

Meeting of the Commissioners of the Madison Metropolitan Sewerage District

Thursday, April 30, 2020 at 8:00 a.m.
The District via GoToMeeting software

Present: Commissioner Tom Hovel
Commissioner Ken Clark
Commissioner Sara Eskrich
Commissioner Grant Foster arrived at 8:15 am
Commissioner Ezra Meyer
Commissioner Brad Murphy
Commissioner Mary Swanson excused absence
Commissioner Tom Wilson
Commissioner Beth Bookland

Commission Meeting

1. Opening

- A. Call to Order 8:01 a.m.
- B. Welcome Guests: Steve Weber, Stantec Consulting; Greg Fries, City of Madison; Renee Willette, Stantec Consulting
- C. Virtual Meeting Guidance
- D. Announcements

2. Appearances by the Public

3. Consent Calendar

- A. Approval of Meeting Minutes from 4-16-2020
- B. Expedited Boundary Annexation 2020-04 DeForest Area School District (Village of Windsor) Resolution (2020-04-30-R1)
- C. Review and Approval of Sewer Extension Plans
 - DeForest Area School District Intermediate School– Resolution (2020-04-30-R2)
 - Vang Homesites– Resolution (2020-04-30-R3)
 - Orchard Street Sanitary Sewer Repair– Resolution (2020-04-30-R4)
 - Vilas Ave and Campbell St Reconstruction– Resolution (2020-04-30-R5)
- D. Approval of Petitioned Boundary Annexation 2020-02 Pioneer Pointe (Towne of Middleton) Resolution (2020-04-30-R6)

Discussion: The 04-16-2020 minutes, expedited boundary annexation 2020-04 DeForest Area School District (2020-04-30-R1), sewer extension plans (2020-04-30-R2 to 2020-04-30-R5) and approval of expedited boundary annexation 2020-02 Pioneer Pointe (Town of Middleton) (2020-04-30-R6) were reviewed and placed on file.

Action: Commissioner Wilson moved, seconded by Commissioner Clark to approve the consent calendar items A-D.

Roll Call Vote:

Commissioner Bookland-aye
Commissioner Clark-aye
Commissioner Eskrich-aye
Commissioner Hovel-aye
Commissioner Meyer-aye
Commissioner Murphy-aye
Commissioner Wilson-aye

Motion carried.

4. Update on District COVID Response and Approve Resolution to Extend District 2020 Paid Administrative Leave and Undesirable Work Compensation

Presenter: Jenni Peters, Human Resources Manager

Description: Ms. Peters requested approval of resolution 2020-04-30-R7 which would extend the District 2020 paid administrative leave and undesirable work compensation.

Discussion: Ms. Peters provided an update to the Commission on employees performing essential work during the pandemic and requested that the Commission approve resolution 2020-04-30-R7 which would extend the District 2020 paid administrative leave and undesirable work compensation.

Action: Motion by Commissioner Meyer, second by Commissioner Eskrich to approve the resolution.

Roll Call Vote:

Commissioner Bookland-aye
Commissioner Clark-aye
Commissioner Eskrich-aye
Commissioner Hovel-aye
Commissioner Meyer-aye
Commissioner Murphy-aye
Commissioner Wilson-aye

Motion carried.

Commissioner Foster arrives at 8:15 am.

5. Chief Engineer and Director's Report

A. CED Update: Mr. Mucha updated the Commission on a recent letter that was emailed to communities related to financial resiliency and COVID-19 costs. He then presented the District's Strategic Plan to the Commission.

Action: None.

B. Regulatory/Legal Report: Mr. Kent gave a brief update on legal and regulatory happenings.

Action: None.

C. Operations Report: Operations Manager Alan Grooms gave an update on the March plant performance and flow data.

Action: None.

D. Future Meeting Schedule

Action: None.

6. Future Agenda Topics

Action: None.

7. Other Business Allowed by Law

Action: None.

8. Adjournment

Action: Commissioner Wilson moved, seconded by Commissioner Foster to adjourn the meeting.

Motion carried.

Adjourned at 8:49 a.m.



Ezra Meyer, Vice-President

Future Meetings:

Thursday, May 14, 2020

Thursday, May 28, 2020

Thursday, June 11, 2020

**BEFORE THE COMMISSIONERS OF THE
MADISON METROPOLITAN SEWERAGE DISTRICT**

In the Matter of the Notice from the Village of Windsor, Dane County, Wisconsin for the Attachment of Certain Territories in the Village of Windsor to the Madison Metropolitan Sewerage District.

ANNEXATION NO. 2020-04

**EXPEDITED ANNEXATION
ANNEXING LANDS IN THE VILLAGE OF WINDSOR TO
MADISON METROPOLITAN SEWERAGE DISTRICT**

The Village of Windsor, Dane County, Wisconsin ("Petitioner") submitted notice dated March 30, 2020 ("Notice") to the Madison Metropolitan Sewerage District ("District" or "MMSD") requesting annexation of lands to the District ("Subject Land").

DOCUMENTATION FOR REVIEW BY COMMISSION

District staff has reviewed the request for annexation, including the following items (collectively, the "Exhibits"):

1. Notice requesting Annexation from the Village of Windsor, received in full on April 10, 2020.
2. Map of proposed annexation, municipal boundaries, and urban service areas, prepared by MMSD.
3. Letter from Mike Rupiper of CARPC to MMSD dated April 1, 2020, with determination of consistency with adopted regional plans.
4. MMSD Ordinance on Annexation Charges.
5. District Regulations: District Connection Charges – Conveyance Facility Connection Charges (CFCC) and Treatment Plant Connection Charges (TPCC).
6. Schedule of current connection charge rates.

RECOMMENDATION FROM DISTRICT STAFF

District staff recommends addition of the territory to the District based on the following:

1. The purpose of the Notice and proposed annexation is to annex the Subject Land in the Village of Windsor to the District in order to provide sewerage service to the Subject Land. *See Exhibit 1.*
2. The Subject Land is adjacent to territory presently served by the District. *See Exhibit 2.*
3. The District has sufficient design capacity to serve the land proposed for annexation.
4. The Subject Land is located in the Urban Service Area as designated by the Capital Area Regional Planning Commission ("CARPC") and annexation is consistent with adopted regional plans. Annexation of the Subject Land is also consistent with the Dane County Water Quality Plan as approved by the Wisconsin Department of Natural Resources ("DNR"). *See Exhibit 3.*
5. Annexation of the Subject Land to the District will:
 - a. Promote sewerage management policies and operations;
 - b. Promote the public health and welfare;
 - c. Effect efficiency and economy in sewerage management based upon currently accepted engineering standards regarding prevention and abatement of environmental pollution, and federal and state rules and policies in furtherance thereof; and
 - d. Be consistent with adopted plans of municipal, regional and state agencies.
6. The Commission has authority under Wis. Stat. § 200.13(3) to establish sewer service charges to cover its construction, maintenance and operating costs, and debt service charges, and also to levy a tax upon the taxable property in the District to enable it to carry out its statutory procedures; and, therefore, it is appropriate that this annexation be conditioned

upon the payment of appropriate sewer service charges and tax levies, as determined by District policy.

7. The Commission has authority under Wis. Stat. § 200.15(3) to subject this annexation to reasonable requirements as to participation by newly annexed areas in the costs of existing or proposed District facilities.

8. The proportionate cost of wastewater conveyance facilities and the wastewater treatment plant facilities that serve the area should be recovered by calculating a conveyance facility connection charge (CFCC) and a treatment plant connection charge (TPCC). These charges shall be calculated in accordance with district regulations and imposed on an area basis. See District Regulations, Exhibit 5.

9. Approval of the request should be subject to Petitioner's compliance with District policy, as applicable, and payment of applicable charges. Charges shall be calculated based on the District policies and the rate in effect at the time that a particular area of the Subject Land is to be connected to the District's system. Payment of the associated charges shall be made in full at or before the time that the land annexed is to be connected to the District's system, as set forth in District policy. See MMSD Connection Charge Rates-2020, Exhibit 6.

MMSD ANNEXATION NO. 2020-04

ANNEXING LANDS IN THE VILLAGE OF WINDSOR TO
MADISON METROPOLITAN SEWERAGE DISTRICT

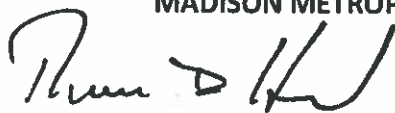
Notice Dated: APRIL 30, 2020

The Commission of the Madison Metropolitan Sewerage District, Following Consideration of Documentation and Recommendations from District Staff, Which Are Incorporated By Reference, Does Hereby Ordain as Follows:

1. The Commission has no objection to addition of the Subject Land to the territory of the District, all as set forth herein.
2. The Subject Land, as described in Exhibit 1, is hereby annexed to the District, subject to each and all of the following conditions:
 - a. The Petitioner shall participate in the cost of the existing conveyance facilities and treatment plant necessary to serve the annexed lands in accordance with District Policies, and
 - b. The Petitioner shall be and is subject to the District's Sewer Use Ordinance and shall comply therewith; and
 - c. The Petitioner shall pay such sewer service charges as may, from time to time, be made by the District; and
 - d. The Petitioner shall pay such ad valorem taxes as the District may, from time to time, assess and levy against the land annexed.


Approved by the Commission of the Madison Metropolitan Sewerage District at a duly noticed meeting held on the 30 day of April, 2020.

MADISON METROPOLITAN SEWERAGE DISTRICT COMMISSION



Thomas D. Hovel, Commission President

Attested by:



D. Michael Mucha, Chief Engineer &

Incorporated by Reference:

Director

Exhibits reviewed by District staff

**BEFORE THE COMMISSIONERS OF THE
MADISON METROPOLITAN SEWERAGE DISTRICT**

In the Matter of the Petition of the Town of
Middleton, Dane County, Wisconsin for the
Attachment of Certain Territories in the
Town of Middleton to the Madison
Metropolitan Sewerage District.

ANNEXATION PETITION NO. 2020-02

**RECORD OF PUBLIC HEARING ON ANNEXATION
AND COMMISSION FINDINGS AND DETERMINATION
HEARING DATE: APRIL 16, 2020**

The Town of Middleton, Dane County, Wisconsin ("Petitioner") submitted a petition for annexation dated February 27, 2020 ("Petition") to the Madison Metropolitan Sewerage District ("District" or "MMSD") requesting annexation of lands to the District ("Subject Land"). Notice of the public hearing was published in the *Wisconsin State Journal* on March 21, 2020 and March 28, 2020 and sent by mail to all persons required to receive notice. The public hearing was held before the Commission on April 16, 2020, at 8:00 a.m. See District Exhibits #1 and #2.

OPENING OF PUBLIC HEARING

The Commission President, Thomas Hovel, opened the public hearing as scheduled, and asked for appearances and presentations by the District and the Petitioner.

The following appearances and presentations were made:

For The District: Curtis Sauser, Engineering Technician.

Mr. Sauser presented the Commission with information summarized in the attached narrative ("Sauser Narrative") and reviewed Exhibits 1-11 (collectively, the "District Exhibits"):

1. Affidavit of Publication in the *Wisconsin State Journal*, published on March 21, 2020 and March 28, 2020.
2. Certificate of the administrative assistant of the District of the mailing of the notice, the notice itself, and list of all persons to whom the notice was sent as required by law, dated March 21, 2020.

3. Petition for Annexation from the Town of Middleton, dated February 27, 2020, requesting annexation of the unrecorded plat of Pioneer Pointe.
4. Letter from Mike Rupiper of CARPC to MMSD dated March 2, 2020.
5. Map of annexation petition, municipal boundaries, and urban service areas, prepared by MMSD.
6. MMSD Guidelines for Orderly and Efficient Addition of Territory to the District, adopted by the Commission on May 11, 2001.
7. MMSD Sewer Use Ordinance, Section 3.4.1, Annexation Charge.
8. MMSD Regulations on District Connection Charges – Conveyance Facility Connection Charges (CFCC) and Treatment Plant Connection Charges (TPCC), adopted by the Commission on July 27, 2017.
9. Unexecuted Agreement for Provision of Sanitary Sewer Service between the City of Madison and Town of Middleton.
10. Schedule of MMSD connection charges at current 2020 rates.
11. 2020 Wisconsin Statutes, Chapter 200-200.15.

For The Petitioner: Greg DiMiceli, Administrator for the Town of Middleton was present at the public hearing, acknowledged the petition for annexation and made himself available to answer questions. The Commission did not have any questions for Mr. DiMiceli.

Jeff Haen, representing JEKY LLC, a Wisconsin limited liability company which has the right to acquire the subject lands, spoke about the plans and timing for the development. There is significant cost to obtain a bond for financing of the project. Due to the current economic conditions, obtaining a bond in the near future is unlikely. A bond is necessary prior to executing the Agreement for Provision of Sanitary Sewer Service between the City of Madison and Town of Middleton. Mr. Haen plans to move forward with this project when economic conditions are more favorable, but currently is unsure of timing. The Commission did not have any questions for Mr. Haen.

Rachel Holloway, AICP with Vierbicher Associates, assisted the Town of Middleton in preparation of the petition and made herself available to answer questions. Mr. Hovel asked Ms. Holloway if the petitioner was aware that the Commission prefers not to create gaps when annexing lands to the District. Ms. Holloway responded that she was not aware of the preference. The Commission did not have any further questions for Ms. Holloway.

For The City of Madison: Mark Moder, Principal Engineer 1 with the City of Madison Engineering Division, spoke on behalf of the City and endorsed the annexation, subject to the execution of the Agreement for Provision of Sanitary Sewer Service between the City of Madison and Town of Middleton. The Commission did not have any questions for Mr. Moder.

PUBLIC HEARING CLOSED

Mr. Hovel closed the public hearing and presided over the Commission's deliberation of the Petitioner's request for annexation.

CONSIDERATION OF PETITION BY COMMISSION

There was a full opportunity for the Commission to consider the Petition and the District Exhibits, and make due inquiry of the Petitioner's representatives, District staff and public.

In addition to deliberation, the Commission made certain findings and reached certain conclusions of law, all as set forth below.

FINDINGS

The Commission made the following findings:

1. The purpose of the Petition and proposed annexation is to annex the Subject Land in the Town of Middleton to the District in order to provide sewerage service to the Subject Land.
2. The Subject Land is not adjacent to territory presently served by the District.
3. The City of Madison has agreed in principle to provide sanitary sewer service to the area in question in agreement with the Town of Middleton.
4. A document titled Agreement for Provision of Sanitary Sewer Service Between the City of Madison and Town of Middleton (Agreement) has been drafted but has not yet been executed.

5. District staff has confirmed that the District has sufficient design capacity to serve the land proposed for annexation.

6. The Subject Land is in the Urban Service Area as designated by the Capital Area Regional Planning Commission ("CARPC") and the Wisconsin Department of Natural Resources ("DNR).

7. Notice of the public hearing was properly published as a Class 2 notice as required by law.

DETERMINATIONS OF COMMISSION

The Commission made the following determinations:

1. The Commission has jurisdiction over this Petition.

2. The requirements set forth in Wis. Stat. §§ 200.15(2), 200.05(4)(b) and (c), and 200.15(3) for annexation to the District have been met.

3. Annexation of the Subject Land to the District will:

- a. Promote sewerage management policies and operations;
- b. Promote the public health and welfare;
- c. Effect efficiency and economy in sewerage management based upon currently accepted engineering standards regarding prevention and abatement of environmental pollution, and federal and state rules and policies in furtherance thereof; and
- d. Be consistent with adopted plans of municipal, regional and state agencies.

4. The Commission has authority under Wis. Stat. § 200.13(3) to establish sewer service charges to cover its construction, maintenance and operating costs, and debt service charges, and also to levy a tax upon the taxable property in the District to enable it to carry out its statutory procedures; and, therefore, it is appropriate that this annexation be conditioned upon the payment of appropriate sewer service charges and tax levies, as determined by District regulations.

5. The Commission has authority under Wis. Stat. § 200.15(3) to subject this annexation to reasonable requirements as to participation by newly annexed areas in the costs of existing or proposed District facilities. District policy states that users in annexed areas

contribute to the costs of the treatment plant and existing interceptors at the time their lands are actually served. Those costs should include the original construction costs and the costs of providing sufficient capacity to permit future users to attach to the system.

6. The original costs and the cost of providing necessary conveyance facilities should be recovered by calculating a conveyance facility connection charge ("CFCC"). The conveyance facility connection charge shall mean a connection charge associated with the conveyance facilities that convey wastewater from a basin to the District wastewater treatment plant, dividing that cost by the potential service area to obtain a rate per one thousand (1,000) square feet of area served, and adjusting that rate annually in accordance with the Sewer Construction Cost Index of the Engineering News Record or another appropriate index, all as set forth in District regulations.

7. The original costs and the cost of providing a treatment plant facility capacity should be recovered by calculating a treatment plant connection charge ("TPCC"). The treatment plant connection charge will be computed and imposed on an area basis, reflecting an allocation of the treatment plant value, all as set forth in the District regulations.

8. Approval of the Petition shall be subject to Petitioner's compliance with District policies and regulations, as applicable, and payment of applicable charges. Charges shall be calculated based on the District regulations and the rate in effect in the year that a particular area of the Subject Land is to be attached to the District's system. Payment of the associated charges shall be made in full at or before the time that the land annexed is to be attached to the District's system, as set forth in District regulations.

**BEFORE THE COMMISSIONERS OF THE
MADISON METROPOLITAN SEWERAGE DISTRICT**

In the Matter of the Petition of the Town of
Middleton, Dane County, Wisconsin for the
Attachment of Certain Territories in the
Town of Middleton to the Madison
Metropolitan Sewerage District.

ANNEXATION PETITION NO. 2020-02

**ANNEXATION ORDER NO. 2020-02
ANNEXING LANDS IN TOWN OF MIDDLETON TO
MADISON METROPOLITAN SEWERAGE DISTRICT**

The Commission Of The Madison Metropolitan Sewerage District, Following a Public Hearing, Consideration of Information Presented to the Commission and Making Findings And Determinations as Set Forth in the Record, Which Record Is Incorporated Herein By Reference, Does Hereby Order As Follows:

1. Annexation Petition No. 2020-02 is hereby conditionally approved, all as set forth herein.
2. The Subject Land, as described in District Exhibit #3, is hereby annexed to the District, subject to each and all of the following conditions:
 - a. The Agreement for Provision of Sanitary Sewer Service Between the City of Madison and Town of Middleton (Agreement) has been fully executed. Annexation shall not take effect until the Agreement is executed, the Petitioner has sent a copy of the executed Agreement to the District and the District has acknowledged receipt to the Petitioner.
 - b. The District shall not authorize provision of sanitary sewer service until the Agreement has been executed.
 - c. If the Agreement has not been executed within five (5) years from the date of the public hearing (i.e. April 16, 2025), this Order approving annexation expires.
 - d. The Petitioner shall participate in the cost of the existing conveyance facilities and treatment plant necessary to serve the annexed lands in accordance with District Regulations (see District Exhibit #7); and
 - e. The Petitioner shall be and is subject to the District's Sewer Use Ordinance and shall comply therewith; and

- f. The Petitioner shall pay such sewer service charges as may, from time to time, be made by the District; and
- g. The Petitioner shall pay such ad valorem taxes as the District may, from time to time, assess and levy against the land annexed.

Adopted at a duly noticed meeting of the Commission of the Madison Metropolitan Sewerage District held on the 30th day of April, 2020.

MADISON METROPOLITAN SEWERAGE DISTRICT COMMISSION



Thomas Hovel, Commission President

Attested by:



Mary Swanson, Commission Secretary

Incorporated by Reference:

Narrative of Presentation by Curtis Sauser
District Exhibits presented by Curtis Sauser



**EXPEDITED BOUNDARY ANNEXATION
2020-04 DEFOREST AREA SCHOOL DISTRICT
2020-04-30-R1**

WHEREAS, an annexation request letter dated March 30, 2020, and referred to as DeForest Area School District was submitted to the Madison Metropolitan Sewerage District (District), by Jamie Rybarczyk of the Village of Windsor (Village). The supporting documentation to define the details of the request was submitted on April 10, 2020, and

WHEREAS, the Village is requesting that approximately 60.25 acres of land be added to the boundaries of the District. The area being requested for annexation is generally located at the northwest quadrant of the intersection of US Highway 51 and Windsor Road, and platted with Certified Survey Map #15330, and

WHEREAS, the lands proposed for annexation to the District were annexed to the village on November 17, 2015 as part of the Village of Windsor incorporation process, and

WHEREAS, the subject annexation request is consistent with section §200.15(1)(a)(3) of the Wisconsin statutes, and

WHEREAS, the proposed annexation parcel is adjacent to territory presently served by the District, and

WHEREAS, the District has sufficient design capacity to serve the lands proposed for annexation, and

WHEREAS, the proposed District annexation was recommended to be added to the Northern Urban Service Area by Capital Area Regional Planning Commission Water Quality Management letter #2001 on March 12, 2020. The Wisconsin Department of Natural Resources subsequently approved the amendment to the Dane County Water Quality Management Plan in their letter dated March 27, 2020, and

WHEREAS, the subject annexation will promote sewerage management policies and operations; will promote public health and welfare; will effect efficiency and economy in sewerage management based upon currently accepted engineering standards regarding prevention and abatement of environmental pollution, and federal and state rules and policies in furtherance thereof; and will be consistent with adopted plans of municipal, regional and state agencies, and

WHEREAS, the Chief Engineer and Director of the District has recommended the approval of said annexation request.

NOW, THEREFORE, and following consideration of the above recitals which are incorporated by reference, it is hereby resolved by the Madison Metropolitan Sewerage District Commission as follows:

1. The request for annexation for DeForest Area School District, made by Jamie Rybarczyk of the Village of Windsor, received in full and acknowledged on April 10, 2020, is approved.
2. The Commission President and District Chief Engineer and Director shall execute the order for the District Annexation #2020-04.
3. The Village of Windsor shall pay the expedited annexation fee of \$1,425 to the District within 30 days of receiving an invoice for the fee.

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

MADISON METROPOLITAN SEWERAGE DISTRICT

Attested by:



Thomas Hovel, President



Mary Swanson, Secretary



**DEFOREST AREA SCHOOL DISTRICT - INTERMEDIATE SCHOOL
2020-04-30-R2**

WHEREAS, plans for sanitary sewer extensions were submitted to the Madison Metropolitan Sewerage District (District) for DeForest Area School District - Intermediate School, in the Village of Windsor (village), on March 30, 2020, by Ryan Birschbach of Kapur, Inc., and

WHEREAS, the project consists of installing 162 feet of 8-inch diameter sanitary sewer on Wolf Hollow Road. The proposed project will modify a manhole at the intersection of Windsor Road and Wolf Hollow Road, and direct Windsor Road sanitary flow to the proposed Wolf Hollow Road sewer. The proposed sewers will provide service to Lots 2 and 3 of Certified Survey Map (CSM) number 15330, and

WHEREAS, Windsor Elementary School is situated upon adjacent Lot 1 of CSM 15330, which has recently been the subject of a major addition and remodel. The elementary school project increased student enrollment capacity, provided a new, larger gym and cafeteria and added restrooms, and

WHEREAS, environmental corridors in the Village of Windsor have been modified to include parts of Lots 1, 2 and 4 of CSM 15330, and were delineated by an environmental corridor exhibit prepared by Kapur, Inc. The areas identified as environmental corridor are recognized by the Capital Area Regional Planning Commission (CARPC), will not receive sanitary sewer service, and are hereinafter referred to as the "exempt areas", and

WHEREAS, Lot 3 and Lot 4 of CSM 15330 have not paid conveyance facility and treatment plant connection charges, are not being developed at this time and are not being connected to the public sanitary sewer system, and are hereinafter referred to as the "deferred lots", and

WHEREAS, the proposed sanitary sewers serving Lots 2 and 3 of CSM 15330 will connect to Village of Windsor's sanitary sewerage facilities and is within the District's Northeast Interceptor/Highway 19 extension basin, and

WHEREAS, sanitary sewers which serve Windsor Elementary School on Lot 1 of CSM 15330 are within the District's Northeast Interceptor/Waunakee-DeForest extension basin, and

WHEREAS, plan review fees are due, and

WHEREAS, conveyance facility connection charges were paid for the former Windsor Elementary School site in 1972, and

WHEREAS, except for the aforementioned 1972 payment, conveyance facility and treatment plant connection charges for Lots 1 and 2 of CSM 15330 have not been paid, and

WHEREAS, the District has received a sewer extension review letter #175-20-4 from the Capital Area Regional Planning Commission (CARPC) dated March 30, 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 conditions of CARPC Water Quality Management Letter #2001 and DNR Letter DC-0202, which added this area to the Northern Urban Service Area in 2020, 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 DeForest Area School District - Intermediate School, in the Village of Windsor, submitted on March 30, 2020, by Ryan Birschbach of Kapur, Inc., be approved subject to the following conditions:

1. That the Village of Windsor 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 aforementioned Deferred Lots may not be connected to the public sewerage system at this time. Prior to installation of the proposed sewers, the Village of Windsor 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 the proposed sewers are installed and 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 Village of Windsor.
 3. That the aforementioned Exempt Areas delineated by the environmental corridor exhibit prepared by Kapur Inc. are exempted from conveyance facility and treatment plant connection charges.
 4. That prior to installation of the proposed sanitary sewers, the Village of Windsor shall have paid to the District the sum of \$254,873.82 for payment of \$51,725.40 in Northeast Interceptor/Waunakee-DeForest extension conveyance facility connection charges, \$104,656.07 in Northeast Interceptor/Highway 19 extension conveyance facility connection charges, and \$98,492.35 in treatment plant connection charges for the lands to be served; said lands being Lots 1 & 2 of CSM 15330.
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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 of this resolution. If payment in full is not received by the District within six months of the date of this resolution, 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 remain unpaid after construction of said sewer extensions, a late fee of 0.5 percent of the amount due shall be charged to the Village for each month or partial month thereafter following connection. A one-time \$500 administrative fee shall also be charged.
 8. That the Village 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 on April 30, 2020.

MADISON METROPOLITAN SEWERAGE DISTRICT

Attested by:



Thomas Hovel, President



Mary Swanson, Secretary



**VANG HOMESITES
2020-04-30-R3**

WHEREAS, plans for sanitary sewer extensions were submitted to the Madison Metropolitan Sewerage District (District) for Vang Homesites, in the City of Madison, on April 16, 2020, by Mark Moder, City Engineering Division, and

WHEREAS, the project consists of installing 596 feet of 8-inch sanitary sewer on Portage Road. The proposed sewers will provide service to Lots 1-11 of the unrecorded plat of Vang Homesites (plat), and

WHEREAS, Outlot 1 of the plat is being dedicated to the public for public sanitary sewer, public drainage and public access purposes, and will not receive sanitary sewer service. Outlot 2 and part of Lots 8, 9, 10 and 11 of the plat are within a 75-foot buffer for the delineated wetland, are recognized by the Capital Area Regional Planning Commission as being within an environmental corridor and will not receive sanitary sewer service. Said Outlots 1-2, and parts of Lots 8, 9, 10 and 11, and are hereinafter referred to as the “exempt areas”, and

WHEREAS, the proposed sanitary sewer extension will connect to the City of Madison’s sanitary sewerage facilities and is within the District’s Northeast Interceptor/Waunakee-DeForest extension basin, and

WHEREAS, plan review fees are due, and

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

WHEREAS, the District has received a sewer extension review letter #6-20-18 from the Capital Area Regional Planning Commission (CARPC) dated April 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

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 Vang Homesites, in the City of Madison, submitted on April 16, 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.
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2. That the aforementioned exempt areas are 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 \$14,561.01 for payment of \$8,690.99 in Northeast Interceptor/Waunakee-DeForest extension connection charges and \$5,870.02 in treatment plant connection charges for the lands to be served; said lands being Lots 1-11 of the plat, except those parts of Lots 8, 9, 10 and 11 which are delineated as being within an environmental corridor.
 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 if lot areas shown on the final, recorded plat of Vang Homesites 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.
 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 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 has commenced, 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.
 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.
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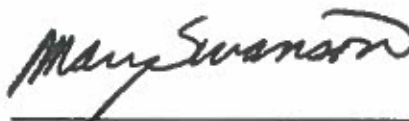
The above resolution was adopted by the Commissioners of the Madison Metropolitan Sewerage District at their meeting held on April 30, 2020.

MADISON METROPOLITAN SEWERAGE DISTRICT

Attested by:



Thomas Hovel, President



Mary Swanson, Secretary



**ORCHARD STREET SANITARY SEWER REPAIR
2020-04-30-R4**

WHEREAS, plans for sanitary sewer extensions were submitted to the Madison Metropolitan Sewerage District (District) for Orchard Street Sanitary Sewer Repair, in the City of Madison, on April 8, 2020, by Kyle Frank, City Engineering Division, and

WHEREAS, the project consists of installing 112 feet of 10-inch diameter sanitary sewer on Orchard Street. The sewers to be replaced are in failing condition and will be installed within a steel casing pipe through the railroad right-of-way, and

WHEREAS, the proposed sanitary sewer extension will connect to the City of Madison's sanitary sewerage facilities, and is within the District's West Interceptor basin, and

WHEREAS, conveyance facility connection charges for the areas to be served have been paid, and

WHEREAS, plan review fees are waived for sewer reconstruction projects, and

WHEREAS, the District has received a sewer extension review letter #6-20-17 from the Capital Area Regional Planning Commission (CARPC) dated April 9, 2020 stating that 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

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 Orchard Street Sanitary Sewer Repair, in the City of Madison, submitted on April 8, 2020, by Kyle Frank, 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 District 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 District and with the applicable State of Wisconsin plumbing and sewerage codes.
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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.

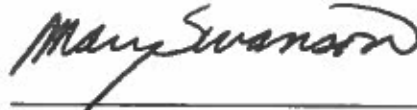
The above resolution was adopted by the Commissioners of the Madison Metropolitan Sewerage District at their meeting held on April 30, 2020.

MADISON METROPOLITAN SEWERAGE DISTRICT

Attested by:



Thomas Hovel, President



Mary Swanson, Secretary



**VILAS AVENUE AND CAMPBELL STREET ASSESSMENT DISTRICT - 2019
2020-04-30-R5**

WHEREAS, plans for sanitary sewer extensions were submitted to the Madison Metropolitan Sewerage District (District) for Vilas Avenue and Campbell Street Assessment District - 2019, in the City of Madison, on April 17, 2020, by Mark Moder, City Engineering Division, and

WHEREAS, the project consists of installing 144 feet of 8-inch diameter sanitary sewer on Campbell Street. The sewers to be replaced are in poor condition and are being replaced in conjunction with the street reconstruction project, and

WHEREAS, the proposed sanitary sewer extension will connect to the City of Madison's sanitary sewerage facilities, and is within the District's Southwest Interceptor basin, and

WHEREAS, A variance is being requested by the City of Madison from DNR Chapter NR 110.13(3)(c) which requires an outside drop be provided for a sewer entering a manhole where the invert elevation of the entering sewer is 60 centimeters (two feet) or more above the spring line of the outgoing sewer. The City of Madison proposes using inside drops in lieu of outside drops to allow for more precise field construction, improved maintenance and will increase the diameter of the manholes from four feet to five feet to facilitate these benefits, and

WHEREAS, conveyance facility connection charges for the areas to be served have been paid, and

WHEREAS, plan review fees are waived for sewer reconstruction projects, and

WHEREAS, the District has received a sewer extension review letter #6-20-19 from the Capital Area Regional Planning Commission (CARPC) dated April 20, 2020 stating that 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

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 Vilas Avenue and Campbell Street Assessment District - 2019, in the City of Madison, submitted on April 17, 2020, by Mark Moder, City Engineering Division, be approved subject to the following conditions:

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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 District 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 District 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.

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

MADISON METROPOLITAN SEWERAGE DISTRICT

Attested by:



Thomas Hovel, President



Mary Swanson, Secretary



**PETITIONED BOUNDARY ANNEXATION
2020-02 PIONEER POINTE
2020-04-30-R6**

WHEREAS, an annexation request referred to as Pioneer Pointe, was submitted to the Madison Metropolitan Sewerage District (District), by Greg DiMiceli of the Town of Middleton (Town), on February 27, 2020, and

WHEREAS, the Town has requested that approximately 127.7 acres consisting of Tumbledown Trails Golf Course and surrounding lands, comprising an unrecorded plat of Pioneer Pointe, be added to the boundaries of the Madison Metropolitan Sewerage District, and

WHEREAS, the City of Madison has agreed in principle to provide sanitary sewer service to the area in question in agreement with the Town of Middleton, and

WHEREAS, a document titled Agreement for Provision of Sanitary Sewer Service Between the City of Madison and Town of Middleton (Agreement) has been drafted but has not yet been executed, and

WHEREAS, a public hearing was held on April 16, 2020 to discuss the annexation of the subject lands, at which hearing there was a full opportunity for public comment and for the Commission to consider the petition and the District exhibits, and make-due inquiry of the petitioner's representatives, District staff and public, and

WHEREAS, the annexation of the subject lands is consistent with section §200.15(2) of the Wisconsin statutes, and

WHEREAS, the annexation is not adjacent to territory presently served by the District, and

WHEREAS, the District has sufficient design capacity to serve the subject lands, and

WHEREAS, the subject lands described in the District annexation petition are part of the Central Urban Service Area. The Capital Area Regional Planning Commission adopted Water Quality Management Letter #1903 on August 8, 2019. The Wisconsin Department of Natural Resources subsequently approved the amendment to the Dane County Water Quality Management Plan in their letter dated August 23, 2019, and

WHEREAS, the annexation of the subject lands will promote sewerage management policies and operations; will promote public health and welfare; will effect efficiency and economy in sewerage management based upon currently accepted engineering standards regarding prevention and abatement of environmental pollution, and federal and state rules and policies in furtherance thereof; and will be consistent with adopted plans of municipal, regional and state agencies, and

WHEREAS, the Chief Engineer and Director of the District has recommended the of the request for annexation of the Pioneer Pointe lands, conditional on execution of the agreement, and

WHEREAS, the annexation shall not take effect until the agreement is executed and notice has been sent to and acknowledged by the District; and sanitary sewer service will not be provided until the agreement has been executed, and

WHEREAS, the Chief Engineer and Director of the District has further recommended that the conditional approval be valid for five years and if the agreement has not been executed within five (5) years from the date of the public hearing (i.e. April 16, 2025), the order approving annexation expires.

NOW, THEREFORE, in consideration of the above recitals which are incorporated by reference, it is hereby resolved by the Madison Metropolitan Sewerage District Commission as follows:

1. That District Annexation No. 2020-02, for Pioneer Pointe, is conditionally approved subject to execution of the agreement.
2. The annexation shall not take effect and the District shall not authorize provision of sanitary sewer service until the agreement has been executed and notice has been sent to and acknowledged by the District.
3. If the agreement has not been executed by April 16, 2025, the conditional approval granted by the District shall expire.
4. The Commission President and Secretary are authorized and directed to execute the order for District annexation no. 2020-02.
5. The Town of Middleton shall pay the petitioned annexation fee of \$3,375 to the District within 30 days of receiving an invoice for the fee.

The above resolution was adopted by the Commissioners of the Madison Metropolitan Sewerage District held on April 30, 2020.

MADISON METROPOLITAN SEWERAGE DISTRICT



Thomas Hovel, President

Attested by:



Mary Swanson, Secretary



**EXTENSION OF DISTRICT 2020 PAID ADMINISTRATIVE LEAVE
AND UNDESIREABLE WORK COMPENSATION DUE TO COVID-19
2020-04-30-R7**

WHEREAS, THE COVID-19 pandemic is resulting in significant changes to District work practices, and

WHEREAS, on March 13, 2020, the District announced remote work requirements for all eligible requirements, and

WHEREAS, approximately half of District employees must report to work at the Nine Springs Wastewater Treatment Plant to perform these essential operating functions, and

WHEREAS, these employees are at greater health risk than those who can work remotely, and

WHEREAS, Governor Evers released a Safer-At-Home executive order on March 24, 2020, that further limits on-site work to minimal essential tasks and may force some employees to stay home even though they are able to work, and

WHEREAS, on March 26, 2020, the Commission approved resolution 2020-03-26-R10 which determined the following:

- 1. Employees that cannot perform their work, cannot telework and cannot be reassigned to other essential services will be paid administrative leave for their time out of work during the statewide Safer-At-Home order.**
- 2. Employees that are required to report to work during the statewide Safer-At-Home order will be paid an additional \$3 per hour for undesirable work.**
- 3. These guidelines are effective during the dates of the governor's order, March 25, 2020 to April 24, 2020, and**


WHEREAS, on April 16, 2020, Governor Evers issued Executive Order 28 to extend the Safer-At-Home order until May 26, 2020.

NOW, THEREFORE, BE IT RESOLVED, that we, the Madison Metropolitan Sewerage District Commission, hereby determines the following:

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1. Employees that cannot perform their work, cannot telework and cannot be reassigned to other essential services will be paid administrative leave for their time out of work during the statewide Safer-At-Home order.
 2. Employees that are required to report to work during the statewide Safer-At-Home order will be paid an additional \$3 per hour for undesirable work.
 3. These guidelines are effective during the dates of the governor's order, April 24, 2020 to May 26, 2020.

The above resolution was adopted by the Commissioners of the Madison Metropolitan Sewerage District held on April 30, 2020.

MADISON METROPOLITAN SEWERAGE DISTRICT



Thomas Hovel, President

Attested by:



Mary Swanson, Secretary