

**DRAINAGE BOARD**  
May 20, 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, Jay Larson, Jerry Buchholz, Gregg Bult, Commissioner Kiner and Commissioner Weiss. Absent Edinger. Ex-Officio members present were Drainage Administrator Bathke, Deputy Wegner, Highway Superintendent Weinberg and Auditor Kiepke. Absent Director of Equalization Goetsch.

Guests – Glen Lowrie, Doug Miiller, Don Garvis, Glen Mueller.

**APPROVE AGENDA**

Motion by Larson, second by Bult to approve the agenda for the May 20, 2014 meeting. All members present voted aye. Motion carried.

**APPROVE MINUTES**

Motion by Buchholz, second by Kiner to approve the minutes of the April 14, 2014 meeting. All members voted aye. Motion carried.

**PUBLIC COMMENT AND CITIZEN COMPLAINTS**

Drainage Administrator Bathke reported that a gentleman by the name of Ralph Schnorr has been calling regarding a drainage project in Aberdeen. Bathke requested that if he called any of the Board members that they refer Mr. Schnorr to him.

**ADMINISTRATIVE APPROVAL**

Bathke reported there had been one administratively approved permit since the last meeting. Luke Ryks is cleaning out an existing open drainage ditch that has been filled in by cattle movement within the pasture. The drainage area is in the SE ¼ of Section 5 in Rome Township which outlets into the SW ¼ of Section 6 in Rome Township. Mr. Rykes owns the vested drainage rights so waivers from neighboring property owners were not necessary.

**LOWRIE DRAINAGE**

Glen Lowrie whose property is legally described as the W ½ of the NE ¼ of Section 9, T 101 N R 60 W of the 5<sup>th</sup> P.M., Rome Twp, Davison County, SD had previously been granted a drainage permit but failed to comply with the provisions of the permit, appeared before the Board to ask that he be allowed to install a small lift station to the north where the drain is capped.

Don Garvis wondered if the water still wouldn't pool. Mr. Lowrie stated that he will back-up the lift station to help prevent pooling.

Doug Miiller expressed that he would like the lift station backed up to the south.

Tim Kummer is concerned about the amount of water this will cause to go into his field.

Delmar Mueller was concerned because when he left the April drainage meeting, he was under the understanding that drainage would not be allowed on the 80 acres in question.

Bathke stated that the original plan was approved, pending land owners to the north approval which didn't happen. Mr. Lowrie was instructed to come back with a suitable plan. He was further instructed that the drain would need to be capped until an approvable plan was brought to the Board.

Motion by Kiner, second by Weiss to approve Lowrie's project pending written approval from adjoining land owner Tim Kummer. A roll call vote was taken as follows. Kiner – aye, Buchholz – aye, Weiss – aye, Larson – aye, Schilling – aye, Edinger – absent. Motion carried.

### **MOHR DRAINAGE UPDATE**

According to Deputy Wegner, Dan Mohr, whose property is legally described as Tract 2 of Witzel Tract – SW of Section 10 T 104 N R 60 W of the 5<sup>th</sup> P.M., Perry Twp, Davison County, SD, has made the requested corrections to his drainage and ditch and they were completed on time.

### **REIMNITZ DRAINAGE UPDATE**

Deputy Wegner reported that the property Richard Reimnitz rents, legally described as the SW ¼ Ex H1 of Section 3, T 101 N R 62 W of the 5<sup>th</sup> P.M., Baker Twp, Davison County, SD has not changed much since last report except there have been some trees removed.

In earlier conversation, Mr. Reimnitz had indicated that he was waiting for NRCS to engineer his field. In speaking with the NRCS, Drainage Administrator Bathke learned that the NRCS does not engineer fields.

### **PENDING DRAINAGE LITIGATION RECOMMENDATIONS**

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 5<sup>th</sup> P.M., Mitchell Twp, Davison County, SD was previously denied on September 23, 2011. Motion by Kiner, second by Bult to bring it back to the current Drainage Board for reconsideration. All members present voted aye. Motion carried.

Motion by Weiss, second by Larson for 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 5<sup>th</sup> P.M., Perry Twp, Davison County, SD will require a drainage permit be completed. However, the \$100 fee will be waived. All members voted aye. Motion carried.

On November 10, 2011, the Drainage Board denied a permit for Kevin Gebel whose property is legally described as the NE ¼ less S-1 & Less Lot A of E E Gebels 1<sup>st</sup> Addn of Section 24 T 104 N R 60 W of the 5<sup>th</sup> P.M., Perry Twp, Davison County, SD. Due to the amount of inconsistencies and the opposition, the case will continue to be pursued by Deputy States Attorney Taylor.

On July 26, 2011, the Drainage Board considered a drainage matter brought forward by Kenneth Carlson 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 5<sup>th</sup> 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. As there have been no complaints lately, the Board recommended that the pursuit of the matter be discontinued by Deputy States Attorney Taylor.

Christine Fergen whose 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 SE ¼ of Section 27 T 101 R 60 W of the 5<sup>th</sup> P.M., Rome Twp, Davison County, SD has been draining illegally. Motion by Kiner, second by Weiss to require that she file a drainage permit and the Board will determine what the fee will be for the Illegal drainage issue. All members voted aye. Motion carried.

#### SET DATE AND TIME FOR NEXT MEETING

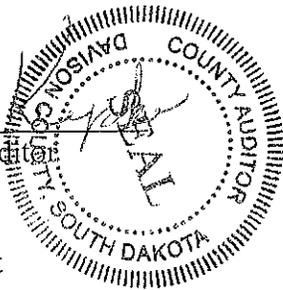
Chairman Schilling set June 17, 2014 at 7:00 p.m. for the next Drainage Board meeting.

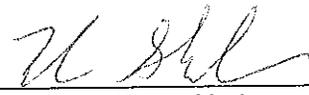
#### ADJOURN

At 8:15 p.m., Chairman Schilling adjourned the meeting.

ATTEST

  
Susan Kiepke, Auditor



  
Mark Schilling, Chairman

Publish Once  
Approximate Cost