



Village of Black Earth

ORGANIZATIONAL & VILLAGE BOARD MEETING

1210 Mills St., Black Earth, WI 53515
Tuesday, May 2, 2023 | 6:00 p.m.

Minutes - Draft

1. Call to Order/Roll Call: President Moyer called the meeting to order at 6:00 pm. Upon roll call present: Terry Moyer, James Coyle, Scott Patchin, Sarah Morrow, and Tyler Munson. Absent: Pam Louis-Reindl. Also present: Library Director Bailey Anderson, PWD Matt Kahl, and Clerk/Treasurer Dani Fields.
2. Pledge of Allegiance *Recited*.
3. Proof of Posting: *The proof of posting was read aloud by President Moyer.*
4. Public Input. *None.*
5. Review of the Village Board Structure After the April 4th, 2023 Election
 - a. President – Terry Moyer, 2 Year Term Expiring 4/2025
 - b. Trustee – Tyler Munson, 2-Year Term Expiring 4/2025
 - c. Trustee – Scott Patchin, 2-Year Term Expiring 4/2025
 - d. Trustee – Sarah Morrow, 2-Year Term Expiring 4/2025
 - e. Trustee – James Coyle, 2-Year Term Expiring 4/2024
 - f. Trustee – Pam Louis-Reindl, 2-Year Term Expiring 4/2024
 - g. Trustee – VACANCY, 2 year Term Expiring 4/2024
 - h. Confirmation of Oaths of Office for New Village Board Members/TermsFields read the post-election board structure aloud, confirmed all newly elected members have taken the oath of office, and all oaths are on file.
6. Discussion/Action on Appointment of Mitch Hodson to Vacant Trustee Position
Moyer/Munson motion to appoint Mitch Hodson to the vacant Trustee position. Motion carried unanimously.
 - a. Oath of Office – The oath of office was administered by Fields.
7. Discussion/Action on Committee Member Appointments
 - a. Fields read the committee appointments as prepared by Moyer. Munson requested he attend Gateway to the Driftless meetings; all in agreement.
*Patchin/Hodson motion to approve committee member appointments as discussed. Motion carried unanimously.*Committees were assigned as follows:
 - BLACK EARTH JOINT FIRE - Terry Moyer, Mitch Hodson - Alternate
 - BOARD OF APPEALS - Mitch Hodson, Scott Patchin, Tom Marks, Dylan Helmenstine, Tom Parrell, Terry Moyer - 1st Alternate, Tyler Munson - 2nd Alternate
 - BOARD OF REVIEW - Pam Louis-Reindl, Sarah Morrow, Terry Moyer, Mitch Hodson - Alternate, Scott Patchin - Alternate
 - DANE-IOWA WASTEWATER COMMISSION - James Coyle, Norm Hahn, Mitch Hodson - Alternate
 - DISTRICT 1 EMS - Pam Louis-Reindl, Terry Moyer - Alternate
 - ECONOMIC DEVELOPMENT - Tyler Munson, Pam Louis-Reindl, Mitch Hodson, Michelle Riel, Tom Marks, Peter Antonie, Terry Moyer - Alternate
 - EMERGENCY MANAGEMENT - James Coyle, Tyler Munson, Sarah Morrow, Terry Moyer - Alternate
 - GATEWAY TO THE DRIFTLESS - Tyler Munson, Terry Moyer/Dani Fields - Alternates
 - LIBRARY BOARD - Sarah Morrow, Terry Moyer - Alternate
 - PARKS, GROUNDS AND RECREATION COMMITTEE - James Coyle, Scott Patchin, Mitch Hodson, Lauri Statz, Ben Voss, Terry Moyer - Alternate
 - PLAN COMMISSION - James Coyle, Tyler Munson, Scott Patchin, Dylan Helmenstine, Tom Marks, Tom Parrell, Sybyl Wood, Pam Louis-Reindl - Alternate

- POLICE - Sarah Morrow, Mitch Hodson, Jen Schuetz, *James Coyle - Alternate*
 - PUBLIC WORKS AND UTILITY SERVICES - Tyler Munson, Pam Louis-Reindl, Scott Patchin, *Terry Moyer - Alternate*
 - VANGUARD - Terry Moyer, Public Works Chair (TBD), *Mitch Hodson - Alternate*
8. Discussion/Action: Approval of Meeting Minutes from April 11, 2023
Coyle/Hodson motion to approve Minutes as presented. Motion carried 5-0. Munson abstained.
9. Discussion/Action: Resolution 2023-01 – Low Mow May
Fields introduced the reasoning for the resolution. Did not have an official policy to follow last year and received calls about if the Village is participating. The movement has been gaining more traction so would like to have something official to tell the public and able to enforce. Explained the difference between No Mow vs Low Mow. Patchin read a statement opposing No Mow May.
Coyle/Hodson motion to approve resolution 2023-01 as presented. Motion carried 5-1. Patchin opposed.
10. Discussion/Action: Approval of Chicken Licenses
a. 1921 Center Street – Micala Meigs, 1412 Blue Mounds St – Alina Caminiti
Coyle/Morrow motion to approve chicken licenses pending neighbor notification. Motion carried unanimously.
11. Discussion/Action: Summer Hours for Village Office
a. Moyer stated she requested Fields do a survey around other municipal offices to see how other communities operate; reduced hour Fridays getting increasingly popular. Public Works already does summer hours; fairness to staff. Proposing to run summer hours from Memorial Day to Labor Day as a trial. 8am-5pm Monday-Thursday, 8am-12pm Fridays.
Hodson/Morrow motion to approve summer office hours. Motion carried unanimously.
12. Discussion/Action: Village Office Closures for Staff Training: May 18, 19, 22, 23, 24, 30.
a. Fields stated this is the Caselle software training that was approved at the February Board meeting. Requesting to be closed during the training periods. Would not be feasible to have the office open while trying to train; need to have both clerks' full attention. Training is done collaboratively through Zoom, need to be on work stations to do training. Fields stated the plan to notify the public of the closures by posting on the website, via Facebook by the Police and Library Facebook pages, send to The Star News editor for publishing, and posters posted at the village hall and post office.
b. Board discussed having temporary coverage; hiring a temp while office is closed to cover walk-ins/phone calls.
Munson/Hodson motion to approve Village office closure and hiring temporary help to cover phones.
a. Additional discussion on logistics of hiring temp help. Ability to find, train, temp in time. Suggested residents can leave voicemail, office will return messages after training.
The motion was amended to approve the office closures with office staff returning voicemail messages after training. Motion carried unanimously.
13. Discussion/Action: 2021 GO Note Borrowing
a. Discussion on spending options
i. Library requested the Village contribute \$20-25k to pay for Architectural Firm fees in preparation for Library project.
Hodson/Morrow to approve allocating \$20k of GO note borrowing to fund Architectural firm fees. Motion carried unanimously.
b. Brainstorming future projects
i. Add Vierbicher funds to project list.
ii. Put stream monitoring equipment on project list
1. See if Vierbicher can find any grants
iii. Municipal building upgrades – pressure wash, paint outside/inside, etc.
Fields stated that invested GO funds have matured and are ready for reinvestment. Would be wise to reinvest monies not needed immediately. Suggested keeping enough for immediate spending needs and reinvest the rest of the funds.

Hodson/Patchin motion to reinvest \$760,358.81 for 3 months. Motion carried unanimously.

14. Discussion/Action: Financial Reports

Scott/Hodson motion to approve as presented. Motion carried unanimously.

15. Discussion/Action: Invoices to be Paid

Scott/Hodson motion to approve as presented. Motion carried unanimously.

16. REPORTS:

- a. Vanguard Commission did not meet.
- b. Electrical Superintendent Report Terry reporting for Shawn. New hire Valerie doing great.
- c. Black Earth Fire District None
- d. Dane-Iowa Wastewater Commission met 4/20. Normal meeting. Will be receiving \$74k in true up. Next meeting 5/18.
- e. Economic Development Committee hasn't met.
- f. EMS Committee None
- g. Library Board met 4/18. New board member Dylan Helmenstine's first meeting.
- h. Library Director Report - hired FEH Design for architectural planning services. Putting together committee; looking for a mix of community members, board members, and Friends of the Library members. Updated safety policy. May is Anniversary month for Bailey, 2nd anniversary. Library will now be distributing blood pressure monitoring equipment. Healthcare and transportation information getting distributed. Implemented notary Office Hours. Local holds pilot project passed and is now permanent in SCLS libraries. This means that new books will stay in local library longer before getting distributed in library system.
- i. Public Works Committee hasn't met.
- j. Public Works Director Report - Lots of locates. Cable and fiber drops increased. Town and Country doing survey work, requiring lots of locates. Lots of training – sewer jetter training, GIS training. Truck is in the shop for major repairs.
- k. Parks Committee no report
- l. Police Committee - Jen Schuetz – looking to schedule meeting for end of May.

17. Any other business that may be brought before the board on future agendas

- a. Village building maintenance
- b. GO borrowing
- c. Electric Rates

18. Meeting Announcements: Board of Review May 9, 6p-8pm; Village Board Meeting June 6, 2023

19. Adjournment

Patchin/Hodson motion to adjourn. Motion carried unanimously. Meeting adjourned at 7:17pm.

Minutes prepared by Dani Fields, Clerk/Treasurer.



Village of Black Earth

Resolution # 2023-03

Appointing an Authorized Representative to File Applications for Financial Assistance from The State Of Wisconsin Environmental Improvement Fund

WHEREAS, it is the desire of the Village of Black Earth, Wisconsin, a municipal corporation, to file several applications for state financial assistance for improvements to Webb Street, Ray Street, Hillside Road and East Street under the Wisconsin Environmental Improvement Fund (ss. 281.58, 281.59, and 281.61, Wis. Stats.);

WHEREAS, it is necessary to designate a representative for filing said applications;

BE IT THEREFORE RESOLVED by the Village Board of the Village of Black Earth that the Village President is hereby appointed as the authorized representative for the Village of Black Earth for the purpose of filing these applications, and that the representative is further authorized and empowered to do all things necessary in connection with said applications.

ADOPTED this 6th day of June, 2023.

Terry Moyer, Village President

ATTEST:

I hereby certify that the foregoing is a true and correct copy of the resolution introduced and adopted by the

Village Board of the Village of Black Earth, Wisconsin on _____, 2023.

Dani Fields, Village Clerk

Dated: _____

_____ Ayes _____ Nays Opposed: _____



Village of Black Earth

Resolution # 2023-04

Declaration of Official Intent to Reimburse Expenditures for Clean Water Fund Program (CWFP) and Safe Drinking Water Loan Program (SDWLP) Project

WHEREAS, the Village of Black Earth, Dane County, Wisconsin (the “Municipality”) owns and operates a water supply and distribution system (the “System”) as a public utility; and

WHEREAS, the Municipality plans to make improvements to existing water and sewer facilities on Hillside Road, East Street, Ray Street, and Webb Street (the “Project”); and

WHEREAS, the Municipality expects to receive loans (the “Loans”) from the Clean Water Fund Program and Safe Drinking Water Loan Program (the “Programs”) to finance the Project and expects to issue tax-exempt bonds (the “Bonds”) to the Programs in evidence of the Loans; and

WHEREAS, because the Loans will not become available prior to Summer of 2023, the Municipality must provide interim financing to cover costs of the Project incurred prior to receipt of the Loans; and

WHEREAS, it is necessary, desirable, and in the best interests of the Municipality to advance moneys from its funds on hand on an interim basis until the Loans becomes available and the Bonds can be issued.

NOW, THEREFORE, BE IT RESOLVED by the Village of Black Earth, Dane County, Wisconsin that:

Section 1. Expenditure of Funds. The Municipality shall make expenditures as needed from existing municipal accounts that contain ordinary municipal revenue to pay the costs of the Project until Bond proceeds become available.

Section 2. Declaration of Official Intent. The Municipality hereby officially declares its intent under 26 CFR Section 1.150-2 to reimburse said expenditures with proceeds of the Bonds, the principal amount of which is not expected to exceed \$3.1 million.

Section 3. Unavailability of Long-Term Funds. No funds for payment of the Project from sources other than the Bonds are or are reasonably expected to be reserved, allocated on a long-term basis, or otherwise set aside by the Municipality pursuant to its budget or financial policies.

Section 4. Public Availability of Official Intent Resolution. This Resolution shall be made available for public inspection at the Municipal Administrator’s office within 30 days after its approval in compliance with applicable State laws governing the availability of records of official acts and shall remain available for public inspection until the Bonds are issued.

Section 5. Effective Date. This resolution shall be effective upon its adoption and approval.

ADOPTED this 6th day of June, 2023.

Terry Moyer, Village President

ATTEST:

I hereby certify that the foregoing is a true and correct copy of the resolution introduced and adopted by the Village Board of the Village of Black Earth, Wisconsin on June 6, 2023.

Dani Fields, Village Clerk

Dated: _____

_____ Ayes _____ Nays Opposed: _____

Compliance Maintenance Annual Report

Black Earth Sewage Collection System

Last Updated: Reporting For:
6/1/2023 **2022**

Financial Management

1. Provider of Financial Information Name: <input type="text" value="Matthew Kahl"/> Telephone: <input type="text" value="6084345888"/> (XXX) XXX-XXXX E-Mail Address (optional): <input type="text" value="bepublicworks@blackearthwisconsin.com"/>		
2. Treatment Works Operating Revenues 2.1 Are User Charges or other revenues sufficient to cover O&M expenses for your wastewater treatment plant AND/OR collection system ? ● Yes (0 points) <input type="checkbox"/> <input type="checkbox"/> ○ No (40 points) If No, please explain: <input type="text"/> 2.2 When was the User Charge System or other revenue source(s) last reviewed and/or revised? Year: <input type="text" value="2021"/> ● 0-2 years ago (0 points) <input type="checkbox"/> <input type="checkbox"/> ○ 3 or more years ago (20 points) <input type="checkbox"/> <input type="checkbox"/> ○ N/A (private facility) 2.3 Did you have a special account (e.g., CFWP required segregated Replacement Fund, etc.) or financial resources available for repairing or replacing equipment for your wastewater treatment plant and/or collection system? ● Yes (0 points) ○ No (40 points)		0
REPLACEMENT FUNDS [PUBLIC MUNICIPAL FACILITIES SHALL COMPLETE QUESTION 3]		
3. Equipment Replacement Funds 3.1 When was the Equipment Replacement Fund last reviewed and/or revised? Year: <input type="text" value="2022"/> ● 1-2 years ago (0 points) <input type="checkbox"/> <input type="checkbox"/> ○ 3 or more years ago (20 points) <input type="checkbox"/> <input type="checkbox"/> ○ N/A If N/A, please explain: <input type="text"/>		
3.2 Equipment Replacement Fund Activity		
3.2.1 Ending Balance Reported on Last Year's CMAR	\$ <input type="text" value="30,533.90"/>	
3.2.2 Adjustments - if necessary (e.g. earned interest, audit correction, withdrawal of excess funds, increase making up previous shortfall, etc.)	\$ <input type="text" value="0.00"/>	
3.2.3 Adjusted January 1st Beginning Balance	\$ <input type="text" value="30,533.90"/>	
3.2.4 Additions to Fund (e.g. portion of User Fee, earned interest, etc.)	\$ <input type="text" value="0.00"/>	
	+	

Compliance Maintenance Annual Report

Black Earth Sewage Collection System

Last Updated: Reporting For:
6/1/2023 **2022**

3.2.5 Subtractions from Fund (e.g., equipment replacement, major repairs - use description box 3.2.6.1 below*)

- \$ 0.00

3.2.6 Ending Balance as of December 31st for CMAR Reporting Year

\$ 30,533.90

All Sources: This ending balance should include all Equipment Replacement Funds whether held in a bank account(s), certificate(s) of deposit, etc.

3.2.6.1 Indicate adjustments, equipment purchases, and/or major repairs from 3.2.5 above.

3.3 What amount should be in your Replacement Fund? \$ 30,533.90

0

Please note: If you had a CWFPP loan, this amount was originally based on the Financial Assistance Agreement (FAA) and should be regularly updated as needed. Further calculation instructions and an example can be found by clicking the SectionInstructions link under Info header in the left-side menu.

3.3.1 Is the December 31 Ending Balance in your Replacement Fund above, (#3.2.6) equal to, or greater than the amount that should be in it (#3.3)?

- Yes
- No

If No, please explain.

4. Future Planning

4.1 During the next ten years, will you be involved in formal planning for upgrading, rehabilitating, or new construction of your treatment facility or collection system?

- Yes - If Yes, please provide major project information, if not already listed below.
- No

Project #	Project Description	Estimated Cost	Approximate Construction Year
None reported			

5. Financial Management General Comments

ENERGY EFFICIENCY AND USE

6. Collection System

6.1 Energy Usage

6.1.1 Enter the monthly energy usage from the different energy sources:

COLLECTION SYSTEM PUMPAGE: Total Power Consumed

Number of Municipally Owned Pump/Lift Stations:

Compliance Maintenance Annual Report

Black Earth Sewage Collection System

Last Updated: Reporting For:
6/1/2023 **2022**

	Electricity Consumed (kWh)	Natural Gas Consumed (therms)
January	1,087	
February	1,059	
March	970	
April	1,058	
May	1,243	
June	1,018	
July	943	
August	1,155	
September	1,017	
October	1,007	
November	1,006	
December	903	
Total	12,466	0
Average	1,039	0

6.1.2 Comments:

6.2 Energy Related Processes and Equipment

6.2.1 Indicate equipment and practices utilized at your pump/lift stations (Check all that apply):

- Comminution or Screening
- Extended Shaft Pumps
- Flow Metering and Recording
- Pneumatic Pumping
- SCADA System
- Self-Priming Pumps
- Submersible Pumps
- Variable Speed Drives
- Other:

6.2.2 Comments:

6.3 Has an Energy Study been performed for your pump/lift stations?

No

Yes

Year:

By Whom:

Describe and Comment:

Compliance Maintenance Annual Report

Black Earth Sewage Collection System

Last Updated: Reporting For:
6/1/2023 **2022**

6.4 Future Energy Related Equipment

6.4.1 What energy efficient equipment or practices do you have planned for the future for your pump/lift stations?

Total Points Generated	0
Score (100 - Total Points Generated)	100
Section Grade	A

Compliance Maintenance Annual Report

Black Earth Sewage Collection System

Last Updated: Reporting For:
6/1/2023 2022

Sanitary Sewer Collection Systems

1. Capacity, Management, Operation, and Maintenance (CMOM) Program

1.1 Do you have a CMOM program that is being implemented?

- Yes
- No

If No, explain:

1.2 Do you have a CMOM program that contains all the applicable components and items according to Wisc. Adm Code NR 210.23 (4)?

- Yes
- No (30 points)
- N/A

If No or N/A, explain:

1.3 Does your CMOM program contain the following components and items? (check the components and items that apply)

- Goals [NR 210.23 (4)(a)]

Describe the major goals you had for your collection system last year:

Clean, maintain and monitor the whole sewer system throughout the year. Fix and address and needs. Infiltration review.

Did you accomplish them?

- Yes
- No

If No, explain:

We did not do any infiltration survey work due to budget. Sewer jetting was less due to sewer jetter age.

- Organization [NR 210.23 (4) (b)]

Does this chapter of your CMOM include:

- Organizational structure and positions (eg. organizational chart and position descriptions)
- Internal and external lines of communication responsibilities
- Person(s) responsible for reporting overflow events to the department and the public

- Legal Authority [NR 210.23 (4) (c)]

What is the legally binding document that regulates the use of your sewer system?

Sewer Use Ordinance

If you have a Sewer Use Ordinance or other similar document, when was it last reviewed and revised? (MM/DD/YYYY) 2017-03-21

Does your sewer use ordinance or other legally binding document address the following:

- Private property inflow and infiltration
- New sewer and building sewer design, construction, installation, testing and inspection
- Rehabilitated sewer and lift station installation, testing and inspection
- Sewage flows satellite system and large private users are monitored and controlled, as necessary
- Fat, oil and grease control
- Enforcement procedures for sewer use non-compliance

- Operation and Maintenance [NR 210.23 (4) (d)]

Does your operation and maintenance program and equipment include the following:

- Equipment and replacement part inventories
- Up-to-date sewer system map

Compliance Maintenance Annual Report

Black Earth Sewage Collection System

Last Updated: Reporting For:
6/1/2023 **2022**

A management system (computer database and/or file system) for collection system information for O&M activities, investigation and rehabilitation

A description of routine operation and maintenance activities (see question 2 below)

Capacity assessment program

Basement back assessment and correction

Regular O&M training

Design and Performance Provisions [NR 210.23 (4) (e)]

What standards and procedures are established for the design, construction, and inspection of the sewer collection system, including building sewers and interceptor sewers on private property?

State Plumbing Code, DNR NR 110 Standards and/or local Municipal Code Requirements

Construction, Inspection, and Testing

Others:

Overflow Emergency Response Plan [NR 210.23 (4) (f)]

Does your emergency response capability include:

Responsible personnel communication procedures

Response order, timing and clean-up

Public notification protocols

Training

Emergency operation protocols and implementation procedures

Annual Self-Auditing of your CMOM Program [NR 210.23 (5)]

Special Studies Last Year (check only those that apply):

Infiltration/Inflow (I/I) Analysis

Sewer System Evaluation Survey (SSES)

Sewer Evaluation and Capacity Management Plan (SECAP)

Lift Station Evaluation Report

Others:

0

2. Operation and Maintenance

2.1 Did your sanitary sewer collection system maintenance program include the following maintenance activities? Complete all that apply and indicate the amount maintained.

Cleaning % of system/year

Root removal % of system/year

Flow monitoring % of system/year

Smoke testing % of system/year

Sewer line televising % of system/year

Manhole inspections % of system/year

Lift station O&M # per L.S./year

Manhole rehabilitation % of manholes rehabbed

Mainline rehabilitation % of sewer lines rehabbed

Private sewer inspections % of system/year

Compliance Maintenance Annual Report

Black Earth Sewage Collection System

Last Updated: Reporting For:
6/1/2023 **2022**

Private sewer I/I removal	<input style="width: 90%;" type="text" value="0"/>	% of private services
River or water crossings	<input style="width: 90%;" type="text" value="0"/>	% of pipe crossings evaluated or maintained
Please include additional comments about your sanitary sewer collection system below:		
<input style="width: 100%; height: 100%;" type="text"/>		

3. Performance Indicators

3.1 Provide the following collection system and flow information for the past year.

<input style="width: 95%;" type="text" value="34.04"/>	Total actual amount of precipitation last year in inches
<input style="width: 95%;" type="text" value="29.75"/>	Annual average precipitation (for your location)
<input style="width: 95%;" type="text" value="9.38"/>	Miles of sanitary sewer
<input style="width: 95%;" type="text" value="2"/>	Number of lift stations
<input style="width: 95%;" type="text" value="0"/>	Number of lift station failures
<input style="width: 95%;" type="text" value="0"/>	Number of sewer pipe failures
<input style="width: 95%;" type="text" value="0"/>	Number of basement backup occurrences
<input style="width: 95%;" type="text" value="0"/>	Number of complaints
<input style="width: 95%;" type="text" value=".088"/>	Average daily flow in MGD (if available)
<input style="width: 95%;" type="text" value=".098"/>	Peak monthly flow in MGD (if available)
<input style="width: 95%;" type="text"/>	Peak hourly flow in MGD (if available)

3.2 Performance ratios for the past year:

<input style="width: 95%;" type="text" value="0.00"/>	Lift station failures (failures/year)
<input style="width: 95%;" type="text" value="0.00"/>	Sewer pipe failures (pipe failures/sewer mile/yr)
<input style="width: 95%;" type="text" value="0.00"/>	Sanitary sewer overflows (number/sewer mile/yr)
<input style="width: 95%;" type="text" value="0.00"/>	Basement backups (number/sewer mile)
<input style="width: 95%;" type="text" value="0.00"/>	Complaints (number/sewer mile)
<input style="width: 95%;" type="text" value="1.1"/>	Peaking factor ratio (Peak Monthly:Annual Daily Avg)
<input style="width: 95%;" type="text" value="0.0"/>	Peaking factor ratio (Peak Hourly:Annual Daily Avg)

4. Overflows

LIST OF SANITARY SEWER (SSO) AND TREATMENT FACILITY (TFO) OVERFLOWS REPORTED **				
	Date	Location	Cause	Estimated Volume
None reported				

** If there were any SSOs or TFOs that are not listed above, please contact the DNR and stop work on this section until corrected.

5. Infiltration / Inflow (I/I)

5.1 Was infiltration/inflow (I/I) significant in your community last year?

- Yes
- No

If Yes, please describe:

5.2 Has infiltration/inflow and resultant high flows affected performance or created problems in your collection system, lift stations, or treatment plant at any time in the past year?

- Yes

Compliance Maintenance Annual Report

Black Earth Sewage Collection System

Last Updated: Reporting For:
6/1/2023 **2022**

<ul style="list-style-type: none">● No <p>If Yes, please describe:</p> <input type="text"/>
5.3 Explain any infiltration/inflow (I/I) changes this year from previous years:
<input type="text" value="None"/>
5.4 What is being done to address infiltration/inflow in your collection system?
<input type="text" value="Trying to budget for future televising of collection system."/>

Total Points Generated	0
Score (100 - Total Points Generated)	100
Section Grade	A

Compliance Maintenance Annual Report

Black Earth Sewage Collection System

Last Updated: Reporting For:
6/1/2023 **2022**

Grading Summary

WPDES No: 0047341

SECTIONS	LETTER GRADE	GRADE POINTS	WEIGHTING FACTORS	SECTION POINTS
Financial	A	4	1	4
Collection	A	4	3	12
TOTALS			4	16
GRADE POINT AVERAGE (GPA) = 4.00				

Notes:

- A = Voluntary Range (Response Optional)
- B = Voluntary Range (Response Optional)
- C = Recommendation Range (Response Required)
- D = Action Range (Response Required)
- F = Action Range (Response Required)

Compliance Maintenance Annual Report

Black Earth Sewage Collection System

Last Updated: Reporting For:
6/1/2023 **2022**

Resolution or Owner's Statement

Name of Governing
Body or Owner:

Village of Black Earth

Date of Resolution or
Action Taken:

2023-06-06

Resolution Number:

Date of Submittal:

ACTIONS SET FORTH BY THE GOVERNING BODY OR OWNER RELATING TO SPECIFIC CMAR SECTIONS (Optional for grade A or B. Required for grade C, D, or F):

Financial Management: Grade = A

Collection Systems: Grade = A

(Regardless of grade, response required for Collection Systems if SSOs were reported)

ACTIONS SET FORTH BY THE GOVERNING BODY OR OWNER RELATING TO THE OVERALL GRADE POINT AVERAGE AND ANY GENERAL COMMENTS

(Optional for G.P.A. greater than or equal to 3.00, required for G.P.A. less than 3.00)

G.P.A. = 4.00



Village of Black Earth

Resolution # 2023-02

2022 Annual Compliance Maintenance – WI DNR

WHEREAS, it is a requirement under a Wisconsin Pollutant Discharge Elimination System (WPDES) permit issued by the Wisconsin Department of Natural Resources to file a Compliance Maintenance Annual Report (CMAR) for its wastewater collection system under Wisconsin Administrative Code NR 208;

WHEREAS, it is necessary to acknowledge that the governing body has reviewed the 2022 Compliance Maintenance Annual Report;

WHEREAS, it is necessary to provide recommendations or an action response plan for all individual CMAR section grades (of "C" or less) and/or an overall grade point average (< 3.00);

BE IT THEREFORE RESOLVED by the Village Board of Trustees of the Village of Black Earth, Dane County, Wisconsin concur with the findings of this report which indicates that no action response is required at this time in accordance with the grading system outlined in the NR208 code.

ADOPTED this 6th day of June, 2023.

Terry Moyer, Village President

Attest: _____
Dani Fields, Clerk/Treasurer

_____ Ayes _____ Nays Opposed: _____



Village of Black Earth

Resolution # 2023-05

Approval of the Issuance of Liquor Licenses for Pounds LBS LLC

WHEREAS, Chapter 125 of the Wisconsin State Statutes prohibits retail sales of alcohol beverages without an approved license granted and issued by a municipality; and

WHEREAS, Sharon’s Enterprises LLC (the “Licensee”), operates the Shack Bar & Grill (the “Establishment”) pursuant to a “Class B” Intoxicating Liquor license and a Class “B” Beer license (collectively, the “Licenses”) issued by the Village permitting the sale of same at the Establishment on the designated premises located at 1103 Mills Street, Black Earth, WI; and

WHEREAS, the Licensee intends to close the Establishment and cease doing business on June 22, 2023 and relinquish the Licenses effective June 24, 2023; and

WHEREAS, the Purchaser intends to open the Establishment for business on July 1, 2023; and

WHEREAS, the Purchaser has applied for issuance of the Licenses to it effective July 1, 2023 for the 2023-2024 license period; and

WHEREAS, the Village Clerk has completed background checks; and

WHEREAS, the Village Clerk has published public notice of the application in accordance with section 125.04(3)(g) of the Wisconsin Statutes; and

WHEREAS, the Village Clerk has reviewed all the materials and recommends approval of a CLASS "B" FERMENTED MALT BEVERAGE AND "CLASS B" INTOXICATING LIQUOR LICENSE for Pounds LBS LLC d/b/a “The Shack” (Brandon Weinberger, Agent) for the 2023-2024 license year.

NOW, THEREFORE, BE IT RESOLVED by the Village Board of the Village of Black Earth that above CLASS "B" FERMENTED MALT BEVERAGE AND "CLASS B" INTOXICATING LIQUOR LICENSE for Pounds LBS LLC d/b/a “The Shack” (Brandon Weinberger, Agent) for the 2023-2024 license year, subject to the following conditions:

1. The Licensee either relinquishes to the Village the Licenses on June 24, 2023, or allows them to expire on June 30, 2023; and
2. The sale of the Establishment from the Licensee to the Purchaser closes, and all ownership interest is completely conveyed to the Purchaser, prior to July 1, 2023; and the Purchaser provides written documentation of same to the Village Clerk, in a form satisfactory to the Village Clerk, prior to July 1, 2023.
3. All terms, conditions, and limitations stated in the Licenses granted to the Licensee shall apply to the licenses granted herein to the Purchaser.

ADOPTED this 6th day of June, 2023.

Terry Moyer, Village President

ATTEST:

I hereby certify that the foregoing is a true and correct copy of the resolution introduced and adopted by the Village Board of the Village of Black Earth, Wisconsin on June 6, 2023.

Dani Fields, Village Clerk

Dated: _____

_____ Ayes _____ Nays Opposed: _____

Available Spending Amount	\$	1,154,758.81
Committed Amounts	\$	414,400.00
Remaining Amount	\$	740,358.81

Project	Amount Committed	
Engineering Plans for Road CIP	\$	135,000.00
Black Earth Creek Park	\$	100,000.00
Street Sweeper	\$	137,000.00
Water System Master Plan	\$	12,000.00
Wellhouse 2 Roof Upgrades	\$	10,400.00
Library Architectural Firm Fees	\$	20,000.00

Total Committed:	\$	414,400.00
-------------------------	----	-------------------

Remaining Amount	\$	740,358.81
-------------------------	----	-------------------



Proposed Project	Proposed Amount	
Municipal Building Upgrades		
Vierbicher		
Stream monitoring system		

Sum of Proposed Projects	\$	-
Remaining Including Proposed	\$	740,358.81

Meeting Notes
Green Infrastructure Planning for Flood Resilience in the Black Earth Creek Watershed
Steering Committee Meeting #16

Thursday, May 11, 2023, 10:00 – 11:30 AM | Hybrid Meeting

Location: Town of Cross Plains Hall, 3734 County Road P, Cross Plains WI, 53528 | Zoom

Participants:

Andy Morton	<i>Black Earth Creek Watershed Association</i>
J. McLellan	<i>Dane County Emergency Management</i>
Kyle Minks	<i>Dane County LWRD</i>
James Brodzeller	<i>Dane County LWRD</i>
Brian Standing	<i>Dane County Planning & Development</i>
Peter Antonie	<i>Gateway to the Driftless</i>
Greg Hyer	<i>Town of Cross Plains</i>
Brian Mooney	<i>Village of Cross Plains</i>
Peter Huebner	<i>Village of Mazomanie</i>
Dan Oele	<i>WDNR</i>
Will Disser	<i>WDNR</i>
Nic Buer	<i>USGS</i>

CARPC Staff: Mike Rupiper, Nick Bower

1. Welcome and Introductions

Guests and steering committee member updates:

- a. James Brodzeller – Dane County Land & Water Resources; he is working on stream and restoration projects tied to GI Plan, and also taking Matt Deibl’s old position regarding lakes and watersheds.
- b. Nic Buer – USGS; he is a hydrologist, working on BEC gages for last 10 years and urban water quality.
- c. Dan Oele – WDNR; he will be taking a different position with WDNR at the end of the month and David Rowe (current fish team supervisor) will be filling in for Dan on the Steering Committee.
- d. Mike – CARPC; he is retiring from CARPC at end of month; Nick Bower will take over lead role at CARPC.

2. Update on NRCS Watershed Program / Regional Conservation Partnership Program (RCPP)

NRCS Watershed Program

Kyle Minks gave an update on the application to the NRCS Watershed Program, which was presented on at previous meeting (refer to [BEC GI SC Meeting Notes 2023-01-12](#)). Dane Co staff have completed and submitted a final application to Steve Becker for review. We should hear back soon on whether approved for the next step in application process (Preliminary Review), then will work with NRCS staff to pull together full application.

RCPP Program

Program funding expected at end of May—will still be under 2018 Farm Bill. No changes to the program are anticipated this year, although additional federal funding through IRA will most likely be in the next Farm Bill (current Farm Bill expires in 2023). There is usually a small window for submittal. Updates will be shared.

Past projects have focused on water quality components, ag/farm implementation measures. Kyle questioned how the current climate-focus as the federal level might include Green Infrastructure concepts.

3. USGS Monitoring Discussion

The group discussed the USGS stream monitoring within the Black Earth Creek watershed. The funding agreement with Cross Plains has expired and we are looking for new ways to fund the monitoring program.

Black Earth Creek at Black Earth - [05406500](#)

Black Earth CK NR Treatment Plant @ Cross Plains - [05406479](#)

Black Earth Creek NR Brewery RD at Cross Plains - [05406457](#)

Brewery Creek-Upstream Site-At Cross Plains - [05406469](#)

- a. A subgroup of the Steering Committee met recently to talk about the history of the 3 stations on BEC, future monitoring needs, maintaining the fishery, and what is needed at each station. There is a focus on flow and dissolved oxygen (DO), among other water quality parameters.
- b. A broad cost-share funding model is typical at other stations and could be used here.
- c. Nic (USGS) to look at and prepare recommendations for what really is needed, then bring to group to determine interest in a cost-share agreement across a broad group of stakeholders.
- d. Nic gave update on fish kill last year. It is believed to have been caused by ammonia-related issue. Based on samples collected during the event and prior to it, there was a spike in ammonia levels coming down Brewery Creek—this was not detected in samples from upstream BEC. This highlights the importance of data collection at multiple sites—can pinpoint where, when, and what contributed to the effect.
- e. Nic discussed the value in multiple sites and data. He suggested considering what we want to know now and in the future, then putting together a list of what data can be collected as well as the important/rationale—e.g., likely not everyone understands the importance/significance of collecting temperature and DO.
- f. Mike requested Nic to put together recommendations and parameters to monitor and why.
 - (1) Nic: Yes—noting this will help the group make more informed decisions on how to move forward and will help in proposal writing for USGS cost-sharing.
- g. Andy discussed the broader application of monitoring and runoff management. Stormwater management practices have been in BEC for 30+ years, but now with

new stormwater standards and redevelopment, he's interested in the response of the stream and how to manage/maintain the stream in the face of continued development changes. Andy suggested a working group for this.

- (1) Mike: There have been several discussions among various people about this idea. Perhaps this group, or a subset of this group who wants to take this on.
- h. There is broad support in USGS and Dane Co for funding, with additional by CARPC, etc. Potential stakeholders should have input—then it becomes a fundraising effort.
- i. Mike suggested we look at a 5-year agreement, which is what other stations he's been involved with have done. This avoids having to work through agreements each year.
 - (1) Nic agreed 5-year agreement is better because it makes cost-sharing easier and provides for consistent funding, whereas on a year-by-year basis there is less certainty.
- j. Kyle Minks: Is a USGS match/contribution tied to other funding sources, or can we get USGS funding as well as funding from other groups (e.g., USDA)?
 - (1) Nic: Will double check but believes that is OK.
- k. Dan inquired about USGS end products if there is a research component—if none, then data collection and posting on website for public use; if there is a research component, will collect and analyze data, then put out a report/paper, etc.
- l. Dan noted that DNR fisheries likely can't contribute funding, but has a robust dataset for BEC (fish surveys, etc.) that could be coupled with water quality, land use data, etc. He can help facilitate and organize.
- m. Nic pointed out that 30 years ago a survey of the nation's stream was completed. With fisheries data, insects, riparian zones, and other data sources, we could put

together historical assessment of BEC over time. Could add data from other stations, too. Does someone have geomorphological data?

- (1) James Brodzeller: could add in land use datasets too. County is beginning to do geomorphic assessments, but no historical datasets.
- n. Andy: Monitoring tells you what's happening in BEC and informs the return on investment of projects within the watershed, including the benefits to everyone in the watershed due to localized projects.
- o. Mike: Monitoring is crucial to long-term improvements.
- p. Nic: Reiterated importance of multiple sites, rather than a single site in BEC so that really understand what is going on in the watershed and different tributaries. Having multiple sites makes each set of data much more useful.
- q. Estimated cost/year to maintain a station is \$60,000 (for 3 stations), which includes monitoring, maintenance, etc. Lab fees would be additional. The close proximity of the stations here helps keep costs down.
- r. James and Nic discussed what technology is in the stations. Manual measurements are done monthly to verify readings. They have a good handle on it, although big floodings (such as 2018 flood) can throw things off and requires recalibration.
- s. Andy presented a handout of monitoring data from Black Earth CK NR Treatment Plant @ Cross Plains ([05406479](#)), noting the many dips in DO below WDNR Criteria for Trout. He thinks continued monitoring data and DO levels could trigger funding of watershed projects to address non-point sources upstream, noting that DO is a critical component for the fishery.
- (1) Dan: agrees that DO and temp are important to monitor.

USGS Cost-Share Contribution:

Nic discussed potential cost-sharing with USGS. To justify contribution by USGS, it is helpful to have a research project tied to the monitoring.

- a. Andy Morton and Mike Rupiper discussed research related to BEC Green Infrastructure Plan—could show effects of implementation efforts through monitoring.
- (1) Nic believes that could be feasible and there could be a lot to study. He suggested possible consideration for research around DO and effects on the fishery, looking at urbanization of BEC upstream and how affects stream long-term. He noted that due to modern stormwater runoff standards, there may actually be benefits in some respects to water quality, such as improvements in

phosphorus, sediment, and ammonia. On the contrary, it may show higher (peak) flows and temps.

- b. USGS fiscal year ends in September, so need proposal before then. Mike suggested June Steering Committee meeting to discuss recommendations from Nic and monitoring proposal.
- c. Potential cost-share is estimated to be around 20% for just data collection, and around 30% if there is a research component tied to it. A 5-year project agreement is also possible and more likely if there is a research component.

4. Ongoing Implementation Efforts / Opportunities

- a. Village of Cross Plains Wetland and Floodplain Restoration Project (Brian & Mike)
 - (1) Earlier this year, had applied for flood mitigation to update 13 ac parcel on outskirts of Village of CP next to Creek Crossing subdivision, adjacent to Brewery Creek. WEM and FEMA requested archaeological survey of property—which is another hurdle, but a good indication that they want to proceed with funding.
- b. Dane County Walking Iron Stream & Wetland Restoration Projects (Kyle, James)
 - (1) *Walking Iron – Lions Park Stream Restoration*
 - i. Stream restoration project w/ Village of Mazo – 4,000 ft section of stream. In design phase, planned for construction 2024. Goal is water quality, fish/wildlife habitat, floodplain connection, and recreation.
 - ii. Not much natural or manmade changes to stream; proposing a couple meanders, removal of sediment, expanding floodplain and reconnecting stream, plantings, etc.
 - (2) *Walking Iron Wildlife Area*
 - i. Wetland project on ag lands with filling of interior ditching, water control and detainment on 130 ac area, up to the 50-year event
 - (3) *BEC Headwaters Wetland Restoration*
 - i. Filling in some ditches, improving habitat – begins in couple of weeks
 - (4) Mike: these types of projects are what we envisioned to come out of the BEC GI Plan—great to see Dane County taking the lead
 - (5) James: connecting w/ DNR where there is a focus of efforts to avoid disaster, funding projects like these. There is a potential project in Ashland County, which could use projects like these as demonstration sites.
 - (6) Kyle: expressed gratitude to Steering Committee and everyone involved with BEC GI Plan to help Dane Co get these projects off the ground
 - (7) Andy: could RCPP assist with funding these projects?
 - i. Kyle: these 3 projects highlighted (above) typically don't qualify for funding under RCPP because not following NRCS technical standards.

- ii. James: there are other programs and grants coming up this fall. Sarah Strassman (DNR) may be assisting with application. Will Disser can put us in contact with those folks at DNR.
- c. Mazomanie BEC Streambank Restoration (Peter Heubner)
 - (1) Project is nearly completed

5. Miscellaneous

- a. Peter and Kate Beardmore met after last meeting regarding the Wisconsin Flood Resilience Scorecard (FRS) (refer to [BEC GI Plan SC Meeting Notes 2023-03-09](#)).
 - (1) Had talked about how different topography could create different scores. Mazo and V Cottage Grove are going through FRS to compare effects/results from 2 different areas of the County and will also compare to County-wide results.
- b. Trout Days in V Cross Plains
 - (1) Mike and Tony Abate (Groundswell) staffed a BEC watershed booth. Talked to several landowners, some of which are interested in GI. Mike will reach out to the County (Kyle and James) for follow-up.

Next Steering Committee Meeting: June (USGS Monitoring); then bi-monthly on 2nd Thursday (July 13th, Sept. 14th, Nov. 9th)

Minutes prepared by: Nick Bower, CARPC