

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 11th day of February, 2008 at 8:00 a.m.

1. The meeting was called to order by President Schten.
2. Meeting Attendees:

Commissioners: Berthouex, Hendrick, Hovel, Schten and Terrell.

MMSD Staff: Jon Schellpfeffer, Chief Engineer and Director; Bruce Borelli, Director of Engineering; Dick Klaas, Staff Engineer; Shirley Fox, Office Manager/Controller; Ralph Erickson, Pretreatment Manager/Waste Acceptance Coordinator; Gerry Sachs, Staff Engineer, 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 January 17, 2008 be approved as written.

The motion was carried.

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

Commissioner Hendrick arrived.

4. The Chief Engineer and Director presented progress reports on the following projects:
 - a. Tenth Addition Construction. The anaerobic digestion process that resulted from the Tenth Addition construction is not yet providing a reliable means for achieving a Class A biosolids. The District staff is investigating the potential next steps and will make further recommendations to the Commissioners at an upcoming meeting. Current work on the Tenth Addition Improvements and the Digester Gas Treatment Facilities is on schedule.
 - b. Master Plan. The Master Plan is at the one-third point of completion. The consultants have evaluated the existing capacity of the treatment plant processes and the collection system components. Preliminary estimates of population projections have been received from the Capital Area Regional Planning Commission. The District has begun its public involvement process with the distribution of an informational letter, brochure and questionnaire for the recipients. Approximately forty questionnaires have been returned so far. The consultant and District staff will be meeting with various public bodies

throughout the District over the next two months to present the overall Master Plan objectives and receive feed-back.

5. The Cash Statement of the General Account as of February 11, 2008 was reviewed and placed on file. The statement shows an available cash balance through General Account Check No. 92898 in the amount of \$8,981.16; subsequent receipts totaling \$4,613,273.76; less disbursements of \$4,226,984.63 with a resulting cash balance of \$395,270.20.

After discussion, it was moved by Commissioner Terrell and seconded by Commissioner Hovel that the General Account disbursements in the amount of \$4,226,984.63 be approved.

The motion was carried.

Ayes: Commissioners Berthouex, Hendrick, Hovel, Schten and Terrell.

Nays: None.

6. The Cash Statement of the Construction Account as of February 11, 2008 was reviewed and placed on file. The statement shows an available cash balance through Construction Account Check No. 9150 in the amount of \$29,841.21; subsequent receipts totaling \$222,604.60 less disbursements of \$249,273.42; with a resulting cash balance of \$3,172.39.

After discussion, it was moved by Commissioner Berthouex and seconded by Commissioner Terrell that the Construction Account disbursements in the amount of \$249,273.42 be approved.

The motion was carried.

Ayes: Commissioners Berthouex, Hendrick, Hovel, Schten and Terrell.

Nays: None.

7. The Chief Engineer and Director presented a proposed interim financing resolution for financing the Northeast Interceptor Truax Extension Liner Project. After discussion, it was moved by Commissioner Terrell and seconded by Commissioner Berthouex that the following resolution be adopted:

WHEREAS, the Internal Revenue Service has promulgated final regulations with respect to proceeds of tax exempt borrowings used to reimburse prior capital expenditures, and

WHEREAS, the Madison Metropolitan Sewerage District reasonably expects to reimburse expenditures for facilities planning, design, and construction of the Northeast Interceptor – Truax Extension Liner Project with loan funds from the Wisconsin Clean Water Fund or other debt in the maximum principal amount of \$4,000,000.00;

BE IT THEREFORE RESOLVED, that the Commissioners of the Madison Metropolitan Sewerage District hereby authorize the Chief Engineer and Director to use available

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funds from the Madison Metropolitan Sewerage District's Capital Projects Fund for the purpose of interim financing for facilities planning, design, and construction work necessary to complete the Northeast Interceptor – Truax Extension Liner Project. This project will include lining 5,300 feet of 48-inch diameter reinforced concrete pipe installed in 1968. These funds will be used on an as-needed basis until Clean Water Fund Loan Funds or other debt funds are received; whereupon, the Capital Projects Fund moneys will be replenished.

BE IT FURTHER RESOLVED, that this statement is a declaration of official intent under the reimbursement regulations (26 CFR 1.150-2), issued by the Department of the Treasury.

The motion was carried.

Ayes: Commissioners Berthouex, Hendrick, Hovel, Schten and Terrell.

Nays: None.

8. Bruce Borelli and Dick Klaas presented an overview of the Northeast Interceptor Truax Extension Liner Project. The Commissioners asked questions and discussed the project. It was then moved by Commissioner Hovel and seconded by Commissioner Hendrick that the Northeast Interceptor Truax Extension Liner Project be approved for bidding.

The motion was carried.

Ayes: Commissioners Berthouex, Hendrick, Hovel, Schten and Terrell.

Nays: None.

9. The Chief Engineer and Director presented a contract amendment for the arc-flash consulting at Nine Springs. After discussion, it was moved by Commissioner Berthouex and seconded by Commissioner Hendrick that the contract amendment with Forster Electrical Engineering in the amount of \$7,000 be approved.

The motion was carried.

Ayes: Commissioners Berthouex, Hendrick, Hovel, Schten and Terrell.

Nays: None.

10. The following sewer extension plans were reviewed and placed on file:
 - a. Wisconsin Laborers Apprenticeship Training Fund Liuna Way Contract, Village of DeForest.
 - b. Shorewood Blvd & Close Circle Sewer Replacement, Village of Shorewood Hills.
 - c. Orchard Pointe Phase 2, City of Fitchburg

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

a) Wisconsin Laborers Apprenticeship Training Fund Liuna Way Contract, Village of DeForest.

WHEREAS, plans for sanitary sewer extensions were submitted to the Madison Metropolitan Sewerage District (MMSD) for Wisconsin Laborers Apprenticeship & Training Fund Liuna Way Project, Village of DeForest on January 7, 2008, by Andrew Synder, Foth & Van Dyke, and

WHEREAS, the lands to be served, Lots 1-11 of the Liuna Way plat, are in the process of being annexed to the Village of DeForest, and

WHEREAS, a 75-foot buffer strip along the backside of Lots 6-11 is in the environmental corridor and is recognized and mapped in the Water Quality Plan as permanent open space, and

WHEREAS, a portion of the plat was served by a private sewer extension to the Wisconsin Laborers Apprenticeship and Training Fund Building built in 2003, see plan 03-74, and

WHEREAS, the sewers will be owned and operated by the Village upon completion of the project including the private portion built in 2003 connected to the Highway 19 Extension at MMSD manhole 14-404, and

WHEREAS, plan review fees are due, and

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

WHEREAS, the MMSD has received a sewer extension review letter #175-03-5 from the Capital Area Regional Planning Commission (CARPC) dated June 17, 2003 stating the CARPC 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 Wisconsin Laborers Apprenticeship & Training Fund Liuna Way Project, Village of DeForest, submitted on January 7, 2008, by Andrew Synder, Foth & Van Dyke, be approved subject to the following conditions:

1. That Village of DeForest shall pay the plan review fee of \$1,400.00 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 Village of DeForest shall have paid to the MMSD the sum of \$85,553.95 for payment of \$70,820.60 in Northeast Interceptor/Highway 19 Extension connection charges and \$14,733.35 in treatment plant connection charges for Lots 1-11. Said lands are located in the NW1/4, Section 5, T8N, R10E, south of STH 19 in the Village of DeForest.
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 Village of DeForest by the MMSD.
5. That the Village of DeForest 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.

b) Shorewood Blvd & Close Circle Sewer Replacement, Village of Shorewood Hills.

WHEREAS, plans for sanitary sewer extensions were submitted to the Madison Metropolitan Sewerage District (MMSD) for Shorewood Boulevard & Circle Close Sewer Replacement, Village of Shorewood, on January 18, 2008, by Brian Berquist, Town & Country Engineering, Inc., and

WHEREAS, the project is a street improvement and utility replacement project consisting of replacing or making improvements to sanitary, storm and water main

utilities in Shorewood Boulevard from Topping Road to Bowdoin Road and in Circle Close from Blackhawk Drive to the end, and

WHEREAS, the sewers are being replaced in a new location, both horizontally and vertically, however, no new areas are being served and no additional flows are anticipated, and

WHEREAS, the proposed extensions will connect to the Village of Shorewood's sewerage facilities and MMSD's West Interceptor, and

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

WHEREAS, the MMSD has received a sewer extension review letter #6-08-1 from the Capital Area Regional Planning Commission (CARPC) dated January 22, 2008 stating the CARPC 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 Shorewood Boulevard & Circle Close Sewer Replacement, Village of Shorewood, submitted on January 18, 2008, by Brian Berquist, Town & Country Engineering, Inc. be approved subject to the following conditions:

1. That the Village of Shorewood shall pay the plan review fee of \$1,400.00 to the Madison Metropolitan Sewerage District within thirty days of receiving the invoice for the fee.
2. That the Village of Shorewood 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.
3. 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.
4. 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) Orchard Pointe Phase 2, City of Fitchburg.

WHEREAS, plans for sanitary sewer extensions were submitted to the Madison Metropolitan Sewerage District (MMSD) for Orchard Pointe Access Easement Drive, City of Fitchburg on January 30, 2008, by Deb Hatfield, Mayo Corporation, and

WHEREAS, the project completes the installation of sanitary sewer necessary to serve the finalized Orchard Pointe plat, and

WHEREAS, the proposed sanitary sewer extensions will connect to the City of Fitchburg's sewerage facilities and MMSD's Nine Springs Valley Interceptor/Mineral Point Extension, and

WHEREAS, plan review fees are due, and

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

WHEREAS, Outlots 1-6 of the final plat are designated as environmental corridors and are recognized and mapped in the Water Quality Plan as permanent open space, and

WHEREAS, the MMSD has received a sewer extension review letter #6-08-3 from Dane County Community Analysis and Planning Division (CAPD) dated February 3, 2008 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 Orchard Pointe Access Easement Drive, City of Fitchburg, submitted on January 30, 2008, by Deb Hatfield, Mayo Corporation, be approved subject to the following conditions:

1. That City of Fitchburg shall pay the plan review fee of \$1,400.00 to the MMSD within 30 days of receiving an invoice for the fee.
2. That charges for Outlots 1-6 are deferred.
3. That prior to connection of said sanitary sewer extensions to sewers within the MMSD's system, the City of Fitchburg shall have paid to the MMSD the sum of \$46,408.15 for payment of \$29,859.45 in Nine Springs Valley Interceptor/Mineral Point Extension connection charges and \$16,548.70 in treatment plant connection charges for the lands to be served, said lands being the balance of Lots 1-14

Orchard Pointe. Said lands are located in the NW1/4, Section 7, T6N, R9E, south of McKee Road, west of Nesbitt Road in the City of Fitchburg.

4. 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.
5. 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 Fitchburg by the MMSD.
6. That the City of Fitchburg 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, Hendrick, Hovel, Schten and Terrell.

Nays: None.

11. The Commissioners scheduled a future commission meeting and annexation hearing on Monday, March 17, 2008 at 8:00 a.m. and a future commission meeting on Monday, March 31, 2008 at 8:00 a.m.
12. The following oral reports were presented by staff:
 - a. Jon Schellpfeffer reported on the proposed phosphorus water quality criteria presented by the Department of National Resources at a recent meeting of the Phosphorus Criteria Advisory Committee.
 - b. Ralph Erickson updated the Commissioners on the progress dental clinics are making on the installation of amalgam separators.

- c. Commissioner Schten reported on the National Association of Clean Water Agencies Winter meeting that he had recently attended.
- 12. The Chief Engineer and Director presented a map and statistics on automatic annexations to the District in 2007.
- 13. It was moved by Commissioner Hovel and seconded by Commissioner Berthouex that the meeting be adjourned.

The motion was carried.

Ayes: Commissioners Berthouex, Hendrick, Hovel, Schten and Terrell.

Nays: None.

Regular Meeting of the Commissioners

February 11, 2008

P.M. Berthouex, Secretary

Wednesday, February 27, 2008 at 8:00 a.m., regular Commission meeting.

Monday, March 17, 2008 at 8:00 a.m., regular Commission meeting and Annexation Hearing.

Monday, March 31, 2008 at 8:00 a.m., regular Commission meeting.