

**HERMOSA TOWN BOARD
REGULAR MEETING
Tuesday September 20th, 2016 @ 6pm**



ROLL CALL: Kramer called the meeting to order at 6:11pm, with the following members present: Flug, Holsworth, King & Kramer. Attorney Shubeck, Harris, Ferguson, Johnson, Cannon, Preble & Harris were also in attendance. Pledge of Allegiance led by Kramer. Anderson arrived at 6:45pm.

CALL FOR CHANGES: Motion made and seconded to accept the agenda with amendment of reorganization to accommodate attendees by moving Finance Officer Harris & Old Business SRTS Update by J.Harris to follow legal & adding authorizing Kramer to sign the state water board application under the engineer; unanimous.

CONSENT CALENDAR: Motion made and seconded to approve August 16th, 2016 minutes as presented, and August 31st, 2016 minutes with the amendment of adding: Harris noted that all information was not available at the P-Z meeting. Kramer stated that the board had just received much of the information that very day and that was not long enough for anyone to review and compare to the town ordinances, and get engineer and flood plain administrators staff reports. Discussion included Preston was reminded that the approved subdivision still required a Flood Plain Development Permit (grading for roads had been allowed expecting prompt response) and had been requested several times since Jan. 2016. Preston replied that if permit was granted he would be willing to sign indemnification of no water hookups until FPD permit was submitted and approved. Flug commented he did not feel that would be enough, there needs to be a contingency with a deadline. Preston's engineer and the flood plain administer needed to work together and get this completed. Preston also noted that P&Z had approved the building permit, to which Kramer replied we don't always take P&Z recommendations. Holsworth noted that development does need to happen, but at the same time we must follow our ordinances, and although it is not a flood plain issue on lot 4, but a drainage issue, we still need subdivision permits first. It is the town's responsibility to have all plans in place and comply with FEMA regulations. Harris submitted an inspection list to the board as a starting point to develop their own for work session. Vote; unanimous. New business item regarding the invoice for this meeting was discussed. Motion made and seconded to maintain the charges as listed which includes the fees for P & Z members since new information was provided that P & Z members needed to be aware of prior to the Town Board's determination.

CLAIMS: Motion made and seconded to approve September 15th payroll and claims as presented; unanimous.

Claims for Approval 9/20/2016		
A&B Business Solutions	Copier Lease Payment	\$ 470.32
Anderson Engineers, Inc.	Mapping Updates	\$ 1,150.00
BH Electric Coop	Monthly Statement	\$ 2,938.23
Birch Communications	Monthly Statement	\$ 22.93
Misc. Residents	Customer Deposit Refund	\$ 145.84
EFTPS	941 Payroll Deposit 9-15-2016	\$ 663.63
Ferguson, Chuck	Building Inspector - Inspections	\$ 285.60
Ferguson Construction	Demo Tank 2nd St & West Main Ditch	\$ 1,130.16
Kieffer Sanitation	Monthly Statement	\$ 2,461.24
Law Office of Gregory A. Yates	M.Shubeck Attorney Services	\$ 1,930.00
Miller Construction	Vilas St. Service Line Repair	\$ 4,191.18
Mt. Rushmore Telephone	Monthly Statement	\$ 309.18
Office Depot	Office Supplies	\$ 97.16
Payroll	LE, FO, Admin, Cleaning	\$ 2,132.77
Pattlen Enterprises, Inc.	Mower Blades	\$ 56.64
Pioneer Bank & Trust/CC	Fuel, Maint., Sftwr Spprt, Supply	\$ 332.82
Riteway	Disconnect Notices	\$ 171.92
Rural Development	Rural Development1 Pay#132 (September)	\$ 1,278.00
Rural Development	Rural Development2 Pay #80 (September)	\$ 417.00
Rural Development	Rural Development3 Pay# 79 (September)	\$ 222.00
SD Dept of Revenue	July-August Sales Tax Payable	\$ 378.72
SDPAA	Insurance Renewal	\$ 9,551.65
Southern Hills Publishing, Inc.	Monthly Publications	\$ 189.43
USPS	Postage Stamps	\$ 115.00
TOTAL		\$ 30,641.42

LEGAL: Oath of Office was taken by Attorney Shubeck. He then informed that the deadlines for crushing the tank and setting up payments to the town had been missed, briefed on filing a lien on a contract-for-deed property, and that the memo he'd provided will be discussed during executive session. Preble informed of the current situation with the property owner that he's purchasing from. Other legal items remain pending.

FINANCE OFFICE: Finance Officer Harris provided the following updates: The annexation came to a halt at Brophy Rd, if they choose to do the south portion now the process could begin at the next meeting. Last week when Kramer had inquired as to when the budget will be prepared, having felt under pressure to provide an answer she told Kramer that she will need 8 working days to complete the budget; all dependent upon her ability to work, this could be several weeks and that the auditor hadn't seemed too concerned that it'd not been presented to the council due to the circumstances; additionally the county auditor did not have a time frame for levy information either, and inquired if there were any special budgeting requests. The audit team has been here and their summary and professional opinions will be ready close to the end of the year. Harris also provided information about the SRTS funding status. Flug stated that he is fine with the current situation with the Finance Officer, Kramer expressed the importance of budget being done, and King expressed appreciation for all Harris' fine work during recovery. J.Harris provided SRTS updates include the walk will be on October 5th @ 7:30am from the USPS, incentives include increased prizes, and that there is still a need for volunteers. She has also met with the PTA; they've expressed interest in a community committee to increase involvement and meeting community needs, i.e. bike rodeo, walkathon, open gym. Holsworth would like them to be included in the neighborhood watch program.

EXECUTIVE SESSION: Motion made and seconded to go into Executive Session at 7:03pm per SDCL 1-25-2.3 Legal; unanimous. Motion made and seconded at 7:27pm to exit Executive Session; unanimous. No action taken. Mr. Preble agreed to have tank demolition, including Ferguson inspecting each step of process, completed by the October 4th meeting, and will attend both October meetings since court has been delay until November. Motion made and seconded to authorize Shubeck to discuss with Barnier; unanimous. Shubeck will provide list of ordinances to Johnson for preparation to be addressed at the next work session.

ABATEMENTS/COMPLAINTS: Notices reviewed. Motion made and seconded that Ferguson mow & weed 2 N 5th St, 5th St lot, and lot behind duplex (all same property owner); unanimous. Trustees to notify Johnson if other properties have completed corrective actions.

PLANNING COMMISSION & APPLICATIONS: The PZ meeting for September 13, 2016 was cancelled due to a lack of agenda items; no minutes to review. Hermosa Hills Floodplain Development Permit remains pending.

OLD BUSINESS: No one has shown interest in Renting Building; no updates on other items.

NEW BUSINESS: Resolution 2016-03 was read by Kramer.

A RESOLUTION AMENDING CURRENT ESTABLISHED RATES AND CHARGES FOR BOTH SOLID WASTE GARBAGE PICKUP.

WHEREAS, the Town of Hermosa has determined that the public safety, health, and welfare is promoted by passing certain resolutions regarding the continued self-sufficiency of the Sanitation Department.

WHEREAS, the solid waste rate currently charged is becoming inadequate to cover the actual cost of providing the service.

WHEREAS, the Sanitation (Garbage Collection) Department should be predominately self-supporting by user charges and should be operated in a manner similar to private business.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES FOR THE TOWN OF HERMOSA, CUSTER COUNTY, SOUTH DAKOTA:

That the garbage collection rate schedule be set in the following manner and that rates, including sales tax, shall become effective as of the 1st day of January, 2017:

Residential In-Town Rate	\$19.00/month
Residential Out-of-Town Rate	\$22.00/month
Out-of-Town, Other Rate	\$25.00/month
4-Plex in-Town, 2 yard Dumpster Rate	\$76.00/month
Out-of-Town, 2 yard Dumpster Rate	\$88.00/month

Commercial accounts shall remain responsible for their own garbage removal.

Dated this 20th day of September 2016. Vote: Holsworth, King, and Kramer – aye; Flug absent; motion carried. The SDML Conference is October 4-7 in Rapid City; Kramer, King & possibly Holsworth will attend.

ENGINEER: Anderson provided updates, explanations, and still needed information for well rehabilitation presentation. King requested a table/graph also be included. Agreement for Engineering Services reviewed. Motion made & seconded to authorize Kramer to sign; unanimous. Motion made & seconded to authorize Kramer to sign the state water board application; unanimous.

STREET DEPARTMENT: Updates provided by Ferguson & Holsworth including street repairs, signage, lights and problems with the road edges being damaged. Johnson to include a message on water billing for citizens to place trash nearer to roadway. DOT Determination Letter for 5th Street repairs made by the Town was reviewed and discussed.

WATER & SEWER DEPARTMENTS: Ferguson provided updates including the berm status, testing, pumping schedule & preventative measures being taken. Motion made and seconded that Johnson send letter to Hasselstrom that land application will be done prior to November 1st. Also discussed the Fairground Place county permit and if the town had been notified. Johnson stated that with the Extra Territorial Agreement not yet being signed that obligation to inform may not be there. Kramer stated she's signed the Agreement for Performance of Services of Water Meter Readings as modified at the rate of \$180 monthly. Original motions June 21, 2016. Roy's Drive Inn Sewer Hook-Up information was provided for review; it indicates that the town agreed to waive tap fees but the remaining project expense would be their responsibility.

SUBCOMMITTEE UPDATES: Sidewalk Assessment & Maintenance Ordinance and Ordinance 7.4 Promote Economic Development, Municipal Gross Receipts Tax, & Ordinance 91.1A Public Nuisances Amendment remain pending.

TRUSTEE INPUT: Holsworth thanked Kramer for a good meeting, accomplishments, and that we leave as friends. King stated he is glad to see Harris at meeting & is improving, we'll continue to make progress. Meeting adjourned at 9:22 pm MST.

Published once at the approximate cost of _____.

ATTEST:

Bobbie L. Johnson
Assistant Finance Officer

Linda Kramer
Town Board President

Hours of Operation:
Monday – Friday 8:00—5:00