

Meeting of the Commissioners of the Madison Metropolitan Sewerage District

Thursday, June 25, 8:00 a.m.

Virtual GoToMeeting

Present: Commissioner Tom Hovel
Commissioner Beth Bookland
Commissioner Ken Clark
Commissioner Sara Eskrich
Commissioner Grant Foster
Commissioner Ezra Meyer
Commissioner Brad Murphy
Commissioner Mary Swanson
Commissioner Tom Wilson

Commission Meeting

1. Opening

- A. Call to Order at 8:00 a.m.
- B. Welcome Guests: Forbes McIntosh, Dane County Cities and Villages Association; Michael DuPont, Stantec; Steven Weber, Stantec; Greg Fries, City of Madison
- C. Announcements

2. Appearances by the Public

3. Consent Calendar

- A. Approval Meeting Minutes from 6-11-2020
- B. Review and Approval of Sewer Extension Plans
New Construction Projects
 - Fox Hill Estates Phase 3, Village of DeForest - Resolution (2020-06-25-R1)
- C. Award of Contract: Bulk Ferric Chloride
Discussion: The 6-11-2020 minutes, sewer extension plan (2020-06-25-R1) and approval of the contract for bulk ferric chloride (2020-06-25-R2) were reviewed and placed on file.
Action: Commissioner Wilson moved, seconded by Commissioner Meyer to approve items A-C of the consent calendar.

Motion carried.

4. Presentation of 2021-2026 Capital Improvements Plan

Presenter: Todd Gebert, Capital Planning Engineer

Description: Informational presentation.

Discussion: Mr. Gebert presented the draft 2021 Capital Improvements Plan.

Action: No formal action taken. The Commission was asked to review and email any questions and feedback to Bill Walker or Todd Gebert before the July 16, 2020, meeting.

5. Capital Finance Metrics and Anticipated 2021 Capital Budget

Presenter: William Walker, Director of Planning and Strategy

Description: Review of the proposed Capital Finance Plan for the Draft 2021 CIP. At the July 16, 2020 Commission meeting, Commissioners will be asked to provide general direction on the financing plan.

Discussion: Mr. Walker presented to the Commission and advised that this information will be used to prepare the District's proposed 2021 budget.

Action: No action at this time.

6. WPDES Permit and Next Steps

Presenter: Martye Griffin, Director of Ecosystem Services and Paul Kent, District Legal Counsel

Description: The Commission is requested to approve resolution (2020-06-25-R3) authorizing the Chief Engineer and Director to work with legal services to file a petition for a contested case hearing around the permit condition outlining the District disinfection duration requirements.

Discussion: The Commission discussed options and the following action ensued:

Action: Commissioner Wilson moved to approve the resolution (2020-06-25-R3) with amended language in the resolution that reads: "The Commission authorizes the Chief Engineer and Director to work with legal services to file a petition for a contested case hearing around the permit condition outlining the District disinfection duration requirements," seconded by Commissioner Murphy.

The Commission further requested the minutes reflect their desire to work with the Department of Natural Resources to develop a better understanding of the proposed condition and seek a resolution. Commission members stated that the District is committed to ensuring public safety but at this point the requirement seems arbitrary and not backed by data. ▲

Motion carried.

7. Convene in Closed Session

The Commission did not meet in closed session, no action necessary.

8. Chief Engineer and Director's Report

A. CED Update: Chief Engineer and Director Michael Mucha gave an update to the Commission on the following items:

- Mr. Mucha informed the Commission of a positive COVID19 case at the District
- Commission policy priorities next steps
- Upcoming discussion regarding Commission in-person meetings (virtual vs. in-house)
- Upcoming discussion about recording Commission meetings
- Upcoming discussion about closed session meeting criteria
- Facilitator A.B. Orlik to return in September for a discussion on owners/clients

Mr. Mucha ended his update with a question about whether the Commission wanted a facilitator to help them with the topic of self-monitoring their performance. The Commission expressed that a facilitator from staff would be appropriate and helpful. HR was mentioned as a potential resource.

- B.** Budget Update: Budget Manager Dana Burmaster gave an update to the Commission regarding current expenditures and revenues and the upcoming 2021 Budget.
- C.** Regulatory/Legal Review Report: Legal Counsel Paul Kent provided a brief update to the Commission.
- D.** Operations Report: Operations Manager Alan Grooms gave an update on the May plant performance and flow data.
- E.** Future Meeting Schedule

9. Future Agenda Topics

10. Other Business Allowed by Law

11. Adjournment

Action: Commissioner Wilson moved, seconded by Commissioner Clark to adjourn the meeting at 9:54 a.m.

Motion carried.

Regular Meeting of the Commissioners
June 25, 2020

Mary Swanson, Secretary

Future Meetings:

July 16, 2020

July 30, 2020

August 13, 2020



**FOX HILL ESTATES PHASE 3
2020-06-25-R1**

WHEREAS, plans for extension of the Village of DeForest’s public sanitary sewer system were submitted to the Madison Metropolitan Sewerage District (District) for Fox Hill Estates Phase 3, on June 11, 2020, by Michael Calkins of Snyder & Associates, and

WHEREAS, the project consists of installing 5,907 feet of 10-inch diameter sanitary sewers on Williamsburg Way, Pederson Crossing Boulevard and within sanitary sewer easements to serve an ultimate service area of 185 acres, and

WHEREAS, the existing and proposed sewers are capable of providing service to Lots 76-84 and Outlots 11-13 of the unrecorded plat of Fox Hill Estates Replat (replat), Outlots 6-8 of the plat of Fox Hill Estates and to Lots 1-3 and Outlot 1 of an unrecorded Certified Survey Map prepared by Snyder & Associates (Snyder CSM) and

WHEREAS, Lot 76 of the replat is adjacent to existing sewers but is not included within the Village’s development agreement for Phase 3. Said Lot 76 is not being developed and is not connecting to the public sewer system at this time, and is hereinafter referred to as the “deferred lot,” and

WHEREAS, environmental corridors in the Village of DeForest are being modified to include the full extents of Outlots 11-13 of the replat and Outlot 1 of the Snyder CSM. Environmental corridors have been previously established to include the full extents of Outlots 6-8 of the plat of Fox Hill Estates. Environmental corridors have also been delineated on parts of Lots 77-79 of the replat, and Lots 1-2 of the Snyder CSM. The areas described are recognized by the Capital Area Regional Planning Commission (CARPC) as being within an environmental corridor, will not receive sanitary sewer service, and are hereinafter collectively referred to as the “exempt outlots,” and

WHEREAS, the existing and proposed sewers will provide immediate service to Lots 77-84 of the replat and to Lots 1-3 of the Snyder CSM. Said parcels are hereinafter referred to as the “Phase 3 Lots,” and

WHEREAS, the proposed sanitary sewer extension will connect to the Village of DeForest’s sanitary sewer facilities and is within the District’s Northeast Interceptor/Highway 19 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 #175-20-3 from CARPC dated June 8, 2020 stating the CARPC staff has reviewed the proposed extension and has determined that it is consistent with the urban service area provisions of the Dane County Water Quality Plan and the conditions of Resolution CARPC 2010-17 and DNR Approval Letter DC-0142, which added this area to the Northern Urban Service Area in 2011, and

WHEREAS, the Chief Engineer and Director of the District has recommended the approval of said plans,

THEREFORE, BE IT RESOLVED, that sanitary sewer extension plans for Fox Hill Estates Phase 3, in the Village of DeForest, submitted on June 11, 2020, by Michael Calkins of Snyder & Associates, be approved subject to the following conditions:

1. That the Village of DeForest 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 exempt outlots are exempted from conveyance facility and treatment plant connection charges and shall not be served by the Village of DeForest's public sanitary sewerage system.
 3. That the aforementioned deferred lot may not be connected to the public sewerage system at this time. Prior to installation of the proposed sewers, the Village of DeForest shall record a document with the Dane County Register of Deeds, indicating that District connection charges for the deferred lot have not been paid. Said deferred lot is 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 constructed and said document is not recorded within six months of approval of this resolution, conveyance facility and treatment plant connection charges on the deferred lot shall be due by the Village of DeForest.
 4. That prior to installation of the proposed sanitary sewers, the Village of DeForest shall have paid to the District the sum of \$644,386.17 for payment of \$437,001.02 in Northeast Interceptor/Highway 19 extension conveyance facility connection charges and \$207,385.15 in treatment plant connection charges for the lands to be served; said lands being the aforementioned Phase 3 Lots.
 5. That if lot areas shown on the final, recorded plat of Fox Hill Estates Replat or Snyder CSM differ from the unrecorded documents submitted to the District for approval, additional conveyance facility and treatment plant connection charges may be due from the Village of DeForest.
 6. 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
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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.

7. 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.
8. That if said connection charges remain unpaid after construction of said sewer extensions, a late fee of 0.5% of the amount due shall be charged to the Village of DeForest for each month or partial month thereafter following connection. A one-time \$500 administrative fee shall also be charged.
9. That the Village of DeForest shall require the presence of an engineer or an inspector on the construction of said sewer extension 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 extension 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 extension 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 June 25, 2020.

MADISON METROPOLITAN SEWERAGE DISTRICT

Attested by:


Thomas Hovel, President


Mary Swanson, Secretary



**AWARD OF CONTRACT: 2020 Bulk Ferric Chloride FeCl₃
2020-06-25-R2**

WHEREAS, The Madison Metropolitan Sewerage District (“District”) uses ferric chloride in its treatment process, and

WHEREAS, the District advertised a request for proposals to furnish and deliver ferric chloride on May 11, 2020 and May 18, 2020, and

WHEREAS, the District publicly opened and read aloud bids for an estimated annual cost for ferric chloride on May 26, 2020, and

WHEREAS, Kemira Water Solutions, Inc. was the low bidder at \$554 per dry ton of ferric for an estimated total of \$230,000 for ferric chloride deliveries from July 1, 2020, to June 30, 2021 and

WHEREAS, the annual contract can be extended for up to three additional years if mutually agreed upon by both parties, and

WHEREAS, the estimated overall contract cost for the maximum length of contract exceeds \$50,000, and

THEREFORE, BE IT RESOLVED, that a contract be awarded to Kemira Water Solutions, Inc. to furnish and deliver ferric chloride subject to the following conditions:

1. The initial contract will start on July 1, 2020 and run through June 30, 2021, with an option to extend the contract up to three (3) periods of twelve (12) months each with mutual consent of both parties.
 2. Price changes may be proposed by either party no later than ninety (90) days prior to contract extension. The contract will not be extended if price change is not accepted by both parties. Supplier price changes must be supported with documentation. Increase in price must be approved by the Chief Engineer and Director, and by the commission if transaction approval authority limits are exceeded on an annual basis. If the District deems a proposed cost for the upcoming year as not acceptable, it reserves the right to re-bid the contract in whole or part.
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3.

Year	Maximum Transaction Amount
July 1, 2020 to June 30, 2021	\$230,000
July 1, 2021 to June 30, 2022	\$241,000
July 1, 2022 to June 30, 2023	\$253,000
July 1, 2023 to June 30, 2024	\$266,000

The above resolution was adopted by the Commissioners of the Madison Metropolitan Sewerage District at their meeting held on June 25, 2020.

MADISON METROPOLITAN SEWERAGE DISTRICT

Attested by:



Thomas Hovel, President



Mary Swanson, Secretary





**WPDES PERMIT UPDATE AND NEXT STEPS
2020-06-25-R3**

WHEREAS, Wis. Admin Code NR 210.06 prescribes the disinfection season from May 1 to September 30, and

WHEREAS, the District's 2010 WPDES permit has an extended disinfection season of April 15 to October 15, and

WHEREAS, The District's 2020 WPDES permit issued by DNR on April 30, 2020, extends the disinfection period from the 2010 permit by three months from March 1 to November 30, and

WHEREAS, there is no scientific basis between bacteria levels and public health for non-contact recreation, and

WHEREAS, clarifier cleaning is a necessary part of annual maintenance, the colder the weather the more hazardous maintenance becomes when working in below freezing conditions, and

WHEREAS, clarifier cleaning performed during the disinfection season to protect worker safety increases the risk of having dislodged accumulated organic matter trigger a permit violation, and

WHEREAS, a projected additional \$750,000 life cycle cost due to needing to replace the equipment sooner than the projected 25-year life of the equipment, and

WHEREAS, District staff evaluated options related to the extended disinfection season requirement using sustainability framework called the Sustainable Action Map (SAM) (attachment 2).

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 the Chief Engineer and Director to work with legal services to file a petition for a contested case hearing around the permit condition outlining the District disinfection duration requirements.

The above resolution was adopted by the Commissioners of the Madison Metropolitan Sewerage District at their meeting held on June 25, 2020.

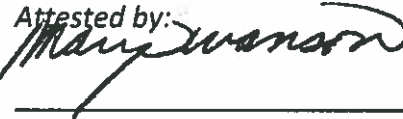
Incorporated by Reference:

Attachment 2: Sustainable Action Map

MADISON METROPOLITAN SEWERAGE DISTRICT



Thomas Hovel, President

Attested by:


Mary Swanson, Secretary
