

Johnny & Brenda Ellis
5575 Hwy 30 west
Jackson Ky. 41339

letter # 2 07-493

RECEIVED

Jan. 17, 2007

JAN 25 2008
PUBLIC SERVICE
COMMISSION

To water board!

When I was at last water board meeting Sept 20, 2006
and talked to this board about my need for water
and could install our meter and lines on county road
Bowling Cove road so I was advised to talk to
County Attorney about getting permission for
Brethitt County water district to install
our water meter on county property. After
talking with County Attorney was told I
need to get permission to install our meter
on county road from Brethitt County fiscal
court. I went before Brethitt fiscal court
on Sept 26, 2006, and received permission
to install water lines on county road
Bowling Cove. I have already installed
my water lines up to the county road.
I need the "Brethitt County water district"
to install our meter, ~~The Ellis Family~~
We came back to Brethitt County water
District meeting on Oct 18, 2006 told this
board that we had Brethitt County fiscal
court permission to run water lines on
Bowling Cove off Hwy 30 west to our home
But they, Brethitt County water board still refused
to install our water meter. We are only talking

District #2 Sept. 26, 2006

We live at 5575 Hwy 30 West Jackson Ky. Bowling Cave is a County road that runs thru our property. I need Brethitti Co Fiscal Courts permission for the Brethitti Co water district to run our water line 40 ft. to hook on to the main water line that runs underneath the co. road. They will not have to cross the county road. They can set our meter on our property.

They have 2 meters already set.

They can run the water line and not get where the water vehicles run. They have 11 ft. right of way.

The Ellis Family

Brenda & Johnny Ellis.

Johnny Ellis WATER

Minutes

The Breathitt County Fiscal Court met in Regular Session, Tuesday, September 26, 2006 at 4:00 p.m. Present and presiding was Lewis H. Warrix, Breathitt Co. Judge Executive, Commissioners Steve Banks, Arch Turner and James Combs, along with Breathitt County Attorney Brendon D. Miller, Clerk Tony Watts, Jailer James Turner, Surveyor Jake Combs, Coroner Bobby Thorpe and Kay Barnett-Court Recorder.

Meeting was called to order and Judge Warrix welcomed everyone.

Meeting opened with prayer by Tony Watts.

A motion by Steve Banks, seconded by Arch Turner to approve the minutes of the August 22, 2006 Regular Meeting. Vote is as follows: Steve Banks-aye, Arch Turner-aye, and James Combs-aye. Motion carried.

Dr. Sharpe was recognized and approached the Court regarding a grant that she had applied for to renovate the old Health Dept. building or fund building a new facility. She asked the Court to donate 3 acres of land on Hwy. 15 across from McDonald's as the site to build the building.

A motion by Arch Turner, seconded by James Combs to support the Health Dept. as requested by Dr. Sharpe. Vote is as follows: Steve Banks-aye, Arch Turner-aye and James Combs-aye. Motion carried.

A motion by Arch Turner, seconded by Steve Banks to provide the three acres of land with a road, contingent upon the grant becoming available. Vote is as follows: Steve Banks-aye, Arch Turner-aye and James Combs-aye. Motion carried.

Genieve Miller was recognized and approached the Court regarding a Skate Board Park for the youth of Breathitt County. She informed the Court she would apply for a grant to fund the park, if the County would donate land. Judge Warrix suggested possibly using a small portion of the soccer field at Elkatawa.

A motion by Arch Turner, seconded by Steve Banks to authorize Ms. Miller to apply for the grant and possibly join with the City on a 50/50 venture. Vote is as follows: Steve Banks-aye, Arch Turner-aye and James Combs-aye. Motion carried.

Johnny & Brenda Ellis were recognized and approached the Court regarding running water lines to their home on Bowling Cove off Hwy 30 West.

A motion by James Combs, seconded by Arch Turner to provide a right of way on county property to access water to the Ellis' home. Vote is as follows: Steve Banks-aye, Arch Turner-aye and James Combs-aye. Motion carried.

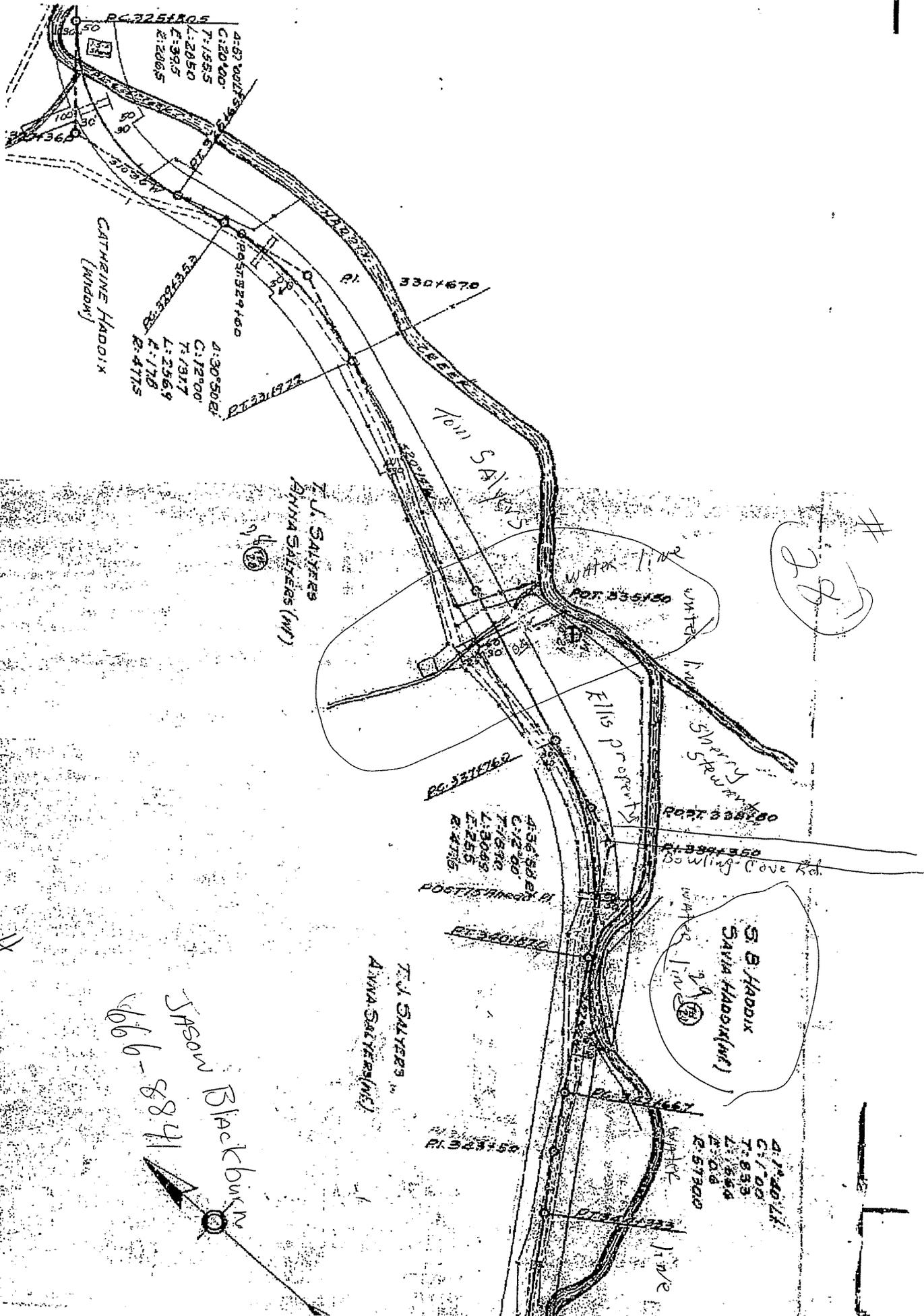
Jamon Halvaskz was recognized and approached the Court regarding funding for training and uniforms for the security officers at the Judicial Center.

Sept 2006

Went and talked to County Attorney ¹¹ Brandon Miller ¹¹
asked him how can the water board refuse to
give us water. He said they were a business company
and can refuse to hook us on the water line.
he also said he had no control over what they do
I told him that was bull?

Then I ask Brandon Miller what I would have to
do to get permission to run our water lines
on county property. He said go to the Brethitt
County fiscal court and get a vote + permission
to install our water lines on county property

PS: Found out later the Brethitt County
water board already had permission to run
water anywhere in the county on county property.



CATHERINE HADRIX
(WIDOW)

4-63° 00' 15" 397.0
 C: 204.00
 L: 205.0
 E: 39.5
 R: 206.5

4: 30° 50' 21"
 C: 12.00
 T: 19.17
 L: 23.69
 R: 47.15

T. J. SALYERS
 ANNA SALYERS (W)

4: 36° 53' 21"
 C: 12.00
 T: 18.70
 L: 30.68
 E: 25.5
 R: 47.15

T. J. SALYERS
 ANNA SALYERS (W)

S. B. HADRIX
 SAVIA HADRIX (W)

4: 7° 40' 11"
 C: 17.00
 T: 8.33
 L: 18.66
 E: 0.0
 R: 57.00

1904

JACOB Blackburn
 4666-8844

28

MINUTES

DATE: September 20, 2006

Breathitt County Water District

7:00 p.m.

The Breathitt County Water District met in Regular Session on the 20th day of September, 2006 at 7:00 p.m. in the Fiscal Court Room. The meeting was called to order by Vice-Chairman Jay Watts. Members present and presiding were Alma Noble, Vurl Fugate and Homer Johnson. Chairman John L. Smith was absent. Others present were Kay Barnett-Recording Officer, Shannon Moore, Bryan Kirby and Ora Main.

The meeting was called to order by Chairman Jay Watts.

Motion by Homer Johnson, seconded by Alma Noble to have second interviews with three applicants for the office clerk position at the next meeting. Vote is as follows: Jay Watts-aye, Homer Johnson-aye, Alma Noble-aye and Vurl Fugate-aye. Motion carried.

Motion by Alma Noble, seconded by Homer Johnson to approve the August 16, 2006 minutes. Vote is as follows: Jay Watts-aye, Homer Johnson-aye, Alma Noble-aye and Vurl Fugate-aye. Motion carried.

Letter # 1
Johnny Ellis addressed the Board regarding having water ran to his residence. He presented a letter to the Board. The Board recommended he talk to County Attorney, Brendon Miller regarding this matter.

Ora Main discussed Items Accomplished since last meeting and the status on all projects. He discussed the bids that were taken previously regarding the Hwy. 205 Project.

Motion by Vurl Fugate, seconded by Jay Watts to authorize Chairman Smith to award the bids after Nesbitt Engineering checked them out and gave their recommendation. Vote is as follows: Jay Watts-aye, Homer Johnson-nay, Alma Noble-nay and Vurl Fugate-aye. The motion was tied 2 - 2.

Further discussion was held.

Motion by Vurl Fugate, seconded by Jay Watts to withdraw the previous motion and table until the next meeting. Vote is as follows: Jay Watts-aye, Homer Johnson-aye, Alma Noble-aye and Vurl Fugate-aye. Motion carried.

Ora Main will present Nesbitt Engineering's recommendation regarding the bids to the Board at the next meeting.

Letter # 1

Sept. 20 2006

My name is Johnny Ellis me and my wife live at 5575 Hwy 30 west Jackson Ky in the County of Breathitt and we have the worst water in the whole County. For the last 2 years we have tried to get our house hooked on the Breathitt County water system. With no luck on May 17, 2006 Sherry Stewart approached this board and made statements about what was said at our house when she has never been to our house. So how can she repeat what was said or what was not said. How can a citizen of Breathitt County decide who gets water and who doesn't get water. I'm asking this board to reconsider our need for water and suggest that someone could come out to our house and look at our situation. Bowling Lane is a County Road and runs through our property. The main water runs across the County road you could look our meter on there it is only 4 ft. from our property. And Bowling Lane is listed as a County road in Frankfort and you should not need any of our maintenance.

MINUTES

DATE: May 17, 2006

Breathitt County Water District
7:00 p.m.

The Breathitt County Water District met in Regular Session on the 17th day of May 2006 at 7:00 p.m. in the Fiscal Court Room. The meeting was called to order by Chairman John L. Smith. Members present and presiding were May Watts, Alma Noble, Vurl Fugate and Homer Johnson. Others present were Kay Barnett-Recording Officer, Brendon Miller, Shannon Moore, Ora Main, Greg Pridemore and Bryan Kirby.

The meeting was called to order by Chairman John L. Smith.

Motion by Jay Watts, seconded by Vurl Fugate to approve the April 19,2006 minutes. Vote is as follows: Jay Watts-aye, Homer Johnson-aye, Alma Noble-aye and Vurl Fugate-aye. Motion carried.

Ora Main discussed Items Accomplished since last meeting and the status on all projects.

Bryan Kirby gave an update on coal severance project monies.

Motion by Jay Watts, seconded by Homer Johnson to approve payment of following invoices:

Requisition # 5	\$79,281.77
Requisition Certificate # 2	\$508,397.30
Requisition # 05-06	\$18,125.11

Vote is as follows: Jay Watts-aye, Homer Johnson-aye, Alma Noble-aye and Vurl Fugate-aye. Motion carried.

Motion by Alma Noble, seconded by Homer Johnson to approve Change Order #2 with Clay Pipeline for meter installation on Phases 1 & 2 of the Ky 30 Project . Vote is as follows: Jay Watts-aye, Homer Johnson-aye, Alma Noble-aye and Vurl Fugate-aye. Motion carried

Motion by Jay Watts, seconded by Vurl Fugate to authorize J.L. Smith to negotiate with Connie Allen to obtain a Water Purchase Contract. Vote is as follows: Jay Watts-aye, Homer Johnson-aye, Alma Noble-aye and Vurl Fugate-aye. Motion carried

Sherry Stewart approached the Board regarding her neighbor, Johnny Ellis, being allowed to hook up on water. She stated he would not cooperate with the engineers when the water lines were being laid, therefore, he was told he would not be allowed to hook up unless she and her husband and Tom Salyers agreed for him to have it.

Discussion was held on this subject.

Motion by Homer Johnson, seconded by Jay Watts to deny Johnny Ellis water until Tom Salyers and Robert & Sherry Stewart gave permission and also to refund Johnny Ellis his money. Vote is as follows: Jay Watts-aye, Homer Johnson-aye, Alma Noble-aye and Vurl Fugate-aye. Motion carried

Alicia Wolfe, a resident of Rock Lick, approached the Board questioning why the water lines stopped below her house. She informed the Board, she worked hard during the sign up period, making sure everyone completed their water surveys and turned them in to the water district office. Discussion was held. The Board advised her to see if she could get all three households around her to sign up and report back to them.

Motion by Homer Johnson to run water to Alicia Wolfe's house and in the future, do it on an individual basis. Motion died from a lack of a second. Johnson withdrew his motion.

*S. I think they
wer up something
& for they gave
this copy* →

MINUTES

DATE: April 18, 2007

Breathitt County Water District
7:00 p.m.

The Breathitt County Water District met in Regular Session on the 18th day of April, 2007 at 7:00 p.m. in the Fiscal Court Room. The meeting was called to order by Co-Chairman Jay Watts. Members present and presiding were Co-Chairman-Jay Watts, Homer Johnson, Alma Noble and Vurl Fugate. Chairman John L. Smith was absent. Others present were Shannon Moore, Ora Main, Kay Barnett, Brendon Miller and Johnny & Brenda Ellis.

The meeting was called to order by Co-Chairman Jay Watts.

Motion by Alma Noble, seconded by Homer Johnson to approve the minutes of the March 21, 2007 Regular Meeting and the March 29, 2007 & April 5, 2007 Special Meetings. Vote is as follows: Jay Watts-aye, Vurl Fugate-aye, Alma Noble-aye and Homer Johnson-aye. Motion carried.

Motion by Homer Johnson, seconded by Alma Noble to approve the Resolution authorizing the Chairman to enter into an agreement with GOLD. Vote is as follows: Jay Watts-aye, Vurl Fugate-aye, Alma Noble-aye and Homer Johnson-aye. Motion carried.

Ora Main discussed Items Accomplished since last meeting and the status on all projects.

Shannon Moore gave an update on projects and informed the Board that the Kentucky Mountain Bible College was still undecided.

Motion by Vurl Fugate seconded by Alma Noble to approve payment of following invoices:

Requisition Certificate # 4	\$336,324.05
(-\$6,000.00 to Nesbitt Engineering on a Prior Invoice)	<u>-\$6,000.00</u>
	\$330,324.05

Requisition Certificate # 1	\$51,407.60
	<u>-\$32,075.65</u>
	\$19,331.95

(The only new invoice is Inv. #17135 in the amount of \$19,331.95)

Requisition #04-07	\$11,990.44
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Vote is as follows: Jay Watts-aye, Vurl Fugate-aye, Alma Noble-aye and Homer Johnson-aye. Motion carried.

Johnny Ellis asked the Board when they were going to allow him to hook up on county water. Homer Johnson informed him that Judge Richardson was supposed to meet with Tom Salyers & Robert Stewart and report back to the Water Board. As of now, the Board hasn't heard any response from Judge Richardson.

Motion by Alma Noble seconded by Vurl Fugate to adjourn. Vote is as follows: John L. Smith-aye, Jay Watts-aye, Vurl Fugate-aye, Alma Noble-aye and Homer Johnson-aye. Motion carried.

John L. Smith, Chairman

Jan. 22 2007

①

Johnny + Brenda Elle
5575 Hwy 30 west
Jackson Ky. 41339
606 295-2170

To: Judge Richardson,
We went to water meeting Jan 17, 2007 had a discussion on our installing water. This board has had denied us water for 3 years with one excuse after another. Every time it looks like we might get water the board comes up with some other excuse. I live in Breathitt County pay my taxes and yet are denied good water because my neighbors don't like me because I stand up for my family's rights to be treated equal no matter who you know or don't know.

Now they the water board said it costs them more to go around our property when not a one of them the water board members has ever come out to my house and looked at ~~the~~^{our} situation. When it was a shorter distance that they laid the main water lines. They crossed a stream beside our house which they were crossing anyway. They went threw a field that no one ever used. Then into Sherry Stewart's property which they were heading that way anyway. They saved ~~the~~ money by going that way. If they had come threw the Elle's property

They would have had to take down ^{#1} chain link fences and put back up. They would have had to go thru ^{#2} drive ways which they would have had to gravel. They would have had to go thru a 4ft bricked rock wall which they would have had to rebuild. They would have had to dig up ^{#4} small evergreens ^{#2} flower boxes and they would have had to put everything back the way it was before they came thru our yard ~~so~~ there's no way it cost them more to go around us. It's just another excuse to keep us from getting good water. Like all my neighbors have had for the past 3 years. I think 3 years without good water is another time to pay for not letting ~~the~~ the main water line ~~be~~ thru our property.

From: Johnny & Bunch Ellis
5575 Hwy 90 West
Jackson Ky, 41339
606-295-2170

Johnny Ellis water

Minutes

The Breathitt County Fiscal Court met in Regular Session, Tuesday, September 26, 2006 at 4:00 p.m. Present and presiding was Lewis H. Warrix, Breathitt Co. Judge Executive, Commissioners Steve Banks, Arch Turner and James Combs, along with Breathitt County Attorney Brendon D. Miller, Clerk Tony Watts, Jailer James Turner, Surveyor Jake Combs, Coroner Bobby Thorpe and Kay Barnett-Court Recorder.

Meeting was called to order and Judge Warrix welcomed everyone.

Meeting opened with prayer by Tony Watts.

A motion by Steve Banks, seconded by Arch Turner to approve the minutes of the August 22, 2006 Regular Meeting. Vote is as follows: Steve Banks-aye, Arch Turner-aye, and James Combs-aye. Motion carried.

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A motion by Arch Turner, seconded by Steve Banks to authorize Ms. Miller to apply for the grant and possibly join with the City on a 50/50 venture. Vote is as follows: Steve Banks-aye, Arch Turner-aye and James Combs-aye. Motion carried.

Johnny & Brenda Ellis were recognized and approached the Court regarding running water lines to their home on Bowling Cove off Hwy 30 West.

A motion by James Combs, seconded by Arch Turner to provide a right of way on county property to access water to the Ellis' home. Vote is as follows: Steve Banks-aye, Arch Turner-aye and James Combs-aye. Motion carried.

Jamon Halvaskz was recognized and approached the Court regarding funding for training and uniforms for the security officers at the Judicial Center.

MINUTES

DATE: October 18, 2006

Breathitt County Water District
7:00 p.m.

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The meeting was called to order by Chairman John L. Smith.

Motion by Homer Johnson, seconded by Jay Watts to approve the minutes of the September 20, 2006 meeting. Vote is as follows: Homer Johnson-aye, Alma Noble-aye and Jay Watts-aye. Motion carried.

Ora Main discussed Items Accomplished since last meeting and the status on all projects.

Motion by Jay Watts, seconded by Homer Johnson to authorize Chairman Smith to execute any and all documents pertaining to the Hwy. 205 Project. . Vote is as follows: Homer Johnson-aye, Alma Noble-aye and Jay Watts-aye. Motion carried

Shannon Moore gave an update and discussed a public hearing to be scheduled for the Watts community. A date will be decided upon and the proper individuals will be called.

Motion by Homer Johnson, seconded by Alma Noble to approve payment of following invoices:

Requisition # 10	\$22,346.80
Requisition Certificate #7	\$179,685.02
Requisition # 10-06	\$20,345.49
Invoice #16769 (Nesbitt Engineering)	\$41,210.64
Invoice #16770 (Nesbitt Engineering)	\$2,500.00

Vote is as follows: Homer Johnson-aye, Alma Noble-aye and Jay Watts-aye.
Motion carried.

Motion by Homer Johnson, seconded by Jay Watts to continue an additional 1,000 feet up Walnut Fork if the contractor will do so. Vote is as follows: Homer Johnson-aye, Alma Noble-aye and Jay Watts-aye. Motion carried

Johnny Ellis approached the Board regarding having a meter installed and 40 feet of line ran to his property off the county road. He informed the Board that the Fiscal Court approved his getting waterlines ran on the county right-of-way. Discussion was held, however, no decision was made.

MINUTES

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#1 letter
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BREATHITT COUNTY COURT CLERK

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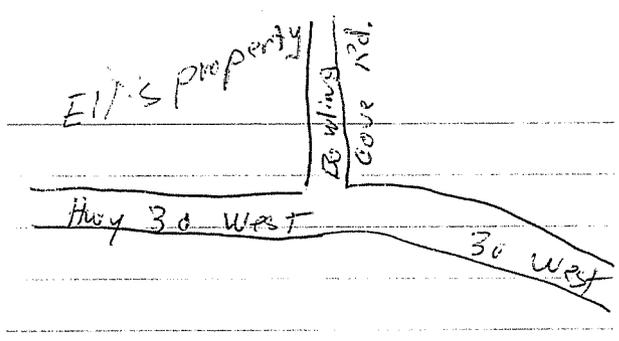
311-1

Document Image

311



 <p>NESBITT ENGINEERING, INC. ENGINEERS • SURVEYORS • SCIENTISTS</p>	Breathitt County Water District Breathitt County, Kentucky KY 30 Waterline Extension		
	Robert & Sherrie Stewart Permanent Easement for Water Line Extension Installation and Maintenance	DRAWN BY: mrc	DISK/FILE NAME: easements.dwg\Stewart 71-37
	DATE: August 23, 2002	LAST PLOT DATE: 09/19/02	SCALE: 1"=100'



Comments and Keywords

BREATHITT COUNTY COURT CLERK

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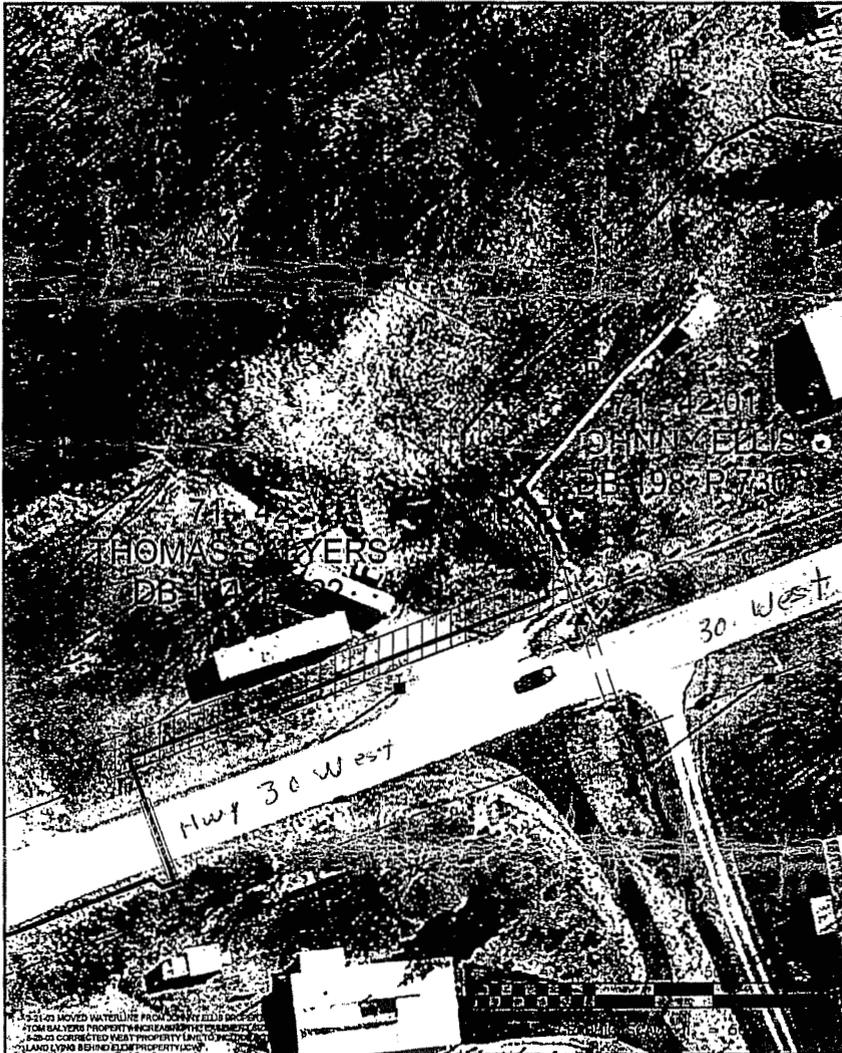
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Document #:

478-1

Document Image

478



 <p>NESBITT ENGINEERING, INC. ENGINEERS • SURVEYORS • SCIENTISTS</p>	<p>Breathitt County Water District Breathitt County, Kentucky KY 30 Waterline Extension</p>		
	<p>Thomas Salyers DB 184, P 622 Permanent Easement for Water Line Extension Installation and Maintenance</p>	<p>DRAWN BY: mrc</p> <p>DATE: August 23, 2002</p>	<p>DISK/FILE NAME: easements.dwg\ThomSalyers 71-42</p> <p>LAST PLOT DATE:</p>

Comments and Keywords

BREATHITT COUNTY COURT CLERK

Document Type: DEED

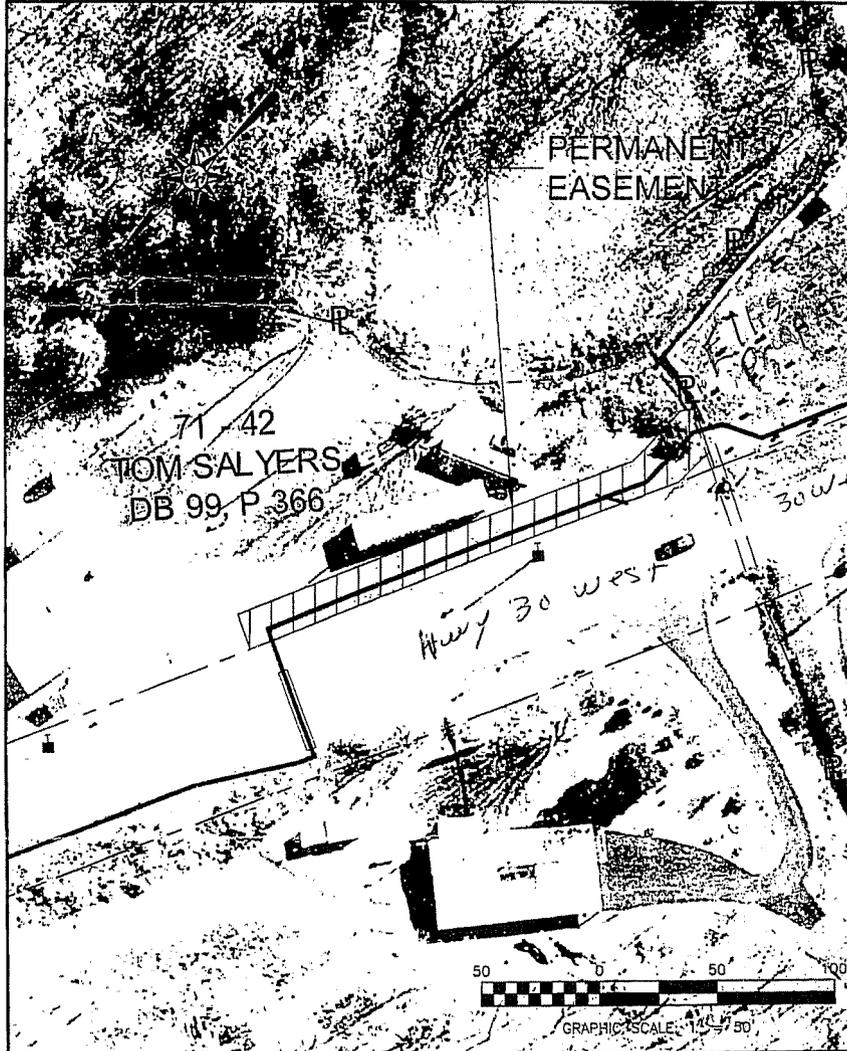
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Document #:

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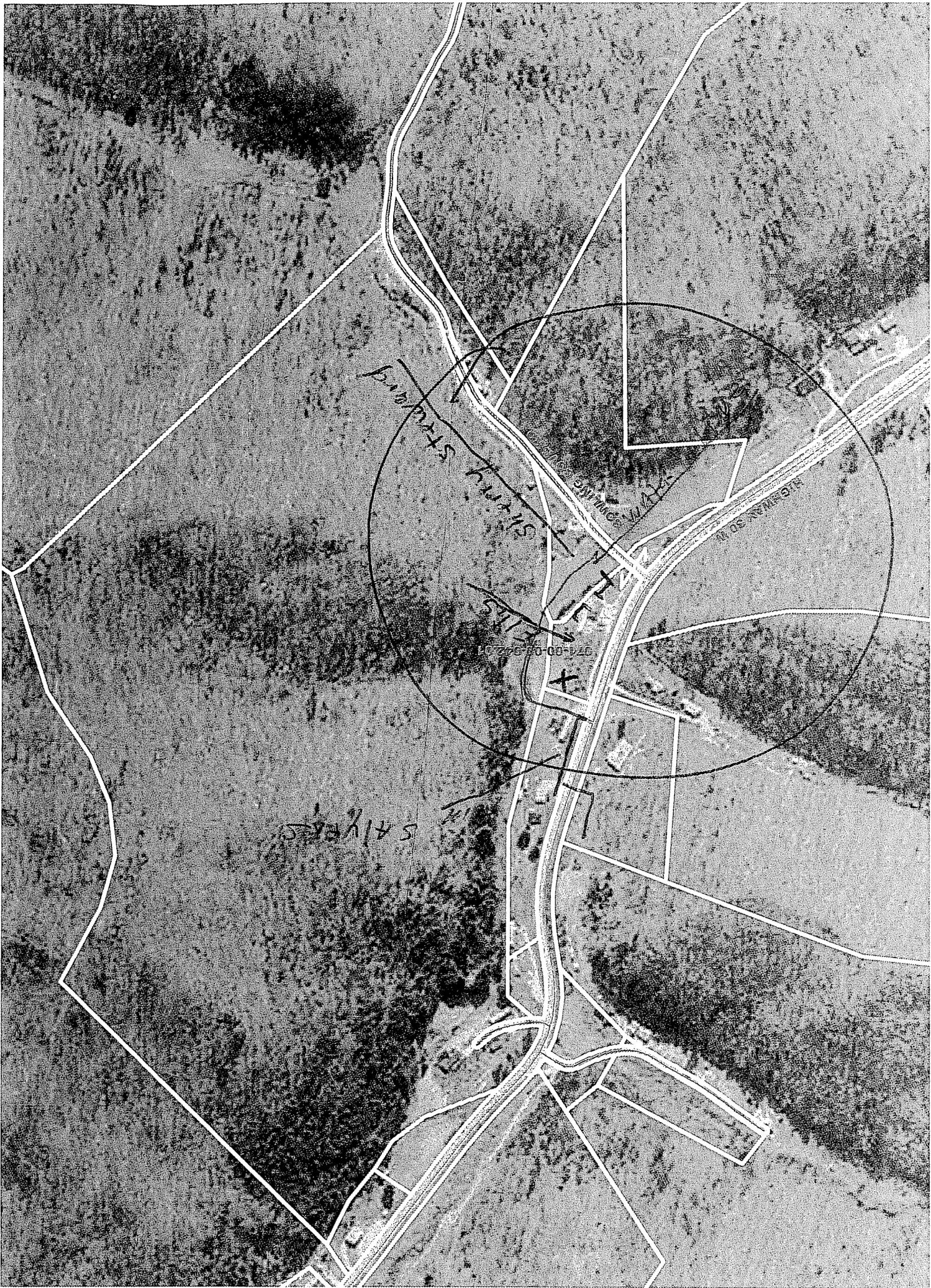
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 NESBITT ENGINEERING, INC ENGINEERS • SURVEYORS • SCIENTISTS	Breathitt County Water District Breathitt County, Kentucky KY 30 Waterline Extension		
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	DATE: August 23, 2002	LAST PLOT DATE: 09/19/02	SCALE: 1"=50'

Comments and Keywords



STATION

SOUTH

SOUTH

SOUTH

SOUTH

07-80-00-126

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