

## **FALL RIVER COUNTY MINUTES OF SEPTEMBER 26, 2012**

The Fall River Board of County Commissioners met in special session on September 26, 2012. Present: Mike Ortner, Joe Falkenburg, Joe Allen, Deb Russell and Sue Ganje, Auditor. Absent: Anne Cassens.

The Pledge of Allegiance was given and the meeting called to order at 9:00 AM.

The agenda was reviewed for conflicts; none were indicated.

Motion by Falkenburg, seconded by Russell, to approve the agenda as written. With no further discussion and all voting yes, the motion carried.

Motion by Falkenburg, seconded by Allen, to approve the SLA for 2013, which is a Federal Grant Program, as explained by Frank Maynard, Emergency Management. With no further discussion and all voting yes, the motion carried.

Maynard discussed with the Board a program that will provide for state reimbursement of firefighting hours and equipment.

Anne Cassens joined the meeting via telephone at 9:04 AM.

Motion by Russell, seconded by Falkenburg, to approve the discretionary formula for Black Hills Power in the amount of \$1,887,874 for 2013, as per SDCL 10-6-35.2, for the Minnekahta substation. This substation is taxed as a centrally assessed utility. With no further discussion and all voting yes on a roll call vote, the motion carried.

The Board discussed establishing a reserve for replacing a bridge by Edgemont. Motion by Cassens, seconded by Falkenburg, to create a reserve balance of \$50,000.00 from the General Fund Cash for the replacement of bridge #24-135113 located 2.2 miles east of Edgemont. With no further discussion and all voting yes on a roll call vote, the motion carried.

The Auditor explained that with the slight increase in the general fund mill levy for the 2012 property taxes, payable in 2013, the reduced non-agriculture equalization factor should result in the same or lower taxes next year. A comparison for agriculture taxes will be calculated.

Ortner informed the Board that a letter requesting mediation in Union negotiations has been received. He will participate in a telephonic meeting with the Union on October 1, 2012 and request that the hearing be held on October 18, 2012 at 1:30 PM.

Ortner also noted that a letter from the DENR has indicated the appointment of a judge to hold a hearing in Pierre on October 17, 2012 for an extensive water permit for oil drilling in Fall River County. Concerns were voiced and the matter will be put on the October 4, 2012

agenda to discuss attending the hearing along with county legal representation.

Motion by Falkenburg, seconded by Allen, to approve a letter to Game, Fish and Parks expressing concerns about fire danger during the upcoming hunting season. With no further discussion and all voting yes on a roll call vote, the motion carried.

Motion by Falkenburg, seconded by Russell, to approve a letter to Game, Fish and Parks in support of the shooting range. Allen relayed the information that the Gun Club believes they have resolved how the range can be used by the public and monitored, which will hopefully resolve the concerns of Game, Fish and Parks. With that information, Falkenburg withdrew his motion and Russell withdrew the second. No action was taken.

Motion by Falkenburg, seconded by Russell, to invite the district legislators to meet with the county on proposed oil drilling, bonds and damages. With no further discussion and all voting yes on a roll call vote, the motion carried.

Ortner passed along to the Board comments from Mike McNeill on requirements the Forest Service can put on oil leases, indicating there was further information on federal regulations he could discuss with the Board. McNeill will be invited to the next meeting.

Cassens ended her teleconference with the Board at 9:36 AM.

Susan Henderson expressed concern for the water and cave ecosystems should oil drilling or exploration commence.

Falkenburg spoke on issues with Shannon County and the continuation of contracts; a meeting with the Shannon County Board will be arranged, preferably at the next Fall River Board meeting.

Motion by Falkenburg, seconded by Allen, to adjourn. With no further discussion and all voting yes, the motion carried and the Board adjourned at 9:45 AM.

/s/Michael P. Ortner

Michael P. Ortner, Chairman

Board of Fall River County Commissioners

ATTEST:

/s/ Sue Ganje

Sue Ganje, Fall River County Auditor