

Meeting of the Commissioners of the Madison Metropolitan Sewerage District

Thursday, January 30, 2020 at 8:00 a.m.

District Maintenance Facility Training Room, 1610 Moorland Road, Madison, WI 53713

Present: Commissioner Tom Hovel
Commissioner Sara Eskrich via GoToMeeting
Commissioner Grant Foster arrived at 8:03 a.m.
Commissioner Ezra Meyer
Commissioner Brad Murphy
Commissioner Mary Swanson
Commissioner Tom Wilson

Excused Absence: Commissioner Ken Clark

Commission Meeting

1. Opening

- A. Call to Order 8:00 a.m.
- B. Welcome Guests: Greg Fries, City of Madison
- C. Announcements: None.

2. Appearances by the Public: None.

3. Consent Calendar

- A. Approval Meeting Minutes from 1-16-2020
- B. Review and Approval of Sewer Extension Plans
New Construction Projects
 - Northeast Addition to Grandview Commons Phase 3, City of Madison (2020-01-30-R1)
 - First Addition to 1000 Oaks Phase 8, City of Madison (2020-01-30-R2)

Discussion: Approval of meeting minutes from 1-16-2020 and sewer extension plans were reviewed and placed on file.

Action: Commissioner Wilson moved, seconded by Commissioner Meyer to approve items A & B of the consent calendar.

Motion carried.

*Commissioner Foster arrives at 8:03 a.m.

4. **Approval of Amendment to the 2020 Adopted Operating Budget increasing the Total Authorized Expenditures to Address Additional Biosolids Disposal Costs**

Presenter: Eric Dundee Director of Operations and Maintenance

Description: Requested adoption of resolution # 2020-01-30-R3 increasing the total authorized expenditures for the 2020 Operating Budget for dewatered biosolids.

Discussion: Mr. Dundee presented information on the financial impact, background and analysis and options associated with disposing of the District's biosolids that were not able to be land applied. He also gave background information that the 2020 budget does not contain specific funds allocated for this purpose.

Action: Commissioner Meyer moved for approval, seconded by Commissioner Foster to approve resolution #2020-01-30-R3 via a roll call vote.

Roll call vote:

Commissioner Eskrich-aye.

Commissioner Foster-aye.

Commissioner Hovel-aye.

Commissioner Meyer-aye.

Commissioner Murphy-aye.

Commissioner Swanson-aye.

Commissioner Wilson-aye.

Motion carried 7-0.

5. **Review of Bids and Award of Contract for Biosolids Dewatering**

Presenter: Eric Dundee Director of Operations and Maintenance

Description: Mr. Dundee requested approval of resolution #2020-01-30-R4 which awards BOS Solutions, Inc. the biosolids dewatering project.

Discussion: Mr. Dundee presented information on the project which included information on the financial impact, background, analysis and options and next steps.

Action: Commissioner Wilson moved, seconded by Commissioner Meyer to approve resolution #2020-01-30-R4.

Motion carried.

6. **Approval of Transaction Authority for Landfill Costs for Dewatered Biosolids**

Presenter: Eric Dundee Director of Operations and Maintenance

Description: Mr. Dundee requested approval of resolution #2020-01-30-R5 which approves the transaction authority for landfill costs for dewatered biosolids.

Discussion: Mr. Dundee presented information on the project which included information on the financial impact, background, analysis and options and next steps.

Action: Commissioner Eskrich moved, seconded by Commissioner Wilson to approve resolution #2020-01-30-R5.

Motion carried.

7. **Demonstration of Connections Charges Paid Area Viewer**

Presenter: William Walker Director of Planning and Strategy, Curt Sauser Engineering Technician and Mitchell Johnson GIS Analyst

Description: Informational presentation.

Discussion: The team gave an informational presentation demonstrating the paid areas viewer, it's functionality and how to access the new viewer on the MMSD website.

Action: No action necessary.

8. Chief Engineer and Director's Report

- A.** CED Update: Mr. Mucha reminded the Commission of an upcoming customer community meeting on February 5, 2020 at the District. He reported that Mayor Rhodes-Conway has selected a commissioner appointee but it has not been formally announced at this time. Mr. Mucha provided an update on the first-floor remodel of the Operations Building, and he reminded the Commissioners that there will be refresher training on Policy Governance at future meetings. Lastly, he presented the logo for the 90th Anniversary of the District and informed the Commission that a variety of items will be happening in celebration of the 90-year anniversary.
- B.** Regulatory Report: Mr. Kent Legal Counsel gave a brief update on legal and regulatory happenings.
- C.** Future Meeting Schedule: None.

9. Convene in closed session in accordance with Wis. Stat. s. 19.85(1)(g) for the purpose of conferring with legal counsel for oral or written advice concerning strategy to be adopted by the Commission with respect to litigation in which it is or is likely to become involved associated with its WPDES permit.

*Items 9, 10 and 11 were deferred until a future commission meeting.

10. Reconvene in Open Session

Action: None.

11. Discussion or Actions, if any, Relative to Items Discussed in Closed Session

Action: None.

12. Future Agenda Topics

Action: None.

13. Other Business allowed by Law

Action: None.

14. Adjournment at

Action: Commissioner Wilson moved, second by Commissioner Meyer.

Adjourned 9:25 a.m.

Regular Meeting of the Commissioners
January 30, 2020

Mary Swanson, Secretary

Future Meetings:

Thursday, February 13, 2020

Thursday, February 27, 2020

Thursday, March 12, 2020



**NORTHEAST ADDITION TO GRANDVIEW COMMONS PHASE 3
2020-01-30-R1**

WHEREAS, plans for sanitary sewer extensions were submitted to the Madison Metropolitan Sewerage District (the “District”) for Northeast Addition to Grandview Commons Phase 3, in the City of Madison, on January 17, 2020, by Mark Moder, City Engineering Division, and

WHEREAS, the project consists of installing 676 feet of 8-inch diameter sanitary sewer on Misty Bridge Road and Galileo Drive, and

WHEREAS, the lands which will be developed and are included in the City’s development agreement for the current phase are lots 1050-1062, 1076-1096, and 1150-1157 of the plat of Northeast Addition to Grandview Commons; and outlot 4 of the plat of Eastlawn and are hereinafter referred to as the “Phase 3 lots”, and

WHEREAS, lots 1074-1075, 1097-1099, 1115 and 1149 of the plat of Northeast Addition to Grandview Commons are adjacent to proposed sewers but are not included within the City’s development agreement for the current phase. Said lots are not being developed and are not connecting to the public sewer system at this time, and are hereinafter referred to as the “deferred lots”, and

WHEREAS, the District approved sewer extension plans for Northeast Addition to Grandview Commons Phase 2 on April 11, 2019 as plan number #2019-040. The Phase 2 project installed sewers to serve some of the lots being developed by the current Phase 3 project. The City of Madison recorded document #5501877 on July 5, 2019 which restricted development on certain lots until District connection charges were paid, and

WHEREAS, the proposed sanitary sewer extension will connect to City of Madison’s sanitary sewerage facilities, and is within the District’s Far East Interceptor/Door Creek extension basin, and

WHEREAS, plan review fees are due, and

WHEREAS, conveyance facility and treatment plant connection charges for the Phase 3 lots have not been paid, and

WHEREAS, the District has received a sewer extension review letter #6-20-1 from the Capital Area Regional Planning Commission (CARPC) dated April 3, 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 Resolution DCRPC #839, 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 Northeast Addition to Grandview Commons Phase 3, in the City of Madison, submitted on January 17, 2020, by Mark Moder, City Engineering Division, be approved subject to the following conditions:

1. That the City of Madison shall pay the plan review fee of \$1,550 to the District within 30 days of receiving an invoice for the fee.
 2. That the deferred lots 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.
 3. 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 \$37,992.90 for payment of \$24,503.14 in Far East Interceptor/Door Creek extension conveyance facility connection charges and \$13,489.76 in treatment plant connection charges; said lands being the aforementioned Phase 3 lots.
 4. That payment of the aforementioned 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.
 5. 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.
 6. That upon full payment of the conveyance facility connection charges and treatment plant connection charges detailed in condition #3, the District shall endorse the City of Madison in recording a document which releases any restrictions on the Phase 3 lots imposed by document #5501877.
 7. 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
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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.

8. 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.
9. 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.
10. 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 January 30, 2020.

MADISON METROPOLITAN SEWERAGE DISTRICT

Attested by:



Thomas Hovel, President



Mary Swanson, Secretary





**FIRST ADDITION TO 1000 OAKS PHASE 8
2020-01-30-R2**

WHEREAS, plans for sanitary sewer extensions were submitted to the Madison Metropolitan Sewerage District (the "District") for First Addition to 1000 Oaks Phase 8, in the City of Madison, on January 17, 2020, by Mark Moder, City Engineering Division, and

WHEREAS, the project consists of installing 2,963 feet of 8-inch diameter sanitary sewer on Tawny Acorn Drive, Upper Tawny Acorn Drive, Cherry Bark Road, Winter Basil Drive, Summer Willow Way, Quaking Aspen Road and within a sanitary sewer easement, and

WHEREAS, the lands which can be served are lots 167, 187-190, 205, 237-248 and outlots 8-9 of the plat of First Addition to 1000 Oaks, and Lots 328-349 and 363-376 of the unrecorded plat of 1000 Oaks Replat No. 3, and are hereinafter referred to as the Phase 8 lots, and

WHEREAS, outlot 8 of the plat of First Addition to 1000 Oaks has been dedicated to the public for park purposes and is recognized by the Capital Area Regional Planning Commission (CARPC) as being within an environmental corridor, and will not receive sanitary sewer service, and

WHEREAS, the proposed sanitary sewer extension will connect to City of Madison's sanitary sewerage facilities and is within the district's Lower Badger Mill Creek Interceptor basin, and

WHEREAS, lot 221 of the plat of First Addition to 1000 Oaks was included in the District's approval for First Addition to 1000 Oaks Phase 7, on March 14, 2019, as file number 2019-011, and appropriate conveyance facility and treatment plant connection charges have been paid for this lot. Said lot 221 is now being replatted and included in the current phase of development, and the conveyance facility and treatment plant connection charges which were previously paid are to be credited toward the current amount due, and

WHEREAS, except for the aforementioned lot 221 of the plat of First Addition to 1000 Oaks, conveyance facility and treatment plant connection charges for the Phase 8 lots have not been paid, and

WHEREAS, plan review fees are due, and

WHEREAS, the District has received a sewer extension review letter #6-20-2 from CARPC dated January 24, 2020 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 the conditions of DCRPC resolution #1026, 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 First Addition to 1000 Oaks Phase 8, in the City of Madison, submitted on January 17, 2020, by Mark Moder, City Engineering Division, be approved subject to the following conditions:

1. That the City of Madison shall pay the plan review fee of \$1,550 to the District within 30 days of receiving an invoice for the fee.
 2. That outlot 8 of the plat of First Addition to 1000 Oaks is exempted from conveyance facility and treatment plant connection charges.
 3. 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 \$127,809.63 for payment of \$97,398.69 in Lower Badger Mill Creek conveyance facility connection charges and \$30,410.94 in treatment plant connection charges for the lands to be served; said lands being the aforementioned Phase 8 lots.
 4. That if lot areas shown on the final, recorded plat of 1000 Oaks Replat No. 3 differ from the unrecorded plat submitted to the district for approval, additional conveyance facility and treatment plant connection charges may be due from the City of Madison.
 5. That payment of the aforementioned connection charges for the lands to be served shall be made to the District no later than six months from the date of approval of this resolution. 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 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.
 8. 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.
 9. 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.
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10. 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 January 30, 2020.

MADISON METROPOLITAN SEWERAGE DISTRICT

Attested by:



Thomas Hovel, President



Mary Swanson, Secretary



***Amendment to the 2020 Adopted Operating Budget increasing the Total Authorized Expenditures to Address Additional Biosolids Disposal Costs
2020-01-30-R3***

WHEREAS, The Madison Metropolitan Sewerage District (the "District") has determined the need to dispose a minimum of five million gallons of Metrogro biosolids before spring hauling season, and

WHEREAS, The Madison Metropolitan Sewerage District has a 2020 approved operating budget, and

WHEREAS, the Chief Engineer and Director has determined that the 2020 adopted total operating budget expenditure authority will likely be exceeded to cover expenses for the emergency processing and disposal of biosolids, and

WHEREAS, the Commission policy on "Operating Budget Development and Approval" requires Commission approval to exceed the adopted operating budget expenditure authority, and

WHEREAS, the expected extraordinary expenses are expected to amount to up to \$775,000 for dewatering, hauling and landfill tipping fees for the extra biosolids disposal costs, and

WHEREAS, the operating fund balance is projected to be sufficient to fund this expenditure increase while meeting minimum reserve requirements, 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 approved 2020 operating budget expenditure total be increased by \$775,000 to \$44,218,000 as shown in Attachment 1 to cover extraordinary costs for winter biosolids disposal.
2. Staff is directed to provide notice of the budget amendment as required by Wisconsin Statute §65.90(5)(a).

The above resolution was adopted by the Commissioners of the Madison Metropolitan Sewerage District at their meeting held at the District on January 30, 2020.

MADISON METROPOLITAN SEWERAGE DISTRICT

Attested by:

Thomas Hovel, President

Mary Swanson, Secretary



**Award of Contract for Biosolids Dewatering
2020-01-30-R4**

WHEREAS, The Madison Metropolitan Sewerage District (the "District") has determined the need to dispose a minimum of five million gallons of Metrogro biosolids, and

WHEREAS, biosolids must be dewatered to a minimum of 20 percent total solids for landfill disposal, and

WHEREAS, the District advertised on December 13, 2019 a request for proposals to dewater five million gallons of biosolids with a unit price bid option to dewater an additional volume of biosolids, and

WHEREAS, the scope of the project includes the dewatering of a minimum of five million gallons of Metrogro class B biosolids and temporary storage of dewatered material, and

WHEREAS, the District publicly opened and read aloud six competitive bids on January 8, 2020, and

WHEREAS, the lowest responsive bid by BOS Solutions, Inc. contains all documentation required by law and District policy, and

WHEREAS, the District has requested the option to dewater two million gallons of biosolids in addition to the base proposal of five million gallons at a reduced unit price, and

WHEREAS, payments will be made based on the unit costs provided by the lowest responsible bidder, and

WHEREAS, funds needed to complete this work will come from the operating budget.

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 awards a contract for biosolids dewatering work to BOS Solutions, Inc. with a maximum contract amount of \$370,000.

The above resolution was adopted by the commissioners of the Madison Metropolitan Sewerage District at their meeting held at the District on January 30, 2020.

MADISON METROPOLITAN SEWERAGE DISTRICT

Attested by:



Thomas Hovel, President



Mary Swanson, Secretary



**Approval of Transaction Authority for Landfill Costs for Dewatered Biosolids
2020-01-30-R5**

WHEREAS, The Madison Metropolitan Sewerage District (the "District") has determined the need to dispose a minimum of five million gallons of Metrogro biosolids, and

WHEREAS, the District desires to enter into an agreement with the Dane County to dispose of biosolids at the Dane County Landfill, and

WHEREAS, funds needed to complete this work will come from the operating budget, and

WHEREAS, Commission policy requires Commission approval of transactions over \$50,000.

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 approves transaction authority to pay Dane County up to \$325,000 for biosolids disposal at the Dane County Landfill and directs the Chief Engineer and Director to negotiate an operations agreement with Dane County for that purpose.

The above resolution was adopted by the Commissioners of the Madison Metropolitan Sewerage District at their meeting held at the District on January 30, 2020.

MADISON METROPOLITAN SEWERAGE DISTRICT

Attested by:



Thomas Hovel, President



Mary Swanson, Secretary

