

December 22, 2015

The Russell Springs City Council held a special called meeting this date at City Hall at 6:00 p.m. In attendance were Damon Talley, Wanda Burton, Terry Russell, Mike Scales, David Blakey, Sherry Daniel, Ricky Barnes, Tommy Holt, Timmy Hudson, Eddie Thomas, Matthew DeHart, Eric Selby and Wendy Burton.

1. Mayor Eric Selby called the meeting to order.
2. **Sherry Daniel made the motion at 6:00 p.m. to enter into executive session pursuant to KRS 61.810 1 (c) for discussions of proposed or pending litigation against or on behalf of the public agency. Tommy Holt seconded the motion. Motion carried 6-0.**
3. **Timmy Hudson made the motion at 7:31 p.m. to reconvene from executive session. Eddie Thomas seconded the motion. Motion carried 6-0.**
4. **Possible Action Taken: Eddie Thomas made the motion to approve the Proposed Settlement Proposal and have the Proposal attached to the minutes and submitted to the Attorney for the City of Jamestown. Ricky Barnes seconded the motion. Roll call vote: Tommy Holt-yes; Ricky Barnes-yes; Eddie Thomas-yes; David Blakey-yes; Timmy Hudson-yes; Sherry Daniel-yes. Motion carried 6-0.**
5. **David Blakey made the motion to adjourn. Timmy Hudson seconded the motion. Motion carried 6-0.**


Eric Selby, Mayor

ATTEST: Wendy Burton
Wendy Burton, City Clerk

Interim Settlement Proposal

RE: Jamestown – Russell Springs Sewer Billing Dispute

1. Effective with the date this Interim Settlement Proposal is approved by the Jamestown City Council and continuing through June 30, 2016, Russell Springs will pay Jamestown for an assumed (estimated) sewer flow of 15,000,000 gallons per month times \$3.45 per 1,000 gallons (15,000 x \$3.45 = \$51,750).
2. Russell Springs will be credited for all sewer payments it has already made for these billing periods.
3. Once the new flow meter is installed by Russell Springs, calibrated, and is accurately measuring the sewer flow to the satisfaction of both Parties, the Parties may elect to start using the actual flow volume rather than using the estimated 15,000,000 gallons.
4. The issue of the outstanding balance allegedly owed by Russell Springs, which Russell Springs denies owing, is left unresolved at this time.
5. The Parties agree to continue negotiating in good faith to resolve all other outstanding issues.
6. Neither Party waives any of its rights under the Wastewater Treatment Contract dated April 29, 1994.
7. Each Party reserves any and all legal defenses it may have.