

**HERMOSA TOWN BOARD**  
**TUESDAY, JULY 16, 2024**  
**REGULAR MEETING @ 6:00pm**

ROLL CALL: Kramer called the meeting to order on Tuesday, July 16, 2024, at 6:02 pm with the following members present: Ferguson, Kramer, Koontz and Henrichsen. Harris joined the meeting at 6:15 pm. Interested citizens and attorney Hagg were also present. Pledge of Allegiance led by Kramer.

CALL FOR CHANGES: Motion made and seconded to approve agenda with the following changes: Item C under Engineer: Letter from Dept of Public Safety office of Emergency Management, Item B under Claims: Kent Hagg invoice, Item D under Finance Office: set budget dates for 2025 budget, change Item C under Planning and Zoning to permit 2024-28 and allow board president to move agenda items as needed to accommodate those in attendance; vote: all aye, motion carried.

SPECIAL ITEMS: meeting protocol presented.

CONSENT CALENDAR: Motion made and seconded to approve July 2, 2024, minutes as presented: vote: three ayes, 1 abstain, motion carried.

CONFLICT OF INTEREST DECLARATION: All board members are responsible for refraining from discussion and voting on issues where they may have a conflict of interest. Motion made and seconded to move Item C Abatements under Law Enforcement to Legal; vote: all aye, motion carried.

ENGINEER: Engineer Anthony Theodorou reviewed the billing from Waterworth for \$5,000 and explained that it was included in the Rate Management agreement that was approved at the May 7, 2024, regular Town Board meeting. Anthony also reviewed a letter from Neil Putnam, Senior Planner with Benesch, regarding Planning & Zoning for the town. A letter from the South Dakota Department of Public Safety Office of Emergency Management was received stating a conditional letter of map revision or a letter of map revision application would not be warranted for the proposed wastewater improvements.

NEW BUSINESS: Discussion was held on Work Order 2024-24- Replace damaged culvert at 260 Ferguson. It was the consensus of the board that the town has plans to straighten culvert, but homeowner would be responsible for replacing or extending the culvert and would need to complete proper permits.

PLANNING & ZONING: Motion made and seconded to approve Permit 2024-03 Revised Plat Application – Parcel 9258 – Tract 8A & 8Z.; vote: all aye, motion carried. Motion made and seconded to approve Permit 2024-25 – Conditional Use Application – 749 Teneya St. – temporary office; vote: all aye, motion carried. Motion made and seconded to approve Permit 2024-28 – Conditional Use Application – 749 Teneya St. – temporary shipping container; vote: all aye, motion carried. Motion made and seconded to approve Temporary Sign Application – American Legion Post 303; vote: all aye, motion carried. Motion made and seconded to approve Temporary Sign application – Custer County Fair Association; vote: all aye, motion carried. Motion made and seconded to not reform planning and zoning; vote: all aye, motion carried.

CLAIMS: Motion made and seconded to approve Payroll and Claims as amended; vote: all aye, motion carried. BENESCH, professional services 6/3-6/30/24, \$2,263.00; CBH CO-OP, shop propane, tank rental fee, \$75.70; CONNIE LEIMER, trap/neuter/release program, \$68.00; DANR, drinking water permit fee, \$100.00; DSG – DAKOTA SUPPLY GROUP, booster pump, \$1,290.28; CHUCK FERGUSON, patch holes, street light inspection, additional locates, \$1,722.00; GOLDEN WEST TECHNOLOGIES, monthly service – July 2024, \$576, MTRUSHMORE TELEPHONE, phone/internet, \$258.19; PIONEER BANK & TRUST, street light, stamps, office supplies, adobe subscription, \$2,846.11 SANDER SANITATION, monthly sanitation service, \$4,523.80; SDARWS, annual dues, \$410.00; SOUTHERN HILLS PUBLISHING, publishing/legal notices annual subscription, \$286.40HAGG & HAGG LLP, attorney services 6/18-7/16/24, \$4,636.75; **Accounts Payable Total: \$ 19,056.23.** Payroll related: Total Paid On: 7/21524: General, \$2,785.93, Water, \$186.11, Sewer, \$111.69, Promoting City/ BBB, \$37.15, EFTPS-Electronic Federal Tax, FED/FICA TAX, \$807.57; **Total Payroll Related Paid: \$3,928.45. REPORT TOTAL: \$22,984.68.**

LAW ENFORCEMENT/ABATEMENTS/COMPLAINTS: Ferguson updated on presence of law enforcement in the Town. Custer County log was provided to board members.

LEGAL: Kent Hagg shared town attorney job description with the board. Motion made and seconded to accept job description and post on town website; vote: all aye, motion carried. Motion made to table abatements until information is received from Benesch Engineering and only address those abatements that affect the health, safety, and welfare of the citizens of this community. Motion died for a lack of a second. Motion made and seconded to limit town enforcement of abatements for a period of six months, to act only on nuisance abatements including grass, weeds, and other items as noted in Ordinance 91.04 and to remove item from the agenda, vote: 4 aye, 1 nay, motion carried. Henrichsen had a discussion on the abatement and complaint procedure. For complete verbiage please listen to the recording of this meeting that is posted on the Town of Hermosa website.

PUBLIC WORKS: Ferguson provided updates on streets, water, and sewer departments. Motion made and seconded to approve the purchase of 60 tons of road base and 40 gallons of oil for binding of gravel; vote: all aye, motion carried. Ferguson requested Bolted Tank Interior Floor Reseal be taken off the agenda.

FINANCE OFFICE: Monthly financials were presented. The new checking account at Bank West has been opened. Motion made and seconded to allow finance officer to review CD rates at other banks to provide greatest interest to the town and authorize finance officer to transfer current CD to the best choice; vote: all aye, motion carried. Budget meeting dates were set for August 12<sup>th</sup>, 13<sup>th</sup> and 15<sup>th</sup> starting at 6:00 pm each night.

OLD BUSINESS: Appointment of Subcommittees:

Kelburn Koontz as Chairman and Shanna Harris as Vice Chair of the Water Committee

Kelburn Koontz as Chairman and Linda Kramer as Vice Chair of the Sewer Committee

Shanna Harris as Chairman and Linda Kramer as Vice Chair of the Streets Committee

Donna Ferguson as Chairman and Kelburn Koontz as Vice Chair of the Law Enforcement Committee

Linda Kramer as Chairman and Kelburn Koontz as Vice Chair of the Finance Committee

Linda Kramer and Jill Dybvig as authorized agents for code enforcement

Motion made and seconded to accept the quote from Cholik Signs for change on the dumpster sign. Motion amended to allow finance officer to get more quotes on the more detailed option and order best quote after consulting with board president and vice president; vote: all aye, motion carried. Motion made and seconded to remove Item D: Motion to send letters for follow-up of previous complaints received from the agenda; vote: all aye, motion carried.

NEW BUSINESS: Work Order 2024-24 and Revision of Ordinance 91.10 were discussed previously in the meeting.

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

EXECUTIVE SESSION: No items for Executive Session.

ADJOURN: Motion made and seconded to adjourn meeting at 9:23 pm, vote: all aye, motion carried.

ATTEST:

\_\_\_\_\_  
Terri Cornelison  
Finance Officer

\_\_\_\_\_  
Linda Kramer  
Town Board President

Published once at the approximate cost of \_\_\_\_\_.