

DRAINAGE BOARD

January 16, 2024

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, Gregg Bult, Mark Klumb, Jerry Buchholz, Commissioner Kiner. Ex-Officio members present were Drainage Administrator Bathke, Assistant Wegleitner and Auditor Kiepke. Absent Edinger, Nebelsick, Highway Superintendent Weinberg and DOE Weber.

Guests in attendance were Bryce Gillan, John Millan, Mike Deinert, Dave Deinert.

OATH OF OFFICE

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

ELECT CHAIRPERSON

Auditor Kiepke called for nominations for a chairperson. Motion by Kiner, second by Bult to nominate Larson as chairperson. Auditor Kiepke called for other nominations three times. Hearing none, motion by Klumb, second by Bult that nominations cease, and a unanimous ballot be cast for Larson. A roll call vote was taken as follows. Buchholz – aye, Bult – aye, Edinger – absent, Larson – abstain, Kiner – aye, Nebelsick – absent, Klumb – aye. Motion carried.

ELECT VICE-CHAIRPERSON

Auditor Kiepke called for nominations for a vice-chairperson. Motion by Bult, second by Klumb to nominate Edinger as vice-chairperson. Auditor Kiepke called for other nominations three times. Hearing none, motion by Kiner, second by Buchholz that nominations cease, and a unanimous ballot be cast for Edinger. A roll call vote was taken as follows. Bult – aye, Buchholz – aye, Edinger – absent, Klumb – aye, Kiner – aye, Nebelsick – absent, Larson – aye. Motion carried.

CHAIRPERSON TAKES OVER MEETING

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

MEETING EXPECTATIONS

Chairperson Larson recited expectations of the meeting.

A checklist of items required in accordance with the Davison County Drainage Ordinance and SDCL 46A-10A will be considered on each permit. The checklist is on file in the Davison County Auditor's office and Drainage Administrator's office.

APPROVE AGENDA

Motion by Bult, second by Klumb to approve the agenda for the January 16, 2024, meeting. All members voted aye. Motion carried.

DECLARE CONFLICTS OF INTERESTS

Chairperson Larson asked for any conflicts of interests. No conflicts were declared.

APPROVE MINUTES

Motion by Buchholz, second by Bult to approve the minutes of the October 17, 2023, meeting. All members present voted aye. Motion carried.

PUBLIC INPUT

Chairperson Larson asked for any public input public input for items not on the agenda and reminded the public that no action will be taken. Hearing none, the meeting moved forward.

CONSIDER MILLAN ACRES, LLC DRAINAGE REQUEST

Motion by Klumb, second by Kiner, based on findings, to grant a drainage permit to drain the following, the E ½ of the SW ¼ of Section 36, T 103 N, R 62, W of the 5th P.M., Davison County, South Dakota, as requested by John Millan.

The plan is to install approximately 51,464' of perforated 4", 6", and 8" pipe in the E ½ of the SW ¼ of Section 36, T 103 N, R 62, W of the 5th P.M., Davison County, South Dakota, with a 10" perforated outlet transferring the water the SW ¼ of Section 30, T 103 N, R 61, W of the 5th P.M., Davison County, South Dakota. The water will then travel north in an un-named stream to the Dry Run Creek, then into the lower Firesteel Creek, then the James River, then to the Missouri River.

Application received: December 27, 2023

Applicant and necessary neighbors notified: December 29, 2023

Published: January 3, 2024

Administrator Bathke stated there was one call from abutting property owners or other residents. After receiving an explanation, the person decided not to attend the meeting.

Mike Deinert spoke in favor of granting the permit. He said that he had talked to neighbors and his brother David. It was agreed there would be no detriment to neighboring landowners.

Mr. Millan stated that he would be responsible if there are no easements in place with landowners.

Board members were given a few minutes to review the items to consider prior to making a decision, in accordance with Section 2:05 of the Davison County Drainage Ordinance. The items were placed on the screen for all to view.

A roll call vote was taken as follows.

Klumb – aye, Kiner – aye, Buchholz – aye, Bult – aye, Larson – aye, Edinger – absent, Nebelsick – absent. Motion carried.

ADMINISTRATIVELY APPROVED DRAINAGE APPLICATIONS

Administrator Bathke informed the Board there were no administratively approved applications since last meeting.

MISCELLANEOUS ITEMS

Administrator Bathke informed the board the Kibbee Ditch Drainage Project has been completed and we expect the Judge to sign off on dismissing the Bechen lawsuit. In the end, this lawsuit against the City of Mitchell cost Davison County \$84,137 (68%) and the City of Mitchell \$40,502 (32%). The City of Mitchell refused to pay Davison County \$2,762.50 for half the installation costs of the culverts.

SET DATE AND TIME FOR NEXT MEETING

Chairperson Larson set February 20, 2024, at 7:00 p.m. as the next meeting date and time.


ADJOURN

At 7:34 p.m., Chairman Larson adjourned the meeting.

ATTEST


Susan Kiepke, Auditor




Jay Larson, Chairman

Publish Once
Approximate Cost

DRAINAGE BOARD

May 21, 2024

CALL TO ORDER

Chairperson Larson 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, Gregg Bult, Mark Klumb, Jerry Buchholz, Commissioner Kiner, Commissioner Nebelsick. Ex-Officio members present were Drainage Administrator Bathke, Assistant Wegleitner and Auditor Kiepke. Absent Edinger and Highway Superintendent Weinberg.

Guests in attendance were Patty Scheich, Len Scheich, Chris Kummer, Myles Bialas, Craig Bialas, Derek Mueller, Lyle Lowrie, Glen Lowrie.

OATH OF OFFICE

Auditor Kiepke administered oath of office to Drainage Board member Nebelsick, as this was his first meeting for the year.

MEETING EXPECTATIONS

Chairperson Larson recited expectations of the meeting.

A checklist of items required in accordance with the Davison County Drainage Ordinance and SDCL 46A-10A will be considered on each permit. The checklist is on file in the Davison County Auditor's office and Drainage Administrator's office.

APPROVE AGENDA AS AMENDED

Motion by Buchholz, second by Bult to approve the agenda, as amended, for the May 21, 2024, meeting. All members voted aye. Motion carried.

DECLARE CONFLICTS OF INTERESTS

Chairperson Larson asked for any conflicts of interests. No conflicts were declared.

APPROVE MINUTES

Motion by Buchholz, second by Bult to approve the minutes of the January 16, 2024, meeting. All members present voted aye. Motion carried.

PUBLIC INPUT

Chairperson Larson asked for any public input public input for items not on the agenda and reminded the public that no action will be taken. Hearing none, the meeting moved forward.

CONSIDER MYLES BIALAS DRAINAGE REQUEST

Motion by Klumb, second by Nebelsick, based on findings, to grant a drainage permit to drain the following, the SW ¼ of Section 13, T 101 N, R 62, and the NE ¼ in Sec. 13, T 101 N, R 62, W of the 5th

P.M., Davison County, South Dakota, except Lot A of M.R. Miiller's First Addition, as requested by Myles Bialas.

The plan is to install approximately 135,462' of drain tile starting from the inlet in the SW ¼ of Section 13, T 101 N, R 62, W of the 5th P.M., Davison County, South Dakota, with the outlet draining into Twelve Mile Creek in Lot A of M.R. Miiller's First Addition, a Subdivision of the NE ¼ of Section 13, T 101 N, R 62, W of the 5th P.M., Davison County, South Dakota. The water will eventually merge with the James River in Hutchinson County.

Application received: April 19, 2024

Applicant and necessary neighbors notified: May 7, 2024

Published: May 11, 2024

Administrator Bathke explained there were no calls from abutting property owners or other residents.

Myles Bialas explained there would be 20' of non-perforated pipe as it runs through pasture ground and that is what is required. The rest will be perforated. It was suggested by the Board that Bialas get an easement with Miiller's before beginning the project.

Board members were given a few minutes to review the items to consider prior to making a decision, in accordance with Section 2:05 of the Davison County Drainage Ordinance. The items were placed on the screen for all to view.

A roll call vote was taken as follows.

Buchholz – aye, Bult – aye, Edinger – absent, Klumb – aye, Kiner – aye, Nebelsick – aye, Larson - aye.
Motion carried.

DRAINAGE VIOLATION

Administrator Bathke informed the Board of a drainage violation by Glen Lowrie. On June 18, 2013, the Drainage Board approved a permit in the W ½ of the NE ¼ of Section 9, T 101 N, R 60, W of the 5th P.M., Davison County, South Dakota, pending stipulations. Mr. Lowrie installed the drainage project, yet failed to comply with the stipulations, rendering the project illegal. Mr. Lowrie presented other ideas to remedy the situation but failed to follow through with any of them.

At the February 19, 2014, Drainage Board meeting, the Board instructed Mr. Lowrie to install a gate in the drainage system to stop the release of any water.

At the July 15, 2014, Drainage Board meeting, Mr. Lowrie presented a plan to utilize the original drainage permit but pump the water from the outlet to the south and connect the transfer pipe to an existing drainage system Mr. Lowrie has in the SE ¼ of Section 9, T 101 N, R 60.

At the August 20, 2019, Drainage Board meeting, the Board again heard the case, as Mr. Lowrie failed to maintain power to the pumps. The Board agreed to give Mr. Lowrie 60 days to complete the revised drainage plan for a permanent power source. Upon the deadline, there would be a fine imposed, as per Section 6:04 of the Drainage Ordinance, of \$250 per day until completion. The 60 days came and went without power or an operating pump to the property.

At the March 17, 2020, board meeting, the Board reinstated the \$2,500 penalty.

Once again, Mr. Lowrie has failed to properly maintain the system, allowing water to push to the north and east of the pits. This is considered a violation of the negotiated terms of the permit, which was considered by the Board at this meeting.

Neighboring landowner, Doug Miiller, has reached an agreement with Mr. Lowrie to drain the water into the SE ¼ of Section 4, T 101 N, R 60 W of the 5th P.M., Davison County, South Dakota, which was the plan on the original application.

Mr. Lowrie explained there was nothing intentional done or not done. His current 2" pump will pump 150 gallons per minute and is enough to push the water over the 30' hill to the south. The new plan will eliminate the pumps, as the water will gravity flow to the south into Twelve Mile Creek. Mr. Lowrie will provide elevations of the inlet and outlet to the Drainage Office.

Lyle Lowrie stated that he owns the property east of Glen Lowrie and water has been draining on his land for too long. He said that it is drowning out his fields and killing his grass.

Motion by Kiner, second by Bult to grant Mr. Glen Lowrie 90 days to have the easement signed with Doug Miiller and complete the project with 10" solid drain tile as was stated on the original application presented to the Board on June 18, 2013.

A roll call vote was taken as follows.

Bult – aye, Kiner – aye, Klumb – aye, Nebelsick – aye, Buchholz – aye, Edinger – absent, Larson - aye. Motion carried.

ADMINISTRATIVELY APPROVED DRAINAGE APPLICATIONS

Administrator Bathke informed the Board there were two administratively approved applications since the last meeting.

An application for Chris Nebelsick was administratively approved on February 29, 2024. The legal description of the project is the SW ¼, Ex A, B, B-1, C & D and Ex the N86' of the W170' & Ex the RR ROW of Section 20, T 103, R 60, W of the 5th P.M., Davison County, South Dakota. The drainage plan is to install approximately 1,120' of 12" drain tile, which will outlet in the CRP to the north, on the same legal description. The line will have an inlet near the prior converted (PC) area where water pools. The soil that has washed to the north will be returned to the field to cover the drainpipe. This is for information only, no vote required.

An application for Loren Van Overschelde was administratively approved on May 21, 2024. The legal description of the project is F Luczak Tract 1 in the NW ¼ of Section 6, T 104, R 60, W of the 5th P.M., Davison County, South Dakota and the SW ¼ of Section 6, T 104, R 60, W of the 5th P.M., Davison County, South Dakota. The drainage plan is for routine maintenance to clean out an existing drainage way located in the SW ¼ of Section 6-104-60 with vested drainage rights in Book 53, page 331 and the NW ¼ of Section 6-104-60 with vested drainage rights in Book 52, Page 95. This is for information only, no vote required.

MISCELLANEOUS ITEMS

None.


SET DATE AND TIME FOR NEXT MEETING

Chairperson Larson set June 18, 2024, at 7:00 p.m. as the next meeting date and time.

ADJOURN

At 8:00 p.m., Chairman Larson adjourned the meeting.

ATTEST


Jim Matthews, Deputy Auditor, for
Susan Kiepke, Previous Auditor

Publish Once
Approximate Cost




Jay Larson, Chairman

DRAINAGE BOARD

August 20, 2024

CALL TO ORDER

Chairman Larson called the regular meeting of the Davison County Drainage Board to order at 7:00 p.m. Deputy Auditor Matthews took roll call as follows: Members of the Board present were Larson, Edinger, Buchholz, Bult, Klumb, Nebelsick, and Kiner. Ex-Officio members present were Drainage Administrator Bathke, Deputy Administrator Wegleitner. Ex-Officio members absent were Highway Superintendent Weinberg and Director of Equalization Vissia.

Guests- Melvin Eilts, Scott Estabrook, Derek Evans, Joe Schroeder, Bailey Schmiedt, Holly Hansen, Doug Hansen.

OATH OF OFFICE

Deputy Auditor Matthews administered the oath of office to Drainage Board members Edinger and Nebelsick.

MEETING EXPECTATIONS

Chairman Larson recited expectations of the meeting.

A checklist of items required in accordance with the Davison County Drainage Ordinance and SDCL 46A-10A will be considered on each permit. The checklist is on file in the Davison County Auditor's office and the Drainage Administrator's office.

APPROVE AGENDA

Motion by Klumb, second by Edinger to approve the agenda for the August 20, 2024, meeting. All members voted aye. Motion carried.

DECLARE CONFLICTS OF INTERESTS

Chairman Larson asked for any conflicts of interests. Hearing none, the meeting moved forward.

APPROVE MINUTES

Motion by Buchholz, second by Edinger to approve the minutes of the May 21, 2024, meeting. All members voted aye. Motion carried.

PUBLIC INPUT & CITIZEN COMPLAINTS

Chairman Larson asked for any public input for items not on the agenda and reminded them that no action will be taken. Hearing none, the meeting moved forward.

CONSIDER ESTABROOK AG DRAINAGE REQUEST

Motion by Edinger, second by Nebelsick, based on findings, to grant a drainage permit to drain the following, as requested by Estabrook AG.

1. Lot 4 in the NW ¼ of Sec 1-104-62-Davison County
2. Lot 3A in the NW ¼ of Sec 1-104-62-Davison County
3. N ½ of the S ½ of the NW ¼ of Sec 1-104-62-Davison County
4. S ½ of the S ½ of the NW ¼ of Sec 1-104-62-Davison County

The plan is to install approximately 51,423 ft of 4" to 15" drain tile. The water will outlet into Sanborn County onto property also owned by Estabrook AG.

Application received: July 22, 2024.

Applicant and necessary neighbors notified: August 5, 2024.

Published in the paper: August 8, 2024.

Administrator Bathke explained there were no calls from abutting property owners or other residents. This project was approved by the Sanborn County Drainage Board on August 14, 2024, pending approval from the Davison County Drainage Board.

Drainage Administrator Bathke presenting the project, citing the drainage system will cross under 244th St. and outlet into Sanborn County onto property also owned by Estabrook AG and into an established blue line.

Scott Estabrook noted the blue line enters Dry Run Creek.

Board members were given a few minutes to review the items to consider prior to a decision, in accordance with Section 2:05 of the Davison County Drainage Ordinance. The items were placed on the screen for all to view.

A roll call vote was taken as follows: Buchholz – aye, Bult – aye, Edinger – aye, Kiner – aye, Nebelsick – aye, Klumb – aye, Larson – aye. Motion carried.

CONSIDER EILTS DRAINAGE REQUEST

Motion by Edinger, second by Klumb, based on findings, to grant a drainage permit to drain the following, as requested by Melvin Eilts.

1. Tract 1 in the SW ¼ and NW ¼ of Sec 34-104-60-Davison County.
2. Lot MM in Koltes Subdivision in the SW ¼ of Sec 34-104-60-Davison County.

The plan is to install approximately 29,954' of 4" and 6" drain tile. The water will outlet in Tract 1 in the SW ¼ and NW ¼ of Sec 34-104-60-Davison County.

Application received: August 1, 2024.

Applicant and necessary neighbors notified: August 5, 2024.

Published in the paper: August 8, 2024.

Administrator Bathke explained there were three calls from abutting property owners or other residents. This project is also partially on property owned by the City of Mitchell.

Derek Evans from Gridline Field Tile Installation presented the project. Mr. Evans noted that the drainage system will have three outlets with the NW outlet draining into a newly created pond which is a borrow pit for the Highway 37 reconstruction, the NE outlet will drain east into Dry Run Creek, and the SE outlet will travel south to Firesteel Creek. Mr. Evans stated that they will be working with the adjacent landowner Doug Hanson and will be reinforcing the crossings with oversized rock.

Doug Hanson, the adjacent landowner, appeared before the board and cited that he reviewed potential problem spots with Mr. Evans, and they found solutions to ensure the outlets do not cause erosion damage.

Joe Schoeder, City of Mitchell Public Works Director / City Engineer appeared before the board stating that the City of Mitchell has no concerns with the project. However, he suggested the project should be contingent upon Mr. Eilts and the City reaching a written agreement for the drain tile to be installed on city property.

Board members were given a few minutes to review the items to consider prior to a decision, in accordance with Section 2:05 of the Davison County Drainage Ordinance. The items were placed on the screen for all to view.

Special Conditions:

The project receive approval from the City of Mitchell for Lot MM in Koltjes Subdivision in the SW ¼ of Section 34-104-60, Davison County

A roll call vote was taken as follows: Bult – aye, Edinger – aye, Kiner – aye, Nebelsick - aye, Klumb – aye, Buchholz -aye, Larson – aye. Motion carried.

DRAINAGE VIOLATION

Drainage Administrator Bathke informed the board Glen Lowrie was given until August 19, 2024, to have an easement signed with Doug Müller and complete the drainage project by installing a 10" solid drain tile as shown on the original application presented to the Board on June 18, 2013. We have not heard from Mr. Lowrie since. However, Doug Müller has confirmed the pipe is installed, but he did not give Mr. Lowrie an easement.

Member Edinger inquired about imposing another fine.

Bathke noted that an easement cannot be forced between individual landowners. Mr. Bathke stated that he would inspect it later this week but is glad that this eleven-year problem has finally been resolved.

ADMINISTRATIVELY APPROVED APPLICATIONS

Administrator Bathke informed the board there were no Administratively Approved Applications.

MISCELLANEOUS ITEMS

None.

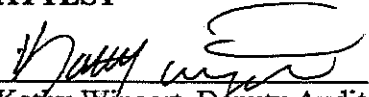
SET DATE AND TIME FOR NEXT MEETING

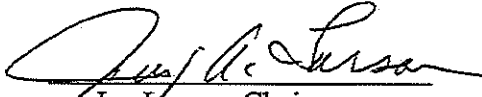
Chairperson Larson set September 17, 2024, at 7:00 p.m. as the next meeting date and time.

ADJOURN

At 7:48 p.m., Chairman Larson adjourned the meeting.

ATTEST


Kathy Wingert, Deputy Auditor, for
Jim Matthews, Previous Deputy Auditor


Jay Larson, Chairman

Publish Once
Approximate Cost

DRAINAGE BOARD
September 17, 2024

CALL TO ORDER

Chairman Larson called the regular meeting of the Davison County Drainage Board to order at 7:00 p.m. Deputy Auditor Wingert took roll call as follows: Members of the Board present were Larson, Edinger, Buchholz, and Klumb. Members Absent were Bult, Nebelsick, and Kiner. Ex-Officio members present were Drainage Administrator Bathke. Ex-Officio members absent were Deputy Administrator Wegleitner, Highway Superintendent Weinberg and Director of Equalization Vissia.

Guests – Scott Estabrook and James Mathis.

MEETING EXPECTATIONS

Chairman Larson recited expectations of the meeting.

A checklist of items required in accordance with the Davison County Drainage Ordinance and SDCL 46A-10A will be considered on each permit. The checklist is on file in the Davison County Auditor's office and the Drainage Administrator's office.

APPROVE AGENDA

Motion by Klumb, second by Edinger to approve the agenda for the September 17, 2024, meeting. All members voted aye. Motion carried.

DECLARE CONFLICTS OF INTERESTS

Chairman Larson asked for any conflicts of interests. Hearing none, the meeting moved forward.

APPROVE MINUTES

Motion by Edinger, second by Klumb to approve the minutes of the August 20, 2024, meeting. All members voted aye. Motion carried.

PUBLIC INPUT & CITIZEN COMPLAINTS

Chairman Larson asked for any public input for items not on the agenda and reminded all in attendance that no action will be taken. Hearing none, the meeting moved forward.

CONSIDER ESTABROOK AG DRAINAGE REQUEST

Motion by Edinger, second by Klumb, based on findings, to grant a drainage permit to drain the following, as requested by Estabrook AG.

1. SW ¼ of Sec 2-104-62-Davison County, EX the S729' of the W1,328'
2. SE ¼ of Sec 2-104-62-Davison County

The outlet will be in the SW ¼ of Sec 36-105-62-Sanborn County.

The plan is to add approximately 39,396 ft of 4" drain tile to an existing drainage system which was approved in 2017. The water will outlet into Sanborn County onto property also owned by Estabrook AG.

Application received: August 30, 2024.

Applicant and necessary neighbors notified: September 4, 2024.

Published in the paper: September 6, 2024.

Administrator Bathke explained there were no calls from abutting property owners or other residents.

Board members were given a few minutes to review the items to consider prior to a decision, in accordance with Section 2:05 of the Davison County Drainage Ordinance. The items were placed on the screen for all to view.

A roll call vote was taken as follows. Buchholz –aye, Edinger –aye, Larson –aye, Klumb –aye. Motion carried 4-0.

ADMINISTRATIVELY APPROVED APPLICATIONS

Administrator Bathke informed the board there was one Administratively Approved Application for Scott Estabrook and Nicole Johnson on September 4, 2024. The legal description of the project is the NE ¼ of Section 1, T102, R62, Davison County. The drainage plan is to complete maintenance surface drainage of non-Wetland areas. The scraper will smooth out the bottoms of the existing drainage paths and remove silt and debris. The original depth and capacity of the drainage will not be exceeded, and the path of the flow will not be altered. This is for information only, no vote required.

MISCELLANEOUS ITEMS

None.

SET DATE AND TIME FOR NEXT MEETING

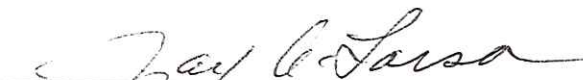
Chairperson Larson set October 15, 2024, at 7:00 p.m. as the next meeting date and time.

ADJOURN

At 7:32 p.m., Chairman Larson adjourned the meeting.

ATTEST


Kathy Wingert, Deputy Auditor


Jay Larson, Chairman

Publish Once
Approximate Cost

DRAINAGE BOARD

December 17, 2024

CALL TO ORDER

Chairman Larson called the regular meeting of the Davison County Drainage Board to order at 7:00 p.m. Auditor Wingert took roll call as follows: Members of the Board present were Jay Larson, Chet Edinger, Jerry Buchholz, Gregg Bult, Mark Klumb, Denny Kiner, & Chris Nebelsick (called in at 7:07 P.M.). Members Absent were none. Ex-Officio members present were Drainage Deputy Administrator Wegleitner. Ex-Officio members absent were Drainage Administrator Bathke, Highway Superintendent Weinberg, and Director of Equalization Vissia.

Guests – Travis Gerlach, Frank Luzack, and Curtis Mueller.

MEETING EXPECTATIONS

Chairman Larson recited expectations of the meeting.

Each permit will be considered based on a checklist of items required in accordance with the Davison County Drainage Ordinance and SDCL 46A-10A. The checklist is on file in the Davison County Auditor's office and the Drainage Administrator's office.

APPROVE AGENDA

Motion by Gregg Bult, second by Chet Edinger to approve the agenda for the December 17, 2024, meeting. All members voted aye. Motion carried.

DECLARE CONFLICTS OF INTERESTS

Chairman Larson asked for any conflicts of interest. Mark Klumb recused himself due to being an abutting neighbor to item # 8, Roger Gerlach's drainage application.

APPROVE MINUTES

Motion by Mark Klumb, second by Chet Edinger to approve the minutes of the September 17, 2024, meeting. All members voted aye. Motion carried.

PUBLIC INPUT & CITIZEN COMPLAINTS

Chairman Larson asked for any public input for items not on the agenda and reminded all in attendance that no action would be taken.

Frank Luzack spoke about Loren VanOverschelde's drainage application administratively approved on May 21, 2024. He stated Mr. VanOverschelde's project can't go on his land without his approval.

ROGER GERLACH DRAINAGE VIOLATION

Motion by Chet Edinger, second by Jerry Buchholz, based on findings, to grant a drainage permit to drain the following, the N ½ of the NW ¼ of Section 30, T 101 N, R 61 into Tobin Township Road ditch.

The applicant started filling in the field ditch without a drainage permit. The applicant explained water comes from the west and creates erosion, which causes the land to be unfarmable. The plan would be to fill in the field ditch and clean the Tobin Township Road ditch south of the property to help with farming.

Application received: December 2, 2024.

Applicant and necessary neighbors notified: December 3, 2024.

Published in the paper: December 7, 2024.

Deputy Administrator Wegleitner explained there were no calls from abutting property owners or other residents.

The Planning & Zoning Office received complaints of a drainage ditch being filled in on Roger Gerlach's property. Upon investigation, we found this to be correct and the work was being done without a drainage permit. Travis Gerlach was present and explained they filled in the ditch to make it farmable and didn't realize he needed a permit. He stated they bought the property a year ago and thought it was neglected work. He explained water flows from the west into his field instead of the road ditch as the culverts at 266th St. and 400th Ave. can't handle the water and create erosion which makes the ground unfarmable. He has plans to clean out the Tobin Township Road ditch. Travis explained to the board where the water flows on his property and when it goes into the road ditch.

Curtis Mueller from Tobin Township was present. He stated they have no issues with anyone trying to improve their property, but they would like to be informed so they can work together as some of it will affect the Township. Curtis explained they didn't get into any yellow dirt and all they did was maintenance. He explained the corner of 266th and 400th needs more maintenance but it's a catch 22 on putting more pipes in or increasing pipe sizes.

The board asked about any neighbors' concerns. I had no calls or letters with concerns. Mark Klumb, an abutting neighbor, stated we will see with the next rain how it all flows. He knows ditches weren't made for water, but water shouldn't be flowing in and out of the ditch as something is wrong with the ditch. Ditches shouldn't be higher than the ground. The board approved the permit with no other fees since he paid a \$500 fine and Tobin Township is okay with the work.

Board members were given a few minutes to review the items to consider prior to a decision, in accordance with Section 2:05 of the Davison County Drainage Ordinance. The items were placed on the screen for all to view.

A roll call vote was taken as follows. Buchholz – aye, Bult – aye, Edinger – aye, Larson – aye, Kiner – aye, Nebelsick (call-in) - aye, Klumb – abstain. Motion carried.

ADMINISTRATIVELY APPROVED APPLICATIONS

Deputy Administrator Wegleitner informed the board there were two Administratively Approved Applications since the last meeting.

An application for Shannon & Michelle Klumb was administratively approved on November 1, 2024. The legal description of the land to be drained is the N ½ and the SE ¼ of the NW ¼ of Section 27, T 101 N, R 61 in Davison County, except the NE ¼ of the NE ¼ of the NW ¼. The drainage plan is to install approximately 2,400' of 10", 1,450' of 6", and 24, 545' of 4" drain tile, which will outlet into a

blue line to the north, which will drain into the Twelve Mile Creek. The inlet and outlet will remain on the applicant's land. This is for information only; no vote is required.

An application for Nicole Johnson & Scott Estabrook was administratively approved on November 18, 2024. The legal description of the land to be drained is the SW ¼ of Section 26, T 103 N, R 62 in Davison County with the outlet on the same property. The drainage plan is the removal of silt and debris from the existing watercourse to remove a small amount of ponding in non-wetland areas. The original depth and capacity of the drainage will not be exceeded, and the path of the flow will not be altered. This is for information only; no vote is required.

MISCELLANEOUS ITEMS

None.

SET DATE AND TIME FOR NEXT MEETING

Chairperson Larson set January 21, 2025, at 7:00 p.m. as the next meeting date and time.

ADJOURN

At 7:42 p.m., Chairman Larson adjourned the meeting.

ATTEST

Kathy Wingert, Auditor

Jay Larson, Chairman

Publish Once
Approximate Cost