

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

**In the Matter of:**

<b>APPLICATION OF ESTILL COUNTY WATER</b>	)	
<b>DISTRICT NO. 1 AND DANIEL BLAIN</b>	)	
<b>CLICK, A MEMBER OF THE BOARD OF</b>	)	
<b>COMMISSIONERS OF ESTILL COUNTY</b>	)	<b>CASE NO. 2021-00171</b>
<b>WATER DISTRICT NO. 1, FOR AN</b>	)	
<b>EXTENSION OF TIME TO COMPLETE</b>	)	
<b>REQUIRED WATER DISTRICT</b>	)	
<b>MANAGEMENT TRAINING FOR THE 2020</b>	)	
<b>CALENDAR YEAR</b>	)	

**APPLICATION**

Pursuant to KRS 74.020(6) and (9), Estill County Water District No. 1 (“Estill District”) and Daniel Blain Click (collectively “the Applicants”) apply to the Public Service Commission (“Commission”) for an Order authorizing a six-month extension of time, until June 30, 2021 for Commissioner Click to complete the required water district management training necessary to qualify for the maximum annual salary of six thousand dollars (\$6,000.00) for the calendar year ending December 31, 2020.

In support of its Application, the Applicants states:

1. The full name and post office address of Estill District is: Estill County Water District No. 1, 76 Cedar Grove Road, Irvine, Kentucky 40336. Its e-mail address is: a.miller@estillcountywater.com.

2. Commissioner Click’s full name and post office address is: Daniel Blain Click, 76 Cedar Grove Road, Irvine, Kentucky 40336. His e-mail address is: blainclick65@gmail.com.

3. Copies of all orders, pleadings and other communications related to this proceeding should be directed to<sup>1</sup>:

Daniel Blain Click  
76 Cedar Grove Road  
Irvine, Kentucky 40336  
(606) 723-3795  
blainclick65@gmail.com

Audrea Miller, General Manager  
Estill County Water District No. 1  
76 Cedar Grove Road  
Irvine, Kentucky 40336  
(606) 723-3795  
a.miller@estillcountywater.com

4. Estill District not a corporation, limited liability company or limited partnership. It has no articles of incorporation or partnership agreements.

5. Estill District is a water district created under the provisions of KRS Chapter 74.

6. KRS 365.015 does not require Estill District to file a certificate of assumed name.

7. Commissioner Click is the chair of Estill District's Board of Commissioners. He was initially appointed as a commissioner on April 5, 2018 to complete his predecessor's unexpired term. On February 15, 2021, the Estill County Judge Executive reappointed Commissioner Click to a term ending February 19, 2025 and Estill County Fiscal Court approved the appointment. The minutes of the Estill County Fiscal Court meetings in which these appointments were announced and approved are attached to this Application as **Exhibit 1** and **Exhibit 2** respectively.

8. Pursuant to KRS 74.020(6), Estill County Fiscal Court has established an annual salary of \$3,600 for each member of Estill District's Board of Commissioners and has further

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<sup>1</sup> On April 13, 2021 pursuant to 807 KAR 5:001, Section 8, the Applicants notified the Public Service Commission of their election of the use of electronic filing procedures for this proceeding.

authorized an annual salary of \$6,000 for any commissioner that completes during an educational year a minimum of six instructional hours of water district management training approved by the Public Service Commission. A copy of the minutes of the Estill County Fiscal Court meetings in which these authorizations were issued are attached to this Application as **Exhibit 3** and **Exhibit 4**.

9. KRS 74.020(6) provides that “[a]n educational year shall begin on January 1 and end on the following December 31.”

10. Because the COVID-19 pandemic severely limited potential training opportunities, Commissioner Click was unable to complete a minimum of six approved instructional hours of water district management training.

11. During its 2021 Regular Session, the Kentucky General Assembly enacted House Bill 393, which authorizes the Public Service Commission to grant a reasonable extension of time, not to exceed six months, for completing the training requirements of KRS 74.020(6) for good cause shown. Pursuant to the terms of the Act, House Bill 393 took effect upon Governor Beshear’s approval on March 18, 2021.

12. The Applicants request that the Public Service Commission grant Commissioner Click an extension of time until June 30, 2021 to complete six instructional hours of water district management training approved by the Public Service Commission for the educational year ending December 31, 2020.

13. Commissioner Click acknowledges that, if granted the requested extension, his completion of any instructional hours of water district management training in 2021 to be credited for the 2020 educational year may not be used to qualify for an annual salary of \$6,000 for the **2021 educational year** and that he must complete an additional six instructional hours of water

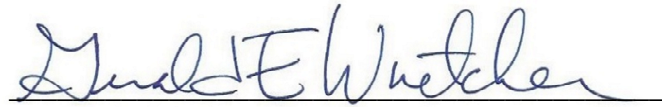
district management training in 2021 to qualify for such salary for the educational year ending December 31, 2021.

**WHEREFORE**, the Applicants request that the Public Service Commission

1. Place this Application at the head of the Commission's docket;
2. Issue an Order extending the time in which Commissioner Click must complete six instructional hours of water district management training to qualify for the maximum annual salary of \$6,000 for the year ending December 31, 2020;
3. Enter an Order granting the requested relief without holding an evidentiary hearing in this matter and no later **than May 15, 2021**; and,
4. Grant all such other relief to which Applicants may be entitled.

Dated: April 16, 2021

Respectfully submitted,



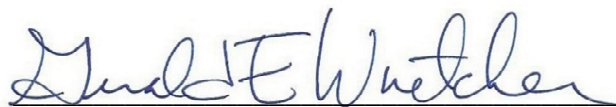
Gerald E. Wuetcher  
Stoll Keenon Ogden PLLC  
300 West Vine St. Suite 2100  
Lexington, Kentucky 40507-1801  
Telephone: (859) 231-3017  
Fax: (859) 259-3517  
gerald.wuetcher@skofirm.com

*Counsel for the Applicants*



CERTIFICATE OF SERVICE

In accordance with 807 KAR 5:001, Section 8, I certify that Applicants' electronic filing of this Application is a true and accurate copy of the same document being filed in paper medium; that the electronic filing was transmitted to the Public Service Commission on April 16, 2021; that there are currently no parties that the Public Service Commission has excused from participation by electronic means in this proceeding; and that within 30 days following the termination of the state of emergency declared in Executive Order 2020-215, this Application in paper medium will be delivered to the Public Service Commission.

A handwritten signature in blue ink that reads "Gerald E. Wuetcher". The signature is written in a cursive style with a horizontal line underneath the name.

Gerald E. Wuetcher

# **EXHIBIT 1**

Term,

Day,

Day of

19

RON COOPER CO.

THE ESTILL COUNTY FISCAL COURT MET IN SPECIAL SESSION, THURSDAY, APRIL 5, 2018, AT 7:00 P.M. IN THE DISTRICT COURTROOM OF THE ESTILL COUNTY COURTHOUSE, IRVINE, KENTUCKY WITH THE FOLLOWING MEMBERS PRESENT: COUNTY JUDGE/EXECUTIVE, KEVIN T. WILLIAMS, MAGISTRATES: MARTY SNOWDEN, MAGISTRATE DISTRICT #1. AND BILL ELDRIDGE, MAGISTRATE DISTRICT 2. DARRELL JOHNSON, MAGISTRATE DISTRICT #3. COUNTY ATTORNEY, RODNEY DAVIS, AND COUNTY CLERK, SHERRY L. FOX. COUNTY SHERIFF, GARY L. FREEMAN, WAS ABSENT.

From the roll call, it was determined that a quorum of the Fiscal Court of Estill County, Kentucky was present. The Court was then opened for the transaction of business at which time the following proceedings were had and entered of record:

The Minutes of the Fiscal Court Meeting March 19, 2018, was presented to the Court and no corrections being found necessary, ON MOTION OF SNOWDEN, SECONDED BY ELDRIDGE, and all the affirmative, that the minutes be approved as presented.

ON MOTION OF SNOWDEN AND SECONDED BY JOHNSON, and all members of the Court voting in the affirmative, that the Court adopt Ordinance 18-04, on the KACO Bonding, in its second reading to the Court. See record of the Ordinance, in the Fiscal Court Supplemental Book 70, pages 84-98.

\* ON MOTION OF ELDRIDGE AND SECONDED BY SNOWDEN, and all members of the Court voting in the affirmative, that the Court appoint, Blaine Click, as Water Commissioner, District 3.

ON MOTION OF ELDRIDGE AND SECONDED BY JOHNSON, and all members of the Court voting in the affirmative, that the Court hire Chad Smith, as fulltime Transport Officer.

ON MOTION OF ELDRIDGE AND SECONDED BY JOHNSON, and all members of the Court voting in the affirmative, that the Court hire the following as part-time pool for the Jail:

1) Angela Brewer 2) Ronnie Means 3) Charles Reynolds

ON MOTION OF ELDRIDGE AND SECONDED BY JOHNSON, and all members of the Court voting in the affirmative, that the Court hire Amber Roush, as part-time Home Car Aid at the Senior Citizens Building.

ON MOTION OF JOHNSON AND SECONDED BY ELDRIDGE, and all members of the Court voting in the affirmative, that the Court hire Amy Walters, as part-time at the Animal Shelter, she will work 3-4 hours on the weekends.

ON MOTION OF SNOWDEN AND SECONDED BY ELDRIDGE, and all members of the Court voting in the affirmative, that the Court approve the Jail Claim of \$15,000.00 to Three Forks Regional Jail. See record of the Claim in the Fiscal Court Supplemental Book 70, pages 99-101.

Magistrate Snowden asked if this could be added as a reoccurring expense, since we know that it will need to be paid monthly or as needed. Rodney Davis, County Attorney, stated that he would not have a problem with it, but would like to check into it, before making that decision.

ON MOTION OF SNOWDEN AND SECONDED BY ELDRIDGE, and all members of the Court voting in the affirmative, that the Court go into Executive Session at 7:16 o'clock to discuss litigation.

COURT WAS CALL BACK IN TO SESSION AT 7:33 P.M.

ON MOTION OF SNOWDEN AND SECONDED BY ELDRIDGE, and all members of the Court voting in the affirmative, that the Court authorize entering into a legal service contract with Smith Stagg on the Opioid Litigation.

ON MOTION OF SNOWDEN AND SECONDED BY ELDRIDGE, and all members of the Court voting in the affirmative, that the Court keep Mtn. Springs Road in its current location.

ON MOTION OF WILLIAMS AND SECONDED BY ELDRIDGE, and all members of the Court voting in the affirmative, that the Court Meeting be adjourned.

*Kevin T. Williams*  
*Marty Snowden*  
*Bill Elledge*  
*Darrell Johnson*



Term,

Day,

Day of

19

RON COOPER CO.

THE ESTILL COUNTY FISCAL COURT MET IN SPECIAL SESSION, TUESDAY, MAY 1, 2018, AT 4:30 P.M. IN THE DISTRICT COURTROOM OF THE ESTILL COUNTY COURTHOUSE, IRVINE, KENTUCKY WITH THE FOLLOWING MEMBERS PRESENT: COUNTY JUDGE/EXECUTIVE, KEVIN T. WILLIAMS, MAGISTRATES: MARTY SNOWDEN, MAGISTRATE DISTRICT #1. AND BILL ELDRIDGE, MAGISTRATE DISTRICT 2. DARRELL JOHNSON, MAGISTRATE DISTRICT #3. COUNTY CLERK, SHERRY L. FOX. COUNTY SHERIFF. COUNTY ATTORNEY, RODNEY DAVIS AND GARY L. FREEMAN, WERE ABSENT.

From the roll call, it was determined that a quorum of the Fiscal Court of Estill County, Kentucky was present. The Court was then opened for the transaction of business at which time the following proceedings were had and entered of record:

Welcomed Guest.

The Minutes of the Fiscal Court Meeting, April 16, 2018, was presented to the Court and no corrections being found necessary, ON MOTION OF SNOWDEN, SECONDED BY ELDRIDGE, and all the affirmative, that the minutes be approved as presented.

Judge's Address:

- Congratulations on a very successful Mt. Mushroom Festival, it was great! Had several people from out of town and state to attend.
- They have had over 7,000 lbs. of litter picked up since last Friday and deposited in the landfilled. They are planning on addressing the trucks that don't use their tarps, which allows the trash to blow out of them.
- Sand Hill project has been addressed, they should have started cleanup today.
- They are going through illegal dump sites, getting names. They have had names turned in as well. They have an area on Mt. Stratchum Rd. They should be expecting letters.
- Working on the Administrative and Personal Policy, hope to present it soon.
- They have help River City Players on the CDBG Monies for the Mac Theater, with advertisement for them. He had spoken with several people over the weekend that had heard about our musical talent here in the County.
- They have turned in 3 Bridge Projects. They are 80/20, should be able to take care of these.
- He would like for each Magistrate to turn in a list of Roads that need patching, resurface, chip sealed or graveled by May 14. They will be going to Frankfort May 22, it will be nice to have something in hand. Not all will be done, but it will have it to work it.
- Putting in culverts and cutting trees.
- Today the Senior Citizens' car Motor blew up, so they need to look into a vehicle there.
- They have 2-3 slips that they are working on.
- Today they had 52 inmates, lowest that we had for a while.

ON MOTION OF SNOWDEN AND SECONDED BY ELDRIDGE, and all members voting in the affirmative, that the Court appoint the following to the Kentucky River Park & Recreation Board effective as of May 1, 2018:

Brad Asher	Blaine Click	Kristie Crowe	Kim Dawes
Scott Jones	Tom Kirby	Candie McMaine	Andar Niece
Mark Reece	Trent Singleton	John Webb	Dan Wood

ON MOTION OF ELDRIDGE AND SECONDED BY JOHNSON, that the Court appoint the following to the Estill County Economic Development Authority Board:

Verlon Prewitt, Advisor to the Board  
 Rodney Davis, Legal Advisor  
 Joe Crawford, Economic/Tourism Planning

Voting Board Members:

Charlie Fauste	Butch Hardy	William Hardy	Beth O'Hair
Marty Snowden	Mike Wilson	Joyce Woolery	

ROLL CALL: ELDRIDGE, YES. JOHNSON, YES. WILLIAMS, YES. SNOWDEN, OBSTAINED.

# ORDERS } \_\_\_\_\_

Term,

Day,

Day of

19

RON COOPER CO

\* ON MOTION OF JOHNSON AND SECONDED BY SNOWDEN, and all members of the Court voting in the affirmative, that the Court appoint Jack Stickney as Water Commissioner District 2, to the Estill County Water District. Term to expire 1-20-2020. He will replace Jerry Arnold, who resigned effective 04-30-2018.

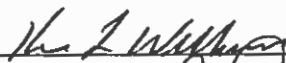
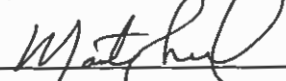
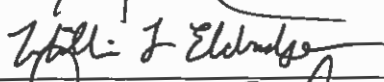

ON MOTION OF JOHNSON AND SECONDED BY SNOWDEN, and all members of the Court voting in the affirmative, that the Court adopt Amendment 001 to Ordinance #18-01. See record of the Amendment in the Fiscal Court Supplemental Book 70, pages 254-255.

ON MOTION OF SNOWDEN AND SECONDED BY ELDRIDGE, and all members of the Court voting in the affirmative, that the Court accepted the 2018-2019 Proposed Budget Draft. It is for them to review and make suggestions, it is workable. See record of the Budget Draft in the Fiscal Court Supplemental Book 70, pages 256-281.

ON MOTION OF SNOWDEN AND SECONDED BY JOHNSON, and all members of the Court voting in the affirmative, that the Court re-advertise for bids on the 1999 Freightliner Box Truck, with a reserve of \$6,500.00. They will also advertise on a websites. They will open the bids on May 17.

ON MOTION OF ELDRIDGE AND SECONDED BY JOHNSON, and all members of the Court voting in the affirmative, that the Court approve the Claims on all Funds. See record of the Claims in the Fiscal Court Supplemental Book 70, pages 282-294.

ON MOTION OF JOHNSON AND SECONDED BY ELDRIDGE, and all members of the Court voting in the affirmative, that the Court Meeting be adjourned.

THE ESTILL COUNTY FISCAL COURT MET IN SPECIAL SESSION, TUESDAY, MAY 29, 2018, AT 4:30 P.M. IN THE DISTRICT COURTROOM OF THE ESTILL COUNTY COURTHOUSE, IRVINE, KENTUCKY WITH THE FOLLOWING MEMBERS PRESENT: COUNTY JUDGE/EXECUTIVE, KEVIN T. WILLIAMS, MAGISTRATES: MARTY SNOWDEN, MAGISTRATE DISTRICT #1. AND BILL ELDRIDGE, MAGISTRATE DISTRICT 2. DARRELL JOHNSON, MAGISTRATE DISTRICT #3. COUNTY ATTORNEY, RODNEY DAVIS, SHERIFF, GARY L. FREEMAN AND COUNTY CLERK, SHERRY L. FOX.

From the roll call, it was determined that a quorum of the Fiscal Court of Estill County, Kentucky was present. The Court was then opened for the transaction of business at which time the following proceedings were had and entered of record:

Welcomed Guest.

The Minutes of the Fiscal Court Meeting, May 1, 2018, was presented to the Court and no corrections being found necessary, ON MOTION OF JOHNSON, SECONDED BY SNOWDEN, and all the affirmative, that the minutes be approved as presented.

Judge's Address:

- Lots of good things happening in the County, the most recent was the announcement at the Ravenna Veteran's Park, with CSX, Steam Heritage on the 50 acres for a Railroad Heritage Museum. This is great for Estill County and there is more to come.
- Taking care of the debt service, and saving money. The Transportation Plan is working. The budget that he will be presenting as factual. It all about the community and the kids.
- Congratulations to both the Girls Softball and Boy Baseball winning the Districts and moving on.
- Have had several get togethers at the KY River Park, had the first Board meeting Sunday. They have mowed, the plans may include scaling back a little bit. They do hope to have a couple of fields ready by summer. They are working with a plumber to get the restrooms up and going. There are 72 acres, there is a lot that can be done.
- July 1, they start a new budget, got to continue to move forward.

County Attorney Report:

- Brich is continuing to charge the 911 fee on their phone bill. If they neglect taking off the bill, it may have to go to Court. Keep receipts and they should reimburse the customer.
- Met with Bill Eldridge and the people on Mt. Springs Road, he explained in great detail what they need to do.

Derrick Muncie, Fire Report:

- ↳ 2<sup>nd</sup> quarter they have had 56 runs
- ↳ The 1<sup>st</sup> quarter they had 69 runs.
- ↳ Total of 125 runs for the year.
- ↳ He also had the response time for each call.

Thank you all for the great job they do.

The Court recognized by presenting them a Certificate to Grover McKinney and his mother, Della McKinney for the 20 years of picking up trash on the County road ways. They picked up for 6 years with no charge to the county. Now with the grant fees they get paid \$75.00 a mile. They have picked up over 8,000 tons of trash in all in the last couple of months across the board.

ON MOTION OF JOHNSON AND SECONDED BY ELDRIDGE, and all members of the Court voting in the affirmative that they accept the 1<sup>st</sup> reading of the 2018-2019 Budget for the Estill County Fiscal Court. See record of the Budget in the Fiscal Court Supplemental Book 70, pages

ON MOTION OF SNOWDEN AND SECONDED BY ELDRIDGE, and all members of the Court voting in the affirmative that they approve the County Road Aid Agreement. See record of the Agreement in the Fiscal Court Supplemental Book 70, pages

ON MOTION OF JOHNSON AND SECONDED BY ELDRIDGE, and all members of the Court voting in the affirmative that they adopt RESOLUTION 18-04, on the County Road Aid Coop program. See record of the Resolution in the Fiscal Court Supplemental Book 70, pages

ON MOTION OF JOHNSON AND SECONDED BY ELDRIDGE, and all members of the Court voting in the affirmative that they accept the Salt Auction Bid with Morton Salt Inc, to purchase salt for \$83.65 a ton. See record of the Bid in the Fiscal Court Supplemental Book 70, pages

ON MOTION OF SNOWDEN AND SECONDED BY ELDRIDGE, and all members of the Court voting in the affirmative that they approve the bid on ADP, for payroll. See record of the Bid in the Fiscal Court Supplemental Book 70, pages

ON MOTION OF SNOWDEN AND SECONDED BY JOHNSON, and all members of the Court voting in the affirmative that they approve the Fiscal Soft Annual fee. See record of the contract in the Fiscal Court Supplemental Book 70, pages

ON MOTION OF ELDRIDGE AND SECONDED BY SNOWDEN, and all members of the Court voting in the affirmative that they approve the bid with Commonwealth Technology on the Copier lease See record of the Bid in the Fiscal Court Supplemental Book 70, pages

The Judge presented that Court with the quote through KACO for the employee's Health Insurance with Anthem. It will be \$499.80, per employee, this will have a hy\_\_\_ account, where they will put \$500.00 per employee to go toward their deductible. They will have a department meeting on June 12 on this. They will approve at the next court meeting.

ON MOTION OF SNOWDEN AND SECONDED BY ELDRIDGE, and all members of the Court voting in the affirmative that the Court hire McKea Crowe as a full time Dispatcher.

Magistrate Snowden wanted to thank the Dispatcher and Rescue Squad for their assistance Saturday evening with accident of the little girl. They were great.

ON MOTION OF ELDRIDGE AND SECONDED BY SNOWDEN, and all members of the Court voting in the affirmative that they authorize the advertisement for 6 part time 911/CSEPP Dispatchers,

ON MOTION OF ELDRIDGE AND SECONDED BY WILLIAMS, and all members of the Court voting in the affirmative, that the Court award the bid for the Weather Radios to Baker Communication, for \$308, 000.00, See record of the Bid in the Fiscal Court Supplemental Book 70, pages

Strike the appointments to the Hollerwood Recreation Board at this time.

ON MOTION OF JOHNSON AND SECONDED BY ELDRIDGE, and all members of the Court voting in the affirmative that they accept the 1<sup>st</sup> reading of the 2018-2019 Budget for the Estill Count Fiscal Court. See record of the Budget in the Fiscal Court Supplemental Book 70, pages

\* ON MOTION OF ELDRIDGE AND SECONDED BY SNOWDEN, and all members of the Court voting in the affirmative that they appoint Robert "Skip" Johnson as Water Commissioner in District 1.

ON MOTION OF ELDRIDGE AND SECONDED BY SNOWDEN, and all members of the Court voting in the affirmative, that the Court accept the correction of the Estill County Economic Development Authority Board, allowing all 10 members to have voting privileges.

ON MOTION OF JOHNSON AND SECONDED BY SNOWDEN, and all members of the Court voting in the affirmative that they authorize the advertisement for 2 part-time employees for the fire department.

ON MOTION OF WILLIAMS AND SECONDED BY SNOWDEN, and all members of the Court voting in the affirmative, that the Court adopt RESOLUTION 18-03, on the CDBG Grant for the Mack Renovation Project, This is a pass through, with no cost to the County. See record of the Resolution in the Fiscal Court Supplemental Book 70, pages

ON MOTION OF SNOWDEN AND SECONDED BY WILLIAMS, and all members of the Court voting in the affirmative, that the Court approve the Agreement on the CDBG Mack Renovation Project. See record of the Agreement in the Fiscal Court Supplemental Book 70, pages.

ON MOTION OF WILLIAMS AND SECONDED BY ELDRIDGE, and all members of the Court voting in the affirmative, that the Court advertise the public Hearing for June 11, 2018 at 6:00 in the District Courtroom.

ON MOTION OF ELDRIDGE AND SECONDED BY JOHNSON, and all members of the Court voting in the affirmative, that the Court agree to issue a Purchase Order to purchase a Bush Hog Boom Mower from Meade's Tractor for \$19,250.00, delivered. See the quote in the Fiscal Court Supplemental Book 70, pages

ON MOTION OF ELDRIDGE AND SECONDED BY SNOWDEN, and all members of the Court voting in the affirmative, that the Court adopt the County Survey map of Mt. Springs Road, reflecting where the County road is. The County Judge will have the authority to sign the owner's certification on the survey and it will be filed in the County Clerk's Office. The Barn will have to be moved, as it is on the road right of way.

ON MOTION OF WILLIAMS AND SECONDED BY SNOWDEN, and all members of the Court voting in the affirmative, that the Court declare the Bio Diesel Equipment as Surplus property. They will accept bids until June 18, 2018, at 2:00. They will set up a couple of preview dates as well. They will reserve the right to reject any and all bids or any combinations thereof.

ON MOTION OF JONSON AND SECONDED BY SNOWDEN, and all members of the Court voting in the affirmative, that the Court in receiving no bids, re-advertise for bids on the 1993 Freightliner Box Truck with a reserve of \$6,500.00. They will also advertise on social media and govdeals.com.

ON MOTION OF WILLIAMS AND SECONDED BY SNOWDEN, and all members of the Court voting in the affirmative, that the Court issue a letter of support to the Estill County Economic Authority to donate a partial of land at the Industrial park to the Estill County Board of Education for the Estill County School Bus Garage and transportation center with classrooms.

ON MOTION OF WILLIAMS AND SECONDED BY SNOWDEN, and all members of the Court voting in the affirmative, that the Court approve the AOC Reimbursement form for July 1, 2018 thru June 30, 2019. See record of the Forms in the Fiscal Court Supplemental Book 70, pages

ON MOTION OF ELDRIDGE AND SECONDED BY SNOWDEN, and all members of the Court voting in the affirmative, that the Court approve the Appropriation Transfers. See record of the Transfers in the Fiscal Court Supplemental Book 70, pages

ON MOTION OF SNOWDEN AND SECONDED BY JOHNSON, and all members of the Court voting in the affirmative, that the Court approve the Intra-fund Transfers. See record of the Transfers in the Fiscal Court Supplemental Book 70, pages

ON MOTION OF WILLIAMS AND SECONDED BY JOHNSON, and all members of the Court voting in the affirmative, that the Court approve the County Treasurer's March Bank Reconciliation. See record of the Reconciliation in the Fiscal Court Supplemental Book 70, pages

ON MOTION OF JOHNSON AND SECONDED BY ELDRIDGE, and all members of the Court voting in the affirmative, that the Court approve the Claims on all Funds. See record of the Claims in the Fiscal Court Supplemental Book 70, pages

ON MOTION OF JOHNSON, that the meeting adjourn, died lack of seconded.

ON MOTION OF JOHNSON AND SECONDED BY ELDRIDGE, and all members of the Court voting in the affirmative that they clarify on the Board appointment to the Estill County Economic Development Authority that only the following 6 members have voting authority:

Charlie Fauste	Butch Hardy	William Hardy
Beth O'Hair	Mike Wilson	Joyce Woolery

ON MOTION OF SNOWDEN AND SECONDED BY ELDRIDGE, and all members of the Court voting in the affirmative, that the Court Meeting be adjourned.

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# **EXHIBIT 2**

Term,

Day,

Day of

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THE ESTILL COUNTY FISCAL COURT MET IN REGULAR SESSION BY TELECONFERENCE FEBRUARY 15<sup>th</sup> 2021, AT 5:00 PM AT 130 MAIN STREET IRVINE, KENTUCKY WITH THE FOLLOWING MEMBERS PRESENT: COUNTY JUDGE/EXECUTIVE, DONNIE WATSON, MAGISTRATES: MIKE ABNEY PRESENT, MAGISTRATE DISTRICT #1, PAUL TIPTON PRESENT, MAGISTRATE DISTRICT #2, GERRY FLANNERY PRESENT, MAGISTRATE DISTRICT #3, ESTILL COUNTY SHERIFF, CHRIS FLYNN(ABSENT) ESTILL COUNTY ATTORNEY JASON RILEY(ABSENT) ALONG WITH FISCAL COURT CLERK KIM CHARLES. IN ATTENDANCE BY TELECONFERENCE, ESTILL COUNTY TREASURER FREIDA LANCASTER AND FINANCIAL OFFICER AMBER FLYNN.

From the roll call, it was determined that a quorum of the Fiscal Court of Estill County, Kentucky was present. The Court was then opened for the transaction of business at which time the following proceedings were had and entered of record.

#### Approval of Minutes

The Minutes of the Fiscal Court Meeting for FEBRUARY 4<sup>th</sup> 2021 meeting was presented to the Court and no corrections being found necessary.

MOTION MADE BY TIPTON AND SECONDED BY FLANNERY, and all members of the Court voting in the affirmative, that the Minutes be approved as presented. Motion carried.

#### Welcome Visitors/Announcements

Judge Watson welcomed all visitors. Judge Watson made an announcement about the road conditions. A lot of snow and ice has come down and the road crew has been out working hard. The state highway has been working hard as well. There is still a lot of ice and snow. Lots of slick roads. Road foreman, Brad Goodman, stated that they have done all they can do and things will become better this spring. Judge Watson said that hopefully that the weather would subside and things will get better. He shares with everyone to be careful. The 2 salt trucks are out working and with a lot of ice you can't move fast. They are working to get the job done but you can't go fast on jobs like this and don't want anyone to get hurt. Magistrate Tipton said that to stay off the roads if you can. Magistrate Abney said the roads look good out his way. Magistrate Flannery said everything ok in his area. Ronnie Riddell, EMA supervisor, stated that if you do not need to be out don't be. If you have an emergency call or text 911. AOC is supposed to be here this week to look at the B&B Bank Building. They have approved the space for the Circuit and District Judges. The Judges will be moving their offices as soon as the renovations are done.

#### Water District Appointment – Blain Click

Blaine Click's term will expire on February 18<sup>th</sup> 2018. The water commissioners have done a great job getting everything under control. They had a tough time for a while but things are working out. Mr. Click's term will begin on February 19<sup>th</sup> 2021 and expire on February 19<sup>th</sup> 2025. This is a 4-year term.

ON A MOTION MADE BY FLANNERY AND SECONDED BY ABNEY, and all the members of the Court voting in the affirmative for appointment of Mr. Blain Click, Water Board Commissioner, with term beginning on February 19<sup>th</sup> 2021 and ending February 19<sup>th</sup> 2025. See Supplemental Book 75 page 549. Motion Carried.

#### Jail Roof Bid

Judge Watson opened bids from ABR Construction, Inc. and Isaacs Roofing and Sheet Metal for the construction on the roof that needs to be replaced at the jail. ABR Constructions bid - \$62,400.00 and Isaacs Roofing and Sheet Metal - \$55,825. The roof has leaks and needs to be prepared. Judge Watson requested a re-bid from the meeting before to try to get a lower bid. The lowest bid was from Isaacs Roofing and Sheet Metal.

MOTION MADE BY ABNEY AND SECONDED BY FLANNERY, and all the court voting in the affirmative approving Isaacs Roofing and Sheet Metal for Jail Roof Bid. See Supplemental Book 75 page 550-551. Motion Carried.

#### CSEPP- Permission to Advertise – Recording System, Decontamination PPE and ALS Simulation Manikin

Ronnie Riddell came before the court to ask permission to advertise a Recording System, Decontamination PPE and ALS Simulation Manikin. The Recording System is the recorder that is used at EOC 911 Center to record all calls and radio traffic etc. CSEPP put it in and they have done the replacement on those. SCBA was recently purchased and this was part of the move to pull a Level B suit. They need the suits now in order to be able to do DECON with the SCBA. The ALS Simulation Manikin is a great training device. It is used for training and simulate a real person that you can get blood pressures on etc.

MOTION MADE BY FLANNERY AND SECONDED BY TIPTON, and all the court voting in the affirmative approving Permission to Advertise CSEPP Recording System, Decontamination PPE and ALS Simulation Manikin. Motion carried.

CSEPP – Bid Award Modification – Happy Top Generator Replacement Project

Term,

Day,

Day of

19

**Animal Control Officer Resignation and Discussion**

Judge Watson came before the court stating the he really hates to bring this up and really doesn't want to do it. But there have been things that have been put on FACEBOOK. Judge Watson does not read FACEBOOK but it was brought to his attention. Judge Watson stated that he needs to clarify and clear up some things that were said on there. Judge Watson stated that he really likes Tommy (Tommy Mullen former Animal Shelter Supervisor) and he doesn't want to do this but in order to clear and clarify things up he must. The first thing that came up was he was putting his time down from 8am to 4pm working at the Animal Shelter. He was driving the school bus from 2pm to 4pm. He was double dipping. Judge Watson refused to pay him when he was working somewhere else. Another issue came up with picking up dogs. Judge Watson told Mr. Mullen not to be picking up dogs in the county or in the city if they were not bothering anybody. If the dog is just out running around Judge Watson did not want to have the Animal Control Officer out picking up dogs just to be picking them up. We try to work with the people and help people out. If there is a vicious dog or one that is bothering someone that is different. There was an issue of Tik Tok Videos. This was brought to Judge Watson's attention by more than one person. Mr. Mullen was making videos at the Animal Shelter and they were not nice videos. He was on duty when he made them and they were being made in the Animal Shelter office. It continued and Judge Watson talked to him about it. The next issue was with a piece of County Equipment, a Back Hoe, that was safely parked at Harg's grocery store over a weekend. It was close to the business where no one would bother it. Mr. Mullen was caught bringing the Back Hoe back. He had taken the Back Hoe to his home and this is not permissible. Mr. Mullen had also sent a sexual video to a Co-Worker. Judge Watson brought him in and talked to him about it and suspended him for 2 weeks. Mr. Mullen said in a video or on FACEBOOK that Judge Watson tried to get him to tell people that he was out on vacation. Judge Watson said he did not tell him that. Mr. Mullen wanted paid for vacation while he was suspended and Judge Watson would not pay him. This is things that Mr. Mullen has put on FACEBOOK. Judge Watson stated that he does not use FACEBOOK. He had one years ago when he worked at a previous job but he does not get on it or use it. The County has one that is used for things but other than that he does not use it. Judge Watson wanted to clarify once again that this was part of the story that Mr. Mullen put on FACEBOOK. Judge Watson wanted to clarify what went on. Mr. Mullen resigned after all this. There is no reason to bring problems to the Animal Shelter or to the county when we did not bring on the problem. Amy Walters, Animal Shelter Supervisor, wanted to also clarify that her and her staff work hard to do a good job at the Animal Shelter and work hard to protect the animals. That is what we are supposed to be there for and that is what we try to do. Be there for the animals like we should. We should not misjudge the work place and use it for personal vendetta. Most of what was said about the animal shelter and what was done was very untrue. Judge Watson thanked Amy and he said again that he does not like to mention things like this. He tries to be as peaceful and work with people that have worked with county as best he can. He does not like to bring things out like this but he is tired of the comments that are being put on FACEBOOK that are not right.

**Adjournment**

ON A MOTION MADE BY TIPTON AND SECONDED BY ABNEY, and all the court voting in the affirmative to **Adjourn**.  
5:44pm. Motion carried.

*Donnie Watson*

*Paul Tipton*

*Gerry Harney*



# **EXHIBIT 3**

# ORDERS } \_\_\_\_\_

ESTILL COUNTY FISCAL

COURT

Term,

JUNE

Day,

29TH

Day of

JUNE

XXIX 2000

HON COOPER CO.

THE ESTILL COUNTY FISCAL COURT MET IN SPECIAL SESSION THURSDAY, JUNE 29, 2000, AT 7:00 O'CLOCK P.M., IN THE CIRCUIT COURTROOM, AT THE COURTHOUSE, IRVINE, KENTUCKY WITH THE FOLLOWING OFFICERS AND MEMBERS PRESENT: HONORABLE, DWIGHT ARVIN, COUNTY JUDGE/EXECUTIVE, MAGISTRATES: KEVIN T WILLIAMS, MAGISTRATE DISTRICT #1, SAMUEL E. TIPTON, MAGISTRATE DISTRICT #2, AND ROBERT C. "BOBBY" BURNS, MAGISTRATE DISTRICT #3. DEPUTY CO CLERK, DIANA K. HENRY, SETTING IN FOR SHERRY L. FOX, CO CLERK, WHO IS ABSENT DUE TO AN ILLNESS IN HER FAMILY. COUNTY ATTORNEY, HEATHER COMBS AND COUNTY SHERIFF, GARY L. FREEMAN WERE ABSENT.

From the roll call, it was determined that a quorum of the Fiscal Court of Estill Co, Kentucky was present. The Court was then opened for the transaction of business, at which time the following proceedings were had and entered of record:

A photostatic copy of the Minutes of the Fiscal Court Meeting June 19, 2000, was presented by the Clerk to each member of the Court, and no corrections being found necessary, ON MOTION OF WILLIAMS AND SECONDED BY BURNS, and all members of the Court voting in the affirmative, the minutes stand approved as presented.

RICHARD PARRISH, Boy Scout Representative for our area came before the Court to talk about the Scouting opportunities in our county.

JODI BRANDENBURG, along with GARY & ELOISE MULLINS, appeared before the Court to discuss increasing the opportunities for our youth, through Grants working with Kentucky River Foothills.

ON MOTION OF TIPTON, AND SECONDED BY WILLIAMS, and all members voting in the affirmative, the Court approved the agreement with Kentucky River Foothills, to operate the Youth Center. See record of Memorandum of Agreement between The Estill Co Fiscal Court and KY River Foothills in the Fiscal Court Supplemental Book 23, pages 533 - 535.

ON MOTION OF ARVIN AND SECONDED BY BURNS, and all members of the Court voting in the affirmative, the Court approved the Second Reading and adopted the County Budget for 2000-2001. See record of the Budget in Fiscal Court Supplemental Book 23, pages 536 - 561.

ON MOTION OF ARVIN AND SECONDED BY WILLIAMS, and all members of the Court voting in the affirmative, that MICKEY DRIVE be adopted into the County Road System.

ON MOTION OF ARVIN AND SECONDED BY TIPTON, and all members of the Court voting in the affirmative, the Water Commissioners salary was increased to \$300.00 a month.

ON MOTION OF ARVIN AND SECONDED BY BURNS, and all members of the Court voting in the affirmative, the Court approved Laura A. Rogers, County Treasurer's Monthly Reports for May 2000, on the General, Road, Jail, LGEA and CSEPP Funds. See record of Reports in Fiscal Court Supplemental Book 23, pages 562 - 606.

ON MOTION OF WILLIAMS AND SECONDED BY ARVIN, and all members of the Court voting in the affirmative, the Court approve the Transfers in the Jail & General Funds. See record of Transfers in Fiscal Court Supplemental Book 23, page 607.

ON MOTION OF ARVIN AND SECONDED BY BURNS, and all members of the Court voting in the affirmative, the Court approved the Contract with Bluegrass Family Health for medical insurance for the county employees. See record of Group Contract Application in Fiscal Court Supplemental Book 23, page 608.

# ORDERS } \_\_\_\_\_

ESTILL COUNTY FISCAL

COURT

Term,

JUNE

Day,

29TH

Day of

JUNE

19 2000

RON COOPER CO.

ON MOTION OF ARVIN AND SECONDED BY WILLIAMS, and all members of the Court voting in the affirmative, that the Court adjourn.

Dwight A. Arvin

Heri L. Williams

Samuel E. Taylor

Robert C. Burns

>

# **EXHIBIT 4**

Term,

Day,

Day of

19

FOR COOPER CO.

THE ESTILL COUNTY FISCAL COURT MET IN SPECIAL, MONDAY, OCTOBER 30, 2007, AT 4:30 P.M. IN THE DISTRICT COURTROOM, AT THE COURTHOUSE, IRVINE, KENTUCKY, WITH THE FOLLOWING OFFICERS AND MEMBERS PRESENT: HONORABLE, WALLACE C. TAYLOR, COUNTY JUDGE/EXECUTIVE, MAGISTRATES: GERALD RADER, MAGISTRATE DISTRICT #1, GREG HALL, MAGISTRATE DISTRICT #2 AND DARRELL JOHNSON, MAGISTRATE DISTRICT #3. COUNTY ATTORNEY ASSISTANT WILLIAM "BO" LEACH SAT IN FOR COUNTY ATTORNEY, RODNEY DAVIS, AND COUNTY CLERK, SHERRY L. FOX. GARY L. FREEMAN, COUNTY SHERIFF WERE ABSENT.

From the roll call, it was determined that a quorum of the Fiscal Court of Estill County, Kentucky was present. The Court was then opened for the transaction of business, at which time the following proceedings were had and entered for the record.

ON MOTION OF JOHNSON AND SECONDED BY RADER, and all members of the Court voting in the affirmative, that the Court approve the agenda for the October 30, 2007, Fiscal Court Meeting.

The Minutes of the Fiscal Court Meeting October 15, 2007 was presented to the Court and no corrections being found necessary. ON MOTION OF JOHNSON AND SECONDED BY RADER, and all members of the Court voting in the affirmative, that the minutes be approved as presented.

ON MOTION OF JOHNSON AND SECONDED BY RADER, and all members of the Court voting in the affirmative, that the Court adopt RESOLUTION 07-09 on Westmore Community Grant Application, this is in the amount of \$55,000.00, to help complete their project. See record of the RESOLUTION in the Fiscal Court Supplemental Book 41, pages 622.

ON MOTION OF HALL AND SECONDED BY RADER, and all members of the Court voting in the affirmative, that the Court enter into a Lease Agreement with the Commonwealth of Kentucky on Facilities at 116 Main Street, Irvine, Ky, to house the Commonwealth of Attorney's office, they will pay the county \$12.00, 2497 per square foot. See lease agreement in the Fiscal Court Supplemental Book 41, pages 623-628.

ON MOTION OF RADER AND SECONDED BY JOHNSON, and all members of the Court voting in the affirmative, that the Court enter into a Lease Agreement with Jimmy Noland Realty on facilities at 116 Main Street, to house the Commonwealth Attorney's Office at \$11.50 per square foot. This will be 2497 square feet. See record of the lease agreement in the Fiscal Court Supplemental Book 41, pages 629-630.

ON MOTION OF HALL AND SECONDED BY JOHNSON, and all members of the Court voting in the affirmative, that the Court adopt RESOLUTION 07-10 with Kentucky Transportation Cabinet on Rural Secondary Road System Resurfacing. See record of the RESOLUTION in the Fiscal Court Supplemental Book 41, pages 631-632.

ON MOTION OF HALL AND SECONDED BY JOHNSON, and all members of the Court voting in the affirmative, that the Court approve the Agreement for resurfacing with the Kentucky Transportation Cabinet up to \$750,000.00. See record of the Agreement in the Fiscal Court Supplemental Book 41, pages 633-636.

ON MOTION OF TAYLOR AND SECONDED BY RADER, and all members of the Court voting in the affirmative, that the Court appoint Greg Wright as Water Commissioner, in District # 1.

Term,

Day,

Day of

19

RON COOPER CL.

Gene Watson presented the Court with a historical document on P D McIntosh, where the Stone was from to build the Courthouse. Mr. McIntosh granddaughter, Louise Neal was in attendance for the presentation. Judge Taylor said they have gotten several comments on the Courthouse on how beautiful structure that it is. Along with this the Bicentennial committee are selling lapel pins for sale in celebrating 200 years of our County.

Magistrate Hall stated that the Water Commissioners have attended the required training, on November 9-10, 2007, this puts them up for their \$200.00 a month salary. To his knowledge the Court has to approve this.

ON MOTION OF HALL AND SECONDED BY RADER, and all members of the Court voting in the affirmative, that the Court approve the \$200.00 per Commissioner for attending training.

Magistrate Johnson stated that on blacktopping, they are most of the time recommended by each Magistrate or the State. He is asking that the Court in cold or hot mix vote on it before it is done. Magistrate Rader stated that they should go one step beyond and go out inspect the roads before paving anything.

ON MOTION OF JOHNSON AND SECONDED BY HALL, that every road before any new paving is laid wither cold or hot, be voted on by the Court before any thing is done, starting in 2008, no matter where it is located withing the County.

ROLL CALL AS FOLLOWS: TAYLOR, NO. RADER, YES. HALL, YES. JOHNSON, YES.

ON MOTION OF HALL AND SECONDED BY TAYLOR, and all members of the Court voting in the affirmative, that the Court go into Executive Session to discuss personal issues and petitional litigation per KRS 61.810 c & f), at 6:55 P.M.

Court was called back into session at 7:48 P.M., with no action taken by the executive session.

ON MOTION OF HALL AND SECONDED BY RADER, and all members of the Court voting in the affirmative, that the Court meeting be adjourned.

Will C. Taylor  
Gene Watson  
Gene Hall  
Daniel W. Johnson