

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 12th day of November, 2007 at 8:00 a.m.

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

2. Meeting Attendees:

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

MMSD Staff: Jon Schellpfeffer, Chief Engineer and Director; Mike Simon, Assistant Chief Engineer and Director of Planning; Gerry Sachs, Staff Engineer and Griffin Dorschel, Attorney.

Visitors: Mr. Richard Bloomquist of Badger Utility, Inc.

3. After discussion, it was moved by Commissioner Terrell and seconded by Commissioner Hendrick that the Commission meeting minutes of October 29, 2007 be approved as written.

The motion was carried.

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

Nays: None.

4. The Assistant Chief Engineer presented progress reports on the following projects:

a. Tenth Addition Construction. The construction of the replacement hot water system has been completed and was placed in service on November 5th. The representative from the screenings handling and pumping equipment manufacturer was on site to assist in the District's optimization of this operation. The system is working much better at this time; however additional modifications may still be required. Work is continuing to establish a reliable anaerobic digestion process. Contractors are continuing to work on other modifications to the Tenth Addition.

b. West Interceptor Extension Replacement. This new interceptor was placed in service on November 6th. The contractor is completing work on local sewers and laterals in the area along with site restoration.

c. Master Plan. The consultant is continuing to collect data for the planning study. The public involvement strategy is under development. Attorney Dorschel has advised that the District provide public notification of all future Technical Advisory Committee meetings.

- d. Northeast Interceptor Relocation at Airport. The work on this project; which was part of a runway expansion project at the airport started in 2005, was completed on November 5th.
5. The Cash Statement of the General Account as of November 12, 2007 was reviewed and placed on file. The statement shows an available cash balance through General Account Check No. 92285 in the amount of \$8,751.33; subsequent receipts totaling \$2,234,708.82; less disbursements of \$1,905,687.80 with a resulting cash balance of \$337,772.35.

After discussion, it was moved by Commissioner Hendrick and seconded by Commissioner Hovel that the General Account disbursements in the amount of \$1,905,687.80 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 November 12, 2007 was reviewed and placed on file. The statement shows an available cash balance through Construction Account Check No. 9116 in the amount of \$4,338.69; subsequent receipts totaling \$1,108,552.78 less disbursements of \$1,105,525.93; with a resulting cash balance of \$7,365.54.

After discussion, it was moved by Commissioner Hovel and seconded by Commissioner Terrell that the Construction Account disbursements in the amount of \$1,105,525.93 be approved.

The motion was carried.

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

7. The Cash Statement of the Sinking Fund as of November 12, 2007 was reviewed and placed on file. The statement shows an available cash balance through Sinking Fund Account Check No. 1084 in the amount of \$5,000; subsequent receipts totaling \$932,009.89; less disbursements of \$932,009.89; with a resulting cash balance of \$5,000.

After discussion, it was moved by Commissioner Terrell and seconded by Commissioner Berthouex that the Sinking Fund Account disbursements in the amount of \$932,009.89 be approved.

The motion was carried.

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

8. The sewer extension plan for Badger Utility in the Village of DeForest was reviewed and placed on file. Richard Bloomquist of Badger Utility provided the Commissioners with background information on this project.

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

WHEREAS, plans for sanitary sewer extensions were submitted to the Madison Metropolitan Sewerage District (MMSD) for Badger Utility Road Crossing on behalf of the Village of DeForest on October 31, 2007, by Craig Mathews, Vierbicher Associates, and

WHEREAS, the lands to be served, Lot 2 CSM 6358, owned by Badger Utilities, are in the Town of Burke and served by the Village of DeForest, and

WHEREAS, the Badger Utility property intended to be served is not in an urban service area nor in the District and needs to be added to an urban service area and annexed to the District before sewer service can be provided, and

WHEREAS, sewer service to the property has been divided into phases. This set of plans is intended to facilitate crossing the road by expediting construction before the frost gets too deep. The plans provide for extending the sewers from an existing Village of DeForest sewer in Danielle Road northerly to the north side of Daentl Road, then westerly to the west side of the existing Badger Utility driveway allowing for a connection in the future after the Badger Utility Property is annexed, and

WHEREAS, no lands are to be served at this time. The Badger Utility property will be eligible for sewer service in the future upon the addition of the lands to the CUSA and MMSD, and

WHEREAS, the proposed extensions will ultimately connection to the Village of DeForest's sewerage facilities and MMSD's Northeast and MMSD's Northeast Interceptor/Highway 19 Extension, and

WHEREAS, the interceptor and treatment plant connection charges for the lands to be served have not been paid. The charges will be established upon adoption of the Order of Annexation, and

WHEREAS, plan review fees are due, and

WHEREAS, the MMSD has received a sewer extension review letter #6-07-52 from Dane County Community Analysis and Planning Division (CAPD) dated November 9, 2007. The CAPD staff has reviewed the proposed extension, and has determined that it is **not consistent with the urban service area provisions of the Dane County Water Quality Plan and Land Use and Transportation Plan at this time.** However, a public

hearing has been set by the Capital Area Regional Planning Commission for Nov. 29, 2007 to consider recommending that the WDNR amend the Dane County Water Quality Plan to expand the Central Urban Service Area to include the Badger Utility property. In order to facilitate the construction of the proposed sanitary sewer prior to the arrival of inclement weather, **we do not object to the construction of this sewer extension if it is not connected and does not provide any service at this time.** This CAPD decision does not in any way prejudice future decisions regarding the approval of the proposed amendment to the Water Quality Plan and Land Use and Transportation Plan by the CARPC or the WDNR. Furthermore, the applicant assumes all risks (financial or otherwise) resulting from constructing the sewer extension prior to the necessary amendment of the Dane County Water Quality Plan.

A separate sewer extension review and letter of consistency will be needed to connect the constructed sanitary sewer and provide service. Such a review and approval would be dependent on fulfilling any conditions or requirements that would arise from the plan amendment process.

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 Badger Utility Road Crossing, submitted on October 31, 2007, by Craig Mathews, Vierbicher Associates on behalf of the Village of DeForest, be approved subject to the following conditions:

1. That the Village of DeForest 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 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.
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, Hovel, Schten and Terrell.
Nays: None.

9. The Commissioners scheduled an annexation hearing for the Badger Utility property on Monday December 10, 2007 to be held in conjunction with the Commission meeting on that date. The Commissioners scheduled a future Commission meeting on Thursday, January 17, 2008 at 8:00 a.m.
10. The following oral reports were presented by staff:
 - a. Mike Simon has been selected to serve as an examiner for the Wisconsin Forward Awards program. Bruce Borelli has been selected to serve on the City of Verona's Comprehensive Planning Committee. Dave Taylor has been selected to serve as the Chair of the Board of Directors for the Wisconsin State Laboratory of Hygiene.
 - b. On November 2nd, the District signed the indemnification agreement with the State associated with accepting leachate from the Dane County Landfill where deer carcasses that may have been infected with CWD will be buried.
 - c. The 2007 Clean Water Fund Loan closing schedule has been established. The documents will need to be signed at the November 30th Commission meeting.
11. It was moved by Commissioner Hovel and seconded by Commissioner Hendrick that the meeting be adjourned.

The motion was carried.

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

Regular Meeting of the Commissioners
November 12, 2007

P.M. Berthouex, Secretary

Friday, November 30, 2007 at 8:00 a.m., regular Commission meeting
Monday, December 10, 2007 at 8:00 a.m., Annexation Hearing and regular Commission meeting.
Thursday, January 17, 2008 at 8:00 a.m., regular Commission meeting.