

Resolution No. 25-01

**Brown's Creek Watershed District
Board of Managers**

**Ordering the Brewers Pond Separator Project and
authorizing execution of a cost-share agreement with the City of Stillwater, along
with work in support of the project by the administrator**

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

Whereas Brown's Creek Watershed District has an adopted watershed management plan in fulfillment of Minnesota Statutes section 103B.231, and the plan includes - in Table 20 specifying issues, policies and goals pertaining to wetland management - a policy of maintaining improving the functions and values of degraded and drained wetlands in the watershed, and Brewers Pond is a degraded wetland and is identified in Table 21 as a wetland for which BCWD would develop a management plan, and in Table 60, BCWD's implementation program in the 2017-2026 plan, funding is provided for development of such a management plan;

Whereas the plan also notes - in Table 54 of section 3.15, describing funding options for implementation of plan goals - that BCWD will leverage partnerships with entities that share BCWD's goals to achieve more innovative and cost-effective watershed management, and Table 60 notes that BCWD will cost-share with municipalities and others to fund capital improvements to increase the number of community-led projects that achieve plan goals;

Whereas, in engagement sessions initiated by BCWD to develop a management plan for Brewers Pond, BCWD staff and engineers worked with residents on Brewers Pond to identify goals and opportunities to improve water quality in the wetland, the BCWD engineer found that sediment loading is a significant issue by the community;

Whereas in reviewing the Northland Avenue drainage area for water-quality improvement opportunities, BCWD and City of Stillwater staff identified a need to address erosion along a storm-sewer pipe from Northland Avenue to Brewers Pond that is experiencing washouts causing sediment to reach the pond, and in developing plans for replacing the pipe (the Pipe Project), BCWD requested inclusion of stormwater treatment in the Pipe Project and city staff determined, in consultation with BCWD staff and engineers, that adding a storm-sewer separator to the pipe to remove pollutants and sediment from stormwater flowing to the pond would be feasible (the Separator);

Whereas the BCWD engineer assessed the effectiveness of including the Separator in the Pipe Project, and determined that it would remove approximately 480 pounds of sediment from stormwater flowing to the pond each year;

Whereas the City of Stillwater prepared the necessary technical documents and solicited a contractor for construction of the Pipe Project with the Separator included, and received two quotes, the lower of which included the Separator at a cost of \$23,000;

Whereas the BCWD Board of Managers held a duly noticed public hearing on the Brewers Pond Separator Project pursuant to Minnesota Statutes section 103B.251, subdivision 3, at the January 8, 2025, regular meeting of the managers, at which interested members of the public were provided with the opportunity to comment on the Separator project, and no comments were offered; and

Whereas in consideration of the above-cited plan basis and record in the matter, the board of managers finds that the Brewers Pond Separator Project will be conducive to public benefit and promote the general welfare, and represents a cost-effective contribution to the implementation of the watershed plan and the fulfillment of BCWD's powers and purposes under Minnesota Statutes chapters 103B and 103D.

Now, therefore, be it resolved that the Brown's Creek Watershed District Board of Managers hereby orders the Brewers Pond Separator Project, and directs that BCWD's costs thereof be funded through a watershed-wide levy;

Be it further resolved that the BCWD Board of Managers authorizes the president to enter into an agreement for reimbursement of the City of Stillwater's costs for the implementation of the Brewers Pond Separator Project of not to exceed \$23,000, and otherwise directs the administrator to take the necessary steps within her authority to implement the project.

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

	<u>Yea</u>	<u>Nay</u>	<u>Abstain</u>	<u>Absent</u>
Eckles	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
LeRoux	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Odebrecht	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sahulka	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Wirth	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Upon vote, the president declared the resolution adopted January 8, 2025.

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I, Debra Sahulka, 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 BCWD and find the same to be a true and correct transcription thereof.

IN TESTIMONY WHEREOF, I set my hand this _____.

Debra Sahulka, Secretary