

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

IN THE MATTER OF:

ELECTRONIC APPLICATION OF ROWAN WATER, INC. FOR APPROVAL OF WATER TRAINING)	CASE NO.
)	2024-00103

NOTICE OF FILING

Comes now Rowan Water, Inc., its individual directors and its general manager (collectively, “Rowan Water”), and Honaker Law Office, PLLC (“Joint Applicants”) to give notice of the filing of the following documents pursuant to the July 18, 2024 Order in this matter:

1. A sworn statement attesting that the accredited instruction entitled “**Rowan Water Summer Training**” was performed on August 20 and August 21, 2024 (Exhibit 1).
2. There were minor editing changes made to the materials proposed as curriculum filed with the Commission. Final updated presentations based upon the filed outlines, and the agenda are attached as Exhibit 2.
3. The name of each attending water utility Commissioner, Director, Manager, or Operator, and the number of hours that they attended is attached as Exhibit 3.
4. Attendees appeared in person.
5. The only written materials provided the attendees were copies of the agenda and the presentation for Financial Wellness, other presentations were available in electronic form upon request (Exhibit 2).

Dated this 22nd day of August 2024.

Respectfully submitted,

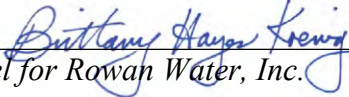


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Counsel for Rowan Water, Inc.

CERTIFICATE OF SERVICE

This is to certify that foregoing was submitted electronically to the Commission on August 22, 2024 and that there are no parties that have been excused from electronic filing. Pursuant to prior Commission orders, no paper copies of this filing will be submitted.



Counsel for Rowan Water, Inc.


Exhibit 1

COMMONWEALTH OF KENTUCKY)
)
COUNTY OF FAYETTE)

AFFIDAVIT

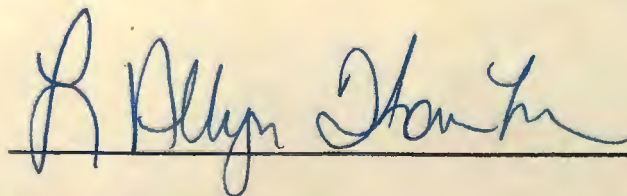
Brittany Hayes Koenig of Honaker Law Office, PLLC, Counsel for Rowan Water, Inc., being duly sworn, states that:

1. She has served as organizer and presenter of the water training program entitled “**Rowan Summer Training**” in the above-referenced case.
2. “**Rowan Summer Training**” was held on August 20 and August 21, 2024, at the offices of Rowan County Water Association, 1765 Christy Creek Road, Morehead, Kentucky 40351.
3. The presentations listed in the agenda submitted to the Kentucky Public Service Commission in this matter were conducted for the length of time specified, a total of 12 hours of instruction.
4. Each attendee was provided in paper medium a copy of the program agenda and the presentation for Financial Wellness, attached at Exhibit 2, and the other presentations were made available in electronic form upon request.


Brittany Hayes Koenig
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The foregoing Verification was signed, acknowledged and sworn to before me this 20th day of August, 2024, by Brittany Hayes Koenig of Honaker Law Office, PLLC, Counsel for Rowan Water, Inc..





Notary Commission No. _____
Commission expiration: _____

Exhibit 2

SUMMER WATER TRAINING

HOSTED BY ROWAN WATER INC.



PRESENTED BY HONAKER LAW OFFICE PLLC

HONAKER
LAW
OFFICE

	Tuesday, August 20, 2024		Wednesday August 21, 2024
7:30-8:00am	Day 1 (7hours) Registration and Welcome	8:00-8:30am	Day 2 (5 hours) Registration and Welcome
8:00-9:00am	Regulatory Update (1 hour): Updates to Commission Orders, Relevant Legislation Brittany Hayes Koenig, Honaker Law Office, PLLC	8:30-9:30am	Capital Improvement Planning: Engineer Consultants (1 hr) Matthew R. Curtis, P.E, Bluegrass Engineering Existing Conditions, Improvements, Concept to Construction
9:00-10:00am	Assessing Financial Wellness (1 hour) Kristen Millard, KRWA Finance/Raymond James	9:30-10:30am	Roundtable with Utility Partners (1 hour): Moderator: Brittany Hayes Koenig- Common Management Issues
10:00-10:30am	Break	10:30-11am	Break
10:30-11:30am	Open Records & Open Meetings Law (1 hour) Zachary Zimmerer, Assistant Attorney General, Kentucky Office of Attorney General	11:00-12:00pm	Managing for 811 Compliance (1 hour) Jamie Gaddis, Kentucky 811
11:30-12:30pm	Roundtable with Utility Partners (1 hour): Moderator: Brittany Hayes Koenig- Common Management Issues	12:00-12:30pm	Lunch Provided by Honaker Law Office PLLC
12:30-1pm	Lunch Provided by Honaker Law Office PLLC	12:30-1:30pm	Damage Prevention (1 hour) Jessica Canfield-Norris, Ky PSC, Division of Inspections
1:00-2:00pm	Asset Management & Financing (1 hour) Robert Miller, Straightline Kentucky	1:30-2:30pm	Capital Planning Resources (1 hour) Kentucky Infrastructure Authority
2:00-3:00pm	Regulatory Compliance with Division of Water (1 hour) Elizabeth Dowling, Environmental Scientist, Kentucky Division of Water, Energy and Environment Cabinet		
3:00-4:00pm	Cyber Security for Kentucky Utilities (1 hour) Colin Glover, CISSP, Cyber Security State Coordinator, Kentucky U. S. Department of Homeland Security		

Summer Water Training

Assessing Financial Wellness

Raymond James Public Finance
August 20, 2024

RAYMOND JAMES

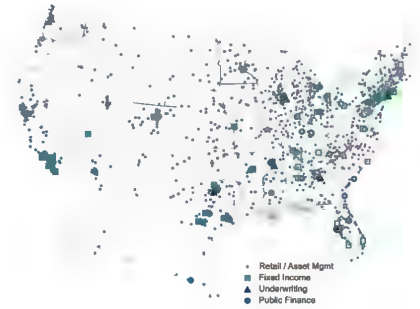
Raymond James -Public Finance overview

By the numbers

- 180+ public finance professionals
- 39 office locations nationwide
- 320+ institutional fixed income sales and trading professionals
- 40% fixed income revenue comes from municipals

Raymond James Public Finance is consistently ranked as a **Top 5** senior managing underwriter nationally

National presence



Ranking source: Bloomberg; based on total number of issues
All data as of 3/31/2024 unless otherwise noted

RAYMOND JAMES | 2

Section 1

GENERAL MARKET OVERVIEW AND THE TAXABLE VERSUS TAX-EXEMPT MARKET

RAYMOND JAMES | 3

What are Bonds?

- ❑ Debt versus Equity
 - Bonds are types of Debt and Stocks are types of Equity
 - Entities raises capital by issuing Stocks or selling Bonds
 - Stock is an ownership interest in an Entity
 - Bonds are a loan to an Entity
- ❑ A bond is a loan contract between an Issuer and Investors whereas the Issuer agrees to pay back principal plus interest.
- ❑ The Issuer is a debtor and since this is a loan, bonds are called debt securities.

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Who Issues Bonds and Why?

Bonds are issued to finance a variety of projects for entities. Issuers include some of the following:

- ❑ City, County & State Governments
- ❑ Water, Sewer, Gas & Electric Utilities
- ❑ Public and Non-Profit Schools, Colleges & Universities
- ❑ Library, Fire & Hospital District's

Generally these issuers issue two types of bonds – revenue bonds, which are secured by revenues of an entity, or general obligation bonds, which are secured by the full faith and credit (and taxing power) of an entity.

Key Bond Concepts

- Principal:**
 - Also known as par amount, or face value, of the bonds to be paid back on the maturity date.
 - Typically, municipal bonds are sold in \$5,000 principal denominations. Private placements are typically sold at \$100,000 minimum increments (\$1,000 thereafter).
- Maturity:**
 - Date on which principal payments are due.
 - Most bond issues have principal maturing each year until the final maturity date.
 - Typically, maturity dates on municipal bonds are within 30 years.
- Coupon:**
 - Annual interest rate (expressed as a percentage)
 - Different coupon rate for each maturity of a fixed rate bond.
 - Bonds can also be variable rate.
- Yield:**
 - Percentage rate the investor will earn; different than coupon rate based on the price of bond. Private placements are typically issued at par where yield and coupon are equal.
- Interest:**
 - Cost of borrowing money for the issuer
 - Usually paid semiannually for fixed rate bonds and more frequently for variable rate bonds.
 - Interest is calculated by multiplying principal by coupon (adjusted for length of period between interest payments).
- Debt Service:**
 - Sum of all principal and interest due on a series of bonds.

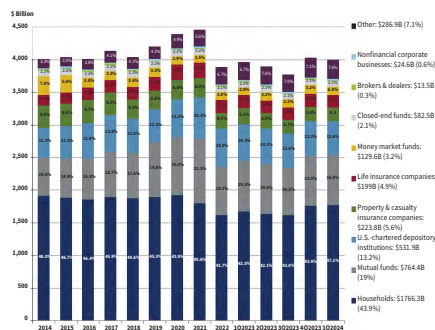
Holders of municipal bonds

Households have remained at the top as the largest holders of municipal bonds, although their share had been decreasing slightly over the past several years before reversing slightly in 2019. For 2020, households held 43.3% of municipal debt. In 2021, that decreased to slightly to 40.7% before increasing back up to 41.0% in 2022.

Mutual funds remained the second largest holder of municipal bonds in 2022. Since 2009, mutual funds have increased their share of municipal debt in most years.

The third largest holders of municipal bonds are U.S. Chartered Depository Institutions. Rounding out the top 5 municipal bond holders are Property & Casualty Insurance Companies (4th largest holder) and Life Insurance Companies (5th largest holder).

Holders of municipal debt



Source: The Federal Reserve, Financial Accounts of the United States, 1st Quarter 2024

Credit Ratings

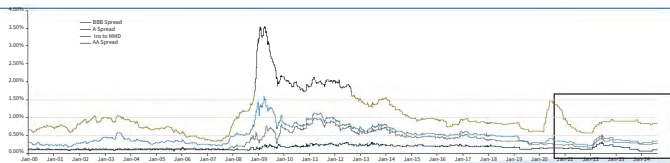
- Ratings agencies assign credit ratings to the indebtedness of borrowers based on a qualitative and quantitative analysis and assessment of the borrower's ability to pay back debt.
 - There are three major rating agencies – Moody's, Standard & Poor's, and Fitch – plus relative newcomer, Kroll.
 - The agencies assign letter ratings according to the table below.
- In general, a "strong" credit rating indicates a lower risk of a borrower defaulting on the payment of principal and interest. Conversely, a "weak" rating generally indicates a higher risk of a borrower defaulting on the payment of principal and interest.
- Investors rely on their opinions to make investment decisions. A favorable credit rating can mean lower interest rates.
- An underlying rating is now standard on most fixed rate issues, regardless of the presence of insurance or other form of credit enhancement.

Agency	Long-Term Credit Rating Categories ⁽¹⁾				Historical Default Rate ⁽²⁾	
	Moody's	Standard & Poor's	Fitch	Kroll		
Investment Grade	Aaa (1,2,3)	AAA (+,-)	AAA (+,-)	AAA (+,-)	Highest quality	0.00%
	Aa (1,2,3)	AA (+,-)	AA (+,-)	AA (+,-)	High quality / very strong	0.28%
	A (1,2,3)	A (+,-)	A (+,-)	A (+,-)	Upper medium grade / strong	0.14%
	Baa (1,2,3)	BBB (+,-)	BBB (+,-)	BBB (+,-)	Medium grade	0.67%
Speculative Grade	Ba (1,2,3)	BB (+,-)	BB (+,-)	BB (+,-)	Lower medium grade / somewhat speculative	10.23%
	B (1,2,3)	B (+,-)	B (+,-)	B (+,-)	Low Grade / speculative	23.87%
Lower Quality						

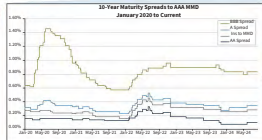
⁽¹⁾ Moody's applies numerical modifiers 1, 2, and 3 to each generic rating classification. The modifier 1 indicates that the obligation ranks in the higher end of its generic rating category, while the modifier 3 indicates the lower end. S&P and Fitch modify ratings with "+" or "-" to indicate relative standing within the rating category.

⁽²⁾ Moody's average cumulative issuer-weighted municipal default rates (including GO and water/sewer revenue, 1970-2006). Represents default rate in year 10 from initial rating date.

Historical 10YR credit spreads to AAA MMD



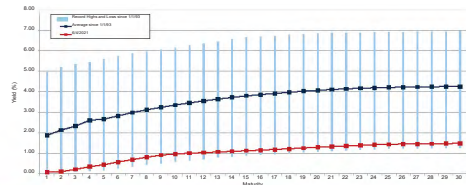
Credit spreads for the 10-year maturity of each rating category compared to MMD were relatively tight until 2008. Spreads for each rating category are starting to converge again.



Due to the COVID-19 pandemic, and uncertainty throughout the markets, spreads began to rise in March of 2020, especially for BBB credits. BBB credits flattened out in the aftermath of COVID-19 followed by further market uncertainties in 2022-2023 leading to greater spreads.

Yield Curve

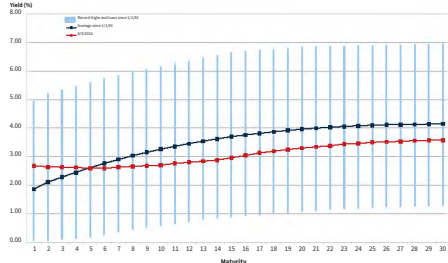
- A positively sloped yield curve exists in most market conditions. Yields generally increase as maturities lengthen. The typical yield curve would show lower yields in the shorter maturities ascending to higher yields in the longer maturities.
- The average yield curve below is "normal-ish" because the market usually expects more return for greater risk. Longer-term bonds are exposed to more risks. Also, investing money for a long period of time means and investor is unable to use the money in other ways, so the investor is compensated for this through the time value of money component of the yield.
- Historically, an inverted yield generally signals an upcoming recession. However, it is an early indicator – recessions are typically identified as/after they occur. Generally, rising interest rates and a flat/inverted yield curve make banks less profitable, so they reduce their lending activity, thus tightening credit and contracting the economy.



Historical AAA MMD rates

This graph shows the range between the record highs and lows of AAA MMD at each maturity since 1993, along with average rates over this time frame and the current rates.

Record high & low MMD rates vs. current

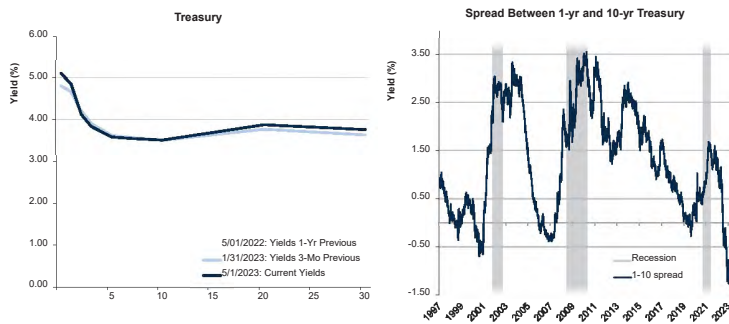


	1	5	10	15	20	25	30
Record Low since 1/1/93	0.05	0.16	0.58	0.88	1.08	1.22	1.27
Record High since 1/1/93	4.95	5.60	6.15	6.65	6.85	6.90	6.95
Average since 1/1/93	1.90	2.61	3.24	3.69	3.95	4.09	4.14
Current (08/09/24)	2.68	2.59	2.70	2.96	3.30	3.50	3.58

CHANGING SHAPE OF YIELD CURVE

PUBLIC FINANCE

- The slope of the yield curve, the difference between long-term and short-term interest rates, is considered one of the best indicators of economic sentiment.
- Normally, the yield curve is upward sloping. The rare inverted yield curve (short-term rates higher than long-term interest rates) is an indicator of negative economic sentiment.
- As of July 13th, 2022, the spread between the 1-year Treasury and 10-year Treasury turned negative. This is the first time it has been negative since March 22, 2019.



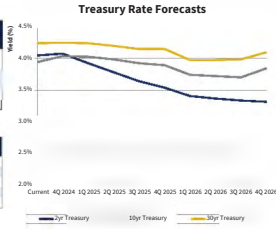
Note: 20-Year Treasury rates prior to May 21, 2020 are from Treasury.gov website. 20-Year Treasury rates after May 21, 2020 are from Bloomberg.

Rate forecast

The Bloomberg consensus of economists predicts that rates will begin to steadily fall later this year.

Economist Consensus										
US Treasury	Current Rate	2024				2025				Change from Current Rate to 2024 Q4
		Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	
2 Year	4.04%	4.01%	3.50%	3.17%	3.04%	3.04%	3.11%	3.31%	3.31%	-0.72%
Economists Surveyed		52	50	50	47	45	24	24	22	22
10 Year	3.94%	4.03%	4.02%	3.90%	3.35%	3.00%	3.14%	3.72%	3.70%	3.84%
Economists Surveyed		52	57	57	53	54	27	27	25	24
30 Year	4.23%	4.24%	4.23%	4.14%	4.14%	3.97%	3.97%	3.97%	3.98%	4.09%
Economists Surveyed		40	40	40	38	38	22	22	20	20

Bloomberg Consensus										
Rate	Current	2024				2025				Change from Current Rate to 2024 Q3
		Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	
Real GDP	2.80%	1.50%	1.70%	1.90%	2.00%	2.00%	-0.80%			
Consumer Price Index	3.00%	2.80%	2.50%	2.30%	2.30%	2.30%	-0.70%			
Unemployment	4.30%	4.20%	4.20%	4.20%	4.20%	4.20%	-0.10%			
Fed Funds Target	5.50%	4.75%	4.50%	4.20%	4.00%	3.85%	-1.50%			
3-month SOFR	5.12%	4.83%	4.53%	4.21%	3.94%	3.75%	-1.18%			



Tax Status

Municipalities can directly issue municipal bonds, and certain not-for-profit entities can issue bonds through a governmental conduit issuer. Municipal bonds may be classified according to their tax status:

- Tax-Exempt:**
 - Interest on bonds is not included in gross income pursuant to Section 103 of IRS for federal tax purposes.
- Tax-Exempt (Bank Qualified):**
 - Bonds are designated as bank qualified if an issuer does not expect to issue more than \$10 million of tax-exempt securities in a single calendar year.
 - Allows a financial institution to deduct 80% of its interest expense allocable to the purchase of tax-exempt securities.
- Tax-Exempt (AMT):**
 - Considered "private activity" bonds; interest is an item of tax preference for purposes of determining the alternative minimum tax imposed on individuals for federal tax purposes (e.g. some airport bonds).
- Taxable**
 - Interest subject to all federal taxes
 - Some taxable municipal bond issues are exempt from state and, often, local taxes, in which case, investors who reside in the state of issuance are not taxed on their interest earnings at the state level.

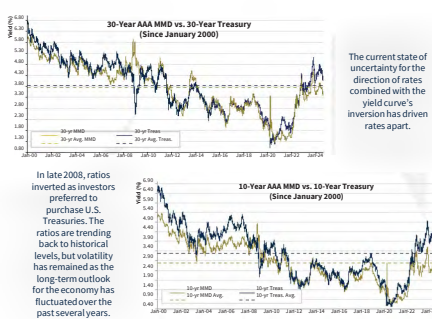
Relationship of AAA-MMD to Treasuries

In stable economic conditions, AAA MMD rates on average sit just below Treasury rates because investors are willing to accept a lower yield for high-grade municipal bonds in exchange for tax exemption.

This relationship was flipped during the credit crisis of 2008 as investors sought the safety of US Treasury Bonds.

While the gap between the two rates has since narrowed, economic uncertainty has caused volatility in MMD vs. Treasury ratios as investors have switched their preferences between the two.

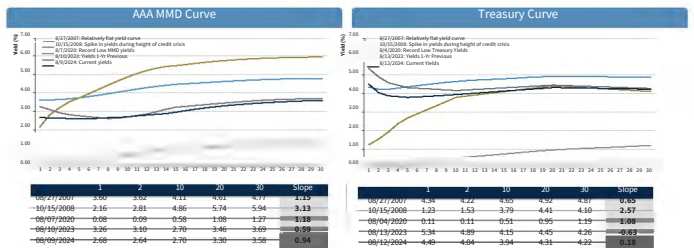
AAA-MMD vs. Treasury rates



The current state of uncertainty for the direction of rates combined with the yield curve's inversion has driven rates apart.

Changes in AAA MMD and Treasury yield curve slope since 2008

Rates peaked in October 2008, with sizeable increases on the long end of the yield curve. Overall rates are lower than the height of the credit crisis. Numerous factors including high levels of inflation and nation-wide bank failures has led to market uncertainty and increased volatility which is contributing to the inverted shape of the yield curve. The slope, as computed below, is the difference between the 30-year and the 2-year yields.



In stable economic conditions, AAA MMD rates on average sit just below Treasury rates because investors are willing to accept a lower yield for high-grade municipal bonds in exchange for tax exemption. This relationship was flipped during the credit crisis of 2008 as investors sought the safety of US Treasury Bonds. While the gap between the two rates has since narrowed, economic uncertainty has caused volatility in MMD vs. Treasury ratios as investors have switched their preferences between the two.

UST vs. current events

This year, the US Treasury Market has faced continued pressure from inflationary data and rate hikes from the Fed.

The treasury yield curve is currently inverted.



Section 2

DETERMINING THE AFFORDABILITY OF A PROJECT

Calculating Debt Service

- Calculating debt service on a USDA - Rural Development ("RD") loan is a little easier than calculating interest on open market debt.
 - It is a subsidized Federal program that does not have to compensate investors for risk on the time-value of money.
 - Not relying on investors, RD can also have a term of forty years, with the debt being callable at any time.
 - It is more like a straight-line calculation, much like a mortgage.

Calculating Debt Service - Open Market Bonds

Fiscal Year	Principal	Interest Rate	Interest
2001	50		50
2002	14,000	4.150%	58,005
2003	17,000	4.150%	70,813
2004	18,000	4.150%	74,670
2005	19,000	4.150%	78,539
2006	19,000	4.150%	78,539
2007	21,000	4.650%	97,668
2008	22,000	4.650%	102,300
2009	23,000	4.650%	106,946
2010	24,000	5.150%	123,600
2011	25,000	5.150%	128,750
2012	26,000	5.150%	133,900
2013	26,000	5.150%	133,900
2014	26,000	5.25%	136,500
2015	32,000	5.25%	168,000
2016	32,000	5.25%	168,000
2017	35,000	5.25%	183,750
2018	37,000	5.25%	194,250
2019	39,000	5.25%	203,250
2020	44,000	5.25%	231,000
2021	44,000	5.150%	226,600
2022	46,000	5.150%	237,900
2023	46,000	5.150%	237,900
Total	5026,000		2431,442

I think the difference between the ascending rate scale and a flat rate scale could be seen if you look at it from a bondholder's perspective. You essentially have two separate deals, because each has two separate buyers who each bought a term at a different rate. Every year, until each term matures, you are paying interest to all of those buyers, and they each expect to receive the interest at which they bought the bonds. If you were holding the bonds maturing in 2020, you would want to receive the interest of 5.25% from the 2008 buyer. However, if interest in the year 2007 is calculated by multiplying the principal by 4.15%, you would only be paying the holder of the bonds maturing in years 2007-2022 a 4.15% for the first five years. This is why interest on an ascending scale is calculated in a different manner than if it were a flat rate. Otherwise, you couldn't find a buyer for the bonds in the later years. Bondholders that hold bonds for longer terms expect to be compensated for the additional risk they assume. They are still receiving interest payments in 2002, however, and are expecting that higher interest rate over the life of their bonds. Essentially you have five different buyers of your bonds - a different one for each of the terms at each of the different rates. As the issuer/borrower you are paying the holder of these bonds until each term matures. For example in 2003 you are paying interest to the bondholders of each of the five terms. After that five term matures in 2006, you are paying interest to the bondholders of the remaining four terms. Each of those bondholders expects to receive the interest rate at which they bought the bonds.

While the theory behind interest rate calculation is standard, you are able to use a simpler formula for flat rates (such as mortgages) because even if you have different buyers in different years, they are all earning the same rate of interest. Therefore, if the bonds are calculated at a flat rate, in 2002 you are still paying your bondholders - whether they hold the 2002 bonds or the 2006 bonds the same rate each year.

The interest that you would be paying if you calculated in the manner that the second set of columns is calculated, assumes that the 4.15% is paid for all of the bonds throughout 2002 on the 2002 payment. For another example, in year 2004, by calculating the interest in this same manner, you are assuming that 5.25% is the interest paid for the remaining 7 years, even though that isn't the case. Even though you are using an ascending scale, by not taking the full interest rate into consideration each year, you are still calculating the interest as if it were a flat rate.

Bonds are typically calculated with an ascending scale in this manner. The ascending rate scale generally results in a lower overall interest cost because the borrowing is for the bondholder (for instance 30 years or so away), the greater amount of interest that bondholder requires because they assume greater risk that their bonds will be called, or that interest rates will change. If you were to have issued bonds with one flat rate throughout, the interest rate would have probably been much higher. Also, one of the things you have to consider about bonds at different interest rates, each year you must take the full rate into account when calculating interest because essentially each year you are paying all of those bondholders the interest rate at which they bought the bonds.

Term of Borrowing – How far to go?

The general rule of thumb is to not borrow for a longer term than the average life of the project. However, in some cases, that isn't feasible.

Borrowing longer will almost always cost more in interest expense (with the exception of RD loans), but it also will result in lower annual debt service.

Below is a table that shows the difference in interest cost and annual debt service over different terms of borrowing.

Construction Fund	\$2,000,000	\$2,000,000	\$2,000,000
Term	20 years	25 years	30 years
Par Amount	\$2,020,000	\$2,040,000	\$2,055,000
Premium/(Discount)	\$47,913.80	\$25,815.15	\$11,167.90
Total Cost of Issuance & Underwriting	\$65,020.00	\$65,540.00	\$65,930.00
Total Principal, Interest and Trustee Fee	\$2,979,198.54	\$3,306,879.13	\$3,663,376.15
Average Annual Debt Service	\$148,959.93	\$132,275.17	\$122,112.54
True Interest Cost	3.934%	4.154%	4.313%
All In Cost	4.194%	4.379%	4.514%

The Importance of the Debt Service Coverage Ratio

What is a debt service coverage ratio?

The debt service coverage ratio measures the utility's available cash flows in relation to its current debt.

If the debt service coverage is 1.00x, that means that the utility is devoting all of its available income to debt, and that there is no "cushion" to fall back on if revenues fall short of expectations, or, more likely, expenses are much higher than expectations.

Generally, most lenders would like to see a debt service coverage ratio of at least 1.20x. This means that the cash available to pay debt is 20% greater than the annual debt owed.

A good policy is to always have a cushion to allow for unforeseen expenses. A debt service coverage ratio of 1.20x to 1.25x is solid standard.

How to Calculate the Debt Service Coverage Ratio

	Without Donor Restrictions	Debt Service Coverage Calculation	
Revenues, gains and other support		Total Revenues:	3,209,765
Water sales	\$2,889,030	Total Expenses:	(3,626,558)
Federal grants in aid of construction	0	Total:	(416,793)
Membership fees	1,265	Add back Depreciation:	520,414
Interest income	10,521	Add back Interest Expense:	199,297
Gain on sale of assets	8,790	(both were included in expenses)	
Miscellaneous	184,512	Total Available for Debt Service (A):	302,918
Support provided by expiring purpose restrictions	115,687	Add back Interest Expense (B):	177,596
Total revenues, gains and other support	3,209,765	Debt Service Coverage:	1.706
Expenses:			
Program services			
Supply operations	1,332,616		
Transmission and distribution	1,517,657		
Total program expenses	2,850,273		
Supporting services			
Administration and general	776,285		
Total expenses	3,626,558		
Change in net assets	(416,793)		

Source: Rowan Water, Inc – Statement of Activities, 2019

How do you know how much you can afford to borrow?

In the absence of a rate study, using a base of a debt service coverage ratio of 1.20x is a simple way to help determine roughly what the utility can afford (by no means is this as comprehensive as a rate study!).

	2022	Estimated New Debt and rate increase		
		15 year DS	20 year DS	25 year DS
Operating Revenues	2,174,987	2,174,987	2,174,987	2,174,987
Less: Operating Expenses	(2,320,328)	(2,320,328)	(2,320,328)	(2,320,328)
Operating Income	<u>(145,341)</u>	<u>(145,341)</u>	<u>(145,341)</u>	<u>(145,341)</u>
Add Back Depreciation	540,981	540,981	540,981	540,981
Plus: Interest Income	2,801	2,801	2,801	2,801
Available Revenues	<u>398,441</u>	<u>398,441</u>	<u>398,441</u>	<u>398,441</u>
Existing Maximum Ann. Debt Service	70,875	70,875	70,875	70,875
Estimated New Debt Service		309,293	257,485	228,867
Total Debt Service	<u>70,875</u>	<u>380,168</u>	<u>228,360</u>	<u>299,742</u>
Debt Service Coverage	5.622	1.048	1.713	1.329
Add in 15.5% rate increase		337,123	337,123	337,123
Add in revenue from new customers		9,666	9,666	9,666
Revised available revenues	<u>745,230</u>	<u>745,230</u>	<u>745,230</u>	<u>745,230</u>
New Debt Service Coverage		1.960	2.270	2.486

Interest Rate Movements – How Volatility Affects Debt Service

Below is a table illustrating the difference in rate increases using a \$5,000,000 loan amount and a thirty-year term (all rates are estimated).

	Base Case (AA-)	Plus 25 bps	Plus 50 bps	Plus 100 bps
Total Debt Service	\$ 8,840,654.91	\$ 9,076,163.53	\$9,344,378.24	\$ 9,890,418.69
Interest Cost	\$ 3,810,654.91	\$ 4,076,163.53	\$4,344,378.24	\$ 4,890,418.69
Average Annual Debt Service	\$ 293,688.50	\$ 302,538.78	\$ 311,479.27	\$ 329,680.62
True Interest Cost	4.1975%	4.4574%	4.7042%	5.2112%
Difference from Base Case		\$ 265,508.62	\$ 533,723.33	\$ 1,079,763.78

Section 3

EVALUATING FINANCING OPTIONS

What are the statistics that you see, and what do they mean?

Yield Statistics

Average Life	8.776 Years
Average Coupon	2.7814899%
Net Interest Cost (NIC)	2.5280007%
True Interest Cost (TIC)	2.4893673%
Bond Yield for Arbitrage Purposes	2.2093139%
All Inclusive Cost (AIC)	2.7637965%

Average Life: Generally the point at which half of the principal of the bond/loan will be paid off. It gives an indication of how fast the principal is amortizing.

Average Coupon: the average of all of the coupon rates on the bond/loan.

Net Interest Cost: Interest expense calculation that takes into account both the coupon and yield on the bonds/loan and the length of the term.

True Interest Cost: Similar to the Net Interest Cost, but takes into account the underwriter's fee. This is the rate that is generally appropriate when comparing similar options.

Bond Yield for Arbitrage Purposes: The maximum rate that a tax-exempt bond/loan can earn (there are exceptions) on investment earnings associated with the tax-exempt bonds/loan.

All Inclusive Costs: Similar to the True Interest Cost, but also includes all costs of issuance. This would be the rate to use if comparing to a bank loan where all costs are wrapped into the rate.

Where will the cash to fund your project come from?

- Your own resources and cashflow
- Grants and Subsidies

U.S. Environmental Protection Agency (EPA)

EPA is the largest source of federal funds for environmental infrastructure; most of these funds are distributed by the states through revolving loan funds for drinking water and wastewater infrastructure.

Community Development Block Grant (CDBG) Program

Each year, the U.S. Department of Housing and Urban Development (HUD) divides its appropriation for the CDBG program between states and larger local jurisdictions called *entitlement communities*. In all cases, CDBG projects must have a substantial benefit for low-to-moderate-income people; housing improvements and environmental infrastructure for low-income communities are often priorities.

Economic Development Administration (EDA)

EDA is a federal agency that provides matching-grant assistance to economically distressed areas, primarily for projects that will create and retain private-sector jobs. Communities may use EDA grants to support utility construction, industrial site development, transportation facilities, business incubators, or other development projects.

- **USDA Rural Development**
Rural Development, part of the U.S. Department of Agriculture, is an important funding source for infrastructure projects in most communities.
- **Kentucky Infrastructure Authority**
The Kentucky Infrastructure Authority (KIA) was created in 1988 to provide the mechanism for funding construction of local public works projects.

There are a variety of lending agencies throughout Kentucky. Careful analysis of the various structures as well as the benefits and restrictions of each should be reviewed in order to determine the best fit for the borrower. The following is a list of Kentucky lenders and some general facts on each:

Kentucky Rural Water Finance Corporation /Rural Water Financing Agency

- Established for the benefit of KRWA members and other cities and utilities
- Tax-exempt market rate programs with low COI and quick availability of funds

Kentucky Infrastructure Authority

- State sponsored programs for water and sewer projects
- Subsidized loan rates through the SRF Program
- Low/Limited cost of issuance
- Longer application and approval process

USDA Rural Development

- Federally sponsored program for water and sewer projects
- Low interest rates with limited cost of issuance
- 40 year loan term
- Longer application and approval process (RD Apply)
- Possible grant dollars or subsidized rates
- Callable at anytime without penalty

Kentucky League of Cities

- Established for the benefit of KLC members
- GO secured loans for municipal projects
- Tax-exempt market rates on a fixed rate structure

Kentucky Association of Counties

- Established for the benefit of KACo members
- GO secured loans for municipal projects
- Tax-exempt market rates on a fixed rate structure

Stand – Alone Bond Issue

- More economical for larger transactions
- Tax-exempt market rates based off of issuer's rating
- Issued on a non-rated, rated, or enhanced basis
- Traditional call features (typically 10 year par call)

Local Bank Financing

- Typically most economical for very small and short term transactions
- Local relationships may result in a favorable rate of borrowing
- Costs typically added into the interest rate

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The information contained herein is solely intended to facilitate discussion of potentially applicable financing applications and is not intended to be a specific buy/sell recommendation, nor is it an official confirmation of terms. Any terms discussed herein are preliminary until confirmed in a definitive written agreement. While we believe that the outlined financial structure or marketing strategy is the best approach under the current market conditions, the market conditions at the time any proposed transaction is structured or sold may be different, which may require a different approach.

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OPEN RECORDS & OPEN MEETINGS LAW

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OPEN RECORDS & OPEN MEETINGS LAW

“A Guide for the Public and Public Agencies”
Publication available on OAG’s website:
<https://ag.ky.gov/AG%20Publications/2021%20Open%20Records%20Open%20Meetings%20Guide.pdf>
(If you remember nothing else, remember that there is a pamphlet on the AG’s web page.)

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Open Meetings Law

4

What is the Open Meetings Act and what does it do?

- Kentucky Law that establishes a right of access to public meetings.
- Recognizes that public policy should not be conducted in secret.
- Requires that discussions of public business occur in meetings open to the public.
- The law is contained in KRS 61.800 to KRS 61.850.

5

What is a “Public Agency” for Open Meetings purposes?

- Common examples
 - State and local government board, commission, and authority
 - County and city governing bodies, school district boards, special district boards and municipal corporations
 - State and local government agencies created by statute, etc.
- A committee created by a public agency would be its own public agency for open meetings purposes.
- Take Note:
 - “Public Agency” has a narrower definition for open meetings purposes than open records purposes.
 - Example: A city’s mayor is a public agency for public records purposes but not public meetings purposes.
- For full list, consult KRS 61.805(2) or pages 18-19 of the guidance document.

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What is a Public Meeting?

- If there is a quorum of members of any public agency where:
 - Any public business is discussed; or
 - Any action is taken by the agency.

7

What is Public Business?

- "Public business is not simply any discussion between two officials of the agency. Public business is the discussion of the various alternatives to a given issue about which the [agency] has the option to take action."
- Day to day administrative work - too remote from the decision-making process to invoke the Act - **IS NOT PUBLIC BUSINESS.**
 - Ex: Discussion of when to hold a public meeting is not itself a public meeting

8

General Requirements of the Open Meetings Act

<i>Time and Place of Meetings</i> KRS 61.820(1)	<i>Schedule of Meetings</i> KRS 61.820(2)	<i>Minutes of the Meetings</i> KRS 61.835
<ul style="list-style-type: none"> • Must be convenient to public, but it does not have to be the most convenient time or place. • The location must allow for effective observation by the public. 	<ul style="list-style-type: none"> • Must be established by an official vote, such as by ordinance, order, resolution, or bylaw. • The schedule of meetings must be made available to the public. 	<ul style="list-style-type: none"> • Must be taken at every meeting. • Must be an accurate record of the votes and actions taken. • Must be approved by end of next meeting. • Not required for closed meeting.

9

General Requirements of the Open Meetings Act

<i>Public Attendance</i> KRS 61.840	<i>News Media</i> KRS 61.840
<ul style="list-style-type: none"> • Physical conditions of the meeting room should allow effective observation. • No conditions for attendance other than those for maintaining order may be used. • Public has a right to observe, but not to participate. 	<ul style="list-style-type: none"> • News Media must be permitted to attend. • Video recording and broadcasting must be permitted so long as it will not disrupt the meeting.

10

Special Meetings

- Any meeting that is not a regularly scheduled meeting.
- May only be called by the presiding officer or a majority of public agency's members.
- Agency must provide written notice of the special meeting consisting of the:
 - Date of meeting.
 - Time of meeting.
 - Location of meeting.
 - Agenda for meeting (this agenda must be strictly followed).

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Special Meetings

- Delivery and Posting of Notice.
 - Personal delivery or fax or by facsimile.
 - To members and media with 24 hours before.
 - Must be posted in a conspicuous place, i.e., entrance to the building or a public facing bulletin board, at both the agency headquarters and the location of the meeting (if the two are different locations).
 - The notice must also include the special meeting agenda.
 - Simply posting the notice on the agency's website does not satisfy this requirement, but the agency is encouraged to post the notice on its website in addition to physically posting the notice at the agency's headquarters and meeting location.
- Email notice is appropriate for anyone who indicated such a preference in writing.

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Emergency Special Meetings

- Agency must make a reasonable effort to notify members, media organizations, and public of the emergency meeting. KRS 61.823(5).
- The presiding officer must begin the emergency meeting by describing the emergency that prevented it from providing notice of a special meeting under KRS 61.823.
 - This explanation must be included in the minutes.
- Discussion and action at the emergency meeting must be limited to the emergency for which the meeting was called.
- The Attorney General has very rarely found conditions to be grave enough to justify an emergency meeting.

13

Video Teleconferences

- A video teleconference is a meeting that occurs in at least two locations where participants both see and hear each other using video and audio equipment. KRS 61.805(5).
- Any remote meeting being conducted by video teleconference must be properly noticed, and such notice shall:
 - Clearly state that meeting will be conducted via video teleconference.
 - Precisely identify a primary location where all members can be both seen and heard, and where the public and media can attend.
- Any interruption in video will result in immediate suspension of meeting until the broadcast is restored. KRS 61.826(4).
- Because members must both be seen and heard, telephone conferencing is not allowed. KRS 61.826.

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Closed Sessions

- The Open Meetings Act allows a public agency to discuss certain subjects in a closed session where the public is excluded.
- Prior to entering closed session:
 - Notice be given, in an open meeting, of the nature of the business to be discussed.
 - The general reason for the closed session must be given, and
 - The specific provision authorizing the closed session must be cited. KRS 61.815(1)(a).
- A motion must first be made and carried in the open session of the meeting. KRS 61.815(1)(b).
- No final action may be taken in closed session and only the matter that justified the closed session may be discussed. KRS 61.815(1)(c) and (d).
- The 14 subjects that may be discussed in a closed session can be found at KRS 61.810 or pages 22-23 of the guide.

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Additional Closed Session Considerations

- Any series of less than quorum meetings, where the members attending one or more of the meetings constitute a quorum of the agency, held to avoid the rule is prohibited. KRS 61.810(2).
- Prior to entering closed session the agency must provide a statement describing the exception and a description of the business to be discussed that is detailed enough that the public can assess the propriety of the closed session.

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Additional Closed Session Considerations

- When an agency is entering closed session to discuss a personnel issue, the employee need not be identified. However, an agency must state, at a minimum, whether closed session discussions may lead to the appointment, lead to the discipline, or lead to the dismissal of an employee. KRS 61.810(1)(f). Simply stating that the closed session discussion will be about "a personnel matter" is not sufficient.
- The requirement that notice be given in open session is relaxed if a public agency will be discussing information that is exempt under certain enumerated exceptions. KRS 61.815(2). For example, a public agency discussing pending or proposed litigation need not provide specific information that would identify the proposed or pending litigation.

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Complaint/Appeals Process

- A person who believes a public agency violated the Open Meetings Act must first submit a written complaint to the presiding officer of the agency and
 - Describe the violations.
 - Propose remedies for how the agency may correct the alleged violations.
- The agency must then decide whether to correct the violation and notify the complaining party of its decision. KRS 61.846(1).
- If it chooses to reject the proposed remedy, a public agency's written response must cite the statute that authorized its action and briefly explain how the exception applies.

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Complaint/Appeals Process

- The complaining party may then appeal to the Attorney General within 60 days of receipt of the Agency's decision. KRS 61.846(2).
 - Note: there is not an equivalent time limitation for an open records appeal.
- Either party may appeal the Attorney General's decision to the circuit court within thirty days of receipt.
- If no appeal is taken, the Attorney General's decision has the force of law and can be enforced in circuit court.

19

Changes to Open Meetings During the 2022 Regular Session – HB 453

- Public agencies retain the discretion to conduct video-conferenced meetings without providing a primary physical location where the public may attend. Instead, notices of such video-conferenced meetings must contain "specific information on how any member of the public or media organization may view the meeting electronically." KRS 61.826(2)(c). If, however, two or more members of the public agency attend the meeting from the same physical location, then the notice of the video-conferenced meeting must provide a primary physical location where the public may attend and observe the video-conferenced meeting. KRS 61.826(2)(d).
- 2022 HB 453 also expanded the exception under KRS 61.810(1)(n), which permits closed session meetings "of any selection committee, evaluation committee, or other similar group established under KRS Chapter 45A or 56" to select the bidder of a state contract to include similar groups established under "other state or local law to select a successful bidder for award of a state or local contract." Thus, discussions to select the bidder of local contracts are exempt in the same manner as similar discussions to select the bidder of state contracts.

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Questions on Open Meetings?



21

Open Records Law

22

What is the Open Records Act and what does it do?

- Kentucky Law establishes a right of access to public records.
- In 1976, the General Assembly passed KRS 61.870 to KRS 61.884.
- Provides for the free and open examination of public records.
- Identifies a relationship between records retention/management and public access.
- Makes nonexempt records available to the public.
- Requires providing suitable facilities for the inspection of records.

23

What are Public Records?

- Public Records are "all books, papers, maps, photographs, cards, tapes, discs, diskettes, recordings, software, or other documentation regardless of physical form or characteristics." KRS 61.870(2).
- Any of those types of records that are "prepared, owned, used, in possession of or retained by a public agency." KRS 61.870(2).
- Emails, databases, and other electronic records are included.
- Records not maintained on agency's premises are included.

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Who may request Public Records?

- Anyone who is a resident of the Commonwealth. KRS 61.870(10).
- Residents of the Commonwealth include:
 - (a) An individual residing in the Commonwealth;
 - (b) A domestic business entity with a location in the Commonwealth;
 - (c) A foreign business entity registered with the Secretary of State;
 - (d) An individual that is employed and works at a location or locations within the Commonwealth;
 - (e) An individual or business entity that owns real property within the Commonwealth;
 - (f) Any individual or business entity that has been authorized to act on behalf of an individual or business entity defined in paragraphs (a) to (e) of this subsection; or
 - (g) A news-gathering organization as defined in KRS 189.635(8)(b)1.a. to e.

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News-Gathering Organizations

- “News-gathering organization” is defined in KRS 189.635(8)(a) and include:
 - Newspapers and periodicals
 - Television or radio stations with valid broadcast licenses from the FCC
 - A news organization that broadcasts over a multichannel video programming service as defined in KRS 136.602
 - A Web site published by or affiliated with the three prior entities
 - An online-only newspaper or magazine that publishes news or opinion of interest to a general audience
 - Any other entity that publishes news content by any means to the general public or to members of a particular profession or occupational group

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What is a “Public Agency” for Open Records Purposes?

- Only “public agencies” as defined in KRS 61.870(1) are controlled by the Open Records Act. These include:
 - State and local government officers, departments, and legislative bodies;
 - County and city governing bodies, school district boards, special district boards, and municipal corporations;
 - State or local government agencies created by statute or other executive and legislative acts;
 - Bodies created by state or local authority in any branch of government;
 - Bodies that receive at least 25% of their funds from state or local authority, within any fiscal year, excluding funds derived from a state or local authority in compensation for goods or services that are provided by a contract obtained by a public procurement process;
 - An entity where the majority of its governing body is appointed by a public agency;
 - Agencies created and controlled by public agencies; and
 - Interagency bodies of two or more public agencies.

27

General Requirements of the Open Records Act

Suitable Facilities

Time for Inspection

Official Custodian

Adopted Rules and Regulations

28

Suitable Facilities

- Must provide those who wish to inspect documents with a space to do so. KRS 61.872(1).
- No fees may be imposed for a requester who only inspects public records and makes no copies.

29

Time for Inspection

- Each public agency must permit inspection of nonexempt public records during the agency’s regular office hours. KRS 61.872(3)(a).
 - Requester must simply “describe” the public records when requesting to inspect records in-person.
- Agencies must, upon request, mail copies to a person whose residence or principal place of business is outside the county in which the records are located. KRS 61.872(3)(b).
 - Requester must “precisely describe” the requested records and the records must be readily available when requesting copies by mail.

30

Official Custodian

- Agencies must appoint an official custodian of the agency's records.
- This person is "responsible for the maintenance, care, and keeping of the agency's records, regardless of whether the records are in his or her actual personal custody and control." KRS 61.870(5).

31

Rules and Regulation

- Each public agency must adopt rules and regulations in conformity with the requirements of the Open Records Act. KRS 61.876.
- The rules must conform to the requirements of the Act and be displayed by the agency in a prominent location that is accessible to the public. KRS 61.876(2).
- Effective June 29, 2021, each public agency must make its rules and regulations available on its website.
- The rules and regulations shall include:
 - the principal office of the public agency and its regular office hours;
 - the title, mailing address, and email address of the official custodian of records;
 - the fees charged for copies;
 - the procedures to be followed in requesting public records.

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What is a Request?

Request for information: "How much are the city's employees paid?"

- An agency is not required to provide information in response to a request for information.
- An agency is not required to compile info or create a record that does not already exist in response to an open records request.

Request for record: "Please produce copies of the city's payroll records for May."

- This is a proper record request.
- Unless this record is exempt, this request must be honored.

33

Requests for alternate format

- What does this mean?
 - A format other than the format in which the record is maintained.
 - "Maintain" means any format that a database is capable of producing responsive records. For example, if an agency's database has the ability to export records in Microsoft Excel, and the requester asks for the records in that format, the agency must supply the records in the requested format.
 - A request to tailor the format to meet the parameters of the request. For example, if a requester seeks a transcript of a hearing or meeting, and the agency possesses an audio or video recording of the hearing or meeting, an agency is not required to transcribe the audio recording into a written document.
- The agency may provide the requested form, but it is not required to do so.
- The agency can recover certain costs from the requester.
 - Staff costs.
 - Actual costs of format change.

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Other things you should know

- If a requester wants to inspect the records on-site, he or she must be allowed to do so, even if the public agency prefers to honor the request by other means.
- On-site inspections must be allowed during regular office hours and no other restrictions on hours of access may be imposed.
- Absence of the custodian does not extend agency response time. If the custodian will be absent for more than a few days, then the agency should designate an acting custodian to act during the regular custodian's absence.
- Redacting information is not creating a record. The agency is required to bear the costs and separate exempt and non-exempt information and provide non-exempt information to the requester. KRS 61.878(4). Agencies should be mindful of their duty to redact when procuring records management software or similar tools.

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Procedure for inspecting public record

Request to inspect records.

- Made to the official custodian.
- Custodian may require request be
 - in writing,
 - signed by the requester,
 - name printed legibly on it,
 - describing the records to be inspected.
 - The request may be **hand-delivered, mailed, emailed, or sent via facsimile** to the agency.
- Email Requests
 - Effective June 29, 2021, each public agency must accept a request submitted via email to the records custodian at the email address provided in the agency's rules and regulations
- Effective June 29, 2021, only residents may request to inspect public records. A request must include a statement by the requester as to how he or she qualifies as a resident under KRS 61.870(10). A record custodian may deny a request that does not include a statement affirming residency.

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Open Records Request Form

- The Attorney General has promulgated a standardized open records request form.
- This form is available at the Attorney General's website.
- Effective June 29, 2021, all public agencies must publish a link to this form on their websites.
- Requesters are not required to use this form, but a public agency must accept requests that are submitted to it on this form.

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Procedure for inspecting public record

Agency Response

- Public agency (custodian) **must** respond
 - In writing
 - Within five business days
 - Day of receipt is "Day Zero" because it does not count towards the five business day deadline
 - Keep copy of request & response.
- Although a record custodian may call the requester to get more information about the records being requested, a response must be issued in writing within five business days. "But I called him" is not a defense to a requester's claim that he did not receive a response from the public agency.

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Procedure for inspecting public record

Application to Wrong Agency or Person

- Wrong Agency – If your public agency is not the custodian of records requested (i.e., a request to the fiscal court for the meeting minutes of the local school board), the records custodian must respond to the request within five business days and provide the requester with the contact information of the records custodian of the proper agency.
- Wrong Person – If a request is sent to any employee within the agency, that employee must forward the request to the Custodian. The five-day clock is still running from the date the first employee received the request.

39

Procedure for inspecting public record

Record Not Available

- Record is not available when:
 - In active use.
 - In storage.
 - Or not otherwise available.
- Agency **must** notify the requester.
 - Invoke KRS 61.872(5) in writing.
 - Within five business days after receipt of request, and
 - Indicate a place, time, and date for inspection not to exceed five days from receipt of the request.
- If the record cannot be produced within five days, then the public agency:
 - **Must** notify the requester in writing.
 - Provide a detailed explanation for the delay.
 - State the earliest date the record will be available.

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Procedure for inspecting public record

Unreasonably Burdensome Request

- The agency may refuse inspection or copies;
 - If the request places an **unreasonable burden** on the agency in producing records; or
 - If the custodian believes that repeated requests are **intended to disrupt the agency's essential functions**.
 - Agency must support such a refusal with **clear and convincing evidence**.

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Procedure for inspecting public record

Copies of Records

- Requester has right to obtain copies of all nonexempt records.
- A public agency may require prepayment of a reasonable fee. Must not exceed actual cost of copying the record.
 - Cannot include staff costs.
 - 10¢ per page is the max fee allowed unless a statute allows a greater fee or actual costs of the agency exceed 10¢.
 - A public agency may only charge the actual cost of physical media, such as CDs or flashdrives, when providing records on those mediums. For example, if a package of 20 blank CDs costs \$20.00, a public agency may charge \$1.00 per CD.
 - A public agency's fee must be established in its rules and regulations.
- A public agency is only required to provide copies in the format in which the records are maintained. A public agency is not required to tailor the records in a format requested by the requester.

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Procedure for inspecting public record

Commercial Use

- Commercial use is "any use by which the user expects a profit either through commission, salary, or fee," but does not include:
 - Use by print or electronic media organizations or
 - Attorneys representing parties in litigation.
- A higher copying fee may be used for requests made for a commercial purpose.
 - That fee can incorporate staff costs, which normally are not allowed.
- An agency may require the requester to certify whether records will be used for commercial purpose prior to production.

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Procedure for inspecting public record

Online Access

- A public agency may provide online access to public records in electronic format.
- But the public agency may not simply direct the requester to its website to inspect records.
- The agency may require that the requester enter into a contract, license, or other agreement with the agency, and may charge fees. KRS 61.874(6).
- Fees cannot exceed:
 - The cost of physical connection to the system and
 - The reasonable cost of computer time access charges.

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Commonly Cited Exemptions

KRS 61.878(1)(a)-public records containing information of a personal nature the public disclosure of which would constitute a clearly unwarranted invasion of personal privacy

- Ex. - SSN, personal phone number, personal address, bank account numbers, date of birth

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Commonly Cited Exemptions

KRS 61.878(1)(i)-preliminary drafts, notes and correspondence with private individuals and preliminary recommendations

KRS 61.878(1)(j)- preliminary memoranda in which opinions are expressed or policies formulated or recommended

KRS 61.878(1)(k) and (l)-records made confidential by federal or state law

For full list, consult KRS 61.878(1) or pages 12-13 of the guidance document.

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New Exemptions

KRS 61.878(1)(p)-client and case files maintained by the Department of Public Advocacy or any person or entity contracting with the Department of Public Advocacy for the provision of legal representation under KRS Chapter 31.

KRS 61.878(1)(r)- Photographs or videos that depict the death, killing, rape, or sexual assault of a person. However, a public agency must allow in-person inspection of such records when requested by specifically identified individuals.

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Other info regarding exemptions

- A denial must cite the exemption that allows the denial.
- An agency may release records covered by exemption if it so chooses. Use of the exemptions is discretionary, not mandatory.
- A public agency employee is entitled to inspect any record that relates to him, even if exempt, as long as it is not part of an ongoing criminal or admin investigation or been made confidential by federal or state law. KRS 61.878(3).
- Agencies are encouraged to share exempt documents when they serve a "legitimate governmental need." KRS 61.878(5).
- When a record contains exempt and nonexempt information, it must be shared with exempt information redacted.

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Open Records Appeals

- Requester may appeal agency response to Attorney General or to Circuit Court.
 - Each agency has the burden of justifying its actions, including that a record was properly denied pursuant to an exemption, or a delay in access was reasonable under the facts of the case.
- Either party may appeal Attorney General's decision to Circuit Court.
 - Parties have thirty days to appeal AG decision.
 - Failure to appeal a decision within 30 days makes the decision final and enforceable by order of the Circuit Court.
- The Attorney General cannot assess fines or otherwise enforce its decision; a court may assess penalties, costs, and attorney fees if records were willfully withheld.

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Questions on Open Records?



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Easy to Find Useful Pages

Page 29 – Sample Open Records Request	Page 30 – Sample Open Records Response	Page 31 – Sample Open Records Appeal	Page 32 – Sample Open Meetings Complaint
Page 33 – Sample Open Meetings Response	Page 34 – Sample Open Meetings Appeal	Page 35 – Sample Open Records Rules & Regulations	Page 38 – Internet addresses of Additional Resources

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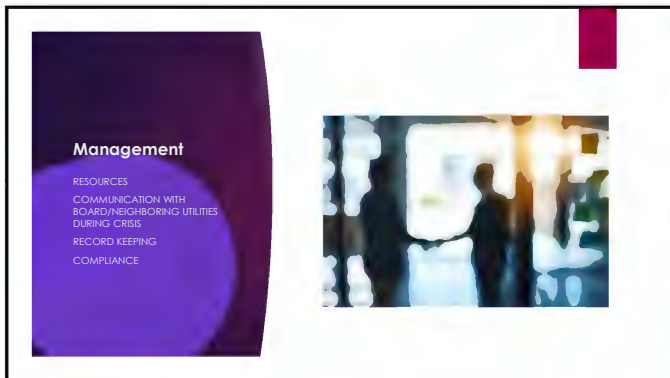
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CPCN
COMMISSION APPROVAL
COMMON CONTRACT

LEASED VEHICLES

7

“

CUSTOMER COMMUNICATION

”

BEST PRACTICES, TECHNOLOGY, SOLUTIONS, ISSUES, BILLING, COMPLIANCE

8

“

SUCCESSION PLANNING

”

RESOURCES, TURNOVER,
LESSONS LEARNED, SUCCESSFUL POLICIES

9

DISCUSSION


10

Drinking Water Compliance Updates

Division of Water

Elizabeth Dowling, M.S.
Environmental Scientist Consultant
Drinking Water Branch

August 20, 2024



1


New DW Regulations

Finalized:

- PFAS Rule – April 2024
- CCR Rule – May 2024
- Lead and Copper Rule Revisions – December 2021

Pending:

- Lead and Copper Rule Improvements
 - expected October 2024
- Water System Restructuring Rule
 - proposed May 2024




2

PFAS Rule

Three primary components:

1. Monitoring
 - 1-3 years of monitoring
2. Communication
3. Treatment



3


PFAS Regulatory History

2000-2008	• 3M voluntary phase-out of PFOS
2009	• EPA set Provisional Health Advisories (HAs) at 400 ppt for PFOA and 200 ppt for PFOS
2013	• UCMR3 included PFOS, PFOA, PFNA, PFHxS, PFHpA & PFBS
2015	• All production and importation of PFOS/PFOA ceased in United States.
2016	• EPA set Lifetime HAs to 70 ppt for PFOA + PFOS combined
2024	<ul style="list-style-type: none"> • EPA issues final drinking water PFAS rule for PFOS, PFOA, and 4 other PFAS • EPA issues final CERCLA designation: PFOS and PFOA = hazardous substances

4

Final PFAS Drinking Water Rule


- Finalized April 25, 2024
- Applies to all Community and Non-Community Non-Transient PWSs
- Purchasing (consecutive) systems **are not** required to sample!
 - PN & CCR requirements still apply



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Important Deadlines – PFAS Rule

- **April 26, 2027**
 - Complete initial monitoring
 - Comply with monitoring and reporting PN and CCR requirements
 - Begin compliance monitoring
- **April 26, 2029**
 - Ongoing compliance monitoring (starts spring 2027)
 - Comply with all MCLs
 - Public notification for MCL violations




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PFAS *Initial* Monitoring Deadline: April 26, 2027

- Surface Water Systems**
All populations
 - 4 quarters within 12-month period
 - Collected 2 to 4 months apart
- Groundwater Systems**
>10,000
 - 4 quarters within 12-month period
 - Collected 2 to 4 months apart
- Groundwater Systems**
≤10,000
 - Twice within 12-month period
 - Collected 5 to 7 months apart




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PFAS Initial Monitoring Deadline: April 26, 2027

- Samples collected at entry point to the distribution system (EPTDS)
- Can use these sample results:
 - UCMR 5
 - DEP sampling project (2019-2024)
 - Other appropriate data may be used
 - Samples do not need to be consecutive, but do need to represent appropriate quarters
- Results will determine initial compliance monitoring schedule.




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Final PFAS MCLGs and MCLs

Compound	Maximum Contaminant Level Goal (MCLG)	Maximum Contaminant Level (MCL)
PFOA	0	4.0 ppt
PFOS	0	4.0 ppt
PFHxS	10 ppt	10 ppt
PFNA	10 ppt	10 ppt
HFPO-DA (commonly known as GenX Chemicals)	10 ppt	10 ppt
Mixture of two or more : PFHxS, PFNA, HFPO-DA and PFBS.	Hazard Index of 1 (unitless)	Hazard Index of 1 (unitless)

ppt=parts per trillion; also expressed as ng/L
Compliance determined by running annual averages (RAA)



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Hazard Index

- Long-established approach: accounts for potential risk of mixtures of chemicals.
- Add the ratios: $\frac{\text{water sample concentration}}{\text{Health-Based Water Concentration}}$

$$HI\ MCL = \left(\frac{[HFPO-DA_{water}]}{[10\ ppt]} \right) + \left(\frac{[PFBS_{water}]}{[2000\ ppt]} \right) + \left(\frac{[PFNA_{water}]}{[10\ ppt]} \right) + \left(\frac{[PFHxS_{water}]}{[10\ ppt]} \right) = 1$$

- EPA fact sheet: [Per- and Polyfluoroalkyl Substances \(PFAS\) | US EPA](#)




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Practical Quantitation Level (PQL)

Compound	Practical Quantitation Level (ppt)
PFOA	4.0
PFOS	4.0
PFHxS	3.0
PFNA	4.0
HFPO-DA (GenX Chemicals)	5.0
PFBS	3.0
Hazard Index	N/A

- The PQL is the lowest concentration that can be reliably measured with precision and accuracy.
- If a sample result is less than the PQL, ZERO is used to calculate the running annual average (RAA).



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PFOA Example RAA Calculation

PQL=4.0 ppt; MCL 4.0 ppt

Q1=2.0 Q2=1.5 Q3=5.0 Q4=1.5

Q1 0 + Q2 0 + Q3 5.0 + Q4 0 = 1.3 ppt RAA

1. Replace any value below PQL with zero
2. Add 4 quarters; divide by 4
3. Round to two significant figures

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Hazard Index MCL Calculation Examples

Credit: EPA Office of Water

	HFPO-DA	PFBS	PFNA	PFHxS	Hazard Index	
• Example 1	$\frac{10 \text{ ppt}}{10 \text{ ppt}}$	$\frac{1200 \text{ ppt}}{1200 \text{ ppt}}$	$\frac{14 \text{ ppt}}{10 \text{ ppt}}$	$\frac{14 \text{ ppt}}{10 \text{ ppt}}$	$= 0.9$	No exceedance of final Hazard Index MCL
• Example 2	$\frac{15 \text{ ppt}}{10 \text{ ppt}}$	$\frac{1200 \text{ ppt}}{1200 \text{ ppt}}$	$\frac{16 \text{ ppt}}{10 \text{ ppt}}$	$\frac{15 \text{ ppt}}{10 \text{ ppt}}$	$= 3$ (2.7 rounds to 3)	Exceedance of final Hazard Index MCL (and exceedance of PFHxS MCL)
• Example 3	$\frac{14 \text{ ppt}}{10 \text{ ppt}}$	$\frac{10 \text{ ppt}}{12000 \text{ ppt}}$	$\frac{10 \text{ ppt}}{10 \text{ ppt}}$	$\frac{10 \text{ ppt}}{10 \text{ ppt}}$	$= 1$ (1.4 rounds to 1)	No exceedance of final Hazard Index MCL (only one PFAS present)
• Example 4	$\frac{19 \text{ ppt}}{10 \text{ ppt}}$	$\frac{1100 \text{ ppt}}{12000 \text{ ppt}}$	$\frac{14 \text{ ppt}}{10 \text{ ppt}}$	$\frac{15 \text{ ppt}}{10 \text{ ppt}}$	$= 2$ (1.65 rounds to 2)	Exceedance of final Hazard Index MCL (no individual MCL exceedances)

*MCL compliance is determined by running annual averages at the sampling point

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Trigger Levels (1/2 MCLs)

Compound	Trigger Levels (ppt)
PFOA	2.0
PFOS	2.0
PFHxS	5
PFNA	5
HFPO-DA (GenX Chemicals)	5
PFBS	N/A
Hazard Index	0.5 (unitless)

- Based on single sample result
- Used to determine ongoing compliance monitoring frequency
- PFOA & PFOS triggers are below the PQL, but show if they are present or absent

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Initial Compliance Monitoring

Any sample \geq Trigger Levels

↓

Quarterly Monitoring

All samples $<$ Trigger Levels

↓

Reduced Triennial Monitoring

Sampling frequency is the same for ALL regulated PFAS, even if just one exceeded trigger

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Quarterly Monitoring

- One sample collected at the EPTDS every quarter
- After one year of quarterly monitoring, a system may move to annual monitoring if all results are consistently below the MCLs (even if they are above the trigger level).
- A system must return to quarterly monitoring if RAA is $>$ MCL.
- MCL compliance is determined by the RAA
 - Violation if RAA is $>$ MCL
 - In compliance if RAA \leq MCL

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Notification with the Public

Starting in 2029

- MCL violations – **Tier 2** notification
 - 30 days to notify public
 - Based on RAA
- Monitoring and reporting violations – **Tier 3** notification
 - One year to notify public
- Include PFAS results in the 2026 (and later) CCR
 - Level of PFAS measured in the drinking water
 - The potential health effects of any PFAS in violation of an MCL

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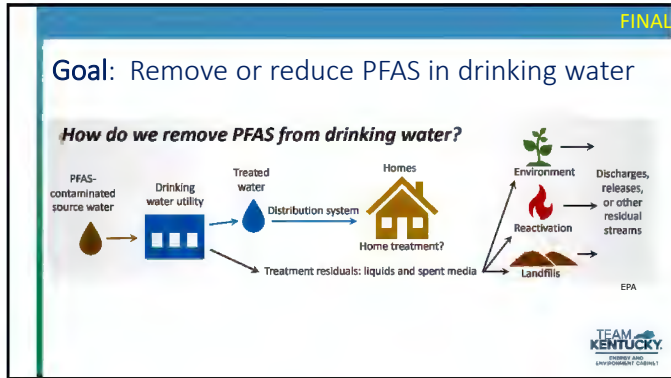
Reduce PFAS

If $>$ MCL during initial (or later) monitoring:

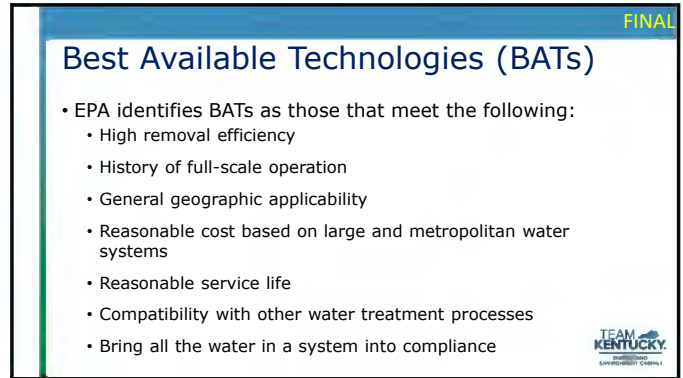
- Install treatment OR
- OR
- Take other actions
 - New uncontaminated source
 - Purchase compliant water from another system

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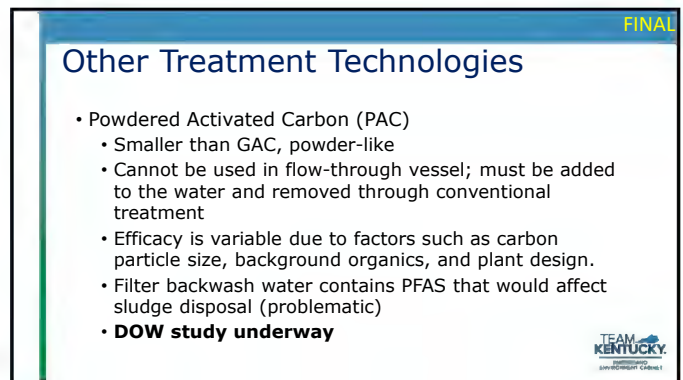
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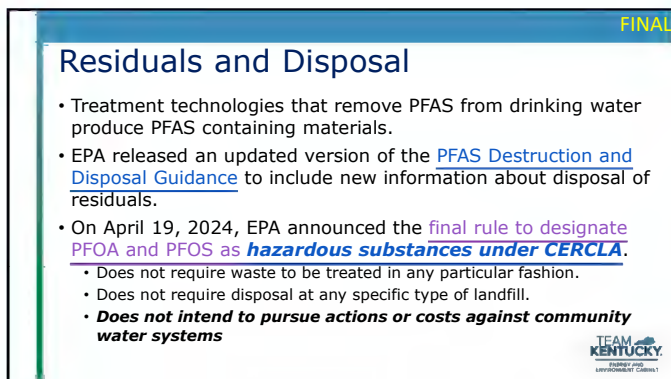
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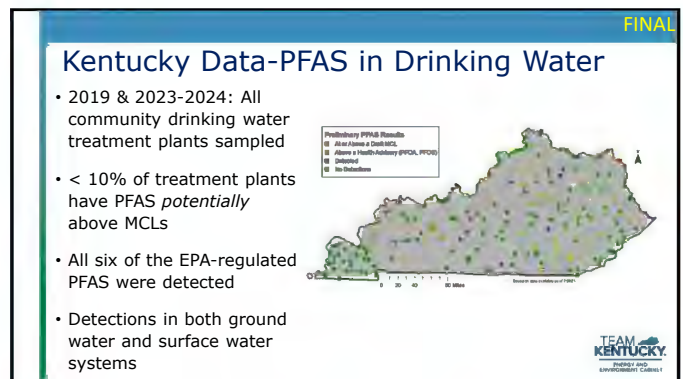
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UCMR5

- Preliminary results:
 - 93 water systems tested so far
 - Some are consecutive (purchase-only) systems
 - 103 PFAS samples > detection limit
 - 18 results from 10 water systems > MCL
 - 11% of water systems, so far
 - Remember, not all systems have sampled
 - Surface water and groundwater systems represented




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Outreach

- Working one-on-one with systems that may need to provide treatment to reduce PFAS.
 - Jar testing events planned for a few systems to test the efficacy of powdered activated carbon.
 - Conducting additional PFAS monitoring to increase data set.
 - Exploring funding options (SRF & EC-SDC)
- Conducting additional PFAS testing for small systems not required to sample for UCMR5, to satisfy initial monitoring requirements.











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FINAL

Consumer Confidence Report (CCR) Rule Revisions

CCR Content Requirements

 Water System Information	 Source(s) of Water	 Definitions	 Detected Contaminants
 Cryptosporidium, Bacteria, and Other Contaminants	 Compliance with the National Primary Drinking Water Regulations	 Violations and Exemptions	 Additional Subchronical Information




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CCR Rule Revisions

Main Provisions:

1. Initial compliance date: January 1, 2027
 - Applies to 2026 CCRs, which are due after January 1, 2027
2. Summary required at beginning
3. Contaminant data table - new format / language
 - Does not have to be a table anymore
4. Risk communication – new language
5. Translations – changes in requirements
6. Lead-related changes
7. Twice a year – only systems >10,000 population
8. Delivery changes




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CCR Rule Revisions


Summary section at beginning of CCR:

- Contact info
- Brief overview of compliance information
- How to request a paper copy of eCCR (if applicable)
- How to request a translated copy of CCR
- List any violations in the year
 - Notify of any PNIs included within CCR
- Encourage sharing of CCR



Risk Communication:

- Updated language and definitions for contaminant, pesticide, and herbicide




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CCR Rule Revisions

Contaminant data:

- Does not have to be reported in table(s), but still can be
- Include any required contaminants that have:
 - MCL (e.g., IOCs, VOCs)
 - Action Level (e.g., lead)
 - Maximum residual disinfectant level (chlorine, chloramine, bromine)
 - Treatment Technique (TOC, turbidity)
- Include most recent result from the past 5 years
- Include UCMR 5 results – detects only
- If choosing to report any extra (non-required) results - put in separate table
 - Encouraged, if there could be health effects
- Cryptosporidium: if any testing was done and there were detects, they must be reported







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CCR Rule Revisions

Translation Assistance:

- Systems with large proportion of limited English proficiency, must translate:
 - Contact information
 - Not about importance of the report
 - Information on how to obtain a translated copy or assistance
- Language access Plan
 - Systems serving over 100,000 people must develop a plan for providing assistance to consumers with limited English proficiency

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CCR Rule Revisions

Lead requirements:

- Must include corrosion control efforts (template to be provided)
- ALEs must be clearly identified, and corrective actions described
- A system with no GRR, lead, or unknown service lines may make a written statement in lieu of inventory instructions

LCRR requires CCRs to include instructions to access publicly available inventory starting on the 2024 CCR (due July 2025)





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CCR Rule Revisions

Biannual distribution:

- Systems serving over 10,000 people
- This was required by 2018 changes to SDWA (AWIA – SDWA 1414(c)(4))


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CCR Rule Revisions

Delivery Methods:

- Delivery Certification
 - No later than 10 days after distribution – certification must be sent to DOW
- Good Faith Delivery
 - New examples have been added as options
- Posting Online
 - Systems over 50,000 must post the report on a publicly accessible website
- Electronic delivery
 - Rules remain the same – but another direct method may be considered if approved by primacy agency



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Lead and Copper Rule Revisions (LCRR)

Due on October 16, 2024:


- Initial Service Line Inventory

Due no later than November 15, 2024:

- Letter to each customer that has a Lead, Galvanized Requiring Replacement, or Unknown service line

Starting in 2025 sampling year:

- Any Action Level Exceedance requires a 24-hour Tier 1 Public Notification



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LCRR – non-inventory requirements

These are Delayed until LCRI (2-3 years):

- Tap Sampling Plan
- Lead, GRR Replacement Plan
- Use of new tap sampling protocol and schedule
- Sampling in schools and daycares
- Changes in corrosion control treatment

Options for early compliance:

- Use of new tap sampling protocol and schedule
- Sampling in schools and daycares




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LCRR – Service Line Inventory FAQs

- Will there be an extension or waivers to the October 16, 2024 deadline?
 - NO
- Are “unknowns” acceptable?
 - Yes- “Unknowns” are allowed but will be treated similar to a lead or GRR line until material is verified
 - ****An inventory with 100% unknowns would indicate the required records review has not been completed****
- Should I focus my inventory efforts on potholing or records review?
 - The LCRR **does not** require water systems to do physical verifications of service lines – but **does** require a complete review of certain types of records




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LCRR – Service Line Inventory FAQs

- What do I have to submit with my inventory?
 - A copy of completed inventory (Excel, shapefile, or geodatabase) and a complete [service line inventory certification](#) form
- If there are no lead service lines in our system– what do we have to submit?
 - **All** water systems must complete/submit an inventory and certification
 - System may have reduced requirements for making inventory public and communicating on CCR




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LCRR – Service Line Inventory

Galvanized Requiring Replacement (GRR)

- A galvanized service line that **is or was at any time** downstream of a lead service line or is currently downstream of an “unknown” service line
- Must be able to demonstrate the galvanized line has NEVER been downstream of a lead service line
 - Historical or current records indicating the material type of any upstream service lines since the galvanized line was first installed
- GRR lines will require replacement, but lead service line replacement plans have been delayed and are not due in October 2024




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LCRR - Communications

Customer Notification of Service Line Material

- Due no later than November 15, 2024 and annually after that
- Must notify each consumer at service connections classified as lead, GRR, or “unknown”
 - Specific language requirements
 - Examples can be found on DOW website
- [Customer Notification Certification](#) form must be submitted to DOW
 - Include example of letter(s)




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LCRR - Communications

Tier 1 Public Notice (PN) for action level exceedance (15ppb)

- Starting in sampling year 2025
- Must be sent to customers no more than 24 hours after learning of exceedance/ 90th percentile results
- Copy must be sent to DOW no more than 24 hours after learning of exceedance
- Template for tier 1 public notice will be available on DOW website soon





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LCRR – Public-Facing Inventory

- Customers must be able to understand the location
 - Address not required
- List all lead and GRR service lines
- Online for systems >50,000
- Doesn't have to be a map
 - But recommended






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PROPOSED

Lead and Copper Rule Improvements (LCRI)

Final Rule set to be published October 15, 2024

- Clarifies details of delayed items from LCRR:
 - Tap Sampling Plan
 - Lead, GRR Replacement Plan
 - Use of new tap sampling protocol and schedule
 - Sampling in schools and daycares
 - Changes in corrosion control treatment




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PROPOSED

LCRI – Lead Service Line Replacement Plans

Replacement Plan for the complete replacement of all lead and GRR service lines (utility owned and private side)

- Submit plan to DOW by October 2027
- Plan would include all Lead, GRR, *and* Unknowns
- Replacements would occur at a minimum of 10% per year
 - Based 3-year rolling average
- Would need to replace all in 10 years



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PROPOSED

LCRI – Tap Sampling

New Site Sampling Plan must be submitted to DOW

- Based on Initial Service Line Inventory

New Tiers – similar to what’s in LCRR (5 tiers)

New Schedule

- Double the number of current sites
- (2) 6-month sample periods, then annually

New Protocol

- Stagnation period – 6 hour minimum
- First and Fifth liter requirements – slight differences from LCRR


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PROPOSED

Lead Testing in Schools and Childcares

Due (tentatively) in 2027:

- Compile a list of schools/childcares built prior to 2014
- Provide each school/child-care facility with information packet




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PROPOSED

Lead Testing in Schools and Childcares

2028-2032:

- Sample at all elementary + childcares within 5 years (20%/year min.)
 - sample at secondary schools upon request.
- Provide sample results and public education to each school/child-care
- Report findings to local and state regulators (public health and DOW)
- After 5-year period: Re-sample at any facility upon request

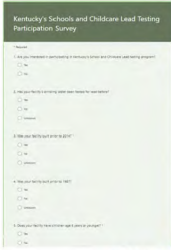



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PROPOSED

Kentucky’s Voluntary Lead Sampling Program


- Easy to sign up
 - Simple online survey questionnaire (5 min.)
- Absolutely Free
- To date – no major lead problems detected in schools / child-cares
 - We do not anticipate there being a large lead problem that the school or child-care will have to fix
- If lead is found – we will work the facility every step of the way

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Lessons Learned from Voluntary Sampling

- Communication is key!**
 - Make sure everyone is aware of sampling event and instructions of pre-sampling
- Confirm staff is trained and/or aware of set pre-sampling conditions**
 - Stagnation period matters
 - Results can vary significantly if the stagnation period is not met
- Don't just provide sample result reports**
 - Follow up meeting with all facilities regarding sample results
 - Assume your audience is learning about lead for the first time
 - Build a partnership




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Water System Restructuring Assessment Rule

PROPOSED

Main points:

- EPA was directed to make this rule by the 2018 AWIA
- DOW would require a restructuring assessment for struggling water systems (e.g., multiple health-based violations or an Agreed Order)
- Restructuring =
 - change in management, ownership, operations, or physical infrastructure
 - Option(s) chosen would depend on situation and community
- Water systems are not required to restructure
 - Only required to have a Restructuring Assessment




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Water System Restructuring Assessment Rule

PROPOSED


Restructuring "Options":

- Sharing operators or equipment
- Debt restructuring
- New treatment technology
- Interconnection with another system
- Changing ownership
- Merger of two or more water systems



Local / Community Input:

- Required to have public input and participation in the assessment process
- Neither DOW nor EPA would mandate any given solution




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Questions?

Division of Water
Drinking Water Branch

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Capital Planning Where do we begin?

August 21, 2024
Prepared by



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1

Bluegrass Engineering, PLLC

- **Utility Consulting Firm established in 2017**
- **Located in Georgetown, KY**
- **Work for 35+ utilities across the Commonwealth of Kentucky**




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2

Capital Improvement Planning

Capital Improvement Plan – community planning and fiscal management tool used to coordinate the location, timing and financing of capital improvement projects over a multi-year time frame.

- **30,000 foot view**
 - Stay above the details
- **Existing Conditions**
 - Where are we at
- **Needed Improvements**
 - Where do we want to go
- **Long Range Planning**
 - How are we going to get there

3

Capital Improvement Planning

- **30,000 Foot View**
 - **How are we doing?**
 - **Metrics of Success**
 - Revenue
 - Expenses
 - Water Loss
 - Compliance
 - **Performance of Assets**
 - Distribution/Collection System
 - Storage Facilities
 - Booster/Lift Station
 - Treatment Facilities

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Capital Improvement Planning

- **Metrics of Success - Revenue**
 - **Meeting Requirements**
 - Operating
 - Debt Service
 - Debt Reserve
 - Depreciation
 - **Existing Rate Structure**
 - Last Rate Adjustment
 - **Debt Restructuring**
 - Refinancing
 - Debt Consolidation

5

Capital Improvement Planning

- **Metrics of Success - Expenses**
 - **Inflationary Cost Increase**
 - Materials
 - Chemicals
 - Wages
 - Insurance
 - **Requoting Supplies**
 - Bi-annual Quotes

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Capital Improvement Planning

- **Metrics of Success - Water Loss**
 - **PSC Stated Goal of < 15%**
 - Operating Pressures
 - Total Length
 - Water Theft
 - Residential Meters
 - Large Meters
 - **Reducing Pressures (if possible)**
 - **Low Flow Meters**



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Capital Improvement Planning

- **Metrics of Success - Compliance**
 - **KPDES**
 - Flow Rate
 - Effluent Quality
 - Wet Weather Events
 - **Drinking Water**
 - Disinfection By-Products
 - PFAs
 - HAAs
 - Chlorine Residuals
 - Lead-Copper



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Capital Improvement Planning

- **Performance of Assets**
 - **Distribution/Collection System**
 - **Storage Facilities**
 - **Booster/Lift Station**
 - **Treatment Facilities**



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Capital Improvement Planning

- **Performance of Assets - Distribution/Collection System**
 - **Low Pressure Areas**
 - **Surcharging**
 - **SSOs**
 - **Repair History**



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Capital Improvement Planning

- **Performance of Assets - Storage Facilities**
 - **Tank Inspections**
 - Coating Condition
 - **Water Quality**
 - Tank Turn Over Analysis
 - Chlorine Residual



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Capital Improvement Planning


- **Performance of Assets - Booster/Lift Station**
 - **Run Times**
 - **Energy Efficiencies**
 - **Interior Piping Sizes**
 - **Changes in Operating Conditions**



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Capital Improvement Planning


- **Performance of Assets – Treatment Facilities**
 - **Changes in Operating Parameters**
 - Increased Backwash cycles
 - Loss of Treatment Performance
 - **Need for Expansion**



13

Capital Improvement Planning


- **Performance of Assets – Treatment Facilities**
 - **Changes in Operating Parameters**
 - Increased Backwash cycles
 - Loss of Treatment Performance
 - **Need for Expansion**



14

Capital Improvement Planning

- **Existing Financial Considerations**
 - **Growth or Loss of Customers**
 - **Existing Usage Rates**
 - **Existing Non-Reoccurring Charges**
 - **Existing Debt Obligations**
 - **Existing Operational & Maintenance Expenses Annually**



15

Capital Improvement Planning

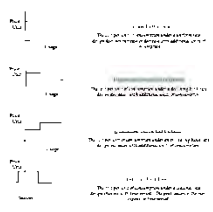

- **Financial Considerations – Growth (or Loss) of Customers**
 - **Impact on Debt Service**
 - **Impact on Revenues**
 - **Impact on the System**
 - Operational Issues caused by Growth/Loss
 - Water Quality



16

Capital Improvement Planning


- **Financial Considerations – Existing Usage Rates**
 - **Last Cost of Service Study**
 - **Last Rate Increase**
 - **Type of Existing Rate Schedule**
 - Uniform Rate
 - Decreasing Block Rate
 - Increasing Block Rate

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Capital Improvement Planning

- **Financial Considerations – Existing Usage Rates**
 - **Objectives of Rate Schedule Design**
 - Revenue Sufficiency
 - Revenue Stability
 - Simplicity
 - Ease of Administration
 - Affordability
 - Resource Efficiency
 - Legal
 - Consistency



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Capital Improvement Planning

- **Financial Considerations – Non-Reoccurring Charges & O & M Costs**
 - Annual Review
 - Annual Price Quotes/Bids
 - Increase as your cost increases



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Capital Improvement Planning

- **Financial Considerations – Debt Obligations**
 - Annual Review for Refinancing Opportunities
 - PSC Delays
 - Consistent until new debt added or retired



20

Capital Improvement Planning

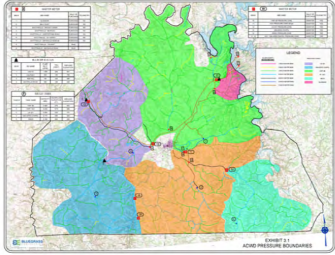
- **Long Range Planning**
 - Know where you are. How do you get to where you want to go?
- **Case Study – Allen County Water District**
 - ~ 6,500 customers
 - Rural System with significant growth
 - Purchases all water from Glasgow Water Company
 - Six Pressure Zones



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Capital Improvement Planning

- **Case Study – Allen County Water District**



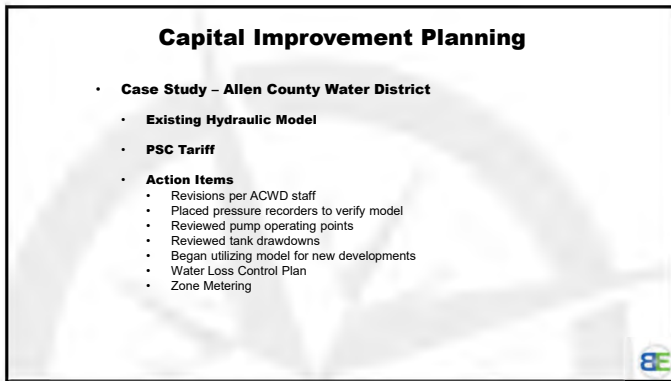
Decade of Installation	Pipe (Linear Feet)	Percentage of Total Pipe
1970	1,323,515	52%
1980	518,761	20%
1990	226,008	9%
2000	416,289	16%
2010	68,632	3%

Diameter of Pipe	Pipe (Linear Feet)	Percentage of Total Pipe Diameter
2-inch or less	31,749	1.3%
3-inch	239,783	9.3%
4-inch	1,473,814	58.1%
6-inch	554,047	20.3%
8-inch	94,047	3.7%
10-inch	17,831	0.7%
12-inch	161,675	6.4%

22

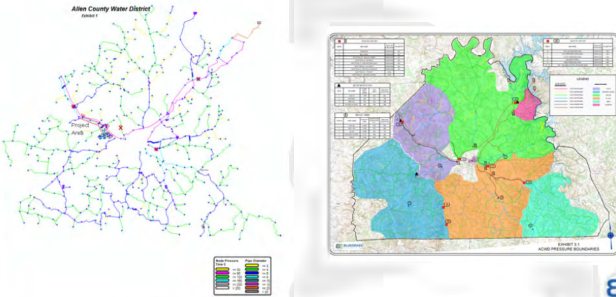
Capital Improvement Planning

- **Case Study – Allen County Water District**
 - Existing Hydraulic Model
 - PSC Tariff
 - Action Items
 - Revisions per ACWD staff
 - Placed pressure recorders to verify model
 - Reviewed pump operating points
 - Reviewed tank drawdowns
 - Began utilizing model for new developments
 - Water Loss Control Plan
 - Zone Metering



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Capital Improvement Planning



24

Capital Improvement Planning

- **Case Study – Allen County Water District**
 - **Hydraulic Model = Planning Asset**
 - Look at possible solutions at low cost
 - HWY 101 Pressure Issue
 - Solution was demonstrated via modeling
 - Use Model to determine benefit prior to Capital Outlay



25

Questions

Matthew Curtis, PE
502.370.6551
mcurtis@bluegrassengineering.net



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**ROWAN WATER
SUMMER TRAINING**

HONAKER LAW OFFICE, PLLC
BRITTANY HAYES KOENIG
▶ August 21, 2024

1

**ROUNDTABLE
DISCUSSION**

2

Introduction
& Disclaimer



3


**Common
Management
Issues &
Solutions**

- 1 WORKFORCE DEVELOPMENT
- 2 Shared CERTIFICATION TRAINING
- 3 SHARED REQUESTS FOR PROPOSALS-
- 4 SHARED BULK PURCHASING

4

**WORKFORCE
DEVELOPMENT**

ATTRACTING
RETAINING
TRAINING



5

* **EMPLOYEE BENEFITS**

- FRANKLIN CIRCUIT COURT CASE RE: OLDHAM COUNTY WATER DISTRICT CASE
- CASE BY CASE VS. PREDETERMINED DECISION: BLS NATIONAL STATISTICS FOR PRIVATE VS. GOVERNMENT; CONSIDERING BENEFITS PACKAGE TO BE COMPETITIVE

6



7



8



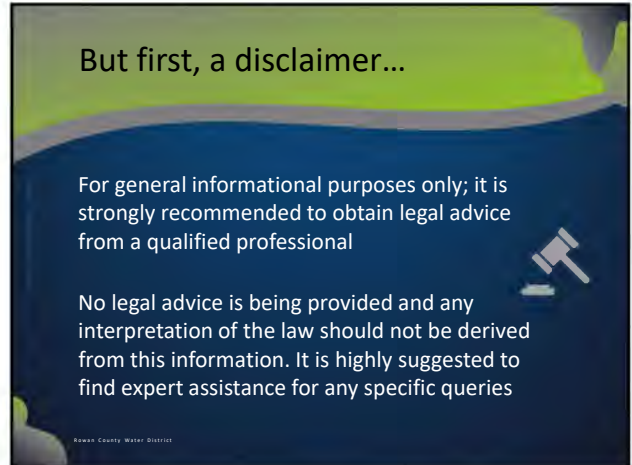
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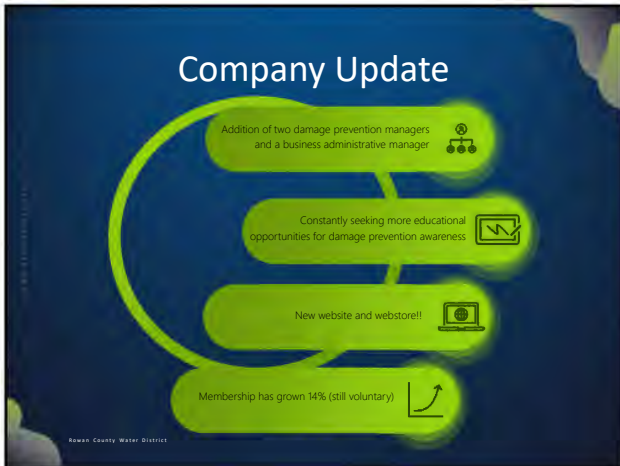
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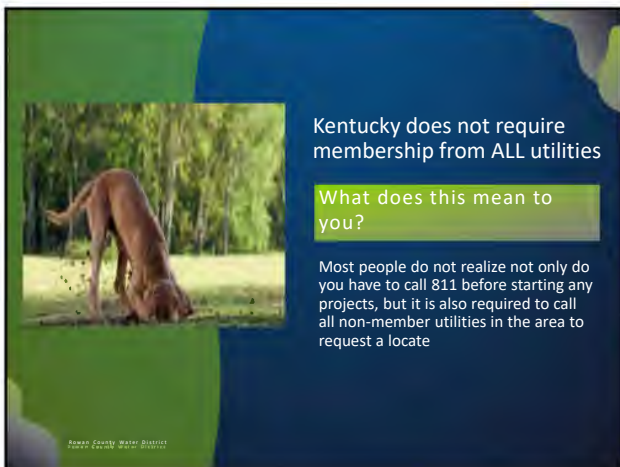
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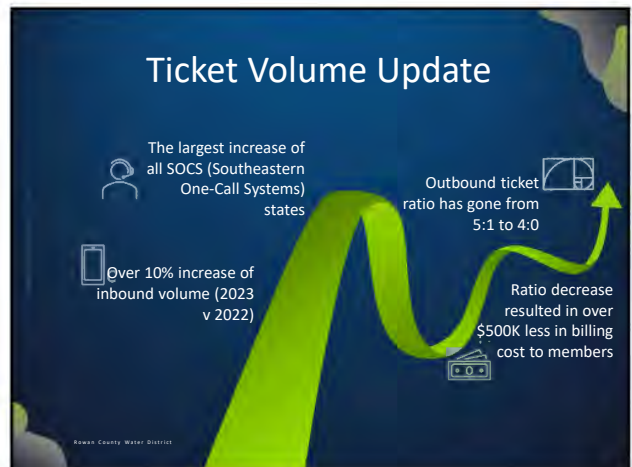
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5



6

Activities Exempt

- Damages While Exempt
- Working Day Definition
- Tolerance Zone
- Work Site Contact
- Utility Locate Response Time
- Unmapped or unlocatable
- Positive Response
- Large Projects
- 2nd Notice Request
- On-Site Exposed Facility
- Waiver of Liability
- Civil Penalties

**Underground Facility Damage Prevention Act of 1994
2021, 2022 & 2024 Law Changes**

KRS 367.4901 – 367.4917

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Key Definitions

(1) "Underground facility" means an underground line or system used for producing, storing, conveying, transmitting, or distributing telecommunications, electricity, gas, petroleum, petroleum products, cable television, hazardous liquids, water, steam, or sewerage, including storm drainage.

(2) "Damage" means weakening of structural or lateral support or penetration of a facility coating, housing, or other protective device. It also means the partial or complete dislocation or severance of underground facilities or rendering any underground facility permanently inaccessible by the placement of a permanent structure having one (1) or more stories.

(4) "Excavator" means any entity or individual, other than those exempted by KRS 367.4915, engaged in excavation, demolition, or timber harvesting using mechanized equipment.

(5) "Operator" means any entity or individual owning or operating underground facilities to serve the public, but does not include any entity or individual owning or operating underground storage tanks that are subject to Subchapter 60 of KRS Chapter 224.

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What is Excavation?

KRS 367.4903(6)

"Excavation" means any activity that results in the movement, placement, probing, boring, or removal of earth, rock, or other material in or on the ground by the use of any tools or equipment, by the discharge of explosives, or by the harvesting of timber using mechanized equipment.

Forms of Excavating include but are not limited to:

- Grading
- Breasting
- Screening
- Blasting
- Setting poles/pipes
- Installing sign poles
- Boring holes for percolation tests
- probing
- Ditching
- Tunneling
- razing
- Trenching
- Drilling
- Moving
- Cable or pipe plowing or driving
- Digging
- Auguring
- wrecking
- Driving survey pins
- Backfilling
- Pulling-in
- Piling

NOTE: Driving wooden stakes by use of hand tools to a depth of six (6) inches or less below existing grade shall NOT constitute excavation

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Damages While Exempt

Call 811 to have a line located if there is any chance of it existing; ignoring this could lead to exemption loss if one is hit

Tickets yesterday – 2,366
 Tickets this month – 39,973
 Tickets this year – 425,051

Why take the chance????

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What's the process?

Step 1

PLAN

- Allow time in your plans for the 811 system to function properly.
- Know the law: KRS 367.4901-367.4917

Step 2

NOTIFY 811 / NON-MEMBERS

- KRS 367.4911 (1)(a) Excavator or person responsible shall notify 811.
- Per KRS 367.4911 (1)(a) excavators are responsible for contact all operators.

Step 3

WAIT

- Normal Ticket – 2 working days
- Large Project – 5 working days
- Unmapped / Untonable – 5 working days
- Large Project Unmapped/ Untonable -8 working days

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Why two days?

KRS 367.4911 (8) The excavator shall contact the protection notification center to request remarking two (2) working days in advance of the expiration of each twenty-one (21) day period while excavation or demolition continues

Because it's the LAW!

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What is a working day?

KRS 367.4903

(12) "Working day" means every day, except Saturday, Sunday, and holidays established by federal or state statute. For purposes of measuring any period of time prescribed or allowed under the Underground Facility Damage Prevention Act of 1994, a working day shall commence at 12:01 a.m. eastern time and end at 12 midnight eastern time excluding the day the locate request was made.

(18) "Large project request" means an area of excavation occurring on or after July 1, 2016, measuring more than two thousand (2,000) feet in length. Multiple excavation notifications in an area may be considered together in determining if the excavations are part of a large project.

(26) "Untonable facility" means an underground facility that cannot be located from the surface using locating methods which meet industry standards and that requires additional efforts and extended time.

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Are you Positive?

KRS 367.4903 (21) "Positive response" means an automated or written communication system provided by each protection notification center for all locate requests the center receives pursuant to KRS 367.4909 that allows excavators, locators, operators, and other interested parties to determine the status of locating an underground facility and requires response and verification by operators and excavators to comply with their respective requirements of the Underground Facility Damage Prevention Act of 1994

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Step 4

POSITIVE RESPONSE

- Per KRS 367.4909(5) all utility operators are required to provide a positive response.

Step 5

LOCATE THE MARKS

- KRS 367.4909 (10) Utilities shall follow the AFWA uniform color code..
- Markers shall consist of paint, chalk, flags, stakes or any combination thereof.

Step 6

VERIFY THE MARKS

- KRS 367.4911(7) states excavators SHALL immediately contact 811 if they find evidence of an unmarked underground facility.

Step 7

RESPECT THE MARKS

- Observe the 24-inch tolerance zone that is measured from each side of the facility.
- Hand dig or non-intrusive means of excavation in the tolerance zone.

Step 8

DIG WITH CARE

- Follow safe digging practices. Refer to CGA Best Practices.
- Probe and expose all marked utilities that are near your excavation site.

Step 9

RENEW / REPEAT

- Request remark two working days before ticket expiration.
- Repeat the process for new projects. DO NOT do new work on an expired ticket.

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Ticket Submission

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
01	02	03	04	05	06	07
08	09	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31	01	02	03	04

Monday: Ticket submitted to 811 (01)

Tuesday: Wait (02)

Wednesday: Wait (03)

Thursday: DIG! (04) - If you are digging, mark/unmark utilities

Friday: 05

Saturday: 06

Sunday: 07

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"Second Notice Request" is a notice that is made by an excavator to the 811 center when an operator has failed to comply with the positive response requirements of two (2) full working days

Within one (1) working day after receiving a second notice request from an excavator, the operator shall locate its facility and update the positive response system

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Ticket Submission

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
01	02	03	04	05	06	07
08	09	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31	01	02	03	04

Monday: Ticket submitted to 811 (01)

Tuesday: Wait (02)

Wednesday: Wait (03)

Thursday: If no positive response received - 2nd notice submission (04)

Friday: Wait (05)

Saturday: Dig with caution (06)

Sunday: 07

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Kentucky
811

SAVE TIME, GO ONLINE!
Whether you're a homeowner or a professional excavator, Kentucky811.org is the quickest way to submit your dig request.

KRS 367.4911 (10) When excavation or demolition is necessary within the tolerance zone, the excavator **SHALL** hand-dig or use nonintrusive means to avoid damage to the underground facility

KRS 367.4903 (13) "Nonintrusive excavating" means excavation using hand tools or equipment that uses air or water pressure as the direct means to break up soil for removal by hand tools or vacuum excavation

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Tolerance Zone Exemptions

KRS 367.4911 (10) ...mechanized equipment may be used:

- (a) To remove the pavement or other manmade hard surface if used during the initial penetration only to the depth necessary and if an individual other than the equipment operator visually monitors the excavation activity.
- (b) To remove indigenous rock if used during the initial penetration only to the extent necessary, if an individual other than the equipment operator visually monitors the excavation activity, and if the excavation is planned to avoid damage to the underground facility. However, if the underground facility contains flammable, toxic, corrosive, or hazardous products, the excavator shall notify the facility owner of the excavator's intent prior to removing indigenous rock.
- (c) To remove materials that are more than twelve (12) inches in any direction from the outer edge of the located facility if the excavator visually identifies the precise location of the underground facility or visually confirms that no facility is present within the depth of the excavation, if an individual other than the equipment operator visually monitors the excavation activity, and if the excavation is planned to avoid damage to the underground facility; and
- (d) To place shores into an existing excavation or remove shores from an existing excavation.

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- KRS 367.4903(14) "Mechanized equipment" means mechanical power equipment, including trenchers, bulldozers, power shovels, augers, backhoes, scrapers, drills, cable and pipe plows, skidders, and yarders

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Work site contact – means an individual that will be present at the excavation site when the excavation will occur

367.4911 (3) (c) – Name and phone number of work site contact

*****MUST BE A PERSON PRESENT AT THE WORKSITE*****

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"On-Site Exposed Facility Request"
When an excavator has complied with the law regarding proper notice, positive response and timelines followed and evidence of an unmarked underground facility is uncovered, the operator shall have six (6) business hours to identify the underground facility.

BUSINESS HOURS: 8am – 6pm Eastern Time

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2024 Law Amendment

KRS 367.4915 – Activities exempt from KRS 367.4905 to 367.4917

367.4915 - Activities exempt from KRS 367.4905 to 367.4917.
Except as provided in KRS 367.4911(9), the requirements of KRS 367.4905 to 367.4917 shall not apply to the following:

- (1) Excavation by an operator on his own account except where that account is owned by another operator's facility;
- (2) Routine road maintenance or related maintenance or repair;
- (3) Tilling of soil for agricultural purposes;
- (4) Excavation concerning on private property, using nonmechanical equipment, if there is no encroachment on any operator's right-of-way or easement;
- (5) The opening of a grave in a cemetery;
- (6) A valid waste disposal site which is properly permitted;
- (7) Coal mining operations which are exemptly regulated under KRS Chapter 350;
- (8) A utility operator or utility operator subcontractor performing emergency work as defined in KRS 367.4902;
- (9) Leak migration testing using metal probes loaned by a hand by an authorized representative of the operator;
- (10) Any nonintrusive excavating performed by an operator or his or her subcontractor to locate the operator's underground facilities in response to a notice of excavation from the notification center, if all reasonable precautions have been taken to protect the underground facilities;
- (11) Nonintrusive excavating to inspect or perform maintenance for an existing utility pole; or
- (12) Construction or reconstruction of communication lines within a private or public easement or right-of-way by means of nonintrusive excavating when the depth of the excavation is not greater than twelve (12) inches and is completed within twelve (12) inches of a communication service provider's own communication network.

Effective July 15, 2024

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CGA Best Practices




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Emergency Call Outs



Are 811 tickets still required during emergencies? YES!

Kentucky law defines an emergency as a situation where there exists a substantial likelihood that loss of life, property, inability to restore interrupted utility service, an imminent danger to health or the environment or the blockage of public transportation facilities will result.


If a ticket is submitted but not a true emergency, a fine of \$1,000 may be administered.

How long do operators have to respond to emergency tickets?
Kentucky law requires operators to respond to emergency tickets within **48** hours. When submitting a ticket over the phone or online, any additional processes that are requested (e.g. direct phone calls to certain parties) will be put into action.

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Reporting Damages




If an underground conduit used to transport gas or hazardous liquid (natural gas/petroleum and sometimes wastewater) is damaged, it is now mandatory under federal and state law to immediately halt digging and report the incident to 911.

It's essential to inform 811 of any destruction; new locates may be needed to service the damaged line in a different area.

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Ticket Maintenance



Excavator operators should always ensure they have a "good" ticket PRIOR to digging, regardless of who

- Anyone can check ticket statuses by going to kentucky811.org or downloading the app.

Sometimes, tickets will be returned as further information is needed

- Did the correct utilities get notified (is the excavation polygon correct)
- Can the utilities/locators find the area (is there an address, driving directions, or other instructions that are clear)
- Will the utilities/locators know what to mark once on site (you'd be shocked how many times there are no defined marking instructions or scope of work)

ALL THIS EFFECTS YOU and your timeline of starting and completing your project. A good ticket = a good locate = a good dig

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Good Habits, Best Practices

- White Lining – Mark out your proposed areas of excavation whenever possible. Also, take advantage of virtual white lining when creating your ticket.
- Take photos before beginning excavation.
- Knowledge – Know the law, your capabilities, and your limits. Download and read Common Ground Alliance Best Practices Guide



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- Ticket Entry
- Webinar Wednesday
- Resources
- Webstore
- Contact Information



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SAVE THE DATE 

2025 SAFETY CONNECTION

Monday, July 8th
 10:00am - 12:00pm

October 20-22, 2025
 Educational sessions, networking events, and more!

Join us for Kentucky's premier underground facility damage prevention and excavation safety conference

Lexington, KY
 Lexington Marriott City Center

Tell us what YOU want to see at the 2025 conference

 Scan this QR code and let Kentucky 811 know what you want to see at the 2025 Safety Connection.

Stay tuned for more conference details!

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Damage Prevention Manager Regional Map 




Patrick Donoghue
 Western Region
 pdonoghue@ky811.com

Ms. Jamie Gaddis
 Eastern Region
 jgaddis@ky811.com

For additional resources, visit www.ky811.com or call 502-266-5677

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Thank You
FOR YOUR TIME

Tim Vaughn – Executive Director – tvaughn@ky811.com
 Jamie Gaddis – Damage Prevention Manager (Eastern Region) – jgaddis@ky811.com 859-457-0405
 Patrick Donoghue – Damage Prevention Manager (Western Region) – pdonoghue@ky811.com 502-266-5677

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Kentucky Infrastructure Authority

Grant and Loan Programs

August 21, 2024



TEAM
KENTUCKY



1

Authorization of KIA

- Created by General Assembly
 - Collaboration with DOW under Memorandum of Agreement
- Purpose:
 - Provide Financial Assistance for Water / Wastewater Facilities
 - Maintain Water Resources Information System
- 11 member Board of Directors



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2

KIA Board – Ex-Officio Members

Five Ex-Officio members:

- Commissioner of Department for Local Government
- Secretary of Finance and Administration Cabinet
- Secretary of Cabinet for Economic Development
- Secretary of Energy and Environment Cabinet
- Executive Director of Public Service Commission



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KIA Board – At Large Members

Six at-large members appointed by the Governor:

- Kentucky Association of Counties
- Kentucky League of Cities
- Kentucky Rural Water Association
- Kentucky Section of the American Water Works Association
- Kentucky Municipal Utilities Association
- For-Profit Water Companies



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4

KIA Primary Functions

- Administer Loan Programs for eligible infrastructure projects
- Administer Grants identified by the General Assembly, including water and sewer projects
- Maintain the Water Resource Information System (WRIS) and provide technical support to the Water Management Councils



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Overview of KIA

- \$1.59 billion in assets
- Administering 989 grants
- 573 active loans
 - 4 programs
 - 2 state programs, 2 federal programs
- 229 borrowers




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6

Eligible Infrastructure Projects

- Construction or acquisition of treatment works, distribution facilities, water resources projects
- Solid waste projects, dams, storm water control treatment systems
- Gas or electric utility
- Or any other public utility or public service project which the authority finds would assist in carrying out the purposes set out in KRS 224A.300



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Eligible Borrowers


- Governmental Agencies
 - City
 - County
 - Water and Sewer/Sanitation District
 - Water Association
 - Water Commission
- For the CWSRF or DWSRF Programs, the project **MUST BE** listed on the SRF Priority List



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KIA Loan Programs


- Clean Water State Revolving Fund (Fund A) - Federal
- Drinking Water State Revolving Fund (Fund F) - Federal
- Infrastructure Revolving Fund (Fund B) - State
- Governmental Agencies Program (Fund C) - State



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Available Loan Funds

Loan Program	FY25 Funding
Fund A (CWSRF)	\$101,732,614
Fund F (DWSRF)	\$76,323,479
Fund B	\$30,008,495
Fund C	\$6,790,533
Total	\$214,855,121



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Where do we get our money? (Funds A & F)

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Bipartisan Infrastructure Law (BIL)

- Signed into law in November 2021
- Historic investment in drinking water and wastewater systems
- Over \$40 billion across United States
- 5 additional capitalization grants for over 5 years
- Over \$500 million estimated to Kentucky
- Additional principal forgiveness, federal requirements



12

Where do we get our money? (Funds B & C)



Loan Repayments

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13

Current Interest Rates

- Funds A, B, and F
 - Standard rate - 2.25%
 - Non-standard (a) rate - 1.25%
 - Non-standard (b) rate - 0.50%
- Fund C
 - 1 – 5 years - 1.75%
 - 6 – 10 years - 2.25%
 - 11 – 20 years - 2.75%

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Terms/Fees

- Standard term is 20 years
- 30 year terms available for disadvantaged communities
- Fund F – 0.30% admin fee
- Funds A and C – 0.25% admin fee
- Fund B - 0.20% admin fee
- 5% annual reserve funded over 20 years

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Principal Forgiveness


- Additional subsidization provided in disadvantaged communities
- System area MHI
- Project area MHI
- Affordability Index – Annual cost per 4,000 gallons/MHI

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Funds B/C Loan Process

- First Come, First Serve
- Letter of Intent
- Funding Invitation
- Application Documents
- Credit Analysis
- Approvals (KIA/CPBO)
- Loan Agreement




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Getting Started

- Contact ADD Water Management Coordinator
- Pre-Application Form
 - Project description/need
 - Budget
 - Project schedule
 - Detailed project info
- WRIS Project Profile



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Funds A (CWSRF) and F (DWSRF) Pre-application

WRIS Portal

DWSRF Pre-Application Form

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Funds A/F Loan Process

- Call for Projects
- DOW Scores/Ranks Projects
- KIA Project Priority List
- Loan Invitations
- Application Documents
- Credit Analysis
- Approvals (KIA/CPBO)
- Loan Agreement

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Navigating the CWSRF (Fund A) & DWSRF (Fund F)

What You Need to Know

- Funding priority: improving Public Health & the Environment
- Focus on Disadvantaged Communities
- Project Profile data in WRIS is necessary
- Get involved in your Area Development District Water Management Council
- Federal Law applies

SRF Projects

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Build America, Buy America Act

The Build America, Buy America Act (BABA) requires that Kentucky's federally funded Clean Water and Drinking Water State Revolving Fund Programs (SRF), comply with domestic preference requirements for iron and steel, manufactured products and construction materials.

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Build America, Buy America Act

Which SRF projects are "federally funded"?

- All Lead Service Line (inventory or replacement) projects.
- All Emerging Contaminants projects.
- Any project designated as an "equivalency" project.

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BABA Requirements

- All iron and steel items used in SRF projects must be produced in the United States. This requirement is the same as the American Iron and Steel (AIS) SRF requirement. This means all manufacturing processes, from the initial melting stage through the application of coatings, occur in the United States.
- All manufactured products used in SRF projects must be produced in the United States. This means the product was manufactured in the United States, and the cost of the components of the product that are mined, produced, or manufactured in the United States is greater than 55% of the total cost of all components of the manufactured product.
- All construction materials used in SRF projects must be manufactured in the United States. This means that all manufacturing processes for the construction material must occur in the United States.


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New Funding Opportunities at KIA

KY WWATERS PROGRAM
Kentucky Water and Wastewater Assistance for Troubled or Economically Restrained Systems

- KIA accepts and reviews applications and performs credit analysis
- Kentucky General Assembly decides who gets loan funding during the 2025 Session
- KIA administers the financing after the session is ended (March 2025)
- \$75 million available in 2025 and 2026 (\$150 million total)








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KY WWATERS Timeline




- Accept Applications through end of August
- December 1 – Provide project applications and scores to General Assembly
- January 2025 – March 2025 – General Assembly will select projects to receive funding
- April 2025 – KIA will contact the applicants with approved loan terms

26

Eligible Applicant Must Have at least 1:

<ul style="list-style-type: none"> • Service Area MHI < State MHI; • User rate affordability > 1% of annual MHI; • No audit in at least one (1) of the prior three (3) years; • Negative income in any two (2) of the previous five (5) years; • Debt service coverage ratio < 1.1 in any three (3) of the previous five (5) years; 	<ul style="list-style-type: none"> • Accounts payable turnover ratio < 1 • Days' sales in accounts receivable ratio > forty-five (45) days; • Notice of violation or agreed order in the past year; • Water loss percentage > thirty percent (30%);
---	--

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What Type of Projects Can Be Funded by KY WWATERS?

- Capital Construction Projects and...
 - Performing and correcting deficiencies from drinking water, wastewater, and financial audits;
 - Financial inadequacies, including debt service coverage through relief or refinancing of debt;
 - Payment assistance for excessive maintenance costs, fines and penalties from past violations, or consultants; and
 - Inadequately maintained distribution, collection, or treatment works, including service extensions to unserved or underserved areas and the renovation of treatment works to conserve resources;
- Developing technical, operational, and maintenance resources and expertise;
- Improving utility infrastructure planning, repair, maintenance, renovation, and management of plants and assets;
- Obtaining technical expertise in areas of rate-setting, cost-of-service, and proper utility accounting standards for the utility type;
- Performing and correcting deficiencies from drinking water, wastewater, and financial audits;








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Current KY WWATERS Interest Rates

KY WWATERS

- Standard rate - 1.75%
- Non-standard (a) rate - 0.75%
- Non-standard (b) rate - 0.00%








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Questions

kia.ky.gov

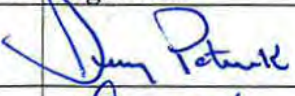
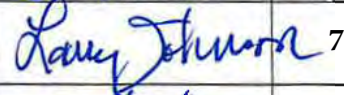



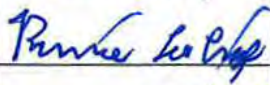

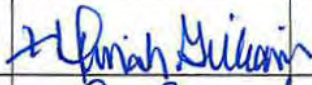
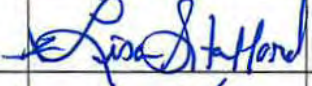

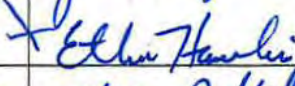
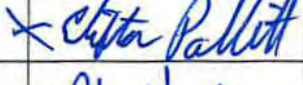
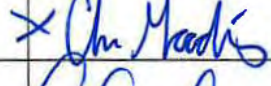




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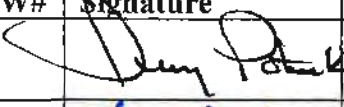
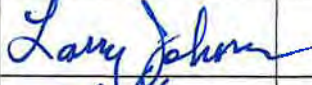




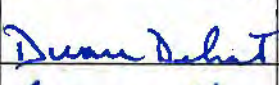



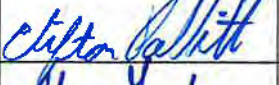




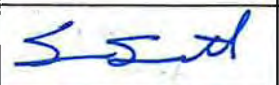




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Exhibit 3

Attendance August 20 & 21, 2024		Rowan County Summer Training		
<i>NAME</i>	<i>Water Utility</i>			Total Hours of Training:
Jerry Patrick	Rowan Water Inc.			12
Larry Johnson	Rowan Water Inc.			12
Mike Collins	Rowan Water Inc.			12
Enoch Blair	Rowan Water Inc.			12
Randy Cox	Rowan Water Inc.			12
Ronnie Crisp	Rowan Water Inc.			12
Duane Dehart	Rowan Water Inc.			12
Joshua Stacy	Fleming County Water Assoc.			12
Ethan Hawkins	Fleming County Water Assoc.			12
Clifton Pollitt	Fleming County Water Assoc.			12
Chris Gooding	Fleming County Water Assoc.			12
Cristy Creech	Bath County Water District			12
Mark Crouch	Bath County Water District			12
Elijah Razor	Bath County Water District			12
Justin McKenzie	Bath County Water District			12
Randy Conn	Bath County Water District			12
Sean Smith	Garrard County Water Assoc.			12

Attendance August 20, 2024	Rowan County Summer Training			
NAME	Water Utility	DW#/WW#	Signature	Hours
Jerry Patrick	Rowan Water Inc.			7
Larry Johnson	Rowan Water Inc.			7
Mike Collins	Rowan Water Inc.			7
Enoch Blair	Rowan Water Inc.	E		7
Randy Cox	Rowan Water Inc.			7
Ronnie Crisp	Rowan Water Inc.			7
Duane Dehart	Rowan Water Inc.			7
Gerald Haney	Grayson Utilities			
Dinah Gilliam	Grayson Utilities			7
Lisa Stafford	Grayson Utilities			7
Joshua Stacy	Fleming County Water Assoc.			7
Ethan Hawkins	Fleming County Water Assoc.			7
Clifton Pollitt	Fleming County Water Assoc.			7
Chris Gooding	Fleming County Water Assoc.			7
Cristy Creech	Bath County Water District			7
Mark Crouch	Bath County Water District			7
Elijah Razor	Bath County Water District			7
Philip Adkins	Morehead Plant Utility Board			
Sean Smith	Garrard County Water Assoc.			7

Attendance August 21, 2024		Rowan County Summer Training		
NAME	Water Utility	DW#/WW#	Signature	Hours
Jerry Patrick	Rowan Water Inc.			5
Larry Johnson	Rowan Water Inc.			5
Mike Collins	Rowan Water Inc.			5
Enoch Blair	Rowan Water Inc.			5
Randy Cox	Rowan Water Inc.			5
Ronnie Crisp	Rowan Water Inc.	DW		5
Duane Dehart	Rowan Water Inc.			5
Gerald Haney	Grayson Utilities			5
Dinah Gilliam	Grayson Utilities			
Lisa Stafford	Grayson Utilities			
Joshua Stacy	Fleming County Water Assoc.			5
Ethan Hawkins	Fleming County Water Assoc.			5
Clifton Pollitt	Fleming County Water Assoc.			5
Chris Gooding	Fleming County Water Assoc.			5
Cristy Creech	Bath County Water District			5
Mark Crouch	Bath County Water District			5
Elijah Razor	Bath County Water District			5
Philip Adkins	Morehead Plant Utility Board			
Sean Smith	Garrard County Water Assoc.	DW		5

