

RICHARDSON, CONTINUED FROM PAGE A3

Public Forum

For 15 minutes before the start of the special called meeting, a public forum was held regarding only budget concerns.

Within the forum, Hatcher discussed two sinkhole repairs, one on Grinstead Mill Road and one on Second Street behind the gazebo, each of which cost over \$90,000 to repair.

He also discussed the approval, eight years ago, for TAP (Transportation Alternatives Program) grant funds for sidewalks from Second Street, down Wall Street to the gazebo.

"They're good, they just take a while to approve," said Hatcher, of the eight-year delay of grant funds.

Hatcher and Bagshaw mentioned a desire to extend the sidewalk down 31W south, and Cline added that citizens had expressed a desire for a sidewalk on the other side of the interstate.

"In my opinion, that would be another good possibility to look into," said Hatcher. "All these things we're more than willing to discuss and see."

A citizen asked about patching on the industrial road. Hatcher explained that the gravel road is partially privately owned.

Special Called Meeting

At the start of the special called meeting, Bobby Richardson provided the second reading of the amended 2025-2026 budget as well as the budget for the fiscal year beginning July 1, 2026 and ending June 30, 2027. Both passed unanimously.

Cline asked which departments submitted requests but were not included in the budget. Hatcher explained Public Works would have to rely on capital outlay. The fire department is also in need of air packs, which can be aided with capital outlay. Cline asked how many meetings the Budget Committee had hosted. Denny Doyle could not recall but Andrew Bagshaw said there had been three since he joined.

Cave City attorney Bobby Richardson then addressed the council and the crowd.

"At the end of this year, I will have been city attorney here for 57 years," said Richardson. "Not planning to resign before the end of my term, and I've always given the advice that I thought was based on the law. Not everyone has always been happy with it, but I advised what I thought was best. We've never been sued because I gave wrong

advice, but I've never been impliedly accused of having a conflict of interest with the City of Cave City. It absolutely makes me angry to have that said. That's what brings me to this point. Most of you saw the article that was put on the social media; Brennan Crain's article. The headline made it appear that I had some conflict of interest. Had a picture of me on there... You know, Elaine came with me tonight to comb my hair. You know, if I look like that all time, I need to stay at home, because I'll scare little kids. So, I've never been accused of being handsome, but at least I don't normally look like that. Background; after many years, we heard the Branstetter property had sold and was going to be available for development, and everybody was tickled to death. They were enthusiastic about that. Something's finally gonna happen in Cave City. I was enthusiastic about it, and they asked to be annexed into the city, and the city council, unanimously, gladly accepted them into the city.

They went before the planning commission, not the city council, not me, before the planning commission, and they had a public hearing, and they awarded them an I2 (Heavy Industrial) zone. And the city council accepted

that as a zone. Nobody knew what they were gonna do with the property. We were just glad that it was done."

Richardson then explained the legal pipeline of a zoning amendment, tracking the process from the initial planning commission application and mandatory public hearing to the drafting of the final ordinance for the council's consideration.

Richardson addressed the Branstetter property directly, maintaining that no one officially knew a data center was coming. He admitted he had heard rumors of a "distribution center" and got involved personally when developers hired him to legally relocate an abandoned cemetery halting construction on the site. Richardson emphasized that the process was done entirely in the open through the Fiscal Court, and stating that industrial developers are notoriously "finicky" about keeping their identities hidden.

When pressed on what legal advice he gave city leaders during closed-door sessions regarding his dual role, Richardson invoked attorney-client privilege, stating he's a lawyer, not a gossip, and noted that only the city has the power to waive that confidentiality.

"The mayor has given me the authority to speak, and I'm going to speak and tell the public that I did not have a conflict of interest," he continued. "Once that lawsuit and (cemetery) removal was done, I was done with them, nothing else, but we needed to avoid the appearance of a conflict. I would not represent the city, but there was a reason I would not represent the city. I'm not accepting a new term as city attorney here. I told the mayor that a year ago. I am done after 57 years. Seven mayors, a host of council, I've enjoyed 95% of it... But I wasn't going to tell that until the mayor said (I could) break the confidentiality. So I'm telling the public now, I declined to represent this city because of conflict, and because I'm leaving at the end of the year, and I do not want to leave the city, in other words, make them change horses in the middle of the stream. That wouldn't be fair or reasonable. You all passed an ordinance of motion, rather, for the mayor to engage counsel, and for me assist him, and I've done that."

Richardson then explained he has found outside legal counsel well-versed in municipal litigation who can step in to represent Cave City moving forward.

"Now this article about me was designed to ridicule me and make me look bad and it worked," added Richardson. "I saw all the nasty comments of people who didn't know the facts. Now you know the facts, and if I'm not telling you the facts exactly as they are, then I'll stand corrected, but I believe I told you exactly like it is. Now, I've not got any conflict... It was public record when I finished the case, so I've said all about this I'm going to say period except for one thing. I know how President Trump feels."

The Council went into closed session to discuss the matter, and upon returning to open session, voted unanimously to hire the law firm of English, Lucas, Priest, and Owsley out of Bowling Green to represent the city in its ongoing litigation with Kentucky Industrial Alliance LLC.

Cave City Attorney Bobby Richardson, right, speaks during a special called meeting as Mayor Dwayne Hatcher, left, looks on. Richardson announced he will not seek another term at the end of the year, stating the choice was made a year ago, while strongly denying conflict of interest claims regarding the Branstetter property at the heart of the Data Center controversy.

JOHNSON, CONTINUED FROM PAGE A1

tee agreed to recommend installing utility services and improving one or both entrances to the property and eventually connecting them with a gravel road.

One entrance is on Highway 1297, while the other is on Sorenson Road. The property's address is 1573 Cleveland Ave./Highway 1297.

"We don't want to build the future of this property when there's no clear path," Mayor Henry Roysse told committee members.

He said incentives are important to attract developers, and the property needs utilities, so committee members agreed to pursue utilities installation first at an estimated cost of about \$400,000 and develop one or two entrances to support construction equipment.

The proposed utilities installation would include sewer connections off Highway 1297, casing for water, and gas and electric lines.

They agreed that any developers might have other ideas regarding where an access road should be built, and installing a gravel road would be more afford-

able at about \$400,000 and easier to adjust as needed before installing a paved road sometime in the future.

Many anticipate a sports complex being built on the property that would attract locals and make it more appealing for investors to buy and develop lots.

Roysse said it's uncertain if the proposed sports complex will be done. Those backing the proposed sports center secured \$10 million from the state already and might seek another \$10 million, but it's possible that no sports facility will be built without the full amount.

A sports facility would provide a strong incentive for investors and developers, but city officials can't promise something that they might not be able to deliver, the mayor explained.

Committee members agreed that instead of moving forward with plans that include a sports facility, the initial development should be more flexible so that other investors and developers could best determine where to build a permanent road with curbs and drainage at an estimated cost of \$2.2 million.

A lesser road, with paved entrances that are connected by a gravel access road, would be more affordable and flexible as the project evolves and its planned development becomes clearer.

The city has allocated \$500,000 to develop the property during the 2026-27 fiscal year that starts on July 1 and runs through June 30, 2027. That's enough to move ahead with

utilities installation and maybe developing one or two entrances during the upcoming fiscal year.

The city's 2025-26 fiscal year budget allocated \$800,000 for

development during the current fiscal year that ends on June 30, but only \$64,000 had been spent as of May, and any remaining funds do not carry over to the next fiscal year.

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