

REGULAR MEETING OF THE OACOMA TOWN BOARD
April 19, 2021

The Oacoma Town Board met in regular session at 7:00 P.M. on April 19, 2021 in Meeting Room #2 at the Oacoma Community Center. Board members present were Gary Dominiack, President; Richard Kirkpatrick, Vice President; Kyle Fuchs; Roger Twamley; and Robin Hutmacher. Also present was Valerie Moore, Finance Officer.

MINUTES

Motion by Hutmacher, second by Fuchs, to approve the minutes of the regular meeting on April 5, 2021. Motion carried.

PUBLIC COMMENTS

Time was reserved for public comments pursuant to SDCL 1-25-1. No comments were offered.

FIREWORKS ORDINANCE

Discussion was held on a draft of Ordinance No. 2021-01, an ordinance to regulate the sale of fireworks in the Town of Oacoma. The board recommended the following changes or clarifications for attorney review: 1. There shall be two separate city license periods for sale of fireworks pursuant to SDCL 34-34-2.2 including an early season from May 1 to June 26 and a late season from July 6 to August 31 and December 28 to January 1. The city fee for each city license period shall be \$1,000 per license. 2. No inventory delivered to licensed property from last day of licensed period to beginning date of next authorized license period. 3. Sales of fireworks permitted from temporary structures during the period of June 27 to July 5 only. Motion by Kirkpatrick, second by Twamley, to approve the first reading of Ordinance No. 2021-01, an ordinance to regulate the sale of fireworks in the Town of Oacoma. Motion carried.

REAL ESTATE PURCHASE

Motion by Hutmacher, second by Fuchs, to adopt Resolution 2021-02, a Resolution Authorizing Execution of a Real Estate Purchase Agreement and authorize payment of \$11,303 for purchase of SD Dept. of Transportation railroad right-of-way parcels. Motion carried.

RESOLUTION 2021-02
FOR THE TOWN OF OACOMA, SD

A RESOLUTION AUTHORIZING EXECUTION OF A REAL ESTATE PURCHASE AGREEMENT

WHEREAS, the Town of Oacoma desires to purchase the following described real estate from the State of South Dakota, acting by and through its Department of Transportation, (formerly known as the Division of Railroads for the State of South Dakota):

Lots R-1, R-2, and R-3, a Subdivision of a portion of South Dakota Railroad Right-of-Way located in Gladstone Addition to the Town of Oacoma, in the West Half (W ½) of Section Twenty-four (24), Township One Hundred Four North (104N), Range Seventy-two West (72W) of the 5th P.M., Lyman County, South Dakota, containing 42,950 square feet more or less, according to the recorded plat thereof filed for record on February 17, 2021 on Micro film # 21-099, in and for said county; and

Lots R-7, R-8, and R-9, a Subdivision of a portion of South Dakota Railroad Right-of-Way located in Seaman's Addition to the Town of Oacoma, in the East Half (E ½) of Section Twenty-four (24), Township One Hundred Four North (104N), Range Seventy-two West (72W) of the 5th P.M., Lyman County, South Dakota, containing 88,279 square feet more or less, according to the recorded plat thereof filed for record on February 17, 2021 on Micro film # 21-100, in and for said county; and

Lot R-12, a Subdivision of a portion of South Dakota Railroad Right-of-Way located in Government Lot 1 of Section Twenty-four (24), Township One Hundred Four North (104N), Range Seventy-two West (72W) of the 5th P.M., Lyman County, South Dakota, containing

214,750.8 square feet more or less, according to the recorded plat thereof filed for record on February 17, 2021 on Micro film # 21-101, in and for said county.

NOW THEREFORE, it is hereby resolved by the Board of Trustees of the Town of Oacoma, South Dakota, as follows:

- A. That the Town acquire title to the above-described real property pursuant to a Purchase Agreement with the State of South Dakota, acting by and through its Department of Transportation, (formerly known as the Division of Railroads for the State of South Dakota); and
- B. The Town will pay the State the purchase price of Eleven Thousand Three Hundred Three Dollars (\$11,303.00); and
- C. The Town Board President, Finance Officer and City Attorney are authorized to execute the documents required to complete this transaction in accordance with this Resolution.

ADOPTED by the Board of Trustees of the Town of Oacoma, South Dakota at a meeting in regular session this 19th day of April, 2021.

TOWN OF OACOMA

/s/Gary Dominiack, President

Board of Trustees

ATTEST:

/s/Valerie J. Moore, Finance Officer

(SEAL)

CORPS EASEMENT

Motion by Kirkpatrick, second by Twamley, to authorize Dominiack to execute Easement No. DACW45-2-20-6041 on wastewater lagoon property owned by the U.S. Army Corps of Engineers for a term of 25 years ending March 31, 2046 and authorize payment of \$6,200 for easement fees. Motion carried.

SDGF&P EASEMENT

Motion by Fuchs, second by Kirkpatrick, to authorize Dominiack to execute Easement with South Dakota Dept. of Game, Fish and Parks on property occupied by Oacoma lift station, sewer mains and wastewater lagoons for a term of 50 years ending December 31, 2071. Motion carried.

BUDGET TRANSFER

Motion by Twamley, second by Hutmacher, to authorize a \$3,100 General Fund budget transfer from 101-411.5 Contingency to General Fund department 451.2 Participant Recreation and authorize a subsidy payment of \$3,090.37 to the Chamberlain-Oacoma Gun Club for property expenses. Motion carried.

AUTOMATIC BUDGET SUPPLEMENT

Motion by Fuchs, second by Kirkpatrick, to authorize an automatic budget supplement of \$7,500 to General Fund department 456 Community Center for use of Barger Foundation grant proceeds to purchase tables. Motion carried.

RECONCILIATION OF CASH ASSETS

Dominiack verified the Reconciliation of Cash Assets for the month of March.

ADJOURNMENT

Motion by Hutmacher, second by Kirkpatrick to adjourn. The next regular meeting is scheduled for Monday, May 3, 2021 beginning at 7:00 P.M. in Meeting Room #2 at the Oacoma Community Center.

Gary Dominiack, President

Valerie J. Moore, Finance Officer

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