

Bullock Pen Water District
Minutes
October 23, 2025

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

The October 2025 meeting of the Bullock Pen Water District was called to order on October 23, 2025, at the hour of 1:00 p.m. Those in attendance were Superintendent Paul Harp, Chairman Charles Givin, Commissioners Bryan Slaughter, William Wethington, Andrea Walton, and Rodger Bingham. Also present were Counsel Thomas R. Nienaber, Amy Ruark, Ashley Dyer, Kentucky Engineering Group, Mr. Ryan Carr, and HMB Professional Engineers, Inc., Mr. Benton Hanson.

The first order of business was a presentation by Senator Gex Williams. Senator Williams reported that he met with NKADD and KIA to discuss the issue of water service regionalization. He reported that there is currently a statewide initiative for establishing regional water supplies. He indicated that Georgetown is currently in a situation where they do not have a reliable water source. Senator Williams stated that this is emblematic of the regionalization issue. Scott County in general needs a water source very badly. Scott County has considered getting water from Louisville or Northern Kentucky. Senator Williams is going to investigate the possibility of bringing water from the Ohio River to the general Scott County area. Senator Williams requested that the District talk to Georgetown about regionalization. He also stated that multi AD Districts are cooperating to bring about regionalization of water supplies. He stated that the Kentucky River may not serve as an adequate water source for Scott County's future needs. Senator Williams strongly suggested that the District investigate regionalization. Chairman Givin reported that the possibility of bringing water supply to the Scott County area from the Ohio River would take years and years. The District's water situation is dire in that the current Water Treatment Plant is in serious need of replacement. The District does not have decades to wait for a water line from the Ohio River to Scott County.

The next order of business was a presentation by Mr. Jonathon Johnson, 433 Eagle Creek Drive, Dry Ridge, KY, 41035. Superintendent Harp reported that Mr. Johnson and his next door neighbor's meters were inadvertently switched during a recent meter replacement project. As a result, Mr. Johnson received the neighbor's water bill, and the neighbor was receiving Mr. Johnson's water bill. Mr. Johnson was underbilled for a period of approximately 12 months. Amy Ruark reported that the additional water billing based on average water uses would be approximately \$537.00. Chairman Givin stated that the District would accept a payment plan. Commissioner Walton inquired as to whether or not the District could give Mr. Johnson a wholesale water rate. Mr. Johnson did report that he had a water leak of approximately 19,000 gallons which would have cost approximately \$180.00. Commissioner Bingham stated that he would agree to use a wholesale water rate for the water which leaked. A similar adjustment can be made for sewer bills. Mr. Johnson stated that he could only pay an additional \$25.00 per month until the \$537.00 deficiency is paid in full. Mr. Johnson agreed to pay the \$25.00 per month towards the deficiency, plus his normal monthly water bill.

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

“RESOLVED: that the September 2025 Minutes be approved as amended.”

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

“RESOLVED: the September 2025 Warrants and Profit and Loss Statement 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 a Motion to schedule a court date in the Garrison Litigation is scheduled for October 29, 2025, at 1:00 p.m. Hopefully, the Judge will schedule a trial. Mr. Nienaber gave a brief status of where the Garrison Litigation now stands. He reported that in a conversation with Michelle Cheek (insurance company appointed counsel for the District), she stated she had discussions with Brandon Voelker, City of Crittenden Attorney. Mr. Voelker claimed that he had little knowledge of the litigation and would get with his client, City of Crittenden, to see if there was any way to resolve the case. Mr. Nienaber reported that unless there is a trial date, this matter will never be resolved. Mr. Nienaber stated that he would report at the next meeting.
2. Mr. Nienaber reported on the status of the current PSC proceeding. Mr. Nienaber reviewed with the Board the Scheduling Order entered by the PSC (“attached”). Mr. Nienaber reported that Mr. Wuetcher and Superintendent Harp complied with the PSC’s request for information. Those documents and related information were submitted to the PSC last week. Commissioner Walton inquired as to when the matter may be resolved. Mr. Nienaber reviewed with the Board the PSC Scheduling Order. Based on the Scheduling Order, it would be difficult to provide an exact date when the PSC would enter a Final Order. He reported that the City of Crittenden’s Motion to Intervene was rejected by the PSC. At this time, Mr. Nienaber knows of no other entities or individuals who intervened in the proceeding. There is a possibility that the PSC could request additional information from the District. If history is any indication, the PSC will probably ask for more information. Commissioner Walton inquired as to whether or not there would be a formal hearing. Mr. Nienaber reported that it is up to the PSC. It is doubtful that anyone will request a formal public hearing. Otherwise, the PSC generally reviews the matter based upon the written Record and information provided to the PSC by the District. The deadline for requesting a public hearing is January 7, 2026. After that time, it is up to the PSC to enter a Final Order. Mr. Nienaber opined that the PSC

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will not take any adverse action against the District. In Mr. Nienaber's opinion, the PSC was provided inaccurate information which suggested that the District had started construction on the new Water Treatment Plant without obtaining a Certificate of Public Convenience. It is unknown how, when, or where the PSC obtained this information. In Mr. Nienaber's opinion, that inaccurate information is what triggered this proceeding.

3. Mr. Nienaber referred the Board to the invoice submitted by Stoll Keenon & Ogden.
4. Mr. Nienaber reported that Robert Miller's Financial Analysis is still in its preliminary stage. However, it is nearing completion. Last week Mr. Miller requested additional information from Superintendent Harp which was immediately provided. Mr. Nienaber spoke with Mr. Miller about the Financial Analysis. He stated that it would probably be complete in the very near future. With that said, Chairman Givin suggested that we schedule a hearing at a regular meeting which would allow the Financial Analysis (when complete) to be released to the public. Commissioner Wethington requested if he could receive a copy of the preliminary draft before it is released to the public and discussed at a public meeting. Mr. Nienaber stated that once Robert Miller completes his final draft, a copy would be provided to the Commissioners. Mr. Nienaber did caution everyone that the Financial Analysis should not be disclosed to the public until it is presented at a public meeting.
5. Mr. Nienaber reported on the KRWA Rate Sufficiency Analysis for water rates. Commissioner Wethington inquired as to what that survey meant. Mr. Nienaber reported that as a part of Robert Miller's Financial Analysis and COSS Study, a water rate sufficiency analysis would also be conducted. This survey is simply a "snapshot" in time which takes an overall view of the District's current rates and the ability to meet expenses and obligations under that current rate schedule. Mr. Nienaber reported that the completed survey provided to all Commissioners concluded, at this time, the District does not need a rate increase. The survey indicates that the District is more than capable of meeting its obligations under its current rate schedule.
6. Mr. Nienaber inquired as to the status of the Sherman Mobile Home Park water issue. Superintendent Harp reported that the trees have been removed by the mobile home park owner at the owner's expense. Superintendent Harp reported that one of the main leaks was repaired once the trees were removed. Work will continue.
7. Mr. Nienaber reported on the Woo Park Open Records Request ("ORR"). Mr. Nienaber advised that on or about October 5, 2025, Mr. Park submitted a request for a significant amount of information and data relating to the District's operations. That ORR was forwarded by Ms. Dyer to counsel for review. After review, it was determined that the ORR submitted by Mr. Park was not compliant with the statutes. Based on that determination, Mr. Park was advised to complete the ORR form which is on the District's website. A second ORR was forwarded to the District by Mr. Park. Mr. Nienaber reviewed that second ORR and determined that it too was noncompliant with the statutes.

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On October 10, 2025, Mr. Nienaber informed Mr. Park in writing (attached) that the ORR was not compliant with the statutes. Once a compliant ORR is received from Mr. Park, the District will respond accordingly.

8. Mr. Nienaber inquired as to the status of the Beverly Drive water issue. Superintendent Harp reported that a customer residing on Beverly Drive is having water issues in their basement. The homeowner requested a check by the District to see if it was water from the District or coming from some other source. Superintendent Harp personally inspected the situation and determined that the water issue is not from the District's water lines.

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

1. Mr. Carr reported that KEG is currently working on the structural engineering design portion for the new WTP.
2. Mr. Carr confirmed that he agreed with Mr. Nienaber's report regarding the water treatment project as outlined above.
3. Commissioner Slaughter inquired as to whether or not the delays in the Water Treatment Plant Project are going to create additional cost. Mr. Carr stated that given the additional time and delays, there probably will be additional increases in construction costs and the like.
4. KEG submitted an invoice for engineering services to date as attached. After discussion, upon motion of Rodger Bingham and second by Andrea Walton, it was unanimously,

“RESOLVED: that the District be and the same is hereby authorized to pay KEG's invoice for engineering services as attached.”

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

1. Mr. Hanson stated that he has nothing new to report.

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

1. Superintendent Harp reviewed with the Board his monthly Superintendent Report as attached.
2. Superintendent Harp reported that most of the Jillian Drive Project has been repaired.

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3. Superintendent Harp reported that the Carla Court water line replacement project should be completed within the next week or so.
4. Commissioner Slaughter inquired as to whether or not there are still pressure variations in that area. Superintendent Harp reported that there are pressure variances anywhere from 120 lbs. to 70 lbs. It is this constant fluctuation in water pressure that causes vibrations in the line, and which can lead to probable leaks.
5. Commissioner Slaughter handed out water testing meters to the Board.

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

1. Ms. Dyer reported that the RFP for a new auditing firm will be published next week. The deadline for filing responses is November 28, 2025. A final decision would be made by the District no later than December 31, 2025. Ms. Dyer reported that the RFP will be published in the *Cincinnati Enquirer*, *Louisville Courier Journal*, and *Lexington Herald Leader*.
2. Ms. Ruark reported that the next meeting is scheduled for November 20, 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:



ANDREA WALTON, VICE CHAIRMAN