

**HERMOSA TOWN BOARD
REGULAR MEETING
Tuesday, February 19th, 2013 @ 6pm**



ROLL CALL: Holsworth called the meeting to order at 6:05pm, with the following members present: Kramer, Bell, Holsworth, Ramsey, & Flug. Pledge of Allegiance was led by Holsworth.

CALL FOR CHANGES: Approval of the current agenda. Motion made and seconded, and amended, to accept the agenda as amended, to remove all items, other than Financial Reports, under Finance Officer per previous completion. Unanimous.

CONSENT CALENDAR: Motion made and seconded to approve the Work Session Meeting Minutes from January 29th, 2013, as presented. Kramer, Holsworth and Flug voted aye. Bell and Ramsey abstained. Motion carried. Motion made and seconded to approve the Regular Meeting Minutes from February 4th, 2013, as amended – to note the Pledge of Allegiance was led by Flug (not Holsworth). Kramer, Holsworth, Ramsey, and Flug voted aye. Bell abstained. Motion carried. Motion made and seconded to approve the Pre-Bid Construction Meeting, North Sewer Line Project, February 7th, 2013, as presented. Kramer, Holsworth, Ramsey, and Flug voted aye. Bell abstained. Motion carried.

CLAIMS: Motion made and seconded to approve the February 19th, 2013 Claims as presented. Unanimous.

Claims for Approval 2/19/2013		
Birch Communications	Monthly Statement	\$ 23.50
Black Hills Electric Coop	Monthly Statement	\$ 2,882.73
Cash	Withdrawal of Working Cash For Town Auction	\$ 300.00
EFTPS	941 Payroll Deposit 2-15-2013	\$ 910.73
Holsworth, Dan	Reimburse Travel Costs - Pierre Leg. Meeting	\$ 9.39
Millcreek Consulting	Project Manager - Professional Services Rendered	\$ 1,920.00
Payroll	LE, FO, Admin, Cleaning	\$ 2,926.23
Pioneer Bank Trust CC	FO/BOT Supplies, SRTS, LE Fuel & Auto	\$ 147.36
Red River Waste Solutions	Monthly Statement	\$ 2,534.40
Rural Development	Rural Development1 Pay#88 (Feb)	\$ 1,278.00
Rural Development	Rural Development2 Pay #37 (Feb)	\$ 417.00
Rural Development	Rural Development3 Pay#36 (Feb)	\$ 222.00
United States Post Office	2 Rolls PC Stamps, 60 penny stamps, 1 Reg Roll	\$ 112.60
TOTAL		\$ 13,683.94

LAW ENFORCEMENT: Daggett provided his local updates. The yard waste fine has been paid. Dog complaints received will be addressed with the subdivision owner to see how he wants to handle the situation. Motion made and seconded to remove cat trapping from the agenda. Daggett has advised Highway Safety that we would like to apply for the grant this year. Highway Safety is in the process of verifying our eligibility.

PLANNING COMMISSION & APPLICATIONS: The P&Z Meeting Minutes from February 12th, 2013, were reviewed. Delmar Clarke was present to represent the P&Z Board. Motion made and seconded to amend the decision of #36, of the Ordinance Codification Report, to add items 1 through 7 of the suggested additional expectations to the Curfew for Juveniles Ordinance. Unanimous. Update provided on the county issued grading permit for Dakota Conference.

NEW BUSINESS: A proposal for animal boarding by Paw Patch, was presented by Lori James. Lori will prepare a contractual proposal for review by the board's next meeting. Harris advised the board the current garbage service contract will expire by April 1st, 2013. This signed bid on file, for Red River Waste Solutions, does allow for the option to renew for additional three year terms. Harris will contact the company for updated documentation of liability insurance. Motion made and seconded to bid out the garbage contract. Kramer, Bell, Ramsey, and Flug voted aye. Holsworth voted nay. Motion carried.

Volunteer of the Year 2012 letters reviewed. Motion made and seconded to announce Robert King as Hermosa's Volunteer of the Year for 2012. Unanimous.

The 1st Reading of Ordinance #15.13 (R-2012) Residential Building Codes. Ordinance #15.14 (R-2012) Property Maintenance Codes, and Ordinance #15.15 (R-2012) International Existing Building Codes took place. No amendments were requested. The 1st Reading of Sidewalk Maintenance Ordinance Amendment #8.003A took place, with the requested amendments. Unanimous.

Final Results from the Surplus Property Auction were reviewed. Total amount received was \$1,628.69, with \$92.19 payable in sales tax.

OLD BUSINESS: Safe Routes to School Grant 2013 update and Flag Poles for Town Office remained pending. The Ferber Study from Black Hills Recovery Network needs to be reviewed by the Town, and ultimately our Floodplain Administrator. Motion made and seconded to allow Harris will request Claycomb to submit a proposal for this review, and to conduct a phone poll with board members to approve this amount, prior to the next meeting. Unanimous.

The USDA Solid Waste Management grant support letter remained pending. Motion made and seconded to rescind the motion from the last meeting to approve Flug and Ferguson to complete the maintenance of the eaves of the town hall building. Unanimous. Motion made and seconded to approve Flug to complete these repairs on a voluntary basis. Unanimous.

STREET DEPARTMENT: Holsworth advised he will be contacting Rich Zacher regarding the DOT close out items. Street light repairs request has been made. This item will remain pending. The results from DOT Hwy 79 Safety Inspection were reviewed. Motion made and seconded to send a response to DOT requesting they include the north extension be added, the south extension be farther out to hwy 36, and the markings that were on the original report to be added back in, along with a request for an official explanation from DOT varying from the original recommended report. Unanimous. 2013 Bridge Inspection Schedule reviewed. Motion made and seconded to have Harris respond to DOT regarding the replacement of this bridge, to request the new one maintains the same capacity as the current one. Unanimous.

SEWER DEPARTMENT: All items remained pending.

WATER DEPARTMENT: All items remained pending.

EXECUTIVE SESSION: Motion made and seconded to enter into Executive Session at 7:43pm, mst., allowable by SDCL 1-25-2(3) for proposed or pending litigation or contractual matters, allowing Miller, Hagg, and Harris to stay. Unanimous. Motion made and seconded to exit out of Executive Session at 8:10pm, mst. Unanimous.

No motions made resulting from Executive Session.

PROJECT MANAGER: Certified bid tabulations were reviewed. Rapid Construction was announced as the lowest bidder. Tabulations have been submitted to DENR for review. Motion made and seconded to award Rapid Construction the project, contingent upon DENR's approval, based on their bid of \$385,832.27. This Motion was amended to include the notification that the final execution of the agreement will be contingent upon Attorney Hagg's review of the contract. Unanimous vote on amendment and motion. Rapid Construction advised they need to order the pipe by Friday, February 22nd, 2013, to stay on track of their timeline of the project. The Notice of Intent to Award Bid was signed by both parties.

Motion made and seconded to allow Hagg to send a letter to Custer County Housing regarding the project's official status. Return of plan deposits was discussed. No update on Bishop's Utility and Construction Easement. Sewer pipe testing results previously discussed. An updated budget for the North Sewer Main Project was reviewed. The board reviewed and approved of submission of Forms: 6100-3, 6100-4, Responsibility Certification, DBE Proposals of Lowest Bid, and Current Engineer Estimates. Hagg discussed the Attorney General's opinion regarding the project's added service lines.

LEGAL: The Assessed Value Ordinance # 7.4 was discussed. Hagg was provided with the information to complete further research. Motion made and seconded to remove the Animal Ordinance from the codification report, as this ordinance is planned to be repealed, and adopted new. Unanimous. Hagg will provide a revised ordinance for the board's review by the next meeting.

FINANCE OFFICER: Financial reports remained pending.

SUBCOMMITTEE UPDATES: All items remained pending.

TRUSTEE INPUT: Kramer – Commented on the FYI paperwork provided. Advised she enjoyed going to the SDML Legislative meeting in Pierre, and would definitely go again. Holsworth – Appreciates everyone wisdom and decisions tonight, and looks forward to the project getting started. Flug – Will continue to work on the scheduling of the mobile well with Rural Water.

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

ADJOURN: Motion made and seconded to adjourn the meeting at 9:40 pm, mst. Unanimous.

Published once at the approximate cost of _____.

ATTEST:

Shanna Harris
Finance Officer

Dan Holsworth
Town Board President

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

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