

Minutes of the Natural Resources and Environmental Protection Advisory Committee

February 9, 2011

Staff liaison Don Hassall explained the procedure for the naming of advisory committee chairs and vice-chairs and reported that Lawrenceburg Mayor Edwinna Baker had been named (by the ADD Board) as the new committee chair while Mercer County Judge-executive Milward Dedman had been named as committee vice-chair. Chair Baker convened the bi-monthly meeting of the ADD's Natural Resources and Environmental Protection Advisory Committee at 3:20 p.m. on Wednesday, February 9, 2011. Several committee members had telephoned to report that they were not going to attempt the trip because of the start of what appeared to be the onset of some serious snow.

Don Hassall called the roll and the following 19 members were recorded as being present.

Members in attendance were:

Anderson	Larry Hazlett	Scott	Billy Jenkins
Clark	Shanda Cecil	Scott	Eric Larson
Fayette	Sandra Dunahoo	Woodford	Libby Jones
Fayette	Jim Rebmann	EE Cabinet	Larry Taylor
Garrard	Donna Powell	At Large	Alan Banks
Jessamine	Tom Calkins	At Large	Don Dampier
Jessamine	Dave Carlstedt	At Large	Paul Simmons (pxy)
Lincoln	Dale Kirkpatrick	At Large	Amy Sohner
Madison	Jim Marcum	Chair	Edwinna Baker
		Vice-Chair	Milward Dedman

Also present were Ron White of M&M Sanitation as well as ADD staff members Don Hassall and Mary Ann Fegley. Bart Miller served as the proxy for Paul Simmons.

Members recorded as being absent were:

Bourbon	Kevin Crump	Harrison	Charlie Tribble
Boyle	Sarah Vahlkamp	Madison	Scott Tussey
Clark	Bill Esarey	Mercer	Tony White
Estill	Billy Williams	Nicholas	Kristi Morris
Fayette	Steve Jackson	Powell	Mike Briggs
Franklin	Rebecca Hall	At Large	Bill Martin
Franklin	Robert Hewitt		

Minutes of Previous Meeting

The minutes of the December 1, 2010 meeting were approved as previously distributed electronically.

Discussion of the Status of Membership Slots on the Committee

Mr. Hassall explained that the committee nomination forms involving members from Bourbon County, Boyle County, Fayette County and one vacant membership slot in Madison County had **not** been returned in sufficient time for the ADD Board, at its Annual Meeting on January 28, to elect advisory committee members from those counties. As such, with the exception of those committee members who had requested “retirement” from the committee, staff was going to consider that year 2010 members from those 3.5 counties to continue to serve until they were re-elected or replaced by action of the ADD Board.

Nomination and Election of a Committee Secretary

Committee secretary Tony White’s one-year term having expired at the time of the January 28 Annual ADD Board of Directors meeting, Chair Baker opened the floor for nominations for committee secretary. Tom Calkins nominated Tony White. Jim Rebmann seconded the nomination. There being no other nominations, a motion was made and seconded that the nominations cease and Mr. White be elected by acclamation. That motion carried unanimously.

Guest Speaker

Linda Alexander, president of the Herrington Lake Conservation League (HLCL), was the guest speaker. She discussed the who, what, why, and how of the HLCL as well as the recent and current initiatives of this grassroots organization whose aim is to improve the visual quality and the water quality of Herrington Lake and its shoreline.

Herrington Lake is somewhat of an anomaly in that it is privately-owned (by Kentucky Utilities Company). The water belongs to the Commonwealth but the lake itself is the property of Kentucky Utilities. Unlike the prevailing practice at lakes controlled by the Army Corps of Engineers, KU allows owners of lands adjacent to the lake to construct their own boat docks and piers on or adjacent to the lake.

The normal winter pool level is established at 725 mean sea level (msl) while the normal summer pool level is established at 740 feet msl. In some places the lake is 250 feet deep. The lake’s shoreline constitutes the partial boundaries of Boyle County, Mercer County, and Garrard County. Garrard County is on the lake’s eastern shore while Boyle and Mercer Counties share the lake’s western shore. Styrofoam is a significant visual pollutant at the lake. Most Styrofoam comes from active and/or abandoned boat docks.

The HLCL is ten years old. In its first effort to clean up the lake’s shoreline, 22 42-CY roll-off dumpsters were filled with Styrofoam, other debris, and 1,050 waste tires. It costs the HLCL from \$60,000 to \$70,000 annually in its efforts to clean the shoreline of the lake. Tree limbs, whole trees, and other types of woody waste are a problem as well. The serious ice storm of several years ago resulted in a virtual logjam of trees, pieces of trees, and limbs in the water. Some adjacent landowners also contribute to the problem as they often clear-cut trees and brush all off the way to the water’s edge and then wait for “high water” to carry the woody debris on downstream. Abandoned boat docks, abandoned and discarded boats, and even trucks and cars have been pulled from the lake. During the May 2010 flood event, the lake level rose 17 feet in a single hour. .

Ms. Alexander said the job of keeping the Herrington Lake shoreline clean will never end. Discussed was a recent initiative by the Garrard County Fiscal Count—an initiative to require dock owners in Garrard County to encapsulate any Styrofoam used in new or restored boat docks. The new regulations should go a long way to keep that non-degradable product out of the lake and out of sight. The Garrard County regulations only apply to new and restored docks as older docks were “grandfathered in.” Ms. Alexander

said she hoped the Boyle County Fiscal Court and the Mercer County Fiscal Court will eventually be equally responsive and will act to deal with the significant problem of waste Styrofoam on the lake.

Mr. Alexander said Kentucky Utilities has been contributing \$20,000 annually to the HLCL clean-up efforts. Occasional Bluegrass PRIDE grants as well as grants from the Kentucky River Authority have also contributed to the continuous clean-up effort. The League also holds various fund-raising events during the year to bolster its slim budget. Further, the League is active in the Kentucky River Watershed Watch effort, and is at work to discourage the dumping of sewage by houseboats, etc. that frequent the lake. Mr. Hassall added that the ADD is working with the Mercer County Judge-executive's office and the Mercer County Sanitation District in an effort to develop a financial package with which to undertake the construction of sanitary sewers to serve the City of Burgin as well as densely urbanized areas of the Mercer County shoreline of Herrington Lake.

Committee members thanked Mr. Alexander for her interesting and informative presentation.

Old Business

The following items of Old Business were discussed:

- Recent action by the Census Bureau to release population totals for the 50 states. Census numbers for cities and counties are likely to be released soon—perhaps even before the end of February.
- The decision by East Kentucky Power **not** to commence construction on a new coal-fired electrical generating station near Trapp in eastern Clark County.
- The long-awaited decision by a federal judge to sign the Consent Decree between USEPA and Lexington-Fayette involving the remediation of Lexington-Fayette's long list of wastewater and storm water system deficiencies. The judge's signature on the Consent Decree starts the time clock that Lexington must follow in implementing the required remedial measures.
- The Kentucky Public Service Commission's action on Kentucky-American Water Company's request for a significant increase in rates to allow the company to recover the costs incurred in the construction of a third water treatment plant for the company. The new plant is located on Pool 3 of the Kentucky River—near the Owen/Franklin County line and downstream (north) of Frankfort.
- The commencement of construction by Winchester Municipal Utilities of a second wastewater treatment plant south of that city. Discharge from the new treatment plant would be to a tributary of the Kentucky River. When the construction of this new wastewater treatment plant is complete, the municipal utility will have constructed two significant wastewater treatment plants (at a cost of some \$30 million each) in a ten-year period.
- The announcement by the ADD staff of the availability of real-time updates of comparative water and wastewater rates for Bluegrass Area water/wastewater utilities. Such updates may be downloaded from the ADD's web site.
- The announcement that construction has commenced on the Sadieville-to-Georgetown sewer line connector. Upon project completion, Georgetown Municipal Water and Sewer Service will be treating sanitary sewage generated at Sadieville, and Sadieville will be able to decommission its antiquated wastewater treatment plant.
- The announcement of a "bump in the road" of the Bourbon County municipality of North Middletown as that city has been seeking to identify some other more sustainable utility company to come and accept ownership and operation of the North Middletown water and sewer utilities so as to satisfy the requirements of USDA's Rural Development which wants its available financing to go to cities (and others) that are sustainable. Both the City of Paris and the Judy Water Association have rejected the offer to acquire and operate the North Middletown utility systems.

Kentucky Intergovernmental Review Projects

There were no KIRPs for the committee to review at the February meeting.

New Business

Under New Business, the following topics were discussed:

- Former committee member Fred Goins being named as interim city manager for the City of Frankfort.
- Former committee member J. R. Williamson's announced retirement as the Scott County Solid Waste Coordinator.
- Calendar year 2010 water production information for the various water treatment plants in the Bluegrass Region. With the ADD's survey of area water treatment plants almost complete, it was observed that area water treatment plants experienced an aggregated increase in demand of almost 8 percent in calendar year 2010 as compared to the demand for water in calendar year 2009. In 2010, Berea and Lancaster were both operating their water treatment plants in excess of 70 percent of capacity on an average day. When the average day water production exceeds 70 percent of plant capacity, the demand for water on peak days will likely result in the water treatment plant's continuous operation (which is an undesirable situation).
- Jessamine County's move to *single-stream recycling* in an effort to increase the rate of solid waste recycling among households and businesses in Jessamine County.
- Approval by referendum of an annexation initiative in the northwest corner of Stanford.
- Governor Beshear's selection as the States' co-chair of the Appalachian Regional Commission for 2011.
- The availability of electronics recycling offered by Lexington-Fayette.
- Lawrenceburg's likely action to increase water rates by less than 8 percent later in February.
- The termination of the Division of Waste Management's program to facilitate the recycling of waste tires in the Commonwealth. Without the financial involvement of the Commonwealth, more waste tires are likely to end up in sanitary landfills where they will eventually "float" to the surface.
- The ADD's initiative to assist the Frankfort City Commission in a discussion of solid waste policies and programs. Even after the 2009 adoption of a first-time user charge of \$60 annually for residential solid waste customers, Frankfort continues to run an annual deficit of almost \$900,000 on the residential solid waste services it provides.

There being no other business, it was announced the next meeting of the committee was scheduled for Wednesday, April 13, beginning at 3:15 p.m.

There being no further business, Chair Baker adjourned the meeting at 4:45 p.m.

Respectfully submitted,

Don R. Hassall
Acting Committee Secretary