

**MINUTES OF THE
GRANT COUNTY SANITARY SEWER DISTRICT
FEBRUARY 2024 MEETING**

The February 2024 Meeting of the Grant County Sanitary Sewer District was called to order on February 22, 2024, at 2:30 p.m. at the District Headquarters, One Farrell Drive, Crittenden, Kentucky. Present at the meeting were the following: Chairman Charles Givin, Commissioners Rodger Bingham, Greg Powell and Michael Duley. Also present were HR Director Ashley Dyer, Dianne Cook, Counsel Thomas R. Nienaber, HMB Professional Engineers, Inc., Mr. Benton Hanson, and Superintendent Paul Harp. Commissioner Robert Worthington was absent.

The first order of business was a review of the January Minutes. After discussion, upon motion of Greg Powell and second by Michael Duley, it was unanimously,

“RESOLVED: that the January 2024 Minutes be approved as attached.”

The next order of business was a review of the January 2024 Warrants, Maintenance and Operating Account and Profit and Loss Statement. After discussion, upon motion of Rodger Bingham and second by Greg Powell, it was unanimously,

“RESOLVED: that the January 2024 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 provided an update on the Garrison litigation. Since the last meeting, nothing significant has occurred. The District’s counsel did submit Interrogatories and a Request for Production of Documents to the City of Crittenden and the Plaintiffs. Those responses are due next week.
2. Mr. Nienaber reported that a Complaint was filed on behalf of Bullock Pen Water District in the MDL PFAS litigation. Mr. Nienaber stated that once the District receives its PFAS test results from the current test, the District may be able to initiate litigation if the test results are positive. Superintendent Harp reported that he has contacted the laboratory and requested a test kit which should be delivered next week.
3. Mr. Nienaber stated that Napoli Shkolnik submitted a revised Retainer Agreement to Bullock Pen Water District for approval. The revised Retainer Agreement seeks to amend the fee payment schedule for Napoli Shkolnik. Apparently one of current named Defendants in the MDL Litigation has agreed to an “installment settlement” whereby the Defendant intends to pay over a period of ten years. Napoli Shkolnik have requested that their retainer agreement be revised to allow Napoli Shkolnik to take all of their fees on the gross settlement amount upon payment by the Defendant of the first installment. Mr.

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Nienaber reported that Bullock Pen Water District declined to agree to that revision. Mr. Nienaber expects a similar revision to be made with the District.

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

1. Mr. Hanson reported that the DOW has not yet approved the District's Facilities Plan. Mr. Hanson spoke and corresponded with DOW representatives regarding the status of the Facilities Plan review last week. DOW responded that their workload was such that they simply have not yet been able to make the required analysis. DOW does not know when the Facilities Plan will be approved. It is anticipated that DOW will begin their review of the Facilities Plan around mid-March, 2024.
2. Commissioner Bingham inquired as to the status of any additional financing available for the District's upcoming Wastewater Treatment Plant Project. Mr. Hanson stated that there still are no grants available, however, there may be additional low interest financing available. Mr. Hanson stated that he will have Christopher Stewart come to the next meeting with a report on the availability of monies for the upcoming project.

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 has requested a second sampling kit for the PFAS test. He expects to have that test kit by next Tuesday. Commissioner Powell stated that he would like to attend the collection of the test sample when the test kit comes to the District. Superintendent Harp stated that he would contact Mr. Powell at that time.
3. Superintendent Harp reported that the Bullock Pen Water District has authorized the purchase of new zero-turn mower. Bullock Pen Water District approved the purchase of a zero-turn mower at a cost not to exceed \$14,000.00 and on the understanding that the District would pay 20% of the costs. After discussion, upon motion of Michael Duley and second by Greg Powell, it was unanimously:

“RESOLVED: that the District be and the same is hereby authorized to purchase a zero-turn mower in conjunction with Bullock Pen Water District at a contribution rate of 20%. The zero-turn mower should not exceed \$14,000.00 in cost.”

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

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1. Ashley Dyer presented a summary to the Commissioners (attached) regarding the revised Management Agreement numbers with the Bullock Pen Water District. She reported that considering pension contributions, employee costs, and the like, the current Management Fee should raise from \$17,671.00 per month to \$17,998.00 per month for a total increase of \$327.00. Ashley Dyer reported that the Bullock Pen Water District approved that revision. After discussion, upon motion of Michael Duley and second by Greg Powell, it was unanimously,

“RESOLVED: that the District enter into a revised Management Agreement with Bullock Pen Water District increasing the monthly rate from \$17,671.00 to \$17,998.00. Chairman Givin be and he is hereby authorized to execute any and all paperwork necessary to accomplish that Amended Management Agreement.

2. Dianne Cook reported that the next meeting is scheduled for March 21, 2024.

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

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BY: 
CHARLES GIVIN, CHAIRMAN

ATTEST:


GREG POWELL, SECRETARY