

Fall 2020



RURALMATTERS

The magazine of the Rural Community Assistance Partnership

The *Collaboration* Issue

RCAP Region Helps Texas City with
Wastewater Partnership

A Conversation with a Wyoming
Town Clerk Amidst a Pandemic

Rural Oregon Community Enlists
RCAP Region's Assistance in
Drinking Water Collaboration

RCAP Hosts Regional Collaboration
Summit in Pennsylvania

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- 2 Letter from the CEO**
Nathan Ohle, RCAP
- 4 The Policy Corner**
Ted Stiger, RCAP
- 5 Regionalization Efforts Pay off Big in Rural Oregon**
Jason Carman, RCAC
- 8 Hegins Hubley Authority Practices Partnerships in Varying Degrees**
Derik Dressler, RCAP Solutions
- 10 A Conversation with a Wyoming Town Clerk During a Pandemic**
J Bunderson, Midwest Assistance Program
- 14 What is a Special District? Options for a Regional Centralized Wastewater Treatment System in Florida**
Luke Tia, SERCAP
- 17 Texas City Moving Toward Construction**
Cesario Vela, Communities Unlimited & Melissa Jones, Communities Unlimited
- 20 A Tale of Two Communities**
Zack Green, GLCAP and Rosalena Morrell, RCAP
- 22 State College, Pennsylvania Hosts RCAP Regional Collaboration Summit**
Derik Dressler, RCAP Solutions
- 24 Upcoming Events & Trainings**

RCAP 2020 National Conference Award Winners

The RCAP network is made up of some of the most hard-working and talented people dedicated to improving the quality of life in rural communities across the United States. The following network members were honored with prestigious awards at the 2020 National Conference held virtually in August. Keep an eye out throughout this magazine, and you'll spot the winners showing off their awards!

Randy Welch (SERCAP)

- Robert Stewart Leadership Award

Ron Vanderpool (MAP)

- Outstanding Mentor of the Year

Alexander Brandon (CU)

- Bill French Bridge Builder Award

Jennifer Jennette (GLCAP)

- Outstanding Rookie of the Year

Kimberly Griffey (CU)

- Pillar Award

Carlos Velázquez-Figueroa (RCAP Solutions)

- TAP of the Year

Lisa Totten (GLCAP)

- Outstanding Service Award



In today's ever-changing environment, whether it is COVID-19, a seemingly endless array of natural disasters, or the economic challenges being confronted by rural and tribal regions across the country, collaboration is more important than it has ever been. No longer can communities go it alone. Whether it was a high school football rivalry, a political fight, or a friendly competition between communities, there have often been barriers to communities working together on any issue, let alone some of the more contentious and difficult conversations they are now confronting. As rural communities start to think about their future, many are finding the best way to build resilience and sustainability is by thinking collaboratively, rather than competitively.

These conversations do not come easily, however, and often require a third-party facilitator with no objective other than to facilitate positive conversations that lead to localized solutions. Building trust between decision makers and communities is imperative, as is the trust that the facilitator has the best interests of everyone at hand. Those long-term, trusted relationships with rural communities are the strength of RCAP and the technical assistance providers of our regional partners on the ground. RCAP has been working on regionalization projects in the water and wastewater sectors for decades, and we have continued to build our skills and expertise on regional collaboration to ensure that communities understand the implications and opportunities that thinking regionally can bring.

The need to think regionally became more apparent in response to the COVID-19 pandemic. Communities that had started regionalization approaches, or that had at least started conversations with neighboring communities about ways to work together, are often finding that their regional thinking is creating opportunity where others are struggling to adapt to the ever-changing reality on the ground. Regionalization can create economies of scale that bring cost savings and efficiencies. More importantly, those relationships bring even more impactful opportunities to communities thinking regionally. A conversation may start around water, and may evolve into larger economic development opportunities, helping communities to think about how they leverage assets and resources across and between communities, rather than having to develop everything on their own.

RCAP is leading the way on regionalization. We are working with communities across the country in facilitating these important conversations. We are conducting research to help educate communities on different approaches, and policy makers at the federal, state, and local levels on ways to incentivize and encourage more regional approaches. We are raising the profile of successful projects and the people that made them happen, and we are building partnerships that provide more opportunities for collaboration in communities across the United States.

In this month's issue of Rural Matters, you will read about the great work happening in regionalization across the country, and start to understand how difficult conversations often lead to positive outcomes. RCAP is proud of our work in regionalization, and we see a great opportunity to push for more regional collaboration to ensure resiliency and prosperity for rural communities across the country.

A handwritten signature in dark ink, appearing to read 'Nathan Ohle'.

Nathan Ohle
RCAP CEO

FREE ONLINE RESOURCES FOR RURAL COMMUNITIES

What do operators & well owners have in common?

Advocates across the RCAP network and at the University of Illinois!

WaterOperator.org and PrivateWellClass.org are sister programs that serve a unique role by providing training and technical assistance *exclusively* via the Internet, supplementing the critical work performed on the ground by RCAP network staff.

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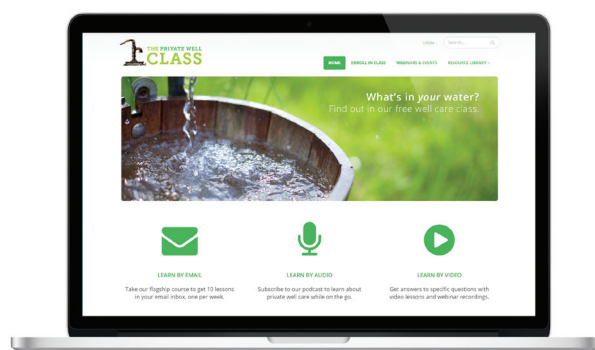
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WaterOperator.org and PrivateWellClass.org are collaborations between the Rural Community Assistance Partnership and the University of Illinois, through the Illinois State Water Survey at the Prairie Research Institute, and funded by the U. S. Environmental Protection Agency.

New EPA Regulations Focus on Water Regionalization



Ted Stiger
Senior Director of Government
Relations & Policy

As this edition of Rural Matters further explores the topic of water system regionalization, the policy team at RCAP wanted to highlight what the U.S. Environmental Protection Agency's (EPA) Office of Water is doing to implement new regulations that would encourage water system regionalization and partnerships at the local level. These new regulations were authorized in 2018 by America's Water Infrastructure Act (P.L. 115-270) passed by Congress and signed into law. AWIA represents the most comprehensive policy changes made to federal drinking water laws since the 1996 Amendments to the Safe Drinking Water Act (SDWA). Several new provisions enacted in AWIA deal directly with non-compliance related issues under SDWA with the goal of encouraging regionalization or partnerships, but not federally mandating system consolidation.

Congress intends that these new regulations are to provide a common-sense framework through partnerships and assistance for communities looking to work together to solve common SDWA non-compliance challenges through regionalization, partnerships, and consolidations in situations where it makes sense locally and regionally.

Section 2009 of AWIA permits an owner or operator of a public water system to enter a contractual agreement with other entities for significant management or administrative functions of its public water system to correct its identified violations. The contract is intended to be part of a larger plan that is subject to approval by the state or EPA (if the state does not have primary enforcement responsibility). An approved plan would provide two years for the public water system to achieve compliance with its identified violations under SDWA.

Section 2010 of AWIA permits either a state with primary enforcement responsibility for SDWA or EPA, if the state does not have that authority under SDWA to require the owner or operator of public water systems to assess their various options for consolidation, transfer of ownership, or other activities to help that system achieve compliance if:

1. The public water system in question has repeatedly, even despite efforts to correct it, violated one or more SDWA requirements and this lack of compliance is likely to adversely affect human health.
2. Consolidation or transfer of the public water system is feasible, including feasibility based upon geographic considerations, technical concerns, access to capital, and chances for long-term success.
3. Consolidation, transfer or ownership or other actions could result in greater compliance with national primary drinking water regulations. For certain actions undertaken pursuant to this section, liability protection is provided for outside entities that aid the utility in getting back into compliance with state and federal laws.

RCAP has been working with our partners at EPA while they work to implement both of these sections and how these new regulations could impact small drinking water systems. These regulations are just the first step in providing a framework to encourage regionalization. More can and should be done to incentivize water system regionalization and partnerships at the federal level.

Regionalization Efforts Pay Off Big in Rural Oregon

By Jason Carman, Rural Development Specialist, RCAC

Lawson Acres Water Association serves drinking water to a small community in the lush southern Willamette Valley in southwest Oregon. Located about one mile southeast of the city of Riddle, the water system serves roughly 75 residents year-round. The system's only drinking water source was a small surface water treatment plant that had outlived its useful service life. The plant was unable to meet current drinking water standards, primarily the Disinfection By-Products (DBP) Rule and finished water turbidity, and needed to be upgraded or replaced. Also, the community did not have an operator at the system's necessary certification level, as required by Oregon Administrative Rules. As with many small communities, finding and retaining technical staff has been a constant challenge, along with securing funds for needed upgrades.

Rural Community Assistance Corporation Gets Involved

The local primacy agency, Oregon Health Authority-Drinking Water Services (OHA-DWS), reached out to RCAC's RosAnna Noval in 2014. The water system had received its first notice of violation and administrative

order for multiple issues directly related to the aging treatment plant. Noval and the system had many challenges to overcome if they were going to realize a successful and sustainable future - not the least of which was the election of a new board in 2015. Due to the new board members and the water system manager's renewed sense of purpose and leadership, Noval was able to apply her board capacity building and education skills. With Noval's assistance, the system was able to restart regular board meetings and make the tough decisions required for success.

Vision for a Sustainable Future: Regionalization?

In 2016, the system continued to grapple with treatment plant issues and received a second notice of violation and administrative order from OHA-DWS for multiple DBP Maximum Contaminant Level (MCL) violations. The plant was required to conduct a feasibility study to determine how to correct the problems. The system applied and received funding for the study through Business Oregon, the state's economic development agency.



Randy Welch (SERCAP) – Robert Stewart Leadership Award

Before the study began, the concept of connecting to the nearby city of Riddle came up during Noval's conversations with the water system staff and board members. This had been proposed multiple times in the past decade but was never pursued due to cost concerns. Noval approached the city of Riddle and confirmed that the connection was still an option. She felt this type of regionalization had the potential to be a win for both the city and Lawson Acres.

Noval, the Oregon Health Authority, Business Oregon, the city of Riddle and Lawson Acres determined through a collaborative process that connection to the city was the simplest, easiest and most sustainable option. It was also likely to receive the most advantageous funding package because it would be a much more simplified system to operate and maintain.


As with any level of regionalization, the connection to the city did not come without its challenges. The main challenge was negotiating the water supply contract between the two systems. Noval worked with Lawson Acres and the city of Riddle to craft a contract that was advantageous to both parties. The city would gain a large customer with consistent water use and Lawson Acres would become a water purchaser, which greatly streamlines the system's operations and regulatory burden.

Now that the system had a solid direction, Noval assisted them with submitting a letter of interest

followed by a funding application to Business Oregon. The application was successful, and Lawson Acres was awarded funding from the Safe Drinking Water Revolving Loan Fund in mid-2018. The funding package consisted of roughly 65 percent principal forgiveness, an excellent outcome for the water system. This helps keep the necessary rate increases to a manageable level for the community.

As they now had direction, funding, and a draft timeline, Lawson Acres entered into a bilateral compliance agreement with OHA-DWS in early 2019. They agreed to address the reliability of treatment facilities and the safety of the water system's drinking water.

- Greatly improved water quality and safety
 - The water from the city of Riddle is higher quality, more consistent, and safer than the water from the old treatment plant
 - ◊ Since the switch, DBP formation has steadily decreased and the free chlorine residual in the distribution system is much more consistent
- Simplified system operations
 - Lower operator certification requirements
 - ◊ The system now qualifies to be a Small Water System (SWS) per Oregon Administrative Rules, which enables it to be fully compliant using internal staff for daily operations
 - Less stringent sampling requirements
 - ◊ Without the surface water treatment plant, the required sampling is greatly simplified. They are responsible for SWS distribution sampling requirements only
 - The system's operating procedures and regulatory requirements have been greatly reduced
 - ◊ The operations and maintenance manuals are only a few pages, making them easier to understand and follow
 - ◊ This will also lead to more consistent operations and water safety
- Simplified reporting:
 - No more monthly forms regarding surface water treatment processes
 - Most of the data in the yearly Consumer Confidence Report will come from the city of Riddle.

Looking back at where the water system was at the beginning of this process, it's amazing how far they have come. This long-term project was successful largely due to RCAC and the Lawson Acres manager and board members' continued efforts. It also would not have been successful without support from Business Oregon, the City of Riddle, CCD Business Development Corporation, and OHA-DWS. 

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**American Water Works
Association**



Hegins Hubley Authority Practices Partnerships in Varying Degrees

Derik Dressler, Regional Collaboration Specialist, RCAP Solutions

The Hegins Hubley Authority provides an example of how different types of partnerships can lead to sustainable regional solutions. The Authority is in central Pennsylvania, in the heart of the anthracite coal region. Many of the small towns in this region have close ties and a fond history of the coal industry. The Hegins Township Authority was the first municipal authority in Schuylkill County, Pennsylvania. It was created by the Board of Supervisors of Hegins Township for the specific purpose of acquiring, constructing, improving, operating and maintaining a water supply and distribution system for the consumers within the township and territory of Hegins Township. The Hegins Township Authority was the successor of the Hegins Water Company.

Numerous capital improvements have been made to the system during the Authority's management. Improvements have included the construction of a new water main to the village of Hegins, addition of a 100,000-gallon water tank, laying a 12-inch main to the Tri-Valley Industrial Park and Valley View reservoir, construction of an impounding reservoir at Hegins, acquisition of 175 acres of additional watershed land, drilling five wells, construction of a new chlorination plant, elimination of dead-end mains, installation of public fire hydrants, extension of mains and the construction of a new office and equipment storage building.

In 1989, with the adoption of the Safe Drinking Water Act's Surface Water Treatment Rule, Hegins Township Authority could no longer use surface water without filtration. Surface water included any water from open reservoirs

but also water from the five springs that were under the influence of surface water. While the passage of this new rule greatly enhanced the protection of public health, small systems especially were challenged operationally and financially. In the Authority's case, they discontinued use of the springs, using water exclusively from three wells. Ultimately with some design changes, the Authority eventually gained approval to use one of its springs.

Regional collaboration formally began in 1993 when the Hegins Township Authority entered into an operation and maintenance agreement with Hubley Township Authority to supply water and oversee operation of the Hubley System that was being developed to supply safe drinking water to the villages of Sacramento and Spring Glen located in Hubley Township. At this time, the townships were served by two distinct and different systems. The contractual assistance Hegins Township Authority provided to Hubley Township Authority ultimately would lead to a joint powers agency. In 2001, Hegins Township Authority and Hubley Township Authority mutually agreed to form a joint authority as Hubley Township struggled to meet its debt obligation for the installation of its water system. At that time, an additional well was developed in the town of Kushwa to supply water to the increasing needs of the communities and both systems were served by one distribution system. The newly formed Hegins Hubley Authority currently provides water to both Hegins and Hubley townships to 1,320 residential, commercial, and industrial customers. Over 42 miles of mains spread




Ron Vanderpool (MAP) – Outstanding Mentor of the Year

through the townships with 143 fire hydrants providing fire protection throughout the townships served.

The Hegin Hubley Authority continues to practice and explore regional collaboration. The Authority shares services informally with local water systems in Tower City and Williamstown. Each of the local communities have open lines of communication when in need of spare parts or assistance. The benefit of this relationship is reciprocal. Also, Demetrius Kasmari, the Authority's operator of 31 years, has been informally involved with another local system that is faced with numerous operating challenges. The Authority recognizes the operator's commitment to his community and periodically assists local communities to keep their systems operating smoothly and maintain compliance. One local system in particular, Mountain Water Authority, has benefitted from Mr. Kasmari's partnership work. The operator assists the neighboring system to find leaks, locate lines, check system operation, and assist in emergencies. This informal cooperation work could potentially lead to more formal contractual assistance or mutual governance as was the case of Hubley Township Authority. What began with informal cooperation with the Hubley Township Authority eventually led to a joint powers agency. The informal cooperation with the Mountain Water Authority may lead to a more formal partnership type as well.

Another partnership example is that of shared services in this community, which includes the Authority's ability to use the Borough's heavy equipment in the event they

should need it. The Authority and the Borough have an agreement for this type of service that is reviewed and renewed every two years. A portion of the cost for this service is paid for by the Authority providing complimentary water to the Borough's community swimming pool. Hegin Hubley Authority also participates as a member of PaWARN, the Pennsylvania Water and Wastewater Agency Response Network, providing equipment and manpower to communities in the Commonwealth during times of emergencies. As you can see, the Authority is very active in regional collaboration.

RCAP became involved with the Hegin Hubley Authority recently to assist in a water rate analysis. The Authority understands the importance of properly assessed rates and well formulated budgets to maintain sustainability. The Authority's goal is to operate at capacity so they can provide the best service at affordable rates to their customers. Also, the Authority does not want to limit their abilities to assist neighboring systems. The Authority recognizes that by limiting their own capacity with stressed financial burdens could limit current and future partnership activities. During one of RCAP's site visits, the operator was asked what he sees as a priority over the next three years for the sustainability of the system. Mr. Kasmari responded that asset management is the authority's priority: "Asset Management is very beneficial as it provides a 'roadmap' for the Authority's future in regard to planning, resiliency, and sustainability." RCAP clearly agrees with this statement. RCAP is eager to work with the Authority on the rate analysis and hopes to play an instrumental part in future partnership opportunities. 





A Conversation with a Wyoming Town Clerk During a Pandemic

J Bunderson, Midwest Assistance Program

Editor's note: *The views expressed throughout this interview reflect those of the people involved and not of the Rural Community Assistance Partnership (RCAP) or its funders.*

RCAP Partnership provides assistance to communities working with their neighbors, often looking to share resources. The below conversation is a great example of how RCAP's Technical Assistance Providers build personal relationships and partnerships with community leaders. These partnerships prove especially valuable when small towns are in situations like the one described.

Municipalities across the United States face many challenges such as funding, staff retention, and resource availability – challenges that are compounded with the strain of the Coronavirus pandemic. Municipalities in Wyoming wrestle with the additional difficulty of being located in the least populated state in the U.S., with just 23 counties and 184 municipalities (only 99 that are incorporated). Almost half of the total number of towns in Wyoming are less than 1,000 in population. Conversely, Wyoming is the 9th largest state with

97,000 square miles of land, with a wide diversity of terrain such as rugged mountain ranges, deserts, and high plains. The major interstates I-80 and I-25 transect the state east/west and north/south respectively, but other than that, two lane highways rule, with some towns accessible only by gravel roads. Safe winter road travel between October and April cannot be assumed. Municipal clerks and treasurers, few and far apart, are held to high standards and often with little support.

Municipal clerks do get quality training and support through the Wyoming Association of Municipalities (WAM) and the Wyoming Association of Municipalities Clerks and Treasurers (WAMCAT), but those opportunities are often only presented a few times each year and are not necessarily focused on a clerk's specific needs. In most small municipalities, the duties and responsibilities of both clerks and treasurers are often combined into one position because of the lack of financial support for multiple staff.

Some of the unique struggles for Wyoming are due to the small number of towns, the remoteness of towns, and long distances and few routes between towns. These factors foster independence and self-reliance but often hinder Wyoming municipal clerks and treasurers in accomplishing their duties. As a Project Manager/Technical Assistance Provider for Midwest Assistance Program, the midwestern RCAP, this author has interacted with many clerks throughout the state.

In late February 2020, the author interviewed one clerk from a 'typical' Wyoming town with a population of less than 300 people. The clerk was given a fictitious name of Rita and was granted confidentiality. Confidentiality is important in these matters because everyone knows everyone in small communities. Wyoming has been likened to, "a small town with long streets." Below you will find my interview with Rita.

Question 1: Rita, how would you describe your 'typical' day?

Answer: My typical day is spent sitting at my desk, doing bookwork, answering phones, entering water bill payments, receiving other various payments, checking emails, and conducting public relations with the visiting public.

Question 2: What are your biggest job challenges?

Answer: My biggest challenges would be dealing with the public, specifically two or three difficult customers. Monthly council meetings, that requires a day of



Jennifer Jennette (GLCAP) – Outstanding Rookie of the Year

preparation and a day of follow-up work, which can be challenging. Council meetings often involve the same difficult customers in attendance. Letter writing for the council and mayor is also a challenge for me.

Question 3: What is the best part of your job?

Answer: The best part of my job is just working with the other staff. I love the bookwork and the general 'clerking' functions involving math, money, and finances.

Question 4: Is there an area where you need more assistance?

Answer: It would be nice to have a second person to help in the office occasionally. It gets busy. For example, right before council meetings, there is a great deal of preparation that needs to get done. I would also like help moving into the electronic banking age, such as incorporating a credit card reader, doing electronic deposits, and upgrading to the level of larger towns. Shadowing another town clerk/treasurer would be helpful, but there is no clerk association program set up for that.

Question 5: Is there enough financial and managerial training available for you?

Answer: Not really. Most of it is on the job self-taught or trial and error. The clerk association and association of municipalities do have biennial "institutes" for clerk/treasurers and offer great support, but that lacks the one-on-one, individual assistance with specific issues.



Alexander Brandon (CU) – Bill French Bridge Builder Award



Question 6: What are some political challenges for your position?

Answer: People I know and live nearby can become 'troublemakers' and blame the clerk for council decisions. Sometimes the Mayor or council members can inadvertently or mistakenly pass the buck of responsibility to the clerk.

Question 7: Do you think GIS and mapping of your water and wastewater systems could benefit your job and community?

Answer: I think there is a lot of potential for GIS, but it is hard for me to imagine what it would look like.

In late March 2020, when the COVID-19 pandemic was spreading across the country and world, I contacted Rita with several more questions related to the 'new normal' life of a clerk during a pandemic. As of early April 2020, Wyoming did not have mandatory stay-at-home orders but had orders from the Governor through the State Department of Health regarding public spaces, gatherings, and personal services.

Question 8: How has the COVID-19 virus spread affected your job?

Answer: In general, things have all just slowed down. The public is prohibited from coming to town hall to pay their water bill or license their animals. So, in some ways, my job is easier. I do not have to deal with problem customers like before the virus spread.

Question 9: Are you charging late fees or shutting off water for non-payment?

Answer: The Governor [Gov. Mark Gordon] has ordered that there will be no late charges on water bills and many customers just aren't paying their bills because they think they can get away with it under cover of the virus. We are not shutting off water services for non-payment until the crisis has passed.

Question 10: How has the COVID-19 pandemic affected the other utility staff and personnel schedules?

Answer: I have not noticed the pandemic affecting the other staff. Everyone still has the same work schedules. The mayor is ensuring that the town has two operators who know our system well, available always. It is an EPA requirement to have a primary and a back-up operator, but possibly due to virus concerns, we have two operators either of which could be considered 'primary' if needed.

Question 11: What about staff meetings and contingency plans? Is the staff getting together as a group each week or so, or do they discuss plans in case someone gets sick with the virus or if the virus breaks out in town?


Answer: We still talk and communicate, but we do not have a regular weekly staff meeting. The operators talk amongst themselves and the maintenance staff amongst themselves and we all talk to each other about 'what ifs', but there is no formal contingency plan. We are just a small town and can respond quickly as things develop.

Question 12: How has the COVID-19 pandemic affected you personally?

Answer: Just like most Americans, I have family and friends whose health and finances I am concerned about, but I am healthy and still have a job and am thankful. I am alone much of the time at work. Being alone locked inside Town Hall and just answering phones is not some brand new phenomena that I have never experienced. Remember, I am a little on the 'geeky' side and like to organize things and work with numbers and finances.

Question 13: Is there anything else you want to add?

Answer: The Midwest Assistance Program (MAP) Technical Assistance Provider and GIS staff have been a great help with developing a GIS system and mapping of our water and wastewater systems, as well as bringing clerk training on Quickbooks and Clerkbooks to the state. It is great to have an independent third party we can go to with questions and needs.

In conclusion, Wyoming clerks face challenges typical of municipal clerks across the country, but some unique ones due to the nature of the wild west state that we love so much. Wyoming clerks have an independent spirit and self-sufficiency but need and appreciate technical assistance from someone they can trust. The COVID-19 virus pandemic has highlighted some concerns of clerks and small municipalities, but has also focused their resolve to 'get-er-done.' 

A woman stands in the foreground, looking into a large aquarium tank. The tank is filled with various fish, including several large sharks swimming near the bottom. A large, glowing lightbulb is superimposed over the center of the image, with its base submerged in the water. The overall scene is bathed in a deep blue light, creating a serene and contemplative atmosphere.

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What is a Special District? Options for a regional centralized wastewater treatment system in Florida

Luke Tia, Technical Assistance Provider, Southeast Rural Community Assistance Project

Located in Levy County in Northwest Central Florida, the Town of Inglis lies in an environmentally sensitive area. Inglis is a rural community bordered by the Lower Withlacoochee River, approximately four miles away from the Gulf of Mexico. For several years, Inglis town officials have been working to lay the groundwork for development of a centralized wastewater treatment system. In 2019, the Southeast Rural Community Assistance Project, Inc. (SERCAP) met with the Mayor of Inglis and agreed that SERCAP would assist with this project.

A centralized system would address several related issues. First, Inglis and the neighboring Town of Yankeetown currently rely on septic tanks, which have been documented to contribute to nutrient pollution in adjacent waterways. Second, the lack of a sewer system hinders economic development because without access to a central sewer system, businesses are limited beyond certain sizes. Finally, and most recently, the State of Florida just adopted the Clean Waterways Act, which transfers the regulation of septic systems from the Department of Health to the Department of Environmental Protection, which may lead to new regulations and more expensive upgrades for septic systems.

In December 2019, Inglis completed a pre-design study for a regional system that would include Inglis, Yankeetown, and several surrounding unincorporated areas. Altogether, the area included approximately 2,000 residents and an estimated 1,300 septic systems. Now, the stakeholders must decide what type of governance structure they want to establish to guide and administer construction and maintenance going forward. They are exploring the strengths and weaknesses of one type of structure in particular – the special district.

Special Districts

A special district is an independent division of government formed and granted powers for a specific purpose, ranging from fire protection and mosquito control to water and sewer services, as described here. The first special district is traced back to 1736 when Benjamin Franklin created a volunteer fire department for a Philadelphia neighborhood. Currently, there are over 1,750 special districts in Florida, including 16 water and/or wastewater districts and five regional water districts. The service area of a special district can coincide with an existing entity or be determined by the new district. In Florida, there are three

types of special districts available: (a) Independent Special Districts, (b) Dependent Special Districts, and (c) Inter-local Agreement-based structures. While similar categories of special districts exist throughout the United States, laws and regulations may differ by state.

Independent Districts

The independent special district features a governing body that is neither identical nor controlled by another governing body, such as a county or a city board. Instead, the governing members are appointed or elected and have independent control of the budget and property rates; they can levy taxes. Taxing authority would be valuable for the Inglis regional wastewater system to cover the high cost of both the infrastructure and the cost of providing services. Under Florida law, independent special districts can only be created by a special act of the Legislature.

In Florida, the Cedar Key Water and Sewer District is one such independent special district. The District is located northwest of Inglis, also in Levy County and serves the Cedar Key Islands. The District was established by the Legislature in 1963 and currently serves 1,500 customers. It is governed by a five-member elected board and receives its revenue from ad valorem taxes and water and wastewater service charges. Thus, the district provides services to residents beyond the city limits of the City of Cedar Key while also giving those residents a say in its governance through the election of their board members.

Dependent Districts

Conversely, a dependent special district's governing body is more closely controlled by a single entity, whether a county or a municipality. This may have the advantage of a more streamlined decision-making process. The governing body may be the controlling entity's own governing board, or a body appointed by the controlling entity. However, from another perspective, a dependent district actually has more local control because it is less subject to state oversight than the independent district. The dependent district can be created in one of two ways – by a local ordinance or a special act of the Legislature. Like independent special districts, dependent special districts are able to levy property taxes. If only a limited number of other communities joined the Inglis regional system, a dependent district may be the best option.

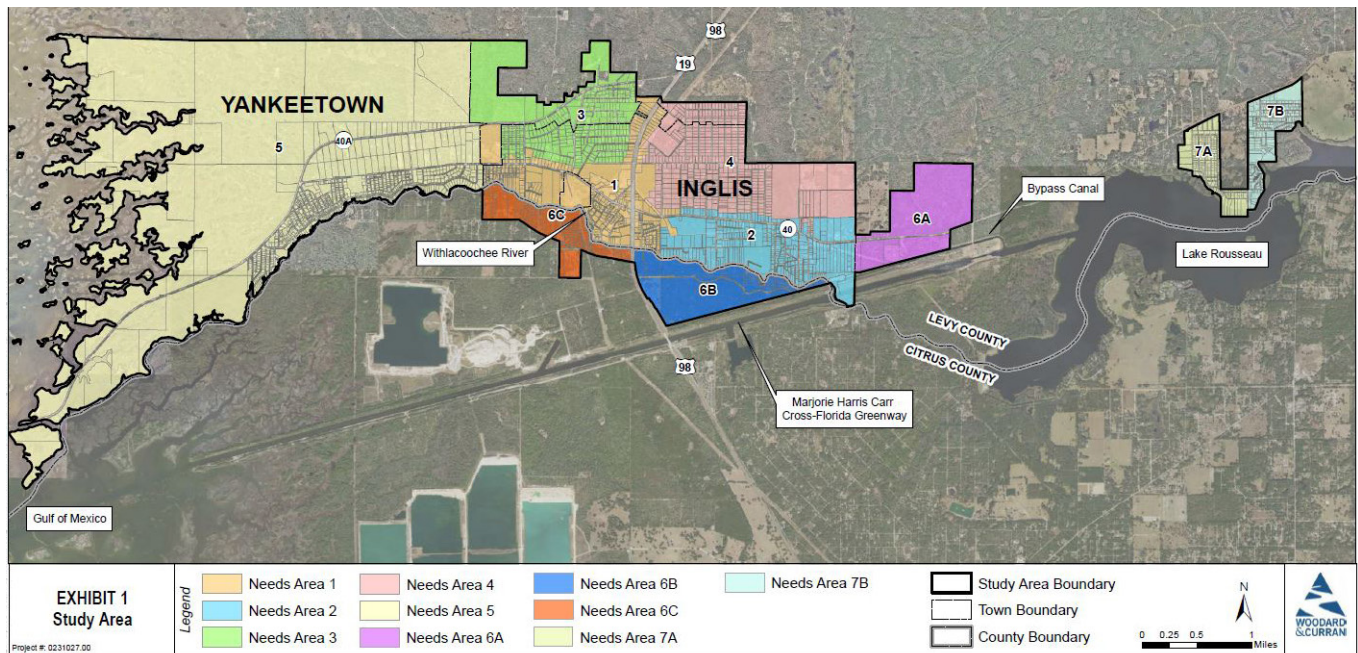
Although now dissolved, the Highland View Water and Sewer District was a dependent special district serving the unincorporated community of Highland View, located in Gulf County on the Florida panhandle. Established in 1961, it was originally governed by the County Board but was later sold to the City of Port St. Joe. The city managed and operated its system – wastewater was treated by the



city and residents received water from a 290,000-gallon water tank via a 500 gallon per minute centrifugal pump. However, as the infrastructure aged, maintenance of the tank became expensive to the point that it was more cost-effective to connect directly to Port St. Joe's system. The Highland View district had served its initial purpose but as circumstances changed, it was no longer necessary.

Inter-local Agreement

The third special district governing structure option is the Inter-local Agreement ("ILA")-based structure. In Florida, the Florida Inter-local Cooperation Act of 1969 enables local governments to use inter-local agreements to create separate legal entities to provide services for their communities. An ILA contract establishes the new legal entity's joint governing rules and requirements. Although an ILA entity can establish user rates and charge assessments, unlike independent and dependent special districts, it cannot levy property taxes. They also have two other benefits which may appeal to Inglis regional stakeholders. First, differing from independent special districts and some dependent districts, ILA governing



structures do not require the work of a special legislative act to be established but are created by the ILA itself. Secondly, they have more flexibility and local collaborative control than the other forms of special districts.

In the past few decades, SERCAP has helped to establish several ILA-based regional water entities, including the Nature Coast Regional Water Authority (NCRWA), also located in Northwest Central Florida. The Water Authority is an ILA-based special district made up of two of Inglis' neighboring counties (Dixie and Gilchrist County), as well as the City of Fanning Springs, the City of Trenton, and the Town of Bell. The district came about because of an arsenic problem in Dixie County. In response, the NCRWA was formed to facilitate an agreement for the City of Fanning Springs to sell water to residents in Dixie County. The Authority's board consists of one member from each of the member communities. Given the different agendas of each board member, meetings and decision-making can often be a challenging process.


A Community Stakeholder Meeting

SERCAP served as the convener and host for a community stakeholder meeting on Thursday, July 16th, 2020. 20 stakeholders for the Inglis regional wastewater system project met to discuss the possible governance options for a regional authority. The guest speaker, a former Assistant County Attorney for Broward County, Florida, with experience in special district projects, explained to the attendees the legal framework and differences between the three special district options. While some attendees were unfamiliar with the subject, others had studied the options. Yankeetown's clerk stated that Yankeetown would not be involved in the

wastewater system until a regional authority was in place - specifically, an independent special district. Another attendee believed they needed a system run by board members with technical expertise in utilities and who did not cycle in and out, as he said elected officials do. Despite some conversation on special district options, the majority of the meeting covered the costs and feasibility of the project itself.

Next Steps

The next steps after the meeting were for the engineers to continue their technical work while the engineering firm and SERCAP continue to plan and facilitate public involvement. They will keep stakeholders abreast of any progress and listen to public comment. When elected officials and decision-makers ultimately need to decide on a structure, SERCAP will assist with meeting facilitation and creating any agreements or needed statutes. The Mayor hopes to have an authority established by April 1st, 2021.

The Inglis region has been pursuing a centralized wastewater system for many decades. Today, leaders hope that they can ally to achieve this goal and raise up the community's economy and way of life while protecting the environment and saving homeowners money. A regional authority is an essential part of this process. It is a way to overcome the challenges of trust and politics which face regional projects. A special district will create a new governing entity dedicated to just one purpose - in this case, wastewater services for the Inglis region. The community has been presented with three options. The more communities that join, the stronger the system will be. Now is a crucial time for each community to understand its options and forge ahead. 

Texas City Moving Toward Construction

By Cesario Vela, Community Environmental Management Specialist, Beeville, TX and Melissa Jones, Staff Writer, Fayetteville, AR

The City of Brackettville lies west of San Antonio, Texas, and just across the Mexican border. The population is 1,688 with all but 369 listed as a minority population.

In 1992, Brackettville entered into an operating agreement with the Fort Clark Municipal Utility District (MUD) to construct a regional wastewater facility that would serve Brackettville and neighboring Fort Clark. The new wastewater facility featured a system that

utilized oxidation ponds. Those ponds would discharge into the Las Moras Creek, which ran alongside the oxidation ponds.

The original arrangement included an Operations and Maintenance Agreement making each entity responsible for 50% of the operations and maintenance costs. However, any major plant improvements would be based on flow volume for each entity.



In 2017, the Texas Commission of Environmental Quality (TCEQ) sent a Notice of Violation to the regional facility. TCEQ had determined that the current effluent being discharged from the plant and its oxidation ponds wasn't meeting state discharge requirements. The system was informed that it would either have to upgrade the effluent from its ponds or provide a no-discharge system.

The two cities agreed that Brackettville would apply to the US Department of Agriculture – Rural Development (USDA-RD) for a loan and grant under the USDA Colonias Funding.

Brackettville requested a Preliminary Engineering Report from its engineer for the wastewater plant upgrades. It also wanted the document to address major issues with the city's sewer collection and distribution system, production, and storage, all of which also had notices of violation from TCEQ.

The estimates surprised officials with Fort Clark MUD. The estimated project cost for just the wastewater treatment plant improvements came to about \$1 million, but the added projects thrown in by Brackettville ballooned that estimate to more than \$5 million.

The majority of the total project cost of \$5.54 million is being financed by a USDA-RD loan of \$3.10 million and a USDA- RD grant of \$2.41 million. But the loan meant Fort Clark MUD would be paying back much more than they anticipated.

Fort Clark's general manager and the Fort Clark MUD board balked at the plan and were prepared to pull out of the project entirely. But a lack of agreement would mean the shared wastewater system would continue to violate state regulations, which could lead to even more headaches.

Communities Unlimited (CU), the southern RCAP, was called in for assistance.

Cesario Vela, Community Environmental Management Specialist with CU, began working with Brackettville and Fort Clark MUD to smooth out the issues that threatened the projects. He explained that based on the original Operations and Maintenance agreement, both entities would be responsible for the costs of the regional facility's improvements. However, Brackettville would be the one



Kimberly Griffey (CU) – Pillar Award

responsible for their collection, distribution, production and storage improvements.

Vela then initiated a rate analysis for both Brackettville and Fort Clark MUD, as required by the USDA Letter of Conditions. He used the prorated loan and grant disbursements for each entity and the loan repayment for each entity in determining what they would owe and what their utility rates would need to be to cover operational costs and loan repayment.

Vela traveled to both locations to explain the results of the rate analysis, and he was able to calm the concerns of Fort Clark officials. Both parties then agreed to move forward with the project.

Communities Unlimited continued to work with the utility district to meet the Letter of Conditions. While this was going on, a USDA-RD representative contacted Communities Unlimited to do a site evaluation of Brackettville's water and wastewater infrastructure. The federal agency wanted to decide whether the systems had the health and safety issues that would justify the USDA-RD funding.

Communities Unlimited conducted the site evaluation and found that Brackettville's systems actually had several potential health hazards.

Many of the water lines in Brackettville were more than 50 years old and made of cast iron. Those pipes were tuberculated, meaning they had rusted and corroded inside, and several of the old lead joints for the pipes were leaking. The water system's storage tanks also needed painting to prevent further decay.

The pipe tuberculation made the system susceptible to bacteria creation and water-borne illnesses. The deteriorating lead joints threatened to leach lead into the water system.

Also, many of the water valves had been paved over throughout the years, so they couldn't be located or accessed. That meant city workers were making repairs to water breaks without shutting off the water at the valves first. With some of the water mains too close to sewer lines, the water line breaks created the possibility of cross-contamination.

The city's storage and booster pumping station facilities also were found to be providing the minimum pressure allowed.

With all of the issues found, revisions needed to be made to the rate study. A second analysis took place, and Communities Unlimited worked with officials from both




Carlos Velázquez-Figueroa (RCAP Solutions) - TAP of the Year

cities and USDA to determine what rates would be needed to cover repairs for both Brackettville and Fort Clark MUD.

Once the rate analysis was complete, the adjusted rates were taken to the entities for passage from their governing bodies. The tricky part was getting the higher rates through the Brackettville City Council. However, the rates were approved as presented by Communities Unlimited, and they took effect in October 2019.

With a major part of the Letter of Conditions met, Vela continued to gather the information and paperwork necessary for the rest of the Letter of Conditions. Over the next several months, Communities Unlimited completed a variety of tasks, including gathering financial documents, conducting a Technical Managerial and Financial (TMF) assessment and providing photos, financial audits and reports. Communities Unlimited also created an emergency response plan for the regional facility. The plan not only included information for the facility but also created set policies for customers who needed to contact the facility in emergency situations.

The entities received word that all the conditions had been met, and they were able to move forward with the project in 2020. Bidding took place and has been accepted for the wastewater project for the entities' regional utility. Bids for Brackettville's water project are on hold while a few remaining details are worked out. Once those are complete, construction can begin for both projects. 

A Tale of Two Communities

Zack Green, GLCAP and Rosalena Morrell, RCAP

Hopkins Park and Pembroke Township are two small communities located in Kankakee County, IL, about an hour south of Chicago. Hopkins Park supplies Pembroke Township with their water. Both communities have low population numbers – Hopkins Park was last estimated to have 426 residents, while Pembroke Township is listed as having 1,800. Both communities have median household incomes (MHIs) well below the U.S. average. RCAP first began providing assistance to the two communities back in 2011 when both were struggling to stay on top of their U.S. Department of Agriculture

(USDA) loan payments. Today, both communities are now more financially stable than they were nine years ago but have faced issues working together to maintain long-term sustainability. As a result of this souring relationship, RCAP has been playing the role of a neutral third-party facilitator between the two communities.

While working with Hopkins Park and Pembroke Township, RCAP has been able to think outside the box to provide a solution that is win-win for all communities involved while continuing the march towards long-term sustainability.




In early April 2020, Mr. Vermel Lockett, the longtime system operator, passed away. This led to a disagreement between both communities on how to move forward and they were looking at potentially hiring two separate operators (one that would individually represent each community and their single system). This would be a costly expense for both Hopkins Park and Pembroke Township to take on. After much needed dialogue, facilitated by RCAP, both communities were able to come together and reach an agreement. They decided the communities would hire and share one operator that would be responsible for both



Lisa Totten (GLCAP) - Outstanding Service Award

systems. An interesting and integral part of this agreement is that the communities wanted RCAP to sign-on to be the operator in charge and to agree to train the new hire until the time of his official certification.

“RCAP has been a neutral party for both Hopkins Park and Pembroke Township in negotiations to reach a contract with them and they work effectively to bring both parties to the table,” said Hopkins Park Mayor, Mark Hodge, who was in office at the time of the agreement. “It has been a slow and tedious process, but we see that we are making progress and that we need to stay focused and listen to their expertise and knowledge and understand the benefits that they bring to the table.”

This unique arrangement will allow the communities to keep their costs much lower by sharing one operator. RCAP has guided the new operator through training, ensuring that they are well equipped to take on the role. The agreement also helps to close the divide between Hopkins Park and Pembroke by improving cooperation. This is a highly preferred outcome for both communities since they have long-term funding goals that are not attainable without working together. This agreement has allowed the communities to continue their push towards a better working relationship and improved financial sustainability. Throughout the last nine years, RCAP has aided Hopkins Park and Pembroke Township towards success through training materials and best practices. By acting as a neutral third-party and operator in charge, RCAP has helped the towns work towards their long-term goals. 



State College, Pennsylvania Hosts RCAP Regional Collaboration Summit

Derik Dressler, Regional Collaboration Specialist, RCAP Solutions

RCAP Solutions, in partnership with RCAP, Inc. held a Regional Collaboration Summit in State College, Pennsylvania on March 11, 2020 at the Toftrees Golf Resort. The event included many presenters representing a variety of roles in the water and wastewater industry. The summit began with a guided tour of the Bellefonte Wastewater Treatment Facility on March 10, where attendees learned about the multiple steps in wastewater treatment. The tour provided an in-depth look at the level of treatment Bellefonte performs every day for the Borough

of Bellefonte and surrounding communities and was a great example of regionalized wastewater services. RCAP would like to thank the Borough of Bellefonte and the staff from Century Engineering for providing the opportunity to tour the plant.

The day of the summit kicked off with a welcome video from US Representative Glenn Thompson (PA-15) giving his support for regional collaboration. RCAP staff presented the advantages of regional collaboration and a breakout

session was held in the morning. During the breakout session, attendees were placed in small groups where they could brainstorm and discuss different impediments to regional solutions. The brainstorming session created a great opportunity to learn from others and gather insight from differing perspectives in the industry. To conclude the breakout session, facilitators took ideas from around the room to share with the larger group. RCAP took the opportunity during the summit to review and discuss the newly released community research report, “Resiliency through Water and Wastewater System Partnerships: 10 Lessons Learned from Community Leaders.” The research identifies many complex issues small systems may experience when considering regional collaboration and gives advice from small system leaders across the country who have been through the process. A one pager, an executive summary and the full report can be found at www.rcap.org/blog/regionalizationresearch/.

One of the events held during the summit was a panel discussion on regional solutions. Panelists included representatives from a state funding agency, a local regional water authority, engineering firms, and Water Finance Assistance. Attendees were given the opportunity to ask the panel questions about regional collaboration. Short presentations were also provided by public funding agencies including PennVest and the U.S. Department of Agriculture (USDA.) The U.S. Environmental Protection Agency (EPA) also presented on their partnership resources. The afternoon breakout session focused on finding solutions for regional collaboration. There was also a fireside chat with the Water Environment Federation (WEF) and the National Association of Clean Water Agencies (NACWA) discussing regional collaboration specifically in the wastewater industry. Evaluations received from the event were overwhelmingly positive and as one attendee stated, “This was the most informative and best workshop I’ve attended in many years.”

85 people attended the summit, representing many different areas of the water and wastewater industry including community members, local, state, and federal agency staff, representatives of state and federal legislative offices, technical assistance providers, nonprofit partners, and industry consultants. RCAP would like to thank Toftrees Golf Resort for hosting the event and thank Spring Point Partners LLC for providing funding to make the event possible. Regional collaboration training throughout Pennsylvania will be held in the upcoming years. For more information on training, workshops, or in general, please contact Derik Dressler, Regional Collaboration Specialist, at ddressler@rcapsolutions.org. 



Attendees converse during one of the breakout sessions.



Eric Moore, West Branch Regional Authority (WBRA), speaks to attendees about regional collaboration impediments he has experienced as the Executive Director at WBRA.



Eric Lundy P.E., Nittany Engineering, responding to a question during the panel discussion.

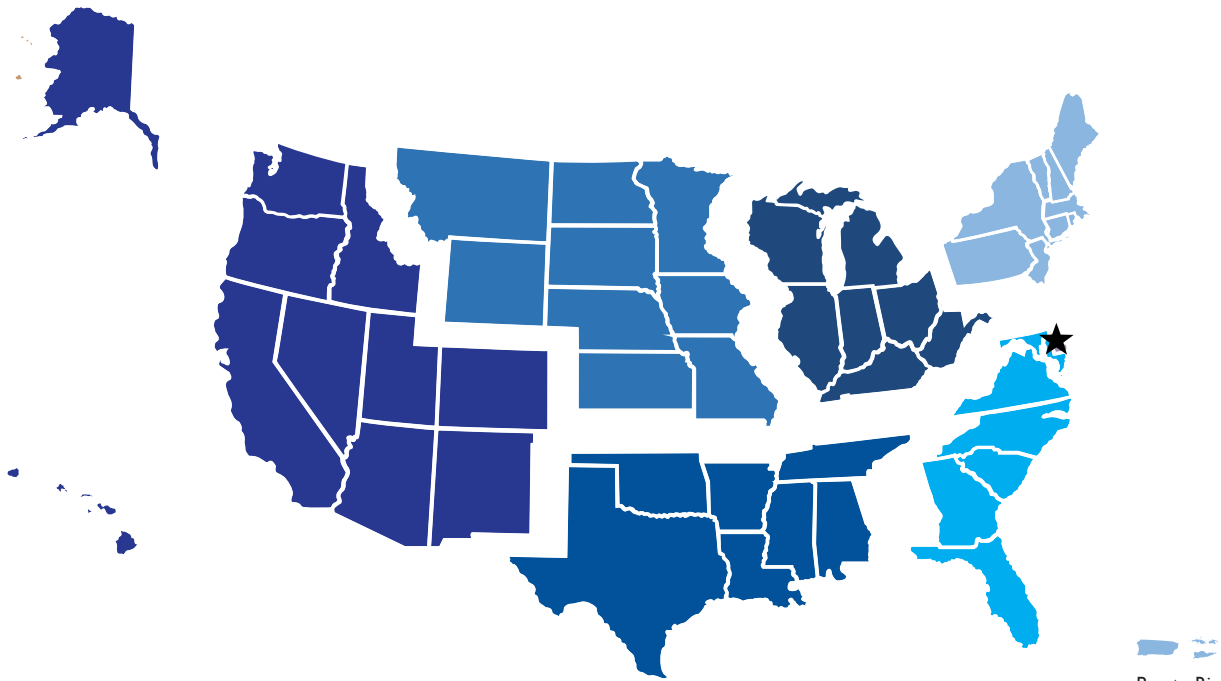
Upcoming Events & Trainings

SPONSOR	EVENT	DATE	EVENT DETAILS
RCAP Solutions	GSI Data Collection Methods and Mapping	December 1, 2020	https://www.rcap.org/event/gis-data-collection-methods-and-mapping/?instance_id=757
The Private Well Class	How to Find Local Information and Help	December 3, 2020	http://privatewellclass.org/local
Rural Community Assistance Corporation (RCAC)	Operation Maintenance Series: Maintaining Water Quality	December 8, 2020	https://www.rcap.org/event/operation-maintenance-series-maintaining-water-quality-pt-1/?instance_id=711
AWWA	Summit on Water Quality and Infrastructure Challenges	December 8-10, 2020	https://www.awwa.org/Events-Education/AWWA-Virtual-Summits/Water-Quality-Infrastructure-Summit
Rural Community Assistance Corporation (RCAC)	Budgeting and Rates Setting for Small Water Systems	December 10, 2020	https://www.rcap.org/event/budgeting-for-small-water-systems/?instance_id=637
Rural Community Assistance Corporation (RCAC)	Groundwater Treatment Techniques	December 15, 2020	https://www.rcap.org/event/groundwater-treatment-techniques-pt-1/?instance_id=714
The Private Well Class	Private Well Assessment and Outreach for EHPS	December 16, 2020	https://register.gotowebinar.com/register/5106086229397085967

For more events and trainings, visit rcap.org/training and wateroperator.org.

Rural Community Assistance Partnership

*A non-profit network reaching rural and small communities in all fifty states to improve quality of **life**.*



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