

DRAINAGE BOARD

October 29, 2014

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, Chet Edinger, Jay Larson, Jerry Buchholz, Gregg Bult, Commissioners Kiner and Bode. Ex-Officio members present were Drainage Administrator Bathke, Deputy Wegner, Highway Superintendent Weinberg and Auditor Kiepke. Absent Director of Equalization Goetsch.

Guests – Brad and Sarah Olson, Kyle Bussmus, Sylvia Miiller, Deon Miiller, Beverly Rowley, Virgil Schoenfelder, Darwin Miiller, Jerry Claseman, Matt Healy, Gary Bussmus.

OATH OF OFFICE

Auditor Kiepke administered the oath of office to new Drainage Board member Brenda Bode.

APPROVE AGENDA

Motion by Larson, second by Edinger to approve the agenda for the October 29, 2014 meeting. All members voted aye. Motion carried.

APPROVE MINUTES

Motion by Buchholz, second by Kiner to approve the minutes of the July 15, 2014 meeting. All members voted aye. Motion carried.

ADMINISTRATIVE APPROVALS

Drainage Administrator Bathke reported that Tim Storm is cleaning out an existing open drainage ditch that is a three (3) dot blue line NE of the farmstead and ties into the three (3) dot blue line to the SE in Section 35 and 1300' to the north of the farm. The property is legally described as the SW ¼ of Section 26 T 101 N R 61 W of the 5th P.M., Tobin Township, Davison County, SD. Mr. Storm owns the vested drainage rights so no waivers from neighboring property owners, nor a hearing before the board were necessary.

Deputy Drainage Administrator Wegner reported that Tom Freidel, renter of the Fergen property discussed at the July Drainage Board meeting, has gathered waivers from the four required landowners and has returned his drainage application so as to qualify for administrative approval. The property is legally described as the SE ¼ Ex H-1 & H-2 & Ex the SE ¼ of SE ¼ of SE ¼ & the E ½ of the NE ¼ of the SE ¼ of Section 27 T 101 R 60 W of the 5th P.M., Rome Township, Davison County, SD.

CLASEMAN DRAINAGE RECONSIDERATION

Jerry Claseman's drainage project on property legally described as the NW ¼ Ex A M P S 6, 8, 9 & 10 Ex that portion between previous platted Lot P & Lot M W Easterly Boundary located 315' (ft) from Western Boundary of said property & Ex E 110' (ft) of W 709.9' (ft) of N 5626' (ft) of Section 29, T 103 N R 60 W of the 5th P.M., Mitchell Twp, Davison County, SD was previously denied on September

23, 2011. At the July 15, 2014 meeting Mr. Claseman was instructed to either close up the ditch or extend it 500' (ft) passed the three neighboring properties with a deadline of November 15, 2014.

Tonight, Mr. Claseman is asking the Board to reconsider the decision the Board made at the July 15th, 2014 meeting. Mr. Claseman cited Section 2.04 of the Davison County Drainage Ordinance as reason to overturn the decision.

Mr. Claseman reported that Matt Healy of Puetz Corp. did a survey for him. Mr. Claseman believes it is within his legal rights to leave the property as is.

Brad and Sarah Olson, neighbors of Mr. Claseman, stated that the way the area is shaped and sloped they are going to have more water on their land, will have more problems with their septic system and the water will remain longer.

Virgil Schoenfelder expressed concerns with regards to extending the ditch 500' (ft). He stated that the dam already backs up. He believes this would potentially drain more water to his land.

Motion by Larson, second by Edinger to amend the motion made at the July 15th, 2014 meeting to state that Mr. Claseman needs to replace the soil that was removed from the south edge of the ditch back 150' (ft) and make the rest of the ditch no deeper than the bottom swale to be completed March 20, 2015. A drainage permit is required. A roll call vote was taken as follows. Kiner – aye, Buchholz – aye, Bode – aye, Bult – aye, Edinger – aye, Larson – aye, Kiner – aye, Schilling – aye. Motion carried.

ROWLEY DRAINAGE UPDATE

As noted at the last two meetings the property belonging to Bev Rowley, legally described as the SW ¼ Ex SW ¼ of the SW ¼ of Section 24 T 104 N R 60 W of the 5th P.M., Perry Twp, Davison County, SD will require a drainage permit be completed. However, the \$100 fee will be waived. Ms. Rowley reported that she has been unable to obtain a waiver from one neighbor, JimRec Ag, as they will not sign until Kevin Gebel's drainage matter is handled and they don't meet again until April 2015. The process will continue and administrative approval may be granted when complete.

CARLSON DRAINAGE UPDATE

In the past, the Drainage Board has considered a drainage matter brought forward by Kenneth Carlson (now deceased) whose property is legally described as the NE ¼ & Lot 3B in the NW ¼ of Section 1 T 104 N R 62 W of the 5th P.M., Blendon Twp, Davison County, SD. Mr. Carlson alleged that several land owners were draining without proper permits, which was alleged to be causing a safety hazard.

Debbie Holmes, trustee of land, has stated that the current renters don't currently see any problems. Deputy Drainage Administrator Wegner consulted with former Drainage Administrator Sudrla to gain a little more history. Sudrla had little recollection of the matter.

Motion by Bult, second by Larson to table the Carlson matter until October 30, 2016 and see if any problems arise. A roll call vote was taken as follows. Buchholz – aye, Bode – aye, Bult – aye, Edinger – aye, Larson – aye, Kiner – aye, Schilling – aye. Motion carried.

SET TIME FOR FUTURE MEETINGS

Motion by Bult; second by Edinger to set 7:00 p.m. as the regular meeting time for all future Drainage Board meetings. All members voted aye. Motion carried.

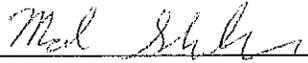
ADJOURN

At 8:12 p.m., Chairman Schilling adjourned the meeting.

ATTEST



Susan Kiepke, Auditor



Mark Schilling, Chairman

Publish Once
Approximate Cost
