Meeting of the Commissioners of the Madison Metropolitan Sewerage District

Thursday, Aug. 15, 2019 8 a.m.
District Maintenance Facility Training Room, 1610 Moorland Road, Madison, WI  53713

Present: Commissioner Tom Hovel
Commissioner Ken Clark
Commissioner Mary Swanson
Commissioner Grant Foster
Commissioner Tom Wilson (via GoToMeeting)

Excused Absences: Commissioner Sara Eskrich
Commissioner Ezra Meyer
Commissioner Brad Murphy

Commission Meeting

1. Opening
   A. Call to Order 8 a.m.
   B. Welcome Guests: Jon Becker, community member; Greg Fries, City of Madison; Forbes McIntosh, Dane County City and Villages Association
   C. Announcements: Chief Engineer and Director Michael Mucha gave a brief update about the celebration of life for Commissioner James Martin.

2. Appearances by the Public: Citizen Jon Becker spoke to the commission in regard to the NEI Truax Interceptor Relief project and its impact on the trees within Reindahl Park.

3. Consent Calendar
   A. Approval Meeting Minutes from 7-25-2019
   B. Approval of Cash Statements – Operating Fund
   C. Approval of Cash Statements – Capital Project Fund
   D. Acceptance of Work: Pumping Station 10 Force Main Rehabilitation 2019-08-15-R1
   E. Increased Transaction Authority for 2019 Digester Cleaning 2019-08-15-R2
   F. Review and Approval of Sewer Extension Plans
      • Eagle Trace Phase 3 – Resolution 2019-08-15-R3
      • Northeast Interceptor Truax Extension Relief Sewer 2019-08-15-R4

Discussion: The 7-25-2019 minutes, operating cash fund, capital projects fund, acceptance of work for the pumping station 10 force main rehabilitation project, increased transaction authority for 2019 digester cleaning and sewer extension plans were reviewed and placed on file.

The operating cash fund account shows an available balance through operating fund check no. 122478 in the amount of $8,143.35; subsequent receipts totaling $4,901,877.82; less
disbursements of $3,978,174.08; resulting in a cash balance of $931,847.09. The capital projects fund cash statement shows an available balance through capital projects fund account check no. 10399 in the amount of $19,618.86; plus receipts of $747,514.91; less disbursements of $724,781.67; with a resulting cash balance of $42,352.10.

**Action:** Commissioner Clark moved, seconded by Commission Foster to approve items A-F of the consent calendar.

Motion carried.

4. **Chief Engineer and Director’s Report**  
   A. CED Update: None.  
   B. Regulatory and Legal Review: Mr. Kent provided a brief legal report on district related items.  
   C. Future Meeting Schedule: Commissioner Clark attendance is tentative for the Aug. 29 commission meeting.

5. **Future Agenda Topics**  
   **Action:** None.

6. **Other Business Allowed by Law**  
   **Action:** None.

7. **Adjournment**  
   **Action:** Commissioner Wilson moved, seconded by Commissioner Clark to adjourn the meeting at 8:19 a.m.

Motion carried.

**Regular Meeting of the Commissioners**  
Thursday, August 29, 2019 at 8 a.m.  
Thursday, September 12, 2019 at 8 a.m.  
Thursday, September 26, 2019 at 8 a.m.

________________________________
Mary Swanson, Secretary
ACCEPtANCE OF WORK: PUMPING STATION 10 FORCEMAIN REHABILITATION
2019-08-15-R1

WHEREAS, inspection of the Pumping Station 10 Force Main indicated that the downstream portion of the pipeline suffered from interior pipe corrosion, and

WHEREAS, Madison Metropolitan Sewerage District (the "district") determined the need to rehabilitate this portion of the force main to prevent further deterioration and possible failure, and

WHEREAS, the project was included in the district's capital improvements plan and budget, and

WHEREAS, the Pumping Station 10 Force Main Rehabilitation (the "project") included lining approximately 2,000 lineal feet of 36-inch pre-stressed concrete cylinder pipe, and

WHEREAS, the district entered into a contract dated Aug. 23, 2018, with Murphy Pipeline Contractors, Inc., for construction of the project, and

WHEREAS, the chief engineer and director of the Madison Metropolitan Sewerage District certifies that all work included for the project has been completed in accordance with the contract documents, and

WHEREAS, Murphy Pipeline Contractors, Inc., has submitted acceptable evidence showing satisfactions of all claims/liens, and

WHEREAS, acceptable evidence showing compliance with state prevailing wage requirements was not required, and

WHEREAS, Murphy Pipeline Contractors, Inc., has submitted acceptable evidence showing compliance with Davis-Bacon federal prevailing wage rate requirements, American Iron & Steel requirements, Disadvantaged Business Enterprise requirements and other WDNR Clean Water Fund loan requirements, and

WHEREAS, the original contract amount was $1,247,934 and the final contract amount, including all change orders, is $1,247,934, and

WHEREAS, the contract includes a provision that the sum of $10,000 be withheld by the district as a retainer for a period of one year following substantial completion.
NOW, THEREFORE, BE IT RESOLVED by the Madison Metropolitan Sewerage District Commission, and following consideration of the above recitals which are incorporated by reference, as follows:

1. That said work be accepted, with the district reserving to itself all rights under said contract, including guarantees against defects in workmanship, materials, construction or installation, and guarantees against failure to perform successfully within the limits of the specifications.

2. That final payment be authorized and made to Murphy Pipeline Contractors, Inc., in the amount of $69,918.35, which amount provides for the withholding of a $10,000 retainer from the final contract amount of $1,247,934.

The above resolution was adopted by the Commissioners of the Madison Metropolitan Sewerage District at their meeting held at the district on Aug. 15, 2019.

MADISON METROPOLITAN SEWERAGE DISTRICT

Attested by:

Thomas Hovel, President

Mary Swanson, Secretary
INCREASED AUTHORIZED AMOUNT FOR DIGESTER CLEANING

2019-08-15-R2

WHEREAS, The Madison Metropolitan Sewerage District ("the district") has determined the need to routinely clean debris from digesters, and

WHEREAS, the commission authorized a total contract amount of $101,300 to Synagro, Inc. on March 28, 2019 for digester cleaning work, and

WHEREAS, the original scope of the project included removal of 90,000 gallons total of material and interior cleaning of a sludge storage tank and acid digester, and

WHEREAS, district staff encountered significantly more material in the sludge storage tank than anticipated, and

WHEREAS, the cost to remove the unexpected material would add $26,591 to the authorized contract amount, and

WHEREAS, the additional costs exceed the previously approved transaction authority, and

WHEREAS, district staff has already authorized the work due to higher additional costs that would be incurred if the project was delayed, and

WHEREAS, the contract total is being increased to $127,891, and

NOW, THEREFORE, BE IT RESOLVED, by the Madison Metropolitan Sewerage District Commission, and following consideration of the above recitals which are incorporated by reference, as follows:

1. The commission authorizes an increase to the 2019 digester cleaning total contract amount from $101,300 to $127,891 based on Synagro Technologies, Inc. low bid unit price of $0.54 per gallon of material removed and an additional 66,280 gallons of material encountered.

The above resolution was adopted by the commissioners of the Madison Metropolitan Sewerage District at their meeting held at the district on Aug. 15, 2019.

MADISON METROPOLITAN SEWERAGE DISTRICT

[Signatures]

Thomas Hovel, President

Attested by:

Mary Swanson, Secretary
WHEREAS, plans for sanitary sewer extensions were submitted to the Madison Metropolitan Sewerage District ("the district") for Eagle Trace Phase 3, in the City of Madison, on July 25, 2019, by Kyle Frank, City Engineering Division, and

WHEREAS, the project consists of installing 2,639 feet of 8-inch diameter sanitary sewer on Sister Oak Drive, Lush Woods Place, Hollow Aspen Run, Rustic Rise Way, Windy Willow Road, Clear Pond Way and White Fox Lane, and

WHEREAS, the lands which can be served by the proposed sewers are lots 69-80, 98-108, 117-121, 140-143, 150-156, 181, 190-191, 200, 202-209, 219-225, 235 and outlot 4 of the plat of Eagle Trace, and

WHEREAS, lots 191, 200 and 235 of the plat of Eagle Trace are adjacent to proposed sewers which are being installed to facilitate roadway improvements. The proposed sewers are not being connected to downstream facilities as part of this development phase. Said lots are not being developed and are not connected to the public sewer system at this time, and are hereinafter referred to as the deferred lots, and

WHEREAS, outlot 4 of the plat of Eagle Trace has been dedicated to the public for stormwater management and drainage purposes, and is recognized by the Capital Area Regional Planning Commission as being within an environmental corridor. Said outlot 4 will not receive sanitary sewer service, and

WHEREAS, the proposed sanitary sewer extension will connect to City of Madison's sanitary sewerage facilities, and

WHEREAS, lots 69-80, 98-108, 117-121, 140-143, 150-156 and 202-209 will be served by the district's Lower Badger Mill Creek Interceptor basin and are hereinafter referred to as the LBMC lots, and

WHEREAS, lots 181, 190, and 219-225 will be served by the District's Nine Springs Valley Interceptor/Esser Pond extension basin and are hereinafter referred to as the NSVIEP lots, and

WHEREAS, the district approved sewer extension plans for Eagle Trace Phase 2 on February 28, 2019 as plan #2019-010. The phase 2 project installed sewers adjacent to lot 80 in the plat of Eagle Trace. The City of Madison recorded document #5489034 on May 20, 2019 which restricted development on certain lots in Phase 2, including lot 80, until district connection charges were paid, and
WHEREAS, plan review fees are due, and

WHEREAS, regarding the NSVIEP and LBMC lots, the district has received sewer extension review letter #6-19-43 from the Capital Area Regional Planning Commission (CARPC) dated Aug. 8, 2019 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 is consistent with the conditions of DNR approval letter DC-0192, dated Feb. 15, 2018, which added this area to the Central Urban Service Area, and

WHEREAS, regarding the deferred lots, the district has received sewer extension review letter #6-19-44 from CARPC dated Aug. 8, 2019 stating the CARPC staff has reviewed the proposed extension and has determined that its ultimate service area is within the urban service area. Since portions of the downstream connecting sanitary sewer are proposed to be installed in the future, these sewers are being approved for construction purposes only. Any service connections to this extension will require additional review to determine the development’s consistency with the sewer service area provisions of the “Dane County Water Quality Plan” and the “Dane County Land Use and Transportation Plan” and to ensure that it fulfills the conditions of DNR approval letter DC-0192, dated Feb. 15, 2018, which added this area to the Central Urban Service Area, and

WHEREAS, the chief engineer and director of the district has recommended the approval of said plans,

THEREFORE, BE IT RESOLVED, that the plans for sanitary sewer extensions for Eagle Trace Phase 3, in the City of Madison, submitted on July 25, 2019, by Kyle Frank, City Engineering Division, be approved subject to the following conditions:

1. That the City of Madison shall pay the plan review fee of $1,475 to the district within 30 days of receiving an invoice for the fee.

2. That outlot 4 of the plat of Eagle Trace is exempted from conveyance facility and treatment plant connection charges.

3. That the deferred lots within the plat of Eagle Trace may not be connected to the public sewerage system at this time. Prior to installation of the proposed sewers, the City of Madison shall record a document with the Dane County Register of Deeds, indicating that district connection charges for the deferred lots have not been paid. Said deferred lots are not to be connected to the public sewerage system until appropriate conveyance facility connection charges and treatment plant connection charges have been paid. If said document is not recorded within six months of approval of this resolution, conveyance facility and treatment plant connection charges on the deferred lots shall be due by the City of Madison.
4. That prior to connection of the proposed sewers serving said lands to the public sewerage system, the City of Madison shall have paid to the district the sum of $98,189.72 for payment of $6,280.17 in Nine Springs Valley Interceptor/Esser Pond extension conveyance facility connection charges; $71,918.44 in Lower Badger Mill Creek Interceptor conveyance facility connection charges; and $19,991.11 in treatment plant connection charges; said lands being the aforementioned NSVIEP lots and LBMC lots.

5. That payment of the aforementioned conveyance facility and treatment plant connection charges shall be made to the district within six months of the date of approval. If payment in full is not received by the district within six months of approval, the approval shall become void and new plans shall be submitted.

6. That conveyance facility and treatment plant connection charges are adjusted from time to time, and said connection charges will be due based on the rate in place at the time at which the payment is made.

7. That upon full payment of the conveyance facility connection charges and treatment plant connection charges aforementioned in condition #4, the district shall endorse the City of Madison in recording a document which releases any restrictions on lot 80 of the Eagle Trace plat which were imposed by document #5489034.

8. That if said connection charges for the lands to be served remain unpaid after construction of said sewer extensions, a late fee of 0.5 percent of the amount due shall be charged to the City of Madison for each month or partial month thereafter following connection. A one-time $500 administrative fee shall also be charged.

9. 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 district with as-built plans in the case of any significant deviations from the original design.

10. That the construction, operation, maintenance and use of said sewer extensions shall be in accordance with the lawful rules and regulations of the district and with the applicable State of Wisconsin plumbing and sewerage codes.

11. 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 above resolution was adopted by the Commissioners of the Madison Metropolitan Sewerage District at their meeting held at the district on Aug. 15, 2019.

MADISON METROPOLITAN SEWERAGE DISTRICT

Attested by:

Thomas Hovel, President

Mary Swanson, Secretary
2019 UPTOWN IMPROVEMENTS
2019-08-15-R4

WHEREAS, plans for sanitary sewer extensions were submitted to the Madison Metropolitan Sewerage District ("the district") for 2019 Uptown Improvements, in the City of Fitchburg, on July 31, 2019, by Daniel Perry of Vierbicher Associates, on behalf of the City of Fitchburg, and

WHEREAS, the project consists of installing 2,543 feet of 8-inch and 10-inch diameter sanitary sewers on Central Park Place, East Cheryl Parkway and Greenmarket Place, and can provide service to outlots 10-11 of the plat of Nine Springs, outlot 33 of the plat of Fourth Addition to Nine Springs, outlots 1-2 of Certified Survey Map (CSM) 15145, outlots 1-2 of CSM 15162, outlots 1-2 of CSM 15163 and outlots 1-2 of CSM 15164, and

WHEREAS, on June 5, 2019 a declaration of conditions, covenants and restrictions was recorded with the Dane County Register of Deeds as document #5493468 which provides that; (1) district connection charges on outlots 1-2 of CSM 15145 have not been paid, and (2) that the properties are not being developed or connected to the public sewerage system, and (3) that said properties may not be developed or connected to the public sewerage system until district connection charges have been paid, and

WHEREAS, outlots 10-11 of the plat of Nine Springs, outlot 33 of the plat of Fourth Addition to Nine Springs, outlots 1-2 of CSM 15162, outlots 1-2 of CSM 15163 and outlots 1-2 of CSM 15164 are adjacent to proposed sewers, have not paid conveyance facility and treatment plant connection charges, and are hereinafter referred to as the deferred outlots, and

WHEREAS, the proposed sanitary sewer extension will connect to City of Fitchburg's sanitary sewerage facilities and is within the district's Nine Springs Valley Interceptor basin, and

WHEREAS, a variance is being requested from DNR Chapter NR 110.13(3)(a) by the applicant for some of the proposed sewers where manholes will not be placed at the end of each sewer line. The applicant notes that the locations without manholes will be future street extensions, and will be capped or plugged and no service will be provided until a manhole is installed under an department approved project, and

WHEREAS, plan review fees are due, and

WHEREAS, the district has received a sewer extension review letter #6-19-41 from CARPC dated Aug. 8, 2019, stating 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 “Dane County Land Use and Transportation Plan”, and that the extension is being installed
as 'construction only' and shall not serve any new property at this time. Any new service connections to this extension will require additional review to determine its consistency with the urban service area provisions of the "Dane County Water Quality Plan” and “Land Use and Transportation Plan” and the conditions of resolution RPC #882, which added this area to the Central Urban Service Area, and

WHEREAS, the chief engineer and director of the district has recommended the approval of said plans,

THEREFORE, BE IT RESOLVED, that the plans for sanitary sewer extensions for 2019 Uptown Improvements, in the City of Fitchburg, submitted on July 31, 2019, by Daniel Perry of Vierbicher Associates, be approved subject to the following conditions:

1. That the City of Fitchburg shall pay the plan review fee of $1,475 to the district within 30 days of receiving an invoice for the fee.

2. That the deferred outlots may not be connected to the public sewerage system at this time. Prior to installation of the proposed sewers, the City of Fitchburg shall record a document with the Dane County Register of Deeds, indicating that district connection charges for the deferred lots have not been paid. Said deferred outlots are not to be connected to the public sewerage system until appropriate conveyance facility connection charges and treatment plant connection charges have been paid. If said document is not recorded within six months of approval of this resolution, conveyance facility and treatment plant connection charges on the deferred outlots shall be due by the City of Fitchburg.

3. That outlots 1-2 of CSM 15145 may not be connected to the public sewerage system until appropriate conveyance facility connection charges and treatment plant connection charges have been paid.

4. 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 district with as-built plans in the case of any significant deviations from the original design.

5. That the construction, operation, maintenance and use of said sewer extensions shall be in accordance with the lawful rules and regulations of the district and with the applicable State of Wisconsin plumbing and sewerage codes.
6. 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 Department of Natural Resources approval.

The above resolution was adopted by the Commissioners of the Madison Metropolitan Sewerage District at their meeting held at the district on Aug. 15, 2019.

MADISON METROPOLITAN SEWERAGE DISTRICT

Attested by:

Thomas Hovel, President
Mary Swanson, Secretary