

STILLWATER TOWN BOARD MEETING

May 19, 2022

Township Hall - *Hybrid

7:00 P.M.

PRESENT: Chairperson Sheila-Marie Untiedt, Supervisors Mike McMahon, Tim Sinclair, Robert Geisen and Rod Hunter. Clerk Barbara Riehle, Community Service Officer Mark Caroon and Planner Evan Monson.

REGULAR MEETING

1. AGENDA – M/S/P Sinclair/Geisen moved to adopt the amended agenda to include signing recycling Grant paperwork; reading library letter; postcard quote. (5 ayes)

2. MINUTES – M/S/P McMahon/Sinclair moved to approve the 04/21/22 Regular meeting minutes which include closed session portion. (5 ayes)

M/S/P Geisen/McMahon moved to approve the 04/28/22 Regular/Public meeting minutes. (5 ayes)

3. ATTORNEY- Not present.

4. ENGINEER – Not present. Current Snow removal and Road & Trail Maintenance contracts expire in November 2022. Next month the updated bids should be ready for review.

5. TREASURER –

a. Not present – no report given.

b. Claims and Checks #23829 through #23851 were approved for payment.

6. PLANNER- Evan Monson was present to give an overview recap of the AOP discussions which was previously tabled from both March and April meetings. There were items the Town Board were to looking into.

1.) Watershed permits.

2.) Washington County Planner, Kurt Howard and the "Grandfathered" status

3.) Clay liner status.

Steve St. Claire reported that he talked with Mike Isensee the Administrator at Carnelian Marine St Croix Watershed District (CMSCWD) who issued a Conditional permit in October 2020 and had some Engineering questions at that time. They have since hired a new Engineering firm, Sunde, and now they are working to complete (within a month). Sunde provided the technical engineering calculations to CMSCWD. Stillwater Township has not received any notification from Mr. Isensee that this has been completed and therefore its status is pending at this time.

Supervisor Untiedt spoke with Planner Kurt Howard at Washington County regarding "Grandfather status". He is not taking a position nor making a statement on the issue. Supervisor Sinclair asked whether our Attorney has been consulted on this matter?

Steve St Claire reported that Sunde completed the clay liner status review. They came out and did some test excavation and verified. The infiltration/storm water

management/recycle stock pile area was reviewed and Sunde put together their site plan. They want to make improvements based on storm water management quality. Supervisor McMahan asked how much is done already, and where is the water going? Mr. St Claire stated the water is retained and managed on site but he cannot answer in more detail as that is an Engineering/MPCA question. Supervisor McMahan believes this report has been required but not done. Supervisor Sinclair listed and read some of the CMSCWD concerns. Beyond the clay liner improvements, they looked at the sediment basin to further manage the storm water through infiltration. There were concerns around recycling with the run-off from rainfall events. CMSCWD does not manage groundwater. MPCA would be the managing agency. Supervisor Hunter would like to see our Attorney and Washington County Attorney have a conversation for clarification regarding the "Grandfather status".

The following discussions continued regarding the AOP Renewal Raleigh/Miller Mining pit:

- Resident Brian Friermuth a directly close neighbor to the mine had concerns: Run-off, groundwater, recycling Grandfather status confusion.
- MPCA asks for self-management and it is required to show Engineer proof.
- Resident Kacey Strandemo asked when the water goes into a retaining pond, who tests the water and how often is it tested? Supervisor Sinclair asked Mr. Isensee who told him that the Washington County Planning Advisory Commission has authority on time and frequency of testing under direct recommendations from CMSCWD. Has it been tested in the last 16 years? The reports have yet to be seen. What then will the Township do if it doesn't meet the standards? Not issue the permit. If conditions are not met, and corrective action is not taken, then the Township would have the authority to revoke the permit.
- Resident Kelly Steele stated that a business should be required to follow regulations. Any business should already have compliant reports every year.
- Steve St Claire stated that asphalt/concrete is a beneficially used product that has a special statute by MPCA.
- Supervisor McMahan read Subsection-7 regarding Solid Waste Storage (A-F); Statute 7035.2855 states anyone with beneficial use/Storage, is requires written by a Certified MN Licensed Engineer stating that the storage facility is designed and constructed and meet the requirements.
- A written certification from an Engineer would be a requirement saying it meets all the subsection 7; Sunde and Township Engineer Mike Nielson will be asked to communicate.
- Resident Brian Friermuth asked whether there is any verification of how many loads are going through?
- Private Third-party Independent water testing to be done 2x/year and be reported back as a condition- frequency, standards.
- The requirements may vary for each organization. MPCA, CMSCWD, Washington County, Brown's Creek Watershed District.
- Resident Mitch Reiners spoke on the North/South pit Grandfathered status concerns. Mr. Reiners also spoke on the storm water run-off through the recycled aggregate/concrete, but Chapter 7 of the Conditional Use of mining regulations of imported soil & fill has not been addressed. Chapter 7 requires all clean fill to be

tested prior to being entered into the pit for compounds and heavy metals. This has not been done.

- Big projects versus residential projects. Written certified testing and reporting.
 - MPCA guidelines and Washington County mining regulations 7.2.
 - Following the 4/28/22 TB meeting; Mr. Reiner's was asked to provide a detailed list to the Town Board Supervisors of concerns/violations. i.e., setbacks, depth of mine.
 - Mining operation within the setback – Steve St Claire reports they stake it out with the Surveyor.
 - Mr. Reiner's sent a 78-page report to the Town Board Supervisors for their review.
 - Setbacks should be reviewed by a surveyor. Washington County should be consulted on this topic.
 - Supervisor Sinclair suggests an official letter from Planner/Attorney be sent to Washington County to address our resident concerns and request follow through. It should be copied to Commissioner Gary Kriesel and Planner Kurt Howard and Public Health Dept.
 - Recap of follow up:
 - Ask County – water testing plans?
 - Fill soil – testing requirements
 - Grandfathering – Attorneys to talk
 - Status CMSCWD on permit
 - Written Engineer MN Licensed Certification report (Sunde) meets requirements of Storage Facility 7035-2855 Subpart 7.
 - Third-party independent water testing – applicant will hire someone to supply that service.
 - Write Official letter to Washington County regarding setbacks
 - Depth of pit – water table concern – Washington County issue
 - Engine braking – call or email Miller to report the truck numbers and names. They will continue to work with CSO Mark Caroon and Sheriff Office for targeted enforcement.
7. COMMUNITY SERVICE DEPARTMENT – Mark Caroon was present to give a report.
- There were 5 burning permits issued in April.
 - There was 1 dog impounded in April that went out for adoption via rescue.
 - There were 4 animal complaints in April.
 - There were 57 total monthly calls for April.
 - CSO Caroon reported on the Special Events permit issues for the Stillwater Half Marathon Run 5k happening on May 28 (7am-12pm) – State Patrol is hired for the crossing at Hwy96/Norell. The course is posted and has not changed from previous years.
 - Bear sightings increased – keep bird feeders in.
 - Please allow 48-hours to issue a burn permit. Yes, he comes out to look at the pile.
8. CLERK
- A. Redistrict Polling Place Resolution, Precinct and Maps – Clerk Riehle has posted this information to the website and the bulletin boards. More information to come regarding the Primary.

B. Chair to Sign Recycling Grant– Chairperson Supervisor Sheila-Marie Untiedt signed the recycling grant form. This will be submitted.

C. Ad-Hoc Committee – The committee will continue to meet. Monday, May 23rd at 2pm is the next meeting. Residents were encouraged to watch the Community Events calendar on the website where the most up to date information can be found.

D. Library letter – Clerk Riehle read aloud a thank you letter for our Township donation from Library Director Mark Troendle.

9. PLANNING COMMISSION – No report.

10. PARK COMMITTEE – No Report. They recently met for a park tour.

11. COMMUNICATION COMMITTEE – Clerk Riehle reported. Collaboratively with the Ad-Hoc committee, the committee would like to reach all households in our Township community by sending a postcard out that coincides with the newsletter distribution. By doing this, it is the hope to get high participation to take the Internet speed test which is password sensitive. The postcard will have this information. In addition, Code Red was also discussed as an option, again hoping for high participation.

M/S/P McMahon/Geisen moved to approve up to \$400 expenditure for the postcard. (5 ayes)

12. OLD BUSINESS

- HVAC Bids - Supervisor Tim Sinclair would like to utilize the available Covid-19 monies, if possible, for this. Supervisor Mike McMahon is working on bringing bids in when time allows.

13. NEW BUSINESS – No report.

14. ADJORNMENT – M/S/P Sinclair/McMahon moved to adjourn the meeting. The meeting was adjourned at 8:55 P.M. (5 ayes)

Clerk _____

Chairperson _____

Approved _____