



VILLAGE OF TURTLE LAKE BOARD OF TRUSTEES REGULAR MEETING AGENDA

MARCH 02, 2020

Notice is hereby given that the Board of Trustees for the Village of Turtle Lake will hold a Regular Meeting on **Monday, March 02, 2020, 6:00 PM**, at Village Hall, in the Municipal Chambers, located at 114 Martin Avenue East. This Agenda will be posted on the Village Website, Village Hall, Library and the Post Office in compliance with WI Statutes. The Board will consider the following items:

I. CALL TO ORDER

- A. Roll Call
- B. Pledge of Allegiance
- C. Disclosure of conflict of interest by members regarding any item on the agenda.

II. REVIEW OF CONSENT AGENDA

- A. Bills and Claims
- B. Operator Licenses
- C. Past Meeting Minutes

III. PUBLIC FORUM (Citizen Input and Requests)

IV. OLD BUSINESS

- A. None

V. NEW BUSINESS

- A. Public Hearing regarding improvements to the Wastewater Treatment Plant. A proposed purchase of a Sludge Dryer with an overall cost of \$280,000 - \$360,000, which could result in a residential user increase of up to \$2.00 per year.
- B. Consideration for Approval, confirming planned purchase and installation of the Sludge Dryer for the Wastewater Treatment Plant.
- C. Review for Approval Ordinance 2020-02; Sewer Utility: Regulations and Rates Ordinance.
- D. Review of Resolution 2020-02; Establishing Fees under the Village Sewer Utility Ordinance 2020-02.

VI. ADJOURNMENT

Prepared By: Scott W. Hildebrand, Village Administrator

*The Board may reenter into Open Session to act on the subject matter discussed in Closed/Executive Session as previously defined. Also, for the convenience of members of the public, the Board may exit the Municipal Chambers to convene in closed/executive session and relocate to the Village Hall Conference Room and will reconvene in open session in the Municipal Chambers.

**This is an open meeting, open to the public, subject to the Wisconsin Open Meetings Law. The Village of Turtle Lake is committed to providing reasonable accommodations for persons with disabilities upon request of the individuals. Individuals with disabilities requiring an accommodation to attend the meeting should contact the Village Clerk / Treasurer in a timely manner at (715) 986-2241.

*** For additional information on any agenda item, please contact (715) 986-2241.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

DISCLOSURE OF CONFLICT OF INTEREST BY MEMBERS REGARDING
ANY ITEM ON THE AGENDA

REVIEW OF CONSENT AGENDA

A. Bills and Claims

B. Licenses

C. Past Meeting Minutes

1. Attached are the Minutes from the February 3rd regular Board Meeting as prepared by the Village Clerk / Treasurer.

RECOMMENDED ACTION

Staff recommends motion to approve the Consent Agenda as presented / amended.

Village of Turtle Lake
 CONSENT AGENDA ITEMS
 March 2, 2020

OPERATORS LICENSES

<i>Date Rec'd</i>	<i>Establishment</i>	<i>Applicant Name</i>	<i>Birth Date</i>	<i>Offenses</i>	<i>Date Approved by Police Chief</i>
02/17/20	Hotel Bar & Grill	Ashley Benson	Jun-89	Yes	02/19/20
2/21/2020	Austads Super Valu	Joseph W Thomas	Sep-00	No	02/24/20
2/24/2020	Hotel Bar & Grill	Matea Allen	Nov-00	No	02/24/20

PROVISIONAL LICENSES

<i>Date Rec'd</i>	<i>Establishment</i>	<i>Applicant Name</i>	<i>Birth Date</i>	<i>Offenses</i>

TEMPORARY SERVER'S LICENSES

<i>Date Rec'd</i>	<i>Establishment</i>	<i>Applicant Name</i>	<i>Birth Date</i>	<i>Offenses</i>

STREET USE PERMITS

<i>Date Rec'd</i>	<i>Establishment</i>	<i>Applicant Name</i>	<i>Birth Date</i>	<i>Offenses</i>

VILLAGE OF TURTLE LAKE
Regular Board MEETING MINUTES
December 16, 2019

PRESENT: Village President Koenig, Trustees McCready, Tarman, Morton, Glaubitz, Clary

ABSENT: Trustee Strenke

STAFF PRESENT: Administrator Hildebrand, Clerk-Treasurer Story, Chief Gabe, PWD Davis

CALL TO ORDER: Meeting called to order at 6:02 p.m.

ROLL CALL: As noted above.

Pledge of Allegiance

Disclosure of conflict of interest by members regarding any item on the agenda: None

REVIEW OF CONSENT AGENDA: Motion to approve consent agenda PM/CG

PUBLIC COMMENT: Cheryl Gehrman presented and discussed the snowmobile trail access by Spare Time, the noise levels next to the villas and homes, and signage. Further review on topic and placement onto future agenda.

OLD BUSINESS:

- A. Motion by President Koenig/Trustee Tarman for the Chamber of Commerce to pursue their own logo and the Village Administrator to look into registering the Village of Turtle Lake's logo.
- B. Motion by President Koenig/Trustee McCready to accept the resignation of Cheryl Freese and the development of the program.
- C. Discussion of 2020-2025 Housing Incentive Program and the opportunities surrounding the program. Motion by Trustee Tarman/Trustee Clary to adopt a (3) three-year \$175,000/\$150,000 housing program.
- D. Resolution 2019-07 Housing Rehab Program Housing Incentives for Improvements discussed. Motion by President Koenig/Trustee Tarman for a (3) three-year pay back program for Resolution 2019-07 with a 100% increase. All aye. Non opposed.
- E. Open Meetings Act discussion. Motion by Trustee Tarman/Trustee Morton to publish the agenda in the newspaper for all Regular Board Meetings for the third Monday of each month. All aye. None opposed.

NEW BUSINESS:

- A. Motion by Trustee Tarman/Trustee McCready to approve land donation and support of the Turtle Lake Area Food Pantry.
- B. Motion by President Koenig/Trustee Glaubitz of Ordinance 2019-06: Prohibiting the Possession of Vaping Devices by Minors under the age of 18.
- C. Resolution 2019-12 Judge Salary tabled.
- D. Discussion of credit card policy. Note of disapproval by PW Director Davis. Motion by President Koenig/Trustee Clary to approve the establishment of a Village Employee Credit Card Use Policy. All aye. None opposed.
- E. Election Worker re-appointment: Motion by Trustee Glaubitz/Trustee McCready to approve the re-appointment of election workers as presented. Trustee Tarman abstained. All aye. None opposed. Motion carried.

- F. Motion to close at 7:01 p.m.: President Koenig/Trustee McCreedy: Roll call. All aye. None opposed. Motion carried. Return from executive session Motion to open by Trustee McCreedy/Trustee Tarman at 7:24 p.m. Roll call. All aye. No action.

DEPARTMENTAL REPORTS:

- A. Administrator Hildebrand updated the board in regards to Financial Advisor present at the Feb. 3, 2020 Regular Board Meeting. Update on the DNR grant for forestry, FEMA, and brief discussion on the residential garbage.
- B. Public Safety: Chief Gabe updated the board with drug related issues in Turtle Lake and brief discussion on several violations.
- C. Public Works: Davis presented the board with monthly report. See Public Works report.

ADJOURN: Motion by Trustee Clary/Trustee McCreedy to adjourn.

VILLAGE OF TURTLE LAKE
Regular Board MEETING MINUTES
January 20, 2020

PRESENT: Village President Koenig, Trustees McCready, Tarman, Morton, Glaubitz, Clary. Trustee Strenke arrived late at 5:50 p.m.

STAFF PRESENT: Administrator Hildebrand, Clerk-Treasurer Story, Chief Gabe, PWD Davis, Representatives from the Turtle Lake School District: Kent Kindschy, Tadd Peterson, Linda Flottum, Shad Torgerson, Abbie Thill, CBS Engineer: Jon Strand, Sheriff Fitzgerald, and five citizens

CALL TO ORDER: Meeting called to order at 5:30 pm

ROLL CALL: As noted above.

Pledge of Allegiance

Disclosure of conflict of interest by members regarding any item on the agenda: None

JOINT ITEMS

- A. Presentation by Sheriff Fitzgerald presenting/discussing active shooter training, ATV / snowmobile safety course for 7th graders; meth discussions for 5th graders; drug activities in Turtle Lake and surrounding the Turtle Lake Casino and the 2020 goal and plans of action.
- B. Housing Incentive Programs – Administrator Hildebrand discussed the housing tax rebate surrounding new construction and remodeling projects. Citizen inquiries should be directed to Scott Hildebrand at the Village office.
- C. MLS Grant Application – Discussion of the DOT program: this program funds municipal projects and county projects, 1,000 applications have been submitted so there is a lot of competition for the funds. The Pine Street, Swede Ave, and Oak Street projects in the village would be approximately two million dollars. If the application is approved the cost would be covered by a 90% max with a 10% local contribution.
- D. Administrator Hildebrand discussed Highway 8 project and the finance advisor will be present at the next meeting to discuss the TIF district to review options to possibly close TID #3 early or open a second TID within the TIF district. President Koenig commented that the M&T International lot that was sold in the TIF district has not been split yet. Administrator Hildebrand indicated that the TIF area is running out of property. The TIF district changes are that Green Whey has new ownership and Kwik Trip possibly building. DPW Davis commented that Highway 8 road construction including overlay in the round-a-bouts is needed and a possibility of LRIP funding for Pine Street and the WWTP expansion in 2021. President Koenig and Administrator Hildebrand commented on Heron's landing and the possibility of building spec homes on the empty lots. Administrator Hildebrand is going to bring an update on Pillar to the board at a future meeting.

The Turtle Lake School District was present. Superintendent Kent Kindschy commented on the school district had an increase of twelve students, the mill rate dropped 0.64 cents with enrollment making a difference, projects are completed through referendum, grants, or energy exemption with the current referendum expiring in 2022. Shad Torgerson commented on the employment opportunities. Continued discussion of employment, housing, and community involvement. Superintendent Kindschy ended with Fab Lab noting that is open one day a week. The School Board and Village Board both

agreed to continue communications in an effort to work collaboratively together for a combined effort. JOINT SESSION ENDED AT 6:10 PM.

REVIEW OF CONSENT AGENDA: Motion to approve consent agenda Trustee McCready / Tarman. Motion carried. All aye. None opposed.

PUBLIC COMMENT: Terry Hauer, Polk County Economic Director presented to introduce himself to the Village Board and Administration. He is completing a housing study in February which will be available at Polk County's website. He is available if his assistance is needed for industrial development in Polk County. The Board and Administration thanked him for attending.

OLD BUSINESS:

None

NEW BUSINESS:

- A. Tabled. Discussion regarding the installation of gates or fence and location of said item(s) and the costs incurred. A bid of \$2,891.00 was obtained for two gates. The possibility of a split of the cost between the village and tourism was discussed. The snowmobile trail has funds available, which was not learned until after the agenda was set. This item was tabled. No action.
- B. Motion to approve and update the April 2017 Personnel Manual - Holiday Pay as presented was reviewed and a motion to approve and update by Trustee Tarman / McCready. Motion carried. All aye. None opposed.
- C. Motion to approve the support of the letter from Barron County Bicycle and Pedestrian TAP Application by President Koenig / Trustee Clary. Motion carried. All aye. None opposed.
- D. Motion to approve Ordinance 2020-01 Vaping by Trustee Glaubitz / Morton. Motion carried. All aye. None opposed.
- E. Motion to Closed Session at 6:29 p.m. by Trustee McCready/Tarman. All aye by roll call. Return to Open at 6:50 p.m. Motion to Open by Trustee McCready/Tarman. All aye by roll call. No motions made. Tabled.
- F. Tabled. Discussion of a proposal to purchase real estate with the village limits was tabled. No action.

DEPARTMENTAL REPORTS:

- A. Administrator Hildebrand updated the board in regards to the parks and a splash pad as well as fundraising; currently working with David Armstrong and incentive packages for the Heron Landing lots; and the finance advisor will be present at the February 3rd regular board meeting to discuss long-term investments for reserve monies.
- B. Public Safety: Chief Gabe updated the board with the monthly arrest report and drug updates; discussion of the possibility of a tribal officer at the casino; and alternate plans that are in the works or being discussed. There have been minor accidents due to lack of knowledge of usage with the round-a-bouts.
- C. Public Works: Davis presented the board with monthly report. Report is in the board packet.
- D. Library: Director Lutz was not present; however, the library report was included in the board packet.

ADJOURN: Adjourn at 7:15 p.m.

Minutes Prepared by: Ardith Story, Clerk-Treasurer
Drafted for Board Approval: 03 02 2020

VILLAGE OF TURTLE LAKE
Regular Board MEETING MINUTES
February 3, 2020

PRESENT: Village President Koenig, Trustees Tarman, Strenke, Clary, Morton, Glaubitz.

ABSENT: Trustee McCready

STAFF PRESENT: Administrator Hildebrand, Clerk-Treasurer Story, Chief Gabe, PWD Davis, CBS Engineer: Jon Strand, Judge Zemke, Ehlers Advisor: Sean Lentz, and no citizens

CALL TO ORDER: Meeting called to order at 6:01 pm

ROLL CALL: As noted above.

Pledge of Allegiance

Disclosure of conflict of interest by members regarding any item on the agenda: None

REVIEW OF CONSENT AGENDA: Motion to approve consent agenda Item C – Minutes by Trustee Tarman / Glaubitz. Motion carried. All aye. None opposed.

PUBLIC COMMENT: None.

OLD BUSINESS:

- A. Motion to approve Resolution 2019-12: Increase of Salary for Municipal Judge effective May 1, 2020 by Trustee Glaubitz/Tarman. Motion carried. All aye. None opposed.
- B. Tabled. Brief discussion of gate or fence for the snowmobile trail by Spare Time. This item was tabled.

NEW BUSINESS:

- A. Ehlers presented options on TIF (TID #3) for a long-term strategy. This item was discussion only.
- B. Ehlers discussed long-term strategies on TIF's. This item was discussion only.
- C. Ehlers presented options on TIF's for a long-term strategy. This item was discussion only.
- D. Ehlers, Ryan Miles: Presented investment options regarding banking services. Administrator Hildebrand clarified to the Board that the banking services being reviewed are for the reserve's monies. A full proposal of the full fund will be provided by Ehlers and the Village Administrator. This item was discussion only.
- E. WWTP (Wastewater Treatment Plant) sewer user rate increase requires a public hearing by the DNR. The expected cost is \$280,000 to \$360,000 for the sludge drier and electrical upgrades which requires additional money. The Public Hearing will be at a future Regular Board Meeting.
- F. Review of industrial user agreements for the WWTP was briefly discussed. CBS Engineer Strand indicated there are options of a 20-year recovery or a 40-year recovery. The board consensus directed the engineer to use a 20-year recovery per discussion. This item was discussion only.
- G. Tabled. Ordinance 2020-02 Sewer was tabled at Administrator Hildebrand's request. This item was tabled.

- H. West Side Park Splash Pad: Administrator Hildebrand presented discussion on improvements to the park including the splash pad. A design was speculated splash pad was presented. Further discussion needed. This item was discussion only.
- I. Motion to Close by Trustee Tarman/Glaubitz at 8:19 p.m. After lengthy discussion, Motion to Open by Trustee Tarman/Clary at 8:57 p.m. Tabled. No further discussion.

DEPARTMENTAL REPORTS:

- A. None

ADJOURN: Adjourn at 8:59 p.m. Motion to adjourn by Trustee Clary/Strenke

Minutes Prepared by: Ardith Story, Clerk-Treasurer
Drafted for Board Approval: 03 02 2020

VILLAGE OF TURTLE LAKE
Finance Committee MEETING MINUTES
February 17, 2020

PRESENT: Village President Koenig, Trustees McCready and Tarman.

STAFF PRESENT: Village Administrator Hildebrand, Clerk-Treasurer Story, Chief Gabe, Public Works Davis.

CALL TO ORDER: Meeting called to order at 5:36 pm

ROLL CALL: As noted above.

Pledge of Allegiance

Disclosure of conflict of interest by members regarding any item on the agenda: None

PUBLIC COMMENT: None.

OLD BUSINESS: None

NEW BUSINESS:

- A. A preliminary committee meeting to establish a monthly or bi-monthly routine of financial reviews. A discussion of general reports, payroll report requests, and departmental reports was discussed.

DEPARTMENTAL REPORTS: None

ADJOURN: Adjourn at 5:55 p.m. Motion to adjourn by Trustee McCready/President Koenig

Minutes Prepared by: Ardith Story, Clerk-Treasurer
Drafted for Board Approval: 03 02 2020

VILLAGE OF TURTLE LAKE
Regular Board MEETING MINUTES
February 17, 2020

PRESENT: Village President Koenig, Trustees McCready, Tarman, Morton

ABSENT: Trustee Strenke, Clary, Glaubitz

STAFF PRESENT: Administrator Hildebrand, Clerk-Treasurer Story, Chief Gabe, PWD Davis, and no citizens

CALL TO ORDER: Meeting called to order at 6:01 pm

ROLL CALL: As noted above.

Pledge of Allegiance

Disclosure of conflict of interest by members regarding any item on the agenda: None

REVIEW OF CONSENT AGENDA: Motion to approve consent agenda Item B – Operators License by Trustee McCready/President Koenig. Motion carried. All aye. None opposed.

PUBLIC COMMENT: None.

OLD BUSINESS: None.

NEW BUSINESS:

- A. Tabled. This item was tabled at the request of Administrator Hildebrand.
- B. Tabled. This item was tabled at the request of Administrator Hildebrand.
- C. At the request of the PWD Davis, a new meter reading equipment was reviewed. Motion by Trustee Tarman / Morton to approve the purchase of new meter reading equipment at a cost not to exceed \$8,500.00.
- D. The cost of the TL Food Pantry proposed building site including utilities and a review of annual costs was discussed. PWD Davis indicated the water-sewer piping would be roughly \$500.00 to \$1,000.00 to trench in. Admin Hildebrand discussed the electric, gas, and commented that there is currently \$1,500.00 that the village budgets towards the Food Pantry annually. There was no action on this item.
- E. Ordinance 2020-02 Sewer was tabled at the request of Administrator Hildebrand.

DEPARTMENTAL REPORTS:

- A. Administrator Hildebrand updated the board regarding the review of the current records retention policy and the archival of said records. The records currently in various buildings will need to be reviewed and either archived and destroyed following proper policies; M&T International update on the building of the warehouse; a possible HSA through our current health insurance provider; Attorney Dan Gustafson at Weld Riley is retiring; a Census 2020 update for Barron County; and discussion of a Purchasing Policy with different levels.
- B. Chief Gabe reported on his monthly numbers and issues including that Sheriff Fitzgerald met with the tribe; discussion of an anti-drug billboard; and a bean bag toss at TLSD.
- C. PWD Davis began his report directing the Clerk-Treasurer to refrain from taking minutes claiming Act 10.
- D. Library – Director Lutz was not present; no report given.

ADJOURN: Adjourn at 6:53 p.m. Motion to adjourn by President Koenig/Trustee McCready.

Minutes Prepared by: Ardith Story, Clerk-Treasurer

Drafted for Board Approval: 03 02 2020

PUBLIC FORUM

OLD BUSINESS

A. NONE

Should the Board choose to proceed.

RECOMMENDED ACTION

No Action to be Taken.

NEW BUSINESS

- A. Public Hearing regarding improvements to the Wastewater Treatment Plant. A proposed purchase of a Sludge Dryer with an overall cost of \$280,000 - \$360,000, which could result in a residential user increase of up to \$2.00 per year.

Due to a change in initial plans, which may result in a rate increase, the State recommends holding a public hearing.

Should the Board choose to proceed.

RECOMMENDED ACTION

Staff recommends a motion by the Board to open a Public Hearing for an appropriate period of time to hear comments regarding the purchase of the Sludge Dryer, which may result in a Residential User rate increase of up to \$2.00 per year.

Motion to close public hearing.

- B. Consider for Approval to the purchase of a Sludge Dryer with an overall purchase and installation cost of \$280,000 - \$360,000, which could result in a residential user increase of up to \$2.00 per year.

Should the Board choose to proceed.

RECOMMENDED ACTION

Staff recommends a motion by the Board to the purchase and installation of the Sludge Dryer for an amount not to exceed \$360,000.

c. Review for Approval Ordinance 2020-02; Sewer Utility: Regulations and Rates Ordinance.

Staff has worked on updating Chapter 9-2-1; Sewer Utility: Regulations and Rates *et seq.*

This is in anticipation of the Wastewater Treatment Plant expansion. Besides updates to language, future rates will be reviewed annually and set by Resolution of the Governing Body.

Should the Board choose to proceed.

RECOMMENDED ACTION

Staff recommends a motion by the Board to adopt Ordinance 2020-02 the Re-Appointment of election workers for the upcoming 2020 elections.

VILLAGE OF TURTLE LAKE, WISCONSIN

ORDINANCE 2020-02

AN ORDINANCE OF THE VILLAGE OF TURTLE LAKE, WISCONSIN, REPEALING THE PROVISIONS OF CITY CODE BOOK TITLE 9, CHAPTER 2; SEWER UTILITY REGULATIONS AND RATES, AND ADDING THE NEW LANGUAGE INCLUDED IN THIS ORDINANCE.

NOW THEREFORE, BE IT ORDAINED, by the Village Board for the Village of Turtle Lake, Barron and Polk Counties, Wisconsin as follows:

Section 1. Title 9, Chapter 2 – SEWER UTILITY REGULATIONS AND RATES

SEC. 9-2-1 Sewer Utility Deregulated.

The Turtle Lake Sewer Utility, by action of the Village Board, has been deregulated from the rate setting authority of the Wisconsin Public Service Commission, and has been classified by the Village of Turtle Lake based on usage herein. The Village Board shall annually adopt a Rate Resolution which established a fee structure, insurance, bonding and forfeiture assessments as needed for each classification of user.

SEC. 9-2-2 General Sewer Service – Metered – Smg-1.

Sewage contributors discharging domestic strength sewage up to two hundred fifty (250) mg per liter B.O.D. and two hundred fifty (250) mg per liter suspended solids are eligible for general service Metered Rates, which shall be billed in a timely manner and amount, as set forth in a Rate Resolution to be adopted and reviewed by the Village Board on an annual basis.

SEC. 9-2-3 Commercial and Industrial Sewer Service – Metered - Smg-2.

When the sewage from any contributor does not exceed the strength limitations of two hundred fifty (250) mg per liter for B.O.D. and two hundred fifty (250) mg per liter for suspended solids. The sewer bill shall be calculated under Schedule Smg-1. Where the waste of any contributor exceeds the above strength, a periodic sampling shall be taken and the sewage analyzed to determine the strength of said waste, which will be billed at the rates and schedule set forth in a separate Sewer Service Agreement between the user and Village of Turtle Lake, using amounts approved by the Village Board in the annual Rate Resolution.

SEC. 9-2-4 Significant Industrial Sewer User Service Sig-1

For contributors classified as Significant Industrial Users, the sewer bill shall be calculated under schedule Sig-1 at the rates and schedule set forth in a separate Sewer Service Agreement between the user and Village of Turtle Lake, using amounts approved by the Village Board in the annual Rate Resolution.

SEC. 9-2-5 General Sewer Service - Unmetered - Sum-1.

Service shall be billed at the rate set forth in the annual Rate Resolution, which shall be applied only to single-family residential and small commercial customers and approximates the cost for eleven thousand (11,000) gallons **per quarter** discharged to the sewer system. If it is determined by the utility that the user discharges more than eleven thousand (11,000) gallons **per quarter** to the system, an additional charge at the Smg-1 Volume Rate Chart per one thousand (1,000) gallons will be made for estimated additional usage.

SEC. 9-2-6 Billing Schedule.

- (a) Bills for sewer service will be sent to the owner of the property where service is provided and are the sole responsibility of the property owner.
- (b) Bills for sewer service shall be generated as set forth in the Rate Resolution and become due and payable on the 25th day of the month following the period for which service is rendered. A late charge of 3% will be added to bills not paid by the end of business on the 25th and will be applied to any unpaid balance. Utility Customers may be given a written notice that the bill is overdue no sooner than 20 days after the bill is issued.
- (c) A \$40.00 charge will be made for processing any check which has been returned for insufficient funds.
- (d) Failure to receive Bill. Every reasonable care will be exercised in the proper delivery of sewer bills. Failure to receive a sewer bill shall not relieve any person of the responsibility for payment of sewer rates, nor exempt any person from penalty imposed for delinquency in the payment thereof, unless so approved by the Village Board.

SEC. 9-2-7 through SEC. 9-2-9. Reserved for Future Use.

ARTICLE B. SEWER RULES AND REGULATIONS

SEC. 9-2-10 Establishing the Sewer Utility.

This Chapter establishes the Sewer Utility of the Village of Turtle Lake, Barron/Polk County and establishes sewer rates, rules and regulations concerning the government thereof and also concerning government of sewer users, licensed plumbers and others, and penalties.

SEC. 9-2-11 Management, Operation and Control of the Sewer Utility.

- (a) **Management.** The management, operation and control of the sewer system for the Village of Turtle Lake is vested in the Board of said Village; all records, minutes, written proceedings, and financial records thereof shall be kept by Village Clerk.
- (b) **Operation and Control.** The sewer utility of the Village of Turtle Lake shall have the power to construct sewer lines for public use, and shall have the power to lay sewer pipes in and through the alleys, streets, and public ground of the Village; and generally, to do all such work as may be found necessary or convenient in the management of the sewer system. The Village Board and approving authority shall have the power by themselves, their officers, agents, and servants, to enter upon any land for the purpose of making examination, to supervise in the performance of their duties under this provision, without liability therefore, and the Board shall have power to purchase and acquire for the Village all real and personal property which may be necessary for construction of the sewer system, or for any repair, remodeling, or additions thereto.
- (c) **Condemnation of Real Estate.** Whenever any real estate or any easement therein, or used ,thereof, shall in the judgment of the Village Board be necessary to the sewer system; and whenever for -any-cause-an-agreement for the purchase thereof'-cannot be made with the owner thereof, the Village Board shall proceed with all necessary steps to take such real estate easement, or use by condemnation in accordance with Wisconsin Statutes and the Uniform Relocation and Real Property Acquisition Policy Act of 1970, if federal funds are used.

(d) Title to Real Estate and Personalty. All property, real, personal, and mixed, acquired for the construction of the sewer system, and all plans, specifications, diagrams, papers, books and records connected therewith sewer system, and all buildings, machinery, and fixtures pertaining thereto, shall be the property of said Village of Turtle Lake.

SEC. 9-2-12 User Rules and Regulations.

- (a)** The rules, regulations and sewer rates of the Village of Turtle Lake hereinafter set forth shall be considered a part of the contract with every person, company or corporation who is connected with the sewer system of the Village and every such person, company, or corporation by connecting with the sewer system shall be considered as expressing his/her or their assent to be bound thereby.
- (b)** Whenever any of said rules and regulations, or such others as the said Board of the Village of Turtle Lake may hereafter adopt are violated, the service shall be shut off from the building or place of such violation (even if two or more parties are receiving service through the same connection), and shall not be re-established except by order of the Village Board, and on/payment of all areas the expenses and established charges of shutting off and putting on, and such other terms as the Village Board may determine and a satisfactory understanding with the party that no further cause for complaint shall arise. In case of such violation, the Village Board furthermore may declare any payment made for the service by the party or parties committing such violation to be a forfeiture, and the same shall thereupon be forfeited.
- (c)** The right is reserved by the Village Board to change the said rules, regulations, and sewer rates from time to time, as they may deem advisable; and to make special rates and contracts in all proper cases.
- (d)** Whereas, the Village by accepting wastewater and septage assumes all risk for treatment and meeting their WPDES but reserves the right to immediately discontinue acceptance of wastewater or septage for operational and permit reasons.
- (e)** This Chapter regulates the use of public and private sewers and drains, disposal of septage wastes into the public sewers, and the discharge of waters and wastes into the public sewage systems within the Village of Turtle Lake. It provides for and explains the method used for levying and collecting wastewater treatment service charges, sets uniform requirements for discharges into the wastewater collection and treatment systems and enables the Village to comply with administrative provisions, water quality requirements, toxic and pretreatment effluent standards, and other discharge criteria which are required or authorized by the State of Wisconsin or federal law. Its intent is to derive the maximum public benefit by regulating the characteristics of wastewater discharged into the Village sewerage system.
- (f)** This Chapter provides a means for determining wastewater and septage volumes, constituents and characteristics, the setting of charges and fees, and the issuing of permits to certain users. Revenues derived from the application of this Chapter shall be used to defray the Village of Turtle Lake Sewer Utility costs of operating and maintaining adequate wastewater collection and treatment systems and to provide sufficient funds for capital outlay, debt service costs and capital improvements.
- (g)** The charges and fees herein have been established pursuant to requirements of the Wisconsin Statutes. This Chapter shall supersede any previous Village ordinance, rules or regulations; and shall repeal all parts thereof that may be inconsistent with this Chapter and any applicable statute, the state statute shall be controlling.

SEC. 9-2-13 Application for Service.

Application for sewer service shall be made in writing on a form furnished by the sewer utility. The application will contain the legal description of the property to be served, name of the owner, the exact use to be made of the service, and the size of the service connection.

SEC. 9-2-14 Definitions.

The following definitions shall be applicable in this Chapter:

- (a) **Approving Authority** - The superintendent of the utility, Board of Public Works, or other designated official of the Village, or their duly authorized deputy, agent or representative.
- (b) **B.O.D. (Biochemical Oxygen Demand)** - The quantity of oxygen utilized in the biochemical oxidation of organic matter in five (5) days at 20 degrees centigrade, expressed as milligrams per liter. Quantitative determination of B.O.D. shall be made in accordance with procedures set forth in "Standard Methods".
- (c) **Building Drain** - That part of the lowest horizontal piping of a drainage system, which receives the discharge from soil, waste, and other drainage pipes inside the walls of the building system and conveys it to the building sewer.
- (d) **Building Sewer** - The extension from the building drain to the public sewer or other place of disposal beginning outside the inner face of the building wall.
- (e) **Combined Sewer** - A sewer receiving both surface runoff and sewage.
- (f) **Chlorine Requirement** - The amount of chlorine in milligrams per liter which must be added to sewage to produce a residual as specified in the Wisconsin Pollutant Discharge Elimination System.
- (g) **Garbage** - The residue from the preparation, cooking and dispensing of food, and from the handling, storage and sale of food products and produce.
- (h) **Ground Garbage** - The residue from the preparation, cooking and dispensing of food that has been shredded to such degree that all particles will be carried freely in suspension under the flow conditions normally prevailing in public sewers with no particle greater than one half (1/2) inch in any dimension.
- (i) **Holding Tank** – shall mean a watertight receptacle which receives and retains domestic sewage conveyed by a water carrying system and is designed and constructed to facilitate ultimate disposal of the sewage at another site.
- (j) **Incompatible Pollutants** - Wastewater or septage with pollutants that will adversely affect or disrupt the wastewater treatment processes or effluent quality or sludge quality if discharged to a wastewater treatment facility.
- (k) **Industrial Waste** - The wastewater from industrial process, trade or business, as distinct from sanitary sewage, including cooling water and the discharge from sewage pretreatment facilities.
- (l) **Lateral** – shall mean the portion of the sanitary sewer which connects the interior wastewater lines to the main sewer lines.
- (m) **Natural Outlet** - Any outlet, including storm sewers and combined sewer overflows, into a water course, pond, ditch, lake or other body of surface water or groundwaters.
- (n) **Parts per Million** - A weight-to-weight ratio. The parts per million value multiplied by the factor 8.34 is equivalent to pounds per million gallons of water.
- (o) **Person** - Any and all persons, including any individual, firm, company, municipal or private corporation, association, society, institution, enterprise, governmental agency, or other entity.
- (p) **pH** - The logarithm of the reciprocal of the hydrogen-ion concentration. The concentration is the weight of the hydrogen ions, in grams per liter of solution. Neutral water, for example, has a pH value of 7 and hydrogen ion concentration 10^{-7} .
- (q) **Rate Resolution** – Shall mean a resolution periodically passed by the Village Board to establish user charge rates and fees that reflect proportionate payment of total operating cost of the system incurred by the transmission and treatment of the user's wastewater.

- (r) **Sanitary Sewage** - A combination of water-carried wastes from residences, business buildings, institutions and industrial plants (other than industrial wastes from such plants); together with such ground, surface and storm waters as may be present.
- (s) **Sanitary Sewer** - A sewer that conveys wastewater, industrial wastes or a combination of both, and into which storm, surface and ground waters or unpolluted industrial wastes are not intentionally admitted.
- (t) **Septage** - Scum, liquid, sludge or other waste from a septic tank, soil absorption field, vault toilet or privy. This does not include the waste from a grease trap.
- (u) **Sewage** - The spent water of a community. The preferred term is wastewater.
- (v) **Sewer** - A pipe or conduit for conveying sewage or any other waste liquids, including storm, surface and ground water drainage.
- (w) **Significant Industrial User** – shall mean a user that discharges more than 25,000 gallons per day of wastewater (including process wastewater, sanitary wastewater, non-contact cooling water and boiler blowdown), or high strength wastewater with a mass of BOD or Suspended Solids greater than the mass contained in 25,000 gallons per day of domestic waste.
- (x) **Slug** - Any discharge of sewage or industrial waste which in quantity or concentration of any given constituent adversely affects the collection system and/or performance of the wastewater treatment plant. Any discharge of sewage or industrial waste exceeding 50% over the industrial user agreement listed load, concentration, or volume values.
- (y) **Standard Methods** - The examination and analytical procedures set forth in the most recent edition of "Standard Methods for the Examination of Water, Sewage and Industrial Wastes," published jointly by the American Public Health Association, the American Water Works Association and the Water Pollution Control Federation.
- (z) **Storm Sewer (Drain)** - A sewer that carries storm, surface and ground water drainage, but excludes sewage and industrial wastes.
- (aa) **Suspended Solids** - Solids that either float on the surface of, or are in suspension in, water, wastewater or industrial waste, and which are removable by a laboratory filtration device. Quantitative determination of suspended solids shall be made in accordance with procedures set forth in "Standard Methods."
- (bb) **Wastewater** - The spent water of a community. A combination of the liquid and water carried wastes from residences, commercial buildings, industrial plants and institutions, together with any ground water, surface water and storm water that may be present but not intentionally admitted.
- (cc) **Wastewater Treatment Works** - An arrangement of devices and structures (including treatment plant) for treating and disposing of wastewater, industrial wastes, and sludge. Sometimes used as synonymous with waste treatment.
- (dd) **Wastewater Collect Ion System** - The system of sewers and appurtenances for the collection, transportation and pumping of wastewater and industrial wastes.
- (ee) **Wisconsin Pollutant Discharge Elimination System (WPDES) Permit** - A document issued by the Wisconsin State Department of Natural Resources, which establishes effluent limitations and monitoring requirements for the municipal wastewater treatment facility.

SEC. 9-2-15 Interpretation.

- (a) In this Chapter, use of the word; **Shall** is mandatory, and **May** is permissive.
- (b) Any reference to specific State statutes or Administrative Code provisions shall be interpreted as including any future amendments or recreations of the same.
- (c) Any reference to titles of sections or subsections shall be illustrative of the contents thereof, and shall not control the interpretation and application of those contents.

SEC. 9-2-16 Holding Tank Disposal and Acceptance; Limitations; Restrictions on Septic Tank and Septage Disposal.

(a) Application for Septage Disposal.

- (1)** No person or licensed disposer shall dispose of septage into any storage area or sewer, manhole located within the Village of Turtle Lake without approval of the Village.
- (2)** Every licensed disposer wishing to discharge septage to the Village wastewater treatment works shall file a nonrefundable filing fee as included in the Rate Resolution and a written application to the Village which states the type, frequency, quantity, quality and location of generated septage to be disposed at the Village wastewater treatment works.
- (3)** If the Village cannot accept all the proposed septage disposal, then consideration shall be given first to those generators of septage that are within the sewer service area.
- (4)** All Village approvals for septage disposal shall have the conditions that any time the wastewater treatment works has operational problems, maintenance problems, or threat of WPDES permit violation, the Village or its duly authorized employee or agent may immediately restrict septage disposal until such time as corrective action or mitigative measures have been taken.
- (5)** Any licensed disposer discharging to the wastewater treatment facility or to a public sewer, found to be violating a provision of this Chapter or other regulation regarding septage disposal, may have their approval immediately revoked. This revocation shall be done in writing and state the reason for revoking the septage disposal approval.

(b) Holding Tank Disposal.

- (1)** No person in the business of gathering and disposing of septic tank sludge or holding tank sewage shall transfer such material into any disposal area or sewer manhole located within the Village of Turtle Lake boundaries unless a permit for disposal has been first obtained from the Village. Written application for this permit shall be made to the Village and shall state the name and address of the applicant; the number of its disposal units; and the size, make, model, and license number of each unit. Permits shall be non-transferable except in the case of replacement of the disposal unit for which a permit shall have been originally issued. The Village may impose such conditions as it deems necessary on any permit granted.
- (2)** Charges for a disposal shall be as determined in the Rate Resolution. Bills shall be mailed on a monthly basis and if payments are not received in thirty (30) days thereof, disposal privileges shall be suspended.
- (3)** Any person disposing of holding tank waste agrees to carry public liability insurance in an amount not less than the amount identified in the Rate Resolution to protect any and all persons or property from injury and/or damage caused in any way or manner by any act, or failure to act, by any of his/her employees. A certificate of insurance coverage shall be filed with the Village Clerk / Treasurer. It shall be a condition of the permit that said insurance coverage shall be maintained at all times.
- (4)** All materials disposed of into the wastewater collection system shall be of domestic origin only and that he/she will comply with the provisions of any and all applicable ordinances of the Village of Turtle Lake, and shall not deposit or drain any gasoline, oil, acid, alkali, grease, rags, disposable wipes, waste volatile or inflammable liquids, or other deleterious

substances into any manhole nor allow any earth, sand, or other solid material to pass into any part of the wastewater collection system.

- (5) Each person disposing waste agrees to indemnify and hold harmless the Village of Turtle Lake from any and all liability and claims for damages arising out of or resulting from work and labor performed, and shall furnish a bond to the Village in an amount identified in the Rate Resolution to guarantee performance. Said performance bond shall be delivered to the Village Clerk / Treasurer prior to the issuance of the permit hereunder.
- (6) Unless otherwise approved by the Village, holding tank waste shall only be disposed of at the Village RV dumping station in the Main Park.

(c) Waste Sampling; Sampling Station Requirements.

- (1) Holding tank waste discharged into the public sewers shall be subject to periodic inspection and a determination of character and concentration of said wastes. The determinations shall be made by the industry or the licensed disposer as often as may be deemed necessary by the Village.
- (2) Samples shall be collected in such a manner as to be representative of the composition of the waste. The sampling may be accomplished either manually or by use of mechanical equipment acceptable to the Village.
- (3) Testing facilities shall be the responsibility of the person discharging the waste and shall be subject to the approval of the Village. Access to sampling locations shall be granted to the Village at all times. Every care shall be exercised in the collection of samples to ensure their preservation in a state compatible to that at the time the sample was taken.
- (4) Sampling methods, locations, times, durations and frequencies are to be determined on an individual basis by the Village.

SEC. 9-2-17 Sewer User Charge System.

(a) Policy. It shall be the policy of the Village of Turtle Lake to obtain sufficient revenues to, pay the cost of:

- (1) The annual debt retirement payment on any bonded indebtedness pertaining to the sewer utility;
- (2) Any required cash reserve account payment;
- (3) Operation and maintenance of the wastewater collection system and wastewater treatment facility, including a replacement fund, i.e a cash account to be used for future expenditures for obtaining or installing equipment, accessories or appurtenances which are necessary to maintain the capacity and performance thereof during the service life for which such system and facility were designed and constructed, through a system of user charges as defined in this Chapter.
- (4) The system shall assure that each user pays a proportionate share of that cost of operation.

(b) Annual Review. The user charges shall be reviewed annually. The Planning Commission and the Village Board shall perform such review. User charges shall be adjusted, as required, to reflect the actual number and size of users and actual costs in a Rate Resolution to be approved and adopted by the Village Board.

(c) Inability to Obtain Meter Reading. Where it is not possible to obtain a water meter reading, or in cases where no water meter exists, the customer shall be assigned an average water volume by the Village, based on previous meter readings, and this shall be so stated on the bill. The difference shall be adjusted when the meter is again read.

(d) Billing; Payment. All charges for sewerage shall be made quarterly and shall be payable on the first day of January, April, July, and October in each year. A three percent (3%) penalty will be added to those bills not paid on or before the 20th day after the due date of the bill with a thirty cent (\$0.30) minimum penalty charge. A failure to receive a bill shall not excuse nonpayment. Sewerage service charges shall be a lien on the property served in accordance with Sec. 66.076(7), Wis. Stats.

SEC. 9-2-18 Reservation of Power to Retroactively Assess Commercial and Industrial Users for Actual Cost of Treatment Not Captured by Standard Fees.

All commercial and industrial users are billed on a monthly basis, retroactively, for sewer services rendered by the Village, upon the basis of actual volume of sanitary sewage disposed of in the next preceding quarter by each such user. Because the operational costs upon which the user rates are determined are calculated upon the basis of the next prior year's experience, both in general and with respect to a particular commercial or industrial user, as to the types and strength of waste disposed of into the Village wastewater collection system, the Village reserves the right at the end of each calendar year to retroactively assess, commercial and industrial users with the actual cost of treating and disposing of their sanitary sewage so as to avoid having to build those excess costs into the General Sewer Service Metered Rate, Smg-1 for the forthcoming calendar year. This process is necessitated because of one or both of the following two (2) factors: [1] In the case of a new commercial or industrial user for whom there was no experience during the preceding calendar year, the potential for inaccuracy in estimating the types and strength of the waste that it actually disposes of; and [2] Expansion of an existing commercial or industrial user's operations during the course of a calendar year, the estimates pertaining to which are inaccurate and understate either the types or strength of sanitary sewage disposed of. In the case of a commercial or industrial user whose types or strength of sanitary sewage are lower during the current year, on the basis of such a year-end calculation, a credit shall be afforded to it against the next year's monthly statements.

SEC. 9-2-19 Surcharge for Capacity Reservation.

In the event that the Village enters into an agreement with an industrial user to reserve to it, in whatever manner is used to describe such a reservation, capacity in the Village Wastewater Treatment Facility for either a new industrial use not yet commenced as of the time of such agreement or for additional capacity not then utilized by the said industrial user, the capacity so agreed upon shall be reserved to and for the benefit of the identified industrial user for the following period of time only:

(a) The agreed upon time for construction by the industrial user of new or additional improvements or startup, of new or more extensive waste generating processes, if any, which shall make use of the reserve capacity; plus

(b) If use of the reserve capacity commences, the specific number of years designated in the agreement between the Village and industrial user for said reserve capacity. Should the industrial user fail to make use of all or any part of the reserved capacity commencing no later than the end of the period designated in (a), above, the Village reserves the right to exercise one of the following options:

(1) Assess against the industrial user in question, a penalty equal to revenue lost as a result of its non-use of its reserved capacity attributable against the operational costs

that otherwise would have been captured from and against the user's projected use of its reserve capacity, less actual use, if any; or

- (2) declare the reservation of capacity null and void, in whole or in part, releasing it for use by other users of the system. This section shall be incorporated by reference in each agreement reserving capacity in the Village Wastewater Treatment system, whether expressly set forth therein or not.

SEC 9-2-20 Standby Charge for Fixed Capital Costs.

The Village reserves the right in the course of formulating fees for use of its Wastewater Collection and Treatment system to assess a standby charge against industrial users. Said fee shall be calculated upon the following basis:

User Payments are calculated by finding the total monthly payment value based on a preset value of debt, assumed interest, and number of payment periods (annuity pay formula). This payment is then divided to each user including industry based on their percentage of use.

SEC. 9-2-21 Application for Service.

- (a) **Generally.** Every person-connecting with the sewer system shall file an application in writing to the Village Clerk / Treasurer, in such forms as are prescribed for that purpose. Blanks for such applications will be furnished by the Village. The application must state all the use which will be allowed, except upon further application and permission regularly obtained from the Village. If the applicant is not the owner of the premises, the written consent of the owner must accompany the application. Persons connected to the sewer system of the Village of Turtle Lake are referred to herein as "Users".
- (b) **Multi-Service Applications.** The application may be for service to more than one building, or more than one unit of service through one lateral connection; and in such case, charges shall be made accordingly.
- (c) **Approval or Rejection of Application.** If it appears that the service applied for will not provide adequate service for the contemplated use, the Village may reject the application. If the Village approves the application, a permit shall be issued for services as shown on the application.
- (d) **Payment for Connection Application.** Prior to the issuance of the application for service users shall pay the fee identified in the Rate Resolution. If the lateral construction cost to the Utility exceeds the above amount identified in the Rate Resolution, then the user will be required to pay the former cost.

SEC. 9-2-22 Tap Permits.

- (a) **Permit Required.** After sewer connections have been introduced into any building or upon any premises, no plumber shall make any alterations, extensions; or attachments, unless the party ordering such tapping or other work shall exhibit the proper permit for the same from the Village.
- (b) **User to Keep in Repair.** All users shall keep their own service pipes in good repair and protected from frost, at their own risk and expense, and shall prevent any unnecessary overburdening of the sewer system.

- (c) **User Use Only.** No user shall allow others or other services to connect the sewer system through his/her lateral.

SEC. 9-2-23 Use of the Public Sewers.

- (a) **Plumbers.** No plumber or other person will be permitted to do any plumbing or pipe fitting work in connection with the sewer system without first receiving a license from the State of Wisconsin.

(b) Tapping the Mains.

- (1) No person, except those having special permission from the Village, or persons in their service and approved by them, will be permitted, under any circumstances, to tap the mains or collection pipes. The kind and size of the connection with the pipe shall be that specified in the permit or order from said Village, or duly authorized employee or agent.
- (2) Pipes should always be tapped on the top half, and not within six (6) inches (15cm) of the joint, or within twenty-four (24) inches (60cm) of another lateral connection.

(c) Installation of House Laterals.

- (1) All service pipes (laterals) on private property will be installed in accordance with Ch. SPS382, Wis. Adm. Code.
- (2) Per Sec. SPS382, Wis. Adm. Code, all laterals will be inspected. The building sewer and/or private interceptor main sewer shall be inspected upon completion of placement of the pipe and before backfilling, and tested before or after backfilling.

- (d) **Sanitary Sewers.** No person shall cause to be discharged any storm water, surface drainage, ground water, roof, runoff, cooling water or unpolluted water into any sanitary sewer. No persons shall discharge or cause to be discharged the following described substances, materials, waters or wastes if it appears likely, in the opinion of the Village, that such wastes can harm either the sewers, wastewater treatment plant or equipment, have an adverse effect on the receiving stream, or can otherwise endanger life, limb, property or constitute a nuisance. In forming their opinion as to the acceptability of these wastes, the Village will give consideration to the sewers, nature of the wastewater treatment process, capacity of the wastewater treatment plant, and other pertinent factors. The substances prohibited are:

- (1) Any gasoline, benzine, naphtha, fuel oil or other flammable or explosive liquid, solid or gas.
- (2) Any waters or wastes containing toxic or poisonous solids, liquids or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any wastewater treatment process, or constitute a hazard to humans or animals or create any hazard in the receiving waters of the wastewater treatment plant.
- (3) Any waters or wastes having a pH lower than 6.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment and personnel of the wastewater treatment plant.
- (4) Any waters or wastes having a pH in excess of 9.0.
- (5) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operations of the wastewater collection and treatment facilities such as, but not limited to, disposable wipes, ashes,

cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshings, entrails, and paper dishes, cups, milk containers etc., either whole or ground by garbage grinders.

- (6) Any liquid or vapor having a temperature higher than 150 degrees Fahrenheit.
- (7) Any water or waste containing fats, wax, grease or oils in excess of one hundred (100) parts per million, whether emulsified or not which will or may cause obstruction to the flow in a sewer or other interference with the operation of the wastewater system.
- (8) Any commercial garbage that has not been properly shredded. The installation and operation of any commercial grinder equipped with a motor of one 'horsepower or greater shall be subject to the review and approval of the Village.
- (9) Any waters or wastes containing, iron, chromium, copper, zinc, mercury and similar objectionable or toxic substances; or wastes exerting an excessive chlorine requirement, to such a degree that any such material received in the composite wastewater at the wastewater treatment plant exceeds the limits established by the Village for such materials.
- (10) Any waters or wastes containing phenols or other taste or odor producing substances in such concentrations exceeding limits which may be established by the Village as necessary after treatment of the composite wastewater, to meet the requirements of the state, federal or other public agencies of jurisdiction for such discharge to the receiving waters.
- (11) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the Village in compliance with state or federal regulations.
- (12) Any water or wastes which, by interaction with other water or wastes in the sanitary sewer system, release obnoxious gases, form suspended solids which interfere with the collection system, or create a condition deleterious to structures and treatment processes. Quaternary Ammonia is prohibited from the wastewater system.
- (13) Materials which exert or cause:
 - a. Unusual B.O.D., chemical oxygen demand or chlorine requirements in such quantities as to constitute a significant load on the wastewater treatment plant.
 - b. Unusual volume of flow or concentration of wastes constituting "slugs" as defined herein.
 - c. Unusual concentrations of inert suspended solids (such as, but not limited to, fuller's earth, lime slurries and lime residues) or of dissolved solids (such as, but not limited to, sodium sulfate).
 - d. Excessive discoloration (such as, but not limited to, dye wastes and vegetable tanning solutions).
 - e. Waters or wastes containing substances which are not amenable to treatment or reduction by the wastewater treatment processes employed, or are amenable to treatment only to such a degree that the wastewater treatment plant effluent cannot meet the requirements of the Department of Natural Resources, Division of Environmental Protection of the State of Wisconsin.
- (e) **Special Arrangements.** No statement contained in this Chapter shall be construed as prohibiting any special agreement between the Village and any person or entity whereby an industrial waste of unusual strength or character may be admitted to the sewage disposal works, either before or after pretreatment, provided that there is no impairment of the functioning of the sewage disposal works by reason of the admission of such wastes, and no extra costs are incurred by the Utility without recompense by the person.

SEC. 9-2-24 Control of Industrial Wastes Directed to Public Sewers.

(a) Industrial Discharges. If any waters or wastes are discharged or proposed to be discharged to the public sewers, which waters or wastes contain substances or possess the characteristics enumerated in this Chapter, and which in the judgment of the Village, have a deleterious effect upon the wastewater collection or treatment facilities, processes, equipment or receiving waters, or which otherwise create a hazard to life, health, or constitute a public nuisance, the Village may:

(1) Reject the wastes.

(2) Require pretreatment to an acceptable condition for discharge to the public sewers.

(3) Require control over the quantities and rates of discharge.

(4) Require payment to cover the added cost of handling and treating the wastes not covered by existing rates or sewer charges.

(b) Control Manholes.

(1) Each person discharging industrial wastes into a public sewer shall construct and maintain one or more control manholes or access points to facilitate observation, measurement and sampling of his/her wastes, including domestic sewage.

(2) Control manholes or access facilities shall be located and built in a manner acceptable to the Village. If measuring and/or sampling devices are to be permanently installed, they shall be of a type acceptable to the Village.

(3) Control manholes, access facilities and related equipment shall be installed by and at the expense of the person discharging the wastes, and shall be maintained by that person so as to be in safe condition, accessible and in proper operating condition at all times. The Village, prior to the beginning construction, shall approve plans for installation of the control manholes or access facilities and related equipment.

(c) Measurement of Flow. The volume of flow used for computing industrial waste collection and treatment charges shall be the metered water consumption of the person as shown in the records of meter reading maintained by the Village.

(d) Metering of Waste. Devices for measuring the volume of waste discharged may be required by the Village if this volume cannot otherwise be determined from the metered water consumption records. Metering devices for determining the volume of waste shall be installed, owned and maintained by the person to accuracy standards acceptable to the Village. Following approval and installation, such meters may not be removed without the consent of the Village.

(e) Provision for Deductions. In the event that a person discharging industrial waste into the public sewers produces evidence satisfactory to the Village that more than ten percent (10%) of the total annual volume of water used for all purposes does not reach the public sewer, then the determination of the water consumption to be used in computing the waste volume discharged into the public sewer may be made a matter of agreement between the Village and the person or entity.

(f) Waste Sampling.

- (1) Industrial wastes discharged into the public sewers shall be subject to periodic inspection and a determination of character and concentration of said wastes. The determinations shall be made by the industry as often as may be deemed necessary by the Village.
 - (2) Flow measurement system shall include accurate flow measurement over the entire flow range discharged.
 - (3) Primary flow measurement device shall be suitable for the waste type and shall not be subject to plugging from solids contained in the waste stream.
 - (4) Flow totalizer shall read in gallons.
 - (5) Flow measurement shall include instantaneous recording with either a paper chart or electronically stored data. Electronically stored & submitted data shall be compatible with the Village's computer system.
 - (6) Continuous pH measurement shall be required, including instantaneous recording with either a paper chart or electronically stored data. Electronically stored & submitted data shall be compatible with the Village's computer system.
 - (7) Sampler shall be a refrigerated, flow proportional composite sampler. Flow signal to pace sample collection shall come from the flow measurement system. Equal volume sample collection is not acceptable. Sampler has to clear prior sample from suction tube before a new sample is taken.
 - (8) Initial startup and adjustment of flow metering and sampling system shall be performed by a qualified manufacturer's representative.
 - (9) Sampler, pH monitoring and flow recording systems shall be housed in a secure, heated building, separate room or suitable enclosure acceptable to the Village. Collection of samples and reading of flow totalizer shall not require confined space entry. Access to the sample collection area shall be controlled by the Village. Sample area shall be accessible by the Village at all times (24 hr/day, 365 days/yr) for random sampling without requiring notification of the Industry.
 - (10) Sample collection and flow measurement location shall include all wastewater (process and domestic) discharged to the Village sanitary sewer system. Access to the primary flow device and sample collection location shall be controlled by the Village.
 - (11) Routine flow meter calibration shall be performed annually at the Industry's expense. More frequent calibration will be required if erroneous results are apparent. Access for calibration or repairs by the Industry or its representatives to areas where access is controlled by the Village will be by mutual agreement between the Village and the Industry.
 - (12) Industry shall submit detailed plans and specifications for the proposed sampling station to the Village for review and approval prior to construction of the sampling system.
- (g) Pretreatment.** Where required, in the opinion of the Village, to modify or eliminate wastes that are harmful to the structures, processes or operation of the wastewater collection or treatment plant, the person shall provide, at his/her expense, such preliminary treatment or processing facilities as may be determined required to render his/her wastes acceptable for admission, to the public sewers.

- (h) Grease, Oil and Sand Interceptors.** Grease, oil and sand interceptors shall be provided when, in the opinion of the Village, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts or any flammable wastes, and/or other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type readily accessible for cleaning and inspection. In maintaining these interceptors, the owner(s) shall be responsible for the proper removal and disposal by appropriate means of the captured material and shall maintain records of the dates and means of disposal which are subject to review by the Village. Disposal of the collected materials performed by owner's personnel or currently licensed waste disposal firm must be in accordance with currently acceptable Department of Natural Resources rules and regulations.
- (i) Analyses.** Laboratory procedures used in the examination of industrial wastes shall be those set forth in "Standard Methods". However, alternate methods for certain analyses of industrial wastes may be used subject to mutual agreement between the Village and the person. Determination of the character and concentration of the industrial wastes shall be made by the person discharging the wastes or by the person's agent, as designated and required by the Village. The utility may also make its own analyses on the wastes and these determinations shall be binding as a basis for charges.
- (j) Submission of Information.** Plans, specifications and any other pertinent information relating to proposed control manholes, sampling, metering or preliminary treatment of processing facilities shall be submitted for review of the Village prior to the start of their construction if the effluent from such facilities is to be discharged into the public sewers.

SEC. 9-2-25 Right-of-Entry, Identification and Safety.

Every user shall permit the Village employees or other duly authorized representative bearing proper credentials and identification to enter all properties at all reasonable hours of the day for the purpose of inspection, observation, testing, all pipers, fixtures, drains and sewer connections in accordance with the provisions of these rules and regulations and Sec. 196.171, Wis. Stats. The duly authorized employee or authorized representative shall have no authority to inquire into any process beyond that point having a direct bearing on the kind and source of discharge to the sewers or waterways or facilities for wastewater treatment. While performing the necessary work, the authorized person shall observe all safety rules applicable to the premises established by the property owner. Every owner must at all times, frankly and without concealment, answer all questions put to them relative to Utility use.

SEC. 9-2-26 Sewer Construction.

- (a) Work Authorized.** No unauthorized person shall uncover, make any connections with or opening into, use, alter or disturb any public sewer or appurtenance thereof, without first obtaining a written permit from the Village.
- (b) Cost of Sewer Connection.** All costs and expense incident to the installation and connection of the building sewer shall be borne by the owner.
- (c) Use of Old Building Sewers.** Old building sewers may be used in connection with new buildings only when they are found, on examination and test by the Village, to meet all requirements of this Chapter.
- (d) Materials and Methods of Construction.** The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing and backfilling the trench, shall all conform to the requirements of the building and plumbing code or other applicable rules and regulations of the Village. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the A.S.T.M. and W.P.C.P. Manual of Practice No.9 shall

apply. In refilling the opening, after the service pipes are laid, the earth must be laid in layers of not more than nine (9) inches in depth, and each layer thoroughly compacted to prevent settling. This work, together with the replacing of sidewalks, ballast and paving, must be done so as to make the street as good, at least, as before it was disturbed, and satisfactory to the Village. No opening of the streets for tapping the pipes will be permitted when the ground is frozen.

- (e) **Building Sewer Grade.** Whenever possible, the building sewer shall be brought to the building at an elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the public sewer, sanitary sewage carried by such building drain shall be lifted by an approved means and discharged to the building sewer.
- (f) **Storm and Ground Water Drains.** No person shall make connection of roof downspouts, exterior foundation drains, area-way drains or other sources of surface runoff or ground water to a building sewer or building drain which is connected directly or indirectly to a public sanitary sewer.
- (g) **Conformance to Plumbing Code.** The connection the building sewer into the public sewer shall conform to the requirements of the building and plumbing code or other applicable rules and regulations of the Village, or the procedures set forth in appropriate specifications of the A.S.T.M. and the W.P.C.P. Manual of Practice No.9. All such connections shall be made gas tight and water tight. The Village, before installation, must approve any deviation from the prescribed procedures and materials.
- (h) **Inspection of Connection.** The applicant for the building sewer permit shall notify the Village when the building sewer is ready for inspection and connection to the public sewer. The connection shall be made under the supervision of the Village.
- (i) **Barricades; Restoration.** All excavations for the building sewer installation shall be adequately guarded with barricades and lights so as to protect the public from hazard. Streets, sidewalks, parkways and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the Village.

SEC. 9-2-27 Miscellaneous Rules and Regulations.

(a) Mandatory Connection.

- (1) The owner of each parcel of land adjacent to a sewer main on which there exists a building usable for human habitations or in a block through which such system is extended, shall connect to such system within sixty (60) days of notice in writing from the Village. Upon failure to so do, the Village may cause such connection to be made and bill the property owner for such costs. If such costs are not paid within thirty (30) days, such notice shall be assessed as a special tax lien against the property, all pursuant to Sec. 144.06, Wis. Stats.; provided, however, that the owner may within thirty (30) days after the completion of the work, file a written opinion with the Village stating that he/she cannot pay the amount in one sum and asking that there be levied in not to exceed five (5) equal installments and that the amount shall be so collected with interest at the rate of eighteen percent (18%) per annum from the completion of the work, the unpaid balance being a special tax lien, all pursuant to Sec. 144.06, Wis. Stats.
- (2) In lieu of the above, the Village at its option may impose a penalty for the period that the violation continues, after ten (10) days' written notice to any owner failing to make a connection to the sewer system in an amount per month as included in the Rate Resolution for each residential unit equivalent payable quarterly, for the period in which the failure to connect continues, .and upon failure to make such payment said charge

shall be assessed as a special tax lien against the property, all pursuant to Sec. 144.06, Wis. Stats.

- (3) This provision ordains that the failure to connect to the sewer system is contrary to the minimum health standards of said Village and fails to assure preservation of public health, comfort, and safety of said Village of Turtle Lake.

(b) Maintenance of Sewer Laterals.

- (1) The owner of the sewer lateral shall be responsible for all costs of maintenance, repair and replacement of the lateral from the building to the connection to the sewer main.
- (2) Any proposed lateral work required in the public right of way shall be submitted to the Village for approval prior to commencing work. All restoration costs associated with lateral work in the public right of way shall be the responsibility of the owner of the lateral, including backfilling, compaction, restoration of street, curb & gutter replacement, sidewalk replacement, boulevard replacement, topsoil replacement and seeding.
- (3) All laterals services from the point of maintenance by the system to and throughout the premises must be maintained free of defective conditions, by and at the expense of the owner of the property.
- (4) When any sewer lateral is to be re-laid and there are two (2) or more buildings on such service, each building shall be disconnected from such lateral and a new sewer lateral shall be installed for each building.

(c) Penalty for Improper Use.

- (1) It shall be unlawful for any person to willfully injure the sewer system, or any building, machinery or fixture pertaining thereto, or to willfully and without authority of the Village of Turtle Lake to bore or otherwise cause to leak, any tunnel, aqueduct, reservoir, pipe or other thing used in the system for holding, conveying, or collecting sewage.
- (2) In addition to any other penalty provided by this Chapter or other law, the Village shall have the right of recovery from any responsible person(s) of any expense incurred by the Village for penalties imposed on the Village due to a violation of this Chapter or other law, correction of conditions impairing the proper operation of the sewer system and the repair or replacement of any sewer pipe or other property of the sewer system damaged in any manner by any negligent or intended act or omission by such person or by others under their control.

(d) Septic Tanks Prohibited. The maintenance and use of septic tanks and other private sewage disposal within the area of the Village of Turtle Lake serviced by its sewer system are hereby declared to a public nuisance and a health hazard. From and after April 20th, 1992 the use of septic tanks or any private sewage disposal system within the area of the Village of Turtle Lake serviced by the sewerage system shall be prohibited.

(e) Vacating of Premises and Discontinuance of Service. Whenever premises served by the system are to be vacated, or whenever any person desires to discontinue service from the system; the system must be notified in writing. The owner of the premises shall be liable for any damages to the property or such damage which may be discovered having occurred to the property of the system other than through the fault of the system or its employees, representatives or agents.

- (f) Charges are Lien on Property.** All sewer service, charges and special assessments shall be a lien on a lot, part of a lot, or land on which sewer services were supplied. Any sums which have accrued during the preceding year and which are unpaid by the first day of October and any year, shall be certified to the Village Clerk to be placed on the tax roll for collection as provided by Wisconsin Statutes.
- (g) Unit of Service Definition.** A unit of service shall consist of any residential, commercial, industrial or charitable aggregation of space or area occupied for a distinct purpose such as a residence, apartment, flat, store, office, industrial plant, church, or school. Each unit of service shall be regarded as one consumer. Suites in houses, or apartments with complete housekeeping functions (such as cooking), shall be classed as apartment houses; thus houses and apartments having suites of one, two or more rooms with toilet facilities, but without kitchen for cooking, are classed as rooming houses. When a consumer's premises has several buildings, for which services are eligible and such buildings are used in the same business and connected by the user, the Village Board shall set a separate rate for such complex.
- (h) Adoption of Other Rules.** There is hereby adopted all the rules and regulations of the State Plumbing and State Building Codes and the building rules of the Department of Safety and Professional Services; and the Department of Natural Resources of the State of Wisconsin insofar as the same are applicable to the Village of Turtle Lake. All extensions of the system will comply with administrative rules NR 108, Wis. Adm. Code, of the Department of Natural Resources.
- (i) Severability.** If any section, subsection, sentence, clause or phrase of the Chapter is, for any reason, held to be invalid, such decision shall not affect the validity of the remaining portions of the Chapter. The Village of Turtle Lake hereby declares that it would have passed this Chapter and section, subsection, clause and phrase thereof, irrespective of the fact that anyone or more section, subsection, sentences, clauses, and phrases be declared unconstitutional.

SEC. 9-2-28 Violations and Penalties.

- (a) Written Notice of Violation.** Any person found to be violating any provision of this Chapter's rules and regulations shall be served by the Village with a written notice stating the nature of the violation and providing a reasonable time for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations. Any person who shall violate any of the provisions of this Chapter or rules or regulations of the Village of Turtle Lake; or who shall connect a service pipe without first having obtained a permit therefore; or who shall violate any provisions of the Wisconsin Statutes, Wisconsin Administrative Code, or any other materials which are incorporated by reference, shall upon conviction thereof forfeit the amount included in the Rate Resolution and the costs of prosecution. This, however, shall not bar the Village of Turtle Lake from enforcing the connection duties set out for mandatory connection.
- (b) Accidental Discharge.** Any person found to be responsible for accidentally allowing a deleterious discharge into the sewer, which causes damage to the treatment facilities, receiving body of water and/or downstream waters-shall, in addition to a forfeiture, pay the amount to cover damages, both values to be established by the Village by Resolution.

SEC. 9-2-29 Credit for Water Not Discharged to Sewer.

If a portion of the water furnished to any customer is not discharged into the sewer system, the quantity of such water will be deducted in computing the charge for sewer service provided a meter

has been installed to measure such water. The customer must, at his/her own expense, make necessary changes in the water piping and install couplings so that a meter can be set.

SEC. 9-2-24 Utility Responsibility.

It is expressly, stipulated that no claim shall be made against the Village for reasons of the breaking, clogging, stoppage or freezing of any service pipes, or from any damage arising from repairing mains, making connections or extensions, or any other work that may be deemed necessary. The right is hereby reserved to cut off the service at any time for the purpose of repairs or any other necessary purpose, any permit granted or regulation to the contrary notwithstanding. Whenever it shall become necessary to shut off the sewer service within any district of the Village, the Village shall, if practicable, give notice to each consumer within the district of the time when such service will be so shut off.

Section 2. This ordinance shall be in full force and effect from and after its passage and adoption.

PASSED AND APPROVED by the Village Board of the Village of Turtle Lake, Wisconsin, this _____ day of March, 2020.

Andy Koenig, President

ATTEST:

Ardith Story, Village Clerk

D. Review of Resolution 2020-02; Establishing Fees under the Village Sewer Ordinance 2020-02.

Review Only

Should the Board choose to proceed.

RECOMMENDED ACTION

Review Only, no action required.

Village of Turtle Lake

Resolution 2020-01 Sewer Rates

A RESOLUTION OF THE VILLAGE OF TURTLE LAKE, WISCONSIN ESTABLISHING UPDATED SEWER RATES FOR VILLAGE OF TURTLE LAKE CODE CHAPTER 9-2-1, *et seq.*

Whereas, the Village Board of Turtle Lake, Wisconsin updated its Sewer Utility Regulations and Rates through Ordinance 2020-02; and

Whereas, Ordinance 2020-02; or Village of Turtle Lake Code Chapter 9-2-1, *et seq.*, requires the Village Board to annually review the rates being charged customers and set a Rate Resolution.

BE IT RESOLVED BY THE VILLAGE BOARD OF THE VILLAGE OF TURTLE LAKE, WISCONSIN THAT:

Section 1. The Board of the Village of Turtle Lake does hereby review the sewer rates charged its customers under Chapter 9-2-1 *et seq.*, and sets the following rates:

Residential Rates (smg-1)

Quarterly Service Charge

5/8"	\$	27.10
3/4"	\$	27.10
1"	\$	54.20
1-1/4"	\$	81.30
1-1/2"	\$	108.40
2"	\$	189.70
2-1/2"	\$	298.10
3"	\$	433.60
4"	\$	758.80

Volume Charge

\$ 2.92 per 1000 gallons

Unmetered Residential Rate (sum-1)

\$ 32.12 per quarter if usage is less than 11,000 gal/qtr

If usage is greater than 11,000/qtr charges calculated per smg-1 residential is monthly

Commercial and Industrial Rate (smg-2)

Quarterly Service Charge-same as smg-1 quarterly service charge

Volume Charge-same as smg-1 volume charge

High Strength surcharges

BOD Surcharge:	\$	0.20 per pound of BOD over 250 mg/l
SS Surcharge:	\$	0.57 per pound of SS over 250 mg/l
Phosphorus Surcharge:	\$	3.93 per pound of Phos. over 5 mg/l

Significant Industrial Rate (sig-2)

Quarterly Service Charge-calculated based on previous year's volume proportion of fixed charges as calculated in the rate file.

Volume Charge-same as smg-1 volume charge

High Strength surcharges

BOD Surcharge:	\$	0.20 per pound of BOD over 250 mg/l
SS Surcharge:	\$	0.57 per pound of SS over 250mg/l
Phosphorus Surcharge:	\$	3.93 per pound of Phos. over 5 mg/l

Septage and Holding Tank Charges

Septage Volume Charge	\$	35.00 per 1000 gallons
Holding Tank Charge	\$	10.00 per 1000 gallons

Septage disch. filing fee	\$	100.00 per year	I changed this section
Min. Liability Insurance:	\$	100,000.00	
Performance Bond:	\$	1,000.00	

Sewer Connection Application Fees

Residential	\$	350.00
Commercial	\$	350.00
Industrial	\$	350.00
Other	\$	350.00

Penalties

<i>Failure to connect to the sewer system:</i>	\$ 100.00 per month
<i>Violation of the Sewer Use Ordinance:</i>	Not less than \$10.00 per day nor more than \$500.00 per day that the violation persists, unless other penalty clauses are included in a specific sewer service agreement between the user and the Village.

Section 2. Unless modified by the Village Board of Turtle Lake, Wisconsin, these rates will commence on _____, 2020 and expire upon the adoption of a new Rate Resolution as approved by the Village Board.

Section 3. This resolution shall be in full force and effect from and after the above listed program dates.

ADOPTED by the Village Board of the Village of Turtle Lake, Wisconsin, on March _____, 2020.

Andy Koenig, President

Attest:

Ardith Story, Clerk-Treasurer

ADJOURNMENT