

City of Beloit and Town of Beloit  
Area Wide Water Quality Management Plan Updates  
(Meeting Minutes from April 25<sup>th</sup>, 2012)

The second meeting for the Technical Advisory Committee (TAC) of the City of Beloit and Town of Beloit Area Wide Water Quality Management Plans Update effort was called to order at 2:00 PM on Wednesday April 25<sup>th</sup>, 2012.

Paul Benjamin called the meeting to order.

Each TAC member was asked to examine the meeting agenda. A call was made to have the TAC approve the meeting agenda. Mike Flesch moved to add an additional item to the meeting agenda, specifically Item No.9 "Meeting Adjournment". Roger Anclam made a second. A vote was taken and the motion passed. Item #9 was subsequently added to the meeting agenda.

A call was made for any citizen communication and general announcements. Paul Benjamin reaffirmed that the Rock County Planning Agency was awarded a \$10,000 Water Quality Study/Planning Grant from the Wisconsin DNR. No citizen comments were made.

A call for approval of the minutes from TAC Meeting #1 was made. Roger Anclam move to approve the minutes and, Frank McKearn made a second. A vote was taken and motion was passed. The minutes were approved as submitted.

Paul Benjamin asked that all present introduce themselves for the benefit of all others in attendance. Introductions were made.

Those present included:

Roger Anclam – Town of Turtle  
Alan Arndt – Town of LaPrairie  
Mark Gun – Town of Rock  
Amy Schmidt – Wisconsin Dept. Natural Resources (DNR)  
Brian Wilson – Town of Beloit  
Howard Hemmer – Town of Beloit  
Frank McKearn – Batterman Engineering (for Town of Beloit)  
Mike Flesch – City of Beloit  
Harry Nathos – City of Beloit  
Luke Arnold – City of Beloit  
Bill Frisbee – City of Beloit  
Matt Wesson – Rock County Health Department  
Duane Cherek – City of Janesville  
Phil Owens – Rock County Board of Supervisors  
Wade Thompson – Rock County Planning  
Paul Benjamin – Rock County Planning  
Rich Cannon – Rock County Planning

Paul Benjamin mentioned the need to address the first action item on the agenda, specifically review and act on a proposed amendment to the current Beloit-Clinton Area Water Quality Management Plan. Rich Cannon was asked to discuss the overall Rules of the current Beloit Area Plan as they pertain to the amendment process.

Phil Owens raised a question in regard to the last TAC meeting (TAC Meeting #1) with respect to each member's authority to make votes as necessary. His point being conflicts would be avoided provided each TAC member received authority indemnifying them to act as an official voting member of the TAC. There were no comments made indicating that any TAC member could not act as a voting member. In addition, as was mentioned during TAC Meeting #1 there will be instances when TAC members will need to have other agency members become involved with decision making, and at those times there will be an amount of lead-time given to each TAC in order to conduct necessary correspondence with other their respective agencies.

Rich Cannon briefly discussed the current plan amendment process, which included the types of amendments that can be made and the number of amendments made to the current plan since first adopted.

Mike Flesch was asked to make a presentation regarding the City of Beloit's proposed Sewer Service Plan Amendment. He then asked Luke Arnold, a City of Beloit Project Engineer to present a series of slides detailing the amendment proposal. In Luke Arnold's presentation he stated that certain criteria as established by the DNR had to be met before the DNR would entertain approving such a proposal. Luke discussed the nature of the amendment's timeframe, when the area under review received sewer installation, and the basic DNR criteria. In conclusion Luke stated he and The City of Beloit believe the terms of the proposed amendment satisfy the DNR criteria. There were no immediate questions.

Mike Flesch motioned to have the amendment approved and Harry Mathos made a second. A lengthy discussion ensued.

Roger Anclam presented a letter generated by the Town of Turtle's legal counsel in response to the proposed amendment. He stated that it is the opinion of the Town of Turtle Board of Supervisors and the town's legal counsel that the amendment proposal as documented does not meet the criteria set forth by the DNR. He mentioned this with respect to development/population density and a number of private on-site sewer systems adjacent to Turtle Creek. Roger further stated the Town of Turtle would take whatever measures available to them in order to make sure this proposal cannot be enacted. In addition, for matters concerning the Town of Turtle's fiscal well being (and others) he said that it was difficult to separate the technical aspects or merits of the proposed amendment with Town of Turtle policy matters.

Several other members of the TAC started their respective viewpoints and commented on this issue. Comments included but were not limited to:

- Had The City of Beloit amended the current plan as required every five years there is a high likelihood that the issue would not be in front of the TAC at this time.
- Due to today's technology private on-site sewerage systems are efficient and can achieve the same result in terms of water quality as a municipal sewer plant.
- The City of Beloit and The Town of Turtle need to work out their differences outside the purview of the TAC.
- The "elephant in the room" is the issue of City of Beloit annexation into the Town of Turtle.
- The issue the amendment addresses at this time is with respect to Water Quality and not other issues such as annexation and border agreements.
- Only contiguous parcels would be candidates for annexation provided they hook up to City of Beloit sewer system.
- This is not an extension to the current system because There already is sewer pipe in the ground beneath Claremont Drive in The Town of Turtle
- When major repairs are needed to an existing on-site septic system located in Rock County such as a new tank, or a new drain field, etc., The Rock County Health Department will not approve or issue a permit for that work if the property is within a metropolitan sewer service area (SSA).
- As citizens residing in The Town of Turtle hook up to The City of Beloit's municipal sewer system the town loses a portion of its tax base.
- Entire parcels should be considered when drawing future plan boundary lines.
- DNR is the agency that determines if there is a significant change in population density, which can trigger the need for and ultimate approval of an amendment such as the one proposed today.
- This body (TAC) should move forward to the next step.
- In the past named members of the TAC voted on a per person basis by agency, which is not the same procedure as the proposed method of voting will take place during this plan update effort.
- The DNR should be forwarded all materials presented in Meeting #2 with respect to the proposed amendment so they can make a decision on the technical merits, including population density for approval or denial.

- If it were left up to the legal system, or the legal representatives from each municipality ultimate approval and/or denial of this amendment might not take place for years.

Phil Owens commented that in order to have the DNR do a review and possibly make the decision concerning the appropriateness of the amendment as proposed it would be necessary to first have someone make a motion to withdraw the current motion and second from the floor that enabled the on-going discussion.

Paul Benjamin said the TAC might be seen as abdication its responsibilities in resolving this type of disagreement.

Frank Mckearn made the comment that as much as Rock County would like to be neutral and facilitate cooperative action and positive results it has a responsibility to forward the material to the DNR for their role as arbiter in passing judgment on the merits of the proposed amendment. In the future the TAC will have a difference voting procedure and the will have

Mike Flesch removed his motion that called for amendment approval from the floor and Harry Mathos then withdrew his second to that motion. A vote was taken and the motion was passed; the original motion was taken off the floor.

A motion was made by Mike Flesch to send all material discussed at the meeting, including the letter from the Town of Turtle's legal counsel in objecting to the proposed amendment, and the City of Beloit's power point presentation, etc. Roger Anclam made a second to the motion. A vote was taken and the motion was passed.

Wade Thompson was asked to make a brief presentation regarding TAC functions and operational procedures. He went on to review the voting structure by voting member and voting shares.

Mike Flesch commented on adding a politically oriented representative to the list of voters within each voting block. Such a person might not always attend the TAC meetings but depending on the nature of the material being presented that person might want to attend any given meeting in order to have a voice in certain decision-making activities on behalf their respective municipality.

Wade Thompson reiterated there is an overall goals statement with respect to the plan update and asked that all TAC members recognize that there are two plan to develop and update and participation in the TAC is to cooperate and communicate with each other, work to identify common interests faced by the area municipalities and solutions that will benefit each community. The mission statement includes the following goals:

- Maintain and improve overall groundwater quality;

- Provide public sewer service in an cost effective, efficient, and environmentally sound manner; and,
- Promoting a regional land-use and community development vision.

A motion was made by Mike Flesch to approve the goals statement as presented and in addition include language that makes it clear that within each TAC voting block individual members are able to specify anyone from their respective agency to attend TAC meetings as a “designee” and furthermore can vote on behalf of that voting block while in attendance. Brian Wilson made a second. A vote was taken and the motion passed.

Wade Thompson made a brief presentation regarding data inventory relating to the plan update. Specifically three categories (1) Growth and Development, (2) Natural Resources and Water Quality, and, (3) Wastewater Treatment were presented.

Wade discussed a number of exhibits generated by staff, which includes tabulated historic (past 30-year) population trends, population estimates generated by the Wisconsin Department of Administration, and Housing trends within the plan up-date study area. Wade stressed keeping a regional picture in mind. Over the course of the plan update effort there will be an analysis of household data as well.

Duane Cherek commented on establishing a benchmark with respect to population aids in locating anticipated growth by number and by area over time.

Wade went on to present a number of maps depicting a variety of data sets. One map displayed The City of Beloit’s historic boundaries, which included all annexed areas over the past twenty-year period. The map listed the number of acres that have been annexed each decade and addresses where development has taken place in the towns. Hatched areas represent suitable locations where soil conditions are able to support private on-site sewer systems.

Another map, “Natural Resources” depicted areas where environmentally sensitive conditions exist such as soil types, wetlands, public lands, and, existing conservation easements. This map also includes areas that support prime agricultural activities.

Frank McKearn pointed out specific areas in the Town of Beloit owned by the town. Alan Arndt mentioned that certain areas not defined as “productive lands” may in fact be productive and vice versa. Wade Thompson responded by acknowledging modifications could be made to all maps to obtain the most current data and to reflect each community’s intentions pertaining to land use prior to taking any action or making any critical planning decisions.

Matt Wesson was asked to make a brief presentation regarding data collected by the Rock County Health Department.

Matt presented a map depicting area groundwater nitrate and bacteria levels. This data reflects private wells that have been tested by the State of Wisconsin hygiene labs and possibly other labs as recorded by the Rock County Health Department. This information may assist the TAC in formulating locations that ultimately can and/or cannot support future on-site private wells or wastewater treatment systems.

A third map presented by Matt displayed the depth to bedrock and locations within the same area where high groundwater tables exist.

Finally Wade Thompson discussed a map displaying where existing on-site wastewater treatment systems are located within the study area.

Harry Mathos and Howard Hemmer were asked to present a brief overview of The City of Beloit's, and the Town of Beloit's treatment plant existing processing capabilities.

Harry Mathos explained that two main interceptor lines and two main pumping stations feed the city's plant. He briefly explained the plant's treatment process, flow characteristics, and processes. He then mentioned the plant's current influent and effluent levels as they fall below the city's permitted levels.

Howard Hemmer discussed the Town of Beloit's plant activity and characteristics. Howard explained the system has eleven pumping stations that feed the plant. Currently the plant performs at levels below its permitted values. There are 1,912 connected users in the Town of Beloit and 11 in the Town of Rock, which include Blackhawk Technical College, and several other commercial customers.

Wade Thompson asked what data sets group members would like to examine for the next meeting. Duane Cherek suggested creating a data set that reflects each community's future land use projections.

Paul Benjamin asked for any other comments or questions. Alan Arndt spoke on behalf the Town of LaPrairie. With one possible exception he mentioned he would not expect that future development in the town would necessitate extending public sewer lines into LaPrairie. The possible exception being if an amount of agricultural related processing locates in the southwester most corner of the town.

Mike Flesch asked that a steering committee within the TAC be formed to provide guidance to the TAC so any obstacles faced by the different agencies could be resolved between monthly TAC meetings. The steering committee will also assist in setting TAC meeting agendas and make suggestions for homework assignments. Brian Wilson suggested it would be useful to hold steering committee meeting at the midpoint between regularly scheduled TAC meetings.

There was favorable feedback concerning forming a steering committee comprised of representatives from The City of Beloit, The Towns of Beloit, Rock and Turtle, and Rock County. Scheduled will be determined the committee.

A call for a motion to form a steering committee as previously discussed was made. Roger Anclam made a motion to approve forming a steering committee within the TAC. Mike Flesch made a second to the motion. A vote was taken and the motion passed.

The next TAC meeting was scheduled. The meeting will be held on Wednesday May 23<sup>rd</sup>, 2012 at 2:00PM at the Rock County Courthouse.

A call was made to adjourn the meeting. Mike Flesch made a motion to adjourn the meeting. Brian Wilson seconded the motion. A vote was taken and the motion passed. The meeting ended at 4:00 PM.

These meeting minutes reflect the discussion and activity that took place at the second Technical Advisory Committee meeting for the City of Beloit and Town of Beloit Area Wide Water Quality Management Plan Updates held on Wednesday April 25<sup>th</sup>, 2012.

Respectfully submitted by Rich Cannon, Rock County Planning on May 7<sup>th</sup>, 2012.