

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 16th day of July, 2007 at 8:00 a.m.

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

2. Meeting Attendees:

Commissioners: Berthouex, Hendrick and Hovel.

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

Visitors: None.

3. After discussion, it was moved by Commissioner Hendrick and seconded by Commissioner Berthouex that the Commission meeting minutes of June 25, 2007 be approved as written.

The motion was carried.

Ayes: Commissioners Berthouex, Hendrick and Hovel.

Nays: None.

4. Progress reports were presented on the following projects:

a. Tenth Addition Construction. Problems associated with the raw sludge heat exchangers and the acid to thermo phase heat exchangers have been resolved. Current heat exchanger problems are associated with the heat recovery heat exchangers between the thermophyllic and mesophyllic digestion stages where struvite was accumulating in the heat exchangers and the piping. Solutions to this problem may involve the installation of additional glass-lined piping and an alternative pumping configuration. Contract NS 10D Improvements are currently out for bid. These improvements will address previously identified issues at the Headworks Building, the Boiler Building and Sludge Control Building No. 2. Contract NS10-E improvements for the new gas treatment system are being designed by Applied Filter Technology. A proposal for this work is expected within the next month. The only remaining work on the original NS10B and C contracts is the completion of equipment operations and maintenance manuals.

b. Lower Badger Mill Creek Interceptor – Phase 2. The District is responding to a request from the Department of Natural Resources for additional information associated with the Chapter 30 wetlands permit for this project. The District is also continuing to work on obtaining the easements for this project. The lack of progress in obtaining the easements and the Chapter 30 permit and the reduced urgency service in this area have led to the decision to delay construction of this project until next year.

- c. West Interceptor Extension Replacement. The District has received the Chapter 30 wetlands permit for this project. The District has also received an approval to begin construction on the northern part of the project, and the contractor expects to begin work the week of July 23rd.
 - d. Southwest Interceptor Relining Project Construction. The contractor has one section of lining to repair and site restoration to complete to finish this project. Work is expected to be done by the end of this month.
 - e. Pumping Stations 13 and 14 Firm Capacity Improvements. The contractor is continuing to submit shop drawings of various materials and equipment to be used on this project. Construction is not scheduled to start at the stations until October or November.
 - f. Relocation of the Northeast Interceptor at the Airport. The work on this project includes the installation of a junction manhole and forty feet of interceptor sewer. The work has not progressed as quickly as expected. It is expected to be done in August or September. This work is being done in conjunction with a runway improvement project by the airport.
5. The Cash Statement of the General Account as of July 16, 2007 was reviewed and placed on file. The statement shows an available cash balance through General Account Check No. 91414 in the amount of \$92,052.67; plus an adjustment of \$17,403.10; subsequent receipts totaling \$1,087,022.20; less disbursements of \$1,186,119.31 with a resulting cash balance of \$10,358.66.

After discussion, it was moved by Commissioner Hendrick and seconded by Commissioner Berthouex that the General Account disbursements in the amount of \$1,186,119.31 be approved.

The motion was carried.

Ayes: Commissioners Berthouex, Hendrick and Hovel.

Nays: None.

6. The Cash Statement of the Construction Account as of July 16, 2007 was reviewed and placed on file. The statement shows an available cash balance through Construction Account Check No. 9082 in the amount of \$20,667.53; subsequent receipts totaling \$235,300.59 less disbursements of \$55,146.19; with a resulting cash balance of \$200,821.93.

After discussion, it was moved by Commissioner Berthouex and seconded by Commissioner Hendrick that the Construction Account disbursements in the amount of \$55,146.19 be approved.

The motion was carried.

Ayes: Commissioners Berthouex, Hendrick and Hovel.

Nays: None.

7. The Pretreatment and Waste Acceptance Coordinator, Ralph Erickson, presented the proposed second quarter service charges. After discussion, it was moved by Commissioner Berthouex and seconded by Commissioner Hendrick that the second quarter sewer service charges be approved as presented with payment of the bills due by August 15, 2007.

The motion was carried.

Ayes: Commissioners Berthouex, Hendrick and Hovel.

Nays: None.

8. The Chief Engineer and Director presented a proposed Interim Financing Resolution for costs associated with the Pumping Stations 6 and 8 Rehabilitation project. After discussion, it was moved by Commissioner Hendrick 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 Pumping Stations 6 and 8 Rehabilitation Project with loan funds from the Wisconsin Clean Water Fund or other debt in the maximum principal amount of \$10,000,000.00;

BE IT THEREFORE RESOLVED, that the Commissioners of the Madison Metropolitan Sewerage District hereby authorize the Chief Engineer and Director to use available 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 Pumping Stations 6 and 8 Rehabilitation Project. This project will include new pumping equipment, major improvements to the electrical and HVAC systems, necessary structural repairs, probable building additions, and related work at these two pumping stations. 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 and Hovel.

Nayes: None.

9. The Commissioners and staff discussed the compensation study proposal. The Commissioners requested that this item be placed on a future agenda when all five Commissioners are present. No other action was taken.
10. The following sewer extension plans were reviewed and placed on file:
 - a. Misty Valley, City Middleton.
 - b. Swan Creek Third Addition Phase 2, City Fitchburg.
 - c. Verona Public Safety Building, City of Verona.
 - d. Bedford/Main Street Reconstruction, City of Madison.
 - e. Epic Systems Corporation Campus 2, City of Verona.

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

a) Misty Valley, City Middleton.

WHEREAS, plans for sanitary sewer extensions were submitted to the Madison Metropolitan Sewerage District (MMSD) for Misty Valley – Phase I, City of Middleton, on July 2, 2007, by Deborah Hatfield, Mayo Corporation, and

WHEREAS, the lands to be served are lots 19-20, 75-108 and Outlots 1-6 of Misty Valley Plat, and

WHEREAS, Outlots 5 & 6 are environmental corridors and are recognized and mapped in the Water Quality Plan as permanent open space. Connection charges are therefore deferred, and

WHEREAS, the proposed extensions will connect to the City of Middleton's sewerage facilities and MMSD's Nine Springs Valley Interceptor/Mendota Extension, 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 #6-07-40 from Dane County Community Analysis and Planning Division (CAPD) dated July 16, 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 Misty Valley – Phase I, City of Middleton, submitted on July 2, 2007, by Deborah Hatfield, Mayo Corporation be approved subject to the following conditions:

1. That charges for Outlots 5 and 6 are deferred.
2. That the City of Middleton shall pay the plan review fee of \$1,350.00 to the MMSD within 30 days of receiving an invoice for the fee.
3. That prior to connection of said sanitary sewer extensions to sewers within the Madison Metropolitan Sewerage District's System, the City of Middleton shall have paid to the MMSD the sum of \$27,419.11 for payment of \$19,940.06 in Nine Springs Valley Interceptor/Mendota Extension connection charges and \$7,479.05 in treatment plant connection charges for lands to be served; said lands being lots 19-20, 75-108 and Outlots 1-4 of Misty Valley Plat. Said lands are located in the SE 1/4, Section 35, T8N, R8E, City of Middleton.
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 the MMSD's system, appropriate interest on the unpaid balance shall be charged to the City of Middleton by the MMSD.
6. That the City of Middleton 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) Swan Creek Third Addition Phase 2, City Fitchburg.

WHEREAS, plans for sanitary sewer extensions were submitted to the Madison Metropolitan Sewerage District (MMSD) for Swan Creek of Nine Springs Third Addition - Phase 2, City of Fitchburg, on July 11, 2007, by Deborah Hatfield, Mayo Corporation, and

WHEREAS, the lands to be served are lots 239-272 and Outlot 32 of the Third Addition to Swan Creek of Nine Springs plat, and

WHEREAS, Outlots 32 is dedicated to the public for trail corridor, however, the lands are not in the environmental corridor and are not recognized or mapped by the Dane County Community Analysis and Planning Division as permanent open space. Connection charges are therefore due, and

WHEREAS, a sanitary sewer lateral will be extended as part of this project towards the southwest corner of Lot 1 of CSM #3606 for future connection, and

WHEREAS, the proposed extensions will connect to the City of Fitchburg's Syene Sanitary Sewer Interceptor and MMSD's Nine Springs Valley Interceptor, 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 #6-04-39 from Dane County Community Analysis and Planning Division (CAPD) dated May 10, 2004 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 Swan Creek of Nine Springs Third Addition - Phase 2, City of Fitchburg, submitted on July 11, 2007, by Deborah Hatfield, Mayo Corporation, be approved subject to the following conditions:

1. That the City of Fitchburg notify the Madison Metropolitan Sewerage District when Lot 1 of CSM #3606 requests connection to the public sewerage system so that sanitary sewer connection charges can be levied.
2. That the City of Fitchburg shall pay the plan review fee of \$1,350.00 to the MMSD within 30 days of receiving an invoice for the fee.

3. That prior to connection of said sanitary sewer extensions to sewers within the Madison Metropolitan Sewerage District's System, the City of Fitchburg shall have paid to the MMSD the sum of \$15,270.55 for payment of \$10,205.22 in Nine Springs Valley Interceptor connection charges and \$5,065.33 in treatment plant connection charges for lands to be served; said lands being lots 239-272 and Outlot 32 of the Third Addition to Swan Creek of Nine Springs plat. Said lands are located in the NW ¼ of Section 11, T6N, R9E, 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 the 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.

c) Verona Public Safety Building, City of Verona.

WHEREAS, plans for sanitary sewer extensions were submitted to the Madison Metropolitan Sewerage District (MMSD) for Verona Public Safety Building, City of Verona, on June 27, 2007, by Robert Gundlach, Earth Tech, and

WHEREAS, the lands to be served are Lot 1 of CSM 3306 and part of Lot 1 of CSM 3643, and

WHEREAS, the proposed extensions will connect to the City of Verona's sewerage facilities and MMSD's Nine Springs Valley Interceptor/PS 17, and

WHEREAS, treatment plant connection charges for the additional buildings to be constructed are due, and

WHEREAS, plan review fees are due, and

WHEREAS, the MMSD has received a sewer extension review letter # 23-07-5 from Dane County Community Analysis and Planning Division (CAPD) dated June 14, 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 Verona Public Safety Building, City of Verona, submitted on June 27, 2007, by Robert Gundlach, Earth Tech 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 \$3139.19 for payment of treatment plant connection charges for lands to be served, said lands being Lot 1 of CSM 3306 and part of Lot 1 of CSM 3643. The lands are located in the SE 1/4 of Section 15, T6N, R8E, City of Verona.
3. 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.
4. 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.
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.

d) Bedford/Main Street Reconstruction, City of Madison.

WHEREAS, plans for sanitary sewer extensions were submitted to the Madison Metropolitan Sewerage District (MMSD) for S. Bedford Street and W. Main Street Reconstruction Assessment District- 2007, City of Madison, on June 27, 2007, by Mark Moder, City Engineering Division, and

WHEREAS, the sanitary sewer mains along S. Bedford Street and Doty Street are being replaced in conjunction with reconstruction of the streets. The sewers are aging and in need of replacement, and

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

WHEREAS, the proposed extensions will connect to the City of Madison'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 #6-07-7 from Dane County Community Analysis and Planning Division (CAPD) dated July 13, 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 S. Bedford Street and W. Main Street Reconstruction Assessment District- 2007, City of Madison, submitted on June 27, 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.

e) Epic Systems Corporation Campus 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, City of Verona, on July 6, 2007, by Nathan Lockwood, DKA, and

WHEREAS, the project is located in the NW ¼, Section 16 and the NE ¼, Section 17, T6N, R8E, south of the intersection of Northern Lights Road and Meister Drive on the City's west side, and

WHEREAS, the purpose of the project is to install sanitary sewer mains underneath a public roadway that is scheduled for final paving in the near future, and

WHEREAS, the proposed extensions will require additional sewers to be built to provide service to the area, and

WHEREAS, no lands will be served as part of this project. The proposed extensions will provide service to future lands upon construction of additional sewers, and

WHEREAS, the proposed extensions will connect to the City of Verona's sewerage facilities and MMSD's Nine Springs Valley Interceptor/PS 17, and

WHEREAS, plan review fees are due, and

WHEREAS, the MMSD has received a sewer extension review letter #23-07-7 from Dane County Community Analysis and Planning Division (CAPD) dated July 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 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, City of Verona, submitted on July 6, 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 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.
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.

The motion was carried.

Ayes: Commissioners Berthouex, Hendrick and Hovel.

Nays: None.

11. The Commissioners scheduled a future Commission meeting for Monday, August 27, 2007 at 8:00 a.m.
12. The Chief Engineer and Director presented an oral report updating the Commissioners on the status of the Rock River TMDL project. The first meeting of the Technical Advisory Committee for this project is scheduled for early next month.
13. It was moved by Commissioner Hendrick and seconded by Commissioner Berthouex that the meeting be adjourned.

The motion was carried.

Ayes: Commissioners Berthouex, Hendrick and Hovel.

Nays: None.

Regular Meeting of the Commissioners

July 16, 2007

P.M. Berthouex, Secretary

Monday, July 30, 2007 at 8:00 a.m. regular Commission meeting.

Monday, August 13, 2007 at 8:00 a.m., regular Commission meeting.

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