



BIG PLAINS WATER SPECIAL SERVICE DISTRICT MEETING

BOARD OF DIRECTORS, REGULAR MEETING

1777 N Meadowlark Dr, Apple Valley

Wednesday, August 21, 2024 at 6:00 PM

AGENDA

Notice is given that a meeting of the Water District of the Town of Apple Valley will be held on **Wednesday, August 21, 2024**, commencing at **6:00 PM** or shortly thereafter at **1777 N Meadowlark Dr, Apple Valley**.

Chairman | Michael Farrar

Board Members | Ross Gregerson | Matt Politte | Kevin Sair

Please be advised that the meeting will be held electronically and broadcast via Zoom. Persons allowed to comment during the meeting may do so via Zoom. Login to the meeting by visiting:

<https://us02web.zoom.us/j/82661513795>

if the meeting requests a password use 1234

To call into meeting, dial (253) 215 8782 and use Meeting ID 8266151 3795

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

DECLARATION OF CONFLICTS OF INTEREST

CHAIR REPORT

1. Harold Merritt's Resignation as of August 6, 2024.

REPORTS, RECOMMENDATIONS, AND ANNOUNCEMENTS

DISCUSSION AND ACTION

2. Property Insurance with Utah Trust.
*Tabled from July 17, 2024.
3. Purchase of truck.
4. Resolution-BPW-R-2024-15, District Employee Handbook Amendment (Paid Benefits).
5. Drinking Water State Revolving Fund Agreement.

CONSENT AGENDA

The Consent Portion of the Agenda is approved by one (1) non-debatable motion. If any Board Member wishes to remove an item from the Consent Portion of the agenda, that item becomes the first order of business on the Regular Agenda.

6. Disbursement Listing for June 2024 (Updated) and July 2024.
7. Budget Report for Fiscal Year 2025 through July 2024.
8. July 2024 Water Usage Comparison.
9. Approval of Minutes: July 17, 2024.

REQUEST FOR A CLOSED SESSION

ADJOURNMENT

CERTIFICATE OF POSTING: I, Jenna Vizcardo, as duly appointed Recorder for the Town of Apple Valley, hereby certify that this Agenda was posted at the Apple Valley Town Hall, the Utah Public Meeting Notice website <http://pmn.utah.gov>, and the Town Website www.applevalleyut.gov.

THE PUBLIC IS INVITED TO PARTICIPATE IN ALL COMMUNITY EVENTS AND MEETINGS

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify the Town at 435-877-1190 at least three business days in advance.

Insurance Coverage General Term Sheet

Coverage and limits will be governed by the terms and conditions of your policies. This quote is valid through 7/17/24.

1. Insured: Big Plains Water Special Service District
2. Coverage Type: Property
3. Total Insured Value: \$2,589,250
4. Coverage Term: 7/17/24 - 6/30/2025 (subsequent renewals on 7/1 annually)
5. Annual Premium: \$2,941 (to be prorated from 7/17/24 - 6/30/2025)
6. Big Plains Water Special Service District retains the right to any rate reductions offered by the Trust during policy term

Order to bind insurance coverage:

Approved By

Date

Name, Title

Federal Tax ID#

Steven A. Hansen CEO

Date



(Jenna) Town Clerk <clerk@applevalleyut.gov>

Fwd: [EXT] Questions from last nights water board meeting

1 message

Michelle Kinney <mkinney@applevalleyut.gov>

Mon, Jul 22, 2024 at 9:41 AM

To: Town of Apple Valley <mayor@applevalleyut.gov>, Town Clerk <clerk@applevalleyut.gov>

Here are the answers for the insurance questions for the water board meeting. I also asked how much additional it would be to add coverage for the BP office trailer.

The annual premium for insuring the mobile office trailer would be \$10.

Hi Michelle,

Please see below:

1. Can we get a price without coverage on the Cooke Well, Jessop Well, Well 59 and the storage office building? **This would remove \$158 in premium total. I would highly recommend insuring all of those properties with how little insurance premium is involved.**
2. Is there a deductible for claims? **The deductible is \$1,000.**
3. Is everything covered for damages from a fire? Earthquake? **Fire is covered, as is earthquake and flood.**
4. If there is flooding due to damaged pipes or leaks is everything (electronics) in the well house covered? **The electronics would be covered via the contents coverage. Flood is a covered peril.**
5. Is operator error covered? If someone did something wrong that caused damage is it covered? **Operator error can happen and it isn't excluded from coverage. Similar to an employee wrecking a company vehicle.**

I hope this is helpful! Let me know if any other questions come up.

Thank you,
Josh

JOSH D. MCKELL

Risk Finance Consultant
m 801.787.1111

UTAH LOCAL GOVERNMENTS TRUST

www.utahtrust.gov

ATTENTION: This message may contain information that is privileged or confidential. If you received this transmission in error, please notify the sender by reply e-mail and delete the message and any attachments.

On Jul 18, 2024, at 7:37 AM, Michelle Kinney <mkinney@applevalleyut.gov> wrote:

Josh,

The insurance for Big Plains was not passed last night as they had some questions regarding the insurance. I already asked and have the answer to most of these questions but I would like to hear from you

**BIG PLAINS WATER SPECIAL SERVICE DISTRICT
RESOLUTION BPW-R-2024-15**

NOW THEREFORE, be it ordained by the District Board of the Big Plains Water Special Service District, in the State of Utah, as follows:

SECTION 1: AMENDMENT “Paid Benefits” of the Big Plains Water District is hereby *amended* as follows:

A M E N D M E N T

Paid Benefits _____

PAID BENEFITS (This may be changed at any time at the discretion of the District.)

- A. Medical Health/Dental/Vision Insurance: Health benefits are administered through the Qualified Small Employer Health Reimbursement Arrangement (QSEHRA) Plan. Full-time Employees are eligible after their probationary period. Funding of this arrangement will include reimbursement for qualified medical expenses for the employee and their family, as elected at the beginning of the year. Family includes the employee, all dependent children and current spouse of the employee. The amount reimbursable is 75% of the statutory maximum for single arrangements or 75% of the statutory yearly maximum for family arrangements. It is the policy of the District to provide medical health, dental and vision insurance for full-time employees. The rate paid by the District is 100% of the employee portion plus 50% of the family portion. The employee is responsible for 50% of the family portion.
- ~~B. Life insurance: A basic life insurance policy is provided free of charge for each full-time employee, their spouse and children. The employee may voluntarily elect to increase coverage at the expense of the employee.~~
- ~~C. HSA: It is the policy of the District to provide for HSA benefits. The calculation for each paycheck shall be 50% of the deductible whether it is single or double/family allocated over 26 pay periods. The Employee may contribute up to the maximum prescribed by law.~~
- D. State and Federal Unemployment: All employees are covered by the benefits of State and Federal Unemployment.
- E. RETIREMENT BENEFITS. The Town fully funds an employee pension plan through the Utah Retirement System (URS) for certain classes of employees as follows:
 - 1. ELIGIBLE:
 - a. Regular full-time employee. Eligibility begins after probationary period.
 - b. URS Tier 1 Employees: Based on the monthly pay established annually by the URS,

- c. URS Tier 2 Appointed Officers are Part-Time Ineligible
- d. URS Tier 2 Elected Officers are Part-Time Ineligible.

F. Additional Volunteer Benefits.

- 1. As a nominal fee reimbursement, all board members shall not be charged the base water fee during their time of service to the District.

SECTION 2: **EFFECTIVE DATE** This Resolution shall be in full force and effect immediately after the required approval.

PASSED AND ADOPTED BY THE BIG PLAINS WATER
SPECIAL SERVICE DISTRICT BOARD

	AYE	NAY	ABSENT	ABSTAIN
Chairman Michael Farrar	_____	_____	_____	_____
Board Member Ross Gregerson	_____	_____	_____	_____
Board Member Matt Politte	_____	_____	_____	_____
Board Member Kevin Sair	_____	_____	_____	_____
Board Member Vacant	_____	_____	_____	_____

Attest

Presiding Officer

 Jenna Vizcardo, Town Clerk,
 Big Plains Water Special Service
 District

 Michael Farrar, Chairman,
 Big Plains Water Special Service
 District

Contract #	_____
SRF Loan #	<u>3F2032</u>
Amount:	<u>\$3,370,000.00</u>
Recipient:	<u>Big Plains Water SSD</u>
Tax ID #	_____

RECIPIENT CONSTRUCTION PRINCIPAL FORGIVENESS AGREEMENT
 DRINKING WATER STATE REVOLVING FUND

STATE OF UTAH

Department of Environmental Quality
 Drinking Water Board

This Recipient Construction Principal Forgiveness Agreement (the "Agreement") is entered into by and between the State of Utah, Department of Environmental Quality, Drinking Water Board (hereinafter the "BOARD") and

Big Plains Water SSD

an applicant for construction funding under the Drinking Water Board provisions contained in R309-705 of the Utah Administrative Code as authorized by Utah Code Title 73, Chapter 10c, (hereinafter the "RECIPIENT"). Pursuant to the provisions of the Statute, and the powers and functions of the Drinking Water Board, the BOARD hereby finds and determines, based upon the formal application of the RECIPIENT, the evidence provided by the RECIPIENT to the BOARD and its staff, and information developed by the BOARD in its own investigations and at the hearings on the application of the RECIPIENT, the following, that:

1. The RECIPIENT is a political subdivision of the State of Utah or a Utah Corporation.
2. The BOARD has determined that construction principal forgiveness is necessary to complete the proposed Project as described hereafter as Exhibit-1.
3. The RECIPIENT has been authorized by the BOARD pursuant to Section R309-705 of the Utah Administrative Code and as authorized by Utah Code Title 73-10c-4 to receive funding for the project.

Based upon these findings, the BOARD is authorized and empowered to, and does hereby, enter into the following Agreement with the RECIPIENT.

GENERAL PROVISIONS

1. The BOARD shall provide the RECIPIENT the amount of \$ 3,370,000.00 (PRINCIPAL FORGIVENESS AMOUNT) for the completion of the Project as described in Exhibit-1, Work Description and Cost Breakdown.
2. The RECIPIENT shall complete the Project described in Exhibit-1, Work Description and Cost Breakdown. If work on the Project is not completed by _____ this Agreement may be canceled by written notice from the BOARD to the RECIPIENT. No work completed after receipt of the notice shall be reimbursable.
3. The RECIPIENT shall notify the BOARD in writing of any proposed modifications to the Project which alters Exhibit-1, Work Description and Cost Breakdown. If such notification is not received, the cost of the proposed modification will be disallowed.
4. The PRINCIPAL FORGIVENESS AMOUNT shall be deposited with other funds, including other principal forgiveness or loan monies, necessary to complete the Project into a supervised escrow account at the time this Agreement is executed and shall be disbursed only after all other funds have been disbursed on a pro-rata basis with other monies. All disbursements from the escrow account must be reviewed and approved in advance by the RECIPIENT and the BOARD. Any unused funds remaining in the escrow account upon completion of the Project, limited to the PRINCIPAL FORGIVENESS AMOUNT or a pro-rata share, must be returned to the BOARD. Surplus funds returned to the BOARD shall be applied as a reduction of the PRINCIPAL FORGIVENESS AMOUNT.
5. The RECIPIENT shall comply with all laws which normally govern its affairs in regard to contracts, fiscal procedures and procurement procedures.
6. The RECIPIENT shall indemnify and hold harmless the State of Utah, the Department of Environmental Quality, the Division of Drinking Water, the BOARD and their officers, agents and employees from and against any and all loss, damage, injury, liability, and claims, including claims for personal injury or death, damages to personal property and liens of workmen and materialmen, howsoever caused, resulting directly or indirectly from the performance of this Agreement by the RECIPIENT, or the operations of the Project and the culinary water system for which this Project is a part including attorneys fees and costs in the investigation or defense of any claim, whether or not the claim has merit.
7. The RECIPIENT shall be an independent contractor, and, as such, shall have no authorization, express or implied, to bind the State of Utah, the Department of Environmental Quality, the Division of Drinking Water, or the Drinking Water Board to any agreement, settlement, liability, or understanding whatsoever, nor to perform any acts as agent for the State of Utah, except as herein expressly set forth.

8. RECIPIENT expenditures under this Agreement determined by audit to be ineligible for reimbursement because they were not authorized by the terms and conditions of this Agreement, or that are inadequately documented, and for which payment has been made to the RECIPIENT will be immediately refunded to the BOARD by the RECIPIENT upon written demand of the BOARD. The RECIPIENT further agrees that the BOARD shall have the right to withhold any or all subsequent payments under this or other contracts to RECIPIENT until recoupment of overpayment is made.
9. This Agreement may be altered, modified, or supplemented only by written amendment, executed by the parties hereto, and attached to the original signed copy of this Agreement. No claim for services furnished by the RECIPIENT, not specifically authorized by this Agreement will be allowed by the BOARD.
10. If it is determined that in any manner the construction agreement was improperly made or entered into, or if the monies are or were used improperly or contrary to the terms of this agreement, the RECIPIENT shall pay to the BOARD the amount of all monies and benefits received by the RECIPIENT by the BOARD.
11. The RECIPIENT agrees, in accepting the proceeds, to comply with all applicable state and federal regulations related to the Utah State Revolving Fund administered by the Drinking Water Board. These requirements include, but are not limited to, Title XIV of the Safe Drinking Water Act of 1996, OMB Circular A-133, the Utah Federal State Revolving Fund Program (R309-705 of the Utah Administrative Code), the Utah Money Management Act, the Utah Procurement Code and the State of Utah Legal Compliance Audit Guide.

EXECUTION

NOW, THEREFORE, by virtue of the authority contained in Utah Code Title 73, Chapter 10, as amended, the parties hereto mutually agree to perform this Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on this _____ day of _____, 20____. This Agreement will take effect upon approval as evidenced by the appropriate signatures.

RECIPIENT

STATE

Big Plains Water SSD
1777 N Meadowlark Dr.
Apple Valley, UT 84737

APPROVED - DRINKING WATER BOARD

By: _____

Date: _____

Michael J. Grange, P.E.
Assistant Executive Secretary

By: _____

Date: _____

Mike Farrar
Mayor

APPROVED - DIVISION OF FINANCE

By: _____

Date: _____

Jenna Vizcardo
Treasurer/Recorder

By: _____

Date: _____

Sheri Witucki

JURAT

STATE OF UTAH)
 :SS
COUNTY OF: WASHINGTON)

On this _____ day of _____, 20___, personally appeared before me Mike Farrar and Jenna Vizcardo, who being by me duly sworn did say they are the duly authorized Mayor and Treasurer/Recorder, respectfully, of Apple Valley Town, a political subdivision of the State of Utah or a Utah Corporation, and that the foregoing instrument was signed in behalf of said political subdivision or corporation by authority of a motion of its governing body passed on the _____ day of _____, 20___, and said persons acknowledged to me that said political subdivision or corporation executed the same.

Notary Public, residing at:

Date: _____

My Commission Expires:

Exhibit No. 1

WORK DESCRIPTION & COST BREAKDOWN

Big Plains Water SSD

RECIPIENT CONSTRUCTION PRINCIPAL FORGIVENESS AGREEMENT

PROJECT DESCRIPTION

Big Plains Water SSD has requested and been approved for construction principal forgiveness from the Drinking Water Board. This construction principal forgiveness is for the cost of designing and installing a transmission pipeline within the boundaries of Apple Valley Town and Big Plains Water SSD. To partially fund this work, the Board authorized construction principal forgiveness of \$3,370,000.00 to the Town.

SCOPE OF WORK

(Please attach a copy of the scope of work)



State of Utah

SPENCER J. COX
Governor

DEIDRE HENDERSON
Lieutenant Governor

Department of
Environmental Quality

Kimberly D. Shelley
Executive Director

DIVISION OF DRINKING WATER
Nathan Lunstad
Director

Item 5.

Drinking Water Board
Kristi Bell, Chair
Eric Franson, P.E., Vice-Chair
Dawn Ramsey
Justin Maughan
Corinna Harris
Jeff Coombs
Shazelle Terry
Blake Tullis, Ph.D.
Kimberly D. Shelley
Nathan Lunstad
Executive Secretary

March 29, 2024

Barratt Nielsen, Board Chair
Big Plains Water Special Service District
1777 N. Meadowlark Ln.
Apple Valley, Utah 84737
ssdchairman@applevalleyut.gov

Subject: **Federal SRF Loan Authorization and Procedures for Committal of Funds; Big Plains Water Special Service District, System #27069, Loan #3F2032**

Dear Barratt Nielsen:

On February 29, 2024, the Drinking Water Board (hereinafter called the "Board") authorized a construction loan of \$3,370,000 with \$3,370,000 in principal forgiveness to Big Plains Water Special Service District (hereinafter called the "Recipient") for the construction of a 4.5-mile transmission line to connect Apple Valley Water System with the Cedar Point Water System to resolve a source capacity issue in the Cedar Point System (hereinafter called the "Project").

The authorized financial assistance amount will be incrementally deposited into the escrow account mentioned in item 1 after all requirements outlined in this letter are complete and the principal forgiveness agreement has been signed and fully executed.

This financial assistance was approved subject to the availability of funds. The assistance represented by this authorization will be funded, in whole or in part, from the proceeds of a federal SRF Capitalization Grant (Section 1452 SDWA) to the State of Utah. Under the SRF Capitalization Grant Program, federal funds are to be made available to the State by way of authorized draws on a letter of credit over the construction period of the Project. Therefore, this authorization is expressly subject to the continued availability of federal funds through the SRF Capitalization Grant, and the letter of credit related thereto.

Neither the Board nor the State of Utah shall be bound by this authorization or by any obligation to provide further funds to the Recipient if the SRF Capitalization Grant funds to which this

Barratt Nielsen, BPWSSD

March 29, 2024

Page 2

authorization relates are not awarded or if payments under the letter of credit are withheld for any reason.

As Recipient of project funding, you will need to complete the following items before the Board will disburse funds:

1. Consistent with requirements of the law and the covenants of applicable loan documents, the actual payment of funds by the Board to the Recipient will not take place until the Board has assurance the funds will be used for Project costs and the Project will actually be completed. To assure this, all monies to be expended on the Project, including the Recipient's share shall be placed in an escrow account supervised by the Recipient and the Board. The Recipient will need to select an escrow company and submit a copy of the proposed escrow agreement to the Board for review. In general, the Board will make incremental advances into the account on a monthly or quarterly basis.

Disbursements from the escrow account will be reviewed and approved by the Division of Drinking Water. A Disbursement Request Form must be completed and submitted along with each request. **Disbursement amounts must be authorized in writing by the Recipient and the State prior to any funds being released from the escrow account.** Please refer to the reimbursement instruction sheet.

2. The Recipient's contract with its project engineer shall include the cost of developing the plans and specifications and the construction inspection of the Project. The contract must be submitted to the Division of Drinking Water for review. (This requirement is to assure the Board that adequate and appropriate arrangements are made for completing and inspecting the project within the guidelines set by the Board.)
3. **The project engineer shall submit, in accordance with R309-500, plans and specifications, bidding documents, and general conditions to the Division of Drinking Water for review and Plan Approval prior to soliciting bids on the Project** The engineer shall submit project documents via ddwpnf@utah.gov per <https://deq.utah.gov/drinking-water/general-plan-approval-process> for the expeditious assignment and review of the plans and specifications. Any changes to approved plans and specifications prior to finalizing the Principal Forgiveness Agreement must be reviewed and approved by the Division of Drinking Water. These funds cannot be disbursed until after the bid opening *has occurred and a copy of the bid tabulation has been reviewed by the Division* to assure that sufficient funds are authorized to complete the Project. If substantial changes in the Project are required, they must be considered by the Board for committal of additional funds. The following shall be included in the specifications:
 - a. The Recipient shall require contractors hired to perform work on their project to pay prevailing wage rates according to Davis-Bacon labor wage requirements. See attached Reference Page for document location.

Barratt Nielsen, BPWSSD

March 29, 2024

Page 3

- b. The Recipient shall comply with the Build America Buy America Act requirements. See attached Reference Page for document location.
4. Rights-of-way and easements for construction, and operation and maintenance of the Project shall be acquired. The Recipient, through the Engineer, shall furnish its attorney a right-of-way map showing the location of all sources, buildings, structures, pipelines, and other pertinent facilities not only in the Project but also for the entire water system. The Recipient's engineer and presiding officer will sign this map and provide a copy to the Recipient's attorney as a basis for the certification described below.
5. The Recipient's attorney shall certify the following items in writing to the Board:
 - a. The Recipient is a legal entity.
 - b. The Recipient has valid legal title to the rights-of-way designated and shown on the right-of-way map, including rights-of-way both for the project to be constructed and the remainder of the existing water system.
 - c. The Recipient has established the ownership of water rights to any and all water used in the system and such rights are summarized with associated water right numbers.
 - d. The bidding process and contract documents for the construction of the Project have the proper and legal format and are in compliance with the Utah Code Annotated (including, but not limited to Title 34, Chapter 30).
 - e. After the completed and executed construction contract, along with the performance and payment bonds and evidence of necessary insurance, has been reviewed by the Recipient's attorney, the Recipient's attorney shall furnish to the Drinking Water Board his legal opinion that all of such items are legal and binding and in compliance with the Utah Code.
6. As a condition of this loan, the Board will require the Recipient to complete a Water Conservation Plan. If your system has less than 500 connections, the plan must be submitted to the Division of Drinking Water for approval. If your system has more than 500 connections, the plan must be submitted to the Division of Water Resources for review and approval, and the approved plan must be adopted (completing the *Certification of Adoption*). If the Recipient has already adopted such a plan, that plan and its certification of adoption may be submitted to the Division of Drinking Water for verification.
7. There are Federal laws, executive orders and government-wide policies that apply to projects receiving Federal financial assistance. These "cross-cutting Federal authorities" include the following:

Barratt Nielsen, BPWSSD
 March 29, 2024
 Page 4

Environmental Authorities:

- Archaeological and Historic Preservation Act of 1974, Pub. L. 86-523, as amended
- Clean Air Act, Pub. L. 84-159, as amended
- Endangered Species Act, Pub. L. 93-205, as amended
- Environmental Justice, Executive Order 12898
- Flood Plain Management, Executive Order 11988 as amended by Executive Order 12148
- Protection of Wetlands, Executive Order 11990
- Farmland Protection Policy Act, Pub. L. 97-98
- Fish and Wildlife Coordination Act, Pub. L. 85-624, as amended
- National Historic Preservation Act of 1966, Pub. L. 89-665, as amended
- Safe Drinking Water Act, Pub. L. 93-523, as amended
- Wild and Scenic Rivers Act, Pub. L. 90-542, as amended

Economic and Miscellaneous Authorities:

- Demonstration Cities and Metropolitan Development Act of 1966, Pub. L. 89-754, as amended, Executive Order 12372
- Procurement Prohibitions under Section 306 of the Clean Air Act and Section 508 of the Clean Water Act, including Executive Order 11738, Administration of the Clean Air Act and the Federal Water Pollution Control Act with Respect to Federal Contracts, Grant, or Loans
- Uniform Relocation and Real Property Acquisition Policies Act, Pub. L. 91-646, as amended
- Debarment and Suspension, Executive Order 12549

Social Policy Authorities:

- Age Discrimination Act of 1975, Pub. L. 94-135
- Title VI of the Civil Rights Act of 1964, Pub. L. 88-352
- Section 13 of the Federal Water Pollution Control Act Amendments of 1972, Pub. L. 92-500 (the Clean Water Act)
- Section 504 of the Rehabilitation Act of 1973, Pub. L. 93-112 (including Executive Orders 11914 and 11250)
- Equal Employment Opportunity, Executive Order 11246
- Women's and Minority Business Enterprise, Executive Orders 11625, 12138, and 12432
- Section 129, of the Small Business Administration Reauthorization and Amendment Act of 1988, Pub. L.100-590

8. In compliance with Utah Code Annotated 9-8-404 and 36 CFR 800.3(g), the project engineer shall submit a report to the Division of Drinking Water that demonstrates a reasonable and good faith effort was made to identify and gather information to determine if cultural resources are present in the area of potential effects, including a Class III Survey. The report format shall meet SHPO State of Utah Archaeological Compliance Guidance. Cultural resource reporting guidance is outlined in the Utah SHPO Short Cultural Resources Inventory Report Form. See attached Reference Page for document location.

9. The Recipient must agree to comply with the above Federal laws, executive orders, and government-wide policies that apply to the Project, complete the following, and submit said documents to the Division, as specified below:
- a. Ensure, to the fullest extent possible, that Disadvantaged Business Enterprise procurement requirements are achieved in all procurements for prime contractors, subcontractors, suppliers, and others. See attached Reference Page for document location. For your information, refer to these forms for DBE utilization:
 - DBE Contact Log for Bidders
 - Subcontractor Participation, Performance, and Utilization forms
 - Suggested Sources for Locating Certified MBE/WBE Contractors in Utah

Ensure that the “six affirmative steps” are taken to assure compliance with the State’s “fair share goals” in all procurements. The Division will specify the required language, documents, and instructions.

 - 1) Bid solicitations shall state that this is a federally funded project requiring compliance with the State’s “fair share goals” and federal EEO regulations. See attached Reference Page for document location.
 - 2) The “Special Conditions” or “Supplemental Conditions” in the bid documents shall contain the language and instructions specifying the MBE and WBE procurement requirements, provided by the Division.
 - 3) The same bid documents shall also contain the federal EEO requirements.
 - b. Report MBE/WBE utilization for construction services on “EPA Form 5700-52A.” See attached Reference Page for document location. This is a requirement for projects that exceed the Simplified Acquisition Threshold set by the Office of Management and Budget. Annual reports are due by October 30 of each year.
13. The Recipient shall submit a cash drawdown schedule prepared and certified by their consulting engineer to be a schedule that coincides with the rate at which expected construction related costs are incurred for that project.
14. The Recipient must get a Unique Entity ID from SAM.gov. Once the entity record has been validated, submit a copy of the Unique Entity ID to the Division of Drinking Water.
15. The Recipient shall comply with the Single Audit Act requirements in accordance with OMB Circular A-133.
16. The Recipient is required to comply with the Signage Requirements outlined in the Bipartisan Infrastructure Law. See attached Reference Page for document location.

Barratt Nielsen, BPWSSD
March 29, 2024
Page 6

17. In compliance with Utah Code Annotated 73-10g-402, water systems applying for federal financial assistance for improvements to capital assets related to water infrastructure shall commit to adopt a capital asset management plan. The Asset Management Plan shall be submitted to the Division for review and approval prior to loan closing, unless preparing an Asset Management Plan is included as part of the project for which the Recipient has applied for financial assistance. In which case, the Asset Management Plan shall be submitted to the Division as soon as it is completed or prior to the entity submitting its final project reimbursement request.

To facilitate the timely completion of the financial assistance requirements outlined in this letter, the Recipient and its attorney and engineer shall submit to the Division of Drinking Water all the items listed above prior to seeking committal of funds from the Board and no later than 30 days before fund disbursement. As much as possible, this information shall apply to the Project in general to allow a single review.

These requirements must be completed on or before March 1, 2024. If the Recipient fails to reasonably comply with the Project schedule, the Authorization may be withdrawn in accordance with R309-705-7.

These requirements may not cover all the matters pertaining to the Project. We anticipate that specific questions relating to your Project will arise, and we are confident that a cooperative effort can resolve any issues.

If you have any questions concerning these requirements, please contact me at (801) 674-2563.

Sincerely,

DRINKING WATER BOARD



Michael J. Grange, P.E.
Assistant Executive Secretary

MJG/lr

Enclosure

1. Reference Page
2. Principal Forgiveness Agreement

cc: William Prater, Esq., William L. Prater, LLC, P.O. Box 71368, SLC, UT 84171, bill@billprater.com
Jenna Vizcardo, Big Plains WSSD, clerk@applevalleyut.gov
Nathan Wallentine, Sunrise Engineering, nwallentine@sunrise-eng.com
Paul Wright, DEQ District Engineer, pwright@utah.gov
DDW Finance

Reference Page

- *Davis-Bacon labor wage requirements - <https://documents.deq.utah.gov/drinking-water/financial-assistance/Federal%20SRF/DDW-2022-000538.pdf>.
- *American Iron and Steel Provision - <https://documents.deq.utah.gov/drinking-water/financial-assistance/Federal%20SRF/DDW-2022-000536.pdf>
- *Build America Buy America Act - <https://documents.deq.utah.gov/drinking-water/financial-assistance/Federal%20SRF/DDW-2022-004136.pdf>
- *Utah SHPO Short Cultural Resources Inventory Report form - <https://documents.deq.utah.gov/drinking-water/financial-assistance/Federal%20SRF/DDW-2020-038201.pdf#page=53>
- *Disadvantaged Business Enterprise procurement requirements - <https://documents.deq.utah.gov/drinking-water/financial-assistance/Federal%20SRF/DDW-2022-000522.pdf>
- *DBE Contact Log for Bidders - <https://documents.deq.utah.gov/drinking-water/financial-assistance/Federal%20SRF/DDW-2022-000526.pdf>
- *Subcontractor Participation, Performance, and Utilization forms - <https://documents.deq.utah.gov/drinking-water/financial-assistance/Federal%20SRF/DDW-2022-000526.pdf>
- *Suggested Sources for Locating Certified MBE/WBE Contractors in Utah - <https://documents.deq.utah.gov/drinking-water/financial-assistance/Federal%20SRF/DDW-2022-000532.pdf>
- *Federal EEO regulations - <https://documents.deq.utah.gov/drinking-water/financial-assistance/Federal%20SRF/DDW-2022-000530.pdf>
- *" EPA Form 5700-52A" - <https://documents.deq.utah.gov/drinking-water/financial-assistance/Federal%20SRF/DDW-2022-000524.pdf>
- *Federal Project Signage Requirements - <https://documents.deq.utah.gov/drinking-water/financial-assistance/Federal%20SRF/DDW-2022-000520.pdf>

**Big Plains Water Special Service District
Disbursement Listing
Checking - SBSU Operating - 06/01/2024 to 06/30/2024**

Item 6.

<u>Payee Name</u>	<u>Reference Number</u>	<u>Payment Date</u>	<u>Payment Amount</u>	<u>Void Date</u>	<u>Void Amount</u>	<u>Source</u>
Health Equity	HE6142024	06/14/2024	\$1.80			Purchasing
USDA Rural Development	USDA6172024	06/14/2024	\$1,269.00			Purchasing
Rocky Mountain Power Company	RMP06142024	06/14/2024	\$1,294.10			Purchasing
	0614241200	06/14/2024	\$1,823.23			Paycheck
USDA Rural Development	USDA06172024	06/14/2024	\$9,271.00			Purchasing
Buck's Ace	1548	06/17/2024	\$99.45			Purchasing
Ruesch & Reeve	1552	06/17/2024	\$150.00			Purchasing
Southwest Utah Public Health Departme	1553	06/17/2024	\$175.00			Purchasing
Town of Apple Valley	1551	06/17/2024	\$240.19			Purchasing
ChemTech-Ford Laboratories	1549	06/17/2024	\$450.00			Purchasing
Pelorus Methods	1550	06/17/2024	\$500.00			Purchasing
Public Employees Health Program	1553	06/17/2024		06/17/2024	\$628.12	Payroll
State Bank of Southern Utah	SBSU06182024	06/18/2024		06/18/2024	\$117.59	Purchasing
State Bank of Southern Utah	SBSU6182024	06/18/2024	\$117.69			Purchasing
Internal Revenue Service	EFTPS0618202	06/18/2024	\$553.70			Payroll
State Bank of Southern Utah	SBSU6282024	06/28/2024	\$8.00			Purchasing
Internal Revenue Service	EFTPS6282024	06/28/2024	\$553.70			Payroll
	0628241200	06/28/2024	\$1,823.23			Paycheck
Department of Workforce Services	EFT	06/30/2024	\$40.46			Purchasing
			\$18,370.55		\$745.71	

**Big Plains Water Special Service District
Disbursement Listing
Checking - SBSU Operating - 07/01/2024 to 07/31/2024**

Item 6.

<u>Payee Name</u>	<u>Reference Number</u>	<u>Payment Date</u>	<u>Payment Amount</u>	<u>Void Date</u>	<u>Void Amount</u>	<u>Source</u>
Utah State Tax Commission	07082024	07/08/2024	\$530.29			Payroll
Utah State Tax Commission	USTC07082024	07/08/2024	\$97.38			Payroll
Internal Revenue Service	07122024	07/12/2024	\$553.70			Payroll
Payroll	0712241200	07/12/2024	\$1,823.23			Paycheck
Blue Stakes of Utah 811	1554	07/15/2024	\$107.60			Purchasing
Buck's Ace	1555	07/15/2024	\$101.98			Purchasing
Little Creek Station	1556	07/15/2024	\$101.33			Purchasing
Southwest Utah Public Health Departme	1557	07/15/2024	\$275.00			Purchasing
Town of Apple Valley	1558	07/15/2024	\$107.16			Purchasing
USDA Rural Development	USDA07152024	07/15/2024	\$9,271.00			Purchasing
USDA Rural Development	USDA7152024	07/15/2024	\$1,269.00			Purchasing
Buck's Ace	1559	07/16/2024	\$51.93			Purchasing
Scholzen Products Company, Inc.	1560	07/16/2024	\$383.96			Purchasing
Steamroller Copies	1561	07/16/2024	\$72.06			Purchasing
Tinks Superior Auto Parts	1562	07/16/2024	\$53.94			Purchasing
Town of Apple Valley	1563	07/16/2024	\$4.99			Purchasing
Farrar, Michael	1564	07/16/2024	\$239.70			Purchasing
Town of Apple Valley	1565	07/16/2024	\$80.70			Purchasing
Rocky Mountain Power Company	RMP07162024	07/16/2024	\$2,264.51			Purchasing
State Bank of Southern Utah	SBSU7162024	07/16/2024	\$188.81			Purchasing
Southwest Utah Public Health Departme	1566	07/17/2024	\$100.00			Purchasing
Scholzen Products Company, Inc.	1567	07/17/2024	\$75.00			Purchasing
Buck's Ace	1568	07/25/2024	\$11.94			Purchasing
Payroll	0726241200	07/26/2024	\$1,825.54			Paycheck
Internal Revenue Service	EFTPS7262024	07/26/2024	\$553.70			Payroll
Little Creek Station	1569	07/29/2024	\$129.38			Purchasing
			\$20,273.83		\$0.00	

Big Plains Water Special Service District
Operational Budget Report
51 Big Plains Water & Sewer SSD - 07/01/2024 to 07/31/2024
8.33% of the fiscal year has expired

Item 7.

	Prior YTD	Current Month	Current YTD	Annual Budget	Percent Used
Income or Expense					
Income From Operations:					
Operating income					
5140 Water Sales	36,539.45	60,529.50	60,529.50	442,400.00	13.68%
5150 Water Standby Fees	2,842.00	4,122.58	4,122.58	33,000.00	12.49%
5310 Connection Fees	0.00	0.00	0.00	6,700.00	0.00%
5410 Late Penalties and Fees	226.18	240.25	240.25	3,000.00	8.01%
5490 Other Operating Income	63.24	39.08	39.08	2,250.00	1.74%
Total Operating income	39,670.87	64,931.41	64,931.41	487,350.00	13.32%
Operating expense					
6010 Clerical Contractor Labor	0.00	0.00	0.00	300.00	0.00%
6011 Town Interlocal Agreement Costs	0.00	0.00	0.00	60,000.00	0.00%
6013 Water Salaries and Wages	0.00	4,615.40	4,615.40	75,000.00	6.15%
6014 Water Benefits	0.00	353.08	353.08	25,000.00	1.41%
6023 Travel	15.17	0.00	0.00	500.00	0.00%
6024 Training	0.00	0.00	0.00	1,200.00	0.00%
6025 Books/Subscriptions/Memberships	0.00	530.20	530.20	2,800.00	18.94%
6030 Admin Supplies and Expenses	548.22	390.55	390.55	5,000.00	7.81%
6032 Postage	0.00	0.00	0.00	200.00	0.00%
6035 Bank Service Charges	0.00	(8.00)	(8.00)	100.00	-8.00%
6040 Professional Service	9,137.75	57.60	57.60	15,000.00	0.38%
6043 Accounting & Audit Fees	0.00	0.00	0.00	20,000.00	0.00%
6044 Water Testing	250.00	376.33	376.33	10,000.00	3.76%
6045 Legal Fees	4,585.00	0.00	0.00	16,000.00	0.00%
6050 System Maintenance and Repairs	(487.69)	35.28	35.28	10,000.00	0.35%
6051 System Equipment	5,784.62	0.00	0.00	12,000.00	0.00%
6052 Well Maintenance and Repairs	0.00	115.20	115.20	20,000.00	0.58%
6053 Tank Maintenance and Repairs	9.76	333.42	333.42	11,000.00	3.03%
6060 Equipment Costs Other than Fuel	1,093.84	315.00	315.00	10,000.00	3.15%
6061 Equipment Fuel	0.00	349.53	349.53	6,000.00	5.83%
6067 Utilities	1,806.38	2,264.51	2,264.51	18,000.00	12.58%
6068 Telephone & Internet	0.00	0.00	0.00	1,500.00	0.00%
6070 Insurance	0.00	0.00	0.00	7,000.00	0.00%
6095 Depreciation Expense	12,678.78	13,463.78	13,463.78	145,000.00	9.29%
Total Operating expense	35,421.83	23,191.88	23,191.88	471,600.00	4.92%
Total Income From Operations:	4,249.04	41,739.53	41,739.53	15,750.00	265.01%
Non-Operating Items:					
Non-operating income					
5520 Impact Fees	0.00	0.00	0.00	60,000.00	0.00%
5610 Interest Income	948.61	1,096.02	1,096.02	9,000.00	12.18%
5690 Sundry Revenue	0.00	0.00	0.00	100.00	0.00%
Total Non-operating income	948.61	1,096.02	1,096.02	69,100.00	1.59%
Non-operating expense					
6080 Interest Expense	3,070.26	6,935.72	6,935.72	83,110.00	8.35%
Total Non-operating expense	3,070.26	6,935.72	6,935.72	83,110.00	8.35%
Total Non-Operating Items:	(2,121.65)	(5,839.70)	(5,839.70)	(14,010.00)	41.68%
Total Income or Expense	2,127.39	35,899.83	35,899.83	1,740.00	2,063.21%

Big Plains Water Special Service District

WATER USAGE ANALYSIS

	COMPARABLE ACCTS			TOTAL SYSTEM		
	2024/2025	2023/2024	Over/ (Under)	2024/2025	2023/2024	Over/ (Under)
JUL 2024	5,636,140	4,175,649	1,460,491	8,878,424	5,479,963	3,398,461
AUG			0			0
SEP			0			0
OCT			0			0
NOV			0			0
DEC			0			0
JAN 2025			0			0
FEB			0			0
MAR			0			0
APR			0			0
MAY			0			0
JUNE			0			0
FY2025 SUBTOTALS	5,636,140	4,175,649	1,460,491	8,878,424	5,479,963	3,398,461
	2025/2026	2024/2025	Over/ (Under)	2025/2026	2024/2025	Over/ (Under)
JUL 2025			0			0
AUG			0			0
SEP			0			0
OCT			0			0
NOV			0			0
DEC			0			0
JAN 2026			0			0
FEB			0			0
MAR			0			0
APR			0			0
May			0			0
JUNE			0			0
FY2026 SUBTOTALS	0	0	0	0	0	0

Comparable Accounts: Had usage in both years

Total System: All usage



BIG PLAINS WATER SPECIAL SERVICE DISTRICT MEETING AND HEARING

BOARD OF DIRECTORS, REGULAR MEETING
1777 N Meadowlark Dr, Apple Valley
Wednesday, July 17, 2024 at 6:00 PM

MINUTES

Chairman | Michael Farrar

Board Members | Harold Merritt | Ross Gregerson | Matt Politte | Kevin Sair

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT

Chairman Michael Farrar

Board Member Harold Merritt

Board Member Ross Gregerson

Board Member Matt Politte

Board Member Kevin Sair

Dan Harsh, Water Operator, present at the meeting.

DECLARATION OF CONFLICTS OF INTEREST

None declared.

CHAIR REPORT

Water System Updates:

- The chlorinating and cleaning of the water system were completed successfully without any noticeable issues.
- There were inquiries about water restrictions due to issues in Virgin and Hildale, but it was confirmed that the local water infrastructure is in good condition.
- The system has two wells and the Cedar Point pump, which can supply 100 gallons per minute, meeting current demands without needing water restrictions.
- Residents are encouraged to conserve water due to being in a desert and drought conditions, but no formal restrictions are in place.

IPS Ratings (Drinking Water Report Card):

- Apple Valley System: Improved from 145 points to 55 points (65% reduction). Some points will be removed in December after a year of monitoring.
- Cedar Point System: Improved from 305 points to 200 points (35% reduction). All points are due to groundwater issues (radium, manganese, turbidity), which will be addressed with pipeline improvements.
- Canaan Springs System: Improved from 125 points to 40 points (70% reduction). Some points will be removed in December after a year of monitoring, with others related to storage capacity issues.



BIG PLAINS WATER SPECIAL SERVICE DISTRICT MEETING AND HEARING

BOARD OF DIRECTORS, REGULAR MEETING
1777 N Meadowlark Dr, Apple Valley
Wednesday, July 17, 2024 at 6:00 PM

MINUTES

Acknowledgements: Chairman Farrar thanked the water board and all involved for their efforts in improving the water systems.

Conclusion: No further comments or questions from other board members.

PUBLIC HEARING

1. Resolution-BPW-R-2024-14, Amending Section 01.20.040 Cost Of Services Of The Policy And Procedures Manual.

Chairman Farrar opened the public hearing for Resolution-BPW-R-2024-14, Amending Section 01.20.040 Cost Of Services Of The Policy And Procedures Manual.

No public comments.

Chairman Farrar closed the public hearing for Resolution-BPW-R-2024-14, Amending Section 01.20.040 Cost Of Services Of The Policy And Procedures Manual.

DISCUSSION AND ACTION

2. Resolution-BPW-R-2024-14, Amending Section 01.20.040 Cost Of Services Of The Policy And Procedures Manual.

Chairman Farrar opened discussion on Resolution-BPW-R-2024-14, which pertains to the amendment of Section 01.20.040 regarding the cost of services in the policy and procedures manual. The amendment involves a fee adjustment of \$1.

Motion made by Board Member Gregerson, Seconded by Board Member Sair.

Voting Yea: Chairman Farrar, Board Member Merritt, Board Member Gregerson, Board Member Politte, Board Member Sair

The vote was unanimous and the motion carried.

3. Property Insurance with Utah Trust.

Chairman Farrar opened the discussion on property insurance with Utah Trust, highlighting a proposal for the annual cost of \$2,941. The insurance would cover five warehouse buildings, three water storage facilities, and an office storage building.

Consideration of Coverage: Chairman Farrar noted the potential to lower insurance rates if certain properties were removed from coverage but was unsure if the buildings had been previously needed for insurance claims.



BIG PLAINS WATER SPECIAL SERVICE DISTRICT MEETING AND HEARING

BOARD OF DIRECTORS, REGULAR MEETING
1777 N Meadowlark Dr, Apple Valley
Wednesday, July 17, 2024 at 6:00 PM

MINUTES

Risk Assessment: Concerns were raised about the necessity of insuring buildings with low risk, such as wells unlikely to be damaged by fire or accidents. The importance of insuring electrical components and controllers was discussed due to past incidents involving costly repairs.

The board members suggested tabling the decision to gather more information on specific coverage details, deductibles, claim limits, and other relevant factors.

Motion: Board Member Gregerson motioned that we table the Insurance Coverage.

Motion made by Board Member Gregerson, Seconded by Board Member Merritt.

Voting Yea: Chairman Farrar, Board Member Merritt, Board Member Gregerson, Board Member Politte, Board Member Sair

The vote was unanimous and the motion carried.

CONSENT AGENDA

4. Disbursement Listing for June 2024.
5. Budget Report for Fiscal Year 2024 through June 2024.
6. June 2024 Water Usage Comparison.
7. Approval of Minutes: June 26, 2024.
8. Approval of Minutes: June 19, 2024.

Chairman Farrar discussed the budget report.

Budget Report:

- End of Fiscal Year Summary:
 - The budget ended with an overage of nearly \$25,465, attributed to higher-than-expected expenses.
 - Primary reasons for the overage included:
 - Engineering fees
 - Attorney fees

Discussion Points:

- Expenditure Analysis:
 - There was a significant item that caused the budget to go over, primarily related to engineering and legal fees.



BIG PLAINS WATER SPECIAL SERVICE DISTRICT MEETING AND HEARING

BOARD OF DIRECTORS, REGULAR MEETING
1777 N Meadowlark Dr, Apple Valley
Wednesday, July 17, 2024 at 6:00 PM

MINUTES

- o Other operational costs were slightly more than anticipated, indicating a positive revenue variance of about \$9,000.
- o Some areas of the budget had lower expenses which helped to balance out the overall financial picture.

Motion: Board Member Gregerson motioned that we approve the BPW June 24 Disbursement Listing, and the BPW June 24 Budget Report, and the June 24 Water Usage Comparison, and including that motion that we approve the minutes of the June 26, 2024 Special Big Plains Meeting, and minutes from June 19, 2024 minutes of the Big Plains Special Service District Public Hearing and Meeting.

Motion made by Board Member Gregerson, Seconded by Board Member Sair.

Voting Yea: Chairman Farrar, Board Member Merritt, Board Member Gregerson, Board Member Politte, Board Member Sair

The vote was unanimous and the motion carried.

REQUEST FOR A CLOSED SESSION

No request.

ADJOURNMENT

Motion: Board Member Merritt motioned to adjourn the meeting.

Motion made by Board Member Merritt, Seconded by Board Member Sair.

Voting Yea: Chairman Farrar, Board Member Merritt, Board Member Gregerson, Board Member Politte, Board Member Sair

The vote was unanimous and the motion carried.

The meeting was adjourned at 6:16 p.m.

Date Approved: _____

Approved BY: _____

Chairman | Michael Farrar

Attest BY: _____

Clerk/Recorder | Jenna Vizcardo