

DRAINAGE BOARD

July 15, 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 Weiss. Ex-Officio members present were Drainage Administrator Bathke, Deputy Wegner and Auditor Kiepke. Absent Highway Superintendent Weinberg and Director of Equalization Goetsch.

Guests – Richard Reimnitz, Debbi Holmes – Ken Carlson Trust, Patty Scheich, Nancy Mueller, Beverly Rowley, Lyle Bode, Alison Freidel, Tom Freidel, Glen Lowrie, Wayne Gronseth, Shirlee and Randy Burmeister, Kevin Gebel, Tim Kummer, Brad Olson, Merl Bechen, Dana Deinert, Dave Deinert, Jonathan Mueller, Darrell Mueller, Shirley Hendrix, Doug Miiller, Don Garvis, Sylvia Miiller, Glen Mueller, Jerry Claseman, Brad Weiss, Darwin Miiller, Dave Estabrook.

APPROVE AGENDA

Motion by Weiss, second by Edinger to approve the agenda for the July 15, 2014 meeting. All members voted aye. Motion carried.

APPROVE MINUTES

Motion by Buchholz, second by Larson to approve the minutes of the May 20, 2014 meeting. All members voted aye. Motion carried.

REIMNITZ DRAINAGE UPDATE

Richard Reimnitz, who rents the SW ¼ Ex H1 of Section 3, T 101 N R 62 W of the 5th P.M., Baker Twp, Davison County, SD, reported that he had spoken to the Corp of Engineers in Pierre. They told him they couldn't work directly with him. They referred him to DENR and the FSA and told him they would work with them.

He stated that he flattened out the bottom and planted brome grass after it was sprayed on July 3rd.

Brad Weiss questioned what was next? Is there a plan? Chairman Schilling answered that the Board would continue to monitor growth and that Mr. Reimnitz is working with DENR and FSA to develop a plan. Mr. Reimnitz encouraged Mr. Weiss to go with him to speak to DENR and FSA.

Motion by Weiss, second by Bult to bring the matter back in front of the Board in November for updates. A roll call vote was taken as follows. Edinger – aye, Larson – aye, Kiner – aye, Buchholz – aye, Weiss – aye, Bult – aye, Schilling – aye. Motion carried.

It was noted that no dirt work may be done between now and then, only seeding.

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 5th P.M., Rome Twp, Davison County, SD and the SE ¼ except Lot A of Glen Lowrie's first addition and except the portion of property measuring 439.01' (ft) N and S and 170' (ft) E and W adjacent to Lot A of Glen Lowrie's first addition of Section 9, T 101 N R 60 W of the 5th P.M., Rome Twp, Davison County, SD presented an updated plan that would utilize the original drainage permit issued in 2011 with the outlet in the SW ¼ of Section 10.

Mr. Lowrie would like to place a small lift station and pump in the W ½ of the NE ¼. It would be installed this fall about 200' (ft) away from ditch and would run south to the SE ¼ and eventually through Thiesse's property which is all CRP grass.

At the last Drainage Board meeting, Mr. Lowrie was to get written permission from Mr. Tim Kummer for his drainage plan. Mr. Kummer, who was present at the meeting, said this new plan would not affect him.

Motion by Edinger, second by Weiss to approve the new outlet into a blueline creek with a minimum 200' (ft) setback from the north boundary of the property. A roll call vote was taken as follows. Larson – aye, Kiner – aye, Buhholz – aye, Weiss – aye, Bult – aye, Edinger – aye, Schilling – aye. Motion carried.

CLASEMAN DRAINAGE UPDATE

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 and a motion was made last month to bring it back to the current Drainage Board for reconsideration.

Mr. Claseman stated that when he applied for a building permit in 2011, he hired Schoenfelder Construction to remove dirt to prepare the site. Mr. Claseman felt he was just removing silt out of a low area. He said after the work was done, he received a letter from then Drainage Administrator Sudrla that he needed a Drainage permit to remove said dirt.

Mr. Claseman alleges that he did not receive any of these notices as Sudrla sent them to an old address. Mr. Claseman believes he has enhanced drainage as there is vegetation growing in the area.

Brad Olson, a neighbor of Mr. Claseman, stated that the way the area is shaped and sloped he is going to have more water on his land and it is going to remain longer.

Mr. Claseman believes it should be the neighboring land owner's expense to clean out their corners.

Another neighbor, Merle Bechen, stated that once the water comes down, it just sits there.

Drainage needs to be professionally designed and Mr. Claseman believes that expense should be split as well.

Darwin Miiller said that he has a problem with all of this. He believes one problem (the Morris lawsuit) should be solved before another project is approved.

Motion by Weiss, second by Larson for Mr. Claseman to either close up the ditch or extend it 500' (ft) passed the three neighboring properties with a deadline of November 15, 2014. A roll call vote was taken as follows. Buchholz – aye, Weiss – aye, Bult – aye, Edinger – aye, Larson – aye, Kiner – aye, Schilling – aye. Motion carried.

ROWLEY DRAINAGE UPDATE

As noted last month 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 obtained waivers from all neighbors except the one that lives in Kansas City. The process will continue and administrative approval may be granted when complete.

CARLSON DRAINAGE UPDATE

As reported last month, on July 26, 2011, the Drainage Board 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, reiterated the fact that the current renters don't currently see any problems. However, the Board is going to consult with former Drainage Administrator Sudrila to gain a little more history. The matter was tabled until the next meeting.

Lyle Bode reported that he lives west of the property and the problem is a county drainage ditch that's silted in, has trees growing in it and also has beaver dams in it.

Bathke stated that in order to clean this out it would be a huge, costly project.

Dave Estabrook said that the County used to maintain the ditch. However, it has been quite a few years ago. Water now backs up into Sanborn County as well.

FERGEN DRAINAGE UPDATE

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 5th P.M., Rome Twp, Davison County, SD has been draining illegally.

Tom Freidel, who farms the land, stated that he didn't know you had to have a permit to maintain a ditch. He was informed that because there are no vested drainage rights, he must obtain a permit. He was advised by the Board to get a permit and it could be approved administratively.

SET DATE AND TIME FOR NEXT MEETING

Chairman Schilling set August 19, 2014 at 7:00 p.m. for the next Drainage Board meeting.

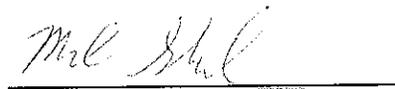
ADJOURN

At 8:45 p.m., Chairman Schilling adjourned the meeting.

ATTEST



Susan Kiepke, Auditor



Mark Schilling, Chairman

Publish Once
Approximate Cost