

FALL RIVER COUNTY MINUTES OF MARCH 28, 2012

The Fall River Board of County Commissioners met in special session on March 28, 2012. Present: Mike Ortner, Deb Russell, Joe Falkenburg, Joe Allen and Sue Ganje, Auditor. Absent: Anne Cassens.

The Pledge of Allegiance was given and the meeting called to order at 1:02 p.m. 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.

Terri Halls, Director of Equalization, and Deputy State's Attorney Pat Ginsbach were present to discuss acreage classified as non-agriculture and the estimated changes in tax revenues should the land be reclassified as agricultural. Russell provided a historic perspective of the Angostura Irrigation District, which requires that all parcels pay for water, whether they receive it or not. If classification of the acreage was changed from non-agriculture to agriculture, it would result in an estimated \$92,487.00 reduction in property taxes. The Board questioned whether small parcels of 15 acres or less can opt out of water delivery, and this will be researched. The Board took no action and discussion will continue at the next meeting.

Frank Maynard, Emergency Management, met with the board to discuss the burn ban adopted as a Resolution at the March 20, 2012 meeting. Maynard advised that he has since learned that for the purposes of enforcement, the ban needs to be in the form of an Ordinance. Ginsbach presented a proposed Ordinance and a Resolution that would allow for an emergency exemption for ditches and canals located in the Angostura Irrigation District. Motion by Falkenburg, seconded by Russell, to approve the Resolution as follows. Paul Nabholz stated that he believed the ban to be too restrictive. Ortner called for the vote and with all voting yes on a roll-call vote, the motion carried.

FALL RIVER COUNTY RESOLUTION # 2012-10

A RESOLUTION TO PROVIDE FOR AN EXEMPTION FROM THE EMERGENCY REGULATION OF FIRE HAZARDS IN FALL RIVER COUNTY

WHEREAS, the Fall River County Commission is charged with protecting the health and safety of the citizens of Fall River County, including all property situated therein; and due to the extreme change in the fire index and unseasonably warm weather, coupled with the strong winds, the Fall River County Commission adopts this emergency resolution to further protect the health and safety of the citizens of Fall River County by preventing the ignition and spread of fire and has adopted a Resolution for the emergency regulation of fireworks and fire hazards in Fall River County; and

WHEREAS, the Fall River County Commission has deemed it necessary to enact certain exemptions from Resolution 2012-9; and

NOW, THEREFORE BE IT RESOLVED, that the area to which the prohibitions referenced in Fall River County Resolution No. 2012-09 shall be applicable and shall include the entire area of Fall River County excepting those lands falling within the boundaries of any

municipality, the Black Hills Fire Protection District, the ditches and canals of the Angostura Irrigation District, State of South Dakota and the auspices of the United States of America; and

BE IT FURTHER RESOLVED, that the Fall River Commission declares an emergency and this resolution shall be in effect immediately in order to protect the peace, health and safety of the citizens of Fall River County.

DATED this 28th day of March, 2012.

/s/ Michael P. Ortner

Michael P. Ortner, Chairman of the Board
Fall River County Commissioners

Attest:

/s/ Sue Ganje

Sue Ganje, Fall River County Auditor

Maynard also informed the Board that the Corps of Engineers is having a problem with valves, which is delaying the draw-down at Cold Brook. A quote for new dispatch radios was presented and will be discussed at the next meeting.

Russell noted that the county has been asked to provide comment on the Environmental Impact Statement draft. A meeting will be held on April 2, 2012 to generate input.

Motion by Falkenburg, seconded by Russell, to enter into Executive Session for personnel and legal matters. With no further discussion and all voting yes, the motion carried and the Board went into Executive Session at 2:08 p.m.

The Board came out of Executive Session at 2:15 p.m.

Motion by Russell, seconded by Allen to adjourn. With no further discussion and all voting yes, the motion carried and the Board adjourned at 2:16 p.m.

/s/ Michael P. Ortner

Michael P. Ortner, Chairman

Board of Fall River County Commissioners

ATTEST:

/s/ Sue Ganje

Sue Ganje, Fall River County Auditor