

BY-LAWS  
of the  
Stevens Point Urban Area  
Sewer Service Advisory Committee

PREAMBLE

In accordance with the ongoing relationship between the Wisconsin Department of Natural Resources (DNR) and the Portage County Planning and Zoning Department, a Stevens Point Urban Area Sewer Service Advisory Committee is formed and may adopt by-laws to govern its operation. It is the intent of this Advisory Committee to enact these by-laws, consistent with the laws of the State of Wisconsin, to further define its role and operating procedures. The Advisory Committee's function is to provide recommendations to the Planning and Zoning Department in producing the Stevens Point urban area's "Areawide Water Quality Management Plan", a component of the State's Water Quality Management Plan. After completion of the local Plan, the Advisory Committee is intended to have local review authority over local sewer boundary expansions and other amendments to the above local Plan.

Article I – Name of Committee

Section 1. The name of this committee shall be the Stevens Point Urban Area Sewer Service Advisory Committee, and hereinafter shall be referred to as the Advisory Committee.

Article II – Authority and Purpose

Section 1. Section 208 of Public Law 92-500 passed by Congress in 1972 requires the State of Wisconsin to prepare areawide water quality management plans to achieve the overall goal of making Wisconsin's water fishable and swimmable.

Section 2. Pursuant to the mandates of Public Law 92-500, the Wisconsin Legislature created Chapters 281.11, and 283.83 of the Wisconsin Statutes, which authorizes the DNR to organize a comprehensive State program for the enhancement and protection of all waters of the State. Under this authority, Chapter NR121 of the Wisconsin Administrative Code was established specifying the policies, procedures, and requirements for Wisconsin's areawide water quality planning process.

Section 3. NR121.05(g)(4) requires that an Areawide Water Quality Management Plan (AWQMP) be prepared for urban areas over 10,000 in population. The overall purpose of this plan and planning process is to:

- Protect and enhance water quality.
- Encourage the most cost-effective method of providing public services, particularly wastewater treatment.
- Protect environmentally sensitive areas.

Section NR121.05(g)(4) further specifies that preparation of this AWQMP should be carried out by a local planning agency in conjunction with a local policy advisory committee consisting of representatives of the various local units of government within the planning area.

### Article III – Functions and Responsibilities

Section 1. The overall function of the Advisory Committee shall be to oversee and guide the preparation of an AWQMP for the Stevens Point Urban Area to be part of the State’s “Water Quality Management Plan” in accordance with Wisconsin Administrative Code NR121.05(g). In carrying out this overall function, the Advisory Committee shall be responsible for:

- A. The establishment of all policy matters of the AWQMP, including guidance to the Portage County Planning and Zoning Department in development of the Plan. The Advisory Committee and Portage County Planning and Zoning Department shall develop this Plan in accord with an agreed upon schedule.
- B. The establishment of institutional mechanisms and procedures for monitoring and review of all sanitary sewer extensions, based upon wastewater treatment plant capacity, within the Stevens Point Urban Area as required by the Wisconsin Administrative Code.
- C. The establishment of procedures for Sewer Service Plan amendments and updates consistent with Wisconsin Administrative Code Section NR121.08.
- D. During development and prior to formal adoption, this Areawide Water Quality Management Plan shall be subject to a public participation process including, at a minimum, one public hearing.

### Article IV – Membership and Administration

Section 1 – Membership. There shall be eight (8) voting members on the Advisory Committee, consisting of one member from each of the following municipalities in Portage County:

City of Stevens Point	Town of Hull
Village of Plover	Town of Plover
Village of Whiting	Town of Linwood
Village of Park Ridge	Town of Stockton

Section 2 – Membership Selection.

- A. Principal Representative. The governing body (City Council, Village/Town Board) of each municipality to be represented on the Advisory Committee shall appoint (at its discretion) its chief elected official or a representative elected by a majority vote of the governing body. Any appointed designee, as the principal representative, shall also be an elected official of the community.

- B. Alternate Representatives. In addition to appointing the principal representative to the Advisory Committee, the governing body of each municipality shall also select one or more alternate representatives that shall be entitled to full voting privileges on all matters coming before the Advisory Committee in the absence of the principal member. Alternate representatives shall not serve in a permanent or regular capacity on the Advisory Committee. The alternate representatives shall announce to the Advisory Committee at the commencement of the meeting his/her name and representative capacity. A list of alternate members will be maintained by the Planning and Zoning Department.
- C. Term of Appointment. Persons appointed to the Advisory Committee as principal or alternate representatives by each local governing body shall serve for a period designated by the local governing body.

Section 3 – Ex-Officio Members. The County Planning and Zoning Director, as Project Director of the AWQMP, or his/her designee, shall be an ex-officio member of the Advisory Committee for the principal purpose of functioning as the Advisory Committee’s administrative officer. Ex-Officio members shall not be entitled to hold any office within this Committee or vote on any matters before the Advisory Committee. The ex-officio member or his/her designee shall be in attendance at all meetings of the Advisory Committee for the principal function of recording the proceedings, decisions, and voting records of the Advisory Committee. As an ex-officio member of the Advisory Committee, the County Planning and Zoning Director or his/her designee shall be responsible for the following specific duties:

- A. Preparation and distribution of all agendas, minutes, and correspondence for the Advisory Committee; and
- B. Recording the minutes of all Advisory Committee meetings; and
- C. The keeping of all resolutions, transactions, findings, determinations, and plan(s) of the Advisory Committee; and
- D. Preparation of a staff report, for review and consideration by the Advisory Committee, which assesses the completeness of information submitted in support of any sewer service area adjustment request. The report shall also assess the degree to which the request meets the criteria set forth in the Stevens Point Urban Area Areawide Water Quality Management Plan for approval.

Section 4 – Officers. The Officers of the Advisory Committee shall be a Chairperson and Vice-Chairperson.

- A. Chairperson. The Chairperson of the Advisory Committee shall preside at all meetings of the Advisory Committee. The Chairperson shall perform such duties as are entrusted to the Chairperson by these by-laws.
- B. Vice-Chairperson. The Vice-Chairperson shall preside in the absence of the Chairperson, or in the event that the Chairperson is incapacitated or unable to serve.

- C. Selection of Officers. Selection of the Chairperson and Vice-Chairperson shall be made by the Advisory Committee. Nominations shall be made by Advisory Committee members and confirmed by a simple majority vote of the Advisory Committee. Should any office become vacant for any cause, the Advisory Committee may select a successor from the Advisory Committee members who may serve until the next meeting of the Advisory Committee, at which time the Advisory Committee shall elect a replacement under these same procedures.
- D. Removal from Office. Any of the officers may be removed for cause or if incapacitated or unable to participate in Advisory Committee meetings or to attend to the affairs of their office. Removal from office shall require a simple majority vote of the Advisory Committee members present.
- E. Additional Officers. The Advisory Committee, at any regular meeting, may create such additional officers from among Advisory Committee members as they deem necessary and prescribe their duties.
- F. Term Limits. The term of office for Chairperson, Vice-Chairperson, or any additional Officers shall be limited to one year. If the period of time between meetings exceeds one year, selection of Officers shall be made at the beginning of the next meeting after the one year period; the term of office shall extend until this vote.

Section 5 – Subcommittees. The Chairperson may appoint such subcommittees, made up of Advisory Committee members only, as may be necessary to carry out the purposes of the Advisory Committee, and shall designate the Chairperson of such subcommittee(s). Appointment of subcommittees and a Chairperson of such subcommittee shall be subject to confirmation by the Advisory Committee as a whole. No subcommittees shall have the authority to act on behalf of the Advisory Committee.

Section 6 – Guidance. The officers, members, and staff of the Advisory Committee shall be guided by the regulations and guidelines of relevant federal legislation; by the regulations and guidelines promulgated by federal agencies; by the laws enacted by the State of Wisconsin, and by regulations and guidelines promulgated by agencies thereof. Goals and objectives, comprehensive plans, development guides, and similar guidelines and documents prepared and adopted by the participating communities and the County shall be recognized and considered by the Advisory Committee and its staff whenever appropriate. To add technical expertise to Advisory Committee decisions, Advisory Committee members may ask their representative community officials and staff to attend Advisory Committee meetings and to provide information necessary to the preparation of the AWQMP and its amendment. These officials may include, but are not limited to: Public Works Director, engineers, planning staff, attorneys, consultants, etc.

Section 7 – Voting. Principal representatives, who are appointed by their communities to serve as official representatives on the Advisory Committee, shall be entitled to full voting and membership privileges on all matters before the Advisory Committee. A community's alternate representative shall be entitled to full voting privileges on all matters coming before the Advisory Committee in the absence of the principal member. Members or their alternates must be personally in attendance to vote on matters before the Committee.

The format for voting on the Advisory Committee By-Laws, AWQMP, AWQMP amendments, and sewer service area boundary adjustments shall be in accordance with the following schedule, with a minimum of 51 votes out of the 100 vote total constituting a majority vote.

<b>Municipality</b>	<b>Total Votes</b>
City of Stevens Point	31
Village of Plover	18
Village of Whiting	11
Village of Park Ridge	8
Town of Hull	8
Town of Plover	8
Town of Linwood	8
Town of Stockton	8
<b>Totals</b>	<b>100</b>

#### Article V – Meetings

Section 1 – Frequency and Notice. It is recommended that the Advisory Committee meet on an as-needed basis. Special meetings may be called by the Chairperson or by four (4) Advisory Committee members at more frequent intervals. The recording secretary of the Advisory Committee shall mail or deliver written notice of each regular meeting to each member of the Advisory Committee at least five (5) days prior to such meeting.

Section 2 – Quorum. A simple majority of the full Advisory Committee shall constitute a quorum for the purpose of carrying on any business of the Advisory Committee at any duly called meeting thereof. A quorum shall be required for the Advisory Committee to take action on any agenda item.

Section 3 – Conduct of Meetings. Advisory Committee meetings shall be conducted in accordance with the provisions of these by-laws and with the provisions of Robert’s Rules of Order.

Section 4 – Approval of Meeting Minutes. Advisory Committee meeting minutes shall be approved, if possible, at the next scheduled Advisory Committee meeting. Approval of minutes shall require a simple majority vote of those members present.

#### Article VI – General

Section 1 – Planning Staff. The Portage County Planning and Zoning Department will provide ongoing assistance to the Advisory Committee in accordance with these by-laws and the Planning and Zoning Department’s annual work program as approved by the Portage County Planning and Zoning Committee.

Section 2 – Cooperating Agencies. The Advisory Committee may cooperate with and contribute to or accept services from Federal, State, or local agencies, public or semi-public agencies, private individuals or corporations, and may carry out such cooperative undertaking. In carrying out such cooperative undertaking, the Advisory Committee shall not obligate any financial, staff, or other municipal resources of any municipality without prior approval of such municipal unit.

Section 3 – Compliance with Local and State Laws. In the event that these by-laws or any provisions herein contained should in any manner be contrary to or violative of the provisions of any local or State laws, the provisions of the local and State laws shall prevail.

Section 4 – Amendments. Proposed amendments to these by-laws shall be mailed to members at least five (5) business days prior to the meeting scheduled for proposed amending of the by-laws. (See Article IV Section 7 for voting procedure).

Adopted this 3<sup>rd</sup> day of January, 2007.

I hereby certify that the foregoing by-laws were duly adopted by the Stevens Point Urban Area Sewer Service Advisory Committee at a legal meeting held on this 3<sup>rd</sup> day of January, 2007.

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Stephen D. Brazzale, Director  
Portage County Planning and Zoning Department  
Advisory Committee Administrative Officer

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