

HERMOSA TOWN BOARD
Regular Meeting
Tuesday, May 7, 2019



ROLL CALL: Holsworth called the meeting to order at 6:04pm with the following members present: Henrichsen, King, Saulton, Kramer and Holsworth. Attorney Johnson, Daggett, Johnson, & eleven (11) interested citizens also present. Pledge of Allegiance was led by Holsworth.

CALL FOR CHANGES: Motion & second to approve agenda as presented; unanimous.

CONSENT CALENDAR: Motion & second to approve April 16, 2019 regular meeting & April 30, 2019 work session minutes as presented; vote Henrichsen, Saulton, King & Holsworth; Kramer abstained work session minutes; motion carried.

CLAIMS: Motion & second to approve May 1st payroll and claims as presented; unanimous. A&B Business Solutions, copier lease payment 15, 479.09; Badlands Sand & Gravel Inc, 3/4" base gravel & haul, 683.85; Gail Boddicker, health insurance, 200.00; Current Electric, library ballast replacement, 145.00; Jim Daggett, health insurance, 200.00, reimburse meals Pierre training, 36.00; EFTPS, May 1st payroll taxes, 1,400.60; Chuck Ferguson, monthly agreement, 2,266.67; Health Pool of SD, monthly premium (plus withholdings), 773.67; Interstate Engineering, plat & permit review, 508.50; Johnson Law Office, attorney services, 586.50; Misc. Customer, deposit refund, 20.37; Mt Rushmore Telephone Co., monthly telephone, fax & internet services, 258.92; Payroll, Board of Trustees, 675.00, Finance Dept, 3,617.81, Law Enforcement, 785.00, Public Works, 253.50; Pioneer Bk/Trust (Visa CC), LE training, fuel, auto & office supplies, 614.12; Sander Sanitation, monthly trash services, spring clean-up, 3,424.04; SD Dept. of Revenue, renewal malt beverage licenses, 300.00; SD One Call, locate tickets Jan-Mar 2019, 13.44; SD Retirement, April retirement funds, 748.22; Southern Hills Publishing, Inc, monthly publications, 79.61; Monte Waltman, fogger fuel & repair reimbursement, 25.21. TOTAL \$18,095.12

ENGINEER: Motion & second to sign sewer pond expansion contract for engineering services with proposed fees of \$8840.00; unanimous.

LAW ENFORCEMENT/ABATEMENTS/COMPLAINTS: Daggett provided local updates. Abatement notice to be sent to title owner & property owner of 2nd St property that has not been brought into compliance & nuisance violation notices to begin for parcel 009237. Warning ticket issued for complaint of at large dog; live traps to be placed for at large animals complaint and tickets to be issued to outstanding unresolved complaints. Discussed hiring a part-time person; motion & second to advertise for a Reserve Officer in the Rapid City Journal & Custer Chronicle & obtain insurance quotes for the first meeting in June; unanimous.

LEGAL: TIF agreement update remains pending. Andersen email reviewed regarding Weston Engineering report.

PUBLIC WORKS: Holsworth provided streets & street light updates. Well rehabilitation bench test remains pending; Ferguson recognized for ensuring the town's system meeting the Safe Drinking Water Act & SD regulations by DENR. Motion & second to approve Miller Construction proposal for road repairs of \$5489.64; unanimous. Motion & second to purchase two more loads of gravel for potholes, unanimous.

FINANCE OFFICE: Monthly financials in packets & available at town hall; Dept. of Legislative Audit accepted the 2018 audit; WNV grant has been submitted & the fleet GPS has been ordered. Motion & second Johnson attend HR & FO school in Pierre June 11-14, 2019; unanimous.

OLD BUSINESS: Motion & second to approve 2nd Reading Ordinance 91.02 (B) Maintenance of Undeveloped Property ordinance; unanimous.

AN ORDINANCE AMENDING TOWN OF HERMOSA ORDINANCE SECTION 91.02 TO PROHIBIT CERTAIN CONDITION AND NUISANCES AND EXCEPTIONS FOR TALL GRASS FOR PARCELS OF LAND OF THREE ACRES OR MORE IN UNDEVELOPED COMMERCIAL AND RESIDENTIAL PROPERTIES

BE IT ORDAINED BY THE BOARD OF TRUSTEES FOR THE TOWN OF HERMOSA THAT TOWN OF HERMOSA ORDINANCE SECTION 91.02 BE AMENDED TO PROHIBIT CERTAIN CONDITIONS AND EXCEPTIONS FOR TALL GRASS FOR PARCELS OF LAND OF THREE ACRES OR MORE IN UNDEVELOPED COMMERCIAL AND RESIDENTIAL PROPERTIES:

§ 91.02 PROHIBITIONS

(A) All weeds, tall grass in excess of eight inches in height, noxious matter, open wells and nuisances are declared a violation of this chapter and no owner of any lot, place or area within the town, or the agent of the owner or the occupant of the lot, place or area, shall permit on the lot, place or area, or upon any public way abutting the same, any weeds, tall grass, noxious matter or other nuisance to grow.

(B) Notwithstanding the prohibitions set forth under §91.02(A), for parcels of land of three acres or more in undeveloped commercial and residential properties, grass growing in excess of eight inches shall be permitted for haying purposes so long as the owner, agent of the owner or the occupant of the parcel of land of three acres or more maintains a twenty foot wide cut of the growing grass within the perimeter of the parcel of land of eight inches or less. The eight inch or less cut shall not be necessary for that portion of the parcel that constitutes the boundary line of the Town of Hermosa.

Dated this 7th day of May, 2019.

Motion & second to approve 2nd Reading Ordinance 2.071A 2019 Supplemental Appropriation Ordinance; unanimous.

**ORDINANCE 2.071A
A 2019 SUPPLEMENTAL APPROPRIATIONS ORDINANCE
FOR GROSS RECEIPTS TAX (FUND 211) AND FEMA FUND (FUND 272)
TOWN OF HERMOSA, CUSTER COUNTY, SOUTH DAKOTA**

SECTION 1:

Be it ordained by the Town of Hermosa that the following additional sums shall be appropriated to meet the obligations of the funds to be received in 2019.

REVENUE

211	GROSS RECEIPTS FUND:	
	Sales Tax	\$ 3,500.00
272	FEMA FUND:	
	Retained Earnings	\$ 0.00
TOTAL SUPPLEMENTAL REVENUE:		\$ <u>3,500.00</u>

SECTION 2:

The following additional sums shall designate the fund or funds to which the money derived shall be applied.

EXPENDITURES

211	GROSS RECEIPTS FUND:	
	Economic Development Expense	\$ 3,500.00
272	FEMA FUND:	
	Economic Development Expense	\$ 0.00
TOTAL SUPPLEMENTAL EXPENDITURES:		\$ <u>3,500.00</u>

Dated this 7th day of May, 2019.

Town hall & 250 Main St gutter update provided. Work session pending items include Town Sign, water rate review & emergency horns.

NEW BUSINESS: Motion & second to approve MG Oil/Flying J Retail (on-off sale) Malt Beverage & SD Farm Wine renewal; unanimous. Motion & second to approve Pop's Grocery Retail (on-off sale) Malt Beverage & SD Farm Wine renewal; unanimous. Motion & second to waive sewer fees for El Restaurante 120,000-gallon water break & W.Leonard 33,000-gallon water break; unanimous. Motion & second to approve 1st Reading Ordinance 10.6.5.5.1 Ingress and Egress; unanimous.

PLANNING COMMISSION & APPLICATIONS: April 23, 2019, minutes reviewed. Motion & second to approve Permit 2019-05, Shorb, 532 Main Street as recommended by Engineer Staff Report with the following stipulations: fire ratings met per applicable code; access easement maintenance shall be the responsibility of the property owner; water and sewer

line maintenance from North 5th will be the property owner's responsibility; owner/contactors responsibility to insure setbacks are met; adequate parking must be maintained – 2 per dwelling unit; appropriate drainage must be maintained on the site; contractors must be licensed in Hermosa and carry required insurance; all construction must meet applicable code requirements as well as town ordinance requirements; all fees to be paid prior to issuing permit; applicable inspections must be performed by the Town; fee in the amount of \$630.05; unanimous.

ITEMS FROM CITIZENS: Boy Scout of America approved Paint SD project, request BH Recovery Network sponsor to provide food & drinks; projected dates 15th & 22nd June, 2019.

TRUSTEE INPUT: Girl Scout troop attendees thanked for meeting attendance, all were thanked for wisdom & a good meeting, discussed & a letter to be sent regarding the importance of all board members reviewing packets & having research done prior to meetings and prioritizing the TAP grant.

EXECUTIVE SESSION: Motion & second to enter allowable by SDCL 1-25-2.1 Personnel at 8:49 pm; unanimous. Motion & second to exit at 9:28pm; unanimous. Motion & second Johnson's review accepted to present to Boddicker by Henrichsen & Johnson; unanimous. Motion & second to adjourn at 9:29pm; unanimous. Let us leave as friends.

ATTEST:

Dan Holsworth, Town Board President

Bobbie L. Johnson

Published once at the approximate cost of _____.