

DRAINAGE BOARD
January 11, 2013.

CALL TO ORDER

Planning & Zoning Administrator Sudrla called the regular meeting of the Davison County Drainage Board to order at 9:00 a.m. Auditor Kiepke took roll call as follows: Members of the Board present were Mark Schilling, Larry Hostler, Gregg Bult, Wayne Gronseth, Floyd Morrison, Weiss and Kiner. Ex-Officio members present were Drainage Coordinator Sudrla, Emergency Management Director Montgomery Highway Superintendent Weinberg and Auditor Kiepke. Absent Director of Equalization Goetsch.

Guests – Brenda & Dennis Ellwein, John Millan and John Schallenkamp.

ELECT CHAIRMAN

Drainage Administrator Sudrla called for nominations for the 2013 Chairman of the Davison County Drainage Board. Motion by Gronseth, second by Wiess to nominate Mark Schilling as Chairman.

Sudrla called for any additional nominations. There being no further nominations, motion by Weiss, second by Gronseth for nominations to cease and a unanimous ballot cast for Mark Schilling as 2013 Chairman of the Davison County Drainage Board. All members voted aye. Motion carried.

ELECT VICE-CHAIRMAN

Drainage Administrator Sudrla called for nomination for the 2013 Vice-Chairman of the Davison County Drainage Board. Motion by Gronseth to nominate Denny Kiner as Vice-Chairman. Motion by Kiner to nominate Floyd Morrison as Vice-Chairman. Mr. Morrison declined. Motion by Weiss to nominate Wayne Gronseth as Vice-Chairman. Mr. Gronseth withdrew.

Sudrla called for any additional nominations. There being no further nominations, motion by Gronseth, second by Weiss for nominations to cease and a unanimous ballot cast for Denny Kiner. All members voted aye. Motion carried.

CHAIRMAN TAKES OVER MEETING

Schilling took over the meeting as Chairman and continued on with the remainder of the day's business.

RECORDATION OF MEETING

Chairman Schilling announced that the proceedings of the meeting would be recorded.

APPROVE AGENDA

Motion by Bult, second by Kiner to approve the agenda for the January 11, 2013 meeting. All members voted aye. Motion carried.

APPROVE MINUTES

Motion by Weiss, second by Morrison to approve the minutes of the December 12, 2012 meeting. All members voted aye. Motion carried.

APPROVE DRAINAGE PERMIT

Motion by Gronseth, second by Morrison to approve a drainage permit for Dennis or Brenda Ellwein to drain excess water by using an open drain in the NW ¼ of Section 2, T 103 N, R 60 W, Mitchell Township, Davison County, South Dakota. This ditch would head east and outlet in the SE of the NW ¼ and drain across their land and enter the James River. This is the required notice given to property owners that may be affected by the drainage project indicated above. This notice is required prior to the Davison county Drainage Board taking action on said request. A roll call vote was taken as follows. Gronseth – aye, Kiner – aye, Morrison – aye, Weiss – aye, Bult – aye, Hostler – aye, Schilling – aye. Motion carried.

DISCUSS DRAINAGE ORDINANCE

Chairman Schilling stated that the Board would continue to work on the Drainage Ordinance based on the flow chart approved on December 12, 2012.

Gronseth stated that he would not turn people in for violating the Drainage Ordinance. Drainage Administrator Sudrla stated that as a member of a quasi-judicial board, it is his or any other board members duty to report violations.

Sudrla showed how the Lidar works on the GIS system.

SET DATE AND TIME FOR NEXT MEETING

Motion by Bult, second by Kiner to set February 13, 2013 at 9:00 a.m. for the next Drainage Board meeting. All members voted aye. Motion carried.

ADJOURN

At 11:20 a.m., Chairman Schilling adjourned the meeting.

ATTEST

Susan Kiepke, Auditor

Mark Schilling, Chairman

Publish Once
Approximate Cost

DRAINAGE BOARD
February 13, 2013

CALL TO ORDER

Chairman Schilling called the regular meeting of the Davison County Drainage Board to order at 9:00 a.m. Auditor Kiepke took roll call as follows: Members of the Board present were Mark Schilling, Larry Hostler, Wayne Gronseth, Floyd Morrison, Gregg Bult, Commissioner Weiss. Absent Commissioner Kiner. Ex-Officio members present were Drainage Coordinator Sudrla, Emergency Management Director Montgomery and Auditor Kiepke. Absent Director of Equalization Goetsch and Highway Superintendent Weinberg.

Guests – David Estabrook, no others signed in.

RECORDATION OF MEETING

Chairman Schilling announced that the proceedings of the meeting would be recorded.

APPROVE AGENDA WITH ADDENDUM

Motion by Gronseth, second by Bolt to approve the agenda for the February 13, 2013 meeting. All members present voted aye. Motion carried.

APPROVE MINUTES

Motion by Weiss, second by Morrison to approve the minutes of the January 11, 2013 meeting. All members present voted aye. Motion carried.

CONTINUE WORK ON DRAINAGE ORDINANCE

Drainage Administrator Sudrla stated that his goal is to have the ordinance complete before he retires.

Section 1.01 – Permits required

Sudrla feels that if a hearing is needed, the permit fee should be higher. If drainage is already vested, possibly the fee should be lower.

Sudrla feels that you can't do repairs on non-vested drainage without at least an administrative drainage permit.

There can be a separate GIS layer for new drainage permits. The goal would be to get vested drainage on the GIS map and keep the newly permitted drainage up to date.

After the preceding discussion, it was decided to eliminate Section 1.01 and say that any drainage not vested needs a permit.

Discussion

Sudrla stated that the Davison County Commission has decided to have a permit system regardless of what the legislature does. Everybody that is going to be offended or helped needs to work together. That's what the ordinance is intended to facilitate.

Hostler stated that he feels Article VII of the Sanborn County Drainage Ordinance, as seen below, fits the needs of this Board.

Sanborn County Article VII Administrative Approval

Certain work within a Sanborn County Coordinated Drainage Ditch may be performed without a permit. The purpose is to allow and encourage landowners to perform minor work to maintain the function of County Coordinated Drainage Systems, which minimizes the cost of administration and acknowledges that time may be of the essence for maintenance issues that, although minor for the county Coordinated Drainage Ditch, may significantly impact private property. While a permit is not required, landowners must secure administrative approval in order to provide the Sanborn County Drainage Commission notice of the work and an opportunity to impose guidelines or conditions.

1. Landowners have the right to perform the following work:
 - a. Repair or maintenance of a lateral inlet to remove debris, silt, sod that is blocking or restricting the flow of lateral water provided that the landowner reports the completion to the Sanborn County Drainage Commission for an optional inspection.
 - b. Install a lateral inlet provided:
 - i. The lateral is recorded at the Register of Deeds office by filing a "Record of Drain" document.
 - ii. The landowner reports the completion to the Sanborn County Drainage Commission for an optional inspection.
 - c. Removal of spoil banks or trees from Sanborn County Coordinated Drainage Ditches provided that the landowner reports the completion to the Sanborn County Drainage Commission for an optional inspection.
2. To secure administrative approval for work within a Sanborn County Coordinated Drainage Ditch, a landowner must meet with the Sanborn County Drainage Commission, explain the work to be performed, receive written approval from the Sanborn County Drainage Commission by a simple majority vote and follow all guidelines or conditions mandated by the Sanborn County Drainage Commission.
3. All requests for administrative approval shall be exempt from the fee and hearing requirements of permits under Section VI.

Sudrla said this is there form of administrative approval, however, their drainage board does more, rather than less with this system.

Gronseth stated that if he is repairing a sink hole and discovers it's garbage, he's going to repair the whole thing. He's not going to take the time to get a permit.

Morrison said that if you're putting in new you're replacing not repairing and you need a permit.

Administrative Approval was discussed as follows. If you repair a drain already vested and recorded and you're not making it any bigger, you may be granted administrative approval. If guidelines are followed, administrative approval may be granted. If guidelines are not followed, the drainage must be brought to the full drainage board.

Motion by Hostler, second by Weiss to draft Section 1.02 utilizing the above Section VII of the Sanborn County Drainage Ordinance. All members present voted aye. Motion carried.

The Board requested Sudrla draft an administrative leave section for the ordinance.

SET DATE AND TIME FOR NEXT MEETING

Motion by Bult, second by Gronseth to set March 18, 2013 at 1:00 p.m. for the next Drainage Board meeting. All members present voted aye. Motion carried.

ADJOURN

At 10:27 a.m., Chairman Schilling adjourned the meeting.

ATTEST

Susan Kiepke, Auditor

Mark Schilling, Chairman

Publish Once
) Approximate Cost

DRAINAGE BOARD

March 18, 2013

CALL TO ORDER

Chairman Schilling called the regular meeting of the Davison County Drainage Board to order at 9:00 a.m. Auditor Kiepke took roll call as follows: Members of the Board present were Mark Schilling, Larry Hostler, Wayne Gronseth, Gregg Bult, Commissioners Kiner and Weiss. Absent Floyd Morrison. Ex-Officio members present were Drainage Coordinator Sudrla, Emergency Management Director Montgomery and Auditor Kiepke. Absent Director of Equalization Goetsch and Highway Superintendent Weinberg.

Guests – John Millan, John Schallenkamp and David Estabrook.

RECORDATION OF MEETING

Chairman Schilling announced that the proceedings of the meeting would be recorded.

APPROVE AGENDA

Motion by Gronseth, second by Weiss to approve the agenda for the March 18, 2013 meeting. All members present voted aye. Motion carried.

APPROVE MINUTES

Motion by Weiss, second by Bult to approve the minutes of the February 13, 2013 meeting. All members present voted aye. Motion carried.

APPROVE DRAINAGE PERMIT

Motion by Gronseth, second by Weiss to approve a permit for John Millan to drain the SE ¼ of Section 16, T 102N, R 62 W, Union Township, Davison County, South Dakota using 4", 6" and 8" tile to drain excess water from approximately 48 acres. A roll call vote was taken as follows. Gronseth – aye, Kiner – aye, Morrison – absent, Weiss – aye, Bult – aye, Hostler – aye, Schilling – aye. Motion carried.

CONTINUE WORK ON DRAINAGE ORDINANCE

Commissioner Weiss stated that he feels permits are important so that drainage in Davison County can be recorded. He believes recorded drainage protects the welfare of Davison County.

Section 1.07 Routine Maintenance Drainage Permits

Motion by Gronseth, second by Kiner to change the explanation to read – A drainage permit may be issued after the fact for recordation purposes for the following provided the work is in compliance with the conditions prescribed herein. All members present voted aye. Motion carried.

1) Vested Drainage

Motion by Hostler, second by Weiss to remove section c. (The permit applicant shall notify all landowners for 1 mile downstream from the end of the cleanout area. The permit applicant shall send notification by first class mail. All members present voted aye. Motion carried.

3) Natural Drainage Ways

Motion by Gronseth, second by Hostler to remove section b. (the permit applicant shall notify all landowners for ½ mile downstream from the end of the cleanout area. Notification shall be sent by certified/return receipt required mail a minimum of 10 days prior to the start of the project and the receipts shall be submitted to the Planning Department prior to the issuance of a permit. All members present voted aye. Motion carried.

Section 1.08 Effective Date of Administrative Drainage Permits

- 1) Motion by Weiss, second by Gronseth to change the wording as follows – Drainage permits for routine maintenance shall become recordable upon completion and approval.

REVIEW DRAINAGE APPLICATION

The Board reviewed the drainage application and other than some wording, found it to be in order.

THANK DAN SUDRLA FOR HIS HARD WORK AND DEDICATION

Commissioner Kiner publically thanked Dan Sudrla for his hard work and dedication regarding drainage among a variety of other things.

SET DATE AND TIME FOR NEXT MEETING

Motion by Weiss, second by Gronseth to set April 10, 2013 at 9:00 a.m. for the next Drainage Board meeting. All members present voted aye. Motion carried.

ADJOURN

At 10:29 a.m., Chairman Schilling adjourned the meeting.

ATTEST

Susan Kiepke, Auditor

Mark Schilling, Chairman

Publish Once
Approximate Cost

DRAINAGE BOARD
May 8, 2013

CALL TO ORDER

Chairman Schilling called the regular meeting of the Davison county Drainage Board to order at 9:00 a.m. Deputy Auditor Wermers took roll call as follows: Members of the Board present were Mark Schilling, Larry Hostler, Gregg Bult, Wayne Gronseth, Floyd Morrison, Commissioner Weiss and Commissioner Kiner. Ex-Officio members present were Drainage Coordinator Sudrla & Bathke. Absent Ex-Officio members Highway Superintendent Weinberg, Emergency Management Director Montgomery, Director of Equalization Goetsch and Auditor Kiepke.

APPROVE AGENDA

After the meeting time was corrected a motion by Gronseth, second by Kiner to approve the agenda for May 8, 2013. All members voted aye. Motion carried.

RECORDATION OF MEETING

Planning and Zoning Director Sudrla announced the May 8, 2013 meeting would be recorded.

APPROVE MINUTES

Motion by Weiss, second by Bult to approve the minutes, from the March 18, 2013 meeting. All members voted aye. Motion carried.

INTRODUCTIONS

Planning and Zoning Director Sudrla introduced Jeff Bathke who will be taking the Planning and Zoning Director position when Sudrla retires in June and Susan Punt who is now the Administrative Assistant to the Planning and Zoning Director.

DAVID ESTABROOK DRAINAGE PERMIT

David Estabrook has made application to drain the NE ¼ of Section 3, T 102 N, R 62 W, Union Township of Davison County, South Dakota which will outlet into the NW ¼ of Section 2, T 102 N, R 62 W, Union Township of Davison County, South Dakota.

John Jones was there to represent himself and Wilma Erickson who has land next to Mr. Estabrook and he said that she was behind the permit 100 %, her only concern was the neighbors below the drainage site. She does not want the drainage to be difficult for them.

There being no objection to the proposed drainage by Mr. Estabrook, motion by Gronseth, second by Kiner to approve the drainage application. A roll call vote was taken as follows. Gronseth-aye, Weiss-aye, Morrison-aye, Bult-aye, Kiner-aye, Hostler-aye, Schilling-aye. Motion carried.

DRAINAGE ORDINANCE REPLACEMENT

Planning & Zoning Director Bathke started to explain the changes made to the 2013 Revised Drainage Ordinance of Davison County (his office had emailed and sent out copies to all members). Deputy State Attorney Taylor was at the meeting to help with legal questions pertaining to the ordinance. As discussion went on it was brought to the attention of the Board, that not all of the members had received the updated copies and more time was needed to go over the changes. Work on the ordinance will be continued at the next meeting.

Mr. Hostler challenged the members of the Board to take pictures of the standing water, due to the fact that the area had received over an inch of rain and present them at the next meeting.

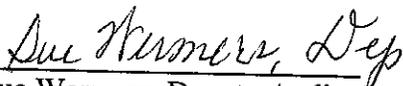
SET DATE AND TIME FOR NEXT MEETING

Motion by Bult, second by Gronseth to set June 11, 2013 at 7:00 p.m. for the next Drainage Board meeting. All members voted aye. Motion carried.

ADJOURN

At 11:00 a.m., Chairman Schilling adjourned the meeting.

ATTEST


Sue Wermers, Deputy Auditor


Mark Schilling, Chairman

Publish Once
Approximate Cost

DRAINAGE BOARD
June 18, 2013

CALL TO ORDER

Chairman Schilling called the regular meeting of the Davison County Drainage Board to order at 7:00 p.m. Deputy Auditor Wermers took roll call as follows: Members of the Board present were Mark Schilling, Larry Hostler, Gregg Bult, Wayne Gronseth, Floyd Morrison, Commissioner Weiss and Commissioner Kiner. Ex-Officio members present were Drainage Coordinator Sudrla & Bathke. Absent Ex-Officio members Highway Superintendent Weinberg, Emergency Management Director Montgomery, Director of Equalization Goetsch and Auditor Kiepke.

APPROVE AGENDA

Motion by Morrison, second by Weiss to approve the agenda for June 18, 2013. All members voted aye. Motion carried.

RECORDATION OF MEETING

Chairman Schilling announced the June 18, 2013 meeting would be recorded.

APPROVE MINUTES

Motion by Morrison, second by Bult to approve the minutes, from the May 8, 2013 meeting. All members voted aye. Motion carried.

DOUG HOHN DRAINAGE PERMIT

Doug Hohn has made an application for a drainage permit to remove excess surface water using open drains. The location of the drainage is the SE ¼ of Section 26, T 101 N, R 60 W; which will outlet into the NW ¼ of the SE ¼ of Section 26, T 101 N, R 60 W, of Davison County, South Dakota.

Mr. Hohn said that the permit would allow him to clean out a ditch and get the water to run back to the wet land. He had neighbors who were concerned about the drainage of the water, but he said he assured them of no problems.

Drainage Administrator Sudrla and Bathke said that they had gotten calls from Bill & Paul Fergen, Roger Gerlach and Robert Henglefeldt who are property owners near the proposed drainage, with concerns over this drainage permit and were not in favor of the Board granting the permit.

There being no objection from the audience to the proposed drainage by Mr. Hohn, motion by Gronseth, second by Kiner to approve the drainage application. A roll call vote was taken as follows, Morrison-nay, Weiss-aye, Kiner-aye, Hostler-aye, Bult-aye, Gronseth-aye, Schilling-nay. Motion carried.

GLEN LOWRIE DRAINAGE PERMIT

Glen Lowrie has made an application for a drainage permit to remove excess surface water using 4", 6", 8" and 10" perforated tile. The location of the drainage is the W ½ of the NE ½ of Section 9, T 101 N, R 60 W; which will outlet into 12 Mile Creek, using solid tile to get from Mr. Lowrie's land to the creek.

There being no objection from the audience to the proposed drainage by Mr. Lowrie, motion by Gronseth, second by Hostler to approve the drainage application upon Mr. Lowrie submitting a written approval from Doug Miller to come across his land with the drain pipe. Mr. Lowrie will also need a written approval from the Rome Township board, for approval of how he will be laying the pipe under the township road. The written approvals need to be sent or hand delivered to Drainage Administrator Bathke. A roll call vote was taken as follows, Weiss-aye, Kiner-aye, Hostler-aye, Bult-aye, Gronseth-aye, Schilling-aye, Morrison-aye. Motion carried.

MARLIN MAGSTADT DRAINAGE PERMIT

Marlin Magstadt has made an application for a drainage permit to remove excess surface water using an open drain. Mr. Magstadt and his neighbors to the East, are working together to solve an existing drainage problem. The location of the drainage is the NE ¼ of section 3, T 102 N, R 60 W; which will outlet into Kibbee Ditch, of Davison County, South Dakota.

Diana & Steve Wolbrink and Marcella & Leonard Pollreisz attended the meeting, because they are in favor of the drainage permit for Mr. Magstadt. Mr. Wolbrink is very concerned about the amount of water that has been flooding his shop and Mr. Pollreisz mentioned the amount of water in their back yard is furnishing a pond for ducks. Neighbors are working along to fix the drainage problem and this permit would help.

There being no objection from the audience to the proposed drainage by Mr. Magstadt, motion by Weiss, second by Bult to approve the drainage application. A roll call vote was taken as follows, Kiner-aye, Hostler-aye, Gronseth-aye, Schilling-aye, Morrison-aye, Weiss-aye. Motion carried.

REPLACEMENT OF 1987 DAVISON COUNTY DRAINAGE ORDINANCE

Drainage Administrator Bathke presented the revised Drainage Ordinance to the board with the new revisions presented in red. He would like to run the Ordinance one more time past Deputy States Attorney Taylor, but if there were no other objections or corrections to the Ordinance he would like to present it to the Davison County Commission Board for approval. Motion by Weiss, second by Morrison to approve the Ordinance, with the minor modifications mentioned

by Drainage Administrator Bathke. A roll call vote was taken as follows, Hostler-aye, Bult-aye, Gronseth-aye, Schilling-aye, Morrison-aye, Weiss-aye, Kiner-aye. Motion carried.

SET DATE AND TIME FOR NEXT MEETING

Motion by Kiner, second by Weiss to set July 16, 2013 at 7:00 p.m. for the next Drainage Board meeting. All members voted aye. Motion carried.

ADJOURN

At 8:10 p.m., Chairman Schilling adjourned the meeting.

ATTEST

Sue Wermers, Deputy Auditor

Mark Schilling, Chairman

Publish Once
Approximate Cost

DRAINAGE BOARD
July 16, 2013

CALL TO ORDER

Chairman Schilling called the regular meeting of the Davison County Drainage Board to order at 7:00 p.m. Auditor Kiepke took roll call as follows: Members of the Board present were Mark Schilling, Wayne Gronseth, Floyd Morrison, Gregg Bult, Commissioners Kiner and Weiss. Absent Larry Hostler. Ex-Officio members present were Drainage Administrator Bathke and Auditor Kiepke. Absent Emergency Management Director Montgomery, Director of Equalization Goetsch and Highway Superintendent Weinberg.

Guests – Terry Aaker, SPN & Associates, Rich McBrayer and Robert Fitzgerald.

RECORDATION OF MEETING

Drainage Administrator Bathke announced that the proceedings of the meeting would be recorded.

APPROVE AGENDA

Motion by Morrison, second by Bult to approve the agenda for the July 16, 2013 meeting. All members present voted aye. Motion carried.

APPROVE MINUTES

Motion by Gronseth, second by Weiss to approve the minutes of the June 18, 2013 meeting. All members present voted aye. Motion carried.

PUBLIC COMMENT AND CITIZEN COMPLAINTS

Drainage Coordinator Bathke stated that he was starting something new which is to inform the Board of communication he has with the public.

He stated that Arlis Osen has come to the Board of Commissioners with complaints regarding drainage on 406th Ave. just south of 259th St.

There is an open ditch in Sections 11 and 13 in Blendon Township that the County will eventually need to clean trees out of.

Drainage Administrator Bathke reported to the Board that Mr. Lowrie had not come in showing that conditions placed on his drainage permit approval on June 18, 2013 had been met. The Board agreed that it may take more time for the conditions to be met.

Bathke reported that there have been complaints regarding blockage in the area south of the Enemy Creek Development between 258th and 259th Streets in Prosper Township. It appears Doug Eidahl has placed a 12" culvert without a proper permit.

APPROVE DRAINAGE PERMIT

otion by Weiss, second by Morrison to approve a permit for the Town of Ethan to pump treated wastewater from the lagoon North of Ethan into Hanson County using underground pipe located in the NW ¼ of Section 13, T 101 N, R 60 W, Davison County, South Dakota, which will outlet into the NW ¼ of the SW ¼ of Section 18, T 101 N, R 59 W, Hanson County, South Dakota. A roll call vote was taken as follows. Weiss – aye, Morrison – aye, Kiner – aye, Bult – aye, Gronseth – aye, Hostler – absent, Schilling – aye. Motion carried.

CONTINUE WORK ON DRAINAGE ORDINANCE

Drainage Administrator Bathke will add the following language to the Drainage Ordinance – If you are in the City of Mitchell draining into Davison County, you must acquire a Davison County drainage permit.

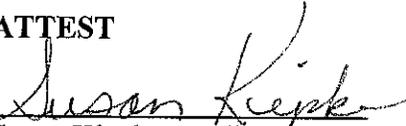
SET DATE AND TIME FOR NEXT MEETING

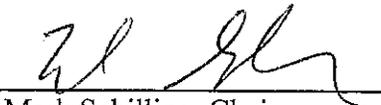
Motion by Gronseth, second by Weiss to set August 27, 2013 at 7:00 p.m. for the next Drainage Board meeting. All members present voted aye. Motion carried.

ADJOURN

At 7:27 p.m., Chairman Schilling adjourned the meeting.

ATTEST


Susan Kiepke, Auditor


Mark Schilling, Chairman

Publish Once
Approximate Cost

DRAINAGE BOARD

August 27, 2013

CALL TO ORDER

Chairman Schilling called the regular meeting of the Davison County Drainage Board to order at 7:00 p.m. Auditor Kiepke took roll call as follows: Members of the Board present were Mark Schilling, Larry Hostler, Wayne Gronseth, Floyd Morrison, Gregg Bult, Commissioners Kiner and Weiss. Ex-Officio members present were Drainage Administrator Bathke and Auditor Kiepke. Absent Emergency Management Director Montgomery, Director of Equalization Goetsch and Highway Superintendent Weinberg.

Guests – Jeff McCormick, SPN & Associates, Michael Unke, Attorney, Merl Bechen, Rick Decker, Sylvia Miiller, Darwin Miiller, Randy Miiller, Deb Schuver, Ivan Bialas, Doug Smith, Diane Bechen, Will Haugen.

RECORDATION OF MEETING

Chairman Schilling announced that the proceedings of the meeting would be recorded.

APPROVE AGENDA

Motion by Weiss, second by Bult to approve the agenda for the August 27, 2013 meeting. All members voted aye. Motion carried.

APPROVE MINUTES

Motion by Weiss, second by Morrison to approve the minutes of the July 16, 2013 meeting. All members voted aye. Motion carried.

PUBLIC COMMENT AND CITIZEN COMPLAINTS

Drainage Administrator Bathke reported to the Board that after last month's meeting he spoke to Mr. Lowrie regarding the fact that he had not come in showing that conditions placed on his drainage permit approval on June 18, 2013 had been met. Mr. Lowrie stated that he still had beans in the field so he has not addressed the issue yet. The Board had no problem with this.

Bathke reported that he also spoke with Mr. Eidahl regarding the culvert he allegedly put in without a permit causing blockage in the area south of the Enemy Creek Development between 258th and 259th Streets in Prosper Township. Mr. Eidahl still has corn in the field so he has not addressed this yet. The Board was fine with that as long as it is tended to after the corn is out.

TABLE DRAINAGE PERMIT

As the Board feels more information is needed, motion by Weiss, second by Morrison to table a drainage permit until September 24th, 2013, for the MCPM, LLP to pump water from a detention pond into 8" force main and will outlet into SD DOT culverts that run under Ohlman Street located in Block 5 less lots H-2 & H-5 and Block 6 Sunnyside Addition to the City of Mitchell of Section 28, T 103 N, R 60 W, Davison County, South Dakota, which will outlet into the DOT culverts crossing Ohlman Street. A roll call vote was taken as follows. Hostler – aye, Gronseth – aye, Kiner – aye, Morrison – aye, Weiss – aye, Bult – aye, Schilling – aye. Motion carried.

SET DATE AND TIME FOR NEXT MEETING

Motion by Gronseth, second by Weiss to set September 24, 2013 at 7:00 p.m. for the next Drainage Board meeting. All members voted aye. Motion carried.

APPROVE DRAINAGE PERMITS

Motion by Gronseth, second by Bult to approve a drainage permit for Glen Lowrie to drain in the SE ¼ of Section 9, T 101 N, R 60 W, Davison County, South Dakota to remove excess surface water using 4", 6", 8" and 10" perforated tile which was approved by the Drainage Board on August 30, 2011. However, due to elevation, Mr. Lowrie has requested the location of the outlet be changed, resulting in the need for Drainage Board approval. The proposed new outlet will be in the northeast corner of the SE ¼, with the water being pumped back to the ground level with a lift station. A roll call vote was taken as follows. Gronseth – aye, Kiner – aye, Morrison – aye, Weiss – aye, Bult – aye, Hostler – aye, Schilling – aye. Motion carried.

Motion by Kiner, second by Hostler to approve a drainage permit for Ivan Bialas to remove excess surface water using 4" and 6" perforated tile with the conditions that the applicant receive approval from the township road authority, the county road authority, Marcella Müller's land representative and HAW Partnership's land representative. The location to drain is the SW ¼ of Section 26, T 102 N, R 62 W which will outlet into the NE ¼ of Section 26, T 102 N, R 62 W, of Davison County, South Dakota. A roll call vote was taken as follows. Kiner – aye, Morrison – aye, Weiss – aye, Bult – aye, Hostler – aye, Gronseth – abstain, Schilling – aye. Motion carried.

Motion by Gronseth, second by Weiss to approve a drainage permit for Ivan Bialas to remove excess surface water using 4" and 6" perforated tile. The location to drain is the N ½ of Section 35 T 102 N, R 62 W which will outlet into the S ½ of Section 35, T 102 N, R 62 W, of Davison County, South Dakota. A roll call vote was taken as follows. Morrison – aye, Weiss – aye, Bult – aye, Hostler – aye, Gronseth – aye, Kiner – aye, Schilling – aye. Motion carried.

REVIEW DRAINAGE ORDINANCE APPROVED BY COMMISSIONERS

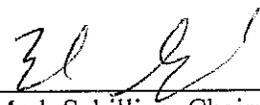
Drainage Administrator Bathke reviewed the Drainage Ordinance the Davison County Commissioners passed earlier in the day. There were several changes from the original ordinance the Drainage Board had approved.

ADJOURN

At 8:37 p.m., Chairman Schilling adjourned the meeting.

ATTEST


Susan Kiepke, Auditor


Mark Schilling, Chairman

Publish Once
Approximate Cost

DRAINAGE BOARD
September 24, 2013

CALL TO ORDER

Chairman Schilling called the regular meeting of the Davison County Drainage Board to order at 7:00 p.m. Auditor Kiepke took roll call as follows: Members of the Board present were Mark Schilling, Larry Hostler, Wayne Gronseth, Floyd Morrison, Gregg Bult, Commissioners Kiner and Weiss. Ex-Officio members present were Drainage Administrator Bathke and Auditor Kiepke. Absent Emergency Management Director Montgomery, Director of Equalization Goetsch and Highway Superintendent Weinberg.

Guests – Deputy States Attorney James Taylor, Harlan Quenzer and Jeff McCormick, SPN & Associates, Tim McGannon, Mitchell Public Works Director, Michael Unke, Attorney, Carl Koch, Attorney, Merl and Diane Bechen, Rick Decker, Sylvia Miiller, Darwin Miiller, John Morris and Doug Smith

RECORDATION OF MEETING

Chairman Schilling announced that the proceedings of the meeting would be recorded.

APPROVE AGENDA

Motion by Weiss, second by Bult to approve the agenda for the September 24, 2013 meeting. All members voted aye. Motion carried.

APPROVE MINUTES

Motion by Weiss, second by Morrison to approve the minutes of the August 27, 2013 meeting. All members voted aye. Motion carried.

NEW DRAINAGE ORDINANCE

Drainage Administrator Bathke reported that the New Drainage Ordinance has gone into effect. It is posted on the Davison County website along with the application and fees.

PUBLIC COMMENT AND CITIZEN COMPLAINTS

Drainage Administrator Bathke reported that after last month's meeting he spoke to Mr. Lowrie regarding the fact that he had not come in showing that conditions placed on his drainage permit approval on June 18, 2013 had been met. Mr. Lowrie stated that he still had beans in the field so he has not addressed the issue yet. The Board had no problem with this.

Bathke reported that Mr. Bialas has not come back to address the drainage permit approved with conditions. He talked with the Wieczorek family but it is difficult to see the lay of the land when it is full of corn.

Bathke reported that he also spoke with Mr. Eidahl regarding the culvert he allegedly put in without a permit causing blockage in the area south of the Enemy Creek Development between 258th and 259th

Streets in Prosper Township. Mr. Eidahl still has corn in the field so he has not addressed this yet. The Board was fine with that as long as it is tended to after the corn is out.

APPROVE DRAINAGE PERMITS

The following discussion was held regarding a request from MCPM, LLP to pump water from a detention pond into an 8" force main which would outlet into SD DOT culverts that run under Ohlman Street located in A and B, Block 5, a Subdivision of Blocks 5 and 6, Sunnyside Addition to the City of Mitchell, Davison County, South Dakota.

Jeff McCormick, SPN & Assoc. stated that the existing City drainage system on the east side of the Morris property is at its maximum capacity for overloading. The pump would alleviate flooding downstream and in the Kibbie Ditch Basin.

Public Works Director Tim McGannon stated that, according to state law, a county may prepare a drainage plan and controls for a municipality. However, neither are binding unless actually adopted by the City's governing body.

City Attorney Carl Koch explained that there are two sets of drainage laws. There is the Common Enemy Rule, which deals with development and the Civil Rule which deals with farming.

Deputy States Attorney Taylor stated that downstream landowners are burdened with upstream flow. There is usually compromise associated with drainage. It is generally not perfect for everybody involved.

After discussion, motion by Gronseth, second by Weiss to deny an application to drain for MCPM, LLP. A roll call vote was taken as follows. Kiner – nay, Morrison – nay, Gronseth – aye, Bult – aye, Hostler – aye, Weiss – aye, Schilling – nay. Motion carried.

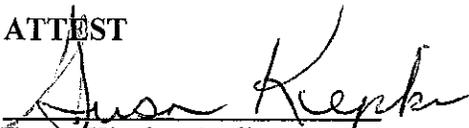
SET DATE AND TIME FOR NEXT MEETING

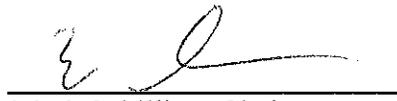
Motion by Gronseth, second by Weiss to set October 15, 2013 at 7:00 p.m. for the next Drainage Board meeting. All members voted aye. Motion carried.

ADJOURN

At 8:50 p.m., Chairman Schilling adjourned the meeting.

ATTEST


Susan Kiepke, Auditor


Mark Schilling, Chairman

Publish Once
Approximate Cost

DRAINAGE BOARD
December 17, 2013

CALL TO ORDER

Chairman Schilling called the regular meeting of the Davison County Drainage Board to order at 7:00 p.m. Auditor Kiepke took roll call as follows: Members of the Board present were Mark Schilling, Larry Hostler, Wayne Gronseth, Gregg Bult, Commissioners Weiss. Absent Morrison and Commissioner Kiner. Ex-Officio members present were Drainage Administrator Bathke and Auditor Kiepke. Absent Director of Equalization Goetsch and Highway Superintendent Weinberg.

Guests – Randee and Shirlee Burmeister, Duane Nebelsick, Brad Weisz, Marie Weisz, Darrell Mueller, Curt Wieczorek, Bob Titze and Richard Reimnitz.

APPROVE AGENDA

Motion by Weiss, second by Gronseth to approve the agenda for the December 17, 2013 meeting. All members present voted aye. Motion carried.

APPROVE MINUTES

Motion by Bult, second by Weiss to approve the minutes of the September 24, 2013 meeting. All members present voted aye. Motion carried.

PUBLIC COMMENT AND CITIZEN COMPLAINTS

Drainage Administrator Bathke reported there were two complaints since the last meeting. One was Bernice Titze's field, which is on the agenda for approval. The second was a change from "as designed" to "as installed" on a field of Curt Wieczorek's. Glen Lowrie brought in an "as installed" diagram. Bathke put the two diagrams on the projector so the Board could see the changes. Mr. Lowrie was asked to provide this information sooner on any future projects he installs.

DENY DRAINAGE PERMIT

The following discussion was held regarding a request from Bernice Titze who made application for a drainage permit to construct an open drain. The location to drain is the SW ¼ of Section 3, Baker Township which will drain into the SE ¼ of Section 3, Baker Township.

Robert Titze had reported to Drainage Administrator Bathke that FSA had told them they had everything in order to drain so they didn't need to apply for a drainage permit.

Randy Burmeister said that if they straighten the water flow out as is proposed it will speed up the water and cause more damage to his property. He stated that last time it rained 3 to 4 inches he couldn't get into his yard. He can't handle anymore water.

Darrell Mueller, resident of Baker Township, said that if you speed up the water flow road damage will be worse than it already is. He does not feel the change is necessary to drain and wants the dirt already moved to be put back in its original place.

Richard Reimnitz, who rents said land, stated that his intent was never to drain, but to hold the water back. He said he has already made a 50' by 300' dugout in the center of the field and has started another as he was under the impression that a permit was not needed.

Mr. Gronseth stated that he has a hard time believing this will slow the water down. He believes the problem is the landowner wants every acre farmed and he does not feel that is good for the land.

Marie Weisz questioned whether Mr. Reimnitz had an engineer. He said he did not. Mr. Gronseth said that an engineer's rubber stamp isn't the issue.

Shirlee Burmeister presented pictures of their house and yard after the last heavy rain. Several people feel that if this work is allowed to be done, it will destroy the Burmeister house.

Bob Titze reported that he is managing the land for his mother. He stated that the creek is 4 – 7 feet wide. He will put in a grass waterway, which will provide good vegetation, which will slow down the water and reduce erosion.

Mr. Titze gave Mr. Bathke permission to review work that has already been done and report back to the Board at their next meeting.

After discussion, motion by Weiss, second by Bult to deny an application to drain. A roll call vote was taken as follows. Hostler – aye, Gronseth – aye, Weiss – aye, Bult – aye, Schilling – aye, Kiner – absent, Morrison – absent. Motion carried.

ADMINISTRATIVE APPROVALS

Drainage Administrator Bathke reported there have been three administratively approved permits since the last meeting. The City of Mitchell and Avera are installing a new drain, which is exempt under Section 2:10 (1) as the project will run from the ER to a pond via pipe, then exit the pond to Firesteel Creek via drainage pipe. Dave Estabrook is draining 3 sloughs (4 acres total) in the NW ¼ of Section 22 in Badger Township. There were four property owners and a county road affected, which all signed the waiver. Randy and Jeff Miiller are draining a 3 acre slough in the NE ¼ of the NW ¼ of Section 30 in Lisbon Township. There were two property owners affected, which all signed the waiver.

UPDATE ON DRAINAGE

Drainage Administrator Bathke reported that Mr. Bialas has decided he would probably not install drainage in the SW ¼ of Section 26 of Union Township, as he is not able to secure permission from the downstream landowners as the board required.

Glen Lowrie's was on the agenda, but he had this addressed at the August Board Meeting, by completing a new application for Section 9 of Rome Township. So the stipulations put on by the Board in June are irrelevant.

EXPIRATION OF TERM

There was a discussion of terms expiring at the end of the year for Hostler, Morrison, and Gronseth. Morrison informed Bathke that he does not wish to be reappointed and Hostler stated that he didn't care one way or the other. Bathke reported he had advertised for vacant positions and received two inquiries.

DRAINAGE ORDINANCE DISCUSSION

Board member Gronseth requested an opportunity to discuss an issue he felt was left out of the recently revised ordinance. He feels if you are draining water from one side of your field to another side of your field, you should not need to apply for a drainage permit. The problem noted with this is eventually that water can leave the field and enter another landowner's property, which is why the permit process is in place.

Chairman Schilling stated that the ordinance defines what the administrator can and can't do. He went on to say that there are things that need to come before the Board.

The matter stated above will be noted and discussed next time the ordinance is changed. As it is very costly and time consuming to change an ordinance and this one was just changed, it will be sometime before it will be looked at again.

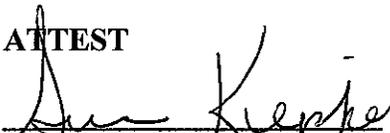
SET DATE AND TIME FOR NEXT MEETING

Motion by Bult, second by Gronseth to set January 15, 2014 at 9:00 a.m. for the next Drainage Board meeting. All members present voted aye. Motion carried.

ADJOURN

At 8:35 p.m., Chairman Schilling adjourned the meeting.

ATTEST



Susan Kiepke, Auditor



Mark Schilling, Chairman

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