Resolution 02-2017
Change in Membership To The Intergovernmental Agreement For An Adaptive Management Plan For The Yahara Watershed

WHEREAS, Wis. Stat. § 66. 0301, entitled "Intergovernmental cooperation," provides that any municipality (defined as including but not limited to any state agency, city, village, town, county, sanitary district, metropolitan sewerage district or sewer utility district) may contract with other municipalities for the furnishing of services, and the joint exercise of any power or duty required or authorized by law;

WHEREAS, an Intergovernmental Agreement (IGA) For An Adaptive Management Plan For The Yahara Watershed was developed and executed by municipalities in 2016;

WHEREAS, the Town of Burke did not execute the Intergovernmental Agreement in 2016 because preliminary stormwater modeling results indicated that the Town of Burke had met its Total Maximum Daily Load (TMDL) allocations for Phosphorus and Total Suspended Solids (TSS);

WHEREAS, updated stormwater modeling results show that the Town is meeting its TMDL allocation for Phosphorus but is not meeting its TMDL allocation for TSS;

WHEREAS, the Town of Burke has now requested to become a Member of the Intergovernmental Agreement Group to achieve the additional TSS reduction needed to meet its TMDL allocation for TSS, with the understanding that its TSS reduction will be converted to a "Phosphorus Equivalent Reduction" for determining the Town of Burke cost to participate in the Intergovernmental Agreement;

WHEREAS, Section 2(b) of the Intergovernmental Agreement allows for additional Wisconsin municipalities to become Members of the Intergovernmental Agreement Group with the consent of a majority of the Members who originally executed the Intergovernmental Agreement, on the condition that payments be made to cover their share of costs based on their Phosphorus allocation for the years from the date of Intergovernmental Agreement to their membership date;

WHEREAS, a majority of the Members who originally executed the Intergovernmental Agreement have consented to allow the Town of Burke to become a Member of the IGA Group;

WHEREAS, the Town of Burke has agreed to the condition that it will be required make payment for the cost that it would have incurred in 2017 for participating in the IGA, based on the Phosphorus Equivalent Reduction, less a $2,000 credit for a 2017 payment made by the
Town of Burke to the Yahara Watershed Improvement Network (Yahara WINS); plus its annual cost under the Intergovernmental Agreement for the years going forward;

NOW, THEREFORE, BE IT RESOLVED, that the current Members of the Intergovernmental Agreement Group agree to allow the Town of Burke to become a Member of the Intergovernmental Agreement For An Adaptive Management Plan For The Yahara Watershed, subject to the Town of Burke’s duly authorized representative executing the signature page of the Agreement

Attested by:

Kathleen Lake;
President, Yahara WINS
Executive Committee

Jeffrey Rau;
Treasurer, Yahara WINS
Executive Committee

Resolution adopted by the Yahara WINS Executive Committee on September 13, 2017