

DRAINAGE BOARD

August 20, 2019

CALL TO ORDER

Auditor Kiepke 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 Jay Larson, Chet Edinger, Jerry Buchholz, Gregg Bult, Mark Klumb, Commissioners Bode and Kiner. Ex-Officio members present were Director Bathke, Deputy Jenniges and Auditor Kiepke. Absent Highway Superintendent Weinberg.

OATH OF OFFICE

As this was the first Drainage Board meeting of the year, Auditor Kiepke administered the oath of office to all Board members.

ELECT CHAIRPERSON

Auditor Kiepke called for nominations for a chairperson. Motion by Klumb, second by Edinger to nominate Jay Larson as chairman. Auditor Kiepke called for other nominations. Hearing none, motion by Buchholz, second by Edinger that nominations cease, and a unanimous ballot be cast for Jay Larson. All members voted aye. Motion carried.

ELECT VICE-CHAIRPERSON

Auditor Kiepke called for nominations for a vice-chairperson. Motion by Klumb, second by Kiner to nominate Chet Edinger as vice-chairman. Auditor Kiepke called for other nominations. Hearing none, motion by Larson, second by Bult that nominations cease, and a unanimous ballot be cast for Chet Edinger. All members voted aye. Motion carried.

CHAIRMAN TAKES OVER MEETING

At this time, Chairman Larson took over the remainder of the meeting.

APPROVE AMENDED AGENDA

Motion by Kiner, second by Klumb to approve the amended agenda for the August 20, 2019 meeting, to include oath of office, election of chairperson and election of vice-chairperson. Also added were administrative approvals for Aaron Klinger and Bill Nebelsick. All members voted aye. Motion carried.

APPROVE MINUTES

Motion by Klumb, second by Buchholz to approve the minutes of the August 21, 2018 meeting. All members voted aye. Motion carried.

PUBLIC INPUT

Hearing no public input, the meeting moved forward.

CONSIDER LOWRIE DRAINAGE REQUEST

Glen Lowrie received a drainage permit in 2014 with the stipulation he would install and maintain a lift station, which would pump the water to the south, onto the SE ¼ of the same section; which is Section 9, T 101 N, R 60 W of the 5th P.M., Davison County, SD.

The lift station has not been maintained on a consistent basis, causing water to overflow to the northeast into the road ditch, and to the east onto Lyle Lowrie and Tim Kummer's properties. Allowing water to flow into the road ditch is in violation of the Davison County Drainage Ordinance. The pump runs when Mr. Lowrie wants to put fuel in the pump.

The location of the drainage project is the W ½ of the NE ¼ of Section 9, T 101 N, R 60 W of the 5th P.M., Davison County, SD.

Application originally received: June 2013
Drainage System illegally installed: June 2013
Revised outlet approved: July 15, 2014
Applicant notified of current meeting: August 13, 2019
Neighbors notified of current meeting: August 13, 2019

The following discussion was held.

Mr. Lowrie stated that his lift station is designed correctly, and the pipe is sized properly. He said it hasn't been dry enough to allow him to get the project done. He said the only time there is run-off is when it rains.

Currently, he is running a 2" transfer pump. His generator went down so he currently has no power.

Chairman Larson asked where the outlet is going to be. Lowrie said it has to go up a hill in order to get to the outlet.

Mr. Lowrie said he will go to Central Electric and NW Energy and put a transformer in. He said it will need PUC approval so he couldn't give an exact time frame.

Edinger stated that his heart burn is this project could have been done several years ago.

Buchholz asked if the case had been turned over to the States Attorney. Bathke stated yes, but then the Board allowed Mr. Lowrie to install a pump.

Mr. Lowrie stated that he will try to dig back to de-water the hole. He said it would be closed by the time they have power.

Edinger stated that he would propose a 60-day deadline to get this project completed.

Buchholz said that the Board heard promises 5 years ago and didn't see any progress.

Bathke stated that he has received approximately 25 phone calls from neighbors, complaining.

Edinger said the system must be designed correctly and engineered correctly and Mr. Lowrie won't be liable. If it isn't designed correctly and engineered correctly, Mr. Lowrie will be liable.

Motion by Bode, second by Kiner to allow Mr. Lowrie 60 days to get this project done. Upon the deadline, there will be a fine imposed, as per Section 6:04 of the Drainage Ordinance, of \$250 per day until it is complete. Mr. Lowrie is also to report to Drainage Administrator Bathke on a regular basis the progress being made. A roll call vote was taken as follows. Buchholz – aye, Bult – aye, Edinger – aye, Kiner – aye, Bode – aye, Klumb – aye, Larson – aye. Motion carried.

REVIEW ADMINISTRATIVELY APPROVED DRAINAGE PROJECTS

Davison County Drainage Administrator Bathke presented the following Administratively approved projects to the Board. Specific information on each project can be found on file in the Drainage Office.

1. Bruce Martin in the NE ¼ of Sec 24 T 103, R 62, Davison County.
2. Chris Nebelsick in the NE ¼ Ex that portion beginning at the NE corner S8 Rods Thence W12 Rods Thence N8 Rods Thence E12 Rods and Ex Grosz Tract 1 Of Sec 20, T 102 R 60, Davison County.
3. Tim Neugebauer in the SW ¼ of Sec 30 T 101 R 60, Davison County.
4. John Millan in the following parcels:
 - a. NW ¼ of Sec 36 T 103 R 61, Davison County, SD.
 - b. SW ¼ of Sec 36 T 103 R 61, Davison County, SD.
 - c. N ½ of the SE ¼ of Sec 36, T 103 R 61, Davison County, SD.
 - d. S ½ of the SE ¼ of Sec 36, T 103 R 61, Davison County, SD.
 - e. NE ¼ of the NW ¼ & NW ¼ of the NE ¼ of Sec 1, T 102 R 61, Davison County, SD.
 - f. NE ¼ Ex NW ¼ of the NE ¼ & the NW ¼ Ex NE ¼ of the NW ¼ of Sec 1, T 102 R 61, Davison County, SD.
 - g. SW ¼ Ex Lots S-1 & S-2 of Sec 1, T 102 R 61, Davison County, SD
5. Tim Neugebauer in the W ½ of the SW ¼ & SE ¼ of SW ¼ of Sec 16, T 101 R 60, Davison County, SD.
6. Aaron Klinger in Lot E-1 & E-2 & Lot C-1 Ex E150' & Inc W 150' of Lot 6 of Ziebart's Subdivision in the SE ¼ and the S ¾ of the E ½ of the W ½ of the SE ¼ Ex the N 1/3 of Sec 3, T 102 R 60, Davison County, SD.
7. Bill Nebelsick in the NE ¼ Ex SJ Nebelsick Tract 1 of Sec 17, T 102 R 60, Davison County, SD.

PUBLIC INPUT

Mary Harris and Dave Harris appeared before the Board to ask that a culvert be placed next to the bridge on 256th St. between 409th Ave. and Hwy 37. Chairman Larson stated there all kinds of other issues to be addressed.

Bathke said silt is a major issue and the drainage system is at it's limits. The fact that Kibbee Ditch overflows into her field is a landowner issue, not a County issue. The County is not responsible for Kibbee Ditch, however, Bathke will get a bid to see how much it would cost to clean it out.

Edinger suggested the formation of a Drainage District as Kibbee Ditch is owned and is supposed to be maintained by the landowners. One landowner cleaning out their portion isn't going to do anybody any good.

SET DATE AND TIME FOR NEXT MEETING

Chairman Larson set October 22, 2019 at 7:00 p.m. as the next meeting date and time.

ADJOURN

At 8:08 p.m., Chairman Larson adjourned the meeting.

ATTEST

Susan Kiepke, Auditor

Jay Larson, Chairman

Publish Once
Approximate Cost