

Bullock Pen Water District
Minutes
August 21, 2025

**MINUTES OF THE
BULLOCK PEN WATER DISTRICT
AUGUST 2025 MEETING**

The August 2025 meeting of the Bullock Pen Water District was called to order on August 21, 2025, at the hour of 1:00 p.m. Those in attendance were Superintendent Paul Harp, Commissioners Bryan Slaughter, William Wethington, Andrea Walton, and Rodger Bingham. Also present were Counsel Thomas R. Nienaber, HMB Professional Engineers, Inc., Mr. Benton Hanson, Kentucky Engineering Group, Mr. Ryan Carr and Mr. Matt Baker, Amy Ruark and Ashley Dyer. Chairman Charles Givin was absent. Andrea Walton served in her capacity as Vice-Chair.

The first order of business was recognition of William Wethington's reappointment as Commissioner to the Bullock Pen Water District Board. Thereupon, William Wethington took the oath of office and executed the attached Certification.

Vice Chair Andrea Walton recognized a group of citizens in attendance at the meeting regarding the Water Treatment Plant Project. The sign-in sheet for those residents is attached.

The next order of business was a review of the July 2025 Minutes. After discussion, upon motion of Bryan Slaughter and second by Rodger Bingham, it was unanimously,

“RESOLVED: the July 2025 Minutes be and the same are hereby approved as attached.”

The next order of business was a review of the July 2025 Profit and Loss Statement and Warrants. After discussion, upon motion of Bryan Slaughter and second by Rodger Bingham, it was unanimously,

“RESOLVED: the July 2025 Warrants and Profit and Loss Statement be and the same are hereby approved as attached.”

The next order of business was a presentation by residents regarding the WTP Project. Mr. Arlinghaus stated that he resides at Violet Road. He is concerned that Bullock Pen Lake will dry up from water withdrawal by the District. Residents Lampe, Ballard, Soutar, and Peck had nothing to add. Senator Gex Williams made a few comments. He commended the District on engaging Robert Miller of KIA to conduct a financial analysis. Senator Williams indicated that the State of Kentucky has over 360 Water Districts. He emphasized that regionalization is imperative. Senator Williams gave examples of how other Districts are in the process of developing “cooperative Water Treatment Plants.” Senator Williams commented about the KIA Committee's deferral of the District's request for financing. He stated that the Kentucky General Assembly will undoubtedly require regionalization of water districts in the future. Senator

Bullock Pen Water District

Minutes

August 21, 2025

Williams stated the District is looking at a 17% rate increase if a new water treatment plant is constructed. Senator Williams believes that the rate increase is more likely to be in the 20% range. Time and time again Senator Williams stated that the District is “putting the cart before the horse.” He stated that it is imperative that the District immediately file for a Certificate of Convenience and Public Necessity with the Public Service Commission before any other action is taken. Senator Williams stated that BFWC informed him that they would charge \$15,000.00 to conduct a Study to see if the District could become a member. Senator Williams thanked the District for responding to this Open Records Request. He is going to call within the next couple of weeks to schedule a meeting to inspect the records presented. Mr. Nienaber showed Senator Williams the amount of documents that have been gathered pursuant to his request. Senator Williams emphasized that Northern Kentucky should combine services and not cities. Senator Williams stated that the District knew from the very beginning that a rate hike would be necessary. Commissioner Wethington stated that the District and he in particular want to do what is best for its customers. He stated that regionalization does not work in all cases. The District is currently working diligently to determine what is in the best interest of its customers. Commissioner Wethington stated that the District has cooperated in the past and has met with Boone County Water District, Boone-Florence Water Commission, and Northern Kentucky Water District. In the end, it is imperative that the District do what is best for its customers. Vice-Chair Andrea Walton stated that a 17% rate increase may be coming, however, no matter what course of action the District takes, there will be a rate increase. Commissioner Bingham stated that there will be a rate increase no matter which way the District moves forward. Senator Williams stated that the District has a serious water dumping problem. He commented that 38% of the water purchased and/or produced by the District is dumped. Senator Williams believes that the purchasing water option would help alleviate that problem. Benton Hanson stated that the current Water Treatment Plant is in such poor condition that it could be out of service in a moment’s notice. Any major problem at the Treatment Plant could cause the Plant to be down for weeks or even months. It is imperative that the District address the Water Treatment Plant issue immediately. Mr. Hanson stated that the Water Treatment Plant for the most part produces water which services the Crittenden area. If the Water Treatment Plant were to shut down, outlying suppliers would need to get water to the Crittenden area. Our current infrastructure lines are not designed to achieve that goal. Senator Williams then raised the issue of the property purchase. Mr. Nienaber explained that the District, in an overabundance of caution, petitioned the Public Service Commission for authority to purchase that property. That authority was granted. Contrary to some comments being made in the public domain, there is no work being conducted on the Catlett property. Ryan Carr and Matt Baker also confirmed that there is no construction work being conducted on the Catlett property regarding the Water Treatment Plant.

Mr. Nienaber discussed with the Commissioners the PSC Order that was entered in Case No. 2025-00259. He stated that the Order does not immediately require the District to do anything. It only opens an investigation into where the District is on the WTP Project at this time. Mr. Nienaber stated that the Order allows Intervenors to join the proceeding. After that, the PSC and/or Intervenors can request information from the District. A detailed timeline is set out in the Order. Mr. Nienaber stated that upon receipt of the Order, he called Mr. Gerald Wuetcher, Stoll, Keenon & Ogden for comment. Mr. Wuetcher stated that he reviewed the Order and was

Bullock Pen Water District

Minutes

August 21, 2025

confused as to why the Order was entered. Mr. Wuetcher also commented that he watched the KIA Committee meeting regarding the District's request for financing. Mr. Wuetcher stated that he was somewhat surprised that the PSC Executive Director would say that the District should have filed a proceeding with the Public Service Commission to obtain a Certificate of Convenience and Public Necessity. This is extraordinary. Matt Baker of KEG commented that he believes someone informed the Executive Director that the District had started construction on the WTP Project. That is simply not accurate. Mr. Nienaber stated that he would recommend that the District engage the services of Mr. Wuetcher for representation during the new PSC proceedings. Mr. Nienaber commented on the qualifications of Mr. Wuetcher which are outstanding. Mr. Wuetcher has served as counsel with the Public Service Commission for 26 years and has been in private practice since his retirement from the Public Service Commission. A considerable discussion followed. Vice-Chair Andrea Walton inquired as to Mr. Wuetcher's fees and charges. Mr. Nienaber stated that if there are no conflicts, Mr. Wuetcher would send an engagement letter to the District for consideration. Mr. Wuetcher stated that he does provide legal representation for NKWD, Boone County Water District and BFWC. If there is no conflict there, he will work for the District on this matter. After discussion, upon motion of Rodger Bingham and second by Bryan Slaughter, it was unanimously,

“RESOLVED: that Mr. Nienaber work with Stoll, Keenon & Ogden, Mr. Gerald Wuetcher, for the purpose of securing representation during the PSC proceeding in Case #2025-000259. This engagement is subject to the District and Stoll, Keenon & Ogden agreeing upon an Engagement Letter and terms of representation.”

One of the residents requested when the next KIA Committee meeting was scheduled. That is to be determined.

The next order of business was a report by Counsel Thomas R. Nienaber as follows:

1. Mr. Nienaber reported that there have been no developments on the Garrison litigation. Superintendent Harp reported he heard a “rumor” the City of Crittenden is considering purchasing the dam property and surrounding area. He reported that the “rumor” also included the City of Crittenden was going to place a guardrail on the west side of Waller Drive thereby blocking the downhill access Easement. Superintendent Harp stated he would report on any developments in that regard. Mr. Nienaber stated he would contact the District's counsel for an update.
2. Mr. Nienaber's comments regarding the WTP Project, KIA Committee Meeting, PSC Order, Case No. 2025-00259 and Mr. Gerald Wuetcher have already been discussed.

The next order of business was a report by Kentucky Engineering Group, Inc., Mr. Ryan Carr, as follows:

Bullock Pen Water District
Minutes
August 21, 2025

1. Mr. Carr stated that everything he had to report was already discussed.

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

1. Mr. Hanson had nothing to report.

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 reported that he met with the Rod & Gun Club Officials. Everything is working out in that regard. Superintendent Harp gave an update on the Carter Chapel issue. He commented that there will need to be a road bore on that project. He is currently getting quotes from Lonkard Construction.
3. Superintendent Harp updated the Board on the Carla Court matter. He reported that the total cost of pipe is approximately \$10,000.00. The PRV and meter pit would be approximately \$10,000.00 to \$15,000.00. In any event, the situation needs to be repaired as there have been six leaks in the last few years. Superintendent Harp wants to replace the whole section of line which is approximately 175 feet. This would solve the issue. However, there is a chance that the situation could be alleviated with a smaller line replacement. Superintendent Harp will undertake that project and report at the next meeting. Superintendent Harp stated that he did install a pressure logger. He reported the pressure in the area ranged anywhere from 80 psi to 120 psi. This is not out of the ordinary.
4. Superintendent Harp stated that he has all of the documents requested in the most recent ORR from Jeff Harmon. Superintendent Harp stated that he informed Mr. Harmon that the records are available for inspection.
5. Superintendent Harp reported that the service truck replacement is underway. He quoted several prices through the state purchasing system. A one ton truck is \$58,770.00. A three quarter ton is \$57,000.00. Mr. Nienaber stated that if the truck is purchased through the state purchasing system we do not have to bid. Superintendent Harp stated that he did receive a bid through Bob Hook Chevrolet for \$56,315.00. Again, this is through the state purchasing system. After considerable discussion, upon motion of William Wethington and second by Rodger Bingham, it was unanimously,

“RESOLVED: that Superintendent Harp be and he is hereby authorized to purchase a service truck through Bob Hook Chevrolet at a cost not to exceed \$56,315.00. The purchase of this truck must be made through the state purchasing system.”

Bullock Pen Water District
Minutes
August 21, 2025

6. Superintendent Harp reported on recent issues at the Water Treatment Plant. He stated that the high service pump was down and the raw water pump is bad. The telemetry electric supply was down creating an 18 hour cessation of Water Treatment Plant operations.
7. Bryan Slaughter took a few moments to thank Superintendent Harp for his outstanding service to the District. Everyone agreed with Paul Harp's service and thanked him for his work.

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

1. Ms. Dyer reported that Jordan Covey, a new employee, has passed his Class II Operator's test. Pursuant to the District's personnel guidelines, he is entitled to a 2 ½% pay increase for each Class Level he attains, thereby warranting a total 5% pay increase. Superintendent Harp reported that Mr. Covey is working out very well. After discussion, upon motion of Bryan Slaughter and second by William Wethington, it was unanimously,

“RESOLVED: that Jordan Covey receive a 5% pay increase retroactive to August 15, 2025.”

2. Ms. Dyer reported that the District's personnel policy and employee handbook should be updated. She reported that the Kentucky League of Cities has a department that works with governmental entities in formulating their personnel policies and employee handbooks. Ms. Dyer reported that KLC will assist the District in so doing at a cost of \$5,900.00. This service includes a 4-year legal case update for both state and federal decisions. Ms. Dyer reported that the District would qualify to receive a \$1,500.00 grant, leaving the bottom line cost of \$4,400.00. Mr. Nienaber stated that KLC's services in this regard are outstanding. He highly recommended that the District engage this service. After discussion, upon motion of Bryan Slaughter and second by Rodger Bingham, it was unanimously,

“RESOLVED: that Ashley Dyer be and she is hereby authorized to engage the services of KLC, Mr. Michael Simon for the purpose of updating the District's personnel policy and employee handbook at a cost not to exceed \$4,400.00.”

3. Ms. Ruark reported that Forcht Bank was requesting the District to update its policy regarding certificates of deposit and investments in order to expedite the District's ability to purchase Certificates of Deposit. Ms. Ruark stated that currently, the Board must approve a Certificate of Deposit and then the Minutes approved at the next month's meeting. Ms. Ruark requested that the District allow her to purchase Certificates of Deposit after a first meeting in order to engage better terms and conditions. Mr. Nienaber suggested that if the District were to allow that, the signature authority must include dual signatures, one of which

Bullock Pen Water District
Minutes
August 21, 2025

must be a Commissioner. After discussion, upon motion of William Wethington and second by Bryan Slaughter, it was unanimously,

“RESOLVED: that Amy Ruark be and she is hereby authorized to initiate the purchase of certificates of deposit through Forcht Bank and that the District’s investment policy change to so reflect upon the signature of Amy Ruark and Rodger Bingham. In addition, all purchases of certificates of deposit must be approved by the full Board on a *nunc pro tunc* basis.”

4. Ms. Ruark reported that the next meeting is scheduled for September 18, 2025.

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

BULLOCK PEN WATER DISTRICT

BY: 

CHARLES GIVIN, CHAIRMAN

ATTEST:



WILLIAM WETHINGTON, SECRETARY