

**MINUTES OF THE  
GRANT COUNTY SANITARY SEWER DISTRICT  
DECEMBER 2021 MEETING**

The December 2021 Meeting of the Grant County Sanitary Sewer District was called to order on December 16, 2021, at 3:00 p.m. at the District Headquarters, One Farrell Drive, Crittenden, Kentucky. Present at the meeting were the following: Chairman Charles Givin, and Commissioners, Danny Northcutt, Leo Saylor, and Robert Worthington. Also present were HR Director Ashley Dyer, Dianne Cook, Mr. Benton Hanson of HMB Professional Engineers, Counsel Thomas R. Nienaber, Paul Harp, and Brian Simpson. Commissioner Rodger Bingham was absent.

The first order of business was a review of the November 2021 Minutes as attached. After discussion, upon Motion of Danny Northcutt and second by Leo Saylor, it was unanimously,

“RESOLVED: that the November 2021 Minutes be and the same are hereby approved as attached.”

The next order of business was a review of the November 2021 Profit and Loss Statement and Warrants as attached. After discussion, upon motion of Robert Worthington and second by Danny Northcutt, it was unanimously,

“RESOLVED: that the November 2021 Profit and Loss Statement and Warrants be and the same are hereby approved as attached.”

The next order of business was a presentation by Counsel Thomas R. Nienaber as follows:

1. Mr. Nienaber inquired as to the status of any commitments for ARPA Funding. No one had any new information in this regard.
2. Mr. Nienaber reviewed with the Commissioners his December 15, 2021 Legal Opinion regarding the composition of the Grant County Sanitary Sewer District Board of Commissioners. Prior to discussing his Legal Opinion, Chairman Givin gave a brief background as to what precipitated the Legal Opinion. In summary, Mr. Nienaber stated that the District was created by the Grant County Fiscal Court pursuant to the statutory provisions outlined in the Legal Opinion. As such, the Board of Commissioners' composition is subject to the provisions of Kentucky Revised Statutes, Chapter 74. In conclusion, Mr. Nienaber opined that the Commissioners serving on the Grant County Sanitary Sewer District Board of Commissioners must be appointed by the Grant County Judge Executive with approval from the Grant County Fiscal Court.
3. Mr. Nienaber reported on the status of the Grant Circuit Court litigation regarding Waller Drive and the Waller Lift Station. Various attorneys involved in that litigation have indicated that they are going to meet with the City of Crittenden to determine if the City

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of Crittenden would assume responsibility for the maintenance, upkeep, etc., of the Dam area. Since Mr. Nienaber was advised as such, he has heard nothing from remaining counsel as to the result of that meeting.

The next order of business was a report by HMB Professional Engineers, Inc., Mr. Benton Hanson as follows:

1. Mr. Hanson raised the issue relating to the Facilities Planning Document (“FPD”) and the HMB Agreement for Engineering Services (“Agreement”) (both attached). Mr. Hanson gave a background as to the requirement for an FPD. He reported that in order for the District to conduct any expansions of its Wastewater Treatment Plant (“WWTP”) which results in an increase in operating capacity in excess of 30%, an FPD is required. An FPD is basically a long range planning document which outlines the District’s future needs and plans regarding major improvements. Public Hearings are required and an in-depth analysis of the District is required. Mr. Hanson reviewed with the Commissioners the HMB Agreement to provide the required engineering services in preparing the FPD. He noted that the contract fee has been reduced to \$85,000.00 from the previous \$100,000.00. In consideration for that reduction, Mr. Hanson indicated that the District would have to provide some assistance in obtaining documentation and data required for inclusion in the FPD. Superintendent Simpson and Paul Harp indicated that they could assist with obtaining the indicated information. Commissioner Worthington inquired into whether or not the District could obtain ARPA Funding to cover the cost of the FPD. Mr. Hanson indicated that it could if those funds are available. Chairman Givin indicated that regardless of how the District handles the FPD, the District needs to expand and/or improve its WWTP. Commissioner Worthington agreed. After considerable discussion, upon motion of Danny Northcutt and second by Robert Worthington, it was unanimously,

“RESOLVED: The District engage the services of HMB Professional Engineering, Inc., to prepare a Facilities Planning Document at a cost not to exceed \$85,000.00. Chairman Givin is hereby authorized to execute on behalf of the District the proposed Professional Services Agreement (attached), thereby engaging HMB Professional Engineering, Inc., for that purpose.”

The next order of business was a report by Superintendent Paul Harp as follows:

1. Mr. Harp reported that the Waller Lift Station electric panel has been received by the District and installed. Unfortunately, after the electric panel was installed, two of the pumps at the Waller Lift Station broke down. This was a major issue. Mr. Harp was able to repair one of the pumps.

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2. Mr. Harp reported that the Vactor truck is permanently out of service. The Vactor truck can be fixed no more!!! Mr. Harp reported that the current Vactor truck is a 1986 model purchased by the District in 2010 (±). It has served the District very well. Mr. Harp reported that a cursory look at prices for Vactor trucks would indicate that a used Vactor truck in reasonable state of repair would cost between \$70,000.00 and \$200,000.00. Mr. Harp reported that the District could “Lease” a Vactor truck to provide Vactor truck services. This Lease would be required two times per year, each Lease term would be for approximately 40 hours. A preliminary check into the cost of leasing a Vactor truck would be approximately \$20,000.00 per year. Both Brian Simpson and Paul Harp stated that purchasing a used Vactor truck would be a very wise investment for the District. Mr. Nienaber reported that if the cost of a Vactor truck (new or used) is in excess of \$30,000.00, the District would be required to go through the public bidding process. He also reported that if the District would have to borrow money for the purchase of the Vactor truck, the Public Service Commission would have to approve the financing. After considerable discussion, it was recommended that Paul Harp and Brian Simpson investigate the District’s ability to purchase a Vactor truck and report at the next meeting.
3. Mr. Harp reported that the dividing wall on the digester at the WWTP failed again. Since that occurred, fifty percent of the WWTP digester capacity is down.
4. Brian Simpson shared with the Commissioners his electric cost savings report as attached.

The next order of business was a report by Dianne Cook as follows:

1. Ms. Cook reported that the District must take final action on the 2022 Budget. Ms. Cook reported that there are no changes to the attached 2022 Budget since the last meeting. After discussion, upon motion of Danny Northcutt and second by Leo Saylor, it was unanimously,

“RESOLVED: The 2022 Budget as attached be approved.”

2. Ms. Cook reported that it is time for the election of officers. With that being said, Chairman Givin opened the floor for nominations. The following nominations were received:

<b>Position</b>	<b>Nominee</b>
1. Chairman	Charles Givin
2. Vice Chairman	Robert Worthington
3. Treasurer	Rodger Bingham
4. Secretary	Danny Northcutt

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There being no further nominations, Chairman Givin called for a vote. Thereupon, the following vote was recorded:

<b>Position</b>	<b>Nominee</b>	<b>Vote</b>
1. Chairman	Charles Givin	4 to 0
2. Vice Chairman	Robert Worthington	4 to 0
3. Treasurer	Rodger Bingham	4 to 0
4. Secretary	Danny Northcutt	4 to 0

Dianne Cook reported that the next meeting is scheduled for January 20, 2022.

There being no further business to conduct, upon motion and second, the meeting was adjourned.

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BY:   
CHARLES GIVIN, CHAIRMAN

ATTEST:

  
DANNY NORTHCUTT, SECRETARY