



BOARD OF SUPERVISORS MEETING

Wednesday, December 06, 2023 at 6:30 PM

Town Hall Meeting Room, 8348 Hickory Ave, Larsen, WI 54947

AGENDA

CALL TO ORDER

- A. Pledge of Allegiance
- B. Verification of Notice
- C. Meeting Roll

APPROVAL OF MINUTES

- A. Approval of the Minutes of the Wednesday, November 15, 2023 Town Board Meeting

OPEN FORUM – TOWN RELATED MATTERS NOT ON THE AGENDA

Individuals properly signed in may speak directly to the Town Board on non-repetitive Town Matters whether on or not on the agenda. Commentators must wait to be called, must speak from the podium, directing their comments to the Board. Comments must be orderly, and will be limited to a maximum of **2 minutes** per person. **Public comment is not permitted outside of this public comment period. Note:** The Board's ability to act on or respond to the public comments is limited by Chapter 19, Wis. Stats. Please complete the "Request to Speak at Meeting" form located on the agenda/sign-in table and submit the form to the Town Clerk for in-person attendance.

CORRESPONDENCE

- A. Distribution of the meeting materials for the December 6, 2023 Fox West Regional Sewerage Commission Meeting

DISCUSSION ITEMS (NO ACTION WILL BE TAKEN)

- A. County Board Supervisor Report
- B. Winnebago County Sheriff's Department – Public Concerns and Issues
- C. Department of Public Safety Report
- D. Larsen/Winchester Sanitary District Report
- E. Administrator's Report
- F. Chair & Supervisor Reports

BUSINESS

- A. Discussion/Action: Town Board review & consideration of Resolution 2023-008 Supporting the NEWSC in Opposition of WI State Senate Bill 455 & Assembly Bill 457 further regulating municipal stormwater utilities.
- B. Discussion/Action: Town Board review & consideration of Resolution 2023-009 Amending the Town of Clayton Fee Schedule.
- C. Discussion/Action: Town Board review & consideration of a proposed text amendment to the Town of Clayton Employee Handbook.

- D. Discussion/Action: Town Board review & consideration of Ordinance 2023-005 regarding Illicit Discharge and Connection to the Municipal Separate Storm Sewer System (MS4).

REVIEW OF DISBURSEMENTS

- A. Check Summary Register

UPCOMING MEETING ATTENDANCE

- A. Town Board (6:30 pm start unless otherwise noted) - Dec 20; Jan 3 & 17; Feb 7 & 21
B. Plan Commission (6:30 pm start unless otherwise noted) - Dec 13; Jan 10; Feb 14

BOARD MEMBER REQUESTS FOR FUTURE AGENDA ITEMS

ADJOURNMENT

Respectfully submitted,

Russell D. Geise
Town Chairperson

Pursuant to Wisconsin Statute 19.84 (2) and (3) notice is hereby given to the public and the media that two or more members of any or all Boards, Commissions, and Committees of the Town of Clayton, may attend the meeting of the Town Board in order to gather information. For purposes of the Open Meetings Law only; attendance at a meeting by a quorum of members of the Town Boards, Commissions, and Committees constitutes a meeting of the Board, Commission, or Committee, pursuant to Badke Vs. Village Board of Village of Greendale, 173 Wis2d 553, 494 NW2d 408 (1993), and must be noticed as such, although it is not contemplated that any formal action by those bodies will be taken. The only business to be conducted is for Town Board action.

Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service, please call the Town Office at 920.836.2007.

This agenda has been posted at the following locations in the Town of Clayton:

1. The Town Hall Posting Board – 8348 Hickory Ave, Larsen, WI 54947
2. The Town’s Web Page: --



BOARD OF SUPERVISORS MEETING

Wednesday, November 15, 2023

Immediately following a Prior Scheduled Meeting

Town Hall Meeting Room, 8348 Hickory Ave, Larsen, WI 54947

MINUTES

THIS MEETING IS IMMEDIATELY FOLLOWING THE CLAYTON SANITARY DISTRICT #1 MEETING.

CALL TO ORDER - Chair Geise called the meeting to order at 6:16 pm

- A. Pledge of Allegiance
- B. Verification of Notice
- C. Meeting Roll

PRESENT

Town Chair Geise
 Supervisor Lettau
 Supervisor Grundman
 Supervisor Reif

EXCUSED

Supervisor Christianson

STAFF

Administrator Wisnefske
 Clerk Faust-Kubale
 Treasurer Zolp
 Attorney LaFrombois

APPROVAL OF MINUTES

- A. Approval of the Minutes of the Wednesday, November 1, 2023 Town Board Meeting

MOTION

Motion made by unanimous consent to approve the Minutes of the Wednesday, November 1, 2023 Town Board Meeting.

Motion carried by unanimous voice vote.

OPEN FORUM – TOWN RELATED MATTERS NOT ON THE AGENDA - NONE

CORRESPONDENCE

- A. Distribution of the October 2023 Building Inspection Report
- B. Distribution of Notice of HAVA Election Security .gov Email Domain Subgrant Award
- C. Distribution of the October 2023 Winnebago County Tonnage Report

DISCUSSION ITEMS (NO ACTION WILL BE TAKEN)

- A. Winnebago County Sheriff's Department – Public Concerns and Issues
- B. Larsen/Winchester Sanitary District Report
- C. Administrator's Report
- D. Chair & Supervisor Reports

BUSINESS REFERRED BY THE PLAN COMMISSION

- A. Review/Discussion: Plan Commission review & discussion on setting 2024 Commission goals and priority projects.

DISCUSSION ITEM ONLY - NO ACTION TAKEN**BUSINESS**

- A. Discussion/Action: Town Board review & consideration of Resolution 2023-007 A Resolution Adopting the CY 2023 Tax Levy payable in CY 2024 as set by the Wednesday, November 15, 2023 Special Meeting of the Town Electors, and Adopting the following Town CY 2024 Budgets as presented:
- CY 2024 General Fund Revenue & Expense Budgets
 - CY 2024 Capital Projects Fund Revenue & Expense Budgets
 - CY 2024 Debt Service Fund Revenue & Expense Budgets
 - CY 2024 Stormwater Management Utility Fund Revenue & Expense Budgets
 - CY 2024 Solid Waste and Recycling Fund Revenue & Expense Budgets
 - CY 2024 Tax Increment Finance District (TIF) #1 Fund Revenue & Expense Budgets
 - CY 2024 Clayton Sanitary District #1 Fund Revenue & Expense Budgets

MOTION

Motion made by Supervisor Grundman to approve Resolution 2023-007 adopting the CY 2023 Tax Levy payable in CY 2024 as set by the Wednesday, November 15, 2023 Special Meeting of the Town Electors, and Adopting the Town CY 2024 Budgets as presented. **Seconded** by Supervisor Lettau.

Voting Yea: Town Chair Geise, Supervisor Lettau, Supervisor Grundman, Supervisor Reif
Motion carried 4-0.

REVIEW OF DISBURSEMENTS

- A. Check Summary Register

UPCOMING MEETING ATTENDANCE

- A. Town Board (6:30 pm start unless otherwise noted) - Dec 6 & 20; Jan 3 & 17; Feb 7 & 21
 B. Plan Commission (6:30 pm start unless otherwise noted) - Dec 13; Jan 10; Feb 14

BOARD MEMBER REQUESTS FOR FUTURE AGENDA ITEMS**ADJOURNMENT****MOTION**

Motion made by unanimous consent to adjourn at 6:34 pm.

Motion carried by unanimous voice vote.

Respectfully submitted,

Kelsey Faust-Kubale
 Town Clerk

FOX WEST REGIONAL SEWERAGE COMMISSION

Item A.



1965 W. Butte Des Morts Beach Rd.
Neenah, WI 54956

Phone (920) 739-7921
Fax (920) 739-1343
gcmwsc@new.rr.com

November 30, 2023

Town Clerk
Town of Grand Chute
1900 W Grand Chute Blvd
Grand Chute, WI 54913

Village Clerk
Village of Greenville
P O Box 60
Greenville, WI 54942

Village Clerk
Village of Fox Crossing
2000 Municipal Drive
Neenah, WI 54956

Town Clerk
Town of Clayton
8348 Hickory Ave
Larsen, WI 54947

Ms. Ellen Skerke
Town of Neenah
1655 County Road A
Neenah, WI 54956

The Post Crescent
P O Box 59
Appleton, WI 54912

Mr. Andrew Rossmessl
Herrling Clark Law Firm
800 North Lynndale Drive
Appleton, WI 54914

PUBLIC NOTICE

Public Notice is hereby given that there will be a **REGULAR MEETING** OF THE FOX WEST REGIONAL SEWERAGE COMMISSION on Wednesday, December 6, 2023 at 4:00 P.M. The Commission may entertain a motion to proceed into Closed Session pursuant to Section 19.85(1)(c) of Wisconsin Statutes (performance evaluation & wage adjustments); upon completion of the Closed Session, the Commission will return to Regular Open Session to potentially take formal action on items discussed during the Closed Session. The meeting will be held at the McMahon headquarters at 1445 McMahon Drive in Neenah. The meeting will also be held via teleconference.

Respectfully submitted,

FOX WEST REGIONAL S.C.

Melissa Starr
Accounting Clerk

FOX WEST REGIONAL SEWERAGE COMMISSION

Item A.



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Neenah, WI 54956

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gcmwsc@new.rr.com

AGENDA For REGULAR MEETING Wednesday December 6, 2023 4:00 P.M.

The meeting will also be held via teleconference.

CALL TO ORDER OF REGULAR MEETING

ROLL CALL

APPROVAL OF AGENDA

SECRETARY'S REPORT: ● Approve Minutes of Regular Meeting (11/01/2023)
●

TREASURER'S REPORT: ● Approve Voucher List
● Discussion / Review of Bank & Budget Statements

PRESIDENT'S REPORT:

● Discussion/Action

MANAGER'S REPORT: ● Review/Approve Monthly Operational Summary
● Discuss/Act on Property & Liability Insurance Renewal for 2024
● Discuss/Act on Annual Contract Increase for MCO Services
● Discuss/Act on Resolution 287-12 Septage Rates
● Discuss/Act on Resolution 313-23 Public Records Requests

ENGINEER'S REPORT: ●

OLD BUSINESS: ●

CLOSED SESSION: ● Motion to convene into Closed Session by ROLL CALL VOTE pursuant to Section 19.85(1)(c) Wisconsin Statutes ('24 Wage Adjustment)
● Motion to adjourn Closed Session and reconvene to Regular Meeting.

NEW BUSINESS: ● Discuss/Act on 2024 Employee Wage Adjustments
● Informational Only – 2024 Event Calendar

ADJOURNMENT:

FOX WEST REGIONAL SEWERAGE COMMISSION

Item A.



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REGULAR MEETING MINUTES

November 1, 2023

Notice of the Regular Meeting was distributed by Melissa Starr to all Commissioners; the Clerks of the Town of Grand Chute, Village of Fox Crossing, Village of Greenville, Town of Clayton, & Town of Neenah; the Post Crescent; and posted on the bulletin board at the Regional Office. The Regular Meeting was called to order by President Dale Youngquist at 4:00 pm.

PRESENT:

Dale Youngquist	Ron Wolff Jr.	Mark Strobel
Mike Van Dyke	Greg Ziegler	Brandon Kaufman (MCO)
Jason Van Eperen	Beth English	Melissa Starr (MCO)

APPROVAL OF AGENDA:

A motion was made by Mike Van Dyke to approve the Agenda, second by Greg Ziegler. *Motion Carried.*

SECRETARY'S REPORT:

Minutes

A motion was made by Mike Van Dyke to approve the Minutes of the Regular meeting held on October 4, 2023; second by Greg Ziegler. *Motion Carried.*

TREASURER'S REPORT:

Voucher List

President Youngquist asked if there were any questions or concerns with the Voucher List; hearing none, a motion was made by Mike Van Dyke to approve the Voucher List; second by Greg Ziegler. *Motion Carried.*

Bank & Budget Statements

President Youngquist asked if there were any questions regarding the bank and budget statements; hearing none, a motion was made by Mike Van Dyke to approve the Bank & Budget Statement as presented; second by Greg Ziegler. *Motion Carried.*

PRESIDENT'S REPORT:

Authorized Signers

President Youngquist shared the list of authorized signers currently on file with Community First Credit Union (CFCU); Dale Youngquist, Dean Culbertson, and Mike Van Dyke. In order to make changes, the Commission needs to vote on who will be authorized signers going forward. After discussion, a motion was made by Greg Ziegler to remove Dean Culbertson, keep Dale Youngquist and Mike Van Dyke as authorized signers, and to add Melissa Starr as an authorized representative for the Commission to facilitate authorized transactions on their behalf; second by Mike Van Dyke. *Motion Carried.*

**Fox West Regional SC
Regular Meeting Minutes
November 1, 2023
Page 2**

MANAGER'S REPORT:

Operational Summary

Manager Kaufman discussed his written report and provided additional information on: SNDR #2 Digester was found to have a large amount of sludge settled in the tank. It appears that the jet header nozzles and potentially the airlines that feed the nozzles are plugged, so we are working to remove the sludge for further assessment. SNDR #1 has a bad jet pump, so Crane will be replacing the impeller and wear ring. Ferric Chloride usage has been reduced and the phosphate analyzer should help with this issue as well. The three new stainless-steel digester foam pump volutes have arrived. New wear rings and impellers are needed due to the originals being so worn. After discussion a motion was made by Mike Van Dyke to approve the Operational Summary; second by Greg Ziegler. *Motion Carried.*

Foam Pump Impellers/Side Plates Replacement

Manager Kaufman further explained that the two quotes from Crane Engineering are for the impellers and side plates for the new foam pump volutes just discussed. After discussion a motion was made by Mike Van Dyke to approve the two quotes from Crane Engineering for the replacement of the foam pump impellers and side plates; second by Greg Ziegler. *Motion Carried.*

ENGINEER'S REPORT:

N/A

OLD BUSINESS

N/A

NEW BUSINESS

N/A

ADJOURNMENT

A motion was made by Jason Van Eperen, second by Greg Ziegler to Adjourn. *Motion Carried.*

Meeting adjourned at 4:26 pm.

ATTEST

Greg Ziegler, Secretary

Melissa Starr, Accounting Clerk

**FOX WEST REGIONAL
SEWERAGE COMMISSION**
For Approval on: 12/06/2023

PREAUTHORIZED NOVEMBER PAYABLES

CHECK NO	DATE		Amount
38126-38128	11/14/23	Plant Payroll - Net (#23-23)	\$ 4,759.57
WDC111423	11/14/23	Wisconsin Def Comp (#23-23)	\$ 70.00
	11/14/23	FSA WITHHOLDING (#23-23)	\$ 149.99
38129-38131	11/28/23	Plant Payroll - Net (#23-24)	\$ 5,500.71
WDC112823	11/28/23	Wisconsin Def Comp (#23-24)	\$ 70.00
	11/28/23	FSA WITHHOLDING (#23-24)	\$ 149.99
38132	11/28/23	GFL Environmental (trash, grit, recycling hauling)	\$ 1,483.88
38133	11/28/23	Spectrum/Charter Communications (\$148.82 Internet/\$147.66 Telephone)	\$ 296.48
38134	11/28/23	Town of Grand Chute (Life & Dental Insurance, FSA fee)	\$ 369.09
38135	11/28/23	VISA (\$136.78-Maint Supplies /\$71.82 Fuel/\$420.95 -ER Primary/\$23.49- Postage/\$52.50-Software/\$9.48-Maint Parts/\$209.66-Office Supplies)	\$ 924.68
38136	11/28/23	WE Energies (\$503.22 Heat/\$49,422.24 Electric)	\$ 49,925.46
38137	11/28/23	Wisconsin State Laboratory of Hygiene	\$ 326.00

WGH112423	11/24/23	Dept of Employee Trust (DECEMBER HEALTH INVOICE)	\$ 6,359.70
EFTPS113023	11/30/23	Federal Payroll Taxes (NOVEMBER Federal Tax Withholding)	\$ 3,731.90
WDR113023	11/30/23	Wisconsin Dept Revenue (NOVEMBER State Tax Withholding)	\$ 614.97
WRS113023	11/30/23	Dept of Employee Trust (OCTOBER PENSION)	\$ 3,075.26

\$77,807.68

**FOX WEST REGIONAL
SEWERAGE COMMISSION -**

MONTHLY PAYABLES

VOUCHER LIST - 12/06/2023

PAGE 2

Amount

CHECK NO	DATE		Amount
38138-38144	12/06/23	Commissioner's Wages (Net) Commission Wages (November Mtg)	\$1,239.66
38145	12/06/23	Aquachem Ferric Chloride	\$24,700.70
38146	12/06/23	Badger Laboratories, Inc. Lab Testing: Fecal Coliforms & Metals	\$584.00
38147	12/06/23	Cintas Fire Fire Extinguisher Checks	\$1,658.71
38148	12/06/23	Crown Rental	\$1,945.00
38149	12/06/23	Grainger Hydrant Repair Kit, 1/4 Turn Stop Angle	\$91.77
38150	12/06/23	Heartland Business Systems Monthly Service Billing & DUO Licenses	\$421.00
38151	12/06/23	Midwest Contract Operations Contract Operations	\$47,035.80
38152	12/06/23	NCL Lab Supplies; Hydrochloric Acid, Buffer Solution, BOD Nutrient	\$777.14
38153	12/06/23	Print Source Check Stock, Envelopes	\$214.76
38154	12/06/23	Splendid Cleaning Services Monthly Building Maintenance	\$379.00
38155	12/06/23	Thermal Process Systems SNDR #2 Flange	\$2,677.65
38156	12/06/23	UniFirst Employee Uniforms, Bagged Cloths & Wipers, Mats	\$554.76
			\$82,279.95

CHECK NO DATE

Amount

EQUIPMENT REPLACEMENT

Total Equipment Replacement **\$0.00**

DEPRECIATION EXPENSE

Total Depreciation **\$0.00**

Preauthorized NOVEMBER Expenses	\$77,807.68
Monthly Payables	\$82,279.95
Equipment Replacement Expense	\$0.00
Depreciation Expense	\$0.00
	\$160,087.63

Disbursements Not Approved:

Approved by Commission:

Mark Strobel

Date

2023 INTEREST EARNINGS
October 31, 2023

gl #s	1002	1034	1036	1050	2186b	2131	2121	2152b	2152a	2152c	2141	2187b	2152e	
	Operations				Future	Replacement	Bond Redemption				Depreciation			TOTAL
	Checking	WH Deposit Winnebago	WH Deposit Geenan	Savings	C.D. Matures 9/12/24	MONEY MARKET	MONEY MARKET	C.D. Matures 6/4/23	C.D. Matures 4/29/23	LGIP	MONEY MARKET	C.D. Matures 8/22/23	LGIP	
	0.05%	0.01%	0.01%	1.00%	5.20%	5.25%	5.25%			5.37%	5.25%		5.37%	
	ANB	ANB	ANB	COMM1st	COMM1st	ANB	ANB	COMM1st	ANB	LGIP	ANB	COMM1st	LGIP	
Jan	22.76	0.01	-	-	2,833.97	519.95	1,025.70	360.12	1,904.65	-	170.04	3,567.62	-	\$10,404.82
Feb	18.59	-	-	-	2,565.41	491.85	1,016.02	325.56	-	-	153.73	3,229.62	-	\$7,800.78
Mar	23.84	-	0.01	-	2,845.98	564.80	1,262.13	360.74	-	-	170.35	3,582.92	-	\$8,810.77
Apr	22.03	0.01	-	-	2,760.30	1,225.43	1,092.00	349.41	1,947.75	1,879.95	371.27	3,475.14	-	\$13,123.29
May	29.92	-	-	-	2,858.46	2,170.23	738.96	361.37	-	1,907.48	692.97	3,598.80	-	\$12,358.19
Jun	28.01	0.01	0.01	11.41	2,772.40	2,277.96	508.37	341.27	-	3,445.98	708.85	3,490.55	-	\$13,584.82
Jul	29.41	-	-	-	2,870.99	2,473.18	805.99	-	-	4,330.60	747.42	3,614.76	-	\$14,872.35
Aug	31.40	-	-	-	2,877.37	2,648.85	1,275.12	-	-	4,485.05	771.65	3,444.52	469.58	\$16,003.54
Sep	30.26	0.02	0.01	45.74	3,185.76	2,625.21	1,415.81	-	-	4,389.97	749.89	-	7,094.31	\$19,536.98
Oct	24.81	-	-	-	5,472.50	2,944.44	2,129.57	-	-	4,570.47	777.36	-	7,386.01	\$23,305.16
Nov														\$0.00
Dec														\$0.00
TOTALS:	\$261.03	\$0.05	\$0.03	\$57.15	\$31,043.14	\$17,941.90	\$11,269.67	\$2,098.47	\$3,852.40	\$25,009.50	\$5,313.53	\$28,003.93	\$14,949.90	\$139,800.70
	\$318.26				\$31,043.14	\$17,941.90	\$42,230.04				\$48,267.36			
acct #'s	-17	-87	-87	-5400	-4959	-92	-23	-0570	-76	-1	-11	-7183	-2	
acct S's	\$625,868.96	\$506.80	\$502.12	\$719.79	\$1,304,618.14	\$678,207.42	\$490,900.75	\$0.00	\$0.00	\$1,007,458.40	\$179,194.64	\$0.00	\$1,628,080.40	\$5,916,057.42

ACCOUNT LISTING
 10/31/2023

American Nat'l Bank	Operations - Checking	\$625,868.96	0.05%
American Nat'l Bank	Operations - WH Deposit	\$506.80	0.01%
American Nat'l Bank	Operations - WH Deposit	\$502.12	0.01%
Community 1st CU	Operations - Savings	\$719.79	1.00%
Community 1st CU	Future Capital - CD	\$1,304,618.14	5.20%
American Nat'l Bank	Replacement - Money Market	\$678,207.42	5.25%
American Nat'l Bank	Bond Redemption - Money Market	\$490,900.75	5.25%
LGIP	Bond Redemption	\$1,007,458.40	5.37%
American Nat'l Bank	Depreciation - Money Market	\$179,194.64	5.25%
LGIP	Depreciation	\$1,628,080.40	5.37%
Total Funds:		\$5,916,057.42	

FOX WEST REGIONAL SEWERAGE COMMISSION
BANK STATEMENT

Item A.

CASH RECEIPTS & DISBURSEMENTS FOR THE MONTH OF OCTOBER 2023

CHECKING ACCOUNT		
Beginning Balance		\$582,673.22
Receipts:		
User Fees Received	\$274,022.16	
Vactor-Waste Fees Received	-	
Lab/MISC Fees Received	500.00	
Septic Haulers Fees	10,460.50	
Interest Earned @ 0.05% / ANB	24.81	
Transfers from:		
Equipment Replacement	8,273.28	
Bond Redemption	-	
Depreciation	-	
Total Receipts:	\$293,280.75	
Total Available		\$875,953.97
Disbursements:		
Commissioners Wages (net)	\$1,239.64	
Plant Personnel Wages (net)	4,759.57	
Plant Personnel Wages (net)	4,855.30	
Plant Personnel Wages (net)	5,373.01	
Gen. Operating Expense	\$156,805.98	
Equipment Replacement	71,771.51	
Depreciation	5,280.00	
Transfers To:		
Misc ledger adjustment	-	
Equipment Replacement		
Bond Redemption		
Depreciation	-	
Total Disbursements:	\$250,085.01	
TOTAL CHECKING - Per General Ledger		\$625,868.96
	checks outstanding:	\$6,232.49
	actual checkbook balance at month-end- Per Bank Statement:	\$632,101.45

COMM FIRST CU SAVINGS ACCOUNT		
Beginning Balance	\$719.79	
Interest Earned @ 1.00% / COM 1st	0.00	
Total Savings Acct Balance	\$719.79	\$719.79

EQUIPMENT REPLACEMENT ACCOUNT		
Beginning Balance	\$683,536.26	
Interest Earned @ 5.25% / ANB	2,944.44	
Transfer from Checking		
Transfer to Checking	-8,273.28	
Total Equip Replacement Acct Balance	\$678,207.42	\$678,207.42

FOX WEST REGIONAL SEWERAGE COMMISSION
 BANK STATEMENT
 CASH RECEIPTS & DISBURSEMENTS FOR THE MONTH OF OCTOBER 2023

Item A.

BANK STATEMENT-10/31/23
 PAGE 2

FUTURE CAPITAL ACCOUNT		
Beginning Balance	\$1,299,145.64	
Interest Earned @ 5.20% / COM 1st - CD	5,472.50	
TOTAL FUTURE CAPITAL		\$1,304,618.14

BOND REDEMPTION ACCOUNTS		
Beginning Balance - Money Market Account	\$488,771.18	
Interest Earned @ 5.25% / ANB	2,129.57	
Transfer from Checking	-	
Transfer to STATE WIS - CWF loan payment	-	
Wire Transfer Fee	-	
Total Bond Redemption MM Acct Balance	\$490,900.75	
Beginning Balance - LGIP Account	\$1,002,887.93	
Interest Earned @ 5.37% / LGIP	\$4,570.47	
Deposit	-	
Withdrawal (STATE WIS - CWF loan payment)	-	
Total Bond Redemption LGIP Acct Balance	\$1,007,458.40	
TOTAL BOND REDEMPTION		\$1,498,359.15

DEPRECIATION ACCOUNTS		
Beginning Balance - Money Market Account	\$178,417.28	
Interest Earned @ 5.25% / ANB	777.36	
Transfer from Checking	-	
Transfer to Checking	-	
Total Depreciation Acct Balance	\$179,194.64	
Beginning Balance - LGIP Account	\$1,620,694.39	
Interest Earned @ 5.37%	7,386.01	
Total Depreciation LGIP Acct Balance	\$1,628,080.40	
TOTAL DEPRECIATION ACCOUNT		\$1,807,275.04

SUMMARY

ANB CHECKING ACCOUNT		\$625,868.96
COMM FIRST CU SAVINGS ACCOUNT		\$719.79
EQUIPMENT REPLACEMENT ACCOUNT		678,207.42
FUTURE CAPITAL CD ACCOUNT		\$1,304,618.14
BOND REDEMPTION ACCOUNTS		1,498,359.15
DEPRECIATION ACCOUNTS		1,807,275.04
PETTY CASH & WASTEHAULER DEPOSITS		\$1,208.92
TOTAL FUNDS AVAILABLE		\$5,916,257.42

Fox West Regional Sewerage Commission
Income Statement with Previous Year Comparison
October 31, 2023

	October 23	October 22	Jan - Oct 23	Jan - Oct 22	Y-T-D \$ Change
Operations & Maintenance Income					
Grand Chute	87,605.22	77,211.70	832,763.85	794,354.37	38,409.48
Clayton	3,634.03	3,510.39	35,788.64	35,789.96	-1.32
Fox Crossing	53,719.83	58,729.57	564,300.05	594,681.62	-30,381.57
Greenville	36,742.54	36,068.59	356,577.40	364,671.23	-8,093.83
Total Operation/Maint Income	\$181,701.62	\$175,520.25	\$1,789,429.94	\$1,789,497.18	(\$67.24)
Operations & Maintenance Expenses					
<i>Wages & Benefits</i>					
Commissioner Pay	1,418.15	1,272.70	13,204.25	13,204.25	0.00
Employee Pay	22,612.21	14,439.40	169,713.16	151,986.54	17,726.62
Employee Benefits	7,967.13	7,010.00	79,502.73	90,865.44	-11,362.71
<i>Utilities</i>					
Electric	52,118.38	50,810.23	552,170.44	509,395.51	42,774.93
Natural Gas & Water	166.94	287.17	48,898.35	44,872.20	4,026.15
<i>Chemicals</i>					
Ferric Chloride	23,100.61	30,390.83	220,391.78	216,989.93	3,401.85
Polymer	0.00	0.00	20,680.00	14,861.00	5,819.00
Other Chemicals	0.00	0.00	0.00	0.00	0.00
<i>General Operations</i>					
Contract Operations	47,035.80	45,350.97	470,358.00	462,489.70	7,868.30
Rugs, Linens, Uniforms	461.54	452.18	5,051.04	4,593.38	457.66
Grit & Refuse Hauling	1,461.41	1,685.23	20,185.15	19,110.55	1,074.60
Other Operations	592.26	3,098.45	8,866.05	11,047.63	-2,181.58
<i>Sludge</i>					
Sludge Disposal	0.00	0.00	18,637.50	25,131.90	-6,494.40
Other Sludge Exp.	0.00	0.00	516.58	0.00	516.58
<i>Plant Maint</i>					
Maintenance of Operations	0.00	4,028.00	29,153.12	87,470.95	-58,317.83
Other Plant Maintenance	7,487.45	11,703.80	94,138.67	108,969.35	-14,830.68
<i>Lab</i>					
Lab Operations	2,103.74	4,497.56	21,080.41	22,640.47	-1,560.06
WPDES Compliance Monitor	0.00	0.00	0.00	0.00	0.00
<i>Administrative & General Expenses</i>					
Insurance & Legal	0.00	810.00	67,572.60	65,744.00	1,828.60
Annual Audit	0.00	0.00	9,425.00	8,715.00	710.00
Office, Postage, Phone, etc	913.75	2,071.13	13,557.07	16,287.71	-2,730.64
DNR Environment Fees	0.00	0.00	34,373.35	31,829.98	2,543.37
Other General/Admin	960.98	10.00	3,578.31	3,102.44	475.87
Total Operating Expenses	\$168,400.35	\$177,917.65	\$1,901,053.56	\$1,909,307.93	(\$8,254.37)
Gross Income (Loss)	\$13,301.27	(\$2,397.40)	(\$111,623.62)	(\$119,810.75)	\$8,187.13
Other Operations Income					
<i>Other Income</i>					
Interest Income	23,305.16	11,891.16	139,800.70	43,760.46	96,040.24
Waste Hauler Income	15,419.52	17,493.54	164,710.10	174,286.70	-9,576.60
Lab Testing/Vac-Waste/Misc	2,333.00	1,814.00	26,591.21	23,775.95	2,815.26
Other Operations Income	\$41,057.68	\$31,198.70	\$331,102.01	\$241,823.11	\$89,278.90
Operating Fund Income (Loss)	\$54,358.95	\$28,801.30	\$219,478.39	\$122,012.36	\$97,466.03
Replacement, Debt, Depreciation					
<i>Repl.</i>					
Repl. Income from Users	34,337.77	34,337.76	343,376.67	343,376.68	-0.01
Repl. Fund Expenses	2,677.65	13,439.20	119,047.83	202,469.25	-83,421.42
<i>Debt</i>					
Debt Service from Users	87,445.29	92,354.58	898,860.48	923,542.35	-24,681.87
Debt Service Interest	12,922.09	15,016.62	49,088.79	158,326.20	-109,237.41
<i>Depr.</i>					
Depr. Income from Users	0.00	0.00	0.00	0.00	0.00
Depr. Fund Expenses	0.00	5,470.00	34,641.00	39,036.50	-4,395.50
Income (Loss) for Replacement, Debt, Depreciation	\$106,183.32	\$92,766.52	\$1,039,459.53	\$867,087.08	\$172,372.45
Reconciliation Discrepancies / Audit GASB / Plant Depreciation	0.00	0.00	0.00	0.02	-0.02
Net Income (Loss)	\$160,542.27	\$121,567.82	\$1,258,937.92	\$989,099.42	\$269,838.48

Fox West Regional Sewerage Commission
Balance Sheet Summary with Previous Year Comparison
As of October 31, 2023

Item A.

	October 31, 23	October 31, 22	\$ Change	% Change
ASSETS				
<u>Current Assets</u>				
<u>Cash & Investments</u>				
Checking-American Nat'l	625,868.96	470,935.89	154,933.07	32.9%
Cash-Wastehauler's Deposits	1,008.92	1,011.82	-2.90	-0.29%
Petty Cash	200.00	200.00	0.00	0.0%
Savings-Comm 1st	719.79	0.00	719.79	100.0%
Bond Redemption - Money Market & CD's	1,498,359.15	1,574,022.77	-75,663.62	-4.81%
Equipment Replacement - Money Market & CD's	678,207.42	429,525.41	248,682.01	57.9%
Depreciation Fund - Money Market & CD's	1,807,275.04	1,757,352.02	49,923.02	2.84%
Future Capital (CD)	1,304,618.14	1,268,016.75	36,601.39	2.89%
Total Cash & Investments	5,916,257.42	5,501,064.66	415,192.76	7.55%
<u>Other Current Assets</u>				
Accounts Receivable	326,962.95	322,074.08	4,888.87	1.52%
Undeposited Funds	0.00	0.00	0.00	0.0%
Inventory Mat'l & Supplies	12,521.00	12,521.00	0.00	0.0%
WRS Pension - Assets & Deferred Outflows	348,954.00	308,946.00	40,008.00	12.95%
Total Other Current Assets	688,437.95	643,541.08	44,896.87	6.98%
Total Current Assets	6,604,695.37	6,144,605.74	460,089.63	7.49%
<u>Fixed Assets</u>				
Land/Easements/Land Improvements	590,977.48	590,977.48	0.00	19.93%
Interceptor Mains & Access	1,648,042.84	1,648,042.84	0.00	0.0%
Structures, Equipment & Improvements	45,325,996.33	45,211,325.21	114,671.12	0.25%
Accumulated Depreciation	-25,028,459.62	-23,256,661.57	-1,771,798.05	1.65%
Total Fixed Assets	22,536,557.03	24,193,683.96	-1,657,126.93	-6.85%
TOTAL ASSETS	29,141,252.40	30,338,289.70	-1,197,037.30	-3.95%
LIABILITIES & EQUITY				
<u>Liabilities</u>				
<u>Current Liabilities</u>				
Accounts Payable	94,486.57	97,768.32	-3,281.75	0.0%
Payroll Liabilities	45,542.03	36,459.15	9,082.88	8.83%
Pension Liability	285,734.00	269,716.00	16,018.00	302.72%
Customer Deposits	1,011.42	1,011.42	0.00	28.07%
Accrued Interest Expense & Other Liab	77,366.16	89,911.12	-12,544.96	5.94%
Total Current Liabilities	504,140.18	494,866.01	9,274.17	1.87%
<u>Long Term Liabilities</u>				
CWF-INTERCEPTOR	0.00	57,790.80	-57,790.80	-100.0%
CWF-2009 Upgrade	5,722,729.06	6,694,534.85	-971,805.79	-14.52%
Total Long Term Liabilities	5,722,729.06	6,752,325.65	-1,029,596.59	-15.25%
Total Liabilities	6,226,869.24	7,247,191.66	-1,020,322.42	-14.08%
<u>Equity</u>				
Contributions in Aid-Grants/Agencies	4,951,269.00	4,951,269.00	0.00	-14.1%
Contributions in Aid-Communities	695,930.55	695,930.55	0.00	0.0%
Contributions in Aid-Others	147,494.00	147,494.00	0.00	0.0%
Accum Amort of Contributed Capital	-3,933,248.32	-3,933,248.32	0.00	0.0%
Retained Earnings-Unappropriated	19,697,193.84	20,094,616.39	-397,422.55	-1.98%
Restricted Net Position-Pension	145,937.00	145,937.00	0.00	0.0%
Net Income	1,209,807.09	989,099.42	220,707.67	-1.98%
Total Equity	22,914,383.16	23,091,098.04	-176,714.88	-0.77%
TOTAL LIABILITIES & EQUITY	29,141,252.40	30,338,289.70	-1,197,037.30	-3.95%

**2023 BUDGET STATEMENT
FOX WEST REGIONAL
WASTEWATER TREATMENT PLANT**

Item A.

Budget Through 10/31/2023

INCOME SOURCE	100.00% '23 BUDGET	MONTHLY 1/12 TOTAL	8.33% JAN	16.67% FEB	25.00% MAR	33.33% APR	41.67% MAY	50.00% JUNE	58.33% JULY	66.67% AUG	75.00% SEPT	83.33% OCT	YTD TOTAL	BDGT THRU OCT (10/31/23)	(OVER)/UNDER BUDGET	% OF BUDGET
USER CHARGES:																
OPERATION AND MAINT	\$2,031,919.00	\$169,326.58	\$175,166.66	\$156,003.33	\$238,474.69	\$212,076.37	\$186,170.48	\$160,720.48	\$158,670.68	\$168,206.05	\$152,239.58	\$181,701.62	\$1,789,429.94	\$1,693,265.83	(\$96,164.11)	88.07%
EQUIPMENT REPLACEMENT	412,052.00	34,337.67	34,337.64	\$34,337.66	\$34,337.74	\$34,337.73	\$34,337.58	\$34,337.66	\$34,337.57	\$34,337.66	34,337.66	34,337.77	343,376.67	\$343,376.67	(\$0.00)	83.33%
BOND REDEMPTION	1,107,925.00	92,327.08	92,327.05	92,327.06	92,327.37	92,327.43	92,326.83	87,444.91	87,444.68	87,444.94	87,444.92	87,445.29	898,860.48	\$923,270.83	\$24,410.35	81.13%
DEPRECIATION	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00	\$0.00	0.00%
TOTAL BUDGETED INCOME	\$3,551,896.00	\$295,991.33	\$301,831.35	\$282,668.05	\$365,139.80	\$338,741.53	\$312,834.89	\$282,503.05	\$280,452.93	\$289,988.65	\$274,022.16	\$303,484.68	\$3,031,667.09	\$2,959,913.33	(\$71,753.76)	85.35%
CONTINGENCY FUNDING:																
INTEREST INCOME	\$37,000.00	\$3,083.33	\$10,404.82	\$7,800.78	\$8,810.77	\$13,123.29	\$12,358.19	\$13,584.82	\$14,872.35	\$16,003.54	\$19,536.98	\$23,305.16	\$139,800.70	\$30,833.33	(\$108,967.37)	377.84%
WASTEHAULER INCOME	200,000.00	16,666.67	13,595.98	16,365.73	17,656.70	19,118.57	16,509.90	17,359.26	17,167.05	16,509.14	15,008.25	15,419.52	164,710.10	\$166,666.67	\$1,956.57	82.36%
LAB & MISC. INCOME	26,000.00	2,166.67	6,399.41	3,252.00	2,263.00	1,549.00	1,720.00	1,786.00	1,355.00	4,388.80	1,545.00	2,333.00	26,591.21	\$21,666.67	(\$4,924.54)	102.27%
TOTAL CONT FUNDING	\$263,000.00	\$21,916.67	\$30,400.21	\$27,418.51	\$28,730.47	\$33,790.86	\$30,588.09	\$32,730.08	\$33,394.40	\$36,901.48	\$36,090.23	\$41,057.68	\$331,102.01	\$219,166.67	(\$111,935.34)	125.89%
BUDGETED SURPLUS	\$0.00	\$0.00														
TOTAL BUDGET	\$3,814,896.00	\$317,908.00	\$332,231.56	\$310,086.56	\$393,870.27	\$372,532.39	\$343,422.98	\$315,233.13	\$313,847.33	\$326,890.13	\$310,112.39	\$344,542.36	\$3,362,769.10	\$3,179,080.00	(\$183,689.10)	88.15%
2023 BUDGETED O&M EXPENSE																
WAGES & BENEFITS:																
COMMISSIONERS	\$15,000.00	\$1,250.00	\$1,222.70	\$1,222.70	\$1,222.70	\$1,418.15	\$1,222.70	\$1,222.70	\$1,418.15	\$1,418.15	\$1,418.15	\$1,418.15	\$13,204.25	\$12,500.00	(\$704.25)	88.03%
PLANT PERSONNEL	211,100.00	17,591.67	16,879.05	15,149.80	15,074.80	14,999.80	22,612.21	15,663.24	16,101.70	14,999.82	15,620.53	22,612.21	169,713.16	\$175,916.67	\$6,203.51	80.39%
EMPLOYEE BENEFITS	119,837.00	9,986.42	7,468.60	7,642.91	7,557.50	7,619.30	8,170.96	8,782.10	7,592.80	8,249.26	8,452.17	7,967.13	79,502.73	\$99,864.17	\$20,361.44	66.34%
UTILITIES:																
ELECTRIC POWER	585,000.00	48,750.00	49,045.30	53,563.96	48,816.06	56,602.71	59,361.32	61,657.26	55,184.17	60,187.46	55,633.82	52,118.38	552,170.44	\$487,500.00	(\$64,670.44)	94.39%
OTHER UTILITIES	65,000.00	5,416.67	7,463.62	7,229.59	7,014.69	5,828.88	8,345.93	875.49	185.35	6,261.39	120.20	166.94	43,492.08	\$54,166.67	\$10,674.59	66.91%
CHEMICALS:																
FERRIC CHLORIDE	259,000.00	21,583.33	21,922.85	22,310.26	21,745.57	22,348.30	21,674.65	32,039.22	22,466.47	21,875.61	10,908.24	23,100.61	220,391.78	\$215,833.33	(\$4,558.45)	85.09%
OTHER CHEMICALS	35,000.00	2,916.67	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	20,680.00	0.00	20,680.00	\$29,166.67	\$8,486.67	59.09%
GENERAL OPERATIONS:																
CONTRACT OPERATIONS	590,942.00	49,245.17	45,350.97	48,720.63	47,035.80	47,035.80	47,035.80	47,035.80	47,035.80	47,035.80	47,035.80	47,035.80	470,358.00	\$492,451.67	\$22,093.67	79.59%
OTHER OPERATING COSTS	40,600.00	3,383.33	2,865.84	3,096.75	2,473.86	2,876.76	7,352.03	2,610.91	4,447.32	2,824.54	2,852.58	2,515.21	33,915.80	\$33,833.33	(\$82.47)	83.54%
SLUDGE HANDLING:																
SLUDGE DISPOSAL	27,000.00	2,250.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	18,637.50	0.00	0.00	18,637.50	\$22,500.00	\$3,862.50	69.03%
OTHER SLUDGE EXPENSES	500.00	41.67	0.00	0.00	0.00	0.00	0.00	0.00	516.58	0.00	0.00	0.00	516.58	\$416.67	(\$99.91)	103.32%
PLANT MAINTENANCE:																
PLANT MAINTENANCE/REPAIR	194,200.00	16,183.33	15,836.69	9,514.91	9,840.38	13,070.26	5,825.71	25,752.35	8,171.99	21,789.57	2,977.48	7,487.45	120,266.79	\$161,833.33	\$41,566.54	61.93%
LABORATORY:																
LAB OPERATIONS	8,000.00	666.67	1,945.53	3,806.19	2,096.86	2,546.21	1,368.16	2,174.17	1,962.54	2,108.28	968.73	2,103.74	21,080.41	\$6,666.67	(\$14,413.74)	263.51%
WPDES-COMPL MONITORING	12,500.00	1,041.67	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	\$10,416.67	\$10,416.67	0.00%
ADMINISTRATIVE/GENERAL:																
INSURANCE/LEGAL	69,740.00	5,811.67	51,298.00	0.00	5,259.00	0.00	29.00	5,259.00	0.00	0.00	5,727.60	0.00	67,572.60	\$58,116.67	(\$9,455.93)	96.89%
ANNUAL AUDITING SERVICES	9,000.00	750.00	0.00	0.00	9,425.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	9,425.00	\$7,500.00	(\$1,925.00)	104.72%
OFFICE, POSTAGE, PHONE, ETC	12,000.00	1,000.00	853.88	1,466.54	2,004.21	578.12	2,308.27	1,771.12	1,666.03	912.48	591.97	913.75	13,066.37	\$10,000.00	(\$3,066.37)	108.89%
DNR ENVIRONMENTAL FEES	35,000.00	2,916.67	0.00	0.00	0.00	0.00	34,373.35	0.00	0.00	0.00	0.00	0.00	34,373.35	\$29,166.67	(\$5,206.68)	98.21%
GENERAL ADMIN. EXPENSE	5,500.00	458.33	27.75	0.00	2,350.00	25.00	55.50	40.33	27.75	20.00	0.00	960.98	3,507.31	\$4,583.33	\$1,076.02	63.77%
TOTAL O&M EXPENSES	\$2,294,919.00	\$191,243.25	\$222,180.78	\$173,724.24	\$181,916.43	\$174,949.29	\$219,735.59	\$204,883.69	\$166,776.65	\$206,319.86	\$172,987.27	\$168,400.35	\$1,891,874.15	\$1,912,432.50	\$20,558.35	87.50%
CONTINGENCY APPLIED	\$235,400.00	\$19,616.67	\$30,937.53	(\$17,519.01)	(\$9,328.82)	(\$16,293.96)	\$28,492.34	\$13,640.44	(\$24,466.60)	\$15,076.61	(\$18,255.98)	(\$22,842.90)	(\$403,044.85)	\$196,166.67	\$599,211.52	-17.1%

FOX WEST REGIONAL SEWERAGE COMMISSION

Item A.



1965 W. Butte Des Morts Beach Rd.
Neenah, WI 54956

Phone (920) 739-7921
Fax (920) 739-1343
gcmwsc@new.rr.com

Monthly Operational Summary

November, 2023

PLANT OPERATIONS

1. **PLANT PERFORMANCE** – The facility met all DNR permit limits in November.
2. **SNDR#2 DIGESTER-** We are still waiting for Speedy Clean to perform the clean out of the digester. We are currently operating with this unit offline.
3. **BUTTE DES MORTS BEACH ROAD CONSTRUCTION-** The road construction project has been finished. Fox Crossing needed to shut off the water supply to the plant on 10/30/23 in order for the construction company to be able to tie in the new water main. All five RAW pumps, and three pumps in the ATAD digester complex use potable water to keep the internal pump seals clean and cool. We had to switch these pumps over to plant re-use water while the potable water was shut off. All eight pumps were returned to normal service once the construction work had been completed.
4. **FIRE EXTINGUISHER INSPECTIONS-** Cintas was on site on 11/20/23 to perform their annual fire extinguisher inspections. They found that seven of the thirty-one units were due for maintenance replacement. Every six years a fire extinguisher should be removed from service, inspected and recharged. The cost for this inspection was \$1,658.71.
5. **MEETING TO DISCUSS FINE SCREEN OPTIONS-** Chad Olsen and I met with ICS Group/Kusters Water to discuss their option for a center flow band screen. We were also able to discuss with them some different options which might be available to convey the solids up to the upper level where the dumpster is located.
6. **OPEN RECORDS REQUEST-** I received an e-mail from the administrator for the Village of Greenville requesting help with some questions from a resident. This resident owns property near the 2022 site of the land application of bio solids. I received a phone call from this resident on 11/30/23, and she has indicated to me that she would like to see the land application records for the previous ten years. Fox West does not appear to have a process in place for open record requests. Once we have established a process, I can then forward her the information she has requested.

PRETREATMENT

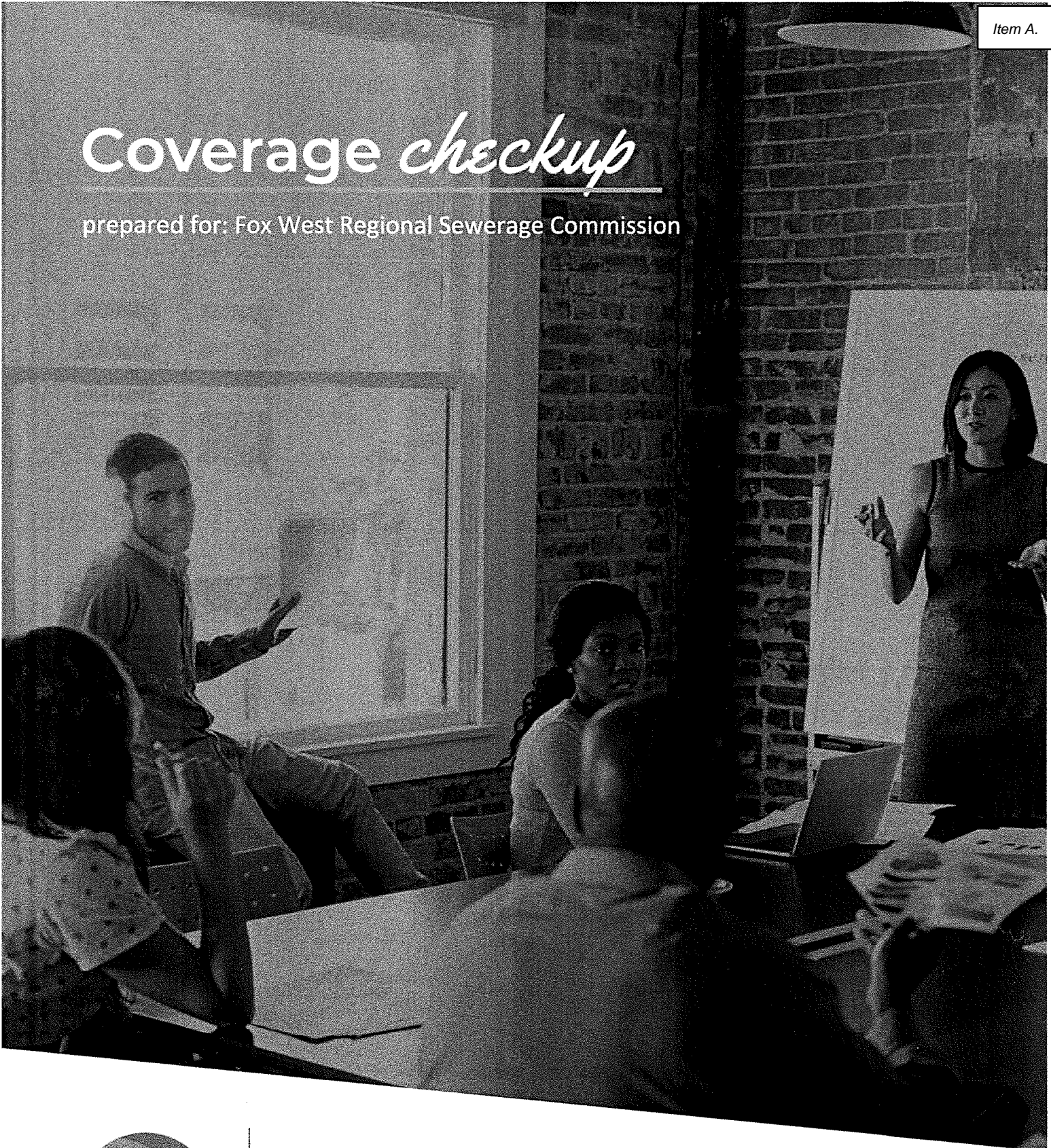
1. **CANTEEN VENDING-** The pH readings have been within limits since the new pH probe was installed. The compliance order will be closed next month if they continue to remain in compliance.
2. **ESSITY-** We will be requiring Essity to become a permitted industry based upon their discharge flow to the sanitary sewer. Any industry which averages more than 25,000 gal/day of discharge flow is required to be permitted, regardless of the contents of this discharge. Flow monitoring which was completed as part of the Fox Crossing surcharge billing program indicated that Essity's average daily flow was greater than the 25,000 gal/day threshold.
3. **ANNUAL INSPECTIONS OF PERMITTED INDUSTRIES-** Fox West is required to annually inspect each of our six permitted industries. All six of the inspections have been completed.
4. **GULFSTREAM-** Gulfstream has begun processing aircraft in their new hanger. We should be receiving the initial test results from the holding tanks soon. If these samples indicate acceptable levels of contaminants, then Gulfstream will be permitted to discharge this waste to the sanitary sewer.

EQUIP OPERATIONS

1. **FORKLIFT-** The new forklift arrived on 11/30/23. The rental unit was removed the same day.
2. **PRIMARY EFFLUENT SAMPLER-** The sampler refrigerator quit working on 11/6/23. A new refrigerator was purchased from Lowes (\$420.95) and the sampler was returned to service.
3. **BELTS FOR BELT PRESSES-** The belts on both belt presses are showing wear and need to be replaced. These belts are a woven fabric that is two meters wide and sixty feet long. They typically last a couple of years, and the current set was installed in 2021. We have begun the installation of the spare set we had onsite, and an order has been placed for the new spares (\$9,619.20).
4. **UV BUILDING HEATER-** During our fall checks on the heaters, we found that the unit in the UV building was not functioning properly. Johnson Controls found that the blower motor and thermostat both needed to be replaced. That work was completed on 11/17/23.

Coverage *checkup*

prepared for: Fox West Regional Sewerage Commission



Strategic.
Transparent.
Refreshing.



11.7.2023

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This summary is for information purposes only. Please review policies for coverages, exclusions, and conditions.

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Additional Resources

Client Portal



OSHA Logs



Automate Safety



Property

Company	Policy Number	Effective Date	Expiration Date
Municipal Property Ins. Co.	5000509	01.01.2024	01.01.2025

Coverage Detail

Subject of Insurance	Amount	Deductible
Blanket Building - Contents and Property in the Open	\$ 65,060,097	\$ 25,000
Business Income	\$ 500,00	\$ 5,000
Contractors Equipment - Over \$ 25,000	\$ 270,928	\$ 1,000
Contractors Equipment - Under \$ 25,000	\$ 21,175	\$ 1,000
Equipment Breakdown	\$ 65,060,097	\$ 5,000



General Liability

Company	Policy Number	Effective Date	Expiration Date
League of Wisconsin Municipal Mutual Ins Co	70999	01.01.2024	01.01.2025

Coverage Detail

Coverage	Limits
General Liability	\$ 4,000,000
Law Enforcement Liability	\$ 4,000,000
Premises Medical Payments	\$ 10,000
Public Officials Liability	\$ 4,000,000
Automobile Liability	\$ 4,000,000
Automobile	*See Below
Automobile Medical Payments	\$ 10,000
Uninsured/Underinsured Motorist	\$ 25,000 / \$ 50,000

Automobile

Replacement Cost for vehicles under 5 years old or 10 years if the value is over \$ 100,000. For all other vehicles, Actual Cash Value is used in the event of a loss.

LWMMI Program

The LWMMI Program offers a single limit of liability, combining General Liability, Law Enforcement, Public Officials Liability, and Auto Liability in one policy:

- No Aggregates
- No Claims Made Triggers
- No Deductibles



Workers Compensation & Employers Liability

Company	Policy Number	Effective Date	Expiration Date
League of Wisconsin Municipal Mutual Ins Co	0900069123	01.01.2024	01.01.2025

First Named Insured

Fox West Regional Sewerage Commission

Additional Named Insureds

None on File

Statutory Benefits

Named States: WI

If on the effective date of the policy, you are working and hiring in a state that is not listed, coverage will not be provided for that state unless the carrier is notified within **30 days**.

Employers Liability

Coverage	Limit
Each Accident	\$ 100,000
Disease – Policy Limit	\$ 500,000
Disease – Each Employee	\$ 100,000

Other States

All states except: ND, OH, WA and WY

If you have operations in ND, OH, WA, WY, Puerto Rico or the U.S. Virgin Islands, you must buy Workers Compensation from that state. This policy will not protect you in monopolistic states or territories.

Included & Excluded Individuals

Name	Title	Included / Excluded
None on File		

Sole Proprietors, Partners and Members of LLC are automatically **excluded** from Workers Compensation coverage, unless coverage is elected by signing election form and policy is endorsed.

Executive Officers of a Closely Held Corporation are automatically **included** in Workers Compensation coverage, unless coverage is rejected by signing rejection form and policy is endorsed. Rejection of coverage is allowed for up to two Officers.



Rating Basis

State	Code Classification	2023 to 2024		2024 to 2025	
		Rate	Estimated Payroll	Rate	Estimated Payroll
Location Number 1 - 19565 W Butte Des Morts Beach					
WI	7580 Sewage Disposal Plant Operation & Drivers	2.31	\$ 216,668	2.08	\$ 148,852
	8810 Clerical Office Employees NOC	0.17		0.17	

Experience Modification

2023 | 1.00

If there is a change in the experience modification or rates assigned by the state, it will be incorporated into the policy issued.

Dividend

League Dividend Program

Dividends are payable pursuant to conditions determined by the Company Board of Directors and as made applicable to the Insurance Policy. It is illegal for any insurer or producer to guarantee the payment, timing or amount of future Dividends.



Premium Comparison

Coverage	Expiring	Renewal
General Liability	\$ 9,661	\$ 8,288
Law Enforcement Liability	\$ 300	\$ 300
Public Officials Errors & Omissions	\$ 3,822	\$ 2,921
Auto Liability	\$ 1,247	\$ 1,271
Auto Physical Damage	\$ 784	\$ 816
Crime & Bonds	NA	\$ 500
Property	\$ 45,223	\$ 48,962
Inland Marine	Included	Included
Equipment Breakdown	Included	Include
Crime	\$ 813	NA
Sub-total	\$ 61,850	\$ 63,058
Workers Compensation	\$ 5,225	\$ 3,316
Total Premium	\$ 67,075	\$ 66,374





November 6, 2023

Fox West Regional Sewerage Commission
1965 W Butte des Morts Beach Road
Neenah, WI 54956

RE: 2024 MCO Contract Increase

We have reviewed MCO's contract with Fox West Regional Sewerage Commission and its provisions for contract increases in accordance with the CPI-U index U.S. city average, detailed expenditure categories, Special Aggregate Indexes, "All items less medical care". The September 2023 index was reported as 4.2%. ****Note- This increase incorporates the cost of replacing a retiring commission employee with an MCO employee. The expiring 2023 contract figures were based upon 3.5 employees, the proposed 2024 contract figures are based upon 4.5 employees.*** We are proposing a base contract increase of 26.42% or \$125,341 (this number includes a 3.5% CPI-U base contract increase on the 3.5 employee 2023 contract) for a total base contract amount of \$599,757.97. Contract increases on our health and liability insurances are based on the averaged actual costs for health insurance and the actual amount charged to MCO for the liability insurance. Efforts to control the cost of MCO's health insurance are an ongoing process. With the renewal of our health insurance on December 1, 2023, and the addition of the health insurance costs for the added MCO employee, the health insurance costs will increase by 37.57%. With the renewal of our liability insurance and the addition of a new employee the liability insurance costs will increase by 4.07%. With the addition of a new employee, and the health and liability insurances, the total contract amount for 2024 would be \$721,622.97 which equates to a 27.85% increase. Listed below is a summary of these changes:

	Expiring 2023 Contract	Proposed 2024 Contract	% Change
Base Contract	\$474,417.01	\$599,757.97	26.42%
Health Insurance	\$ 84,145.98	\$ 115,759.54	37.57%
Liability Insurance	\$ 5,866.77	\$ 6,105.45	4.07%
Total Contract Amount	\$564,429.76	\$721,622.97	27.85%

Thank you for your trust in us and for the opportunity to be of service to the Fox West Regional Sewerage Commission.

Very truly yours,
Midwest Contract Operations, Inc.



Paul M. Much, President

We accept your terms as stated above.

Fox West Regional Sewerage Commission

President, Fox West Regional
Sewerage Commission

Date

Secretary, Fox West Regional
Sewerage Commission

Date

FOX WEST REGIONAL SEWERAGE COMMISSION

Item A.



1965 W. Butte Des Morts Beach Rd.
Neenah, WI 54956

Phone (920) 739-7921
Fax (920) 739-1343
gcmwsc@new.rr.com

RESOLUTION #287-12 (03/07/2012)

Amended (12/6/23)

SEPTAGE DISPOSAL PROGRAM RULES AND REGULATIONS

Septage is defined as **Septic & Holding Tank Wastes** which are hauled into the FWR facility for disposal. Haulers of such wastes may, upon application to the FWR S.C., be approved for disposal of septage wastes at the FWR facility. The Commission shall have the sole discretion to accept or reject any application for disposal.

All Applications acted upon favorably by the Commission shall be for a one (1) Year Duration, Renewable each year by the Commission upon Recommendation of the Plant Superintendent. The Commission may terminate a waste hauler's right to dispose of septage wastes at the FWR facility, without cause, upon five (5) days notice.

In all events, the Commission may terminate, immediately, a waste hauler's right to dispose at the FWR facility if the wastes being hauled to the facility violates any of the rules and regulations of the FWR S.C. as now in force and affect, or as later adapted by the Commission.

Each waste hauler disposing wastes at the FWR facility shall fill-out a log form provided at the disposal station, and shall also be required to log-into the computerized receiving station prior to disposal. The logs shall record the name of the driver, the name of the waste hauler's firm, time of day, location from which the septage was pumped, and the number of gallons of septic and/or holding tank wastes to be disposed.

Each load of waste disposed of at the FWR facility shall be processed by the Commission at a charge to be determined annually, which shall be based on the Commission's actual treatment costs in any given year. Charges will include a treatment fee, a lab testing charge, and a station maintenance charge.

Charges shall be based on the following usual and customary assigned concentrations:

	<u>Holding Tank Wastes</u>		<u>Septic Tank Wastes</u>	
BOD ₅	600	500 mg/l	8,000	5,000 mg/l
Suspended Solids	1,800	1,000 mg/l	15,000	10,000 mg/l
Total Phosphorus	30	30 mg/l	300	300 mg/l

FOX WEST REGIONAL
SEWERAGE COMMISSION
Septage Disposal Program
Page -2-

Each waste hauler will have a daily composite of their wastes tested by laboratory personnel for the concentration of **Total Suspended Solids (TSS)**. The TSS concentration shall determine the cost / 1,000 gallons per the following criteria:

- If TSS $\leq 1,800$ 2,500 mg/l then Holding Tank Rate;
- If TSS $> 1,800$ 2,500 mg/l then Septic Tank Rate.

The 2024 rates for holding tank wastes & septic tank wastes, based upon 2023 treatment costs, are as follows:

Holding Tank Rates: (600, 1800, 30 → 500, 1000, 30 mg/l):

FLOW							
				= \$	0.3622	/	1,000 Gal's
BOD ₅	(.001 x 8.34 x	500)	x	\$0.3377 / lb	= \$	1.4082	/ " "
SS	(.001 x 8.34 x	1,000)	x	\$0.3816 / lb	= \$	3.1825	/ " "
P	(.001 x 8.34 x	30)	x	\$11.7020 /lb	= \$	2.9278	/ " "
					\$	7.8807	/ 1,000 Gal's
				<u>Maint Fee</u>		1.0000	" "
					\$	8.8807	/ 1,000 Gal's

Septic Tank Rates: (8000, 15000, 300 → 5000, 10,000, 300 mg/l):

FLOW							
				= \$	0.3622	/	1,000 Gal's
BOD ₅	(.001 x 8.34 x	5,000)	x	\$0.3377 / lb	= \$	14.0821	/ " "
SS	(.001 x 8.34 x	10,000)	x	\$0.3816 / lb	= \$	31.8254	/ " "
P	(.001 x 8.34 x	300)	x	\$11.7020 /lb	= \$	29.2784	/ " "
					\$	75.5481	/ 1,000 Gal's
				<u>Maint Fee</u>		1.0000	" "
					\$	76.5481	/ 1,000 Gal's

As previously outlined, the aforementioned rates for holding tank and septic tank wastes will be adjusted annually to reflect actual treatment costs. Laboratory testing charges will be **\$11.00 / SAMPLE**.

For the calculation of rates for the disposal of **High-Strength Wastes (defined as Septic Tank Wastes : > 2,500 mg/l)**, Total Suspended Solids (TSS) testing will be used as a proportion of the aforementioned septic tank rates; i.e.:

- If TSS = 5,000 mg/l, then $5,000/10,000 = 0.500 \times \$75.2177 = \$37.6089/ 1,000$ Gal's
- If TSS = 7,500 mg/l, then $7,500/10,000 = 0.750 \times \$75.2177 = \$56.4133/ 1,000$ Gal's

FOX WEST REGIONAL
SEWERAGE COMMISSION
Septage Disposal Program
Page -3-

Disposals of straight septic tank wastes are prohibited, and will only be accepted if "blended" with lower-strength holding tank wastes.

All Invoices must be paid in full within thirty (30) business days. Failure to pay within thirty (30) days will be cause for the Commission to immediately terminate the waste hauler's disposal rights.

Waste haulers shall dispose of hauled-in wastes only at the location designated by commission personnel, and waste haulers may be granted 24/7 access (24 hours per day / 7 days per week) to commission facilities if approved by the plant superintendent.

All applications for disposal shall be in written form, and shall state the name and address of the applicant, the Number of the Applicant's Disposal Units; the size, make, model and license number of each disposal unit. Permits to dispose are not transferable, and the permit fee shall be **\$70.00** per calendar year. See attached **Application Form**.

Any person, firm, corporation or party disposing septage agrees to carry public liability insurance in the amount of not less than **\$1,000,000** 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, or its employees. All persons shall furnish a certificate certifying such insurance to be in force and effect to the Commission. See attached **Resolution #255-99** for complete insurance requirements of the Commission.

Any person, firm, corporation or party disposing septage agrees to indemnify and save harmless the FWR Sewerage Commission from any and all liability and claims for damage arising out of or resulting from work and labor performed.

Any person, firm, corporation or party disposing septage shall furnish bonds to the Commission in the amount of **\$2,500** to guarantee performance. Said performance bond shall be delivered to the Commission prior to the issuance of any permit hereunder. In lieu of furnishing to the Commission said performance bond, any such person, firm, corporation or party may post the sum of **\$500** to guarantee performance under all of the terms and conditions hereof.

All materials disposed into commission facilities will comply with all of the provisions and all applicable ordinances, rules and regulations of the Commission. Waste haulers shall not dispose any gasoline, oil, acid, alkali, grease, rags, stones, waste volatile or inflammable materials, or other deleterious substances into any disposal site of the Commission, nor allow earth, sand or other solid waste material to pass into any part of the Commission facilities.

All waste haulers shall be responsible for cleaning-up any messes which may result from their disposal of septage into Commission facilities.

FOX WEST REGIONAL SEWERAGE COMMISSION

Item A.

1965 W. Butte Des Morts Beach Rd.
Neenah, WI 54956



Phone (920) 739-7921
Fax (920) 739-1343
gcmwsc@new.rr.com

**RESOLUTION #313-23
December 6, 2023**

**A RESOLUTION OF THE FOX WEST REGIONAL SEWERAGE COMMISSION TO
ESTABLISH A PROCESS FOR PUBLIC RECORDS REQUESTS**

BE IT RESOLVED by the FOX WEST REGIONAL SEWERAGE COMMISSION that the following actions were taken on this date:

1. The Request for Public Records form, which is attached to this resolution, was reviewed by the FOX WEST REGIONAL SEWERAGE COMMISSION; and
2. The Request for Public Records form, prepared by Brandon Kaufman, Plant Manager is accepted and approved by the FOX WEST REGIONAL SEWERAGE COMMISSION on this date, December 6, 2023.

MOTION MOVED BY: _____

MOTION SUPPORTED BY: _____

Votes Cast Yea: _____ Nay: _____

FOX WEST REGIONAL SEWERAGE COMMISSION:

Dale A. Youngquist, President

DATE: _____

Attest: _____
Greg Ziegler, Secretary

DATE: _____



REQUEST FOR PUBLIC RECORDS

Records may be released between the hours of 6:00 a.m. and 2:00 p.m., Monday through Friday.

Fill out this form if you are requesting an inspection or photocopies of Fox West Regional Sewerage Commission records; either the requester will complete the form or staff receiving the oral request. Prepayment may be required for any requests expected to exceed \$5.00.

Date Request Received: _____

Requestor Name: _____

Requestor Address: _____

Telephone Number: _____ Email address: _____

Check if email is preferred method of return for records.

Information or Records Requested (Be specific): _____

Fees:	\$0.25 per 8 1/2 x 11 (black & white) copy, up to 50 copies	\$ _____
	\$0.20 per 8 1/2 x 11 (black & white) copy, over 50 copies	\$ _____
	Copies other than 8 1/2 x 11, 8 1/2 x 14, & color (actual cost)	\$ _____
	\$0.50 per 4 x 6 photo, larger than 4 x 6 photo (actual cost)	\$ _____
	\$25.00 per computer disk or CID	\$ _____
	Postage: 1 st Class, FedEx (actual cost)	\$ _____

Administrative Charges:

Requests for records not readily available shall be assessed a processing fee. Fees shall not be payable until a minimum of \$50.00 has accumulated.

_____ @ \$25.00/hr. (or fraction of) \$ _____

Total \$ _____

Signature of Person Receiving Request: _____

All requests shall be processed as soon as practicable and without delay. Please allow at least 10 days for information to be researched. Your request will be given priority and you will be notified as soon as the records requested are available to you. Any information given orally or in writing by Fox West officials may be subject to errors or omissions and shall not be a binding liability upon the Fox West Regional Sewerage Commission.

2024 EVENT CALENDAR

H HOLIDAY **P** PAY DAY **M** COMMISSION MEETING

JANUARY

Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2	3	4	5	6
7	8	9 24-01	10	11	12	13
14	15	16	17	18	19	20
21	22	23 24-02	24	25	26	27
28	29	30	31			

FEBRUARY

Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1	2	3
4	5	6 24-03	7	8	9	10
11	12	13	14	15	16	17
18	19	20 24-04	21	22	23	24
25	26	27	28	29		

MARCH

Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3	4	5 24-05	6	7	8	9
10	11	12	13	14	15	16
17	18	19 24-06	20	21	22	23
24	25	26	27	28	29	30
31						

APRIL

Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2 24-07	3	4	5	6
7	8	9	10	11	12	13
14	15	16 24-08	17	18	19	20
21	22	23	24	25	26	27
28	29	30 24-09				

no health/flex - 4/30

MAY

Sun	Mon	Tue	Wed	Thu	Fri	Sat
			1	2	3	4
5	6	7	8	9	10	11
12	13	14 24-10	15	16	17	18
19	20	21	22	23	24	25
26	27	28 24-11	29	30	31	

JUNE

Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1
2	3	4	5	6	7	8
9	10	11 24-12	12	13	14	15
16	17	18	19	20	21	22
23	24	25 24-13	26	27	28	29
30						

JULY

Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2	3	4	5	6
7	8	9 24-14	10	11	12	13
14	15	16	17	18	19	20
21	22	23 24-15	24	25	26	27
28	29	30	31			

AUGUST

Sun	Mon	Tue	Wed	Thu	Fri	Sat
				1	2	3
4	5	6 24-16	7	8	9	10
11	12	13	14	15	16	17
18	19	20 24-17	21	22	23	24
25	26	27	28	29	30	31

SEPTEMBER

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3 24-18	4	5	6	7
8	9	10	11	12	13	14
15	16	17 24-19	18	19	20	21
22	23	24	25	26	27	28
29	30					

OCTOBER

Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1 24-20	2	3	4	5
6	7	8	9	10	11	12
13	14	15 24-21	16	17	18	19
20	21	22	23	24	25	26
27	28	29 24-22	30	31		

no health/flex - 10/29

NOVEMBER

Sun	Mon	Tue	Wed	Thu	Fri	Sat
					1	2
3	4	5	6	7	8	9
10	11	12 24-23	13	14	15	16
17	18	19	20	21	22	23
24	25	26 24-24	27	28	29	30

DECEMBER

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3	4	5	6	7
8	9	10 24-25	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				



Mon 11/27/2023 2:05 PM

Miller, Howard <Howard.Miller@winnebagocountywi.gov>

Monthly Update

To ■ clerk@townofwinchesterwi.com; ■ Clerk Town of Clayton; ■ townofwolfriver@centurytel.net

INFO

i Follow up. Start by Tuesday, November 28, 2023. Due by Tuesday, November 28, 2023.

Hi Clerks

The county budget was passed on November 1. The tax levy is \$4.027/\$1000. In order to make this consistent among all the municipalities this rate is based on fair market value rather than assessed value. You should not see a significant change from last year.

On November 21, the county board approved the spending of \$2.1 million in Spirt Fund money for the purchase of radios for all fire department that applied for it.

In December I plan to attend the following town board meeting.

Winchester - Dec 4

Clayton - Dec 6

If I don't see you before, I hope you all have a Merry Christmas.

Howie

Howard Miller

(920) 427-6423

Winnebago County Supervisor 36

Department of Public Safety

November 29th. 2023

DPS Report to Town Board

As of November 29th. 2023 the Dept. has been paged-out for 232 calls. One hundred-fifteen were EMR calls and ninety-seven were fire calls, and twenty that were both. This compares to 227 to date in 2022.

On Monday, Tender 43 went to Red Power to have the relief valve replaced and the annual inspection performed.

The Winnebago County board has approved a distribution of up to \$2.1 Million of ARPA monies to the County Fire Chiefs for radio purchases. Clayton Fire Rescue's share is over \$189,000 dollars. I am working on setting up a meeting with BayCom the local Motorola vendor to determine our best options for radio updates.

We are going to apply for grants to purchase the protective gear and medical equipment to outfit 3 of our members to respond to active shooter type incidents. Please see my memo to the Administrator for more details.

We are looking for rescue heroes to join our department. Your help in spreading the word is appreciated.

Please consider donating blood. The need is great and donors are in short supply.

Please contact me with questions or concerns,

Director Rieckmann

MEMORANDUM

Date: November 29th. 2023
From: Director
To: Administrator
Re: Rescue Task Force

Clayton Fire Rescue CFR currently responds to emergency situations at Clayton School. We have been taking part in the school's emergency lock-down drills. We are also working with the school and the Winnebago Counties Sheriff's department on the development of an evacuation and student collection protocol. For security purposes, I will not go into further detail.

There has been an increase in mass casualty incidents around the globe.

With the opening of the new Neenah High School across the street from our eastern Town line, CFR is part of the initial response to a mass casualty incident at the HS as well as Clayton Elementary school. As such, CFR will be applying for grants to purchase up to three sets of ballistic gear along with the necessary medical supplies to be part of a Rescue Task Force (RTF) team. CFR members would then need to receive training on wound care, stop the bleed, along with how to move with law enforcement. How it all works, when there is a mass casualty incident. CFR would respond to a staging area in a safe location. The three EMRs in protective gear would be teamed up with two law enforcement officers to make up a task force and stand-by until called up. The purpose of the two officers is to "bubble wrap" the medical personnel. Teams of police officers would make entry into the building. Once an area is secured, and injured people are present, the RTF team would make entry. They would perform basic life saving interventions and remove the patients from the building and transfer them to an ambulance for transport to advanced medical care.

Respectfully submitted,
Director Rieckmann

MEMORANDUM

Business Item A

From: Administrator/Staff

To: Town Board

Re: Town Board review & consideration of Resolution 2023-008 Supporting the NEWSC in Opposition of WI State Senate Bill 455 & Assembly Bill 457 further regulating municipal stormwater utilities.

Please find included in your packet copies of both the Senate & Assembly bills. The Northeast Wisconsin Stormwater Consortium (NEWSC) of which the Town is a member, has asked for the support of the member municipalities in opposing these bills.

In summary of the NEWSC position, they feel that:

- Adding this new level of regulation will increase stormwater rates and reduce the services that can be provided by municipal utilities.
- Adding a new level of regulation, construction approval, and review will delay projects significantly
- Proposed changes will cause redundant reporting and requirements to the Public Service Commission (PSC) and will increase costs.
- Local, elected officials already have oversight over the budget, services, and rates of the stormwater utilities.
- Stormwater utilities are already subject to the PSC when/if a complaint is filed

Currently, municipalities are authorized to construct & operate stormwater systems, and establish service charges to meet the costs of construction, reconstruction, operating, maintaining, etc. the system. The current law generally does not subject municipal stormwater utilities to PSC jurisdiction, except when complaints are filed.

SUGGESTED MOTION:

*Motion **AND ROLL CALL** to approve Resolution 2023-008 and direct Staff to submit the signed Resolution to NEWSC.*

If you have any questions about this information, please call or e-mail me.

Respectfully Submitted
Kelsey

RESOLUTION NO. 2023-008
SUPPORTING THE NORTHEAST WISCONSIN STORMWATER
CONSORTIUM OPPOSITION TO WI STATE SENATE BILL 455 /
ASSEMBLY BILL 457 FURTHER REGULATING MUNICIPAL
STORMWATER UTILITIES

WHEREAS, In September of 2023, the Wisconsin State Senate and Assembly introduced bills 455 and 457 respectively, to subject municipal storm water utilities to the full authority of the Public Service Commission to regulate rates and services. Under current law, municipal storm water utilities are generally not subject to PSC’s jurisdiction except addressing complaints by users that municipal storm water utility rates, rules, or practices are unreasonable or unjustly discriminatory; and,

WHEREAS, the Town of Clayton has an established storm water utility to service the residents of the municipality with the option to have PSC oversight if any person or business petitions for review of rates they believe to be unreasonable or unnecessary; and,

WHEREAS, the Town of Clayton Board of Supervisors agrees as a member of NEWSC that adding an additional level of regulation will increase storm water rates and reduce the services that can be provided by the utility, as well as delay construction approvals and reviews which would also negatively impact Town resources; and,

WHEREAS, the Town of Clayton Town Board agrees with NEWSC that storm water management needs are unique to each community due to topography, type of waters, type of water impairment or lack of impairment, soil types, infrastructure, and other factors with it being unreasonable to expect the limited staff at PSC to understand all of the unique qualities of each municipality.

NOW THEREFORE BE IT RESOLVED, that the Town of Clayton Board of Supervisors hereby gives support to the Northeast Wisconsin Stormwater Consortium and provides this Resolution as an amicus filing to their communications to the Wisconsin Legislature opposing Senate Bill 455 and Assembly Bill 457.

Adopted this ____ day of _____, 2023.
by a vote of _____ aye, _____ nay, with _____ members absent.

TOWN OF CLAYTON

By: _____

Attest: _____

Russell D. Geise, Town Chairman

Kelsey Faust-Kubale, Town Clerk



2023 ASSEMBLY BILL 457

September 28, 2023 - Introduced by Representatives SCHRAA, MOSES, ALLEN and BRANDTJEN, cosponsored by Senators FEYEN and BALLWEG. Referred to Committee on Energy and Utilities.

1 **AN ACT to renumber and amend** 66.0821 (2) (b); **to amend** 66.0821 (4) (a),
2 66.0821 (4) (c), 196.01 (5) (a) 1., 196.03 (1), 196.60 (1) (a) and 196.604; and **to**
3 **create** 66.0821 (2) (b) 2. and 196.01 (5) (a) 1r. of the statutes; **relating to:**
4 authorizing the Public Service Commission to regulate storm water utilities.

Analysis by the Legislative Reference Bureau

This bill subjects municipal storm water utilities to the full authority of the Public Service Commission to regulate rates and services. Current law authorizes municipalities to construct and operate systems for collecting, transporting, pumping, treating, or disposing storm water and surface water and to establish service charges to meet the costs of any of the following requirements of such a system: constructing, reconstructing, improving, extending, operating, maintaining, repairing, or depreciating the system or paying the principal and interest of any indebtedness incurred for the system. Under current law, municipal storm water utilities are generally not subject to PSC's jurisdiction, except for addressing complaints by users that municipal storm water utility rates, rules, or practices are unreasonable or unjustly discriminatory.

For further information see the state and local fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

ASSEMBLY BILL 457**SECTION 1**

1 **SECTION 1.** 66.0821 (2) (b) of the statutes is renumbered 66.0821 (2) (b) 1. and
2 amended to read:

3 66.0821 (2) (b) 1. The Except as provided in subd. 2., the governing body of a
4 municipality, and the officials in charge of the management of the sewerage system
5 as well as other officers of the municipality, are governed in the discharge of their
6 powers and duties under this section by ss. 66.0809 to 66.0813 or 62.69 (2) (f), to the
7 extent consistent with this section, or, in the case of a metropolitan sewerage district
8 created under ss. 200.21 to 200.65, by ss. 200.55 and 200.59.

9 **SECTION 2.** 66.0821 (2) (b) 2. of the statutes is created to read:

10 66.0821 (2) (b) 2. The public service commission has jurisdiction over the rates
11 and services of a municipal storm water utility, and a municipal storm water utility
12 is subject to ss. 66.0809 to 66.0813 or 62.69 (2) (f) to the extent consistent, as
13 determined by the public service commission, with this section and ch. 196.

14 **SECTION 3.** 66.0821 (4) (a) of the statutes is amended to read:

15 66.0821 (4) (a) The Subject to sub. (2) (b) 2., the governing body of the
16 municipality may establish sewerage service charges in an amount to meet all or part
17 of the requirements for the construction, reconstruction, improvement, extension,
18 operation, maintenance, repair, and depreciation of the sewerage system, and for the
19 payment of all or part of the principal and interest of any indebtedness incurred for
20 those purposes, including the replacement of funds advanced by or paid from the
21 general fund of the municipality. Service charges made by a metropolitan sewerage
22 district to any town, village, or city shall be levied by the town, village, or city against
23 the individual sewer system users within the corporate limits of the municipality,
24 and the municipality shall collect the charges and promptly remit them to the
25 metropolitan sewerage district. Delinquent charges shall be collected in accordance

ASSEMBLY BILL 457

1 with sub. (4) (d). The governing body of a municipality may not establish any charge
2 under this paragraph that is not related to providing sewerage service.

3 **SECTION 4.** 66.0821 (4) (c) of the statutes is amended to read:

4 66.0821 (4) (c) ~~For~~ Subject to sub. (2) (b) 2., for the purpose of making equitable
5 charges for all services rendered by a storm water and surface water sewerage
6 system to users, the property served may be classified, taking into consideration the
7 volume or peaking of storm water or surface water discharge that is caused by the
8 area of impervious surfaces, topography, impervious surfaces and other surface
9 characteristics, extent and reliability of mitigation or treatment measures available
10 to service the property, apart from measures provided by the storm water and surface
11 water sewerage system, and any other considerations that are reasonably relevant
12 to a use made of the storm water and surface water sewerage system. The charges
13 may also include standby charges to property not yet developed with significant
14 impervious surfaces for which capacity has been made available in the storm water
15 and surface water sewerage system. No additional charges, beyond those charged
16 to similar properties, may be charged to a property for services rendered by a storm
17 and surface water system for a property that continually retains 90 percent of the
18 difference between the post-development and predevelopment runoff on site.

19 **SECTION 5.** 196.01 (5) (a) 1. of the statutes is amended to read:

20 196.01 (5) (a) 1. Any person engaged in the transmission or delivery of natural
21 gas for compensation within this state by means of pipes or mains ~~and any,~~

22 1g. Any person, excluding, except as provided in subd. 1r., a governmental unit,
23 who furnishes services by means of a sewerage system either directly or indirectly
24 to or for the public.

25 **SECTION 6.** 196.01 (5) (a) 1r. of the statutes is created to read:

ASSEMBLY BILL 457**SECTION 6**

1 196.01 (5) (a) 1r. A municipal storm water utility.

2 **SECTION 7.** 196.03 (1) of the statutes is amended to read:

3 196.03 (1) Subject to s. 196.63, a public utility shall furnish reasonably
4 adequate service and facilities. The charge made by any public utility for any heat,
5 light, water, storm water service, telecommunications service, or power produced,
6 transmitted, delivered, or furnished or for any service rendered or to be rendered in
7 connection therewith shall be reasonable and just and every unjust or unreasonable
8 charge for such service is prohibited and declared unlawful.

9 **SECTION 8.** 196.60 (1) (a) of the statutes is amended to read:

10 196.60 (1) (a) No public utility and no agent, as defined in s. 196.66 (3) (a), or
11 officer of a public utility, directly or indirectly, may charge, demand, collect or receive
12 from any person more or less compensation for any service rendered or to be rendered
13 by it in or affecting or relating to the production, transmission, delivery or furnishing
14 of heat, light, water, storm water service, or power or for any service in connection
15 therewith, than that prescribed in the published schedules or tariffs then in force,
16 or established under this chapter, or than it charges, demands, collects or receives
17 from any other person for a like contemporaneous service.

18 **SECTION 9.** 196.604 of the statutes is amended to read:

19 **196.604 Rebates, concessions and discriminations unlawful.** No person
20 may knowingly solicit, accept, or receive any rebate, concession, or discrimination
21 from a public utility for any service in or affecting or relating to the production,
22 transmission, delivery, or furnishing of heat, light, water, storm water service, or
23 power within this state or for any connected service whereby the service is rendered
24 or is to be rendered free or at a rate less than the rate named in the schedules and
25 tariffs in force, or whereby any other service or advantage is received. Any person



2023 SENATE BILL 455

September 29, 2023 - Introduced by Senators FEYEN, BALLWEG and FELZKOWSKI, cosponsored by Representatives SCHRAA, MOSES, BRANDTJEN and ALLEN. Referred to Committee on Utilities and Technology.

1 **AN ACT to renumber and amend** 66.0821 (2) (b); **to amend** 66.0821 (4) (a),
2 66.0821 (4) (c), 196.01 (5) (a) 1., 196.03 (1), 196.60 (1) (a) and 196.604; and **to**
3 **create** 66.0821 (2) (b) 2. and 196.01 (5) (a) 1r. of the statutes; **relating to:**
4 authorizing the Public Service Commission to regulate storm water utilities.

Analysis by the Legislative Reference Bureau

This bill subjects municipal storm water utilities other than metropolitan sewerage districts to the full authority of the Public Service Commission to regulate rates and services. Current law authorizes municipalities to construct and operate systems for collecting, transporting, pumping, treating, or disposing storm water and surface water and to establish service charges to meet the costs of any of the following requirements of such a system: constructing, reconstructing, improving, extending, operating, maintaining, repairing, or depreciating the system or paying the principal and interest of any indebtedness incurred for the system. Under current law, municipal storm water utilities are generally not subject to PSC's jurisdiction, except for addressing complaints by users that municipal storm water utility rates, rules, or practices are unreasonable or unjustly discriminatory.

For further information see the state and local fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SENATE BILL 455

1 **SECTION 1.** 66.0821 (2) (b) of the statutes is renumbered 66.0821 (2) (b) 1. and
2 amended to read:

3 66.0821 (2) (b) 1. The Except as provided in subd. 2., the governing body of a
4 municipality, and the officials in charge of the management of the sewerage system
5 as well as other officers of the municipality, are governed in the discharge of their
6 powers and duties under this section by ss. 66.0809 to 66.0813 or 62.69 (2) (f), to the
7 extent consistent with this section, or, in the case of a metropolitan sewerage district
8 created under ss. 200.21 to 200.65, by ss. 200.55 and 200.59.

9 **SECTION 2.** 66.0821 (2) (b) 2. of the statutes is created to read:

10 66.0821 (2) (b) 2. The public service commission has jurisdiction over the rates
11 and services of a municipal storm water utility, and a municipal storm water utility
12 is subject to ss. 66.0809 to 66.0813 or 62.69 (2) (f) to the extent consistent, as
13 determined by the public service commission, with this section and ch. 196. This
14 subdivision does not apply to a metropolitan sewerage district created under ss.
15 200.21 to 200.65.

16 **SECTION 3.** 66.0821 (4) (a) of the statutes is amended to read:

17 66.0821 (4) (a) The Subject to sub. (2) (b) 2., the governing body of the
18 municipality may establish sewerage service charges in an amount to meet all or part
19 of the requirements for the construction, reconstruction, improvement, extension,
20 operation, maintenance, repair, and depreciation of the sewerage system, and for the
21 payment of all or part of the principal and interest of any indebtedness incurred for
22 those purposes, including the replacement of funds advanced by or paid from the
23 general fund of the municipality. Service charges made by a metropolitan sewerage
24 district to any town, village, or city shall be levied by the town, village, or city against
25 the individual sewer system users within the corporate limits of the municipality,

SENATE BILL 455

1 and the municipality shall collect the charges and promptly remit them to the
2 metropolitan sewerage district. Delinquent charges shall be collected in accordance
3 with sub. (4) (d). The governing body of a municipality may not establish any charge
4 under this paragraph that is not related to providing sewerage service.

5 **SECTION 4.** 66.0821 (4) (c) of the statutes is amended to read:

6 66.0821 (4) (c) ~~For~~ Subject to sub. (2) (b) 2., for the purpose of making equitable
7 charges for all services rendered by a storm water and surface water sewerage
8 system to users, the property served may be classified, taking into consideration the
9 volume or peaking of storm water or surface water discharge that is caused by the
10 area of impervious surfaces, topography, impervious surfaces and other surface
11 characteristics, extent and reliability of mitigation or treatment measures available
12 to service the property, apart from measures provided by the storm water and surface
13 water sewerage system, and any other considerations that are reasonably relevant
14 to a use made of the storm water and surface water sewerage system. The charges
15 may also include standby charges to property not yet developed with significant
16 impervious surfaces for which capacity has been made available in the storm water
17 and surface water sewerage system. No additional charges, beyond those charged
18 to similar properties, may be charged to a property for services rendered by a storm
19 and surface water system for a property that continually retains 90 percent of the
20 difference between the post-development and predevelopment runoff on site.

21 **SECTION 5.** 196.01 (5) (a) 1. of the statutes is amended to read:

22 196.01 (5) (a) 1. Any person engaged in the transmission or delivery of natural
23 gas for compensation within this state by means of pipes or mains ~~and any~~.

SENATE BILL 455

1 1g. Any person, excluding, except as provided in subd. 1r., a governmental unit,
2 who furnishes services by means of a sewerage system either directly or indirectly
3 to or for the public.

4 **SECTION 6.** 196.01 (5) (a) 1r. of the statutes is created to read:

5 196.01 (5) (a) 1r. A municipal storm water utility other than a metropolitan
6 sewerage district created under ss. 200.21 to 200.65.

7 **SECTION 7.** 196.03 (1) of the statutes is amended to read:

8 196.03 (1) Subject to s. 196.63, a public utility shall furnish reasonably
9 adequate service and facilities. The charge made by any public utility for any heat,
10 light, water, storm water service, telecommunications service, or power produced,
11 transmitted, delivered, or furnished or for any service rendered or to be rendered in
12 connection therewith shall be reasonable and just and every unjust or unreasonable
13 charge for such service is prohibited and declared unlawful.

14 **SECTION 8.** 196.60 (1) (a) of the statutes is amended to read:

15 196.60 (1) (a) No public utility and no agent, as defined in s. 196.66 (3) (a), or
16 officer of a public utility, directly or indirectly, may charge, demand, collect or receive
17 from any person more or less compensation for any service rendered or to be rendered
18 by it in or affecting or relating to the production, transmission, delivery or furnishing
19 of heat, light, water, storm water service, or power or for any service in connection
20 therewith, than that prescribed in the published schedules or tariffs then in force,
21 or established under this chapter, or than it charges, demands, collects or receives
22 from any other person for a like contemporaneous service.

23 **SECTION 9.** 196.604 of the statutes is amended to read:

24 **196.604 Rebates, concessions and discriminations unlawful.** No person
25 may knowingly solicit, accept, or receive any rebate, concession, or discrimination

SENATE BILL 455

1 from a public utility for any service in or affecting or relating to the production,
2 transmission, delivery, or furnishing of heat, light, water, storm water service, or
3 power within this state or for any connected service whereby the service is rendered
4 or is to be rendered free or at a rate less than the rate named in the schedules and
5 tariffs in force, or whereby any other service or advantage is received. Any person
6 violating this section shall be fined not less than \$50 nor more than \$5,000 for each
7 offense.

8 (END)

MEMORANDUM

Business Item B

From: Administrator/Staff

To: Town Board

Re: Town Board review & consideration of Resolution 2023-009 Amending the Town of Clayton Fee Schedule.

Please find included in your packet a copy of Resolution 2023-009 with the proposed amendments to the Town Fee Schedule. The Board has considered updates to the Fee Schedule annually for the past several years.

If the Board agrees with the proposed Fee Schedule as presented, a motion to approve Resolution 2023-009 would be in order.

SUGGESTED MOTION:

*A motion and **ROLL CALL** to approve Resolution 2023-009 Amending the Town's Fee Schedule and direct Staff to post the new fee schedule to the Town's Website.*

If you have any questions about this information, please call or e-mail me.

Respectfully Submitted,
Kelsey

**TOWN OF CLAYTON
Resolution 2023-009**

Item B.

A RESOLUTION AMENDING THE TOWN OF CLAYTON FEE SCHEDULE

WHEREAS, the Town of Clayton has adopted a fees and fines schedule; and

WHEREAS, the Town of Clayton has determined that updates to the fees and fines schedule should be completed; and

WHEREAS, the Town of Clayton will review and recommend further changes to the fees and fines schedule as necessary.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Clayton Board amend the fees schedule as attached and all fees currently included in the Town Municipal Code shall follow such schedule effective December 7, 2023.

This resolution was adopted by the Town of Clayton Board of Supervisors on the 6th day of December, 2023.

TOWN BOARD OF THE
TOWN OF CLAYTON, WISCONSIN

By: _____
Russell Geise, Town Chair

ATTEST: _____
Kelsey Faust-Kubale, Clerk

TOWN OF CLAYTON
Winnebago County, Wisconsin



FEE SCHEDULE

Amended by Resolution 2023-009 December 6, 2023

Department and Item Description	Duration/Unit	Current	Notes
Administration		Fees	
Alcohol & Cigarette Licenses/Permits			
Class "A" Beer (off-premise only)	Annual	\$200.00	
Class "B" Beer (on & off premise)	Annual	\$100.00	
Class "C" Wine (on-premise)	Annual	\$100.00	
Retail "Class A" Liquor (off premises)	Annual	\$350.00	
Retail "Class B" Liquor (on premises)	Annual	\$400.00	
Provisional Class A, B, or C Retail License	Annual	\$100.00	limited to 60 days, one per year
Retail "Class B" Liquor Reserve	Initial Application Fee/Annual	\$10,000.00	fee in addition to Class B Beer & Liquor License App
Temporary (6-month) Class "B" Beer		\$50.00	Non-renewable during the calendar year of issuance
Change of Agent	Each	\$10.00	
Publication Fee - Renewal Liquor License	Each	\$80.00	
Publication Fee - New Liquor License	Each	\$80.00	
Operator's Licenses (Bartenders)	2 year	\$60.00	Includes background check
Duplicate Operator's License, if lost or stolen	Each	\$20.00	
Provisional Operator's License (Bartenders)	60 days	\$15.00	one per year
Temporary Operator's Licenses (Bartenders)	Each; valid 14 days	\$15.00	two per year
Temporary (Picnic) "Class B" or Class "B"	Per Event	\$10.00	
Agent, successor (Corp. or LLC)	Annual	\$75.00	
Beer Garden Permit	Annual	\$100.00	non-refundable; not auto renewing
Event	Per Event, 2 day max	\$150.00	non-refundable
Event Extension Fee	Per Event	\$25.00	non-refundable
Cigarette/Tobacco Permit	July 1-June 30	\$100.00	
Dog Licenses - required over age 5 months; up to 3 animals			
Neutered/Spayed	Annual	\$5.00	
Intact	Annual	\$10.00	
Late fee - after March 31	Each	\$10.00	
Duplicate or replacement license	Each	\$2.00	
Kennel	Annual	\$40.00	
Fee each additional dog in excess of 12	Each	\$5.00	
Late fee - after March 31	Each	\$10.00	
Business Licenses/Permits			
Sale of Fireworks Permit	Annual	\$500.00	Fire Department inspects location
Use of Fireworks Permit	Per Event	\$10.00	
Peddler's Permit	Annual	\$100.00	
Returned Check/ACH handling charge			
	Per Check	\$30.00	
Public Records			
	Copies	Per Page	cost
Record request, location fee for research		As needed	Actual cost if exceeds \$30
Building Permit Report Request		Per request	\$25.00
Cost to Mail Records/Copies		As needed	Actual Cost
Prepayment of Fees		As needed	Prepayment may be required if more than \$5
Miscellaneous			
Interest on delinquent invoices		Per annum	\$0.18
Real Estate Inquiries		Each (per parcel)	\$40.00

Department and Item Description	Duration/Unit	Current	Notes
Administration			
Rush Real Estate Inquiries	Each (per parcel)	\$80.00	
Sanitary District/Special Assessment Inquiries	Each (per parcel)	\$30.00	

Department and Item Description	Duration/Unit	Current Fees	Notes
Town Building Code & Inspection			
Residential Permits - Work started before permit is issued, fees will be doubled			
New Construction Building Permit	0 - 2000 sq ft	\$625.00	
New Construction Building Permit	2001 - 5000 sq ft	\$750.00	
New Construction Building Permit	5001 sq ft +	\$825.00	
New One & Two-Family State Permit		\$35.00	
Additons / Remodels	Base fee + \$0.12/sq ft	\$175.00	All areas involved
Siding / Window / Roof Replacement		\$75.00	
Foundation Repairs		\$75.00	
Garage / Accessory Building	Base fee + \$0.12/sq ft	\$100.00	
Razing - any structure		\$75.00	
House Moving			same as New Residential
Zoning Permit	Upon Application	\$150.00	
Mechanical Permits - Residential & Commerical			
Electrical Permits			
New Construction	Base fee + \$0.06/sq ft	\$75.00	All areas involved
Additions / Remodels	Base fee + \$0.06/sq ft	\$75.00	All areas involved
Service Change (temporary or upgrade)		\$100.00	
HVAC Permits			
New Home	Base fee + \$0.06/sq ft	\$75.00	All areas involved
Additions / Remodels	Base fee + \$0.06/sq ft	\$75.00	All areas involved
HVAC Replacement		\$75.00	
Plumbing Permits			
New / Additions / Remodels	Base fee + \$0.06/sq ft	\$75.00	All areas involved
Special Inspection & Re-inspections (1 hr min)	Per hour	\$75.00	
Commercial Building Permits - Work started before permit is issued, fees will be doubled			
New Construction / Additions	Base fee + \$0.12/sq ft	250	All areas involved
Commerical Remodel		\$200.00	Base fee + \$8/thousand valuation up to \$100,000
Razing - any structure	Upon Application	\$80.00	
Occupancy / Temporary Occupancy		\$80.00	
Construction Started before Permit Issued			Permit costs double

Department and Item Description	Duration / Unit	Current	Notes
Cemetery			
Purchase of Site(s)		Fees	
Single Plot/Gravesite (4' X 10') Resident	Each	\$500.00	
Single Plot/Gravesite (4' X 10') Non-Resident	Each	\$1,000.00	
1/2 Block/2 Gravesites (8' X 10') Resident	Each	\$750.00	
1/2 Block/2 Gravesites (8' X 10') Non-Resident	Each	\$1,500.00	
Full Block/4 Gravesites (16' X 10') Resident	Each	\$1,250.00	
Full Block/4 Gravesites (16' X 10') Non-Resident	Each	\$2,250.00	
Burial Fees (Open/Close)			
Cremation: M-F (April 1 to Oct 31)	Each	\$350.00	
Cremation: M-F (Nov 1 to Mar 31)	Each	\$450.00	
Traditional: M-F (April 1 to Oct 31)	Each	\$800.00	
Traditional: M-F (Nov 1 to Mar 31)	Each	\$950.00	
Weekend/Holiday Additional Fee	Each	\$175.00	
Oversized Vault	Each	\$60.00	
Snow Removal (1 hr minimum)	Per hour	\$150.00	
Miscellaneous			
Transfer of Deed - Single Site Resident	Each	\$25.00	
Transfer of Deed - Single Site Non-Resident	Each	\$50.00	
Transfer of Deed - 1/2 Block Resident	Each	\$30.00	
Transfer of Deed - 1/2 Block Non-Resident	Each	\$60.00	
Transfer of Deed - Full Block Resident	Each	\$40.00	
Transfer of Deed - Full Block Non-Resident	Each	\$80.00	

Department and Item Description	Duration / Unit	Current	Proposed	Notes
Parks & Recreation		Fees	Fee Changes	
Clayton Park Pavillion	Upon Application	\$175.00		

Department and Item Description	Duration/Unit	Current Fees	Notes
Planning & Development			
Fire Impact Fees			
Single/Two Family Residential	Per unit	\$1,626.00	
Multi-Family Residential (3 or more dwelling units)	Per unit	\$813.00	
Non-Residential	Per sq ft building space	\$0.18	
Park Impact Fees			
Single/Two Family Residential	Per unit	\$491.00	
Multi-Family Residential (3 or more dwelling units)	Per unit	\$245.50	
Non-Residential	Per sq ft building space	\$0.056	
Land Division			
Preliminary Plat	Upon Application	\$600.00	Applicant/owner shall be responsible for any direct additional charges for plan review, engineering, inspections, legal, fiscal, etc. + 5% admin fee.
Per Unit Fee		\$25.00	
Final Plat	Upon Application	\$1,200.00	Applicant/owner shall be responsible for any direct additional charges for plan review, engineering, inspections, legal, fiscal, etc. + 5% admin fee.
Minor Land Division / Certified Survey Map (CSM)	Upon Application	\$500.00	Applicant/owner shall be responsible for any direct additional charges for plan review, engineering, inspections, legal, fiscal, etc. + 5% admin fee.
Town Zoning Code			
Code Amendments (text or map)	Upon Application	\$500.00	
Comprehensive Plan Future Land Use Map Amendment	Upon Application	\$900.00	Applicant/owner shall be responsible for any direct additional charges for plan review, engineering, inspections, legal, fiscal, etc. + 5% admin fee.
Conditional Use Application	Upon Application	\$350.00	
Fence Permit (construction)	Upon Application	\$150.00	
Pool Permit (construction)	Upon Application	\$150.00	
Re-Zoning Application	Upon Application	\$500.00	Applicant/owner shall be responsible for any direct additional charges for plan review, engineering, inspections, legal, fiscal, etc. + 5% admin fee.
Variance Application	Upon Application	\$350.00	Applicant/owner shall be responsible for any direct additional charges for plan review, engineering, inspections, legal, fiscal, etc. + 5% admin fee.

Department and Item Description	Duration/Unit	Current Fees	Notes
Planning & Development			
Administrative Appeal	Upon Application	\$300.00	Applicant/owner shall be responsible for any direct additional charges for plan review, engineering, inspections, legal, fiscal, etc. + 5% admin fee.
Concept Plan Review Application	0 - 40 acres	\$350.00	Applicant/owner shall be responsible for any direct additional charges for plan review, engineering, inspections, legal, fiscal, etc. + 5% admin fee.
Concept Plan Review Application	41 acres +	\$600.00	Applicant/owner shall be responsible for any direct additional charges for plan review, engineering, inspections, legal, fiscal, etc. + 5% admin fee.
Zoning Permit (construction)	Upon Application	\$150.00	
Outdoor Wood Burning Furnace			
General Permit		\$90.00	See Building Inspector
Variance Application	Upon Application	\$60.00	
Administrative Appeal	Upon Application	\$200.00	
Pond Application			
Artificial less than 1,000 sq ft	Upon Application	\$350.00	
Artificial more than 1,000 sq ft	Upon Application	\$400.00	
Public Infrastructure Improvement Agreements			
Town Road Design		Actual Cost	
Town Road Bidding		Actual Cost	
Town Road Construction Supervision		Actual Cost	
Sign Applications			
Minimum Fee for signs up to 20 sq ft		\$50.00	
Signs over 20 sq ft	Base fee + \$0.75/sq ft	\$50.00	
Site Plan Application			
Commercial / Industrial	Upon Application	\$1,000.00	Applicant/owner shall be responsible for any direct additional charges for plan review, engineering, inspections, legal, fiscal, etc. + 5% admin fee.
Residential	Upon Application	\$350.00	Applicant/owner shall be responsible for any direct additional charges for plan review, engineering, inspections, legal, fiscal, etc. + 5% admin fee.

Department and Item Description Public Works	Duration/Unit	Current Fees	Notes
Access & Culvert Permit			
Residential Driveway Access	Upon Application	\$150.00	
Culvert Installation	Upon Application	\$100.00	
Concrete Driveway Apron Removal (1 hr min, plus Admin Fee)	Per hour	\$125.00	
Agricultural Driveway Access	Upon Application	\$50.00	
Trail Access (Private)		\$10.00	
Mowing Charge (1 hr min, plus Admin Fee)	Per hour	\$125.00	
Right Of Way Access			
Access Permit	Each	\$300.00	
Work in Right Of Way	Upon Application	\$100.00	
Utility Right Of Way	Each	\$100.00	
Road Sign Replacement (1 hr min, plus Admin Fee)	Per hour	\$125.00	

Department and Item Description	Duration/Unit	Current Fees
Utilities		
Sewer / Water Permits		
Residential Sewer Impact Fee	Per unit	\$448.00
Commercial Sewer Impact Fee	Per acre	\$1,700.00
Industrial Sewer Impact Fee	Per acre	\$2,600.00

The following permits must be received from Fox Crossing Utilities, 2000 Municipal Dr, Neenah, WI 54956. A copy of the issued permits from Fox Crossing must be given to the Town of Clayton:

Lateral Inspection, Sewer & Water or Lateral Repair	\$60.00
Sewer Main Tapping Fee	\$60.00

MEMORANDUM

Business Item C

From: Administrator/Staff

To: Town Board

Re: Town Board review & consideration of a proposed text amendment to the Town of Clayton Employee Handbook.

Please find included in your packet copies of the current Employee Handbook wording, and the proposed clarification the Administration is proposing.

There have been some discrepancies noted within the Employee Handbook that the Administration aims to revise in 2024, but with the winter road maintenance season beginning, it seemed appropriate to bring this clarification before the Board now.

As the Handbook reads currently, it is unclear the Weekend Duty rates for the Public Works Department. The Administration is proposing only to clarify with this text amendment. If the Board has any questions, Administrator Wisnefske will be available at the meeting to answer.

SUGGESTED MOTION:

Motion to approve the proposed text amendment to the Town of Clayton Employee Handbook as presented.

If you have any questions about this information, please call or e-mail me.

Respectfully Submitted
Kelsey

Current Handbook:**WEEKEND DUTY (PUBLIC WORKS DEPARTMENT)**

Availability for Public Works Weekend Duty is on a volunteer basis. Any employee called in for Weekend Duty will be paid for a minimum of two (2) hours at a rate of time and one-half (1½) of regular pay. During the Winter Season for snowplowing, all full-time Public Works Employees will be expected to be available for winter road maintenance as needed.

Proposed Revision:**WEEKEND DUTY (PUBLIC WORKS DEPARTMENT)**

Any Public Works Employee called in for Weekend Duty will be paid call-in pay, which is a minimum of two (2) hours at the rate of time and one-half (1½) of regular pay. Hours over the minimum will be paid at the rate of time and one-half (1 ½) of regular pay. During the Winter Season for snowplowing, all full-time Public Works Employees will be expected to be available for winter road maintenance as needed.

MEMORANDUM

Business Item D

From: Administrator/Staff

To: Town Board

Re: Town Board review & consideration of Ordinance 2023-005 regarding Illicit Discharge and Connection to the Municipal Separate Storm Sewer System (MS4).

Please find included in your packet a copy of Ordinance 2023-005. The DNR has been asking the Town for several years to pass this ordinance to fulfill one of our MS4 requirements.

If the Board agrees with the Ordinance as presented, a motion to approve Ordinance 2023-005 would be in order.

SUGGESTED MOTION:

*A motion and **ROLL CALL** to approve Ordinance 2023-005 regarding Illicit Discharge and Connection, and direct Staff to post and publish as required.*

If you have any questions about this information, please call or e-mail me.

Respectfully Submitted,
Kelsey

Town of Clayton Illicit Discharge and Connection Ordinance

SECTION 1. PURPOSE AND INTENT.

The purpose of this ordinance is to provide for the health, safety, environment and general welfare of the citizens of Town of Clayton through the regulation of non-storm water discharges into waters of the state or the municipal separate storm sewer system (MS4) to the maximum extent practicable as required by federal and state law. This ordinance establishes methods for controlling the introduction of pollutants into waters of the state or the MS4 in order to comply with requirements of the Wisconsin Pollutant Discharge Elimination System (WPDES) permit process. The objectives of this ordinance are:

- (1) To regulate the contribution of pollutants into waters of the state or the MS4 by storm water discharges by any user.
- (2) To prohibit illicit connections and discharges into waters of the state or the MS4.
- (3) To establish legal authority to carry out all inspection, surveillance, monitoring, and enforcement procedures necessary to ensure compliance with this ordinance.

SECTION 2. DEFINITIONS.

For the purposes of this ordinance, the following shall mean:

Authorized Enforcement Agency. Employees or designees of the Town of Clayton designated to administer and enforce this ordinance.

Best Management Practices (BMPs). Structural or non-structural measures, practices, techniques or devices employed to avoid or minimize soil, sediment or pollutants carried in runoff to waters of the state.

Construction Activity. Activities subject to Town of Clayton Construction Site Erosion Control Ordinance, Winnebago County Construction Site Erosion Control Ordinance, or WPDES construction permits per ch. NR 216, Wis. Admin. Code and ch. 283, Wis. Stats.

Contaminated storm water. Storm water that comes into contact with material handling equipment or activities, raw materials, intermediate products, final products, waste materials, byproducts or industrial machinery in the source areas listed in ch. NR 216, Wis. Admin. Code.

Department (DNR). The Wisconsin Department of Natural Resources.

Discharge. As defined in ch. 283, Wis. Stats., when used without qualification includes a discharge of any pollutant.

Discharge of pollutant or discharge of pollutants. As defined in ch. 283, Wis. Stats. means any addition of any pollutant to the waters of this state from any point source.

Hazardous Materials. Any material, including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a substantial present or potential hazard to human health, safety, property, or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

Illicit Discharge. Any discharge into waters of the state or a municipal separate storm sewer system that is not composed entirely of storm water. Non-storm water discharges that are not considered illicit discharges include water line flushing, landscape irrigation, diverted stream flows, uncontaminated groundwater infiltration, uncontaminated pumped groundwater, discharges from potable water sources, foundation drains, air conditioning condensation, irrigation water, lawn watering, individual residential car washing, flows from riparian habitats and wetlands, fire fighting, and discharges authorized under a WPDES permit unless identified by the Town of Clayton as a significant source of pollutants to waters of the state.

Illicit Connections. An illicit connection is defined as either of the following:

- Any drain or conveyance, whether on the surface or subsurface that allows an illicit discharge to enter waters of the state or the MS4 including but not limited to any conveyances that allow any non-storm water discharge including sewage, process wastewater, and wash water to enter waters of the state or the MS4 and any connections to waters of the state or the MS4 from indoor drains and sinks, regardless of whether said drain or connection had been previously allowed, permitted, or approved by an authorized enforcement agency or,
- Any drain or conveyance connected from a commercial or industrial land use to waters of the state or the MS4 which has not been documented in plans, maps, or equivalent records and approved by an authorized enforcement agency.

Industrial Activity. Activities subject to WPDES Industrial Permits per ~~ch. NR-216~~, Wis. Admin. Code and ch. 283, Wis. Stats.

Maximum Extent Practicable (MEP). A level of implementing management practices in order to achieve a performance standard or other goal which takes into account the best available technology, cost effectiveness and other competing issues such as human safety and welfare, endangered and threatened resources, historic properties and geographic features.

Municipality. Any city, town, village, county, county utility district, town sanitary district, town utility district, school district or metropolitan sewage district or any other public entity created pursuant to law and having authority to collect, treat or dispose of sewage, industrial wastes, storm water or other wastes.

Municipal Separate Storm Sewer System (MS4). As defined in Wisconsin Administrative Code NR 216, means a conveyance or system of conveyances including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, constructed channels or storm drains, which meets all the following criteria:

- (a) Owned or operated by a municipality.
- (b) Designed or used for collecting or conveying storm water.
- (c) Which is not a combined sewer conveying both sanitary and storm water.
- (d) Which is not part of a publicly owned wastewater treatment works that provides secondary or more stringent treatment.

Non-Storm Water Discharge. Any discharge to the MS4 that is not composed entirely of storm water.

Owner. Any person holding fee title, an easement or other interest in property.

Outfall. The point at which storm water is discharged to waters of the state or to a storm sewer.

Person. An individual, owner, operator, corporation, partnership, association, municipality, interstate agency, state agency or federal agency.

Pollutant. As defined in ch. 283, Wis. Stats., means any dredged spoil, solid waste, incinerator residue, sewage, garbage, refuse, oil, sewage sludge, munitions, chemical wastes, biological materials, radioactive substance, heat, wrecked or discarded equipment, rock, sand, cellar dirt and industrial, municipal and agricultural waste discharged into water.

Pollution. As defined in ch. 283, Wis. Stats., means any man-made or man-induced alteration of the chemical, physical, biological or radiological integrity of water.

Pollution prevention. Taking measures to eliminate or reduce pollution.

Premises. Any building, lot, parcel of land, or portion of land whether improved or unimproved including adjacent sidewalks and parking strips.

Storm Water. Runoff from precipitation including rain, snow, ice melt or similar water that moves on the land surface via sheet or channelized flow.

Storm Water Management Plan / Storm Water Pollution Prevention Plan: A document which describes the Best Management Practices and activities to be implemented by a person or business to identify sources of pollution or contamination at a site and the actions to eliminate or reduce pollutant discharges to waters of the state or the MS4 to the Maximum Extent Practicable.

Wastewater. Any water or other liquid, other than uncontaminated storm water, discharged from a facility.

Watercourse. A natural or artificial channel through which water flows. These channels include: all blue and dashed blue lines on the USGS quadrangle maps, all channels shown on the soils maps in the NRCS soils book for Winnebago County, all channels identified on the site, and

new channels that are created as part of a development. The term watercourse includes waters of the state as herein defined.

Waters of the state. As defined in ch. 283, Wis. Stats., means those portions of Lake Michigan and Lake Superior within the boundaries of Wisconsin, all lakes, bays, rivers, streams, springs, ponds, wells, impounding reservoirs, marshes, water courses, drainage systems and other surface water or groundwater, natural or artificial, public or private within the state or under its jurisdiction, except those waters which are entirely confined and retained completely upon the property of a person.

Wisconsin Pollutant Discharge Elimination System (WPDES) Storm Water Discharge Permit. A Wisconsin pollutant discharge elimination system permit issued pursuant to Wisconsin Statute 283.

SECTION 3. APPLICABILITY.

This ordinance shall apply to all water and discharges entering waters of the state or the MS4 generated on any lands unless explicitly exempted by the Town of Clayton.

SECTION 4. RESPONSIBILITY FOR ADMINISTRATION.

The Town Board hereby designates the Town Administrator to administer, implement, and enforce the provisions of this ordinance. Any powers granted or duties imposed upon the Town Administrator may be delegated in writing by the Town Administrator to persons or entities acting in the beneficial interest of or in the employ of the Town of Clayton.

SECTION 5. COMPATIBILITY WITH OTHER REGULATIONS.

This ordinance is not intended to modify or repeal any other ordinance, rule, regulation, or other provision of law. The requirements of this ordinance are in addition to the requirements of any other ordinance, rule, regulation, or other provision of law, and where any provision of this ordinance imposes restrictions different from those imposed by any other ordinance, rule, regulation, or other provision of law, whichever provision is more restrictive or imposes higher protective standards for human health or the environment shall control.

SECTION 6. SEVERABILITY.

The provisions of this ordinance are hereby declared to be severable. If any provision, clause, sentence, or paragraph of this ordinance or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this ordinance.

SECTION 7. ULTIMATE RESPONSIBILITY.

The standards set forth herein and promulgated pursuant to this ordinance are minimum standards; therefore this ordinance does not intend or imply that compliance by any person will ensure that there will be no contamination, pollution, or unauthorized discharge of pollutants.

SECTION 8. DISCHARGE PROHIBITIONS.

8.1. Prohibition of Illicit Discharges.

No person shall throw, dump, spill, drain, or otherwise discharge, or cause or allow to be thrown, dumped, spilled, drained, or otherwise discharged into waters of the state or the MS4 any pollutants or waters containing any pollutants, other than storm water.

8.2. Allowed Discharges.

- (1) Water line flushing, landscape irrigation, diverted stream flows, uncontaminated ground water infiltration, uncontaminated pumped ground water, discharges from potable water sources, foundation drains, air conditioning condensation, irrigation water, lawn watering, individual residential car washing, flows from riparian habitats and wetlands, and discharges authorized under a WPDES permit unless identified by the Town of Clayton or the Department as a significant source of pollutants to waters of the state.
- (2) Discharges or flow from firefighting, and other discharges specified in writing by the Town of Clayton as being necessary to protect public health and safety.
- (3) Discharges associated with dye testing, however this activity requires a verbal notification to the Town of Clayton and the Department a minimum of one business day prior to the time of the test.
- (4) Any non-storm water discharges permitted under a construction activity permit, industrial activity permit, or WPDES permit shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the Town of Clayton prior to allowing discharges to waters of the state or the MS4.

8.3. Prohibition of Illicit Connections.

- (1) The construction, use, maintenance or continued existence of illicit connections to waters of the state or the MS4 is prohibited.
- (2) This prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.
- (3) A person is considered to be in violation of this ordinance if the person connects a line conveying sewage to waters of the state or the MS4, or allows such a connection to continue.
- (4) Improper connections in violation of this ordinance must be disconnected and redirected, if necessary, to an approved onsite wastewater management system or the sanitary sewer system upon approval of the Town of Clayton.
- (5) Any drain or conveyance that has not been documented in plans, maps or equivalent, and which may be connected to waters of the state or the MS4, shall be located by the owner or occupant of that property upon receipt of written notice of violation from the Town of Clayton requiring that such locating be completed. Such notice will specify a

reasonable time period within which the location of the drain or conveyance is to be determined, that the drain or conveyance be identified as storm sewer, sanitary sewer or other, and that the outfall location or point of connection to the storm sewer system, sanitary sewer system or other discharge point be identified. Results of these investigations are to be documented and provided to the Town of Clayton.

SECTION 9. WATERCOURSE PROTECTION.

Every person owning property through which a watercourse passes, or such person's lessee, shall keep and maintain that part of the watercourse within the property free of soil erosion, trash, debris, and other obstacles that would pollute, contaminate, or significantly retard the flow of water through the watercourse. In addition, the owner or lessee shall maintain existing privately owned structures within or adjacent to a watercourse, so that such structures will not become a hazard to the use, function, or physical integrity of the watercourse.

SECTION 10. COMPLIANCE MONITORING.

10.1. Right of Entry: Inspecting and Sampling.

The Town of Clayton shall be permitted to enter and inspect properties and facilities subject to regulation under this ordinance as often as may be necessary to determine compliance with this ordinance.

- (1) If a property or facility has security measures in force which require proper identification and clearance before entry into its premises, the owner or operator shall make the necessary arrangements to allow access to representatives of the Town of Clayton.
- (2) Facility owners and operators shall allow the Town of Clayton ready access to all parts of the premises for the purposes of inspection, sampling, examination and copying of records.
- (3) The Town of Clayton shall have the right to set up on any property or facility such devices as are necessary in the opinion of the Town of Clayton to conduct monitoring and/or sampling of the facility's storm water discharge.
- (4) The Town of Clayton has the right to require the owner or operator to install monitoring equipment as necessary, and make the monitoring data available to the Town of Clayton. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the discharger at its own expense. All devices used to measure storm water flow and quality shall be calibrated to ensure their accuracy.
- (5) Any temporary or permanent obstruction to safe and easy access to the property or facility to be inspected and/or sampled shall be promptly removed by the owner or operator at the written or oral request of the Town of Clayton and shall not be replaced. The costs of clearing such access shall be borne by the owner or operator.
- (6) Unreasonable delays in allowing the Town of Clayton access to a facility is a violation of this ordinance. A person who is the operator of a facility commits an offense if the person denies the Town of Clayton reasonable access to the facility for the purpose of conducting any activity authorized or required by this ordinance.

10.2. Special Inspection Warrant.

If the Town of Clayton has been refused access to any part of the premises from which storm water is discharged, and the Town of Clayton is able to demonstrate probable cause to believe that there may be a violation of this ordinance, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program designed to verify compliance with this ordinance or any order issued hereunder, or to protect the overall public health, safety, environment and welfare of the community, then the Town of Clayton may seek issuance of a special inspection warrant per s. 66.0119, Wis. Stats.

SECTION 11. REQUIREMENT TO PREVENT, CONTROL, AND REDUCE STORM WATER POLLUTANTS BY THE USE OF BEST MANAGEMENT PRACTICES.

The owner or operator of any activity, operation, or facility which may cause or contribute to pollution or contamination of storm water shall provide, at their own expense, reasonable protection from accidental discharge of prohibited materials or other wastes into waters of the state or the MS4 through the use of structural and non-structural BMPs. Further, any person responsible for a property or premise, that is, or may be, the source of an illicit discharge, may be required to implement, at said person's expense, additional structural and non-structural BMPs to prevent the further discharge of pollutants to waters of the state or the MS4. Compliance with all terms and conditions of a valid permit authorizing the discharge of storm water associated with industrial activity or construction activity, to the maximum extent practicable, shall be deemed compliance with the provisions of this section.

SECTION 12. NOTIFICATION OF SPILLS.

Notwithstanding other requirements of law, as soon as any person responsible for a facility or operation, or responsible for emergency response for a facility or operation has information of any known or suspected release of materials which are resulting or may result in illicit discharges or pollutants discharging into storm water, the MS4, or waters of the state, said person shall take all necessary steps to ensure the discovery, containment, and cleanup of such release, so as to minimize the impacts of the discharge.

In the event of such a release of hazardous materials said person shall immediately notify emergency response agencies of the occurrence via emergency dispatch services, and shall also notify the Town of Clayton. In the event of a release of non-hazardous materials, said person shall notify the Town of Clayton in person or by phone or facsimile no later than the next business day. Notifications in person or by phone shall be confirmed by written notice addressed and mailed to the Town of Clayton within 3 business days of the phone notice. If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on-site written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least 5 years.

Failure to provide notification of a release as provided above is a violation of this ordinance.

SECTION 13. VIOLATIONS, ENFORCEMENT, AND PENALTIES.

13.1. Violations.

It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this ordinance. Any person who has violated or continues to violate the provisions of this ordinance, may be subject to the enforcement actions outlined in this section or may be restrained by injunction or otherwise abated in a manner provided by law.

In the event the violation constitutes an immediate danger to public health or public safety, the Town of Clayton is authorized to enter upon the subject private property, without giving prior notice, to take any and all measures necessary to abate the violation. The Town of Clayton is authorized to seek costs of the abatement as outlined in Section 16.

13.2. Warning Notice.

When the Town of Clayton finds that any person has violated, or continues to violate, any provision of this ordinance, or any order issued hereunder, the Town of Clayton may serve upon that person a verbal or written Warning Notice, specifying the particular violation believed to have occurred and requesting the discharger to immediately investigate the matter and to seek a resolution whereby any offending discharge will cease. Investigation and/or resolution of the matter in response to the Warning Notice in no way relieves the alleged violator of liability for any violations occurring before or after receipt of the Warning Notice. Nothing in the subsection shall limit the authority of the Town of Clayton to take action, including emergency action or any other enforcement action without first issuing a Warning Notice.

13.3. Notice of Violation.

Whenever the Town of Clayton finds that a person has violated a prohibition or failed to meet a requirement of this ordinance, the Town of Clayton may order compliance by written notice of violation to the responsible person.

Such notice may require without limitation:

- (1) The performance of monitoring, analyses, and reporting;
- (2) The elimination of illicit connections or discharges;
- (3) That violating discharges, practices, or operations shall cease and desist;
- (4) The abatement or remediation of storm water pollution or contamination hazards and the restoration of any affected property;
- (5) Payment of a fine to cover administrative and remediation costs; and
- (6) The implementation of BMPs.

Should the violator fail to restore compliance within any established time schedule in the notice of violation, representatives of the Town of Clayton may issue a notice of intent to the responsible party of its intent to perform work necessary to comply with this ordinance. The Town of Clayton may go on the land and commence the work after issuing the notice of intent. The Town of Clayton is authorized to see costs of the abatement as outlined in Section 16.

13.4. Suspension of MS4 Access.

13.4.1. Emergency Cease and Desist Orders

When the Town of Clayton finds that any person has violated, or continues to violate, any provision of this ordinance, or any order issued hereunder, or that the person's past violations are likely to recur, and that the person's violation(s) has (have) caused or contributed to an actual or threatened discharge to the MS4 or waters of the state which reasonably appears to present an imminent or substantial endangerment to the health or welfare of persons or to the environment, the Town of Clayton may issue an order to the violator directing it immediately to cease and desist all such violations and directing the violator to:

- (1) Immediately comply with all ordinance requirements; and
- (2) Take such appropriate preventive action as may be needed to properly address a continuing or threatened violation, including immediately halting operations and/or terminating the discharge.

Any person notified of an emergency order directed to it under this Subsection shall immediately comply and stop or eliminate its endangering discharge. In the event of a discharger's failure to immediately comply voluntarily with the emergency order, the Town of Clayton may take such steps as deemed necessary to prevent or minimize harm to the MS4 or waters of the state, and/or endangerment to persons or to the environment, including immediate termination of a facility's water supply, sewer connection, or other municipal utility services. The Town of Clayton may allow the person to recommence its discharge when it has demonstrated to the satisfaction of the Town of Clayton that the period of endangerment has passed, unless further termination proceedings are initiated against the discharger under this ordinance. A person that

is responsible, in whole or in part, for any discharge presenting imminent endangerment shall submit a detailed written statement, describing the causes of the harmful discharge and the measures taken to prevent any future occurrence, to the Town of Clayton within 30 days of receipt of the prerequisite for, taking any other action against the violator.

13.4.2. Suspension due to Illicit Discharges in Emergency Situations

The Town of Clayton may, without prior notice, suspend MS4 discharge access to a person when such suspension is necessary to stop an actual or threatened discharge which presents or may present imminent and substantial danger to the environment, or to the health or welfare of persons, or to the MS4 or waters of the state. If the violator fails to comply with a suspension order issued in an emergency, the Town of Clayton may take such steps as deemed necessary to prevent or minimize damage to the MS4 or waters of the state, or to minimize danger to persons.

13.4.3. Suspension due to the Detection of Illicit Discharge

Any person discharging to the MS4 in violation of this ordinance may have their MS4 access terminated if such termination would abate or reduce an illicit discharge. The Town of Clayton will notify a violator of the proposed termination of its MS4 access.

A person commits an offense if the person reinstates MS4 access to premises terminated pursuant to this Section, without the prior approval of the Town of Clayton.

13.5. Prosecution and Penalties.

Any person violating any provision of this ordinance shall be subject to a forfeiture of not less than \$25 nor more than \$500 and the costs of prosecution for each violation. Each day a violation exists shall constitute a separate offense.

Compliance with the provisions of this ordinance may also be enforced by injunction in any court with jurisdiction. It shall not be necessary to prosecute for forfeiture or a cease and desist order before resorting to injunctive proceedings.

SECTION 14. APPEALS.

14.1. Board of Appeals.

The Board of Appeals created pursuant to the Town of Clayton ordinance and pursuant to s. 60.65, Wis. Stats.:

- (1) Shall hear and decide appeals where it is alleged that there is error in any order, decision or determination made by the Town of Clayton in administering this ordinance except for cease and desist orders obtained under Section 13.4.1.
- (2) Upon appeal, may authorize variances from the provisions of this ordinance which are not contrary to the public interest and where owing to special conditions a literal enforcement of the provisions of the ordinance will result in unnecessary hardship; and

- (3) Shall use rules, procedures, duties and powers authorized by statute in hearing and deciding appeals and authorizing variances.

14.2. Who May Appeal.

Appeals to the Board of Appeals may be taken by any aggrieved person or by any office, department, board, or bureau of the Town of Clayton affected by any decision of the Town Board. Any person who has been issued a notice of violation may appeal by filing a written notice of appeal with the Town within 3 business days of service of the notice of violation.

SECTION 15. ENFORCEMENT MEASURES AFTER APPEAL.

If the violation has not been corrected pursuant to the requirements set forth in the Notice of Violation, or, in the event of an appeal, the appropriate authority upheld the decision of the Town of Clayton, then representatives of the Town of Clayton may issue a notice of intent to the responsible party of its intent to perform work necessary to comply with this ordinance. The Town of Clayton may go on the land and commence the work after issuing the notice of intent. The Town of Clayton is authorized to seek costs of abatement as outlined in Section 16. It shall be unlawful for any person, owner, agent or person in possession of any premises to refuse to allow the government agency or designated contractor to enter upon the premises for the purposes set forth above.

SECTION 16. COST OF ABATEMENT OF THE VIOLATION.

The costs of the work performed by the Town of Clayton pursuant to this ordinance, plus interest and an administrative fee at a rate authorized by the Town Board shall be billed to the responsible party. In the event a responsible party fails to pay the amount due, the clerk shall enter the amount due on the tax rolls and collect as a special assessment against the property pursuant to subch. VII of ch. 66, Wis. Stats.

SECTION 17. VIOLATIONS DEEMED A PUBLIC NUISANCE.

Any condition in violation of any of the provisions of this ordinance and declared and deemed a nuisance, may be summarily abated or restored at the violator’s expense.

SECTION 18. REMEDIES NOT EXCLUSIVE.

The remedies listed in this ordinance are not exclusive of any other remedies available under any applicable federal, state or local law and it is within the discretion of the Town of Clayton to seek cumulative remedies.

The Town of Clayton may recover all attorney’s fees court costs and other expenses associated with enforcement of this ordinance, including sampling and monitoring expenses.

Adopted this ____ day of _____, 20____ Vote: Yes: ____ No: ____ Absent: ____

Russell D. Geise, Chair

Attest: Kelsey Faust-Kubale, Town Clerk

TOWN OF CLAYTON

Check Summary Register
 11100 Checking Acct: Nicolet National Bank
 Checks: 30504-30556

Check Nbr	Check Date	Vendor name	Check Amount	Transaction memo
30504	11/10/2023	AT&T MOBILITY	\$ 350.91	287301363731 CELL PHONES
30505	11/10/2023	BUCKLINS TREE SERVICE	\$ 8,203.28	YARD WASTE SITE BRUSH GRINDER
30506	11/10/2023	CROSS PLUMBING INC	\$ 288.51	CLAYTON PARK WINTERIZE
30507	11/10/2023	FOX WEST REGIONAL SEWERAGE COMMISSION	\$ 6,069.68	OCTOBER 2023 OPERATIONS
30508	11/10/2023	POMP'S TIRE SERVICE INC	\$ 3,773.96	TRUCK 15 & PART OF 17 TIRES
30509	11/10/2023	SERWE IMPLEMENT CO INC	\$ 306.29	TRUCK 5 COIL/FLAIL
30510	11/10/2023	TORBORGS LUMBER	\$ 609.71	CEMETERY STEEL & TRIM
30511	11/10/2023	WI PUBLIC SERVICE	\$ 916.18	STREET LIGHTING 0401903447-00012
30512	11/10/2023	WI PUBLIC SERVICE	\$ 49.45	CLAYTON PARK 0402114819-00001
30513	11/15/2023	BEIMBORN, ALAINA	\$ 191.68	REIMBURSE OVERPAYMENT INV 1694 AND 1820
30514	11/15/2023	CEDAR CORPORATION	\$ 9,535.51	PLANNING/ZONING/COMPLAN/SWMMGT/WINNCREST
30515	11/15/2023	CINTAS CORPORATION	\$ 701.62	UNIFORMS/MATS/JANITORIAL
30516	11/15/2023	COUNTRY VISIONS COOPERATIVE	\$ 218.04	GAS
30517	11/15/2023	DOOR COUNTY HARDWARE	\$ 1,142.55	FD EQUIPMENT GP BUCKET BRIGADE FUNDS
30518	11/15/2023	DWD - UNEMPLOYMENT INSURANCE	\$ 128.92	FORMER EMPLOYEE UC CLAIM
30519	11/15/2023	EHLERS	\$ 3,300.00	CONTINUING DISCLOSURE FEE
30520	11/15/2023	FOX CROSSING UTILITIES	\$ 427.47	UNDEVELOPED LAND STANDBY WATER
30521	11/15/2023	GLLB PROPERTIES LLC	\$ 1,236.00	FIRE SUBSTATION DEC LEASE
30522	11/15/2023	IPR CLAYTON LLC	\$ 14,500.00	DECEMBER WASTEWATER LEASE
30523	11/15/2023	KNOX COMPANY	\$ 2,987.00	6 KNOX BOXES PURCHASED BY JJJ2 INV1933
30524	11/15/2023	KRUEGER TRUE VALUE	\$ 38.78	OIL FILTERS/PIPE T COMPOUND
30525	11/15/2023	KUNDINGER FLUID POWER INC	\$ 7.96	TRACTOR 5 FNTX-S
30526	11/15/2023	KWIK TRIP INC	\$ 427.83	ACCOUNT 00398421 BI AND FD CARS
30527	11/15/2023	MICALOON, JIM	\$ 600.00	CEMETERY ROOFING
30528	11/15/2023	MCMAHON ASSOCIATES INC	\$ 182.00	BUILDING INSPECTION SERVICES
30529	11/15/2023	MENARDS	\$ 125.96	SHOVELS
30530	11/15/2023	MIKE CAVES RUST STOP LLC	\$ 2,690.00	MAINT OF EQUIPMENT
30531	11/15/2023	NEENAH JOINT SCHOOL DISTRICT	\$ 377.15	DEC MANUFACTURING PERMIT
30532	11/15/2023	PASTURE PRIME FARMS	\$ 240.00	MOW NOFFKE PARK
30533	11/15/2023	RHYME BUSINESS PRODUCTS	\$ 742.86	SHARP COPIER LEASE 016-1536289-000
30534	11/15/2023	STERICYCLE/SHRED-IT	\$ 130.43	SHRED SERVICES
30535	11/15/2023	TRANSCENDENT TECHNOLOGIES	\$ 986.00	ANNUAL TAX AND PET SOFTWARE
30536	11/15/2023	WI PUBLIC SERVICE	\$ 21.30	GENERATOR
30537	11/15/2023	WI PUBLIC SERVICE	\$ 1,026.86	SHOP/MUNI ACCT 0401903447-00006
30538	11/15/2023	WINNEBAGO COUNTY TREASURER	\$ 60.00	RECORDING FEES
30539	11/15/2023	WINNEBAGO COUNTY TREASURER	\$ 47,132.54	HILLCREST DRIVE
30540	11/15/2023	WM CORPORATE SERVICES INC	\$ 26,074.96	OCTOBER GARBAGE AND RECYCLING
30541	11/15/2023	WMCA	\$ 65.00	ANNUAL MEMBERSHIP
30542	11/27/2023	CENTRAL STATES H&W FUND	\$ 14,529.60	HEALTH INS PREMIUMS 10/29 THRU 11/25/23
30543	11/27/2023	CONWAY SHIELD	\$ 25.50	LETTERS ROCHE
30544	11/27/2023	HERRMANN, TOM	\$ 574.00	8D & 350 BATTERIES
30545	11/27/2023	LANGE ENTERPRISES INC	\$ 685.90	20 WINTER PARKING SIGNS
30546	11/27/2023	MANNING GROSS & MASSENBURG LLP	\$ 6,194.00	OCTOBER LEGAL
30547	11/27/2023	MCMAHON ASSOCIATES INC	\$ 592.50	ON SITE SERVICES NATIONAL LIGHTING
30548	11/27/2023	N&M AUTO SUPPLY	\$ 41.26	MARINE BATTERY TERMINALS
30549	11/27/2023	PITNEY BOWES BANK INC PURCHASE POWER	\$ 1,513.50	POSTAGE REFILL 48884084
30550	11/27/2023	POMP'S TIRE SERVICE INC	\$ 4,169.56	TRUCK 17 TIRES
30551	11/27/2023	PREMIUM WATERS INC	\$ 41.95	BOTTLED WATER
30552	11/27/2023	RIESTERER & SCHNELL, INC	\$ 610.84	TRACTOR #5 OIL & AIR FILTERS
30553	11/27/2023	SERWE IMPLEMENT CO INC	\$ 95.61	bearing
30554	11/27/2023	TEAMSTERS LOCAL UNION 662	\$ 186.00	NOVEMBER UNION DUES
30555	11/27/2023	WE ENERGIES	\$ 27.59	WATER BOOSTER STATION GAS
30556	11/27/2023	WINNEBAGO COUNTY TREASURER	\$ 857.25	2023 DOG LICENSES
TOTAL			\$166,011.45	