

**NORTH NELSON WATER DISTRICT  
BOARD OF COMMISSIONERS' MEETING**

**January 17, 2022**

The North Nelson Water District Board of Commissioners held its regular monthly meeting at the District's office located at 5555 Louisville Road, Cox's Creek, Kentucky on January 17, 2022 at 6:00 p.m. Those present were Commissioners Robert Greenwell, Don Mudd, and Nicky Rapier. Also present were Cole Cissell, General Manager; and Damon Talley, Attorney.

Chairman Rapier called the meeting to order and declared that a quorum was present.

**COMMISSIONER REAPPOINTMENT**

General Manager Cissell announced that Mr. Rapier had been reappointed as a Commissioner to the District Board by the Nelson County Judge/Executive and confirmed by the Nelson Fiscal Court on January 4, 2022 for a 4-year term which ends on January 10, 2026. Damon Talley reminded the District that it needs to send a letter to the PSC Executive Director informing the PSC of the reappointment.

**APPROVAL OF MINUTES AND FINANCIAL REPORTS**

Motion was made by Mr. Mudd and seconded by Mr. Greenwell to approve the Minutes of the December 20, 2021 meeting as prepared. Motion carried unanimously.

Motion was made by Mr. Greenwell and seconded by Mr. Mudd to approve the Expense Sheet and Check Register as presented. Motion carried unanimously.

The Commissioners reviewed the Investment Schedule. Motion was made by Mr. Mudd and seconded by Mr. Greenwell to accept management's recommendation and approve the investment of District funds as shown on the Investment Schedule. Motion carried unanimously.

The Commissioners reviewed the Quarterly Financial and Operational Reports, including the Water Loss Report, for the Fourth Quarter of 2021 and also reviewed the Annual Financial, Operational, and Water Loss Reports for calendar

year 2021. The Commissioners commended the District Staff for achieving such a low water loss of 5.53% for calendar year 2021.

### OLD BUSINESS

1. **Bullitt County South Project.** General Manager Cissell presented a status report for the BCSP.

2. **Nelson County Water Supply Project.** General Manager Cissell reported that the Memorandum of Agreement has now been approved and executed by all three (3) Parties. A planning meeting is scheduled for January 20, 2022 with representatives of all three (3) Parties.

### NEW BUSINESS

1. **2021 Audit.** General Manager Cissell reported that the Audit Engagement Letter with RFH has been executed. RFH plans to commence working on the Audit no later than mid-February.

2. **General Manager Report.** General Manager Cissell discussed other topics.


### ADJOURNMENT

There being no further business to come before the Board, motion was made by Mr. Greenwell and seconded by Mr. Mudd to adjourn the meeting. Motion carried unanimously.

### NORTH NELSON WATER DISTRICT

  
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Don Mudd, Secretary

Date Approved: 2/21/22

  
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Nicky Rapier, Chairman

**NORTH NELSON WATER DISTRICT  
BOARD OF COMMISSIONERS' MEETING**

**February 21, 2022**

The North Nelson Water District Board of Commissioners held its regular monthly meeting at the District's office located at 5555 Louisville Road, Cox's Creek, Kentucky on February 21, 2022 at 6:00 p.m. Those present were Commissioners Robert Greenwell, Don Mudd, and Nicky Rapier. Also present were Cole Cissell, General Manager; Alicia Thompson, Office Manager; Damon Talley, Attorney; and Jim Thompson with the Kentucky Engineering Group.

Chairman Rapier called the meeting to order and declared that a quorum was present.

**APPROVAL OF MINUTES AND FINANCIAL REPORTS**

Motion was made by Mr. Mudd and seconded by Mr. Greenwell to approve the Minutes of the January 17, 2022 meeting as prepared. Motion carried unanimously.

Motion was made by Mr. Greenwell and seconded by Mr. Mudd to approve the Expense Sheet and Check Register as presented. Motion carried unanimously.

The Commissioners reviewed the Investment Schedule. Motion was made by Mr. Mudd and seconded by Mr. Greenwell to accept management's recommendation and approve the investment of District funds as shown on the Investment Schedule. Motion carried unanimously.

**OLD BUSINESS**

**1. Bullitt County South Project.** General Manager Cissell presented a status report for the BCSP. Jim Thompson discussed the need for conducting a Habitat Assessment of the Project Area because of KIA's requirements. Upon recommendation of Jim Thompson and the Kentucky Engineering Group (KEG), motion was made by Mr. Mudd and seconded by Mr. Greenwell to engage the services of Redwing Ecological Services, Inc. to perform the necessary Habitat Assessment of the Project Area. Motion carried unanimously.

2. **Nelson County Water Supply Project.** General Manager Cissell presented a status report and discussed efforts to obtain additional grant funding for the Project. Jim Thompson also discussed various options for obtaining a loan for funding a portion of the Project. No action was taken.

### NEW BUSINESS


1. **Wholesale Rate Increase.** General Manager Cissell reported that the Louisville Water Company (LWC) is having a meeting on March 9, 2022 with its wholesale customers to announce its annual wholesale rate increase. The City of Bardstown's wholesale rate will also increase on July 1, 2022. At the May Board meeting, the District will need to adopt a Purchased Water Adjustment Resolution to enable it to pass these increased purchased water expenses along to its customers.

2. **General Manager Report.** General Manager Cissell discussed other topics.


### ADJOURNMENT

There being no further business to come before the Board, motion was made by Mr. Greenwell and seconded by Mr. Mudd to adjourn the meeting. Motion carried unanimously.

### NORTH NELSON WATER DISTRICT

  
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Don Mudd, Secretary

Date Approved: 3/21/22

  
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Nicky Rapier, Chairman

**NORTH NELSON WATER DISTRICT  
BOARD OF COMMISSIONERS' MEETING**

**March 21, 2022**

The North Nelson Water District Board of Commissioners held its regular monthly meeting at the District's office located at 5555 Louisville Road, Cox's Creek, Kentucky on March 21, 2022 at 6:00 p.m. Those present were Commissioners Robert Greenwell, Don Mudd, and Nicky Rapier. Also present were Cole Cissell, General Manager; Damon Talley, Attorney; and Jim Thompson with the Kentucky Engineering Group.

Chairman Rapier called the meeting to order and declared that a quorum was present.

**APPROVAL OF MINUTES AND FINANCIAL REPORTS**

Motion was made by Mr. Mudd and seconded by Mr. Greenwell to approve the Minutes of the February 21, 2022 meeting as prepared. Motion carried unanimously.

Motion was made by Mr. Greenwell and seconded by Mr. Mudd to approve the Expense Sheet and Check Register as presented. Motion carried unanimously.

There were no investments this month.

**OLD BUSINESS**

**1. Bullitt County South Project.** General Manager Cissell presented a status report for the Bullitt County South Project ("BCSP"). Jim Thompson discussed other aspects of the BCSP, including the possibility of switching to C900 PVC pipe because of the unavailability of the SDR 17 PVC pipe, which he had originally planned to use. No final decision will be made until the Project is ready to bid. General Manager Cissell also reported that the District received the Grant Assistance Package, including the Conditional Commitment Letter, for both this Project and the Nelson County Water Supply Project on March 17, 2022. The Grant funds will come directly to the District rather than to the Bullitt Fiscal Court. This will expedite payment of the engineer and the contractor.

**2. Nelson County Water Supply Project.** General Manager Cissell presented a status report and discussed efforts to obtain additional grant funding for the Project. Jim Thompson reported that the Kentucky Transportation Cabinet has initially denied the District's application for an Encroachment Permit to install the water transmission main on Kentucky Highway 245 right-of-way. The District will provide additional information to the Transportation Cabinet in an effort to obtain the Encroachment Permit.

## NEW BUSINESS

**1. Wholesale Rate Increase.** General Manager Cissell reported that the Louisville Water Company (LWC) held a Zoom meeting on March 9, 2022 with its wholesale customers to announce its annual wholesale rate increase. The City of Bardstown's wholesale rate will also increase on July 1, 2022. At the May Board meeting, the District will need to adopt a Purchased Water Adjustment Resolution to enable it to pass these increased purchased water expenses along to its customers.

**2. General Manager Report.** General Manager Cissell discussed numerous other topics.

**3. Audit Progress.** General Manager Cissell reported that the Auditor will be unable to complete the Audit Report by March 31, 2022 because he is waiting for information from CERS. He applied to the PSC and received a 60-day extension in which to file the PSC Annual Report. The new deadline is May 31, 2022.

**4. New Meeting Time.** Motion was made by Mr. Greenwell and seconded by Mr. Mudd to change the regular meeting time of NNWD Board meetings from 6:00 to 5:00 pm, effective with the April meeting. The regular meeting date will remain the third Monday of each month. Motion carried unanimously

**5. Resignation of Office Manager.** General Manager Cissell reported that the District's Office Manager recently resigned and took a job which provides better health insurance benefits. By consensus, the Commissioners set a salary level for the Office Manager position.

**6. Banking Authorization Change.** Because of the resignation of the District's Office Manager, it is necessary to revoke her banking authorizations, effective immediately. Motion was made by Mr. Greenwell and seconded by Mr.


Mudd to adopt Resolution 2022-03-01 which revokes the Office Manager's banking authorizations and provides a list of authorized persons with banking authority. Motion carried unanimously.

**7. District's Participation in Cost of Health Insurance.** In an effort to attract and retain employees in the current environment, the Board found it necessary to increase the amount of the District's participation in the payment of health insurance premiums for its employees. Motion was made by Mr. Mudd and seconded by Mr. Greenwell to take the following actions: (a) to pay the actual cost, but not to exceed \$1,600 per month, of the health insurance premium of each employee whether it is an individual plan, individual and spouse plan, or family plan; (b) to rescind all prior District policies concerning this topic; and (c) to make this policy effective immediately. Motion carried unanimously.

### ADJOURNMENT

There being no further business to come before the Board, motion was made by Mr. Greenwell and seconded by Mr. Mudd to adjourn the meeting. Motion carried unanimously.

### NORTH NELSON WATER DISTRICT

  
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Don Mudd, Secretary

Date Approved: 4/18/22

  
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Nicky Rapier, Chairman

**NORTH NELSON WATER DISTRICT  
BOARD OF COMMISSIONERS' MEETING**

**April 18, 2022**

The North Nelson Water District Board of Commissioners held its regular monthly meeting at the District's office located at 5555 Louisville Road, Cox's Creek, Kentucky on April 18, 2022 at 5:00 p.m. Those present were Commissioners Robert Greenwell, Don Mudd, and Nicky Rapier. Also present were Cole Cissell, General Manager; Damon Talley, Attorney; and Jim Thompson with the Kentucky Engineering Group.

Chairman Rapier called the meeting to order and declared that a quorum was present.

**APPROVAL OF MINUTES AND FINANCIAL REPORTS**

Motion was made by Mr. Greenwell and seconded by Mr. Mudd to approve the Minutes of the March 21, 2022 meeting as prepared. Motion carried unanimously.

Motion was made by Mr. Mudd and seconded by Mr. Greenwell to approve the Expense Sheet and Check Register as presented. Motion carried unanimously.

The Commissioners reviewed the Investment Schedule. Motion was made by Mr. Greenwell and seconded by Mr. Mudd to accept management's recommendation and approve the investment of District funds as shown on the Investment Schedule. Motion carried unanimously.

**OLD BUSINESS**

**1. Bullitt County South Project.** General Manager Cissell presented a status report for the Bullitt County South Project ("BCSP").

**2. Nelson County Water Supply Project.** General Manager Cissell presented a status report. He reported that the Kentucky General Assembly had appropriated \$10,000,000 to Nelson County for this Project. Representatives of Nelson County, Bardstown, and North Nelson had met and prioritized the spending



of this money. Jim Thompson distributed copies of his revised Preliminary Project Cost Estimate for this Project. The revised estimate is \$15,000,000.

**3. Wholesale Rate Increase.** General Manager Cissell reported that he has started calculating the Purchased Water Adjustment Factor (the number of pennies per 1,000 gallons that NNWD's retail rates will need to be increased in order to offset the increased purchased water expense caused by the LWC and the City of Bardstown's wholesale rate increases). He will finalize his calculations before the May board meeting. At the May Board meeting the District will need to adopt a Purchased Water Adjustment Resolution to enable it to pass this increased purchased water expense along to its customers.

### NEW BUSINESS


**1. General Manager Report.** General Manager Cissell discussed numerous other topics, including that he has hired Susan Duncan as the new Office Manager. She starts work on May 2, 2022.

**2. Audit Progress.** General Manager Cissell reported that the Auditor is still waiting for information from CERS before he can complete the Audit Report. The deadline is May 31, 2022.


### ADJOURNMENT

There being no further business to come before the Board, motion was made by Mr. Greenwell and seconded by Mr. Mudd to adjourn the meeting. Motion carried unanimously.

### NORTH NELSON WATER DISTRICT

  
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Don Mudd, Secretary

Date Approved: 5/16/22

  
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Nicky Rapier, Chairman

**NORTH NELSON WATER DISTRICT  
BOARD OF COMMISSIONERS' MEETING**

**May 16, 2022**

The North Nelson Water District Board of Commissioners held its regular monthly meeting at the District's office located at 5555 Louisville Road, Cox's Creek, Kentucky on May 16, 2022 at 5:00 p.m. Those present were Commissioners Robert Greenwell, Don Mudd, and Nicky Rapier. Also present were Cole Cissell, General Manager; Damon Talley, Attorney; and Jim Thompson with the Kentucky Engineering Group.

Chairman Rapier called the meeting to order and declared that a quorum was present.

**APPROVAL OF MINUTES AND FINANCIAL REPORTS**

Motion was made by Mr. Greenwell and seconded by Mr. Mudd to approve the Minutes of the April 18, 2022 meeting as prepared. Motion carried unanimously.

Motion was made by Mr. Mudd and seconded by Mr. Greenwell to approve the Expense Sheet and Check Register as presented. Motion carried unanimously.

The Commissioners reviewed the Quarterly Financial and Operational Reports, including the Water loss Report, for the First Quarter of 2022.

The Commissioners reviewed the Investment Schedule. Motion was made by Mr. Greenwell and seconded by Mr. Mudd to accept management's recommendation and approve the investment of District funds as shown on the Investment Schedule. Motion carried unanimously.

**OLD BUSINESS**

**1. Bullitt County South Project.** General Manager Cissell presented a status report for the Bullitt County South Project ("BCSP").

**2. Nelson County Water Supply Project.** General Manager Cissell presented a status report. He reported negotiations are continuing with the Kentucky Transportation Cabinet (KTC) to obtain an encroachment permit on as much of the right-of-way of Kentucky Highway 245 as possible. KTC is insisting that the District utilize portions of the old State right-of-way and the right-of-way on Nelson County roads that are in the vicinity.

**3. PWA Resolution.** The Commissioners reviewed the Purchased Water Adjustment (PWA) Application prepared by District Staff. Both the Louisville Water Company (LWC) and the City of Bardstown are increasing their respective wholesale rates, effective July 1, 2022. The combined wholesale rate increases will cause the bill of all District customers to increase by \$0.07 per 1,000 gallons, effective July 1, 2022. Mr. Talley reviewed the attached Resolution No. 2022-05-01 concerning the proposed PWA. Motion was made by Mr. Greenwell and seconded by Mr. Mudd to adopt the attached Resolution, which authorizes the General Manager to file the PWA Application with the PSC and increases the rates by \$0.07 per 1,000 gallons. Motion carried unanimously.

**4. Audit Progress.** General Manager Cissell reported that the Auditor is still waiting for information from CERS before he can complete the Audit Report. The PSC Annual Report will be filed, however, before the May 31, 2022 deadline.

**5. Employee Benefits.** General Manager Cissell reviewed the comprehensive proposal from the Kentucky League of Cities (KLC) for health insurance, dental insurance, vision insurance, life insurance, and accidental death and disability insurance. If accepted by the District, this proposal will provide substantial savings to both the employees and the District. Upon recommendation by General Manger Cissell, the following actions were taken:

**A. Health Insurance.** Motion was made by Commissioner Mudd and seconded by Commissioner Greenwell to purchase the Anthem health insurance PPO A03T1 Plan. Motion carried unanimously.

**B. Dental Insurance.** Motion was made by Commissioner Greenwell and seconded by Commissioner Mudd to purchase the Delta Dental Option 15 Plan. Motion carried unanimously.

**C. Vision Insurance.** Motion was made by Commissioner Mudd and seconded by Commissioner Greenwell to purchase the Delta Vision 130 Plan. Motion carried unanimously.

**D. Life Insurance & Accidental Death and Disability Insurance.** Motion was made by Commissioner Greenwell and seconded by Commissioner Mudd to purchase the Basic Life Insurance Plan 1 and the Basic AD&D Plan 1 presented by KLC. Motion carried unanimously.

### NEW BUSINESS

**1. General Manager Report.** General Manager Cissell discussed numerous other topics, including a proposed subdivision with 52 lots.

### ADJOURNMENT

There being no further business to come before the Board, motion was made by Mr. Mudd and seconded by Mr. Greenwell to adjourn the meeting. Motion carried unanimously.

### NORTH NELSON WATER DISTRICT

  
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Don Mudd, Secretary

Date Approved: 6/20/22

  
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Nicky Rapier, Chairman

**NORTH NELSON WATER DISTRICT  
BOARD OF COMMISSIONERS' MEETING**

**June 20, 2022**

The North Nelson Water District Board of Commissioners held its regular monthly meeting at the District's office located at 5555 Louisville Road, Cox's Creek, Kentucky on June 20, 2022 at 5:00 p.m. Those present were Commissioners Robert Greenwell, Don Mudd, and Nicky Rapier. Also present were Cole Cissell, General Manager; Damon Talley, Attorney; Susy Duncan, Office Manager; and Jim Thompson with the Kentucky Engineering Group.

Chairman Rapier called the meeting to order and declared that a quorum was present.

**APPROVAL OF MINUTES AND FINANCIAL REPORTS**

Motion was made by Mr. Greenwell and seconded by Mr. Mudd to approve the Minutes of the May 16, 2022 meeting as prepared. Motion carried unanimously.

Motion was made by Mr. Mudd and seconded by Mr. Greenwell to approve the Expense Sheet and Check Register as presented. Motion carried unanimously.

The Commissioners reviewed the Financial and Operational Reports, including the Water Loss Report, for May 2022.

The Commissioners reviewed the Investment Schedule. Motion was made by Mr. Greenwell and seconded by Mr. Mudd to accept management's recommendation and approve the investment of District funds as shown on the Investment Schedule. Motion carried unanimously.

**OLD BUSINESS**

**1. Bullitt County South Project.** General Manager Cissell presented a status report for the Bullitt County South Project ("BCSP"). Motion was made by Mr. Greenwell and seconded by Mr. Mudd to approve a revised/corrected KEG

Contract dated August 16, 2021. Motion carried unanimously. Motion was made by Mr. Mudd and seconded by Mr. Greenwell to approve the Resolution (Exhibit 4) which authorizes the District to accept the grant from KIA in the amount of \$1,695,770 for the Bullitt County South Project and approves the proposed Grant Assistance Agreement between KIA and the District. Motion carried unanimously. Chairman Rapier then signed the Grant Assistance Agreement as authorized by the Resolution.

**2. Nelson County Water Supply Project.** General Manager Cissell presented a status report. He reported that negotiations are continuing with the Kentucky Transportation Cabinet (KTC) to obtain an encroachment permit on as much of the right-of-way of Kentucky Highway 245 as possible. KTC is insisting that the District utilize portions of the old State right-of-way and the right-of-way on Nelson County roads that are in the vicinity.

**3. PWA Application.** The PWA Application was successfully filed electronically on June 1, 2022. A “No Deficiency” letter was received on June 2, 2022. It is anticipated that the Order approving the PWA will be issued before July 1, 2022.

**4. Audit Progress.** General Manager Cissell reported that the Auditor is still waiting for information from CERS before he can complete the Audit Report. The PSC Annual Report was timely filed. The Auditor will be at the July 18, 2022 meeting to present the Audit Report.

## NEW BUSINESS

**1. Supplemental Memorandum of Agreement.** Chairman Rapier announced that one of the parties to the Supplemental Memorandum of Agreement (Supplemental MOA) concerning the Nelson County Water Supply Project wishes to make a slight modification to the Supplemental MOA. He anticipates that the Supplemental MOA will be finalized and can be approved by all three (3) parties at their respective June 2022 meetings.

**2. Cyber Insurance.** The Commissioners reviewed the summary of coverages and premium comparison for Cybersecurity Insurance provided by CFC and BCS. Upon recommendation of the District’s insurance agent, motion was made by Mr. Mudd and seconded by Mr. Greenwell to accept the quotation from BCS for providing Cybersecurity Insurance. Motion carried unanimously.

3. **General Manager Report.** No additional topics were discussed by General Manager Cissell.

4. **Executive Session.** Motion was made by Mr. Greenwell and seconded by Mr. Mudd to go into Executive Session to discuss personnel matters involving one or more specific employees. Motion carried unanimously.

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

Motion was made by Mr. Mudd and seconded by Mr. Greenwell to return to open session. Motion carried unanimously. Chairman Rapier announced that it would be necessary to take action concerning some of the matters discussed in Executive Session.


5. **Employee Benefits.** Motion was made by Mr. Greenwell and seconded by Mr. Mudd to accept General Manager Cissell's salary adjustment recommendation of a 4.75% increase for all full-time employees who have been employed for at least one (1) year. The increases will become effective with the first pay period in July 2022. Motion carried unanimously. The new hourly rate for each employee is shown in his or her respective personnel file.


6. **Legal Services.** Mr. Talley requested that his firm's monthly legal retainer be increased from \$900 to \$910 per month. The Commissioners took this matter under advisement and plan to consider it at the July Board meeting.

**ADJOURNMENT**

There being no further business to come before the Board, motion was made by Mr. Mudd and seconded by Mr. Greenwell to adjourn the meeting. Motion carried unanimously.

**NORTH NELSON WATER DISTRICT**

  
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Don Mudd, Secretary

Date Approved: 7/18/22  
  
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Nicky Rapier, Chairman

**NORTH NELSON WATER DISTRICT  
BOARD OF COMMISSIONERS' MEETING**

**July 18, 2022**

The North Nelson Water District Board of Commissioners held its regular monthly meeting at the District's office located at 5555 Louisville Road, Cox's Creek, Kentucky on July 18, 2022 at 5:00 p.m. Those present were Commissioners Robert Greenwell, Don Mudd, and Nicky Rapier. Also present were Cole Cissell, General Manager; Damon Talley, Attorney; Susy Duncan, Office Manager; Jim Thompson with the Kentucky Engineering Group; and Kevin Fisher with RFH CPAs/Consultants.

Chairman Rapier called the meeting to order and declared that a quorum was present.

**APPROVAL OF MINUTES AND FINANCIAL REPORTS**

Motion was made by Mr. Greenwell and seconded by Mr. Mudd to approve the Minutes of the June 20, 2022 meeting as prepared. Motion carried unanimously.

Motion was made by Mr. Mudd and seconded by Mr. Greenwell to approve the Expense Sheet and Check Register as presented. Motion carried unanimously.

The Commissioners reviewed the Financial and Operational Reports, including the Water Loss Report, for June 2022.

The Commissioners reviewed the Quarterly Financial and Operational Reports for the Second Quarter of 2022. Motion was made by Mr. Greenwell and seconded by Mr. Mudd to approve the reports as prepared. Motion carried unanimously.

The Commissioners reviewed the Investment Schedule. Motion was made by Mr. Mudd and seconded by Mr. Greenwell to accept management's recommendation and approve the investment of District funds as shown on the Investment Schedule. Motion carried unanimously.



## OLD BUSINESS

1. **Bullitt County South Project.** General Manager Cissell presented a status report for the Bullitt County South Project (“BCSP”). Mr. Thompson with the Kentucky Engineering Group added comments and updates along with General Manager Cissell.

2. **Nelson County Water Supply Project.** General Manager Cissell presented a status report. Mr. Thompson and General Manager Cissell have a meeting scheduled on July 26, 2022 with the Kentucky Transportation Cabinet (KTC) to continue discussions about the right-of-way issues and permits.

3. **PWA Application.** The PSC issued an Order on June 24, 2022 approving the PWA Adjustment of \$0.07 per 1,000 gallons as requested by NNWD, effective July 1, 2022. NNWD Staff electronically filed the revised Tariff Sheet with the PSC on July 6, 2022. Mr. Talley advised Ms. Duncan that the Customer Notice of Rate Adjustment will need to be advertised in The Kentucky Standard before new rates are billed.

4. **Rate Analysis.** Mr. Talley distributed copies of the PSC Order dated June 24, 2022 in Case No. 2022-146. He summarized the findings made by the PSC in its Order and placed special emphasis on Findings paragraph 8 and Ordering paragraph 5. Just as the PSC has done for almost all water districts in the past two (2) years, it is requiring NNWD to file an application for a rate increase on or before one year from the date of the Order. This means the deadline is June 24, 2023. In lieu of filing a rate case, NNWD can perform a detailed rate analysis and file a Motion to be relieved of the requirement to file a rate increase application if the rate analysis demonstrates that no rate increase is needed. **See New Business, Item 3 for Board action.**

## NEW BUSINESS

1. **2021 Audit Report.** Mr. Kevin Fisher with RFH CPAs/Consultants presented the 2021 Audit. The 2022 Audit Report contains an unqualified (“clean”) opinion. Motion was made by Mr. Mudd and seconded by Mr. Greenwell to accept the Audit Report. Motion carried unanimously.

**2. Resolution Approving Supplemental MOA.** Motion was made by Mr. Mudd and seconded by Mr. Greenwell to approve Resolution No. 2022-07-01 approving the Supplemental MOA for the Nelson County Water Supply Project. Motion carried unanimously.

**3. Rate Analysis.** Chairman Rapier suggested that the Board go ahead and engage the services of a rate consultant to prepare the rate analysis required by the PSC in its June 24, 2022 Order. Mr. Talley recommended that NNWD request a proposal from KRWA for preparing the rate analysis. Motion was made by Mr. Mudd and seconded by Mr. Greenwell to request a proposal from KRWA for preparing the PSC required rate analysis. Motion carried unanimously.

**4. General Manager Report.** General Manager discussed other topics, including other projects and meter change outs.

**5. Legal Services.** Mr. Talley requested that his firm's monthly legal retainer be increased from \$900 to \$910 per month. Motion was made by Mr. Greenwell and seconded by Mr. Mudd to approve increase. Motion carried unanimously.


### ADJOURNMENT

There being no further business to come before the Board, motion was made by Mr. Mudd and seconded by Mr. Greenwell to adjourn the meeting. Motion carried unanimously.

**NORTH NELSON WATER DISTRICT**

  
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Don Mudd, Secretary

Date Approved: 8/15/2022

  
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Acting Chairman

**NORTH NELSON WATER DISTRICT  
BOARD OF COMMISSIONERS' MEETING**

**August 15, 2022**

The North Nelson Water District Board of Commissioners held its regular monthly meeting at the District's office located at 5555 Louisville Road, Cox's Creek, Kentucky, on August 15, 2022 at 5:00 p.m. Commissioners present were Robert Greenwell and Don Mudd. Also present were Cole Cissell, General Manager; Damon Talley, Attorney; and Susy Duncan, Office Manager.

**RESIGNATION OF COMISSIONER RAPIER**

General Manager Cissell announced that he had received a resignation letter from Nicky Rapier stating that Commissioner Rapier had resigned as a member of the North Nelson Board of Commissioners, effective August 2, 2022. He stated in the letter that he had been appointed as Nelson County Judge/Executive on August 2, 2022. Therefore, his current position is incompatible with serving as a water district commissioner.

Commissioner Greenwell was designated as Acting Chairman for the purpose of conducting the August 15, 2022 Board Meeting. Acting Chairman Greenwell called the meeting to order and declared that a quorum was present.

**APPROVAL OF MINUTES AND FINANCIAL REPORTS**

Upon Joint Motion duly made, seconded, and unanimously adopted, the Minutes of the July 18, 2022 meeting were approved as prepared.

Upon Joint Motion duly made, seconded, and unanimously adopted, the Expense Sheet and Check Register were approved as presented.

The Commissioners reviewed the Financial and Operational Reports, including the Water Loss Report, for July 2022.

The Commissioners reviewed the Investment Schedule. Upon Joint Motion duly made, seconded, and unanimously adopted, the management's recommendation on investment of District funds was approved as shown on the Investment Schedule.

## OLD BUSINESS

**1. Bullitt County South Project.** General Manager Cissell presented a status report for the Bullitt County South Project ("BCSP"). General Manager Cissell and Mr. Jim Thompson with the Kentucky Engineering Group will continue to work on finalizing Easements.

**2. Nelson County Water Supply Project.** General Manager Cissell presented a status report. General Manager Cissell and Mr. Thompson with Kentucky Engineering Group will continue discussions with the Kentucky Transportation Cabinet (KTC) concerning right-of-way issues and permits.

**3. Rate Analysis.** Attorney Talley reported that he had submitted a written request on behalf of the District to KRWA requesting that KRWA submit a Proposal for preparing the Rate Study as required by the PSC Order dated June 24, 2022. He has also had follow-up communications with the appropriate KRWA staff. He anticipates that KRWA will submit its proposal to NNWD prior to the September 19, 2022 Board meeting.

## NEW BUSINESS

**1. Ackridge Extension.** The Commissioners reviewed the Bid Tabulation for installing the materials for the Ackridge Line Extension Project (Project). Upon joint motion duly made, seconded, and unanimously adopted, the bid of Build One, Inc. in the amount of \$32,850 for installing the 6-inch diameter water line option was declared to be the lowest and best bid and was accepted. General Manager Cissell was instructed to sign the necessary documents to award the Project to Build One, Inc.

**2. General Manager Report.** General Manager Cissell discussed other topics, including the purchase of a new truck by utilizing the State Master Bid Contract. The approximate delivery date is mid-February 2023.

**ADJOURNMENT**

Upon Joint Motion duly made, seconded, and unanimously adopted, and there being no further business to come before the Board, the meeting was adjourned.

**NORTH NELSON WATER DISTRICT**



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Don Mudd, Secretary

**Date Approved:** \_\_\_\_\_



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Robert Greenwell, Acting Chairman

**NORTH NELSON WATER DISTRICT  
BOARD OF COMMISSIONERS' MEETING**

**September 19, 2022**

The North Nelson Water District Board of Commissioners held its regular monthly meeting at the District's office located at 5555 Louisville Road, Cox's Creek, Kentucky, on September 19, 2022 at 5:00 p.m. Commissioners present were Robert Cecil, Robert Greenwell, and Don Mudd. Also present were Cole Cissell, General Manager; Damon Talley, Attorney; Susy Duncan, Office Manager; and Jim Thompson, Kentucky Engineering Group.

**APPOINTMENT OF NEW COMMISSIONER**

Mr. Robert Cecil was appointed by the Nelson Fiscal Court on August 16, 2022 to fill the unexpired term of Commissioner Nicky Rapier, which ends on January 10, 2026.

**APPROVAL OF MINUTES AND FINANCIAL REPORTS**

Motion was made by Mr. Mudd and seconded by Mr. Cecil to approve the Minutes of the August 15, 2022 meeting as prepared. Motion carried unanimously.

Motion was made by Mr. Greenwell and seconded by Mr. Mudd to approve the Expense Sheet and Check Register as presented. Motion carried unanimously.

The Commissioners reviewed the Financial and Operational Reports, including the Water Loss Report, for August 2022.

The Commissioners reviewed the Investment Schedule. Management's recommendations for investment of District funds as shown on the Investment Schedule were accepted and approved. **(See New Business, Item 4 for additional Board action.)**

## OLD BUSINESS

1. **Bullitt County South Project.** General Manager Cissell presented a status report for the Bullitt County South Project (“BCSP”). General Manager Cissell and Mr. Jim Thompson with the Kentucky Engineering Group will continue to work on finalizing Easements and details leading up to bidding the project.

2. **Nelson County Water Supply Project.** General Manager Cissell presented a status report. General Manager Cissell and Mr. Thompson with Kentucky Engineering Group will continue discussions with the Kentucky Transportation Cabinet (KTC) concerning right-of-way issues and permits.

A. **Approve KEG Engineering Contract.** Mr. Thompson presented the Kentucky Engineering Group contract. A motion was made by Mr. Mudd and seconded by Mr. Greenwell to approve the contract as presented. Motion carried unanimously.

B. **Approve KEG’s Invoice.** Motion was made by Mr. Cecil and seconded by Mr. Mudd to approve Kentucky Engineering Group’s Invoice dated September 19, 2022 in the amount of \$286,550.00 and to authorize payment upon receipt of the funds from Nelson Fiscal Court pursuant to the terms of the MOA. Motion carried unanimously.

C. **KIA Resolution.** Motion was made by Mr. Greenwell and seconded by Mr. Cecil to adopt KIA Resolution (Exhibit 4), which authorizes the District to accept the grant from KIA in the amount of \$1,697,955 for the Nelson County Water Supply Project; approves the proposed Grant Assistance Agreement between KIA and the District; and designates General Manager Cissell as the District’s “Authorized Official” for this Grant. Motion carried unanimously.

D. **Construction Checking Account.** Motion was made by Mr. Mudd and seconded by Mr. Greenwell to adopt Resolution No. 2022-09-02, which authorizes General Manager Cissell to open a new construction account at Wilson & Muir Bank for the purpose of paying Project expenses for the Nelson County Water Supply Project. Motion carried unanimously.

E. **Easement Acquisitions.** General Manager Cissell and Mr. Thompson once again reiterated the difficulty of obtaining easements along Kentucky Highway 245 for the Nelson County Water Supply Project because these property owners already have access to NNWD's existing water line. Some of the property owners have refused to even consider granting NNWD an easement to construct the proposed water transmission main. Mr. Talley emphasized the importance of making a good faith offer before utilizing eminent domain to obtain the necessary easements. The importance of treating all the property owners fairly was also discussed. Upon recommendation of General Manager Cissell, motion was made by Mr. Mudd and seconded by Mr. Greenwell to offer each property owner \$10 per linear feet for granting an easement. Motion carried unanimously.

3. **Rate Analysis.** Attorney Talley reported that the current KRWA employee that does the Rate Studies is retiring. The replacement employee has a potential conflict and will not be able to do the Rate Study for NNWD. Attorney Talley will look at other possible entities and consultants to do the Study.

4. **Ackridge Extension.** General Manager Cissell updated the Board on the status of this Extension. The Extension has not yet started, but the materials have been ordered and delivered to NNWD. Build One, Inc. advised General Manager Cissell that it will try to start the Extension Project in October.

## NEW BUSINESS

1. **Election of Officers.** The position of Chairman is vacant due to the resignation of Mr. Nicky Rapier. A motion was made by Mr. Greenwell and seconded by Mr. Mudd to elect Mr. Cecil as Chairman. Mr. Cecil will serve as Chairman until December 31, 2022. Motion carried unanimously.

2. **Bullitt County Tank Project.** General Manager Cissell once again updated the Commissioners on the worsening condition of the slope failure near the Bullitt County Water Storage Tank. He has engaged the services of ECS, Southeast, which is a geotechnical engineering firm, to perform certain preliminary geotechnical exploration services in the affected area near the Bullitt County Water Storage Tank. ECS will offer recommendations for repairing the slope failure once it has completed its geotechnical exploration and evaluation.



3. **Round 2 Cleaner Water Program.** General Manager Cissell reported on the procedure to request a portion of funds allocated to Nelson County from the Round 2 Cleaner Water Program. A meeting is to be held with Nelson Fiscal Court to discuss this matter.

4. **LNB Resolution.** Because of the resignation of Nicky Rapier and the possibility that additional funds might be deposited or invested at Lincoln National Bank, the Commissioners considered Resolution No. 2022-09-01. Prior to discussing or voting on the Resolution, Mr. Cecil informed the other NNWD Board members: (a) that he is an employee of Lincoln National Bank; (b) that he would not be participating in any matter involving the Lincoln National Bank and NNWD, including, but not limited to, investment of funds or other banking transactions; and (c) that he would be abstaining from voting on any matter pertaining to Lincoln National Bank. Mr. Talley then reviewed the provisions of Resolution No. 2022-09-01. Motion was made by Mr. Mudd and seconded by Mr. Greenwell to adopt Resolution No. 2022-09-01. Motion carried by a vote of 2 to 0 with Mr. Cecil abstaining from voting.

5. **General Manager Report.** No additional topics were discussed by General Manager Cissell.

### ADJOURNMENT

There being no further business to come before the Board, motion was made by Mr. Mudd and seconded by Mr. Greenwell to adjourn the meeting. Motion carried unanimously.

### NORTH NELSON WATER DISTRICT



Don Mudd, Secretary

Date Approved: 10-17-22



Robert Cecil, Chairman

**NORTH NELSON WATER DISTRICT  
BOARD OF COMMISSIONERS' MEETING**

**October 17, 2022**

The North Nelson Water District Board of Commissioners held its regular monthly meeting at the District's office located at 5555 Louisville Road, Cox's Creek, Kentucky, on October 17, 2022 at 5:00 p.m. Commissioners present were Robert Cecil, Robert Greenwell, and Don Mudd. Also present were Cole Cissell, General Manager; Damon Talley, Attorney; and Susy Duncan, Office Manager.

Chairman Cecil called the meeting to Order and declared that a quorum was present.

**APPROVAL OF MINUTES AND FINANCIAL REPORTS**

Motion was made by Mr. Greenwell and seconded by Mr. Mudd to approve the Minutes of the September 19, 2022 meeting as prepared. Motion carried unanimously.

Motion was made by Mr. Mudd and seconded by Mr. Greenwell to approve the Expense Sheet and Check Register as presented. Motion carried unanimously.

The Commissioners reviewed the Financial and Operational Reports, including the Water Loss Report, for September 2022.

The Commissioners reviewed the Quarterly Financial and Operational Reports, including the Water Loss Report, for the Third Quarter of 2022.

There were no investments this month.

## OLD BUSINESS

1. **Bullitt County South Project.** General Manager Cissell presented a status report for the Bullitt County South Project ("BCSP"). Attorney Talley is working on finalizing easements. Motion was made by Mr. Greenwell and seconded by Mr. Mudd to adopt the Resolution (Exhibit 4) which approves the Grant Assistance Agreement and authorizes the District to accept the grant from KIA for the Project. Motion carried unanimously.

2. **Nelson County Water Supply Project.** General Manager Cissell presented a status report. With the approval to pay for easements, General Manager Cissell is going to review the original proposed route to see if any revisions are possible. Motion was made by Mr. Mudd and seconded by Mr. Greenwell to transfer \$10,000.00 from the General Fund to the new project checking account to pay for Project expenses prior to getting reimbursed from Nelson Fiscal Court or KIA. Motion carried unanimously.

3. **Rate Analysis.** Attorney Talley reported that he was still in discussions with KRWA to perform the required Rate Analysis. Attorney Talley was considering some other possible entities and consultants to do the Rate Analysis.

4. **Ackridge Extension.** General Manager Cissell reported that the Extension was not complete. Build One, Inc. has been involved in Bullitt County Tank site slide repair.

5. **Bullitt County Tank Project.** General Manager Cissell reported that the repair of the slope failure was in progress.

## NEW BUSINESS

1. **Round 2 Cleaner Water Program.** General Manager Cissell reported that all the Round 2 funds available for Nelson County were allocated to the Nelson County Water Supply Project.

2. **DOW Inspection Report.** The Commissioners reviewed the October 17, 2022 Inspection Report from the Kentucky Division of Water (DOW) following its September 28, 2022 inspection of the District's facilities. The District received a "No Violations Observed" report, which is the highest level given by DOW.

**3. General Manager Report.** General Manager Cissell reported that the District is now billing over 5,000 customers. He also reported on other topics.

**ADJOURNMENT**

There being no further business to come before the Board, motion was made by Mr. Mudd and seconded by Mr. Greenwell to adjourn the meeting. Motion carried unanimously.

**NORTH NELSON WATER DISTRICT**

  
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Don Mudd, Secretary

**Date Approved:** \_\_\_\_\_

  
\_\_\_\_\_  
Robert Cecil, Chairman

**NORTH NELSON WATER DISTRICT  
BOARD OF COMMISSIONERS' MEETING**

**November 21, 2022**

The North Nelson Water District Board of Commissioners held its regular monthly meeting at the District office located at 5555 Louisville Road, Cox's Creek, Kentucky, on November 21, 2022 at 5:00 p.m. Commissioners present were Robert Greenwell, and Robert Cecil. Don Mudd was unable to attend due to illness. Also present were Cole Cissell, General Manager; Susy Duncan, Office Manager; and Jim Thompson and Troy Hogge, Kentucky Engineering Group. Damon Talley, Attorney, was present via Zoom.

Chairman Cecil called the meeting to order and declared that a quorum was present. Commissioner Greenwell was designated as Acting Secretary for the purpose of this meeting.

**APPROVAL OF MINUTES AND FINANCIAL REPORTS**

Upon Joint Motion duly made, seconded, and unanimously adopted, the Minutes of the October 17, 2022 meeting were approved as prepared.

Upon Joint Motion duly made, seconded, and unanimously adopted, the Expense Sheet and Check Register were approved as prepared.

The Commissioners reviewed the Financial and Operational Reports, including the Water Loss Report, for October 2022.

The Commissioners reviewed the Investment Schedule. Upon Joint Motion duly made, seconded, and unanimously adopted, the management's recommendations on investments of District funds were approved as shown on the Investment Schedule.

## OLD BUSINESS

1. **Bullitt County South Project.** General Manager Cissell, along with Jim Thompson with the Kentucky Engineering Group, presented a status report for the Bullitt County South Project (“BCSP”). Attorney Talley is working on finalizing easements plus an Opinion Letter. NNWD received a check from KIA in the amount of the Kentucky Engineering Group Invoice, which was approved to be paid at a previous meeting. Upon Joint Motion duly made, seconded, and unanimously adopted, it was decided to open a separate checking account for the BCSP at the Wilson and Muir Bank.

2. **Nelson County Water Supply Project.** General Manager Cissell, along with Jim Thompson and Troy Hogge with the Kentucky Engineering Group, presented a status report. KEG is working on surveying the path of the project. General Manager Cissell will work on easements. Matthew Hite, a local attorney, has been contacted about helping prepare the easements.

3. **Ackridge Extension.** General Manager Cissell reported that the Extension was not complete. Build One, Inc. has been involved in Bullitt County slope failure project.

4. **Bullitt County Tank Project.** General Manager Cissell reported that the repair of the slope failure was complete. He then presented a written schedule itemizing the various repair expenses.

## NEW BUSINESS

1. **Lead Service Line Inventory.** General Manager Cissell reported that the Inventory needs to be completed by October 2024. He has spoken to both the Division of Water and Kentucky Rural Water Association about the Inventory requirements. Discussion and details concerning this project will be ongoing in upcoming months.

2. **General Manager Report.** General Manager Cissell reported on repair needs for the Lutheran Church Tank.

**ADJOURNMENT**

Upon joint motion duly made, seconded, and unanimously adopted, the meeting was adjourned.

**NORTH NELSON WATER DISTRICT**

Robert Greenwell  
Robert Greenwell, Acting Secretary

**Date Approved:** Robert Cecil 12/19/2022

Robert Cecil  
Robert Cecil, Chairman

**NORTH NELSON WATER DISTRICT  
BOARD OF COMMISSIONERS' MEETING**

**December 19, 2022**

The North Nelson Water District Board of Commissioners held its regular monthly meeting at the District office located at 5555 Louisville Road, Cox's Creek, Kentucky, on December 19, 2022 at 5:00 p.m. Commissioners present were Robert Cecil (via Zoom), Robert Greenwell, and Don Mudd. Also present were Cole Cissell, General Manager; Damon Talley, Attorney; Susy Duncan, Office Manager; and Jim Thompson, Kentucky Engineering Group.

Chairman Cecil called the meeting to order and declared that a quorum was present.

**APPROVAL OF MINUTES AND FINANCIAL REPORTS**

Motion was made by Mr. Greenwell and seconded by Mr. Mudd to approve the Minutes of the November 21, 2022 meeting as prepared. Motion carried unanimously.

Motion was made by Mr. Mudd and seconded by Mr. Greenwell to approve the Expense Sheet and Check Register as presented. Motion carried unanimously.

The Commissioners reviewed the Financial and Operational Reports, including the Water Loss Report, for November 2022.

The Commissioners reviewed the Investment Schedule. Management's recommendations for investment of District funds as shown on the Investment Schedule were accepted and approved.



## OLD BUSINESS

1. **Bullitt County South Project.** General Manager Cissell, along with Jim Thompson with the Kentucky Engineering Group, presented a status report for the Bullitt County South Project (“BCSP”). Attorney Talley is working on finalizing easements plus an Opinion Letter. Attorney Talley anticipates having all easements signed by January 10, 2023. Bidding process and timeline for the project was discussed by the group.

2. **Nelson County Water Supply Project.** General Manager Cissell, along with Jim Thompson with the Kentucky Engineering Group, presented a status report. General Manager Cissell and Mr. Thompson recently met once again with the Kentucky Transportation Cabinet (KTC) officials concerning the Project path. The KTC is delaying issuance of Encroachment Permits and approving the Project path until the design of the proposed widening of Kentucky Highway 245 has been completed. General Manager Cissell and Mr. Thompson have also met with three (3) ductile pipe companies for availability of pipe and delivery times. Group discussion ensued on details.

3. **Ackridge Extension.** General Manager Cissell reported that the Extension was partially complete and work is still in process.

## NEW BUSINESS

1. **2023 Budget.** General Manager Cissell presented the proposed Budget for calendar year 2023. Motion was made by Mr. Greenwell and seconded by Mr. Mudd to adopt the proposed budget for 2023 as prepared. Motion carried unanimously.

2. **Interest Rate for Customer Deposits for 2023.** Mr. Talley informed the Commissioners of the PSC calculated maximum rate that water districts must pay on customer deposits during 2023 to be 4.34%. After reviewing the interest rate earned by the District on the Membership account, motion was made by Mr. Mudd and seconded by Mr. Greenwell to change the interest rate to be paid on Customer Deposits for 2023 to 0.05%. Motion carried unanimously.

**3. Residential Sales Tax Exemption.** Mr. Talley discussed the details of the new Kentucky Sales Tax law starting January 1, 2023 that included water utilities. Kentucky residents will be tax exempt on their primary residence. They will be “grandfathered” in and will not be required to sign a Declaration of Domicile Tax Exempt form. Mr. Talley and the group discussed additional details concerning the new Sales Tax law.

**4. Officer Election.** Upon Joint Motion duly made, seconded and unanimously adopted, re-election of the same officers for 2023 was approved. All officers shall serve a one (1) year term beginning on January 1, 2023 and ending on December 31, 2023. The officers for 2023 are as follows:

Chairman: Robert Cecil  
Secretary: Don Mudd  
Treasurer: Robert Greenwell

**5. General Manager Report.** General Manager Cissell reported that NNWD had issued a Boil Water Advisory due to a line break by electrical contractors. The Advisory affected approximately 800 customers.

#### ADJOURNMENT

There being no further business to come before the Board, motion was made by Mr. Greenwell and seconded by Mr. Mudd to adjourn the meeting. Motion carried unanimously.

**NORTH NELSON WATER DISTRICT**

  
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Don Mudd, Secretary

Date Approved: 1-16-23

  
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Robert Cecil, Chairman