

Yankton County Drainage Commission
April 25, 2017

The monthly public meeting of the Yankton County Drainage Commission was called to order by Chairperson Paul Dummer at 7:00 p.m. on April 25, 2017.

Members present at call to order: Epp, Kirschenman, Gunderson, Hansen, Dummer and Kruse.
Members absent: Kotalik, Kralicek Jr., and Healy.

Action 42517A: Moved by Epp, second by Gunderson to approve the March 28, 2017, Drainage Commission minutes as written.

By voice vote, all members present voted aye.

Motion carried.

The Drainage Administrator reported on the Jamesville Colony drainage permit.

This is the time and place for discussion with Roger Neth. Applicant is requesting a Drainage Permit to install tile drainage in Yankton County. Said property is legally described as SW1/4, exc Lot R-1, S27-T96N-R57W, hereinafter referred to as Odessa Township, County of Yankton, State of South Dakota.

Mr. Neth, presented his drainage plan to the commission with proposal to install a tile with outlet to a "blue line" stream. The site plan requires an easement from neighboring property owners. The property owners are not able to complete an easement prior to the drainage commission meeting. The neighbors are willing to complete an easement but want a more detail than the generic easement with the drainage permit.

The drainage commission discussed the application and stated the applicant has presented the application in the past and now close to an agreement. Mr. Gunderson states the application should be approved with recommendation to have the easement completed before the drainage board meeting. Mr. Kruse stated the approval process should maintain the policy of all requirements for an application be reviewed and recommended for action by the drainage commission. Mr. Epp agreed with requiring all information be available before recommendations to the drainage board. No other comments were received at the meeting or to the Drainage Administrator.

Action 42517B: Moved by Gunderson, second by Kirschenman to recommend approval for the drainage permit, with condition the required easement be completed before the Drainage Board meeting. Said property is legally described as SW1/4, exc Lot R-1, S27-T96N-R57W, hereinafter referred to as Odessa Township, County of Yankton, State of South Dakota.

By roll call vote, two (2) members present voted aye, four (4) members present voted nay.

Motion failed.

Action 42517C: Moved by Kruse, second by Epp to recommend table the application until all requirements are fulfilled and the drainage commission votes to "take item from the table". Said property is legally described as SW1/4, exc Lot R-1, S27-T96N-R57W, hereinafter referred to as Odessa Township, County of Yankton, State of South Dakota.

By roll call vote, four (4) members present voted aye, two (2) members present voted nay.

Motion carried.

This is the time and place for discussion with Hugh Healy. Applicant is requesting a Drainage Permit to install tile drainage in Yankton County. Said property is legally described as SE1/4, S23-T96N-R55W, hereinafter referred to as Mayfield Township, County of Yankton, State of South Dakota.

Hugh Healy, stated his request to install field tile with a six (6) inch outlet to enter an open pasture across neighboring pasture to the “blue line” stream. The easement is completed with the adjacent property owners and in the application.

No other comments were received at the meeting or to the Drainage Administrator.

Yankton County Drainage Commission

Meeting date: April 25, 2017

Yankton County Drainage Ordinance #19

Article III

Section 3.09 Section 3.10

FINDINGS OF FACT

Applicant: Hugh Healy

Parcel Number: 08.023.200.010

Legal description: SE1/4, S23-T96N-R55W

Physical Address: 295th Street and 445th Avenue

SECTION 3.09

1. The flow or quantity of water to be drained will not overburden the water course into which the water will be drained. The property shows elevation change (greater than 2% grade) and depth / width (greater than two (2) feet) for the drainage project.
2. The drainage will not flood or adversely affect the land of the lower proprietors, or in the case of an impediment to drainage whether such an impediment will not flood or adversely affect upstream land owners. The drainage outlet is six (6) inches and blue line capacity is sufficient and the slope is greater than 3% to assure proper flow.
3. Easements will be granted where required. Easement is required from adjacent property.
4. The drainage will not negatively affect agricultural productivity. The drainage will not affect agricultural productivity.
5. The land affected or the land drained is and will remain rural in character. The land is rural in character and will remain rural in character.
6. When the land to be drained is rural land, the presumption and factors set forth in SDCL 46A-10A-20 will be satisfied. All legal controls for drainage as stated are in compliance.
7. Adequate precautions have been taken to ensure that roadways will not be negatively impacted. Adequate precautions are in place with sufficient infrastructure to handle water impact.
8. Recommendations from the Drainage Commission in the “Findings of Fact”. As stated in Section 3.10.

9. Such other factors the Drainage Board determines to be pertinent to the application. No other requirements.

SECTION 3.10.

1. Drainage into receiving watercourses which do not have sufficient capacity to handle the additional flow and quantity of water shall be considered to have an adverse effect. The applicant shall be responsible to provide sufficient evidence with third party verification when requested by the Drainage Commission or the Drainage Board. The property shows elevation change (greater than 1% grade) and depth / width (greater than two (2) feet) for the drainage project. The drainage has sufficient capacity and ability to properly drain the property.
2. Whether drainage is accomplished by reasonably improving and aiding the normal and natural system of drainage according to its reasonable carrying capacity, or in the absence of a practical natural drain, a reasonable artificial drain system is adopted. Subsurface agriculture tile drainage (1,000 feet) will be installed with a six (6) inch outlet to properly drain legally described agriculture property.
3. The amount of water proposed to be drained. The amount of water to be drained is reasonable and not affecting the available capacity.
4. The design and other physical aspects of the drain. The design and physical aspects of the tile drainage project meets current standards as provided by Drainage Design & Water Management, South Dakota State University / North Dakota State University / University of Minnesota.
5. The impact of sustained flows The sustained flows will not produce adverse conditions with a six (6) inch outlet and the downstream grade (greater than 3%) / stream (greater than two (2) feet depth and width) capacity in this application. All erosion issues must be mitigated with appropriate action by the applicant monitoring the long term impact of adverse impact on downstream landowner drainage system. Caution must be exercised to monitor potential cover ground erosion which may cause large open areas.
6. Recommendations from the Drainage Commission in the "Findings of Fact. The Drainage Commission further finds that the reasons set forth in the application and hearing for the drainage proposal does satisfy all Yankton County requirements for this drainage request. The Drainage Commission recommends to approve the permit.

Action 42517D: Moved by Gunderson, second by Kruse to recommend approval for the drainage permit, based on Findings of Fact dated April 25, 2017. Said property is legally described as SE1/4, S23-T96N-R55W, hereinafter referred to as Mayfield Township, County of Yankton, State of South Dakota.

By roll call vote, all members present voted aye.

Motion carried.

The agenda having been exhausted:

Action 42517E: Moved by Gunderson, second by Epp for adjournment.

By voice vote, all members present voted aye.

The next meeting of the Yankton County Drainage Commission will be held 7:00 pm,
May 23, 2017.

Respectfully submitted:
Patrick Garrity AICP
Drainage Administrator