

JOHNSON & MATHIS

Attorneys and Counselors at Law

Martin W. Johnson

Kip C. Mathis

Jeremy W. Reed

March 3, 2017

1114 Main Street

P.O. Box 450

Benton, KY 42025

Phone 270-527-3153 – Fax 270-527-9276

Talina R. Mathews
Executive Director
Public Service Commission
211 Sower Blvd.
Frankfort, KY 40602-0615

RECEIVED

MAR 6 2017

PUBLIC SERVICE
COMMISSION

Via Overnight Delivery

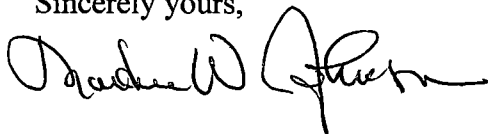
RE: *Theo Havus Gammel (Complainant) v. Jonathan Creek Water District (Defendant)*
Case No. 2017-00082

Dear Ms. Mathews:

Enclosed is the Answer of the Defendant, Jonathan Creek Water District, to that Complaint filed by Theo Havus Gammel. Please file same and include me on all further correspondence with the District.

Thanking you in advance for your assistance, I am

Sincerely yours,



Martin W. Johnson

MWJ/ss

Enclosure

cc: Jonathan Creek Water District

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

RECEIVED

MAR 6 2017

PUBLIC SERVICE
COMMISSION

IN THE MATTER OF:

THEO HAVUS GAMMEL)

Complainant)

Case No: 2017-00082

VS.)

JONATHAN CREEK WATER DISTRICT)

Defendant)

DEFENDANT'S ANSWER TO COMPLAINT

Comes the Defendant, Jonathan Creek Water District, by counsel, and for its answer to the Complaint filed by Theo Havus Gammel, states as follows:

1. The Defendant's answer is timely for the District was served with a copy of the Complaint on February 24, 2017.

2. On or about January 4, 2017, Defendant's employees read the Complainant's water meter at 18 Pin Oak Lane, Benton, Kentucky, and noticed that there had been an unusually large consumption of water at that location between December 1, 2016 and January 4, 2017. A previous reading of the meter on December 1, 2016 indicated a usage of 476,660 and the present reading on January 4, 2017 was 528,500, for a total consumption in 34 days of 151,900. The Complainant was notified of this extreme usage on January 4, 2017, and he was advised of the suspected existence of a leak on the customer's side of the meter. A copy of Defendant's log of this notice is attached as Exhibit1.

3. The Defendant subsequently billed the Complainant for the water usage for the period December 1, 2016 through January 4, 2017 at 18 Pin Oak Lane, Benton, KY. A copy of that billing is attached as Exhibit 2.

4. On January 24, 2017, the Defendant received a written request from the Complainant for an adjustment to the amount billed to him for 18 Pin Oak Ln., Benton, KY. Complainant requested that the Defendant adjust the bill to reflect the actual cost of the District's production of the water consumed. A copy of that request is attached as Exhibit 3.

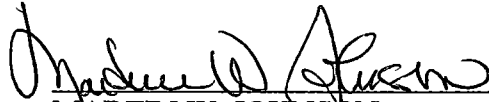
5. On January 24, 2017, the Defendant's Commission acted to deny the relief sought by the Complainant. Defendant proposed instead that the amount billed be fully paid, but in installments without any interest or penalty. A copy of the minutes of that meeting are attached as Exhibit 4. A copy of the denial is attached as Exhibit 5, and a copy of the Defendant's proposed time payment plan is attached as Exhibit 6.

6. The Complainant's request for an adjustment to the billing for 18 Pin Oak Lane, Benton, KY was not timely made. Under the Defendant's Tariff approved by the Public Service Commission on June 19, 2002, the Complainant could have requested an adjustment of a leak had the leak had been repaired and he timely notified the Defendant of those repairs. Since the Complainant failed to timely repair the leak, he is not entitled to receive an adjustment to this bill and he is required to pay the full amount of the bill. A copy of the Board's policy related to "Leak Adjustment" as set forth in its Tariff is attached as Exhibit 7.

7. At the direction of Defendant's auditors and its engineers the Defendant adopted a policy under which it would no longer make any water leak adjustments to correct its customers' bills. This policy was adopted on March 25, 2003. A copy of the minutes of that meeting is attached as Exhibit 8.

8. The notice given to the Defendant's customers published in the Tribute Courier newspaper in April of 2003 is attached as Exhibit 9.

Wherefore, the Complainant should be denied the relief he seeks, for Complainant is not entitled to the relief sought under the Defendant's policies or its Tariff.



MARTIN W. JOHNSON
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Attorneys at Law
1114 Main Street
P. O. Box 450
Benton, KY 42025
Phone: 270-527-3153
Fax: 270-527-9276
Email: mj@mjohnson-law.com

*Attorney for Jonathan Creek
Water District*

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Answer was served upon the following by U.S. Mail, postage prepaid, on this the 3rd day of March, 2017:

Theo Havus Gammel
124 E. 22nd Street
Benton, KY 42025



MARTIN W. JOHNSON

Accounts User: CBurnett (AMD)

Close New Delete OK Cancel Search Reset Help Attach

Map It Print Bill History

Account Number	Last Name	First	Service	Account #	Alt Reading Order	Status	Active

Name: Sal. First: Theo M. Last: Garmon Suffix: Meter Reading Route:

DBA:

Phone: Date In: 06/24/2013 Date Out:

Cust. Type: Residential Cycle: 1 Cycle 1

Service Address: Street #: 18 Name: Pin Oak Lane City: Benton State: KY Zip: 42025

Account Balances: Current Balance: \$6.30, Cust Unapplied: \$0.00, Total Unapplied: \$0.00, Total Arrears: \$986.24, Net Due: \$992.54, Total Balance: \$992.54

Billing Address: Carrier Rte.: Foreign Address: In Care Of: Address: 124 East 22nd Street City: Benton State: KY Zip: 42025 Data Point Bar Code:

Last Payment Information: Date: 02/02/2017 Amount: (\$9.36)

Services | Trans. | Bank Drafts/Bad Debt | Comments | Other | Service Orders | Rental Prop. | Notes

9/8/2016 left mess notice he was using water again.
 1/4/17 left mess. about high usage and that we turned off and meter was turning.



Jonathan Creek Water District
 7564 US Hwy 68 E
 PO Box 414
 Benton, KY 42025

Address Service Requested

ACCOUNT	
Amount Due on or Before 2/6/2017	\$905.94
Save This	\$90.59
Amount Due After Due Date	\$996.53



01473 Theo Gammel
 124 E 22nd St
 Benton, KY 42025-1801
 TP1

Jonathan Creek Water District
 7564 US Hwy 68 E
 PO Box 414
 Benton, KY 42025

RETURN THIS STUB WITH PAYMENT

FAILURE TO RECEIVE BILL DOES NOT RELIEVE CUSTOMERS PAYMENT OBLIGATION

Jonathan Creek Water District
 7564 US Hwy 68 E
 PO Box 414
 Benton, KY 42025

SERVICE DESCRIPTION		ACCOUNT	ACCOUNT NAME		SERVICE ADDRESS		
		METER	READING DATES	PREVIOUS	PRESENT	USAGE	CHARGES
WA	WATER		12/01 - 01/04	376600	528500	151900	\$879.55
SC	Local Tax						\$26.39
Please update contact information with payment A current phone # is needed.					Amount Due on or before 2/6/2017		\$905.94
					Save This		\$90.59
					Amount Due After Due Date		\$996.53

Jonathan Creek Water District
 PO Box 414
 Benton, KY 42025

(270) 354-8474
 Office Hours: 8:00 - 4:30 Mon - Fri

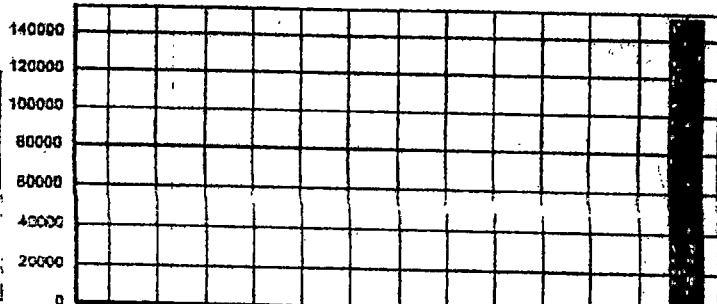
Night & Weekend Emergencies
 (270) 354-8474

10% LATE CHARGE IF BILL IS NOT PAID IN FULL BY 4:30 PM ON DUE DATE.

RATES AVAILABLE BY REQUEST

ONLINE PAYMENTS AVAILABLE
www.jonathancreekwater.wordpress.com

Period	Days	Usage	Daily Avg.
Current Billing Period	34	151900	4467.647
Previous Billing Period	35	2700	77.143
Same Period Last Year	35	0	0.000



01/07 02/01 03/01 03/30 04/25 05/31 06/30 08/02 09/06 09/30

EXHIBIT
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 2

Theo and Mary Ann Gammel

124 East 22nd Street

Benton, Kentucky 42025

Telephone: [REDACTED]

E-mail: [REDACTED]

January 24, 2017

Jonathan Creek Water District
7564 US Hwy 68 East
Benton, KY 42025

Re: Account # [REDACTED] 18 Pin Oak Lane

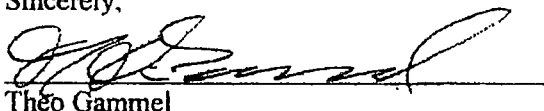
Dear Commissioners:

Our current water bill shows the previous monthly usage of 151900 in an unoccupied house. The extreme usage was due to an undiscovered water leak. The water meter has been turned off.

We would like to request an adjustment to the billed amount reflective of the actual cost of incremental water production.

I will be available to answer any additional questions at your meeting scheduled for January 24, 2017 at 5:30 pm.

Sincerely,



Theo Gammel

A Denied 24 Jan 17, 1750 hr

Jimmie E. [REDACTED]

Gary W. [REDACTED]

Mark [REDACTED]



**JONATHAN CREEK WATER DISTRICT
BOARD OF COMMISSIONERS MEETING
REGULAR SESSION
January 24, 2017**

The Jonathan Creek Water District Board of Commissioners met in regular session on Tuesday, January 24, 2017 at the Jonathan Creek Water District Office, 7564 U.S. HWY 68 East, Benton, Kentucky.

BOARD MEMBERS PRESENT: Jimmy Tubbs, Barry Hill, Josh Medley and Mark Holt presided.

ATTENDANCE: David Lovett, Jinner Lovett, Beth Hull, Christopher Burnett and
Jada Harrison.

VISTORS: Theo Gammel & Mike Edwards

I. CALL TO ORDER

A. Jimmy Tubbs called meeting to order at 5:30. All board member present except Leon Lovett take a moment of silent.

II. GUESTS

Theo Gammel – 12-7800-19, 18 Pin Oak Lane. Letter requesting water leak adjustment. Denied water adjustment. Offered installment payment plan. As of today still hadn't fixed. We found leak reading meters and we turned it off for them. 1/4/2017 and left message. Mr Gammel will be taking it up with PSC.

III. SUPERINTENDENT'S REPORT

A. December 2016
8 meters changed out
4 Leaks fixed
57 Work orders
Customer 2388
Water loss
December 17.7%
Total annual 21.5%

EXHIBIT

4

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IV. OLD BUSINESS

A. Approval of minute December 20, 2016

A motion was made by Barry Hill and seconded by Josh Medley, all in favor aye.
Motion carried.

B. Approval of all financial reports since last meeting.

A motion was made by Josh Medley and seconded by Mark Holt, all in favor aye.
Motion carried.

C. Auditor:

Seldom \$15,000 1st year and \$14,000 2nd & 3rd 4th 5th \$14,000 & interest rate
CMR : \$13,500 1st -3rd. and option to renew at \$14,175.00 and will take care of
PSC reports.

A motion was made by Barry Hill to choose CMR for 3 year with 2 year option and
Seconded by Josh Medley, all in favor aye. Motion carried.

Get a formal contract and we will sign.

V. NEW BUSINESS

A motion was made by Josh Medley to make Barry Hill Vice Chairman and
Seconded by Mark Holt all in favor aye. Motion carried.

A. Election of officers— everyone is fine for now.

B. Millionaire Lane- 4 houses – ½ mile – water line –

C. Workshop - January 31, 2017 at 9:00 a.m.

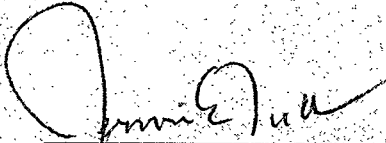
Attorney General said have to post a sign on door 24 hours in advance.

Because we are a public building.

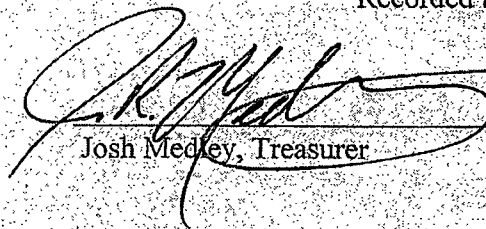
Put up Friday 27th and take a picture.

A motion made by Josh Medley to adjourn at 6:10. Seconded by Barry Hill all in favor aye. Motion carried.

Recorded and transcribed by:
Beth Hull



Jimmie Tubbs, Chairman



Josh Medley, Treasurer

Deceased

Leon Lovett, Vice Chairman

Mark Holt

Mark Holt, Secretary



Barry Hill, Member

2-28-17

Date Signed

Theo and Mary Ann Gammel

124 East 22nd Street

Benton, Kentucky 42025

Telephone: [REDACTED]

E-mail: [REDACTED]

January 24, 2017

Jonathan Creek Water District
7564 US Hwy 68 East
Benton, KY 42025

Re: Account # [REDACTED] 18 Pin Oak Lane

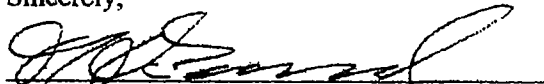
Dear Commissioners:

Our current water bill shows the previous monthly usage of 151900 in an unoccupied house. The extreme usage was due to an undiscovered water leak. The water meter has been turned off.

We would like to request an adjustment to the billed amount reflective of the actual cost of incremental water production.

I will be available to answer any additional questions at your meeting scheduled for January 24, 2017 at 5:30 pm.

Sincerely,


Theo Gammel

* Denied 24 Jan 17, 1750 hr

Jimmie E. [REDACTED]

Gary W. [REDACTED]

Mark [REDACTED]

EXHIBIT
5

JONATHAN CREEK WATER DISTRICT
P.O. BOX 414
BENTON, KY 42025
PHONE: 270-354-8474
FAX: 270-354-9176

TIME PAYMENT PLAN AGREEMENT

DATE: _____

NAME: Theo Gammal

ADDRESS: 18 Pin Oak Ln.

JCWD ACCOUNT NUMBER: [REDACTED]

TOTAL AMOUNT OWED: 905.94 DATED: 1/24/17

RECONNECT FEE: —

SERVICE CHARGE: —

TOTAL DUE AS OF TODAY: 905.94

INITIAL PAYMENT 75.44 CASH, CHECK OR MONEY ORDER

I, THE UNDERSIGNED, AGREE TO PAY JONATHAN CREEK WATER DISTRICT, THE AMOUNT OF _____ ON THE UNPAID BALANCE ACCORDING TO THE FOLLOWING SCHEDULE:

\$ <u>75.50</u> ON <u>Mar</u> 2017	\$ <u>75.50</u> ON <u>Sept</u> 2017
\$ <u>75.50</u> ON <u>Apr</u> 2017	\$ <u>75.50</u> ON <u>Oct</u> 2017
\$ <u>75.50</u> ON <u>May</u> 2017	\$ <u>75.50</u> ON <u>Nov</u> 2017
\$ <u>75.50</u> ON <u>June</u> 2017	\$ <u>75.50</u> ON <u>Dec</u> 2017
\$ <u>75.50</u> ON <u>July</u> 2017	\$ <u>75.50</u> ON <u>Jan</u> 2018
\$ <u>75.50</u> ON <u>Aug</u> 2017	\$ <u>—</u> ON <u>—</u> 2017

I ALSO AGREE TO PAY THE CURRENT MONTHS BILL IN ADDITION TO THE PAYMENT PLAN SCHEDULE AND TO HAVE THE PAST DUE AMOUNT AND ALL CURRENT BILLS PAID IN FULL NO LATER THAN _____ 2016. I UNDERSTAND THAT IF MY PAYMENTS ARE NOT MADE ACCORDING TO THE TERMS OF THIS AGREEMENT, MY SERVICE WILL BE DISCONNECTED IMMEDIATELY WITHOUT FURTHER NOTICE.

A RETURNED CHECK (COLD CHECK), received on the above account at anytime will result in discontinuance of service without notification. Should it be necessary to disconnect for this reason, FULL AMOUNT of the payment agreement, plus the current bill and any service charges must be paid BY CASH or MONEY ORDER, in order for service to be restored.

CUSTOMER'S SIGNATURE _____ DATE _____

EMPLOYEE SIGNATURE _____



FOR Southeastern Marshall County, Kentucky
Community, Town or City

P.S.C. KY. NO. 1

1st Revised SHEET NO. 38

CANCELLING P.S.C. KY. NO. _____

SHEET NO. _____

Jonathan Creek Water District
(Name of Utility)

RULES AND REGULATIONS

W. Leak Adjustments. A customer may make a request for a bill adjustment in the event of a leak under the following conditions:

1. The customer must request a leak adjustment in writing to the utility.
2. The customer's bill will be based on two components. The first step will be to calculate the customer's average monthly usage over a twelve-month period. The second step will be to deduct the customer's average monthly usage (as calculated in the above) from the total amount of water that passed through the meter. The usage calculated in step one will be billed at the utility's regular rates, while the remaining usage will be charged at the per thousand gallon leak adjustment rate, as set forth in the rates and charges portion of the utility's approved tariff. All water passing through the meter must be accounted and paid for by the customer. So the customer will owe the amount of his/her average bill plus the per thousand gallon leak adjustment rate for the remainder of the water that passed through the meter.
3. If meter readings are not available for an entire twelve-month period, the water bill will be estimated by the utility, subject to an upward or downward adjustment once a twelve-month average of actual meter readings can be calculated.
4. Only one (1) leak adjustment will be made per twelve-month period.
5. ~~When a leak is found to be on the customer's side the District will notify the customer that a leak has been found. The customer then has ten (10) days to present to the District proof that the leak has been fixed or the customer will not be entitled to a leak adjustment and will pay the full amount of the bill.~~

DATE OF ISSUE _____
Month / Date / Year

DATE EFFECTIVE _____
Month / Date / Year

ISSUED BY [Signature]
(Signature of Officer)

TITLE Chairman

BY AUTHORITY OF ORDER OF THE PUBLIC SERVICE COMMISSION
IN CASE NO. _____ DATED _____

PUBLIC SERVICE COMMISSION
OF KENTUCKY
EFFECTIVE

JUN 19 2002

PURSUANT TO 807 KAR 5.011.
SECTION 9 (1)

BY [Signature]
SECRETARY OF THE COMMISSION

EXHIBIT

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JONATHAN CREEK WATER DISTRICT
P O BOX 414
7564 US HWY 68 E
BENTON KY 42025-0414
270-354-8474
FAX 270-354-9176

MINUTES OF THE REGULAR MONTHLY MEETING
OF THE JONATHAN CREEK WATER DISTRICT
BOARD OF DIRECTORS

HELD ON TUESDAY, MARCH 25, 2003 AT 7:30 P.M.

The Jonathan Creek Water District Board of Directors held it's Regular Monthly Meeting on Tuesday, March 25, 2003, at 7:30 P.M. The following people were in attendance:

Mike Edwards Larry Conner Mark Holt Barry Hill Leon Lovett
Matthew York Barbara K. York David Lovett Bill English Jennifer Byars
Dustin Keith
Greg Brooks, Utility Service Company Inc.
Roger Colburn, Florence & Hutcheson

7:52 P.M. Chairman Leon Lovett called this meeting to order.

Chairman Lovett asked for Mr. Brooks to make his presentation to the Board first.

Greg Brooks gave the Board Members a booklet of information to look over. He stated that he had been here last week to look at the tanks from the ground only, he could not climb them at that time. He explained to the Board that the Utility Service Company works from a contract and it has an annual fee for maintenance. They take care of the tank and everything but natural disasters, like tornados. He stated that if they wanted to pursue this further then he would have to climb the tanks and inspect the insides also. He stated that he did a scratch test and it indicated lead paint so he sent a sample off for testing. Because of the lead paint it would be about \$65,xxx for each tank to take it down to metal and start over. The Utility Service Company would conduct an annual inspection of tank inside and out, foundation and all. He stated that the cost he worked up has up front renovation costs for the first year and this was divided over three years with no interest and after the first year then only a base fee.

Barry Hill asked for the cost to paint the Aurora tank only.

Greg Brooks said it would be about the cost of the renovation fee, so it would be about \$135,xxx.

Barry Hill asked the cost for a new tank.

Greg Brooks stated that a new 100,000 gallon tank would cost about \$250,000.



Barry Hill stated that looking at the presentation booklet numbers worked up the Water District would pay about \$43,000 a year for this for one tank. We would have to paint the Highway 68 tank.

Greg Brooks stated the yes it would have to be painted that there is no adhesion left on it. He also told the Board that there is a reference list in the back of the information he gave them.

Barry Hill stated that he had talked to North Marshall Water District about this and they recommended the Utility Service Company very highly. He asked how long these prices would be good.

Greg Brooks stated that they should be good until December, 2003. He told the Board that they can do one tank or one at a time. It would be three separate contracts, one for each tank. Then if the Board added another tank or did away with one the whole package would not have to be reworked.

Barry Hill asked if the numbers on moving a tank in the packet included everything.

Greg Brooks stated that it included everything except running the pipe to the new tank place. He recommended that the Board have a hydraulic study done before they more or build a tank.

Chairman Lovett thanked Mr. Brooks for coming and giving them all this information to look over. He stated the Board will have to go through this thoroughly and come up with a decision.

Greg Brooks told the Board to call if they had any questions and he could come back to another meeting if they needed him to answer more questions.

Chairman Lovett asked for the next item of business.

Barry Hill stated that he had not signed the payment for Vasseur until all the Board Members had looked over the invoice for the pumping out of the lagoon and disposal of the sludge.

Chairman Lovett asked if anyone had any questions about the Vasseur payment, then move to next business.

Barry Hill stated that he went to Woodmen of the World and they donated new flags to us. He said that the State Flag costs them \$30.

BARRY HILL MADE THE MOTION DO MAKE DONATION OF \$100 TO THE WOODMEN OF THE WORLD BUT IN TWO SEPARATE CHECKS OF \$50 ONE FOR JERRY TRIMBLE AND ONE FOR DEBBIE ANDERSON.

MIKE EDWARD SECONDED THE MOTION.

VOTE: BARRY HILL - YES MIKE EDWARDS - YES LARRY CONNER - YES
MARK HOLT - YES LEON LOVETT - YES

Barry Hill stated that on the last page of the Audit the Accountant again stated that we did not have the bank covering the accounts over \$100,000 so we need to get that done and I have the paperwork here to get signed and have that taken care of for this year.

Mike Edwards stated that he brought in the computer that he got donated to the Water District for the satellite mapping system.

Chairman Lovett asked if anyone else had any other business, if not then he was turning the floor over to Barry Hill.

Barry Hill stated the employee health insurance must be cut to cover the employee only. So his recommendation is to cut out the family health insurance and cover employees only.

Chairman Lovett asked if everyone was agreeable to this.

Barry Hill also said that he had been to North Marshall Water District to talk to them about cost of meter reading and it costs them \$0.59 per meter. I had Matt talk to the Meter Reading people and it would cost us \$0.59 per meter. I talked to Matt about setting new meter services and we could get them done for the \$600 by hiring it out so we would not be keeping that money. I talked to Matt and David about them handling all the small maintenance. If we do all this, then we will not need our maintenance people and will lay them off.

BARRY HILL MADE THE MOTION TO CUT THE EMPLOYEE HEALTH INSURANCE FROM FAMILY COVERAGE TO EMPLOYEE ONLY COVERAGE BUT STAYING WITH THE SAME CARRIER AND POLICY THAT WE HAVE NOW. (8:34 P.M.)

Mike Edwards stated that we could pay the 2002 rate and the employee's each pay their difference to keep their family plans.

Chairman Lovett asked how anyone felt about that idea.

Bill English said that if he is losing his job what does he care about the insurance.

Dustin Keith agreed with him but he asked that since he and Bill will be laid off why can't the remaining employees keep their family plans. The insurance would be cut by two people so surely they could keep the family plans for the remaining employees. Also the remaining workers will be doing more and you have cut out everything else so you should leave their insurance alone since they deserve more for having to do more. You should keep the insurance the way it is now. If you want to keep good help then you should do something for them.

Chairman Lovett stated that we have a Motion on the floor, do we have a second? (8:39 P.M.)

LARRY CONNER SECONDED THE MOTION TO DROP THE FAMILY INSURANCE COVERAGE AND PAY ONLY EMPLOYEE HEALTH INSURANCE. (8:42 P.M.)

Dustin Keith asked is it guaranteed that we will be laid off?

Barry Hill stated that he is only one vote but they are advertising for maintenance.

Dustin Keith asked why not leave their family plan alone cause you are losing me and Bill.

CHAIRMAN LOVETT ASKED FOR A VOTE ON THE MOTION:

BARRY HILL - YES

LARRY CONNER - YES

MIKE EDWARDS - NO

MARK HOLT - ABSTAINED FROM VOTE

CHAIRMAN LOVETT STATED THAT THE MAJORITY OF TWO TO ONE SO THE MOTION PASSES. (8:45 P.M.)

Chairman Lovett asked Roger Colburn to go next.

Roger Colburn stated that he is here about the budget and the PSC rate increase and what to put in the paper work for that.

Barry Hill said to give Roger a copy of the tank information from Utility Service Company. We need to put an ad in the paper about bidding out maintenance. And we need to tell Bill and Dustin that probably May 1, 2003 they will be laid off. Here is a copy of the ad I wrote up. I also had them get a total for the leak adjustments for the past few years and I think they are being abused. According to PSC we either do leaks adjustments or we do not to them. This would just be a policy change.

BARRY HILL MADE THE MOTION TO STOP MAKING LEAK ADJUSTMENTS. MIKE EDWARDS SECONDED THE MOTION.

VOTE: BARRY HILL - YES MIKE EDWARDS - YES MARK HOLT - YES LARRY CONNER - YES LEON LOVETT - YES (8:50 P.M.)

Barry Hill stated that we need to put an ad in the paper about no longer doing leak adjustments and put it on the bills when they go out next month using the date you send out bills 4-18-03 as the effective date.

Matt York told Barry that the ad he wrote for prices from contractors looks okay.

Chairman Lovett asked if it includes what you require.

Matt York said that it did.

Barry Hill stated that the ad was pretty much the same one North Marshall Water District used.

Chairman Lovett asked if we needed a Motion.

Barry Hill said no we did not need a Motion to put the ad in the paper but we need to tell Bill and Dustin that they will probably be laid off first pay period after the next Board Meeting.

Chairman Lovett what about the meter reading.

Barry Hill said that we need to wait until the next meeting after we see what the contractor prices are going to be.

Chairman Lovett asked if Roger Colburn was done reading the tank maintenance packet and ready to begin now.

Roger Colburn stated that he had glanced through the tank packet and that the Board needed to make sure what kind of paint and job would be done before they do anything, there are other options they could look at.

Roger Colburn said you have been talking about the budget and we need to address all these issues

and nail them down before we send in the rate increase to PSC. You have to show actual numbers to PSC and if they go up in your budget you have to explain why. We have sent in a proposed budget and now we have to send in an actual budget.

Chairman Lovett said that on the power situation here we have lost several motors.

Roger Colburn said we talked about that last time he was here and about the wild third leg.

Matt York stated that TVA has been and put their equipment on it to test it and it would be there for 30 days.

Chairman Lovett asked if we can any of this reimbursed.

Roger Colburn said probably not, these power companies get out of these types of things very easily. He said you can control the high voltage but you cannot control the low voltage.

Chairman Lovett said that we have to pay for emergency repairs.

Roger Colburn said that have a spare motor is not unreasonable at all.

Chairman Lovett asked the cost of the repairs.

Matt York said it is around \$1,6xx each time.

Chairman Lovett said that REA carries insurance and we should look into that.

Roger Colburn said you do not know unless you ask.

Mike Edwards said then we need to get an extra motor.

Chairman Lovett asked for a Motion to get an extra motor.

MIKE EDWARDS MADE THE MOTION TO BUY AN EXTRA MOTOR TO HAVE HERE.

MARK HOLT SECONDED THE MOTION.

**VOTE: MIKE EDWARDS - YES MARK HOLT - YES LARRY CONNER - YES
BARRY HILL - YES LEON LOVETT - YES (9:20 P.M.)**

Chairman Lovett asked for any more business.

LARRY CONNER MADE THE MOTION TO ACCEPT THE MINUTES OF THE MEETING HELD ON 2-25-2003 AS THEY WERE WRITTEN.

MIKE EDWARDS SECONDED THE MOTION.

**VOTE: LARRY CONNER - YES MIKE EDWARDS - YES MARK HOLT - YES
BARRY HILL - YES LEON LOVETT - YES**

Chairman Lovett asked if there was anything else, if not then lets adjourn.

JONATHAN CREEK WATER DISTRICT MINUTES OF MEETING 3-25-2003

MIKE EDWARDS MADE THE MOTION TO ADJOURN THIS MEETING.
MARK HOLT SECONDED THE MOTION.

VOTE: MIKE EDWARDS - YES MARK HOLT - YES LARRY CONNER - YES
BARRY HILL - YES LEON LOVETT - YES

Meeting ended 9:27 P.M.

THE JONATHAN CREEK WATER DISTRICT BOARD OF DIRECTORS HAS READ AND REVIEWED THE MINUTES OF THE MEETING HELD ON TUESDAY, MARCH 25, 2003.

THE BOARD OF DIRECTORS HEREBY AGREES WITH AND ACKNOWLEDGES SAID MINUTES AS THEY WERE WRITTEN.

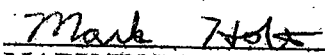

LEON LOVETT, CHAIRMAN

4-22-2003
DATE SIGNED


MIKE EDWARDS, VICE-CHAIRMAN


LARRY CONNER, SECRETARY


BARRY HILL, TREASURER


MARK HOLT

cash. The Board of Bonding Services will accept no bid. For further information please call 527-4631.

Bids will be accepted thru
April 2, 2003

168 MISCELLANEOUS SERVICES

BEECHER'S Appliance Service. Over 30 years experience. Hours: 8:00am - 5:00pm, Monday - Friday. Serving Marshall County. 270-527-2636

TOM Evars and Sons Vinyl Siding and Windows. Also insulated Florida rooms, screened rooms and metal roofs. Free estimates. Over 40 years in business. Family owned. Phone 527-6916 or 1-800-728-

NOTICE TO CUSTOMERS OF THE JONATHAN CREEK WATER DISTRICT

At the meeting held 3:25 2003 the Jonathan Creek Water District Board of Directors made the ruling that effective 4-18-2003 the water district will no longer make water leak adjustments to customer's bills.

or all bids and to waive any right to file

No bid shall be withdrawn for a period of thirty (30) days subsequent to the opening of bids without the consent of the Marshall County Board of Education.

Each bid must be accompanied by a bid guarantee of not less than five percent (5%) of the total bid, executed by an acceptable Surety Company in the form of a Bid Bond. (A Certified Check or Cash equal to at least 5% of the total bid may also be acceptable.)

The successful bidder will be required to furnish and pay for a satisfactory Performance and Payment Bond in the amount of one hundred percent (100%) of the Contract amount, only if the Contract is in excess of \$25,000, as provided in the Contract Documents.

Marshall County Board of Education
Benton, Kentucky
Mr. Steve Knight, Superintendent

COMMONWEALTH OF KENTUCKY
MARSHALL CIRCUIT COURT
CIVIL ACTION NO. 02-CI-00292

EXHIBIT

9

tabbles