

CITY OF SMITHS GROVE
SMITHS GROVE, KY. 42171

Minutes of the meeting of the Board of Trustees of the City of Smiths Grove.

The Board met in regular session at the American National Bank and Trust Company on Tuesday, June 6, 1971 with all active members present.

Maxie Harlin III, attorney was present to present a Resolution to be enacted at a regularly scheduled meeting. This resolution had been previously enacted at a Special Meeting and was reenacted at the regular meeting. Trustee Powell made a motion that we accept the resolution as presented. Trustee Joe Lowe seconded the motion. There were no dissenting votes.

2. Trustee Powell reported the paring lot in front on his store can be improved by the Highway Department. It is not as effective as before because of the large curb. David Watkins says they will level this off if a fire plug and and a light pole are moved. Mr. Watkins will advise the clerk as to the proper letter to write concerning this.

3. The large lawn mower at the cemetery is not working but is being repaired.

4. A replacement for Joe Kirn was discussed. Mr. Kirn has moved out of the City. Jerry Lawson was the unanimous choice of the Board. Trustee McGuffey made a motion that we contact him. Trustee Powell seconded the motion. There were no dissenting votes. Mr. McGuffey is to personally contact him.

5. Trustee McGuffey reported a State Trooper caught James Whittle and took him to Mr. Blue and Mr. Blue would not schedule a trial. The trooper says if we are not going to hold a trial, he will move it to another Court. Chairman Melton is to contact Mr. Blue.

There being no further business, the meeting adjourned until the next regularly scheduled meeting.

Gertie Bybee, Clerk

T. C. MELTON, CHAIRMAN

MINUTES OF THE MEETING OF
THE BOARD OF TRUSTEES OF
THE CITY OF SMITHS GROVE, A SIXTH
CLASS CITY

RESOLUTION

Whereas, on motion duly made by William Powell and regularly seconded by Joe K Lowe the following resolution originally enacted on the 23rd day of March, 1971 is hereby reenacted, adopted and ratified:

RESOLVED, Whereas, certain persons acting on behalf of Swift & Company and other possible defendants wrongfully dumped certain substances into sinkholes and other areas which might reasonably be expected to adversely affect the city's water supply, and,

Whereas, said substances did, in fact, cause substantial damage to the city and cause the city to expend sums of money in an attempt to partially alleviate the damages and,

Whereas, it is in the best interest of the city that legal acts be commenced against those persons and/or corporations which are legally responsible for the damage and pollution of the city's water supply and to enjoin them from any future discharge of substances into the city's water supply.

NOW, THEREFORE, the Chairman be and he is hereby authorized to enter into a contract for legal services with the law firm of Harlin, Parker, Lucas & English, Bowling Green, Kentucky to institute settlement negotiations, lawsuits, injunctive procedures and take such other legal action as our attorneys may deem necessary. Our attorneys shall be paid 25 per cent of any and all sums received in settlement or compromise without the institution of suit, 33 1/3 per cent of any and all sums received after suit is commenced and 40 per cent of any and all sums obtained if appeal is taken from a final judgment of the trial court. The city shall be obligated for actual out-of-pocket expenses to our attorneys which shall include court costs and depositions.

It is anticipated that these out-of-pocket expenses shall not exceed \$250.00 and before the city shall be obligated for out-of-pocket expenses in excess of \$250.00 the approval of this Board shall first be obtained.

Voting "Aye": Joe K. Lowe, William Powell,

Harold B. McGuffey, J. C. Melton .

Voting "Nay": Nil .

The above resolution heretofore duly enacted at a Special Meeting of the Board of Trustees at the City of Smiths Grove, Kentucky, a sixth class city, on the 23rd day of March, 1971, was reenacted, adopted and ratified at a Regular Meeting of the Board of Trustees at the City of Smiths Grove, Kentucky, a sixth class city, on the 6th day of July, 1971.

J. C. Melton
Chairman

ATTEST:

Gertie B. Ryker
Secretary