

**MINUTES OF THE
HARDIN COUNTY WATER DISTRICT NO. 2
BOARD OF COMMISSIONERS' MEETING**

March 17, 2020

The Board of Commissioners of Hardin County Water District No. 2 held its regular monthly meeting on March 17, 2020 at 4:00 p.m. at the Reesor Customer Service Center, 360 Ring Road, Elizabethtown, Kentucky. Present were Commissioners Mike Bell, Tim Davis, John Effinger, Morris L. Miller, and Cordell Tabb. Also present were Amber Pike, Shaun Youravich, Damon Talley, Vaughn Williams, and Brian Woosley. Chairman Bell declared that a quorum was present and called the meeting to order.

VISITORS

There were no visitors.

MINUTES & FINANCIAL REPORT

The Minutes of the February 18, 2020 Board meeting were reviewed. Motion was made by Commissioner Miller and seconded by Commissioner Effinger to approve the Minutes as prepared. Motion carried unanimously.

The Financial Report for the month of February was reviewed. Motion was made by Commissioner Davis and seconded by Commissioner Tabb to accept the Financial Report as presented and to authorize payment of the bills that are due and payable at this time. Motion carried unanimously. The Commissioners also reviewed the status of the District's various investment accounts and the long-term debt payment requirements.

REPORTS

- 1. Engineering Reports.** Vaughn Williams presented the engineering report for water. Shaun Youravich presented the engineering report for wastewater.

A. Engineering Report – Wastewater. Shaun Youravich presented a status report on the Nolin River Watershed Wastewater Project. Strand

Associates has recommended making the final payment of \$25,000.00 on Contract 4 (**See New Business, Item 1 for Board Action**).

2. **Engineering Reports – Water.** Vaughn Williams with Kenvirons reported that construction bids for the proposed City Springs Raw Water Intake Project were opened on March 17, 2020. (**See Old Business, Item 2 for Board Action**).
3. **Departmental Reports.** Shaun Youravich and Amber Pike presented the Departmental Reports.

OLD BUSINESS

1. **Design-Build Services.** Chairman Bell and Damon Talley reported on the status of the formal Design-Build Contract with Jenkins-Essex. Chairman Bell also reported that design of the New Customer Service Center is now moving forward in a positive manner.

2. **City Springs WTP Improvements Project.** The Commissioners reviewed the Bid Tabulation prepared by Kenvirons. Motion was made by Commissioner Effinger and seconded by Commissioner Miller to take the following actions:

- a) To declare the bid submitted by Herrick Company, Inc. in the amount of \$1,498,000 to be the lowest and best bid for Contract 1;
- b) To award Contract 1 to Herrick Company, Inc. contingent upon obtaining a favorable Engineer's Recommendation of Award Letter from Kenvirons (the letter was obtained on March 20, 2020);
- c) To accept the proposal from MicroComm for the SCADA improvements;
- d) To authorize Chairman Bell to execute the Notice of Award, Agreement, and other Contract documents; and

- e) To authorize Shaun Youravich to execute the acceptance of the MicroComm Proposal and any other contract documents if Chairman Bell is unavailable to sign them.

Motion carried unanimously.

3. Downtown Tank Project. Chairman Bell and Shaun Youravich reported that the Elizabethtown Board of Education had accepted the District's Proposal to construct a water storage tank on the Elizabethtown High School Campus. By consensus, the Board authorized District Staff and Kenvirons to proceed with obtaining a geotechnical evaluation of the proposed tank site.

NEW BUSINESS

1. Nolin Wastewater Project – Contract 4. Upon recommendation of Strand Associates and District Staff, motion was made by Commissioner Tabb and seconded by Commissioner Miller to authorize final payment to Twin States pursuant to the terms of Contract 4 of the Nolin Wastewater Project. The final payment amount is \$25,000. Motion carried unanimously.

2. 2019 Audit. Brian Woosley of Heartland CPAs and Advisors, PLLC (formerly Stiles, Carter & Associates, PSC), the accounting firm which prepared the District's Audit, presented the Audit Report for the 2019 calendar year. The Audit Report contains an unmodified ("clean") opinion. Motion was made by Commissioner Tabb and seconded by Commissioner Davis to accept the 2019 Audit Report. Motion carried unanimously.

3. Reimbursement Resolution. Motion was made by Commissioner Effinger and seconded by Commissioner Miller to adopt Resolution No. 2020-03-01, which is a Reimbursement Resolution. Motion carried unanimously. (See attached Resolution).

4. Bond Counsel. Upon recommendation of Damon Talley, motion was made by Commissioner Miller and seconded by Commissioner Tabb to engage the services of Mark S. Franklin, with Dinsmore & Shohl, LLP, to serve as the District's Bond Counsel and to authorize Chairman Bell to execute an engagement letter with this firm. Motion carried unanimously.

5. Sewer O & M Agreement. Upon recommendation of District Staff, motion was made by Commissioner Davis and seconded by Commissioner Tabb to take the following actions: (a) to approve the proposed O & M Agreement whereby

the District's Water Division will operate, manage, and maintain the District's Sewer Division; (b) to authorize Chairman Bell to execute the O & M Agreement on behalf of the District's Sewer Division; and (c) to authorize Morris L. Miller, Treasurer, to execute the O & M Agreement on behalf of the District's Water Division. Motion carried unanimously.

6. Surplus Equipment. Upon recommendation of District Staff, motion was made by Commissioner Tabb and seconded by Commissioner Miller to declare the District's 2008 Case M, Series 2 4WD Backhoe as surplus and to authorize District Staff to advertise it for sale via a sealed bid process. Motion carried unanimously.

7. Sewer Connection Extension of Time. Upon recommendation of District Staff, motion was made by Commissioner Davis and seconded by Commissioner Tabb to extend the deadline for prospective customers to connect to the sewer system until May 31, 2020 without having to pay the Capacity Fee. Motion carried unanimously.

8. COVID-19 Discussion. It was noted that District Staff has already implemented the PSC Order issued on March 16, 2020 in Case No. 2020-085 regarding the COVID-19 Emergency. The Commissioners and Management Staff also discussed other measures to protect the health of its employees.

9. Executive Session. Motion was made by Commissioner Tabb and seconded by Commissioner Davis to go into Executive Session to discuss real property acquisition and sale, potential litigation, and personnel matters involving one or more specific employees. Motion carried unanimously.

*** * * EXECUTIVE SESSION DISCUSSION * * ***

Motion was made by Commissioner Tabb and seconded by Commissioner Davis to return to open session. Motion carried unanimously. Chairman Bell announced that it would be necessary to take action concerning one of the matters discussed in Executive Session.

10. Sale of 360 Ring Road Property. Motion was made by Commissioner Tabb and seconded by Commissioner Effinger to approve the revised Contract of Sale between the District and KU concerning the sale of the District's existing Customer Service Center located at 360 Ring Road and to authorize Chairman Bell to execute the Contract. Motion carried unanimously.

ADJOURNMENT

There being no further business to come before the meeting, motion was made by Commissioner Davis and seconded by Commissioner Tabb to adjourn the meeting. Motion carried unanimously.

HARDIN COUNTY WATER DISTRICT NO. 2

BY: _____
Morris L. Miller, Secretary

Date Approved: _____

BY: _____
Michael L. Bell, Chairman

RESOLUTION NO. 2020-04-01

**RESOLUTION OF HARDIN COUNTY WATER
DISTRICT NO. 2 REAFFIRMING ITS REGULAR
MEETING SCHEDULE AND AUTHORIZING FUTURE
MEETINGS TO BE CONDUCTED VIA VIDEO
TELECONFERENCE.**

WHEREAS, Hardin County Water District No. 2 (the “District”) is a water district organized pursuant to KRS Chapter 74;

WHEREAS, the District is a public agency within the meaning of Kentucky’s Open Meetings Act (KRS 61.800 through KRS 61.850);

WHEREAS, KRS 61.826 provides that any public agency may choose to conduct any meeting through video teleconference; and

WHEREAS, the District desires to avail itself of the provisions of KRS 61.826.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE HARDIN COUNTY WATER DISTRICT NO. 2 AS FOLLOWS:

Section 1. The facts, recitals, and statements contained in the foregoing preamble of this Resolution are true and correct and are hereby affirmed and incorporated as a part of this Resolution.

Section 2. The District reaffirms its regular meeting schedule, as provided by KRS 61.820, whereby its regular meetings shall be held on the third Tuesday of each month at 4:00 pm, local time, at the Hardin County Water District No. 2 Office, 360 Ring Road, Elizabethtown, Kentucky 42701.

Section 3. Pursuant to KRS 61.826, the District may conduct any meeting, regular or special, through video teleconference.

Section 4. The primary location of the video teleconference for all regular meetings shall be the Hardin County Water District No. 2 Office, which is located at 360 Ring Road, Elizabethtown, Kentucky 42701. By attending the primary location of any regular meeting conducted by video teleconference, any member of the public will be able to see and hear each member of the District's Board of Commissioners either in person or via video teleconference.

Section 5. The District's Management Staff is hereby directed to notify the public and all media outlets, which have requested to be notified of special meetings or changes in the District's regular meeting schedule, that future meetings of the District may be conducted through video teleconference.

Section 6. This Resolution shall take effect upon its adoption.

Adopted by the Board of Commissioners of the Hardin County Water District No. 2 at a meeting held on April 21, 2020, signed by the Chairman, and attested by the Secretary.

HARDIN COUNTY WATER DISTRICT NO. 2

BY: _____
Michael L. Bell, Chairman

ATTEST:

Morris L. Miller, Secretary

CERTIFICATION

I, Morris L. Miller, Secretary of the Board of Commissioners of the Hardin County Water District No. 2, do hereby certify that I have the care, custody and control of the official records of said District; that the above and foregoing Resolution is a true and correct copy of the Resolution which was adopted by the Board of Commissioners of said District on April 21, 2020 at a regular meeting; that said Resolution has been duly recorded in the minute book of the District; and that said Resolution is now in full force and effect.

This 21st day of April, 2020.

HARDIN COUNTY WATER DISTRICT NO. 2

BY: _____

Morris L. Miller, Secretary