

SPECIAL MEETING OF THE SARGENT COUNTY BOARD OF COMMISSIONERS AND SARGENT COUNTY WATER RESOURCE BOARD HELD ON FRIDAY, JULY 22, 2005 AT 9:00 A.M. IN THE CONFERENCE ROOM, SARGENT COUNTY COURTHOUSE.

The meeting was called to order by Mike Walstead, Commission Chairman. The following were present: Mike Walstead, Bill Anderson, Ray Brockman, Jerry Waswick and Steve Wyum of the Sargent County Commission; Dan Jacobson, Mark Breker, Randy Ptacek and Roger White of the Sargent County Water Resource Management Board; Lyle Bopp, Sargent County States Attorney; Sparky Engquist, Sargent County Highway Superintendent; Jim Kleingarn, Colin Stockstad and Randy Pearson, representing the Shuman Township Board of Supervisors; Doug Askerooth, Jerry Woytassek and Bill Woytassek, interested landowners effected by Crooked Creek; Sandy Hanson Sargent County Emergency Management Coordinator; and, Sherry Hosford, Sargent County Auditor.

The purpose of the joint meeting of the commissioners and Water Board was to discuss the water problem in the Crooked Creek channel from Buffalo Lake to the Wild Rice River. An attempt had been made to contact all affected landowners and invite them to the meeting.

Several short-term and long-term solutions to the water problem along Crooked Creek were suggested and discussed, including: restricting the flow of water through the culverts in county road #10; cleaning out the cattails that are restricting the flow of water through the downstream channel; and, building up the township road that was flooded after the upstream channel had been cleared of cattails. Cattails have choked the channel and restricted water flow in Crooked Creek, backing water up against county roads #1 and #10 and into Edwin & Marlys Erickson's farmyard and Woytassek's cropland. Cleaning cattails from the channel from Buffalo Lake through the set of culverts in County Road #1 east of County road #10 increased water flow in that part of the channel. Some landowners anticipate access problems to some fields as well as additional crop flooding. The Water Board and the commissioners had agreed, on July 19, to restrict the flow of water through the culverts at County #10. A cap had been installed on the 30" culvert on Wednesday, July 20, but it was removed by a person or persons unknown approximately 6 hours later.

The 1997 flooding problems were discussed. Those present were reminded that Crooked Creek is a natural waterway and each landowner is responsible for cleaning the section of the waterway that runs through their land.

Sandy Hanson recapped the work in 1996-1997 on Crooked Creek that FEMA agreed to pay but stated that FEMA cannot pay private individuals. In 2000 another section of the creek was cleaned out and the cleaning was paid for by the landowners. There has been no work in the creek since that time.

Some options available include: 1) Establish a legal drain, upon an affirmative vote of the landowners in the Crooked Creek drainage area; 2) Create an assessment area under the supervision of the Water Resource Management Board at the request of the Board & with the approval of the County Commission; or 3) Clean the creek voluntarily with all landowners agreeing, in writing, to pay their share before proceeding with the work. An engineering study would have to be completed in order to establish the boundaries of a legal drain or an assessment district.

The landowners and the Water Resource Board members also discussed using an aerial applicator to spray herbicide on the cattails, which would not solve the immediate problem, but would clear cattails from the channel for several years in the future. Some landowners expressed the opinion that it was a mistake to remove the upstream restrictions, allowing the water to move through those areas too quickly. Supt. Engquist has inspected this area and has observed that the water has been dropping about one foot per week and he thinks that the flow of water will decrease quickly.

One of the concerns is an access road for Jim Kleingarn between Section 23-24/131-54. Roger Brekke and John Lunneborg also have field access problems. Supt. Engquist estimated that it would take approximately 160-170 yards of rock to build up the road and make it possible to use the section line road for access to Mr. Kleingarn's field. The water flow from upstream should be restricted to complete the project as quickly as possible. This is a township road and the Shuman Township board members agreed to complete the work with their funds. Supt. Engquist will monitor the level of water and the culvert restriction.

The Water Board will consider establishing an assessment area and will continue to study the possibility of diverting excess water from Buffalo Lake to the Nathe/Wyum and Malady/Lunneborg Lake area.

Meeting adjourned at 10:25 a.m.

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MARK BREKER - CHAIRMAN

ATTEST:

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SHERRY HOSFORD - SECRETARY