** The demised premises shall be used and occupied by the Lessee for storing food and related items and providing food and related items to the indigent and persons in need, and neither the premises nor any part thereof shall be used for any unlawful use or purpose whatsoever, or for any purpose other than the foregoing purposes.

4. **Rent:** Lessee shall pay rent of \$1.00 per month.
5. **Insurance:** During the term of this Lease, the Lessee shall be responsible to keep all property of the Lessee kept on or about the leased premises insured against loss or damage. Lessee shall maintain a casualty, liability and comprehensive insurance policy acceptable to Lessor and identify the Town of Hermosa as an additional insured. Lessee shall provide proof that such insurances are in force on or before April 1, 2022 and at any other times requested by Lessor.
6. **Indemnification of Lessor.** Lessee shall neither hold nor attempt to hold Lessor or its employees or agents liable for, and Lessee shall indemnify and hold harmless Lessor, its employees and agents from and against, any and all demands, claims, causes of action, fines, penalties, damages (including consequential damages), liabilities, judgments, and expenses (including, without limitation, attorneys' fees) incurred in connection with or arising from:
 - A. any acts, omissions or negligence of Lessee or any person claiming under Lessee, or the contractors, agents, employees, invitees or visitors of Lessee or any such person; .
 - B. any breach, violation, or nonperformance by Lessee or any person claiming under Lessee or the employees, agents, contractors, invitees or visitors of Lessee or any such person of any term, covenant or provision of this Lease; and
 - C. any injury or damage to the person, property or business of Lessee, its employees, agents, contractors, invitees, visitors or any other person entering upon the building and adjacent premises owned by Lessor under the express or implied invitation of Lessee;
 - D. except for injury or damage to persons or property on the Premises, the common areas on Lessor's property which is proximately from the negligence or deliberate act of Lessor or its employees. If any action or proceeding is brought against Lessor or its employees by reason of any such claim for which Lessee has indemnified Lessor,

Lessee, upon notice from Lessor, will defend the same at Lessee's expense with counsel reasonably satisfactory to Lessor.

7. **Lessor Non-Liability to Lessee:** Lessor shall not be liable or responsible for damage or loss of any kind to the property owned by or in the care, custody and control of the Lessee, including, but not limited to lost or spoiled food items, products and the like. Further, Lessor shall not be liable or responsible for any accident or injury to anyone working for or volunteering services to the Lessee.
8. **Assignments and Subletting:** Lessee shall not assign or transfer, mortgage or encumber this Lease or any interest therein, sublet the premises or any right or privilege appertaining thereto.
9. **Lessee's Obligations:** The Lessee agrees to use said premises for providing its service to provide food and related items to the indigent and persons in need and will comply with all laws and ordinances applicable thereto. The Lessee agrees to at all times maintain the premises in a clean and satisfactory manner, to keep all premises in good order and repair at the Lessee's expense.
10. **Nuisance:** Lessee shall not, during the term hereof, maintain, commit or permit the maintenance or commission of any nuisance on the demised premises.
11. **Default:** It is mutually agreed between the parties hereto that time of rental payment as herein specified as April 1, monthly shall be of the essence of this Lease, and that failure on the part of Lessee to timely make the rent payment, or failure on the part of Lessee to otherwise fulfill any of the covenants hereof, shall entitle Lessor, after notice of default and failure to cure as hereinafter set forth, to re-enter and retake possession of such rented premises immediately and forthwith, and to hold and enjoy the same, without such re-entry working a forfeiture of rents to be paid and the covenants to be performed by said Lessee for the remaining term of this Lease. In the event of such default or failure on the part of Lessee, and upon written notice thereof by Lessor to Lessee, which notice shall be made and delivered in accordance with Paragraph 14 hereof, ("Notices"), Lessee shall have seven (7)

days within which to correct such default or failure, and, unless the same is accomplished within said period of time, Lessee shall forthwith immediately vacate said premises and give peaceable possession thereof to Lessor. Lessee shall be afforded a reasonable time within which to remove its building and structures from the leased premises.

12. **Waiver**: The waiver by Lessor of any term, covenant or condition herein contained shall not be deemed to be a waiver of such term, covenant or condition of any subsequent breach of the same or any other term, covenant or condition herein contained. The subsequent acceptance of rent hereunder by Lessor shall not be deemed a waiver of any preceding breach by Lessee of any term, covenant or condition of this Lease, other than the failure of Lessee to pay the particular rental so accepted, regardless of Lessor's knowledge of such preceding breach at the time of acceptance of such rent.
13. **Parties Bound**: The covenants and conditions herein contained shall inure to the benefit of and bind the heirs, successors, executors, administrators, personal representatives and assigns of the parties hereto.
14. **Notices**: The parties agree that any notices required or permitted hereunder shall be in writing and shall be effective when deposited in the United States mail, postage prepaid, certified mail, return receipt requested, or by any overnight delivery, (Federal Express, UPS, Purolator, U.S. Mail, etc.), addressed to the parties to receive such notices at the following addresses, or such other addresses as the parties may have notified each other of in writing.

AS TO LESSOR: Town of Hermosa
 P.O. Box 298
 Hermosa, SD 57744

AS TO LESSEE: Our Savior's Lutheran Church
 C/O Alicia Mead
 24210 South Highway 79
 Hermosa, SD 57744

Hermosa, a South Dakota Municipal Corporation, and that he executed the within instrument and acknowledged to me that he executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Notary Public

My Commission Expires:
(SEAL)

STATE OF SOUTH DAKOTA)
) :SS
COUNTY OF CUSTER)

On this the ____ day of March 2022, before me, the undersigned officer, personally appeared Chelle Schefcik executed the within instrument and acknowledged to me that she executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Notary Public

From: Bernhard Flug
To: Hermosa Board of Trustees

SUBJ: LETTER OF RESIGNATION FROM THE BOT

1. I would like to thank the public for allowing me the opportunity to represent them on projects and issues that have arisen during my time on the board of trustees. The support and a positive atmosphere with open discussions policy gave us the opportunity to arrive at a fact based solution set.
2. There has also been some negative comments on the internet based on I am not sure what facts. As a board we have attempted to answer concerns to the best of our ability, sometime the answer is not immediately do to use having to check with the towns experts for clarification.

Bernhard Flug

715



HERMOSA PLANNING & ZONING BOARD
HERMOSA SD 57744

February 23, 2022

Hermosa Planning & Zoning
PO Box 298
Hermosa SD 57744

To: Whom it may concern;

The Hermosa Planning & Zoning board agrees with the Hermosa Attorney of record Mitchell D. Johnson, that used car lots are allowable in commercial zoning within the town limits of Hermosa.

Please note this clearly states, used car lots are allowed in commercially zoned property, however this does not guarantee approval of/nor exclude you from complying with all permitting such as building, grading, or other as deemed necessary, and complying with all Hermosa ordinances, including but not limited to grading, drainage, erosion control, streets, parking lot, utilities and engineer staff report recommendations.

Sincerely,

A handwritten signature in cursive script that reads "Joan Harris".

Joan Harris

President, Hermosa Planning & Zoning
Town of Hermosa SD

FYI

Gail Boddicker

From: dwresilience <dwresilience@epa.gov>
Sent: Monday, February 14, 2022 12:53 PM
Subject: Cyber Alert 2/14/2022: Potential Cyber Threat to United States Critical Infrastructure
Attachments: USEPA-WaterISAC Advisory on Cybersecurity Recommendations_Dec_2021.pdf; (U--FOUO) IIB - Warning of Potential for Cyber Attacks Targeting 01232022 (004).pdf

Dear Water and Wastewater Systems Sector,

The Water Information Sharing & Analysis Center (WaterISAC) and the United States Environmental Protection Agency (USEPA) are alerting the water and wastewater systems sector to new information regarding a potential cyber threat to United States critical infrastructure. All water and wastewater system owners and operators should read this alert and the attached advisories and adopt the recommended mitigation actions if needed.

On February 11, 2022, National Security Advisor Jake Sullivan stated that new Russian forces continue to arrive at the Ukrainian border and that, "*we are in the window when an invasion could happen at any time.*" If Russia takes military action against Ukraine, the response by the United States, "*would include severe economic sanctions with similar actions taken by the European Union, the United Kingdom, Canada and other countries.*"

In an Intelligence Brief issued on January 23, 2022, the Department of Homeland Security (DHS) stated, "*We assess that Russia would consider initiating a cyber attack against the Homeland if it perceived a US or NATO response to a possible Russian invasion of Ukraine threatened its long-term national security. Russia maintains a range of offensive cyber tools that it could employ against US networks—from low-level denials-of-service to destructive attacks targeting critical infrastructure.*" See attached DHS Office of Intelligence and Analysis, Intelligence in Brief, *Warning of Potential for Cyber Attacks Targeting the United States in the Event of a Russian Invasion of Ukraine* (DHS-IA-IB-2022-00927).

Due to these current events, WaterISAC and the USEPA strongly encourage water and wastewater system owners and operators to maintain a heightened awareness for possible intrusions into their operational networks and to prepare to maintain critical operations if process control networks are disabled. Review the December 20, 2021, Advisory from WaterISAC and USEPA for tactics, techniques, and procedures used by Russian and Russian state-sponsored proxies and, where necessary, adopt the recommended mitigation actions to reduce risk from and build resilience to potential attacks. (See attached USEPA-WaterISAC Advisory, *Cybersecurity Recommendations in Consideration of the CISA/FBI/NSA Advisory on Russian State-Sponsored Cyber Operations Against U.S. Critical Infrastructure*).

Recorded Webinar

The USEPA and WaterISAC delivered a webinar recently to provide additional information on the Cybersecurity Recommendations Advisory that is located at the following link:
<https://www.waterisac.org/portal/dec21-jan22-epa-waterisac-webinars>.

To access the webinar recording, login to your WaterISAC account. If you are not a member, please request a free trial membership at <https://www.waterisac.org/>.

December 20, 2021



U.S. ENVIRONMENTAL PROTECTION AGENCY-WaterISAC ADVISORY

To: Water and Wastewater Systems, SLTT Governments and Private Sector Stakeholders

(TLP:AMBER) Cybersecurity Recommendations in Consideration of the CISA/FBI/NSA Advisory on Russian State-Sponsored Cyber Operations Against U.S. Critical Infrastructure

On December 16, 2021, the Cybersecurity and Infrastructure Security Agency (CISA), FBI, and the National Security Agency (NSA) issued a joint advisory on Russian state-sponsored cyber operations against United States critical infrastructure (see attachment for advisory AA21-350B).

What is the Purpose of the CISA/FBI/NSA Joint Advisory?

The joint advisory describes commonly observed tactics, techniques, and procedures; detection actions; incident response guidance; and mitigations. It is intended to help critical infrastructure reduce the risk presented by these threats and to encourage the adoption of a heightened state of awareness during the holidays (a time when many disconnect from work).

The joint advisory complemented a December 15, 2021 CISA Insights publication - [Preparing For and Mitigating Potential Cyber Threats](#). It asserted that due to persistent cyber-threats from sophisticated actors, including nation-states and their proxies, critical infrastructure owners and operators should take immediate steps to strengthen their computer network defenses. These actors have the capability to leverage network access for targeted operations with the potential to disrupt critical infrastructure functions.

What Actions are Recommended for Water and Wastewater Systems?

Water and wastewater system owners and operators should review the attached joint advisory and assess how to apply the recommended detection, incident response, and mitigation actions to their operations. Key actions for water and wastewater systems include the following:

- 1) **Require Strong, Unique Passwords**. Malicious cyber actors repeatedly use stolen or easily guessed credentials. Consider forcing a global reset of all passwords in your environment before staff begin taking time off.
- 2) **Implement Multi-Factor Authentication**. After changing passwords, make implementing multi-factor authentication (MFA) a priority. MFA significantly reduces your risk from almost all opportunistic attempts to gain entry into your systems.
- 3) **Address known exploited vulnerabilities**. This could include patching and/or additional controls such as network segmentation to protect vulnerable devices that cannot effectively be patched. CISA maintains a catalog of [Known Exploited Vulnerabilities](#) that utilities are encouraged to review to identify vulnerable systems. Also, prioritize network segmentation to prevent unauthorized access to your operational technology (OT) systems from the internet and to reduce connectivity between OT and vulnerable information technology (IT) systems.
- 4) **Surge Support**. Identify surge support for responding to an incident. Malicious cyber actors are known to target organizations on weekends and holidays when there are gaps in organizational cybersecurity.



- 5) **Network/Systems Awareness**. Be alert for unusual behavior in OT and IT systems, such as unexpected reboots of digital controllers and other OT hardware and software, and delays or disruptions in communication with field equipment or other OT devices. Enhance logging to investigate anomalous activity – including collecting more logs and increasing storage capacity and retention time.
- 6) **Backup Data**. Implement and test data backup procedures on both IT and OT networks and ensure copies of backups are isolated (stored offline) from the network.
- 7) **Incident Response Plans**. Create, maintain, and exercise a cyber incident response and continuity of operations plans.
- 8) **Manual Operations**. Have a resilience plan that addresses how to operate your system if you lose access to or control of critical OT or IT systems – including the ability to sustain manual operations for extended periods.

How Can I Learn More About the CISA/FBI/NSA Joint Advisory?

WaterISAC and EPA, in conjunction with water sector associations, will hold a TLP:AMBER webinar on the dates/times listed below to present and discuss the joint advisory. The webinar is intended for water and wastewater system owners and operators, along with state, local, tribal, and territorial (SLTT) government officials and private sector organizations that directly support water and wastewater system operations. Registration links for the webinar are provided. For those unable to join live, the webinar will be recorded and posted to the [WaterISAC website](#) for members and trial members.

- Date 1: Wednesday, December 29, 2021, 2:00 – 3:00 pm EST.
Register: <https://attendee.gotowebinar.com/register/8355582904364747792>
- Date 2: Wednesday, January 5, 2022, 2:00 – 3:00 pm EST.
Register: <https://attendee.gotowebinar.com/register/5595566826088940559>

Additional Resources

- [Protecting Against Malicious Cyber Activity before the Holidays](#) (White House; 12/16/21)
- [Joint Cybersecurity Advisory Ongoing Cyber Threats to U.S. Water and Wastewater Systems](#) (CISA, FBI, NSA, EPA; 10/14/21)
- [WaterISAC's 15 Cybersecurity Fundamentals for Water and Wastewater Utilities](#)
- [U.S. EPA Cybersecurity Best Practices for the Water Sector](#)
- [AWWA Resources on Cybersecurity](#)

WaterISAC Incident Reporting

WaterISAC encourages all utilities that have experienced malicious or suspicious activity to email analyst@waterisac.org, call 866-H2O-ISAC, or use [the confidential online incident reporting form](#). Reporting to WaterISAC helps utilities and stakeholders stay aware of the threat environment of the sector.

TLP:AMBER Definition: Recipients may only share TLP:AMBER information with members of their own organization, and with clients or customers who need to know the information to protect themselves or prevent further harm. For more information on the Traffic Light Protocol, see <https://www.cisa.gov/tlp>.



OFFICE of INTELLIGENCE and ANALYSIS
INTELLIGENCE IN BRIEF

23 JANUARY 2022

DHS-IA-IB-2022-00927

CYBERSECURITY

(U) Warning of Potential for Cyber Attacks Targeting the United States in the Event of a Russian Invasion of Ukraine

(U//FOUO) Scope Note: This Intelligence in Brief provides strategic warning to federal, state, local, tribal, territorial, and critical infrastructure stakeholders of possible cyber implications related to current geopolitical events. The evolving nature of the current military escalation on Ukraine's border and ongoing dialogue between Moscow and Washington could influence Russia's actions, including options for targeting the United States. Given the nature of these events and the varied potential outcomes of ongoing security dialogues, this assessment could similarly evolve over the coming weeks and months.

(U//FOUO) We assess that Russia would consider initiating a cyber attack against the Homeland if it perceived a US or NATO response to a possible Russian invasion of Ukraine threatened its long-term national security. Russia maintains a range of offensive cyber tools that it could employ against US networks—from low-level denials-of-service to destructive attacks targeting critical infrastructure. However, we assess that Russia's threshold for conducting disruptive or destructive cyber attacks in the Homeland probably remains very high and we have not observed Moscow directly employ these types of cyber attacks against US critical infrastructure—notwithstanding cyber espionage and potential prepositioning operations in the past.

- *(U) Russia's cyber program is a key element of its broader view and military doctrine of "information confrontation" — a concept that values technical cyber operations and the psychological effects that can be achieved in an information environment, according to a 2021 NATO report. Moscow's cyber operations are designed to provide flexible options that can be used in both peacetime and wartime to achieve desired end states. Russia almost certainly considers cyber attacks an acceptable option to respond to adversaries because it lacks symmetrical economic and diplomatic responses, according to the Intelligence Community's 2021 Annual Threat Assessment.*

- (U) Russia continues to target and gain access to critical infrastructure in the United States. During a campaign that started in March 2016, Russian Government cyber actors compromised US energy networks, conducting network reconnaissance and lateral movement, and collected information pertaining to industrial control systems, according to a Cybersecurity and Infrastructure Security Agency (CISA) alert. Separately, Russian state-sponsored cyber actors have successfully compromised routers, globally, and US state and local government networks, according to a CISA alert and a joint US-UK report.
- (U//FOUO) Russia has demonstrated the ability to conduct disruptive and destructive cyber attacks in other countries, using techniques that could be leveraged against US critical infrastructure networks. In both 2015 and 2016 – progressively more capable year-over-year – Russian military intelligence (GRU) actors successfully launched cyber attacks against the Ukrainian power grid, temporarily interrupting the supply of power to hundreds of thousands of Ukrainians, according to a US indictment of GRU officers. In 2017, Russian actors used malware to target a Saudi Arabian refinery, infecting the safety systems and leading to the temporary shutdown of the plant, according to a Department of Treasury sanctions announcement.

(U) Recent Relevant US Government Cyber Security Alerts

- (U//FOUO) 18 January 2022: CISA Insights, *Implement Cybersecurity Measures Now to Protect Against Potential Critical Threats*
- (U//FOUO) 11 January 2022: Joint CISA-FBI-NSA Cybersecurity Advisory, AA22-011A, *Understanding and Mitigating Russian State-Sponsored Cyber Threats to U.S. Critical Infrastructure*
- (U) 15 December 2021: CISA Insights, *Preparing for and Mitigating Potential Cyber Threats*
- (U//FOUO) 1 July 2021: Joint CISA-FBI-NSA-NCSC Cybersecurity Advisory, U/OO/158036-21, *Russian GRU Conducting Global Brute Force Campaign to Compromise Enterprise and Cloud Environments*
- (U) 22 October 2020: Joint CISA-FBI Cybersecurity Alert, AA20-296A, *Russian State-Sponsored Advanced Persistent Threat Actor Compromises US Government Targets*

- (U) 16 April 2018: CISA Technical Alert, TA18-106A, *Russian State-Sponsored Cyber Actors Targeting Network Infrastructure Devices*
- (U) 16 March 2018: Joint DHS-FBI Technical Alert, TA18-074A, *Russian Government Cyber Activity Targeting Energy and Other Critical Infrastructure Sectors*

Source, Reference, and Dissemination Information

Source Summary Statement	<p><i>(U//FOUO)</i> We assess that Russia would consider initiating a cyber attack against the Homeland if it perceived a US or NATO response to a possible Russian invasion of Ukraine threatened its national security. This assessment is made with medium confidence based on a media article about President Vladimir Putin claiming that the United States was not respecting Russian "redlines." We also base this assessment on CISA and media reporting on Russian compromises of US critical infrastructure networks; a US indictment of GRU officers; A Department of Treasury announcement of sanctions against a private sector Russian research institute; and media reporting of Russian destructive cyber attacks conducted against other countries' critical infrastructure. We further base this assessment on a NATO report on Russia's cyber program.</p> <p><i>(U//FOUO)</i> We assess that Russia's threshold for conducting disruptive or destructive cyber attacks in the Homeland probably remains very high. This assessment is made with medium confidence based on a lack of observed cyber attack activity against the Homeland despite prior tensions, including public reports on US assistance to Ukraine; enhanced Forward Presence in the Baltic nations and Poland; US military aid to Ukraine; and Department of Treasury sanctions levied against Russian entities related to the Ukraine crisis.</p>
Reporting Suspicious Activity	<p><i>(U)</i> To report a computer security incident, either contact US-CERT at 888-282-0870, or go to https://forms.us-cert.gov/report/ and complete the US-CERT Incident Reporting System form. The US-CERT Incident Reporting System provides a secure, web-enabled means of reporting computer security incidents to US-CERT. An incident is defined as a violation or imminent threat of violation of computer security policies, acceptable use policies, or standard computer security practices. In general, types of activity commonly recognized as violating typical security policies include attempts (either failed or successful) to gain unauthorized access to a system or its data, including personally identifiable information; unwanted disruption or denial of service; the unauthorized use of a system for processing or storing data; and changes to system hardware, firmware, or software without the owner's knowledge, instruction, or consent.</p>
Dissemination	<p><i>(U)</i> Federal, state, local, tribal, and territorial authorities and private sector security partners.</p>
Warning Notices & Handling Caveats	<p><i>(U)</i> Warning: This document is UNCLASSIFIED//FOR OFFICIAL USE ONLY (U//FOUO). It contains information that may be exempt from public release under the Freedom of Information Act (5 U.S.C. 552). It is to be controlled, stored, handled, transmitted, distributed, and disposed of in accordance with DHS policy relating to FOUO information and is not to be released to the public, the media, or other personnel who do not have a valid need to know without prior approval of an authorized DHS official. State and local homeland security officials may share this document with authorized critical infrastructure and key resource personnel and private sector security officials without further approval from DHS.</p> <p><i>(U)</i> All US person information has been minimized. Should you require US person information on weekends or after normal weekday hours during exigent and time sensitive circumstances, contact the Current and Emerging Threat Watch Office at 202-447-3688, CETC.OSCO@HQ.DHS.GOV. For all other inquiries, please contact the Homeland Security Single Point of Service, Request for Information Office at DHS-SPS-RFI@hq.dhs.gov, DHS-SPS-RFI@dhs.gov, DHS-SPS-RFI@dhs.ic.gov.</p>



Homeland Security

Office of Intelligence and Analysis

Customer Feedback Form

Product Title: (U) Warning of Potential for Cyber Attacks Targeting the United States in the Event of a Russian Invasion

All survey responses are completely anonymous. No personally identifiable information is captured unless you voluntarily offer personal or contact information in any of the comment fields. Additionally, your responses are combined with those of many others and summarized in a report to further protect your anonymity.

1. Please select partner type: and function:

2. What is the highest level of intelligence information that you receive?

3. Please complete the following sentence: "I focus most of my time on:"

4. Please rate your satisfaction with each of the following:

	Very Satisfied	Somewhat Satisfied	Neither Satisfied nor Dissatisfied	Somewhat Dissatisfied	Very Dissatisfied	N/A
Product's overall usefulness	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Product's relevance to your mission	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Product's timeliness	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Product's responsiveness to your intelligence needs	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

5. How do you plan to use this product in support of your mission? (Check all that apply.)

- Drive planning and preparedness efforts, training, and/or emergency response operations
- Observe, identify, and/or disrupt threats
- Share with partners
- Allocate resources (e.g. equipment and personnel)
- Reprioritize organizational focus
- Author or adjust policies and guidelines
- Initiate a law enforcement investigation
- Intiate your own regional-specific analysis
- Intiate your own topic-specific analysis
- Develop long-term homeland security strategies
- Do not plan to use
- Other:

6. To further understand your response to question #5, please provide specific details about situations in which you might use this product.

7. What did this product not address that you anticipated it would?

8. To what extent do you agree with the following two statements?

	Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree	N/A
This product will enable me to make better decisions regarding this topic.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
This product provided me with intelligence information I did not find elsewhere.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

9. How did you obtain this product?

10. Would you be willing to participate in a follow-up conversation about your feedback?

To help us understand more about your organization so we can better tailor future products, please provide:

Name: Position:
 Organization: State:
 Contact Number: Email:



Privacy Act Statement

FYI

Gail Boddicker

From: Ron Vanderpool <rvanderpool@map-inc.org>
Sent: Tuesday, February 22, 2022 1:54 PM
To: Gail Boddicker
Subject: Mapping updates

Greetings Gail!

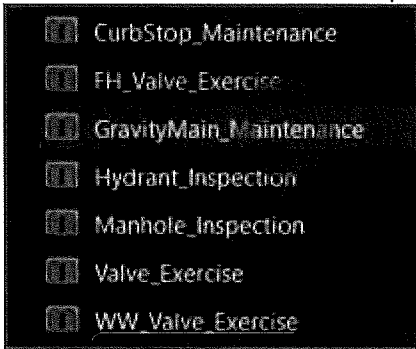
I have some in-between time and I try to use this to enhance some of our FFS clients without getting into a charge for service thing.

The related tables that can be used for maintenance tracking can really be added to most any feature. We have pre-built tables for some water and wastewater features.

My question,

Do you have any particular features that you want to start with? Maybe a gravity main maintenance, hydrant maintenance, or possibly a valve exercise table?

Here is a list of the few we have pre-built.



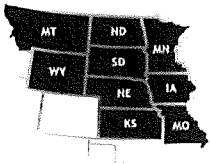
My goal is for you to evaluate a few of them to see if it is something useful. If you remember from the [Training Video](#) they can be very powerful for tracking maintenance and developing a historical database of everything you do with the selected features.

We also have a Mainline Break tracker if that is something you may be interested in. Of course this tracker is more relative to older infrastructure, but everyone's infrastructure is aging.

Any rate, let me know!

Thanks and stay warm!

"HC SVNT DRACONES"



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