

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

The December 2023 Meeting of the Grant County Sanitary Sewer District was called to order on December 21, 2023, at 2:30 p.m. at the District Headquarters, One Farrell Drive, Crittenden, Kentucky. Present at the meeting were the following: Chairman Charles Givin, Vice-Chairman Robert Worthington and Commissioners Rodger Bingham, Greg Powell and Michael Duley. 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.

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

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

The next order of business was a review of the October 2023 and November 2023 Warrants, Maintenance and Operating Account and Profit and Loss Statement. After discussion, upon motion of Robert Worthington and second by Rodger Bingham, it was unanimously,

“RESOLVED: that the October 2023 and November 2023 Warrants, Maintenance and Operating Account and Profit and Loss Statements 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 inquired as to the status of the PFAS test results. Superintendent Harp confirmed that the test results are to be received by the District on or before December 28, 2023. Mr. Nienaber reported that the time limits on joining the Class Action litigation for PFAS claims is nearing. Mr. Nienaber requested the District to adopt a Resolution similar to that of the Bullock Pen Water District. After considerable discussion, upon motion of Greg Powell and second by Michael Duley, it was unanimously,

“RESOLVED as follows:

- 1) If the District receives a positive PFAS test result by December 28, 2023, the District is hereby authorized to move forward with joining the Class Action litigation. Mr. Nienaber is authorized to take any action to achieve that objective.
- 2) Chairman Givin and Superintendent Harp are hereby authorized to sign any documentation necessary to

Grant County Sanitary Sewer District
Minutes
December 21, 2023

authorize the District to join in the Class Action PFAS Litigation.

- 3) The District is hereby authorized to move forward with filing any and all claims with the PFAS Litigation.”
2. Mr. Nienaber gave a report on the status of the Garrison Litigation. He stated that the City of Crittenden has filed various discovery requests, including Interrogatories and Requests for Production of Documents directed to the Garrisons. Mr. Nienaber wrote a letter to the District’s counsel, Mr. James Womack, requesting that he initiate discovery requests and direct them to the City of Crittenden. He noted that the City of Crittenden has consistently claimed that there are engineering reports which indicate the District’s culpability in creating issues at the dam. Although these claims have been made, no engineering reports have been disclosed which indicate as such. Mr. Nienaber stated that he has written letters to the District’s counsel, as well as Bullock Pen Water District’s counsel requesting them to initiate discovery. In addition to the general discovery requests, Mr. Nienaber requested counsel to direct the City of Crittenden to disclose any and all engineering reports; to provide all City Council documentation authorizing this litigation against the District; and requesting the City of Crittenden to disclose any and all correspondence, emails, memos, etc., relating to the dam issue. As soon as counsel hears from the District’s attorney, he will report.
3. Mr. Nienaber reported that he had received a PFAS Survey from KRWA/DOW. Superintendent Harp reported that he received the PFAS Survey as well and responded.
4. Mr. Nienaber inquired as to the status of the Facilities Plan. Mr. Hanson reported that he spoke with DOW representatives the previous week. They are still reviewing the District’s Facilities Plan and should have a report by the end of January 2024.

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

1. Mr. Hanson reported on the status of the Facilities Plan.

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

1. Superintendent Harp reviewed with the Commissioners his monthly report as attached.
2. Superintendent Harp reported that the DOW accepted the District’s Corrective Plan which should be good for the next five (5) years.
3. Superintendent Harp reported that the District’s WWTP Project was rated the No. 2 project in Grant County by NKADD at its meeting last week.

Grant County Sanitary Sewer District
Minutes
December 21, 2023

4. Superintendent Harp reported that the District has two samplers which test water conditions at the WWTP. They are 10 years old. Superintendent Harp reported that the current samplers are frequently broken or in need of repair. He would like to purchase a third sampler in order to have an adequate backup. The cost of a new sampler is \$6,000.00. Mr. Nienaber reported that no bid would need to be taken. After discussion, upon motion of Robert Worthington and second by Rodger Bingham, it was unanimously,

“RESOLVED: that Superintendent Harp be, and he is hereby authorized to purchase a third sampler at a cost not to exceed \$6,000.00.”

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

1. Ms. Cook reported that the AARP Clean Water Funds have been received in the amount of \$34,000.00. These funds would be used to reimburse the District for payments to HMB Professional Engineers, Inc.’s work on the Facilities Plan.
2. Ms. Cook asked for final action on the District’s Budget. After discussion, upon motion of Greg Powell and second by Michael Duley, it was unanimously,

“RESOLVED: that the District’s budget be approved as attached.”

3. Ms. Cook reported that it is time for the District to have an election of officers. Thereupon, Chairman Givin opened the floor for nominations. The following nominations were received:

- a. Chairman - Charles Givin;
- b. Vice Chair - Robert Worthington;
- c. Treasurer - Rodger Bingham;
- d. Secretary - Greg Powell.

There being no further nominations a vote was taken. Nominees received unanimous vote.

4. Diane Cook reported that the next regular meeting is currently scheduled for January 18, 2024. There being conflicts, upon motion of Greg Powell and second by Michael Duley, it was unanimously,

Grant County Sanitary Sewer District
Minutes
December 21, 2023

“RESOLVED: That the next monthly meeting take place on January 25, 2024, at 2:30 p.m., at the District Headquarters. Ms. Cook is hereby 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:



GREG POWELL, SECRETARY