

**HERMOSA PLANNING & ZONING BOARD**  
**REGULAR MEETING**  
November 9, 2021 @ 6:00pm



- 1) **ROLL CALL:**
  - a) Harris, Clarke, Waltman, Thomason, Jobgen, BOT Liaison
  - b) Pledge of Allegiance to be led by Harris.
  
- 2) **CALL FOR CHANGES:**
  - a) Motion by \_\_\_\_\_ seconded by \_\_\_\_\_ to accept the agenda as presented or amended.
  
- 3) **CONSENT CALENDAR:**
  - a) Approval of October 14, 2021, P&Z Meeting Minutes
  
- 4) **OLD BUSINESS:**
  - a) Review ADU ordinance
  
- 5) **NEW BUSINESS:**
  - a) 2021-43 – Conditional Use Permit; 2021-43; Leah Killian-Pumpkin Patch
  
- 6) **REVIEW BOT MINUTES:**
  - a) October 14, 2021 1- Work Session
  - b) October 19, 2021 - BOT Minutes
  - c) October 27, 2021 @ 1:00pm – Special Meeting
  - d) October 27, 2021 @ 6:00pm – Special Meeting
  - e) October 29, 2021 – Special Meeting
  - f) November 2, 2021 – BOT Minutes – To be presented at meeting
  
- 7) **ORDINANCE REVIEW & WORK ITEMS:**
  - a) BOT requested P&Z board draft Ordinance for concrete; Pending
  
- 8) **COMPLETED WORK ITEMS SENT TO BOT:**
  - a) Fee Schedule – Work session scheduled after November 9<sup>th</sup> P&Z meeting
  
- 9) **TRUSTEE INPUT:**
  
- 10) **CITIZEN INPUT:**
  
- 11) **ADJOURN:** Motion by \_\_\_\_\_; Second by \_\_\_\_\_ to adjourn the meeting at \_\_\_\_\_ pm.

There may be a quorum of Board of Trustees present at Planning & Zoning Meetings



**HERMOSA PLANNING & ZONING BOARD  
REGULAR MEETING  
October 14, 2021 @ 6:00pm**

ROLL CALL: Harris called the meeting to order at 6:15pm with the following members present; Harris, Clarke, Jobgen, Waltman & Thomason. Liaison Schumack, Dybvig and 3 citizens present. Pledge of Allegiance led by Harris.

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

CONSENT CALENDAR: Motion made, seconded to approve the October 14, 2021, meeting minutes; vote; all aye; motion carried.

OLD BUSINESS: Permit 2021-24 – 259 Donna St. – Discussion regarding options for new fence. Motion made and seconded to approve a chain link front yard fence, with the following requirements. Fence needs to be built in the shadow of the house, must all be breakaway fence, must meet the front setbacks and stay out of the right of way. Fence may connect to the current fence on the north side and go as far south as the corner of the house, attaching to the south side of the house. vote; all aye; motion carried.

NEW BUSINESS: Permit 2021-41 – 24545 SD Hwy 79, Dollar General- Building sign and front sign. Motion to approve, seconded; vote; all aye, motion carried.

REVIEW BOT MINUTES: October 5, 2021, BOT minutes

ORDINANCE REVIEW & WORK ITEMS:

Request from BOT for P&Z to work on ordinance for concrete work; Pending

Zoning ordinance for ADU's and Permit Processes and Fees scheduled for work session on October 14, 2021, after regular P&Z meeting.

TRUSTEE INPUT: Harris wanted to thank everyone who helped on Walk to School day. Thank you to Terri, Deb & Mindy for taking all the signs down.

CITIZEN INPUT:

ADJOURN: Motion made, seconded to adjourn the meeting at 6:31 pm; Vote; all aye; motion carried

\_\_\_\_\_  
Joan Harris, Planning & Zoning Board President

\_\_\_\_\_  
Jill Dybvig, Administrative Assistant

**AN ORDINANCE AMENDING CHAPTER 155 OF THE TOWN OF HERMOSA ZONING ORDINANCES TO DEFINE AND REGULATE ACCESSORY DWELLING UNITS AND TINY HOUSES ON WHEELS BY ADDING NEW DEFINITIONS THERETO AND SETTING FORTH RULES AND REGULATIONS PERTAINING TO ACCESSORY DWELLING UNITS AND TINY HOUSES ON WHEELS.**

**BE IT ORDAINED BY THE HERMOSA BOARD OF TRUSTEES THAT CHAPTER 155 OF THE TOWN OF HERMOSA ZONING ORDINANCES IS AMENDED TO DEFINE AND REGULATE ACCESSORY DWELLING UNITS AND TINY HOUSES ON WHEELS BY ADDING NEW DEFINITIONS THERETO AND SETTING FORTH RULES AND REGULATIONS PERTAINING TO ACCESSORY DWELLING UNITS AND TINY HOUSES ON WHEELS AS FOLLOWS:**

**§ 155.02 DEFINITIONS**

**Accessory dwelling unit** (ADU) is a smaller, independent residential dwelling unit located on the same lot as a stand-alone (i.e., detached) single-family home. ADUs go by many different names, including accessory apartments, secondary suites, granny flats, guest houses, mother-in-law apartments, in-law suites, casitas, etc. To be considered a legal suite, it must have its own entrance, kitchen, sleeping, and bathroom facilities. ADUs can be attached or detached. A suite attached to or contained within a principal dwelling unit. Allowed in R1 zones only. Required to be stationary and on a permanent foundation. No ADU/Tiny Home shall be placed within the town limits that was manufactured more than 20 years before the date of application. Main and ADU's/Tiny homes shall not cover more than 40% of the lot area. All such ADU's/Tiny homes shall be connected to public water and sewer systems. Shipping containers/Railroad cars and prefabricated items and structures originally built for purposes other than the storage of goods and materials are not permitted to be used. Lot will never be replated and is required to stay with main residence. Applicable to all adopted UBC Codes, ordinances and zoning regulations as stated in 155.30, 155.31, 155.32, 155.37 and 155.39.

**Tiny House on Wheels**, it is generally thought of as a small house, typically sized under 500 square feet. This style of tiny house is often referred to as a THOW (tiny house on wheels). The Town of Hermosa would consider a tiny house on wheels, legally a recreational vehicle {RV), A portable or mobile living unit used for temporary human occupancy away from the place of residence of the occupants, and not constituting the principal place of residence of the occupants, and subject to all ordinances, and zoning regulations as stated in ordinance 155.33.

Tiny houses on skids, are built on temporary structures – often beams or rails-just like mobile homes. Allowed in R2 zones only. They slid into position, where they stay until they need to be moved. When the time comes to move them, they're loaded onto a large truck or trailer and transported for you. The Town of Hermosa would consider a tiny house on skids, legally a recreational vehicle (RV), A portable or mobile living unit used for temporary human occupancy away from the place of residence of the occupants, and not constituting the principal place of residence of the occupants, and subject to all ordinances, and zoning regulations as stated in ordinance 155.33, but not limited to said ordinances.

Tiny Homes Stationary {homes on a foundation) would be considered an ADU, and applicable to all adopted UBC Codes, ordinances and zoning regulations as stated in 155.30, 155.31, 155.32, 155.37 and 155.39.

**§ 155.31**

(B)(6) Accessory Dwelling units:

- (a) One, and only one, accessory dwelling unit shall be allowed on any lot containing a single-family dwelling. An accessory dwelling unit shall not be allowed under this 155.54 on a lot that contains more than one dwelling unit. Both the ADU and the primary residence shall comply with state Building Code and Fire Code regulations for construction, minimum living space, fire exits and smoke alarms.
- (b) Except as provided elsewhere in this Section 155.54, in order for a lot to be eligible for an accessory dwelling unit, the lot and all proposed structures and additions to existing structures shall conform to all zoning regulations as follows.
  - (1) Any municipal regulation applicable to single family dwellings shall also apply to the combination of a principal dwelling unit and an accessory dwelling unit including, but not limited to, lot area, yards, open space, off-street parking, building coverage, and building height.
- (c) All accessory dwelling units shall comply with the following standards:
  - (1) The principal dwelling unit and the accessory dwelling unit shall not be separated ownership (including by condominium ownership).
  - (2) Either the principal dwelling unit or the accessory dwelling unit shall be occupied by the owner of the dwelling as his or her principal place of residence. The owner shall provide documentation demonstrating to the satisfaction of the City that one of the units is his or her principal place of residence.
- (d) When the property is owned by one or more trusts, one of the dwelling units shall be the principal place of residence of the beneficiary (ies) of the trust(s).
- (e) Neither the principal dwelling unit nor the accessory dwelling unit shall be used for any business, except that the property owner may have a home occupation use in the unit that he or she occupies as allowed or permitted elsewhere in this Ordinance.
- (f) An attached accessory dwelling unit (AADU) shall comply with the following additional standards:
  - (1) An interior door shall be provided between the principal dwelling unit and the accessory dwelling unit.
  - (2) The accessory dwelling unit shall not have more than two bedrooms and shall not be larger than 750 sq. ft. gross floor area. For the purpose of this provision, gross floor area shall not include existing storage space, shared entries, or other spaces not exclusive to the accessory dwelling unit.
- (g) Any exterior changes to the single-family dwelling shall maintain the appearance of a single-family dwelling. If there are two or more doors in the front of the dwelling, one door shall be designed as the principal entrance and the other doors shall be designed to appear to be secondary.
- (h) A detached accessory dwelling unit (ADU) shall comply with the following additional standards:
  - (1) In a General Residence district, the combination of the principal dwelling and the ADU shall comply with the minimum lot area per dwelling unit specified for the district.

- (2) The ADU shall not have more than two bedrooms and shall not be larger than 750 sq. ft. gross floor area; except that the maximum gross floor area shall be 1,000 sq. ft. if the lot area is 2 acres or more. Not covering more than 40% of available land.
  - (3) The ADU shall be separated from the single-family dwelling by at least 20 feet.
- (i) Before granting a conditional use permit for an attached or detached ADU, the Planning Board shall make the following findings
- (1) Exterior design of the ADU is consistent with the existing principal dwelling on the lot. 10.814.62 The site plan provides adequate and appropriate open space, landscaping and off-street parking for both the ADU and the primary dwelling.
  - (2) The ADU will maintain a compatible relationship to adjacent properties in terms of location, design, and off-street parking layout, and will not significantly reduce the privacy of adjacent properties.
  - (3) The ADU will not result in excessive noise, traffic, or parking congestion.
- (j) A certificate of use issued by the Planning Department is required to verify compliance with the standards of this Section, including the owner occupancy and principal residency requirements. Said certificate shall be issued by the Planning Department upon issuance of a certificate of occupancy by the Inspection Department.

# Town of Hermosa

5A

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

DATE October 12, 2021

PERMIT # 2021-43

Receipt # <u>781147</u>	Cash _____	Check # _____	Amount <u>50<sup>00</sup></u>
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\*\* PLEASE INCLUDE TO-SCALE DRAWINGS \*\*

## APPLICATION CONDITIONAL USE PERMIT

Applicant Leah Killian

Physical Address 210 Ferguson Hermosa

Mailing Address P.O. Box 73, Hermosa, SD 57744

Email everydaylou@yahoo.com

Daytime Phone 707-344-1555 Evening Phone \_\_\_\_\_

Owner of Property (if different from applicant) N/A

Owner Address N/A

Permitted conditional use Requested:

Pumpkin Patch 2022

3-4 weekends between late Sept - Halloween Thurs - Sat

booths for vendors ~~one or~~ two or 3 days

Legal Description \_\_\_\_\_

Length of Time Permit is requested (6 MONTH MAXIMUM) Sept<sup>1st</sup> - Nov<sup>1st</sup> 2022

**APPLICATION MUST BE APPROVED BY THE HERMOSA PLANNING AND ZONING COMMITTEE AND THE BOARD OF TRUSTEES PRIOR TO START OF PROJECT.**

By signing below, I acknowledge that I have read and understand all requirements for a Permitted Conditional Use Permit.

L. Killian  
Signature of Applicant

October 12, 2021  
Date

**P & Z COMMITTEE**  
 Name: \_\_\_\_\_  
 Title: \_\_\_\_\_  
 Signature: \_\_\_\_\_  
 Date: \_\_\_\_\_

**BOARD OF TRUSTEES**  
 Name: \_\_\_\_\_  
 Title: \_\_\_\_\_  
 Signature: \_\_\_\_\_  
 Date: \_\_\_\_\_

Application Fee: 50<sup>00</sup> Date Paid: 10-12-21 Issue Picked Up: \_\_\_\_\_

"In accordance with Federal law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, age, disability, religion, sex, and familial status. (Not all prohibited bases apply to all programs.) To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TDD)."

Parcel # 011738  
OFFICE USE ONLY



Parcel 011738

HERMOSA TOWN BOARD  
Work Session  
Thursday, October 14, 2021, @ 8:00am



6A

**ROLL CALL:** Holsworth called the meeting to order at 6:34pm with the following members present: Flug, Schumack, Henrichsen (via phone) King, absent. Harris, Waltman, Clarke, Thomason & Jobgen. Boddicker and Dybvig also present. Pledge of Allegiance was led by Holsworth.

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

**OLD BUSINESS:** None

**NEW BUSINESS:** Motion made and seconded to approve the perforation of the well & pull the pump; vote all aye, motion carried. Discussion regarding ADU/Tiny Homes ordinance. Board reviewed Fees & Payment Schedule and provided updates on several items.

**ITEMS FROM CITIZENS:** None

**TRUSTEE INPUT:** None

**EXECUTIVE SESSION:** None

**ADJOURN:** Motion made and seconded to adjourn the meeting at 7:54pm.

\_\_\_\_\_  
Dan Holsworth, Town Board President

ATTEST:

\_\_\_\_\_  
Gail Boddicker, Finance Officer

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HERMOSA TOWN BOARD  
REGULAR MEETING  
TUESDAY, OCTOBER 19, 2021 @ 6:00pm



6B

**ROLL CALL:** Flug, Henrichsen, Holsworth, King, Schumack, Johnson, Berg and one interested citizen also in attendance. Pledge of Allegiance led by Holsworth.

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

**CONSENT CALENDAR:** Motion made and seconded to approve the October 5, 2021, regular meeting minutes and October 14, 2021, work session minutes; vote; all aye, motion carried.

**CLAIMS:** Motion made and seconded to approve with discussion the October 19, 2021, Payroll and Claims as presented; unanimous. ACES, Plat and permit review, \$593.75; Ferguson Construction, Meter parts, Inspections, \$334.48; Golden West, 10/1/2021 - 10/31/2021, \$561.50; Hawkins, Chemicals, \$515.10; Miller Construction, Millings, \$6,018.00; Mt Rushmore Telephone, Monthly charges, \$237.17; Northwest Pipe Fittings, \$521.67; Office Depot, FO supplies, \$82.88; Payment Service Network, 8/1/2021- 8/31/2021 services \$78.45, 9/1/2021 - 9/30/2021 services, \$78.95; Rural Development #1, \$417.00, Rural Development #2, \$222.00, Rural Development #3, \$1,278.00; Rushmore Equipment, LLC Equipment rental, vibratory, delivery, fuel, \$875.96; Westergard, Brad, Monthly services, \$300.00; Payroll related: Finance Department, \$2,823.50, Law Enforcement, \$1,425.00; Gail Boddicker, Health insurance, \$200.00; Jim Daggett, Health insurance, \$200.00; EFTPS, 941 payroll tax deposit, \$1,005.90. Total: \$17,769.31.

**LAW ENFORCEMENT/ ABATEMENTS/COMPLAINTS:** Holsworth provided updates on behalf of Marshal Daggett. Boddicker to schedule an October 27, 2021, 6PM, Work Session to discuss Law Enforcement.

**LEGAL:**

Motion made and seconded to rescind the Resolution of Annexation that was passed on August 17, 2021, pertaining to the following described real property, as the relevant plats had not been properly signed or recorded with the Custer County Register of Deeds prior to the resolution:

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 LOCATED IN THE NE1/4 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. Vote; all aye, motion carried.

Motion made and seconded to approve the Lone Coyote Subdivision Plat of Preston Tracts 1 & 2, to make the corrections to the original plat and authorize the president and the finance officer to resign the plat; with the reading of the following: "Resolution of Governing Board: Whereas, there has been presented to the Town Board of Hermosa, South Dakota, the within plat of the above described lands, and it appearing to the Board that said plan conforms to the existing plats of said Town, that the streets set forth therein conform to the system of streets of the municipality, that all provisions of assessments upon the tract have been fully paid, and that said plat and the survey thereof have been executed according to law, now therefore, be it resolved, that said plat is hereby approved in all respects. Dated at Hermosa, South Dakota, this 19<sup>th</sup> day of October 2021." Vote; all aye, motion carried.

Motion made and seconded to suspend consideration of the plat pending further review submitted for: 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; vote; all aye, motion carried.

Motion made and seconded to suspend consideration of the plat pending further review submitted for: 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; vote; all aye, motion carried.

Motion made and seconded to suspend consideration of the plat pending further review submitted for: UTILITY LOT 1 OF THE NE1/4 LOCATED IN SECTION 30, T2S, R8E, B.H.M., CUSTER COUNTY, SOUTH DAKOTA; vote; all aye, motion carried.

Agenda Item: Amend August 17, 2021, BOT minutes. Motion made and seconded to remove this item from the agenda; vote; all aye, motion carried.

**ENGINEER:** Water Rehab Project (WRT System), this project will be presented to the Custer Co. Commissioners at their November meeting for their funding consideration; item is pending. N Second Street Box Replacement Guard Rail: awaiting word from SD DOT for funding assistance for installing the guard rail. Lone Coyote Subdivision (Preston Sub) Preliminary Plat Application – Permit #2021-18, pending. Hermosa Sidewalk Project: bid letting is scheduled for 2022. Sewer Project (Lagoon expansion), pending, will be part of the facilities plan. Berg working on this issue. Lone Coyote Water and Sewer Project: bids were opened for installing the infrastructure on September 29. This item is to remain pending; Berg will follow up with RCS Construction to request an extension on the date that is required to advise them if we have accepted their bid. Water/Sewer Facility Plans: Berg working on the Facility Plans. Hermosa Hills Drainage: Berg will follow up with Pulis.

**PLANNING & ZONING:** Review of October 14, 2021, meeting minutes. Motion made and seconded to approve, per Staff Report, Permit 2021-24, 259 Donna St. Floodplain Development, Fence; vote; all aye, motion carried. Fence must be a break away and in the shadow of the house. Permit 2021-36, Preston Tract 3, Pennington Co, Subdivision Plat Application – Lone Coyote Subdivision FYI – Annexation Petition-Preston Tract 3, pending, no action taken. Permit 2021-32 – Parcel #000208/Preston Tract 3, Pennington Co.– Digging/Grading Permit-Lone Coyote Subdivision; motion made and seconded to remove from the agenda; motion carried. Leah Killian – Parcel 011738 - Pumpkin Patch, pending. Motion made and seconded to approve 2021-41-Permanent Sign Permit-Rosenbaum Signs 24545 SD Hwy 79, Dollar General; vote; all aye, motion carried. Discussion regarding the retaining wall on the Dollar General property. The retaining wall was deleted from the revised plans and the town will inform the contractor the wall is not allowed and needs to be removed.

**PUBLIC WORKS:** Flug reported ponds need to be pumped; Ferguson investigating if DANR will extend the November 1, 2021, timeline to land apply. Spare pump is in inventory. Pulling the well and pump and the perforating will occur soon.

**FINANCE OFFICE:** Financial reports were provided in packet. Department Updates: Johnson to provide a Medical Marijuana License Application for the town. Discussion regarding official records of board proceedings; per the SD Municipal League, the written minutes are the official documentation, audio to be deleted following approval of the minutes. Dollar General Malt Beverage/Wine License discussion. They have requested an extension on the timeline of providing receipts as stipulated in the Operating Agreement. Board requested Dollar General provide what they propose for revisions to the Operating Agreement and the board will review and possibly revise the OA.

**OLD BUSINESS:** Annexation: Gumbo Lilly, Fairgrounds Place: Attorney requested legal descriptions, assessed value of property, names and addresses of Gumbo Lilly and Fairgrounds Place citizens to begin annexation proceedings. Town Sign: motion made and seconded to accept Rosenbaum Sign quote on new town sign. Rental agreements will be discussed at a future meeting. Boddicker to request company representative to meet with board to discuss process for proceeding with the new sign.

**NEW BUSINESS:** Hermosa School, Phase 2 Traffic Control Plan: Boddicker to schedule a meeting with school officials to discuss Whitney Street drainage issue. Penalty to Hermosa Hills Resident Re: Penalty for Illegal Digging (Culvert): motion made and seconded to remove from agenda as penalty was paid; vote; all aye, motion carried. Fees for Travel Park, 2021 retroactive or remainder of year, pending. ADU Zoning Ordinance, 1<sup>st</sup> Reading to be scheduled for November 2, 2021, board meeting.

**ITEMS FROM CITIZENS:** None.

**TRUSTEE INPUT:** All trustees voiced their appreciation for the productive meeting.

**ADJOURN:** Motion made and seconded to adjourn the meeting at 9:34pm.

\_\_\_\_\_  
Dan Holsworth, Town Board President

ATTEST:

\_\_\_\_\_  
Gail Boddicker, Finance Officer  
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HERMOSA TOWN BOARD  
SPECIAL MEETING  
WEDNESDAY, OCTOBER 27, 2021 @ 1:00pm



60

**ROLL CALL:** Holsworth called the meeting to order at 1:14pm with the following members present: Flug, Henrichsen, Holsworth, and King; Schumack absent. Attorneys Johnson, Hagg, and Zach Peterson, plus Engineer Berg and one interested citizen also in attendance. Pledge of Allegiance led by Holsworth.

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

**EXECUTIVE SESSION:** Motion made and seconded to enter executive session at 1:15 p.m. allowable by SDCL 1-25-2.1 & .3; unanimous. All attendees requested to remain. Motion made and seconded to exit executive session at 3:08 p.m.; unanimous. No motions resulting from executive session.

**ENGINEER:** Motion made and seconded to schedule a Special Meeting on October 29, 2021, to discuss the water/sewer bid proposal; vote; all aye, motion carried.

Motion made and seconded to approve the PLAT OF 1R & 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 with the reading of the following: "Resolution of Governing Board: Whereas there has been presented to the Town Board of Hermosa, South Dakota, the within plat of the above described lands, and it appearing to the Board that said plan conforms to the existing plats of said Town, that the streets set forth therein conform to the system of streets of the municipality, that all provisions of assessments upon the tract have been fully paid, and that said plat and the survey thereof have been executed according to law, now therefore, be it resolved that said plat is hereby approved in all respects. Dated at Hermosa, South Dakota, this 27<sup>th</sup> day of October 2021." Vote; all aye, motion carried.

Motion made and seconded to approve the PLAT OF UTILITY LOT 1 LOCATED IN THE NE1/4 SECTION 30, T2S, R8E, B.H.M., CUSTER COUNTY, SOUTH DAKOTA with the reading of the following: "Resolution of Governing Board: Whereas there has been presented to the Town Board of Hermosa, South Dakota, the within plat of the above described lands, and it appearing to the Board that said plan conforms to the existing plats of said Town, that the streets set forth therein conform to the system of streets of the municipality, that all provisions of assessments upon the tract have been fully paid, and that said plat and the survey thereof have been executed according to law, now therefore, be it resolved that said plat is hereby approved in all respects. Dated at Hermosa, South Dakota, this 27<sup>th</sup> day of October 2021." Vote; all aye, motion carried.

Motion made and seconded to approve the PLAT OF LOT 1R & 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. with the reading of the following: "Resolution of Governing Board: Whereas there has been presented to the Town Board of Hermosa, South Dakota, the within plat of the above described lands, and it appearing to the Board that said plan conforms to the existing plats of said Town, that the streets set forth therein conform to the system of streets of the municipality, that all provisions of assessments upon the tract have been fully paid, and that said plat and the survey thereof have been executed according to law, now therefore, be it resolved that said plat is hereby approved in all respects. Dated at Hermosa, South Dakota, this 27<sup>th</sup> day of October 2021." Vote; Flug, aye; Henrichsen, aye; King, aye; Holsworth, abstained, motion carried.

**ITEMS FROM CITIZENS:** None

**TRUSTEE INPUT:** Holsworth thanked the legal representatives who attended the meeting.

**ADJOURN:** Motion made and seconded to adjourn the meeting at 3:17 p.m.; vote; all aye, motion carried.

HERMOSA TOWN BOARD  
SPECIAL MEETING  
WEDNESDAY, OCTOBER 27, 2021 @ 6:00pm



6D

**ROLL CALL:** Holsworth called the meeting to order at 5:58pm with the following members present: Flug, Henrichsen, Holsworth, King, and Schumack. Custer Co. Sheriff Marty Mechaley and Lieutenant Jeff McGraw also in attendance. Pledge of Allegiance led by Holsworth.

**CALL FOR CHANGES:** Motion made and seconded to approve agenda as amended to discuss Boddicker's workload; vote; all aye, motion carried.

**LAW ENFORCEMENT:** Discussion regarding the Custer County Dispatch Services. Calls into the Center have increased exponentially from the Hermosa area. The Communication Center has experienced increased costs associated with the Center as they needed to update their data system plus there was a need to hire an additional employee. Sheriff Mechaley presented an Agreement for Dispatch Services to the board for their review. Following a lengthy discussion, motion was made and seconded to accept the Agreement for Dispatch Services for \$8,000 a year commencing November 1, 2021; vote; all aye, motion carried. Other discussion included concerns with lack of communication by town marshal, no action. Discussion to inform board Boddicker may have extended hours in order to complete special projects; FYI only; no motion. Boddicker to schedule a Work Session following the P&Z meeting on November 9, 2021.

**ITEMS FROM CITIZENS:** None

**TRUSTEE INPUT:** None

**ADJOURN:** Motion made and seconded to adjourn the meeting at 7:13 p.m.; vote; all aye, motion carried.

HERMOSA TOWN BOARD  
SPECIAL MEETING  
FRIDAY, OCTOBER 29, 2021 @ 1:00pm



6E

**ROLL CALL:** Holsworth called the meeting to order at 10:02AM with the following members present: Flug, Henrichsen, Holsworth, and King; Schumack absent. Berg, Finch (ACES) and one interested citizen also in attendance. Pledge of Allegiance led by Holsworth.

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

**ENGINEER:** Board scheduled the special meeting for the purpose of awarding the water/sewer extension project proposal. Motion made and seconded to approve the awarding of the project to RCS Construction, Inc., Rapid City, SD, for \$564,981.04 with the Town of Hermosa obligated for \$300,000 and the Lone Coyote Subdivision, LLC/Preston Family Inc. obligated for \$300,000; expenses above and beyond \$600,000 will be equally shared by both parties. Funding of this project is provided for and was identified at the time of the award. Vote; Flug, aye; Holsworth, aye; King, aye; Henrichsen, nay; motion carried. In the spirit of the motion, the board wishes to reflect trustees have been researching and working on this project since 2007. Motion to approve board president to sign the award proposal; vote; Flug, aye, Holsworth, aye, King, aye, Henrichsen, nay; motion carried.

**ITEMS FROM CITIZENS:** None

**TRUSTEE INPUT:** None

**ADJOURN:** Motion made and seconded to adjourn the meeting at 10:27am.; vote; all aye, motion carried.