

Kentucky Rural Water Association

Helping water and wastewater utilities help themselves

September 18, 2006

Ms. Beth O'Donnell, Executive Director Public Service Commission P. O. Box 615 Frankfort, KY 40602-0615 RECEIVED SEP 2 1 2005 PURLID SERVICE COMMINSION

Re: Case No. 2006-00376 Kentucky Rural Water Association's 27th Annual Technical Conference and Exhibition, "A Path to Excellence"

Dear Ms. O'Donnell:

Kentucky Rural Water Association (KRWA) hosted its **27th Annual Technical Conference and Exhibition** at the Executive Inn Rivermont in Owensboro, Kentucky on August 21-23, 2006. The planned course of instruction approved for twelve (12) credit hours by the Commission was performed as scheduled with the following change:

Tuesday, August 22, 2006 – General Session Bill Dobbins, Executive Director, Tennessee Association of Utility Districts, spoke in place of Gary Williams (no change in curriculum-bio included)

On behalf of Kentucky Rural Water Association, I hereby attest that the program herein referenced as **Case No. 2006-00376**, with the changes noted above, was performed as scheduled. As required, KRWA has retained a record of all persons attending this approved course. Copies of written materials that were available for attendees are also included.

Kentucky Rural Water Association would like to thank the Kentucky Public Service Commission and Staff for your leadership and support in approving the training offered during our **27th Annual Technical Conference and Exhibition**.

Sincerely,

Clem Wethingtong

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Enclosures

Biography Bill Dobbins

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RECENED SEP 2 1 2006 PUPLIC SERVICE

Mr. Bill Dobbins has been the Executive Director of the Tennessee Association of Utility Districts since 1998. He oversees a staff of 14 employees that provide training and technical assistance to water and wastewater utilities across the state. These training sessions are conducted at the local utilities' offices as well as at TAUD's offices in Murfreesboro. In addition to these training programs, TAUD conducts six statewide technical conferences.

Prior to his employment with the association, Mr. Dobbins was employed with the Tennessee Department of Environment and Conservation for 18 years. He specialized in water and wastewater construction financing for local communities. He earned a Bachelor of Arts degree from Bethel College in 1976. In 1982 he was awarded a Masters in Public Administration degree from Tennessee State University.

Mr. Dobbins is a member of the Rebuild Tennessee Coalition, serving as chairman for two years. He serves on the Board of Directors of Tennessee One Call Services, Inc., and serves as Secretary to the Board of Directors of the Tennessee Society of Association Executives. Mr. Dobbins also serves as Secretary to the Board of Trustees of Bethel College in McKenzie, TN. Mr. Dobbins has been a member of the American Water Works Association, the National Rural Water Association, the American Society of Association Executives and the Tennessee Society of Association Executives since 1998. In 2003 he was voted by his peers as "Executive Director of the Year" of the National Rural Water Association.

For hobbies, Mr. Dobbins enjoys growing roses and playing golf. Mr. Dobbins is married, has two grown children and resides in Leipers Fork, TN. He is an elder of the Brenthaven Cumberland Presbyterian Church of Brentwood, TN.





Records are described as Any documentary material, regardless of format, created or received by staff of a public agency in the performance of his or her official duties. KRS 171.410 says public records are "all books, papers, maps, photographs, cards, tapes, disks, diskettes, recordings and other documentary materials, regardless of physical form or characteristics, which are prepared, owned, used, in the possession of or retained by a public agency."

What is an Electronic Record?

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 KRS 369.102 defines electronic record as: "a record created, generated, sent, communicated, received, or stored by electronic means."

• KRS 369.101-369.120

- Uniform Electronic Transaction Act (UETA)
- Validates the use of electronic records, and electronic signatures

Kentucky Dept. for Libraries & Archives

KRS 171.410-740

 The department is responsible for managing and controlling records created by state and local government agencies. It establishes standards, procedures and administrative regulations for recording, managing, preserving and reproducing records.

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OUTLINE

- 1. RECORD FORMATS
- 2. RECORDS RETENTION SCHEDULES
- 3. DESTRUCTION OF OBSOLETE RECORDS

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- 4. OPEN RECORDS LAW
- 5. DISASTER PREPAREDNESS

Why all the concern about "records".....

- Agencies are accountable to the people for their actions.
- Creating and maintaining records is one of the main ways of being accountable.
- Records are essential for the conduct of business.
- Records are needed, over time by agencies and the public and must be accessible.

Records are basically.....

- · Information that has value for the organization
- Evidence of what an agency does
- · Documents activities and transactions



RECORDS MANAGEMENT

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Systematic Control of recorded information that is created or received in the course of your agency's business.

Systematic control is not throwing a box full of records in the basement, attic, storage building and forgetting it!

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Record Formats

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Paper

- Microfilm/Microfiche
- ► Video/Audio tapes
- ► Electronic Records Computer
 - CDs Computer Tape
- DVDs
 Digital Imaging
 Born Digital
 Scanned
- ► Geographic Information Systems (GIS)

Does Format Matter ?

- · Does not affect the status of a record.
- By state law, records can take any form and be on any medium.
- So, files created/received in the course of business, <u>regardless of format</u>, can be public records.

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Advantages of Records Management

- Agency records of continuing value are protected, preserved, and accessible.
- Destroying records <u>when authorized</u> keeps files from getting cluttered and frees up space in the office.
- <u>Destroying records systematically</u> when authorized takes the "heat" off you from those who want to know:
- Destroying records <u>when authorized</u> reduces liability.

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Retention General Principles

- Employees cannot decide on their own when to destroy records.
- "Records retention schedules" govern when records can be destroyed.
- Schedules cover records in <u>all formats</u> <u>and on all media.</u>

Records Retention Schedules

- Developed by the Kentucky Department for Libraries and Archives, in cooperation with public agencies.
- Approved by the State Archives and Records Commission.
- Apply to all public agencies in the Commonwealth.
- Come in two types: "general schedules" and 'agency-specific schedules"

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- All are found on the KDLA website
- http://www.kdla.ky.gov/recmanage ment.htm





GENERAL R	ECOR	US SC	HEDULE
REC	ORDS RETENTIC	N SCHEDULE	
STATE ARCHIVES AND RECORDS CC Public Records Division Kentucky Department for Libraries and			LOCAL GOVERNMENTS Public Safety Law Enforcement
•		Schedul	e Date: September 09, 1999
 Series No. Record Title and 		Retain at Agency (Years)	Disposition Instructions
L4663 Investigations other than Felo (This record series includes o closed, suppended, active an investigative files for misdam violations and citations that an felonies. Each file may include of the uniform offense report, citation report, the investigat evidence, photos of crime scc photos of supperts. Interview statements from victums/witnesso/suspects, ab nido tapes, arrest warrants. fingorprints, lab information, correspon subpoenas, citations, pieas, a and prosecution data). (C) KI	pen, d'hactive sanors, re not le a copy willorm ve report. nes, 5. udio and timinal dence, entences	δ	Destroy



eries No.	Record Title and Description	Retain at Agency Years)	Disposition
L4054	Official Correspondence (This report series documents) the major activities hunchone, oversis and programs of a local government and in addition helps in the establishment of an administrative instruct, it provides a formutation have and view year of the series mode, and how these docisions impact the local government and the public at isage. Official correspondence is usually catalled by the chief and administrative instrument operative provides and administrative provides and agencies within the local government).	Ρ	Relain
14065	General Correspondence (General correspondence is not crucial to the proservation of the administrative history of the agency. It is of a non- policy nature and without premarent value. It deals only with general and routine operations of the office, operations which are documented by other records maintained by the genery	2	Destroy



Series No.	Record Title and Description	Retain at Agency (Years)	Disposition Instructions
File () drawing dimensi specific guarant <i>contrac</i> include: final rep corresp	Construction Engineering Project May Include plans, alongo Is, materials used, locations one, as-built plans, alions, bids & selimates. eas, applications, Subgreements, bords, resports, s periodic inspection reports and ordsnce. This file may include notacto. This file may include notat records for this respective (V)	Ρ	Relain

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PUBLIC WORKS SECTION			
• Series No. •	Record Title and Description	Retain at Agency (Years)	Disposition Instructions
• L4776 •	Wastewater Treatment Plant Discharge Monitoring Report(DMR)	3	Destroy
• L4777	Water Treatment Plant Monthly Operating Reports(MOR)	3	Destroy
• L4778	Pre-Treatment Compliance by Industrie	53	Destroy
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Stages in the Life Cycle

- ► Life Cycle-<u>Creation</u>, <u>Maintenance</u> & <u>Disposition</u>
- Creation or receipt
- Maintenance
 Active records
 Inactive records



Ultimate disposition (destruction or long term preservation)

Records may be

PAPER RECORDS

- Active Use at least once or twice a month
- Inactive Those that are not used very often.

What should I do with the inactive records?









Electronic records

- Computer (PC, Laptop etc) generated records
 Word processing (memos, letters, reports etc.)
- Digital Imaging systems
- Scanned documents
- Born digital
- E-Mail
 - General/official Correspondence
- Spam
- Informational and reference material
- Geographic Information System (GIS)

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Preservation issues.....

- First thing you must use the records retention schedule
- Document your system
 Software
 - Hardware
- Long term storage of electronic records is problematic
 - Will you be able to access information over time?
 - Migration of information
 - Upgrade in technology (3-5 years)

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Destruction

- Destruction periods are determined from the records retention schedule.
- One copy must be designated as the "record copy" to meet retention requirements.

Suspension of Destruction

 Normal destruction of records must be suspended in cases of litigation, pending litigation, or ongoing open records disputes.



Documentation

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- Use KDLA destruction certificates.
- Keep documentation of the destruction in case you need to produce it.
- Remember: regular destruction can be suspended by litigation, pending litigation, or ongoing open records disputes.

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Kentucky's Open Records Law

- KRS. 61.870 thru KRS. 61884
- Procedures for inspection of public records are set by Attorney General www.ag.ky.gov/
 - Must reply in three days
 - Overly burdensome request may be denied
 Agency must make records available in
 - existing format
 - Agency may provide online access

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OPEN RECORDS – NEW LAWS

- House Bill 59
 - Amends KRS 61.878 exceptions to the open records law
 - Homeland security issues

House Bill 77

- Provides for new sections of KRS Chapters 15, 171, 65, 160, 164
- Attorney General to disseminate information to local officials
- KDLA to provide information concerning proper retention and management of public records

Are all records open?

No: not all "public records" are "open records".

- Certain records are exempt from public inspection under KRS 61.878; other laws limit access to other records.
- Information of personal nature
- Certain records of businesses
- Certain records of law enforcement
- Records that are closed by state or federal law









Prevention measures.....

- · Form/walk-through
- · Identify locations of records
- Physical conditions of storage and holding areas
- Security
- Fire Protection
- · Proximity to hazards
- · Proximity to other agencies or buildings that are vulnerable
- Computer rooms, network facilities, tape and disk storage

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· Vulnerabilities

What are vital and essential records?

- Essential to the continuation, resumption or reconstruction of
- Important to preserving the rights of the agency, its staff and the public
- Necessary to establishing legal & fiscal responsibility, status and positions

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EXAMPLES

- Payroll (Especially for the current pay period)
- Accounts Receivable
- Accounts Payable
- Social security and retirement
- Titles, deeds, contracts
- Insurance
- Licenses

SUMMARY

- · Records Management is fluid....ever changing
- · Remember:
 - Creation
 - Maintenance
 - Active
 - Inactive Destruction
 - Prepare for Disaster
 - Disposition
 - DOCUMENT, DOCUMENT, DOCUMENT
 - BACK-UP, BACK-UP, BACK-UP

CONTACT INFORMATION

Trace Kirkwood Local Records Program Kentucky Department For Libraries and Archives 502.564.8300 ext. 258 270-991-5195 (cell phone) <u>Trace.kirkwood@ky.gov</u> www.kdla.ky.gov



Order Completed

Favorites

Logout

Order History Customer Service Return Product User: Connie R

Thank you for your patronage. We strive to provide the highest quality, lowest cost service products available. Please don't ever hesitate to call us if you have any difficulties. 800-58 Your order details are listed below:

Your Order Number is: 254367

Stock Number	Description	Price	QTY	UOM
Office Supply	Items			
AVT87T	CLIP,T-PIN,1.5",100/BOX	\$1.61	2	BX
HAM162008	PAPER,LTR,TIDAL,WE	\$59.00	2	СТ
PIL32211	PEN,BP,ESYTCH,RETR,FNE,BE	\$1.01	12	EA
SWI81808	Swingline Translucent Desktop Stapler Value Packs stAPLER,FULL,STRP.VALU,BE	\$7.79	2	EA
ZEB20010	PEN,BPT,RT,F301,FN,BK	\$1.46	12	EA
		Sub-To	tal arr	nount
<u> </u>			Sales	s Tax
				Total

SHIP TO INFORMATION

••••••••				
Organization:	Kentucky Department for Libraries and Archives	Organization:	Kentucky Department fo Libraries and Archives	
Department:	Public Records Division	Department:	Public Records Division	
First Name:	Connie	First Name:	Connie	
Last Name:	Renfroe	Last Name:	Renfroe	
Address:	300 Coffee Tree Road	Address:	300 Coffee Tree Road	
Address 2:		Address 2:		
City:	Frankfort	City:	Frankfort	
State:	Kentucky	State:	Kentucky	
Zip:	40601	Zip:	40601	
Phone:	502-564-8300 x252	Day Phone:	502-564-8300 x 252	
Fax:	502-564-5773	Email:	connie.renfroe@ky.gov	
Email:	Connie.Renfroe@ky.gov			
Ship-To				

BILLING INFORMATION

PAYMENT INFORMATION

Payment By: ProCard Number ends with: 3947 Exp: 10/09

> 576 E. Main Street - Frankfort, KY 40601 Site developed by NetGain Technologies

Catalog Home Thank you for your pa products available. Pl Your order details are View Shopping Cart

Notes:

Bob Farmer's Communication Tips

The Farmer's Almanac is one of the oldest forms of written communication in the United States and Bob's practical tips on how to communicate better have helped businesses and individuals from coast to coast. Here are ten tips for better communication from one of Bob's most requested programs.

- 1. Listen ... and be empathetic.
- 2. If you wonder whether or not to say something ... don't.
- 3. If you don't understand ... ask.
- 4. Speak the language of the listener.
- 5. Be sensitive to the response of the listener.
- 6. Change your tone and tempo often.
- 7. Dress for success.
- 8. Be brief.
- 9. Make the other person feel important.
- 10. Answer "What's in it for me?"



August 22, 2006 bobfarmer.com

DOW Update

CAPACITY ISSUES FOR DRINKING WATER/WASTEWATER SYSTEMS

Kentucky Rural Water Association Bowling Green August 22, 2006

Outline

- Capacity Development Program
 - Stakeholder Workgroup
 - Existing Data Reviews
 - New System Reviews
 - Sanctions/Budgets/Agreed Orders
- Inspections/Sanitary Surveys
- · Operator Issues
- DW Program Updates



EPPC Authority

- KAR 151.630 states:
- The Cabinet shall administer a system capacity program for public water systems consistent with the federal law. For purposes of KRS 151.630 to 151.636, 'system capacity' means the technical, financial, and managerial capacity to operate a public water system in compliance with the Federal Safe Drinking Water Act.

EPPC Authority

- KAR 151.632 states:
- The Cabinet shall develop and implement a strategy to assist public water systems in acquiring and maintaining technical, financial, and managerial system capacity.
- · Include several components in the strategy.
- If the Cabinet determines an existing system does not have capacity, it may assist the system in submitting a system capacity development plan as par of the long range water supply plan required by KRS 151.114. Plan to include timetables, goals, and funding sources necessary for the PWS to achieve system capacity.

Capacity Development Program

- Each state's capacity development program must contain two elements:
- 1) the legal authority to demonstrate that all new public water systems have the technical, managerial, and financial (TMF) ability to meet state and federal requirements, and
- 2) a strategy to assist existing water systems to improve their capacity.

New System Reviews

- (k)A description of the proposed day-to-day operation and management of the water system, including an outline of duties of the personnel and management associated with the system;
- Other information related to the management or finances of the water system that will allow the cabinet to determine if the system has technical, managerial, and financial system capacity.



Sanctions

- Imposed by Cabinet when PWS cannot supply consistent water service in compliance with regulations
- · Cabinet may refuse to approve
 - plans and specifications for system modifications
 - extension of service to one or more customers

Trigger

- Normally issued at
 - -85% for water line extension sanction
 - -95% for tap-on sanction
- Water treatment plant design capacity
- Amount of water available
- Last 12 months of MORs
 - -production, amount purchased, etc...
- Complaints, such as pressure

Issuance

- Cabinet
 - Drinking Water Branch
 - Enforcement Branch
 - Field Operations Branch
- Internal review process
- In writing, includes
 - Reasons, date imposed, exception procedures
 - -May include how to get off sanction

Issuance

• Notifications sent to (if applicable)

– PWS

- County Judge-ExecutiveCounty Attorney
- Purchasers (PWS)
- Suppliers (PWS) Area Development
- Division of Plumbing District
- Health Department Cabinet Staff
- Mayor
- Consultant

Water Budget Reporting

Use Monthly Operating Report.

- Total number of residential taps and their total demand.
- Demand amount for each non-resident tap.



DOW Inspection Process

- Inspections for both drinking water and wastewater typically originate from the DOW Field Operations Branch Regional Offices
 - 10 Regional Offices
 - 1 primary contact for drinking water in each office
- Can also involve Drinking Water and Groundwater in DOW plus the Division of Enforcement

Sanitary Surveys

- · Regulatory requirement
 - Interim Enhanced Surface Water Treatment Rule
 401 KAR 8:022
- Every 3 years
- Covers 8 areas, including recordkeeping and management
- 21 pages in length
- · Minimum of 2 days

Focus on Sanitary Survey

- History
 - Have completed the 1st 3 year cycle of 2002-2004
 - Approximately 164 surface water systems
 - Community systems
 - Both types of Non-community systems
 - To-date, issued 3 NOVs directly associated with the Sanitary Survey
 - NOV is a result of failure to respond to deficiency letter

Sanitary Survey Development

- Originally developed in 2001 with input from
 - -Drinking Water Branch
 - -Regional Offices
 - -EPA Guidance Manual
 - EPA Composite Correction Program
 - -Internet Sources
- Revised December 2004 for next 3 year cycle

Dos and Don'ts

- Don't look at the survey as a nit-picky list of things that could be wrong at a water system
- Don't think the Division is "out to get you"
- **Don't** worry about right or wrong answers—"I don't know" is better than a guess.

Dos and Don'ts

- **Do** look at the survey as a means of gathering current information on your water system
- **DO** look at the survey as providing information that can help you make educated decisions
 - Does your system need goals/water loss tracking/better recordkeeping/more operators....



Operator Issues

- Trend indicating not enough operators across state.
 Sanitary Surveys, complaints, requests for help
- · Operation Issues
- Training:
 - in-house program
 - on-line: webcasts, correspondence courses
 - hands-on such as PBT, peer review, etc..
 - technical assistance providers: KRWA, KWWOA, AWWA, DOW, EPA-DWA, etc...
- Responsibilities operators can be individual held accountable for not performing duties according to requirements, if cause is found.

DWB UPDATES

- Staffing Changes
- New and Upcoming Rules
- Electronic Submittal
- New Monthly Operating Report Summary Sheet
- New Inventory Reporting Form
- Pilot Program for Water Main Extensions

New Rules

- STAGE 2 DISINFECTANT BYPRODUCTS
 Finalized December 2005
- LONG TERM 2 SURFACE WATER TREAT
 Finalized December 2005
- UNREGULATED CONTAMINANT 2
 Finalized December 2005
- GROUNDWATER RULE
 Expected Summer 2006

General Permit Agreed Order

- DWB formed a stakeholder workgroup to examine developing a program to allow public water systems to review and approve their own water main extensions.
- The group recommended:
 - -- Minimum requirements to qualify for the program
 - -Technical standards

General Permit Agreed Order

- One year pilot program through an 'Agreed Order'
- 5 year agreement at \$1000 cost with DOW audits
- Winchester, Paducah, Louisville, Northern Kentucky Water District, and Warren County Water District approved AO pending. Kentucky-American Water approval pending.
- Will be holding follow up meeting with pilot systems in October or November.

Questions?? Comments??

Donna S. Marlin, Manager Drinking Water Branch KY Division of Water 502/564-3410 extension 541 Donna.Marlin@ky.gov

Smergenc reating A DOMUS Response







What Can Be Done Now

 Each facility should have a physical an emergency and phones may not work. address. P.O. Boxes are useless during

know where to contact them if there numbers for contract operators and is no phone service. You should have emergency phone

(generators, pumps, etc.) is invaluable. ·An inventory of available resources This information might be gathered during sanitary surveys.

- 0 Review and update Emergency Response Plans
- If vendors of necessities such as chemicals and areas that might not be affected should be repair parts listed are local, vendors from other listed, too.
- Include operators from other areas in the list of
- emergency contacts.
- Ô Install generators or gear drives on pumps that can be connected to tractor pto drives.

What Can Be Done Now

- O Routine meetings with all groups who would be called to respond to a disaster could be each group could provide. used to determine in advance what services
- 1. Establish a Base Communication location
- 2. Purchase two-way radios & establish a frequency.
- 3. Field test quarterly for proper maintenance





Locate and mark all valves so that they can be accessed readily if parts of the system need to be isolated.

-Remove trees that could fall on or damage essential equipment.



Operators with automated equipment should be familiar with manual operation.

systems should have someone local who has access to and knows the Small contract operated equipment location of essentia

Have up-to-date maps showing the location of all critical valves.

Ó

Train personnel on how to bring their system back on line following a disaster.



many chiefs cause confusion. spokesperson for each group involved. Too assume they know. Have a designated Let everyone know who is in charge, don't

•Communication is very important.

NW) FEMA

regularly to discuss the operations. All agencies involved should meet



who don't need help. visiting. Don't waste time visiting systems Make an attempt to call systems before

others are better used at fixing problems. useful. Some can assess damages while Send personnel where their talents are most

them until service is restored. Once a team is assigned to a system they should work with



 Have a tracking system the status of each system posted so everyone knows

sysiem. at the system will have a wide spread disaster there copy of the Emergency Don't assume that someone **Response Plan with lists of** may not be anyone at the needed information. In a

your members as well. by the Federal Emergency Management Adopt a mutual aid agreement approved Agency. This should also be adopted by

"Utilities Helping Utilities"

Coming together is a beginning, Working together is a success. Keeping together is progress,

