



## Fishing for Victory

### FCHS students win fishing competition

■ Page 12A

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# CHRONICLE & TIMES

Wednesday, April 17, 2019

FLOYD COUNTY

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## Floyd BOE agrees to settle lawsuit related to former teacher

By **MARY MEADOWS**  
STAFF WRITER

In a special meeting on Monday, April 15, the Floyd County Board of Education approved a

settlement in a lawsuit alleging a former teacher made sexually explicit comments to students.

Court filings show former students who were not part of the law-

suit made similar claims years in the past against the teacher, that school district officials knew about those claims, and the attorney representing the students reports

that social services substantiated allegations against the teacher in its investigation, which was appealed and is pending the results of this lawsuit.

Four Allen Central

High School students and their parents, who alleged inappropriate conduct by former ACHS teacher Bernard Shayne

See BOE, Page 7A

## Martin denies murder charge

A FLOYD CHRONICLE AND TIMES STAFF REPORT

The Wayland resident accused of murdering 26-year-old Jordan C. Tackett appeared in Floyd Circuit Court for an arraignment on Tuesday.



Wesley Martin

Public Advocate Brandis Bradley waived formal arraignment on behalf of Wesley G. Martin, 43, of Wayland, and entered pleaded not guilty to crimes filed against him.

He was indicted last week on one count of murder and for allegedly being a second-degree persistent felony offender.

Martin is accused of killing Tackett by shooting him in the head, officials previously reported.

Tackett had been missing since Feb. 20, and Kentucky State Police officials found his body in a shallow grave near Martin's residence on April 4.

See MURDER, Page 8A



Gov. Matt Bevin takes a moment to take a selfie with a member of the crowd at Pikeville's Hillbilly Days stump speaking, held Saturday morning.

## Gubernatorial hopefuls take aim at Bevin at Hillbilly Days

### Governor met with boos, opposition by candidates across the spectrum

By **RUSS CASSADY**  
REGIONAL EDITOR

Gov. Matt Bevin, seeking to begin a road to re-election in the May primary, appeared before a tough crowd Saturday morning as he spoke at the Hillbilly Days annual stump speaking at the Pike

County Courthouse.

Bevin was met with harsh words from his opponents, down-ticket candidates and an especially raucous crowd for the event, which features lightning-fast three-minute speeches from candidates,

See STUMP, Page 2A



Appalachian Newspapers photo by Russ Cassady  
A large segment of the crowd gathered at Saturday's Hillbilly Days stump speaking booed and yelled at Gov. Matt Bevin for the entirety of his three-minute speech, prompting Bevin to charge that the protestors were not locals and that they were acting like "thugs and bullies."

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## 'Shakespeare in the Park' coming to Middle Creek National Battlefield

By **ELAINE BELCHER**  
STAFF WRITER

The University of Kentucky Theatre and Dance Program is collaborating with community partners to bring a "Shakespeare

in the Park" performance to the Middle Creek National Battlefield this summer.

William Shakespeare's "Midsummers Night Dream" will be performed outside in the

park at sunset of Thursday, June 6 through Sunday, June 9. Participants are invited to bring chairs, blankets and a picnic to enjoy this classic as it was intended - in nature, according to Di-

rector Treyton Blackburn. "This is the first time anything like this has been brought to Eastern Kentucky," said Blackburn. "The area in Middle Creek is perfect for the setting of 'Midsummers

Night Dream' and I believe it will really make this performance special."

Blackburn, a current University of Kentucky

See DREAM, Page 3A

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**STUMP**

Continued From Page 1A

who found themselves "played down" by an awaiting bluegrass band should their speech cross the three-minute mark.



**Incumbent Republican Gov. Matt Bevin**

While addressing issues, Bevin did not spare those who booed him from the moment he took the stage, even while referencing his Christian faith early in his speech.

"People may boo Jesus Christ, but I love the fact that, here in Eastern Kentucky, people don't," he said. "People in Eastern Kentucky open in prayer. They pledge allegiance to this flag that 1.5 million Americans have given their lives for and they respect the values of what it takes to make a nation great."

Bevin also referenced signs held by his opponents, including one calling him a "bully" and a "thug"

"I find it ironic that people who talk about thugs and bullies are screaming and yelling and acting kind of like thugs and bullies, it would seem," he said. "I'm the only person that's going to be on this stage that is personal friends with the president of the United States."

Bevin took his time to tout his accomplishments, as well as his connections.

"I'm not here like so many others in three minutes and be able to blow a bunch of smoke and make a bunch of promises, but I will tell you this, I will do in the next four years what I've done for the last four — I will fight for this state, I will be truthful with you, I will fund the pension," he said, adding he is the only governor who has "funded the pension."

Bevin said his relationship with President Donald Trump is an asset for Kentucky.

"Whether you like it or not that Donald Trump is president, you should be grateful to have a governor who is friends with the president of the United States because these things matter," he said. "If you want real opportunity to come to Eastern Kentucky or anywhere in this state, it's not going to come from a government program, it's not going to come from a person blowing smoke. It's going to be somebody who respects God and country, who fights for opportunity, who believes in the dignity of hard work, who believes that able-bodied men and women should go to work in exchange for something given to them by those who do go to work."



**Democratic candidate Rocky Adkins**

Rocky Adkins, who has served as the state representative in the 99th District for three decades, spent his three minutes distancing himself from Bevin, and pointing out his Eastern Kentucky pedigree for the Hillbilly Days crowd.

"Eastern Kentucky needs one of its own," he said. "Eastern Kentucky needs a governor from Eastern Kentucky. If anybody knows the issues and the challenges that we face and the bright spots that we have in these hills and the mountains, it's Rocky Adkins, who's from here, who lives here, who's made his living here."

"I'm not in this race for Rocky Adkins, I'm in this race for the people of Kentucky," Adkins said. "I'm here today because we need to stand up for public education. We need to stand up for working families of this great commonwealth of Kentucky and we need to stand up for those like me who are 24-year cancer survivors and deserve to have quality healthcare for all."

Adkins said economic diversification must occur while the coal and energy sectors are supported.

"It is wrong to see a depopulation of the region of Kentucky that we love, that infuriates me," he said.

Adkins said he has taken a stand against Bevin.

"Working families of Kentucky know how I fought the unfriendly policies of this governor that has driven down wages of hard-working people all across this commonwealth," he said, adding he has stood up to Bevin's attempt to, "privatize public education."

"It's time to bring respect and dignity back to the governor's office of the Commonwealth of Kentucky," he said.

Adkins mentioned several endorsements he's received from vari-

ous labor organizations such as the United Mine Workers of America and the United Steelworkers Local 14581.



**Democratic candidate Andy Beshear**

Kentucky Attorney General Andy Beshear, a Democrat, wasted no time in going after Bevin.

"We desperately have to beat Matt Bevin in this election," he said. "And I've got a record of doing it time and time again."

Beshear pointed to his legal battles against Bevin in which he's obtained victory, including battles over university and college funding, a legal action over access to the state Capitol and a high-stakes battle over a pension bill passed in the 2018 legislative session that was ultimately overturned by the state Supreme Court.

"We can beat this governor," he said.

Beshear also pointed to his successes as attorney general.

"We have ended our rape kit backlog, testing every several kit," he said.

He also pointed to his success in legal action against opioid manufacturers.

"They have made hundreds of billions of dollars while our people have died," he said. "As of today, we've beaten every motion, every argument, every single thing they've brought up in court because Kentucky has to have a first seat at the table when we ultimately hold them accountable."

Beshear said that, if elected, he will support public education and ensure that healthcare, a "basic human right," is extended to every person in Kentucky.

Economic development, Beshear said, must be pointed to Eastern Kentucky.

"Every single opportunity ought to get pitched with an Eastern Kentucky site," he said.



**Democratic candidate Adam Edelen**

Former state auditor Adam Edelen focused his three minutes more on the need for new leadership in Kentucky.

"The same old people talking about the same old stuff are only going to get you what you have always gotten and we have got to embrace a new generation of leadership, people who are capable of bringing opportunity to the forgotten places, people who understand that those who have powered the operation of this economy and this economy for 100 years do not deserve to be forgotten," he said.

Edelen pointed to the work he's currently doing to establish a solar farm in Pike County along with RH Group, a Pike County company, as evidence that he is part of that new generation.

Edelen added his voice to the chorus of candidates calling for greater healthcare access, but also said he doesn't believe the opioid crisis can be solved without medical marijuana legalization.

He asked the crowd to consider the importance of helping each other.

"Can we acknowledge that, in a Christian world, that we do owe something to each other?" he said.

Edelen also attempted to paint the differences between he and Bevin.

"Are we going to elect a governor who knows how to create the jobs of the future?" he said. "Are we going to elect a governor who knows that just keeping the pension promise to school teachers doesn't change the fact that every school teacher I know buys materials out of their pockets for our children. It doesn't change the fact that classroom sizes are getting too big again when everybody with a brain in their head knows that kids learn better when there are fewer of them in a classroom?"



**Republican candidate Robert Goforth**

State Rep. Robert Goforth, who represents the 89th District, and who is challenging Bevin in the primary, focused heavily on Bevin in his speech.

"I'm not a New England transplant using Kentucky as a stepping stone to feed my ego or audition for a job in Washington, D.C.," Goforth said. "I'm running for governor because I believe Kentucky de-

serves a chief executive that believes in Kentucky, is from Kentucky, that knows Kentucky, that takes pride in what he builds and not what he tears down."

Goforth spoke on his life history, going from a high school dropout, growing up in "soul-crushing poverty" to then moving on to the military and back to school, where he earned his Doctor of Pharmacy degree and became a job creator.

"I built some businesses in some of the poorest communities in Kentucky, and I put a lot of people to work, generating tens of millions in sales and putting millions of payroll dollars back into those communities," he said. "I know business and I know how to treat people. I built businesses in some of the poorest communities in Kentucky and created jobs, not just promises and press conferences, but created jobs."

Bevin, Goforth said, has divided Kentucky.

"He's divided us more than we've ever been divided before," he said. "Let's unite on May 21 to send him a message. It's time to get rid of Matt Bevin and pack his bags and send him back to New England where he belongs."

The candidates who spoke at Hillbilly Days are among eight candidates who are seeking the governor's seat. The remaining candidates include Republicans William E. Woods and Ike Lawrence and Democrat Geoffrey M. Young.

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**DREAM**  
Continued From Page 1A

student studying theatre, was the first undergraduate at the school asked to direct a main stage play of "Peter and the Starcatcher" earlier this school year and is a veteran actor of the Artists Collaborative Theatre, performing and directing the 2017 season of "Bloodsong" at the Hatfield & McCoy Park outdoor theatre.

Blackburn has been working with UK Theatre graduate Jenny Gould, set designer and professors Andrew Ray and Dr. Christina Ritter who will be part of the cast of 13 actors as well as offering theatre workshops.

Ray, a certified stage combat instructor with the Society of American Fight Directors that holds a bachelor's degree in theatre from UK and an master's degree in theatre from Louisiana Tech University where he studied performance and stage movement under SAFD Fight Master Mark D. Guinn, is one of the lead motion capture artists for the "Saint's Row" and "Agents of Mayhem" video game franchises.

Ritter is an actor, teacher and the joint artistic director of the For/Word Company, a theatre company that creates new works from the historical record. She has a BA in History from Dartmouth College, and trained at the London Academy of Music and Dramatic Art and earned

her doctorate in Theatre at Ohio State University. Currently, she teaches 'Introduction to Theatre,' directs and leads the UK Education Abroad London Theatre Program.

"It's important for communities to have ownership of Shakespeare," said Blackburn. "It is important that everyone can have access, so admission is only \$5 a family to come and enjoy the show."

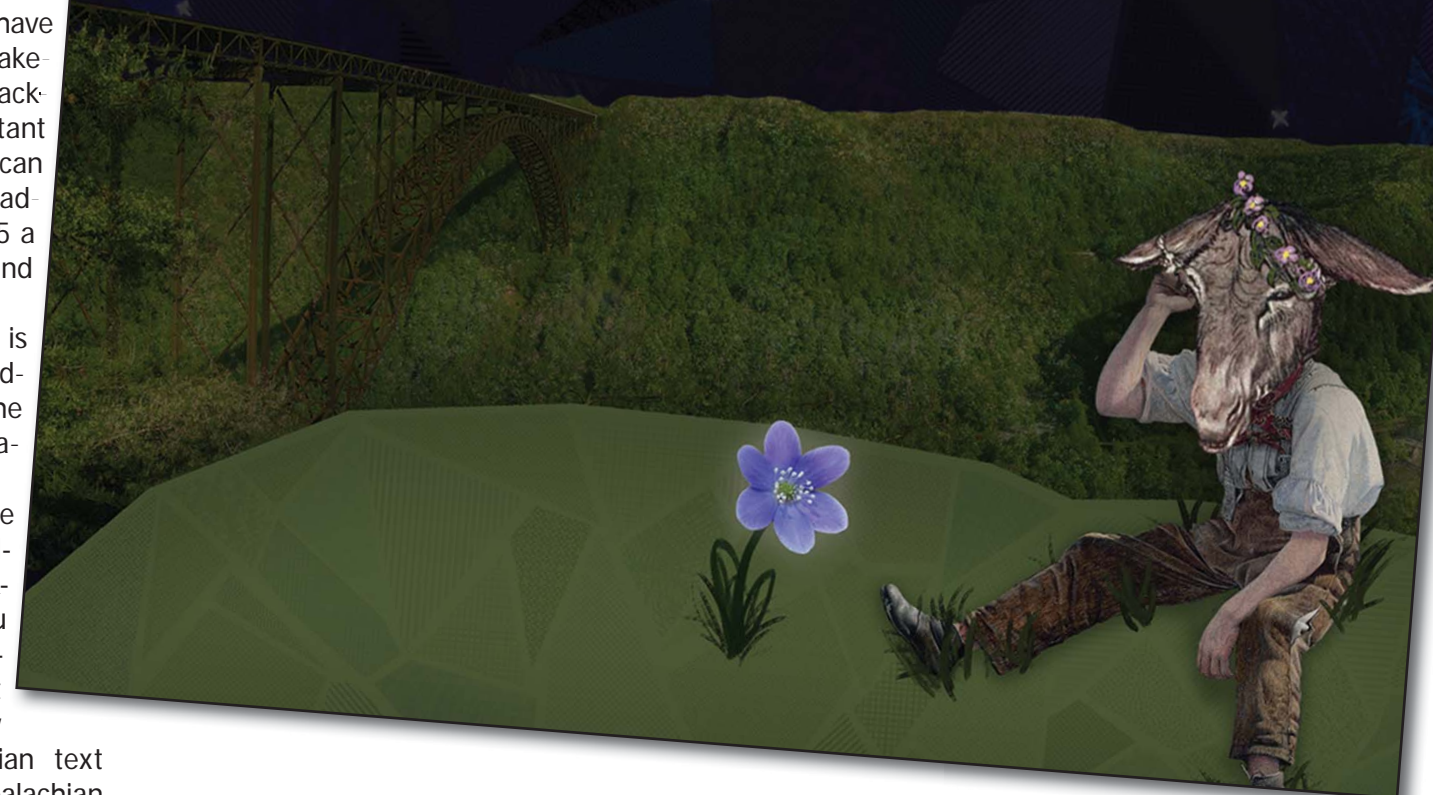
Blackburn is working on an adaptation of the play into an Appalachian dialect.

"One of the things you realize quite quickly when you get into 'Midsummers Night Dream' is how well Shakespearean text works in our Appalachian dialect," he said. "A lot of the 'sound' and cadence of Elizabethan English, which is what Shakespeare wrote in, is not too far removed from the roots of our Eastern Kentucky accents."

Blackburn said that he fell in love with Shakespeare in high school.

"It was in Kathy Spear's English Class where I fell in love with 'Julius Caesar.' I decided when I became a theatre major that I needed to expand my reading to other works of Shakespeare," he said. "'Midsummers Night Dream' was the first Shakespeare I read outside of class and immediately thought — this

William Shakespeare's  
**A Midsummer Night's Dream**  
An Appalachian Folktale



is Shakespeare's Appalachian play. It just works so well."

Blackburn, who proposed the idea to the UK Theatre Program as part of its goals for community outreach through the Appalachian Center of the Arts, is working with the Floyd County Extension Office, the City of Prestonsburg, the Middle Creek National Battlefield Foundation, Prestonsburg Tourism, the Mountain Arts Center and others to bring this production to life.

"Finally, all these years have passed, and I have gotten the opportunity to bring what I see in 'Midsummers Night

Dream' to my home," said Blackburn. "It is really, really meaningful to me as an artist and as an Appalachian person."

For more information

about the workshops, dates and times at the Artist Collaborative Theatre in Elkhorn City will be announced in May and will be free to all who

wish to attend. Blackburn said that information will be updated on the ACT Facebook page and on Prestonsburg Tourism website.



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**Financial Focus**  
with  
**Sarah Lange Hyden**

**What Should You Do With an Inheritance?**

If you were to receive a sizable inheritance, what should you do with it? This money could help you achieve some of your important financial goals – so you'll want to think carefully about your choices.

Of course, everyone's needs are different, so there's no one "right" way to handle a large lump sum. But here are a few suggestions that may be useful:

- **Pay off some debts.** Depending on the size of your inheritance, you may want to consider paying off some, if not all, of your debts, such as car loans, personal loans and student loans. You might even consider paying off your mortgage, but you may not want to, as you might be able to get a better return on your money by investing it. Also, if all your money is tied up in a house, you'll typically have less liquidity than you would get from your investments.

- **Contribute more to your retirement accounts.** You may now be able to afford to contribute more to your 401(k) or other employer-sponsored retirement plan, as well as to your IRA. These accounts offer tax benefits plus an array of investment choices, so they are excellent ways to build resources for retirement.

- **Save for college.** If you have children, or grandchildren, whom you would like to someday send to college, you might want to put some of your inheritance into a college savings vehicle, such as a 529 plan, which provides tax benefits and gives you great flexibility in distributing the money.

- **Build an emergency fund.** If you haven't already built an emergency fund containing six to 12 months' worth of living expenses, you may be able to do so now, using part of your inheritance. Keep the money in a liquid, low-risk account, so that it's readily available to pay for unexpected costs. Without such a fund, you might be forced to tap into your long-term investments.

Above all else, you may want to get some help. If you don't already have one, a financial professional can recommend ways of using the money to help you meet your goals. For one thing, you could further diversify your investments, which is important, because diversification can help reduce the effects of market volatility on your portfolio. (Keep in mind, though, that diversification can't prevent all losses or guarantee profits.)

And a financial professional can help you determine how much your plans could change due to the inheritance. To name just one possibility, you might be able to move up your retirement date. If so, you'd need to adjust many aspects of your financial strategy, such as when to take Social Security, how much to withdraw each year from your retirement accounts, and so on.

You'll also need to consult with your tax advisor, because some inherited assets, such as an IRA, could have tax implications.

Your loved ones worked hard, and probably invested for many years, to leave a legacy for you. So, to honor their memory, do whatever you can to handle your inheritance wisely.

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# Pikeville renames Jenny Wiley Theatre, approves lease with Expo Center

By **CHRIS ANDERSON**  
APPALACHIAN NEWSPAPERS

PIKEVILLE — The now-former Jenny Wiley Theatre in Pikeville has a new identity.

At the April 8 meeting of the Pikeville City Commission, city officials approved a lease agreement between the city and the East Kentucky Exposition Center Corporation for the Jenny Wiley Theatre building in downtown Pikeville.

The city commission also approved renaming the venue from Jenny Wiley Theatre, and it will now be known as “Appalachian Center for the Arts.”

Pikeville City Manager Philip Elswick said the name is the brainchild of Robin Irwin, who will act as director of the theater. He said the new name more accurately describes the venue.

“The important thing about the name is that it makes clear that it’s a center for the arts,” Elswick said. “The former name was a bit mislead-

ing because it gave the impression that the building was just for theatre, which is not the case.”

Elswick said the lease for the Appalachian Center for the Arts with the Expo Center Corporation is for \$1 per year. Elswick said the city recognizes the importance of the arts and of theater in the quality of life for the community, and the involvement of the East Kentucky Expo Center, and its experience in ticketing, booking and other aspects of live entertainment, will be an asset.

“We believe it will be successful,” he said. “The Expo Center is already experienced in all aspects of making it work, and as a result, a lot of the learning curb is eliminated.”

The City of Pikeville evicted Jenny Wiley Drama Association from the building recently. According to a statement from the city, the eviction was the result of financial mismanagement by the drama association that, Elswick said, would like-

ly be impossible for the association to overcome. Elswick also said the drama association violated the terms of its lease agreement with the city by laying off staff members and canceling productions.

The statement said information about the situation has been shared “with the appropriate authorities.”

The first production of the theatre season for the newly-named Appalachian Center for the Arts will be “Greater Tuna,” playing April 25-May 4.



Appalachian Newspapers photo by Chris Anderson  
The former Jenny Wiley Theatre building on the corner of Second Street and Division Street in Pikeville was renamed last week.

## Prestonsburg offers meeting to allow Suddenlink customers to ‘air grievances’

By **ELAINE BELCHER**  
STAFF WRITER

Prestonsburg Mayor Les Stapleton announced Thursday that the city will hold a public hearing concerning Suddenlink services at 6:30 p.m., April 26, at the Mountain Arts Center.

“The city has been in negotiation with Suddenlink for a while, and we are asking them to make some changes to their customer service,” said Stapleton. “As a result, we are holding an open forum to allow Suddenlink customers the opportunity to air their grievances and discuss other issues with the services the company provides.”

Notice about the meeting has been published in the Floyd County Chronicle and Times and on the City of Prestonsburg Facebook page to ensure that the invitation to attend the meeting has reached Prestonsburg Suddenlink customers.

Additionally, Stapleton said that he will be accepting written statements and comments. Suddenlink customers may send their comments to Stapleton at, 200 North Lake Drive, Prestonsburg, Ky. 41653.

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## EDITORIAL

### Changing

Things change. Times change. And if we don't change with these, then we find ourselves falling behind.

So, we're changing. If you already follow this newspaper's website and social media, you've likely seen some changes lately — more activity, the addition of videos and an expansion of the amount of information available as well as an increased commitment to getting information to you quickly.

Some of the ways in which we're using this new technology will immediately increase your ability to interact with the various kinds of media and other things we're offering.

An example is the QR codes you've probably noticed popping up throughout the paper, from the front page to advertisements. Using the QR codes is a simple process. If you're using an iPhone, simply open your camera app, place the QR code in the camera's view, and you will be presented with a link you can click to take you to gain further insight — from a video or photo gallery regarding the event being discussed to a website or other link. If you're using an Android or other type of phone, simply download a QR code reader app and use it to interact.

These QR codes will allow you to interact with our stories and with our advertisers like never before.

There are also several new initiatives we will be launching in coming weeks and months.

It's important that we do that, not just to change with the times, but so that you have credible sources of information to which you can turn in these confusing times. These photos, videos and other information will be vetted and subjected to all the same ethical and journalistic principles we apply to our print editions. You can know when you share from our websites and social media channels that what you're sharing is credible and has been checked for fairness and accuracy.

While we are expanding the means by which we bring you information, as well as the types of information we provide, the main way to keep up with everything going on in your community is the newspaper you hold in your hands.

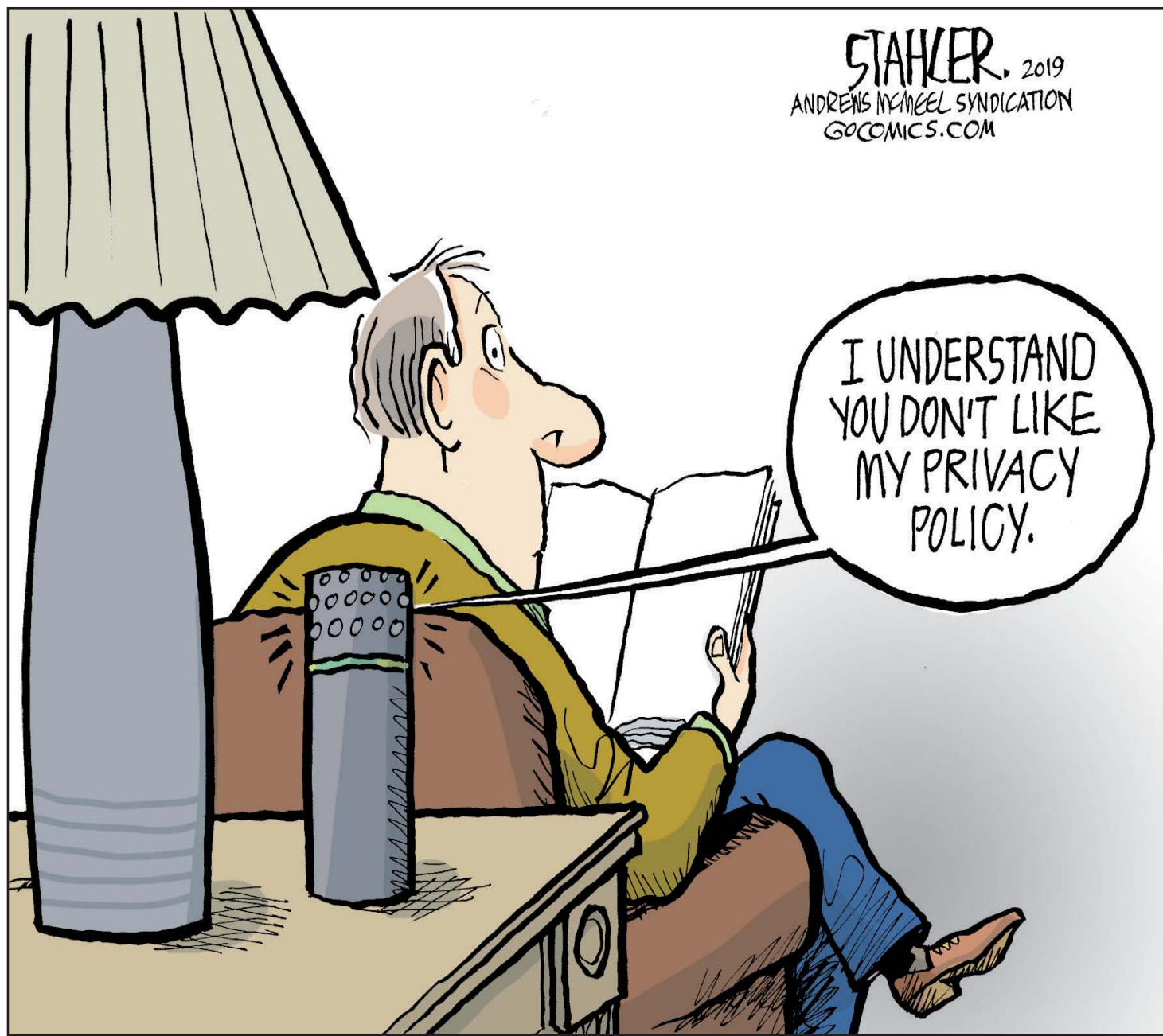
All the videos and other initiatives are driven by your decision to purchase or subscribe to a newspaper, and we thank you for that.

If you're a regular reader, you know the value you get by purchasing this newspaper. Being "in the know" about what's going on in your community is key to making several important decisions in your life, from the grocery store to the voting booth.

And we're committed to continuing this mission. We are going to continue attending events and public meetings that ensure you stay informed. We are going to continue to dig in and seek to get to the heart of the matter on the issues of importance to you and your life.

We're just going to deliver that information in some new and different ways that we believe will only add value to being a part of our Appalachian Newspapers family.

Follow us on Facebook, Twitter and Instagram, keep up with our website and watch where we go next.



## COLUMN

### Jenny gets scalped



JEFF VANDERBECK  
PUBLISHER

The City of Pikeville, owners of the building formerly known as Jenny Wiley Theater, gave the boot to the theatre, hired away the theatre manager and created their own entity, called Appalachian Center for the Arts.

The city asked for financial information from the former theatre board and was unable to obtain accurate information.

The city had a right to do so as they are giving tax dollars to the theatre each year and the city requires accountability for the tax dollars given, like any re-

sponsible taxing agency.

We also submitted an open records request to the theatre to see how much money they have, what they are spending it on and if all the checks and balances have been met. That was two weeks ago and, to date, we still have not received any financial information on the theatre.

The city, being good stewards of tax dollars, wanted information and they received nothing and proceeded with an eviction notice to the theatre.

The city also contends that the theatre violated their terms of the agreement by canceling shows, among other issues.

The original deal looked good on paper. But, without proper oversight, it was bound to fail.

JWT started in Prestonsburg and had a lot of great shows. I don't know about their financial status while in Prestonsburg, but, from what we hear, it wasn't good.

The theatre brought in nationally recognized shows and hired professional actors to perform, which, in theory, is a great idea.

At one time they fostered local talent, which allowed parents and grandparents to see their children in performances. The productions became more expensive, management at the theatre was non-existent and the show barely went on.

The City of Pikeville tried to revive the theatre, with good intentions. But sharing the theatre with two cities, ineffective management and lack of accountability is a recipe for disaster.

The board hired a professional who has a plethora of experience with community theatres, fundraising and, more importantly, accountability of finances. When the city kicked Jenny to the curb they offered the newly-hired manager an opportunity to keep her position

as manager and become a city employee, which she took.

I won't get into the specifics because I don't know much about them. But, I can assure you that the city was fully transparent with their new employee as to an actual budget and expectations of the Appalachian Center for the Arts.

They will work with the Expo Center, which has performed well under the city's watch. In fact, they are not losing money any more.

The Expo was never intended to make money, but if it does, which it is, it is just gravy and less of a burden to the taxpayers.

The future is bright for the center — it has a professional manager, a landlord that will watch each penny spent and it will create a venue for local talent to flourish. The show will go on.

Thanks for reading the Floyd County Chronicle and Times.

### Letters Policy

- All letters must be signed by the author and include your street address and daytime phone number for verification purposes. No letters will be printed anonymously.
- All letters are subject to editing for spelling and grammar, and libelous statement will be deleted.
- Letters should be either typed or printed clearly, and should not exceed 300 words.
- Mail letters to: Floyd County Chronicle and Times, P.O. 390, Prestonsburg, Ky. 41653.
- Letters only represent the viewpoint and opinions of the writer, and not necessarily of the Floyd County Chronicle and Times staff.

www.floydct.com

#### CHRONICLE & TIMES

LETTERS OR COMMENTS:

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# Traffic changes announced on Mountain Parkway

**SPECIAL TO THE FLOYD CHRONICLE AND TIMES**

Paving operations began for the future westbound lanes running throughout the length of the Restaurant Row project in Salyersville. Within the next few weeks, once westbound paving is complete, the existing traffic flow will be shifted over onto the new westbound lanes, so construction can begin on the eastbound lanes.

One lane of traffic traveling in each direction will remain open during this traffic change. The future eastbound lanes will undergo construction during the summer months.

"The significant work that's been done to build out the westbound lanes over the past year marks the notable progress our team has made toward that primary goal of widening and expanding the Parkway," said Marshall Carrier, the Kentucky Transportation Cabinet's project manager for the Mountain Parkway Expansion. "We're looking to mirror that work as we shift our focus now to the

eastbound lanes, so we can lay the pavement, get all four lanes to their final status, and be able to hand this completed project back to the people of Salyersville late this fall."

Mountain Parkway crews have been working toward their goal of widening the Parkway on the north side of the Restaurant Row project by building out the westbound lanes.

The traffic change coming within the next few weeks will allow crews to shift the current traffic flow over entirely onto the newly-constructed westbound lanes, enabling them to then close the eastbound lanes and begin the next phase of construction.

Closing the eastbound lanes for paving work will begin the final substantial construction phase of the Restaurant Row project. Throughout the summer months, crews will begin by putting down layers of crushed stone pavement, and will continue with multiple layers of blacktop until the eastbound lanes are ready for final painting in the fall.

## FLOYD COUNTY CHRONICLE AND TIMES

# OBITUARIES

**William Booth**  
William "Billy" Roger Booth, 63, died Friday, April 12, 2019.

Visitation and funeral services were held Monday, April 15, at Carter Funeral Home, Prestonsburg.

Burial followed in Mayo Cemetery, Prestonsburg.

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

**Carl Edward Clay**  
Carl Edward Clay, 89, of Prestonsburg, died Thursday, April 11, 2019.

Visitation was held Saturday, April 13, at Hall Funeral Home, Prestonsburg.

Funeral services were held Sunday, April 14, at the funeral home.

Burial followed in Gethsemane Gardens, Prestonsburg.

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

**Leck Coleman, Jr.**  
Leck Coleman, Jr., 80, of Salyersville, died Saturday, April 13, 2019.

Visitation was held Monday and Tuesday, April 15-16, at Hall Funeral Home, Martin.

Funeral services will be held at 11 a.m., Wednesday, April 17, at the funeral home.

Burial will follow in Davidson Memorial Gardens, Ivel.

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

**Marie Prater Goble**  
Marie Prater Goble, 99, of Prestonsburg, died Wednesday, April 10, 2019.

Visitation was held Friday, April 12, at the First Presbyterian Church, Prestonsburg.

Funeral services were held Saturday, April 13, at the church.

Burial followed in the Mayo Cemetery, Prestonsburg.

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

**Brenda Bowling Hall**  
Brenda G. Bowling Hall, 69, of Martin, died Wednesday, April 10, 2019.

Visitation was held Friday, April 12, at Hall Funeral Home, Martin.

Funeral services were held Saturday, April 13, at the funeral home.

Burial followed in the Hagans Family Cemetery, Martin.

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

**Kenneth Hall**  
Kenneth Hall, 73, of Dana, died Monday, April 15, 2019.

Visitation will continue Wednesday, April 17, at Nelson-Frazier Funeral Home, Martin.

Funeral services will be held at 11 a.m., Thursday, April 18, at the funeral home.

Burial will follow in Gethsemane Gardens,

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

**Phyllis Mae Ousley**  
Phyllis Mae (Burchett) Ousley, 72, of Banner, died Friday, April 12, 2019.

Visitation was held Sunday, April 14, at Hall Funeral Home, Martin.

Funeral services were held Monday, April 15, at the funeral home.

Burial followed in Gethsemane Gardens, Prestonsburg.

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

**Dorsie Patton**  
Dorsie Patton, 101, of Eastern, died Saturday, April 13, 2019.

Visitation was held Monday and Tuesday, April 15-16, at Hall Funeral Home, Martin.

Funeral services will be held at 1 p.m., Wednesday, April 17, at the funeral home.

Burial will follow in

the Turner/Patton Family Cemetery, Eastern.

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

**Joseph Franklin Snipes**  
Joseph Franklin Snipes, 75, of Prestonsburg, died Friday, March 29, 2019.

Graveside services were held Sunday, March 31 at Lakeview Memorial Gardens, Staffordsville.

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

**Lorena Wells Wallen**  
Lorena Wells Wallen, 90, of Louisville, died Friday, April 12, 2019.

Visitation will be held at 11 a.m., Thursday, April 18, until funeral service at 1 p.m.

Burial will follow in the Richmond Cemetery, Prestonsburg.

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

# Pike water district to crack down on water theft

**AN APPALACHIAN NEWSPAPERS STAFF REPORT**

Mountain Water District in Pike County is preparing to begin prosecution for theft of service after finding a number of water and/or sewer users illegally-connected to the district's system.

According to a statement, MWD will be prosecuting any individual or entity found illegally-connected to the District's system effective May 1. Penalties allowed by law and depending upon the value of the service stolen can be up to a class C felony, which can carry the consequences of fines and/or imprisonment.

According to the statement, theft of service is defined by KRS 514.060 as:

- Intentionally obtaining services by deception, threat, by false token or any other means to avoid payment for the services which he/she knows are available only for compensation.


- Any metered service where the meter or other device has been altered, tampered with, or bypassed in a manner so as to prevent or reduce

the recording thereof.

- Any metered service, after having been disconnected by the utility supplying the service, which is reconnected without authorization of the utility.

MWD employees have found more than 300 illegal hookups throughout the area, the statement said, and officials with MWD say that following through with pursuing compensation for theft of service is not only appropriate, but also fair and reasonable in protecting the law-abiding rate-payers of the MWD.

## Card of Thanks




To everyone who supported us following the death of our mother, Velvia Prater, we would like to express our sincere thanks and appreciation. Your many acts of kindness and sympathy continue to be a great comfort to us in our time of sorrow.

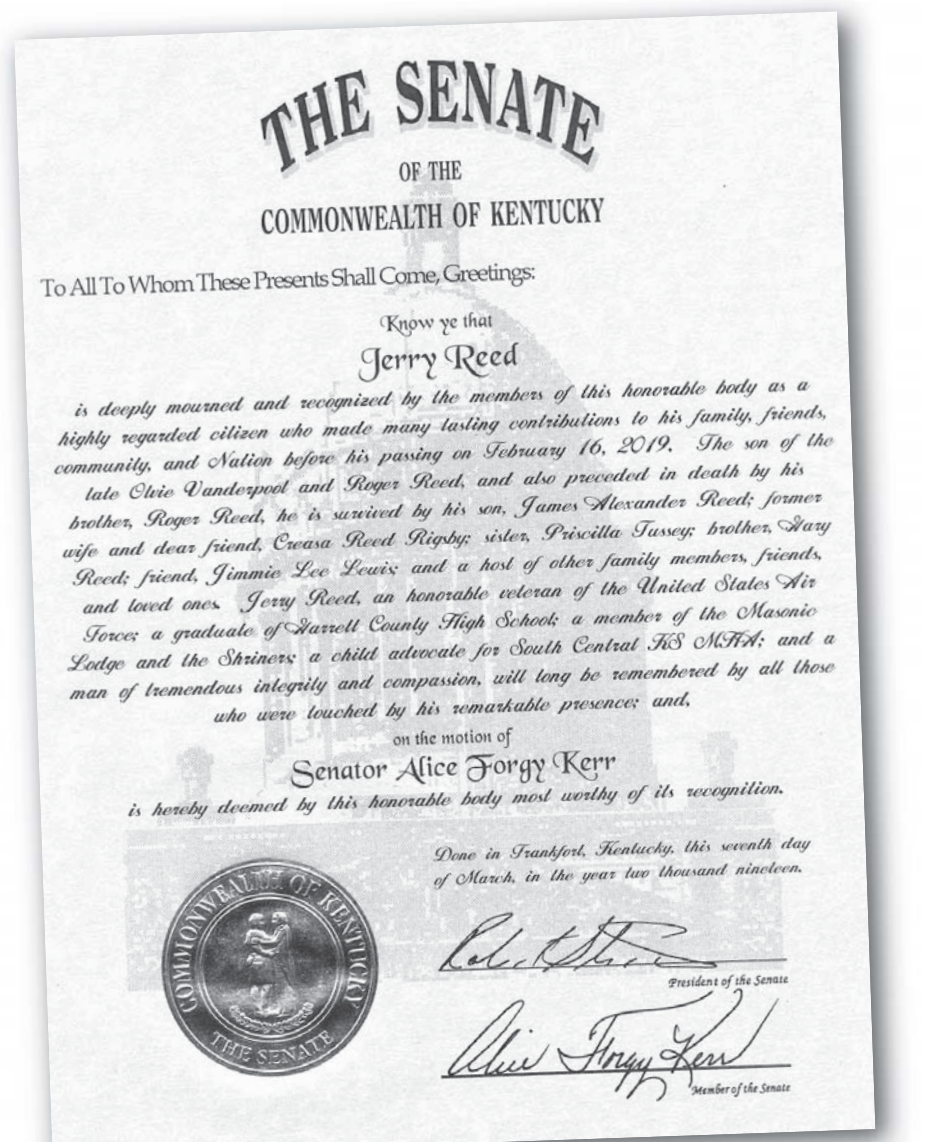
We also send our gratitude and appreciation to Lorna Isaac and Virginia Perkins with Bluegrass Care Navigators, Old Regular Baptist preachers, and Nelson-Frazier Funeral Home.

*The Family of Velvia Prater*

## In Loving Memory of Jerry Reed



Jerry Reed, 75, of Lexington, formerly of Garrett, passed away Saturday, February 16, 2019. Born on July 22, 1943, he was the son of the late Ovie Vanderpool and Roger Reed. He graduated from Garret High School and served his country as a Sergeant in the U.S. Air Force. Mr. Reed was a member of the Masons, as well as the Shriners. He was a Child Advocate for South Central KS MHA, as well as a Kentucky Colonel. He is survived by his son, James Alexander Reed; former wife and special friend, Creasa Reed Rigby; sister, Priscilla Tussey; brother, Gary Reed; and friend, Jimmie Lee Lewis. In addition to his parents he was preceded in death by his brother, Roger Reed. Services were held at Kerr Brothers Funeral Home, Main Street, Lexington, on Tuesday, February 19, 2019.



**THE SENATE OF THE COMMONWEALTH OF KENTUCKY**

To All To Whom These Presents Shall Come, Greetings:

Know ye that **Jerry Reed** is deeply mourned and recognized by the members of this honorable body as a highly regarded citizen who made many lasting contributions to his family, friends, community, and Nation before his passing on February 16, 2019. The son of the late Ovie Vanderpool and Roger Reed, and also preceded in death by his brother, Roger Reed, he is survived by his son, James Alexander Reed; former wife and dear friend, Creasa Reed Rigby; sister, Priscilla Tussey; brother, Gary Reed; friend, Jimmie Lee Lewis; and a host of other family members, friends, and loved ones. Jerry Reed, an honorable veteran of the United States Air Force; a graduate of Harrold County High School; a member of the Masonic Lodge and the Shriners; a child advocate for South Central KS MHA; and a man of tremendous integrity and compassion, will long be remembered by all those who were touched by his remarkable presence; and on the motion of Senator Alice Forgy Kerr is hereby deemed by this honorable body most worthy of its recognition.

Done in Frankfort, Kentucky, this seventh day of March, in the year two thousand nineteen.

*Robert L. Starnes*  
President of the Senate

*Alice Forgy Kerr*  
Member of the Senate



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# Howard gets 12 years for robbery

**A FLOYD CHRONICLE AND TIMES STAFF REPORT**

A Floyd County resident was sentenced to serve 12 years last week on charges of robbery and felony theft.

Zachary T. Howard,

26, was sentenced to 12 years in a case in which he was charged with first-degree robbery and theft by unlawful taking — automobile.

He pleaded guilty to the crimes on March 7, after Commonwealth's

Attorney Brent Turner recommended that sentence.

Turner reported at the time that Howard would have to serve 85 percent of the sentence before he is eligible for parole.

"My office and the victims were satisfied with this plea," Turner said at the time. "The defendant took responsibility for what he did and will be serving a lengthy prison sentence."

Howard was indicted

in September 2018 for crimes that occurred in August. He was arrested by the Kentucky State Police that month at an armed robbery that occurred at a home in Wayland. KSP officials said in court documents that

Howard broke into the home, stole two pistols that he used to hold the couple who lived there at gunpoint, stole \$7 and the couple's vehicle and fled. He was arrested after a high-speed chase later that day.

## BOE

Continued From Page 1A

Wicker, filed the case in May 2015, regarding allegations of inappropriate comments that were allegedly made by Wicker in 2013 and 2014.

The board of education, former ACHS Principal Pam Frasier and teacher Paul Francis were also named in the lawsuit.

Board of education officials would not disclose the release of any funds or any terms agreed upon as part of the settlement approved on Monday, reporting that it is still pending and the information would be released when the agreements are signed. Attorneys for the district's insurance company are handling the case, not the school board attorney, they said.

It marked the second time the Floyd County Board of Education held a special meeting to discuss this case.

During a special meeting on Dec. 10, 2018, the board discussed the case in closed session and returned to open session, voting to approve a partial settlement without disclosing the amount of funds approved.

When the minutes of that meeting, however, were approved at a later date, it noted the board voted to approve a partial settlement of \$10,000 to three of the students who sued in regards to Francis — information

that was not publicly disclosed at the meeting. The motion, as recorded, also noted that three other students would retain the right to argue that Francis should pay their attorney fees.

On Monday, school district officials said they were not aware that Circuit Judge Tom Smith signed an agreed order of dismissal for Francis on March 27. In that order, Smith noted that the school district and the plaintiffs in the case came to an agreement and all claims against Francis were dismissed with prejudice. Board officials could not disclose how much was paid as part of that settlement on Monday.

The Floyd County Circuit Court file for this case contains thousands of pages, including depositions of current and former school district officials, students and expert witnesses.

The trial began earlier this month in Floyd Circuit Court, but it ended after five days of testimony was held with parties reporting the terms of a settlement had been reached.

Prestonsburg attorney Mickey McGuire, representing the students, said that the terms were approved by both parties at 5 p.m. on the fifth day of the trial. Testimony had been provided by nearly 20 people, including Francis, court records show.

"It settled after one

week of trial on a Friday, and the settlement amount is confidential. ... It's confidential because the school board insisted it be confidential," McGuire said.

McGuire said testimony from Francis damaged the school district's defense of the allegations in the lawsuit, which is why the students agreed to settle the case with Francis first.

"I cannot discuss the amounts, but I would say that we settled with Mr. Francis sort of early because we thought that he was very truthful, that he didn't try to shade it, he didn't try to make excuses. His testimony was very truthful. He didn't lie about anything. His testimony hurt the board of education, and because he was a defendant, we settled for him for a nominal amount, what I would call a nominal amount, anyway," McGuire said.

Francis testified that one of the students came to him with allegations against Wicker and he failed to report it or notify social services or the state police, as required by law.

"He was very apologetic, in hindsight. I think he was very regretful. The boy, when he reported it, did not seem to be in distress, and he didn't take it as seriously as he should have, and he didn't know about the other children, either. He just had the report from the one boy," McGuire said.

He said the settlement resolves all claims against Wicker, the school board and Frasier. He said, however, that pending cases against Wicker were held in abeyance until the lawsuit was concluded. Social services substituted claims against Wicker, McGuire said, but Wicker appealed that ruling.

"The professional standards board had a case against Mr. Wicker and they held their case in abeyance until after this matter was concluded," McGuire said. "And social services also has a case against Mr. Wicker where they investigated and substantiated the claims and he appealed. That has been held in abeyance pending the outcome of this case."

When questioned how many students reported inappropriate comments, McGuire said the social services investigation showed six kids were subjected to inappropriate comments, and his team found two others who claimed that Wicker made inappropriate comments to them years before the allegation arose with his clients in 2013 and 2014.

He described the statements Wicker allegedly made as, "disgusting."

"They were disgusting statements that were made to children by a special ed teacher," McGuire said.

He said there was also evidence that other

students alleged similar inappropriate conduct by Wicker in 2005 and 2008.

He said in 2008, the comments were reported to Frasier, who was assistant principal at the time, and social services investigated claims made by a student from another school in 2005, but did not substantiate them. He said these allegations would not have surfaced if a mother did not persist in trying to find out what was wrong with her son.

"She knew something was wrong with her son," McGuire said. "She started reading his Facebook and he had some funny comments on Facebook. She sat him down. Had she not forced him to talk, this would have never come to light. After he talked, and she reported it to the school and to the state police. After that happened, social services investigated. Had social services not investigated, none of this would have ever come to light. It would have just been swept under the rug. The school would have never done anything, in my opinion."

McGuire said the students sought to have school district policies changed as part of this lawsuit to prevent similar incidents from occurring, but the board rejected that request during negotiations.

"It think it's very discouraging that the case took so long and it was very, very hard," McGuire

said. "The four kids I represented were from poor families. They were from broken families. Some of them had severe disabilities, and I'm disappointed that the board of education took so long to get to a point that they offered sufficient funds to settle the case. We specifically asked the board in meetings to change their policies, that their policies are not adequate to protect children and they have taken the position that their policies are just fine and that they don't need to change their policies. So, we're sorry, and it's regretful that they will not look at this as an opportunity to protect children in the future."

He said is thankful the case is over.

"I think that the evidence was clear that Wicker had made inappropriate statements to children at the school, which, some of them, he was the special ed teacher for, and some of them were just taking a test in his room," McGuire said. "It became evident he had made very inappropriate statements to them and then was untruthful in denying them."

The allegations surfaced in 2014, the year the board of education transferred Wicker from ACHS to an itinerant instructor. When he retired from teaching in 2017, Wicker was working as a homebound instructor, and he was also president of the Floyd County Education Association.

## GOVERNMENT FORECLOSURE SALE

TUESDAY, APRIL 30, 2019 AT 10:00 A.M.

AT THE SITE OF THE BELOW DESCRIBED PROPERTY HOUSE AND LOT LOCATED AT 15 MART MEADE BRANCH, PRESTONSBURG, KY 41653 IN FLOYD COUNTY, KENTUCKY



This is a three bedroom home on public water and septic. It is well located in a quiet neighborhood. It consists of three bedrooms, living room, kitchen, and two baths. This property is considered suitable for the Rural Development, Rural Housing Program. This would be an excellent buy for an investor interested in rental property or for resale after repairs.

The minimum acceptable bid for this property is \$18,760.00.

An open house will be held on April 23, 2019 from 10:00 am to 11:00 am.

Payment of the current year's property taxes are the responsibility of the purchaser.

Clear title to this property is not warranted. The U.S. Marshal's Deed is not a general warranty deed. Buyers are advised to have the property's title examined. Written notification regarding encumbrances on the property must be made to the Paintsville Rural Development Office within 30 days of the date of sale.

\*\*\*\*\*

### LEGAL NOTICE

Notice is hereby given that on Tuesday, April 30, 2019 at 10:00 am., at the property site, at 15 Mart Meade Branch, Prestonsburg, KY in Floyd County, Kentucky, in order to raise the principal sum of \$33,597.06, with accrued interest of \$9,838.83 through January 12, 2016, with the total subsidy granted of \$9,482.55, escrow in the amount of \$313.90 and with fees assessed of \$13,473.03, for a total unpaid balance due of \$66,705.37. Interest is accruing on the unpaid balance at the rate of \$9.6882 per day after January 12, 2016, until the date of entry of the Judgment, together with interest on the Judgment amount at the rate of 1.17% per annum, until paid, plus costs, disbursements and expenses pursuant to Judgment and Order of Sale, being Civil Action No. 7:16 -cv-00018-KKC-EBA on the Pikeville Division of the United States District Court for Eastern District of Kentucky, entered on June 7, 2017, in the case of the United States of America vs estate of Kathy Thacker, et al, the following described property will be sold to the highest and best bidder: House and Lot located 15 Mart Meade Branch, Prestonsburg KY 41653, Floyd County KY Being the same property conveyed by Deed dated October 1, 1992, and in Deed Book 360, Page 678, in the Floyd County Clerk's Office.

Terms of Sale: Ten percent (10%) of the bid price (in the form of a Cashiers Check made payable to the U. S. Marshal) on the day of the sale with good and sufficient bond for the balance, bearing interest at the rate of 1.17% per annum until paid, due and payable in sixty (60) days and said bond having the effect of a Judgment. Upon a default by the Purchaser, the deposit shall be forfeited and retained by the U.S. Marshal as a part of the proceeds of the sale, and the property shall again be offered for sale subject to confirmation by the Court.

This sale shall be in bar and foreclosure of all right, title, interest, estate claim, demand or equity of redemption of the defendant(s) and of all persons claiming by through, under or against them, provided the purchase price is equal to two-thirds of the appraisal value. If the purchase price is not equal to two-thirds of the appraised value, the Deed shall contain a lien in favor of the defendant(s) reflecting the right of the defendant(s) to redeem during the period provided by law (KRS 426.530). Under law, the purchaser is deemed to be on notice of all matters affecting the property of record in the local County Clerk's Office.

Inquires should be directed to: Darwin E McGuire, Loan Specialist  
Rural Development  
Paintsville, Kentucky  
Telephone: 606/789-3766 Ext 4

## GOVERNMENT FORECLOSURE SALE

TUESDAY, APRIL 30, 2019 1:00 P.M.

AT THE SITE OF THE BELOW DESCRIBED PROPERTY HOUSE AND LOT LOCATED AT 2114 RIGHT FORK BULL CRK, PRESTONSBURG, KY 41653 IN FLOYD COUNTY, KY



This is a three bedroom home on public water and septic. It is well located in a quiet neighborhood. It consists of three bedrooms, living room, kitchen, and one bath. This property is considered suitable for the Rural Development, Rural Housing Program. This would be an excellent buy for an investor interested in rental property or for resale after repairs.

The minimum acceptable bid for this property is \$18,090.00.

An open house will be held on April 23, 2019 from 1:00 pm to 2:00 pm.

Payment of the current year's property taxes are the responsibility of the purchaser.

Clear title to this property is not warranted. The U.S. Marshal's Deed is not a general warranty deed. Buyers are advised to have the property's title examined. Written notification regarding encumbrances on the property must be made to the Paintsville Rural Development Office within 30 days of the date of sale.

\*\*\*\*\*

### LEGAL NOTICE

Notice is hereby given that on Tuesday, April 30, 2019 at 1:00 pm., at the property site, at 2114 Right Fork Bull Crk, Prestonsburg, KY in Floyd County, Kentucky, in order to raise the principal sum of 30,435.41, with accrued interest of \$2,072.11 through March 14, 2017, with the total subsidy granted of \$54,621.12, with late charges in the amount of \$0.00, and with fees assessed of \$1,460.19, for a total unpaid balance due of \$88,588.83. Interest is accruing on the unpaid balance at the rate of \$7.6254 per day after March 14, 2017, until the date of entry of the Judgment, together with interest on the Judgment amount at the rate of 1.21% per annum, until paid, plus costs, disbursements and expenses pursuant to Judgment and Order of Sale, being Civil Action No. 7:17 -cv-00071-KKC-EBA on the Southern Division at Pikeville of the United States District Court for Eastern District of Kentucky, entered on September 12, 2017, in the case of the United States of America vs Mary Rose, and Unknown Spouse of Mary Rose, the following described property will be sold to the highest and best bidder: House and Lot located 2114 Right Fork Bull Crk, Prestonsburg KY 41653, Floyd County KY Being the same property conveyed by Deed dated April 14, 1995, and in Deed Book 385, Page 629, in the Floyd County Clerk's Office. By virtue of the right of survivorship contained in the source Deed, the property fully vested with Mary Rose, upon Thomas Rose's death September 5, 2010

Terms of Sale: Ten percent (10%) of the bid price (in the form of a Cashiers Check made payable to the U. S. Marshal) on the day of the sale with good and sufficient bond for the balance, bearing interest at the rate of 1.21% per annum until paid, due and payable in sixty (60) days and said bond having the effect of a Judgment. Upon a default by the Purchaser, the deposit shall be forfeited and retained by the U.S. Marshal as a part of the proceeds of the sale, and the property shall again be offered for sale subject to confirmation by the Court.

This sale shall be in bar and foreclosure of all right, title, interest, estate claim, demand or equity of redemption of the defendant(s) and of all persons claiming by through, under or against them, provided the purchase price is equal to two-thirds of the appraisal value. If the purchase price is not equal to two-thirds of the appraised value, the Deed shall contain a lien in favor of the defendant(s) reflecting the right of the defendant(s) to redeem during the period provided by law (KRS 426.530). Under law, the purchaser is deemed to be on notice of all matters affecting the property of record in the local County Clerk's Office.

Inquires should be directed to: Darwin E McGuire, Loan Specialist  
Rural Development  
Paintsville, Kentucky - Telephone: 606/789-3766 Ext 4



# PSC schedules hearing in Southern Water case

**A FLOYD CHRONICLE AND TIMES STAFF REPORT**

The Kentucky Public Service Commission issued a subpoena last week for Greg May of Utilities Management Group, requiring him to appear in Frankfort on May 8 at a hearing regarding the investigation that is currently ongoing against former Southern Water Manager Dean Hall.

May is expected to testify about the managerial and operational issues identified by his company since it started overseeing the management of the district last month, according to the subpoena.

On Friday, the PSC also granted a request

for the Kentucky Attorney General's Office of Rate Intervention to intervene in the case, and it filed a data request, seeking information from the district, which is identified as a "non-party" to the proceeding.

The order cites a story in the Floyd County Chronicle and Times, which details May's recent presentation to the Floyd County Fiscal Court.

In that presentation, May reported that, since taking over management of Southern Water, UMG discovered between 700 or 750 meters were reading zero and 200 meters that registered as inactive.

In the data request,

the PSC asked the district to explain whether the 700 customers who had meters reading zero were billed by Southern Water prior to UMG taking over management and whether they were billed for minimum water usage.

The PSC also asked the district to explain what's meant by "inactive" meters and whether those customers received bills from Southern prior to the UMG contract.

The PSC also asked the district to provide the total number of meters that were reading zero on the district's system and were categorized as inactive.

The PSC is also seeking information about whether UMG identified

meters that were not recording actual water usage, other than meters that register zero or inactive and, if so, the total number of those meters. The request also seeks information about all vehicles owned by Southern since 2014. The PSC opened the investigation against Hall on March 11, reporting that the agency is seeking to determine whether Hall violated three state laws and two state regulations during his tenure as Southern Water manager.

During a special meeting on April 4, the Southern Water commission voted to approve the filing of an emergency rate increase application with the PSC, seeking a

rate increase of 32.3 percent. That case had not been filed with the PSC as of print deadline on Tuesday.

At that meeting, the commission voted to give UMG authority to get PSC approval to implement an amnesty program for people who are illegally getting water. If approved, during that 30-day amnesty, people with illegal hookups can come into the office and pay fees to connect to the service legally, without being charged for alleged theft or being forced to pay for previous months of service.

At that meeting, the commission also offered guidance to UMG about how to deal with custom-

ers who previously were only paying minimum bills and are now getting high bills for water usage. With commissioners questioning whether Southern can force those customers to pay the high bills while allowing amnesty to others who are obtaining water via illegal hookups, they told UMG to reduce those high bills to the minimum due to "circumstances beyond" the control of customers and the district.

The district was operating at \$37,000 in the red in March until it received \$75,000 from the Floyd County Fiscal Court — half of the amount the fiscal court agreed to provide the district to help it stay open.

## Mother faces wanton endangerment charge

**A FLOYD CHRONICLE AND TIMES STAFF REPORT**

A Floyd County woman is facing a second-degree wanton endangerment charge after allegedly leaving her daughter to care for herself.

Felicia D. Vonville, 27, of Bucks Branch in Martin, was arrested af-

ter the county's animal control officer reported the alleged incident this month. According to the citation filed by Floyd County Sheriff Sgt. Kevin Shepherd, he investigated the complaint made by the animal control officer about a four-year-old child who was outside alone.

The child told the

officer that "she was in charge until her mom gets out of bed," Shepherd reported.

He reported that the child was in the roadway when he arrived, the front door was open and the kitchen oven was open with the stove on.

"I woke her up and asked her where her child was and she said

she should be here somewhere," Shepherd wrote.

Vonville has been released from custody on a \$5,000 surety bond. She was ordered to have no contact with the child without supervision and to follow family court orders. Floyd County District Judge Jimmy Marcum scheduled a court trial for May 2 in the case.

### MURDER

Continued From Page 1A

He was being held on a \$2 million bond, but Assistant Commonwealth's Attorney Doug Adams requested a \$1 million cash bond for him during the hearing Tuesday.

Bradley argued for a lesser bond, however, saying that Martin claims he is innocent and is entitled to a presumption of innocence before being proven guilty.

She told the court that Martin wants justice for Tackett and said

that people might see the case differently after the facts are presented.

Circuit Judge Thomas Smith cited the seriousness of the charges against Martin and a pretrial report that concluded Martin was likely to commit a crime if he is released from custody.

He set the bond at \$250,000 cash.

One of Tackett's family members, visibly distraught, screamed out as he was being escorted out of the courtroom.

"Oh my God, you are a monster," she said.

## Cases against manufacturers move forward

**By MARK MAYNARD KENTUCKY TODAY**

Four of nine lawsuits against opioid manufacturers and distributors are moving forward in Kentucky courtrooms, said Attorney General Andy Beshear.

Kentucky judges denied motions to dismiss in Floyd, Madison and McCracken counties, he said.

Most recently, Judge Johnny Ray Harris issued an order denying AmerisourceBergen's motion to dismiss on April 1 in Floyd Circuit Court.

Beshear said circuit judges in Franklin, Madison and McCracken counties have also denied motions to dismiss by Endo Pharmaceuticals, Mallinckrodt and Johnson & Johnson's Janssen respectively.

"Our opioid litigation team has won every single motion to dismiss that these major pharmaceutical companies have brought to date," Beshear said. "We are not going to let these companies off the hook; they will come to Kentucky and ultimately pay to help our communities

and families recover from this devastating opioid epidemic."

Kentucky leads the nation in the number of individual opioid lawsuits filed by an attorney general. Beshear has brought a total of nine lawsuits against pharmaceutical companies for allegedly flooding Kentucky communities with dangerous prescription drugs.

The lawsuit against AmerisourceBergen alleges the company engaged in unfair, misleading and deceptive business practices, excessively distributed opioids in Kentucky and failed to legally report suspiciously large volumes of these drugs to state and federal authorities.

Beshear said actions by the Pennsylvania-based company, who is presumed to supply

nearly 32 percent of opioids in the state, played a major role in fueling Kentucky's opioid epidemic.

The remaining dismissal rulings include:

- McKesson Corporation's motion is pending a ruling in Franklin Circuit Court.
- Insys Therapeutics' motion will be heard in Hardin Circuit Court on April 12.
- Teva Pharmaceuticals motion will be heard in Fayette Circuit Court on April 29.
- Cardinal Health's motion will be heard in Jefferson Circuit Court on May 23.

Walgreens, who just filed their motion in Boone Circuit Court on Monday, has asked that it be heard on June 25.

Beshear said he will continue to move these cases forward to seek justice for every Ken-

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# P-Burg council approves classifications and pay scales

## Rocky Ridge Stables plans April 20 horse show

By ELAINE BELCHER  
STAFF WRITER

The Prestonsburg City Council approved an updated job classification and compensation scale for elected officers, appointed officials and employees Monday during the regular monthly meeting.

The ordinance details the hourly, biweekly and annual pay of employees from part-time summer workers up through the mayor's office.

This is a state re-

quirement cities complete every year, and the city took the opportunity this year to streamline the document, removing nine grades of empty positions.

"These were pay grades that were never attached to any particular position and had carried over from year to year — they were blank," Prestonsburg City Clerk Sharon Setser said. "We took the opportunity to remove them and cut the document down a few pages. There is no

impact, as these grades were not attached to any office or position."

The ordinance also caps the maximum amount of pay for city officials based on the number of years served.

"As officials serve in an office for a number of years, there will be a maximum amount earned as determined by the ordinance and in some cases, like mayor after seven years in office, as determined by Department of Local Government."

The council approved

the ordinance with no discussion with a unanimous vote.

Rocky Ridge Stables, LLC, represented by owner Sarah Rohr, reported to the council that the first horse show of the season on April 5 drew approximately 200 people, and, since taking over management of the center, more than 100 riders have come in to use the riding ring and exercise their horses.

Rohr announced a horse show will be held this weekend with gates

opening at 3 p.m. and the show starting at 7 p.m. on Saturday, April 20, at the Prestonsburg Equestrian Center. Admission is \$6 per person with kids age 12 and under admitted free.

"We will have pacing, racking, lead line, halter and more. We will also have a kids foot race and the Easter Bunny will be there for pics with the kids," said Rohr.

"We are working on a show bill, so folks can keep checking our Facebook page to get more information."

She also announced

the Broken Trail Horse Club Spring Trail Ride on May 17 through May 19.

"There will be trail riding all day Friday and Saturday. It's \$10 per person with kids getting in free. There are electric hook-ups for \$20 and \$10 stalls per horse for the weekend and an all-you-can-eat dinner on Saturday for \$8," said Rohr. "This year's event is dedicated to Johnnie Smith, Keith Stapleton and Becky Mead. It'll be a great time and all proceeds go toward a Christmas dinner and gifts for less fortunate kids."

# Another former firefighter accused of stealing equipment

## Gullett says department may file more charges

A FLOYD CHRONICLE  
AND TIMES STAFF REPORT

Another case alleging a former Wheelwright firefighter stole equipment was recently filed in Floyd District Court.

Wheelwright Fire Chief Daniel P. Gullett filed

misdemeanor charges against former firefighter Joshua Clemons, 24, of Bevinville, charging him with theft by failure to make required disposition of property.

Gullett alleges that Clemons was in possession of a handheld radio

and charger valued at about \$400 and refused to release them.

He reported Monday, however, that Clemons returned this equipment to the department after the charges were filed and he would seek to dismiss the case.

The case against Clemons is one of four cases that Gullett said the fire department has or will file against former firefighters who allegedly failed to return equipment.

He also recently filed a felony case against Matthew Johnson, 32, of Weeksbury, charging him

with felony theft by failure to make required disposition of property. That case alleges that Johnson was in possession of a pager and flashlight valued at more than \$550 and refused to return them.

On Monday, Gullett said he has attempted to retrieve the equipment

from Johnson several times, and he's also tried to retrieve equipment from two other former firefighters that the department is considering filing charges against.

The equipment, he said, was purchased by federal funding and the department must be able to account for it.

# Howell indicted for burglary, theft, other charges

A FLOYD CHRONICLE  
AND TIMES STAFF REPORT

A Floyd County grand jury issued an indictment last week against a man accused of allegedly stealing property and pawning it.

The grand jury indicted Jonathan Howell, 37, of Beaver, charging him with one count of third-degree burglary, theft by unlawful taking, second-degree criminal

possession of a forged instrument, receiving stolen property valued at over \$10,000 and for allegedly being a persistent felony offender in the second degree.

The alleged crimes took place in January and February, according to the indictment.

Howell faced those same charges in a complaint warrant that was issued against him by Debra Hall in February.

Hall alleged in the warrant that Howell allegedly pawned property belonging to her at Pink Elephant Gun and Pawn and Wholesale Jewelry-Pawn.

She alleged that Howell broke into her car and stole \$600 in cash and several blank checks.

The Floyd County Sheriff's Department presented the case to the grand jury.

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The Community Health Registered Nurse will be licensed to practice in Kentucky and have experience in community health nursing. Additional requirements include knowledge in health issues related to geriatrics and experience in health education. The salary will be commensurate with level of education, experience and job duties. All employees will have a criminal record check through the Kentucky Justice Cabinet, Administrative Office of the Courts, or a national criminal record check: The Central Registry; The Adult Protective Services Caregiver Misconduct Registry; and The Nurse Aid Abuse Registry.

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The position is full time and will be dependent on contract and funding. Position will be in the Big Sandy area.

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# Several injured, booths damaged in Hillbilly Days storm

By CHRIS ANDERSON  
APPALACHIAN NEWSPAPERS

PIKEVILLE — Friday evening's "quick, hard-hitting" storm in downtown Pikeville injured several people at the Hillbilly Days festival, while also causing damage to several vendor booths throughout the festival.

Pikeville 911-Public Safety Director Paul Maynard said six people suffered minor injuries during the storm, resulting in one person being taken by ambulance to Pikeville Medical Center. Maynard said the storm arrived with "very little warning" and contained wind gusts of up to 45 mph.

"We received a call from the National Weather Service a few minutes before it hit, telling us there will be rain, wind and lighting," Maynard said. "We received another call about four minutes before it hit that it had intensified right before it got here. It was quick and hard-hitting."

The storm struck on what is traditionally the busiest evening of Hillbilly Days. Several vendors' booths sustained damage, including Miss Piggy's Barbecue on Hambley Boulevard, which partially collapsed.

Maynard said the booth was damaged so badly the vendor was forced to close and exit the festival late Friday.

Maynard said the National Weather Service found no indications of "tornadic activity" or straight-line winds.

"It appears it was just a good, windy thunderstorm," Maynard said.

Maynard said the city had first responders stationed and patrolling throughout the Hillbilly Days crowd, and they were able to spring into action following the storm and address injuries and damage.

"They did a great job getting to people and to the booths," Maynard said. "In no time after the storm, they were checking on people and disconnecting natural gas, whatever needed to be done."

Maynard said the his department is currently assessing all facets of the incident. He said he is happy with the response, and will consider what, if anything, could have been done better or differently. He added that he is happy the storm wasn't more severe.

"It could have been a lot worse," he said. "We're truly blessed it wasn't a lot worse."



"Miss Piggy's Pork Shop" was one of several Hillbilly Days vendors whose booths sustained severe damage when a freak storm developed over Pikeville Friday night. The vendor, whose booth had been located near the corner of Huffman Avenue and Hambley Boulevard, had moved out by Saturday.

Pikeville Police Det. Bruce Collins attempts to comfort a young Hillbilly Days festival-goer after a freak storm ripped through downtown Friday evening.



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## Floyd County students earn Governor's Scholars honors

**A FLOYD CHRONICLE AND TIMES STAFF REPORT**

Superintendent Danny Adkins announced Monday that Kentucky Governor's Scholar Program selected four Floyd County students as candidates, Aariana Sparks of Betsy Layne High School, Chad Bates and Logan Turner of Floyd Central High School and Cameron Goble of Prestonsburg High School.

"Congratulations Aariana, Chad, Logan and Cameron. Being selected to be a Governor's Scholar from an outstanding pool of candidates is a prestigious honor," said Adkins. "Our Floyd Coun-

ty team is very proud of these students and their tenacity. It takes three years of hard work to be a viable candidate for Governor's Scholar and that ability to set a goal and work towards it, no matter how hard the journey gets someones, is a commendable quality in itself."

The Kentucky Governor's Scholar Program is a free summer learning program for students going into their senior year of high school.

Attendees also receive scholarships averaging more than \$60,000, depending on the college or university the student select.



**Aariana Sparks**

Adkins said that the process for selection as a Governor's Scholar is detailed and competitive, including written essays, quality of grades and test scores.

He said that this year, 1,863 students applied for the program with little



**Chad Bates**

over half selected. "We want to see all of our students with good grades and test scores talking to their guidance counselors about the Governor's Scholars Program. While you apply when you're a junior in high school, students re-



**Logan Turner**

ally need to begin working toward this as freshman in order to be more competitive," said Adkins. "We want all of our students asking, 'What's out there for me?' We know that high school students are more successful when they are working



**Cameron Goble**

toward their individual goals, and becoming a Governor's Scholar is just one of the great opportunities for students."

For questions or more information about the program, contact your local high school counselor or visit, [gsp.ky.gov](http://gsp.ky.gov).



Submitted photo

**Carl D. Perkins Job Corps Student Government Association President Sean Lyon, Secretary Jean Beaulieu, Treasurer Austin Renfroe, Sergeant at Arms Michael Teitsworth and Chairperson and Isiah Riddick were accompanied by Jennifer Shortridge, student personnel assistant, and Jason Greer, maintenance/driver during a recent trip to Virginia.**

## Job Corps students attend leadership conference

**SPECIAL TO THE FLOYD CHRONICLE AND TIMES**

Student leaders from Carl D. Perkins Job Corps joined Student Government

Association delegations from nine other centers for the Spring 2019 SGA Leadership Conference this month at Camp Horizons near Harrisonburg, Va.

Carl D. Perkins Job Corps Student Government Association President Sean Lyon, Secretary Jean Beaulieu, Treasurer Austin Renfroe, Sergeant at Arms Michael Teitsworth and Chairperson and Isiah Riddick were accompanied by Jennifer Shortridge, student personnel assistant, and Jason Greer, maintenance/driver during a recent trip to

Virginia.

The four-day conference opened with a series of ice-breaker and team-building activities that encouraged communication, critical thinking, problem solving, team building and leadership.

Job Corps center delegations were paired to form teams that worked together throughout the conference to complete challenges, participate in classroom sessions and lead by example by serving their fellow delegates during meals. Perkins Job Corps students joined with student leaders from Pittsburgh Job Corps to form the "Spruce" team.

Other activities included a high ropes challenge course and a banquet featuring Art Dean, executive director of

campus and community programs for access and inclusion at James Madison University.

Dean urged students to "make decisions with your future in mind," and listen to the people in their lives who encourage them to believe in themselves and succeed. Dean also encouraged students to "make your mess your message" by learning from their mistakes and past challenges and urged them to be positive role models for those around them. He also stressed the importance of remembering the mentors who encouraged them along the way and enjoying life by staying positive.

Each center delegation also created an

See CORPS, Page 12A

## Kent Rose Foundation donates to Trooper Island

Donation given in honor of "Banjo" Neal James

**SPECIAL TO THE FLOYD CHRONICLE AND TIMES**

The Kent Rose Foundation recently presented a \$700 donation to the Kentucky State Police Trooper Island Camp.

The donation was given in honor of "Banjo" Neal James, now deceased, who was featured on Animal Planet's "Call of the Wildman."

The check presentation took place at an antique mall in Harrodsburg, where James used to play his banjo.

"Banjo Neal loved people and it was evident in everything thing he did," a press release from the foundation said.

In 2013, Neal met Kent Rose, an Arm Drop Drag Racing event promoter, who died because of lung cancer in 2016.

Gina Rose, Kent's wife and chairperson of the



Submitted photo

**Kent Rose, left, met "Banjo" Neal James in 2013.**

Kent Rose Foundation, said, "From the first time Neal and Kent met, they were forever bonded by their shared mission of positively impacting the lives of kids. Wherever they worked together, they were surrounded by smiling happy children who knew they were in the presence of two men who loved them."

Kent Rose Foundation to "continue the mission of empowering kids," the press release said. "Banjo Neal anxiously came on board ready to do whatever he could to grow the foundation. Neal envisioned one day the foundation would donate to Trooper Island Camp.

She established the

See DONATION, Page 12A



Submitted photo

**Chloe and Isabella Miller, the grandchildren of "Banjo" Neal James, presents the KRF donation to Kentucky State Troopers Jacob Shepherd, Justin Kearney and Toney Ray Dollins, Jr.**

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## Community Events

- Every second, fourth Friday, 8 p.m. to 11 p.m.: Karaoke Night, Dewey's Bar & Grill, Jenny Wiley State Resort Park
- April 17, 4:30 p.m.: DACE Families STEAMing Ahead 6-9, Duff-Allen Central. remakelearningdays.org
- April 17, 6 p.m.: Grow Your Own Salsa, Floyd County Extension Office remakelearningdays.org
- April 17, 1 p.m.: Freeze Drying and Bread Baking at St. Vincent Mission, David remakelearningdays.org
- April 18, 10 a.m.: The Big Sandy Elder Abuse Council meets, the Big Sandy Area Development District. (606) 886-2374
- April 18, 10 a.m. and 2 p.m.: Easter Story Time and Egg Hunt, Floyd County Public Library, Prestonsburg. Remakelearningdays.org
- April 18, 6 p.m.: Parent-Student Watercolor workshop hosted by artist Christopher Epling. remakelearningdays.org
- April 18, 5 p.m. Tiny Bulldog Academy for kids age birth to five, Duff-Allen Central Elementary. Free. (606) 358-0110
- April 18, 5:30 p.m. Tiny Bulldog Academy for kids age birth to five, Prestonsburg Elementary. Free. (606) 886-3891
- April 19, 9 a.m.: Final Tiny Bobcat Academy for kids age birth to five, Betsy Layne Elementary. Free. (606) 478-9751
- April 19, 4 p.m.: The Reality of Me, downtown stage, Prestonsburg. remakelearningdays.org
- April 20, 7 p.m.: Rocky Ridge Stables Horse Show, Prestonsburg Equine Center. Admission \$6, free for kids 12 and under. (606) 367-1386.
- April 20, 10 a.m. to 4 p.m.: ARH to host "Sensitive Bunny" for children with autism, special needs, Graceway United Methodist Church, Langley. Reservations required. (606) 377-3431.
- April 20, 2-5 p.m.: City of Prestonsburg and Jenny Wiley State Resort Park Easter Egg Hunt, ages 12 and under, campground.
- April 20, 1 p.m.: Cowcreek Freewill Baptist Church Easter Egg Hunt, 361 Ky Route 194 Prestonsburg, (606) 339-6373.
- April 20, 12 p.m.: Making and Planting Easter Flowers, Allen Baptist Church Learning Center. Remakelearningdays.org

### Fishing for victory



Submitted photo

Floyd Central High School students Zach Rose of Prestonsburg and Cameron Crider of Dwale, won the 2019 Bass Pro Shops FLW High School Fishing Lake Cumberland Open Sunday at the General Burnside Island State Park in Burnside. The duo competed against 160 teams, and won with a five-bass limit to the scale Saturday weighing a total of 16 pounds, 10 ounces. This victory qualifies Rose and Crider for National HS Championship in Alabama on a time and location to be determined at a later date.

### DONATION

Continued From Page 11A

Neal was scheduled to present a donation to Trooper Island Camp on behalf of KRF in February, but he died before the check presentation was scheduled.

"Nevertheless, Neal's goal was accomplished on April 7, when repre-

sentatives from KRF and Neal James' family came together at the antique mall. Neal's grandchildren, Chloe and Isabella Miller, presented the KRF donation to Kentucky State Troopers Jacob Shepherd, Justin Kearney, and Toney Ray Dollins, Jr. Trooper Island Camp serves children in need through their week-

long camp program so that they can be given a bit of "hope and desire of a better tomorrow," the press release said.

Rose said the donation was a "time of remembering Banjo Neal, Kent Rose and their legacy as warriors for kids."

"Our hope is that we are always providing opportunities for children in

our region and beyond," she said.

To learn more about the camp, visit, kentuckystatepolice.org/trooper-island/ or the Trooper Island Camp Facebook page.

To learn more about the foundation visit, kentrosefoundation.com or visit the Kent Rose Foundation on Facebook.

### CORPS

Continued From Page 11A

action plan to address an issue or concern on center and presented the plan to fellow students. The Perkins plan focuses

on the need for additional networking opportunities for students. Currently, the center hosts job fairs and guest speakers. However, the Perkins student leaders propose allowing other Job Corps

center delegations to visit their center and allowing students from Perkins to visit other Job Corps centers. The team noted that after experiencing the networking opportunities available during the

conference, they decided that increasing opportunities for face-to-face interactions with other Job Corps students is one of the best ways to increase networking and connections for students.

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## Jaguars fall to Lawrence County

By STEVE LEMASTER  
SPORTS WRITER

EASTERN — Floyd Central remained in the loss column at the start of the week as visiting Lawrence County prevailed 12-7 in a 58th District baseball game on Monday.

With the loss, Floyd Central dropped to 7-7 overall and 2-1 in the

58th District.

Lawrence County improved to 14-2 overall and 5-0 in the district with the win.

Tyler Maynard was the winning pitcher for the Bulldogs. Maynard pitched four innings, allowing one run on three hits, striking out four and walking one. Another pitcher, Jacob Fletcher, threw one inning in

relief out of the bullpen for the Bulldogs.

Floyd Central starting pitcher Matt Combs suffered the loss. Combs, who no-hit Betsy Layne on Wednesday, April 10, allowed six hits and five runs over three and 2/3 innings during his latest outing.

Bryce Blevins started the game on the mound for the Bulldogs. Blevins

worked two innings, allowing three hits and two runs while walking none.

Lawrence County outhit Floyd Central 11-9. Maynard and Jackson Feltner each collected multiple hits for Lawrence County in the win. Maynard led Lawrence County at the plate, providing four hits in five at-bats. Feltner, showed his

power at the plate, homered for the Bulldogs in the fourth inning.

Caleb Hager went three for four at the plate to lead Floyd Central in the hits column. Combs, Brayden Hamilton, Chase Conley, Noah Marcum, Logan Conley and William Slone added one hit apiece for the Jaguars in the loss. Hamilton, Chase Conley,

Logan Conley, Marcum and Slone drove in one run each for Floyd Central in the setback.

Floyd Central was visiting Lawrence County on Tuesday. Results from the latest Floyd Central-Lawrence County baseball matchups were unavailable at press time.



Caleb Hager swings at a pitch in Floyd Central's 58th District game against Lawrence County on Monday.

Floyd Chronicle and Times photo by Steve LeMaster



Floyd Chronicle and Times photo by Steve LeMaster

Floyd Central's Brayden Hamilton heads to first base after connecting on a pitch during Monday's 58th District game against Lawrence County.



Floyd Chronicle and Times photo by Steve LeMaster

Floyd Central's Matt Combs delivers a pitch to home plate as the Jaguars hosted Lawrence County in a 58th District baseball game on Monday. Combs suffered the loss on the mound for Floyd Central. He gave up five runs on six hits in three and 2/3 innings. Floyd Central's record dropped to 7-7 on the season with the loss. The Jaguars are scheduled to host Leslie County at 6:00 p.m. Thursday night and travel to Breathitt County at 6:00 p.m. Friday. The Jaguars are scheduled to play Prestonsburg in a back-to-back matchup next Monday and Tuesday.

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# Conley no-hits Bobcats

By STEVE LEMASTER  
SPORTS WRITER

ALLEN — Floyd Central pitcher Chase Conley hurled a no-hitter as the Jaguars rolled past host Betsy Layne 11-0 in six innings in a 58th District baseball game on Thursday.

Conley became the second straight Floyd Central pitcher to no-hit Betsy Layne. Matt Combs no-hit the Bobcats in a 58th District baseball matchup one day earlier.

Conley claimed the victory following a dominant performance on the mound. The Floyd Central hurler allowed zero hits and zero runs over

six innings, striking out 12 and walking one.

Betsy Layne pitcher Cameron Kimbler suffered the loss. Kimbler worked four and a third innings, allowing five runs on seven hits and striking out four.

Floyd Central moved ahead early, plating one run in the top half of the first inning.

Following a scoreless second inning, Floyd Central added another run in the top half of the third frame.

The Jaguars excelled at the plate late in the contest, manufacturing four runs in the top half of the fifth inning.

Floyd Central was

even stronger in the top half of the sixth inning, erupting for six runs to take a commanding 11-0 lead

Floyd Central connected for 14 hits. Conley, Combs, Caleb Hager and Noah Marcum each managed multiple hits for the Jaguars. Conley, Hager and Marcum paced Floyd Central with three hits apiece.

Each 58th District baseball team team committed one error.

Both Floyd Central and Betsy Layne will compete in the 58th District Baseball Tournament in May



Floyd Chronicle and Times photo by Steve LeMaster

Floyd Central pitcher Chase Conley delivers a pitch to home plate in this file photo. Conley threw a no-hitter against Betsy Layne last week.

# Prestonsburg sweeps Jenkins in double-header

By STEVE LEMASTER  
SPORTS WRITER

PRESTONSBURG — Prestonsburg posted a pair of one-run wins over visiting Jenkins on Friday, prevailing 4-3 and 11-10 in a high school softball double-header.

## Prestonsburg 4, Jenkins 3

Determined Prestonsburg managed to edge visiting Jenkins 4-3 in the opening game of a high school softball doubleheader at StoneCrest Sports Park on Friday.

Pitcher Katelyn Bingham led Prestonsburg to the victory. Bingham allowed seven hits and three runs over seven innings, striking out three and walking one as she

notched the pitching win. Jenkins pitcher Riley Fleming suffered the loss. Fleming allowed eight hits and four runs while striking out eight and walking none.

Prestonsburg plated four runs on eight hits. Alison Campbell and Jada Slone paced Prestonsburg at the plate, providing two hits apiece.

Nearly matching Prestonsburg offensively, Jenkins connected for seven hits. Kristin Thacker and Abigail Bentley led the Lady Cavaliers with two hits apiece.

## Prestonsburg 11, Jenkins 10

Host Prestonsburg managed to outlast Jenkins 11-10 in the nightcap of a high school softball

doubleheader on Friday. Prestonsburg pitcher Megan Music earned the pitching win in the circle. Music surrendered six runs on four hits over one and two-thirds innings, striking out one.

Jenkins pitcher Riley Fleming suffered the loss. Fleming allowed nine hits and 11 runs over four and a third innings, striking out two and walking none.

Prestonsburg outthrew Jenkins 9-7. Haleigh Jefferson and Jada Slone led Prestonsburg at the plate, recording two hits apiece.

Fleming, Kristin Thacker and Jerrica Thacker paced Jenkins offensively, supplying two hits apiece.

# Blackcats drop back-to-back games

By Steve LeMaster  
Sports Writer

MOUNT STERLING - Prestonsburg dropped back-o-back high school baseball games over the weekend, losing to host Montgomery County and Powell County.

## Powell County 17, Prestonsburg 2 (Six innings)

Jon Brooks pitched Powell County past Prestonsburg 17-2 in six innings on Saturday.

Over six innings, Brooks allowed two runs on three hits, striking out six and walking none.

Prestonsburg pitcher Payton Burke suffered the loss. Burke surrendered seven runs on seven hits over five innings, striking out two.

Working in a role for Prestonsburg, Owen Greene threw one inning out of the bullpen.

Powell County out-hit the Blackcats 14-3. Brooks, Daniel Poe, Jace Ware, Braxton Anderson, Wyatt Clark and Nathan Skidmore each delivered multiple hits for the Pirates. Poe led Powell County at the plate, finishing three for three.

Wesley DePoy, Graham Burchett and Aaron Shepherd each managed one hit for Prestonsburg in the loss.

## Mont. Co. 10, Prestonsburg 0 (Six innings)

Prestonsburg was held scoreless as host Montgomery County pulled away to win 10-0

in six innings on Saturday.

Montgomery County pitcher Payton Carroll picked up the win. Carroll allowed no runs on three hits while striking out one and walking none over three innings.

Collin Ousley started the game on the mound for the Blackcats. Ousley allowed three hits and four runs while striking out five over five innings. Another pitcher, Graham Burchett, threw one-third of an inning in relief for the Blackcats.

Luke Fuller led Montgomery County with two hits in three at-bats.

Payton Burke went two for three at the plate to lead Prestonsburg in the hits column.

# Betsy Layne falls to Breathitt County

By STEVE LEMASTER  
SPORTS WRITER

JACKSON — Betsy Layne was unable to return to the win column on the road over the weekend as host Breathitt County pulled away to win 9-3 in a high school baseball game on Saturday.

Much-improved Breathitt County claimed

its 10th victory in the 2019 high school baseball season.

Betsy Layne dropped to 5-8 with the loss.

With the win, Breathitt County improved to 10-9.

Rivals from neighboring regions, Betsy Layne and Breathitt County met for the first time in the current prep baseball campaign.

Breathitt County pitcher Nick Correll earned the win on the mound. Correll allowed two hits and three runs over six and a third innings, striking out 12.

Another Breathitt County pitcher, Skylar Haddix, threw two-thirds of an inning in relief out of the bullpen for the Jackson-based Bobcats.

Betsy Layne pitcher Cameron Hughes suffered the loss. Hughes surrendered three runs on five hits over three and two-thirds innings, striking out two.

Breathitt County scored first and never trailed. The Bobcats from Jackson led 4-0 before Betsy Layne plated its first run.

Breathitt County out-hit Betsy Layne 11-3.

Correll, Isaac Boston, JT O'Hair and Lane Weddle led Breathitt County at the plate, supplying two hits apiece.

Zack Bentley, Sam Boyd and Joshua Hall provided one hit and one RBI apiece for Betsy Layne in the setback.

Each high school baseball team committed one error.



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**10th Annual James D. Adams Memorial**



**Bass Tournament**

Sponsored by  
**Prestonsburg Healthcare Center**

Dewey Lake Swimming Pool Ramp  
Saturday May 4, 2019  
7:00 a.m. - 3:00 p.m.  
Registration: 5:30 a.m. - 7:00 a.m. that day  
Pre-registration available by calling 886-2378.  
**\$50.00 per boat**  
**Max 2 people per boat**

**1st, 2nd, & 3rd place awards**  
**Prizes will be given away during weigh in**

**BIG FISH Jackpot**  
**\$10.00 entry fee per boat**  
**Biggest fish receives 100% payout**  
Call: 886-2378 with questions



# Bluegrass Volleyball Academy wins championship



Bluegrass Volleyball Academy 17U defeated Huntington Own It 17U in three sets to clinch the championship of the Volley 4 The Roses Tournament in Louisville on Sunday. The Bluegrass Volleyball Academy team is pictured. Back row (from left to right): Coach Taylor Vance, coach Kayla Van-Hoose, Molly Boyd, Kara Ward, Mya Burgess and coach Jess Stone. Front row (from left to right): Caroline Parsons, Kiara Warrens and Jada Slone. Missing from the photo are coach Alissa Young and Hailey Little.

photo courtesy of Bluegrass Volleyball Academy

## Truex Jr's drought ends



Racin' Steve Mickey

Few drivers in the Monster Energy NASCAR Cup Series has a resume' that can rival that of Martin Truex Jr. as he won the series championship in 2017 and followed that up with a second place finish in 2018. He entered this season with a total of 19 wins in the series with eight of them coming during his magical title run but not included in the win total was a checkered flag at one of NASCAR's short tracks of either Martinsville, Bristol or Richmond

Truex Jr's Furniture Row Racing ceased operations at the end of last season which made him the most attractive free agent in the sport before he signed on to stay in a Toyota with Joe Gibbs Racing. Although he had won races and a championship with FRR, the move to JRG was a step up and the organization wasted very little time this season establishing itself as the organization to beat as going into Richmond it had already collected five of the eight checkered flags on the season. Truex Jr's teammates Kyle Busch had already collected three wins while Denny Hamlin had two wins with one of them being the season opening Daytona 500.

Even with all of

the success that JGR had enjoyed up to the start of the Richmond race on Saturday night, Truex Jr. had failed to capture a checkered flag as he entered the race with a couple of winless streaks that he was eager to end. It had been 25 races since he had made a visit to a MENCs victory lane but that winless streak paled greatly to the one that he had amassed on the short tracks. Entering Saturday night's race, he had never won a short track race in 80 attempts.

Both of those streaks came to an end on Saturday at Richmond in the Toyota Owners 400 when he was able to hold off Joey Logano in the closing laps for not only his first win of the season but more importantly it gave him the short track win that had alluded him for his entire career. The win also secured the grip that JGR has on the series as it has now won 6 of the first nine races and also has now placed three of its four drivers into the 16 driver playoff round of ten races that will eventually crown this season's champion.

### PIT NOTES:

There was nothing usual about inspection and qualifying at Richmond over the weekend as a total of eight cars failed prerace inspection. Denny Hamlin, Jimmie Johnson, Chase Elliott, Aric Almirola, Erik Jones, Daniel Suarez, Joey Gase and Matt Tifft all had their qualifying speeds disqualified and their pit stall selections disallowed because of failing inspection. Hamlin,

Elliott and Tifft also had an engineered ejected for the race as their cars failed inspection twice.

NASCAR continued its tweaking of its qualifying procedures at Richmond as the time for the first two rounds were cut from ten minutes to five. There was a seven minute break between each of the three rounds which made the entire qualifying process last only 29 minutes. NASCAR has been vocal in recent weeks that it was looking hard at its qualifying procedures after teams were electing to stay on pit road until the closing seconds of a round and then try to put down only one timed lap. Short track qualifying does not rely as much on drafting as the larger tracks so look for the sanctioning body to continue to tweak the process until it is not only fair for every car attempting to qualify but also to put on a show that is pleasing to both the fans in attendance and those watching on TV.

Clint Bowyer continued to be competitive for a race win on Saturday as he was able to pull up beside race leader Martin Truex Jr. in the closing laps but was never able to complete the pass. The Stewart Hass Racing driver brought his Mustang home in third place which was his team's fourth consecutive top-10 finish over a stretch that included Martinsville, Texas, Bristol and Richmond. He now sits in eighth in the point standings with a 67-point lead over the final cutoff spot of 16th.

### COMBINED NOTICE NOTICE TO PUBLIC OF NO SIGNIFICANT IMPACT ON THE ENVIRONMENT AND NOTICE TO PUBLIC OF REQUEST FOR RELEASE OF FUNDS

Date April 17, 2019  
Southern Water & Sewer District, PO  
Box 610 McDowell, Floyd Co., Kentucky 41647 (606)377-9296

These notices shall satisfy two separate but related procedural requirements for the activities to be undertaken by Southern Water & Sewer District, McDowell, Floyd Co, Kentucky

#### TO ALL INTERESTED AGENCIES, GROUPS, AND PERSONS: Request for Release of Funds

On or about May 6, 2019, Southern Water & Sewer District will submit a request to the Department for Local Government for the release of anticipated ARC funds to be administered under Title 1 of the Housing and Community Development Act of 1974 (PL 93-383) to undertake the following project:

To replace the old Mink Branch water storage tank with a new 250,000 gallon water storage tank. Project will include approximately 2,000 linear ft of 6" water main to feed the tank. The project will serve approximately 700 customers.  
Project is located a Mink Branch area of Mud Creek, Kentucky  
37°27'46.54" -82°38'47.89"

#### Finding of No Significant Impact

Southern Water & Sewer District has determined that the project will have no significant impact on the human environment. Therefore, an Environmental Impact Statement under the National Environmental Policy Act of 1969 (NEPA) (PL-91-190) is not required. An Environmental Review Record (ERR) respecting the within project has been made by Southern Water & Sewer District which documents the environmental review of the project and more fully sets forth the reasons why such Statement is not required. This Environmental Review Record is on file at the Southern Water & Sewer District office at 245 Ky. St. Rt. 680, McDowell, KY 41647; and Big Sandy Area Development District, 110 Resource Ct., Prestonsburg, KY 41653 and is available for public examination and copying, upon request, at Big Sandy ADD, between the hours of 8 A.M. and 4 P.M. No further environmental review of such project is proposed to be conducted.

#### Public Comments

All interested agencies, groups, and persons disagreeing with the ERR decision are invited to submit written comments for consideration by the Southern Water & Sewer District to the office of Brenda Powers, Big Sandy ADD, 110 Resource Ct. Prestonsburg, KY 41653. Such written comments should be received at Big Sandy ADD, 110 Resource Ct., Prestonsburg, KY 41653 on or before May 23, 2019. All such comments so received will be considered prior to authorizing submission of a request for a release of funds or taking any administrative action on the within project prior to the date specified on the proceeding sentence. Comments should specify which Notice they are addressing.

#### Environmental Certification

The Southern Water & Sewer District will undertake the project described above with anticipated ARC funds in the amount of \$726,648 to be administered by the Department for Local Government under Title I of the Housing and Community Development Act of 1974. Southern Water & Sewer District is certifying to the state that The district and Jeff Prater, Chairman, environmental certifying officer, in his official capacity as Chairman of Southern Water & Sewer District consent to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to environmental reviews, decision making, and action; and that these responsibilities have been satisfied. The legal effect of the certification is that upon its approval Southern Water & Sewer District may use the ARC funds and the state and HUD will have satisfied their responsibilities under the National Environmental Policy Act of 1969 and related laws and authorities.

#### Objection to Release of Funds

The state will accept objections to its release of funds and the Southern Water & Sewer District certification for a period of fifteen days following the anticipated submission dates or it's actual receipt for the request (whichever is the later) only if they are on one of the following bases:

- The certification was not in fact executed by the Southern Water & Sewer Certifying Officer.
- Southern Water & Sewer District has failed to make one of the two findings pursuant to S58.41 or to make the written determination decision required by SS578.57, 58.53 or 58.64 for the project, as applicable.
- Southern Water & Sewer District has omitted one or more of the steps set forth at Subparts F and G for the preparation and completion of an EA.
- No opportunity was given to the Advisory Council on Historic Preservation or its Executive Director to review the effect of the project on a property listed on the National Register of Historic Places, or found to be eligible for such listing by the Secretary of the Interior, in accordance with 36 CFR Part 800.
- The recipient or other participants in the development process have committed funds, incurred costs or undertaken activities not authorized by 24 CFR part 58 before approval of the release of funds and approval of the Environmental Certification by HUD or the State.
- Another Federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality.

Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58, Sec. 58.76) and shall be addressed to the Department for Local Government, Office of Federal Grants, 1024 Capital Center Drive, Ste. 340 Frankfort, Kentucky 40601. Objections to the release of funds on bases other than those stated above will not be considered by the state. No objection received after May 23, 2019 will be considered by the state. Potential objectors should contact the Department for Local Government to verify the actual last day of the state Comment period.

Jeff Prater, Chairman, Southern Water & Sewer Dist.  
PO Box 610  
McDowell, KY 41647



**PHONE: (800) 539-4054**

**EMAIL: eburchett@floydct.com**

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**TO OUR READERS**

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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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**HOUSES FOR RENT**

**FOR SALE OR RENT:** Newly remodeled house. 3BR 2BA 474 Pinridge, Harold, KY. 15 minutes from Pikeville and Prestonsburg just off RT 23. House is sitting on 1.77 acres. Call (606) 794-0723 Email: mike@odeky.com

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**LEGALS**

**PUBLIC NOTICE - EKRN**

On March 27, 2019, an application was filed with the Federal Communications Commission in Washington, DC seeking consent to the assignment of licenses of WBTH, Williamson, West Virginia; WXCC, Williamson, West Virginia; WPRT,

**LEGALS**

Prestonsburg, Kentucky, and W282BZ, Elkhorn City, KY (104.3 MHz and 0.2 kw ERP), which rebroadcasts WEKB (Elkhorn City, KY, 1460), from East Kentucky Radio Network, Inc., the proposed assignor to Mountain Top Media LLC, the proposed assignee. Estill L. Carter is the sole Director, President, Treasurer and Secretary of the East Kentucky Radio Network, Inc., the proposed assignor. Shareholders of the proposed assignor include the Christy M. Adkins Family Trust, the Cindy M. Johnson Family Trust, the Melody M. P'Pool Family Trust, and the Walter E. May, II Family Trust. M. Lynn Parrish is Director, Secretary and Treasurer of Mountain Top Media LLC, the proposed assignee. Copies of the application are available for public inspection at <http://publicfiles.fcc.gov>.

**PUBLIC NOTICE - EKBC**

On March 27, 2019, an application was filed with the Federal Communications Commission in Washington, DC seeking consent to the assignment of licenses of WPKE-FM, Coal Run, Kentucky; WPKE, Pikeville, Kentucky; WDHR, Pikeville, Kentucky; WZLK, Virgie, Kentucky; WEKB, Elkhorn City, Kentucky; WLSI, Pikeville, Kentucky; W251AI, Pikeville, KY (98.1 MHz and 0.25 kw ERP), which rebroadcasts WPKE (Pikeville, KY, 1240); W283AP, Prestonsburg, KY (104.3 MHz and 0.25 kw ERP), which rebroadcasts WPRT (Prestonsburg, KY 960); W273BC, Williamson, WV (102.5 MHz and 0.19 kw ERP), which rebroadcasts WBTH (Williamson, WV, 1400); and W240CL, Pikeville, KY (95.9 MHz 0.25 kw ERP), which rebroadcasts WLSI (Pikeville, KY, 900), from East Kentucky Broadcasting Corporation the proposed assignor to Mountain Top Media LLC, the proposed assignee. Estill L. Carter is the sole Director, President, Treasurer and Secretary of the East Kentucky Broadcasting Corporation, the proposed assignor. Shareholders of the proposed assignor include the Christy

**LEGALS**

M. Adkins Family Trust, the Cindy M. Johnson Family Trust, the Melody M. P'Pool Family Trust, and the Walter E. May, II Family Trust. M. Lynn Parrish is Director, Secretary and Treasurer of Mountain Top Media LLC, the proposed assignee. Copies of the application are available for public inspection at <http://publicfiles.fcc.gov>.

**COMMON-WEALTH OF KENTUCKY FLOYD CIRCUIT COURT DIVISION I CIVIL ACTION NO. 16-CI-00603 MARGEE WOOD PLANTIFF V. MONROE SAMONS, ET AL DEFENDANTS NOTICE OF SALE**

So as to comply with the Judgment and Order of Sale entered by the Floyd Circuit Court in the above styled action, and so as to raise the amounts as set forth therein, with a principal of \$4,789.45, plus interest and other costs, please be advised that I, the Floyd County Master Commissioner, has been ordered by the Floyd Circuit Court to offer for sale to the highest and best bidder during a public auction to be held at the hour of 10:00 a.m., on the 18th day of April, 2019, in the Floyd Fiscal Courtroom (Old Circuit Courtroom) on the second floor of the old Floyd County Courthouse, 149 South Central Avenue, Prestonsburg, Kentucky, (behind the Floyd County Justice Center), and subject to the following terms and conditions, the property described to wit: **PROPERTY ADDRESS:** 4764 KY RT 1426, Dana, KY 41615 **MAP NUMBER:** 079-00-00-035.00 **SOURCE OF TITLE:** Tract 1: Being the same property conveyed to Monroe Samons, by deed dated January 19, 1999, recorded in Deed Book 431, Page 1, in the Office of the Clerk of Floyd County, Kentucky. Tract 2: Being the same property conveyed to Monroe Samons, by deed dated January 19, 1999, recorded in

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**LEGALS**

Deed Book 431, Page 5, in the Office of the Clerk of Floyd County, Kentucky.

A. The property address and map number contained herein are for convenience only. All property will be transferred pursuant to the legal descriptions contained within the Judgment referenced above.

B. The successful bidder shall pay the bid amount, in full, by cash or certified check, on the date of the sale or shall pay a non-refundable deposit equal to 10% of the purchase price with the balance due in full within thirty (30) days. If the bid is not sufficient to pay the expenses of said sale, then along with the purchase price, the successful bidder shall pay additional sums required to cover said costs. On the date of said sale, the successful bidder, if only paying 10%, shall be required to execute a bond with good surety thereon. The surety must own land in Floyd County, Kentucky and have equity in the land that is double the bid amount. Said bond shall be for the unpaid purchase price and shall bear interest at the rate of 12% per annum from the date of sale until paid in full. Said bond shall mature in thirty (30) days and shall have the force and effect of a Judgment. A lien shall be retained upon the above described real estate as additional surety thereon. In the event the purchase price is not paid in full within thirty (30) days, then the property may be subject to immediate re-sell. In the event the Plaintiff is the successful bidder, said Plaintiff shall be entitled to a credit pursuant to the Judgment referenced above and not be required to produce a bond.

C. The purchaser shall be required to assume and pay the taxes or assessments upon the property for the current year and all subsequent years. All delinquent taxes for prior years shall be paid from the sale proceeds

**LEGALS**

along with the payment of other assessments properly claimed or filed within the above referenced record. Any taxes or assessments for prior years which are validly owed and are not paid by the sale proceeds shall remain liens on the subject property and will be assumed by the purchaser.

D. The property described above is sold subject to any easements, restrictions, stipulations, defects, or encumbrances of record affecting said property; any assessments for public improvement; and any matters disclosed by an accurate survey or inspection of the property. The property is also sold subject to rights of redemption which may exist in favor of the United States of America, the Defendants and/or record owners of said property.

E. The property shall be sold "AS IS." The Court and the Master Commissioner shall not be deemed to have warranted the title of the subject property to the purchaser.

F. Any announcements made on the date of sale shall take precedence over printed matter contained and as published within the Floyd County Chronical and Times. This 1st day of April, 2019.  
**Gregory A. Isaac**  
Floyd County Master Commissioner  
199 North Lake Drive  
Prestonsburg, KY 41653  
(606) 886-2391  
(606) 886-2776 (fax)

**LEGALS**

**SHELDON BARNETT Household Finance Corporation II DEFENDANTS NOTICE OF SALE**

So as to comply with the Judgment and Order of Sale entered by the Floyd Circuit Court in the above styled action, and so as to raise the amounts as set forth therein, with a principal of \$21,002.82, plus interest and other costs, please be advised that I, the Floyd County Master Commissioner, has been ordered by the Floyd Circuit Court to offer for sale to the highest and best bidder during a public auction to be held at the hour of 10:00 a.m., on the 18th day of April, 2019, in the Floyd Fiscal Courtroom (Old Circuit Courtroom) on the second floor of the old Floyd County Courthouse, 149 South Central Avenue, Prestonsburg, Kentucky, (behind the Floyd County Justice Center), and subject to the following terms and conditions, the property described to wit:

**PROPERTY ADDRESS:** 60 School House Hollow, David, KY 41616

**MAP NUMBER:** 007-20-01-010.00

**SOURCE OF TITLE:** Being the same property conveyed to Sheldon Barnett, from Firstar Bank, N.A., by Deed dated March 24, 2000, and recorded March 31, 2000, in Deed Book 445, Page 414, records of the Floyd County Court Clerk.

A. The property address and map number contained herein are for convenience only. All property will be transferred pursuant to the legal

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**LEGALS**

descriptions contained within the Judgment referenced above.

B. The successful bidder shall pay the bid amount, in full, by cash or certified check, on the date of the sale or shall pay a non-refundable deposit equal to 10% of the purchase price with the balance due in full within thirty (30) days. If the bid is not sufficient to pay the expenses of said sale, then along with the purchase price, the successful bidder shall pay additional sums required to cover said costs. On the date of said sale, the successful bidder, if only paying 10%, shall be required to execute a bond with good surety thereon. The surety must own land in Floyd County, Kentucky and have equity in the land that is double the bid amount. Said bond shall be for the unpaid purchase price and shall bear interest at the rate of 11.500% per annum from the date of sale until paid in full. Said bond shall mature in thirty (30) days and shall have the force and effect of a Judgment. A lien shall be retained upon the above described real estate as additional surety thereon. In the event the purchase price is not paid in full within

**LEGALS**

thirty (30) days, then the property may be subject to immediate re-sell. In the event the Plaintiff is the successful bidder, said Plaintiff shall be entitled to a credit pursuant to the Judgment referenced above and not be required to produce a bond.

C. The purchaser shall be required to assume and pay the taxes or assessments upon the property for the current year and all subsequent years. All delinquent taxes for prior years shall be paid from the sale proceeds along with the payment of other assessments properly claimed or filed within the above referenced record. Any taxes or assessments for prior years which are validly owed and are not paid by the sale proceeds shall remain liens on the subject property and will be assumed by the purchaser.

D. The property described above is sold subject to any easements, restrictions, stipulations, defects, or encumbrances of record affecting said property; any assessments for public improvement; and any matters disclosed by an accurate survey or inspection of the property. The property

**APPLICATIONS BEING ACCEPTED for 1-Bedroom Apartments for Persons 62 and older**

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.

**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.

Highland Heights and Cliffside Apartments do not discriminate in admission or employment in subsidized housing on account of race, color, religion, gender, national origin, disability or familial status.

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- For Applications, call or write:
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- 41 Regency Park Drive, Box 17 Prestonsburg, KY 41653
- (606) 886-8318
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**BIDS FOR THE SALE OF SURPLUS PROPERTY**

The City of Wheelwright will be accepting sealed bids for the sale of surplus property. The Wheelwright Car Wash, located at KY RT 306, Wheelwright, KY 41669.

Sealed bids will be accepted by the City of Wheelwright at City Hall, 1479 KY RT 306, Wheelwright, KY 41669 until April 24, 2019, at 4:00 p.m. The city reserves the right to waive any informalities. Awarding of the bids shall be made on the basis of best value.



**LEGALS**

is also sold subject to rights of redemption which may exist in favor of the United States of America, the Defendants and/or record owners of said property.

E. The property shall be sold "AS IS." The Court and the Master Commissioner shall not be deemed to have warranted the title of the subject property to the purchaser.

F. Any announcements made on the date of sale shall take precedence over printed matter contained and as published within the Floyd County Chronical and Times.

This 1st day of April, 2019.

**Gregory A. Isaac  
Floyd County  
Master  
Commissioner**

**COMMON-WEALTH OF KENTUCKY FLOYD CIRCUIT COURT DIVISION II CIVIL ACTION NO. 18-CI-00055 MTAG AS CUSTODIAN FOR MGD-KY LLC PLANTIFF V. ENERPRO, INC. et al DEFENDANTS NOTICE OF SALE**

So as to comply with the Judgment and Order of Sale entered by the Floyd Circuit Court in the above styled action, and so as to raise the amounts as set forth therein, with a principal of \$11,077.80, plus interest and other costs, please be advised that I, the Floyd County Master Commissioner, has been ordered by the Floyd Circuit Court to offer for sale to the highest and best bidder during a public auction to be held at the hour of 10:00 a.m., on the 18th day of April, 2019, in the Floyd Fiscal Courtroom (Old Circuit Courtroom) on the second floor of the old Floyd County Courthouse, 149 South Central Avenue, Prestonsburg, Kentucky, (behind the Floyd County Justice Center), and subject to the following terms and conditions, the property described to wit:

**PROPERTY ADDRESS:** Spewing Camp, McDowell, KY 41647

**MAP NUMBER:** 068-00-00-047.01

**SOURCE OF TITLE:** Being the same property conveyed to Enerpro, Inc, by deed dated June 2, 1998 and recorded at the Floyd County, Kentucky, County Clerk's Office in Book 319 at Page 444.

A. The property address and map number contained herein are for convenience only. All property will be transferred pursuant to the legal descriptions contained within the Judgment referenced above.

B. The successful bidder shall pay the bid amount, in full, by cash or certified check, on the date of the sale or shall pay a non-refundable deposit equal to 10% of the purchase price with the balance due in full within thirty (30) days. If the

**LEGALS**

bid is not sufficient to pay the expenses of said sale, then along with the purchase price, the successful bidder shall pay additional sums required to cover said costs.

On the date of said sale, the successful bidder, if only paying 10%, shall be required to execute a bond with good surety thereon. The surety must own land in Floyd County, Kentucky and have equity in the land that is double the bid amount.

Said bond shall be for the unpaid purchase price and shall bear interest at the rate of 12% per annum from the date of sale until paid in full.

Said bond shall mature in thirty (30) days and shall have the force and effect of a Judgment. A lien shall be retained upon the above described real estate as additional surety thereon.

In the event the purchase price is not paid in full within thirty (30) days, then the property may be subject to immediate re-sell.

In the event the Plaintiff is the successful bidder, said Plaintiff shall be entitled to a credit pursuant to the Judgment referenced above and not be required to produce a bond.

C. The purchaser shall be required to assume and pay the taxes or assessments upon the property for the current year and all subsequent years. All delinquent taxes for prior years shall be paid from the sale proceeds along with the payment of other assessments properly claimed or filed within the above referenced record. Any taxes or assessments for prior years which are validly owed and are not paid by the sale proceeds shall remain liens on the subject property and will be assumed by the purchaser.

D. The property described above is sold subject to any easements, restrictions, stipulations, defects, or encumbrances of record affecting said property; any assessments for public improvement; and any matters disclosed by an accurate survey or inspection of the property. The property is also sold subject to rights of redemption which may exist in favor of the United States of America, the Defendants and/or record owners of said property.

E. The property shall be sold "AS IS." The Court and the Master Commissioner shall not be deemed to have warranted the title of the subject property to the purchaser.

F. Any announcements made on the date of sale shall take precedence over printed matter contained and as published within the Floyd County Chronical and Times.

This 1st day of April, 2019.

**Gregory A. Isaac  
Floyd County  
Master  
Commissioner**

**LEGALS**

**COMMON-WEALTH OF KENTUCKY FLOYD CIRCUIT COURT DIVISION II CIVIL ACTION NO. 18-CI-00272 VANDERBILT MORTGAGE AND FINANCE, INC. PLANTIFF V. LINDA K. RAY EDGAR A. RAY et al DEFENDANTS NOTICE OF SALE**

So as to comply with the Judgment and Order of Sale entered by the Floyd Circuit Court in the above styled action, and so as to raise the amounts as set forth therein, with a principal of \$76,769.06, plus interest and other costs, please be advised that I, the Floyd County Master Commissioner, has been ordered by the Floyd Circuit Court to offer for sale to the highest and best bidder during a public auction to be held at the hour of 10:00 a.m., on the 18th day of April, 2019, in the Floyd Fiscal Courtroom (Old Circuit Courtroom) on the second floor of the old Floyd County Courthouse, 149 South Central Avenue, Prestonsburg, Kentucky, (behind the Floyd County Justice Center), and subject to the following terms and conditions, the property described to wit:

**PROPERTY ADDRESS:** 14688 KY RT 979, Beaver, KY 41604

**MAP NUMBER:** 084-00-00-068.01

**SOURCE OF TITLE:** Being the same property conveyed by deed to Edgar and Linda Ray, both single from Dilene Ray, single, Lucille Ray, single, Danny Ray, single, Gary Ray, single, and Jimmy and Glenda Ray, husband and wife, dated April 14, 2007, and recorded in Deed Book 534, Page 174 in the Floyd County Clerk's Office.

**ADDITIONAL INFORMATION:** There is a 2007 Clayton Mobile Home on said subject tract, Serial N o . CAP021262TNAB which shall be sold together with the real property being sold herein.

A. The property address and map number contained herein are for convenience only. All property will be transferred pursuant to the legal descriptions contained within the Judgment referenced above.

B. The successful bidder shall pay the bid amount, in full, by cash or certified check, on the date of the sale or shall pay a non-refundable deposit equal to 10% of the purchase price with the balance due in full within thirty (30) days. If the bid is not sufficient to pay the expenses of said sale, then along with the purchase price, the successful bidder shall pay additional sums required to cover said costs.

On the date of said sale, the successful bidder, if only paying 10%, shall be required to execute a bond with good surety thereon. The surety must own land in Floyd County, Kentucky and

**LEGALS**

have equity in the land that is double the bid amount. Said bond shall be for the unpaid purchase price and shall bear interest at the rate of 7.15% per annum from the date of sale until paid in full.

Said bond shall mature in thirty (30) days and shall have the force and effect of a Judgment. A lien shall be retained upon the above described real estate as additional surety thereon.

In the event the purchase price is not paid in full within thirty (30) days, then the property may be subject to immediate re-sell.

In the event the Plaintiff is the successful bidder, said Plaintiff shall be entitled to a credit pursuant to the Judgment referenced above and not be required to produce a bond.

C. The purchaser shall be required to assume and pay the taxes or assessments upon the property for the current year and all subsequent years. All delinquent taxes for prior years shall be paid from the sale proceeds along with the payment of other assessments properly claimed or filed within the above referenced record. Any taxes or assessments for prior years which are validly owed and are not paid by the sale proceeds shall remain liens on the subject property and will be assumed by the purchaser.

D. The property described above is sold subject to any easements, restrictions, stipulations, defects, or encumbrances of record affecting said property; any assessments for public improvement; and any matters disclosed by an accurate survey or inspection of the property. The property is also sold subject to rights of redemption which may exist in favor of the United States of America, the Defendants and/or record owners of said property.

E. The property shall be sold "AS IS." The Court and the Master Commissioner shall not be deemed to have warranted the title of the subject property to the purchaser.

F. Any announcements made on the date of sale shall take precedence over printed matter contained and as published within the Floyd County Chronical and Times.

This 1st day of April, 2019.

**Gregory A. Isaac  
Floyd County  
Master  
Commissioner**

**LEGALS**

**BANK AND MIDLAND FUNDING, LLC DEFENDANTS NOTICE OF SALE**

So as to comply with the Judgment and Order of Sale entered by the Floyd Circuit Court in the above styled action, and so as to raise the amounts as set forth therein, with a principal of \$40,994.61, plus interest and other costs, please be advised that I, the Floyd County Master Commissioner, has been ordered by the Floyd Circuit Court to offer for sale to the highest and best bidder during a public auction to be held at the hour of 10:00 a.m., on the 18th day of April, 2019, in the Floyd Fiscal Courtroom (Old Circuit Courtroom) on the second floor of the old Floyd County Courthouse, 149 South Central Avenue, Prestonsburg, Kentucky, (behind the Floyd County Justice Center), and subject to the following terms and conditions, the property described to wit:

**PROPERTY ADDRESS:** 179 Doc Allen Branch Rd., Langley, KY 41645

**MAP NUMBER:** 039-00-00-112.03

**SOURCE OF TITLE:** Being the same property conveyed by Deed dated July 30, 2004 from Wells Fargo Bank, Minnesota, National Association, as Trustee to Genevieve Williams, single, which is found of record in Deed Book 502, Page 596, in the Office of the Floyd County Clerk.

A. The property address and map number contained herein are for convenience only. All property will be transferred pursuant to the legal descriptions contained within the Judgment referenced above.

B. The successful bidder shall pay the bid amount, in full, by cash or certified check, on the date of the sale or shall pay a non-refundable deposit equal to 10% of the purchase price with the balance due in full within thirty (30) days. If the bid is not sufficient to pay the expenses of said sale, then along with the purchase price, the successful bidder shall pay additional sums required to cover said costs.

On the date of said sale, the successful bidder, if only paying 10%, shall be required to execute a bond with good surety thereon. The surety must own land in Floyd County, Kentucky and have equity in the land that is double the bid amount. Said bond shall be for the unpaid purchase price and shall bear interest at the rate of 3.875% per annum from the date of sale until paid in full.

Said bond shall mature in thirty (30) days and shall have the force and effect of a Judgment. A lien shall be retained upon the above described real estate as additional surety thereon. In the event the purchase price is not paid in full within thirty (30) days, then the property may be subject to immediate re-sell.

In the event the Plaintiff is the successful bidder, said Plaintiff shall be entitled to a credit pursuant to the Judgment referenced above and not be required to produce a bond.

C. The purchaser shall be required to assume and pay the taxes or assessments upon the property for the current year and all subsequent years. All delinquent taxes for prior years shall be paid from the sale proceeds along with the payment of other assessments properly claimed or filed within the above referenced record. Any taxes or assessments for prior years which are validly owed and are not paid by the sale proceeds shall remain liens on the subject property and will be assumed by the purchaser.

D. The property described above is sold subject to any easements, restrictions, stipulations, defects, or encumbrances of record affecting said property; any assessments for public improvement; and any matters disclosed by an accurate survey or inspection of the property. The property is also sold subject to rights of redemption which may exist in favor of the United States of America, the Defendants and/or record owners of said property.

E. The property shall be sold "AS IS." The Court and the Master Commissioner shall not be deemed to have warranted the title of the subject property to the purchaser.

This 1st day of April, 2019.

**Gregory A. Isaac  
Floyd County  
Master  
Commissioner**

**LEGALS**

paid in full within thirty (30) days, then the property may be subject to immediate re-sell.

In the event the Plaintiff is the successful bidder, said Plaintiff shall be entitled to a credit pursuant to the Judgment referenced above and not be required to produce a bond.

C. The purchaser shall be required to assume and pay the taxes or assessments upon the property for the current year and all subsequent years. All delinquent taxes for prior years shall be paid from the sale proceeds along with the payment of other assessments properly claimed or filed within the above referenced record. Any taxes or assessments for prior years which are validly owed and are not paid by the sale proceeds shall remain liens on the subject property and will be assumed by the purchaser.

D. The property described above is sold subject to any easements, restrictions, stipulations, defects, or encumbrances of record affecting said property; any assessments for public improvement; and any matters disclosed by an accurate survey or inspection of the property. The property is also sold subject to rights of redemption which may exist in favor of the United States of America, the Defendants and/or record owners of said property.

E. The property shall be sold "AS IS." The Court and the Master Commissioner shall not be deemed to have warranted the title of the subject property to the purchaser.

F. Any announcements made on the date of sale shall take precedence over printed matter contained and as published within the Floyd County Chronical and Times.

This 1st day of April, 2019.

**Gregory A. Isaac  
Floyd County  
Master  
Commissioner**

**LEGALS**

and best bidder during a public auction to be held at the hour of 10:00 a.m., on the 18th day of April, 2019, in the Floyd Fiscal Courtroom (Old Circuit Courtroom) on the second floor of the old Floyd County Courthouse, 149 South Central Avenue, Prestonsburg, Kentucky, (behind the Floyd County Justice Center), and subject to the following terms and conditions, the property described to wit:

**PROPERTY ADDRESS:** 134 Fra-sure Creek, McDowell, KY 41647

**MAP NUMBER:** 067-20-04-031.01

**SOURCE OF TITLE:** Being the same property conveyed to Delbert Lynn Nuckols, unmarried, by Deed dated December 9, 2015, recorded on December 17, 2015 in Book 618, Page 507 of the Clerk's Office of Floyd County, Kentucky.

A. The property address and map number contained herein are for convenience only. All property will be transferred pursuant to the legal descriptions contained within the Judgment referenced above.

B. The successful bidder shall pay the bid amount, in full, by cash or certified check, on the date of the sale or shall pay a non-refundable deposit equal to 10% of the purchase price with the balance due in full within thirty (30) days. If the bid is not sufficient to pay the expenses of said sale, then along with the purchase price, the successful bidder shall pay additional sums required to cover said costs.

On the date of said sale, the successful bidder, if only paying 10%, shall be required to execute a bond with good surety thereon. The surety must own land in Floyd County, Kentucky and have equity in the land that is double the bid amount. Said bond shall be for the unpaid purchase price and shall bear interest at the rate of 4.25% per annum from the date of sale until paid in full.

Said bond shall mature in thirty (30) days and shall have the force and effect of a Judgment. A lien shall be retained upon the above described real estate as additional surety thereon. In the event the purchase price is not paid in full within thirty (30) days, then the property may be subject to immediate re-sell.

In the event the Plaintiff is the successful bidder, said Plaintiff shall be entitled to a credit pursuant to the Judgment referenced above and not be required to produce a bond.

C. The purchaser shall be required to assume and pay the taxes or assessments upon the property for the current year and all subsequent years. All delinquent taxes for prior years shall be paid from the sale proceeds along with the payment of other assessments properly claimed or filed within the above referenced record. Any taxes or assessments for prior years which are validly owed and are not paid by the sale proceeds shall remain liens on the subject property and will be assumed by the purchaser.

D. The property described above is sold subject to any easements, restrictions, stipulations, defects, or encumbrances of record affecting said property; any assessments for public improvement; and any matters disclosed by an accurate survey or inspection of the property. The property is also sold subject to rights of redemption which may exist in favor of the United States of America, the Defendants and/or record owners of said property.

E. The property shall be sold "AS IS." The Court and the Master Commissioner shall not be deemed to have warranted the title of the subject property to the purchaser.

This 1st day of April, 2019.

**Gregory A. Isaac  
Floyd County  
Master  
Commissioner**

**LEGALS**

payment of other assessments properly claimed or filed within the above referenced record. Any taxes or assessments for prior years which are validly owed and are not paid by the sale proceeds shall remain liens on the subject property and will be assumed by the purchaser.

D. The property described above is sold subject to any easements, restrictions, stipulations, defects, or encumbrances of record affecting said property; any assessments for public improvement; and any matters disclosed by an accurate survey or inspection of the property. The property is also sold subject to rights of redemption which may exist in favor of the United States of America, the Defendants and/or record owners of said property.

E. The property shall be sold "AS IS." The Court and the Master Commissioner shall not be deemed to have warranted the title of the subject property to the purchaser.

This 1st day of April, 2019.

**Gregory A. Isaac  
Floyd County  
Master  
Commissioner**

**COMMON-WEALTH OF KENTUCKY FLOYD CIRCUIT COURT DIVISION II CIVIL ACTION NO. 18-CI-00639 APPALACHIAN INVESTMENTS, LLC PLANTIFF V. JM PORTER, LLC, ET. AL. DEFENDANTS NOTICE OF SALE**

So as to comply with the Judgment and Order of Sale entered by the Floyd Circuit Court in the above styled action, and so as to raise the amounts as set forth therein, with a principal of \$3,453.12, plus interest and other costs, please be advised that I, the Floyd County Master Commissioner, has been ordered by the Floyd Circuit Court to offer for sale to the highest and best bidder during a public auction to be held at the hour of 10:00 a.m., on the 18th day of April, 2019, in the Floyd Fiscal Courtroom (Old Circuit Courtroom) on the second floor of the old Floyd County Courthouse, 149 South Central Avenue, Prestonsburg, Kentucky, (behind the Floyd County Justice Center), and subject to the following terms and conditions, the property described to wit:

**PROPERTY ADDRESS:** 199 North Lake Drive, Prestonsburg, KY 41653

**MAP NUMBER:** (606) 886-2391 (606) 886-2776 (fax)

**SOURCE OF TITLE:** Being the same property conveyed to Enerpro, Inc, by deed dated June 2, 1998 and recorded at the Floyd County, Kentucky, County Clerk's Office in Book 319 at Page 444.

A. The property address and map number contained herein are for convenience only. All property will be transferred pursuant to the legal descriptions contained within the Judgment referenced above.

B. The successful bidder shall pay the bid amount, in full, by cash or certified check, on the date of the sale or shall pay a non-refundable deposit equal to 10% of the purchase price with the balance due in full within thirty (30) days. If the bid is not sufficient to pay the expenses of said sale, then along with the purchase price, the successful bidder shall pay additional sums required to cover said costs.

On the date of said sale, the successful bidder, if only paying 10%, shall be required to execute a bond with good surety thereon. The surety must own land in Floyd County, Kentucky and have equity in the land that is double the bid amount. Said bond shall be for the unpaid purchase price and shall bear interest at the rate of 3.875% per annum from the date of sale until paid in full.

Said bond shall mature in thirty (30) days and shall have the force and effect of a Judgment. A lien shall be retained upon the above described real estate as additional surety thereon. In the event the purchase price is not paid in full within thirty (30) days, then the property may be subject to immediate re-sell.

In the event the Plaintiff is the successful bidder, said Plaintiff shall be entitled to a credit pursuant to the Judgment referenced above and not be required to produce a bond.

C. The purchaser shall be required to assume and pay the taxes or assessments upon the property for the current year and all subsequent years. All delinquent taxes for prior years shall be paid from the sale proceeds along with the payment of other assessments properly claimed or filed within the above referenced record. Any taxes or assessments for prior years which are validly owed and are not paid by the sale proceeds shall remain liens on the subject property and will be assumed by the purchaser.

of JM Porter, LLC in the properties located in Floyd County, Kentucky and as described in Deed Book 600, Page 288, and lodged for record in the Floyd County, Kentucky Clerk's Office.

A. The property address and map number contained herein are for convenience only. All property will be transferred pursuant to the legal descriptions contained within the Judgment referenced above.

B. The successful bidder shall pay the bid amount, in full, by cash or certified check, on the date of the sale or shall pay a non-refundable deposit equal to 10% of the purchase price with the balance due in full within thirty (30) days. If the bid is not sufficient to pay the expenses of said sale, then along with the purchase price, the successful bidder shall pay additional sums required to cover said costs.

On the date of said sale, the successful bidder, if only paying 10%, shall be required to execute a bond with good surety thereon. The surety must own land in Floyd County, Kentucky and have equity in the land that is double the bid amount. Said bond shall be for the unpaid purchase price and shall bear interest at the rate of 12% per annum from the date of sale until paid in full.

Said bond shall mature in thirty (30) days and shall have the force and effect of a Judgment. A lien shall be retained upon the above described real estate as additional surety thereon. In the event the purchase price is not paid in full within thirty (30) days, then the property may be subject to immediate re-sell.

In the event the Plaintiff is the successful bidder, said Plaintiff shall be entitled to a credit pursuant to the Judgment referenced above and not be required to produce a bond.

C. The purchaser shall be required to assume and pay the taxes or assessments upon the property for the current year and all subsequent years. All delinquent taxes for prior years shall be paid from the sale proceeds along with the payment of other assessments properly claimed or filed within the above referenced record. Any taxes or assessments for prior years which are validly owed and are not paid by the sale proceeds shall remain liens on the subject property and will be assumed by the purchaser.

D. The property described above is sold subject to any easements, restrictions, stipulations, defects, or encumbrances of record affecting said property; any assessments for public improvement; and any matters disclosed by an accurate survey or inspection of the property. The property is also sold subject to rights of redemption which may exist in favor of the United States of America, the Defendants and/or record owners of said property.

E. The property shall be sold "AS IS." The Court and the Master Commissioner shall not be deemed to have warranted the title of the subject property to the purchaser.

This 1st day of April, 2019.

**Gregory A. Isaac  
Floyd County  
Master  
Commissioner**

**COMMON-WEALTH OF KENTUCKY FLOYD CIRCUIT COURT DIVISION II CIVIL ACTION NO. 18-CI-00587 J.P. MORGAN MORTGAGE ACQUISITION CORP. PLANTIFF V. DELBERT LYNN NUCKOLS aka DELBERT L. NUCKOLS et al DEFENDANTS NOTICE OF SALE**

So as to comply with the Judgment and Order of Sale entered by the Floyd Circuit Court in the above styled action, and so as to raise the amounts as set forth therein, with a principal of \$55,113.44, plus interest and other costs, please be advised that I, the Floyd County Master Commissioner, has been ordered by the Floyd Circuit Court to offer for sale to the highest and best bidder during a public auction to be held at the hour of 10:00 a.m., on the 18th day of April, 2019, in the Floyd Fiscal Courtroom (Old Circuit Courtroom) on the second floor of the old Floyd County Courthouse, 149 South Central Avenue, Prestonsburg, Kentucky, (behind the Floyd County Justice Center), and subject to the following terms and conditions, the property described to wit:

**PROPERTY TO BE SOLD:** All the undivided interest



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to rights of redemption which may exist in favor of the United States of America, the Defendants and/or record owners of said property.

E. The property shall be sold "AS IS." The Court and the Master Commissioner shall not be deemed to have warranted the title of the subject property to the purchaser.

F. Any announcements made on the date of sale shall take precedence over printed matter contained and as published within the Floyd County Chronical and Times.

This 1st day of April, 2019.  
**Gregory A. Isaac**  
**Floyd County Master Commissioner**

**COMMON-WEALTH OF KENTUCKY FLOYD CIRCUIT COURT DIVISION II CIVIL ACTION NO. 18-CI-00642 QUICKEN LOANS INC. PLAINTIFF V. ALBERTA BALDRIDGE DEFENDANTS NOTICE OF SALE**

So as to comply with the Judgment and Order of Sale entered by the Floyd Circuit Court in the above styled action, and so as to raise the amounts as set forth therein, with a principal of \$79,081.19, plus interest and other costs, please be advised that I, the Floyd County Master Commissioner, has been ordered by the Floyd Circuit Court to offer for sale to the highest and best bidder during a public auction to be held at the hour of 10:00 a.m., on the 18th day of April, 2019, in the Floyd Fiscal Courtroom (Old Circuit Courtroom) on the second floor of the old Floyd County Courthouse, 149 South Central Avenue, Prestonsburg, Kentucky, (behind the Floyd County Justice Center), and subject to the following terms and conditions, the property described to wit:

**PROPERTY ADDRESS:** 371 N. Highland Ave., Prestonsburg, KY 41653

**MAP NUMBER:** 045-30-20-004.00

**SOURCE OF TITLE:** Being the same property conveyed to Harold A. Baldrige and Alberta Baldrige his wife, by Survivorship Deed, dated May 25, 1974 and recorded on May 29, 2974 in Book 216, Page 359, of the Clerk's Office of Floyd County, Kentucky.

Harold A. Baldrige died on October 16, 2010, and pursuant to the Survivorship clause in their Deed, all right, title, and interest in the above described property vested solely in Alberta Baldrige upon his death.

A. The property address and map number contained herein are for convenience only. All property will be transferred pursuant to the legal descriptions contained within the Judgment referenced above.

B. The successful bidder shall pay the bid amount, in full, by cash or certified check, on the date of the sale or shall pay a non-refundable deposit equal to 10% of the purchase price with the balance due in full within thirty (30) days. If the bid is not sufficient to pay the expenses of said sale, then along with the purchase price, the successful bidder shall pay additional sums required to cover said costs. On the date of said sale, the successful bidder, if only paying 10%, shall be required to execute a bond with good surety thereon. The surety must own land in full within thirty (30) days. If the bid is not sufficient to pay the expenses of said sale, then along with the purchase price, the successful bidder shall pay additional sums required to cover said costs.

**LEGALS**

B. The successful bidder shall pay the bid amount, in full, by cash or certified check, on the date of the sale or shall pay a non-refundable deposit equal to 10% of the purchase price with the balance due in full within thirty (30) days. If the bid is not sufficient to pay the expenses of said sale, then along with the purchase price, the successful bidder shall pay additional sums required to cover said costs. On the date of said sale, the successful bidder, if only paying 10%, shall be required to execute a bond with good surety thereon. The surety must own land in full within thirty (30) days. If the bid is not sufficient to pay the expenses of said sale, then along with the purchase price, the successful bidder shall pay additional sums required to cover said costs.

This 1st day of April, 2019.  
**Gregory A. Isaac**  
**Floyd County Master Commissioner**

**COMMON-WEALTH OF KENTUCKY FLOYD CIRCUIT COURT DIVISION II CIVIL ACTION NO. 18-CI-00686 VANDERBILT MORTGAGE AND FINANCE, INC., ASSIGNEE OF CMH OF KENTUCKY, INC. PLAINTIFF V. MELISSA SMITH DENNIS SMITH et al DEFENDANTS NOTICE OF SALE**

So as to comply with the Judgment and Order of Sale entered by the Floyd Circuit Court in the above styled action, and so as to raise the amounts as set forth therein, with a principal of \$75,301.29, plus interest and other costs, please be advised that I, the Floyd County Master Commissioner, has been ordered by the Floyd Circuit Court to offer for sale to the highest and best bidder during a public auction to be held at the hour of 10:00 a.m., on the 18th day of April, 2019, in the Floyd Fiscal Courtroom (Old Circuit Courtroom) on the second floor of the old Floyd County Courthouse, 149 South Central Avenue, Prestonsburg, Kentucky, (behind the Floyd County Justice Center), and subject to the following terms and conditions, the property described to wit:

**PROPERTY ADDRESS:** 14 Smith Lane, Allen, KY 41601

**MAP NUMBER:** 062-00-00-046.04

**SOURCE OF TITLE:** Being the same property conveyed to Dennis Smith by deed dated November 19, 2004, recorded in Deed Book 505, Page 551, Floyd County Clerk's Office. See also Deed Book 510, Page 332, said clerk's office.

**ADDITIONAL INFORMATION:** There is a 2005 Norris Mobile Home on said subject tract, Serial N 0 N02016920TNAB which shall be sold together with the real property being sold herein.

A. The property address and map number contained herein are for convenience only. All property will be transferred pursuant to the legal descriptions contained within the Judgment referenced above.

B. The successful bidder shall pay the bid amount, in full, by cash or certified check, on the date of the sale or shall pay a non-refundable deposit equal to 10% of the purchase price with the balance due in full within thirty (30) days. If the bid is not sufficient to pay the expenses of said sale, then along with the purchase price, the successful bidder shall pay additional sums required to cover said costs.

This 1st day of April, 2019.  
**Gregory A. Isaac**  
**Floyd County Master Commissioner**

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contained and as published within the Floyd County Chronical and Times.

This 1st day of April, 2019.  
**Gregory A. Isaac**  
**Floyd County Master Commissioner**

**COMMON-WEALTH OF KENTUCKY FLOYD CIRCUIT COURT DIVISION II CIVIL ACTION NO. 18-CI-00686 VANDERBILT MORTGAGE AND FINANCE, INC., ASSIGNEE OF CMH OF KENTUCKY, INC. PLAINTIFF V. MELISSA SMITH DENNIS SMITH et al DEFENDANTS NOTICE OF SALE**

So as to comply with the Judgment and Order of Sale entered by the Floyd Circuit Court in the above styled action, and so as to raise the amounts as set forth therein, with a principal of \$75,301.29, plus interest and other costs, please be advised that I, the Floyd County Master Commissioner, has been ordered by the Floyd Circuit Court to offer for sale to the highest and best bidder during a public auction to be held at the hour of 10:00 a.m., on the 18th day of April, 2019, in the Floyd Fiscal Courtroom (Old Circuit Courtroom) on the second floor of the old Floyd County Courthouse, 149 South Central Avenue, Prestonsburg, Kentucky, (behind the Floyd County Justice Center), and subject to the following terms and conditions, the property described to wit:

**PROPERTY ADDRESS:** 14 Smith Lane, Allen, KY 41601

**MAP NUMBER:** 062-00-00-046.04

**SOURCE OF TITLE:** Being the same property conveyed to Dennis Smith by deed dated November 19, 2004, recorded in Deed Book 505, Page 551, Floyd County Clerk's Office. See also Deed Book 510, Page 332, said clerk's office.

**ADDITIONAL INFORMATION:** There is a 2005 Norris Mobile Home on said subject tract, Serial N 0 N02016920TNAB which shall be sold together with the real property being sold herein.

A. The property address and map number contained herein are for convenience only. All property will be transferred pursuant to the legal descriptions contained within the Judgment referenced above.

B. The successful bidder shall pay the bid amount, in full, by cash or certified check, on the date of the sale or shall pay a non-refundable deposit equal to 10% of the purchase price with the balance due in full within thirty (30) days. If the bid is not sufficient to pay the expenses of said sale, then along with the purchase price, the successful bidder shall pay additional sums required to cover said costs.

**LEGALS**

sums required to cover said costs. On the date of said sale, the successful bidder, if only paying 10%, shall be required to execute a bond with good surety thereon. The surety must own land in full within thirty (30) days. If the bid is not sufficient to pay the expenses of said sale, then along with the purchase price, the successful bidder shall pay additional sums required to cover said costs.

This 1st day of April, 2019.  
**Gregory A. Isaac**  
**Floyd County Master Commissioner**

**COMMON-WEALTH OF KENTUCKY FLOYD CIRCUIT COURT DIVISION II CIVIL ACTION NO. 18-CI-00686 VANDERBILT MORTGAGE AND FINANCE, INC., ASSIGNEE OF CMH OF KENTUCKY, INC. PLAINTIFF V. MELISSA SMITH DENNIS SMITH et al DEFENDANTS NOTICE OF SALE**

So as to comply with the Judgment and Order of Sale entered by the Floyd Circuit Court in the above styled action, and so as to raise the amounts as set forth therein, with a principal of \$75,301.29, plus interest and other costs, please be advised that I, the Floyd County Master Commissioner, has been ordered by the Floyd Circuit Court to offer for sale to the highest and best bidder during a public auction to be held at the hour of 10:00 a.m., on the 18th day of April, 2019, in the Floyd Fiscal Courtroom (Old Circuit Courtroom) on the second floor of the old Floyd County Courthouse, 149 South Central Avenue, Prestonsburg, Kentucky, (behind the Floyd County Justice Center), and subject to the following terms and conditions, the property described to wit:

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**Gregory A. Isaac**  
**Floyd County Master Commissioner**

**LEGALS**

**NOTICE OF INTENTION TO MINE Pursuant to Application Number 898-4138, Renewal No. 7**

In accordance with KRS 350.055, notice is hereby given that Landmark Mining Company, Inc., P.O. Box 460, Shelbiana, Kentucky 41562 has applied for a renewal of a permit to an existing underground coal mining and reclamation operation located 4.0 miles west of Robinson Creek and is situated in both Pike and Floyd County. The proposed operation will disturb 14-76 surface acres and will underlie 1,743.87 acres, and the total area within the permit bound-

dary will be 1,758.63 acres. The proposed operation is approximately 2.0 miles west from Bear Fork Road's junction with KY 610 and located 10 feet west of Bear Fork. The proposed operation is located on the Pikeville/McDowell USGS 7 1/2 minute quadrangle maps. The surface area to be disturbed is owned by Thomas B. Ratliff Trust. The operation will underlie land owned by Thomas B. Ratliff Trust, Alma Land Company, Andy Hamilton, Appalachian Land Company, Sylvia Newsome Corey, Walker Lee Newsome, Arzella Newsome Henson, Keith Roberson, Lynn Ro-

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