

**MINUTES OF THE  
GRANT COUNTY SANITARY SEWER DISTRICT  
APRIL 2023 MEETING**

The April 2023 Meeting of the Grant County Sanitary Sewer District was called to order on April 20, 2023, 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, Rodger Bingham, Michael Duley and Greg Powell. Also present were HR Director Ashley Dyer, Dianne Cook, Counsel Thomas R. Nienaber, Mr. Benton Hanson of HMB Professional Engineers, Inc., and Superintendent Paul Harp. Vice-Chairman Robert Worthington was absent.

The first order of business was a review of the March 2023 Minutes. After discussion, upon motion of Rodger Bingham and second by Greg Powell, it was unanimously,

“RESOLVED: that the March 2023 Minutes be approved as attached.”

The next order of business was a review of the March 2023 Profit and Loss Statement and Warrants as attached. After discussion, upon motion of Greg Powell and second by Michael Duley, it was unanimously,

“RESOLVED: that the March 2023 Profit and Loss Statement and Warrants be and the same are hereby approved as attached.”

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

1. Mr. Nienaber reported that the litigation in Grant Circuit Court regarding the Waller Drive Dam will be in Mediation on May 12, 2023, at 9:00 a.m., at the Grant County Judicial Center. The Mediator is retired Judge Stephen Bates. Mr. Nienaber recommended that Chairman Givin and Paul Harp attend Mediation with counsel appointed by the District’s insurance carrier. Chairman Givin and Paul Harp stated they would attend.
2. Mr. Nienaber reported that the Public Service Commission granted the PSC Staff an extension up to and including Thursday, April 27, 2023, to file their Report in the rate case proceeding. No explanation was given by the PSC as to why that extension was granted.
3. Mr. Nienaber reported the District may have an opportunity to join the PFAS litigation with the Bullock Pen Water District. After the District’s last meeting, Mr. Nienaber contacted Mr. Sam Wade at Napoli Shkolnik, PLLC in order to determine if the District could join in that class action litigation. Mr. Wade reported the District probably could. He forwarded a Retainer Agreement (attached) for signature and return by April 21,

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2023. After discussion, upon motion by Rodger Bingham, and second by Greg Powell, it was unanimously,

“RESOLVED: that the Grant County Sanitary Sewer District be and the same is hereby authorized to join in the PFAS litigation through Napoli Shkolnik, PLLC. Chairman Givin be and he is hereby authorized to execute the attached Retainer Agreement.”

4. Mr. Nienaber reported that after the last meeting, Chairman Givin recommended the District send a notice to all residents in the City of Crittenden they will no longer be billed for trash collection through the District. Chairman Givin stated that such a notice should direct Crittenden residents to contact the City Building regarding any questions. Chairman Givin and Dianne Cook reported that the notice went out with the District’s last bills informing all those affected customers that the District will no longer be collecting payments for trash.
5. Mr. Nienaber reported KRS 45A.385 has been amended to allow governmental entities to make purchases for products, equipment, personal property, etc., with a value up to \$40,000.00 without engaging in the public bid process.

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

1. Mr. Hanson submitted the draft Facilities Plan (“FP”) to the Division of Water (“DOW”) for review, comment and approval. Mr. Hanson reported that DOW contacted him and reported a backlog of FPs before the DOW. Mr. Hanson is hopeful that the review and approval of the District’s FP will be received before the next meeting. Mr. Hanson reported that once the FP is reviewed by DOW, the District will then need to engage the public comment process on a local basis. This will include the conduct of a public hearing. Mr. Hanson stated that he would keep everyone posted as to developments in this regard.

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

1. Mr. Harp reported that he executed the Agreed Order with the DOW regarding the Notice of Violations previously received by and issued to the District. Superintendent Harp reported that counsel for the DOW has been somewhat slow in following through. Mr. Harp is aggressively working toward resolving the violations and complying with the terms and conditions of the Agreed Order.
2. Mr. Harp reported that VFDs are needed at the Greenview Lift Station. He stated that installation of a VFD would reduce electric power and help and assist in more efficient

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sewer treatment at the WWTP. Two VFDs will be needed at a cost of \$4,400.00 each. After considerable discussion, upon motion of Rodger Bingham, and second by Greg Powell, it was unanimously,

“RESOLVED: that Superintendent Harp be, and he is hereby authorized to purchase and install two VFDs at the Greenview Lift Station at a cost not to exceed \$8,800.00.”

3. Superintendent Harp reported that the testing equipment at the WWTP needs replacement at a cost of \$4,100,00. Superintendent Harp was authorized to make that purchase.
4. Mr. Nienaber inquired as to the status of grinder pump rules and regulations for the District. A discussion was held. It was agreed that this issue should be addressed after the PSC rules on the District’s pending Rate Increase Application. Mr. Nienaber stated that any rules and regulations promulgated by the District would need to be approved by the PSC.
5. Mr. Harp reviewed with the Commissioners his Superintendent Report as attached.

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

1. Ms. Dyer reported that the property insurance premiums are now due. She distributed to the Commissioners a summary of cost and coverage as attached. After discussion, upon motion of Greg Powell, and second by Michael Duley, it was unanimously,

“RESOLVED: that Ashley Dyer be, and she is hereby authorized to pay the property insurance premiums as attached.”

2. Ms. Dyer reported on the status of the Management Agreement review with the Bullock Pen Water District. Ms. Dyer submitted a Management Agreement Calculation Comparison as attached. An overall review of the costs associated with the Management Agreement indicated that the monthly management fee should be increased by \$824.00. Ms. Dyer reported that the District generally makes this review in January of each year. However, with the Rate Increase Application filing with the PSC, the office was busy generating the information requested by the PSC for the rate increase. Ms. Dyer indicated that if the District is agreeable to the increase of \$824.00 per month, it should be retroactive to January 1, 2023. Ms. Dyer reported that the Bullock Pen Water District approved this rate increase at its meeting earlier in the day. After discussion, upon motion of Michael Duley, and second by Greg Powell, it was unanimously,

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“RESOLVED: that the District amend the current Fourth Amended Management Agreement to include an increase in monthly charges of \$824.00. Once the Fifth Amended Management Agreement is executed, Mr. Nienaber is authorized to submit it to the PSC for review and comment.”

3. Ms. Cook reported that the next meeting is scheduled for May 18, 2023. Due to schedule conflicts, the Bullock Pen Water District changed the date to May 25, 2023. Everyone agreed. Dianne Cook was directed to make the appropriate notifications.

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:

  
ROBERT WORTHINGTON, VICE-CHAIRMAN