

Minutes the Regular Meeting of the Commissioners of the Madison Metropolitan Sewerage District held at the District office, 1610 Moorland Road, Madison, Wisconsin, 53713 on the 13th day of August, 2007 at 8:00 a.m.

1. The meeting was called to order by Commissioner Schten.

2. Meeting Attendees:

Commissioners: Berthouex, Hovel, Schten and Terrell.

MMSD Staff: Schellpfeffer, Simon, Borelli, Gebert, Fox, and Attorney Dorschel.

Visitors: None.

3. It was moved by Commissioner Hovel and seconded by Commissioner Terrell that the Commission meeting minutes of July 30, 2007 be approved as written.

The motion was carried.

Ayes: Commissioners Hovel, Schten and Terrell.

Nays: None.

Commissioner Berthouex arrived.

4. Progress reports were presented on the following projects:

a. Tenth Addition Construction. The District continues to work with the engineer, mechanical contractor, and buried hot water piping supplier and manufacturer to resolve the failed hot water system installed as part of the Tenth Addition.

The District will receive bids on August 23rd for additional improvements to the Tenth Addition associated with grit from the screenings at the Headworks Building, HVAC improvement at the Boiler Building, and additional pumping and piping changes associated with the advanced anaerobic digestion process.

The District has received a proposal for the digester gas treatment system from Applied Filter Technologies. The proposal is being reviewed, and it is expected that this work will be completed early next spring. Total cost of the gas treatment system will be about \$1.7 million.

b. West Interceptor Extension Replacement. The contractor has completed the clearing and brushing work for the project and has started interceptor construction near the apartment buildings north of Maywood Avenue. All permits and easements have now been obtained for this project.

- c. Southwest Interceptor Relining Project Construction. The contractor has one section of the lining to repair. Work is expected to be completed this week.
 - d. Relining Nine Springs 54-Inch Primary Influent Line. This project will be advertised this week with bids to be received on September 6th. The work will include relining the existing 54-inch primary influent line. The estimated cost is \$275,000.
5. The Cash Statement of the General Account as of August 13, 2007 was reviewed and placed on file. The statement shows an available cash balance through General Account Check No. 91636 in the amount of \$10,358.66; plus an adjustment of \$0.07 for a deposit error; subsequent receipts totaling \$1,209,630.83; less disbursements of \$1,080,426.33 with a resulting cash balance of \$139,562.99.

After discussion, it was moved by Commissioner Terrell and seconded by Commissioner Berthouex that the General Account disbursements in the amount of \$1,080,426.33 be approved.

The motion was carried.

Ayes: Commissioners Berthouex, Hovel, Schten and Terrell.
Nays: None.

6. The Cash Statement of the Construction Account as of August 13, 2007 was reviewed and placed on file. The statement shows an available cash balance through Construction Account Check No. 9095 in the amount of \$200,821.93; plus and adjustment of \$0.30 for a deposit error; subsequent receipts totaling \$1,126,192.27 less disbursements of \$1,096,040.86; with a resulting cash balance of \$230,973.64.

After discussion, it was moved by Commissioner Hovel and seconded by Commissioner Terrell that the Construction Account disbursements in the amount of \$1,096,040.86 be approved.

The motion was carried.

Ayes: Commissioners Berthouex, Hovel, Schten and Terrell.
Nays: None.

7. The following sewer extension plans were reviewed and placed on file:
- a. Southeast Industrial TID Sewer Interceptor, City of Madison.
 - b. Meister Addition to Westridge Estates (Phase 5), City of Verona.
 - c. Spaight Street, Russell Street, and Walton Place Reconstruction, City of Madison.
 - d. Epic Systems Corporation Campus 2 – Phase 2, City of Verona.

After discussion, it was moved by Commissioner Berthouex and seconded by Commissioner Terrell that the following resolutions be adopted:

a) Southeast Industrial TID Sewer Interceptor, City of Madison.

WHEREAS, plans for sanitary sewer extensions were submitted to the Madison Metropolitan Sewerage District (MMSD) for Southeast Industrial TID Sewer Interceptor, City of Madison, on July 31, 2007, by Elia Acosta, City Engineering Division, and

WHEREAS, the lands to be served are 3310 Agriculture Drive, 5125 Femrite Drive, and Lots 1-12 and Outlots 1-2, Rhodia Plat, and

WHEREAS, Danisco USA, Inc., a producer of ingredients for food and consumer products, is expanding its manufacturing facilities on Lots 1-8 and Outlot 1 of the Rhodia Plat and has requested an increase in capacity of downstream sewerage facilities from the City, and

WHEREAS, the City has proposed extension of a 18" public sanitary sewer to serve the Danisco site and other lands that can be served, and

WHEREAS, the proposed extension will connect directly to MMSD's Far East Interceptor at MH 07-405, and

WHEREAS, interceptor connection charges for all lands to be served were paid as part of prior sewer extensions, including the Rhodia Plat sewer extension in 2002. Treatment plant connection charges for the expansion on the Danisco lands are due, and

WHEREAS, plan review fees are due, and

WHEREAS, the MMSD has received a sewer extension review letter #6-07-44 from Dane County Community Analysis and Planning Division (CAPD) dated August 3, 2007 stating the CAPD staff has reviewed the proposed extension and determined that it is consistent with the urban service area provisions of the Dane County Water Quality Plan and the Dane County Land Use and Transportation Plan, and

WHEREAS, the Chief Engineer and Director of MMSD has recommended the approval of said plans,

THEREFORE, BE IT RESOLVED, that the plans for sanitary sewer extensions for Southeast Industrial TID Sewer Interceptor, City of Madison, submitted on July 31, 2007, by Elia Acosta, City Engineering Division be approved subject to the following conditions:

1. That the City of Madison shall pay the plan review fee of \$1,350.00 to the MMSD within 30 days of receiving an invoice for the fee.

2. That the City of Madison shall notify MMSD when connection of the proposed sewer is made to MMSD's interceptor, and said connection shall be subject to inspection and approval by MMSD.
3. That prior to connection of said sanitary sewer extensions to sewers within the Madison Metropolitan Sewerage District's System, the City of Madison shall have paid to the MMSD the sum of \$8,574.55 for payment of treatment plant connection charges for lands to be served, said lands being 3310 Agriculture Drive, 5125 Femrite Drive, and Lots 1-12 and Outlots 1-2, Rhodia Plat. The lands are located in the SE ¼, Section 22, T7N, R10E, in the City of Madison.
4. That treatment plant connection charge rates are adjusted at the beginning of each calendar year and said connection charges will be due based on the rate for the year in which the payment is made.
5. That if said treatment plant connection charges for the lands to be served remain unpaid after connection of the said sewer extensions to sewers within the MMSD's system, appropriate interest on the unpaid balance shall be charged to the City of Madison by the MMSD.
6. That the City of Madison shall require the presence of an engineer or an inspector on the construction of said sewer extensions who shall make a record showing in detail the construction as built and shall furnish the MMSD with as-built plans in the case of any significant deviations from the original design.
7. That the construction, operation, maintenance and use of said sewer extensions shall be in accordance with the lawful rules and regulations of the MMSD and with the applicable State of Wisconsin plumbing and sewerage codes.
8. That if construction of the sewer extensions covered by said plans has not commenced within four years following the approval date of this resolution, this approval shall become void and new plans shall be submitted. If construction has commenced but has not been completed within the four-year approval period, the unbuilt portion must be submitted for reapproval if it is a significant portion of the project and would require DNR approval.

b) Meister Addition to Westridge Estates (Phase 5), City of Verona.

WHEREAS, plans for sanitary sewer extensions were submitted to the Madison Metropolitan Sewerage District (MMSD) for Meister Addition to Westridge Estates (Phase V), City of Verona on August 7, 2007, by Tim Schleeper, D'Onofrio, Kottke & Associates, and

WHEREAS, the lands to be served are lots 44, 58, 172-173, 183-188, 190-195, 208-214 and 216-222 of Westridge Estates Meister Addition, and

WHEREAS, the proposed extensions will connect to the City of Verona's sewerage facilities and the Madison Metropolitan Sewerage District's Nine Springs Valley Interceptor/Pumping Station No. 17 Service Area, and

WHEREAS, interceptor and treatment plant connection charges for the lands to be served have not been paid, and

WHEREAS, plan review fees are due, and

WHEREAS, the MMSD has received a sewer extension review letter #23-07-8 from Dane County Community Analysis and Planning Division (CAPD) dated August 3, 2007 stating the CAPD staff has reviewed the proposed extension and determined that it is consistent with the urban service area provisions of the Dane County Water Quality Plan and the Dane County Land Use and Transportation Plan, and

WHEREAS, the Chief Engineer and Director of the MMSD recommended the approval of said plans,

THEREFORE, BE IT RESOLVED, that the plans for sanitary sewer extensions for Meister Addition to Westridge Estates (Phase V), City of Verona, submitted on August 7, 2007 by Tim Schleeper, D'Onofrio, Kottke & Associates, be approved subject to the following conditions:

1. That the City of Verona shall pay the plan review fee of \$1,350.00 to the MMSD within 30 days of receiving an invoice for the fee.
2. That prior to connection of said sanitary sewer extensions to sewers within the MMSD's system, the City of Verona shall have paid to the MMSD the sum of \$25,575.35 for payment of \$21,855.80 in Nine Springs Valley Interceptor/Pumping Station No. 17 Service Area connection charges and \$3,719.55 in treatment plant connection charges for the lands to be served, said lands being 44, 58, 172-173, 183-188, 190-195, 208-214 and 216-222 of Westridge Estates Meister Addition. Said lands are located in the NW1/4 of Section 16, T6N, R8E, east of the Epic Systems campus in the City of Verona.
3. That interceptor and treatment plant connection charge rates are adjusted at the beginning of each calendar year and said connection charges will be due based on the rate for the year in which the payment is made.
4. That, if said interceptor and treatment plant connection charges for the lands to be served remain unpaid after connection of the said sewer extensions to sewers within MMSD's system, appropriate interest on the unpaid balance shall be charged to the City of Verona by the MMSD.

5. That the City of Verona shall require the presence of an engineer or an inspector on the construction of said sewer extensions who shall make a record showing in detail the construction as built and shall furnish the MMSD with as-built plans in the case of any significant deviations from the original design.
6. That the construction, operation, maintenance and use of said sewer extensions shall be in accordance with the lawful rules and regulations of the MMSD and with the applicable State of Wisconsin plumbing and sewerage codes.
7. That if construction of the sewer extensions covered by said plans has not commenced within four years following the approval date of this resolution, this approval shall become void and new plans shall be submitted. If construction has commenced but has not been completed within the four-year approval period, the unbuilt portion must be submitted for reapproval if it is a significant portion of the project and would require DNR approval.

c) Spaight Street, Russell Street, and Walton Place Reconstruction, City of Madison.

WHEREAS, plans for sanitary sewer extensions were submitted to the Madison Metropolitan Sewerage District (MMSD) for Spaight Street, Russell Street, and Walton Place Reconstruction Assessment District - 2007, City of Madison, on July 31, 2007, by Mark Moder, City Engineering Division, and

WHEREAS, the plans submitted propose to replace sanitary sewers in conjunction with the reconstruction of Russell Street and Walton Place from Rutledge Street to Jenifer Street and Spaight Street between Walton Place and Russell Street, and

WHEREAS, the sewer replacement project consists of replacing aging and undersized sewers in accordance with current standards, and

WHEREAS, the proposed extensions will connect to the City of Madison's sewerage facilities and MMSD's East Interceptor, and

WHEREAS, no new areas are being served and no additional flows are anticipated, and

WHEREAS, connection charges for the areas being served have been paid, and

WHEREAS, the MMSD has received a sewer extension review letter #6-07-43 from Dane County Community Analysis and Planning Division (CAPD) dated August 3, 2007 stating the CAPD staff has reviewed the proposed extension and determined that it is consistent with the urban service area provisions of the Dane County Water Quality Plan and the Dane County Land Use and Transportation Plan, and

WHEREAS, the Chief Engineer and Director of MMSD has recommended the approval of said plans,

THEREFORE, BE IT RESOLVED, that the plans for sanitary sewer extensions for Spaight Street, Russell Street, and Walton Place Reconstruction Assessment District - 2007, City of Madison, submitted on July 31, 2007, by Mark Moder, City Engineering Division be approved subject to the following conditions:

1. That the City of Madison shall require the presence of an engineer or an inspector on the construction of said sewer extensions who shall make a record showing in detail the construction as built and shall furnish the MMSD with as-built plans in the case of any significant deviations from the original design.
2. That the construction, operation, maintenance and use of said sewer extensions shall be in accordance with the lawful rules and regulations of the MMSD and with the applicable State of Wisconsin plumbing and sewerage codes.
3. That if construction of the sewer extensions covered by said plans has not commenced within four years following the approval date of this resolution, this approval shall become void and new plans shall be submitted. If construction has commenced but has not been completed within the four-year approval period, the unbuilt portion must be submitted for reapproval if it is a significant portion of the project and would require DNR approval.

d) Epic Systems Corporation Campus 2 – Phase 2, City of Verona.

WHEREAS, plans for sanitary sewer extensions were submitted to the Madison Metropolitan Sewerage District (MMSD) for Epic Systems Corporation Campus 2 - Phase 2, City of Verona, on August 7, 2007, by Nathan Lockwood, DKA, and

WHEREAS, the lands to be served are part of Lot 1 and Lot 2 of CSM #11527 and part of Lot 1 of CSM #11854, and

WHEREAS, the proposed extensions will connect to the City of Verona's sewerage facilities and the Madison Metropolitan Sewerage District's Nine Springs Valley Interceptor/Pumping Station No. 17 Service Area, and

WHEREAS, interceptor and treatment plant connection charges for the lands to be served have not been paid, and

WHEREAS, plan review fees are due, and

WHEREAS, the MMSD has received a sewer extension review letter #23-07-9 from Dane County Community Analysis and Planning Division (CAPD) dated August 7, 2007 stating the CAPD staff has reviewed the proposed extension and determined that it is consistent with the urban service area provisions of the Dane County Water Quality Plan and the Dane County Land Use and Transportation Plan, and

WHEREAS, the Chief Engineer and Director of MMSD has recommended the approval of said plans,

THEREFORE, BE IT RESOLVED, that the plans for sanitary sewer extensions for Epic Systems Corporation Campus 2 - Phase 2, City of Verona, submitted on August 7, 2007, by Nathan Lockwood, D'Onofrio Kottke & Associates be approved subject to the following conditions:

1. That the City of Verona shall pay the plan review fee of \$1,350.00 to the MMSD within 30 days of receiving an invoice for the fee.
2. That prior to connection of said sanitary sewer extensions to sewers within the Madison Metropolitan Sewerage District's system, the City of Verona shall have paid to the MMSD the sum of \$15,582.55 for payment of \$13,316.30 in Nine Springs Valley Interceptor/Pumping Station 17 Service Area connection charges and \$2,266.25 in treatment plant connection charges for the lands to be served, said lands being part of Lot 1 and Lot 2 of CSM #11527 and part of Lot 1 of CSM #11854. Said lands are located in the NE1/4 of Section 17, T6N, R8E, west of Northern Lights Road in the City of Verona.
3. That interceptor and treatment plant connection charges are adjusted at the beginning of each calendar year and said connection charges will be due based on the rate for the year in which the payment is made.
4. That, if said interceptor and treatment plant connection charges for the lands to be served remain unpaid after connection of the said sewer extensions to sewers within MMSD's system, appropriate interest on the unpaid balance shall be charged to the City of Verona by the MMSD.
5. That the City of Verona shall require the presence of an engineer or an inspector on the construction of said sewer extensions who shall make a record showing in detail the construction as built and shall furnish the MMSD with as-built plans in the case of any significant deviations from the original design.
6. That the construction, operation, maintenance and use of said sewer extensions shall be in accordance with the lawful rules and regulations of the MMSD and with the applicable State of Wisconsin plumbing and sewerage codes.
7. That if construction of the sewer extensions covered by said plans has not commenced within four years following the approval date of this resolution, this

approval shall become void and new plans shall be submitted. If construction has commenced but has not been completed within the four-year approval period, the unbuilt portion must be submitted for reapproval if it is a significant portion of the project and would require DNR approval.

The motion was carried.

Ayes: Commissioners Berthouex, Hovel, Schten and Terrell.

Nays: None.

8. The Commissioners discussed proposed State Senate legislation that would require the election of commissioners of a metropolitan sewerage district. The Commissioners directed the staff to keep them informed as to the status of this legislation.
9. The Chief Engineer and Director presented an evaluation of four proposals and a recommendation that the District hire Clifton Gunderson, LLP to perform the financial audits for the District for the next three years. After discussion, it was moved by Commissioner Terrell and seconded by Commissioner Berthouex that the District enter into an agreement with Clifton Gunderson, LLP to perform the financial audits for calendar years 2007, 2008 and 2009 at the cost indicated in their proposal.

The motion was carried.

Ayes: Commissioners Berthouex, Hovel, Schten and Terrell.

Nays: None.

10. The Chief Engineer and Director indicated that he had asked Carlson Dettman Consulting for a modified proposal for preparing a compensation study for the District's non-represented employees. The Commissioners concurred with the modified approach to the proposal and the schedule for the work. The revised proposal is expected to be presented for the Commissioners' approval at the next meeting.
11. The Commissioners scheduled a future Commission meeting for Monday, September 24, 2007 at 8:00 a.m.
12. The following oral reports were presented by staff:
 - a. Rhonda Riedner has been selected as the District's new Laboratory Manager. Four current laboratory employees submitted applications and were interviewed for the position.
 - b. The Director of Engineering presented an oral report on a sewer overflow on the West Interceptor Extension. The overflow had been discovered on August 6th and was repaired the same day. An estimated 200,000 gallons of raw sewage overflowed to Lake Mendota. The City of Middleton and Capital Underground assisted in the repair.

- c. The Chief Engineer and Director updated the Commissioners on the Rock River TMDL Advisory Committee meeting. Although load allocations have not yet been determined, it appears that this process may require the District to increase its level of treatment for phosphorus.
 - d. The Chief Engineer and Director and the Director of Special Projects will attend the Fall Leadership Retreat of the National Association of Clean Water Agencies in Washington, D.C. in September.
 - e. The Chief Engineer and Director reported on a recent personnel issue.
13. It was moved by Commissioner Hovel and seconded by Commissioner Berthouex that the meeting be adjourned.

The motion was carried.

Ayes: Commissioners Berthouex, Hovel, Schten and Terrell.

Nays: None.

Regular Meeting of the Commissioners

August 13, 2007

P.M. Berthouex, Secretary

Monday, August 27, 2007 at 8:00 a.m., regular Commission meeting.

Monday, September 10, 2007 at 8:00 a.m., regular Commission meeting.

Monday, September 24, 2007 at 8:00 a.m., regular Commission meeting.