

**MINUTES OF THE
GRANT COUNTY SANITARY SEWER DISTRICT
FEBRUARY 2022 MEETING**

The February 2022 Meeting of the Grant County Sanitary Sewer District was called to order on February 17, 2022, 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, Rodger Bingham, and Robert Worthington. Also present were HR Director Ashley Dyer, Dianne Cook, Mr. Benton Hanson and Mr. Brandon Baxter of HMB Professional Engineers, Counsel Thomas R. Nienaber, Paul Harp, and Brian Simpson.

The first order of business was a review of the January 2022 Minutes as attached. After discussion, upon Motion of Robert Worthington and second by Leo Saylor, it was unanimously,

“RESOLVED: that the January 2022 Minutes be and the same are hereby approved as attached.”

The next order of business was a review of the January 2022 Profit and Loss Statement and Warrants as attached. After discussion, upon motion of Danny Northcutt and second by Rodger Bingham, it was unanimously,

“RESOLVED: that the January 2022 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 gave an update on the issue of Commissioner Appointments by the City of Crittenden. Mr. Nienaber shared with the Commissioners his Legal Opinion (attached). Chairman Givin reported that he spoke with Grant County Judge Executive Chuck Dills about that issue. Chairman Givin also reported that currently, there are three Commissioners on the Board that are residences of the City of Crittenden. Mr. Nienaber once again reiterated that under Kentucky Revised Statutes, the only one who can appoint Commissioners to the Board would be the Grant County Judge Executive.
2. Mr. Nienaber inquired as to the status of ARPA Funding. Chairman Givin reported that he spoke with Grant County Judge Executive Chuck Dills who committed \$169,000.00 to the District. The formal announcement is scheduled for February 23, 2022, at 10:30 a.m. Judge Dills will make the presentation in conjunction with the Kentucky Lieutenant Governor.
3. Mr. Nienaber reported that there has been no activity in the Garrison litigation.

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4. Mr. Nienaber reported that he was going to meet with Debra Dedden of Morris & Bressler next week in order to review with her the rate increase analysis which she is preparing. Ms. Dedden will appear at the next regular meeting to give a report on her findings.

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

1. Mr. Hanson reported that HMB is beginning the process of preparing the District's Facilities Plan. Meetings are scheduled next week with Superintendent Simpson and Paul Harp to begin that process.

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

1. Superintendent Harp reviewed with the Commissioners his monthly report as attached.
2. Superintendent Harp reported that the generator at the Bingham Pump Station is being removed for installation at the Wastewater Treatment Plant. Mr. Harp reported that the generator at the Bingham Pump Station is much too large for that situation and would be best served by relocating the pump to the Wastewater Treatment Plant.
3. Mr. Harp reported that chemical supplies for the District are expected to rise 30% in the next month. He reported that the chemical supplier has also indicated that there will probably be significant increases in chemical costs this summer.
4. Commissioner Northcutt inquired as to the status of the Vactor truck. Chairman Givin reported that he has not received any firm commitment from the City of Crittenden regarding ARPA funds. Chairman Givin inquired as to whether or not ARPA Funds could be used for the purchase of a Vactor truck. Mr. Nienaber stated that if the City earmarked funds for that purpose, it could be done. Mr. Nienaber cautioned everyone that if ARPA funds are restricted at the Government rulemaking level which would prohibit the use of ARPA funds for a Vactor truck, then the District would not be permitted to purchase a Vactor truck with ARPA funds. Mr. Nienaber stated that at this time, there are no definitive Rules established by any governmental agency regarding specific uses (and non-uses) of ARPA funding. For example, Mr. Nienaber reported that if ARPA funds granted to the District are specifically restricted for Wastewater Treatment Plant improvements, then those funds could not be used for the purchase of a Vactor truck. Mr. Nienaber also reported that if the District purchases a Vactor truck and the District finances that purchase, Public Service Commission approval will be required. Superintendent Simpson and Paul Harp both commented that it is difficult to purchase a

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used Vactor truck in that once an available truck is located, it is immediately sold. Mr. Harp reported that used Vactor trucks sell very quickly. Mr. Nienaber reported that if the District is going to purchase a piece of equipment in excess of \$30,000.00, it will have to be advertised. Inquiries were made as to whether or not those rules apply to used equipment such as a Vactor truck. Mr. Nienaber reported that he would investigate and report at the next meeting. After considerable discussion, upon motion of Leo Saylor and second by Robert Worthington, it was unanimously,

“RESOLVED: that Paul Harp be and he is hereby authorized to purchase on behalf of the District a used Vactor truck at a cost not to exceed \$100,000.00.”

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

1. Ms. Dyer reported that she has conducted a financial analysis of the Management Agreement with the Bullock Pen Water District. Based upon increases in salaries and compensation, the Management Agreement fee should be increased by \$668.00 per month. Ms. Dyer reported that the Bullock Pen Water District has voted on the issue and has approved that increase. After discussion, upon motion of Danny Northcutt and second by Robert Worthington, it was unanimously,

“RESOLVED: that the District increase the monthly management fee being paid to the Bullock Pen Water District in the amount of \$668.00 per month, increasing the monthly management fee from \$16,179.00 to \$16,847.00 per month.”

2. Dianne Cook reported that the next meeting is scheduled for March 17, 2022.

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

GRANT COUNTY SANITARY SEWER DISTRICT

BY: 
CHARLES GIVIN, CHAIRMAN

ATTEST:


DANNY NORTHCUTT, SECRETARY