

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

The September 2024 Meeting of the Grant County Sanitary Sewer District was called to order on September 19, 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 Mr. Chris Stewart, and Superintendent Paul Harp.

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

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

The next order of business was a review of the August 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: the August 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 shared with the Commissioners the City of Crittenden's offer of settlement in the Garrison litigation (attached). Mr. Nienaber stated that the proposed settlement requested by the City is unacceptable in that it puts the parties no further along than they were before the litigation was initiated. In fact, Mr. Nienaber believes the proposed settlement places all of the burden of maintenance of the dam face on the District. Mr. Nienaber shared with the Commissions his proposed settlement that the dam be taken out of service. Mr. Nienaber also reported that he spoke with Michelle Cheek (District appointed counsel) earlier in the day. Michelle Cheek and Mr. Nienaber both agree that Mediation should be scheduled as soon as possible. Mr. Nienaber stated that the last Mediation was very unproductive and basically a waste of time in that none of the attendees (excluding the District) were prepared to begin discussing any type of settlement. Mr. Nienaber reported that he will keep the District apprised of any developments in this regard.
2. Mr. Nienaber shared with the Commissioners a Resolution to consider acceptance of the KIA loan in the approximate amount of \$8,400,000.00 for the upcoming WWTP Project. Mr. Nienaber reported that the total loan is for \$8,443,210.00 through KIA. The interest rate is currently set at 1.25% interest per annum. Under the terms of the loan, 42% of the total amount borrowed by the District may be forgiven. Mr. Nienaber reported that the

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Build America Buy America Act (“BABA”) would be applicable. This could have a significant impact on the overall cost of the project. After considerable discussion, upon motion of Greg Powell and second by Rodger Bingham, it was unanimously,

“RESOLVED: that the attached Resolution authorizing the \$8,443,210.00 loan be approved and that the District begin moving forward with the application process.”

3. Mr. Nienaber inquired on the status of the RFQ for securing professional engineering services on the WWTP Project. Superintendent Harp reported that the committee met and reviewed the four responses submitted by HMB Professional Engineering, Inc.; Kentucky Engineering Group, Inc.; New Rivers Engineering; and Strand & Associates. Superintendent Harp reported that the response submitted by Strand & Associates was not acceptable in that the response included a redesign of the entire project. Moreover, Strand & Associates does not have a local presence in this area. New Rivers Engineering had not completed any projects within the State of Kentucky. Therefore, the committee considered only HMB Professional Engineering, Inc. and Kentucky Engineering Group, Inc. Superintendent Harp reported that it was the unanimous consensus of the committee to move forward with HMB Professional Engineering, Inc. After considerable discussion, upon motion of Robert Worthington and second by Rodger Bingham, it was unanimously,

“RESOLVED as follows:

1. That the District engage the services of HMB Professional Engineering, Inc., for the purpose of preparing plans and drawings for the upcoming WWTP Project; and
  2. HMB Professional Engineering, Inc., is directed to submit a proposed professional services engineering contract to the District for review.
  3. The professional engineering services contract shall include a COSS to be conducted as a part of the WWTP project.
4. Mr. Nienaber inquired as to the status of the KY WWATERS financing process. Mr. Nienaber reported that KIA is administering this project. It appears that from a preliminary basis, KIA is supportive of the District’s WWTP Project. It also appears that the Kentucky legislature is going to be the final decision maker as to who gets money from this program. At this time, it appears that most of the monies distributed will be awarded as grants. Chris Stewart suggested that the District begin contacting its local legislators as soon as possible and County Judge Executives to assist in lobbying for the District’s award of money under this program. Mr. Stewart reported that the grants will probably be awarded sometime in April, 2025. Mr. Nienaber inquired as to what

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capacity levels the proposed WWTP Project would provide for the District. Mr. Stewart reported that the plant currently provides 300,000 gallons per day capacity. Post-construction would offer approximately 450,000 gallons per day capacity. Mr. Stewart reported that the District currently has available between \$200,000 and \$300,000 remaining from the Clean Water Fund Award. Part of this money could be used for design of the project. Chairman Givin inquired as to a rough timeline for the project. Mr. Stewart stated that the plans should be complete around June 1, 2025, with a permit being issued sometime around September 1, 2025. The current projected construction cost for the project based upon 2022 figures is \$6,900,000.00. Mr. Stewart reported that CDBG and Rural Development Grants would probably not be available to the District given the income levels in this area. Mr. Stewart stated that HMB Professional Engineering, Inc., will begin the process of completing the KIA Application for KIA funding. Mr. Nienaber stated that if HMB Professional Engineering, Inc., needs any information in completing the application, HMB may contact the District, Mr. Nienaber, or the District's financial professional, Morris & Bresser, PSC, Attention: Debra Dedden, 6900 Houston Rd., STE 3, P.O. Box 545, Florence, KY 41022-0545, Phone: 859-525-6306, Fax: 859-525-3373, Email: [debra@morrisbressler.com](mailto:debra@morrisbressler.com). Mr. Nienaber requested HMB Professional Engineering, Inc., to keep the District apprised during the application 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 District currently has 5 pumps being rebuilt. The District is currently experiencing significant pump issues. He reported that during the last month, the District has incurred 10 to 12 pump service issues. He reported that the Eades Pump Station needs to have its original pump replaced. Superintendent Harp will gather estimates for presentation at the next meeting.

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

1. Ms. Dianne Cook reported that the CD renewal in the amount of \$220,000.00 at Forcht Bank will be due in the very near future. Ms. Cook stated that she would search rates from various lending institutions and report at the next meeting.
2. Ms. Cook reported that the Bullock Pen Water District has rescheduled its next monthly meeting for October 23, 2024. There being no objection, it was decided that the next regular meeting of the District be held on October 23, 2024, at 2:30 p.m. 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.

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BY:   
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CHARLES GIVIN, CHAIRMAN

ATTEST:

  
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GREG POWELL, SECRETARY