

Bullock Pen Water District
Minutes
February 26, 2026

**MINUTES OF THE
BULLOCK PEN WATER DISTRICT
FEBRUARY 2026 MEETING**

The February 2026 meeting of the Bullock Pen Water District was called to order on February 26, 2026, at the hour of 1:00 p.m., at the Bullock Pen Water District Headquarters, 1 Farrell Drive, Crittenden, Kentucky 41030. Those in attendance were Superintendent Paul Harp, Chairman Charles Givin, Commissioners Bryan Slaughter, Andrea Walton, William Wethington and Rodger Bingham. Also present were Counsel Thomas R. Nienaber, Amy Ruark, and Ashley Dyer. Representatives from Kentucky Engineering Group were absent. Representatives from HMB Professional Engineers, Inc., were also absent. In attendance at the meeting were Grant County Judge Executive Chuck Dills and those individuals on the attached Visitor List.

The first order of business was a review of the January 2026 Minutes. After discussion, upon motion of Bryan Slaughter and second by Rodger Bingham, it was unanimously,

“RESOLVED: that the January 2026 Minutes be approved as attached.”

The next order of business was a review of the January 2026 Profit and Loss Statement and Warrants as attached. After discussion, upon motion of Andrea Walton and second by Bryan Slaughter, it was unanimously,

“RESOLVED: the January 2026 Warrants and Profit and Loss Statement be and the same are hereby approved as attached.”

Commissioner Bingham inquired into the charges of \$18,000.00 from Robert Miller. Mr. Nienaber stated that \$18,000.00 is within the cost estimate initially submitted by Robert Miller.

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

1. Mr. Nienaber stated that there has not been any activity in the current Public Service Commission case. Commissioner Slaughter inquired as to when the PSC would make a determination in the case. Mr. Nienaber stated that the case is deemed submitted to the PSC for final action. There have been no requests for Public Hearings. No additional parties have attempted intervention. The District has complied with all document requests of the PSC. Accordingly, the matter is now in the hands of the PSC to enter a final ruling. Mr. Nienaber could not speculate as to when that may occur.
2. Mr. Nienaber indicated that the District should take final action on Robert Miller’s Financial Analysis. Chairman Givin stated that it is time for the District to finalize the Report. Commissioner Slaughter inquired as to what the future is going to be since Mr.

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Miller has obtained a new position with KRWA. Robert Miller indicated that he is going to continue to assist the District with his Financial Analysis and will entertain any types of questions. One of Mr. Miller's associates is going to take over primary responsibility for the Financial Analysis. Superintendent Harp indicated that if the District takes final action on the Report, this will not prevent future amendments. Superintendent Harp reported that at this time the Report accurately reflects the Financial Analysis based upon the facts submitted to Mr. Miller. Commissioner Wethington stated that there were a number of items raised over the last month. He opined as to whether or not the District should discuss those at this time. Mr. Nienaber stated that based upon the inquiries submitted to Robert Miller, responses were given in writing. Commissioner Wethington stated that those responses were "noncommittal". That is correct, stated Mr. Nienaber. Mr. Nienaber emphasized that taking final action on the Report at this time will not prevent future review, modifications, and changes based upon new information and new scenarios submitted to Mr. Miller for consideration. Chairman Givin stated that it is time for the District to accept the Report as submitted. After considerable discussion, upon motion of Bryan Slaughter and second by Rodger Bingham, it was unanimously,

"RESOLVED: that the District accepts the Financial Analysis Report submitted by Mr. Robert Miller through KRWA and dated December 2025."

3. Mr. Nienaber reported that he had a phone conversation with Mr. Gerald Wuetcher regarding issues relating to Senator Williams. This conversation was the result of Senator Williams most recent letter dated February 20, 2026 (attached). Chairman Givin and Mr. Nienaber both commented that there are inaccuracies contained in Senator Williams' letter which need to be addressed. Mr. Nienaber stated in his conversation with Mr. Wuetcher, the issue was raised as to whether or not the District should submit a formal Open Records Request to Senator Williams office to obtain information which Senator Williams used in preparing his February 20, 2026 letter and previous editorials. Mr. Nienaber reported that Gerald Wuetcher does not believe that a formal Open Records Request would be appropriate at this time. Rather, Mr. Wuetcher will prepare a letter to Senator Williams' office requesting information. Mr. Nienaber stated that he discussed with Mr. Wuetcher the fact that the District needs to formulate a formal Response to Senator Williams' letter and previous editorials which contain misstatements of fact. Mr. Nienaber stated that he recommended to Mr. Wuetcher that the District make a list of the statements which Senator Williams has previously made. The District should then prepare documentation to respond to the accuracy/inaccuracy of those statements. Chairman Givin suggested that the District form a committee to address Senator Williams' letter and previous editorials. This committee should have the primary goal of preparing a response with documentation to Senator Williams' comments. Chairman Givin opened the floor for committee nominees. Commissioner Wethington said he would serve. After discussion, Chairman Givin recommended that the committee consist of Commissioner Wethington, Superintendent Harp, Chairman Givin, and counsel Thomas R. Nienaber. The primary goals of the committee were discussed. After

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discussion, upon motion of Rodger Bingham and second by Bryan Slaughter, it was unanimously,

“RESOLVED: that the District form a Committee consisting of Chairman Givin, Commissioner Wethington, Superintendent Harp, Amy Ruark and Counsel Thomas R. Nienaber to respond to Senator Williams February 20, 2026 letter and editorials. The primary goal of the committee is to address statements made by Senator Williams in news articles and letters and to respond to those statements which the District takes exception. The Committee is directed to address those items and issues set forth in the attached WTP Committee Meeting Outline (attached) consisting of 3 pages.”

4. Mr. Nienaber reported that he has not heard anything new from Boone County regarding the Katie Drive easements.
5. Mr. Nienaber reported that he has heard from Napoli & Shkolnik requesting the District to adopt a new PFAS testing plant. Mr. Nienaber inquired of Superintendent Harp as to the cost of PFAS testing and whether or not that testing requires a great deal of demand from District manpower. Superintendent Harp reported that currently the Division of Water (“DOW”) has a required testing schedule. The District is only conducting that testing as required by DOW. Mr. Nienaber stated that with respect to the PFAS litigation, the District has not been able to establish any direct cost which the District has incurred due to PFAS elements in District water processing. As such, the District would probably not be entitled to any recovery through the litigation currently pending. Mr. Nienaber stated that the only costs which the District may incur in the future with respect to PFAS is the cost associated with the new filtration system to be installed in the WTP Plant. The District is only allowed to recover monies through the PFAS litigation after those costs and expenses are incurred. A considerable discussion followed. After discussion, upon motion of William Wethington and second by Andrea Walton, it was unanimously,

“RESOLVED: that the District not adopt any additional PFAS testing schedules other than that required by DOW.”

6. Mr. Nienaber reviewed with the Board his response to the GoGov Agreement. Ms. Ruark submitted a response by GoGov.com’s attorney. Mr. Nienaber reviewed his comments as contained in his attached letter dated January 29, 2026. GoGov.com stated that they did not want to expose the Company to liability for negligence since the Company’s annual contract is only approximately \$4,000.00. Mr. Nienaber emphasized that if GoGov was negligent and the District was sued, GoGov.com’s maximum liability would only be one-half of its annual payment. Mr. Nienaber stated that restriction on liability is tantamount to no liability exposure at all. Commissioner Wethington stated

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that the District does have Cyber Security Insurance which would probably cover any liability in that regard. After considerable discussion, Mr. Nienaber was directed to contact GoGov.com's counsel to negotiate terms for the proposed Agreement. Mr. Nienaber was directed to submit to all Commissioners the results of his discussions.

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 has contacted HMB Professional Engineers, Inc., for an update on Mr. Hanson. Superintendent Harp reported that Benton is doing well under the circumstances.
3. Superintendent Harp reported that the KYTC KY467 Project should begin in 2-4 weeks.
4. Superintendent Harp reported that he has discovered that IMI Concrete in Dry Ridge, Kentucky was underbilled for the last year. The underbilling includes approximately 2,000,000 gallons of water that was not charged to IMI. Superintendent Harp reported that he would contact IMI Concrete to establish a repayment plan. If IMI Concrete is unwilling to reimburse the District for unbilled water service, IMI Concrete is directed to attend the next meeting.
5. Superintendent Harp reported that there are approximately 5 older pressure pits in the District's systems, 3 of which need replacement and/or major repair immediately. Superintendent Harp reported that he would obtain estimates for these projects and report at the next meeting.
6. Superintendent Harp reported that there is a waterline on Gun Club Road, Crittenden, Kentucky, that continues to incur severe leaks. The line was installed by a customer years ago. Since there is tractor trailer traffic over this line, it is damaged on a rather frequent basis. Superintendent Harp will investigate the situation and report at the next meeting.
7. Superintendent Harp distributed water loss reports as attached. He requested the Board to review those reports for discussion at the next meeting.
8. Superintendent Harp reported that Pendleton County Water District is preparing an Emergency Response Plan for Pendleton County. Superintendent Harp reported that he would participate in that process and report at the next meeting.

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

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1. Ms. Dyer prepared the attached "Management Agreement Calculation Comparison". She reported that every year, the District reviews the monthly service charge which the District charges Grant County Sanitary Sewer District for services under the Management Agreement. Ms. Dyer reported that this year's calculations would reflect that the monthly management fee should be reduced by \$48.00 from \$20,522.00 to \$20,474.00 per month. After discussion, upon motion of Bryan Slaughter and second by William Wethington, it was unanimously,

"RESOLVED: that the District enter into a revised Management Agreement with the Grant County Sanitary Sewer District establishing the monthly service charge at \$20,474.00 per month. All other terms, conditions, and covenants set forth in the previous Management Agreement shall remain the same. Mr. Nienaber is hereby directed to revise the Management Agreement and submit same to the Public Service Commission for review and approval. Chairman Givin is hereby authorized to execute the revised Management Agreement on behalf of the District."

2. Ms. Dyer reminded the Board of the upcoming PSC training and the NKWD training conducted by Stoll, Keenon & Park, Mr. Gerald Wuetcher on April 29, 2026.
3. Ms. Ruark reported that there are 2 CDs at Forcht Bank that are up for automatic renewal. Those have been renewed at 5 months, with an APY yield of 3.55%.
4. Due to conflicts, the next meeting is scheduled for March 18, 2026.

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