

DRAINAGE BOARD
February 19, 2014

CALL TO ORDER

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

Guests – Derek Mueller, Patty Scheich, Doug Müller, Glen Lowrie and Tim Kummer

WELCOME NEW BOARD MEMBERS

New Board Members were introduced, Chet Edinger, Jerry Buchholz, and Jay Larson.

ACCEPT NOMINATIONS FOR CHAIRMAN

Motion by Kiner, second by Edinger to nominate Mark Schilling as Chairman. All present voted aye. Motion carried.

ACCEPT NOMINATIONS FOR VICE-CHAIRMAN

Motion by Weiss, second by Kiner to nominate Jay Larson as Vice-Chairman. All present voted aye. Motion carried.

APPROVE AGENDA

Motion by Kiner, second by Weiss to approve the agenda for the February 19, 2014 meeting. All members voted aye. Motion carried.

APPROVE MINUTES

Motion by Weiss, second by Edinger to approve the minutes of the December 17, 2013 meeting. All members voted aye. Motion carried.

PUBLIC COMMENT & CITIZEN COMPLAINTS

None

CONSIDER PAST DRAINAGE PERMIT

The following discussion was held. In June 2013, Glen Lowrie requested 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 ¼ 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. The "as designed" and "as installed" are not the same, resulting in a change in the outlet and flow of the water. Mr. Lowrie was asked to explain the installation to the board.

Concerns from Doug Miiller were that no matter what Mr. Lowrie does, because of the drainage pipe he had installed different than how it was approved in June of 2013, water will pool up and affect land owners.

After discussion, motion by Weiss, second by Bult to deny the drainage permit requested by Glen Lowrie and along with the denial Mr. Lowrie was informed by the Davison County Drainage Board that he is to gate the drainage pipe on his property by April 1, 2014, at Mr. Lowrie's own expense. A roll call vote was taken as follows. Schilling – aye. Edinger – aye, Larson – aye, Kiner – aye, Bucholz – aye, Weiss – aye, Bult – aye. Motion carried.

ADMINISTRATIVE APPROVALS

Drainage Administrator Bathke reported there has been one administratively approved permit since the last meeting. The City of Mitchell is planning to reconstruct Spruce St. from Rowley to Ohlman in 2015, which is exempt under Section 2:10 (1) as the project will run from Rowley Street East to the Cabellas Area Storm Water Detention Pond near I-90 and Rowley, then exit the pond via pipe and drain into Dry Run Creek near Cedar & Rowley in the Dry Run Creek Park area.

UPDATE ON DRAINAGE

Drainage Administrator Bathke reported there were two complaints the office has been dealing with. One is Bernice Titze's field, which Mr. Reimnitz has not come up with a plan to address. He is waiting for NRCS to inform him what his options are. The second was a change from "as designed" to "as installed" on a field of Glen Lowrie's, which was already discussed.

MISCELLANEOUS ITEMS

No comments from the board or citizens.


SET DATE AND TIME FOR NEXT MEETING

Motion by Larson, second by Edinger to set March 17, 2014 at 10:00 a.m. for the next Drainage Board meeting. All members voted aye. Motion carried.

ADJOURN

At 9:58 a.m., Chairman Schilling adjourned the meeting.

ATTEST


Sue Wermers, Deputy Auditor


Mark Schilling, Chairman

Publish Once
Approximate Cost

DRAINAGE BOARD

April 14, 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 and Commissioner Kiner. Absent Commissioner Weiss. Ex-Officio members present were Drainage Administrator Bathke, Deputy Wegner and Auditor Kiepke. Absent Director of Equalization Goetsch and Highway Superintendent Weinberg.

Guests – Jessica Burns, Shirlee Burmeister, Tim & Lori Kummer, Doug Miller, Lyle Lowrie, Delmar Mueller, Daniel Mohr, Darrell Muziner, Marie Weisz, Luvern Neugebauer, Jerry Moeller, Robert Henglefeld, Donald Garves, Robert Titze, Randy Müller and Richard Reimnitz.

ADMINISTRATION OF OATHS

Auditor Kiepke administered oaths to all Drainage Board members.

APPROVE AGENDA

Motion by Bult, second by Edinger to approve the agenda for the April 14, 2014 meeting. All members voted aye. Motion carried.

APPROVE MINUTES

Motion by Buchholz, second by Larson to approve the minutes of the February 19, 2014 meeting. All members voted aye. Motion carried.

PUBLIC COMMENT AND CITIZEN COMPLAINTS

Drainage Administrator Bathke reported that two months ago Glen Lowrie was denied a drainage permit and was given two months to put a locked gate on. As of April 1st, 2014 the gate has been installed. The gate is not to be opened without approval from the Drainage Board.

Doug Miller stated that everybody should be allowed to put a gate in, then. He believes Mr. Lowrie's should be dug out every 50'. But, he stated, the bottom line is he wasn't supposed to do it the way he did.

Don Garves believes there should be more caps mandated for Lowrie. He also believes it is wrong to have caps next to fence. He stated that water will pool next to the township road and will saturate it.

Edinger stated that Mr. Lowrie is not able to drain properly with the means installed. He further stated that if water creates problems, he will have to take additional measures.

Commissioner Kiner believes that it was an illegal act and should be turned over to the States Attorney. Drainage Administrator Bathke will deliver the case to the States Attorney's office.

CONSIDER DRAINAGE PERMIT

Dan Mohr has made application to drain the SW ¼ of the SW ¼ of Section 10, Perry Township which will drain into the SE ¼ of Section 10, Perry Township.

Drainage Coordinator Bathke reported that the Township is okay with Mr. Mohr's plans to repair the ditch.

Board member Larson questioned why the work was done before a permit was obtained.

Mr. Mohr responded, saying that he bladed it to the field because he put up a new shop and didn't want a mosquito haven next to it. He wants to continue to blade from Bonnie Hanson's property south to the ditch.

Motion by Edinger, second by Buchholz to approve the application with the condition that the ditch is fixed by May 1, 2014 and approved by Perry Township. A roll call vote was taken as follows Edinger - aye, Larson - aye, Kiner - aye, Buchholz - aye, Bult - aye and Schilling - aye. Absent Weiss. Motion carried.

DRAINAGE UPDATE

Richard Reimnitz reported that he had been to the FSA and NRCS and requested help with his drainage plan.

Robert Titze, representing Bernice Titze, reiterated that FSA had told them they had everything in order to drain so they didn't need to apply for a drainage permit.

Robert Titze stated they would stop digging, but other than neighborhood bullying, there is no reason to put the area back the way it was. He requested that they not have to restore the work they had already done.

Randy Miiller said he lives downstream from the Titze property. He said his yard gets flooded enough already without speeding up the water, which he feels will happen if Mr. Reimnitz continues with the project. The water was approximately three feet from Miiller's house the last time there was a heavy rain. Mr. Miiller continued, saying that water already runs over three township roads.

Marie Weisz, who owns land to the east of the Titze property stated that it drains through her land and the Burmeisters land.

Darrell Mueller feels there was an ideal grass waterway before the land was disturbed. When he flooded he was able to deal with it. He said if the waterway is straightened out, it will totally flood me, Burmeisters and Miillers.

Richard Reimnitz, who rents the land, stated that it was an ideal waterway and that he made it 50' wide because of the soup that comes through.

Motion by Larson, second by Edinger to shape it and grass it by July 1, 2014 then wait and see what happens once it's engineered by NRCS. A roll call vote was taken as follows. Larson - aye, Kiner - aye, Buchholz - aye, Bult - aye, Edinger - aye, Schilling - aye. Absent Weiss. Motion carried.

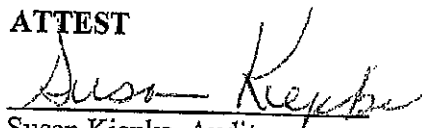
SET DATE AND TIME FOR NEXT MEETING

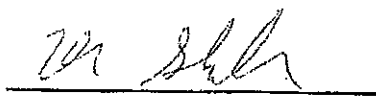
Chairman Schilling set May 20, 2014 at 7:00 p.m. for the next Drainage Board meeting.

ADJOURN

At 8:03 p.m., Chairman Schilling adjourned the meeting.

ATTEST


Susan Kiepke, Auditor


Mark Schilling, Chairman

Publish Once
Approximate Cost

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 5th 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 5th 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 5th 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 5th 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 5th 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 1st Addn of Section 24 T 104 N R 60 W of the 5th 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 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. 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 5th 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

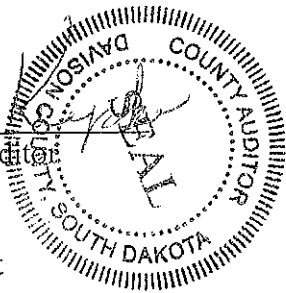
Chairman Schilling set June 17, 2014 at 7:00 p.m. for the next Drainage Board meeting.

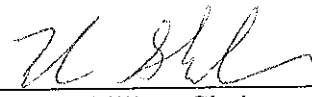
ADJOURN

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

ATTEST


Susan Kiepke, Auditor




Mark Schilling, Chairman

Publish Once
Approximate Cost

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.

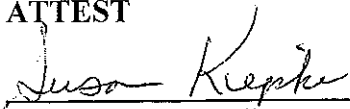
SET DATE AND TIME FOR NEXT MEETING

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

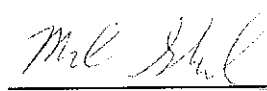
ADJOURN

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

ATTEST



Susan Kiepke, Auditor



Mark Schilling, Chairman

Publish Once
Approximate Cost

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.

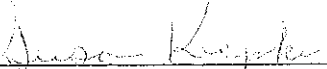
SET TIME FOR FUTURE MEETINGS

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
