

June 11, 2024

Ms. Linda C. Bridwell, P.E.
Executive Director
Kentucky Public Service Commission
211 Sower Boulevard
Frankfort, KY 40602

Via email: PSCED@ky.gov

Mr. Jim Gazay
Morgan County Judge Executive
450 Prestonsburg Street
West Liberty, KY 41472

Via email: jim.gazay@gmail.com

Re: Morgan County Water District Notice of Board Vacancy

Dear Executive Director Linda Bridwell and County Judge Executive Gazay,

Morgan County Water District (“Morgan District”) hereby gives notice that on June 10, 2024, its Board of Commissioners voted to accept the tendered resignation of Raina Helton, creating a vacancy on its Board of Commissioners. **Commissioner Raina Helton’s term expires December 31, 2024.**

KRS 74.020(10)(a) requires Morgan District to provide notice of the vacancies within 30 days to the Kentucky Public Service Commission and to the Morgan County Judge Executive within 30 days of the date of the vacancy. This constitutes Morgan District’s official notice of the resignations and vacancies. KRS 74.020(4) requires that the vacancies are to be filled by qualified individuals appointed by the Morgan County Judge Executive.

Pursuant to Morgan District’s Board of Commissioner’s Handbook and By-laws, adopted in January 2023, the meetings are conducted using Roberts Rules of Order, and a tendered resignation of a board member, must be formally accepted by a vote of the Board of Commissioners. Morgan District wants to be transparent about its duty to follow the Bylaws which dictate that the Morgan District Board accept the resignation of a resigning board member and that notice be given to the Kentucky Public Service Commission in compliance with KRS 74.020, as well as the Morgan County Judge Executive, so that the Morgan County Judge Executive can appoint a qualified individual pursuant to KRS 74.020.

Notice of Vacancy

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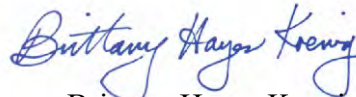
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Morgan District's Board operates pursuant to KRS 74.020, and KRS 74.070; and owes a fiduciary duty to Morgan District and its ratepayers to manage the affairs of the water district in good faith. Any appointed board member owes the same standard of care to manage in the best interests of the water district and its ratepayers, and owes a fiduciary duty to the water district to manage in good faith and declare any conflicts of interest, pursuant to KRS 273.215 and KRS 273.219.

Morgan District requests that copy of this notice be filed in the on-going matter, Case No. 2024-00010, *Electronic Application of Morgan County Water District for Rate Adjustment Pursuant to 807 KAR 5:0076*, filed March 26, 2024.

This is to certify that the electronic filing has been transmitted to the Commission on June 11, 2024, and that there are currently no parties in this proceeding that the Commission has excused from participation by electronic means. Pursuant to the Commission's July 22, 2021 Order in Case No. 2020-00085 no paper copies of this filing will be made. Please do not hesitate to contact me with any questions or concerns.

Sincerely,

A handwritten signature in blue ink that reads "Brittany Hayes Koenig". The signature is written in a cursive, flowing style.

Brittany Hayes Koenig

Counsel for Morgan County Water District