



**RECEIVED**

DEC 05 2017

PUBLIC SERVICE  
COMMISSION

**South 641 Water District**

PO Box 126, Hazel, KY 42049  
(270)492-8857

December 1, 2017

Gwen R. Pinson  
Executive Director  
Public Service Commission  
P.O. Box 615  
Frankfort, KY 40602

RE: Case No. 2017-00426

Dear Director Pinson:

Enclosed please find the original and six (6) copies of the South 641 Water District's responses to Commission Staff's November 21, 2017 information request.

Very Truly Yours,

A handwritten signature in blue ink that reads "Amy S. Fadden". The signature is written in a cursive style and is positioned above a horizontal line.

Amy S. Fadden, Administrator  
South 641 Water District

**COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION**

**In the Matter of:**

<b>AN INVESTIGATION OF A POSSIBLE</b>	)	
<b>VACANCY ON THE BOARD OF</b>	)	<b>CASE NO.</b>
<b>COMMISSIONERS OF SOUTH 641 WATER</b>	)	<b>2017-00426</b>
<b>DISTRICT</b>	)	

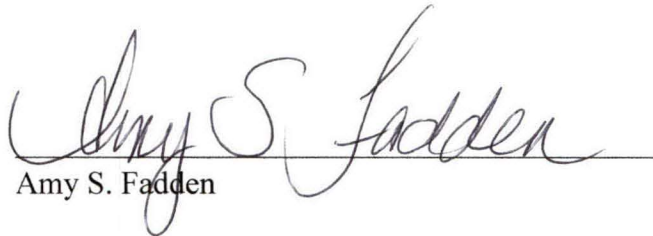
**South 641 Water District Responses**

**To Commission Staff's First Set of Information Requests**

**December 1, 2017**

**VERIFICATION**

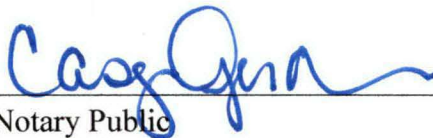
The undersigned, Amy S. Fadden, being duly sworn, deposes and states that she is the Administrator for South 641 Water District, that she has personal knowledge of the matters set forth in the forgoing responses for which she is the identified witness and that the information contained therein is true and correct to the best of her information, knowledge and belief.

  
Amy S. Fadden

STATE OF MISSISSIPPI                    )     Kentucky Public Service Commission  
  )     Case No. 2017-00426  
COUNTY OF WARREN                    )

Subscribed and sworn to before me, a Notary Public in and before said County and State, by Amy S. Fadden, this the   1   day of December 2017.



  
Notary Public

My Commission Expires:   May 29, 2021  

Note: Amy S. Fadden has been an employee of South 641 Water District since 2012. In 2016, she and her family moved to the city of Vicksburg in Warren County Mississippi. It was determined by the Board of Commissioners that her duties could be performed remotely from Vicksburg, MS. The minutes from the South 641 Water District meeting authorizing remote employment attached hereto as **Appendix A**. The information for the following response was gathered and prepared by Amy S. Fadden, therefore the Notary Public is from Warren County, Mississippi.

**South 641 Water District**

**REQUEST**

1. List the name of each current South 641 commissioner and the date on which his or her term expires.

**RESPONSE**

JOHN PASCHALL:	May 17, 2017
ALLI HILLARD-ROBERTSON:	January 18, 2020
NANCY MIEURE:	June 15, 2016

WITNESS: Amy S. Fadden

**South 641 Water District**

**REQUEST**

2. Provide a map of South 641's territory.

**RESPONSE**

A written description of the South 641 Water District's territory, as presented in South 641 Water District's tariff on file with the KYPSC, is attached hereto as **Appendix B**.

A physical map, including roads and outline of South 641 Water District's territory, is attached hereto as **Appendix C**.

WITNESS: Amy S. Fadden

**South 641 Water District**

**REQUEST**

3. Provide the ordinances and resolutions of Calloway County Fiscal Court that establish South 641's territorial boundaries.

**RESPONSE**

The document dated November 18, 1977, created by the Calloway County Fiscal Court, entitled *Order Establishing and Creating Water District to be Known as South 641 Water District* is attached hereto as **Appendix D**.

WITNESS: Amy S. Fadden

**South 641 Water District**

**REQUEST**

4. Provide all orders of the Calloway County Judge/Executive that addresses appointments of the South 641 Board of Commissioners on October 17, 2017.

**RESPONSE**

South 641 Water District received a letter dated October 19, 2017 stating that the purpose of the letter was to notify the District regarding trustee appointments. Letter is attached hereto as **Appendix E**.

WITNESS: Amy S. Fadden

**South 641 Water District**

**REQUEST**

5. Provide the name of the commissioners who preceded the October 17, 2017 appointments, as well as the date upon which those individuals' terms on the Board of Commissioners expired.

**RESPONSE**

**JOHN PASCHALL** was fulfilling the unexpired term of the previous Commissioner Barry Ward. Barry Ward's term was to expire on May 17, 2017. John Pashcall began his tenure on the Board of Commissioners in January 2015 by appointment from Calloway County Judge Executive Larry Elkins. Calloway County Fiscal Court Minutes of January 20, 2015 Regular Meeting indicating the appointment is attached hereto as **Appendix F**. John Paschall's term expired on May 17, 2017.

**ALLI HILLARD** was fulfilling the unexpired term of the previous Commissioner Hillis Farris. Hillis Farris' term was to expire on January 18, 2017. Alli Hilliard began her tenure on the Board of Commissioners in January 2015 by appointment from Calloway County Judge Executive Larry Elkins. Calloway County Fiscal Court Minutes of January 20, 2015 Regular Meeting indicating the appointment is attached hereto as **Appendix F**. According to the Calloway County Fiscal Court website, which contains the Calloway County Fiscal Court Meeting Minutes, on January 18, 2017 Alli Hilliard (aka Alli Hillard-Robertson) was appointed to a three year term, that is set to expire on January 18, 2020 .

**NANCY MIEURE** was fulfilling the unexpired term of the previous Commissioner Velma Miller. Velma Miller's term was to expire on May 28, 2007. Nancy Mieure began her tenure on the Board of Commissioners by appointment from Calloway County Judge Executive Larry Elkins. A letter was received by South 641 Water District indicating Nancy Mieure's appointment is **attached hereto as Appendix G**. Nancy completed the unfilled term and was re-appointed by Calloway County Judge Executive Larry Elkins three additional times, namely the term after the expiration on May 28, 2007, June 19, 2010, and June 15, 2013, each to a three year term, of which the last expired on June 15, 2016.

WITNESS: Amy S. Fadden



**South 641 Water District**

**REQUEST**

Provide all correspondence with the Calloway County Judge/Executive regarding the expiration of the term of the individuals preceding whose terms allegedly expired on June 15, 2016 and May 17, 2017.

**RESPONSE**

Electronic mail (e-mail) communication between Commissioner Nancy Mieure and Calloway County Judge Executive Larry Elkins regarding the expiration and re-appointment of her term on the South 641 Water District's Board of Commissioners occurred over several years (2013-2017) and is attached hereto as **Appendix H**.

WITNESS: Amy S. Fadden

**APPENDIX A**

**South 641 Water District**  
**Board of Commissioners Special Called Meeting**  
**Minutes for Meeting: June 27, 2016**

The special called second quarter meeting of the South 641 Water District was called to order by Commissioner John Paschall. Present were Nancy Mieure, John Paschall, and Alli Hillard Robertson which constituted a quorum of the duly appointed and qualified commissioners. Also present were Water District employees: Amy Fadden, Carolyn Ray, Cari Averill, and Hank Stanfield.

The minutes of the April 18 meeting were presented. Nancy Mieure made a motion to approve the regular meeting minutes as presented. Alli Hillard Robertson seconded the motion. The motion carried.

The commissioners reviewed the financial statements as presented by Amy Fadden. One of the water towers had not been depreciated out on the audit, but it has been resolved and approved by the auditor. Nancy Mieure made a motion to accept the financial statements for the first quarter as presented. Alli Hillard Robertson seconded the motion. The motion carried.

**Old Business**

The clean out on the Midway tank will be done in September. Lettering was quoted at \$250-300 per letter (approx. \$2400 total). We will get an exact price in September and at that point, we will talk to the city about splitting the cost.

The USDA annual financial documents (2 copies of the PSC report and audit) have been submitted and confirmed. No further action is required for the rest of the year.

Comparatives are not allowed as reasons to raise tap on rates. We must use invoices from the last 12 months to see if it's justified. Currently we charge \$750, but the approximate actual cost to us is \$900-1100. It must be a flat rate on the standard residential size.

There were no NOV's on the PSC waste water and water inspection reports for 2014.

**New Business**

Amy Fadden presented the City of Murray water rate increase, effective July 1. Nancy Mieure made a motion to pass thru the water rate increase from the City of Murray to the South 641 Water District customers, an increase of \$.23 per 1000 gallons. Alli Hillard Robertson seconded the motion. The motion carried.

Amy Fadden will be moving to Vicksburg, Mississippi, and would like to retain her position and telecommute using Skype for meetings. John Paschall made a motion to allow Amy to telecommute. Alli Hillard Robertson seconded the motion. The motion carried.

John Paschall made a motion to go into closed session to discuss proposed or current litigation pursuant to KRS 61.810(1)(c). Nancy Mieure seconded the motion. The motion carried.

**APPENDIX A**

Nancy Mieure made a motion to go back to open session. Alli Hillard Robertson seconded the motion. The motion carried.

With no further business, Alli Hillard Robertson made a motion to adjourn. Nancy Mieure seconded the motion. The motion carried, and the meeting was adjourned.

SOUTH 641 WATER DISTRICT

By:   
Chairman

Attested:   
Secretary

KPSC Case No. 2017-00426  
 Commission Staff's First Set of Information Requests  
 Order Dated November 21, 2017

APPENDIX B

Form for filing Rate Schedules

FOR SOUTH 641 WATER DISTRICT  
 Community, Town or City

P.S.C. NO. \_\_\_\_\_

Original SHEET NO. 2

CANCELLING P.S.C. NO. \_\_\_\_\_

SHEET NO. \_\_\_\_\_

SOUTH 641 WATER DISTRICT  
 Name of Issuing Corporation

CLASSIFICATION OF SERVICE

	RATE PER UNIT
<p><b>WATER SERVICE</b></p> <p>AT</p> <p>Beginning at a point in the center of the East Fork of the Clarks River at a point 1,000 feet southwest of the centerline of Kentucky Highway #121, Southeast of Murray, Kentucky (said highway also being known as the New Concord Road); Thence running in a southeasterly direction, parallel to and 1,000 feet in a southerly direction from the centerline of said highway to a point 1,000 feet east of the centerline of Kentucky Highway #893; Thence turning and running in a southerly direction parallel to and 1,000 feet east of the centerline of Kentucky Highway #893 to a point 1,000 feet east of the intersection of Kentucky Highway #893 and McCullough Fork Road; Thence turning and running due South to the South Calloway County line between said Calloway County and Henry County, Tennessee; Thence turning and running in a westerly direction along said county line to a point 1,000 feet east of the intersection of Kentucky Highway #893 and the West State Line Road at Crossland, Kentucky, and including the corporate limits of Basal, Kentucky; Thence turning and running in a northerly direction parallel to and 1,000 feet east of the centerline of Kentucky Highway #893 to a point 1,000 feet east of the intersection of said highway and Kentucky Highway #783 near the South Pleasant Grove Church; Thence continuing in a northerly direction parallel to and 1,000 feet east of the centerline of Kentucky Highway #783 to the center of the East Fork of the Clarks River; Thence turning and running in a northeast direction with the center of the East Fork of the Clarks River to the point of beginning.</p>	<div style="border: 1px solid black; padding: 5px; width: fit-content; margin: auto;"> <p style="text-align: center; font-weight: bold;">CHECKED</p> <p style="text-align: center;">APR 20 1982</p> <p style="text-align: center;">by <u>R. [Signature]</u></p> <p style="text-align: center;">BATES AND TARIFFS</p> </div>

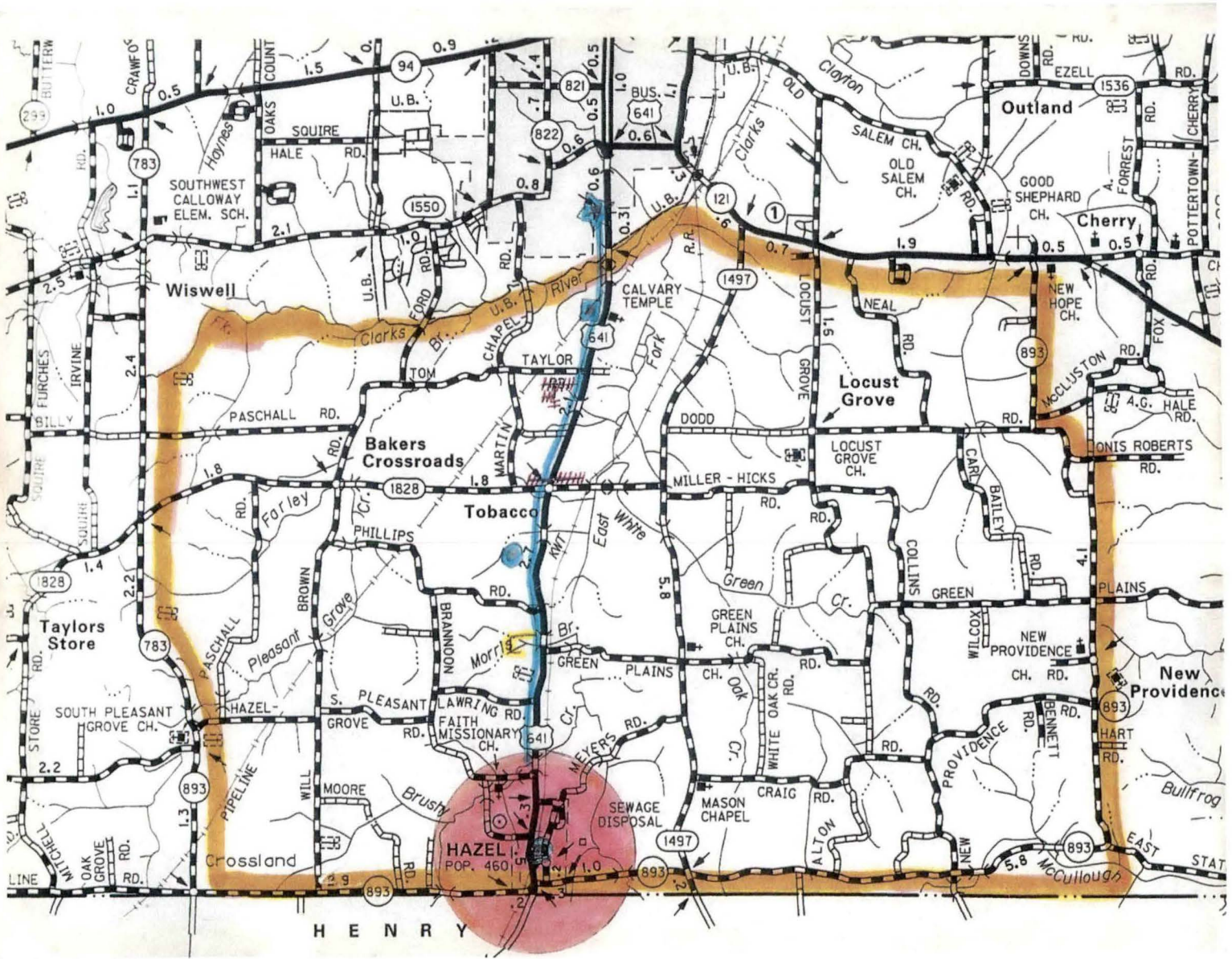
DATE OF ISSUE April 14, 1981

DATE EFFECTIVE April 14, 1981

ISSUED BY Robert Taylor  
 Name of Officer

TITLE Chairman

Issued by authority of an Order of the Public Service Commission of Kentucky in Case No. 7940 dated April 14, 1981



APPENDIX D

CALLOWAY COUNTY, KENTUCKY

IN THE MATTER OF SOUTH 641 WATER DISTRICT

ORDER ESTABLISHING AND CREATING WATER DISTRICT  
TO BE KNOWN AS  
SOUTH 641 WATER DISTRICT

WHEREAS, there has heretofore been filed, a Petition at least 25 freeholders and residents of an area lying in Calloway County, for the creation of a water district, and asking that it be named SOUTH 641 WATER DISTRICT pursuant to Chapter 74 of Kentucky Revised Statutes, and

WHEREAS, the Calloway Court by order entered on November 18, 19 77, set the case for hearing on the day of January, 1978, at 10:00 A.M., local time, and

WHEREAS, a Notice of the filing of such Petition and Notice of the Hearing as to same was duly published in the Ledger & Times on November 23, 19 77, and on December 17, 1977, advising interested parties of the fact that they were afforded a period of thirty days after first publication of said Notice within which to file objections to the creation of said District, in compliance with all legal requirements, as set out in Affidavits of Publication here filed in this proceeding, and

WHEREAS, a period of thirty days has expired after first publication of such Notice, during which time all residents of the proposed district had an opportunity to file objections, and

APPENDIX D

WHEREAS, The Calloway County Court has found and I, the County Judge/Executive, hereby find that the establishment of such district is reasonably necessary for the public health, convenience, fire protection, safety and comfort of the residents within the area described in the Petition as being the area sought to be established as said water district,

NOW THEREFORE, IT IS HEREBY ORDERED AS FOLLOWS:

1. That the establishment of a water district embracing the area described below is reasonably necessary for the public health, convenience, fire protection, safety and comfort of the residents of said area.

2. That the original Petition filed in this Court for the creation of said Water District was signed by at least twenty-five (25) resident freeholders of the proposed District, as required by law, and that the creation of said District has been approved by the Public Service Commission of Kentucky as required by law, as evidenced by the order of said Public Service Commission filed with said Petition.

3. That the territory of said District does not embrace any portion of an incorporated municipality or other district in the County, and that all of the territory embraced by said District is located within the boundaries of this County.

4. That it is hereby ordered that there be and there is hereby established pursuant to KRS Chapter 74, a water district which shall have all of the powers available to water districts under KRS Chapter 74 and is hereby named "SOUTH 641 WATER DISTRICT".

APPENDIX D

5. It is further ordered that the boundaries of said District shall be and are hereby determined to be as described on Exhibit "A" attached hereto.

6. It is further ordered that three commissioners of said Water District shall be immediately appointed by separate order in accordance with Chapter 74 of the Kentucky Revised Statutes.

ENTERED this 2 day of May, 1979.

Robert O. Miller
ROBERT O. MILLER
JUDGE/EXECUTIVE
CALLOWAY COUNTY, KENTUCKY

CERTIFICATE OF COUNTY CLERK

I, Marvin Harris, hereby certify that I am the duly qualified and acting County Clerk of Calloway County, Kentucky, and that the foregoing is a true copy of an Order entered by the County Judge/Executive of said County on the 9 day of May, 1979, as appears of record in County Order Book 10 Page 13 in said office.

WITNESS my signature and seal of office this 8 day of June, 1979.

Marvin Harris
MARVIN HARRIS
CALLOWAY COUNTY COURT CLERK

SEAL



**KPSC Case No. 2017-00426**  
**Commission Staff's First Set of Information Requests**  
**Order Dated November 21, 2017**

**APPENDIX E**

**Larry Elkins**  
Calloway County Judge/Executive

Calloway County Courthouse  
101 South Fifth Street  
Murray, Kentucky 42071  
(270) 753-2920 Fax: 753-2911

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October 19, 2017

641 Water District  
PO Box 2  
Hazel, KY 42049

Re: Appointments

The purpose of this letter is to notify the 641 Water District regarding trustee appointments at the Fiscal Court's October 17, 2017 meeting. The court approved my reappointment of John Paschall to a term expiring 5/17/2021. The court approved my appointment of Lisa Kell as a trustee with a term expiring 6/15/2020.

Regards,



Larry Elkins  
Calloway County Judge Executive

ldm

KPSC Case No. 2017-00426  
Commission Staff's First Set of Information Requests  
Order Dated November 21, 2017

APPENDIX F

CALLOWAY COUNTY  
FISCAL COURT REGULAR MEETINGS  
Tuesday, January 20, 2015 – Regular Meeting Minutes

An ad hoc regular meeting of the Calhoun County Fiscal Court was held at 5:00pm on Tuesday, January 20, 2015, in the Calhoun County Judicial Building. Judge Larry Elkins called the meeting to order. The following duly qualified members of the Court were present: Squire Don Cherry, Squire Tim Todd, Squire Eddie Oyle Hale, and Squire Johnny Gingles. Also present were: County Attorney K. Bryan Ernstberger, County Treasurer Anita Gallimore, Deputy Judge Executive Alesha Tabern, and County Clerk Antonia Faulkner.

The minutes from the December 16<sup>th</sup>, 2014 regular meeting were reviewed. Motion made by Squire Gingles, seconded by Squire Hale, to waive the formal reading and approve the minutes as presented. All voted aye and it was so ordered. The minutes of the December, 29<sup>th</sup>, 2014 special meeting were reviewed. Motion made by Squire Hale, seconded by Squire Todd, to waive the formal reading and approve the minutes as presented. All voted aye and it was so ordered. The minutes of the January 5<sup>th</sup>, 2015, special meeting were then reviewed. Motion made by Squire Cherry, seconded by Squire Gingles to waive the formal reading and approve the minutes as presented. All voted aye and it was so ordered.

Ms. Anita Gallimore, County Treasurer presented the treasurer's report. After a discussion, motion made by Squire Hale, seconded by Squire Cherry, to approve the financial statement. All voted aye and it was so ordered. Motion made by Squire Gingles, seconded by Squire Todd to pay the bills. All voted aye and it was so ordered. Motion made by Squire Cherry, seconded by Squire Hale to approve the transfers. All voted aye and it was so ordered.

Mr. Jerry Penner, MCHH CEO gave a report regarding the hospital's decision to sell Home Health and Adult Day Care to Baptist Health.

Judge Elkins presented an Executive Order reappointing Ricky Edwards as County Road Supervisor for a 2 year term. Squire Todd made a motion to approve, seconded by Squire Cherry. On a roll call vote, all voted aye and it was so ordered.

The Judge presented the Sheriff's annual order setting maximum amount for Deputies and Assignments. After a discussion, motion made by Squire Hale, seconded by Squire Gingles to approve. All voted aye and it was so ordered.

Judge Elkins discussed with the Court the negative impacts of the reduction in gasoline tax revenue. He relayed to the Court that although it is not "boom day" changes will need to be made. Any ideas to reduce cost would be discussed.

The Court was informed that Murray Calhoun County Park Report would be on the agenda each month, having a member of the board updating the Fiscal Court. This will keep better communication between the two.

It was then time for board appointments. Judge Elkins presented in the form of a motion to appoint Don Cherry, Johnny Gingles, Clayton Hendricks, and Ricky Edwards (ex officio) to the Fiscal Court Transportation Committee, seconded by Squire Hale. All voted aye and it was so ordered. In the form of a motion, Judge Elkins appointed Eddie Hale, Tim Todd, Clayton Hendricks, and Tonya Robinson (Ex Officio) to the Fiscal Court Solid Waste Committee, seconded by Squire Gingles. All voted aye and it was so ordered. In the form of a motion Judge Elkins appointed Eddie Hale to the MCHH board nomination committee, seconded by Squire Todd. All voted aye and it was so ordered. In the form of a motion, Judge Elkins appointed Johnny Gingles to the Calhoun County Board of Health, seconded by Squire Cherry. All voted aye and it was so ordered. Judge Elkins, in the form of a motion, appointed Brent Burchett and Cennie Talent to the Calhoun County Extension Board, seconded by Squire Gingles. All voted aye and it was so ordered. In the form of a motion, Judge Elkins appointed John [Scooter] [Redacted] and Allison Hill to the Solid Waste District Board, seconded by Squire Cherry. All voted aye and it was so ordered. Judge Elkins in the form of a motion, appointed Dels Hughes, Clayton Hendricks, and Marty Futrell to Water District #2 Board, seconded by Squire Hale. All voted aye and it was so ordered. In the form of a motion, Judge Elkins appointed Bobby Mesdor, Bobby Stubblefield, Z Eric Mark Manning, and Ralph Darnell to the County Ethics Board, seconded by Squire Gingles. All voted aye and it was so ordered. Motion made by Judge Elkins to appoint Tim Todd, Don Cherry, Jason Levert, Melodie Cunningham, Bill Marsbury, and Christopher Hendricks to the Park Board seconded by Squire Hale. All voted aye and it was so ordered. Judge Elkins, in the form of a motion, reappointed Rob Edd Parish to the transit board, seconded by Squire Cherry. All voted aye and it was so ordered.

**KPSC Case No. 2017-00426**  
**Commission Staff's First Set of Information Requests**  
**Order Dated November 21, 2017**

**APPENDIX G**

**Larry Elkins**

Calloway County Judge/Executive

Calloway County Courthouse  
101 South Fifth Street  
Murray, Kentucky 42071  
(270) 753-2920 Fax: 753-2911

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January 19, 2007

641 Water District Board  
207 Main Street  
Hazel, Kentucky 42049

Dear Board Members:

Nancy Mieure has been appointed to the 641 Water District for the unexpired term of Velma Miller. This term will expire on May 28, 2007. Please contact the Mrs. Mieure and provide her with information needed to fill this position.

Sincerely,



Larry Elkins

agt

Cc: Nancy Mieure

**APPENDIX H**

**From:** Nancy Mieure [mailto:nancym@apex.net]  
**Sent:** Friday, January 13, 2017 12:04 PM  
**To:** 'Larry Elkins'  
**Subject:** RE: water district

I am willing to continue serving.

NCM

**From:** Larry Elkins [mailto:judgelarry@callowayky.com]  
**Sent:** Friday, January 13, 2017 11:51 AM  
**To:** Nancy Mieure; Larry Elkins  
**Subject:** RE: water district

Haven't had the opportunity to do a detail research. Our records indicate that the water district terms or 3 years. As for the email checking to see if the year was correct. In any event as I understand it trustees serve until they are replaced. If you don't want to continue to serve let me know. As far as I know 641 Water District is operating appropriately.

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Nancy Mieure <nancym@apex.net>  
Date: 1/13/17 11:46 AM (GMT-06:00)  
To: Larry Elkins <judgelarry@murray-ky.net>  
Cc: Alicia Tabers <atabers@murray-ky.net>  
Subject: FW: water district

Larry -- I was wondering if you had had the opportunity to look into the discrepancy about my appointment to the South 641 Water Board.

Please let me know.

Thank you,  
Nancy Mieure  
[nancym@apex.net](mailto:nancym@apex.net)  
270-492-6477

**APPENDIX H**

**From:** Nancy Mieure [<mailto:nancym@apex.net>]  
**Sent:** Thursday, December 08, 2016 2:51 PM  
**To:** 'Larry Elkins'  
**Subject:** RE: water district

Larry -- here are the Emails about my reappointment to the Water District. The appointment was approved by the Fiscal Court at the June 18, 2013 meeting. I will forward the Email with that information next. Based on my research: According to KRS 74.020 (1) the term is 4 years. The Calloway County website shows that my term expired on June 15, 2016, however I believe it should expire on June 15, 2017.

Please advise.

Thanks,  
NCM  
[nancym@apex.net](mailto:nancym@apex.net)  
270-492-6477

**From:** Larry Elkins [<mailto:judgelarry@murray-ky.net>]  
**Sent:** Monday, June 10, 2013 1:03 PM  
**To:** Nancy Mieure  
**Subject:** Re: water district

Thanks (Pay the same)

----- Original Message -----

**From:** [Nancy Mieure](mailto:Nancy Mieure)  
**To:** 'Larry Elkins'  
**Sent:** Monday, June 10, 2013 1:01 PM  
**Subject:** RE: water district

Has the pay increased any? Lol Yes, I'll be happy to continue serving.

NCM

**From:** Larry Elkins [<mailto:judgelarry@murray-ky.net>]  
**Sent:** Monday, June 10, 2013 12:48 PM  
**To:** Nancy Mieure  
**Cc:** Alicia Tabers  
**Subject:** water district

Nancy

Your term on the 641 Water District Board expires this month. Are you willing to serve another term????

Larry Elkins, Judge Executive  
Calloway County