

CITY OF PIKEVILLE  
BOARD OF COMMISSIONERS  
REGULAR MEETING MINUTES  
JUNE 23, 2008 at 6:00 PM

The Board of Commissioners for the City of Pikeville met in regular session on Monday, JUNE 23, 2008. The meeting was held in the City Hall Public Meeting Room located at 118 College Street, Pikeville, Kentucky.

There being a quorum present, Mayor Franklin D. Justice, II called the meeting to order at 6:00 p.m. Commission Members present at roll call were as follows:

COMMISSIONER:           JIMMY CARTER  
                                  BARRY CHANEY  
                                  DALLAS LAYNE  
                                  EUGENE DAVIS

MAYOR:                   FRANKLIN D. JUSTICE, II

The minutes for the previous regular meeting held on June 9, 2008 were in each commission member's agenda package along with Amended Minutes of the August 28, 2007 to correct a typing error on ordinance no. 0-2007-024 and the Amended Minutes of the December 12, 2007 Special Commission Meeting to correct an error in reference to annex of City Limits were After review and no other additions or corrections, Commissioner Chaney made the motion to approve the minutes as prepared. Commissioner Carter seconded the motion. Mayor Justice called for discussion, there being none the Mayor called for the vote. The motion carried unanimously.

A list of City Bills totaling \$137,832.03 was presented to the Commission for approval of payment. Commissioner Chaney made the motion to approve. Commissioner Carter seconded the motion. Mayor Justice called for discussion, there being none the Mayor called for the vote. The motion carried unanimously.

Mayor Justice addressed the meeting attendees for business from the floor. John Michael Johnson was presented in reference to the Cline Family receiving un-mined mineral tax bill from the City. Grace Ratliff, Tax Administrator for the City informed Mr. Johnson that a representative from the Kentucky State Office, Jason Mills in Frankfort contacted the City to see if the City would like the Sheriffs Department to collect this tax for a 4% collection fee and the City decided to collect it and save the fee. The information and map was provided from the state office for collection. City Attorney, Rusty Davis advised the Board of Commission that the state statue allowed for the City to collect unbilled taxes not collect in error for the previous 7 years.

City Engineer Jack Sykes presented the Commission with an application of various grants for the purpose of the Marion's Branch/Island Creek sewer project. City Manager requested the commission authorize the City to apply for the various grants as outlined in

the funding plan sheet submitted to the commission. The City would use Summit Engineer and Big Sandy Area Development District to make application. The plan consisted of a \$4,525,000 project. This included the application of \$1,000,000 for CDBG, \$1,000,000 for EDA, \$300,000 for Rural Development & \$325,000 in ARC grants. Commissioner Carter made the motion to approve. Commissioner Layne seconded the motion. Mayor Justice called for discussion, there being none the Mayor called for the vote. Motion passed unanimously.

City Manager Donovan Blackburn requested the Commission authorize that Surveys to be done for the Marion Branch sewer project on Island Creek. The purpose of the surveys is to ensure that the City of Pikeville would qualify for application for various grants such as EDA, CDBG etc. The requirements of these grants are that 51% of the households are within the poverty level set by the terms of the grant. The request allows the City to spend up to \$5,000.00 for the cost of the service. Greg May with UMG would be overseeing the project. Big Sandy Add District would generate the information for the surveyor to complete the task. The funds would be paid to the hired surveyor as approved by the City Manager. Commissioner Chaney made the motion to approve. Commissioner Davis seconded the motion. Mayor Justice called for discussion, there being none the Mayor called for the vote. Motion passed unanimously.

City Engineer Jack Sykes presented the Commission with the opinion of probable project cost Proposed Marion Branch Sewer Extension Project, SX-21195124. Commission Dallas Layne made the motion to approve for \$262,680.90 contingent upon the single county coal severance funds are available to the city from DLG and a MOA is signed by both DLG & City before final authorization to proceed on this project by the City Manager. Commissioner Chaney seconded the motion. Mayor Justice called for discussion, there being none the Mayor called for the vote. Motion passed unanimously.

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

AN ORDINANCE AMENDING CHAPTER 50 SOLID WASTE MANAGEMENT  
ORDINANCE AMENDING TRANSFER STATION FEES  
(Ordinance Number: O-2008-016)

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

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

City Manager, Donovan Blackburn presented a request to consider applicant Lisa G. Justice to the position of Dispatch at the starting rate per city personnel policy chart rate, contingent upon her passing all required pre employment testing for the position. Commissioner Carter made the motion to approve. Commissioner Davis seconded the motion. Mayor Justice called for discussion, there being none the Mayor called for the vote. Motion passed unanimously.

City Manager, Donovan Blackburn presented a request to approve the bid submitted by East KY Water Company for the purchase and installation of 2 new fountains for the Pikeville Pond in the amount of \$22,958.00, not including the cost of the City of Pikeville job permit. Commissioner Davis made the motion to approve. Commissioner Carter seconded the motion. Mayor Justice called for discussion, there being none the Mayor called for the vote. Motion passed unanimously.

City Manager, Donovan Blackburn requested to withdraw the bid proposal for the City owned property located at Saad Avenue and to re-bid at a later date as he would select. Commissioner Chaney made the motion to approve request. Commissioner Carter seconded the motion. Mayor Justice called for discussion, there being none the Mayor called for the vote. Motion passed unanimously.

City Manager, Donovan Blackburn requested closed session to discuss legal, economic development and personnel issues. Commissioner Layne made the motion to approve. Commissioner Carter seconded. Mayor Justice called for discussion, there being none the Mayor called for the vote. Motion passed unanimously.


Commissioner Carter made the motion to reconvene the meeting into regular session. Commissioner Layne seconded the motion. Mayor Justice called for discussion, there being none the Mayor called for the vote. Motion passed unanimously.

City Manager, Donovan Blackburn requested permission to allow the city property behind UMG going up towards Bob Amos Park to be prospected for Coal. The intent would see if Coal amount and quality would be available in the hollow for the possibility of future mining. Blackburn requested he have permission to write a letter of authorization and sign on cities behalf authorizing this process, contingent upon the company that does the prospecting is required to provide the city a copy of their findings. These terms would be included in the body of the letter of permission. Commissioner Layne seconded. Mayor Justice called for discussion, there being none the Mayor called for the vote. Motion passed unanimously.

There being no further business to come before the Commission, Commissioner Davis made the motion to adjourn the meeting. Commissioner Carter seconded the motion. Mayor Justice called for discussion, there being none the Mayor called for the vote. The motion carried unanimously.

The next scheduled Regular Meeting of the City of Pikeville Board of Commissioners is July 14, 2008 at 6:00 p.m.


APPROVED:



---

FRANKLIN D. JUSTICE, II MAYOR

ATTESTED:



---

REBECCA HAMILTON, CITY CLERK