

**CITY OF PIKEVILLE
BOARD OF COMMISSIONERS
SPECIAL MEETING MINUTES
APRIL 21, 2006**

The Board of Commissioners for the City of Pikeville met in Special Meeting on Friday, April 21, 2006. The meeting was held in the City Hall Public Meeting Room located at 118 College Street, Pikeville, Kentucky.

The meeting was called for the following purposes:

1. Consider second reading and adoption of an ordinance declaring intention to annex approximately 834.886 acres northwest of the existing corporate limits on Buckley's Creek along U.S. Highway 119
2. Consider second reading and adoption of an ordinance declaring intention to annex approximately 1045.21 acres northwest of the existing corporate limits along the Levisa Fork of the Big Sandy River on Big Shoal and Keyser Branch

There being a quorum present, Mayor Franklin D. Justice, II called the meeting to order at 12:20 p.m. Commission Members present at roll call were as follows:

COMMISSIONER:	DALLAS LAYNE EUGENE W. DAVIS JAMES A. CARTER
MAYOR:	FRANKLIN D. JUSTICE, II

Commissioner M. Shane Hall was absent.

Property owners, Ben Cassidy, Bob VanHoose and Bill VanHoose were present.

City Attorney Davis presented and gave second reading to an ordinance entitled as follows:

ORDINANCE DECLARING THE INTENTION OF THE CITY OF PIKEVILLE TO ANNEX CERTAIN UNINCORPORATED TERRITORY LYING ADJACENT TO THE PRESENT CITY CORPORATE LIMITS AND COMPRISING OF APPROXIMATELY 834.886 ACRES EXTENDING THE CITY'S CORPORATE LIMITS ON THE NORTHWEST OF THE EXISTING CORPORATE LIMITS ON BUCKLEYS CREEK ALONG U.S. HIGHWAY 119 (O-2006-004)

Mayor Justice made the motion to adopt the Ordinance. Commissioner Layne seconded the motion.

During the call for discussion, Bob VanHoose told the Commission that he did not receive a certified notice that second reading of the ordinance was scheduled. City

Manager Blackburn advised that notices were sent to the addresses that are on file with the Property Valuation Administrator's Office. He further advised that the statute does not provide that the notice must be sent by certified mail. The city manager pointed out that statutory provisions for calling Special Meetings were followed.

Bob VanHoose commented that Commissioner Carter should abstain from voting on the issue due to a conflict of interest. Mr. VanHoose advised that Commissioner Carter subleases office space in a building that is owned by Mr. VanHoose and his family. City Attorney Davis pointed out that the building subleased by Commissioner Carter is not located in the area proposed for annexation. He opined that Commissioner Carter does not have a conflict of interest due to the sublease.

There being no further comments, Mayor Justice called for a vote. The motion to adopt the ordinance carried by the following votes:

COMMISSIONER:	DALLAS LAYNE	YES
	EUGENE W. DAVIS	ABSTAIN
	JAMES A. CARTER	YES
MAYOR:	FRANKLIN D. JUSTICE, II	YES

2. City Attorney Davis presented and gave second reading to an ordinance captioned as follows:

ORDINANCE DECLARING THE INTENTION OF THE CITY OF PIKEVILLE TO ANNEX CERTAIN UNINCORPORATED TERRITORY LYING ADJACENT TO THE PRESENT CITY CORPORATE LIMITS AND COMPRISING OF APPROXIMATELY 1045.21 ACRES EXTENDING THE CITY'S CORPORATE LIMITS ON THE NORTHWEST OF THE EXISTING CORPORATE LIMITS ALONG THE LEVISA FORK OF THE BIG SANDY RIVER ON BIG SHOAL AND KEYSER BRANCH (O-2006-005)

Mayor Justice made the motion to adopt the ordinance as presented and given second reading. Commissioner Layne seconded the motion. The motion carried by the following votes:

COMMISSIONER:	DALLAS LAYNE	YES
	EUGENE W. DAVIS	ABSTAIN
	JAMES A. CARTER	YES
MAYOR:	FRANKLIN D. JUSTICE, II	YES

There being no further business to come before the Commission, Commissioner Davis made the motion, seconded by Commissioner Layne to adjourn the meeting. The motion carried 4 – 0.

APPROVED: _____
FRANKLIN D. JUSTICE, II, MAYOR

ATTEST:

KAREN W. HARRIS, CITY CLERK