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Wednesday, January 30, 2019

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Jailer, deputies face wrongful death suit

By MARY MEADOWS
STAFF WRITER

A wrongful death lawsuit was filed recently against the Floyd County jailer and five unnamed individuals who worked at the jail in June 2018, when inmate Adam Potter was killed.

The lawsuit, filed by Julia Vanderpool, as the administratrix of the estate of Adam David Potter, seeks damages from

See LAWSUIT, Page 9A

AG seeks investigation of Southern, asset transfer

By MARY MEADOWS
STAFF WRITER

Southern Water and Sewer District's application for a rate increase that would boost the average customer bill by about 32 percent has been submitted to the Kentucky Public Service Commission for a ruling.

PSC officials announced during a hearing this month that it will issue its order soon.

On Monday, however, after the case had been submitted to the PSC for a ruling, David Layne, treasurer of the Floyd County Fiscal Court, filed nearly 70 pages of documents pertaining to the \$2 million bond the fiscal court backed for Southern Water years ago, alleging that Southern still owes the Floyd County Fiscal Court for that bond.

Justin McNeil of the Kentucky Attorney General's Office of Rate Intervention, then filed a motion asking the PSC for permission to add information to his already-submitted post-hearing brief in the case, citing Layne's filing and saying that the office believes that filing

See SOUTHERN, Page 9A

On the road to Rupp



Ten Floyd County schools are advancing to the state Student Technology Leadership Program competition. Adams Middle School students, left, and other schools earned that honor during the regional STLP competition, which was held Jan. 23 at the East Kentucky Expo Center.

Submitted photo

Floyd students to advance to state STLP competition

A FLOYD CHRONICLE AND TIMES
STAFF REPORT

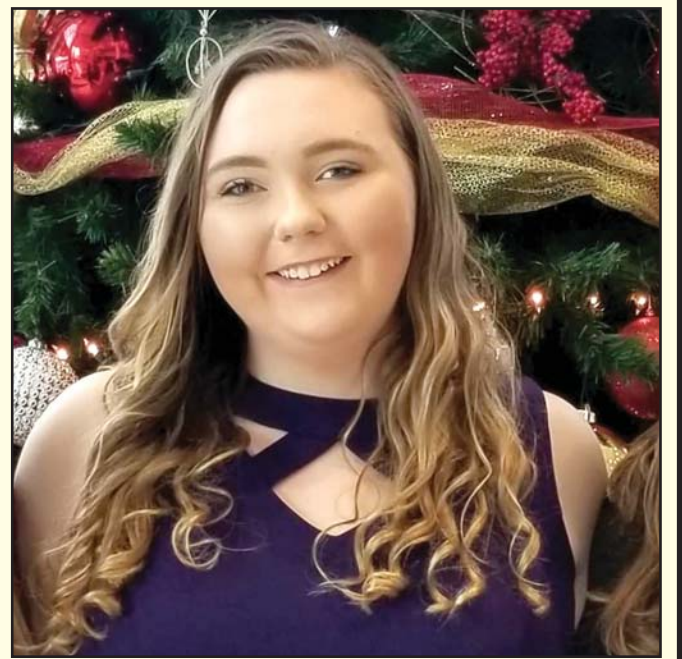
Superintendent Danny Adkins recently announced that 10 schools are advancing to Rupp Arena for the State Student Technology Leadership Program scheduled for April 18. Students advancing to state-level competed in the regional STLP competition at the East Kentucky EXPO Center on Jan. 23.

"Let me begin by saying that Eastern Kentucky was well represented at regional

competition. We have some amazing kids in our region, and our Floyd County Schools students are simply outstanding," Adkins said. "We have students from 10 schools going on to state competition. There are 23 groups of students, two individuals and one young lady — Hailey B. Little, from Duff-Allen Central Elementary — will be serving on the Kentucky STLP Media Arts Team."

He spoke further on some of the projects by Floyd County students

See STLP, Page 2A



Submitted photo

Hailey B. Little, from Duff-Allen Central Elementary, will be serving on the Kentucky STLP Media Arts Team during the April 18 state competition.

Community group plans to oppose annexation

By MARY MEADOWS
STAFF WRITER

Residents and business owners who live on the left and right forks of Beaver Creek turned out Jan. 27, at the Maytown Volunteer Fire Department for a community meeting about Martin's proposed annexation of 800 acres of property.

Maytown fire department Captain Logan Wright said 126 people signed in for this meeting, which was hosted by an informal group, "We the People."

Business owners Rita Daniels

See ANNEXATION, Page 4A



Floyd Chronicle and Times photo by Mary Meadows

A woman asks a question during a community meeting of the informal group of "We the People." Organizers said 126 people signed in at this meeting to learn about Martin's annexation of several unincorporated areas of left and right Beaver.

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STLP
Continued From Page 1A

in the competition.

"Our kids have projects to help combat hunger in our communities, help keep children in car seats safe, help with school safety to name a few," said Adkins. "They are tutoring others in school subjects and teaching each other how to use animation. They are raising awareness about abandoned animals, trying to bring jobs here, communicating better with parents and the student body at their schools and more. One group has a robot that will help clean up. And that's not all the projects."

Floyd County Regional STLP Winners:

Allen Elementary — Mike Bell, coordinator

- "Eagle Radio" by Shian Crum, Sidney Chaffins, Alyson Kilburn, Aireca Salisbury, Jayden Hampton, Haley Endicott, Kylie Owsley, Gretchen Samons and Jada Reynolds

- "AES Cares" by Ruthie Dillion, Courtney Meadows, Coresha Smith, Natalie Garrett, Hannah Vanhooze, Kaylee Goble, Angelanna Burchett, Chris Bentley, Andrew McKinney, Hannah Philpot, Anna Blair, Madison Jarrell, Allyssa Stevenson, Jacob Roberts, Tiffany Tackett, Kate Moon, Brendon Howard, Ashley Kilburn, Harley Burchett, Hannah Wakeland, Lexi Mullins, Rheagen Music, Abigail Goble and Kalia Wright

- "Safe Schools: Protecting Our Students" by Jeremiah Ratliff, Jagger Bevins, Landon Chaffins, Blake Blackburn, Austin Webb, Jacob Garrett and Peyton Peters

- "Forget Me Not" by Bradley Jervis, Tanner Skeens, Lexi Blair, Ethan McIntosh, Justin Akers, Timothy Mahan, Peyton Senters, Keegan Farley and Reese Music

Betsy Layne High School — Sandy Mims, coordinator

- "Beyond Tutors" by Justin Case

- "3-D Hologram" by Landon Howard, Bretton Jervis, Chris Brashear and Jonah Bell

- "Bobcat Broadcast" by Andrea Conley, Melissa Meade and Nate Mims

Duff-Allen Central Elementary — Cecilia Prater, coordinator

- "N.I.H.L.: What You Need to Know" by Brooklyn Lewis, Lara Beth Hall, Charles Potter and Landon Samons

- "Our School Year is Booked" by Gracie McDavid, Jada Wright, Megan Bentley and Sara Brown

- "Never too Young to Learn the Rules of the Road" by Riley Hicks, Emily Johnson, Karli Rose and Taylor Hamilton

- "Essentials for Santa" by Todd Prater, Brylie Pennington, Alexa Morris and Koen Reeves

Floyd Central High School — CaSandra Fulks, coordinator

- "Broaden Your Horizon" by Belle Stewart, Savannah Price, Chloe Watson, Sahara Little, Reece Terry, Kelli Thomas and Alyssa Tackett



Students from Allen Elementary, top, and Prestonsburg Elementary, right, will travel to Rupp Arena to compete at the state STLP competition.

- "JAGS Broadcast" by Madison Thornsbury, Taylor Burke, Allison Akers and Chanda Caudill

- "Jacob's Ladder" by Caroline Parsons, Chloe Howell, Brooklyn Moore and Emily Case

- "STEM Nation" by Lindsay Caudill, Lakayla Conn, Jhaughanessy Morris and Destiny Harris

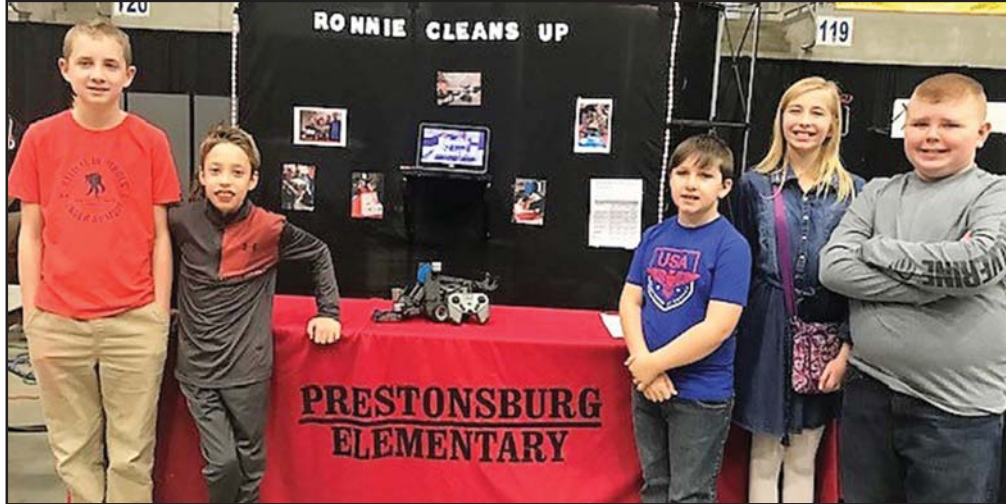
James D. Adams Middle School — Lisa Blankenship, coordinator

- "Virtual Reality in a Real Classroom" by Madison Wilcox, Tiffany Risner, Abby Burchett, Hannah Blankenship and Allyson Springer

- "Live Production" by Reece Hamilton

John M Stumbo Elementary — Deborah Bentley, coordinator

- "Furry Friend Find" by Sophie Slone, Majaia Yates, Morgan Newsome



and Kaylee Hayden

- "Tech Squad" by Cory Bentley, Keith Rowe, Isaiah Howell and Dalton Hamilton

May Valley Elementary — Jamie Lawson, coordinator

- "May Valley Elementary Happenings" by Whitley Hall, Miles Hutchinson, Madison Justice and Aubree Shelton

- "Save a Fur Friend (Donating to Dumas)" by Chloe Howard, Mileigh Kilburn, Alaina Morris, Lydia Wallace and Cheyenne Flannery

Prestonsburg Elementary — Bobby Hackworth, coordinator

- "The Mouse" by Kaden Blackburn, Preston Robinson, Isaac Stewart, Ally Hamilton and Aidan Mynhier

Prestonsburg High School — Kenneth Bradley, coordinator

- "Digital Trophy Case" by John Rose, Dalton Bentley, Morgan Spears, Isaac Goble and Jonah Tackett

South Floyd Elementary — Alisa Howell and Justin Holbrook, coordinators

- "Raider Broadcasting" by Courtney Moore, Madison Little, Riley Jo Compton and Taylor Allen

- "Be a Buddy, Not

a Bully" by JuliOna Holbrook, Rylee Daniels, Sofiya Cook and Tori Bradford

"Congratulations to our students for advancing to state and thank you to our STLP coordinators, other teachers and parents who have steadfastly supported these kids," Adkins said. "I can honestly say that I can't wait to see how they do at state competition. As you know, we had a state winner last year from Allen Elementary and our students know that they can get there too. These school teams are stepping up their game."

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- Mike Sanders



Brook Moore

New principal at South Floyd Elementary

A FLOYD CHRONICLE AND TIMES STAFF REPORT

Floyd County Schools Superintendent Danny Adkins announced recently that Brook Moore is the new principal of South Floyd Elementary School.

"We're excited to have Brook move into this role," Adkins said. "She has been part of the administration there for the past few years and knows the students, the

school and the community, and they know her. She's very passionate and dedicated to doing the best job possible for the students."

Moore has been an educator for more than 14 years. She began her teaching career teaching students at John. M. Stumbo Elementary. She has served as part of the administration at John M. Stumbo and South Floyd Elementary for a number of years, serving as a school council member,

sponsoring the Honors Club and coaching volleyball and basketball in addition to her other roles. Moore is married to her husband Robert, and lives in Minnie with their two daughters, Aubree and Kaycee.

"I'm happy to say that I've never looked at my career in education as a job," Moore said. "It's always been terrific to get to school and help and teach students. My attitude is that on the very best days you get to see

that you are changing lives and the future. On the not-so-great days, you have to try harder because the kids need us."

"There are many reasons Brook will make a great principal, but the heart she has for children stands out as the most important" Adkins said. "Brook is a great example of how building relationships with kids first is a top priority. She loves the kids and I'm pretty sure they know it."

Church offers warming stations

A FLOYD CHRONICLE AND TIMES STAFF REPORT

Prestonsburg Church of God, located near Dairy Queen in Prestonsburg, is offering a warming station this week.

The warming station opened at the church on Tuesday and continues through Wednesday and Thursday, Jan. 29-30 from 8 p.m. to 8 a.m. Doors will be locked at 10 p.m., the church report-

ed. The church is seeking donations of paper plates, utensils, sheets, towels and monetary donations to cover the cost of utilities. Volunteers are also sought to assist.

For more information, visit the church on Facebook, call the church at (606) 225-7252, or contact Sheena Maynard at Lou's Place for Pets in Prestonsburg.

Former sheriff department employee pleads not guilty

A FLOYD CHRONICLE AND TIMES STAFF REPORT

A Langley resident who was fired by the Floyd County Sheriff this month after being arrested for driving under the influence and drug possession, denied all charges filed against him.

Brandon Martin, 32, was released on his own recognizance on Jan. 11 and was scheduled to return to court on Jan. 23 for an arraignment. On Jan. 16, however, Martin entered a plea of not guilty when he appeared in Floyd District Court. District Judge Eric Hall scheduled a court trial in the case for April 11.

According to the arrest citation filed in Floyd District Court, KSP Trooper Darvin

Marsillett observed a vehicle driven by Martin traveling with expired plates on Ky. 80 in Eastern at about 11:30 p.m. on Thursday, Jan. 10.

Marsillett reported that there was a "strong odor of marijuana" coming from inside the vehicle, and that Martin reached his Floyd County Deputy Sheriff card out the window when he was asked for his driver's license.

According to the citation, Martin failed field sobriety tests during the traffic stop.

He faces several misdemeanor charges, including driving under the influence, possession of marijuana, third-degree possession of a controlled substance, controlled substance not in original container and



Brandon Martin

several traffic-related violations.

Floyd County Sheriff John Hunt previously reported that Martin was fired the night of his arrest. He worked part-time as a dispatcher and clerk, Hunt said.

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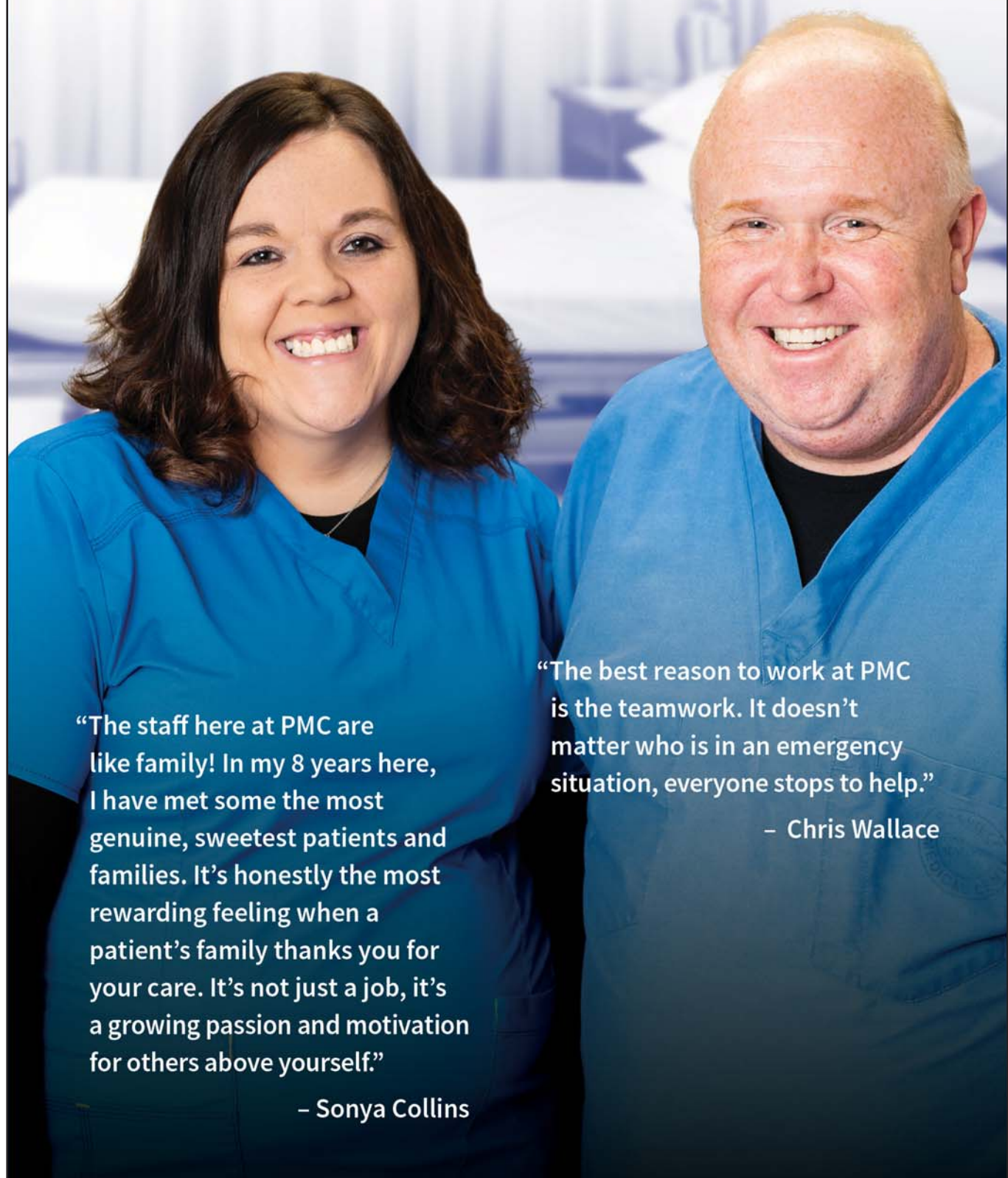
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- Sonya Collins

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ANNEXATION
Continued From Page 1A

and Terry Thornsberry addressed the crowd, along with others, detailing what they appear to know about Martin's annexation attempts and what steps "We the People" plans to take to oppose it.

"It's our community that they're taking ... It's time for us to stand up and fight because these people are not treating us right," Thornsberry said.

He complained about the lack of information the city council provided about the annexation during a Jan. 22 meeting.

"They have not told us nothing," he said. "They have not answered one question. They've not give us one speck of information, other than that letter. That's all they've done. We've asked, but they say, 'Well, you'll have to find that out through open records.' ... They want to delay it, put it off, hide, sneak, and do everything behind everybody's back. That's exactly what they want to do and we can't put up with it anymore."

Thornsberry sought donations for legal fees for this group, reporting that he will travel to Lexington to inquire about hiring a lawyer.

The Martin City Council held the first reading of an ordinance annexing 807.25 acres of property that extends through Ky. 1428 toward Allen, Ky. 80 toward the Knott County line, Ky. 680 toward Minnie and McDowell, Ky. 550, Ky. 2554, Ky. 777, "Old Ky. 80," Ky. 3188 and Ky. 122 during a special meeting on Nov. 29.

The letter the city sent to those targeted for annexation described a "proposed" ordinance to annex more than 807 acres. It said the council would "decide whether or not to annex the property" on Jan. 31.

Martin Mayor Sam Howell told the Floyd County Chronicle and Times on Jan. 22 that the city is only annexing businesses and roads in those areas.

Several people who spoke on Sunday asked questions about the location of the proposed annexation, the annexation process and laws that govern public meetings and records. Like Thornsberry, several attendees complained that officials would not answer questions about the annexation during the council's last meeting and because they are yet to see a readable map of the area proposed to be annexed. The map provided by the city in the letter was too small to read, Thornsberry said.

He shared a map he paid more than \$100 for, reporting he bought it from the surveyor who helped Martin create the annexation ordinance. Thornsberry said it would cost \$600 to obtain maps of all nine parcels Martin hopes to annex with the ordinance.

Numerous speakers chided the city council. "The City of Martin is attempting to annex more than double the acreage that they now have, and

their city is in chaos right now. So you could imagine what would happen to us if they were given leadership or control over our area," Daniels said.

She gave an overview of taxes imposed currently by Martin. At one point, she referred to the council as the "Martin Mafia."

"Now what have they got to offer us? Nothing. I say nothing.... It's beyond belief that they're trying this, but they don't know what they've done. They've poked the wrong bear, haven't they?" Daniels said. "You all are amazing and you're standing up and we're a group and we're united. We the People will stand against this."

The crowd applauded.

Earl Allen, who owns property on Henry's Branch, wanted to know whether Martin would require him to pay an occupational tax if he worked from home.

Brenda Handshoe, who lives on the property of her cake decorating business on Rt. 80, asked why she did not receive a letter, while businesses around her did.

One concern voiced repeatedly in the meeting was that if Martin is only annexing businesses, the business owners who don't live in Martin and residential homeowners who aren't targeted for the annexation cannot vote in Martin.

One man said, "One point that we need for them to know is if they go through with this, then they'll have all of these people vote against Sam Howell and everybody on that council."

"We can't. No we can't," several members of the crowd told him.

"What?" he asked.

"They won't let you because you won't be in the city," a woman told him.

Thornsberry pointed out that he lives in Prestonsburg but owns a business in Langley, which prevents him in voting in Martin.

"The only way I can vote is if I come up to my business, make me an apartment, put me a mobile home on there, live there, I can vote," he said. "Other than that, I have no vote."

"But you still have to pay taxes?" the man said. "How is that even legal?"

Joe Owens, who was standing near him, encouraged all residents who are not business owners to continue to participate with We the People.

"Don't think for a second that you're going to walk away and you don't have to worry about it.



Earl Allen, a property owner on Henry's Branch, commends "We the People" organizers for coming together to oppose Martin's annexation of more than 800 acres during a meeting held Sunday in Maytown.

A couple of years from now, they'll be up after your residence," he said. "If you don't stand up and fight with them, everybody stick together now, you'll be run over in a couple of years."

Owens said the proposed annexation has stalled his plans to open a business in the area.

"I had planned on putting a business in, but this kind of puts a question mark on all of it," he said.

Attendees included Floyd County Magistrate George Ousley, who said he came to find out information about the proposed annexation, and Wayland City Commissioner Charles "Butch" Bentley. Bentley, an employee at McDowell ARH, said he and his wife, a teacher, are concerned about having to pay occupational tax to Martin if the annexation is approved. Neither one of them live in an area proposed to be annexed.

"If they do this, then we'll have to pay them that tax, and we don't live down there, see, so what can they offer us?" Bentley said. "I can't see paying that."

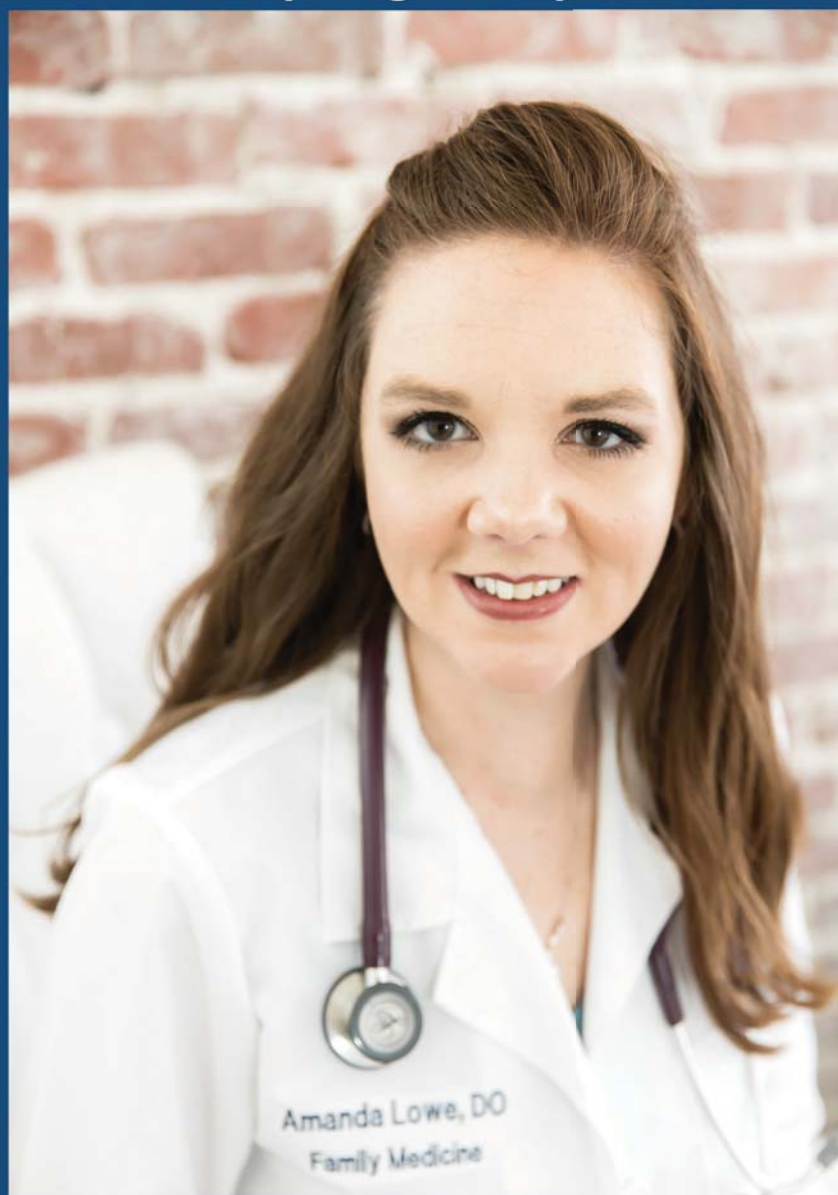
"It's taxation without representation," his wife said.

The Kentucky Secretary of State reports that Martin's last annexation was approved in 2003.



Langley business owner Terry Thornsberry, one of the organizers of the informal group "We the People," displays a map of his property that he bought from a surveyor during a meeting in Maytown on Sunday.

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SENATOR

Senate week in review

The Kentucky General Assembly will resume the 2019 Legislative session Tuesday, Feb. 5 with the task of vetting hundreds of bills dealing with complex issues.

As I reported in early January, we got off to a rapid pace by approving five bills in four days.

Meanwhile at the other end of the Capitol, the House dealt with the debate over who won the election for the 13th district seat. Jim Glenn, an Owensboro Democrat, was declared the winner by one vote over D.J. Johnson, an Owensboro Republican. Glenn had held the seat from 2006 to 2017. Johnson held it for the last two years. On

the first day of session, Glenn took his seat in the chambers. However, House Republicans, who maintain that they have the final authority to decide the results of the contested election, called for an investigation into the November election. House Democrats protested that the majority party could be maneuvering to change the outcome of the election or to steal the election and said that such action would set a bad precedent.

Republicans in the House have a 61-39 majority. Before adjourning, nine names were drawn from all 100 House members to form an election contest board to examine the results of the election and report its findings to the House. During the recess, the election contest board met and it was decided that the ballot boxes will be reopened, and a recount of the votes will take place.

Also during the

break, several Senate and House members were hard at work as part of the Public Pensions Working Group, created by the co-chairs of the Legislative Research Commission. The bipartisan group, of which I am a part, has been meeting every Tuesday and Thursday. Its charge is to review and analyze the state's public pension systems and bring a recommendation to the General Assembly. Public input is encouraged and can be shared by e-mailing, Public.Pensions@lrc.ky.gov. The group has been listening to stakeholders and looking at the situation from different angles.

Following the school shooting at Marshall County High School, I was selected to be part of a 16-member, bi-partisan School Safety Working Group. During the interim, we traveled around the state and heard from the public, school officials, teachers and stu-

dents, law enforcement, mental health officials, and others to determine how we could make our schools as safe as possible. Naturally, funding will play a significant role in the effectiveness of any action we take and we will deal with that during the 2020 budget session. This session, we will look at Senate Bill 1 – the School Safety and Resiliency Act. The bill will:

- improve training for school resource officers,
- provide more resource officers and mental health professionals,
- require training and response to active shooter situations,
- criminalize hoaxes and threats to school and make this behavior a crime (second-degree terroristic threatening),
- provide suicide prevention awareness information to students,
- provide suicide prevention training for staff, and
- create a statewide school security marshal

to enforce school safety law and make annual school safety reports.

School safety will be a priority this session. And, we will most likely fix parts of the tax bill that was rushed through by Republican leaders last year. After the passage of the tax measure in 2018, nonprofit charities found they have to charge a sales tax on fund-raising events. I anticipate we will have a bill to change that. Though it is not a budget year, we might even vote on a way to pay for charter schools. However, I do not anticipate comprehensive tax reform.

Since the U.S. Supreme Court struck down a federal law last year that opened the door for states to regulate and tax sports wagering, this issue has garnered support from both parties and may come up for a vote. Another topic that is generating interest is bail reform. The current system punishes the poor

by keeping them in jail and their incarceration costs local governments millions. Criminal justice reform, medical marijuana, minimal wage, kinship care funding, and increasing the gas tax are a few more topics to keep your eye on during the session.

This is just a preview of some of the issues we may vet. There will be many other bills to come before us in committee and on the floor in the remaining 26 days.

You can follow along with the legislative action, review bill summaries, amendments and resolutions or keep up with committee meeting schedules and agendas at, lrc.ky.gov.

You can also leave feedback on issues for any legislator by calling, 800-372-7181, or get a bill status update at, 866-840-2835, or you can e-mail me at, johnnyray.turner@lrc.ky.gov.

(Prepared by LRC Staff)

LETTER TO THE EDITOR

We the People offers a 'compromise' to Martin

Our communities consist of residences, restaurants, grocery stores, repair shops, gas stations, pharmacies, schools and hospitals. We are neighbors and family. We do not intend to be separated. Martin does not have the right, morally, to come into our communities to disturb our way of life, especially, for them to obtain power and greed of our hard

earned money.

Let us remind you Martin that no one from Prestonsburg and other parts of northern Floyd County come to Martin to shop. Your existence is totally dependent on the purchases that Left and Right Beaver citizens generously spend in Martin. Left and Right Beaver do not exist because of Martin. Martin exists because of Left and Right

Beaver citizens.

The citizens of Left and Right Beaver are very upset with regards to the unfair nature of this proposed annexation. The business of Martin should be furious with their mayor, Sam Howell, and the council members, Charles Justice, Eulene Ratliff, Harold Case, Gary Akers, April Gayheart and Jim Reynolds.

If this annexation is

successful, the City of Martin, its mayor and the six council members will forever have their reputation and character tarnished in the eyes of the majority of citizens of central Floyd County and the Left and Right Beaver areas.

"We the People" offer the following compromise proposal to the City of Martin:

1. Martin ceases

this poorly-designed and totally unfair annexation proposal.

2. Martin makes an honest and truthful proposal containing the following:

- a. Community meetings explaining their intent and purpose of annexation of neighboring communities. Quit hiding behind closed doors.
- b. Martin is fully transparent in all and

every aspect of this endeavor.

c. Martin lists all taxes that they intend to impose of the annexed area.

d. Martin advises of the total revenue that they intend to collect from citizens.

e. Martin advises of what services it will extend to the annexed area.

f. Martin advises of when such services will be available to the annexed area.

g. Martin advises of how much they will spend to accomplish furnishing these services

See LETTER, Page 6A

By Christopher Epling c 2019 Floyd County Chronicle and Times 01.29.19



CHRONICLE & TIMES

LETTERS OR COMMENTS:

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Floyd tourism meeting canceled again

A FLOYD CHRONICLE AND TIMES STAFF REPORT

The Floyd County Recreation, Tourism and Convention Commission canceled its monthly meeting last week for the second consecutive month.

The agency is set to

meet on the fourth Thursday of each month at 5 p.m. in the Floyd County Fiscal courtroom at the county courthouse.

It has canceled meetings in December and January.

The commission hosted a special meeting on Nov. 29 and voted unan-

imously to give Treasurer David Tackett authority to conduct a title search, "possibly" have a survey conducted and get an appraisal of property located near the river on US 23 in the Allen/Banner area that officials hope to purchase.

Tackett reported that

the commission would be interested in buying approximately one acre of property there in order to create a boat access to the river.

That topic is expected to be addressed at the commission's next meeting.

Court documents: Inmates accused of assaulting deputies

A FLOYD CHRONICLE AND TIMES STAFF REPORT

Two Floyd County Detention Center inmates are accused of assaulting correctional officers at the jail.

According to the citation filed in Floyd District Court, Kevin Moore, 28, of Hi Hat, and Shawn Michael Henson, 38, of Hueysville, are each facing felony charges for two incidents that are alleged to have occurred this month.

Moore was arrested on Jan. 22 and charged with third-degree assault of a corrections officer,

menacing and two uncat-egorized misdemeanor charges.

According to the citation, Moore asked to be removed from a cell because other inmates were blaming him for a syringe that was found there. When deputies went into the cell to talk to Moore he "became overly aggressive and would not comply" with orders, the citation says, and Moore "kicked and punched" deputies while they escorted him down the hall.

Henson was charged with third-degree assault on a corrections officer

and menacing on Jan. 14 for an incident that occurred two days prior. According to the citation, Henson became "verbally aggressive" toward a jail deputy and then shoved him. Another deputy intervened to stop Henson's alleged "attack" on the deputy, the citation says.

Henson's case was referred to the grand jury for consideration. District Judge Jimmy Marcum scheduled a preliminary hearing in the Moore's case for Jan. 30.

These are among several charges that have been filed recently

against inmates accused of fighting and other crimes. Those charges include two other recent felony cases.

In those cases, Joshua Randal Yates, 28, of Printer, was charged with first-degree promoting contraband, first-degree possession of a controlled substance and possession of drug paraphernalia; and Ricky Johnson, 63, of Langley was charged with first-degree promoting contraband, possession of a controlled substance and controlled substance not in original container.

Prestonsburg man denies sexual abuse charge

A FLOYD CHRONICLE AND TIMES STAFF REPORT

A Prestonsburg man is denying a third-degree sexual abuse charge that was recently filed against

him. On Jan. 23, William Nelson, 61, of Mays Branch Road in Prestonsburg, pleaded not guilty to the charge during an arraignment in Floyd

County District Court. Prestonsburg Police Officer Nick Bingham obtained the warrant against Newsome, charging him with the misdemeanor crime, alleging that he

inappropriately touched a unidentified victim without permission.

Nelson is scheduled to return to district court on April 1 for a pretrial conference in the case.

Rodney Baker
Rodney Baker, 51, of Lackey, died Friday, Jan. 25, 2019.

Arrangements are under the direction of Hall Funeral Home of Martin.

Anna Lou Blackburn
Anna Lou Blackburn, 78, of Prestonsburg, died Monday, Jan. 28, 2019.

Arrangements are under the direction of Nelson-Frazier Funeral Home of Martin.

Thomas Adrian Blackburn
Thomas Adrian "Tombo" Blackburn, 72, of Prestonsburg, died Thursday, Jan. 24, 2019.

Arrangements were under the direction of Carter Funeral Home of Prestonsburg.

Richard Lee Branham
Richard Lee Branham, 76, of Melvin, died Friday, Jan. 25, 2019.

Arrangements were under the direction of Nelson-Frazier Funeral Home of Martin.

Laramie Hall
Laramie Hall, 71, of Topmost, died Saturday, Jan. 26, 2019.

Arrangements are under the direction of Hall Funeral Home of Martin.



Jeanne Moore
Jeanne Moore, 83, of Ashtabula, died unexpectedly at her home on Tuesday, Jan. 22, 2019.
The daughter of Ervin and Nanny (Blevins)

Collins, Jeanne was born on February 16, 1935, in Honaker. Jeanne has lived in the Ashtabula area since 2013.

She read her Bible daily, receiving inspiration from the beautiful words. Jeanne enjoyed watching television and reading the newspaper. She had many friends at the Senior Apartments and she will be remembered for her friendliness and willingness to lend a helping hand whenever asked.

She is survived by her brother Gaille Collins and his wife, Kathy of Ashland; her nephew Bobby (Michelle) Collins, Sr.; their children, Bobby Collins, Jr., Angela Spencer and Jessica Skinner; and other family members.

Jeanne was preceded in death by her parents, siblings Gielva, Pearl, Holena, Dorothy, Carl and Ervin, Jr.

Family services will be held at a later date at the convenience of the family.

Ducro Funeral Home and Crematory, 4524 Elm Avenue, Ashtabula is assisting the family. www.ducro.com

This is a paid obituary.

Beecher Ousley
Beecher Ousley, 80, of Martin, died Thursday, Jan. 24, 2019.

Arrangements were under the direction of Hall Funeral Home of Martin.

Paul Douglas Prater
Paul Douglas Prater, 62, of Hueysville, died Thursday, Jan. 24, 2019.
Arrangements were under the direction of Nelson-Frazier Funeral Home of Martin.

Tommie Elizabeth Shepherd
Tommie Elizabeth Shepherd, 94, of Dwale, died Sunday, Jan. 24, 2019.

Arrangements are under the direction of Nelson-Frazier Funeral Home of Martin.

LETTER
Continued From Page 5A

and benefits.

h. Martin shows how their annexation is financially feasible.

Martin annexes the entire communities consisting of all residences, commercial properties, schools, hospitals, etc. This allows all registered voters in the proposed annex area the right to

vote the annexation up or down. These are our communities and we deserve the right to decide our destiny.

We the People ask only the City of Martin deal with us honestly, openly and allow us our right to vote a fair and balanced manner.

*Terry Thornsberry
Prestonsburg resident,
Langley business owner*



Community Events

- Jan. 30, 5 p.m.: Science Experiment: Snow and Slime, Floyd County Public Library, Prestonsburg, (606) 886-2981
- Jan. 30, 6 p.m.: Friends of Jenny Wiley meets, Jenny Wiley State Resort Park
- Jan. 30, 6:30 p.m.: Floyd County Board of Education to host special meeting, May Valley Elementary
- Jan. 31, 5 p.m.: Cardboard Creations (no kids), Floyd County Public Library, Prestonsburg, (606) 886-2981
- Feb. 2, 10 a.m. to 5 p.m.: Jenny Wiley Chapter of the AARP will host a Day of Service at Food City, Prestonsburg, to collect nonperishable food items, personal care items and donations for Turning Point, a shelter for domestic violence victims. Anyone who would like to volunteer may call, (606) 886-8851, and leave a message. Donations will be accepted from 10 a.m. to 5 p.m.
- Feb. 3, 11 a.m. to 1 p.m.: "Souperbowl Sunday Community Lunch," Floyd County Public Library, 161 N. Arnold Ave. in Prestonsburg, (606) 886-2981
- Feb. 3, 11 a.m. to 4 p.m.: 8th Annual Bridal Show, Jenny Wiley State Resort Park Conference Center, (606) 889-1790
- Feb. 4, 5:30 p.m.: Free Bornlearning Academy for children age birth to five and their parents, South Floyd Elementary. Free meal. (606) 263-6175
- Feb. 4, 6 p.m.: Allen City Commission meets, Allen City Hall. (606) 874-2953
- Feb. 4, 6 p.m.: Grow Appalachia Gardening Series, session 1, Floyd County Extension Office. (606) 886-2788
- Feb. 4, 6 p.m.: Master Gardener program, session 2, Floyd County Extension Office. (606) 886-2788
- Feb. 5, 6 p.m.: Floyd County School District Local Planning Committee to meet, Adams Middle School. Public invited to attend the meeting and a public forum that begins at 7 p.m. to provide input about future construction in the district.
- Feb. 5, 6 p.m.: Floyd County Beekeepers meet, Floyd County Extension Office. (606) 886-2788
- Feb. 7, 5:30 p.m.: Free Bornlearning Academy for children age birth to five and their parents, May Valley Elementary. Free meal. (606) 285-0883
- Feb. 7, 5:30 p.m.: Small Fruit Production Workshop, Floyd County Extension Office. (606) 886-2788
- Every Tuesday, 10 a.m. to 1 p.m.: Moms Meet Moms in Recovery support group, offering free diapers, baby items, babysitting, food, refreshments, informational resources, at Destination Church. Qualifies as "parent education" and "peer support group" required by drug court. For information, call Kelly at (606) 886-2788

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We The People

Organized Floyd County Citizens

Responding to City of Martin's Proposed Annexation For Central Floyd County Businesses & Schools

The annexation actions taken by the City of Martin involves along with my commercial property six Floyd County schools, the county bus garage, the McDowell ARH Hospital, the Mark West Natural Gas facility and every commercial property located along:

1. Route 122 from Martin to McDowell Hospital.
2. Route 80 from Martin to Route 680.
3. Route 680 from Kentucky 80 to Route 122 at Minnie.
4. Kentucky Route 550.
5. Kentucky Route 777.
6. Old Kentucky Route 80.
7. Kentucky Route 3188.
8. Kentucky Route 1428.

These locations stretch close to seven miles from the City of Martin. It is impossible to know if Martin's intent extends further due to their advertisement of the area in a manner that the ordinary citizen has no way of understanding.

The Floyd County school system will be involved with 7 locations containing 1,952 students, 325 school personnel and \$93,099,158 insured value of property. The school teachers and support staff will pay approximately \$140,000 in occupational tax. The value of the McDowell ARH and the Mark West Natural Gas facility would be in the tens of million dollars in value. The value of the commercial property of the citizen involved would also be valued in the tens of million dollars. The hundreds of citizens that would be subject to taxes such as:

1. City Property Tax
2. Business License
3. 1.5% occupation tax paid by everyone who earns a paycheck on any of these properties.
4. A percentage of any profit shown by any of these properties.

The City of Martin now covers an area of 0.73 square miles. In acres this is 467 acres. Their literature states that they intend to annex 807.25 acres. The end result is that the City of Martin will triple in size and collect several hundred thousands of dollars each year without one single vote from any citizen of the proposed annexation.

They can do this because property owners cannot vote in this annexation. If the annexation is successful for the City of Martin, property owners will never be able to vote on any issues in the future in the City of Martin.

Only residents have the right to vote. That is why Martin is not attempting to annex any residence.

A few years ago Martin annexed the roads they are citing today. We protested and were told by Martin that we were only trying to cause trouble because they had no intention of forcing us to be a part of Martin.

Make no mistake, if this annexation is successful, it will be by the vote of six Martin Council members and their part time mayor. They have found themselves a legal loophole that they are intending to exercise to the full extent. Legal action is the best chance to stop this annexation.

Attention of this should be taken by all other citizens that live close to these small towns that are out of money and have no quam about where and how to obtain more revenue.

While the citizens of Martin have been plagued by mismanagement, past administration that have been imprisoned for fraud and theft and poor judgment for years and years, they have certain benefits such as a Martin City water department, Martin City sewage, Martin police department, Martin fire department and Martin street department. In the event that this annexation is successful, the new annexed areas deserve the same benefit as the city now provides for its present day citizens.

The facts are that there are no financial means which would allow Martin to extend these benefits to the proposed annexed area. The millions on top of millions that it would involve to do so would be prohibitive. If they incorporated every commercial property and every resident they could not generate enough revenue to do so. In the event that there was a way to finance such an undertaking, one would expect ten to fifteen years to plan and build such infrastructure. The City of Martin does not intend to provide the newly annexed property any benefits. The only way this annexation is profitable for Martin is to collect the taxes and the only benefits offered would be a Martin Police car driving by the property occasionally.

Martin's infrastructure and description is:

1. Years ago Martin was forced to begin buying water from Prestonsburg due to the failure to repair and maintain their own water plant.
2. Martin has been plagued by loss of water due to old leaking pipes for years and continues the loss today.
3. There is a new Renaissance School built and paid for located next to Martin City Hall that cannot be used due to Martin's Department of Water inability to provide proper water pressure. The state will not allow occupancy until situation is corrected. This is a multi million dollar facility, paid for by the Corp of Engineers, setting idle due to the failed Martin water system. The present Renaissance School is located in Martin. The roof is falling in. Floyd County Schools have plans to relocate the school to the Allen Central location until and if ever Martin water department gets its act together and solves the pressure problem.
4. The Corp of Engineers built Martin Fire Department a new station also next to City Hall. Martin Fire Department cannot fill its trucks with water at the station due to low pressure.

The proposed annexation area is now served by Southern Water. In the event that the annexation is successful, the proposed annex area will continue to be served by Southern Water. City of Martin cannot extend lines and serve our properties. They do not have and cannot generate enough revenue to do so.

Southern Water has problems of its own. The citizens of Floyd County are saddled with millions of dollars of debt to pay off Southern's responsibilities. They have stated that if they cannot get the rate increase they have asked for, there is a chance they could go bankrupt. The base flat rate for water in Prestonsburg is \$9.15

per month. If Southern gets their rate increase, then the basic flat rate will be \$34.60. The bottom line is that we will be subsidizing Southern Water with county taxes and pay Martin City taxes for the same service.

Sewage:

Martin has been plagued by sewage problems for years and years due to bad management of not maintaining and upgrading their system. They do have sewage service in the city even if it is of poor quality due to leaks of old leaky pipes and pumping stations that do not operate as they should.

It would take millions of dollars and ten to fifteen years to develop sewage service to the proposed annexed area. Martin knows this. They have no intention of providing sewage service to the new annexed areas. Again, we would be paying for a service without really any sewage system.

Streets and Street Lighting:

All motorists who have traveled down the main street of Martin in front of the old City Hall building have been forced to travel through flooded main street. For the past several years, the drainage system adjacent to Main Street has failed. Martin is forced to pump water off streets after every rain. They have spent more on pumping than was necessary to fix the drainage system several times. This is an example of Martin's nonexistent or at least troubled street department. Martin, other than a lawn mower and a few weed eaters, has no equipment or capable personnel to man a street department.

Again, we would be paying for a service that we will not receive.

Fire Department:

Martin's Fire Department has an ISO rating of 5. Maytown Fire Department has a rating of 5. Middle Creek without any incorporated areas has an ISO rating of 3. Prestonsburg has an ISO rating of 2.

State ISO regulations state that Martin's ISO rating will remain as 5 until the road mileage extends past the 5 mile point. Thus all property in the City of Martin that is 5 miles from Martin Fire Station, which will include the portion of the annexed area, will have an ISO rating dropped from 5 to 10. Such property annexed, including the new 55 million dollar Floyd Central High School, will be exposed to a huge increase in their fire insurance.

In fact, most insurance companies will not insure class 10 structures. This forces the property owner to go to secondary insurance companies who charge exorbitant prices and are rated at less than normal financial strength.

Police Department:

The City of Prestonsburg has three schools in its boundary. Each morning and evening they have at least 2 to 3 police cars at each school directing traffic and protecting our children. Martin is proposing through new annexation to protect and service six schools. I don't know how many police officers Martin has, but I have seen their parking lot and only saw 2 police cruisers.

I have lived in this area my entire life. We have drug and theft problems throughout our county as our main complaint. In my view the Martin area is no better or worse than the remainder of the county. I do not see an above average police protection for the proposed annexed property.

Services we now pay for and receive from the county and state verses what we can expect if annexation is successful.

Service	With County Government	With annexation
Police	County/State	Martin City/County/ State
Water	Southern Water	Southern Water
Street	None	None
Sewage	None	None
Fire Department	Maytown, Left Beaver	City of Martin
Taxes	County/State	City/County/ State

The City of Martin is attempting to force annexation down our throats whether we like it or not. They are well aware that the only way that it is a successful move for them is if they annex us, charge us tax and do not give us any benefits. If they were intending to give us benefits, it would make no sense of them annexing us. They would spend more than they took in.

Martin's problems are a result of years and years of mismanagement. If they are successful in this annexation and collect the 100 of thousands of dollars per year, they will have some relief for a few years. With the same people in charge, they will have the same problem that they now have only it will be a bigger mess in another few years.

Martin needs to solve its own problems. If they need more revenue, they need to cut expenses and raise taxes in the city.

Martin has a part time mayor who holds another full time job in another county. He is not available except in certain instances for city responsibilities.

Should we trust people who are proven failures to be responsible for the health and safety of our 1,952 students, 325 school personnel and \$93,099,158 insured value of school property, tens of millions of dollars of commercial property and hundreds of employees of these commercial properties? Do we send these people hundreds of thousands of dollars each year and expect them to spend it in our best interest. This would all occur without our having any vote what so ever in how they conduct activities that directly affect our personal lives.

We are taught in school that one of the founding principles of our country and the reason that we fought the Revolutionary War with England was "no taxation without representation." That may be so in the rest of the country but it definitely is not true in and around Martin, Kentucky.

Terry Thornsberry
Property Owner
Member of Local Citizens Group Known as "We the People".
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PPD: Traffic stop yields meth trafficking charges

**AN APPALACHIAN
NEWSPAPERS
STAFF REPORT**

PIKEVILLE — A Floyd County woman who was pulled over in a traffic stop by Pikeville Police Department officers was arrested on multiple drug charges Sunday after officers allegedly located methamphetamine and evidence that the woman had been trafficking in the drug.

PPD Officer Tony Conn wrote in his citation that he performed a traffic stop of a vehicle operated by Susan R. Akers, 39, of Salem Church Road, Harold, when he noticed the smell of marijuana coming from the vehicle. Akers told Conn that she had marijuana in her purse in the passenger's seat of the ve-

hicle and Conn was also able to make the determination that Akers had an active warrant for her arrest for a flagrant non-support charge out of Floyd County, the citation said.

Conn placed Akers under arrest and performed a search of the vehicle, during which he located "a small plastic bag containing marijuana, a set of digital scales a small plastic bag containing a white crystal substance believed to be methamphetamine, a glass pipe with residue, a small metal spoon with residue, two orange/white capsules, one orange tablet, one white tablet and several empty baggies," the citation said.

Conn also located \$260 in cash and he

wrote that he believed the items to be indicative of narcotics trafficking.

Akers told Conn that she smoked marijuana earlier and "had done meth a couple days ago," the citation said.

Akers was arrested on charges of first-offense trafficking in a controlled substance, first-offense first-degree trafficking in a controlled substance (less than two grams of meth), first-offense first-degree possession of a controlled substance (methamphetamine), first-offense first-degree possession of a controlled substance (unspecified), second-degree possession of a

controlled substance, first-offense having a prescription controlled substance not in proper container, possession of marijuana, possession of drug paraphernalia and traffic charges, court records show.

Through her Floyd County warrant, Akers was held in the custody of the Pike County Detention Center on an \$11,000 cash bond and was given an additional \$15,000 surety bond through her new arrest, court records show.

Akers, according to jail records, remained in the custody of the PCDC as of presstime.



Submitted photo

Susan Akers

PPD: Woman left toddler alone in car

**A FLOYD CHRONICLE
AND TIMES STAFF REPORT**

A Floyd County woman was recently arrested after allegedly leaving a three-year-old child alone in a car.

According to documents filed in Floyd District Court, Kristina D. Huff, 20, of Prestonsburg, was arrested on Jan. 18 for one count of second-degree wanton endangerment.

Prestonsburg Police Officer Ross Shurtleff alleges in the citation that he was dispatched after 6 p.m. that day to investigate a complaint of a child left unattended in a vehicle at the Family Dollar store on North Lake Drive.

"Upon arrival, I located the described vehicle with the radio turned up very loud with a small

child playing in the back seat," Shurtleff reported. "It took me approximately five minutes to respond and I waited with the vehicle and child for two minutes before the accused came out and identified herself as the mother of the child."

The woman said the child was three years old, the citation reported, and the doors were unlocked on the vehicle.

"The doors were unlocked on the vehicle and I was able to contact and speak with the child. He would have easily been able to (be) taken by someone who meant ill will and (be) gone before the mother even made it out of the store," Shurtleff wrote.

The child was placed in custody of social services, he reported.

Garrett man denies stabbing his girlfriend

**By MARY MEADOWS
STAFF WRITER**

A Garrett resident who was indicted this winter for allegedly stabbing his girlfriend in the face waived formal arraignment and entered a not guilty plea in Floyd Circuit Court last Thursday.

Delbert Conn, 34, of Garrett, was indicted recently on a charge of first-degree assault, a Class B felony, and on a charge of being a persistent felony offender in the second degree, a Class C felony that could enhance his sentence if he is found guilty of both crimes.

Floyd County Commonwealth's Attorney Brent Turner told Circuit Judge Tom Smith on Jan. 24 that Conn is facing 20 years to life for these alleged crimes.

Attorney Joseph Layne asked Smith to reduce Conn's bond, which is set at \$25,000 cash. He said Conn has "strong ties to the community," and is a low flight risk. He suggested that placing Conn on home incarceration would ensure he

would not be a danger to the alleged victim in the case.

Turner asked Smith, however, to keep Conn's bond the same, reporting that the victim and her family are "very fearful" of whether he is released.

Smith ruled to keep the bond the same, as requested by Turner, but told Layne he could still file a motion to reduce the bond at a later date.

Conn, who is incarcerated, is scheduled to appear in Floyd Circuit Court on April 26 for a pretrial conference in the case.

OPEN RECORDS REQUEST TO CITY OF MARTIN ITS MAYOR AND CITY COUNCIL MEMBERS

On January 22, 2019 approximately 100 fellow citizens and I attended your regular Martin City Council meeting. We attended this meeting in hopes of having a dialogue to allow us a better understanding of your annexation of our schools, hospital and commercial property over a broad section of central Floyd County. We were met with a city council and mayor who refused to discuss any issues concerning this very troubling issue that Martin has created.

You excused yourselves to discuss a litigation matter in closed session. Apparently, while in closed session, you also discussed our presence which was not a litigation matter. Our presence and your response should have been in open session in order that we at least could gauge each of your positions on the matter. I, at this time, accused you of discussing public business behind closed doors.

When you returned from your private meeting, you had apparently instructed your attorney, Doug Adams, to make any and all comments for the City of Martin.

The entire reply of what few issues we made was with the statement, "any information you want will have to be asked through an "open records request" in writing. You have made it very plain that you do not intend to inform us of any information that we need to evaluate our position in this matter.

The only avenue left to us to evaluate the City of Martin's past, present and future issues is through written open records request which we will use extensively. Please prepare prompt, accurate and full disclosure of the following.

1. Employees and volunteer workers.
 - a. List of all employees on payroll as of this date and all employees of the past year that no longer work for the City of Martin. This will include Mayor and City Council .
 - b. Complete and total compensation of all employees including mayor and city council members.
 - c. Address of all employees.
 - d. List of job descriptions and department for each city employee.
 - e. Any felonies or misdemeanors that an employee has been charged with or found guilty of in past two years. This includes Mayor and City Council members.
 - f. List of each employee's education, training and experience.
2. Copy of all county, state and federal actions describing any and all actions taken against the City of Martin for failure to follow any regulatory law or rule for the past three years.
 - a. Copy of any and all settlements of noncompliance issues through county, state or federal government for the past three years.
 - b. List of all noncompliances that are outstanding as of this date.
 - c. Copy and list of all litigations the city is involved in as of this date.
3. List of all checks and expenses incurred and or paid for in the past two years including description of expenditure.
4. Copy of all debts owed by City of Martin as of January 1, 2019 to any vendor, contractor or obligation for payment to any county, state or federal government.
5. Copy of cost of water purchased from Prestonsburg City Utilities for the past three years reported month to month.
6. Report of all water sold in past three years showing total billed per month.
7. List of water loss per month for past two years.
8. List of all equipment, vehicles and machinery owned by City of Martin listing who is responsible for each item, its condition and its value.
9. Copy of written policy for city vehicle use by city employees.
10. Provide a readable map of all city boundaries.
11. Provide a readable map of all proposed annexation areas.
12. Provide a list of all commercial property listing owners' names in the City of Martin.
13. Provide list of all properties and or individuals sent an intent to annex letter during January, 2019.
14. Provide a list of all annexed property that has occurred in past 10 years showing the exact location of annexation and date it was annexed. This especially means all roadways.
15. Provide a copy of all notes, studies or information collected regarding the feasibility of the January, 2019 annexation including how much revenue is expected from each location annexed. Provide all information listing how and where you make your estimate of money to be obtained through the annexation. Further furnish all information, notes, studies on any other information made and procured by you in relationship to the cost of extending services to all proposed annex locations.
16. Provide a list of all benefits you intend to furnish to each proposed annexed location.
17. Provide a copy of all reports of any nature that has been issued by the City of Martin to county, state and federal government in the past two years. This is to include yearly budgets and proposed budgets for the future.
18. Provide a copy of all minutes of any and all meetings for the past two years.
19. Provide copies of all contracts, the amount and purpose, issued by City of Martin in past three years. List all responding contractors who were unsuccessful in bid process and winning contractors and their contact information.
20. Provide all documents relating to normal operations listing rules and regulations for employees and guidelines of business procedure to be followed by the City of Martin in daily operation.
21. Provide list of all financial institutions the City of Martin does business with. As of January 1, 2019 provide a financial report listing all cash balances in financial institutions as well as a list of all accounts receivable and accounts payable. Include copies of year end balance sheets for past two years.
22. Provide a copy of the contract issued to Alchemy Engineering containing the amount paid Alchemy along with bid or quotes from any other engineering firm concerning the annexation description sent to me in January, 2019.
23. Provide a copy of all files and communication describing all related activity occurring between City of Martin and Corp of Engineering and total amount of Corp work in Martin since beginning including the dollar amount the Corp has spent. List proposed Corp work expected in next two years with dollar amounts expected to be spent.

I realize that this is a lot of information that I need prior to the January 31, 2019 meeting. I further remind you that Martin's annexation was dropped on us expectantly and does not give us proper time to evaluate our position in this matter. Martin had its first reading of this action prior to anyone knowing about the annexation in progress.

I will expect all answers in the time frame allowed to respond to Open Records Requests.

Terry Thornsberry

Date: January 24, 2019
Time: _____

Received by City of Martin

By: _____
Its: _____

Date: January 24, 2019
Time: _____

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SOUTHERN

Continued From Page 1A

has a "direct impact" on the interest of Southern Water ratepayers.

McNeil asked the PSC to grant him leave to supplement his brief, or asked that "in the alternative, the commission should immediately initiate an investigation into the management and operations" of Southern Water.

The PSC had not answered McNeil's request prior to print deadline on Tuesday.

The Southern Water Board of Commissioners entered into closed session during its regular meeting on Monday — after McNeil's motion had been filed — citing litigation that pertains to the asset purchase agreement between Prestonsburg and Southern Water, which was approved by the PSC in 2017.

Earlier this month, the PSC considered testimony from officials with Southern Water, the Prestonsburg City Utilities Commission and other entities, and Southern officials were chided by the PSC for the organization's 60 percent water loss rate, its alleged lack of fiscal analysis and, among other things, accusations of mismanagement.

Last Thursday, the PSC filed two data requests to Southern, wanting, among other things, documentation to back up part of the organization's deal to transfer assets to the PCUC for an additional \$2 million that would be used to pay off the bond the fiscal court has been paying. PCUC paid a portion of the bond, Superintendent Turner E. Campbell said, because of a "gentleman's handshake" between him and former Floyd County Judge-Executive Ben Hale, but Prestonsburg Mayor Les Stapleton testified that he stopped payments of the bond because it

didn't benefit Southern Water.

In post-hearing briefs filed in the case, Southern attorney Randall Strobo said the requested rate increase is justified and that Southern "will not survive" without it and the Kentucky Attorney General's Office of Rate Intervention said that the PSC "should not expect, or require" ratepayers to bear the increase that's needed because of Southern's mismanagement.

Southern Water, which serves 5,456 customers in Floyd and Knott counties, is seeking a rate increase to get more than \$3.8 million in additional revenues, which would raise the average customer bill by \$13.20, or 31.88 percent.

Southern 'will not survive' without rate increase, attorney says

At the center of Southern's request for a rate increase is the asset transfer agreement approved in 2017 by the PSC. Southern is seeking more revenue because the loss of 1,160 water customers to the PCUC in that agreement, with Strobo saying in his brief that the district "desperately needs" the increase.

McNeil's request filed Monday asks the PSC to include that agreement in the investigation he requested of Southern's management.

PSC officials learned in testimony this month that Southern has not been paying the PCUC funds it has collected from sewer customers, as the asset purchase agreement required, and that the transfer of some of Southern's "more reliable" customers along US 23 is also not complete, although PCUC is currently managing that portion of the system. Repeatedly during the hearing, PSC Chairman Mike Schmitt asked whether that asset transfer should be "unwound," but he

made clear that the asset purchase agreement was not part of the current rate case.

Strobo reported in Southern's post-hearing brief that the district "agreed to offload its wastewater infrastructure and customers along some of the more reliable sections of its water system" to PCUC because it was facing state fines for sewage issues.

He explained "Southern quickly realized" after the asset transfer was completed that the loss of its water customers would "significantly impact its monthly revenue stream," so it filed this rate increase request with the PSC.

"In concert with the loss of customers, Southern cannot properly manage its existing water assets without a rate increase," Strobo wrote. "In addition, permeating throughout the 2017 transaction was the Floyd County Fiscal Court's insistence through some alleged 'hand shake' agreement that it was entitled to an additional (\$1.8 million) that the Commission and the Attorney General both agreed was not owed to the Fiscal Court."

Strobo reported that Southern has taken "proactive and successful steps" to address its 60 percent water loss problem — an issue PSC officials pointed out costs the district more than \$300,000 annually. He also reported Southern did not intentionally violate laws by obtaining debt without PSC permission — an issue highlighted during the hearing — and is in the process of working to adopt policies to ensure it doesn't happen in the future.

Strobo called the asset transfer agreement with PCUC "complicated and somewhat problematic," but said Southern still needs a rate increase.

He ended his brief by asking the PSC to approve the request, saying Southern "will not survive" without it.

"Although the commission took issue with the way in which Southern's Board of Commissioners made certain decisions, Southern is taking the steps to receive the help it needs from the Commission and outside consultants such as the KRWA (Kentucky Rural Water Association) and Kentucky Engineering, and is already seeing substantial improvements in water loss," he wrote. "With regards to its rate adjustment application, Southern as met its burden of proof with respect to demonstrating that its operation and maintenance expenses are prudent and reasonable."

Attorney General: Customers should not pay for Southern's 'mismanagement'

McNeil told the PSC in his post-hearing brief that Southern's rate increase request is not justified.

"Dire as the situation may now be, the award of the full increase of over 30 percent is not justified when the requestor is playing both the arsonist and the firefighter," he wrote.

McNeil explained that Southern failed to perform proper due diligence of the asset purchase agreement between Southern and the PCUC.

He pointed out that Southern officials "harbored reservations" over the agreement and are now alleging they were influenced by the fiscal court and former judge-executive.

"Board members now say that Asset Transfer was a mistake, but could not provide any feasible way to unwind the deal, and did not offer any feasible or workable alternative solutions to the District's wastewater operations other than PCUC's takeover of the system," McNeil wrote. "Regardless of any perceived or actual pressure

from the fiscal court to approve the transaction, SWSD's utter lack of due diligence mattered more. The District's board members' duty is to the water district and the citizens of Floyd County, they are not beholden to the fiscal court or the Judge-Executive."

McNeil claims the appraisal conducted by Terry Fyffe to determine the lost revenue Southern experienced by transferring its water customers to Prestonsburg is "flawed."

He also pointed out several mismanagement issues highlighted in the hearing. He noted that Southern board Chairperson Paula Johnson "seemed unaware of the sheer amount of lost revenue" Southern has because of its water loss rate. During the hearing Southern Manager Dean Hall estimated it would take Southern five years to reduce its water loss rate to 30 percent—which would still be double the water loss rate allowed by the PSC. Southern has proposed that the rate increase will help the district improve its water loss problems, but McNeil called Hall's estimate of five years to improve water loss "overly optimistic."

"Any claim that 'substantial improvements in water loss' will be achieved through following a simple two pages of leak detection procedure is overly optimistic," McNeil wrote. "SWSD must develop a more comprehensive water loss management plan to complement the leak detection procedure and expand upon those recommendations."

He also pointed out that Southern needs has a capital improvement plan, needs to update its old water meters and "must do more" to determine if customers are receiving free water.

Southern is seeking this rate increase to deal with its financial strains and, in part, to get approved for a Kentucky

Infrastructure Authority loan to replace water lines from Lackey to Wayland to reduce water loss. McNeil addressed that issue as well.

"The Attorney General remains hopeful that the proposed, and now on hold, KIA project to replace the Lackey to Wayland water main will help to eventually reduce water loss, but cautions the Commission against granting the full increase as a means to get this project completed," he wrote. "Furthermore, the Attorney General encourages the District to continue discussion with Kentucky-American Water about a possible management contract, especially if PCUC remains uninterested in a merger or operation scenario."

McNeil asked the PSC to follow its former precedent of increasing rates gradually to lessen the impact on families.

"Though the District has acknowledged a myriad of issues in the operation of its system, it has not properly demonstrated that it is fully grasped how to effectively move forward, and should not receive the entirety of the Staff's recommended rate increase," McNeil wrote.

He said the admission by Southern that it obtain unauthorized debt without PSC approval is "only one of many examples of the past managerial and operational negligence" at Southern.

He wrote, "Now, the Commission must equitably balance the needs of the district against the District's demonstrably poor past decisions, which in this case generated the need for a rate increase....The Commission should not expect, nor require ratepayers and Kentucky families to bear such an increase due to mismanagement."

He asked the PSC to "set a fair, just, and reasonable rate" for Southern Water customers.

LAWSUIT

Continued From Page 1A

Jailer Stuart "Bear" Halbert and the five employees, identified as "John and Jane Does 1-5," in their individual capacities. The county and the jail are not named as part of the lawsuit. The unnamed defendants are identified as deputy jailers and medical professionals at the jail.

The lawsuit alleges that Potter's death was a "consequence of" three factors, Halbert's alleged failure to train and supervise jail employees, the unnamed defendants' alleged violation of "statutory, regulatory and common law duties they owed Mr. Potter" and their alleged violations of the jail's policies and procedures, as well as the alleged failure of the unnamed defendants to exercise a degree of care that would be expected "of a reasonably prudent medical professional."

Finn wrote, "As a consequence of defendants' conduct, Mr. Potter was

killed, and suffered pain of the body and mind, incurred medical expenses and costs, the permanent disability and impairment to his power to labor and earn money, and the Administratrix of his estate, Julia Vanderpool, has born the cost of hiring an attorney."

The lawsuit claims that Halbert was responsible for Potter's health, safety and welfare and was "individually responsible" for training the employees to insure they "recognized and properly attended to the safety needs" of inmates at the jail.

It also claims the deputy jailers and medical staff were "individually and directly involved" in Potters admission and monitoring prior to the assault that killed him while he was incarcerated.

Potter, 29, of Prestonsburg, died on June 5, 2018, following an alleged altercation with another inmate, Scotty Gibson, who is now facing a murder charge in a criminal case. At the

time, County Attorney Keith Bartley said Potter died because of "one nightmare punch."

"There is one fact that I think the world should know, and that is that this was not any type of protracted argument, no protracted fight, anything like that," Bartley said in June 2018. "I have personally viewed video and that video shows that essentially there was one punch. One punch that landed, and, unfortunately, it was the nightmare punch that took this man's life."

The lawsuit claims Potter was awaiting transport to the courthouse and deputy jailers placed him in a holding area with Gibson. It claims that the deputies "knew or should have known" that Gibson should not have been housed with Potter and it alleges they "took no special precautions" for Potter's care, failed to monitor the holding area, failed to intervene in the alleged fight and "ignored concerns about the conflict expressed by other inmates."

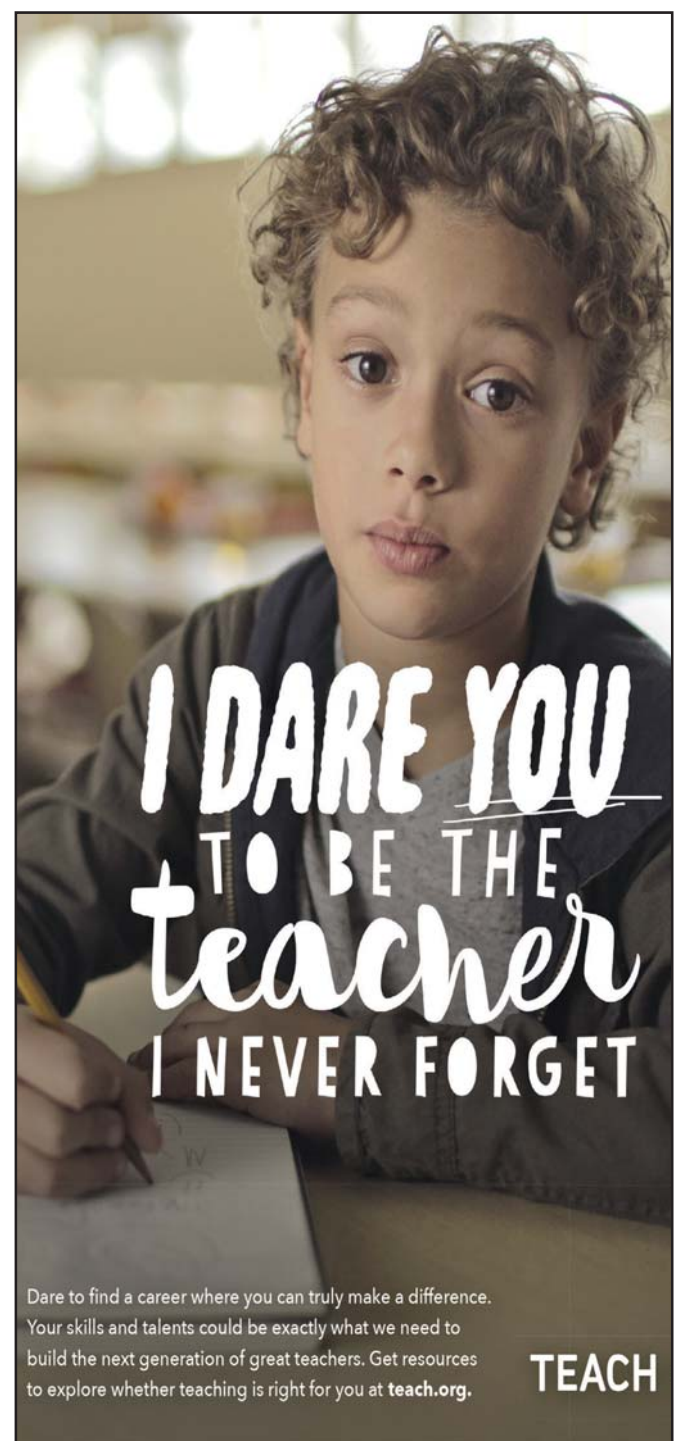
"Scotty Gibson struck Mr. Potter knocking him unconscious," Louisville attorney Corey Ann Finn wrote in the lawsuit. "Defendants John and Jane Does 1-5 failed to render timely medical assistance to Potter. Eventually, one or more Defendants John and Jane Does 1-5 attempted to render medical attention to Mr. Potter."

It claims one or more of the defendants "failed to exercise that degree of care and skill as would be expected of a reasonably prudent medical professional under like or similar circumstances."

The lawsuit seeks compensatory damages for pain and suffering, medical expenses, attorney fees and other relief.

Halbert said Monday he was not yet aware of this lawsuit. He offered no additional comments prior to print deadline.

Gibson is scheduled to appear in court on Feb. 28 for a pretrial conference in the murder case that was filed against him last year.



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TEACH

KDE announces loan forgiveness program for teachers

SPECIAL TO THE FLOYD CHRONICLE AND TIMES

In a news conference on Jan. 24, the Kentucky Department of Education announced the launch of the Kentucky Academy for Equity in Teaching, a renewable loan forgiveness program designed to "identify and prepare effective, experienced and diverse public educators in the Commonwealth."

Through the program, KAET participants will receive financial support and complete an Education Professional Standards Board (EPSB)-approved teacher education program in conjunction with ongoing mentorship by experienced Kentucky educators.

The program is funded by a \$1 million per year allocation in the 2018 Kentucky state budget for educator quality and diversity through the teacher recruitment and retention program.

"Ensuring that Kentucky students have access to a diverse, highly quality, effective teacher workforce is a high priority for me and KDE," said Kentucky Education Commissioner Wayne Lewis. "There is no single school factor more important to the success of students than having an effective classroom teacher. KAET will be instrumental in recruiting more talented young people and experienced professionals into the teaching profession who mirror the incredible diversity of our state. It also will provide additional support to those pre-service teachers as they prepare to serve students."

The KDE reported that the program emphasizes the development of knowledge, skills and competencies identified in the Kentucky Teacher Performance Standards and the Kentucky Framework for Teaching.

"It is a renewable loan forgiveness program designed to provide financial support and mentoring to pre-service teachers who are enrolled in teacher preparation and/or certification programs at public state universities," the statement said.

Undergraduate students enrolled in educator preparation programs can receive up to \$5,000 per semester for up to four semesters over the course of three academic years and receive no more than \$20,000 total. They must be enrolled in an educator preparation program or have an application on file with a public Kentucky university.

Students in an initial certification master's educator preparation programs are eligible to receive up to \$2,500 per semester for up to four semesters over the course of three academic years and receive no

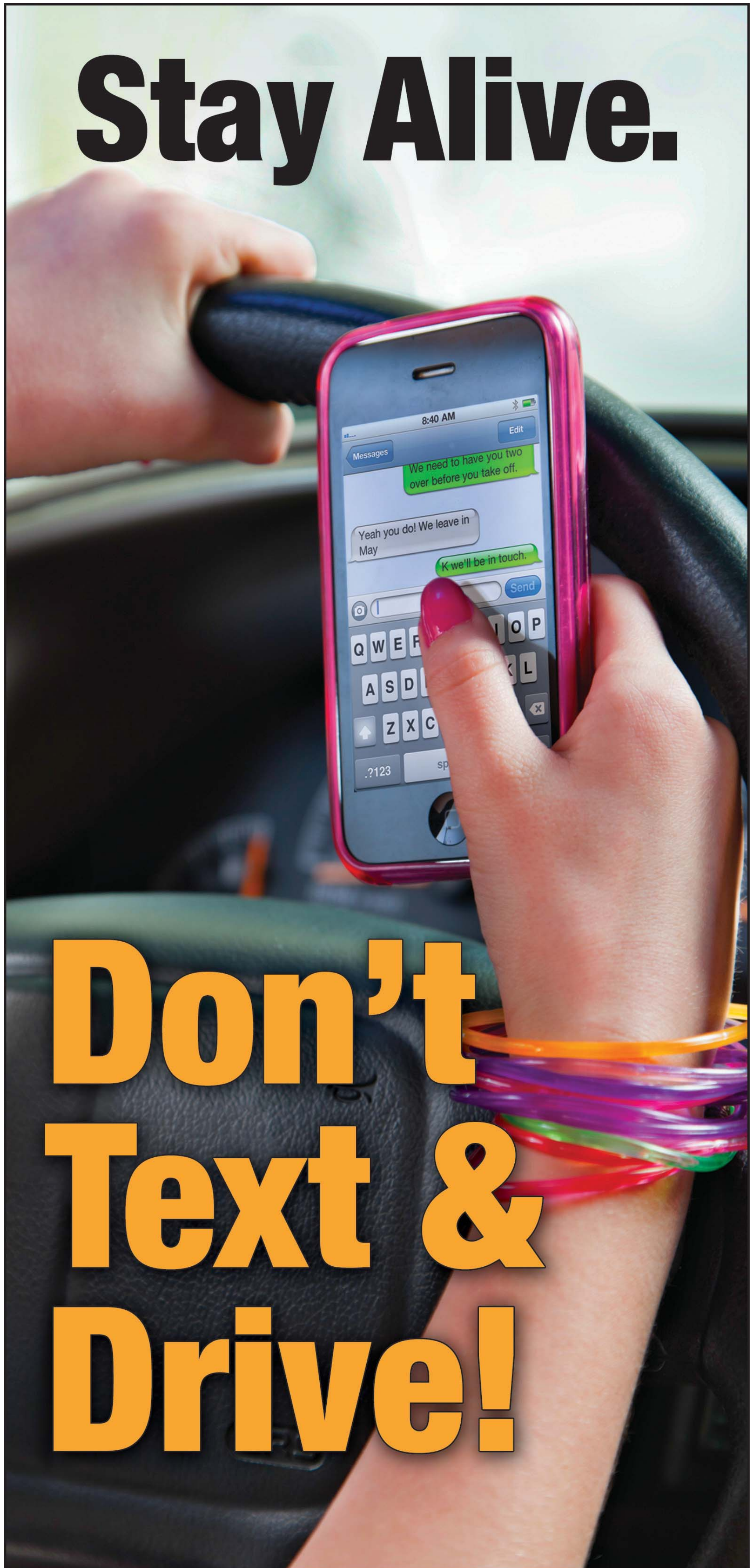
more than \$10,000 total. They must be admitted to a MAT educator preparation program or

have an application on file with a public Kentucky university. The MAT option is limited to

students participating in initial certification, option six, educator preparation programs. Support for

other alternative certification programs are under development and will be available soon.

Eligibility requirements and an online application can be found at bit.ly/KAEToverview.



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Donation drive to be held this weekend

A FLOYD CHRONICLE AND TIMES STAFF REPORT

The American Association of Retired Persons, Jenny Wiley Chapter, reports that volunteers will be collecting donations to help domestic violence victims in Prestonsburg this weekend.

John Rosenberg, president of the chapter, reports that volunteers will host an AARP Day of Service on Saturday, Feb. 2, from 10 a.m. to 5 p.m. at Food City, Prestonsburg.

AARP volunteers will be collecting nonperishable food

See DONATION, Page 12A

Educators earn mini-grants for family workshops

SPECIAL TO THE FLOYD CHRONICLE AND TIMES

Educators in Perry and Floyd counties recently were awarded "mini-grants" from KET to help pay for a series of family learning workshops in those regions later this year.

The grants will help offset costs for staffing, food and learning materials associated with the KET workshops.

The KET workshops, which run once a week for four

See GRANTS, Page 12A



Appalachian Newspapers photo by Elaine Belcher

Elizabeth Robinson, Heather Justice and Allison Powers with the Big Sandy Road Runners and Alexis Batausa, Jackie Cole and Rudy Mancuso, Jr. with the Tug Valley Road Runners signed a letter of agreement Monday to co-create the dual-cities "Hog Trial Race Series."

Big Sandy and Tug Valley Road Runners announce 'The Hog Trial Race Series'

By ELAINE BELCHER
STAFF WRITER

The Tug Valley Road Runners Club and the Big Sandy Road Runners Club announced Friday they are teaming up to host first local dual-city race series with the signing a letter of agreement between the two clubs to formalize the partnership.

The Hog Trial Race series is three races: The "Spring Cleaning 5K" in Williamson, West Virginia on March 23,

Pikeville's Hatfield and McCoy Festival "Run for the Children" 10K on April 13 and the "Colors of Hope" Cancer Awareness 15K in Williamson, West Virginia on May 18.

"The purpose of the series is to encourage runners who have thought about running a half marathon but have not yet done so," said Allison Powers, Big Sandy Road Runners president. "This is a fantastic opportunity for runners in both clubs, and those who are new to the sport, to come

out and support each other and get a good run in at the same time."

"The race series will be limited to the first 250 runners who sign up before the first race begins," said Alexis Batausa, Tug Valley Road Runners president. "The Spring Clean 5K will be \$10, the Run for the Kids will be \$20 and the Colors for Hope 15K will be \$15.

While runners can sign up for each race individually, they will not be eligible for the

race series medal unless they have registered."

According to organizers, the cost of registration for the race series is \$75 until March 1 when the price rises to \$80 for the series until the beginning of the Williamson, West Virginia "Spring Cleaning 5K" on March 23.

For questions or more information, visit the Big Sandy Road Runners or the Tug Valley Road Runners Club on Facebook.

The Center for Rural Development seeks applications for summer leadership program

APPALACHIAN NEWSPAPERS
STAFF REPORT

The Center for Rural Development is accepting applications for the 2019 Entrepreneurial Leadership Institute.

The Entrepreneurial Leadership Institute's purpose is to develop future business leaders and entrepreneurs in Southern and Eastern Kentucky. High school freshmen, sophomores and juniors from throughout The Center for Rural Development's 45-county service area are encouraged to apply.

ELI is a week-long program focused on developing creativity, teamwork, business and leadership skills. The Institute is developed, coordinated and supervised by The Center for Rural Development. All lodging, meals, and program expenses

(with the exception of transportation to and from the program) are offered at no cost to the student, according to a statement from the center.

"Many of these students will utilize the skills they learn during the week at ELI to become the region's next generation of business leaders and entrepreneurs," said Lonnie Lawson, President and CEO of The Center.

Activities during the week are both educational and fun, the statement said, and include classroom instruction, guest speakers, competitions and tours of local businesses. The concluding event will be a team business concept competition and the chance to compete for a college scholarship.

See CENTER, Page 12A



Submitted photo

The Center for Rural Development is now accepting applications for the 2019 Entrepreneurial Leadership Institute summer youth leadership program.

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Burchett hired at BSCTC

A FLOYD CHRONICLE AND TIMES STAFF REPORT

Rachelle Burchett, an alumnus of Big Sandy Community and Technical College, was recently hired as the college's interim director of Community Workforce and Economic Development.

She replaces Kelli A. Chaney, who started her new job as president of the Tennessee College of Applied Technology Knoxville on Jan. 2.

Burchett graduated from BSCTC years ago and obtained a bachelor's degree in organizational leadership at Northern Kentucky University. She previously worked in the college's public relations department, at the Eastern Kentucky Concentrated Employment Program and as a pharmaceutical representative. She also

opened her own business, The Communication Trainer, which works to improve the culture at businesses.

In her new role, she will be overseeing the implementation the Digital Careers Now program, part of a \$3.5 million Eastern Kentucky Coal County Transformation grant awarded by the Appalachian Regional Commission.

She will be working with Sandra Brown, Kimberly Cunagin and Stephanie Abshire in that effort, the college reported.

"BSCTC welcomes Rachelle home with tremendous appreciation for her journey, her impressive accomplishments and her keen expertise," the college said in a press release.



Rachelle Burchett

Submitted photo

DONATION

Continued From Page 11A

items, personal hygiene items and other items needed by Turning Point Domestic Violence Services.

Turning Point, a non-profit agency, serves residents of Floyd, Johnson, Magoffin, Martin and Pike counties. It offers a 24-hour hotline to provide

crisis intervention services, a shelter for victims of domestic violence and their eligible dependents, support through counseling and support groups and advocacy, among other services.

All donations received during the AARP Day of Service will be given to Turning Point. For more information about the organization, visit, turningpointky.org.

CENTER

Continued From Page 11A

"ELI gave me the fundamental, basic knowledge on how to be a successful entrepreneur," 2016 ELI alumni Grace Sink said.

"This was a great learning experience of how a business would work and how a simple idea can turn into a large company," 2016 ELI Alumni Colton Morrow said. "The ELI program helped me to learn how to be a team player and work with others to accomplish a goal."

The 2019 Entrepreneurial Leadership Institute will take place Monday, July 22 through Friday, July 26 at The Center for Rural Development in Somerset. A total of 20 students from The Center's 45-county ser-

vice area will be selected for the program in 2019.

To be eligible to apply, the student must:

- Be a high school freshman, sophomore or junior at a high school located within Floyd, Johnson, Knott, Magoffin, Martin, Perry, Pike and other counties served by the center.

- Have a demonstrated interest in business, leadership and entrepreneurship.

- Have a cumulative grade point average of at least 3.0 (on a 4 point scale).

To apply, visit, centeryouthprograms.com. The deadline is 8 a.m. on April 2.

For more information or questions about the online application process, call Allison Cross at, (606) 677-6000 or email, across@centertech.com.

GRANTS

Continued From Page 11A

weeks, bring parents and children together for a few hours to learn about interactive science and literacy experiences—and how those foundational skills can continue to be developed by families at home through their everyday interactions.

•Perry County's grant, awarded to the Eastern Kentucky Child Care Coalition and New Beginnings Child Care, will pay to host "Play and Learn Science" workshops in which children and parents are introduced to fun science concepts. The workshops are scheduled for every Tuesday from April 9 through April 30.

•Floyd County's grant was awarded to the county's Literacy and Learn Program, which offers children ages one to 13 a chance to continue their learning during the summer through a series of educational games and activities. The grant will pay to host "The Cat in the Hat Knows a Lot About That!" workshops, which encourage children to explore design, engineering and creative arts. The workshops, which will coincide with the county's Summer Feeding Program, are scheduled for every Thursday from June 6 to June 27.

•Floyd County additionally was awarded a second mini-grant to host a week-long summer day camp, called "The Odd Squad: Be The Agent," in which participants

are called upon to solve mysteries that challenge their math, science and engineering skills. The grant was awarded to the Maytown Family Resource Center. The camp is scheduled for July 8 through July 12.

Floyd and Perry counties are the first recipients of KET's new mini-grants, which are made available through the Corporation for Public Broadcasting's Ready To Learn initiative.

The Ready to Learn initiative strives to promote early learning and school readiness, with an emphasis on supporting

children from low-income and underserved communities.

The mini-grants—aside from helping the counties pay to host the workshops and day-camps—also provide for educators in Floyd and Perry counties to receive training from KET's educational consultants so that the counties are equipped to host the events themselves, staffed by their own personnel.

"KET is looking forward to seeing how our community partners take the resources that have

been created from the RTL grant and make them work in their own communities," said Amanda Wright, director of KET's early childhood education. "We believe these resources will add value to the work our partners are already doing in helping children get ready for kindergarten and later school success."

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Floyd Central cruises past Betsy Layne

By STEVE LEMASTER
SPORTS WRITER

EASTERN — Floyd Central opened the game on a 20-4 run and never faltered on its way to defeating visiting Betsy Layne 68-30 in a 58th District girls'

basketball matchup on Friday night.

With the win, Floyd Central improved to 20-1 overall and 4-0 in the 58th District.

The Lady Bobcats slipped to 4-17 overall and 0-5 in the district with the loss.

Host Floyd Central led 38-12 at halftime and added to its lead shortly after the break. The Lady Jaguars led 55-21 at the conclusion of the third quarter.

Floyd Central shot 41.2 percent (28 of 68) from the field. The Lady

Jaguars were four of 17 from three-point range.

Floyd Central shot 44.4 percent (eight of 18) from the free-throw line.

Excelling inside, Floyd Central outrebounded Betsy Layne 42-27.

Kaylee Moore led a balanced Floyd Central offensive attack with a game-high 16 points. Moore was the only Floyd Central player to reach double figures in the scoring column.

Finishing just outside of double figures,

Katie Moore and Gracie Martin netted nine points apiece for the Lady Jaguars.

Brook Stumbo tossed in eight points while Lauren Preston netted seven points in Floyd Central's convincing

See CRUISES, Page 3B



Floyd Chronicle and Times photo by Steve LeMaster

Floyd Central's Kaylee Moore shoots a three against Betsy Layne. Moore scored a game-high 16 points to lead Floyd Central past visiting Betsy Layne on Friday night.



Floyd Chronicle and Times photo by Steve LeMaster

Betsy Layne's Brady Robinson delivers a pass during the Bobcats' district game at Floyd Central.

Bobcats edge Jaguars in district matchup

By STEVE LEMASTER
SPORTS WRITER

EASTERN — Determined Betsy Layne managed to notch another 58th District boys' basketball win on the road in its latest outing, outlasting host Floyd Central 48-44 on Friday night.

The victory allowed Betsy Layne to claim a regular-season sweep over its county rival.

With the win, Betsy Layne improved to 11-10 overall and 3-2 in the 58th District.

Floyd Central dropped to 2-19 overall and 2-4 in the district with the loss.

Betsy Layne won despite shooting only 29.4 percent (15 of 51) from the field. The Bobcats were one of five from three-point range.

Betsy Layne shot 60.7 percent (17 of 28) from the free-throw line.

Chase Mims and Jordan Frazier led Betsy Layne with 10 points apiece. In all, eight different Betsy Layne players broke into the scoring column.

The Bobcats boasted a lead at the conclusion of each quarter. Betsy Layne edged Floyd Central 10-7 in the opening quarter and led 22-14 at halftime.

Barely missing double figures, Nicholas Howell netted nine points for the Bobcats.

Following Howell in the Betsy Layne scoring column, Brady Robinson posted seven points and Grant Orsborn contributed six points.

Davy Bentley, Nate Mims and Zack Bentley accounted for the rest of Betsy Layne's individual scoring, chipping in two point apiece.

Prior to falling short, Floyd Central outscored Betsy Layne 17-14 in the fourth quarter.

Floyd Central shot only 27.5 percent (14 of 51) from the field. The Jaguars missed all 10 attempts from three-point range.

Floyd Central shot 56 percent (14 of 25) from the free throw line.

Ethan Smith-Mills led Floyd Central with a game-high 15 points.

See EDGE, Page 2B

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Burchett joins Houston coaching staff

A FLOYD CHRONICLE AND TIMES STAFF REPORT

HOUSTON — Prestonsburg High School graduate Michael Burchett has joined the University of Houston football program's coaching staff.

Burchett was named an Offensive Analyst at Houston on January 11, following one season as offensive coordinator and quarterbacks coach at Fordham University.

The Prestonsburg product had an immediate impact in his first year on Rose Hill as the Fordham passing game ranked first in the Patriot League while freshman quarterback Tim DeMorat set a school freshman record with 11 touchdown passes, completing 148 passes for 1,633 yards, both second best all-time among the college's all-time freshmen.

Burchett arrived at Fordham after spending three years at West Virginia University, the last year as the Offensive Analyst where he was responsible for advanced scouting, preliminary game planning and offensive self-scout. He also assisted in developing weekly game plans, specifical-

ly the pass game plan and scripted the defensive scout team based on the offensive game plan.

In his first two years in Morgantown, Burchett served as an Offensive Graduate Assistant where he was responsible for coaching the quarterbacks under the supervision of head coach Dana Holgorsen. He also conducted all position meetings and daily drills with the Mountaineer quarterbacks and assisted in developing weekly pass game plans. Burchett's in-game duties included assisting with play calling and communicating with the head coach and quarterbacks.

Prior to his stint at West Virginia, Burchett was an Offensive Graduate Assistant at his alma mater, the University of Kentucky, in 2014 where he assisted the offensive coordinator/quarterbacks coach in providing detailed breakdowns of opponent's coverage tendencies, first down tendencies and opening drive tendencies. He also compiled opponent scouting reports, composed daily quarterback cut-ups for position meetings and coached



Michael Burchett

the scout team, defensive secondary and linebackers.

A 2014 graduate of Kentucky with a degree in mathematical economics, Burchett was a preferred walk-on for the Wildcats in 2010 and 2011, being a part of the 2011 team that appeared in the BBVA Compass Bowl. He transferred to West Virginia in 2011 where he served as the backup to Geno Smith for two years as the Mountaineers won the 2011 Big East championship and the 2012 Orange Bowl.

Burchett returned to Kentucky in 2013 where he served as a student assistant while finishing his undergraduate degree. He also earned a master's degree in corporate and organizational communication from West Virginia in 2016.



Floyd Chronicle and Times photo by Steve LeMaster

Floyd Central's Brandon Little drives to the basket against Betsy Layne.



Floyd Chronicle and Times photo by Steve LeMaster

Betsy Layne's Chase Mims boxes out Floyd Central's Caleb Hager as the two fight for position for a rebound.

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EDGE

Continued From Page 1B

Joining Smith-Mills in double figures in the Floyd Central scoring column and registering

a double-double, Brady Conn added 10 points and 10 rebounds.

Caleb Hager scored six points while Brandon Little posted five points for the Jaguars

in the four-point loss.

Chipping in offensively for Floyd Central, William Slone, Dalton Boyd and Hayden Hall netted two points apiece.

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Floyd Chronicle and Times photo by Steve LeMaster

Betsy Layne's Kenadie Boyette (10) and Madilyn Meade (4) chase a loose ball. The Lady Bobcats fell to Floyd Central 68-30.



Floyd Chronicle and Times photo by Steve LeMaster

Floyd Central's Grace Martin works to make a move in the paint against Betsy Layne.

Lady Blackcats cruise past Lawrence County

By STEVE LEMASTER
SPORTS WRITER

LOUISA — Alivia Slone scored a game-high 22 points and Caroline Ariaz added 19 points as visiting Prestonsburg rolled past Lawrence County 69-50 in a 58th District girls' basketball game on Friday night.

With the win, Prestonsburg improved to 15-8 overall and 2-2 in the 58th District.

Lawrence County slipped to 13-8 overall and 3-2 in the district with the loss.

Prestonsburg moved ahead early, outscoring Lawrence County 20-13 in the opening quarter. Productive Prestonsburg stretched its lead out to a double digit advantage prior to halftime, outscoring Lawrence County 19-9 in the second quarter.

After packing a 39-22 lead into halftime, Prestonsburg remained in control throughout the second half.

Reesce Endicott accompanied Slone and Ariaz on double figures for Pres-

tonsburg, scoring 11 points. Narrowly missing double figures, Kaitlyn Newsome netted nine points in the victory.

Alison Campbell rounded out the Prestonsburg individual scoring, posting eight points for the Lady Blackcats.

Ariaz narrowly missed recording a double-double for Prestonsburg, pulling down nine rebounds. Finishing as the Lady Blackcats' second-leading rebounder, Keathley claimed seven caroms.

Prestonsburg shot 43.5 percent (20 of 46) from the field. The Lady Blackcats were 9-of-19 (47.4 percent) from 3-point range, shooting even better beyond the arc.

Prestonsburg shot 71.4 percent (20 of 28) from the free-throw line.

In a 58th District boys' basketball game, the Lawrence County Bulldogs beat the Prestonsburg Blackcats 63-58.

CRUISES

Continued From Page 1B

ing victory.

Additional scorers for Floyd Central in the victory were Kennedy Harvell (six points), Kamryn Shannon (five points), Jada Johnson (four points), Natalie Hollie (two points) and Abby Maggard (two points).

Martin and Kaylee Moore led Floyd Central inside, securing nine rebounds and eight rebounds, respectively.

Betsy Layne shot only 21.3 percent (10 of 47) from the field. The Lady Bobcats were one

of four from three-point range.

Betsy Layne shot 52.9 percent (nine of 17) from the free-throw line.

Alexandria Jarvis paced Betsy Layne with 11 points. Jarvis was the only Betsy Layne player to reach double figures in the scoring column.

The other scorers for the Lady Bobcats were Amelia Blackburn (six points), Kimberly Akers (four points), Kenadie Boyette (three points), Madilyn Meade (three points), Lauryn Watkins (one point), Karly Williams (one point) and Katie Kidd (one point).

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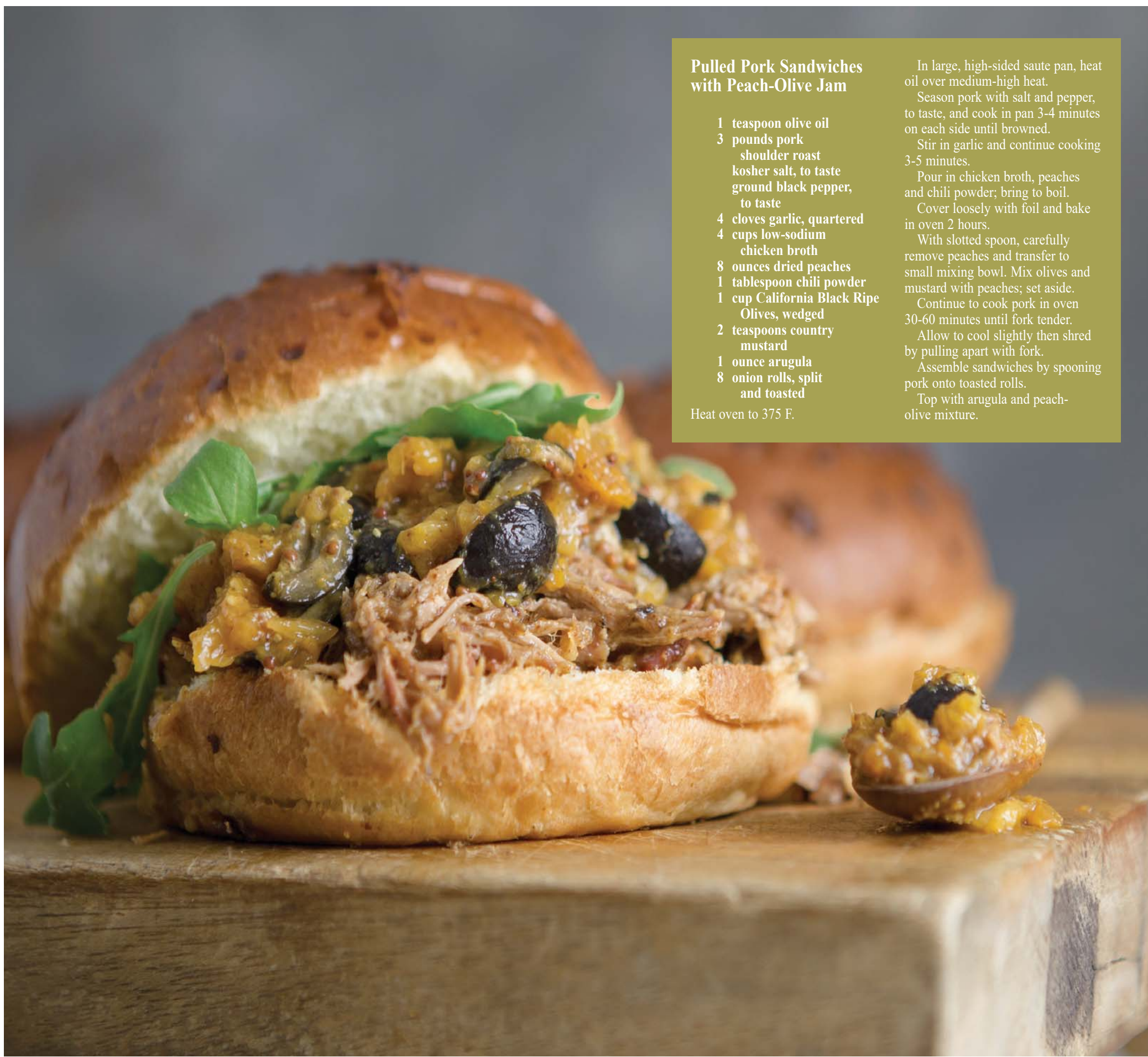
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Pulled Pork Sandwiches with Peach-Olive Jam

- 1 teaspoon olive oil
- 3 pounds pork shoulder roast
- kosher salt, to taste
- ground black pepper, to taste
- 4 cloves garlic, quartered
- 4 cups low-sodium chicken broth
- 8 ounces dried peaches
- 1 tablespoon chili powder
- 1 cup California Black Ripe Olives, wedged
- 2 teaspoons country mustard
- 1 ounce arugula
- 8 onion rolls, split and toasted

Heat oven to 375 F.

In large, high-sided saute pan, heat oil over medium-high heat.

Season pork with salt and pepper, to taste, and cook in pan 3-4 minutes on each side until browned.

Stir in garlic and continue cooking 3-5 minutes.

Pour in chicken broth, peaches and chili powder; bring to boil.

Cover loosely with foil and bake in oven 2 hours.

With slotted spoon, carefully remove peaches and transfer to small mixing bowl. Mix olives and mustard with peaches; set aside.

Continue to cook pork in oven 30-60 minutes until fork tender.

Allow to cool slightly then shred by pulling apart with fork.

Assemble sandwiches by spooning pork onto toasted rolls.

Top with arugula and peach-olive mixture.

GAME DAY EATS AND TREATS

SCORE MAJOR POINTS WITH DELICIOUS DISHES

FAMILY FEATURES

If the crew is coming over to root for your favorite team, it may be time to spice up the menu. Whether you're hosting the weekend get-together or watching the game after work, switch up your typical spread and serve something new to leave your guests cheering for more.

When it comes to choosing an ingredient that can lend a winning assist to nearly any dish and score you some major points, look no further than California Ripe Olives.

Variety is key when mapping out food for a crowd, regardless of the event. Plan

on serving one main course and two sides, and consider no-fuss options like chips and dips. If there are kids in attendance, make sure there is something neutral for even the pickiest eaters to snack on. However, try your best to avoid anything that needs a knife and fork to eat – finger foods typically work best when the game is on and conversation is flowing.

The mild and unique taste of California Ripe Olives lends itself well to many different flavor pairings, such as these recipes for Pulled Pork Sandwiches with Peach-Olive Jam, Easy Olive Bread and Sun-Dried Tomato and Olive Tapenade.

Whether your guests are fans of spicy, mild, sweet or savory, the only limit is your imagination when you pull a can of olives from the pantry.

Family farms across California grow 95 percent of the ripe olives consumed in the United States. Each can is a labor of love. Multi-generational family farms work with family-owned canneries in California to produce each can and ensure only the highest quality olives make it from the farm to your game-day table. For more creative ways to use olives, including family recipes from growers across California, visit CalOlive.org.



Photo courtesy of The Wicked Noodle

Easy Olive Bread

Recipe courtesy of The Wicked Noodle

- 8 ounces cream cheese, softened
- 1/4 cup unsalted butter, softened
- 1/2 cup mayonnaise
- 1 clove garlic, minced
- 2 cups shredded cheddar cheese
- 10 ounces California Green Ripe Olives, chopped
- 2 green onions, chopped
- 1 loaf French bread, sliced in half lengthwise

Heat oven to 350 F.

In bowl, mix cream cheese, butter and mayonnaise until thoroughly combined. Add garlic; stir well to distribute. Add cheddar cheese, green olives and green onions; stir to combine.

Spread mixture on cut sides of bread. Bake 20-30 minutes, until cheese is hot, bubbly and starting to brown.



Sun-Dried Tomato and Olive Tapenade

- 1/2 cup shallots, chopped
- 1/4 cup chopped smoked sun-dried tomatoes
- 2 tablespoons extra-virgin olive oil
- 2 tablespoons white balsamic vinegar
- 2 cloves garlic, minced
- 1 can (6 ounces) California Green Ripe Olives, drained
- 1 can (6 ounces) California Black Ripe Olives, drained

- 1/4 cup lightly packed fresh basil
- sea salt, to taste
- freshly ground pepper, to taste
- crackers or toasted baguette slices

In food processor, pulse shallots, sun-dried tomatoes, olive oil, vinegar and garlic until finely chopped. Add olives, basil, salt and pepper; pulse again until chopped. Cover and chill 1 hour.

Serve with crackers or toasted baguette slices.

Note: Recipe can be prepared one day in advance.

Simple Entertaining Tips to Take Your Table to the Next Level

1. A colorful platter is an easy way to spice up a spread.
2. Pair something salty with something sweet for a juxtaposition of flavors.
3. If you're serving food on neutral plates, add some colorful linens.
4. Plan the menu around a central theme or ingredient.
5. Guests love choices – making more options available can make for better spreads.
6. Use versatile ingredients, like California Ripe Olives, to keep picky eaters happy.

PHONE: (800) 539-4054

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All real estate advertising in this newspaper is subject to the Fair Housing Act which makes it illegal to advertise "any preference, limitation or discrimination on race, color, religion, sex, handicap, familial status or national origin, or an intention to make any such preference, limitation or discrimination." Familial includes children under the age of 18 living with parents or legal custodians, pregnant women and people securing custody of children under 18. This newspaper will not knowingly accept any advertising for real estate which is in violation of the law. Our readers are hereby informed that all dwellings advertised in this newspaper are available on an equal opportunity basis. To complain of discrimination, call HUD



toll-free at 1-800-669-9777. The toll-free number for the hearing impaired is 1-800-927-9275.

POLICIES

The *Floyd County Chronicle and Times* reserves the right to edit, properly classify, cancel or decline any ad. We will not knowingly accept advertising that discriminates on the basis of sex, age, religion, race, national origin or physical disability.

PLEASE CHECK YOUR AD

Please read your ad the first day it appears in the *Floyd County Chronicle and Times*. Report any errors immediately and we will gladly correct any errors published. Credit will be issued for one (1) day only. After the first day the ad can be corrected for the remaining number of runs, but credit will not be issued for days ad ran incorrectly.

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3BR, 1BA HOUSE for rent. Carport, large yard. Located between Prestonsburg and Paintsville. Call 606-886-9007 or 606-889-9747.

MOBILE HOMES FOR RENT

HOUSE FOR RENT 3BR house, West Prestonsburg, 606-339-9544

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Landlord may be reached at 606-874-2244 between the hours of 8:00 a.m. and 8:00 p.m. Monday through Friday.

HOUSES FOR SALE

HOME FOR SALE Price Reduced. 2 BDRM, 1 Bath, located Highland Ave, Prestonsburg, KY Call 606-886-0372

FARM FOR SALE 70 acres more/less House, Shed and Trailer, 739 Harper Branch Road, West Liberty KY. Call (606)743-9669.

MOBILE HOMES FOR SALE

MOBILE HOME FOR SALE. 2BR 1BA. central heat/air, basement, large lot at Martin. Call 606-874-2000.

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HIRING Needing a Part-Time Handy-Per person for 24 hours a week at Branham Heights Apts. Must have general knowledge of plumbing, painting, dry wall and electric. Have your own hand tools. Apply at 67 Branham Street Wheelwright, KY 41669. 1(606)452-4777

LEGALS

NOTICE OF INTENTION TO MINE Pursuant to Application Number 836-8086, Renewal

In accordance with KRS 350.055, notice is hereby given SNR Rail Ops, LLC., Rt.4, Box 104E, Catlettsburg, KY 41129, has filed an application for a renewal of a surface coal mining operation located 0.25 miles east of Ivel in Floyd County. The operation affects a total permit acreage of 11.95 acres.

The operation is located on the Harold USGS 7 1/2 minute quadrangle map at latitude 37° 35' 22" and longitude 82° 39' 53", at the community of Ivel, KY. The operation is approximately 0.25 miles southeast from US 23's junction with Ivel road and is located 0.25 miles southeast of Levisa Fork of the Big Sandy River. The surface area to be disturbed is owned by SNR Rail Ops, LLC. The minerals are owned by Appalachian Land Company, 750 Town Mountain Road, Pikeville, KY 41501. The operation will not involve re-location or closure of either of the public roads.

The application has been filed for public inspection at the Department for Natural Resources, Division of Mine Reclamation and Enforcement's Prestonsburg Office, 3140 South Lake Drive, Suite 6, Prestonsburg, KY 41653. Written comments, objections, or requests for a permit conference must be filed with the Director, Division of Mine Permits, 300 Sower Boulevard, Frankfort, KY 40601.

LEGALS

NOTICE OF INTENTION TO MINE Pursuant to Application Number 836-0440, Major Revision 5

In accordance with KRS 350.070, notice is hereby given that Revelation Energy, LLC, PO Box 189, Lackey, Kentucky 41643, has applied for a Major Revision to an existing surface coal mining and reclamation operation located 2.2 miles northeast of West Garrett in Floyd County. The major revision will not add any surface disturbance acreage to the permit area. The total area within the revised permit boundary will remain 202.07 acres.

The proposed major revision is approximately approximately 0.1 miles northwest from Route 2029's junction with KY Route 7 and located on an unnamed tributary of Raccoon Branch. The operation is located on the Wayland, Hand-

COMMONWEALTH OF KENTUCKY COUNTY OF FLOYD...SCT

I, Douglas Ray Hall, Clerk of the Floyd District Court, do hereby certify that the following Settlements of Estates have been filed in my office. Anyone desiring to take exceptions to said Settlements must do so on or before FEBRUARY 28, 2019 at 10:00 am.

SETTLEMENT	CASE NUMBER	ESTATE OF:	FIDUCIARY	DATE FILED
FINAL	14-P-356	BETTY WATSON	SHEILA JARRELL	10/24/14
FINAL	16-P-21	OCIE FRASURE	ELVIE COLLINS	1/21/16
FINAL	16-P-149	KERMIT ROWE	STACEY MULLINS	4/13/16
FINAL	16-P-394	TENNIE VANCE	NOAH VANCE JR	10/18/16
FINAL	18-P-43	IONA JUDE	MARTINA SLONE	2/9/18
FINAL	18-P-149	BARBARA DUNN	DAVID WRIGHT	4/9/18
FINAL	18-P-260	MARGARET CONN	GABRIEL CONN	6/28/18
FINAL	18-P-288	PAUL WAYNE GOBLE	JUANITA GOBLE	7/16/18
FINAL	18-P-292	PEGGY JOHNSON	CHARLES JOHNSON	7/19/18

LEGAL NOTICE: NOTICE OF APPOINTMENT

COMMONWEALTH OF KENTUCKY COUNTY OF FLOYD

I, Douglas Ray Hall, Clerk of Floyd District Court, Do hereby certify that the following persons have been appointed fiduciaries by the District Court. All person indebted to an Estate should settle with the Fiduciary within six (6) months from the date of appointment.

DATE OF APPOINTMENT	CASE NUMBER	ESTATE OF:	FIDUCIARY	ATTORNEY
12/19/18	18-P-461	TRISTAN KEATHLEY	WILMA LEE	
12/21/18	18-P-462	ELEANOR MCCARTY	KEVIN MCCARTY	
1/2/19	19-P-4	JEWELL TUSSEY	IRA JOE TUSSEY	
1/2/19	19-P-5	DUANE ODEN	KALAWESE ODEN	
1/2/19	19-P-6	ORVILLE TURNER	DARYL TURNER	
1/2/19	19-P-7	ROY DUNCAN	EVA DUNCAN	
1/3/19	19-P-9	TOMMY COLLETT	EDGAR COLLETT	
1/4/19	19-P-11	ADIS CLARK	RONALD CLARK	
1/4/19	19-P-12	DEBRA SAMONS	TAMSEY KIDD	
1/8/19	19-P-17	CARMEL TACKETT	LUCILLE TACKETT	
1/11/19	19-P-18	CHRISTINE GOBLE	CAROL GOBLE	JAMES D. ADAMS
1/10/19	19-P-19	NATALIE LEWIS	DOLLIE LEWIS	
1/11/19	19-P-21	MAGGIE DANIELS	DUANE DANIELS	
1/14/19	19-P-24	HAZEL SHEPHERD	HENRY SHEPHERD	
1/16/19	19-P-25	RABON DYE	MILLIE DYE	
1/16/19	19-P-26	REBECCA WALTERS	MICHAEL HORN	
1/16/19	19-P-27	MARJORIE SPARKS	TRAVIS SPARKS	
1/18/19	19-P-28	DAVID ALLEN	RACHAEL ALLEN	
1/22/19	19-P-29	COLLEEN BURCHETT	CHARLES BURCHETT	
1/22/19	19-P-30	JOHN DEE WEBB	JOHN KEITH WEBB	

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NOTICE (Of Final Settlement)

Sheriff John P. Hunt
Floyd County

LEGALS

shoe and David U.S.G.S. 7 1/2 minute quadrangle maps. The surface area to be affected by the major revision is owned by Kentucky Fuels, LLC, Betty Reed, Delphia M. Hale and Carol S. Wireman, Virgil Shepherd, Heirs: (Sheldon Shepherd, Gorman Shepherd & Lendon Shep-

LEGALS

herd), Eugene Shepherd, Carl D. Whitaker, Gorman Shepherd, Dallas Sparkman, Marigold Warrix, Clayton Ramey, Craig Hicks, Rev- elation Energy, LLC, Bobby & Lenore Slone, R i c k e y Handshoe, Homer Ratliff, David Compton, D. Allen, Linda Prater, Gary Francis, Edward & Dora Handshoe. The major revision is to address the right of entry. The major revision application has been filed for public inspection at the Department for Natural Resources, Division of Mine Reclamation and Enforcement's Prestonsburg Regional Office, 3140 South Lake Drive, Prestonsburg, Kentucky 41653. Written comments, objections, or requests for a permit conference must be filed with the Director, Division of Permits, 300 Sower Blvd., Frankfort, Kentucky 40601.

LEGALS

NOTICE OF BOND RELEASE

In accordance with KRS 350.093, notice is hereby given that Liberty Management, LLC, P.O. Box 100, Ary, Kentucky 41712 has applied for Phase I Bond Release on Increment No. 1 Phase I and II Bond Release on Increment No. 5, Phase II and III on Increment No.'s 3, 4 and 9 and Phase III Bond Release on 2 and 6 of **Permit Number 836-0454**, which was last issued on September 8, 2016. Increment No. 1 covers an area approximately 4.04 acres, Increment No. 2 covers an area approximately 4.15 acres, Increment No. 3 covers an area approximately 16.74 acres, Increment No. 4 covers an area approximately 8.02 acres, Increment No. 5 covers an area approximately 21.95 acres, Increment No. 6 covers an area approximately 15.82 acres and Increment No. 9 covers an area approximately 16.92 acres located 2.5 miles northwest of Minnie in Floyd County. The permit is approximately 1.7 miles southeast of KY 80's junction with KY 680 and located 0.1 mile south of Gosling Branch. The operation is located on the Wayland U.S.G.S. 7 1/2 minute quadrangle map. The latitude is 37° 29' 08". The longitude is 82° 47' 37". The bond now in effect for Increment No. 1 is a

LEGALS

Surety Bond in the amount of five thousand eight hundred dollars (\$5,800.00), which sixty percent (60%) of the bond at five thousand eight hundred dollars (\$5,800.00), is being requested for release. Reclamation work performed on Increment No.'s 1 include: backfilling, final grading, seeding and mulching and planting of trees completed in Fall 2010. The bond now in effect for Increment No. 2 is a Surety Bond in the amount of one thousand six hundred dollars (\$1,600.00). The remaining bond of one thousand six hundred dollars (\$1,600.00), is being requested for release. Reclamation work performed on Increment No.'s 2 include: backfilling, final grading, seeding and mulching and planting of trees completed in Fall 2010. The bond now in effect for Increment No. 3 is a Surety Bond in the amount of fifty-five thousand six hundred dollars (\$55,600.00). The remaining bond of fifty-five thousand six hundred dollars (\$55,600.00), is being requested for release. Reclamation work performed on Increment No.'s 3 include: backfilling, final grading, seeding and mulching and planting of trees completed in Fall 2010. The bond now in effect for Increment No. 4 is a Surety Bond in the amount of forty-eight thousand dollars (\$48,000.00). The remaining bond of forty-eight thousand dollars (\$48,000.00), is being requested for release. Reclamation work performed on Increment No.'s 4 include: backfilling, final grading, seeding and mulching and planting of trees completed in Fall 2010. The bond now in effect for Increment No. 5 is a Surety Bond in the amount of eighty-one thousand nine hundred dollars

LEGALS

(\$81,900.00), which eighty-five percent (85%) of the bond at eighty-one thousand nine hundred dollars (\$81,900.00), is being requested for release. Reclamation work performed on Increment No.'s 5 include: backfilling, final grading, seeding and mulching and planting of trees completed in Fall 2010. The bond now in effect for Increment No. 6 is a Surety Bond in the amount of two thousand five hundred dollars (\$2,500.00). The remaining bond of two thousand five hundred dollars (\$2,500.00), is being requested for release. Reclamation work performed on Increment No.'s 6 include: backfilling, final grading, seeding and mulching and planting of trees completed in Fall 2010. The bond now in effect for Increment No. 7 covers an area approximately 11.57 acres, Increment No. 8 covers an area approximately 11.03 acres, Increment No. 9 covers an area approximately 10.24 acres, Increment No. 12 covers an area approximately 11.85 acres, Increment No. 13 covers an area approximately 7.92 acres, Increment No. 14 covers an area approximately 19.19 acres, Increment No. 15 covers an area approximately 30.34 acres, Increment No. 16 covers an area approximately 11.10 acres, Increment No.19 covers an area approximately 10.13 acres, Increment No. 22 covers an area approximately 7.53 acres, Increment No. 23 covers an area approximately 1.31 acres, Increment No. 24 covers an area approximately 9.78 acres, Increment No. 26 covers an area approximately 19.02 acres, Increment No. 28 covers an area approximately 3.43 acres, Increment No. 29 covers an area approximately 36.52 acres, Increment No. 31 covers an area approximately 24.66 acres, Increment No. 33 covers an area approximately 16.66 acres, Increment No. 34 covers an area approximately 7.98 acres, Increment No. 35 covers an area approximately 9.18 acres, Increment No. 36 covers an area approximately 10.28 acres, Increment No. 37 covers an area approximately 23.95 acres, Increment No. 38 covers an area approximately 24.67 acres and Increment No. 39 covers an area approximately 39.69 acres and located near Craynor in Floyd County. The permit is approximately 0.5 miles south of KY 979 junction with Dry Branch Road and is located within Dry Branch of Mud Creek, Mink Branch of Mud Creek, and at the head of Gap Fork of Neds Fork of Frasure Creek. The operation is located on the M c D o w e l l U.S.G.S. 7 _ minute quadrangle map. The latitude is 37° 25' 56". The longitude is 82° 39' 7". The bond now in effect for Increment No. 1 is a Surety Bond in the amount of two hundred sixty-

LEGALS

four thousand one hundred dollars (\$264,100.00), which sixty percent (60%) of the bond at two hundred sixty-four thousand one hundred dollars (\$264,100.00), is being requested for release. Reclamation work performed on Increment No.'s 1 include: backfilling, final grading, seeding and mulching and planting of trees completed in Fall 2010. The bond now in effect for Increment No. 2 is a Surety Bond in the amount of eleven thousand three hundred dollars (\$11,300.00). The remaining bond of eleven thousand three hundred dollars (\$11,300.00), is being requested for release. Reclamation work performed on Increment No.'s 2 include: backfilling, final grading, seeding and mulching and planting of trees completed in Fall 2010. The bond now in effect for Increment No. 3 is a Surety Bond in the amount of four thousand eight hundred dollars (\$4,800.00). The remaining bond of four thousand eight hundred dollars (\$4,800.00), is being requested for release. Reclamation work performed on Increment No.'s 3 include: backfilling, final grading, seeding and mulching and planting of trees completed in Fall 2010. The bond now in effect for Increment No. 4 is a Surety Bond in the amount of nine thousand seven hundred dollars (\$9,700.00). The remaining bond of nine thousand seven hundred dollars (\$9,700.00), is being requested for release. Reclamation work performed on Increment No.'s 4 include: backfilling, final grading, seeding and mulching and planting of trees completed in Fall 2010. The bond now in effect for Increment No. 5 is a Surety Bond in the amount of one thousand six hundred dollars (\$1,600.00). The remaining bond of one thousand six hundred dollars (\$1,600.00), is being requested for release. Reclamation work performed on Increment No.'s 5 include: backfilling, final grading, seeding and mulching and planting of trees completed in Fall 2010. The bond now in effect for Increment No. 6 is a Surety Bond in the amount of five thousand nine hundred dollars (\$5,900.00). The remaining bond of five thousand nine hundred dollars (\$5,900.00), is being requested for release. Reclamation work performed on Increment No.'s 6 include: backfilling, final grading, seeding and mulching and planting of trees completed in Fall 2010. The bond now in effect for Increment No. 7 covers an area approximately 11.34 acres, Increment No. 7 covers an area approximately 11.57 acres, Increment No. 8 covers an area approximately 11.03 acres, Increment No. 9 covers an area approximately 10.24 acres, Increment No. 12 covers an area approximately 11.85 acres, Increment No. 13 covers an area approximately 7.92 acres, Increment No. 14 covers an area approximately 19.19 acres, Increment No. 15 covers an area approximately 30.34 acres, Increment No. 16 covers an area approximately 11.10 acres, Increment No.19 covers an area approximately 10.13 acres, Increment No. 22 covers an area approximately 7.53 acres, Increment No. 23 covers an area approximately 1.31 acres, Increment No. 24 covers an area approximately 9.78 acres, Increment No. 26 covers an area approximately 19.02 acres, Increment No. 28 covers an area approximately 3.43 acres, Increment No. 29 covers an area approximately 36.52 acres, Increment No. 31 covers an area approximately 24.66 acres, Increment No. 33 covers an area approximately 16.66 acres, Increment No. 34 covers an area approximately 7.98 acres, Increment No. 35 covers an area approximately 9.18 acres, Increment No. 36 covers an area approximately 10.28 acres, Increment No. 37 covers an area approximately 23.95 acres, Increment No. 38 covers an area approximately 24.67 acres and Increment No. 39 covers an area approximately 39.69 acres and located near Craynor in Floyd County. The permit is approximately 0.5 miles south of KY 979 junction with Dry Branch Road and is located within Dry Branch of Mud Creek, Mink Branch of Mud Creek, and at the head of Gap Fork of Neds Fork of Frasure Creek. The operation is located on the M c D o w e l l U.S.G.S. 7 _ minute quadrangle map. The latitude is 37° 25' 56". The longitude is 82° 39' 7". The bond now in effect for Increment No. 1 is a Surety Bond in the amount of two hundred sixty-

LEGALS

four thousand one hundred dollars (\$264,100.00), which sixty percent (60%) of the bond at two hundred sixty-four thousand one hundred dollars (\$264,100.00), is being requested for release. Reclamation work performed on Increment No.'s 1 include: backfilling, final grading, seeding and mulching and planting of trees completed in Fall 2010. The bond now in effect for Increment No. 2 is a Surety Bond in the amount of eleven thousand three hundred dollars (\$11,300.00). The remaining bond of eleven thousand three hundred dollars (\$11,300.00), is being requested for release. Reclamation work performed on Increment No.'s 2 include: backfilling, final grading, seeding and mulching and planting of trees completed in Fall 2010. The bond now in effect for Increment No. 3 is a Surety Bond in the amount of four thousand eight hundred dollars (\$4,800.00). The remaining bond of four thousand eight hundred dollars (\$4,800.00), is being requested for release. Reclamation work performed on Increment No.'s 3 include: backfilling, final grading, seeding and mulching and planting of trees completed in Fall 2010. The bond now in effect for Increment No. 4 is a Surety Bond in the amount of nine thousand seven hundred dollars (\$9,700.00). The remaining bond of nine thousand seven hundred dollars (\$9,700.00), is being requested for release. Reclamation work performed on Increment No.'s 4 include: backfilling, final grading, seeding and mulching and planting of trees completed in Fall 2010. The bond now in effect for Increment No. 5 is a Surety Bond in the amount of one thousand six hundred dollars (\$1,600.00). The remaining bond of one thousand six hundred dollars (\$1,600.00), is being requested for release. Reclamation work performed on Increment No.'s 5 include: backfilling, final grading, seeding and mulching and planting of trees completed in Fall 2010. The bond now in effect for Increment No. 6 is a Surety Bond in the amount of five thousand nine hundred dollars (\$5,900.00). The remaining bond of five thousand nine hundred dollars (\$5,900.00), is being requested for release. Reclamation work performed on Increment No.'s 6 include: backfilling, final grading, seeding and mulching and planting of trees completed in Fall 2010. The bond now in effect for Increment No. 7 covers an area approximately 11.34 acres, Increment No. 7 covers an area approximately 11.57 acres, Increment No. 8 covers an area approximately 11.03 acres, Increment No. 9 covers an area approximately 10.24 acres, Increment No. 12 covers an area approximately 11.85 acres, Increment No. 13 covers an area approximately 7.92 acres, Increment No. 14 covers an area approximately 19.19 acres, Increment No. 15 covers an area approximately 30.34 acres, Increment No. 16 covers an area approximately 11.10 acres, Increment No.19 covers an area approximately 10.13 acres, Increment No. 22 covers an area approximately 7.53 acres, Increment No. 23 covers an area approximately 1.31 acres, Increment No. 24 covers an area approximately 9.78 acres, Increment No. 26 covers an area approximately 19.02 acres, Increment No. 28 covers an area approximately 3.43 acres, Increment No. 29 covers an area approximately 36.52 acres, Increment No. 31 covers an area approximately 24.66 acres, Increment No. 33 covers an area approximately 16.66 acres, Increment No. 34 covers an area approximately 7.98 acres, Increment No. 35 covers an area approximately 9.18 acres, Increment No. 36 covers an area approximately 10.28 acres, Increment No. 37 covers an area approximately 23.95 acres, Increment No. 38 covers an area approximately 24.67 acres and Increment No. 39 covers an area approximately 39.69 acres and located near Craynor in Floyd County. The permit is approximately 0.5 miles south of KY 979 junction with Dry Branch Road and is located within Dry Branch of Mud Creek, Mink Branch of Mud Creek, and at the head of Gap Fork of Neds Fork of Frasure Creek. The operation is located on the M c D o w e l l U.S.G.S. 7 _ minute quadrangle map. The latitude is 37° 25' 56". The longitude is 82° 39' 7". The bond now in effect for Increment No. 1 is a Surety Bond in the amount of two hundred sixty-

LEGALS

effect for Increment No. 7 is a Surety Bond in the amount of four thousand two hundred dollars (\$4,200.00). The remaining bond of four thousand two hundred dollars (\$4,200.00), is being requested for release. Reclamation work performed on Increment No.'s 7 include: backfilling, final grading, seeding and mulching and planting of trees completed in Fall 2010. The bond now in effect for Increment No. 8 is a Surety Bond in the amount of four thousand two hundred dollars (\$4,200.00). The remaining bond of four thousand two hundred dollars (\$4,200.00), is being requested for release. Reclamation work performed on Increment No.'s 8 include: backfilling, final grading, seeding and mulching and planting of trees completed in Fall 2010. The bond now in effect for Increment No. 9 is a Surety Bond in the amount of four thousand two hundred dollars (\$4,200.00). The remaining bond of four thousand two hundred dollars (\$4,200.00), is being requested for release. Reclamation work performed on Increment No.'s 9 include: backfilling, final grading, seeding and mulching and planting of trees completed in Fall 2010. The bond now in effect for Increment No. 12 is a Surety Bond in the amount of two thousand seven hundred dollars (\$2,700.00). The remaining bond of two thousand seven hundred dollars (\$2,700.00), is being requested for release. Reclamation work performed on Increment No.'s 12 include: backfilling, final grading, seeding and mulching and planting of trees completed in Fall 2010. The bond now in effect for Increment No. 13 is a Surety Bond in the amount of one thousand six hundred dollars (\$1,600.00). The remaining bond of one thousand six hundred dollars (\$1,600.00), is being requested for release. Reclamation work performed on Increment No.'s 13 include: backfilling, final grading, seeding and mulching and planting of trees completed in Fall 2010. The bond now in effect for Increment No. 14 is a Surety Bond in the amount of twenty-seven thousand one hundred dollars (\$27,100.00). The remaining bond of twenty-seven thousand one hundred dollars (\$27,100.00), is being requested for release. Reclamation work performed on Increment No.'s 14 include: backfilling, final grading, seeding and mulching and planting of trees completed in Fall 2010. The bond now in effect for Increment No. 15 is a Surety Bond in the amount of seven thousand

LEGALS

the amount of fifteen thousand one hundred dollars (\$15,100.00). The remaining bond of fifteen thousand one hundred dollars (\$15,100.00), is being requested for release. Reclamation work performed on Increment No.'s 15 include: backfilling, final grading, seeding and mulching and planting of trees completed in Fall 2010. The bond now in effect for Increment No. 16 is a Surety Bond in the amount of five thousand four hundred dollars (\$5,400.00). The remaining bond of five thousand four hundred dollars (\$5,400.00), is being requested for release. Reclamation work performed on Increment No.'s 16 include: backfilling, final grading, seeding and mulching and planting of trees completed in Fall 2010. The bond now in effect for Increment No. 19 is a Surety Bond in the amount of two thousand two hundred dollars (\$2,200.00). The remaining bond of two thousand two hundred dollars (\$2,200.00), is being requested for release. Reclamation work performed on Increment No.'s 19 include: backfilling, final grading, seeding and mulching and planting of trees completed in Fall 2010. The bond now in effect for Increment No. 22 is a Surety Bond in the amount of three thousand three hundred dollars (\$3,300.00). The remaining bond of three thousand three hundred dollars (\$3,300.00), is being requested for release. Reclamation work performed on Increment No.'s 22 include: backfilling, final grading, seeding and mulching and planting of trees completed in Fall 2010. The bond now in effect for Increment No. 23 is a Surety Bond in the amount of three hundred dollars (\$300.00). The remaining bond of three hundred dollars (\$300.00), is being requested for release. Reclamation work performed on Increment No.'s 23 include: backfilling, final grading, seeding and mulching and planting of trees completed in Fall 2010. The bond now in effect for Increment No. 24 is a Surety Bond in the amount of two thousand two hundred dollars (\$2,200.00). The remaining bond of two thousand two hundred dollars (\$2,200.00), is being requested for release. Reclamation work performed on Increment No.'s 24 include: backfilling, final grading, seeding and mulching and planting of trees completed in Fall 2010. The bond now in effect for Increment No. 26 is a Surety Bond in the amount of seven thousand seven hundred dollars (\$7,700.00). The remaining bond of seven thousand

APPLICATIONS BEING ACCEPTED for 1,2,3 & 4 Bedroom Apartments

Located in Prestonsburg is Highland Heights Apartments in Goble Roberts addition and Cliffside Apartments on Cliff Road. Rent is based on gross monthly income. All utilities included at Highland Heights and a utility Allowance at Cliffside. Learning centers at both sites with computers available. For more information, call Highland Heights at 606-886-0608 and Cliffside at 606-886-1819, TDD: 1-800-648-6056 or 711 or come by the offices for an application.

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Office Worker Needed
 in the Martin, Allen and Prestonsburg area. Send name, 911 address, telephone number, education and references by **February 28, 2019** to:
Office Worker
PO Box 162
Allen, KY 41601
 EOE

NOW HIRING
 Applications are being accepted for Director of the Homeplace Community Center in Perry County. Duties include supervising employees, managing contractors and subcontractors, overseeing and maintaining the buildings, grounds and equipment, scheduling use of the facilities, manual labor that includes mowing and cleaning, operating the basketball score board, preparing monthly reports, etc. Experience in property and recreation management preferred, as well as good social skills. Drug testing and a physical exam required. Placement is for the spring of 2019. Salary is negotiable and benefits include housing on the premises, use of a vehicle, and medical insurance.
 Send application with cover letter to
 E.O. Robinson Mountain Fund,
 PO Box 54930, Lexington, KY 40555. EOE

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 Located on Mays Branch in Prestonsburg. All utilities included, rent is based on gross monthly income. Several activities such as line dancing, crafts, church services, hair salon. Furnished with stove, refrigerator, emergency alarm system and air conditioner. For more information, please call Highland Terrace at 606-886-1925, TDD: 1-800-648-6056 or 711 or come by the office for an application.
 Highland Terrace does not discriminate in admission or employment in subsidized housing on account of race, color, religion, gender, national origin, disability or familial status.

LEGALS

six hundred dollars (\$7,600.00), is being requested for release. Reclamation work performed on Increment No.'s 26 include: backfilling, final grading, seeding and mulching and planting of trees completed in Fall 2010. The bond now in effect for Increment No. 28 is a Surety Bond in the amount of one thousand eight hundred dollars (\$1,800.00). The remaining bond of one thousand eight hundred dollars (\$1,800.00), is being requested for release. Reclamation work performed on Increment No.'s 28 include: backfilling, final grading, seeding and mulching and planting of trees completed in Fall 2010. The bond now in effect for Increment No. 29 is a Surety Bond in the amount of fifty-four thousand one hundred dollars (\$54,100.00), which eighty-five percent (85%) of the bond at fifty-four thousand one hundred dollars (\$54,100.00), is being requested for release. Reclamation work performed on Increment No.'s 29 include: backfilling, final grading, seeding and mulching and planting of trees completed in Fall 2010. The bond now in effect for Increment No. 31 is a Surety Bond in the amount of seventeen thousand eight hundred dollars (\$17,800.00). The remaining bond of seventeen thousand eight hundred dollars (\$17,800.00), is being requested for release. Reclamation work performed on Increment No.'s 31 include: backfilling, final grading, seeding and mulching and planting of trees completed in Fall 2010. The bond now in effect for Increment No. 33 is a Surety Bond in the amount of fifty-seven thousand five hundred dollars (\$57,500.00), which eighty-five percent (85%) of the bond at fifty-seven thousand five hundred dollars (\$57,500.00), is being requested for release. Reclamation work performed on Increment No.'s 33 include: backfilling, final grading, seeding and mulching and planting of trees completed in Fall 2010. The bond now in effect for Increment No. 34 is a Surety Bond in the amount of two thousand seven hundred dollars (\$2,700.00). The remaining bond of two thousand seven hundred dollars (\$2,700.00), is being requested for release. Reclamation work performed on Increment No.'s 34 include: backfilling, final grading, seeding and mulching and planting of trees completed in Fall 2010. The bond now in effect for Increment No. 35 is a Surety Bond in the amount of one thousand sev-

LEGALS

en hundred dollars (\$1,700.00), is being requested for release. Reclamation work performed on Increment No.'s 35 include: backfilling, final grading, seeding and mulching and planting of trees completed in Fall 2010. The bond now in effect for Increment No. 36 is a Surety Bond in the amount of ten thousand dollars (\$10,000.00). The remaining bond of ten thousand dollars (\$10,000.00), is being requested for release. Reclamation work performed on Increment No.'s 36 include: backfilling, final grading, seeding and mulching and planting of trees completed in Fall 2010. The bond now in effect for Increment No. 37 is a Surety Bond in the amount of thirty-six thousand three hundred dollars (\$36,300.00). The remaining bond of thirty-six thousand three hundred dollars (\$36,300.00), is being requested for release. Reclamation work performed on Increment No.'s 37 include: backfilling, final grading, seeding and mulching and planting of trees completed in Fall 2010. The bond now in effect for Increment No. 38 is a Surety Bond in the amount of fourteen thousand four hundred dollars (\$14,400.00). The remaining bond of fourteen thousand four hundred dollars (\$14,400.00), is being requested for release. Reclamation work performed on Increment No.'s 38 include: backfilling, final grading, seeding and mulching and planting of trees completed in Fall 2010. The bond now in effect for Increment No. 39 is a Surety Bond in the amount of thirty-nine thousand seven hundred dollars (\$39,700.00), which sixty percent (60%) of the bond at thirty-nine thousand seven hundred dollars (\$39,700.00), is being requested for release. Reclamation work performed on Increment No.'s 39 include: backfilling, final grading, seeding and mulching and planting of trees completed in Fall 2010. Written comments, objections, and requests for a public hearing or informal conference must be filed with the Director, Division of Field Services, 300 Sower Blvd., 2nd Floor, Frankfort, Kentucky 40601, by March 22, 2019. A public hearing on the application has been scheduled for March 25, 2019 at 10:00 at the Department for Surface Mining Reclamation and Enforcement's Pikeville Regional Office, 109 Mays Branch Road, Prestonsburg, KY 41653. The hearing will be canceled if no request for a hearing or informal conference is received by March 22, 2019.

LEGALS

NOTICE OF INTENTION TO MINE Pursuant to Application Number 860-5265, Renewal
In accordance with KRS 350.055, notice is hereby given that Mason Coal, Inc., P.O. Box 474, Salsersville, KY

LEGALS

41465 has applied for a renewal of an existing underground coal mining operation located 0.7 miles southeast of Hollybush in Knott County. The operation disturbs 7.58 acres of surface area and underlies an additional 910.0 acres, for a total of

LEGALS

917.58 acres. The operation is approximately 0.6 miles southeast from the junction of Hollybush County Road and KY 3393 and located 0.8 miles east of Hollybush Creek. The operation is located on the Kite 7 1/2 minute quadrangle map.

LEGALS

The surface area to be disturbed is owned by Tech Energy, Inc. The operation will underlie land owned by Gay Ellis and Pearl Maggard, Orville and Brenda Collins, Francis Owens, Consolidation Coal, Ben and Nevada Hall, Richard and Alverta Huff, Bob-

LEGALS

by and Ruth Hall, R. Ellsworth Bair, Troy Hall, R. Campbell and C. Perkins, O.W. Smith, Diamond Waddles, Albro King, Griggs King, Ralph and Clara Slone, Frank Thornsberry, Earl Thornsberry, Stanley Thornsberry, Otis and Hilda Smith,

LEGALS

General Lee Slone, East Kentucky Energy, and Ottis Jr. and Regina Slone. The renewal application has been filed for public inspection at the Division of Mine Reclamation and Enforcement's Prestonsburg Regional Office, 3140 South Lake

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Drive, Prestonsburg, KY 41653. Written comments, objections, or requests for a permit conference must be filed with the Director, Division of Permits, Division of Mine Permits, 300 Sower Boulevard, Frankfort, KY 40601.

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