

Hardin County Regional Wastewater Facilities Plan
Advisory Committee Meeting No. 1 Minutes
January 28, 2005, 1:30 P.M.

Present	Title	Representing	Phone
Harry Berry	Judge Executive	Hardin County Fiscal Court	(270) 765-2350
Brenda Lowe	Attorney	KY Environmental Cabinet	(502) 564-5576
Sharon Vriesenga	Attorney	KY Environmental Cabinet	(502) 564-5576
Bill Chlebowy	Supervisor	KY Division of Water	(502) 564-3410, Ext. 460
Barry DeWitt	General Manager	HCWD No. 2	(270) 737-1056, Ext.303
Cordell Tabb	Commissioner	HCWD No. 2	(270) 765-4308
John Effinger	Commissioner	HCWD No. 2	(270) 737-3352
Coleman Grady	Commissioner	HCWD No. 2	(270) 737-8457
Garland Carter	Commissioner	HCWD No. 2	(270) 369-8695
Kevin Thomas	Distribution Manager	HCWD No. 2	(270) 737-1056
Scott Clark	Administration Mgr.	HCWD No. 2	(270) 737-1056
Shawn Youravich	Plant Manager	HCWD No. 2	(270) 862-3213
Damon Talley	Attorney	HCWD No. 2 Attorney	(270) 358-3187
Jim Bruce	General Manager	HCWD No. 1	(270) 351-3222
Charlie Bryant	City Executive Asst.	City of Elizabethtown	(270) 765-2910
Sheila Enyart	Mayor	City of Radcliff	(270) 351-4714
Julia Thurman	Utility Director	City of Radcliff	(270) 351-6466
J.R. Cardin	Master Planner	Fort Knox	(502) 624-7714
Mark Sneve	Project Manager	Strand Associates, Inc.	(502) 583-7020, Ext. 108

This was the first meeting of the Advisory Committee assembled to provide input into the development of the Hardin County Regional Wastewater Facilities Plan.

1. Introductions

Attendees introduced themselves and cited their interest in the development of the plan.

2. Project Goals and Objectives

The following goals and objectives were shared by the Advisory Committee:

- Address the long-term sewer service needs of the county as a whole,
- Cooperate between entities,
- Protect public health and safety through efficient wastewater management,
- Accommodate continued growth while providing effective wastewater management,
- Address inadequate on-site wastewater disposal systems,
- Develop a plan that establishes how to provide sewer service, prioritize projects, and identify funding mechanisms,



- Define which entities would provide sewer service,
- Provide uniform approach to providing sewer service to those without, including potentially uniform funding,
- Utilize existing infrastructure (sewers, pump stations, and WWTPs) to extent possible,
- Define the impacts of new customers on existing infrastructure,
- Identify the legal relationship between the entities,
- Establish how the entities will work together (billing, etc),
- Prepare a plan that will achieve KDOW approval and open up doors for funding projects,
- Avoid the need for cities with WWTPs to duplicate planning efforts,
- Address needs and development issues,
- Address areas of greatest need first (ex. Airview),

3. Project Team

HCWD#2 is the lead entity and will work with the County Judge Executive and the Advisory Committee in preparing the plan. The Advisory Committee will participate in the development of the plan. Mark Sneve presented an organizational chart listing those from Strand Associates that will be involved.

4. Planning and Legal Advice from KDOW

KDOW encourages regionalization. Regionalization can take many forms, from one county-wide agency to multiple entities working together to make wastewater treatment most efficient. KDOW considers this study an effort toward regionalization. If the plan demonstrates it is most advantageous to have more treatment plants in the county versus fewer treatment plants, KDOW would accept the study. KDOW suggested there are advantages to having fewer treatment plants when considering compliance with future regulatory requirements. KDOW expects any new treatment plants to be owned and operated by a responsible entity.

KDOW and EPPC representatives indicated that the County is on the right track, especially by bringing the Advisory Committee together to help in developing the plan.

KDOW prefers a single county sewerage entity where possible, as done in Owensboro, Louisville, and Paducah. KDOW acknowledged this is not the best solution for all.

How the various entities in Hardin County choose to work together has to be established. There are various ways to create sewerage utilities.

Brenda Lowe presented some information on creation of a Sanitation District (KRS 220 or KRS 67) and a Joint Sewer Authority (JSA (KRS 76)).



A Sanitation District (SD) formed under KRS 67 is quite easy. The Fiscal Court would assign a board to oversee the district and the county would maintain authority to establish fees and rights of way. An interlocal agreement will be required between the cities and County SD. Frankfort and Franklin County formed their district similarly. Even if the SD is formed under KRS 67, the operation of the SD is governed by KRS 220.

A sanitation district formed under KRS 220 is harder because a petition showing 60% in favor of the formation of the sanitation district is required. KRS 220 is an older statute and the authority to regulate is well defined. KDOW approval of the entity is required only if the entity is formed under KRS 220.

Forming a Joint Sewer Authority (JSA) is accomplished under KRS 76.232. The JSA identifies how they want to govern and this is very flexible. In forming a JSA, different political entities come together by adopting the same ordinance by all entities. Only cities and counties can participate. KRS 76 is a newer regulation and the authority to regulate is much broader.

Important considerations for either a SD or JSA include bonding authority, rate making authority, establishment of construction districts (for establishing fees that vary by location), and condemnation powers.

Regardless of the KRS chapter the entity is formed under, KDOW is responsible for granting the authority to construct (plan review/approval process).

A question was raised about any Public Service Commission (PSC) authority over rates for a SD. The courts have determined that PSC does not have jurisdiction over SDs. Rates for SDs would be set by the Fiscal Court. The courts have not yet determined if PSC has jurisdiction over JSAs. If the sewer service was provided by a WD, all believed that PSC would then have authority over rates.

If Fort Knox were to be included in the SD or JSA, KRS 273 and KRS 53 would apply since the Federal Government would be involved. No one present thought this would apply since Ft. Knox is privatizing their utility.

KDOW thought it may be difficult to have multiple sanitation districts within one county.

Water Districts could operate sewer utilities without necessarily becoming a Sanitation District. In the event the WDs operate sewer utilities, interlocal agreements (or contracts) would be required between the WD and any city or other entity involved.

It appears for Hardin County, the following options are available:

1. Form one County-wide Joint Sewer Authority (cities would lose their utilities) (KRS 76).



2. Cities remain in the wastewater business while a single county Sanitation District handles all wastewater service outside city boundaries (KRS 67/220, Interlocal Agreements).
3. Cities remain in the wastewater business while a multiple county Sanitation District handles all wastewater service outside city boundaries (KRS 67/220, Interlocal Agreements).
4. Cities remain in the wastewater business while a multiple county Water District handles all wastewater service outside city boundaries (Interlocal Agreements).

A new wastewater management entity with more than 5,000 LF of collection and conveyance infrastructure will be issued a KIMOP permit (Kentucky Inter-Municipal Operating Permit). KIMOP permits are similar to NPDES permits. If a City accepts wastewater from another entity, issues such as managing infiltration and inflow must be worked out between the entities in the contract.

The question arose about the creation of the facilities plan also including working out the relationship between the entities. Mark Sneve indicated that in order for the RFP to be complete and approvable, the cooperative relationship between the entities must be established. The details of interlocal agreements are beyond the study and can be worked out after completion.

Funding of future projects is a consideration in the facilities plan. If any congressional appropriations are sought, the environmental considerations must go through review by USEPA Region 4. This process can take some time, so it is best to defer these projects to the 3-10 year time frame. KDOW recommended all procurement follow the guidelines established by the SRF program. "Regional" plans do qualify for more grant monies and also a lower interest rate through the SRF program.

KDOW recommended a county-wide mandatory hook-up ordinance. The ordinance would require properties to connect to the sewer system when it becomes available. There can be a 'grandfather' clause included for structures with recently constructed septic systems. Cooperation from the County Health Department is very important.

While not part of this study, KDOW recommended that the cities and county consider uniform stormwater regulations too.

5. Components of a Regional Wastewater Facilities Plan

Mark Sneve reviewed the components of an RFP. They are summarized in the facilities plan checklist included in Issue Paper No. 1.

6. Understanding Planning Areas

Mark Sneve reviewed several slides from the PowerPoint presentation that discussed planning areas. Defining the planning area will be the subject of the next Advisory Committee meeting.



If any of the existing planning area boundaries are adjusted, a resolution from that entity accepting the adjustment must be obtained.

KDOW recommends contiguous planning areas.

7. Locations of Existing Wastewater Treatment Plants

Mark Sneve reviewed a figure showing the location of WWTPs according to KDOW records. Several corrections to the locations were offered (rest area WWTPs will be abandoned in the future when the rest areas are relocated; HC Board of Education is now being served by Radcliff; another plant in the vicinity of Glendale was not shown; and the Fort Knox WWTP location was not available). The figure showing the locations of the plants will be corrected and distributed at the next meeting.

8. Concerns in the County

These will be discussed in the next meeting. All were encouraged to identify areas of concern for the next meeting.

9. Communication Plan and Project Schedule

Mark Sneve reviewed the project schedule given to the participants. The schedule calls for Advisory Committee meetings to be held on a monthly basis and for the plan to be complete near the end of 2005.

10. Open Discussion

Elizabethtown does not provide sewer service to areas outside their city limits. Radcliff and Vine Grove both provide sewer service to a few customers outside their city limits.

Fort Knox is in the process of privatizing their wastewater services. Final details are being worked out with HCWD#1 to take over operation of their utility. Jim Bruce mentioned HCWD#1 had to file a service area for Fort Knox. Jim agreed to provide this boundary to Mark Sneve. The Fort Knox WWTP has capacity available.

The question was raised about Vine Grove participating in this Advisory Committee. HCWD#2 agreed to discuss with the Judge and invite Vine Grove to participate.

The question was raised about West Point participating in this Advisory Committee. HCWD#2 agreed to discuss with the Judge. West Point is isolated from the rest of Hardin County by Fort Knox, and thus their participation may not be necessary.



Muldraugh is in Meade County, but a portion of their wastewater collection system is in Hardin County and abuts Fort Knox. Their participation in the plan was not deemed necessary.

Issue Paper No. 1 was resolved. All were in favor of using a 20-year period for the plan and to address projects in the 0-2, 3-10, and 11-20 year time frames.

11. Action Steps

Mark Sneve will be responsible for preparing minutes from the meeting.

Jim Bruce will provide the service area boundary for the Fort Knox facility to Mark Sneve.

All were encouraged to identify areas of concern for the next meeting.

Mark Sneve will revise the figure showing locations of WWTPs.

12. Next Meeting

The next meeting will be held on Friday, February 25, at 1:30 PM at the HCWD#2 office.

Subsequent meetings of the Advisory Committee will generally be held on the last Friday of each month.

Any changes, additions, or deletions to these minutes can be discussed at the next meeting.

Respectfully Submitted,

STRAND ASSOCIATES, INC.



Mark Sneve, P.E.

cc: City of Vine Grove Representatives

