

Allen County Water District

330 New Gallatin Road
P.O. Box 58
Scottsville, KY 42164

2011-00008

Sue Carter, Office Manager

Phone: 270-622-3040
Fax: 270-622-3041

January 3, 2011

Public Service Commission
P.O. Box 615
Frankfort, Ky. 40602-0615

In Re: Allen County Water District
Commissioner Vacancy

Gentlemen:
Attention: Executive Secretary

RECEIVED
JAN 7 2011
PUBLIC SERVICE
COMMISSION

The Public Service Commission will please take Notice that the term of John H. Jones as a member of the Board of Commissioners of the Allen County Water District expired on September 29, 2010.

The Public Service Commissioner is further notified that the vacancy resulting from the expiration of Mr. Jones' term has not been filled by the Allen County Judge Executive with the approval of the Allen County Fiscal Court. Therefore, the Allen County Water District asks that the Public Service Commission fill the vacancy as required by KRS 74.020(4).

The remaining members of the Board of Commissioners request the Public Service Commission to reappoint Mr. Jones for another four (4) year term.

Please confirm the sufficiency of this Notice for the purpose of complying with KRS 74.020(4).

Please advise.

Yours truly,

Allen County Water District

By: *Bobby G. Carter*
Commissioner-Acting Chairman

By: *[Signature]*
Commissioner Secretary

By: *[Signature]*
Commissioner

By: *[Signature]*
Commissioner

Enclosures:

- (1) Copy of Order of County Judge/
Executive, dated 8 October 2010
- (2) Copy of Letter, dated 10/14/2010
- (3) Copy of E-Mail, dated 12/29/10
From Secret & Secret

COMMONWEALTH OF KENTUCKY)
)
) ORDER OF THE COUNTY JUDGE/
) EXECUTIVE OF ALLEN COUNTY
 COUNTY OF ALLEN)

The current members of the Board of Commissioners of the Allen County Water District are as follows:

JOHN H. JONES	<u>TERM: KRS 74.020(1)</u> 09/30/2006 - 09/29/2010
DOUGLAS McCLURE	9/29/2005 - 09/29/2009
BOBBY CARTER	08/15/2006 - 08/14/2010
JOE YOUNG	09/30/2006 - 09/30/2010
TRACY OLIVER	08/12/2007 - 08/12/2011

At its regular meeting on July 27, 2010, Hon. Bobby Young, County Judge/Executive nominated Bobby Carter for another four-year term as a Commissioner to the Allen County Water District extending from 08/14/2010 to 08/14/2014. The Fiscal Court of Allen County then approved the recommendation of the County Judge/Executive by a vote of 5 ayes and 1 nay.

At its regular meeting on August 24, 2010, Hon. Bobby Young, County Judge/Executive nominated Joe Young for another four-year term as a Commissioner to the Allen County Water District extending from 09/30/2010 to 09/30/2014. The Fiscal Court of Allen County then approved the recommendation of the County Judge/Executive by a vote of 5 ayes and 1 nay.

At its regular meeting on August 24, 2010, Hon. Bobby Young, County Judge/Executive nominated John H. Jones for another four-year term as a Commissioner to the Allen County Water District extending from 09/30/2010 to 09/30/2014. The recommendation was put to a vote and there were 3 ayes and 3 nays. The County Judge/Executive announced that his recommendation had not passed and that he would proceed as set forth in KRS 74.020(4).

WHEREUPON, came BOBBY CARTER and executed bond in the sum of \$500.00, the amount set by the County Judge/Executive, with Eva Carter, as surety, AND JOE YOUNG executed bond in the sum of \$500.00, the amount set by the County Judge/Executive with Dustin Stovall, as surety, for the faithful performance of their duties as said Commissioner for the Allen County Water District. Said bonds are approved by the undersigned, County Judge/Executive, and each Commissioner took the oath of office as prescribed by law.

This 8 October 2010 nunc pro tunc to August 27, 2010.

Bobby M. Young
 Hon. Bobby Young
 County Judge/Executive of Allen County

DOCUMENT NO: 00179024
 RECORDED: October 08, 2010 02:19:28 PM
 TOTAL FEE: \$8.00
 COUNTY CLERK: BEVERLY CALVERT
 DEPUTY CLERK: JENNIFER LAW
 COUNTY: ALLEN COUNTY

ALLEN COUNTY
 CO5 PG 480
 BOOK: C05 PAGES: 480 - 480

STATE OF KENTUCKY, COUNTY OF ALLEN
 I, Beverly Calvert, Clerk of Allen County, do hereby certify that
 the foregoing is a true and correct copy of Order as name
 appears of record in my said Office in C.O. Book 5 Page 480
 Given under my hand this 11th day of Oct 2010
 Beverly Calvert, Allen County Clerk
 By *Jennifer M. Law* D.C.

Secrest & Secrest

210 WEST MAIN STREET
P.O. BOX 35
SCOTTSVILLE, KENTUCKY 42164-0035

Office Staff

Carrie B. Richards
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FILE COPY

14 October, 2010

Hon. Gerald E. Wuetcher
Assistant General Counsel
PUBLIC SERVICE COMMISSION OF KENTUCKY
P O BOX 615
Frankfort, KY 40602-0615

In Re: ALLEN COUNTY WATER DISTRICT
RE-APPOINTMENT OF COMMISSIONERS

Dear Gerry:

On July 27, 2010, our County Judge/Executive, Bobby Young, nominated Bobby Carter for another four year term as Commissioner of the Allen County Water District, commencing August 14, 2010 and ending August 14, 2014. The Fiscal Court approved the nomination by a vote of 5-1.

On August 24, 2010, County Judge/Executive, Bobby Young, nominated Joe Young for another four year term as Commissioner of the Allen County Water District, commencing September 30, 2010 and ending September 30, 2014. The Fiscal Court approved the nomination by a vote of 5-1.

On August 24, 2010, County Judge/Executive, Bobby Young, nominated John H. Jones for a four year terms as Commissioner of the Allen County Water District for the term beginning September 30, 2010 and ending September 30, 2014. As you know, John H. Jones is the chairman of the Allen County Water District Board of Commissioners. The nomination was put to a vote and there were 3 ayes and 3 nays.

Enclosed herewith is a Certified Copy of the Order of the County Judge/Executive, Bobby Young, reflecting the above chain of events.

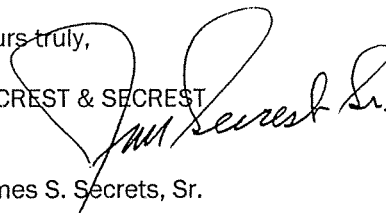
For your information, Judge Young again nominated John H. Jones for another four year term as Commissioner of the Allen County Water District at the regular meeting of the Allen County Fiscal Court on October 12, 2010. Again, the vote was 3 ayes and 3 nays. We understand that the PSC will appoint a successor to John H. Jones if the appointment by Judge Young is not approved by the Fiscal Court within 90 days.

If you need more information, don't hesitate to let us know. Thank you.

Yours truly,

SECRET & SECREST

James S. Secrest, Sr.



JSS:cbr

cc:

ACWD
Judge Young
Bill Hagcho buch

Carrie Richards

From: Carrie Richards [crichards@nctc.com]
Sent: Wednesday, December 29, 2010 3:00 PM
To: 'gerald.wuetcher@ky.gov'
Subject: ACWD - VACANCY OF SEAT OF COMMISSIONER

Dear Gerry:

This will follow up our letter of October 14, 2010. The 90 days has elapsed without the Fiscal Court approving a successor to Judge Young's nomination of John H. Jones for another term. Please advise the PSC requirements, if any, for the Allen County Water District to give formal notice of the vacancy with the request that the PSC make the appointment. I certainly hope the PSC will appoint Mr. Jones for another term. Please advise AS SOON AS YOU POSSIBLY CAN. THANK YOU.

SECRET & SECREST
ATTORNEYS FOR THE
ACWD
BY: JAMES S. SECREST, SR.

ALLEN COUNTY WATER DISTRICT
P.O. BOX 58
SCOTTSVILLE, KENTUCKY 42164
270-622-3040
FAX # 270-622-3041

RECEIVED

JAN 7 2011

PUBLIC SERVICE
COMMISSION

Date: 1-5-11

TO: Executive Secretary

FROM: Board of Commissioners

PAGES INCLUDING COVER SHEET 7

MESSAGE _____

Thank you,

Sue Carter