

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

CITY OF DRAKESBORO D/B/A DRAKESBORO)
NATURAL GAS COMPANY - ELECTRONIC)
INVESTIGATION OF ALLEGED FAILURE TO) CASE NO. 2019-00065
COMPLY WITH KRS 278.495, 807 KAR 5:027,)
AND 49 C.F.R. PART 192)

NOTICE OF FILING

Notice is given to all parties that the following materials have been filed into the record of this proceeding:

- The digital video recording of the evidentiary hearing conducted on June 19, 2019 in this proceeding;
- Certification of the accuracy and correctness of the digital video recording;
- All exhibits introduced at the evidentiary hearing conducted on June 19, 2019 in this proceeding;
- A written log listing, *inter alia*, the date and time of where each witness' testimony begins and ends on the digital video recording of the evidentiary hearing conducted on June 19, 2019.

A copy of this Notice, the certification of the digital video record, hearing log, and exhibits have been served upon all persons listed at the end of this Notice. Parties desiring to view the digital video recording of the hearing may do so at <https://www.youtube.com/watch?v=7s5lV5hRGg>.

Parties wishing an annotated digital video recording may submit a written request by electronic mail to pscfilings@ky.gov. A minimal fee will be assessed for a copy of this recording.

Done at Frankfort, Kentucky, this 13th day of September 2019.

A handwritten signature in cursive script that reads "Gwen R. Pinson".

Gwen R. Pinson
Executive Director
Public Service Commission of Kentucky

Drakesboro Natural Gas Co.
212 Mose Rager Boulevard
P. O. Box 129
Drakesboro, KY 42337

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Yonts, Sherman & Driskill, P.S.C.
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Greenville, KENTUCKY 42345

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

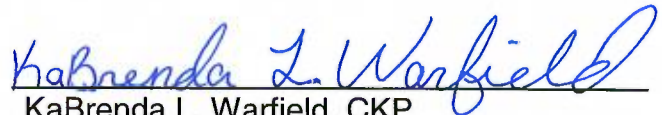
CITY OF DRAKESBORO D/B/A DRAKESBORO)	
NATURAL GAS COMPANY - ELECTRONIC)	CASE NO.
INVESTIGATION OF ALLEGED FAILURE TO)	2019-00065
COMPLY WITH KRS 278.495, 807 KAR 5:027,)	
AND 49 C.F.R. PART 192)	


CERTIFICATION

I, KaBrenda L. Warfield, hereby certify that:

1. The attached DVD contains a digital recording of the Formal Hearing conducted in the above-styled proceeding on June 19, 2019. Formal Hearing Log, Exhibit List, Exhibits, and Witness List are included with the recording on June 19, 2019;
2. I am responsible for the preparation of the digital recording;
3. The digital recording accurately and correctly depicts the Formal Hearing of June 19, 2019; and
4. The Formal Hearing Log attached to this Certificate accurately and correctly states the events that occurred at the Formal Hearing of June 19, 2019 and the time at which each occurred.

Signed this 12th day of September, 2019.


KaBrenda L. Warfield, CKP
Paralegal Consultant


Stephanie Schweighardt, Notary Public
State at Large
Commission Expires: January 14, 2023
ID#: 614400



Session Report - Detail

2019-00065 19June2019

City of Drakesboro d/b/a Drakesboro Natural Gas Company (Drakesboro)

Date:	Type:	Location:	Department:
6/19/2019	Public Hearing\Public Comments	Hearing Room 1	Hearing Room 1 (HR 1)

Witness: Marvin Anderson ; Melissa Holbrook; Mike Jones; Jeffery Roberts ; Donald Sims
 Judge: Robert Cicero; Talina Mathews; Michael Schmitt
 Clerk: KaBrenda Warfield

Event Time	Log Event	
8:37:07 AM	Session Started	
8:37:08 AM	Session Paused	
10:04:40 AM	Session Resumed	
10:04:41 AM	Chairman Schmitt Note: Warfield, KaBrenda	Chairman Schmitt stating preliminary remarks and introduction of Vice Chairman Cicero and Commissioner Mathews.
10:04:55 AM	Chairman Schmitt Note: Warfield, KaBrenda	We are here today for the purpose of receiving evidence in Case No. 2019-00065 City of Drakesboro d/b/a Drakesboro Natural Gas Company alleged failure to comply with KRS 278.495, 807 KAR 5:027 and 49 C.F.R. part 192.
10:05:27 AM	Chairman Schmitt Note: Warfield, KaBrenda	The Commission held a previous hearing on March 8, 2019 concerning [click on link for Chairman Schmitt's remarks.]
10:05:42 AM	Chairman Schmitt Note: Warfield, KaBrenda	After testimony was taken an Order was issued. As to actions that Drakesboro was required to take. [Click on link for Chairman Schmitt's remarks.]
10:06:05 AM	Chairman Schmitt Note: Warfield, KaBrenda	A subsequent Order was entered scheduling the hearing for today and if necessary tomorrow on the violations.
10:06:17 AM	Chairman Schmitt Note: Warfield, KaBrenda	So at this point and time would Counsel for the City of Drakesboro please identify himself for the record together with his client and witnesses that he has with him here today?
10:06:21 AM	Chairman Schmitt Note: Schweighardt, Stephanie	Asking for introductions of counsel, witnesses and PSC staff
10:06:29 AM	Atty Driskill Drakesboro Note: Warfield, KaBrenda	Mayor Mike Jone.
10:06:39 AM	Chairman Schmitt Note: Warfield, KaBrenda	Did you have witnesses that will testify ultimately?
10:06:42 AM	Atty Driskill Drakesboro Note: Warfield, KaBrenda	Donald Sims, Jeffery Robertson and Marvin Anderson.
10:07:01 AM	Chairman Schmitt Note: Warfield, KaBrenda	Alright sure. And for Staff?
10:07:03 AM	Staff Atty Park PSC Note: Warfield, KaBrenda Note: Schweighardt, Stephanie	Also expecting Shawn Martin from Russmar. Melissa Holbrook

10:07:30 AM	Chairman Schmitt Note: Warfield, KaBrenda	At this time are there any pending motions?
10:07:33 AM	Chairman Schmitt Note: Warfield, KaBrenda	Or anything you would like to say or address to the Commission Mr. Driskill on behalf of your client?
10:07:39 AM	Chairman Schmitt Note: Schweighardt, Stephanie	Asking for pending motions
10:07:50 AM	Chairman Schmitt Note: Warfield, KaBrenda	I haven't seen so I don't know. Are there any new exhibits that anyone intends to introduce and if so it might be good to go on and exchange those now to let the people see them?
10:07:55 AM	Chairman Schmitt Note: Schweighardt, Stephanie	Asking for any exhibits to be exchanged
10:08:25 AM	Chairman Schmitt Note: Warfield, KaBrenda	If you haven't seen those then perhaps we can go ahead and let you see them now.
10:09:12 AM	Chairman Schmitt Note: Warfield, KaBrenda	Alright if anything happens and we need to take a few minutes we'll go ahead and do that.
10:09:18 AM	Chairman Schmitt Note: Warfield, KaBrenda	Alright Mr. Park at this time will you call your first witness?
10:09:18 AM	Chairman Schmitt Note: Schweighardt, Stephanie	Ask Attorney to call first witness
10:09:35 AM	Chairman Schmitt Note: Warfield, KaBrenda	One thing I guess I did not get into the last time of what we usually do at a hearing is Counsel should examine the witness from the chair or standing but not approach the witness unless asked and permission is granted.
10:09:57 AM	Chairman Schmitt - witness Holbrook Note: Warfield, KaBrenda	Swearing the witness in.
10:10:08 AM	Chairman Schmitt Note: Warfield, KaBrenda	Mr. Park you may ask.
10:10:10 AM	Staff Atty Park PSC - witness Holbrook Note: Warfield, KaBrenda	Direct Examination.
10:11:41 AM	PSC EXHIBIT 01 Note: Warfield, KaBrenda Note: Warfield, KaBrenda	STAFF ATTY PARK PSC - WITNESS HOLBROOK FOLLOW UP INSPECTION REPORT
10:11:59 AM	Staff Atty Park PSC Note: Warfield, KaBrenda	I would like to introduce as a hearing exhibit a copy of the report as Staff Exhibit 01.
10:12:05 AM	Chairman Schmitt Note: Warfield, KaBrenda	Any objection?
10:12:06 AM	Chairman Schmitt Note: Warfield, KaBrenda	Let it be entered as Staff Exhibit 01.
10:12:52 AM	Staff Atty Park PSC - witness Holbrook Note: Warfield, KaBrenda	Direct Continued.
10:15:55 AM	Vice Chairman Cicero Note: Warfield, KaBrenda	May I ask a quick question?
10:15:58 AM	Vice Chairman Cicero - witness Holbrook Note: Warfield, KaBrenda	So the plans that were submitted for review, two of them you haven't reviewed yet?

10:16:04 AM Vice Chairman Cicero - witness Holbrook
Note: Warfield, KaBrenda Of the other ones are you satisfied that the plans that were submitted are adequate?

10:16:09 AM Vice Chairman Cicero - witness Holbrook
Note: Warfield, KaBrenda Okay thank you. Go ahead.

10:16:10 AM Staff Atty Park PSC - witness Holbrook
Note: Warfield, KaBrenda Direct Continued.

10:26:53 AM Chairman Schmitt - witness Holbrook
Note: Warfield, KaBrenda Now the Class Two Leaks, were any of them repaired?

10:27:13 AM Chairman Schmitt - witness Holbrook
Note: Warfield, KaBrenda What do the regulations say about the repair of class two leaks?

10:27:28 AM Chairman Schmitt - witness Holbrook
Note: Warfield, KaBrenda Thank you.

10:27:33 AM Staff Atty Park PSC - witness Holbrook
Note: Warfield, KaBrenda Direct Continued.

10:34:42 AM Chairman Schmitt - witness Holbrook
Note: Warfield, KaBrenda So when was that done? Do you know?

10:34:54 AM Chairman Schmitt
Note: Warfield, KaBrenda Thank you.

10:34:58 AM Staff Atty Park PSC - witness Holbrook
Note: Warfield, KaBrenda Direct Continued.

10:44:37 AM Staff Atty Park PSC - witness Holbrook
Note: Warfield, KaBrenda I have no further questions.

10:44:39 AM Chairman Schmitt
Note: Warfield, KaBrenda Counsel Cross Examination?

10:44:46 AM Atty Driskill Drakesboro - witness Holbrook
Note: Warfield, KaBrenda Cross Examination.

11:07:00 AM Atty Driskill Drakesboro - witness Holbrook
Note: Warfield, KaBrenda Inaudible.

11:07:03 AM Chairman Schmitt
Note: Warfield, KaBrenda Commissioner Cicero any questions?

11:07:07 AM Vice Chairman Cicero - witness Holbrook
Note: Warfield, KaBrenda Just to confirm the last questions you received. Do you believe that there is corporation from Drakesboro to address the issues that you have brought to them?

11:07:19 AM Vice Chairman Cicero - witness Holbrook
Note: Warfield, KaBrenda So progress is being made?

11:07:22 AM Vice Chairman Cicero - witness Holbrook
Note: Warfield, KaBrenda Inaudible.

11:07:24 AM Chairman Schmitt
Note: Warfield, KaBrenda Commissioner Mathews?

11:07:29 AM Chairman Schmitt - witness Holbrook
Note: Warfield, KaBrenda Ms. Holbrook I guess I know we had a hearing in March about the condition of the system the first time you made your inspection [click on the link for Chairman Schmitt's remarks.]

11:07:30 AM Chairman Schmitt
Note: Schweighardt, Stephanie Asking Witness to explain reason why she went to Drakesboro to conduct an inspection.

11:07:52 AM Chairman Schmitt - witness Holbrook
Note: Warfield, KaBrenda So that the record is complete can you just give us a brief summary of your understanding of why you went to Drakesboro in the first place and what your initial observations were of the system?

11:08:11 AM Chairman Schmitt - witness Holbrook
Note: Warfield, KaBrenda I'd like to know what the system was in the beginning when you were there.

11:09:02 AM Chairman Schmitt - witness Holbrook
Note: Warfield, KaBrenda Without an operator would Drakesboro then be in automatic violation of Federal law and regulations?

11:09:14 AM Chairman Schmitt - witness Holbrook
Note: Warfield, KaBrenda Alright go head and tell us about Mr. Brake or what happended next.

11:09:57 AM Chairman Schmitt - witness Holbrook
Note: Warfield, KaBrenda Mr. Brake as I understand it, he had been responsible for operating the City of Drakesboro Gas System for some time? Would that be fair to say?

11:10:25 AM Chairman Schmitt - witness Holbrook
Note: Warfield, KaBrenda And when he left, he left the system without anyone qualified to operate the system?

11:11:16 AM Chairman Schmitt - witness Holbrook
Note: Warfield, KaBrenda Vanguard was what a third party contractor?

11:11:23 AM Chairman Schmitt
Note: Schweighardt, Stephanie Regarding third-party contract

11:11:29 AM Chairman Schmitt - witness Holbrook
Note: Warfield, KaBrenda Why is that a huge issue?

11:12:17 AM Chairman Schmitt - witness Holbrook
Note: Warfield, KaBrenda Is there a record or anything?

11:12:23 AM Chairman Schmitt
Note: Schweighardt, Stephanie Regarding last record of odor test being completed

11:12:31 AM Chairman Schmitt - witness Holbrook
Note: Warfield, KaBrenda So there may or may not of been odorant placed in there? But there is no record in any event of it?

11:12:37 AM Chairman Schmitt - witness Holbrook
Note: Warfield, KaBrenda This is under Mr. Brakes watch?

11:13:55 AM Chairman Schmitt - witness Holbrook
Note: Warfield, KaBrenda (Iced Over) What does that mean? I heard you say that, that was a problem?

11:14:46 AM Chairman Schmitt - witness Holbrook
Note: Warfield, KaBrenda Is that the assessment that you mentioned earlier?

11:15:40 AM Chairman Schmitt - witness Holbrook
Note: Warfield, KaBrenda Would there be a record?

11:17:42 AM Chairman Schmitt - witness Holbrook
Note: Warfield, KaBrenda One of the things that I guess we learned during the last hearing that disturbed me was the fraudulent leak survey that supposedly was performed from December 4th - December 06th 2017. Is that correct?

11:18:10 AM Chairman Schmitt - witness Holbrook
Note: Warfield, KaBrenda One of the employees testified that his signature had been falsified and he indicated that he never conducted a leak survey. Is that Correct?

11:18:30 AM Chairman Schmitt - witness Holbrook
Note: Warfield, KaBrenda Did anyone tell you that in addition to the witness testifying about that himself?

11:19:19 AM Chairman Schmitt - witness Holbrook
Note: Warfield, KaBrenda Typed on it?

11:19:30 AM Chairman Schmitt - witness Holbrook
Note: Warfield, KaBrenda I just have a couple more.

11:19:32 AM Chairman Schmitt - witness Holbrook
Note: Warfield, KaBrenda I know that after our last hearing there were some requirements, that are things that we asked for Drakesboro to do. I just want to ask you about a couple of them to see if they were done.

11:19:43 AM Chairman Schmitt - witness Holbrook
Note: Warfield, KaBrenda One was Drakesboro should use a qualified third party contractor approved by the Commission Staff to operate the gas system. Have they done that?

11:20:07 AM Chairman Schmitt - witness Holbrook
Note: Warfield, KaBrenda So then the third party contractor shall provide one employee dedicated to Drakesboro Natural Gas Distribution System and that employee shall be on-site in Drakesboro during regular business hours and on call during nights and weekends. Has that been done?

11:20:40 AM Chairman Schmitt - witness Holbrook
Note: Warfield, KaBrenda Drakesboro was to file with the Commission written status reports that identify reports of gas leaks, how leaks were resolved, response time for each leak, etc.. Has that been done?

11:20:58 AM Chairman Schmitt - witness Holbrook
Note: Warfield, KaBrenda Would you agree that apparently Mr. Brake when he quit for whatever reason left Drakesboro between a rock and a hard place?

11:21:16 AM Chairman Schmitt - witness Holbrook
Note: Warfield, KaBrenda And Mr. Brake testifies at the last hearing is that correct?

11:21:20 AM Chairman Schmitt - witness Holbrook
Note: Warfield, KaBrenda And he said that when he left all records were in his filing cabinet, and then suddenly when he looked at it again after it was moved, records had disappeared. Is that correct?

11:21:32 AM Chairman Schmitt - witness Holbrook
Note: Warfield, KaBrenda Something to that inaudible.

11:21:37 AM Chairman Schmitt - witness Holbrook
Note: Warfield, KaBrenda I mean that's what he said. God knows what really happened.

11:22:18 AM Chairman Schmitt - witness Holbrook
Note: Warfield, KaBrenda Just a follow up on the obvious. Without odorant in the gas a homeowner or anyone outside in the vicinity of a leak might not be able to determine that there was a leak or gas was escaping?

11:22:34 AM Chairman Schmitt - witness Holbrook
Note: Warfield, KaBrenda And without knowing that someone could basically die as a result of gas insulation over a period of time?

11:22:46 AM Chairman Schmitt - witness Holbrook
Note: Warfield, KaBrenda What's the lower explosive limit of natural gas? Do you know?

11:22:52 AM Chairman Schmitt - witness Holbrook
Note: Warfield, KaBrenda And what happens when the mixture or ratio of gas to air is in that range?

11:23:02 AM Chairman Schmitt - witness Holbrook
Note: Warfield, KaBrenda And what can be possible ignition sources?

11:23:16 AM Chairman Schmitt - witness Holbrook
Note: Warfield, KaBrenda I have no further questions.

11:23:18 AM Chairman Schmitt
Note: Warfield, KaBrenda (Chairman Schmitt pointing at Staff Atty Park PSC.)

11:23:19 AM Chairman Schmitt
Note: Warfield, KaBrenda Mr. Driskill?

11:23:29 AM Atty Driskill Drakesboro - witness Holbrook
Note: Warfield, KaBrenda If I told you that RussMar was hired before the last hearing would that sound correct or incorrect?

11:23:45 AM Atty Driskill Drakesboro - witness Holbrook
Note: Warfield, KaBrenda That's okay I just wanted to clarify that. Thank you.

11:23:48 AM Atty Driskill Drakesboro - witness Holbrook
Note: Warfield, KaBrenda Thank you. Those are all the inaudible.

11:23:51 AM Chairman Schmitt
Note: Warfield, KaBrenda Anything else from anyone for this witness?

11:23:58 AM Chairman Schmitt
Note: Warfield, KaBrenda But if there is nothing further Ms. Holbrook you may step down.

11:24:08 AM Chairman Schmitt
Note: Warfield, KaBrenda Mr. Park would you like to call anyone else?

11:24:25 AM Chairman Schmitt - witness Anderson
Note: Warfield, KaBrenda Swearing the witness in.

11:24:36 AM Chairman Schmitt
Note: Warfield, KaBrenda Mr. Park?

11:24:38 AM Staff Atty Park PSC - witness Anderson
Note: Warfield, KaBrenda Direct Examination.

11:32:46 AM Chairman Schmitt - witness Anderson
Note: Warfield, KaBrenda Excuse me Mr. Anderson. Could you give an estimate of how many have been repaired so far of the 22?

11:33:05 AM Chairman Schmitt - witness Anderson
Note: Warfield, KaBrenda That have already been repaired?

11:33:25 AM Chairman Schmitt - witness Anderson
Note: Warfield, KaBrenda How would you then repair?

11:34:12 AM Chairman Schmitt - witness Anderson
Note: Warfield, KaBrenda Thank you. Mr. Park?

11:34:14 AM Staff Atty Park PSC - witness Anderson
Note: Warfield, KaBrenda Direct Continued.

11:49:07 AM Staff Atty Park PSC - witness Anderson
Note: Warfield, KaBrenda I have nothing further for this witness.

11:49:10 AM Chairman Schmitt
Note: Warfield, KaBrenda Cross Examination?

11:49:18 AM Atty Driskill Drakesboro - witness Anderson
Note: Warfield, KaBrenda Cross Examination.

11:52:20 AM Atty Driskill Drakesboro - witness Anderson
Note: Warfield, KaBrenda Those are all of my questions.

11:52:22 AM Chairman Schmitt
Note: Warfield, KaBrenda Commissioner Cicero questions?

11:52:26 AM Vice Chairman Cicero - witness Anderson
Note: Warfield, KaBrenda How many other systems does RussMar operate on a contract basis?

11:53:06 AM Vice Chairman Cicero - witness Anderson
Note: Warfield, KaBrenda So the reason for my question is there has been some question regarding the completeness of the leak reports that have been turned in. [Click on the link for Vice Chairman Cicero's remarks.]

11:53:56 AM Vice Chairman Cicero - witness Anderson
Note: Warfield, KaBrenda Why is there no standard type of reporting format?

11:55:14 AM Vice Chairman Cicero - witness Anderson
Note: Warfield, KaBrenda I don't think that anybody is trying to point the finger. I am just trying to find out why it hasn't been an issue in the past especially if you are providing the same type of service to other locations that are under federal guidelines of how to report leak repairs adequately so that they can be determined of what leaks were actually fixed. Is there standard paperwork that RussMar has or there's not?

11:56:18 AM Vice Chairman Cicero - witness Anderson
Note: Warfield, KaBrenda Alright so I guess the answer to my question is [click on the link for Vice Chairman Cicero's remarks.]

11:56:40 AM Vice Chairman Cicero - witness Anderson
Note: Warfield, KaBrenda Thank you I don't have any other questions.

11:56:42 AM Chairman Schmitt
Note: Warfield, KaBrenda Commissioner Mathews?

11:56:50 AM Chairman Schmitt
Note: Warfield, KaBrenda Mr. Anderson I just have a few.

11:56:53 AM Chairman Schmitt - witness Anderson
Note: Warfield, KaBrenda I guess the question was asked by Mr. Driskill about the calls you get about gas leaks now are about the same as what you would expect or what you experienced in other locations. Correct?

11:57:24 AM Chairman Schmitt - witness Anderson
Note: Warfield, KaBrenda But I assume that when you first went there and you talked about that you would get two to three calls a week that, that's more than you would normally expect in a community? Would that be fair to say?

11:58:05 AM Chairman Schmitt - witness Anderson
Note: Warfield, KaBrenda Nobody wants to call it.

11:58:19 AM Chairman Schmitt - witness Anderson
Note: Warfield, KaBrenda You wouldn't be there if the system didn't have problems. Correct?

11:58:32 AM Chairman Schmitt - witness Anderson
Note: Warfield, KaBrenda The issue is that you are not getting as many calls as you did. [Click on the link for Chairman Schmitt's remarks.]

11:59:05 AM Chairman Schmitt - witness Anderson
Note: Warfield, KaBrenda Well and I think that you indicated that to do the fusion work maybe you worked with somebody else for maybe a year in a half. [Click on link for Chairman Schmitt's remarks.]

12:00:29 PM Chairman Schmitt - witness Anderson
Note: Warfield, KaBrenda Here's the point and I'll get to I guess the bottom line of it. What the Commission is concerned about is basically protecting the people who live in Drakesboro and who are customers of the gas system. [Click on the link for Chairman Schmitt's remarks.]

12:01:00 PM Chairman Schmitt - witness Anderson
Note: Warfield, KaBrenda Are you ready to go now? Or do you think that you need to stay awhile?

12:01:53 PM Chairman Schmitt - witness Anderson
Note: Warfield, KaBrenda How many more people do you think that they need for the gas?

12:02:47 PM Vice Chairman Cicero - witness Anderson
Note: Warfield, KaBrenda Just gas.

12:03:35 PM Chairman Schmitt - witness Anderson
Note: Warfield, KaBrenda The other people should be operator qualified as well. Correct?

12:03:42 PM Chairman Schmitt - witness Anderson
Note: Warfield, KaBrenda If I asked you to estimate how much time you think the present employees needed before they would be capable of handling all the problems themselves so that RussMar wasn't needed could you give us an estimate?

12:04:25 PM Chairman Schmitt - witness Anderson
Note: Warfield, KaBrenda Get through the winter season, one winter season with them?

12:04:38 PM Chairman Schmitt - witness Anderson
Note: Warfield, KaBrenda I don't think that I have any other questions. Mr. Driskill anything?

12:04:42 PM Chairman Schmitt - witness Anderson
Note: Warfield, KaBrenda Mr. Park?

12:04:44 PM Atty Park PSC - witness Anderson
Note: Schweighardt, Stephanie Redirect.

12:05:20 PM Atty Park PSC - witness Andeson
Note: Warfield, KaBrenda That's all I have.

12:05:23 PM Chairman Schmitt - Atty Driskill Drakesboro
Note: Warfield, KaBrenda I'll give you another shot if you want?

12:05:25 PM Chairman Schmitt
Note: Warfield, KaBrenda Anything else Commissioner Cicero Commissioner Mathews?

12:05:29 PM Chairman Schmitt - witness Anderson
Note: Warfield, KaBrenda Alright you may step down. Thank you sir.

12:05:32 PM Chairman Schmitt
Note: Warfield, KaBrenda Alright at this time lets take a lunch break until say ten minutes after one o'clock and then we'll come back.

12:05:39 PM Chairman Schmitt - Staff Atty Park PSC
Note: Warfield, KaBrenda Before we go tho how many more witnesses will you have Mr. Park do you know?

12:06:00 PM Chairman Schmitt - Atty Driskill Drakesboro
Note: Warfield, KaBrenda And Mr. Driskill you're still waiting to see how the rest of this turns out right?

12:06:19 PM Chairman Schmitt
Note: Warfield, KaBrenda You can call whoever you like it was just a question of timing. We ought to be able to probably finish today.

12:06:31 PM Commissioner Mathews
Note: Warfield, KaBrenda Have you heard from Mr. Martin?

12:06:36 PM Staff Attorney Park PSC - Mr.Anderson
Note: Warfield, KaBrenda Mr. Anderson are you aware if Mr. Martin still intends to be here today?

12:06:51 PM Chairman Schmitt
Note: Warfield, KaBrenda Oaky well we'll see if he comes or if he doesn't come. Alright we'll be in recess until ten minutes after one o'clock.

12:07:04 PM Session Paused

1:15:00 PM Chairman Schmitt
Note: Warfield, KaBrenda We are now back on the record in Case No. 2019-00065 City of Drakesboro d/b/a Drakesboro Natural Gas Company. Mr. Park do you have another witness?

1:15:00 PM Session Resumed

1:15:27 PM Chairman Schmitt
Note: Warfield, KaBrenda Mr. Roberts.

1:15:37 PM Chairman Schmitt - witness Roberts
Note: Warfield, KaBrenda Swearing the witness in.

1:15:48 PM Chairman Schmitt
Note: Warfield, KaBrenda Mr. Park.

1:15:48 PM Staff Atty Park PSC - witness Roberts
Note: Schweighardt, Direct Examination.
Stephanie

1:17:54 PM Vice Chairman Cicero - witness Roberts
Note: Warfield, KaBrenda You were informed about one that is being withheld for a reason?

1:18:01 PM Vice Chairman Cicero - witness Roberts
Note: Warfield, KaBrenda That's what I am referring to the payment. The payment is being withheld for what reason?

1:18:07 PM Vice Chairman Cicero - witness Roberts
Note: Warfield, KaBrenda I know.

1:18:09 PM Vice Chairman Cicero - witness Roberts
Note: Warfield, KaBrenda I know. Why is it?

1:18:13 PM Vice Chairman Cicero - witness Roberts
Note: Warfield, KaBrenda That's what I was trying to get to. So the city does not have sufficient funds to make a payment?

1:18:18 PM Vice Chairman Cicero - witness Roberts
Note: Warfield, KaBrenda That's what they advised you?

1:18:20 PM Vice Chairman Cicero - witness Roberts
Note: Warfield, KaBrenda Did they give you an idea when that payment will be made?

1:18:23 PM Vice Chairman Cicero - witness Roberts
Note: Warfield, KaBrenda How much is the amount that is outstanding?

1:18:27 PM Vice Chairman Cicero - witness Roberts
Note: Warfield, KaBrenda That's a big payment. Okay. We'll ask more questions later when there is other witnesses. Sorry.

1:18:34 PM Staff Atty Park PSC - witness Roberts
Note: Warfield, KaBrenda Direct Continued.

1:20:23 PM Atty Driskill Drakesboro
Note: Warfield, KaBrenda Which one are you talking about? Are you talking about the local bank loan or the low interest loan?

1:20:34 PM Staff Atty Park PSC - witness Roberts
Note: Warfield, KaBrenda Direct Continued.

1:25:27 PM Staff Atty Park PSC - witness Roberts
Note: Warfield, KaBrenda I have no further questions.

1:25:29 PM Atty Driskill Drakesboro - witness Roberts
Note: Schweighardt, Stephanie Cross Examination.

1:29:47 PM Atty Driskill Drakesboro - witness Roberts
Note: Warfield, KaBrenda Those are all of my questions.

1:30:01 PM Atty Driskill Drakesboro - witness Roberts
Note: Warfield, KaBrenda Your honour I am done.

1:30:03 PM Chairman Schmitt
Note: Warfield, KaBrenda Commissioner Cicero?

1:30:05 PM Vice Chairman Cicero - witness Roberts
Note: Warfield, KaBrenda Of the \$25,000.00 invoice, who would know how old that is? And if there has been an agreement to pay it?

1:30:25 PM Vice Chairman Cicero - witness Roberts
Note: Warfield, KaBrenda When did you become aware of it?

1:30:30 PM Vice Chairman Cicero - witness Roberts
Note: Warfield, KaBrenda So you don't know whether it's three days past due or three months past due?

1:30:44 PM Vice Chairman Cicero - witness Roberts
Note: Warfield, KaBrenda I don't have anymore questions.

1:30:45 PM Chairman Schmitt
Note: Warfield, KaBrenda Commissioner Mathews?

1:30:48 PM Chairman Schmitt - witness Roberts
Note: Warfield, KaBrenda You're an employee of RussMar, Martin, or both?

1:30:59 PM Chairman Schmitt - witness Roberts
Note: Warfield, KaBrenda Do you know how much money since the inception of the RussMar contract with Drakesboro that RussMar has billed Drakesboro and Drakesboro has paid?

1:31:21 PM Chairman Schmitt - witness Roberts
Note: Warfield, KaBrenda Are substantial repairs needed to bring the system up to a state were it is safe?

1:31:50 PM Chairman Schmitt - witness Roberts
Note: Warfield, KaBrenda And exactly what briefly would that entail in your opinion?

1:32:31 PM Chairman Schmitt - witness Roberts
Note: Warfield, KaBrenda But all of those things that should be done in your opinion will require some type of what study or independent assessment?

1:32:41 PM Chairman Schmitt - witness Roberts
Note: Warfield, KaBrenda And as far as you know that has not been authorized?

1:32:57 PM Chairman Schmitt - witness Roberts
Note: Warfield, KaBrenda That has not been done as far as you know?

1:33:00 PM Chairman Schmitt - witness Roberts
Note: Warfield, KaBrenda Is it possible to estimate the approximate cost of compliance or bringing the system in to line with what it should be to be operated safely and economically?

1:33:29 PM Chairman Schmitt - witness Roberts
Note: Warfield, KaBrenda I have no further questions.

1:33:36 PM Chairman Schmitt
Note: Warfield, KaBrenda Anything Mr. Driskill?

1:33:38 PM Atty Driskill Drakesboro - witness Roberts
Note: Schweighardt, Recross.
Stephanie

1:34:32 PM Atty Driskill Drakesboro - witness Roberts
Note: Warfield, KaBrenda Alright those are all my questions.

1:34:38 PM Atty Driskill Drakesboro - witness Roberts
Note: Warfield, KaBrenda Those are all my questions. That's it. I'm done.

1:34:45 PM Chairman Schmitt
Note: Warfield, KaBrenda Any other questions, Mr. Park?

1:34:47 PM Staff Atty Park PSC - witness Roberts
Note: Warfield, KaBrenda Redirect.

1:34:54 PM Staff Atty Park PSC - witness Roberts
Note: Warfield, KaBrenda Nothing further.

1:34:55 PM Chairman Schmitt
Note: Warfield, KaBrenda Anything else of this witness?

1:34:57 PM Chairman Schmitt
Note: Warfield, KaBrenda You may step down Mr. Roberts. Thank you.

1:35:01 PM Chairman Schmitt
Note: Warfield, KaBrenda Mr. Park anyone else?

1:35:19 PM Chairman Schmitt - witness Jones
Note: Warfield, KaBrenda Swearing the witness in.

1:35:27 PM Chairman Schmitt - witness Jones
Note: Warfield, KaBrenda Please be seated.

1:35:30 PM Staff Atty Parks PSC - witness Jones
Note: Schweighardt, Direct Examination.
Stephanie

1:39:36 PM Vice Chairman Cicero - witness Jones
Note: Warfield, KaBrenda So just to interrupt for a second.

1:39:39 PM Vice Chairman Cicero - witness Jones
Note: Warfield, KaBrenda So your cash flow situation as far as the \$25,000.00 invoice is not impacted by whether you can use grant money or not?

1:40:18 PM Vice Chairman Cicero - witness Jones
Note: Warfield, KaBrenda Okay.

1:40:19 PM Staff Atty Park PSC - witness Jones
Note: Warfield, KaBrenda Direct Continued.

1:43:39 PM Atty Driskill Drakesboro
Note: Warfield, KaBrenda I was just going to say if he is being asked a question about a certain item i think it may be helpful just to reference that or show him which line of the document you are referring to.

1:43:51 PM Staff Atty Park PSC - witness Jones
Note: Warfield, KaBrenda Direct Continued.

1:52:17 PM OBJECTION
Note: Warfield, KaBrenda Atty Driskill Drakesboro

1:53:00 PM Chairman Schmitt - Atty Driskill Drakesboro
Note: Warfield, KaBrenda About what now? Making payment?

1:53:32 PM Chairman Schmitt - Atty Driskill Drakesboro
Note: Warfield, KaBrenda He is the Mayor. He can say what he thinks, and what he thinks as an individual, and what he thinks as mayor, and the Counsel can say what he thinks.

1:53:45 PM OVERRULED
Note: Warfield, KaBrenda You may answer the question in any way inaudible.
Note: Warfield, KaBrenda Chairman Schmitt - Atty Driskill Drakesboro

1:53:51 PM Staff Atty Park PSC - witness Jones
Note: Warfield, KaBrenda Direct Continued.

1:54:15 PM Chairman Schmitt
Note: Warfield, KaBrenda And I think Mr. Driskill told us that Counsel approval was not necessary?

1:54:21 PM Chairman Schmitt
Note: Warfield, KaBrenda For the contracts?

1:54:22 PM Chairman Schmitt
Note: Warfield, KaBrenda Okay now. Thank you.

1:54:30 PM Atty Driskill Drakesboro
Note: Warfield, KaBrenda I'm not so sure that, that means that the Counsel couldn't at some point overrule it.

1:54:34 PM Chairman Schmitt
Note: Warfield, KaBrenda Oh I understand.

1:54:37 PM Staff Atty Park PSC - witness Jones
Note: Warfield, KaBrenda Direct Continued.

2:01:37 PM Vice Chairman Cicero - witness Jones
Note: Warfield, KaBrenda Do you think that is a good idea?

2:01:41 PM Vice Chairman Cicero - witness Jones
Note: Warfield, KaBrenda No that you don't know when last time there was a rate increase, and you don't know whether you are covering your expenses.

2:02:27 PM Vice Chairman Cicero - witness Jones
Note: Warfield, KaBrenda But you don't know if the revenue generated will be enough to cover the loan?

2:02:34 PM Vice Chairman Cicero - witness Jones
Note: Warfield, KaBrenda So really you are throwing a dart and you don't know whether the dart is going to hit the board or not?

2:02:42 PM Vice Chairman Cicero - witness Jones
Note: Warfield, KaBrenda I looked at your financial statements that were supplied by the auditor [click on the link for Vice Chairman Cicero's remarks.]

2:04:34 PM Vice Chairman Cicero - witness Jones
Note: Warfield, KaBrenda So I don't know what the \$120,000.00 loan does for you in terms of ongoing operations if you have a negative cash flow throughout the operation?

2:05:01 PM Vice Chairman Cicero - witness Jones
Note: Warfield, KaBrenda So if you didn't have the RussMar and the construction bills you would have enough free cash flow to make your monthly payments?

2:06:10 PM Vice Chairman Cicero - witness Jones
Note: Warfield, KaBrenda What would the grant money be used for?

2:06:40 PM Vice Chairman Cicero - witness Jones
Note: Warfield, KaBrenda Have you identified what your capital plan is going to be for purposes of spending the \$750,000.00? Or are you just applying for the \$750,000.00 grant and then you are going to develop a plan for spending it?

2:07:02 PM Vice Chairman Cicero - witness Jones
Note: Warfield, KaBrenda But they haven't come to you yet with a plan?

2:07:12 PM Vice Chairman Cicero - witness Jones
Note: Warfield, KaBrenda But did he give you a summary of what the 1.5 million would be spent on? Or did he just say that one and a half million dollars seems like a good number to fix the system?

2:07:38 PM Vice Chairman Cicero - witness Jones
Note: Warfield, KaBrenda So my only comment is you don't have to pay the grant back. But the \$750,000.00 is a loan? Correct?

2:07:50 PM Vice Chairman Cicero - witness Jones
Note: Warfield, KaBrenda I mean is he going to have some meeting that lays out this plan that says here is what we are going to spend it on?
Note: Warfield, KaBrenda So you are depending on somebody to obligate you to a \$750,000.00 loan without really understanding what the money will be spent on?

2:08:14 PM Vice Chairman Cicero - witness Jones
Note: Warfield, KaBrenda Wouldn't you want that information?

2:08:18 PM Vice Chairman Cicero - witness Jones
Note: Warfield, KaBrenda Because it sounds like you are in the process of applying for that \$750,000.00 loan and \$750,000.00 grant, right?
Note: Warfield, KaBrenda Well do you plan on having a meeting with Mr. Martin to establish...

2:08:36 PM Vice Chairman Cicero - witness Jones
Note: Warfield, KaBrenda I would think that you want to know what you are obligating yourself to. What it's for.

2:09:15 PM Vice Chairman Cicero - witness Jones
Note: Warfield, KaBrenda And I agree with you. It could be a lot more. The interesting part is [click on the link for Vice Chairman Cicero's remarks.]

2:10:49 PM Vice Chairman Cicero - witness Jones
Note: Warfield, KaBrenda You have no city administrator and no bookkeeping or financial help whatsoever?

2:11:14 PM Vice Chairman Cicero - witness Jones
Note: Warfield, KaBrenda There is no assistance from the Kentucky League of Cities or any place like that, that can assist you with budgeting type processes or anything like that?

2:11:56 PM Vice Chairman Cicero - witness Jones
Note: Warfield, KaBrenda What is your background if I may ask?

2:12:17 PM Vice Chairman Cicero - witness Jones
Note: Warfield, KaBrenda You're familiar with the education system and obviously aren't afraid to get your hands dirty. Obviously it's totally up to you but is there a community college that offers basic business classes that talks about budgeting or trying to manage? You don't need to be a skilled accountant but it always helps if you understand your budgeting, forecasting, and revenue versus expenses.

2:12:57 PM Vice Chairman Cicero - witness Jones
Note: Warfield, KaBrenda You're a jack of all trades, we're going to give you that.

2:13:16 PM Vice Chairman Cicero - witness Jones
Note: Warfield, KaBrenda I'm not sure what the city's finances are but obviously if those people left I would think there would be salary cap for you to hire somebody that could step in. That would be the first answer I would give you.

2:13:54 PM Vice Chairman Cicero - witness Jones
Note: Warfield, KaBrenda I was referring more to your office people.

2:14:01 PM Vice Chairman Cicero - witness Jones
Note: Warfield, KaBrenda I can't solve the cities financial situation I can suggest that you see about helping yourself out with the financial course or whatever just for the basics on budgeting.

2:14:16 PM Vice Chairman Cicero - witness Jones
Note: Warfield, KaBrenda I just know that right now those loans that you are looking at will end up overwhelming the system in terms of [click on link for Vice Chairman Cicero's remarks.]

2:14:54 PM Vice Chairman Cicero - witness Jones
Note: Warfield, KaBrenda So I guess that was not a question but a comment.

2:14:58 PM Vice Chairman Cicero - witness Jones
Note: Warfield, KaBrenda I interrupted you and I am sorry.

2:15:01 PM Staff Atty Park PSC - witness Jones
Note: Warfield, KaBrenda Direct Continued.

2:17:04 PM PSC EXHIBITS 2 & 3
Note: Warfield, KaBrenda PSC EXHIBIT 2: STATEMENT OF REVENUE, EXPENSES, AND CHANGES IN NET POSITION - PROPRIETARY FUNDS FOR THE YEAR ENDED JUNE 30, 2016 AND STATEMENT OF CASH FLOWS PROPRIETARY FUNDS FOR THE YEAR ENDED JUNE 30, 2016
Note: Warfield, KaBrenda Staff Atty Park PSC - witness Jones
Note: Warfield, KaBrenda PSC EXHIBIT 3: SAME TWO STATEMENTS ENDING INTHE YEAR 2017

2:18:05 PM Chairman Schmitt
Note: Warfield, KaBrenda Mr. Driskill do you have any objection to any of these?

2:18:21 PM Chairman Schmitt
Note: Warfield, KaBrenda Let it be filed as PSC Exhibit 2 and 3.

2:18:23 PM Chairmam Schmitt
Note: Schweighardt, Stephanie Let those be filed as PSC Exhibits 2 & 3

2:18:33 PM PSC EXHIBIT 4
Note: Warfield, KaBrenda THE SAME TWO PROPRIETARY FUND STATEMENTS FOR THE YEAR ENDING IN JUNE 30, 2018
Note: Warfield, KaBrenda Staff Atty Park PSC - witness Jones

2:19:15 PM Staff Atty Park PSC - witness Jones
Note: Warfield, KaBrenda Direct Continued.

2:20:12 PM Vice Chairman Cicero - witness Jones
Note: Warfield, KaBrenda Excuse me, which CPA person is that?

2:20:18 PM Vice Chairman Cicero - witness Jones
Note: Warfield, KaBrenda That's an outside auditor?

2:20:28 PM Vice Chairman Cicero - witness Jones
Note: Warfield, KaBrenda So the outside accountant does the books for all of the City of Drakesboro?

2:20:36 PM Vice Chairman Cicero - witness Jones
Note: Warfield, KaBrenda You say used to. Who does it now?

2:21:01 PM Vice Chairman Cicero - witness Jones
Note: Warfield, KaBrenda What is the accountant responsible for doing?

2:21:16 PM Vice Chairman Cicero - witness Jones
Note: Warfield, KaBrenda So this is a contract service?

2:21:22 PM Vice Chairman Cicero - witness Jones
Note: Warfield, KaBrenda So they actually are a contract accounting service that handles your financial piece of it?

2:21:45 PM Vice Chairman Cicero - witness Jones
Note: Warfield, KaBrenda In order to make sure an invoice is paid somebody has to enter it into the system. Who does that?

2:21:56 PM Vice Chairman Cicero - witness Jones
Note: Warfield, KaBrenda So she does that.

2:22:02 PM Vice Chairman Cicero - witness Jones
Note: Warfield, KaBrenda When an invoice comes in who does it go to?

2:22:09 PM Vice Chairman Cicero - witness Jones
Note: Warfield, KaBrenda Who approves it before it goes to the bookkeeper?

2:22:14 PM Vice Chairman Cicero - witness Jones
Note: Warfield, KaBrenda So you look at those and you approve them and then you give them to your bookkeeper or to the accountant?

2:22:21 PM Vice Chairman Cicero - witness Jones
Note: Warfield, KaBrenda One in the same.

2:22:23 PM Vice Chairman Cicero - witness Jones
Note: Warfield, KaBrenda I'm just making sure that I am referring to the same person.

2:22:27 PM Vice Chairman Cicero - witness Jones
Note: Warfield, KaBrenda Once you approve it you give it to that person, and that person is responsible for entering it into the system making certain it gets paid by the due date, collecting any bills that have been issued to customers, making deposits to the bank all of that?

2:23:10 PM Vice Chairman Cicero - witness Jones
Note: Warfield, KaBrenda Who reconciles all of those accounts?

2:23:16 PM Vice Chairman Cicero - witness Jones
Note: Warfield, KaBrenda You get a bank statement every month and somebody has to look at the expenditures and the deposits and reconcile to a balance.

2:23:27 PM Vice Chairman Cicero - witness Jones
Note: Warfield, KaBrenda The accountant/bookkeeper?

2:23:30 PM Vice Chairman Cicero - witness Jones
Note: Warfield, KaBrenda Okay. So the person that's receiving the money which is the separate clerk. Is that the one that also issues the invoices?

2:23:46 PM Vice Chairman Cicero - witness Jones
Note: Warfield, KaBrenda To the customer?

2:23:55 PM Vice Chairman Cicero - witness Jones
Note: Warfield, KaBrenda In order for the billing system to issue an invoice there has to be input that says the customer consumed so much gas, so much water?

2:24:29 PM Vice Chairman Cicero - witness Jones
Note: Warfield, KaBrenda So since you are using this bookkeeper/accountant as your contract services performing your accounting functions right?

2:24:41 PM Vice Chairman Cicero - witness Jones
Note: Warfield, KaBrenda Why can't they give you advice on management of the budget, and the forecasting, and looking at what the loan repayment requirements are?
Note: Warfield, KaBrenda I am wondering if there isn't a service there that could help you since you are already paying them?

2:25:58 PM Vice Chairman Cicero - witness Jones
Note: Warfield, KaBrenda Well it sounds like Karen knows enough to be able to manage the accounting system using quickbooks or whatever she is using [click on link for Vice Chairman Cicero's remarks.]
Note: Warfield, KaBrenda I would think that you would want to use a service like that in order to help you with this planning process.

2:26:37 PM Vice Chairman Cicero - witness Jones
Note: Warfield, KaBrenda The the auditor is not the same as the accountant. The auditor [click on the link for Vice Chairman Cicero's remarks.]

2:27:45 PM Vice Chairman Cicero - witness Jones
Note: Warfield, KaBrenda So is this audit firm that you have, is that the same one you have had for several years?

2:27:52 PM Vice Chairman Cicero - witness Jones
Note: Warfield, KaBrenda So do you think it is time for a change?

2:28:03 PM Vice Chairman Cicero - witness Jones
Note: Warfield, KaBrenda Did they help you with the budget?

2:28:05 PM Vice Chairman Cicero - witness Jones
Note: Warfield, KaBrenda Did they help you with the budget?

2:28:17 PM Vice Chairman Cicero - witness Jones
Note: Warfield, KaBrenda Well the budget year ends at the end of this month so that means that your 19-20 budget will be in place assuming it is approved by your fiscal court [click on link for Vice Chairman Cicero's remarks.]
Note: Warfield, KaBrenda I just hope you find something before the city gets itself into a position were it can't afford to pay for the loans it has taken out.

2:29:01 PM Staff Atty Park PSC - witness Jones
Note: Schweighardt, Stephanie Direct Continued.

2:29:49 PM Chairman Schmitt
Note: Warfield, KaBrenda We see that a lot.

2:29:52 PM Staff Atty Park PSC - witness Jones
Note: Warfield, KaBrenda Direct Continued.

2:32:20 PM Atty Driskill Drakesboro
Note: Warfield, KaBrenda Sorry which figure did you reference sir?

2:32:29 PM Commissioner Mathews
Note: Warfield, KaBrenda I think he said 2018 but he actually said 2016's number.

2:32:37 PM Staff Atty Park PSC - witness Jones
Note: Warfield, KaBrenda Direct Continued.

2:35:26 PM Atty Driskill Drakesboro
Note: Warfield, KaBrenda Where did you say the usage was?

2:35:38 PM Staff Atty Park PSC - witness Jones
Note: Warfield, KaBrenda Direct Continued.

2:38:40 PM Staff Atty Park PSC - witness Jones
Note: Warfield, KaBrenda That's all I have you honour.

2:38:44 PM Chairman Schmitt
Note: Warfield, KaBrenda Direct? Cross? I guess you can cross your own witness under these circumstances so go ahead.

2:39:07 PM Atty Driskill Drakesboro - witness Jones
Note: Schweighardt, Stephanie Cross Examination.

2:51:58 PM Vice Chairman Cicero - Atty Driskill Drakesboro
Note: Warfield, KaBrenda It doesn't represent a future cost it's past cost that's been incurred [click on link for Vice Chairman Cicero's remarks.]

2:52:14 PM Atty Driskill Drakesboro - Vice Chairman Cicero
Note: Warfield, KaBrenda But it is a real cost?

2:52:16 PM Vice Chairman Cicero - Atty Driskill Drakesboro
Note: Warfield, KaBrenda It's real cost that has already been incurred all depreciation does is allow you to spread it out over the life of the asset.

2:52:30 PM Vice Chairman Cicero - Atty Driskill Drakesboro
Note: Warfield, KaBrenda So until you make another expenditure which is what depreciation is supposed to be used for [click on link for Vice Chairman Cicero's remarks.]
Note: Warfield, KaBrenda I think the point you are trying to make is, it's not an obligation of those funds.

2:52:53 PM Atty Driskill Drakesboro - Vice Chairman Cicero
Note: Warfield, KaBrenda I know it's not an obligation, it's not a bill that is sent to you for depreciation.

2:52:56 PM Atty Driskill Drakesboro - Vice Chairman Cicero
Note: Warfield, KaBrenda But it does represent a real expense whether it is future or past it is a real expense right?

2:52:56 PM Vice Chairman Cicero - Atty Driskill Drakesboro
Note: Warfield, KaBrenda Correct.

2:53:01 PM Vice Chairman Cicero - Atty Driskill Drakesboro
Note: Warfield, KaBrenda It's only an accounting function that allows you to spread your expenses to tie it to revenue [click on link for Vice Chairman Cicero's remarks.]

2:53:45 PM Atty Driskill Drakesboro - Vice Chairman Cicero
Note: Warfield, KaBrenda Right. So if you brought a thirty thousand dollar house and over thirty years you depreciate it straight line method you would theoretically have no house at the end that was worth anything because that why it was depreciated over thirty years. [Click on link for remarks.]

2:54:07 PM Atty Driskill Drakesboro - Vice Chairman Cicero
Note: Warfield, KaBrenda So with respect to the gas [inaudible] there is a depreciation and that is taking into account that in the future it is expected that there will be an expense we'll have to make up for something else. Right?

2:54:19 PM Vice Chairman Cicero - Atty Driskill Drakesboro
Note: Warfield, KaBrenda I mean it depends on how good you are with the useful life but essentially you're assigning something that's got to be something similar to it. Yeah.

2:54:25 PM Atty Driskill Drakesboro - Vice Chairman Cicero
Note: Warfield, KaBrenda Right. The point I am trying to make though is that depreciation is a real cost whether it is future or past there is some need for it.

2:54:31 PM Vice Chairman Cicero - Atty Driskill Drakesboro
Note: Warfield, KaBrenda It's a non-cash item. That was my point.

2:54:34 PM Atty Driskill Drakesboro - Vice Chairman Cicero
Note: Warfield, KaBrenda I agree with you, no I agree with you, I think we are agreeing but we are saying different things. I am just making a point to him that even though there is a free cash flow, you have to put money aside because there is going to be probably some future cap [inaudible].

2:54:46 PM Vice Chairman Cicero - Atty Driskill Drakesboro
Note: Warfield, KaBrenda You would think because something is going to wear out and you're going to have to replace it sooner or later so yes.

2:54:52 PM Atty Driskill Drakesboro - Vice Chairman Cicero
Note: Warfield, KaBrenda So I think we are in agreement on it. Am I understanding it correctly?

2:54:58 PM Vice Chairman Cicero - Atty Driskill Drakesboro
Note: Warfield, KaBrenda I think from a lawyers perspective you are probably explaining it correctly yes.

2:55:07 PM Commissioner Mathes
Note: Warfield, KaBrenda That's a little bit better than an economist but not [inaudible.]

2:55:09 PM Atty Driskill Drakesboro
Note: Warfield, KaBrenda Do what?

2:55:10 PM Commissioner Mathews
Note: Warfield, KaBrenda It's a little bit better than an economist.

2:55:13 PM Atty Driskill Drakesboro
Note: Warfield, KaBrenda Okay.

2:55:16 PM Chairman Schmitt
Note: Warfield, KaBrenda Well this is a good time to probably take a break until five after three and then we'll come back and you can finish your examination of Mr. Jones.

2:55:28 PM Session Paused

3:19:35 PM Session Resumed

3:19:36 PM Chairman Schmitt
Note: Warfield, KaBrenda Are you ready to continue your examination Mr. Driskill?

3:19:43 PM Atty Driskill Drakesboro - witness Jones
Note: Warfield, KaBrenda Cross Continued.

3:30:55 PM Atty Driskill Drakesboro - witness Jones
Note: Warfield, KaBrenda Those are all my questions. Thank you.

3:30:59 PM Chairman Schmitt
Note: Warfield, KaBrenda Thank you. Commissioner Cicero questions?

3:31:01 PM Vice Chairman Cicero - witness Jones
Note: Warfield, KaBrenda So just a clarification. These aren' t really questions, just a couple of comments.

3:31:08 PM Vice Chairman Cicero - witness Jones
Note: Warfield, KaBrenda So as the manager of your operation, it is your fiduciary responsibility to make sure the money that is spent, is spent in a way that is being used for the benefit of those you represent. Is that not correct?

3:31:25 PM Vice Chairman Cicero - witness Jones
Note: Warfield, KaBrenda So when you go to a bank and you say I need to borrow \$750,000.00 or a \$120,000.00 is it not your fiduciary responsibility to make sure that what you are asking for is necessary?

3:31:59 PM Vice Chairman Cicero - witness Jones
Note: Warfield, KaBrenda You need it for your constituents?

3:32:03 PM Vice Chairman Cicero - witness Jones
Note: Warfield, KaBrenda Okay. So, the only reason why financial questions are being asked in the first place is to determine whether you have the ability to pay for the penalties that are probably going to be assessed and how they can be mitigated if we can determine what is required to fix the system in the first place. But we are not there yet. And I can tell you are not there yet.

3:32:27 PM Vice Chairman Cicero - witness Jones
Note: Warfield, KaBrenda As far as whether you can turn a loan back in without a pre-payment fee [click on the link for Vice Chairman Cicero's remarks.]

3:33:48 PM Vice Chairman Cicero - witness Jones
Note: Warfield, KaBrenda That's all I have.

3:33:49 PM Chairman Schmitt
Note: Warfield, KaBrenda Commissioner Mathews?

3:33:55 PM Commissioner Mathews - witness Jones
Note: Warfield, KaBrenda What is the impact of the closing of that third unit in Paradise on your finances?

3:34:44 PM Commissioner Mathews - witness Jones
Note: Warfield, KaBrenda So they did not live there, they did not stop there?

3:34:52 PM Commissioner Mathews - witness Jones
Note: Warfield, KaBrenda They don't pay property tax to you because they are outside?

3:34:55 PM Atty Driskill Drakesboro
Note: Warfield, KaBrenda Most people that work at [inaudible] don't live in Drakesboro.

3:35:00 PM Commissioner Mathews - witness Jones
Note: Warfield, KaBrenda That was curiosity as much as anything else.

3:35:04 PM Chairman Schmitt - witness Jones
Note: Warfield, KaBrenda Mayor Jones, as I understand it you were elected Mayor and took office probably January 1st January 2nd?

3:35:18 PM Chairman Schmitt - witness Jones
Note: Warfield, KaBrenda And you had no inkling that all the city employees were going to quit including the accountant

3:35:28 PM	Chairman Schmitt - witness Jones Note: Warfield, KaBrenda	They all just walked off the job including the gas people and left you without a qualified operator? Corect?
3:35:43 PM	Chairman Schmitt - witness Jones Note: Warfield, KaBrenda	So basically the Public Service Commission, or Mr. Lyons in communication with you that indicated that you had to have under federal regulations you had to have a qualified operator or the PSC would not have any alternative but to order the system to be shut down. Correct?
3:36:29 PM	Chairman Schmitt - witness Jones Note: Warfield, KaBrenda	All of this occured in the dead of winter?
3:36:39 PM	Chairman Schmitt - witness Jones Note: Warfield, KaBrenda	Which basically it wouldn't have been in any of your residence or customers interest to have their gas cut off in the dead of winter. Correct?
3:36:52 PM	Chairman Schmitt - witness Jones Note: Warfield, KaBrenda	So you had to have somebody come in and initially that was Vanguard for a short period of time. Correct?
3:37:06 PM	Chairman Schmitt - witness Jones Note: Warfield, KaBrenda	Or it was Atmos who sent somebody in at first, is that right?
3:37:27 PM	Chairman Schmitt - witness Jones Note: Warfield, KaBrenda	And at that point and time is that when Vanguard came on board for a short time? Because once again you were without a qualified operator.
3:37:36 PM	Chairman Schmitt - witness Jones Note: Warfield, KaBrenda	At some point it is determined that odorant was not placed in the gas system, but when odorant was introduced into the system maybe there were a hundred and three or so calls from people that they smell gas. Is that your understanding?
3:38:11 PM	Chairman Schmitt - witness Jones Note: Warfield, KaBrenda	And Vanguard sent people out to answer those calls.
3:38:32 PM	Chairman Schmitt - witness Jones Note: Warfield, KaBrenda	Vanguard was there because you employed them as a contractor and you did that because the PSC you knew was going to order that, that be done becuase you could not continue to operate the system in violation of federal law. Correct?
3:38:55 PM	Chairman Schmitt - witness Jones Note: Warfield, KaBrenda	Now you indicated that there were twenty to thirty customers found that apparently were not being billed?
3:39:09 PM	Chairman Schmitt - witness Jones Note: Warfield, KaBrenda	Are these cutomers, they were metered and not billed or they just didn't have a meter at all?
3:39:51 PM	Chairman Schmitt - witness Jones Note: Warfield, KaBrenda	So somebody would be marked as a bad debt and yet they still continue to receive the service?
3:40:04 PM	Chairman Schmitt - witness Jones Note: Warfield, KaBrenda	And that was under the previous administration?
3:40:12 PM	Chairman Schmitt - witness Jones Note: Warfield, KaBrenda	Now I think that you indicated that you had talked to the Department of Local Government maybe about a KIA loan or something?
3:40:57 PM	Chairman Schmitt - witness Jones Note: Warfield, KaBrenda	Now the Pennyrile grant and the Pennyrile loan has that grant and loan been applied for? Or do you know?

3:41:15 PM	Chairman Schmitt - witness Jones Note: Warfield, KaBrenda	Correct me if I am wrong I do not want to put words in your mouth. But I assume he told you he was either going to apply for it or he intended to apply for it or something? Is that right?
3:41:34 PM	Chairman Schmitt - witness Jones Note: Warfield, KaBrenda	But right now as of today you do not know the status of that meeting or whether an actual application has been made?
3:41:43 PM	Chairman Schmitt - witness Jones Note: Warfield, KaBrenda	But if it was made, it would of been done by Mr. Martin on behalf of the City of Drakesboro?
3:41:51 PM	Chairman Schmitt - witness Jones Note: Warfield, KaBrenda	And other than that you have talked to a bank that you identified about either a line of credit or a loan of \$120-125,000.00?
3:42:11 PM	Chairman Schmitt - witness Jones Note: Warfield, KaBrenda	And now that is kind of in limbo pending what happens at the end of this case? Is that correct?
3:42:41 PM	Chairman Schmitt - witness Jones Note: Warfield, KaBrenda	You have two employees who do the work at the gas system and the water system? Is that correct?
3:43:02 PM	Chairman Schmitt - witness Jones Note: Warfield, KaBrenda	Then you have a clerk? The city clerk?
3:43:05 PM	Chairman Schmitt - witness Jones Note: Warfield, KaBrenda	And the bookkeeper?
3:43:07 PM	Chairman Schmitt - witness Jones Note: Warfield, KaBrenda	Is the bookkeeper full time or part time?
3:43:15 PM	Chairman Schmitt - witness Jones Note: Warfield, KaBrenda	As a contractor or an employee?
3:43:38 PM	Chairman Schmitt - witness Jones Note: Warfield, KaBrenda	And then you got two part time people?
3:43:45 PM	Chairman Schmitt - witness Jones Note: Warfield, KaBrenda	And as of today is there a definite time or time frame with in which you and Mr. Martin have agreed to meet and discuss what it will take, how much is involved, and how much it will cost to assess the status of the cathodic protection, the regulators, and the other issues that the other people here Melissa Holbrook and Mr. Anderson and others have talked about had to be done?
3:44:32 PM	Chairman Schmitt - witness Jones Note: Warfield, KaBrenda	Okay. Thank you. I have no further questions.
3:44:37 PM	Chairman Schmitt Note: Warfield, KaBrenda	Anything else?
3:44:38 PM	Staff Atty Park PSC - witness Jones Note: Warfield, KaBrenda	Redirect.
3:46:40 PM	Staff Atty Park PSC - witness Jones Note: Warfield, KaBrenda	That's all I have.
3:46:42 PM	Chairman Schmitt Note: Warfield, KaBrenda	Mr. Driskill. Commissioners anything else?
3:46:46 PM	Chairman Schmitt - witness Jones Note: Warfield, KaBrenda	You may step down thank you.
3:46:50 PM	Chairman Schmitt Note: Warfield, KaBrenda	Anything further?
3:46:56 PM	Chairman Schmitt Note: Warfield, KaBrenda	Mr. Driskill would you like to call someone?
3:46:59 PM	Atty Driskill Drakesboro Note: Warfield, KaBrenda	Judge if we could approach real quick, I would like to ask you something.

3:47:45 PM	Atty Driskill Drakesboro Note: Warfield, KaBrenda	Judge we'll call Donald Sims.
3:47:49 PM	Chairman Schmitt Note: Warfield, KaBrenda	Mr. Sims.
3:47:50 PM	Chairman Schmitt - witness Sims Note: Warfield, KaBrenda	Swearing the witness in.
3:48:03 PM	Chairman Schmitt - witness Sims Note: Warfield, KaBrenda	Please be seated. Mr. Driskill you may ask.
3:48:05 PM	Atty Driskill Drakesboro - witness Sims Note: Schweighardt, Stephanie	Direct Examination.
3:59:06 PM	Atty Driskill Drakesboro - witness Sims Note: Warfield, KaBrenda	I don't have any other questions for Mr. Sims.
3:59:10 PM	Chairman Schmitt Note: Warfield, KaBrenda	Mr. Park any questions?
3:59:16 PM	Chairman Schmitt Note: Warfield, KaBrenda	Commissioner Cicero?
3:59:17 PM	Chairman Schmitt Note: Warfield, KaBrenda	Commissioner Mathews?
3:59:19 PM	Chairman Schmitt Note: Warfield, KaBrenda	Just a couple.
3:59:28 PM	Chairman Schmitt - witness Sims Note: Schweighardt, Stephanie	In terms of leaks that have been found and been repaired did you mean to say that maybe of the leaks that have been found on the leak survey that 21 had been repaired?
3:59:50 PM	Chairman Schmitt - witness Sims Note: Warfield, KaBrenda	Mr. Anderson indicated that there was a temporary repair but ultimately there was going to be an additional repair made. Is that correct?
4:00:14 PM	Chairman Schmitt - witness Sims Note: Warfield, KaBrenda	Or is twenty one the final?
4:00:25 PM	Chairman Schmitt - witness Sims Note: Warfield, KaBrenda	That's twenty one that at some point and time you will have to go back and assess it within what the six month period or something and perhaps make the final repair?
4:00:37 PM	Chairman Schmitt - witness Sims Note: Warfield, KaBrenda	I guess Mr. Driskill asked you questions about inmates. These were inmates of the county jail. Is that correct?
4:00:45 PM	Chairman Schmitt - witness Sims Note: Warfield, KaBrenda	And we had a hearing here in March and I don't know if you were present or if you saw it on the internet. But a lady was here and I don't remember her name but she was a customer and she claimed that an inmate came into her home when the gas was off and cut it on. Apparently that is not occurring under this administration is that correct?
4:01:06 PM	Chairman Schmitt - witness Sims Note: Warfield, KaBrenda	Now inmates are confined to weed eaters and things?
4:01:13 PM	Chairman Schmitt - witness Sims Note: Warfield, KaBrenda	They are not making repairs or turning on gas?
4:01:28 PM	Chairman Schmitt - witness Sims Note: Warfield, KaBrenda	If you had to create a document that for instance noted a leak repair or something you wouldn't have an inmate sign off as a witness?
4:01:41 PM	Chairman Schmitt - witness Sims Note: Warfield, KaBrenda	No further questions.

4:01:46 PM	Atty Driskill Drakesboro - witness Sims Note: Warfield, KaBrenda	Redirect.
4:02:43 PM	Atty Driskill Drakesboro - witness Sims Note: Warfield, KaBrenda	Alright those are all of my questions.
4:02:46 PM	Chairman Schmitt Note: Warfield, KaBrenda	May this witness be excused?
4:02:49 PM	Chairman Schmitt - witness Sims Note: Warfield, KaBrenda	Okay. You may step down. Thank you.
4:02:51 PM	Chairman Schmitt Note: Warfield, KaBrenda	Mr. Driskill do you have another witness?
4:02:55 PM	Chairman Schmitt Note: Warfield, KaBrenda	And I assume your case is concluded also Mr. Park?
4:03:02 PM	Atty Driskill Drakesboro Note: Warfield, KaBrenda	the only exception would be if we wanted to keep the record open for Mr. Martin.
4:03:07 PM	Chairman Schmitt Note: Warfield, KaBrenda	For the record we discussed it off the record. I did with Mr. Diskill and Mr.Park about perhaps keeping the record open and hearing from Mr. Martin about a timeline and the cost of assessing the areas that [click on the link for Chairman's remarks.]
4:03:46 PM	Atty Driskill Drakesboro Note: Warfield, KaBrenda	I'm fine with however, I think a deposition would be much more economical to do it by deposition. [Click on link for remarks.]
4:04:02 PM	Staff Atty Park PSC Note: Warfield, KaBrenda	Deposition would be fine and probably better for everybody.
4:04:09 PM	Chairman Schmitt Note: Warfield, KaBrenda	And you could agree on the location. And if not then somebody file something and we'll just enter a Order.
4:04:20 PM	Chairman Schmitt Note: Warfield, KaBrenda	For the record Mr. Martin was supposed to be here this morning and then his flight was delayed because of weather and when he realized he was not going to make it he turned back.
4:04:37 PM	Chairman Schmitt Note: Warfield, KaBrenda	Does anyone know how long Mr. Martin will be vacationing?
4:04:45 PM	Chairman Schmitt Note: Warfield, KaBrenda	Alright why don't we just let it go at that. We will keep the record open and Counsel Mr. Park and Mr. Driskill will get together and work out the details of a deposition [click on link for Chairman Schmitt's remarks.]
4:05:13 PM	Staff Atty Park PSC Note: Warfield, KaBrenda	And your honour there are also a number of open matters that are being addressed so we may have some additional follow up in the next month or two.
4:05:22 PM	Chairman Schmitt Note: Warfield, KaBrenda	I guess Ms. Holbrook hadn't had a chance to look at some of the things and I know the Mayor's group was still working on somethings [click on the link for Chairman Schmitt's remarks.]
4:05:42 PM	Atty Driskill Drakesboro Note: Warfield, KaBrenda	Wel'll continue to do the bi-weekly submissions and we can submit the proof of whatever he.
4:05:52 PM	Chairman Schmitt Note: Warfield, KaBrenda	I understand on the record now, we had a discussion earlier that the City is attempting to negotiate a loan a line of credit with a local bank [click on the link for Chairman Schmitt's remarks.]

4:08:33 PM

Chairman Schmitt

Note: Warfield, KaBrenda

Alright is there anything else that anyone would like to say or that we need to consider? Mr. Driskill? Mr. Park? If not then this hearing is in recess and may or may not be re-adjoined depending on further developments in the case including but not limited to the deposition of Mr. Martin. Okay thank you.

4:08:59 PM

Session Paused

4:09:04 PM

Session Ended



Exhibit List Report

2019-00065 19June2019

**City of Drakesboro d/b/a
Drakesboro Natural Gas Company
(Drakesboro)**

Name:	Description:
PSC Exhibit 01	06-14-2019 Inspection Report
PSC Exhibit 02	City of Drakesboro, Kentucky Statement of Revenue, Expenses, And Changes in Net Position - Proprietary Funds For the Year Ended June 30, 2016; and City of Drakesboro, Kentucky Statement of Cash Flows Proprietary Funds For The Year Ended 06-30-16
PSC Exhibit 03	City of Drakesboro, Kentucky Statement of Revenue, Expenses, And Changes in Net Position - Proprietary Funds For the Year Ended June 30, 2017; and City of Drakesboro, Kentucky Statement of Cash Flows Proprietary Funds For The Year Ended 06-30-17
PSC Exhibit 04	City of Drakesboro, Kentucky Statement of Revenue, Expenses, And Changes in Net Position - Proprietary Funds For the Year Ended June 30, 201; and City of Drakesboro, Kentucky Statement of Cash Flows Proprietary Funds For The Year Ended 06-30-18

INSPECTION REPORT

INSPECTION INFORMATION

KY PSC Inspector(s):	Melissa Holbrook and Chris Bailey	Report Number:	Drakesboro-06172019
Inspection Date(s):	6-14-2019	Report Date:	6-17-2019
Inspection Type:	<input checked="" type="checkbox"/> Standard <input type="checkbox"/> Integrity Management <input type="checkbox"/> Operator Qualification <input type="checkbox"/> Compliance Follow-up <input type="checkbox"/> Construction		

OPERATOR INFORMATION

Name of Operator:	City of Drakesboro	OP ID No.: (If no OP ID No., explain if an application has been submitted.)	Unknown
Type of Facility:	Municipal	Location of Facility:	City of Drakesboro
Area of Operation:	City of Drakesboro		
Official Operator Contact and Address: (Contact for Inspection Letter) Mayor Mike Jones P.O. Box 129 Drakesboro, KY 42337		Unit Name and Address	
Phone # and Email:	270-476-8986 jonesy0120@gmail.com		
Records Location:	Drakesboro Fire Dept.		
Persons Interviewed	Title	Phone No.	Email
Mike Jones	Mayor	270-543-6425	Jonesy0120@gmail.com
Jeff Roberts	Russmar Compliance Office	606-875-4655	Jeff.roberts@russmarutilties.com
Jason Warren	Russmar Superintendent	270-543-4160	Jason.warren@russmarutilties.com
Donald Dee Sims Jr.	Drakesboro Employee	270-820-6439	Deeius8308@gmail.com
Has the Operator provided an updated Emergency Contact List? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			
Number of Customers:	667		
Number of Gas Employees:	2		
Gas Supplier:	Texas Gas		
Unaccounted for Gas:	Unknown		
Services:	Unknown		
Operating Pressure(s):	MAOP (within last year)	Actual Operating Pressure (at time of inspection)	
	Feeder:	Unknown	Unknown
	Town:		
Other:			
Does the Operator have any transmission pipeline (above 20% SMYS):		n/a	
Additional Operator Information:			

Date of Last Inspection:	2-21-2019		
Number of Deficiencies:	35	Deficiencies not Cleared:	11

Summary of Areas Inspected

<u>PHMSA Question Set</u>		
<input type="checkbox"/> Emergency Plan	<input checked="" type="checkbox"/> Operations and Maintenance Plan	<input checked="" type="checkbox"/> Critical Valves Maintenance Inspections
<input type="checkbox"/> Cathodic Protection	<input type="checkbox"/> Accidents	<input checked="" type="checkbox"/> Leak Surveys
<input type="checkbox"/> Odorization	<input checked="" type="checkbox"/> Operator Qualification	<input checked="" type="checkbox"/> Damage Prevention
<input type="checkbox"/> Pipeline Markers	<input checked="" type="checkbox"/> Regulator Stations	<input checked="" type="checkbox"/> DIMP
<input type="checkbox"/> Field Inspection	<input type="checkbox"/> Other	
<u>Other:</u>		

<u>State Question Set</u>	
<input type="checkbox"/> Cybersecurity	<input type="checkbox"/> Other
<u>Other:</u>	

Summary

The following deficiencies were cited in the February 2019 inspection. A follow-up inspection was required to clear the 35 deficiencies and check operator's progress. The following deficiencies were reviewed as follows.

Follow-up Inspection Findings

1. Drakesboro's written procedural manual for operations and maintenance activities does not include all procedures required by **49 CFR §192.605**. The missing items are highlighted in red.
Follow-up: The plan was provided for review.
2. Drakesboro's plan to minimize the hazard resulting from a gas pipeline emergency does not include all procedures required by **49 CFR §192.615**. The missing items are highlighted in red.
Follow-up: The plan was provided for review.
3. Drakesboro does not have a written program to prevent damage to underground pipelines from excavation activities as required by **49 CFR §192.614**.
Follow-up: The plan was provided for review.
4. Drakesboro does not have a written public education program as required by **49 CFR § 192.616**.
Follow-up: The plan was provided for review.
5. Drakesboro does not have a written anti-drug plan as required by **49 CFR § 199.101**.
Follow-up: The plan was provided for review.
6. Drakesboro does not have a written alcohol misuse plan as required by **49 CFR § 199.202**.
Follow-up: The plan was provided for review.
7. Drakesboro has not conducted drug tests as required by **49 CFR § 199.105**.
Follow-up: Mike Jones, Melissa Holland, Donald Sims, Jordon Shaw were drug tested on February 19, 2019.
8. Drakesboro has not provided training for supervisory personnel who will determine whether an employee must be drug tested based on reasonable cause as required by **49 CFR § 199.113 (c)**.
Follow-up: The operator has not conducted training yet. Operator stated he would contact police dept. to conduct training.
9. Drakesboro does not have a written distribution integrity management plan as required by **49 CFR § 192.1005**.
Follow-up: The written plan was provided for review. Original version April 21, 2014.
10. Drakesboro does not have welding procedures as required by **49 CFR § 192.225**.
Follow-up: The welding procedures manual was provided for review.
11. Drakesboro does not have written plastic joining procedures as required by **49 CFR § 192.273(b)**.
Follow-up: The fusion procedures manual was provided for review. The operator is currently only using compression and stab fittings.

12. Drakesboro's operator qualification program does not meet the requirements of **49 CFR § 192.805**. The missing items are highlighted in red.
Follow-up: The operator qualification plan was provided for review.
13. Drakesboro has not submitted annual reports as required by **49 CFR § 191.11**.
Follow-up: The operator has not submitted online report as required to PHMSA online.
14. Drakesboro has not sent the customer notification required by **49 CFR § 192.16**.
Follow-up: The operator hand- delivered notifications to the customers in March 2019, when paying their gas bill. Notice was also, posted in the local newspaper. The remaining customer notifications will be hand- deliver to customers.
15. Drakesboro has not sent public awareness messages as required by **49 CFR § 192.616**.
Follow-up: The public awareness message has not been delivered as required. The operator stated brochures are currently being printed.
16. Drakesboro has not trained appropriate operating personnel to ensure they are knowledgeable of emergency procedures as required by **49 CFR § 192.615(b)(2)**.
Follow-up: Emergency Response Training was conducted on June 14, 2019 by Jeff Roberts and documented.
17. Drakesboro did not establish and maintain liaison with appropriate fire, police, and other public officials as required by **49 CFR § 192.615(c)**.
Follow-up: Meeting was conducted on June 14,2019 with Mayor, Gas Dept., Russmar and Fire Dept. Chief reviewing issues with gas emergencies and record reviewed.
18. Drakesboro does not review or update its operation and maintenance plan as required by **49 CFR § 192.605 (a)**.
Follow-up: New plan was implemented in 2019.
19. Drakesboro has not conducted periodic sampling of combustible gases in its distribution lines to assure the proper concentration of odorant test as required by **49 CFR § 192.625(f)** since November 2017.
Follow-up: The records for May 8, 2019, May 17,2019, May 20, 2019, May 31,2019, 6June 6,2019 indicate readings were conducted by Drakesboro Employee Donald Sims (OQ-February 13, 2019).
20. Drakesboro has not conducted patrolling of its distribution mains as required by **49 CFR § 192.721** since 2017.
Follow-up: Operator needs to make a patrolling list for known hazardous piping and document as required.
21. Drakesboro has not conducted a leakage survey in its business district as required by **49 CFR § 192.723** since 2017. Additionally, the employee who is listed on the record of the 2017 survey as having conducted the survey, Jordon Shaw, verified to Staff on February 7, 2019, that he did not conduct the leak survey.

Follow-up- Leak survey conducted by Russmar on March 20,2019 until April 16,2019. No Class 1 leaks, 22-Class 2 leaks, and 7-Class 3 leaks.

22. Drakesboro has not conducted regulator/relief valve inspections as required by **49 CFR § 192.739**.
Follow-up- The operator could not produce records at the time of inspection.
23. Drakesboro has not conducted valve inspections as required by **49 CFR § 192.747** since 2016.
Follow-up: Critical Valve inspections conducted on May 15, 2019 by Donald Sims (OQ February 21,2019).
24. Drakesboro has not tested pipelines under cathodic protection as required by **49 CFR § 192.465 (a)**.
Follow-up: Pipe to soil readings conducted on May 4, 2019 by Donald Sims is not operator qualified and Marvin Anderson (OQ December 10,2021). All Readings are below the required -0.85.
25. **Drakesboro has not conducted cathodic protection rectifier inspections as required 49 CFR § 192.465 (b)**.
Follow-up: Donald Sims visits rectifier monthly, he is currently not documenting readings. Operator is not operator qualified to conduct inspections. After review of cathodic protection readings the rectifier is properly working.
26. Drakesboro has not conducted atmospheric corrosion inspections as required by **49 CFR § 192.481**.
Follow-up: The inspection has not been conducted at this time.
27. Drakesboro's pipeline markers do not meet the requirements of **49 CFR § 192.707**. Numerous pipeline markers in field were unable to read.
Follow-up: The operator has ordered new pipeline markers to be installed upon arrival. New signs have been installed at all regulator stations.
28. Drakesboro failed to ensure that individuals performing covered tasks were qualified as required by **49 CFR § 192.805(b)**. At the time of Staff's inspection, two employees of Drakesboro who were not properly qualified were performing covered tasks. Staff also received a report from a customer that prisoners turned on gas service and entered the home to relight appliances.
Follow-up: The operator has two current employees, Donald Sims and Jordon Shaw, who are operator qualified to restore service (OQ February 14,2019), and Russmar employee Marvin Anderson (OQ July 31,2022) on site to turn on gas for customers.
29. Drakesboro did not properly repair a damaged plastic main on Wyatt's Chapel Road as required by **49 CFR § 192.311**. Operator repaired a 2 "plastic main with a clamp.
Follow-up: The operator has not found location at this time to repair.
30. Drakesboro did not ensure that combustible gas in its distribution lines was properly odorized as required by **49 CFR § 192.625(a)**. A 3rd party contractor conducted odor test and verified there was no odorant in the gas system.

Follow-up: The records for May 8, 2019, May 17, 2019, May 20, 2019, May 31, 2019, June 6, 2019 indicate readings were conducted by Drakesboro Employee Donald Sims (OQ-February 13, 2019).

31. Drakesboro failed to follow procedures in its emergency plan in response to two reports of gas detected inside and outside of homes as required by **CFR § 192.605(a)**.
Follow-up: No issues indicated in records. All emergency calls through 911 in cad system. A record of each emergency documented.
32. Drakesboro has not offered excess flow valves to existing customers as required by **49 CFR § 192.383(d)**.
Follow-up: At this time the operator has not sent. The operator plans on sending to customers when public awareness message goes out.
33. Drakesboro has failed to ensure that each person making joints in plastic pipelines is qualified as required by **49 CFR § 192.285**.
Follow-up: Drakesboro employees Donald Sims and Jordon Shaw are currently operator qualified on using stab and mechanical fittings on (OQ February 19, 2019).
34. Drakesboro has failed to maintain for the useful life of each pipeline records of each test performed under 49 CFR Subpart J as required by **49 CFR 192.517**.
Follow-up: The original MAOP records were not found. A history of operating pressure needs to be reviewed to establish MAOP.
35. Drakesboro has failed to keep records of the following procedures as required by **49 CFR § 192.603(b)**:
 - Installation of new service lines;
 - Installation of excess flow valves;
 - Response to and repair of leaking pipelines;
 - Atmospheric corrosion inspections;
 - Odorant tests (2018 and 2019);
 - Patrolling of distribution mains (2018);
 - Leak surveys (2018);
 - Valve inspections (2018 and 2019);
 - Pipe-to-soil readings (2018); and
 - Cathodic protection rectifier inspections (2018).

Follow-up: The following records were reviewed: installation of new service line, installation efv, odor tests, leak survey, valve inspections, and pipe to soil readings, and leak repairs. The records provided by Russmar were not adequate documentation for leak repairs. Please see records below.

Inspector Comments

The closing conference was conducted with the following: Mayor Mike Jones, Drakesboro employee Donald Sims, and Russmar employee Jeff Roberts.

After conducting the follow-up inspection, it was discussed that 12 of the 35 deficiencies have not been corrected. The following recommendations were made: The City of Drakesboro needs to contract trained and operator qualified specialists to assess the pipeline system for corrosion, rectifier's, measurement, and regulator stations.

Submitted by:

Melissa Holbrook

Melissa Holbrook 6-17-2019
Utility Regulatory and Safety Investigator

City of Drakesboro leak Repairs.

There was a total of 29 Leaks Reported in the annual Leak Survey

22 Grade 2 Leaks

7 Grade 3 Leaks

Putting all this information together from the DFR and the Leak Survey, which doesn't correspond due to documentation.

Leaks Repaired from DFR's Location , Date , Leak Order #

1. 100 Harper Circle 3-18-2019
2. Jackson Town Rd 3-19-2019
3. US.431 3-19-2019
4. 48 Beach Creek Brown RD 3-20-2019 Leak Order 1016
5. 301 Union Chapel Lane 3-20-2019
6. Intersection of Broad St & Kennedy Jones Ave 3-21-2019
7. Christian Street 3-25-2019 ? Multiple on Christian Street
8. 160 woodruff & Beech creek 3-25-2019
9. Jones Ave & Christian 3-25-2019 Leak Order 1006
10. Everly & Christian 3-26-2019
11. 310 Christian 3-26-2019
12. 217 Guitar Ave 3/27/2019 Leak Order 1002
13. 116 Cornette St 3/27/2019
14. 507 Broad way 3-28-2019
15. Ditney Hill Rd 3/28/2019
16. 3190 Hwy 431 4/1/2019
17. 110 Kirtley Rd 4/1/2019 Leak Order 1026
18. 1554 Hwy 431 4/1/2019 Leak Order 1024
19. Merale Travis Hwy 4/2/2019
20. Hwy 1163 & Beehcreek Rd 4/3/2019
21. 208 Mill Rd 4/3/2019

MARTIN CONTRACTING, INC.

Job Name: Drakesboro I & M Job Number: 19356 Date: 3-21-2019

Supervisor: Dustin Wagner Exact Location: Drakesboro

Employee Name & Class (Foreman, Op, Lab)	Start Time	End Time	Lunch	A B C			Total Hours	Cost Codes
				Vac Time	Drive Time	Work Time		
Dustin Wagner	7:30	5:00	0.5			9	9	Foreman
Cordell Hill	7:30	5:00	0.5			9	9	Lab

Equipment Description	Unit Number	Start Miles/Hrs	End Miles/Hrs	Total Miles/Hrs	Cost Code
Chevy 2500	164	70265	70370	105	
CX55B Mini-EX	483	3119	3119	0	

Today's Production		
Task Description	Units/Footage	Additional Comments
Put band clamp on 2" steel line		Intersection of Broadstand Kennedy Jones Ave
Helped with leak survey		

CITY OF DRAKESBORO, KENTUCKY

Statement of Revenue, Expenses, And Changes in Net Position - Proprietary Funds For the Year Ended June 30, 2016

	WATER FUND	SEWER FUND	NATURAL GAS FUND	TOTAL PROPRIETARY FUNDS
Operating revenue:				
Current use charges	\$ 134,202	\$ 113,064	\$ 431,083	\$ 678,349
Reconnect and tap fees	-	-	-	-
Late charges and penalties	6,519	-	4,200	10,719
Miscellaneous revenue	5	-	-	5
Gas franchise revenue	-	3,307	-	3,307
Gain on sale of assets	-	-	-	-
Total Operating Revenue	<u>140,726</u>	<u>116,371</u>	<u>435,283</u>	<u>692,380</u>
Operating expenses:				
Contract purchases	91,153	-	137,861	229,014
Payroll costs	15,288	15,288	92,097	122,673
Supplies and materials	6,604	29,826	17,876	54,306
Repair and maintenance	6,004	23,189	23,696	52,889
Utilities	-	31,413	12,260	43,673
Insurance	13,431	13,431	49,263	76,125
Purchased services	1,500	1,500	20,356	23,356
Depreciation expense	32,071	19,237	33,647	84,955
Taxes and licenses	827	-	1,432	2,259
Franchise costs	-	-	6,614	6,614
Seminars and training	45	45	-	90
Other costs	679	149	10,336	11,164
Total Operating Expenses	<u>167,602</u>	<u>134,078</u>	<u>405,438</u>	<u>707,118</u>
Total Operating Income (Loss)	<u>(26,876)</u>	<u>(17,707)</u>	<u>29,845</u>	<u>(14,738)</u>
Non-operating revenue (expenses):				
Interest revenue	4	4	16	24
Interest expense	(8,328)	(8,327)	(4,881)	(21,536)
Total Non-operating Revenue (Expenses)	<u>(8,324)</u>	<u>(8,323)</u>	<u>(4,865)</u>	<u>(21,512)</u>
Income (Loss) Before Capital Contributions	<u>(35,200)</u>	<u>(26,030)</u>	<u>24,980</u>	<u>(36,250)</u>
Capital Contributions:				
Contribution in aid of construction	-	-	-	-
CHANGE IN NET POSITION	<u>(35,200)</u>	<u>(26,030)</u>	<u>24,980</u>	<u>(36,250)</u>
NET POSITION - BEGINNING	<u>252,413</u>	<u>397,808</u>	<u>587,670</u>	<u>1,237,891</u>
NET POSITION - ENDING	<u>\$ 217,213</u>	<u>\$ 371,778</u>	<u>\$ 612,650</u>	<u>\$ 1,201,641</u>

The accompanying notes are an integral part of these financial statements.

CITY OF DRAKESBORO, KENTUCKY

Statement of Cash Flows

Proprietary Funds

For the Year Ended June 30, 2016

INCREASE (DECREASE) IN CASH AND CASH EQUIVALENTS

	Business Type Activities - Enterprise Funds			
	WATER FUND	SEWER FUND	NATURAL GAS FUND	TOTAL
CASH FLOWS FROM OPERATING ACTIVITIES				
Cash received from customers	\$ 137,569	\$ 115,824	\$ 377,601	\$ 630,994
Cash payments to suppliers	(119,896)	(101,239)	(276,626)	(497,761)
Cash payments to employees	(15,288)	(15,288)	(92,097)	(122,673)
Other income	-	-	-	-
Net Cash Provided by (Used in) Operating Activities	<u>2,385</u>	<u>(703)</u>	<u>8,878</u>	<u>10,560</u>
CASH FLOWS FROM NON-CAPITAL FINANCING ACTIVITIES				
Transfers to Other Funds	-	-	-	-
Transfers from Other Funds	-	-	-	-
Net Cash Provided by (Used in) Non-Capital Financing Activities	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
CASH FLOWS FROM CAPITAL AND RELATED FINANCING ACTIVITIES				
Acquisition of capital assets	-	-	(248,093)	(248,093)
Principal paid on revenue bonds and notes	(11,500)	(11,500)	-	(23,000)
Net borrowings on line of credit	-	-	158,558	158,558
Interest paid on debt	(8,328)	(8,327)	(4,881)	(21,536)
Net Cash Used in Capital and Related Financing Activities	<u>(19,828)</u>	<u>(19,827)</u>	<u>(94,416)</u>	<u>(134,071)</u>
CASH FLOWS FROM INVESTING ACTIVITIES				
Interest on investments	<u>4</u>	<u>4</u>	<u>16</u>	<u>24</u>
NET INCREASE (DECREASE) IN CASH AND CASH EQUIVALENTS	<u>(17,439)</u>	<u>(20,526)</u>	<u>(85,522)</u>	<u>(123,487)</u>
CASH AND CASH EQUIVALENTS AT BEGINNING OF YEAR	<u>37,823</u>	<u>118,859</u>	<u>228,473</u>	<u>385,155</u>
CASH AND CASH EQUIVALENTS AT END OF YEAR	<u>\$ 20,384</u>	<u>\$ 98,333</u>	<u>\$ 142,951</u>	<u>\$ 261,668</u>

The accompanying notes are an integral part of these financial statements.

CITY OF DRAKESBORO, KENTUCKY

Statement of Revenue, Expenses, And Changes in Net Position - Proprietary Funds For the Year Ended June 30, 2017

	WATER FUND	SEWER FUND	NATURAL GAS FUND	TOTAL PROPRIETARY FUNDS
Operating revenue:				
Current use charges	\$ 132,027	\$ 146,118	\$ 354,671	\$ 632,816
Reconnect and tap fees	-	-	-	-
Late charges and penalties	4,654	-	5,138	9,792
Miscellaneous revenue	8,408	-	3,613	12,021
Gas franchise revenue	-	3,534	-	3,534
Gain on sale of assets	-	-	-	-
Total Operating Revenue	<u>145,089</u>	<u>149,652</u>	<u>363,422</u>	<u>658,163</u>
Operating expenses:				
Contract purchases	85,024	-	165,750	250,774
Payroll costs	14,944	14,944	88,623	118,511
Supplies and materials	4,951	31,647	11,757	48,355
Repair and maintenance	23,066	26,317	24,830	74,213
Utilities	-	27,433	12,867	40,300
Insurance	13,088	13,088	43,748	69,924
Purchased services	1,500	1,500	21,129	24,129
Depreciation expense	32,071	19,237	38,660	89,968
Taxes and licenses	460	-	1,624	2,084
Franchise costs	-	-	7,067	7,067
Seminars and training	75	175	2,414	2,664
Other costs	1,561	101	12,070	13,732
Total Operating Expenses	<u>176,740</u>	<u>134,442</u>	<u>430,539</u>	<u>741,721</u>
Total Operating Income (Loss)	<u>(31,651)</u>	<u>15,210</u>	<u>(67,117)</u>	<u>(83,558)</u>
Non-operating revenue (expenses):				
Interest revenue	4	4	11	19
Interest expense	(7,744)	(7,743)	(7,023)	(22,510)
Total Non-operating Revenue (Expenses)	<u>(7,740)</u>	<u>(7,739)</u>	<u>(7,012)</u>	<u>(22,491)</u>
Income (Loss) Before Capital Contributions	<u>(39,391)</u>	<u>7,471</u>	<u>(74,129)</u>	<u>(106,049)</u>
Capital Contributions:				
Contribution in aid of construction	-	-	-	-
CHANGE IN NET POSITION	<u>(39,391)</u>	<u>7,471</u>	<u>(74,129)</u>	<u>(106,049)</u>
NET POSITION - BEGINNING	<u>217,212</u>	<u>371,778</u>	<u>612,650</u>	<u>1,201,640</u>
NET POSITION - ENDING	<u>\$ 177,821</u>	<u>\$ 379,249</u>	<u>\$ 538,521</u>	<u>\$ 1,095,591</u>

The accompanying notes are an integral part of these financial statements.

CITY OF DRAKESBORO, KENTUCKY

Statement of Cash Flows

Proprietary Funds

For the Year Ended June 30, 2017

INCREASE (DECREASE) IN CASH AND CASH EQUIVALENTS

	Business Type Activities - Enterprise Funds			TOTAL
	WATER FUND	SEWER FUND	NATURAL GAS FUND	
CASH FLOWS FROM OPERATING ACTIVITIES				
Cash received from customers	\$ 140,060	\$ 143,594	\$ 393,399	\$ 677,053
Cash payments to suppliers	(129,565)	(99,756)	(306,228)	(535,549)
Cash payments to employees	(14,944)	(14,944)	(88,623)	(118,511)
Other income	-	-	-	-
Net Cash Provided by (Used in) Operating Activities	(4,449)	28,894	(1,452)	22,993
CASH FLOWS FROM NON-CAPITAL FINANCING ACTIVITIES				
Transfers to Other Funds	-	-	-	-
Transfers from Other Funds	-	-	-	-
Net Cash Provided by (Used in) Non-Capital Financing Activities	-	-	-	-
CASH FLOWS FROM CAPITAL AND RELATED FINANCING ACTIVITIES				
Acquisition of capital assets	-	-	(19,175)	(19,175)
Principal paid on revenue bonds and notes	(12,500)	(12,500)	(14,513)	(39,513)
Net borrowings on line of credit	-	-	16,442	16,442
Interest paid on debt	(7,744)	(7,743)	(7,023)	(22,510)
Net Cash Used in Capital and Related Financing Activities	(20,244)	(20,243)	(24,269)	(64,756)
CASH FLOWS FROM INVESTING ACTIVITIES				
Interest on investments	4	3	10	17
NET INCREASE (DECREASE) IN CASH AND CASH EQUIVALENTS	(24,689)	8,654	(25,711)	(41,746)
CASH AND CASH EQUIVALENTS AT BEGINNING OF YEAR	20,384	98,333	142,951	261,668
CASH AND CASH EQUIVALENTS AT END OF YEAR	\$ (4,305)	\$ 106,987	\$ 117,240	\$ 219,922

The accompanying notes are an integral part of these financial statements.

CITY OF DRAKESBORO, KENTUCKY

Statement of Revenue, Expenses, And Changes in Net Position - Proprietary Funds For the Year Ended June 30, 2018

	WATER FUND	SEWER FUND	NATURAL GAS FUND	TOTAL PROPRIETARY FUNDS
Operating revenue:				
Current use charges	\$ 133,303	\$ 114,103	\$ 471,762	\$ 719,168
Reconnect and tap fees	-	-	-	-
Late charges and penalties	2,249	2,269	10,936	15,454
Miscellaneous revenue	14	14	-	28
Gas franchise revenue	-	4,402	-	4,402
Gain on sale of assets	-	-	-	-
Total Operating Revenue	135,566	120,788	482,698	739,053
Operating expenses:				
Contract purchases	81,680	-	210,822	292,502
Payroll costs	14,963	14,963	89,635	119,561
Supplies and materials	6,193	26,748	10,967	43,908
Repair and maintenance	2,131	15,499	16,724	34,354
Utilities	-	25,987	13,692	39,679
Insurance	12,216	12,216	49,934	74,366
Purchased services	1,500	1,500	20,442	23,442
Depreciation expense	32,071	19,237	36,864	88,172
Taxes and licenses	460	-	1,963	2,423
Franchise costs	-	-	8,804	8,804
Seminars and training	188	188	2,542	2,918
Other costs	1,316	12	13,377	14,705
Total Operating Expenses	152,718	116,350	475,766	744,834
Total Operating Income (Loss)	(17,152)	4,438	6,932	(5,781)
Non-operating revenue (expenses):				
Interest revenue	4	4	9	17
Interest expense	(7,124)	(7,123)	(9,005)	(23,252)
Total Non-operating Revenue (Expenses)	(7,120)	(7,119)	(8,996)	(23,235)
Income (Loss) Before Capital Contributions	(24,272)	(2,681)	(2,064)	(29,016)
Capital Contributions:				
Contribution in aid of construction	-	-	-	-
CHANGE IN NET POSITION	(24,272)	(2,681)	(2,064)	(29,016)
NET POSITION - BEGINNING	177,821	379,249	538,521	1,095,591
NET POSITION - ENDING	\$ 153,549	\$ 376,568	\$ 536,457	\$ 1,066,575

The accompanying notes are an integral part of these financial statements.

CITY OF DRAKESBORO, KENTUCKY

Statement of Cash Flows
Proprietary Funds
For the Year Ended June 30, 2018

INCREASE (DECREASE) IN CASH AND CASH EQUIVALENTS

	Business Type Activities - Enterprise Funds			TOTAL
	WATER FUND	SEWER FUND	NATURAL GAS FUND	
CASH FLOWS FROM OPERATING ACTIVITIES				
Cash received from customers	\$ 138,900	\$ 121,432	\$ 460,474	\$ 720,806
Cash payments to suppliers	(105,888)	(84,345)	(349,602)	(539,835)
Cash payments to employees	(14,963)	(14,963)	(89,635)	(119,561)
Other income	-	-	-	-
Net Cash Provided by (Used in) Operating Activities	<u>18,049</u>	<u>22,124</u>	<u>21,237</u>	<u>61,410</u>
CASH FLOWS FROM NON-CAPITAL FINANCING ACTIVITIES				
Transfers to Other Funds	-	-	-	-
Transfers from Other Funds	-	-	-	-
Net Cash Provided by (Used in) Non-Capital Financing Activities	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
CASH FLOWS FROM CAPITAL AND RELATED FINANCING ACTIVITIES				
Acquisition of capital assets	-	-	-	-
Principal paid on revenue bonds and notes	(13,000)	(13,000)	(14,995)	(40,995)
Net borrowings on line of credit	(7,124)	(7,123)	(9,005)	(23,252)
Interest paid on debt	(20,124)	(20,123)	(24,000)	(64,247)
Net Cash Used in Capital and Related Financing Activities	<u>(27,248)</u>	<u>(27,246)</u>	<u>(28,000)</u>	<u>(82,504)</u>
CASH FLOWS FROM INVESTING ACTIVITIES				
Interest on investments	4	4	9	17
NET INCREASE (DECREASE) IN CASH AND CASH EQUIVALENTS	<u>(2,071)</u>	<u>2,005</u>	<u>(2,754)</u>	<u>(2,820)</u>
CASH AND CASH EQUIVALENTS AT BEGINNING OF YEAR	<u>(4,305)</u>	<u>106,987</u>	<u>117,240</u>	<u>219,922</u>
CASH AND CASH EQUIVALENTS AT END OF YEAR	<u>\$ (6,376)</u>	<u>\$ 108,992</u>	<u>\$ 114,486</u>	<u>\$ 217,102</u>

The accompanying notes are an integral part of these financial statements.

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