

**REGULAR MEETING    DE SMET COMMON COUNCIL**  
**SEPTEMBER 13, 2017**

The De Smet Common Council met in regular session on September 13, 2017, at 5:00 p.m., with the following present: Don Bohn, Lowell Hansen, George Cavanaugh, Norm Whitaker, Jay Slater, Mayor Gary Wolkow, FO Tracey Larson, and City Attorney Todd Wilkinson. Absent: Larry Jensen.

Mayor Wolkow called the meeting to order at 5:00 PM.

**MINUTES:** Motion was made by Whitaker, seconded by Cavanaugh, to approve the minutes of the August 9, 2017 Regular Meeting and August 30, 2017 Special Meeting, all voting aye, motion carried.

**CLAIMS:** Motion by Whitaker, seconded by Cavanaugh, to approve payment of the claims as presented, all voting aye, motion carried. The claims are as follows: PAYROLL \$40,676.19; OASI Benefit 3,111.70; Aflac, ins. premium 371.76; Dearborn National, life insurance 140.80; Farm Bureau Bank, health savings 1,125.00.00; Delta Dental of South Dakota 615.50; VSP 200.81; Wellmark Blue Cross Blue Shield, health insurance premium 6,009.12; SDRS, retirement benefit 4,073.40; American Bank & Trust, office supplies 60.00; American Bank & Trust, Event Center loan principal 14,000.00; Avid Hawk LLC, website 35.00; Bau Plumbing, repairs 2,731.84; Butler Machinery Co, repair & maintenance 511.20; Center Point Large Print, books 29.21; Century Link, phones 557.21; City of De Smet, petty cash 72.14; Colonial Research, supplies 1,540.38; Commercial Asphalt, street repairs 533.60; Connecting Point, off-site backup & software 285.00; Cook's Wastepaper & Recycling, city buildings garbage collection 224.75; Cook's Wastepaper & Recycling, residential garbage collection 660.20; Cowboy Country Store, fuel 73.77; De Smet Community Foundation, contribution for baseball field project 1,595.99; De Smet Community Foundation, marketing 750.00; De Smet Development Corp., September contribution 20,000.00; De Smet Trustworthy Hardware, supplies 215.21; De Smet Trustworthy Hardware, library supplies 49.96; Dept. of Revenue, water & pool testing, 124.00; The De Smet News, publishing 207.61; Dustin Olson, deposit refund 30.00; Glacial Lakes & Prairies, marketing 2,862.00; Harvey Dunn Society, deposit refund 275.00; Hawkins, chemicals 5,135.70; HD Supply Waterworks, LTD, repairs & maintenance 5,153.41; Heartland Paper Co., supplies 425.54; Huron Area Community Theatre, deposit refund 275.00; Ingalls Homestead, marketing supplies 100.00; Kingsbury Electric Cooperative, maintenance 132.48; Kingsbury Electric Cooperative, maintenance contract 220.00; Kingsbury County Auditor, law enforcement 6,283.33; Kingsbury Electric Cooperative, utilities 230.66; L.G. Everist Inc., pea rock for chip sealing 1,717.15; Legend Seeds, deposit refund 50.00; Maguire Iron Inc., exterior painting water tower 32,480.00; Mark Harris, equipment rental 100.00; Maynard's De Smet, supplies 24.76; Maynard's, pool inventory 157.49; Micro Marketing LLC, library supplies 722.93;

Midstate Agronomy, deposit refund 50.00; NAPA, supplies 10.99; Northwestern, utilities 90.08; O'Keefe Implement Inc., repairs & supplies 56.04; Office Peeps, Inc., library supplies & copier contract 486.46; Office Peeps, Inc., supplies & copier contract 588.00; Ottertail Power Co., utilities 4,804.00; Potomac Aviation Technology, repairs 379.72; Reader Service; supplies 34.44; REED, INC, debt service 1,448.41; REED, Inc. debt service 690.58; REED, Inc. debt service 2,500.00; Rich's Gas & Service, fuel & repairs 612.06; Richard Stoddard, reimburse for meals & supplies 175.98; SD Dept of Revenue, recreation sales tax 324.68; SD Dept of Revenue, garbage sales tax 45.21; Share Corp., supplies 2,434.75; Smith's Lumber, supplies 15.05; Southeast SD Tourism, marketing 1,419.00; State of SD, long distance 8.11; The Main Stop, fuel 943.59; USA Blue Book, supplies 58.44; Van Diest Supply Co., mosquito spray 5,889.25; Z & S Dust Control, calcium chloride 840.75; Mediacom, utilities 256.15; Mediacom, utilities 64.54; Visa, lodging, internet, & supplies 133.69; Safety Benefits, Inc., conference registration 65.00.

**MOBILITIE, LLC CONTRACT AND SITE LOCATION:** Ryan Streff, representative for Mobilitie, LLC met with the council to review the location site for the utility pole and proposed Rights-Of-Way and Pole Attachment Agreement with the City of De Smet. Attorney Wilkinson had previously reviewed the agreement proposed by Mobilitie, LLC and informed the council that the proposed agreement would be for a period of ten (10) years, included a one-time pole fee of \$1,000.00 per pole, a one-time permit fee of \$500.00, and an annual fee of \$700.00, and does not grant exclusive rights within the City of De Smet to Molilitie, LLC. Motion was made by Slater, seconded by Bohn, to approve entering into a Rights-Of-Way and Pole Attachment agreement with Mobilitie, LLC for a period of ten (10) years, all voting aye, motion carried. Motion was made by Cavanaugh, seconded by Slater, to approve of the proposed site location for the Mobilitie, LCC pole by the main sewer lift, all voting aye, motion carried.

**CATS & DOGS:** Bob Smith met with the council to discuss issues with cats and dogs in his yard. Smith gave his consent to have live traps set in his yard to trap and re-locate stray cats.

**PROM FUNDRAISER:** Junior class parent representatives, Tammy Albrecht and Shelly Osthus, met with the council to discuss the junior parents organizing a one mile glow run fundraiser for prom. The route will be kept in one area of town and away from the highways.

**FIRE DEPARTMENT SPECIAL LIQUOR LICENSES:** The De Smet Volunteer Fire Department requested two special liquor licenses for events to be held at the De Smet Event on September 23, 2017 and October 7, 2017 from 5 PM to 1 AM. Motion was made by Cavanaugh, seconded by Whitaker, to approve two special liquor license for the De Smet Volunteer Fire Department, for events to be held at the De Smet Event Center on September 23 2017 and October 7, 2017 from 5 PM to 1 AM, all voting aye, motion carried.

**EVENT CENTER DIRECTOR:** Kristy Hubbard, Event Center Director met with council to report that one of the treadmills needs to be replaced. Hubbard presented two quotes for two different Spirit Fitness commercial grade treadmills in the amount as follows: Model CT800 \$3,095.00 and Model CT850 \$3,595.00. Hubbard also reported that a De Smet resident has offered to donate a newer treadmill that was purchased for their home, but is not commercial grade. Motion was made by Whitaker, seconded by Hansen, to approve purchasing a Spirit Fitness Model CT800 treadmill in the amount of \$3,095.00. Upon roll call vote, voting aye was Whitaker, Cavanaugh, and Hansen, voting nay was Bohn. Slater abstained. Motion carried.

**SURPLUS PROPERTY:** Motion was made by Slater, seconded by Whitaker, to declare the Life Fitness Model 91Ti treadmill as surplus property to be disposed of at the De Smet Restricted Use Site, all voted aye, motion carried.

**CONTINGENCY TRANSFER:** Motion was made by Cavanaugh, seconded by Whitaker, to approve transferring \$3,095.00 from Contingency to the Event Center, Hansen, Cavanaugh, Whitaker, and Slater voted aye, Bohn voted nay, motion carried.

**BUILDING PERMITS:** Two building permits, one demo permit, and one moving permit was reviewed by the council. Motion by Slater, seconded by Cavanaugh, to approve the building permits submitted by Mike Beyer - garden shed; Dustin McCune - siding, windows & doors; Jackie Brown - demo permit for garage and shed; and Allen Brown - moving permit for a 8x10 shed, all voting aye, motion carried.

**2018 ANNUAL APPROPRIATION:** The amended 2018 Annual Appropriation budget was presented by Finance Officer Larson. Motion was made by Hansen, seconded by Whitaker, to approve the second reading of the 2018 Annual Appropriation Ordinance No. IV-210. Motion was made by Slater, seconded by Bohn, to amend the 2018 Annual Appropriation budget, adding an additional \$5,000.00 to the Contingency, all voting aye, motion carried. Voting aye to approve and adopt the second reading 2018 Annual Appropriation Ordinance No. IV-210 as amended by adding an additional \$5,000.00 to the Contingency were Hansen, Bohn, Slater, Whitaker, and Cavanaugh. Voting nay - none. Motion carried.

**GENERATOR GRANT:** Motion was made by Hansen, seconded by Slater to approve Resolution No. 2017-3 to submit an application for a backup generator for the main lift to Federal Emergency Management Agency and the State of South Dakota, and authorize Mayor Gary Wolkow as the authorized agent, all voted aye, motion carried.

Resolution 2017-3

APPOINTMENT OF APPLICANT AGENT  
For the  
Hazard mitigation Grant Program (HMGP)

WHEREAS, the City of De Smet SD is submitting a Hazard Mitigation Grant project to the Federal Emergency Management Agency and the State of South Dakota; and

WHEREAS, the City of De Smet SD is required to appoint an Applicant Agent for the purpose of signing documents and assuring the completion of all application documents;

NOW THEREFORE BE IT RESOLVED that the City of De Smet SD appoints Gary Wolkow as the authorized Applicant Agent. Dated this 13<sup>th</sup> day of September, 2017.

Appointing Authority

Name: Gary Wolkow

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Title: Mayor

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Signed:

Date: September 13, 2017

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Appointed Agent

Name: Gary Wolkow

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Title: Mayor

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Signed:

Date: September 13, 2017

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City of De Smet

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Mayor - Gary Wolkow

Attest:

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Finance Officer - Tracey Larson

**EXECUTIVE SESSION:** At 6:53 PM, motion was made by Slater, seconded by Bohn, to go into executive session for contract negotiations and litigation, all voted aye, motion carried. The council was declared out of executive session by Mayor Wolkow at 7:20 PM.

**HOSPITAL LEASE ADDENDUM:** Motion was made by Slater, seconded by Cavanaugh to approve and submit the hospital lease agreement addendum to Avera Queen of Peace, all voted aye, motion carried.

**TRUCK ROUTE ORDINANCE AMENDMENT:** Motion was made by Slater, seconded by Bohn, to approve the first reading to amend Ordinance No. VI-8 Truck Routes and Load Limits, to add no parking on Prairie Avenue from 3<sup>rd</sup> Street to Front Street and on Front Street from Prairie Avenue to SD State Hwy 25. Voting aye was Hansen, Bohn, Slater, and Whitaker. Voting nay was Cavanaugh. Motion carried.

**WATER & SEWER ORNINANCE AMENDMENTS:** Motion was made by Cavanaugh, seconded by Whitaker, to approve the first reading to amend Ordinance No. II-2Q, Section II-2-6 Water Service Hookups & Rates and Ordinance No. II-4N, Chapter II-4, Section II4-3 Wastewater Charges, to change the bi-monthly billing to monthly billing, all voted aye. Motion carried.

**EVENT CENTER COMPLETION OF PROJECT ACCEPTANCE:** Motion was made by Slater, seconded by Cavanaugh, to formally accept the work completed within the contract for the De Smet Event and Wellness Center Project, all voting aye, motion carried.

**WATER:** Motion was made by Cavanaugh, seconded by Whitaker to approve Kingbrook Water providing water service to six individuals that are located within three miles from De Smet, all voted aye, motion carried.

**BASEBALL FIELD PROJECT UPDATE:** Council member Cavanaugh updated the council on the new baseball field project with the following information: there are a couple leaks that need to be taken care of with the irrigation system, and spraying the weeds has made a big improvement with the grass growth. Motion was made by Cavanaugh, seconded by Whitaker, to approve donating \$1,595.99 to the De Smet Community Foundation for baseball field improvements, Hansen, Cavanaugh, and Whitaker voted aye, Slater and Bohn voted nay, motion carried.

**EVENT CENTER FENCE:** An estimate in the amount of \$941.00 from Michaels Fence & Supply was received for materials and installation for a 26' fence with a walk-through gate from the NE corner of the Event Center building to the school football field fence. Motion was made by Hansen, seconded by Cavanaugh, to approve of the fence installation in the amount of \$941.00 by Michaels Fence and Supply, Hansen, Cavanaugh, Whitaker, and Slater voted aye, Bohn abstained, motion carried.

**CONFERENCE:** Motion was made by Whitaker, seconded by Slater to approve DFO Hansen attending the Safety Conference in Mitchell on November 8<sup>th</sup> & 9<sup>th</sup>, and Street Supt. Petersen and Supt. of Bldgs/Parks Stoddard attending the Mosquito conference at Aberdeen on October 11<sup>th</sup>, all voting aye, motion carried.

**FINANCIAL REPORTS:** Motion was made by Hansen, seconded Whitaker, to approve the August 2017 Cash Balances Report as presented by the Finance Officer, all voting aye, motion carried. Current balance of the Event Center loan principal is \$258,277.93 after the \$14,000.00 payment is applied to the principal balance in September.

**OVERTIME:** Motion by Cavanaugh, seconded by Whitaker, to approve the overtime hours for the month of August as presented, all voting aye, motion carried.

**OTHER:** Other non-action items of discussion were as follows: 1) the August law enforcement report; 2) a utility permit for to be used when a company needs to dig in the right-of-way; 3) wood piles; 4) working with First District about seeking extraterritorial zoning jurisdiction around the city limits; and 5) obtaining quotes to replace the city hall roof.

**ADJOURN:** There being no further business the meeting was adjourned on motion by Hansen.

To comply with SDCL 6-1-10. Publication of Payroll information, the payroll changes were effective as follows: Street Assist. Curt Bau \$17.20/hour effective August 1, 2017, and Water/Sewer Supt. Randy Asleson \$24.15/hour effective September 1, 2017.

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Gary Wolkow, Mayor

ATTEST:

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Tracey Larson, Finance Officer

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