

MINUTES
Stevens Point Urban Area Sewer Service Advisory Committee
December 6, 2006

Members Present: Gary Wescott, City of Stevens Point; John Holdridge, Town of Hull; Jerry Walters, Village of Whiting; Elmer Fournier, Village of Park Ridge; Tim Karcheski, Town of Plover; Dan Schlutter, Village of Plover; and Carl Karcheski, Town of Linwood

Technical Advisory Staff Present: Dan Mahoney, Village of Plover; and John Gardner, City of Stevens Point

Others Present: Jeanne Dodge, Mike Bronk and Ron Borski, Town of Stockton; Richard Holden, Village of Plover; Kim Hoppenrath, Village of Whiting; Dan and Robin Mielke

Staff Present: Jeff Schuler, Sarah Wallace, and Patty Benedict, Portage County Planning and Zoning Department.

Chairman Fournier called the meeting to order at 5:00 pm in Conference Room 5 of the Courthouse Annex. Chairman Fournier asked for approval of the agenda. Holdridge moved to approve the agenda and T. Karcheski seconded the motion, which passed by voice vote.

Members of the Public Who Wish to Address the Committee on Specific Agenda Items Must Register Their Request at This Time, With Such Comments Subject to the Reasonable Control of the Committee Chair as Set Forth in Robert's Rules of Order

Dan Mielke registered to speak regarding membership in the Sewer Service Advisory Committee (SSAC).

Regarding the Town of Linwood being on the SSAC, Mielke stated he checked the State Statutes and with the Department of Natural Resources (DNR). He read an email from Lisa Helmuth, DNR, which states, "NR 121 requires that the advisory committee for sewer service area planning be comprised of affected towns, villages, and cities. If you need help on this, please email me and we will work on correcting any problems relating to lack of representation." Chairman Fournier told Mielke he would like a copy of the email provided to all members. Mielke gave the email to Benedict, plus a packet of material relating to Areawide Water Quality Management Plans (AWQMP), which Chairman Fournier stated will be included in the packets for the next meeting.

Action on Minutes of November 1, 2006

Schlutter moved to approve the minutes of November 1, 2006 and Walters seconded the motion, which passed by voice vote.

Discussion/Action on the Stevens Point Urban Area Sewer Service Advisory Committee By-Laws

Chairman Fournier stated this is a discussion item only, and there may be some re-writing. Holdridge stated he has questions about power. If the two largest municipalities got together and both want to expand and develop, where does that leave the rest of the municipalities? Schlutter stated the main functions of this Committee are: 1) Environmental protection; 2) Cost effectiveness; and 3) Stay within the Comprehensive Plans. He said expansion is not an issue for this Committee. Holdridge said the reality is that it becomes an issue, and referred to Crossroads Commons. Schlutter replied the issue at that time was there was not a long range or Comprehensive Plan. He stated a one time extension was allowed by this Committee for the Menard's area, but a long range plan would be required before allowing another extension. Schlutter added this Committee does not address annexations.

Schuler stated conflicts are occurring because the Sewer Service Advisory Plan (SSP) has not been updated for twenty years. At the last meeting, the Committee requested that staff research what has been done around the State. Schuler said most of the people he talked to have never had an amendment. They have redone their SSPs, with properly planned sewer service areas where development has proceeded as identified in locally adopted plans. Schuler stated issues have come up here because there had to be additions, since the SSP has not been updated to include additional growth.

Schlutter said it is key to follow the communities' adopted Comprehensive Plans. He asked if Linwood has an adopted Comprehensive Plan. C. Karcheski replied the Town of Linwood's Plan is finished, but has not been approved yet. Schlutter said before the SSAC would consider adding the Town of Stockton, they had to have an adopted Comprehensive Plan.

C. Karcheski referred to Holdridge's concerns with the power the City of Stevens Point and Village of Plover have. If those two municipalities get together, there is no need for the rest of the municipalities to be here. At the last meeting, Holdridge raised the issue of Dan (Mahoney) and John (Gardner) sitting with the Committee. As a Town, he feels the County should be their agent, and would like Schuler to be more forthright.

T. Karcheski said if the City of Stevens Point or Village of Plover wants something, they will pursue it. Schlutter stated he could not recall any issues where the City of Stevens Point or Villages of Plover or Whiting "flexed their muscle". However, without a weighted vote, the towns could decide that the City of Stevens Point, Village of Plover and Village of Whiting, who have millions of dollars invested in their plants, could not pursue a development.

Wescott requested that Schuler review the material he distributed to members. Schuler was asked to provide information about SSACs from around the State. Wescott feels the citizens of Stevens Point, Plover, and Whiting have invested millions of dollars in their systems and infrastructure, and believes that must be weighed in the balance. Wescott mentioned that at a previous meeting, he requested notes and minutes on how the 1983 SSP was done. Schuler stated all of that information was provided as requested. Wescott said he believes when the 1983 SSP was written, there was an attempt to use sewer service planning as land use planning. There were no Comprehensive Plans at that time. Now, Comprehensive Plans have been completed, all except the Town of Linwood's have been adopted, and the land use planning element is in place, which may be what Holdridge is looking for to resolve transportation issues, and what is the mission of the SSAC, etc. Regarding the information collected by Schuler, Wescott asked how other SSACs are structured in the State.

After the last meeting, Walters stated he spoke with Tom Hagen (a former SSAC member). Hagen told Walters among the SSAC's responsibilities were to make sure the plants had adequate capacity, and the cleanest water possible was returned to the Wisconsin River. But it was a check and balance on who was moving into what areas. Wescott said that confirms that the SSP was a land use planning tool. Walters believes that changed after Comprehensive Plans. Now, the SSAC must do what NR 121 requires. Does the plant have the capacity for developments moving into the area? Are the pipes the right size to move it (waste) from Point A to Point B? Is it cost effective? How is the clarity going into the river affected? Walters said it is the purpose of the SSAC to make sure that information gets back to their municipalities. The SSAC is here to set up a check and balance system for the DNR. Walters also stated annexing property has nothing to do with this Committee.

Holdridge stated the Towns of Hull and Linwood do not have sewer or treatment facilities, and wonders why they are here. Walters replied it has to do with the Comprehensive Plans and who is moving where. Adjoining communities can ask for services to be extended to areas in their Towns. Schlutter said the Town and Village of Plover have that in their Comprehensive Plans. Walters said members need to stay focused on what the SSAC does.

Schuler directed comments to Holdridge, referring to his remarks that the City of Stevens Point and the Village of Plover have a voice, but the Towns do not, and staff should be more vocal. Schuler said that type of discussion is beyond what is being done by this Committee. All of the discussions about power, should have never happened in the first place. If the SSP had been properly updated and administered along the way, development would have been done per the adopted SSP, within an area that was expected to have sewer. Every conversation that has happened in the last 10-15 years has been based on bumping out the boundary, which by rights should have been done at a time previous to that, so the discussion should not have happened. The purpose of the SSAC is to talk about what there is for infrastructure, adopted Comprehensive Plans, where the growth is going to go, and how that can be accommodated, while taking every measure possible to make sure sensitive or environmental areas are not impacted. At the end of the process, there will be a map with a boundary on it, and a set of policies that lay out why the boundary was drawn that way. In the future, when a request comes in, only in an extraordinary circumstance will a meeting have to be held to review and judge the request.

Schuler referred to the research done on other SSACs. He stated there are approximately 22 different agencies around the State that deal with sewer service planning. Six were studied regarding how they handle SSP amendments and changing and/or establishing boundaries. Schuler explained the procedures followed for each of the six agencies, starting at the local level, through final approval by the State DNR. The East Central Wisconsin Regional Planning Commission (RPC) and Brown County Planning Commission do not have a weighted vote. In Marathon County, only communities with systems vote; one person, one vote. The Chippewa-Eau Claire Metropolitan Planning Organization uses a weighted system of voting based on percentage of population (included in the memo). Schuler feels their system is far more complicated than the one used by this Committee. The Hudson Area Urban Sewer Service Planning Committee is similar to this Committee, and has nine members. The voting system is not weighted; however, voting is structured through membership, with the City of Hudson having

three members, the Village of North Hudson having two members, and the Towns of Hudson, St. Joseph, and Troy each having one member. The final member is from the St. Croix Planning Department, who only votes in case of a tie. The City of River Falls is run by the City through their Utility Department. There are five people from the City, one each from the four surrounding towns, and one each from St. Croix and Pierce Counties. Voting is not weighted; one person, one vote.

Holdridge asked if there is any guidance for the voting process from the DNR. Schuler replied no. Wescott thanked Schuler for the information.

Holdridge stated he does not disagree that the City of Stevens Point and Village of Plover should have more representation. However, he does not want two municipalities being able to make decisions without the rest of the members having a say. He wants decisions made based on evidence presented, and not political power. Schlutter added that criteria must be met.

C. Karcheski stated he liked the way Walters presented the voting system at the last meeting; feeling it is fair and equitable. Regarding Comprehensive Plans, he pointed out that Plans can be changed. Schlutter stated Plans should be updated every five years. The Plans are guidelines.

C. Karcheski referred to Schuler's mention of environmental area impacts. He feels the Town of Linwood will be impacted because the Wisconsin River runs through it, and the three municipalities with systems are emptying into the River. Schlutter replied the DNR issues permits for the plants, and regulates the content of the effluent going into the River. Wescott added the plants are heavily regulated by the DNR. Inspection and sampling are done a minimum of once a year. There are very strict standards that must be met to maintain their license. Wescott told about the report he received stating the water returned to the Wisconsin River from the sewage treatment plant is significantly cleaner than the water coming out of the Wisconsin River.

Wescott went on to say the taxpayers he reports to have invested millions of dollars, and have significant ongoing investments toward the upkeep of the municipal sewage treatment plants, as have the Villages of Whiting and Plover taxpayers. He added the City of Stevens Point and Village of Plover are the largest municipalities in Portage County. Together, they comprise 62% of the total school district value, and approximately \$2.2 billion of the County's equalized value. He stated it is important for the communities to continue to dialog and work together. He feels the spirit of cooperation is better today than a few years ago. All the municipalities are important, however because the City of Stevens Point and Village of Plover make up 50% or more of the County's value, Wescott believes that needs to be taken into consideration.

C. Karcheski said if the plants are so highly regulated, there is no purpose in having a SSAC. Walters said there is a purpose. It has absolutely nothing to do with one municipality trying to take over another, or stealing property, and Committee members need to stop having those discussions at these meetings. The SSAC is about numbers. Municipalities must show they have the right sized pipe, the right amount of capacity, the right amount of extra capacity, they meet all other qualifications and standards, they are not interfering with environmental areas, and they are consistent with their Comprehensive Plan. The DNR appreciates that the SSAC does the investigating for them. He emphasized the SSAC needs to stay focused on what they do, and stay away from the politics.

Mahoney spoke on plants and boundaries. He clarified the issue of plant capacities and expansion has not, and will never, come before the SSAC. That is strictly a DNR function. However, boundaries are a function of the SSAC. Holdridge stated when boundaries are expanded, the capacity of the plant must also be considered. Mahoney reiterated anything to do with plant capacity and upgrades are handled by the DNR, and are not brought before the SSAC. However, the capacity of the pipes and the ability to get it (waste) to the plant are issues for the SSAC.

Schuler stated the SSAC should be working toward finishing the by-laws, and starting and adopting the SSP. The purpose of the Committee, and the reason the Towns are at the table, is so everyone agrees how growth is going to happen over the next 20 to 30 years. A map will show the areas where it will be okay to have sewer. Anything proposed beyond those boundaries will make it necessary for the Committee to meet and have discussions. Schuler said the task ahead for the SSAC is discussion of goals and objectives for how sewer should be handled in the urban area, and agreeing where the boundary is going to be drawn. The goals and objectives from the original SSP can be discussed, and used or modified.

Chairman Fournier brought discussion back to the voting structure. He referred to the letter from Ron Borski, Stockton Town Chair, included in the packets. Borski asked for the SSAC to consider a partial amendment to allow

Stockton's participation in a full amendment of the by-laws. Fournier stated this was not an action item on the agenda, but is something the Committee should consider. Wescott stated a proposed amendment must be mailed five days prior to the meeting. The Committee agreed this issue should be put on the next agenda. Walters asked what the pros and cons are. Wescott said it is yet to be determined how to weight votes.

Holdridge asked if Stockton has settled on a representative. Schlutter replied that must be taken care of by the Town of Stockton, it is not the Committee's concern.

Chairman Fournier stated it is his opinion that if the by-laws are amended, Stockton will be sitting at the table. Holdridge said the by-laws can be amended anytime. Schuler stated that as the amended by-laws are proposed today, there are eight communities, including Stockton, and a decision will have to be made if there will be seven (voting Linwood out). Chairman Fournier asked if there is interest in having this item put on the next agenda as an action item, please contact him or Schuler.

Wescott asked if the Town of Stockton has an adopted Comprehensive Plan. The reply was yes; however, the Plan has not gone through the County yet. Wescott requested that the Town of Stockton identify who their representative will be for the SSAC.

Chairman Fournier referred again to the voting structure. Alternatives were provided for the last meeting, and one presented by Walters was included in the packets for this meeting. Schuler said the question is whether to keep the current weighted system, and the table to be used will be worked out when membership is determined, go with Walters' alternative, or have a single vote per municipality. Walters explained that his alternative bases the weight on risk, not on population.

Wescott stated he would like some time to study Schuler's handout and other data provided. Other Committee members agreed. Chairman Fournier added that members may want to consult with their Boards.

Chairman Fournier asked the Committee to review the materials on the voting alternatives, and at the next meeting, come to a consensus if the Committee wishes to amend the by-laws allowing the Town of Stockton a vote prior to final amendment of the by-laws. Walters reviewed the voting options: 1) Weighted by population; 2) Weighted by treatment plant capacities; 3) Not weighted, simple majority. Wescott added there could possibly be another hybrid option. Chairman Fournier added that an additional option is to abolish the SSAC.

Schlutter commented after Stockton is added, there will be three municipalities with systems, and five without. It would be possible for the by-laws to be amended to allow all the Towns in Portage County to vote. Schlutter stated he is not saying the Towns would do this, but if a simple majority vote is used, the Towns could control voting. At this time, the sewer extension areas are the only weighted votes, all others are simple majority. Wescott felt Schlutter brought up a valid point that should be addressed, adding that in 25 years, there will be new members on the SSAC.

Schuler asked the Committee to keep in mind that their purpose is to amend the SSP. Wescott suggested the Committee does not have to be tied to one methodology.

Chairman Fournier asked if everyone was clear on what is to be decided at the next meeting. The agenda will include the by-laws and voting structure.

The next meeting is scheduled for January 3, 2007 at 5:00 p.m. in Conference Room 5.

Adjournment

C. Karcheski moved to adjourn and Wescott seconded the motion, which passed by voice vote. Meeting adjourned at 6:10 p.m.

Respectfully submitted,

Elmer Fournier, Chair

Patty Benedict, Recording Secretary

Date

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