

Yankton County Drainage Commission
March 28, 2017

The monthly public meeting of the Yankton County Drainage Commission was called to order by Vice Chairperson John Gunderson at 7:00 p.m. on March 28, 2017.

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

Action 32817A: Moved by Hansen, second by Kirschenman to approve the August 23, 2016, Drainage Commission minutes as written.
By voice vote, all members present voted aye.
Motion carried.

Action 32817B: Moved by Hansen, second by Kirschenman to approve the September 27, 2016 Drainage Commission minutes as written.
By voice vote, all members present voted aye.
Motion carried.

This is the time and place for discussion with Karl Schenk. Applicant is requesting a Drainage Permit to install tile drainage in Yankton County. Said property is legally described as E1/2, SW1/4 & SE1/4, S26-T94N-R55W, hereinafter referred to as Mission Hill North Township, County of Yankton, State of South Dakota.

Mr. Schenk, presented his drainage plan to the commission with proposal to install a tile beneath the Mission Hill township road (308th Street) to continue drainage along the “blue line” stream. The installation will have an eight (8) inch outlet and the road will be excavated to install the tile. Mission Hill Township will provide meeting minutes which approve the Right of Way occupation in the township.

The drainage commission discussed the application and stated the application is a simple request to install drainage tile beneath a township road. The applicant will provide the minutes from Mission Hill Township to complete the requirements of the regulations. No other comments were received at the meeting or to the Drainage Administrator.

Yankton County Drainage Commission

Meeting date: March 28, 2017

Yankton County Drainage Ordinance #19

Article III

Section 3.09 Section 3.10

FINDINGS OF FACT

Applicant: Karl Schenk

Parcel Number: 06.026.200.100

Legal description:

E1/2, SW1/4, & SE1/4, S26-T94N-T55W

Physical Address: 308th 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 3% 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 eight (8) 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 (ROW Occupation) is required from Mission Hill Township.
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 (1,815 feet) will be installed with an eight (8) 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 an eight (8) 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.
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 32817C: Moved by Kirschenman, second by Epp to recommend approval for the drainage permit, based on Findings of Fact dated March 28, 2017. Said property is legally described as E1/2, SW1/4 & SE1/4, S26-T94N-R55W, hereinafter referred to as Mission Hill North Township, County of Yankton, State of South Dakota.

By roll call vote, all members present voted aye.
Motion carried.

This is the time and place for discussion with Lyle Hauger. Applicant is requesting a Drainage Permit to install tile drainage in Yankton County. Said property is legally described as SE1/4, S27-T96N-R55W, hereinafter referred to as Mayfield Township, County of Yankton, State of South Dakota.

Mr. Hauger was not present at the public hearing and did not properly mail notification letters as required for a public hearing. The Drainage Commission tabled action until further notice.

Action 32817D: Moved by Gunderson, second by Kruse to recommend table of the Hauger application. Said property is legally described as SE1/4, S27-T96N-R55W, hereinafter referred to as Mayfield Township, County of Yankton, State of South Dakota.

By voice vote, all members present voted aye.
Motion carried.

The Drainage Commission discussed the Jamesville Colony tile installation and requested the Drainage Administrator contact Jamesville Colony to review the completed installation at the Drainage Commission meeting. The Drainage Administrator will contact Jamesville Colony to appear at the April 25, 2017 meeting.

Action 32817E: Moved by Epp, second by Hansen to review the Jamesville Colony tile installation.

By voice vote, all members present voted aye.
Motion carried.

This is the time and place for discussion with New Hope Farm Revocable Trust. Applicant is requesting a Drainage Permit to install tile drainage in Yankton County. Said property is legally described as Tract 1, Nelsen 2nd Addition, NE1/4, exc Nelsen Addition, NE1/4, S27-T94N-R55W, hereinafter referred to as Mission Hill North Township, County of Yankton, State of South Dakota.

Chris Nelsen, representing the New Hope Farms Revocable Trust, stated his request to install field tile with an eight (8) inch outlet to enter the Right of Way in 444th Avenue and then enter the “blue line” stream. The Mission Hill Township minutes will provide authorization to occupy the Right of Way and the Yankton County Highway Department will provide authorization to occupy the Right of Way. No other comments were received at the meeting or to the Drainage Administrator.

Yankton County Drainage Commission

Meeting date: March 28, 2017

Yankton County Drainage Ordinance #19

Article III

Section 3.09 Section 3.10

FINDINGS OF FACT

Applicant: New Hope Farms Revocable Trust

Parcel Number: 06.027.100.090

Legal description:

Tract 1, Nelsen 2nd Addition, NE1/4, exc Nelsen Addition, NE1/4, S27-T94N-R55W

Physical Address: 307th Street and 444th 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 3% 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 eight (8) 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 (ROW Occupation) is required from Mission Hill Township and Yankton County.
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 (5,335 feet) will be installed with an eight (8) 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 an eight (8) 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.
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 32817F: Moved by Kralicek, second by Kirschenman to recommend approval for the drainage permit, based on Findings of Fact dated March 28, 2017. Said property is legally described as Tract 1, Nelsen 2nd Addition, NE1/4, exc Nelsen Addition, NE1/4, S27-T94N-R55W, hereinafter referred to as Mission Hill North 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 32817G: Moved by Kirschenman, second by Kralicek 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,
April 25, 2017.

Respectfully submitted:
Patrick Garrity AICP
Drainage Administrator