

**MINUTES OF THE
GRANT COUNTY SANITARY SEWER DISTRICT
FEBRUARY 2025 MEETING**

The February 2025 Meeting of the Grant County Sanitary Sewer District was called to order on February 20, 2025, 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, Robert Worthington, and Michael Duley. Also present were HR Director Ashley Dyer, Naomi Wilson, Counsel Thomas R. Nienaber, HMB Professional Engineers, Inc., Mr. Benton Hanson, and Superintendent Paul Harp.

The first order of business was a presentation by Mr. Larry Thomas, owner and operator of Airport Towing located at 311 North Main Street, Crittenden, KY, 41030. Mr. Thomas was represented by counsel, Margaret E. Cunningham of Strauss Troy, 150 East Fourth Street, Cincinnati, OH 45202. Ms. Cunningham stated that the purpose of Airport Towing's attendance was to request a waiver from the requirements of the Grant County Sanitary Sewer Ordinance No. 01-2008-613, Section IV(D) (attached), thereby allowing Airport Towing relief from tapping-in to the District's sanitary sewer line. Ms. Cunningham stated that the basis for this waiver request is that tapping-in to the District's sewer system would be impractical due to topographical and other engineering considerations. Chairman Givin requested Airport Towing to state its case on the Record. The following information was provided:

Mr. Thomas, with the concurrence of Superintendent Harp, stated that the District's closest sanitary sewer line for tap-in purposes is just under 300 feet from Airport Towing's building. Mr. Thomas stated that in order to install a sewer line to the District's sanitary sewer line would require the installation of a low pressure grinder pump. Superintendent Harp stated that the District does not favor low pressure grinder pumps due to the cost and maintenance issues which are associated with those systems. Mr. Thomas also stated that the installation of a sewer connection would require acquisition of a private easement from other property owners. The cost of installing a service line from Airport Towing to the District's sanitary sewer line would be in excess of \$30,000.00. Superintendent Harp agreed that this estimated cost is probably accurate. Mr. Thomas stated that Airport Towing would like to install an on-site holding tank. The only sanitary sewer demand at Airport Towing would be for one restroom servicing only one employee. No other sanitary sewage would be generated on-site. Mr. Thomas stated that Airport Towing would agree to only use the on-site holding tank so long as only one restroom and one employee utilized that service. Mr. Thomas also agreed that Airport Towing would comply with all public health regulations relating to the installation and maintenance of an on-site holding tank. All permits would have to be obtained by Airport Towing that may be required by any local public health department. Superintendent Harp reported that he had issued a prior opinion requiring Airport Towing to connect Airport Towing's facility to the District's sanitary sewer line. However, Superintendent Harp stated that a waiver would be appropriate under the circumstances. Chairman Givin

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stated on behalf of the District that a tap-in waiver could be appropriate if certain conditions were met, including the following:

- (a) Only one restroom be connected to the holding tank;
- (b) No additional sewage be serviced by the holding tank.
- (c) Airport towing only maintain one employee on site at any time;
- (d) The installed holding tank be of sufficient size to accommodate the current premises in their current condition;
- (e) Airport towing be required to obtain all permits and comply with all public health regulations regarding the installation and operation of a holding tank; and
- (f) Airport Towing would notify the District of any change in demand with respect to the holding tank; and
- (g) If any additional services are required or additional use placed on the holding tank, Airport Towing immediately notify the District at which time Airport Towing shall connect to the District's sanitary sewer system.

After considerable discussion, the District and Superintendent Harp made the following Findings of Fact:

- 1) The cost of tapping-in to the District's sanitary sewer line would be approximately \$30,000.00.
- 2) Additional Easements would be required in order to complete a connection to the sanitary sewer system.
- 3) Airport Towing has agreed to the above stated conditions (a) through (g) outlined by Chairman Givin.
- 4) Connecting to the District's sanitary sewer system would be impractical due to the topographical features in the area which would require the installation of a low pressure grinder pump.
- 5) A holding tank would provide adequate sanitary sewer service to Airport Towing under the current circumstances provided Airport Towing complies with all local public health department regulations.
- 6) Airport Towing, Mr. Larry Thomas, shall enter into an Agreement with the District memorializing all of the terms and conditions set forth herein relative to the grant of the requested waiver.

After considerable discussion, upon motion of Robert Worthington and second by Michael Duley, it was unanimously,

“RESOLVED: that the District grant to Airport Towing a waiver from the requirements of the Grant County Sanitary Sewer Ordinance No. 01-2008-613, Section IV(D), thereby allowing

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Airport Towing to install an on-site holding tank for sanitary sewer service and thereby granting a waiver from the requirements of Section IV(D). Be it further RESOLVED: that the granted waiver shall only be effective upon execution of an Agreement between Airport Towing, Mr. Larry Thomas and the District which Agreement shall include the above terms and conditions (a) through (g).”

The next order of business was a review of the District’s January 2025 Minutes. After discussion, upon motion of Rodger Bingham and second by Greg Powell, it was unanimously,

“RESOLVED: the January 2025 Minutes be approved as attached.”

The next order of business was a review of the January 2025 Warrants, Maintenance and Operating Account and Profit and Loss Statement. After discussion, upon motion of Robert Worthington and second by Greg Powell, it was unanimously,

“RESOLVED: the January 2025 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 he has not heard anything regarding the Garrison litigation.
2. Mr. Nienaber updated the Board on the status of the PFAS MDL litigation. Nothing new has transpired since the last meeting.
3. Mr. Nienaber reported on the status of the WWTP Project and deferred to Mr. Benton Hanson.

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

1. Mr. Hanson stated that he and Superintendent Harp visited other sewer treatment facilities to review and evaluate available equipment for the new WWTP. Another visit is scheduled with Superintendent Harp for next week.
2. Benton Hanson reported that he has communicated with KIA, Mr. John Brady, regarding KIA’s consideration of the District’s request for financing. Mr. Hanson stated that it would be appropriate for representatives from the District to attend KIA’s next regular

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meeting. Given everyone's schedule, Mr. Hanson stated that the next review committee meeting at KIA would probably be May 1, 2025, or May 8, 2025. Everyone agreed that Chairman Givin and Superintendent Harp should attend that meeting with Mr. Benton Hanson.

3. Mr. Hanson reported that the surveyors are continuing to conduct a survey of the WWTP site. Given the inclement weather of the recent past, the survey has not yet been completed. Once weather conditions improve, the survey should be completed.
4. Mr. Hanson reported that the geotechnical engineers have not yet made their on-site testing due to inclement weather. Once weather conditions improve, the Geotech engineers will be on site.

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 he is still waiting on quotes from JAGS for the replacement of the Eades Lift Station pump. Hopefully, those quotes will be available for the next meeting.

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

1. Ms. Dyer reported on the review of the Management Agreement between the District and Bullock Pen Water District. Her review would indicate that the monthly payment to Bullock Pen Water District should increase from the current \$17,998.00 per month to \$20,522.00 per month for an increase of \$2,524.00 per month. Her summary of that comparison is attached. Ms. Dyer reported that earlier, the Bullock Pen Water District unanimously approved that increase. After discussion, upon Motion of Greg Powell and second by Michael Duley, it was unanimously,

“RESOLVED: that the Management Agreement monthly payment to the Bullock Pen Water District be increased to \$20,522.00 per month. In all other respects, the current Sixth Amended Management Agreement shall remain in full force and effect. Mr. Nienaber is hereby directed to prepare a Seventh Revision to the Management Agreement for signature by Chairman Givin. The Seventh Amended Management Agreement shall then be submitted to the Public Service Commission for approval.”

2. Ms. Naomi Wilson reported that the next regular scheduled meeting is scheduled for March 20, 2025. There being conflicts, it was requested that the meeting be scheduled

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for 1:00 p.m. Everyone agreed. Naomi Wilson was directed to make the appropriate notifications of the meeting time change.

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