

REGULAR MEETING DE SMET COMMON COUNCIL

April 9, 2025

The De Smet Common Council met in regular session on April 9, 2025, at 5:00 p.m., with the following present: Council members, George Cavanaugh, Bret Jensen, Dustin McCune, Dane Coughlin, Pam Spader, Lowell Hansen, Mayor Gary Wolkow, Finance Officer Tracey Larson, and City Attorney Todd Wilkinson. Absent: none.

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

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

ANNOUNCEMENTS: An open-house retirement celebration for Karen Hansen will be held on Friday, April 11, 2025, at City Hall from 2:00 pm - 4:00 pm. The Council congratulated Karen on her retirement. The City of De Smet public water system has met the requirements of the Safe Drinking Water Act. The Council thanked Jason Springer, Water Superintendent for his excellent work.

Mayor Wolkow informed the council that Arbor Day activities have been planned. A tree will be planted in Washington Park, and other activities in the classroom will be done with the De Smet third graders. Mayor Wolkow announced that Arbor Day is on April 25, 2025 and issued the following proclamation:

ARBOR DAY PROCLAMATION 2025

WHEREAS in 1872, the Nebraska Board of Agriculture established a special day to be set aside for the planting of trees, and

WHEREAS this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and
WHEREAS Arbor Day is now observed throughout the nation and the world, and

WHEREAS trees can be a solution to combating climate change by reducing the erosion of our precious topsoil by wind and water, cutting heating and cooling costs, moderating the temperature, cleaning the air, producing life-giving oxygen, and providing habitat for wildlife, and

WHEREAS trees are a renewable resource giving us paper, wood for our homes, fuel for our fires, and countless other wood products, and

WHEREAS trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and

WHEREAS trees – wherever they are planted – are a source of joy and spiritual renewal.

NOW, THEREFORE, I, Gary Wolkow, Mayor of the City of De Smet, do hereby proclaim April 25, 2025, as **ARBOR DAY** In the City of De Smet, and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and

FURTHER, I urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

DATED THIS 9th day of April, 2025.

Mayor: Gary Wolkow

MINUTES: Motion was made by Cavanaugh, seconded by Hansen, to approve the minutes of March 12, 2025, Regular Meeting and March 17, 2025, Equalization& Special Meeting minutes, all voting aye, motion carried.

CLAIMS: Motion was made by Cavanaugh, seconded by McCune, to approve paying the claims as presented, all voting aye, motion carried. The claims are as follows: PAYROLL \$41,802.08; OASI Benefit 3,197.85; Aflac, ins. premium 187.98; Dearborn National, life insurance 105.60; Delta Dental of South Dakota 461.40; VSP 191.40; The Health Pool of SD, health insurance premium 7,960.94; SDRS, retirement benefit 4,296.10; Division of Criminal Investigation, supplies 374.50; Division of Criminal Investigation, background check 43.25; Kingsbury County Sheriff, finger printing 150.00; Mediacom, utilities 112.20; Visa, supplies & utilities 618.30; Aly Williams, deposit refund 30.00; Anderson Lumber, supplies, repairs & maintenance 16.77; Avid Hawk LLC, monthly web site fee 35.00; Books Systems, Inc, annual maintenance 1,315.00; Butler Machinery Co, repairs & maintenance 4,907.06; Center Point Large Print, supplies 53.24; Christopher Schultz, deposit refund 30.00; City of De Smet, utilities 629.42; City of De Smet, supplies 28.81; Chesterman Company, supplies 140.10; Twotrees Technologies, supplies, computer software, repairs & maintenance 79.42; Cook's Wastepaper & Recycling residential garbage collection 7,314.53; Core & Main LP, supplies 84.70; CR Corner, LLC, fuel, diesel & supplies 1,364.14; Dakota Pump, repairs & maintenance 1,056.12; De Smet Development Corp, contributions 1,000.00; De Smet Trustworthy Hardware, supplies 86.62; Delton Wiebe, deposit refund 50.00; Department of Health, water labs 28.00; Ferguson Waterworks, supplies 1,385.00; First District, zoning ordinance update 2,500.00; Hawkins, chemicals 30.00; Innovative Office Solutions, supplies 1,694.43; Jennifer Tellinghuisen, deposit refund 30.00; Jim Girard, deposit refund 25.00; Jordan & Kristin Pratt, deposit refund 30.00; Josh Starnes, reimburse for supplies 760.27; Kingsbury Electric Cooperative, repairs 1,087.68; Kingsbury Electric Cooperative, repairs & maintenance 220.00; Kingsbury County Auditor, law enforcement contract hours 6,933.33; Kingsbury Electric Cooperative, utilities 526.46; Kingsbury Journal, publishing 922.80; Kingsbury Journal,

library publishing 94.50; Kramer Mechanical, repairs & maintenance 440.32; Lyle Signs, supplies 529.50; Markel Specialty Commercial, recreation insurance 350.00; Michelle Collier, deposit refund 30.00; Micro Marketing, books 409.56; Napa, supplies 10.49; Northwestern, utilities 721.58; O'Keefe Implement, Inc, supplies 3.00; Office Peeps, Inc., library supplies 60.12; Office Peeps, supplies, 770.62; Olson's Pest Technicians, repairs and maintenance 75.00; Ottertail Power Company, utilities 5,300.27; Postmaster, supplies 280.00; SD Dept of Revenue, sanitation sales tax 497.69; SDAFCS, deposit refund 50.00; Share Corp, supplies & chemicals 3,707.50; Socially Untapped, marketing 200.00; South Dakota 811, repairs & maintenance 14.70; Southeast SD Tourism, marketing 350.00; The Penworthy Company, LLC, supplies 168.32; US Bank, water principal & interest 2,666.22; US Bank, Water-Looping principal & interest 4043.31; Valley Fibercom, utilities 499.19; Wilkinson Insurance Agency, bond insurance 1,083.00; Halme, Inc, Main Street Project 33,579.00; IMEG, manhole replacement & sewer relining project 5,000.00; IMEG, East area sewer 1,300.00; IMEG, East area water 8,700.00; IMEG, Storm sewer on Main Street 5,250.00; IMEG, Calumet sewer 3,950.00; IMEG, Calumet water 6,700.00.

SPECIAL LIQUOR LICENSES: An application for a special liquor license was submitted by Lu Ann Klinkel, owner of Klinkel's III for an event to be held at the De Smet Event Center on May 24, 2025, from 4:00 pm - 12:00 am. Motion was made by McCune, seconded by Cavanaugh, to approve the special liquor license submitted by Lu Ann Klinkel, owner of Klinkel's III for an event to be held at the De Smet Event Center on May 24, 2025, from 4:00 pm - 12:00 am, all voting aye, motion carried.

LIQUOR LICENSE & OPERATING AGREEMENT TRANSFER: This being the date and time advertised and there being no opposition from the public, motion was made by Cavanaugh, seconded by McCune, to approve the transfer of the on-sale liquor license, on/off-sale malt beverage and SD Farm Wine license, and operating agreement from the Kingsbury County Country Club to Prairie Fire Bar & Grill (Michael & Rebecca McDaniel), all voting aye, motion carried.

ZONING: Motion was made by Spader, seconded by Coughlin, 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.

At the request of the City, LuAnn Klinkel was summoned and required to appear before the council for violation of the Zoning Ordinance, for building without a building permit and Building after Expiration of a building permit. LuAnn Klinkel appeared before the council and voiced her opinion of the events. The fine for building without a building permit is up to \$500.00 per day. A building permit was issued in May, 2023. Adjacent property owners, Mark & Linda Harris, appealed to the City that Klinkel was building over the property line. Klinkel was sent a letter to cease construction until the property owners determined where the property line is located. The building permit issued to LuAnn Klinkel expired one year later without any resolution to the location of the property line. The Zoning Officials, property owners, surveyor, and Finance Officer met in July, 2024, to resolve

the dispute between the property owners without any success. When Klinkel started building in March, 2025, zoning officials contacted the contractor and informed him that there was no current building permit for this construction. Construction of the garage addition continued. Klinkel admitted knowing she did not have a current building permit. City Attorney Wilkinson reminded the council and property owners, that the city does not determine the location of the property line, and the purpose of this summons was for the building construction without a building permit. Motion was made by Cavanaugh, seconded by Jensen, to find that LuAnn Klinkel was guilty of building without a building permit and to issue a \$500.00 fine to LuAnn Klinkel for violation of Article III, Chapter 3.01.01, Permit Required, and to give Klinkel until July 1, 2025, to resolve the property line dispute without further legal action from the City, all voting aye, motion carried.

Mayor Wolkow declared the City Council back in session, all voting aye, motion carried.

BUILDING PERMITS: Motion was made by McCune, seconded by Jensen, to approve the building permit application submitted by Daryn Warne, for a new residence with attached garage, Preston Collier - upper-level addition to existing residence, Connie Cheney - for a new duplex with attached garages, all voting aye, motion carried.

PROPERTY TAX ABATEMENT: A letter from the Kingsbury County Treasurer for an abatement of property taxes for parcel #8566 for a duplicate parcel entry was presented to the council. Motion was made by Spader, seconded by Cavanaugh, to approve the request for an abatement of city property taxes for a duplicate parcel for parcel #8566, all voting aye, motion carried.

PUBLIC COMMENTS: None.

INFRASTRUCTURE, MAIN STREET & WATER TOWER PROJECTS: Karen Schaefer, Engineer for IMEG, met with the council to discuss the infrastructure projects, water tower, and Main Street project updates. Engineer Schaefer reported that the sewer mains have been vac tested and passed. Two sewer service lines on Chase Street have been repaired from construction complications. Timmons will be here soon to start on the new sidewalks on 2nd Street. Bowes Construction will be starting the street preparations for paving on 2nd & Chase Street the beginning of May. The Council stated that both 2nd & Chase Street need to be bladed to keep the road passable for the residents. Schaefer will contact Flatland about arrangements to blade the two streets. A water tower pre-construction meeting will be held with O&A Coatings on April 30, 2025. The contractor will be taking paint samples to test for lead when they are here for the pre-construction meeting. Work on the water tower will begin on July 1, 2025 and finish in August, 2025. The Main Street project will be starting the beginning of May, 2025. Halme, Inc. will have two crews on sight until the utility work is completed. Layton Hilliard with Halme, Inc. was present at the meeting to introduce himself and discuss project plans. Hilliard was thanked for the job well done by Halme, Inc. during the winter water break. The council was informed that Ottertail and Efraimson Electric have been contacted about the electric work on Main Street. Engineer Schaefer discussed changes to the drainage along 1st Street, updates

with handicap building ramps, and sidewalk replacement on the North side of Barretts Furniture to be assessed to the property.

STREET CLOSING: Motion was made by Coughlin, seconded by Cavanaugh, to approve blocking off Main Street starting on May 5, 2025, and blocking off 2nd Street & Chase Street on April 30, 2025 for construction, all voting aye, motion carried.

EXECUTIVE SESSION: Motion was made by Jensen, seconded by McCune, to go into executive session to consult with the City Attorney 6:27 pm, all voting aye, motion carried. Mayor Wolkow declared the council out of executive session at 7:01 pm.

RUS & STREETS: RUS Supt. & Dept. Assistant Casey Harty informed the council that an inspection of the RUS had been completed and was satisfactory. Harty has also replaced the signage at the RUS with the current fees and installed signage for the disposal areas. Also discussed with the council were the dates for free dumping at the RUS and the electronic recycling. Harty informed the council that an estimate had been received for a concrete gully and a culvert.

ELECTRONICS COLLECTION AND RUS FREE DUMPING DATES: Motion was made by Coughlin, seconded by McCune, to approve the electronics collection date on Friday, May 9, 2025 from 7:00 AM - 3:00 PM at the new City Shop, and the free dumping dates at the Restricted Use Site as follows: Tuesdays - May 6th & 13th - 6:00 PM - 8:00 PM and Saturdays - May 10th & May 17th - 10:00 AM - 2:00 PM weather permitting, all voting aye, motion carried.

PERSONNEL: Motion was made by Hansen, seconded by Cavanaugh, to approve hiring Jennifer Ransom as the Deputy Finance Officer in the amount of \$21.48 as of April 1, 2025, all voting aye, motion carried.

PROJECT PAYMENTS: Motion was made by Jensen, seconded by Cavanaugh, to approve the project pay requests IMEG, pay request 22006270.00-10 Alley Sewer Lining /Manhole replacement \$5,000.00; IMEG, pay request 22006269.01-10 East Area Sewer \$1,300.00; IMEG, pay request 22006269.00-11 East Area Water \$8,700.00; IMEG, pay request 21005454.03-15- Main Street storm sewer \$5,250.00; IMEG, pay request 21005454.02-17 - Main Street Sewer \$3,950.00; IMEG, pay request 21005454.01-17 - Main Street Water \$6,700.00; Halme, Inc. pay request 1 - Main Street Project \$33,579.00, all voting aye, motion carried.

DE SMET DEVELOPMENT CORPORATION: De Smet Development Coordinator, Jamie Lancaster, informed the council that the 2025 De Smet Community Guides are completed. Lancaster also gave several legislative updates; SD Public Broadcasting is doing a feature on the De Smet Main Street Beautification project and tourism. This will be aired on April 24th. Work on the Hwy 14 Trail Project and the Meat Locker project is still progressing forward.

LIBRARY ANNUAL REPORT: A copy of the 2024 Library Annual Report was given to the council. Motion was made by Cavanaugh, seconded by Coughlin, to approve the Library 2024 Annual Report, all voting aye, motion carried.

2023 AUDIT & 2024 ENGAGEMENT LETTER: The 2023 Audit report and an engagement to audit 2024 in the amount of \$23,800.00 from ELO CPA's & Advisors was presented to the council. Motion was made by Cavanaugh, seconded by Coughlin, to approve and accept the 2023 audit report, and to approve signing the engagement letter for the 2024 audit in the

amount of \$23,800.00 with ELO CPA's & Advisors, all voting aye, motion carried.

FINANCIAL REPORT: Motion was made by McCune, seconded by Coughlin, to approve the March 2025 Cash Balances Report as presented by the Finance Officer, all voting aye, motion carried.

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

OTHER: Other non-action items of discussion were as follows: 1) the March law enforcement report; 2) removal of ash trees; and 3) nuisance properties.

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

Gary Wolkow, Mayor

ATTEST:

Tracey Larson, Finance Officer

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