

**KENTUCKY RIVER AUTHORITY
MEETING NO. 202
AGENDA**

Date: February 8, 2022
Time: 1:00 p.m.
Place: Join Zoom Meeting

<https://us06web.zoom.us/j/83726731679?pwd=TnZzOXZscFFvOHo3bkZPeThVd21hdz09>

Meeting ID: 837 2673 1679
Passcode: Y4ktEs

1. Call to Order
2. Approval of Minutes
3. Financial Report – Jennie Wolfe
4. Consideration for USGS Agreement, FY 23-24 – Jeff Woods, USGS
5. Consideration for UK Watershed Management Program, FY 23-24 – Malissa McAlister, UK
6. Consideration for Public Officials Liability Insurance – Jennie Wolfe
7. 2022 River Sweep – Sue Northern
8. Executive Director Report – David Hamilton
9. Chairman Report – Mark Smith
10. Discussion - Other
11. Comments from the public
12. Executive Session
 - Proposed Litigation KRS 61.810 (c)
 - Property Acquisition KRS 61.810 (b)
 - Personnel Matters KRS 61.810 (f)
15. Adjourn

The Kentucky River Authority will maintain and manage water resources of the Kentucky River Basin to provide a clean and reliable water supply for the citizens of the Basin. The Kentucky River Authority will provide leadership and a common forum for all stakeholders of the Kentucky River Basin in order to promote the highest and best uses of the water resources of the Kentucky River Basin.

A meeting of the Kentucky River Authority (KRA) was held at 1:00 pm via Zoom meeting on Tuesday, February 8, 2022, pursuant to a meeting advisory posted at www.kra@gov and emailed to the KRA's distribution list. The following board members were present: Scott Althaus, Case Davis, David Jackson, John Lyons for Secretary Goodman, James Kay, Angela Muncy, Harold Rainwater, Mark Smith, Amanda Stacy, and Huston Wells. Also, in attendance were David Hamilton Executive Director for the Kentucky River Authority, KRA Staff members, Sue Northern, Bobby Webb and Jennie Wolfe. The guests in attendance were Ben Webster (Stantec), Robert Hatton (Stantec), David Brown Kinloch (Appalachian Hydro Partners), Greg Yankey (HDR), Bethany Couch (OFM), Malissa McAlister (UK), Dr. Ormsbee (UK), Jeff Woods (USGS), Kara Smothermon (OSBD), Tom Caulkins, Robin Antenucci (Frankfort Tourism), Mike Flynn and Tom Marshall.

1. Call to Order. Chairman Mark Smith called the meeting to order, Sue Northern took the roll call and announced there was a quorum.

2. Approval of Meeting Minutes. Upon the motion made by John Lyons and second by Huston Wells the board meeting minutes from November 9, 2021, were approved.

3. Financial Report. Jennie Wolfe summarized the financial reports for the months of October, November, and December. Upon a motion made by Scott Althaus and second by Angela Muncy the financial reports for the second quarter of the fiscal year were approved.

4. Consideration for the USGS Agreement, FY 23-24. Jeff Woods with the United States Geological Survey presented the streamflow gage network agreement between the Kentucky River Authority and the USGS for the two upcoming fiscal years, 2023 and 2024. The agreement is a cost share for high and low water events in the Kentucky River basin. The gages are located on the main stem of the river, the forks, Elkhorn Creek, Dix River, and other tributaries. Jeff Woods stated the hydro facility located at Lock and Dams 12 is causing uncertainty in lower flows. The upcoming hydro facilities at Lock and Dams 13 and 14 will cause the streamflow gages to be moved or adjusted. The agreement rate for the upcoming biennium will be \$289,900. Upon a motion made by John Lyons and second by Angela Muncy, the USGS Streamflow Gage agreement for fiscal years 2023 and 2024 was approved.

5. Consideration for the UK Watershed Management Program, FY 23-24. Mark Smith stated Malissa McAlister with the University of Kentucky Water Resources Research Institute presented the proposal to the water quality subcommittee on January 28, 2022. Malissa McAlister presented the board with her duties as the KRA representative for the Kentucky River basin. The KRA and UK have had the watershed agreement since 1998. The watershed grants were started in 2004 and KRA provides funding for areas of concern in the Kentucky River basin. To date, KRA has funded 105 projects for \$277,346. The agreement rate for the upcoming biennium will be \$270,602. Upon a motion made by Huston Wells and second by Scott Althaus the board approved the UK Watershed Management agreement for fiscal years 2023 and 2024.

6. Consideration for Public Officials Liability Insurance. Jennie Wolfe stated the Public Officials Liability Insurance is bid out through the Department of State Risk and Insurance in the Finance and Administration Cabinet. The bid came back at \$5,169.40, an increase of \$319.65 over the previous year. The insurance is effective for the period March 13, 2022, through March 13, 2023. Upon a motion made by Huston Wells and second by Scott Althaus the board approved the Public Officials Liability Insurance.

7. 2022 River Sweep. Mark Smith stated the Marketing and Recreation subcommittee met on January 31, 2022 and are making the recommendation to re-use the 2021 River Sweep t-shirts for 2022 since most of the t-shirts were not used due to COVID. Sue Northern stated the River Sweep budget for the previous year to purchase t-shirts was \$7,000. Instead of purchasing new t-shirts for 2022, the shirts will be used again since there is a chance the counties will not host River Sweep events due to the uncertainty of COVID. The date for River Sweep has been set for August 22, 2022. The counties that have responded to Sue Northern regarding River Sweep are Red River area, Fayette County, Clark County, Madison County and Rockcastle County. Upon a motion made by David Jackson and second by John Lyons the board approved the re-use the 2021 River Sweep t-shirts and not budget an amount for River Sweep 2022.

8. Executive Director Report. David Hamilton gave an update on three topics with KRA. The first was Senate Bill 89 which cleans up the language for the requirements of the KRA board. The main thing is the bill states is the members must be residents of the Kentucky River basin. It has moved to the Appropriation and Revenue Committee. The next topic was the Dam 10 project. The project is almost complete, and the final completion date has been set for March 1, 2022. The contractor needs low water levels to finish the remaining work. The final topic was the Locks 2 and 3 Guide Wall repairs project. David Hamilton met with Stantec to discuss the various alternatives for the repairs at both locations. It was determined the best approach for both Locks and Dams 2 and 3 to use sheet piling walls anchored in rock. The budget proposed by Stantec was very similar to what is budgeted. The total budget for the project is \$4,131,000. The design is planned to be complete by June 2022. The bid opening will be planned for July to August and the contract is planned to be awarded in late August. The construction period will be three months and is planned for September, October, and November. Currently the contract language is being determined since locking season runs through late October and Locks 2 and 3 will be restricted during construction.

9. Chairman Report. Mark Smith stated the next board meeting would be Tuesday, May 10, 2022.

10. Discussion and comments from the public. Thom Marshall brought up Senate Bill 28 to the board. He stated the bill was to give the choice of the water district to give free water for agriculture use. David Hamilton stated the KRA statutes state agriculture use is exempt from Tier I or II water use. KRA invoices the entity or utility for water use, and they pass the cost onto the customer. The next bill Thom Marshall mentioned was Senate Bill 341, which allows the Public Service Commission to increase rates for the major utilities without a hearing. He went on to state there is a dramatic decline in industrial water use. He stated there had been a 40% decrease in Kentucky American water use since 2007. David Hamilton stated the water use for KRA is seasonal and warmer, drier months have increased water use whereas cooler months have less water use.

11. The meeting adjourned at 2:10 pm upon a motion made by Huston Wells and second by James Kay.