

Meeting and Two Public Hearings of the Commissioners of the Madison Metropolitan Sewerage District

Thursday, Sept. 27, 2018 8:00 a.m.

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

Present:

- Commissioner Tom Hovel
- Commissioner Angela James
- Commissioner Ken Clark
- Commissioner Sara Eskrich
- Commissioner James Martin
- Commissioner Ezra Meyer
- Commissioner Brad Murphy (excused absence)
- Commissioner Brian Potts (arrived at 8:45 a.m.)
- Commissioner Tom Wilson (excused absence)

Commission Meeting

1. Opening

- A. Call to Order 8:01 a.m.
- B. Welcome Guests: Greg Fries, City of Madison and Bob Anderson, Town of Westport
Announcements: The proclamation for Commissioner Potts was deferred to end of the meeting.

*Commissioner James arrived at 8:02 a.m.

2. Appearances by the Public: None.

3. Consent Calendar

- A. Approval Meeting Minutes from 09-13-2018
- B. Review and Approval of Sewer Extension Plans
 - N Blackhawk Ave, Bruce Ct and Heather Crest Resurfacing (2018-09-27-R1)
 - Winnebago Street, Atwood Avenue and Linden Avenue Assessment District (2018-09-27-R2)
 - First Addition to 1000 Oaks-Phase 5A (2018-09-27-R3)
 - Pleasant Hill Estates-Phase 2B (2018-09-27-R4)
- C. Abatement of 2019 Property Tax Levy (2018-09-27-R5)

Discussion: Approval of meeting minutes from 09-13-2018 (with correction from Commissioner Meyer), review and approval of sewer extension plans (2018-09-27-R1 through 2018-09-27-R4) and abatement of 2019 property tax levy (2018-09-27-R5) were reviewed and placed on file.

Action: Commissioner Meyer moved, seconded by Commissioner Eskrich to approve items A-C of the consent calendar.

Motion carried 6-0.

4. **Public Hearing and Discussion on 2019 Proposed Operating Budget and Capital Improvements Plan**

Presenter: Michael Mucha, Chief Engineer and Director

Description: Public hearing and discussion on the “2019 Proposed Operating Budget and Capital Improvements Plan”.

Discussion: President Hovel opened the public hearing and received no public comments. The public hearing was closed. Chief Engineer and Director Michael Mucha asked for any preliminary feedback from commission members in order for staff to better prepare for upcoming budget deliberation.

Action: No action at this time.

5. **Public Hearing on Petitioned Boundary Annexation 2018-11 Schnaubelt Parcel (Town of Westport)**

Presenter: Curt Sauser, Engineering Technician

Description: Public hearing on the petitioned boundary annexation 2018-11 Schnaubelt Parcel in the Town of Westport.

Discussion: President Hovel opened the public hearing to received no public comment. The public hearing was closed. District staff received direction from the commission to prepare an order of annexation.

Action: Commissioner Eskrich moved, seconded by Commissioner James to have staff prepare the order of annexation for approval at the 10-11-18 commission meeting.

Motion carried 6-0.

6. **Outcomes Policies**

Presenter: Michael Mucha, Chief Engineer and Director

Description: The commission is requested to adopt resolution (2018-09-27-R6) to approve outcomes and process policies.

Discussion: Michael Mucha presented to the commission one modified policy (O-1) and several new policies (O-2A, O-2B, O-2C and CP-2N) for final approval and adoption through resolution (2018-09-27-R6).

Action: Commissioner James moved, second by Commissioner Eskrich to approve resolution 2018-09-27-R6 which approves and adopts commission policies (O-1, O-2A, O-2B, O-2C and CP-2N).

Motion carried 6-0.

7. **District Goals**

Presenter: Michael Mucha, Chief Engineer and Director

Description: Adoption of district goals and leadership priorities.

Discussion: The commission had a brief discussion on the work surrounding the development of the district goals and took action.

Action: Commissioner Meyer moved, seconded by Commissioner Martin to approve resolution 2018-09-27-2018 which establishes the 2019 district goals and leadership priorities.

Motion carried 6-0.

8. **Chief Engineer and Director’s Report**

- A.** CED Update: Chief Engineer and Director Michael Mucha announced that the new commissioner, Commissioner Mary Swanson, will be sworn in at the next commission meeting on Oct. 11. He also informed the commission that staff members will be taking the 200 plus comments from the after action review on the August high flow event and developing key actions for future use. Outcomes of this work will be shared at an upcoming meeting.
- B.** Operations Report: Operations Manager Alan Grooms gave a report on August plant performance and flow data.
- C.** Regulatory Review: Legal Counsel for the district Paul Kent gave a short update on legal business.

*Commissioner Potts arrived at 8:45 a.m.

At this time, a proclamation for Commissioner Potts was read thanking him for his service to the district.

- D.** Review of commission calendar
Action: No action necessary.

9. Future Agenda Topics

Action: A Metrogro program analysis will be scheduled in 2019.

10. Other Business by Law

Action: No new business.

11. Adjournment

Action: Commissioner Eskrich moved, Commissioner Meyer seconded to adjourn the meeting.

Motion carried 7-0 @ 8:50 a.m.

Regular Meeting of the Commissioners
September 27, 2018

Angela James, Secretary

Future Meetings:

Thursday, Oct. 11, 2018 Regular Commission Meeting

Thursday, Oct. 25, 2018 Regular Commission Meeting

Thursday, Nov. 15, 2018 Regular Commission meeting



**N BLACKHAWK AVE, BRUCE CT, AND HEATHER CREST
RESURFACING WITH UTILITIES ASSESSMENT DISTRICT - 2018
2018-09-27-R1**

WHEREAS, plans for sanitary sewer extensions were submitted to the Madison Metropolitan Sewerage District (“the district”) for N Blackhawk Ave, Bruce Ct, and Heather Crest Resurfacing with Utilities Assessment District - 2018, in the City of Madison, on Sept. 13, 2018, by Mark Moder, City Engineering Division, and

WHEREAS, the project will replace 1,111 feet of 8-inch diameter and 2,173 feet of 15-inch diameter sanitary sewer on North Blackhawk Avenue, Bruce Court, and Heather Crest, located in the vicinity of Hilldale Mall. The sewers have been determined to be in poor condition and are being replaced in conjunction with the street resurfacing project, and

WHEREAS, a variance is being requested from DNR Chapter NR 110.13(3)(b) by the City of Madison for some of the proposed sewers where manhole spacing exceeds 400 feet. The Madison Sewer Utility is capable of cleaning sewers up to 700 feet in length, and believes their maintenance program can satisfactorily accommodate the new sewer mains at the lengths proposed, and

WHEREAS, a variance is being requested from DNR Chapter NR 811.74(2) by the City of Madison for some of the proposed sewers which will have less than the minimum 8 feet of horizontal separation from existing water main. The project proposes to install AWWA C900 DR18 sanitary sewer main where the required minimum horizontal separation from existing water main is not attained, and

WHEREAS, no new lands will be served as part of this project, and

WHEREAS, the proposed sanitary sewer extension will connect to 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 being served have been previously paid, and

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

WHEREAS, the district has received a sewer extension review letter #6-18-47 from the Capital Area Regional Planning Commission (CARPC) dated Sept. 21, 2018 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


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 N Blackhawk Ave, Bruce Ct, and Heather Crest Resurfacing with Utilities Assessment District - 2018, in the City of Madison, submitted on Sept. 13, 2018, by Mark Moder, 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.
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 at the district on Sept. 27, 2018.

MADISON METROPOLITAN SEWERAGE DISTRICT



Thomas Hovel, President

Attested by:



Angela James, Secretary



**WINNEBAGO STREET, ATWOOD AVENUE AND
LINDEN AVENUE ASSESSMENT DISTRICT - 2018
2018-09-27-R2**

WHEREAS, plans for sanitary sewer extensions were submitted to the Madison Metropolitan Sewerage District ("the district") for Winnebago Street, Atwood Avenue and Linden Avenue Assessment District - 2018, in the City of Madison, on Sept. 13, 2018, by Kyle Frank, City Engineering Division, and

WHEREAS, the project will replace 2,445 feet of 8-inch and 12-inch diameter sanitary sewer on Atwood Avenue, Winnebago Street and Linden Avenue. The sewers have been determined to be in poor condition, are undersized and are being replaced in conjunction with the street reconstruction project, and

WHEREAS, no new lands will be served as part of this project, and

WHEREAS, the proposed sanitary sewer extension will connect to City of Madison's sanitary sewerage facilities, and is within the district's east interceptor basin, and

WHEREAS, conveyance facility connection charges for the areas being served have been previously paid, and

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

WHEREAS, the district has received a sewer extension review letter #6-18-48 from the Capital Area Regional Planning Commission (CARPC) dated Sept. 21, 2018 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

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 Winnebago Street, Atwood Avenue and Linden Avenue Assessment District - 2018, in the City of Madison, submitted on Sept. 13, 2018, by Kyle Frank, 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 at the district on Sept. 27, 2018.

MADISON METROPOLITAN SEWERAGE DISTRICT

Attested by:



Thomas Hovel, President



Angela James, Secretary



**FIRST ADDITION TO 1000 OAKS - PHASE 5A
2018-09-27-R3**

WHEREAS, plans for sanitary sewer extensions were submitted to the Madison Metropolitan Sewerage District (“the district”) for First Addition to 1000 Oaks - Phase 5A, in the City of Madison, on Sept. 13, 2018, by Mark Moder, City Engineering Division, and

WHEREAS, the project consists of installing 202 feet of 8-inch diameter sanitary sewer within a sanitary sewer easement, and can provide service to outlot 1 of Certified Survey Map (CSM) No. 13155 as well as future phases of the First Addition to 1000 Oaks development, and

WHEREAS, the sanitary sewer is being installed at this time to extend beyond the 1000 Oaks Park regional trail which is currently being constructed, and

WHEREAS, Outlot 1 of CSM 13155 has been dedicated to the public for park purposes and is recognized by the Capital Area Regional Planning Commission 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, plan review fees are due, and

WHEREAS, the district has received a sewer extension review letter #6-18-46 from the Capital Area Regional Planning Commission (CARPC) dated Sept. 21, 2018 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 resolution DCRPC No. 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 5A, in the City of Madison, submitted on Sept. 13, 2018, by Mark Moder, City Engineering Division, be approved subject to the following conditions:

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1. That the City of Madison shall pay the plan review fee of \$1,425 to the district within 30 days of receiving an invoice for the fee.
 2. That outlot 1 of CSM 13155 is exempted from conveyance facility and treatment plant connection charges.
 3. 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.
 4. 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.
 5. 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 Sept. 27, 2018.

MADISON METROPOLITAN SEWERAGE DISTRICT

Attested by:



Thomas Hovel, President



Angela James, Secretary



**PLEASANT HILL ESTATES - PHASE 2B
2018-09-27-R4**

WHEREAS, plans for sanitary sewer extensions were submitted to the Madison Metropolitan Sewerage District (“the district”) for Pleasant Hill Estates - Phase 2B, in the Village of Windsor, on Sept. 13, 2018, by Timothy Schleeper, Vierbicher Associates, and

WHEREAS, the project consists of installing 687 LF of 8-inch sanitary sewer on Norski Court and Vista Valley, and will provide service to Lots 27-31, 41-43 and 64-68 of the plat of Pleasant Hill Estates, and

WHEREAS, the proposed sanitary sewer extension will connect to the Village of Windsor’s sewerage 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 # 175-18-10 from the Capital Area Regional Planning Commission (CARPC) dated Sept. 13, 2018 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 fulfills the conditions of resolution DCRPC No. 1031, which added this area to the Northern 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 Pleasant Hill Estates - Phase 2B, in the Village of Windsor, submitted on Sept. 13, 2018, by Timothy Schleeper, Vierbicher Associates, be approved subject to the following conditions:

1. That the Village of Windsor shall pay the plan review fee of \$1,425 to the district within 30 days of receiving an invoice for the fee.
 2. That prior to connection of the proposed sewers serving said lands to the public sewerage system, the Village of Windsor shall have paid to the district the sum of \$25,051.05 for payment of \$21,097.03 in Northeast Interceptor/Highway 19 extension connection charges and \$3,954.02 in treatment plant connection charges for the lands to be served; said lands being lots 27-31, 41-43 and 64-68 of the plat of Pleasant Hill Estates.
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3. 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.
 4. 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.
 5. 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 Village of McFarland for each month or partial month thereafter following connection. A one-time \$500 administrative fee shall also be charged.
 6. That the Village of Windsor 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.
 7. 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.
 8. 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 Sept. 27, 2018.

MADISON METROPOLITAN SEWERAGE DISTRICT

Attested by:



Thomas Hovel, President



Angela James, Secretary

**MADISON METROPOLITAN SEWERAGE DISTRICT
COMMISSION RESOLUTION NO. -2018-09-27-R5**

**RESOLUTION ABATING LEVY OF 2019 TAXES
FOR PAYMENT OF MMSD'S GENERAL OBLIGATION SEWERAGE SYSTEM
PROMISSORY NOTES AND GENERAL OBLIGATION SEWERAGE SYSTEM
BONDS (THE "DEBT")**

WHEREAS, the Madison Metropolitan Sewerage District ("MMSD"), a metropolitan sewerage district created under Wis. Stat. ch. 200, has general obligation debt described as the General Obligation Sewerage System Promissory Notes and General Obligation Sewerage System Bonds (the "Debt"), which obligations require payment of principal and interest in the coming calendar year; and,

WHEREAS, metropolitan sewerage districts created under Wis. Stat. ch. 200 are included in the definition of "municipalities" subject to Wis. Stat. ch. 67, which chapter governs Municipal Borrowing and Municipal Bonds; and,

WHEREAS, Wis. Stat. §67.05(10) and the borrowing documents for the Debt require that the governing body of MMSD levy upon property in the District a direct, annual, irrevocable tax sufficient in amount to pay, and for the express purpose of paying, the principal and interest on the Debt as it becomes due; and,

WHEREAS, pursuant to Wis. Stat. §67.05(10) and the borrowing documents, the amount of tax carried into the tax roll may be reduced in any year by the amount of revenues of MMSD's wastewater sewer service charge system which are appropriated and irrevocably deposited in the debt service fund created under Wis. Stat. §67.11 as the Debt Service Fund for the Debt; and,

WHEREAS, as part of its annual budget review and approval, MMSD's Chief Engineer and Director and the Director of Administration have advised the MMSD Commission that sufficient revenues have been appropriated and irrevocably deposited in the Debt Service Fund for the Debt to make the payment for the Debt as it becomes due in the upcoming year; and,


WHEREAS, the MMSD Commission wishes to ratify the appropriation and irrevocable deposit in the Debt Service Fund for the Debt of an amount sufficient to pay the amount due on the Debt in the upcoming year, and further wishes to confirm that MMSD is not required to levy a tax in the amount of that appropriation and may therefore abate any such levy.

**NOW, THEREFORE, THE MMSD COMMISSION HEREBY RESOLVES
AS FOLLOWS:**


1. The 2019 tax levy otherwise required for the Debt is hereby reduced and abated in full.
2. The proper officers of MMSD are authorized and directed to pay the principal and interest due on the Debt in 2019 as and when it becomes due using those funds appropriated and irrevocably deposited in the Debt Service Fund for the Debt.

Adopted by the Madison Metropolitan Sewerage District Commission at a duly noticed meeting on this 27th day of September, 2018.

MADISON METROPOLITAN SEWERAGE COMMISSION


By: Thomas D. Hovel, President

Attested to:


By: Angela James, Secretary

Approved as to form:

Attorneys for MMSD

Date: _____



**COMMISSION OUTCOMES AND PROCESS POLICIES
RESOLUTION 2018-09-27-R6**

WHEREAS, the commission has developed a set of policies, entitled “Policy Book of the Madison Metropolitan Sewerage District Commission”, for how it will operate and govern itself, provide leadership, represent its customer communities and its other stakeholders, get its work done and assure best practices are sustained over time, and

WHEREAS, on behalf of district customer communities and ratepayers, the commission must determine the benefits to be produced, the people to be served and the cost of meeting these goals, and

WHEREAS, these statements of benefits, recipients and costs are called outcomes policies and are included in section O-1 of the policy book, and

WHEREAS, the commission directed staff to prepare draft outcomes policies that describe the current practice of the district, and

WHEREAS, staff proposed a global outcomes policy O-1 and three others that address specific topics: Policy O-2A, wastewater collection and treatment; Policy O-2B, resource recovery; and Policy O-2C, financial sustainability, and

WHEREAS, staff further proposed an outcomes decision making policy, CP-2N for circumstances when there is conflict between two or more policies, and

WHEREAS, the commission reviewed and provided direction to staff including the chief engineer’s interpretation of the policies and how compliance will be demonstrated,

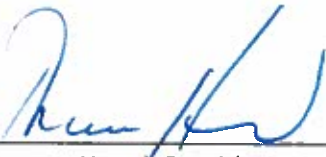
THEREFORE, BE IT RESOLVED, that the commission of the Madison Metropolitan Sewerage District adopts Global Outcome O-1, Policy O-2A, wastewater collection and treatment; Policy O-2B, resource recovery; Policy O-2C, financial sustainability; and Policy CP-2N Outcomes Decision Making included in Attachment 1, and

FURTHER, BE IT RESOLVED, the commission will incorporate the new policies into the policy book of the Madison Metropolitan Sewerage District Commission.


The above resolution was adopted by the Commissioners of the Madison Metropolitan Sewerage District at their meeting held in the district office on Sept. 27, 2018.

MADISON METROPOLITAN SEWERAGE DISTRICT

Attested by:



Thomas Hovel, President



Angela James, Secretary

Incorporated by reference: Attachment 1 Commission Outcomes Policies O-1, O-2A, 2B, 2C and Commission Process Policy CP-2N



2019 MADISON METROPOLITAN SEWERAGE DISTRICT GOALS

RESOLUTION 2018-09-27-R7

WHEREAS, every year the commission establishes district goals, and

WHEREAS, goals assist the commission in making governance decisions, and

WHEREAS, these governance decisions will require careful weighing of benefits, beneficiaries and cost of the benefits, and

WHEREAS, the goals are intended to establish policy making priorities, and

WHEREAS, establishment of goals will aid the commission in the development of a master agenda per CP-2C(1) of the commission policy book, and

WHEREAS, establishment of goals will aid the chief engineer and director in assigning priority to staff resources to develop policy options for the commission, and

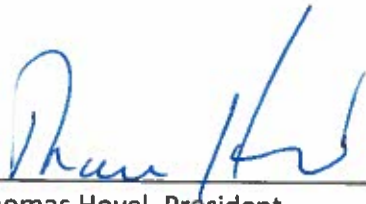
WHEREAS, the chief engineer and director establishes leadership priorities, and

WHEREAS, these priorities outline the CED's operational goals for the year and are carried out at his discretion, and

THEREFORE, BE IT RESOLVED, that the commission of the Madison Metropolitan Sewerage District adopts the "2019 District Goals" and "CED Leadership Priorities", which are incorporated by reference as set forth in full herein.

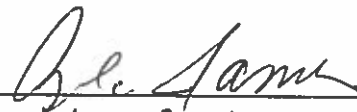
The above resolution was adopted by the Commissioners of the Madison Metropolitan Sewerage District at their meeting held in the district office on Sept. 27, 2018.

MADISON METROPOLITAN SEWERAGE DISTRICT



Thomas Hovel, President

Attested by:



Angela James, Secretary

Incorporated by reference:

Attachment 1: 2019 District Goals and CED Leadership Priorities
