

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF HARDIN)	
COUNTY WATER DISTRICT NO. 1 FOR A)	
DECLARATORY ORDER REGARDING THE)	
USE OF THE PROCEDURES SET FORTH IN)	
807 KAR 5:076 TO APPLY FOR AN)	CASE NO. 2022-00410
ADJUSTMENT OF THE RATES OF ITS)	
RADCLIFF WASTEWATER SYSTEM FOR)	
SEWER SERVICE, OR IN THE ALTERATIVE,)	
A DEVIATION FROM 807 KAR 5:076,)	
SECTION 2(1))	

VERIFIED APPLICATION

Hardin County Water District No. 1 (“Hardin District”) applies to the Public Service Commission (“Commission”) for an order declaring, pursuant to 807 KAR 5:001, Section 19, that Hardin District is eligible to use the procedures set forth in 807 KAR 5:076 to apply for an adjustment of the rates of its Radcliff Wastewater System for sewer service, or in the alternative, granting a deviation from 807 KAR 5:076 pursuant to 807 KAR 5:076, Section 17, to permit Hardin District to apply for an adjustment of the rates of its Radcliff Wastewater System using the procedures set forth in 807 KAR 5:076. Hardin District requests that the Commission render a decision on this Application no later than **February 15, 2023**.

In support of its Application,¹ Hardin District provides the following:

¹ To facilitate the Commission’s initial review of this Application, Hardin District has attached to this Application a “Filings Requirements List” that consists of one page, lists each statutory and regulatory requirement for an application for a declaratory order, identifies the exhibit or paragraph that satisfies the requirement, and contains a hyperlink to that exhibit or paragraph.

A. Background

1. The full name and post office address of Hardin District is: Hardin County Water District No. 1, 1400 Rogersville Road, Radcliff, Kentucky 40160. Its e-mail address is: shogan@hcwd.com.

2. Copies of all orders and pleadings related to this proceeding should be directed to:

Stephen M. Hogan
General Manager
Hardin County Water District No. 1
1400 Rogersville Road
Radcliff, Kentucky 40160
shogan@hcwd.com
(270) 351-3222

David T. Wilson II
Skeeters, Bennett, Wilson & Humphrey
550 W. Lincoln Trail Boulevard
Radcliff, Kentucky 40160
(270) 351-4404
david.wilson@sbwhlaw.com

Gerald E. Wuetcher
Stoll Keenon Ogden PLLC
300 West Vine Street, Suite 2100
Lexington, Kentucky 40507
gerald.wuetcher@skofirm.com
(859) 231-3017

3. Hardin District is not a corporation, limited liability company or limited partnership. It has no articles of incorporation or partnership agreements.

4. Hardin District is a water district created under the provisions of KRS Chapter 74 and is a political subdivision of the Commonwealth of Kentucky.

5. Hardin County Court created Hardin District pursuant to an order entered August 20, 1952. A copy of this Order and subsequent Orders modifying Hardin District's territory are attached as **Exhibit 1** to this Application.

6. Hardin District owns and operates facilities that provide, as of December 31, 2021, retail water service to approximately 10,395 customers in Hardin County, Kentucky, and wholesale water service to Meade County Water District and the cities of Vine Grove, Hardinsburg, and West Point.² It also owns and operates facilities that provide, as of December 31, 2021, wastewater service to approximately 9,016 customers in Hardin County, Kentucky, primarily in the city of Radcliff.³

7. Hardin District owns and operates the water treatment and distribution system that serves the Fort Knox Military Installation (“Fort Knox”),⁴ and the wastewater and storm water drainage systems⁵ that serve that installation.

B. Use of Alternative Rate Filing Procedures to Adjust the Rates of the Radcliff Wastewater System

8. 807 KAR 5:076 establishes a simplified and less expensive procedure for smaller utilities to apply for rate adjustment. Unlike the procedure set forth in the Commission’s Rules of Procedure,⁶ this procedure does not require an application containing an extensive amount of financial information, a cost-of-service study, or written testimony. It allows for greater flexibility for the Commission and the applicant utility in addressing a request for rate adjustment.

9. 807 KAR 5:076, Section 2 permits a utility to use the alternative rate adjustment procedure if the utility (1) had gross annual revenue in the immediate past calendar year of \$5,000,000 or less; (2) maintained financial records fully separated from a commonly-owned

² *Annual Report of Hardin County Water District No. 1 to the Public Service Commission of the Commonwealth of Kentucky for the Calendar Year Ended December 31, 2021* (“2021 Annual Water Report”) at Ref Pages 27 and 29.

³ *Annual Report of Hardin County Water District No. 1 to the Public Service Commission of the Commonwealth of Kentucky for the Calendar Year Ended December 31, 2021* (“2021 Annual Sewer Report”) at Ref Page 8.

⁴ *Application of Hardin County Water District No. 1 for Approval of a Contract with the United States Army to Provide Water Service to the Fort Knox Military Installation*, Case No. 2011-00416 (Ky. PSC Jan. 27, 2012).

⁵ *Application of Hardin County Water District No. 1 Requesting A Certificate of Public Convenience and Necessity to Own and Operate A Sewer Utility and Approval of Initial Rates*, Case No. 2004-00422 (Ky. PSC Dec. 1, 2004).

⁶ 807 KAR 5:001, Section 16.

enterprise; and (3) filed with the Commission fully completed annual reports for the immediate past year and for the two prior years. 807 KAR 5:076, Section 1(4) provides that, if the applicant utility operates “two (2) or more divisions that provide different types of utility service,” the applicant’s eligibility to use the alternative procedures will be determined based upon “the total amount of revenue derived from the division for which a rate adjustment is sought.”

10. Hardin District operates two wastewater systems: the Fort Knox Military Installation Wastewater System (“FKMI Wastewater System”) and the Radcliff Wastewater System (collectively “the Systems”). It intends to apply for an adjustment of the rates of its Radcliff Wastewater System this year and wishes to use the alternative rate adjustment procedure set forth in 807 KAR 5:076.

11. For the year ending December 31, 2021, the Radcliff Wastewater System had total revenues of \$4,044,918. Its total revenues for the year ending December 31, 2022, are not expected to exceed \$5,000,000.

12. For the year ending December 31, 2021, Hardin District’s FKMI Wastewater System had total revenues of \$2,907,819.

13. If the Radcliff Wastewater System is considered a separate operating division, Hardin District may use the alternative rate adjustment procedure to apply for an adjustment of that System’s rates. However, the alternative rate adjustment procedure is not available if the Systems are deemed a single division and their combined total revenues, which exceed \$5,000,000, are considered.

14. The Radcliff Wastewater System’s rates were last adjusted in 2014 in Case No. 2013-00050.⁷ Prior to submitting its application in that proceeding, Hardin District informally

⁷ *Application of Hardin County Water District No. 1 to Adjust Its Rates for Sewer Service*, Case No. 2013-00050 (Ky. PSC Apr. 29, 2014).

inquired of Commission Staff as to the use of alternative rate adjustment procedure and was advised that Hardin District was ineligible to use that procedure as the Systems would be considered as one division and their combined revenues exceeded \$5,000,000.

15. In light of that history, Hardin District requests a declaratory order that the Systems are separate and distinct divisions, that each system's eligibility to use the alternative rate adjustment procedures set forth in 807 KAR 5:076 is based on the total annual revenues produced solely by that system, and that either system may use the alternative rate adjustment procedures set forth in 807 KAR 5:076, so long as its total annual revenue does not exceed \$5,000,000.

**C. The Systems Are Separate and Distinct Operating Divisions of
Hardin District**

16. The Commission has previously recognized the Systems as separate and distinct operations. *See Application of Hardin County Water District No. 1 for a Deviation from 807 KAR 5:071, Section 7(4)*, Case No. 2018-00166 (Ky. PSC Mar. 11, 2019) at 1 (“Hardin District currently operates two independent treatment plants and collection systems, the Fort Knox Military System and the Radcliff System.”); *Application of Hardin County Water District No. 1 to Adjust Its Rates for Sewer Service*, Case No. 2013-00050 (Ky. PSC Apr. 29, 2014) at 1, fn. 2 (recognizing the Systems as “separate operations”).

17. The Systems serve significantly different customer populations and geographical areas and operate under different procedures.

a. The FKMI Wastewater System consists of a six million gallon per day (“MGD”) extended aeration treatment plant, thirty-five lift stations, approximately 416,000 feet of gravity sewer piping, and 51,000 feet of force main piping. Its service area is generally confined to the boundaries of the Fort Knox Military Installation.

b. Hardin District acquired the FKMI Wastewater System on September 30, 2004, under an agreement with the U.S. Government.⁸ That agreement requires Hardin District to provide wastewater service to the military installation for a term of fifty (50) years and limits the use of these facilities to serving Fort Knox and the City of Muldraugh.⁹ While Hardin District holds legal title to the wastewater facilities, the U.S. Government has granted Hardin District an easement for the construction, operation, maintenance, repair or replacement of the wastewater facilities on Fort Knox for only fifty years.¹⁰ If the Government elects not to renew the easement, then Hardin District must vacate its wastewater facilities within the military installation.¹¹

c. Hardin District must submit to the U.S. Government for its review and approval a proposed annual budget for the FKMI Wastewater System upon which the next fiscal year's rate will be based. Hardin District must also submit an Annual Capital Upgrades and Renewals and Replacement Plan that contains a proposed list of improvements for each of the next five years.¹² The U.S. Government selects which of the proposed improvements will be included as a component in the overall rate assessed by Hardin District for sewer service to the military

⁸ The Commission found that the agreement between Hardin District and the U.S. Government did not require Commission approval. *Application of Hardin County Water District No. 1 Requesting A Certificate of Public Convenience and Necessity to Own and Operate A Sewer Utility and Approval of Initial Rates*, Case No. 2004-00422 (Ky. PSC Dec. 1, 2004).

⁹ Defense Energy Support Center Utilities Privatization Contract SP0600-04-C-8275 (Sep. 30, 2004) (hereinafter "Fort Knox Contract" or "Contract"), Para. C.4 defines the service area of the Fort Knox Military Installation Wastewater System as all areas with the military installation and any other facilities and property under the control of the military installation. Hardin District is permitted to use this System to serve areas outside the military installation but only with the concurrence of the Federal Government and after negotiations with the Federal Government for the payment of compensation to the Federal Government for this use. Fort Knox Contract, Para. C.4.2. Hardin District's ability to use the system to serve others is further restricted by the Government's reservation of the Wastewater System's excess capacity for mobilization. This capacity must be available to the Government at any time. *Id.* at Para. J32.3. The Fort Knox Contract requires Hardin District to treat wastewater from the City of Muldraugh, Kentucky, which the wastewater system served prior to the Contract. *Id.* at § J32.4.

¹⁰ Department of the Army Deed of Easement for Waste Water System Located on Fort Knox Military Reservation Hardin County, Kentucky, Easement No. DACA27-2-06-267 (Apr. 25, 2006), Para 1.

¹¹ *Id.* at Para. 20.

¹² Amendment Modification No. P00037, Contract/Order No. W0124D-05-C-0017 (Sep. 18, 2010) at 7 (filed with Ky. PSC as TFS 2010-00643 (Sep. 23, 2010)).

installation.¹³ Hardin District must make its records related to the provision of sewer service to the military installation available for U.S. Government review.¹⁴

d. The Radcliff Wastewater System consists of a four MGD extended aeration treatment plant, forty-eight lift stations, approximately 683,000 feet of gravity sewer piping and 106,000 feet of force main piping. It provides wastewater services to the residents of the City of Radcliff, Kentucky (“the City”) and the unincorporated areas of Hardin County, Kentucky that are located within Hardin District’s territory.

e. Hardin District acquired the Radcliff Wastewater System on January 31, 2008, under an agreement with the City. The City transferred legal title to the wastewater system in exchange for Hardin District’s assumption of the City’s existing debt obligations related to that System and three tracts of real estate.¹⁵ The agreement places no restrictions on Hardin District’s ownership of the wastewater system¹⁶ and confers no rights to the City or other entity as to the Radcliff Wastewater System’s operation or management. Hardin District is not required to obtain the approval or agreement of any outside agency for the wastewater system’s annual budgets, capital expenditures or rates for service (prior to the submission of those rates to the Commission).

f. A map depicting the location and service areas of the Systems is attached as **Exhibit 2** to this Application.

¹³ Amendment Modification No. P00014, Contract/Order No. W0124D-05-C-0017 (Sep. 20, 2007) at 2-3 (filed with Ky. PSC as TFS 2008-00654 (Aug. 29, 2008)).

¹⁴ Contract at Para. I.2 (incorporating FAR Para. 52.215-2).

¹⁵ Commission approval of the transfer was not required. However, the District sought and obtained Commission authorization to assume the debt related to the Radcliff Wastewater System. *Application of Hardin County Water District No. 1 for Approval to Transfer Ownership of the City of Radcliff, Kentucky Sanitary Sewer System, Assume Existing Debt, and For Proposed Tariff to Provide Sewer Services to the City of Radcliff*, Case No. 2008-00074 (Ky. PSC Apr. 23, 2008).

¹⁶ The agreement, however, grants the City the right of first refusal for ownership of the Radcliff Wastewater System if Hardin District decides to sell or transfer the System.

18. While Hardin District has previously combined the statistical data from the FKMI Wastewater System and the Radcliff Wastewater System into a single financial and statistical report comply with 807 KAR 5:006, Section 4(2), Hardin District operates each wastewater system as a separate division and maintains separate accounts and funds for each wastewater system.¹⁷ The costs to operate each system are separately recorded to the appropriate fund. Its annual audit reports contain separate reports on each of the Systems.¹⁸ Each system has specific employees and management personnel assigned to serve only that system. Hardin District has established accounting procedures and practices to properly allocate expenses to a wastewater system if that system shares common expenses with other divisions or has work performed by employees not assigned to that wastewater system.¹⁹

19. Hardin District maintains separate tariffs for the FKMI Wastewater System and for the Radcliff Wastewater System.

20. Hardin District uses distinctly different methods to revise and adjust its rates for each System's services. Adjustments to the rates for sewer service provided to Fort Knox are determined by negotiations with the U.S. Government and are submitted to the Commission for approval pursuant to tariff filing to revise the terms of Hardin District's contract with the U.S. Government.²⁰ Adjustments to the rates for the Radcliff Wastewater System's rates for sewer service are made by submitting an application for general rate adjustment.²¹

¹⁷ Hardin County Water District No. 1 Financial Statements For Year Ended December 31, 2021 at 4.

¹⁸ *Id.* at 34-35.

¹⁹ See Case No. 2004-00422, Order of Dec. 1, 2004 at 13 (directing Hardin District to establish procedures for the allocation of joint or common costs of its operations). Hardin District filed these procedures with the Commission on June 24, 2005. See Letter from David T. Wilson, legal counsel for Hardin County Water District No. 1, to Beth O'Donnell, Executive Director, Public Service Commission, subj: Contract with Fort Knox (June 24, 2005) (filed in the record of Case No. 2004-00422).

²⁰ See, e.g., TFS 2007-00483 (filed June 12, 2007); TFS 2008-00654 (filed Aug. 29, 2008); TFS 2010-00564 (filed Sep. 23, 2010).

²¹ See, e.g., *Application of Hardin County Water District No. 1 to Adjust Its Rates for Sewer Service*, Case No. 2013-00050 (Ky. PSC filed July 16, 2013).

21. In summary, each wastewater system operates as a distinct division with different objectives and missions, subject to different operating and management rules, and financially independent of the other.

D. Deviation from 807 KAR 5:076, Section 2(1)

22. Should the Commission find that the Systems are not separate divisions, the Commission should authorize a deviation from 807 KAR 5:076, Section 2(1) to permit Hardin District to apply for an adjustment of the Radcliff Wastewater System rates using the alternative rate adjustment procedures set forth in 807 KAR 5:076.

23. 807 KAR 5:076, Section 17 authorizes the Commission to permit deviations from 807 KAR 5:076 “[u]pon a showing of good cause.”

24. Good cause exists to grant a deviation from 807 KAR 5:076, Section 2(1) for the following reasons:

a. Without the requested deviation, Hardin District will be required to use the more expensive and time-consuming procedures set forth in 807 KAR 5:001, Section 16.

b. The circumstances under which Hardin District operates the Systems are unique. No other Commission-regulated sewer utility operates two large wastewater systems of the Systems’ size and complexity as wholly independent divisions.

c. The Radcliff Wastewater System’s total revenues for the year ending December 31, 2021, and its expected total revenues for the year ending December 31, 2022, will not exceed \$5,000,000. If its operations only are considered, the Radcliff Wastewater System meets the revenue eligibility requirements of 807 KAR 5:076, Section 2(1).

d. Any application for an adjustment of the rates of the Radcliff Wastewater System will not involve the rates of the FKMI Wastewater System.

e. Use of the procedures set forth in 807 KAR 5:001, Section 16 will significantly increase rate case expense. Hardin District estimates that it will incur **additional costs of between \$50,000 and \$75,000**, including consultant and attorney fees, to comply with the requirements of that regulation. Although these rate case expenses are recoverable through rates, the ratepayers of the Radcliff Wastewater System will ultimately bear the higher costs of using the more complicated and expensive procedure.

f. Allowing the use of alternative rate adjustment procedure will not impede the Commission's ability to perform its statutory duties but will allow greater flexibility on the part of the Commission and Hardin District to address the issues presented by Hardin District's application.

E. Requested Relief

WHEREFORE, Hardin District requests that the Commission:

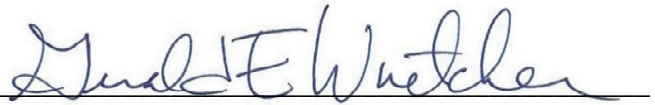
1. Place this Application at the head of the Public Service Commission's docket;
2. Enter an Order
 - a. Declaring that the Radcliff Wastewater System is a separate division of Hardin District that provides a service that differs from that provided by Hardin District's other divisions and that, so long as the Radcliff Wastewater System's gross annual revenue does not exceed \$5,000,000, Hardin District may apply for an adjustment of the Radcliff Wastewater System's rates for service using the procedures set forth in 807 KAR 5:076; or alternatively,
 - b. Find that good cause exists to permit Hardin District to deviate from 807 KAR 5:076, Section 2, and permit Hardin District to apply for an adjustment of the Radcliff Wastewater System's rates for service using the procedures set forth in 807 KAR 5:076 so long as the Radcliff Wastewater Division's gross annual revenue does not exceed \$5,000,000;

3. Enter an Order granting the requested relief without holding an evidentiary hearing in this matter and no later **than February 15, 2023**, to afford Hardin District adequate time to complete the preparation of an application for rate adjustment for its Radcliff Wastewater System by May 1, 2023; and,

4. Grant any and all such other relief to which Hardin District may be entitled.

Dated: January 10, 2023

Respectfully submitted,



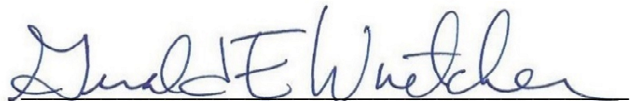
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Counsel for Hardin County Water District No. 1

CERTIFICATE OF SERVICE

In accordance with 807 KAR 5:001, Section 8 and the Commission's Order of July 22, 2021, in Case No. 2020-00085, I certify that this document was electronically transmitted to the Public Service Commission on January 10, 2023; and that there are currently no parties that the Commission has excused from participation by electronic means in this proceeding.

A handwritten signature in blue ink that reads "Gerald E. Wetcher". The signature is fluid and cursive, with the first name being the most prominent.

Counsel for Hardin County Water District No. 1

FILING REQUIREMENTS

FILING REQUIREMENTS FOR AN APPLICATION FOR A DECLARATORY ORDER

Source Authority	Requirement	Location
807 KAR 5:001, § 14(1)	Applicant's name, mailing address and e-mail address	Page 1, Para 1
807 KAR 5:001, § 14(1)	Statutory Reference – 807 KAR 5:001, §19	Page 2
807 KAR 5:001, § 4(3)	Signature of Applicant's Attorney	Page 11
807 KAR 5:001, § 4(3)	Name, Address, Telephone Number, Fax Number, and e-mail address of Applicant's Attorney	Page 2, Para 2
807 KAR 5:001, § 14(2)	If Applicant is corporation: State and date of incorporation, attestation of good standing in state of incorporation, statement regarding authorization to transact business in Kentucky	Page 2, Para 3 Not Applicable
807 KAR 5:001, § 14(3)	If Applicant is a limited liability company: State and date of organization, attestation of good standing in state of incorporation, statement regarding authorization to transact business in Kentucky	Page 2, Para 3 Not Applicable
807 KAR 5:001, § 14(4)	If the Applicant is a limited partnership: a certified copy of limited partnership agreement and all amendments or statement identifying prior Commission proceedings in which limited partnership agreement and all amendments filed	Page 2, Para 3 Not Applicable
807 KAR 5:001, § 19(2)(a)	An Application for declaratory order shall be in writing	Pages 1-11
807 KAR 5:001, § 19(2)(b)	Contain a complete, accurate, and concise statement of the facts upon which the application is based	Pages 2-8, Paras 1-21
807 KAR 5:001, § 19(2)(c)	Fully disclose the Applicant's Interest	Pages 3-5, Paras 8-15
807 KAR 5:001, § 19(2)(d)	Identify all statutes, administrative regulations, and orders to which the Application relates	Page 3, Paras 8-9 Page 9, Para 23
807 KAR 5:001, § 19(2)(e)	States the Applicant's proposed resolution or conclusion	Pages 10-11

EXHIBIT 1

SPECIAL

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Day of AUGUST

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FORM-O-17

On the motion of J. Henry Clark it is ordered that T. C. Mall, H. E. McCullum, Sr., T. O. Gatton, or any two of them after first being duly sworn be, and they are, hereby appointed the appraisers of the estate of H. B. (Hilary B.) Clark.

HERMAN C. DAVIS, ET AL

PETITIONERS

JUDGMENT

EX PARTE

It appearing to the Court that Herman C. Davis and more than 75 other resident freeholders of the district hereinafter described did on July 15, 1952, file their petition herein and that notice of the filing of said petition was published in three issues of the Elizabethtown News and three issues of the Hardin County Enterprise, both newspapers of general circulation in this county, and it further appearing that no objection or exception has been filed herein, and oral proof having been heard by the court, and the Court being advised, it is now ordered and adjudged by this Court as follows:

1. The establishment of the following described water district is reasonably necessary for the public health, convenience, fire protection and comfort of the residents, and a suitable name and number for such district is "Hardin County Water District No. 1". Said district is more completely described by name and number and boundary as follows:

"Hardin County Water District No. 1"

Beginning at a point in the southeasterly boundary of the Fort Knox Military Reservation where it intersects the center line of U.S. Kentucky Highway 31W, approximately one mile north of the intersection of Wilson Road and Highway 31 W which is known as Madcliff and running 500 feet on each side of Highway 31 W for a distance of approximately 5,280 feet to the intersection of Wilson Road and U.S. Highway 31W; thence, 500 feet west of the center line of Wilson Road, in a northerly direction along Wilson Road approximately 5,400 feet to the intersection of the Southern Boundary of the Fort Knox Military Reservation and the center line of Wilson Road; from the intersection of Red Hill Road and U.S. 31W 500 feet each side of Red Hill Road and running along Red Hill Road in a westerly direction 5000 feet to a point of ending; from the intersection of Wilson Road and Highway 31W, 500 feet each side of Wilson Road and running in a southeasterly direction along Wilson Road 7,500 feet to the intersection of Kentucky Highway 64 and Wilson Road which is known as Vine Grove Junction; thence 500 feet each side of Kentucky Highway 64 running in a westerly direction along Kentucky Highway 64 approximately 7,850 feet to a point of ending; from the intersection of Kentucky Highway 64 and Wilson Road, 500 feet each side of Wilson Road running in a southerly direction along Wilson Road approximately 4,200 feet to the intersection of Wilson Road and Mill Creek Road which is known as Rogersville; thence 500 feet each side of Mill Creek Road running in a north easterly direction along Mill Creek Road approximately 5,200 feet to the intersection of the center line of Mill Creek Road and the southern boundary of the

H-B-4

SPECIAL

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Fort Knox Military Reservation; from the intersection of Mill Creek Road and Wilson Road 500 feet west and 1500 feet east of the center line of Wilson Road, running in a southerly direction along Wilson Road approximately 3,500 feet to a point of ending.

2. The following named persons are hereby appointed water district commissioners for this district for the terms indicated:

W. M. Brown - Two Years

H. T. Logsdon - Three Years

H. C. Davis - Four years

3. Each of the commissioners shall execute a bond in the sum of One Thousand Dollars, said bond to be approved by this court, and providing for the faithful performance of his duties herein, and each commissioner shall be sworn to faithfully perform the duties of his position as provided by law.

Dated this 18th day of August, 1952.

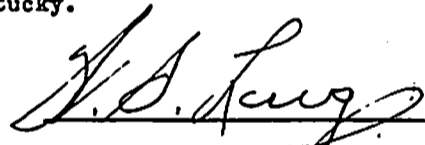
In the matter of Rosalyn J. Terry, Guardian for Dorothy C. and Ray G. Colly, a periodical settlement was this day returned, filed, and laid over.

In the matter of the First Hardin National Bank, Committee for William M. Arvin, a periodical settlement was this day returned, filed, and laid over.

Came William P. Barrett, minister of the Episcopal Church and Chaplain of the U. S. Army, and executed bond in the penal sum of one hundred (100) dollars with C. B. Jeffries as surety.

Came William P. Barrett and took the oath as required by law to perform marriage rites in the Commonwealth of Kentucky.

Court now adjourned.

 Judge
HARDIN COUNTY COURT

SPECIAL TERM, AUGUST 21, 1952

PRES. HON. W. S. LONG, JUDGE

Came Charles B. Whitman, minister of the Methodist Church, and executed bond in the penal sum of one hundred (100) dollars with W. S. Long, as surety.

Came Charles B. Whitman and took the oath as required by law to perform marriage rites in the Commonwealth of Kentucky.

Court now adjourned.

 Judge
HARDIN COUNTY COURT

SPECIAL TERM, AUGUST 22, 1952

PRES. HON. W. S. LONG, JUDGE

Came Louella Keith, widow of J. P. Keith, and produced an instrument of writing purporting to be the last will and testament of J. P. Keith, deceased. Said will was proven in due form of law by the oath of Elizabeth Ditto, one of the subscribing witnesses thereto, who attested the signature of Horace E. Tabb, the other subscribing witness thereto, and as such the same was established and ordered recorded.

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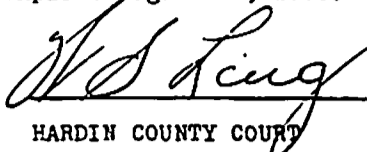
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Day of

AUGUST

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Came Eugene Patterson and took the oath as required by law as a notary public for Hardin County. Said commission expires August 27, 1956.
Court now adjourned.

 Judge

HARDIN COUNTY COURT

SPECIAL TERM, AUGUST 27, 1952

PRES. HON. W. S. LONG, JUDGE

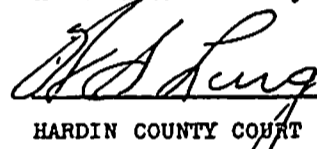
In the matter of the First Hardin National Bank, Guardian for Wanda Joyce Horn Odom, a final settlement was this day returned, filed, and laid over.

In the matter of the First Hardin National Bank, Guardian for Shirley June Horn Morehead, a final settlement was this day returned, filed, and laid over.

Came Walter J. Vrudny and executed bond in the penal sum of one hundred (100) dollars with W. S. Long as surety to perform marriage rites in the Commonwealth of Kentucky.

Came Walter J. Vrudney, Lutheran minister, and took the oath as required by law to perform marriage rites in the Commonwealth of Kentucky.

Court now adjourned.

 Judge

HARDIN COUNTY COURT

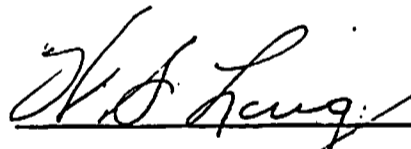
SPECIAL TERM, AUGUST 29, 1952

PRES. HON. W. S. LONG, JUDGE

In the matter of the estate of J. P. Keith, an inventory and appraisalment was this day returned, filed, and ordered recorded.

In the matter of the First Hardin National Bank, Trustee for Mrs. Catherine Q. Montgomery, a periodical settlement was this day returned, filed, and laid over.

Court now adjourned.

 Judge

HARDIN COUNTY COURT

SPECIAL TERM, AUGUST 30, 1952

PRES. HON. W. S. LONG, JUDGE

Came W. M. Brown, H. T. Logsdon, Herman C. Davis, duly appointed water commissioners for Hardin County/District 1, and executed bond in the penal sum of one thousand (1000) dollars each as follows:

W. M. Brown with H. T. Logsdon as surety.

H. T. Logsdon with W. M. Brown as surety

Herman C. Davis with W. M. Brown as surety.

Came W. M. Brown, H. T. Logsdon, Herman C. Davis and took the oath as required by law as the Water Commissioners for Hardin County Water District One.

In the matter of the First Hardin National Bank, Trustee for the Glendale Christian Church, a periodical settlement was this day returned, filed, and laid over.

ORDERS

Hardin

COURT

Special Term, Day, 22 Day of October 19 54

HARDIN COUNTY COURT
SPECIAL TERM, OCTOBER 22, 1954
PRES. HON. J.R.TERRILL, JUDGE

In the matter of the estate of Dorothy Mae Lockard, an inventory and appraisalment was this day returned, filed and ordered recorded.

In the matter of the estate of James Michael Whalen, an inventory and appraisalment was this day returned, filed and ordered recorded.

In the matter of the Appointment of a Guardian for Raymond Dowdell:

This day came Raymond Dowdell, a minor child of Erma K. Dowdell and (father deceased) Dowdell, and over fourteen years of age and chose Erma K. Dowdell as his Guardian, and the court being sufficiently advised, it is ordered and adjudged that Erma K. Dowdell be and she is hereby appointed Guardian for the aforesaid Raymond Dowdell.

WHEREUPON, the said Erma K. Dowdell appeared in open court and took the oath prescribed by law and duly qualified as such guardian, and together with J. T. Hatcher, as surety, who was accepted and approved by the court, entered into and acknowledged and executed bond in the sum of \$2500.00, being the amount fixed by the court.

Court now adjourned

[Handwritten signature of J.R. Terrill] Judge

HARDIN COUNTY COURT
SPECIAL TERM, OCTOBER 23, 1954
PRES. HON. J. R. TERRILL, JUDGE

Came Martha Hagan and produced her commission as Notary Public for Hardin County, signed by the Secretary of State and executed bond in the penal sum of Five Hundred (\$500) Dollars, with F. J. Lanz as surety which bond is accepted and approved by the court.

Came Martha Hagan and took oath as required by law as Notary Public of Hardin County. Said Commission expires August 14, 1958.

In the matter of Appointment of Commissioner for Hardin County Water District No. 1.

It appearing to the court that there is now a vacancy in the office of Commissioner for the Hardin County Water District No.1, because the term to which W. M. Brown was appointed has expired, it is ordered that W. M. Brown be and he is appointed Commissioner for Hardin County Water District No. 1 for a term of four years. It is ordered that the bond of said Commissioner be fixed at \$1000.

Came W. M. Brown and executed bond in the amount of \$1000 with Brown Logsdon and H. C. Davis as sureties, which bond is approved and accepted.

Came W. M. Brown and was sworn to faithfully perform the duties of his position as required by law.

ORDER

This matter came before Hardin County Judge Executive Glen B. Dalton and the Hardin County Fiscal Court upon the petition filed by the Hardin County Water District No. 1 on the 10th day of July, 2000;

Thereafter, notice of the filing of the Petition was advertised in the local newspaper of largest circulation being the Hardin County News Enterprise;


No objection to the de-annexation of property from Hardin County Water District No. 2 nor the annexation of property to Hardin County Water District No. 1 has been filed:

THEREFORE, it is hereby ORDERED and ADJUDGED as follows:

1. That property described in attached Exhibit #1 is hereby de-annexed from Hardin County Water District No. 2 and is annexed to Hardin County Water District No. 1. Those roads which Hardin County Water District No. 1 has represented that it will endeavor to serve as expeditiously and efficiently as possible are identified in attached Exhibit #2 which is incorporated herein as if fully set out.

The area described shall hereinafter become part of the service area of Hardin County Water District No. 1 until further Order of the Hardin County Fiscal Court in accordance with KRS 74.110.

This Order is entered this 10 day of July, 2000 by Hardin County Judge Executive Glen B. Dalton.


JUDGE EXECUTIVE, GLEN B. DALTON

AREA TO BE TRANSFERRED TO HCWD #1 FROM HCWD #2

The Point of Beginning for this territory description shall be at the intersection of Highway 1882 and the Hardin/Meade County line; thence,

Southwest along the Hardin/Meade County line to the intersection of the Hardin/Meade/
Breckinridge County line; thence,

South/Southwest along the Hardin/Breckinridge County line to the intersection of the Highway 84 and Hardin County line; thence,

East along Highway 84, but including any portions already reserved by water from Meade County Water District No. 2 as of this date, to the intersection of Highway 84 and Laurel Ridge Road; thence,

North along Laurel Ridge Road to the intersection of Laurel Ridge Road and Highway 920; thence,

North along Highway 920 to the intersection of Highway 920 and Highway 86; thence,

East along Highway 86 to the intersection of Highway 86 and Highway 1375 (Salem School Road); thence,

North along Highway 1375 to the intersection of Highway 1375 and Blue Ball Road; thence,

Northeast along Blue Ball Road to the intersection of Berrytown Road and Blue Ball Road; ~~continue South along Berrytown Road to the intersection of Berrytown Road and Cherry Road; thence,~~

~~Northeast along Gwaley Road to the intersection of Highway 1600 (Riceville Road); thence,~~

Northwest along Highway 1600 (Riceville Road) to the intersection of Highway 1600 and Highway 1882; thence,

East/Northeast along Highway 1882 to the Point of Beginning of this description.

EXHIBIT 1

TOTAL P. 03

TOTAL P. 04

**RESOLUTION OF THE BOARD OF COMMISSIONERS
OF HARDIN COUNTY WATER DISTRICT NO. 2
REGARDING WATER SERVICE FOR TOM DUVALL LANE**

WHEREAS, Tom Duvall Lane is a dead end road which extends south from Kentucky Highway 86;

WHEREAS, Tom Duvall Lane is located within the territorial boundaries of Hardin County Water District No. 2 ("DISTRICT NO. 2");

WHEREAS, DISTRICT NO. 2 does not have any waterlines in the vicinity of Tom Duvall Lane;

WHEREAS, Hardin County Water District No. 1 ("DISTRICT NO. 1") has expressed an interest in serving Tom Duvall Lane and has requested DISTRICT NO. 2 to relinquish its right to serve Tom Duvall Lane;

WHEREAS, DISTRICT NO. 1 has an existing waterline on Kentucky Highway 86 near Tom Duvall Lane; and

WHEREAS, DISTRICT NO. 2 cannot provide water service to Tom Duvall Lane without installing a new waterline along Kentucky Highway 86 which would duplicate DISTRICT NO. 1's existing waterline;

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

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

Section 2. DISTRICT NO. 2 reaffirms its goal to make public water service available to every resident of Hardin County as quickly as possible by the most affordable means.

Section 3. DISTRICT NO. 2 hereby declares that it is more feasible for DISTRICT NO. 1 to provide water service to Tom Duvall Lane than for DISTRICT NO. 2 to do so.

Section 4. DISTRICT NO. 2 hereby grants its consent for DISTRICT NO. 1 to serve Tom Duvall Lane.

Section 5. DISTRICT NO. 2 hereby relinquishes its legal right to serve Tom Duvall Lane and, to the extent permitted by law, transfers that right to DISTRICT NO. 1.

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

Adopted on October 17, 2000.

HARDIN COUNTY WATER DISTRICT NO. 2

BY: 
MICHAEL L. BELL, CHAIRMAN


ATTEST:


COLEMAN CRADY, SECRETARY

CERTIFICATION

The undersigned Secretary of the Board of Commissioners of HARDIN COUNTY WATER DISTRICT NO. 2 hereby certifies that the foregoing is a true, correct and complete copy of a Resolution of the Board of Commissioners of said District duly adopted on October 17, 2000, and that same is now in full force and effect.

WITNESS my hand this November 14, 2000.


COLEMAN CRADY, SECRETARY

EXECUTIVE ORDER NO. 2005-004

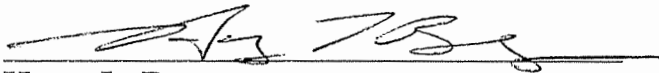
This matter has been brought before the Hardin County Judge Executive upon application of the Hardin County Water District No. 1;

Written request has been submitted to two (2) freeholders in Hardin County, Kentucky;

Notice of the Petition has been published in the *News Enterprise* the 13th day of March, 2005;

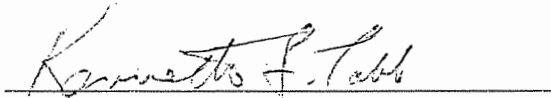
The Judge Executive having considered the request and the proposal, and find said request to be reasonable, hereby approves the extension of the boundaries of the Hardin County Water District No. 1 for purposes of providing sewer services into that portion of Hardin County located within the boundaries of the Fort Knox military installation and more specifically identified as the blue-shaded area in attached Exhibit No. 2.

So Ordered this 12th day of April, 2005.



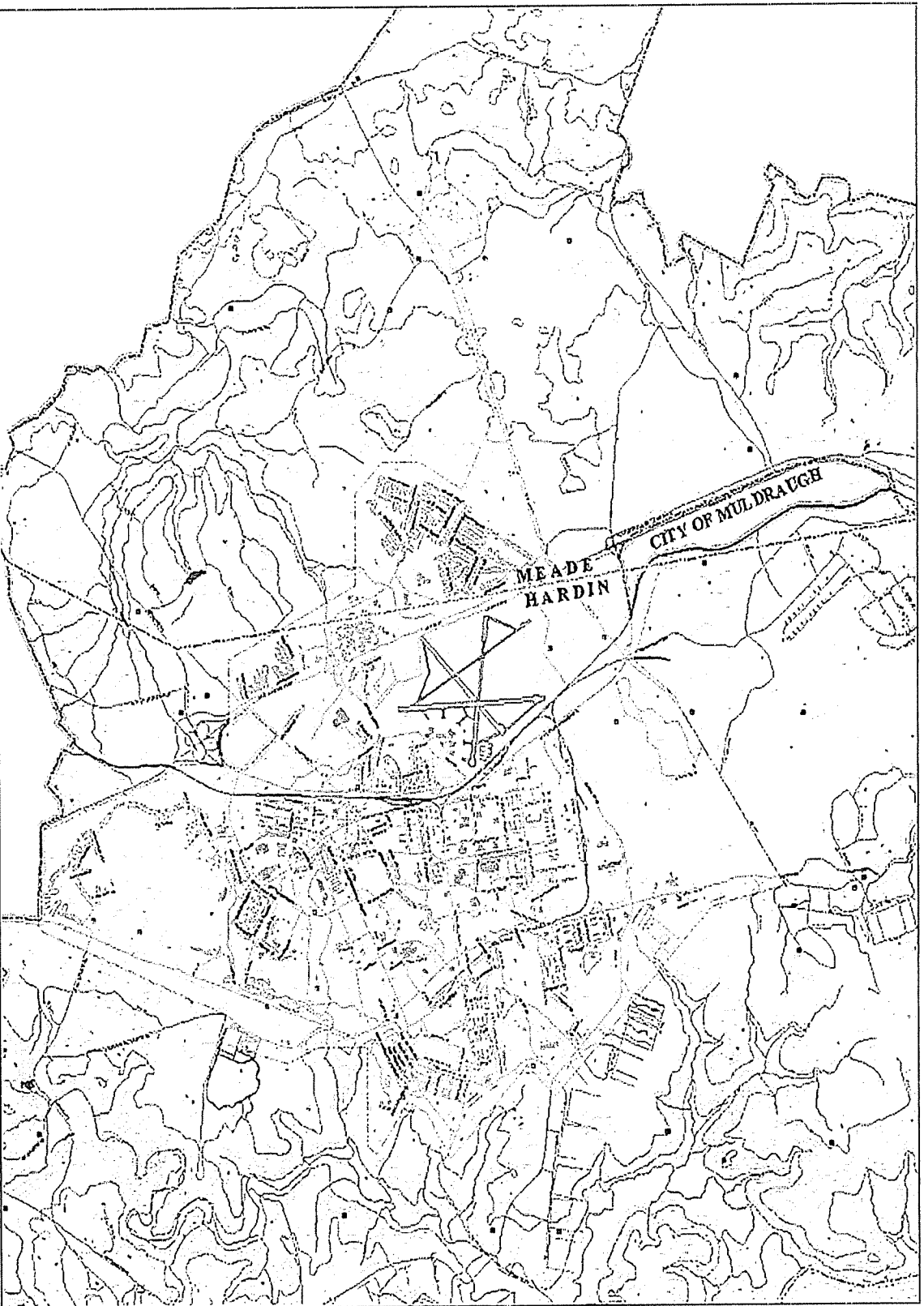
Harry L. Berry
Hardin County Judge/Executive

Attested by:



Kenneth L. Tabb
Hardin County Court Clerk

Hardin County Water District No.1 Ft. Knox Wastewater Service Area Exhibit 2



Wastewater Boundary



County Line



EXHIBIT 2

HARDIN COUNTY WATER DISTRICT No.1 Sewer System

JANUARY 9, 2023

Fort Knox Sewer System

Radcliff Sewer System

Hardin County

Hardin County Water District No.2

