

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

The July 2024 Meeting of the Grant County Sanitary Sewer District was called to order on July 18, 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, Robert Worthington, 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.

The first order of business was a review of the District's June 2024 Minutes. After discussion, upon motion of Robert Worthington and second by Greg Powell, it was unanimously,

"RESOLVED: the June 2024 Minutes be approved as attached."

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

"RESOLVED: the June 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 reported that the deposition of Mr. J.D. DeZarn, Maintenance Supervisor (retired) for the City of Crittenden. This deposition was taken in conjunction with the pending Garrison litigation. Mr. Nienaber reported that the deposition went very well. Mr. DeZarn testified as Superintendent Harp and Chairman Givin expected. It was confirmed by Mr. DeZarn that the primary access to the Waller Drive lift station is that access which crosses the face of the Waller Dam. Mr. DeZarn testified that he started his employment with the City of Crittenden in 1994. Since that time, the access on the dam face is the **only** route used by Mr. DeZarn when providing maintenance and service to the Waller Lift Station. This testimony is in direct conflict with the Answers to Interrogatories and Verified Complaint which the City of Crittenden signed under oath. Therein, the City of Crittenden stated that they were unaware as to how the access over the dam face was constructed, who constructed it, and who used it. Mr. Nienaber stated that prior to the deposition, counsel for the parties in the Garrison litigation (excluding Garrison's counsel) met in private to discuss a possible settlement. Counsel for the City of Crittenden indicated that the City would be inclined to take ownership of the dam. Crittenden's counsel suggested that the District participate in the maintenance and upkeep of the dam face. Mr. Nienaber stated that it is very unlikely that the District would approve such a maintenance arrangement as it does not have the equipment or manpower to assume that responsibility. Moreover, the District has no legal obligation to

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assume such responsibility. Mr. Nienaber stated that the District would not approve any settlement that does not guarantee uninterrupted access to the Waller Lift Station, either through the Crittenden Drive Easement or through the dam face access. Mr. Nienaber gave as an example the latest situation where the District was blocked from entering the Crittenden Drive access when the Garrisons parked cars and other obstructions on the driveway preventing District employees from exiting the Waller Lift Station to Crittenden Drive. Mr. Nienaber reported that Crittenden's counsel would be getting back in touch with the District and the other parties regarding a possible settlement. As a final note, Mr. Nienaber confirmed that any settlement considered by the District must be approved by the Bullock Pen Water District.

2. Mr. Nienaber reported that nothing new has developed with respect to the PFAS litigation.
3. Mr. Nienaber reported on the status of the RFQ for Engineering Services relating to the WWTP Project. Mr. Nienaber reviewed with the Commissioners the RFQ and related documents which were distributed to everyone on July 2, 2024 (attached). Mr. Nienaber reported that the deadline for filing a Response by an interested engineering firm is September 2, 2024. Mr. Nienaber inquired as to whether or not there were any responses received to date. Superintendent Harp reported that he has received a couple of phone calls and nothing more. Mr. Nienaber advised Superintendent Harp to keep a copy of the Facilities Plan available for any potential Responder. Mr. Nienaber reviewed with the Commissioners the protocol that will be followed in selecting an engineering firm. Once the Response deadline has passed, the District will then refer the Responses to a Selection Committee who will review the Responses and narrow the list of applicants to no more than 5. The Selection Committee would then interview those respondents and make a recommendation to the full board. Negotiations would then be conducted between the District and the recommended engineering firm. Mr. Nienaber inquired as to whether or not the District should establish a Selection Committee at this time. Chairman Givin indicated that the next regular meeting will occur before the Response deadline and, therefore, the District should wait until the next meeting to appoint a Selection Committee.

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

1. Superintendent Harp reviewed with the Commissioners his monthly Superintendent Report as attached.
2. Superintendent Harp stated that he was contacted by a Jeremy Whorley inquiring as to whether or not the District could provide water and sewer service for an unnamed European beverage company that is looking into a plant construction project within the District territory. The proposed development would require 1,200,000 gallons per day of water and approximately 700,000 gallons per day sewer treatment capacity.

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Superintendent Harp indicated that there is no way the District could meet those demands.

3. Superintendent Harp reported on the Airport Towing Situation. Superintendent Harp informed the owner that the District would prepare a cost estimate for the District to install and connect his onsite facilities to the District's existing sewer line. The customer would be responsible for the cost. The customer suggested that he would prefer a low pressure grinder pump. Commissioner Worthington expressed reservations for the District to conduct the installation. Commissioner Worthington also expressed reservations about using a low pressure pump as this will create a maintenance situation for the District. Superintendent Harp reported that he would give an update at the next meeting.
4. Commissioner Duley inquired as to the situation at the Waller Lift Station. Superintendent Harp reported that a pump went out and had to be rebuilt and installed. This required quite a bit of work on the part of the District over the last week and a half.
5. Superintendent Harp reported that the electric panel at the Vincent Lift Station has been installed and everything is operational. At this time, the supplier is working on the new electric panel. The District is currently operating on the old electric panel. Superintendent Harp reported that he will give a status at the next meeting.

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

1. Mr. Hanson had nothing new to report.

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

1. Ms. Dyer reported that the District must take final action on the year-end audit report for December 31, 2023. After discussion, upon motion of Rodger Bingham and second by Mike Duley, it was unanimously,

“RESOLVED: that the annual audit for the year-end December 31, 2023, be and the same is hereby approved as attached.”

2. Ms. Dyer reported that the Bullock Pen Water District has scheduled the next regular meeting for August 21, 2024, due to scheduling conflicts. After discussion, upon motion of Robert Worthington and second by Michael Duley, it was unanimously,

“RESOLVED: that the next regular meeting will be scheduled for August 21, 2024, at 2:30 p.m. Ms. Dyer is hereby directed to make the necessary notices.”

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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