

REGULAR MEETING DE SMET COMMON COUNCIL  
October 11, 2023

The De Smet Common Council met in regular session on October 11, 2023, at 5:00 p.m., with the following present: Council members Dustin McCune, Bret Jensen, Pam Spader, George Cavanaugh Shon Asleson (arriving later), Lowell Hansen, Mayor Gary Wolkow, and Finance Officer Tracey Larson. Absent: none.

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

**PLEDGE OF ALLEGIANCE:** The meeting was started with the council and those from the public reciting the Pledge of Allegiance.

**ANNOUNCEMENTS:** Mayor Wolkow announced that the three flags at the front of the room were donated by Nancy and Bob Montross in memory of the Nancy's father Howard E. Schultz. Mayor Wolkow thanked Nancy and Bob Montross for the generous donation.

**MINUTES:** Motion was made by Cavanaugh, seconded by Spader, to approve the minutes of the September 6, 2023, Special Meeting minutes and September 13, 2023, Regular Meeting minutes, all voting aye, motion carried.

**CLAIMS:** Motion by Spader, seconded by Jensen, to approve payment of the claims as presented and to hold the payments to Ottertail Power until the invoice for the RV Park utilities is received, and the check to Tisha Borah until the Event Center director can confirm the deposit is approved for refunding, all voting aye, motion carried. The claims are as follows: PAYROLL \$35,611.27; OASI Benefit 2,724.25; Aflac, ins. premium 187.98; Dearborn National, life insurance 105.60; Delta Dental of South Dakota 342.00; VSP 162.60; The Health Pool of SD, health insurance premium 6,200.76; SDRS, retirement benefit 3,690.06; SDML, conference 125.00; Visa, supplies & utilities 1,448.82; De Smet Post Office, Cheney variance 55.30; 605Portables, supplies 576.00; Ann Lesch, deposit refund 30.00; Avid Hawk LLC, monthly website fee 35.00; Better Homes & Gardens, supplies 36.00; Brian's Glass & Door, LLC, payment for hospital door 12,337.50; Caliber Creative, marketing 5,229.39; Candy Wolkow, deposit refund 30.00; Cathy Pillar, deposit refund 30.00; Center Point Large Print, supplies 30.71; Chesterman Company, supplies 118.50; City of De Smet, donation 50.00; City of De Smet, utilities 905.71; City of De Smet, supplies 88.73; Connecting Point, equipment, supplies, repairs & maintenance 2,2934.25; Cook's Wastepaper & Recycling, residential garbage collection 6,992.15; Dakota Pump, repairs & maintenance 1,981.17; Dave's Window Cleaning, Inc., repairs & maintenance 400.00; De Smet Development Corp., contributions 1,000.00; De Smet Trustworthy, supplies, 43.93; De Smet Welding, repairs & maintenance 212.00; Department of Health, water labs 224.00; Ferguson Waterworks, annual support contract 1,500.00; Garden Gate, supplies 36.00; Hawkins, chemicals, repairs & maintenance 5,396.84 Jennifer Tonak, deposit refund 275.00; Jenny Vincent, deposit refund 50.00; Kingsbury Electric Cooperative, maintenance contract 220.00; Kingsbury County Auditor, law enforcement contract 6,283.33; Kingsbury Electric Cooperative, utilities 157.97; Kingsbury Journal, publishing 529.21; Kissner Paving, repairs & maintenance 17,346.97;

KSFY, marketing 175.00; Laura Ingalls Wilder PTO, supplies 300.00; Lesa Huenner, deposit refund 50.00; Maynard's, supplies 23.18; Micro Marketing LLC, supplies 720.13; Napa, supplies 105.18; Northwestern, utilities 102.61; O'Keefe Implement, Inc., supplies, repairs & maintenance 177.38; Office Peeps, library supplies 54.65; Office Peeps, Inc., supplies 355.55; Ottertail, utilities 5,491.39; Postmaster, supplies 117.00; Rich's Gas & Service, diesel, fuel & supplies 1,032.26; Scott McGaugh, deposit refund 30.00; SD Dept of Revenue, sanitation sales tax 477.27; Share Corp, chemicals 3,225.84; Sout Dakota 811, locates 65.10; Spencer Quarries, Inc., supplies 98.56; Tanner Steinmetz, key fob deposit refund 10.00; Traci Ross, deposit refund 275.00; Trisha Borah, deposit refund 425.00; US Bank, water loan interest & principal payment 2,666.22; US Bank water looping project loan interest & principal payment 4,043.31; Valley Fibercom, utilities 498.26; Efraimson Electric, AWOS project 113,445.35; Helms & Associates, airport project 1857.27; IMEG, water project 8,250.00; IMEG, water project 9,200.00; IMEG, sewer project 2,400.00.

**ZONING:** Motion was made by Cavanaugh, seconded by Jensen, that the Council to be convened as the Board of Adjustment, all voting aye, motion carried. The Board of Adjustment was called to order by Mayor Wolkow.

This being the date and time public noticed for the hearing on Variance Application #103 submitted by Connie Cheney met with the board to discuss the variance application. Cheney has requested a variance to allow her to construct a front entrance patio that will be five (5) feet from the front (West) property line, located on the property in an area zoned "C-2" Commercial Industrial District in error and should be "R-2" General Residential, that will be corrected with the update of the zoning ordinance, on the following legally described property: Lot 4, excluding S6' of E65', Block 3, Original Plat, and addressed as 206 Hwy 25 S, De Smet, South Dakota.

Notice of the hearing was properly given by certified mail and by publication of the publication of the Notice of Hearing in conformity with Section 3.04.05 of the City Zoning Ordinance. Nobody from the public appeared for discussion of the variance application.

The location of the proposed construction was reviewed by the zoning board. Upon conclusion of the hearing and the Board having considered the application and evidence presented, enters its findings as follows:

1. That property legally described as Lot 4, excluding S6' of E65', Block 3, Original Plat, De Smet, Kingsbury County, South Dakota, is located within the city limits of the City of De Smet and the Board of Adjustment has jurisdiction over the application.
2. That the property is currently zoned "C-2 Commercial Industrial" in error and will be corrected to "R-2 General Residential" with the update of the zoning ordinance currently being drafted.

3. That adjacent properties to the South and West are zoned "R-2 General Residential". The adjacent property to the North is zoned "C-2 Commercial Industrial" in error and will be corrected to "R-2 General Residential" with the update of the zoning ordinance currently being drafted. The adjacent property to the East is zoned "C-1 Central Commercial".
4. That the Area Regulations of the "R-2" General Residential zoning require a front yard set-back of thirty (30) feet.
5. That the applicant has filed the required application for the variance application and the notice of hearing was properly given.
6. That none of the adjacent property owners presented any objections to the proposed variance.
7. That granting of the variance will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.
8. That granting of the variance will permit the applicant to build a front entrance patio that will be the same distance from the West property line as other structures in the same block.
9. That the reasons set forth in the application justify granting a variance.

Based upon these findings, a motion was made by Jensen, seconded by Cavanaugh, to recommend approval of the variance application #103 as submitted to Connie Cheney for a front entrance patio, all voting aye, motion carried.

Motion was made by Cavanaugh, seconded by Spader to reconvene as the city council, all voting aye, motion carried.

**VARIANCE & BUILDING PERMITS:** Motion was made by Jensen, seconded by Cavanaugh, to approve the variance application #103 as submitted by Connie Cheney for a front entrance patio, all voting aye, motion carried. Motion was made by Jensen, seconded by Cavanaugh, to approve the building permit application submitted Connie Cheney - front entrance patio, all voting aye, motion carried.

**SPECIAL LIQUOR LICENSE:** Four applications for special liquor licenses were presented to the council. Applications include: Klinkel's III, owned by LuAnn Klinkel for an events to be held at the De Smet Legion Hall on October 28, 2023 from 6:00 pm to 11:00 pm; events at the De Smet Event Center on November 4, 2023 from 4:00 pm to 12:00 am and on December 2, 2023 from 5:00 pm - 12:00 am, and Oxbow, owned by Scott Myer, for an event to be held at the De Smet Event Center on October 28, 2023 from 4:00 pm to 9:00 pm. Motion was made by Cavanaugh, seconded by Spader, to approve the three special liquor licenses to Klinkel's III, owned by LuAnn Klinkel for events to be held at the De Smet Legion Hall on October 28, 2023 from 6:00 pm to 11:00 pm; events at the De Smet Event Center on November 4, 2023 from 4:00 pm to 12:00 am and on December 2, 2023 from 5:00 pm - 12:00 am, and one special liquor license to the Oxbow, owned by Scott Myer, for an event to be held at the De Smet Event Center on October 28, 2023 from 4:00 pm to 9:00 pm, all voting aye, motion carried.

**DALE THOMSEN:** Dale Thomsen met with the council to discuss low water pressure at his residence. Thomsen thanked Water Supt. Springer for his help and testing. Engineer Shane Waterman listed several factors

that could cause low water pressure and recommended that Supt. Springer contact SD Rural Water for additional pressure testing help. **PUBLIC COMMENTS:** Dan Bettin, De Smet Middle & High School Principal, and Jordan Solberg, from the Lake Preston School, met with the council to discuss starting a girls school softball team, the actions from the school and city to prevent rocks being thrown onto school property during events has worked and thanked the city for their efforts.

Council person Asleson arrived during this time.

**WATER/WASTEWATER/MAIN STREET PROJECT UPDATES:** IMEG Engineer, Shane Waterman met with the council to give a review of the current water, wastewater, and Main Street projects. The plans for the Chase Street water and sewer project and plans for the 2<sup>nd</sup> Street water project should be submitted to SD DANR by the end of the week. A copy will be sent to the city too. The other project area plans will be submitted by March 1, 2024. Another special meeting will be held with the property owners along 2<sup>nd</sup> Street from Prairie Ave. to Hwy 25, to discuss and answer questions for replacement of the water main, curb and gutter, and sidewalks planned to take place in 2024. Discussion for painting the inside and outside and other maintenance to the water tower was discussed. The work on the water tower will be moved up on the project schedule. Engineer Waterman presented an engineering agreement for the water tower project.

**WATER TOWER ENGINEERING AGREEMENT:** Motion was made by Hansen, seconded by Cavanaugh, to approve the Engineering Agreement for the water tower project in the amount of \$30,000.00 for engineering services, all voting aye, motion carried.

**WATER & WASTEWATER:** Water & Wastewater Supt., Jason Springer, informed the council that he will be flushing water mains Oct. 24<sup>th</sup> - 26<sup>th</sup>, and the swimming pool has been winterized. The council thanked Springer for the good work.

**FIRE DEPARTMENT MEMBER:** Motion was made by Cavanaugh, seconded by Asleson, to approve Austin Janssen as a De Smet Volunteer Fire Department member to replace Gordon Skyberg, all voting aye, motion carried.

**SEASONAL HELP:** Motion was made by Cavanaugh, seconded by McCune, to approve hiring Mike Scofield and Ed Sprouse as on-call snow removal help at the rate of \$16.00 per hour, all voting aye, motion carried.

**HEALTH INSURANCE RENEWAL:** A contract from The Health Pool of South Dakota for employee health insurance with a renewal premium of \$6,727.80/month was reviewed. The new premium would be an increase of 8.5% to keep the current policy. Motion was made by Cavanaugh, seconded by Hansen, to renew the Plan B health insurance policy for the full-time city employees, to be effective January 1, 2024, all voting aye, motion carried.

**AMENDMENT TO EVENT CENTER RENTAL RATES:** A recommendation from the Event Center Advisory Board was presented to the council. Motion was made by Spader, seconded by Asleson, to table the amendment to the Event Center rental rates until the next meeting, all voting aye, motion carried.

**PROJECT PAYMENTS:** Motion was made by Hansen, seconded by McCune, to approve pay requests: IMEG, water project Inv. 21005454.01-7 \$8,250.00; IMEG, Sewer project Inv. 22006268.01-9 \$2,400.00; IMEG, Chase waster project 22006268.00-9 \$9,200.00; Helms & Associates, pay

request #4, airport AWOS project engineering \$1,857.27; Efraimson Electric, Inc., pay request #3 airport AWOS project \$113,445.35, all voting aye, motion carried. Airport projects are funded 95% by federal and state grant funds.

**DE SMET DEVELOPMENT COORIDNATOR:** Jamie Lancaster, De Smet Development Coordinator met with the council to give an update of activities and projects. There will be a meeting to introduce the new GOED Commissioner, Chris Schilken, on October 18<sup>th</sup> at 10:00 am at the Event Center; there is a new two-part childcare grant that they are working on completing an application for funding; Rooster Rush will be held at the Event Center on October 28<sup>th</sup>; the Wellness Coalition grant is coming to an end, however the local Wellness Coalition Group will still continue; they are looking for options for veterinarian services after Dr. Salonen retires; and continuing to work on housing development.

**FINANCIAL REPORTS:** Motion was made by Cavanaugh, seconded Asleson, to approve the September 2023 Cash Balances Report as presented by the Finance Officer, all voted aye, motion carried.

**OVERTIME:** Motion by Asleson, seconded by Cavanaugh, to approve the overtime hours for the month of September as presented, all voted aye, motion carried.

**OTHER:** Other non-action items of discussion were as follows: 1) the September law enforcement report; 2) the county road levy; and 3) nuisance properties.

**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: Ryan Petersen, Street Supt. \$27.19/hour; Clifford Poppen, seasonal help \$16.00/hour effective October 1, 2023.

---

Gary Wolkow, Mayor

ATTEST:

---

Tracey Larson, Finance Officer

Published once at the approximate cost of \$ \_\_\_\_\_