

**RESOLUTION NO. 12-01
BROWN'S CREEK WATERSHED DISTRICT
BOARD OF MANAGERS**

**ORDERING PUBLIC HEARING FOR
IRON-ENHANCED SAND FILTER PROJECT**

Manager VANZWE offered the following resolution and moved its adoption, seconded by Manager TAILOR:

WHEREAS the Brown's Creek Watershed District (District) has adopted a watershed management plan (plan) in accordance with Minnesota Statutes section 103B.231;

WHEREAS the plan commits the District to developing, in collaboration with the Middle St. Croix Watershed Management Organization and the City of Stillwater, attainable water-quality improvement goals and a management plan for McKusick Lake;

WHEREAS the McKusick Lake Management Plan was completed cooperatively in 2007, and calls for the removal of 148 pounds of phosphorous from the portion of the Brown's Creek watershed tributary to McKusick Lake each year;

WHEREAS the capital improvement program in the plan states that the District will implement projects to achieve the goals in the lake management plan for improvement of the quality of stormwater runoff to McKusick Lake from the Brown's Creek watershed;

WHEREAS the District Board of Managers has approved a conceptual design for a capital improvement project to incorporate an iron-enhanced sand filter into the Trout Stream Mitigation Project Diversion, an existing stormwater-treatment facility on property owned by the City of Stillwater, to reduce phosphorus in runoff to Lake McKusick (the Project);

WHEREAS the District has received a \$158,800 Clean Water Fund grant from the state Board of Water and Soil Resources for the Project and the District has entered into an agreement to receive and use the funds;

WHEREAS Minnesota Statutes section 103B.251 authorizes the District to certify for payment to the county or counties wherein a project is located any or all costs of a capital improvement project contained in the District's capital improvement program;

WHEREAS pursuant to Minnesota Statutes section 103B.251, subdivision 3, the District must issue notice of and hold a public hearing before ordering an improvement project.

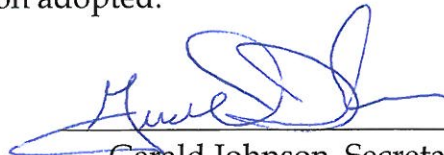
THEREFORE BE IT RESOLVED that the Board of Managers directs the administrator to issue notice of and convene a public hearing in accordance with Minnesota Statutes section 103B.251 on April 9, 2012, as part of its regular meeting to allow the Board of Managers to hear and consider the statements of all interested parties prior to determining whether to order the Project.

The question was on the adoption of the resolution and there were 5 yeas and 0 nays as follows:

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
JOHNSON	✓			
LEISER	✓			
PUNDSACK	✓			
TAILLON	✓			
VANZWOL	✓			

Upon vote, the Chair declared the Resolution adopted.

Dated: March 12, 2012.

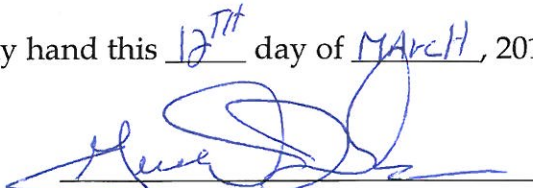


Gerald Johnson, Secretary

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I, GERALD JOHNSON, Secretary of the Brown's Creek Watershed District, do hereby certify that I have compared the above resolution with the original thereof as the same appears of record and on file with the District and find the same to be a true and correct transcription thereof.

IN TESTIMONY WHEREOF, I set my hand this 12TH day of MARCH, 2012.



Gerald Johnson, Secretary