

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC INVESTIGATION OF POSSIBLE	)	
VACANCY ON THE BOARD OF	)	CASE NO.
COMMISSIONERS OF COLUMBIA/ADAIR	)	2023-00019
UTILITIES DISTRICT	)	

ORDER

By Order entered February 14, 2023, the Commission established this case to determine whether a vacancy exists on Columbia/Adair Utilities District's (Columbia/Adair District) Board of Commissioners (Board) as a result of the expiration of the term of one or more of its commissioners and, if so, to identify a qualified candidate to fill the vacancy. On February 28, 2023, Columbia/Adair District responded to requests for information from the Commission with information and documents, including Adair County Fiscal Court Minutes from July 28, 2020, indicating that Joe Pyles was appointed as a commissioner for a four-year term, and a list of current commissioners that indicates Mr. Pyles is no longer an acting commissioner. Thus, the Commission finds that Mr. Pyles's term on the Columbia/Adair District's Board expires on July 31, 2024 and is currently vacant.

KRS 74.020(4), which addresses the appointment of members to the boards of commissioners of water districts, states in relevant part:

Vacancies shall be filled by the same appointing authority which is empowered to make the original appointment. Vacancies resulting from cause other than expiration of the term shall be filled for the unexpired term only. Notwithstanding KRS 67.710, a vacancy resulting from the expiration of a term or the death, resignation, or removal of the incumbent shall be filled by the Public Service

Commission if, within ninety (90) days following the vacancy, the vacancy has not been filled by the appropriate county judge/executive with approval of the fiscal court.

The Commission received correspondence indicating the vacancy for Mr. Pyles's position on Columbia/Adair District's Board had existed for 90 days as of December 14, 2022. Since Mr. Pyles's term on the board expired more than 90 days ago, the Commission has the authority to fill the position under KRS 74.020(4). Accordingly, the Commission finds that further proceedings are necessary to determine who should be appointed to fill the position.

To ensure that a wide range of candidates are considered, the Commission will require Columbia/Adair District to publish the notice of vacancy attached as an Appendix to this Order in a newspaper of general circulation in Adair County. The Commission will consider all applications submitted within 20 days after the publication of notice, and each such application should be made in writing and sent via electronic mail to PSCED@ky.gov. Applications should include the applicant's name, address, telephone number, and qualifications. The Commission will also consider recommendations and letters from references submitted in writing via electronic mail and received within a reasonable time. Any applications or references letters should reference this case number to ensure they are placed in the case record. After receiving the applications, the Commission will determine whether each candidate meets the constitutional and statutory requirements for the office of water district commissioner and, of those candidates that meet these requirements, who is best suited to sit on Columbia/Adair District's Board.

IT IS THEREFORE ORDERED that:

1. Within 20 days of the date of service of this Order, Columbia/Adair District shall publish, in a newspaper of general circulation in Adair County, the notice of the vacancy on Columbia/Adair District's Board attached as an Appendix hereto.

2. Within five days of the publication, Columbia/Adair District shall file written proof of publication with the Commission.

3. Within 20 days of the date of publication, any person who wishes to apply as a candidate to fill the vacancy on Columbia/Adair District's Board of Commissioners shall submit to the Commission, in writing, via electronic mail, their name, address, telephone number, qualifications, and should reference Case No. 2023-00019.

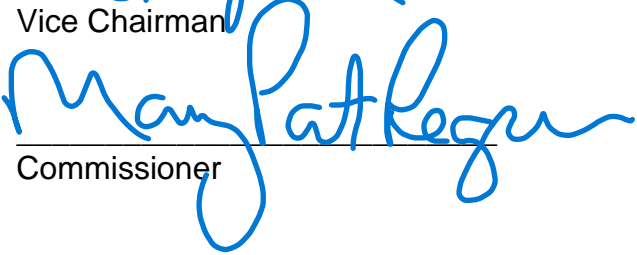
4. The term of the commissioner appointed shall be four years from the end of the term, which is now vacant pursuant to KRS 74.020.

5. The Executive Director shall serve a copy of this Order by U.S. Mail upon the Adair County Judge/Executive at 424 Public Square, Suite 1, Columbia, Kentucky 42728; the Adair County Attorney at 424 Public Square, Suite 22, Columbia, Kentucky 42728; the members of the Adair County Fiscal Court: Tony Denton, Daryl Flatt, Sammy Baker, Chris Reeder, Billy Coffey, Mark Humphress, and Terry Hadley at 424 Public Square, Suite 1, Columbia, Kentucky 42728; and Columbia/Adair District's Board of Commissioners, David Jones, Junior Brown, Terry Partin, and Tim Baker at 10 Grant Lane, Columbia, Kentucky 42728.

PUBLIC SERVICE COMMISSION

  
\_\_\_\_\_  
Chairman

  
\_\_\_\_\_  
Vice Chairman

  
\_\_\_\_\_  
Commissioner



ATTEST:

  
\_\_\_\_\_  
Executive Director

## APPENDIX

### APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE COMMISSION IN CASE NO. 2023-00019 DATED MAR 31 2023

Let it be known to the residents served by Columbia/Adair Utilities District that there is a vacancy on the Columbia/Adair Utilities District Board of Commissioners. The requirements to serve as a commissioner can be found at KRS 74.020. Any person interested in applying for the position shall submit notification, in writing, via electronic mail, referencing Case No. 2023-00019 with contact information and any qualifications to the Public Service Commission at [PSCED@ky.gov](mailto:PSCED@ky.gov) within 20 days of the date of this publication.

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\*Larry Russel Bryant  
Adair County Judge Executive  
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