

**EAST SEVIER COUNTY UTILITY DISTRICT
BOARD OF COMMISSIONERS MEETING
February 8, 2018
5:30 PM**

AGENDA

- 1) Call to Order by President Roy Ivey
- 2) Motion to approve the minutes of the January 11, 2018 meeting
- 3) Motion to approve Accounts Payable Listing in total as submitted
- 4) Motion to approve the Budget as submitted

REPORTS:

- 5) Alliance Water Resources – Operations/Financial Report

PERSONS TO BE HEARD:

*****ONE AT A TIME AS RECOGNIZED*****

When it is your turn to speak, please stand and state your name.

- 6) Customers' Comments; Questions; and Concerns

OLD BUSINESS:

- 7) None

NEW BUSINESS:

- 8) Offsite Contract Discussion
- 9) Water Project Discussion
- 10) Rules and Regulations Discussion
- 11) Adjournment – Next regular meeting to be held on Thursday, March 8, 2018.

MINUTES

BOARD OF COMMISSIONERS OF THE EAST SEVIER COUNTY UTILITY DISTRICT

Thursday, January 11, 2018

The Board of Commissioners of the East Sevier County Utility District met at 5:30 p.m. on Thursday, January 11, 2018, in the Office of The East Sevier County Utility District, 1529 Alpine Drive, Sevierville, TN 37876. Commissioners present were Roy Ivey, President; Barbara Darby, Secretary/Treasurer; and Janice Brooks–Headrick.

President Roy Ivey called the meeting to order at 5:30 p.m. for any old or new business.

A motion to nominate Roy Ivey as President of the Board was made by Janice Brooks-Headrick. Barbara Darby seconded the motion.

A motion to nominate Barbara Darby as Secretary/Treasurer was made by Janice Brooks-Headrick. Roy Ivey seconded the motion.

A motion to approve the minutes from the December 12, 2017, meeting was made by Janice Brooks-Headrick. Roy Ivey seconded the motion.

A motion to approve the accounts payable listing in total was made by Janice Brooks-Headrick. Barbara Darby seconded the motion.

Reports

James Ford, Local Manager, submitted his report concerning District operations. We fixed a broken line at Sherwood Forest and replaced filters at Bear Creek Crossing. We had to call Roto-Rooter to come out and get the sewers going again. We replaced the pump at Well C. Our newest employee, Nick, is still doing well. He is now working without supervision. He is being cross-trained to cover when another employee is absent.

Evan Romo, District Manager, submitted his report concerning District financial report. He went over the finances for December.

Persons to be Heard

Leonard O'Connor of 1549 Lin Creek asked for a credit on his last bill, which showed he had used 19,000 gallons in the past month.

Old Business

Janice brought up the topic of what to do with the pump being stored in the closet, which was discussed during the last meeting. She asked that Evan try to sell it.

New Business

Evan discussed the two pumps at Well C, which are working in tandem. He suggested buying another pump to keep on hand as a spare. The Commissioners asked about pricing and costs to run both pumps, to which Evan explained that only one pump is working at a time. He suggested buying a new pump to use as a spare. The Commissioners asked if the old pump can be refurbished and what the cost would be versus buying a new one. Roy suggested that we buy two new pumps and keep the refurbished one as the back-up. Barbara suggested that Evan get the pricing and find out how much it would cost to run them.

Richard Hill, CPA, was present to discuss the 2015-2016 audit. He noted that there were no significant problems to report. The 2016-2017 audit will begin in the next few days; the deadline will likely be met. He presented the auditor's letter to Roy for signature. Barbara motioned and Janice seconded to accept the terms of the auditor's letter, and Roy signed the document.

A discussion ensued concerning McGill and associates. There are new schedules for McGill to meet. McGill has asked for a \$25,000 change order on the existing contract with the District. These dealings are regulated by the USDA and TDEC. There is no need for a change order; any delays that are the fault of McGill will go to mediation or arbitration. Penalties may be involved. We will bid a project in March, Well C filters and new pump. Suez is to address the issue of the current pump, which is pumping less than the pump it replaced. If Suez does not address this issue, they will be considered in breach of the contract.

Ron Cooley reported that the \$700 check we mailed to him for damage to EMPOA property was mailed to the wrong suite number and he has not received it. We are to stop payment on the old check and reissue a new one.

The next regular meeting will be held on, Thursday, February 08, 2018, at 5:30 p.m.

Adjournment

Roy Ivey moved, and Barbara Darby seconded, a motion to adjourn at 6:14 p.m. Motion carried.

Secretary-Treasurer

**East Sevier County Utility District
1529 Alpine Drive
Sevierville, TN 37876
(865) 453-6704**

Memorandum

Discussion/Action

To: East Sevier County Utility District Board of Directors

From: Staff

Date: January 31, 2017

Re: 2017-2018 Budget Approval

The attached budget was presented to Alliance as the current operating budget for ESCUD. If the Board feels that this budget is accurate, staff suggests that the board approve this budget.

Alliance will prepare a District budget that reflects changes made since contracting with Alliance.

12/12/17

EAST SEVIER COUNTY UTILITY DISTRICT

BUDGET

July 2017 through June 2018

	<u>Jul '17 - Jun '18</u>
Ordinary Income/Expense	
Income	
Penalties and Interest	10,000
Sewer Services	440,000
Water Sales	204,000
Total Income	<u>654,000</u>
Expense	
Audit Expense	7,300
Commissioner Fees	10,800
Contract Labor	5,918
Contract Management	331,704
Depreciation	47,611
Insurance	33,315
Internet Service	463
Lab Services	5,550
Legal Fees	14,117
Mileage Expense	418
Miscellaneous	1,683
Office Supplies	500
Office Utilities	2,000
Payroll Taxes	7,300
Permits	5,000
Plant and Line Maintenance	46,000
Plant Utilities	30,000
Postage	600
Salaries	84,600
Service Contracts	3,604
Telephone	1,775
Vehicle Expense	10,000
Total Expense	<u>650,258</u>
Net Ordinary Income	3,742
Other Income/Expense	
Other Income	
Change of Ownership Fees	500
Service Fees	15,000
Tap Fees	40,000
Total Other Income	<u>55,500</u>
Other Expense	
Alpine Drive Funding	24,000
Penalties	19,742
Total Other Expense	<u>43,742</u>
Net Other Income	<u>11,758</u>
Net Income	<u><u>15,500</u></u>

**East Sevier County Utility District, TN
Treasury Report**

Billing Charges For the Month of:	Jan-18	
Water Revenue		19,832.48
Sewer Revenue		31,418.35
Sales Taxes		1,493.10
Late Charges		709.70
Installation Fees-Water		-
Installation Fees-Sewer		-
Other Miscellaneous Fees		555.00
Returned Checks		-
Deposits Applied		-
Customer Refunds Paid		-
Total Billing Charges		<u>54,008.63</u>
Water Gallons Billed		<u>537,122</u>
Water Customers Billed		<u>244</u>
Sewer Gallons Billed		<u>447,350</u>
Sewer Customers Billed		<u>570</u>

Accounts Receivable	Jan-18	
Beginning Balance		44,020.13
Billing Charges		54,008.63
Bad Debt Recoveries (Write Offs)		(1,175.76)
Accounts Receivable Collections		<u>(56,852.82)</u>
End of Month Accounts Receivable		<u>40,000.18</u>

Water Revenue Checking	Jan-18	
Beginning Balance		119,562.08
Deposits:		
Accounts Receivable Collections		56,852.82
Alliance Water Resources Reimbursement - Medlin Payroll Software Update		69.00
Interest		-
		<u>56,921.82</u>
Disbursements:		
Accounts Payable Checks		(80,845.30)
TN TAP - Sales Tax		(1,504.00)
Payroll Taxes		-
Transfer to Alpine Road Funding		(2,000.00)
Auto Debit Charges-Sevier County Electric		(50.81)
Refund Checks		-
Deposit Slip & Additional Checks Ordered		(119.43)
Returned Checks		-
End of Month Balance		<u>91,964.36</u>
Cash Receipts Collected To Date in:	Feb-18	5,753.80
Auto Debited Utilities in:	Feb-18	(1,551.06)
Bills Submitted for Payment in:	Feb-18	<u>(47,146.99)</u>
Available Balance		<u><u>49,020.11</u></u>

East Sevier County Utility District, TN
Treasury Report
Summary of Cash and Investments
January 31, 2018

Bank Account / Security	Maturity Date	Beginning Balance	Deposits	Interest Earned	Payments	Ending Balance
Checking Acct-Operations		119,562.08	56,921.82	-	(84,519.54)	91,964.36
Checking Acct-Alpine Road Funding		36,000.00	2,000.00	-	-	38,000.00
Total Cash and Investments		155,562.08	58,921.82	-	(84,519.54)	129,964.36

**EAST SEVIER COUNTY UTILITY DISTRICT
BILLING SUMMARY**

DATE	WATER REVENUE		WATER GALLONS (000s)		NO. OF CUSTMRS
	TOTAL	YTD TOTAL	TOTAL	YTD TOTAL	
Jan-18	19,832	151,164	537	4,599	244
Dec-17	31,082	131,331	594	4,062	242
Nov-17	16,327	100,249	569	3,468	241
Oct-17	33,469	83,922	1,120	2,899	241
Sep-17	16,798	50,453	572	1,779	239
Aug-17	16,944	33,655	614	1,207	241
Jul-17	16,711	16,711	593	593	241

**EAST SEVIER COUNTY UTILITY DISTRICT
BILLING SUMMARY**

DATE	SEWER REVENUE		SEWER GALLONS (000s)		NO. OF CUSTMRS	W&S CUSTMR RECEIPTS
	TOTAL	YTD TOTAL	TOTAL	YTD TOTAL		
Jan-18	31,418	216,111	447	3,639	570	56,853
Dec-17	18,626	184,692	487	3,192	567	52,522
Nov-17	34,617	166,066	440	2,705	564	57,755
Oct-17	43,559	131,450	878	2,265	560	50,904
Sep-17	30,999	87,890	447	1,387	560	29,500
Aug-17	31,299	56,891	477	940	564	30,470
Jul-17	25,592	25,592	463	463	567	31,486



OUR MISSION

We partner with communities to deliver the finest water and wastewater services available at a competitive price. We are committed to keeping water safe and clean while serving people and taking care of communities with improved technical operations, careful management and financial oversight, and ensured regulatory compliance.

Alliance Water Resources, Inc.

**206 S. Keene St.
Columbia, MO
65201**

(573)874-8080

**OPERATIONS REPORT – East Sevier County Utility District
January 2018**

Administrative

Transition of Ed Wagner’s responsibilities to Brenda is going well.

Treatment

Treatment at the wells is monitored daily.

New employee is now being trained at offsite locations.

Treatment at the wastewater plant is effective.

Collection/Distribution

Isolated valve on Alpine to increase Well D’s footprint.

Big Orange Electric repaired motor at “C” booster station

Repaired broken check valve at Sherwood Forrest

Installed two taps at Sherwood Forrest

Installed a new tap at Smoky Mountain Ridge

Changed oil in three vehicles

Pulled and changed pump at Sherwood Forrest

Employee slid off road in ESCUD truck. No damage occurred.

Customer Service

Numerous citizens utilized ESCUD parking lot during winter storms

Helped several customers regarding frozen pipes

Project Updates

Met with McGill & Associates on 1-30-18. Progress being made on proposed improvements.



OPERATIONS REPORT – East Sevier County Utility District

Safety

Alliance holds monthly safety meetings with all staff. The January meeting was on safe/winter driving.

Regulatory

To be completed when analysis is received from laboratory.

Training

A gameplan to increase staff TDEC licensing is being formulated.

Concerns for the Month

Helping citizens deal with cold related water problems

Positives for the Month

With a strong contribution from Roy Ivey the A/B Booster station is no longer running continuously.

Automatic bill pay is set up on approximately 25 accounts.

Leak Repairs

Repaired leak on John Sevier with Roy Ivey

Repaired leak on Glasgow with Roy Ivey

Coordinated with maintenance on isolation and repair at rehan center

East Sevier County Utility District
1529 Alpine Drive
Sevierville, TN 37876
(865) 453-6704

Memorandum

Discussion/Action

To: East Sevier County Utility District Board of Directors

From: Staff

Date: January 31, 2017

Re: Rules and Regulation

ESCUD should adopt rules and regulations for the District staff and customers to abide by. A set of Rules and Regulations has been drafted by Alliance staff and submitted for District approval.

Rule #1. General Water and Sewer

- A.** The rules and regulations of the District shall govern and be enforced by the District and its agents. The rules have been adopted to govern the services provided in the best interest of the District and the District's customer base. The rules and regulations apply to all persons, firms, corporations, partnerships, etc. using or intending to use water and/or sewer services provided or to be provided by the District.
- B.** All persons, firms, corporations, partnerships, etc. desiring to obtain water and/or sewer services from the District shall first make application to obtain such services. The District may require the application requesting water and/or sewer service to be in writing. Applications are to be fully completed using the standard District form. All applicants shall meet and follow all requirements set forth in these rules and regulations. Failure to fully complete the application, providing false information on the application or failure to meet and follow the requirements set forth in these rules and regulations may result in disconnection of service or other penalties as defined herein.
- C.** All connections to District water and/or sewer systems shall be requested in advance, all connections fees shall be paid in full and all services be properly installed and properly metered prior to the turn on of service.
- D.** The water and sewer services made available under these rules are for the sole use of the person, persons and customer at his/her premise and he/she shall not resell in any manner any water or sewer service without the specific written consent and permission of the District.
- E.** Additionally, water and/or sewer service for the sole use service described above and also prohibits any extension of pipes, hoses, etc. to transfer water and/or sewer services from one property to any other property, person, persons, or customer and also prohibits any person, persons, customer from sharing, reselling, submetering to another person, persons or customer. No more than one premise shall be served by a water service connection. No more than one premise may be served by a single sewer grinder lift station. A farm containing a residence and out buildings for use in farming operations shall be considered as one residence and that customer may use water and/or sewer service from a single connection/meter for all such buildings. Farms containing more than one residence shall be treated in a similar manner but require that each residence be connected and metered separately.
- F.** The District has the right to inspect meters, pumps, backflow prevention devices and all other water fixtures, lines and appliances as well as all sewer appurtenances for the use of water or sewer whenever deemed necessary by the District for the purpose of regulating such use, keeping accurate account, preventing waste, leakage or other violations of these rules and regulations. For such purpose it shall be the duty of the water customer to allow District access to their premises at reasonable times and intervals; should any person, persons or customer refuse to allow such access, upon order of the District, water and/or sewer service may be cutoff and withheld from any customer so refusing.

Rule #1. General Water and Sewer (continued)

- G.** The District reserves the right, at any time, without notice, to shut off water and/or sewer service in their distribution and collection lines for the purpose of making extensions, repairs or for any other purpose they deem to be in the best interest of the District's systems and customers. The District reserves the right to shut off water and/or sewer from any customer, at any time, so long as the service pipe through which such user may be supplied, or any meter, or any pump, or any part of any such pipe of system may be out of order or in disrepair for the proper supply of water or sewer service through same. When reasonably possible the District will attempt to notify in advance of service interruptions when water and/or sewer service will be limited, restricted or temporarily shut off.
- H.** In accordance with the above, all persons and customers are hereby advised and cautioned that risk of damage is hereby assumed by the customer. All persons and customers are advised to take measures to prevent water tanks from draining, boilers from collapsing, follow standard backflow prevention practices, prevent sewer back-ups and any and all other damages that could be incurred in the event water and/or sewer service was shut off or interrupted for any reason. The District shall not be liable for damages resulting to customer or third persons, unless due to the negligence of the District and in absence of any contributory negligence on the part of the customer or third party. The District is not liable for damages caused by defective piping or appliances on the customer's premises or for any defect in customer's water or sewer piping. It is expressly understood and agreed by and between the District and the customer/user that no claim shall be made against the District by reason of breaks, leaks, bursting of, repairs to, or maintenance of any water or sewer facilities owned by the District or for any failure to supply service of any reason. As a condition of furnishing sewer service, the District shall not be liable or responsible for damages of any kind for any failure to remove sewage from customer/user premises or property or for any backup of sewage into customer/user premises or property or for any interruption of sewage service for any reason.
- I.** No water or sewer pipe of any kind, including water service lines and sewer laterals or force mains shall be installed within any right of way or easement of the District or be connected to the District's water or sewer system unless specific approval is given by the District and connection fees are paid. All water and sewer service shall be billed as set forth in these rules and regulations.
- J.** Line extensions and connections to the District water and sewer system shall be at the sole cost of the customer or user and all extensions and connections shall be subject to the District's approved inspection.
- K.** The District's water and sewer systems shall be separated into a waterworks system and a sewerage system and all said waterworks system, all future improvements and extensions thereto and said sewerage system, all future improvements and extensions thereto shall be operated and maintained as separate and distinct systems from one another. The user/service

Rule #1. General Water and Sewer (continued)

charges for water and sewer services shall generate adequate annual revenues to pay costs of annual operations and maintenance of the water and sewer systems including replacement costs associated with debt retirement related to financing of the water and sewer and/or any capital costs related with said systems which the District may designate be paid from revenue collected by the user/service charges. The District shall bill customers for any and all miscellaneous charges, set forth by State, Local and Federal Law, examples of which include, but are not limited to primacy fees, taxes, laboratory testing fees, etc.

Rule #2. Definitions

Definitions shall be as follows:

Applicant - Any person, persons, firm, corporation, partnership, etc. desiring or applying for either water or sewer service of both.

Agents - Any person, persons, firms, corporations or partnerships engaged in work, and serving as representatives of Public Water District #1 of Lincoln County, Missouri, including but not limited to it's employees, engineers, operations, maintenance and management personnel and any and all such designates as the District may have from time to time as deemed necessary.

Auxiliary water system - Any water source, supply or system, other than the East Sevier County Utility District system, that may be available in the building, establishment, residence, premises or property.

AWWA - American Water Works Association.

Board of Directors - Persons duly elected or appointed by the District with general powers pertaining to the management of the business affairs of the District.

BOD - Biochemical Oxygen Demand, as determined by laboratory testing as set forth in the latest edition of Standard Methods for the Examination of Water and Wastewater with the results expressed in milligrams per liter.

Customer - Any person, persons, firm, corporation or partnership using or allowing the use of water and/or sewer service(s) provided by the District.

Commercial Customer - Customers that are non-residential or whose general purpose and use is of a business nature. Includes commercial, business and industrial establishments, with or without dwelling units in the premises or on the property.

Clerk - The person duly appointed annually by the Board of Directors serving in the capacity as Clerk.

Cross Connections - Any physical link between a potable water supply and any other substance, fluid, or source, which makes contamination of the potable water supply possible due to, or if the reversal of the flow of water in the potable water piping or distribution system were to occur.

Certified Backflow Prevention Tester - A person who has successfully completed training, holds and is recognized by the State of Missouri to be a competent person in the testing, checking and rebuilding of backflow prevention devices.

Consumptive - (use of water) - Indicates the use of water by a commercial, business or industrial customer(s) that is not returned to the sewer system. Examples of such customers would be beverage, food and ice manufacturing, water used for cooling purposes and discharged under NPDES permits, etc.

Rule #2. Definitions (Continued)

District - (Water District) - The East Sevier County Utility District, Sevierville, Tennessee.

Farm - A parcel of ground used at one time or being used for livestock or planting purposes.

Lateral - The entire length of sewer line or pipe including fittings connecting the customer's premises to the District's main sewer line.

Multi-Unit Building - Any one building or any one structure containing more than a single residential dwelling unit or more than a single commercial or business entity (such as a strip shopping center).

Premise - Any building or structure used as a dwelling unit or used for any commercial, business or industrial use or purpose.

Plus Cost - Any and all costs over and above the cost of a standard connection that is needed to purchase and install the sewer lateral, sewer pump chamber or container, electrical control box and other necessary appurtenances needed to provide sewer service to the customer's premises in an orderly fashion.

Tamper - To meddle or tinker with so as to alter or interfere with intended results of District policies or District personnel. Specifically, tampering may involve the following: attempting to unlock, turn on, or alter the meter setting in any way or attempting to alter or manipulating the pumps or wire leads in any way.

TSS - Total Suspended Solids as determined by laboratory testing as set forth in the latest edition of Standard Methods for the examination of Water and Wastewater with the results expressed in units of milligrams per liter.

User - Any person, persons, firm, business, governmental entity, industry, corporation or partnership using any District water or sewer services.

Rule #3. Application, Supply and Taking of Service

- A.** Applicant shall be responsible for requesting service from the District and in doing so requests and becomes a customer. Before the District begins rendering water and/or sewer service, the applicant/customer shall supply such necessary information as designated by the District including but not limited to customer name, address, telephone number and requested date for start of service. Any customer who has taken service from the District without requesting such service from the District shall be considered to have expressed consent to the District's rules and regulations and shall be responsible for any and all appropriate water and sewer charges/payments as specified in the District's rules and regulations beginning on the first day of taking such service. The District reserves the right to make reasonable estimation of service usage if an exact determination cannot be made.
- B.** Applications, applicants and customers for water and/or sewer service shall conform to all rules and regulations as approved and as those rules and regulations may be modified, revised or amended from time to time.
- C.** Commercial applicants and customers shall, upon request, present in writing a list of water devices which are or are proposed to be attached to the water lines servicing the building and/or property, giving location, types, size of devices and estimated daily water flow. The District will then advise of any improvements that must be constructed or any special conditions of use that must be followed by that commercial applicant or customer. The District reserves the right to advise and require any special sewer waste discharge conditions, prohibitions, restrictions up to and including any special pretreatment requirements or facilities before accepting sewer waste discharges.
- D.** No substantial increases or additions to water and/or sewer use, water use equipment or appliances may be connected to the District water and/or sewer system except upon prior written notice to the District, followed by the written consent of the District.
- E.** All applicants and customers are required to pay security deposits prior to the initiation of service. Failure to pay security deposits may result in refusal or termination of service.
- F.** The District reserves the right to reject any application, applicant, customer request for service that does not comply with any District rules and regulations. Rejection may include, but not be limited to refusal and disconnection of water and/or sewer service, in which the District may notify any appropriate local authorities if the District deems a public health detriment exists, or could exist.
- G.** At any time that the District has a water line in place on any public right of way and a landowner whose land abuts that right of way requests of the District a meter setting(s), the District may, as a condition for authorizing and permitting the setting(s), require the landowner requesting same to execute in favor of the District a blanket easement on the landowner's property so that the water line now on public right of way may be removed and placed on easement.

Rule #4. Connection Fees and Procedures

Section 1. General, Water and Sewer

- A.** All new connections to the District's water and/or sewer system shall be subject to payment of a connection fee(s) for the right to connect to the District's water and/or sewer system.
- B.** Connection fees to the District's water and/or sewer system shall be due and payable prior to any connection. The District reserves the right to provide incentives and participate in water and/or sewer line extensions if, in the District's sole discretion and judgment, a particular line extension or upgrade is deemed to be beneficial to the District. Generally, the District's participation will be limited to developer built off-site water and/or sewer extensions only (those developer built extensions not within a development, unless it is the District's option to upgrade internal line sizes so that they may be utilized as a transmission main) and will not exceed the amount of current water or sewer connection fees due or the actual construction cost of said off-site extension, whichever is less.
- C.** No water service line, sewer service lateral or sewer pump system shall be connected to any line owned by the District or any private line that may be connected to the District's system until all connection fees are paid. If any such lines, laterals or pump systems are connected, the District may disconnect any such line, lateral or pump system and charge the owner, developer, contractor, plumber or any other person, persons or parties, jointly or severally liable, all costs incurred for the disconnection, including but not limited to, attorney fees, court costs and interest earnings from the date of connection.
- D.** Each motel, hotel, hospital, nursing home, assisted living facility, campground, park or other similar structure and/or development (approved specifically by the District) shall have each unit or pad capable of separate overnight occupancy counted a one-third (1/3) of a unit for the computation of connection fees due. Each separate residential dwelling unit or each separate office, commercial, business unit shall count as one (1) full unit, i.e.: single family house equals one unit, duplex equals 2 units, 4 unit shopping center equals 4 units. Other Industrial, Commercial and Business developments shall have connection fees based on acreage of the developed or platted area.
- E.** All water and/or sewer connections, as well as the materials and workmanship used in those connections shall be subject to inspection and approval prior to the initiation of service. Connections, materials and/or workmanship not meeting inspection approval shall be corrected so as to meet the inspection approval prior to the initiation of service or those connections are subject to disconnection. Furthermore, the District will not be required to provide water and/or sewer service until connections to District's water and/or sewer system is approved by the District.

Rule #4. Connection Fees and Procedures (continued)

Section 1. General, Water and Sewer (continued)

- F.** Locations of connections to the District's system will generally be given and directed by the District. Any deviation to prescribed location will need prior approval by the District. Connections to the District's system shall be installed and at the expense of the customer or owner of the property/premise receiving service by bonded and/or licensed plumbers authorized to perform work in Lincoln County, Missouri. Connections, service lines, sewer lateral and force mains, etc. will not be extended along public streets or roadways or through property of others to the point of connection without the written prior approval of the District. Connections to the District's system that must be excavated for inspection shall have that excavation performed at the customer's expense.
- G.** Absolutely no meters will be installed or water services restored to locations without a properly installed shut-off valve on the customer side of the meter.
- H.** No person, other than authorized District staff or its representatives or authorized agents shall be permitted access to the interior of the meter pits. Unauthorized access shall be considered tampering and shall be subject to a tampering charge of up to \$500 per occurrence. All charges and any outstanding penalties and balances are to be paid in full prior to restoring services. Each day shall count as a separate occurrence.
- I.** Upon completion of installation of service lines, the Water District shall retain ownership of the service line from the main to the shutoff valve or meter pit at the customer's property line, whichever is the first point of shutoff, and the customer shall retain ownership of the service line from and including the curb valve or the meter pit, whichever is the first point of shutoff.

Rule #4. Connection Fees and Procedures (continued)

Section 2. Water Connection Fees and Procedures

A. Connection fees for the right to connect to the District's water system, are effective January 1st of each specified year below for residential, commercial, business and industrial customers are as follows:

All Residential Dwelling Units (¾ inch meter and setting or any farm/shop ¾ inch meter/setting)

<u>Year</u>	<u>Water Connection Fee per Unit</u>
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2018	\$ 1,250 per unit
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Commercial, Business, Governmental and Industrial Structures

<u>Year</u>	<u>Water Connection Fees (per acre under roof or portion thereof)</u>
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2018	\$ 2,650 per acre or \$ 1,250 per unit whichever is greater
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- B.** All connection fees above shall be paid at least 48 hours prior to the scheduling of a connection or request for inspection of connection.
- C.** A minimum of 48 hours notice is required for the scheduling of a connection or request for inspection of connection.
- D.** All water connections up to and including ¾ inch in size shall be made by the District. The District shall provide the water meter, the saddle (up to 10 inch in size), the corporation fitting, and the labor and equipment to tap and connect the service line to the water main. All other material and supplies, including but not limited to meter setters, meter pits, lids and frames, service line piping extending 2 feet past the water main shall be provided by and installed by the customer, developer, builder, plumber by the scheduled time of connection and/or inspection.
- E.** Water connections over ¾ inch in size shall be made only with the District's prior approval and at the sole expense of the customer, developer, builder or plumber. Connections over ¾ inch in size require the customer, developer, builder, plumber to pay District in advance, monies required to purchase the specified water meter, the required saddle, the required corporation fitting, and the labor and equipment to tap and connect the service line to the water main. All customers are advised that connections over ¾ inch in size generally require additional time and coordination of work.
- F.** Water connections and service lines shall be installed in accordance with the procedures, specifications and standards established by the District and amended from time to time and on file with the Clerk. These procedures, specifications and standards will be provided upon request.

Rule #4. Connection Fees and Procedures (continued)

Section 2. Water Connection Fees and Procedures (continued)

- G.** All scheduled water taps and/or inspections must be ready for the District's Customer Service Representative within twenty (20) minutes of their scheduled arrival. If after that amount of time the site is still not ready, the desired activity must be rescheduled and an additional \$50 trip charge fee will be charged and collected before any services will be provided. These fees are necessary due to the number of contractors and homeowners who call for taps and/or inspections and do not have necessary plumbing ready. Before calling for taps or inspections, the customer must have the plumbing both inside and outside completed and a working shut-off valve installed.
- H.** Water tap fees may be prepaid for existing lots and for planned lots in Board-approved subdivisions. Tap fees shall be applied and tied to individual lots and are not transferable. No refunds shall be granted for prepaid water taps, regardless of extenuating circumstances, even if lots are combined or merged through the build-out process.
- I.** No person, other than authorized District staff or its representatives or authorized agents shall be permitted access to the interior of the meter pits. Unauthorized access shall be considered tampering and shall be subject to a tampering charge of up to \$500 per occurrence. All charges and any outstanding penalties and balances are to be paid in full prior to restoring services. Each day shall count as a separate occurrence. Authorized contractors may enter the pit on an emergency basis, provided they notify the District office within 24 hours of entry to plan for applicable follow-up and inspections.
- J.** Contractors shall not expose any water (or sewer) mains prior to four (4) hours of the scheduled tap or leave any unexposed main, uncovered or unprotected for more than four (4) hours.
- K.** In accordance with the Safe Drinking Water Act, the use of lead based material in the construction or modification of the District's drinking water system or private plumbing connected to the District's system is hereby prohibited.

Rule #4. Connection Fees and Procedures (continued)

Approved: _____ Effective Date: 02/08/2018

Section 3. Sewer Connection Fees, Hook Up Fees and Procedures (continued)

- A.** Connection fees for the right to connect to the District's sewer system are effective January 1st of each specified year below for residential, commercial, business and industrial customers and the cost of required grinder pump appurtenances and components are as follows:

All Single Family Residential Dwelling Units and all other customers having structure of less than 20,000 square feet under roof shall be charged the following sewer connection fees.

Year Sewer Connection Fee (right to connect) Plus the Required Grinder Pump Fee

2018 and after \$ 1,250 per each unit

see current price list

Customers with structures over 20,000 square feet under roof will be charged \$1,250 for each 20,000 square feet under roof or portion thereof.

The sewer connection fee includes only the right to connect and service availability. The grinder pump component fee includes one standard sewer pump, the sewer pump chamber, pump floats and the electrical control box. The sewer lateral between the house and the pump chamber is not included. The sewer line between the pump chamber and the District's main sewer line is not included. Any other necessary appurtenances needed to provide sewer service to the customers' premises in a proper and orderly fashion are not included. These laterals, lines and other appurtenances not included as well as all installation costs, including the grinder pump, sewer pump chamber, pump floats and the electrical control box, is the sole responsibility and expense of the customer.

Multi-Family Residential Dwelling, Commercial and Business Units shall be treated as individual units and charged accordingly as outlined above or, depending on the specific situation, may be required to install a central lift station with appropriate wet well sizes, pump sizes, and number of pumps, as engineered and/or specified by an Engineer at the developer's expense.

- B.** The customer (or the customers' contractor) is required to pick up the sewer pump, the sewer pump chamber, the floats and the electrical control box at and from the District office. The District is not responsible for any damage that may occur during transport of the sewer pump, sewer pump chamber, floats and/or electrical control box by the customer or the customers' contractor(s). The electrical lines that connect the control panel to the canister shall be laid underground and shall be encased in conduit. All installations are to be in accordance with

Rule #4. Connection Fees and Procedures (continued)

Section 3. Sewer Connection Fees, Hook Up Fees and Procedures (continued)

- procedures, specifications and standards approved and amended by the District from time to time and shall be at the customer's or the customer's contractor's sole cost.
- C.** All connection fees shall be paid at least 48 hours prior to the scheduling of a connection or at the time of request for inspection of connection. A minimum of 48 hours notice is required for the scheduling of a connection or request for inspection of connection. Contractors shall not expose any sewer (or water) mains prior to four (4) hours of the scheduled tap.
 - D.** Connections to the District's sewer systems shall be made at the sole cost of the customer, builder, developer, or property owner including all labor, material, supplies not provided, included or purchased in or with the sewer connection fee shown above. Additional costs for non-standard or upgrade pumps, chamber, control boxes, etc. is the sole responsibility of the customer.
 - E.** All scheduled sewer taps and/or inspections must be ready for the District's Customer Service Representative within twenty (20) minutes of their scheduled arrival. If after that amount of time the site is still not ready, the desired activity must be rescheduled and an additional \$50 trip charge fee will be charged and collected before any services will be provided. These fees are necessary due to the number of contractors and homeowners who call for taps and/or inspections and do not have necessary plumbing and/or electrical work ready. Before calling for taps or inspections, the customer must have the canister influent and effluent plumbing completed, drain lines must be installed to fill the sewer canister and electric to both the canister pump and the main disconnect in the home must be operational.
 - F.** Sewer tap fees may be prepaid for existing lots and for planned lots in Board-approved subdivisions. Tap fees shall be applied and tied to individual lots and are not transferable. No refunds shall be granted for prepaid sewer taps, regardless of extenuating circumstances, even if lots are combined or merged through the build-out process.
 - G.** No person, other than authorized District staff or its representatives or authorized agents shall be permitted access to the interior of the canisters and control panels. Unauthorized access shall be considered tampering and shall be subject to a tampering charge of up to \$500 per occurrence. All charges and any outstanding penalties and balances are to be paid in full prior to restoring services. Each day shall count as a separate occurrence. Authorized contractors may enter the stations on an emergency basis, but must notify the District office within 24 hours of entry to plan for applicable inspections.
-

Rule #5. Security Deposits

- A. Individuals renting property will pay a \$200 security deposit for water and/or sewer service.
- B. New property owners will pay a \$50 Transfer of Ownership Fee of \$50.

Commercial, Business, Governmental and/or Industrial customers, each metered water connection is based on size of meter and is considered the minimum deposit amount. Additional deposits may apply for higher use customers and will be evaluated on a case by case basis.

Minimum deposit amounts:

3/4 inch meter	\$ 100.00
1 inch meter	\$ 125.00
1 1/2 inch meter	\$ 225.00
2 inch meter	\$ 325.00
2 1/2 inch meter	\$ 425.00
3 inch meter	\$ 525.00
4 inch meter	\$ 725.00

- C. Security deposits shall be paid prior to the initiation and start of service. Security Deposits, at the request of the customer and upon subsequent approval by the District, may be transferred from a customer's previous account to that customer's new account. Customers in good standing whose security deposits are transferred are not required to pay additional security deposit amounts. Security Deposits shall be held without interest and applied to the customer's final bill.
- D. The owner of any multi-unit building (residential or commercial) containing two or more units, shall be considered the user of water furnished to the building and is liable for payment of security deposit and service bills, unless the owner installs or causes to be installed separate water meters for each and every unit. Only if separate water meters are installed are the tenants allowed to be the customers for water and/or sewer service, in all other cases the owner shall be deemed the customer by the District.

Rule #6. Water Rates and Charges

- A.** A charge for water service shall be made based on water meter readings and computed at the rates herein set out, whether single metered or master metered. The District, through its authorized employees and agents, may read water meters monthly, bi-monthly or quarterly as deemed in the District's best interest and statement (bills) shall be rendered accordingly.
- B.** Failure to submit a bill and/or (delinquent) notice of non-payment or payment not received shall not excuse the customer from their obligation to pay for water service when a bill is submitted.
- C.** Whenever, for any cause, a water meter fails to operate correctly, or for some reason the District is unable to read the water meter, the District shall make a reasonable estimate of the amount of water supplied by the District during the specified period and the customer shall be liable for payment based on the estimate of water supplied.
- D.** Multi-Unit buildings that are master metered shall have minimum water bills computed based on the number of units served by the minimum rate shown below. The balance of the bill shall be computed on the remaining gallons of water used or sewer discharged. Each motel, hotel, hospital, nursing home, campground, park or other similar structure and/or development (approved specifically by the District) shall have each unit or pad capable of separate overnight occupancy counted as one-third (1/3) of a unit for the computation of minimum water bill due.
- E.** Each customer, user, or owner of the premises connected to the District's water system shall pay for water drawn from the system each month according to the readings of the water meters (or estimates thereof) for each particular connection for all bills issued on or after January 1, 2018 as follows:

<u>Water Used Monthly</u>	<u>Cost or Rate +tax</u>
Service Availability Charge	\$ 45 Minimum per Month (3,000 gallons incl.)
Commodity Charge	\$ 3.00 per 1,000 additional gallons (prorated)
Unmetered	\$ 45

For bills issued on or after January 1, 2018, those bills shall be computed based on the rates and fees listed in Appendix A.

- F.** From time to time, and in amounts determined by the State and Local Authorities, the District will bill and collect for primacy fees, taxes, user fees, laboratory fees and after doing so, will forward and pass those fees onto those appropriate State or Local Authorities.

Rule #6. Water Rates and Charges (continued)

- G.** Water meters will be owned and maintained by the District. The District will keep meters in proper operating condition. Meter damaged or destroyed through tampering or abuse will be repaired or replaced at the customers' expense. Meters that fail or are replaced due to routine use and wear will be repaired or replaced at the District's expense.
- H.** Meter tests will be performed from time to time to determine accuracy and meters may be replaced from time to time to ensure accuracy. Meter tests will be performed as deemed necessary by the District at no charge to the customer. Meter tests requested by the customer that are deemed unnecessary in advance by the District will result in a \$50.00 testing charge to the customer, unless the meter registers outside of the 98 to 102 percent accuracy level in which no charge will incur.
- I.** The District reserves the option, at the District's sole discretion, to grant a customer a one-time leak adjustment in any 12 month period, provided the customer can prove by providing written documentation and justification that a leak occurred and was promptly repaired at time of discovery and after considering staff's recommendation. Leak adjustments will be based on average water usage over the previous three (3), six (6) or twelve (12) month period or as however deemed appropriate by the District. Leak adjustments will not be granted to customers who do not promptly repair leaks after notification by District personnel. Any leak adjustment will be calculated at the rate of 50% of the excess water billed to the customer over and above the average usage. Any leak adjustment under this policy, which exceeds \$250, requires specific Board approval.
- J.** The District expressly prohibits all non-district and unauthorized personnel from accessing or entering district-owned facilities, including meter pits and grinder stations, for any reason. No person, other than authorized District staff or its representatives or authorized agents shall be permitted access to the interior of the meter pits. Unauthorized access shall be considered tampering and shall be subject to a tampering charge of up to \$500 per occurrence. All charges and any outstanding penalties and balances are to be paid in full prior to restoring services. Each day shall count as a separate occurrence.

Rule #7. Sewer Rates, Charges and Conditions of Service

- A.** A charge for sewer service shall be made based on water meter readings or monthly charges and computed at rates herein set out, whether single metered or master metered. Each customer connected to the District's sewer system shall pay for sewer service monthly.
- B.** Residential customers shall be billed for sewer service based on actual or estimated water usage based on water meter readings. Residential customers that have no water meters will be billed on a flat rate as set forth in the rate codes as listed in Appendix A of these District Rules and Regulations.
- C.** Commercial, Business, Governmental and/or Industrial customers shall be billed based on actual or estimated usage based on monthly water meter readings or sewer flow metered.
- D.** If a Commercial, Business, Governmental, Industrial, Farming or Agriculture customer has a consumptive use of water, or in some other manner uses water that is not returned to the sewer system, or has a water source other than or in addition to the District's system, the sewer service charge for that customer shall be based on a sewer meter or separate water meters installed and maintained at that customers expense and in a manner acceptable and approved by the District.
- E.** Failure to submit a bill and/or (delinquent) notice of non-payment or payment not received shall not excuse the customer from their obligation to pay for sewer service when submitted.
- F.** Multi-Unit structures, buildings and developments that are master metered shall have minimum sewer bills computed based of the number of units served at the minimum rate shown below. The balance of the bill shall be based on the remaining gallons of water used or sewer discharged. Each motel, hotel, hospital, nursing home, campground, park or other similar structure and/or development (specifically approved by the District) shall have each unit or pad capable of separate overnight occupancy counted a one-third (1/3) of a unit for the computation of minimum sewer bill due.
- G.** All new structures which plan to connect or be connected to the District sewer system shall have a District approved water meter on the incoming water line to that structure for the purpose of computing sewer service charges. The District reserves the right to inspect the installation before connection to the District's sewer system.
- H.** The District reserves the right to approve or disapprove any new services as the District deems to be in their best interest. No storm water drains, roof runoffs, foundation drains, pond overflows, cisterns, etc. of any type shall be connected to the District's sewer system. Any person found to have a prohibited connection to the District's sewer system will be given written notice stating the nature of the violation and providing a reasonable time limit not to exceed ninety (90) days for the satisfactory correction thereof. The offender shall, within the period of time stated in such notice, permanently cease all violations. Any person who shall continue any violation beyond the time limit provided for by the District shall be subject to a charge of \$500 per occurrence. Each twenty-

Rule #7. Sewer Rates, Charges and Conditions of Service (Continued)

four (24) hour period in which any such violation shall continue shall be deemed a separate offense.

- I. The District will maintain and be responsible for the sewer pump and force main lateral (not responsible for any gravity laterals) from the District's main sewer line up to and including the sewer pump wet well and sewer pump. Customers who have their own well or who are not connected to the Water Districts' potable water system are required to install, at their own expense, an isolation valve with the appropriate valve box, adjacent to the sewer pump wet well, on the sewer force main lateral line between the District's sewer main and the sewer pump wet well.

The District will own and maintain the isolation valve and valve box and all systems downstream of the isolation valve including the sewer pump wet well, sewer pump and all control systems. The customer will maintain and be responsible for the sewer force main lateral from the sewer pump isolation valve/wet well to the house and all inside lines and fixtures including the electrical costs needed to operate the sewer pump and the electrical systems connected to the sewer pump. Customer agrees to maintain electric to the pump in a manner wherein the sewer pump is operational unless electric is cutoff due to maintenance or power outages.

Customers are responsible for any gravity lateral serving their premise(s). Customers who require a sewer pump replacement due to abuse, discharge of conditional and/or prohibited discharges as described in these rules and regulations will be charged for the cost of a new replacement pump, the labor to install and any repairs to the control system that may be required to restore the sewer pump and force main to good operating condition.

- J. Each customer, user, or owner of the premises connected to the District's sewer system shall pay for sewer service each month according to readings of water meters as indicated above (or by reasonable estimates as computed by the District) for each particular connection for all bills issued for their respective service area(s) or location(s) shown for the Rate Code, customer class and type listed herein on Appendix B of the District's Rules and Regulations and subject to change or adjustment from time to time.
- K. Customers who request initiation or disconnection of sewer service for a portion of the monthly billing period may receive a prorated bill for that portion of the billing period service is received.
- L. It is expressly understood and agreed to by and between the District and the customer/user that no claim shall be made against the District and the District has no liability of any kind to the customer or third persons for equipment failures, power outages, sewer backups, blocked sewers or any other failures of any kind, unless due to negligence of the District and in absence of any contributory negligence on the part of the customer or third party.

Rule #7. Sewer Rates, Charges and Conditions of Service (Continued)

- M.** Any customer discharging sewer flows in excess of 300 mg/l BOD and/or TSS shall be subject to surcharge in accordance with District policy and/or as governed by the State. Any customer discharging sewer flows in excess of 1,000 mg/l BOD and/or TSS shall be in violation of District, State or Federal regulations unless approved by prior agreement(s). Any customer which discharges sewer flows which cause and increase the cost of managing the effluent or sludge or biosolids from the District's sewer system, or any user which discharges any substance which singly or by interaction with other substances causes identifiable increases in the cost of operation, maintenance or replacement of the sewer system shall pay for such increased costs. The charge for each such user discharging sewer flows under the above conditions shall be determined by the District and subsequently approved by the Board of Directors.
- N.** Prohibited Discharges includes all connections and flows identified in Section H. above as well as the following types of waters or wastes:
- Any waters or wastes, in quantities or concentrations, which have the potential for, or cause pass through or interference to the treatment system or quality of effluent.
 - The discharge of pollutants which may create a fire or explosion hazard in the wastewater system, including but not limited to waste streams with a closed cup flashpoint of less than one hundred and forty degrees (140) Fahrenheit or sixty (60) degrees Celsius using the test methods specified in 40 CFR 261.21, Ref. 40 CFR 403.5(b)(1).
 - Any waters or wastes containing toxic or poisonous solids, liquids or gases, in sufficient quantity, either singly or by interaction with other wastes, to cause harm, damage, or which interfere with or cause other detriment to any sewage treatment process, or which constitute a hazard to humans or animals, or create a public nuisance, or create any hazard in the sewage treatment system, or pass through to receiving waters.
 - Any waters or wastes having a pH lower than 6.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment or personnel of the sewage treatment system.
 - Any solid or viscous material which could cause any obstruction to the treatment process or cause interference or pass through. Examples of such materials include, but are not limited to, ashes, wax, paraffin, cinders, sand, mud, straw, shavings, wood and sawdust, paunch manure, hair and fleshing, entrails, lime slurries, brewery and distillery wastes, grain processing wastes, grinding compounds, acetylene generation sludges, chemical residues, acid residues and food processing bulk solids.
 - Any liquids or vapor having a temperature higher than one hundred four (104) degrees Fahrenheit or forty (40) degrees Celsius.
 - Any petroleum oils, non-biodegradable cutting oils or products of mineral oil origin in amounts that will cause pass through or interference.
- O.** Conditional Discharges - No customer shall cause to be discharged to the sewer system the following described substance, materials, waters or wastes if it appears likely, in the opinion of the District, that such wastes may cause pass through or interference or cause harm to either the sewer, the sewage treatment process or otherwise endanger life, limb, public property or

Rule #7. Sewer Rates, Charges and Conditions of Service (Continued)

constitute a nuisance. In forming its opinion as to the acceptability of these wastes, the District will give consideration to such factors as materials used in the construction of the sewers, the nature of the sewage treatment process, the capacity of the sewage treatment system and other pertinent factors:

- Any waters or wastes containing fats, waxes, greases or oils, whether emulsified or not, in excess of one hundred (100) milligrams per liter, or containing substances which may solidify or become viscous at temperatures between thirty-two (32) and one hundred and fifty (150) degrees Fahrenheit (0 and 65 degrees Celsius).
- Any garbage that has not been properly shredded.
- Any waters or wastes containing strong acid iron pickling wastes or concentrated plating solutions, whether neutralized or not, which are capable of causing damage or corrosion in the sewers or the sewage treatment plant, or which otherwise interferes with the sewage treatment process.
- Any waters or wastes having a pH in excess of ten (10).
- Materials which exert or cause excessive coloration or discoloration such as dyes, wastes and vegetable tanning solutions, concentrations of inert suspended solids such as Fuller's earth, lime slurries or dissolved solids such as sodium and calcium chlorides.
- Septic tank sludge and septic tank pumpings.
- Slug loads and/or flows that would exceed fifteen (15) minutes that are more than five (5) times the average twenty-four (24) hour concentration, flow or quantities for normal operation.
- Any waters or wastes containing any radioactive wastes or isotopes of such half-life or concentration that would exceed the limits established by applicable State or Federal regulations.
- Any waters or wastes which would cause a hazard to human life or create a public nuisance.

P. Any conditional waters or wastes listed in Section O. which are discharged or proposed to be discharged, the District may:

1. Reject the wastes or
2. Require pretreatment of the wastes or
3. Require control over the quantities and rates of discharge.

If the District requires pretreatment or equalized or controlled waste flows, the design and installation of the plants or equipment used shall be subject to review and approval prior to the connection and/or discharge of such wastes.

Q. Grease, oil and/or sand interceptors shall be provided at the sole cost and expense of the customer, if in the District's opinion, such grease, oil and/or sand interceptor is necessary for the proper handling of waters or wastes containing grease, oil, sand or other matter that may be harmful to the sewer system. Interceptors shall be located in a readily and easily accessible location for cleaning and inspection. The interceptor type and capacity shall be approved by the

Rule #7. Sewer Rates, Charges and Conditions of Service (Continued)

District prior to installation and the District shall inspect and approve the installation of the interceptor prior to the initiation of service.

- R. Additionally, the District will require inspection, monitoring and sampling manholes or ports together with all meters and/or appurtenances deemed necessary by the District wherever industrial waste exists. Such manholes or ports shall be located in locations approved by the District, shall be constructed in accordance with plans approved by the District, shall be installed and maintained by the customer at the customers sole expense. Manholes and ports are to be safe and accessible at all times.
- S. The District's authorized employees, representatives and agents bearing proper credentials and identification shall be permitted to enter all properties connected or suspected of being connected to the District sewer system for the purpose of inspection, observation, sampling and testing of waters or wastes in accordance with the provisions of this resolution. These persons shall have the right to inquire about any industrial or customer processes that have a direct bearing on type, amount, kind and source of discharge to the District sewer system, but no authority to inquire into any processes beyond the point of those that have a direct bearing on the type, amount, kind and source of discharge to the District sewer system.
- T. Paper products other than toilet tissue, shall not be put in the sewer system. Examples of this type of prohibited waste includes (but are not limited to) Handi-wipes, baby wipes, diapers, sanitary napkins, tampons, newspapers, and coffee filters. Additionally, no plastic or latex rubber products should be put into the sewer system. Examples of this type of prohibited waste includes (but are not limited to) condoms, tampon applicators, balloons, ribbons, rope, and toys. Additionally, no animal parts or products should be put into the sewer system. This includes fats and grease, bones, and skin.
- U. The first (1st) service trip to correct any of the problems caused by the items in Section U will be at the District's expense. Additional service trips to correct problems caused by the above items will be billed to the customer at the prevailing time and material rate on needed manpower and equipment used to correct and/or repair problems caused by prohibited wastes or other abuses of the sewer system. If, after the District has replaced one sewer grinder pump due to prohibited items, a new replacement sewer grinder pump is required to replace a damaged or abused pump and to restore service to the customer, the cost of the replacement pump will be borne by the customer.

Rule #8. Billing, Payment of Bills and Collections

- A.** For water customers, sewer customers and combined water and sewer customers the District will bill for services rendered monthly, bi-monthly or quarterly as deemed to be in the best interest of the District. Bills are due and payable upon receipt.
- B.** Bills not paid by the due date on the bill are considered delinquent. Delinquent bills will be subject to a ten (10) percent late payment charge of the current water and/or sewer service charges due which shall be added to the amount due.
- C.** Bills not paid upon receipt within 5 days from date of delinquency notice creation are subject to immediate disconnection of service without further notice of any kind.
- D.** Customers of accounts that are subject to disconnection or have been disconnected are required to pay all past due and current amounts for service rendered by the District to the District. Additionally, any and all administrative, disconnection, reconnection charges and any and all other outstanding charges due to the District shall be paid in full prior to the restoration of water and/or sewer services.
- E.** Administrative, Disconnection and Reconnection charges are as shown below:

Services subject to disconnection, unless previously agreed on by the District, are subject to the following administrative, disconnection and reconnection charges:

- Per calendar year: 1st occurrence - \$50, 2nd occurrence - \$75, all subsequent - \$100
 - Reconnections made from 10:00 am to 3:00 PM Monday through Friday, excluding Holidays. No payment from customers to service personnel will be accepted at the time of disconnection to avoid loss of service. This administrative, disconnect/reconnect fee will be applied to the past due account at the time the customer service personnel leaves the office and is in route to perform disconnection of service on accounts that are more than 40 days past due.
 - No reconnection or restoration of service will be made after 3:00 PM Monday through Friday, and all day Saturday, Sunday, or Holidays unless an emergency or life threatening situation exists. Services which have been disconnected for nonpayment and requested to be restored after hours or on Holidays will be subject to an additional \$150.00 administrative reconnection fee.
- F.** Returned checks due to insufficient funds, closed accounts or other reasons will be considered seriously past due and delinquent accounts. Customers of such accounts will be given notice to make immediate restitution and pay a \$20.00 returned check charge and in doing so may avoid service disconnection. Customers who do not make restitution within 24 hours and pay the \$20.00 returned check charge are subject to water and/or sewer service disconnection without further notice and are subject to the charges outlined in section F. above.

Rule 8. Billing, Payment of Bills and Collections (continued)

- G.** In all cases involving returned checks, only cash, money orders and cashiers checks will be acceptable for payment of services rendered for that particular restitution of payment. Future incidents involving returned checks may require all future payments for services rendered to be cash, money order or cashier's checks.
- H.** For sewer only users, all billing, payment and collection procedures apply as listed above and the District reserves the option of disconnecting the sewer lateral from the main sewer line or removing any sewer pump serving the customer or disconnecting water and/or sewer service as provided under State Law. Should the charge for sewer service remain unpaid after the disconnection date and/or the customer has not made other suitable arrangements approved by the District, the District's option is to proceed with disconnection of service and give final notice to the customer and/or property owner. Final notice shall be in writing and delivered to the customer/property owner or be posted on the entry doorway of the premises served or may be sent to the customer/property owner by certified mail. Prior to physical disconnection of the sewer service the District shall notify the appropriate building official or Health Department who may elect to notify the customer/property owner that the subject property is subject to condemnation for lack of appropriate sewer service. The District reserves the right to charge and collect any and all additional expenses associated with any such disconnection and/or removal of laterals, pumps and administration fees and the customer shall pay any such amounts in addition to service charges due prior to the restoration of sewer service.
- I.** For any water and/or sewer customer's account delinquency, the customer is responsible and liable for all costs incurred to collect this debt, including collection fees, attorney fees and court costs. The District may direct the attorney for the District to file suit against any customer whose account is considered delinquent for one hundred eighty (180) days or more or is delinquent in amounts exceeding two hundred fifty dollars (\$250). The District may otherwise choose to file a lien against the property.
- J.** Customers who request initiation or discontinuance of water and/or sewer service for a portion of the monthly billing period may receive a prorated bill for that portion of the billing period that the service is received in accordance with the District's current or existing procedures for prorating bills.

Rule #9 Water Conservation Plan

- A.** All connections to the District's water system shall be subject to the District's Water Conservation Plan as identified below and for which plan is to provide for public health and to regulate use of the District's water system:
- B.** The District or its agents shall give notice to customers of any voluntary requests or mandatory measures the District places into effect by means of radio, television, newspapers and any other news media. In cases of extraordinary measures or disasters the District may utilize all of the above as well as any emergency warning system including local law enforcement agencies.
- C.** If a disaster occurs, severe conditions exist and/or voluntary water curtailment or restrictions are requested by the District or if demands on the water system continue to indicate that the threat of a water shortage will occur or continues to occur, the District or it's agents shall immediately implement any parts of the below conservation plan as the District deems necessary:
1. Mandatory Restriction of Lawn Watering. Even numbered addresses water on even numbered days of the month, odd numbered addresses water on odd numbered days of the month.
 2. Mandatory Ban of Lawn Watering. All lawn watering, watering of gardens, crops, plants, trees and bushes is prohibited except from a handheld container.
 3. Mandatory Ban on Washing Paved Areas. All washing of sidewalks, driveways, parking areas, patios and any other paved or concrete surfaced area is prohibited.
 4. Mandatory Ban on Filling and Washing. All filling or refilling of any kind or type of swimming pools and/or washing of cars, trucks or other motor vehicles and/or any washing of trailers or boats is prohibited.
 5. Mandatory Ban of Water Uses From Hydrants. All water uses from fire hydrants except for fighting fires and/or flushing mains to alleviate specific complaints and/or sampling and/or testing of water is prohibited.
 6. Commercial and Industrial Uses. All commercial and industrial customers shall reduce water usage by twenty-five (25) percent of average use like time period.
- D.** Any customer or person(s) violating the provisions of this rule shall be subject to disconnection of water service and the District and/or its agents shall have the authority to disconnect or terminate said service in the event of violation of mandatory water use restrictions. Any customer or person(s) violating the provisions of this rule shall be subject to a charge not to exceed five hundred (500) dollars per occurrence. Each day shall count as a separate occurrence. The District shall authorize any law enforcement agency to diligently enforce the provisions of this rule in connection with his/her duties imposed by law.

Rule #10. Backflow Prevention

- A.** Each water customer and/or user shall install an approved backflow prevention device on each service line to the water system serving the premises where, in the judgment of the District or the Tennessee Department of Environment and Conservation, actual or potential hazards to the public (District) potable water system exist. The type and degree of protection required shall be commensurate with the degree of hazard. Each water customer required by the District or the Tennessee Department of Environment and Conservation shall follow the rules, regulations and requirements set forth in this backflow prevention rule and all other regulations that may be adopted from time to time by the United States Environmental Protection Agency, the Tennessee Department of Environment and Conservation or by East Sevier County Utility District.
- B.** Cross connections are prohibited and no water service connection shall be installed or maintained to any premises where actual or potential cross connections to the District's potable or customers water system may exist unless such actual or potential cross connection(s) are abated or controlled to the satisfaction of the District and as required by the laws and regulations of the Tennessee Department of Environment and Conservation.
- C.** No water service connection shall be installed or maintained whereby an auxiliary water supply may enter the District's potable or customers water system unless the connection of such an auxiliary water supply and the method of connection and the use of such a supply shall have been approved by the District and the Tennessee Department of Environment and Conservation.
- D.** No water service connection shall be installed or maintained to any premises in which the plumbing systems, facilities, point of use devices and water fixtures have not been constructed or installed using acceptable plumbing practices considered by the District necessary for the protection of the District water supply and for the protection of the health and safety of the District's customers.
- E.** On request by the District or its authorized representative(s), the customer or user shall furnish information regarding water use practices within his/her premises. The customers or users premises shall be open at all reasonable times to the District or its authorized representative(s), for the conduction of surveys and investigations of water use practices within the premises to determine whether there are actual or potential cross connections to the District's water system or the customers water system through which contaminants or pollutants could backflow into the customers water system or the District's water system.
- F.** The type of backflow protection required shall depend on the degree of hazard which exists and shall be as follows:

 - 1. An approved air-gap separation shall be installed where the District potable water system may be contaminated with substances that could cause a system or health hazard.

Rule #10. Backflow Prevention (Continued)

2. An approved air-gap separation or an approved reduced pressure principle backflow prevention device shall be installed where a public potable water system may be contaminated with a substance that could cause a system or health hazard.
 3. An approved air-gap separation or an approved reduced pressure principle backflow prevention device or an approved double check valve assembly shall be installed where the public potable water system may be polluted with substances that could cause a pollution hazard not dangerous to health.
- G.** An approved air-gap separation or reduced pressure principle backflow prevention device shall be installed after the metered flow of any service connection or within any premises where, in the judgment of the District or the Tennessee Department of Environment and Conservation, the nature and extent of activities on or in the premises, or the materials used in connection with the activities, or materials stored on or in the premises, would represent an immediate and dangerous hazard to health should a cross connection occur, even though such a cross connection may not exist at the time the backflow prevention device is required to be installed. This includes but is not limited to the following situations:
1. Premises having auxiliary water supply, unless the quality of the auxiliary water supply is acceptable to the District and the Tennessee Department of Environment and Conservation.
 2. Premises having internal cross connections that are not correctable or intricate plumbing arrangements which make it impractical to ascertain whether or not cross connections exist.
 3. Premises where entry is restricted so that inspection for cross connection cannot be made with sufficient frequency or at sufficiently short notice to assure that cross connections do not exist.
 4. Premises having a repeated history of cross connections being established or re-established.
 5. Premises, which due to the nature of the enterprise therein, are subject to recurring modification or expansion.
 6. Premises on which any substance is handled under pressure so as to permit entry into the District's or customers water supply system, or where a cross connection could reasonably be expected to occur. This shall include handling of process waters and cooling waters.
 7. Premises where materials of a toxic or hazardous nature are handled such that if back siphonage or backpressure should occur, a serious health hazard may result.

Rule #10. Backflow Prevention (Continued)

- H. The following types of facilities fall into one (1) or more categories of premises where an approved air-gap separation or reduced pressure principle backflow prevention device is required by the District and/or the Tennessee Department of Environment and Conservation to protect the public water supply and must be installed at these facilities unless all hazardous or potentially hazardous conditions have been eliminated or corrected by other methods to the satisfaction of the water supplier and the Tennessee Department of Environment and Conservation:
1. Aircraft and missile plants
 2. Automotive plants
 3. Auxiliary water systems and water loading stations
 4. Beverage bottling plants
 5. Canneries, packing houses, reduction plants, stockyards
 6. Car washing facilities
 7. Chemical manufacturing, processing, compounding or treatment plants
 8. Dairies, animal and veterinary clinics
 9. Film laboratories
 10. Fire protective systems
 11. Hazardous waste and disposal sites
 12. Hospitals, mortuaries, clinics and medical buildings
 13. Industries using toxic substances
 14. Irrigation and sprinkler systems, residential or commercial, any size
 15. Laundries and dye works
 16. Metal manufacturing, cleaning, processing and fabrication plants
 17. Nursing and convalescent homes
 18. Oil and gas production, storage and transmission facilities or properties
 19. Paper and paper products plants
 20. Plant nurseries, tree farms and fertilizer facilities
 21. Plating plants of any kind
 22. Power plants; printing and publishing facilities
 23. Radioactive material processing plants or nuclear reactors
 24. Research and analytical laboratories
 25. Rubber plants, natural and synthetic
 26. Sewage and storm drainage facilities
 27. Pumping stations and treatment plants
 28. Water front facilities and industries
 29. Any customer using any type of booster pressure pump(s) for any purpose or reason.
- I. The District may, at the District's discretion and in the District's sole opinion, require a backflow prevention device(s) at facilities and premises other than those above that the District deems may have a hazardous or potentially hazardous condition.

Rule #10. Backflow Prevention (Continued)

- J.** Any backflow prevention device required under this rule shall be of a type, model and construction approved by the District and the Tennessee Department of Environment and Conservation as follows:
1. Air-gap separation shall be at least twice the diameter of the supply pipe or supply line as measured vertically above the top rim of the vessel, but in no case less than three (3) inches.
 2. Double check valve assemblies or reduced pressure principle backflow prevention devices shall be of Watts manufacture series No. 709 or 909 or an approved equivalent.
- K.** Existing backflow prevention devices previously approved by the District at the time of installation and properly maintained shall, except for inspection and maintenance requirements, be excluded from the requirements of this rule so long as the District, in the District's sole opinion, is assured that said backflow prevention devices will satisfactorily protect the water system. Whenever the existing device is moved from its present location, or requires more than minimum maintenance or when the District finds that the maintenance or lack of maintenance constitutes a hazard to health, the device shall be replaced by a backflow prevention device meeting the requirements of this rule and shall be subject to all requirements under this rule.
- L.** Backflow prevention devices required under this rule shall be installed at a location and in a manner approved by the District and shall be installed and maintained at the expense of the water customer or user.
- M.** Periodic inspection and testing schedules are hereby established by the District for all backflow prevention devices at the following intervals:
1. Air-gap separations shall be inspected at the time of service connection or installation and every (12) months thereafter.
 2. Double check valve assemblies shall be inspected and tested for tightness at the time of installation and at least every twelve (12) months thereafter. They shall be dismantled, inspected internally, cleaned and repaired whenever needed and at least every thirty (30) months.
 3. Reduced pressure principle backflow prevention devices shall be inspected and tested for tightness at the time of installation and at least every twelve (12) months thereafter. They shall be dismantled, inspected internally, cleaned and repaired whenever needed and at least every five (5) years.

Rule #10. Backflow Prevention (Continued)

- N.** All costs associated with inspections, cleaning, testing, repairing, overhaul or replacement of backflow prevention devices shall be the responsibility of the water customer or user. All inspections, cleaning, testing, repairing and overhaul of backflow prevention devices shall be performed by a State of Tennessee certified backflow prevention service tester. It shall be the responsibility of the customer/user to provide the District with written inspection or repair documentation upon receipt.
- O.** Backflow prevention devices found to be defective shall be repaired or replaced at the expense of the water customer or user without delay and in no event no later than thirty (30) days from the discovery of the defect. Backflow prevention devices shall not be bypassed, made inoperative, removed or otherwise made ineffective without specific written authorization from the District. Bypass piping around a backflow prevention assembly is allowed only if the bypass is equipped with an identical or better backflow prevention assembly.
- P.** The District shall maintain a complete record of each backflow prevention device. Records will include comprehensive listing of installation, testing, inspections, cleanings, repairs and overhauls and will generally be a complete history of each backflow prevention device from installation to retirement. It shall be the customers and/or users responsibility to provide the District with complete records of installations, testing, inspections, cleanings, repairs and overhauls upon receipt or upon request, whichever occurs first.
- Q.** The District shall deny or discontinue, after reasonable notice to the customer/user thereof, the water service to any premises or facilities wherein any backflow prevention device required by this rule is not installed, tested or maintained in a manner acceptable to the District or if it is found that a backflow prevention device has been removed or by-passed or if an unprotected cross connection exists on the premises. Water service to such facilities or premises shall not be restored until the customer/user has corrected or eliminated such conditions or defects in conformance with this rule to the satisfaction of the District.

Rule #11. Fire Hydrants, Regulations for Use

- A.** Hydrants and flushing assemblies shall only be operated District personnel, Fire Protection Districts, persons carrying written authorization or permit to operate hydrants and flushing assemblies or those persons or companies granted temporary permit to operate hydrants and flushing assemblies in accordance with the regulations of the District. The operation of any hydrant or flushing assembly by any unauthorized person(s) or company shall result in the impoundment of any hose(s), wrenches, nozzles, backflow preventors, meters or other items used in the hydrant operation with charges and penalties defined in Rule #16 levied and those persons shall be subject to prosecution by the District.
- B.** Persons or companies authorized to use and operate hydrants shall provide at least the minimum security deposit and pay for all water used. The authorized hydrant user shall provide all equipment necessary for hydrant use including hoses, control valves, approved backflow prevention device, plus any other equipment deemed necessary by the District for the safe and proper operation of the hydrant and/or flushing assembly.
- C.** The District reserves the right to deny any person, persons, company, companies or any other entity any request for hydrant or flushing assembly use for any reason the District believes necessary to protect the property and/or best interests of the District.
- D.** The District reserves the right to develop and implement detailed regulations for hydrant use, permits, fees and charges, and procedures for hydrant operation at a later date. The District reserves the right to waive or reduce hydrant deposits and water use charges for improvements or for construction projects and extensions to the District's system directly awarded and paid for by the District.

Rule #12. Sprinkler System Uses

- A.** Fire protection, irrigation systems and similar types of sprinkler systems shall be subject to all backflow requirements set forth by the District and the State of Tennessee. Those systems not complying with the requirements shall be subject to disconnection, with no liability incurred to the District, or by any other entity, company or person serving as the District's agent. All liability is assumed by the customer, user or owner of the residence or establishment receiving the service.
- B.** All water mains laid on private property for the sole purpose of providing fire protection through fire hydrants or sprinkler systems are subject to the installation of a detector check valve with bypass compound water meter, sized as approved by the District. The detector check valve design and installation shall be approved by the District. All costs for the furnishing and installation of the fire protection service shall be borne by the customer, user or owner and not the District. The detector check valve and meter will be checked periodically by the District and water use through the meter shall be added to other water usage for billing to the customer, user or owner.
- C.** The customer and/or water user shall promptly report to the District any situation or fires that occur that resulted in water use through the fire protection line and the District or other authorized persons will reset the detector check valve. In the event a periodic check shows that the valve was opened and no situation or fire was reported, the customer, user or owner shall be subject to a charge as identified within the Rule addressing the charges for tampering and penalties for violation. Furthermore, the District reserves the right to require that all water lines be fully metered with all costs of metering to be borne by the customer, user or owner.
- D.** All fire protection systems are also subject to the approval of the Fire Protection District having authority in the area the premises are located and the customer or user shall follow all requirements set forth by the Fire Protection District as they pertain to fire protection regulations.

Rule #13. Private Systems

Private Sources of Water and Private Water Systems

1. All owners of land or customers receiving District service(s) for buildings or premises connected to the District sewer system and who derive their water in whole or in part from sources independent of the District shall register with the District, the location, building or premises, all wells or other private sources of water supply used or consumed thereon, and furnish such information as may be reasonably requested, including location, size, depth, capacity or wells or other sources of water drawn.
2. No cross connection between any private water supply system and the District water system shall be permitted unless the District is protected against backflow by an approved reduced pressure backflow prevention device or an air-gap in accordance with the District's rule pertaining to backflow prevention.
3. Private water supply systems serving building or premises which discharge into the District's sewer system shall be required to be metered. Meters shall be of a type and size approved by the District. Meters shall be read by the District or at the District's option, readings and usage be made available to the District.

Rule #15. Governmental Agreements and Tank Sales

- A. The District may make specific water and/or sewer service contracts and agreements with the United States of America and its agencies, the State of Tennessee and its agencies, school districts, municipal and political corporations differing from the stipulations set out in the rules, regulations and rate schedules set forth herein.
- B. The District has the option and authority to authorize tank sales and sales of water in bulk by any method at any such rate as the District may designate. Sales of this nature may be restricted whenever and however as deemed necessary or desirable by the District. The District reserves the right to develop or modify bulk sales requirements or restrictions at will.

Rule #16. Penalties for Violation

- A.** Any user, person, firm, customer, corporation, partnership, etc. found to be in violation of any provision of these rules and regulations or who fails to comply with any of the requirements stated herein shall be subject to an administrative charge not to exceed five hundred (\$500) dollars per occurrence and/or imprisonment as the State and/or County law provides. Each day shall count as a separate occurrence.
- B.** The District shall have the option and authority, in lieu of, or in addition to the above penalties, to discontinue water and/or sewer service to the buildings and/or premises in violation of the requirements, rules and regulations herein. The District absolves itself of any claims of liability for damages incurred as a result of discontinuance of service. Any such liability or damages resulting from the discontinuance of water and/or sewer service is the responsibility of the customer, user, owner, etc.
- C.** Water and/or sewer service shall not be restored until the violations have been corrected and eliminated to the satisfaction of the District and once service has been disconnected, all charges, fines, court costs and permit fees must be paid prior to the restoration of service.
- D.** Nothing contained herein shall prevent the District from taking other lawful actions as necessary to protect the health and safety of the public and/or to prevent damage to the District's water and/or sewer systems and facilities, including obtaining court orders in law or equity. Should the District go to court in law or equity against any one or more customers, users owner or owners, then such customer, user or owner, owners or customers shall pay for all costs thereof, including attorney's fees.

Rule #17. Severability and Effective Date

- A.** This resolution provides that the rules and regulations covered herein supersede previous rules and regulations pertaining to the items herein addressed. Should any provision or portion of this resolution, rules and regulations be found to be unlawful or invalid by any court of competent jurisdiction, the remaining portions and provisions of this resolution, rules and regulations shall continue to be in full force and effect.
- B.** That this resolution be in full force and effect upon the adoption by the Board of Directors for East Sevier County Utility District of Sevierville, Tennessee and the effective dated noted herein.

Roy Ivey - President

ATTEST:

Barbara Darby - Secretary

On motion duly made, seconded and carried, this resolution is hereby adopted by the Board of Directors of East Sevier County Utility District, Sevierville, Tennessee on this 8th day of February, 2018.

Approved: _____ Effective Date: 02/08/2018

APPENDIX A

**Water Rate, Charges and Fees
for all water customers, types and classes; for all billings after January 1, 2016**

<u>Month/Year</u>	<u>Availability Charge</u>	<u>Commodity Rate (per each 1,000 gals or portion thereof)</u>
January 2018 thru December 2018	\$45.00	\$3.00 per each 1,000 gallons or portion thereof

The Availability Charge listed above includes the right to take water from the District's system, 3,000 gallons is included. All water taken from the system and all water use is per the Commodity Rates listed above. Unmetered residential use will be billed a flat rate of \$45/month.

<u>*Commercial Customers Water and Sewer</u>	<u>Flat Monthly Rate</u>
English Mountain Condos	\$7,399.19
EMR Stables	\$50.63
EMR Amenities	\$642.27
EMR Suites	\$2,004.34

*These customers are currently unmetered. Rates may be adjusted to commercial metered rates if/when meters are installed.

Billing:

Bills will be distributed at monthly intervals and will be due for payment at the net rate by the date listed on the bill. Any account remaining unpaid after the due date shall be considered delinquent and the District may take any such action as specified in its Rules and Regulations. The charges as hereby amended above shall become effective with all water service billings dated on or after January 1, 2018.

Approved: _____ Effective Date: 02/08/2018

APPENDIX B
East Sevier County Utility District
Rules and Regulations

Tariff Sheet – Rate Code A – Wastewater

Service Areas: Any area or location from which wastewater is collected, flows or is pumped to and treated at the District's Wastewater Treatment Plant.

<u>Month/Year</u>	<u>Availability Charge</u>	<u>Usage Charge</u>	<u>Flat Rate Charge</u>
January 2018 thru December 2018	\$48.00	\$3.10	\$48.00

The above rate and fee schedule applies to all Residential customers.

The Availability Charge shown above includes up to 3,000 gallons of usage per month.

The Usage Charge shown above is for each additional 1,000 gallons per month or portion thereof.

The Flat Rate Charge shown is for residential customers only who are without water meters.

(All other types and classes of customers must have a water meter installed from which accurate water use information can be obtained).

Billing:

Bills will be distributed at monthly intervals and will be due for payment by the due date listed on the bill. Any account remaining unpaid after the due date shall be considered delinquent and the District may take any such action as specified in its Rules and Regulations. The charges as hereby amended above shall become effective with all sewer service billings dated on or after January 1, 2018.

Approved: _____ Effective Date: 02/08/2018