

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 27th day of August, 2007 at 8:00 a.m.

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

2. Meeting Attendees:

Commissioners: Berthouex, Hovel and Schten.

MMSD Staff: Jon Schellpfeffer, Chief Engineer and Director; Mike Simon, Assistant Chief Engineer-Chief Electrical Engineer; Gerry Sachs, Staff Engineer; Shirley Fox, Office Manager/Controller; and Griffin Dorschel, Attorney.

Visitors: None.

3. After discussion, it was moved by Commissioner Hovel and seconded by Commissioner Berthouex that the Commission meeting minutes of August 13, 2007 be approved as written.

The motion was carried.

Ayes: Commissioners Berthouex, Hovel and Schten.

Nays: None.

4. The Commissioners and staff reviewed the operations data for July.

5. The Chief Engineer and Director presented a proposal for a compensation study for management employees. After discussion, it was moved by Commissioner Hovel and seconded by Commissioner Berthouex that the decision on the proposal be tabled until a full Commission was present and that the table in the proposal detailing the costs be modified to indicate the cost of each of the two phases of the proposed study.

The motion was carried.

Ayes: Commissioners Berthouex, Hovel and Schten.

Nays: None.

6. The Chief Engineer and Director presented the results of bid opening for Contract NS10-D, Improvements to the Tenth Addition. After discussion, it was moved by Commissioner Hovel and seconded by Commissioner Berthouex that the contract for the Improvements to the Tenth Addition, Contract NS10-D, be awarded to the low bidder, H & H Industries, Inc. of Madison, at their low bid price of \$432,640.00

The motion was carried.

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

7. The Chief Engineer and Director presented a proposed contract with Malcolm Pirnie for engineering services to prepare a fifty-year master plan for the District. After discussion, it was moved by Commissioner Hovel and seconded by Commissioner Berthouex that the contract be approved at a price not to exceed \$616,990.00.

The motion was carried.

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

The Commissioners signed the engineering services agreement.

8. The Chief Engineer and Director presented the results of the bid opening for the 2007 sewer cleaning and televising. After discussion, it was moved by Commissioner Schten and seconded by Commissioner Hovel that the 2007 sewer cleaning and televising work be awarded to the low bidder, McCann's Sewer and Drain Service, at their low bid price of \$147,788.16.

The motion was carried.

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

9. The following sewer extension plans were reviewed and placed on file:
  - a. Union Corners – Winnebago Street Reconstruction Assessment District – 2007, City of Madison.
  - b. Regent Street Reconstruction Assessment District – 2007, City of Madison.
  - c. Hometown Circle, City of Verona.

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

- a) **Union Corners – Winnebago Street Reconstruction Assessment District – 2007, City of Madison.**

WHEREAS, plans for sanitary sewer extensions were submitted to the Madison Metropolitan Sewerage District (MMSD) for Union Corners – Winnebago Street Reconstruction Assessment District - 2007, City of Madison on August 10, 2007, by John Reimer, City Engineering Division, and

WHEREAS, the plans submitted propose to replace aging and undersized sewers in conjunction with the Phase II street and utility improvements for the Union Corners redevelopment, and

WHEREAS, the proposed sanitary sewer extensions will connect to City of Madison sewerage facilities and directly to MMSD's East Interceptor at MH06-119A and MH06-119, and

WHEREAS, the interceptor connection charges for the lands to be served have been paid, and

WHEREAS, the treatment plant connection charges for the lands to be served were paid as part of the sewer extension for the Union Corners (Phase I) redevelopment in August of 2006, and

WHEREAS, the MMSD has received a sewer extension review letter #6-07-45 from Dane County Community Analysis and Planning Division (CAPD) dated August 10, 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 Union Corners – Winnebago Street Reconstruction Assessment District - 2007, City of Madison, submitted on August 10, 2007, by John Reimer, City Engineering Division, be approved subject to the following conditions:

1. That said connection to MMSD's manholes shall be built in accordance with detail drawing SD-2.04, which shall be included in the plans or specifications.
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 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.
4. 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.

5. 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) Regent Street Reconstruction Assessment District – 2007, City of Madison.**

WHEREAS, plans for sanitary sewer extensions were submitted to the Madison Metropolitan Sewerage District (MMSD) for Regent Street Reconstruction Assessment District - 2007, City of Madison on August 15, 2007, by John Reimer, City Engineering Division, and

WHEREAS, the sanitary sewer mains are being replaced in conjunction with reconstruction of the streets in those areas. The sewers are aging, undersized and will be replaced in accordance with current standards, and

WHEREAS, the project consists of removing and replacing the sanitary pipe in the same alignment as the existing and reconnecting all laterals encountered, and

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

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

WHEREAS, connection charges for the lands to be served have been paid, and

WHEREAS, the MMSD has received a sewer extension review letter #6-07-46 from Dane County Community Analysis and Planning Division (CAPD) dated August 10, 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 Regent Street Reconstruction Assessment District - 2007, City of Madison, submitted on August 15, 2007, by John Reimer, 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.

**c) Hometown Circle, City of Verona.**

WHEREAS, plans for sanitary sewer extensions were submitted to the Madison Metropolitan Sewerage District (MMSD) for Hometown Circle, City of Verona on August 20, 2007, by Samantha Herheim, DKA, and

WHEREAS, the project is located in the NW ¼, Section 14, T6N, R8E, north of East Verona Ave on the City's northeast side, and

WHEREAS, the proposed sanitary sewer extensions will connect to 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, the lands to be served are lots 1-7, and Outlot 1 of Hometown Circle Plat, and

WHEREAS, the interceptor connection charges for lots 1-7, and Outlot 1 of Hometown Circle Plat were paid in 1996 as the Birchwood Court Nursing Home portion of the original connection charges of the City of Verona, sewer plan 96-107, and

WHEREAS, the treatment plant connection charges for the lands to be served were paid based on the three buildings in existence at the time, and

WHEREAS, the application of the treatment plant connection charge has been revised and charges are now due on an area basis with credit due for previous treatment plant connection charge payments made on a building basis, and

WHEREAS, Outlot 1 is dedicated to the public for storm water management and detention, is in the environmental corridor and is recognized and mapped in the Water Quality Plan as permanent open space, and

WHEREAS, the MMSD has received a sewer extension review letter #23-07-10 from Dane County Community Analysis and Planning Division (CAPD) dated August 23, 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 Hometown Circle, City of Verona, submitted on August 20, 2007, by Samantha Herheim, DKA, 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 \$12,924.00 for payment of treatment plant connection charges for lands to be served; said lands being lots 1-7, Hometown Circle Plat.
3. That charges for Outlot 1 are deferred.
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 Verona by the MMSD.
6. 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.
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.

The motion was carried.

Ayes: Commissioners Berthouex, Hovel and Schten.

Nays: None.

10. The Commissioners scheduled a future Commission meeting for Monday, October 15, 2007 at 8:00 a.m. and a Commission Meeting and Budget Hearing for Monday, October 29, 2007 at 8:00 a.m.

11. The following oral reports were presented by staff:

a. Impacts of Recent Heavy Rains. The District's collection system was highly stressed by the recent heavy rains, but there were no significant service outages. Several pumping stations lost electric power service during the numerous storm events, and District personnel responded with portable generators in a number of cases. Flooding conditions along Nine Springs Creek threatened the dikes around the effluent equalization ponds, but never reached their crest. Overall the District's facilities and personnel performed very well during this extremely wet weather.

12. It was moved by Commissioner Hovel and seconded by Commissioner Berthouex that the Commissioners convene in closed session in accordance with 19.85(1)(g) of the Wisconsin Statutes to confer with legal counsel concerning strategy to be adopted with respect to litigation in which the District may become involved.

The motion was carried.

Commissioner Berthouex: Aye

Commissioner Hovel: Aye

Commissioner Schten: Aye

13. It was moved by Commissioner Hovel and seconded by Commissioner Berthouex that the Commissioners reconvene in open session.

The motion was carried.

Commissioner Berthouex: Aye

Commissioner Hovel: Aye

Commissioner Schten: Aye

14. It was moved by Commissioner Hovel and seconded by Commissioner Berthouex that the meeting be adjourned.

The motion was carried.

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

Regular Meeting of the Commissioners  
August 27, 2007

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P.M. Berthouex, Secretary

**Monday, September 10, 2007 at 8:00 a.m.**, regular Commission meeting.  
**Monday, September 24, 2007 at 8:00 a.m.**, regular Commission meeting.  
**Monday, October 15, 2007 at 8:00 a.m.**, regular Commission meeting.  
**Monday, October 29, 2007 at 8:00 a.m.**, regular Commission meeting and Budget Hearing.