

**Shelby County 109 Taxing District Minutes Regular Meeting October 9, 2025
at the Shelby County Recycling Facility. 8:00 a.m.**

Attendance: Chairman Rusty Newton, Kerry Magan, Wayne Karem, and Derek Gould. And Mike Timko, Senior Associate and Project Manager, Woolpert.

A: Administrative Items:

A-1 Minutes of the September 11, 2025, regular meeting was presented. Motion to approve the minutes was made by Karem, seconded by Magan, and approved.

A-2

A-2a Magan made a motion to approve the September 2025 Financial Report. Karem seconded the motion, and the motion carried.

A-2b Karem made a motion to transfer \$1,450 from Reserve for Transfer 22-009 to Contract Services (mulch) 21-001. Magan seconded the motion, and the motion carried. (Note: the amount represented an invoice from previous fiscal year paid in current year.)

A-2c Magan made a motion, seconded by Karem to approve the amended September 2025 Financial Report. The motion carried.

A-3 Magan made a motion, seconded by Karem to approve the September 2025 bill list in the amount of \$442,846.53 (\$442,846.53 in operating funds and \$0.00 in grant funds), The motion carried. It is noted that Earth Retention (\$41,898.30), Prodigy Construction (\$269,118.22), WSP (\$7,756.00, and \$6,874.50), RES Kentucky LLC (\$2,400.00), and Woolpert (\$3,875.00) totaling \$331,922.02 are project related, and will be paid through the construction bond issue. The bill list is thus revised to reflect \$110,924.51 in operating funds with a separate sheet for KACo payments of \$331,922.02.

B: Active Items:

B-1 Recycling Facility Expansion:

B-1a Mike Timko joined the meeting for discussions regarding the East Kentucky Power Company (EKPC) guy wires in conflict with current brush haul road routing. Woolpert generated and evaluated several options to resolve the issue. The only viable option was to relocate the guy wires at a cost exceeding \$70,000 - \$80,000 in labor and \$30,000 in materials. Woolpert was in communication with EKPC to coordinate relocation of the guy wires in question.

During the meeting, the board members and Mr. Timko discussed the allocation of responsibilities and costs related to resolving the conflict. Mr. Timko offered to forego billing for future contract administration fees associated with the recycling center expansion project. Further discussions regarding the assignment of liability were deferred until the total impact on project cost and schedule could be determined. Mr. Timko did agree to mention the issues to his liability insurance/inhouse council for future reference if needed.

B-1b Mike Timko reported that the electrical issues involving the addition of a new baler and relocation of the existing baler are being addressed, and that a recommendation will be submitted soon.

B-2 Cell Tower Lease:

B-2a Chairman Newton received the cell tower lease. Magan made a motion to approve the lease, subject to legal review. Karem seconded the motion, and the motion carried.

B-2b Magan made a motion to authorize Chairman Newton to engage attorney William Stewart to review the lease at a rate of \$ 250 per billable hour. Karem seconded the motion, and the motion carried.

B-3 Brush and concrete piles: Magan made a motion, seconded by Karem to authorize Gould to engage HW Landworks to mulch the existing brush pile. The motion carried.

B-4 The board members discussed the proper routing for invoices relating to the expansion project. Invoices received should be routed through KACo; however, invoices already paid will not be submitted to them.

C: Directors Report

C-1 Gould presented the Recycling report.

C-2 Gould presented the Solid Waste Director's report.

C-3 Gould presented the Clean Community report.

D: Old Business: None

E: New Business: None

F: Public Comments: None

The meeting was adjourned at 9:44 am

The next regular meeting scheduling is November 13, 2025, at 8:00 a.m. at the facility

A handwritten signature in blue ink that reads "Kerry P. Magan". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Respectfully Submitted, Kerry P. Magan, Secretary