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# Murder trial postponed

### Sexton agrees to plead guilty, then withdraws it

#### **By MARY MEADOWS** STAFF WRITER

The trial against a Letcher County resident accused of killing a man in Floyd County four years ago was set to start

on Tuesday, but it will be 37, of Ermine in Letchrescheduled, following a hearing in Floyd County Circuit Court on Monday.

Floyd County Circuit Judge Thomas Smith granted two motions filed by Floyd Junior Sexton,

er County, who was scheduled to go on trial on Tuesday in a case in which he is accused of the 2014 murder of Bill

See MURDER, Page 2A



Floyd Chronicle and Times photo by Mary Meadows Flovd Junior Sexton walks into Flovd County Circuit Court for a hearing on Monday.



### 2018

### Child support suit settled

Bartley no longer oversees enforcement

**By MARY MEADOWS** STAFF WRITER

Floyd County Attorney Keith Bartley is no longer overseeing child

**Red**, White

& Blue Days

See BARTLEY, Page 9A



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### Jenny Wiley **Festival**

Thousands of people traveled to Prestonsburg last week for the annual Jenny Wiley Festival. See more pictures on pages 7A, 11A and 12A.

Floyd Chronicle and Times photos by Mary Meadows

#### start this week

Martin offers free carnival rides on Thursday

#### FLOYD CHRONICLE AND TIMES STAFF REPORT

lt's turning Red, White & Blue in Martin.

The city's 49th Annual Red, White & Blue Days Festival, a community event geared to

See FESTIVAL, Page 11A

# 'Live from CMH 23' debuts in P'burg

#### **By MARY MEADOWS** STAFF WRITER

The Mountain Arts Center debuted the premiere of a new television at this free-admission show that will highlight local musicians last week.

On Oct. 12, the MAC showcased "Live from CMH 23," a show that was produced in partnership with a national

television network, The Country Network, and will be broadcast on that station on Nov. 5.

Attendance was low event — held as the Jenny Wiley Festival was underway in Prestonsburg - but it did not lack enthusiasm from those who

See CMH23, Page 3A



The Country **Network CEO Tim** Eaton speaks during the premier of "Live from CMH 23," a television show that highlights Eastern Kentucky musicians.

**Floyd Chronicle and Times** photo by Mary Meadows



#### MURDER Continued From Page 1A

Collins. Smith expressed his disappointment, however, with actions Sexton has taken recently.

"This is what bothers me about this," Smith said. "This is not anything new. This is not something new. You knew there was trial tomorrow, and yet, you didn't file this. You agreed to a guilty plea last week, and I get this stuff this morning. And so, I see more to this than simply an effort to get justice. I mean, this is pretty much a blatant effort to delay the trial."

Sexton was indicted in 2014 on one count of murder for allegedly shooting Collins on Nov. 5, 2014. Two other people were also indicted in the case.

Officials reported that Sexton agreed to enter a guilty on Friday, Oct. 12, and the hearing was scheduled on Monday for him to enter that plea. Sexton came to the Floyd County Judicial Center, however, with several motions, seeking to withdraw his motion to plead guilty, to fire his attorney, to request a change of venue and report that death threats have been made against him.

Sexton alleged that his attorney Public Advocate Carla Bowens-Tackett should be replaced because of an alleged conflict of interest and other issues, and he talked about a prison visit from a chaplain who allegedly told him something confidential in the case.

"That's curious," Smith said, asking for the chaplain's name. Sexton couldn't remember it. "Well, I guess it was

a full service chaplain," Smith told Sexton.

Saying that he knows Tackett has represented Sexton "to the best of her ability," Smith granted Sexton's motion for a new attorney, noting the importance of ensuring a defendant's right to appropriate representation. He ordered another public advocate to take over the case.

Smith also granted Sexton's motion to withdraw his motion to enter a guilty plea, but he did not grant Sexton's motion for a change of venue, following objections from Floyd County Commonwealth Attorney Brent Turner.

"Right after this happened, throughout November and December, this was posted all over here in Floyd County through the Floyd County Times, WSAZ News, WYMT, EKB News. It was all over every news big outlet," Sexton said when he was asked to explain his motion for a change of venue.

Smith clarified his statement, "Alright, that would have been, you're talking about November and December 2014, right?"

"Right," Sexton said. He said people approached him in jail saying they've seen him on the news. "I don't feel that my case being tried here in Floyd County is in my best interest," he said.

He said he wanted his trial to be held "anywhere away from Eastern Kentucky."

Turner objected to that motion, saying it should be addressed by Sexton's new attorney.

"This has just been presented, so I'm going to give the Commonwealth 30 days to respond to the motion," Smith said.

Smith also addressed allegations of death threats against Sexton, saying they were detailed in his motion to withdraw a guilty plea.

"You want to make a presentation to the grand jury on that?" Smith asked him. "You're saying someone has threatened your life. Do you want to go in front of the grand jury and bring charges?"

"Yes," Sexton said.

Turner said his office will have an investigator talk to Sexton about the alleged threats.

After Smith made the comment about these motions being "pretty much a blatant effort to delay the trial," he expressed disappointment that the trial will be delayed.

He continued, "I'm not sure exactly what the reason is to delay the trial, but I just, I want you to know that you had all of this information before, and didn't bring it forth, then, I'm just kind of, I'm kind of upset with the fact that we couldn't go forward with the tri-



Floyd Chronicle and Times photo by Mary Meadows

Floyd County Circuit Judge Thomas M. Smith tells Floyd Junior Sexton, who is accused of murdering Bill Collins in 2014, that he is disappointed that the trial will be delayed.

al, when we had people coming from everywhere, including people coming from far off to testify on your behalf, and then we get this, this morning. This is, this is pretty disturbing to me."

Sexton said he's been receiving death threats for three years.

"Well, and I heard exactly nothing about it," Smith told him, "and as a consequence, like I said, we made a lot of effort to get ready for the trial and then, my understanding, I was given the understanding Friday that you agreed to a (plea). You never had agreed to a plea before Friday. You agreed to the plea Friday and then I get all of this filed, well, not even filed. This was handed to our bailiff when he came back from bringing you here for this plea."

After the hearing, Turner said Collins' family

would be disappointed.

"We were prepared to go to trial tomorrow," he said. "We had witnesses coming from Arizona, Texas and Virginia. When he indicated that it may get resolved, all of that was called off, but then the bigger issue now is just where he's wanting new attorneys. It wouldn't have mattered if we still had everybody available for tomorrow. We couldn't go now because he's got to have new counsel based on the complaints he's made."

He believes Sexton's will not be tried now, until at least next year.

The case against Sexton involves two other co-defendants.

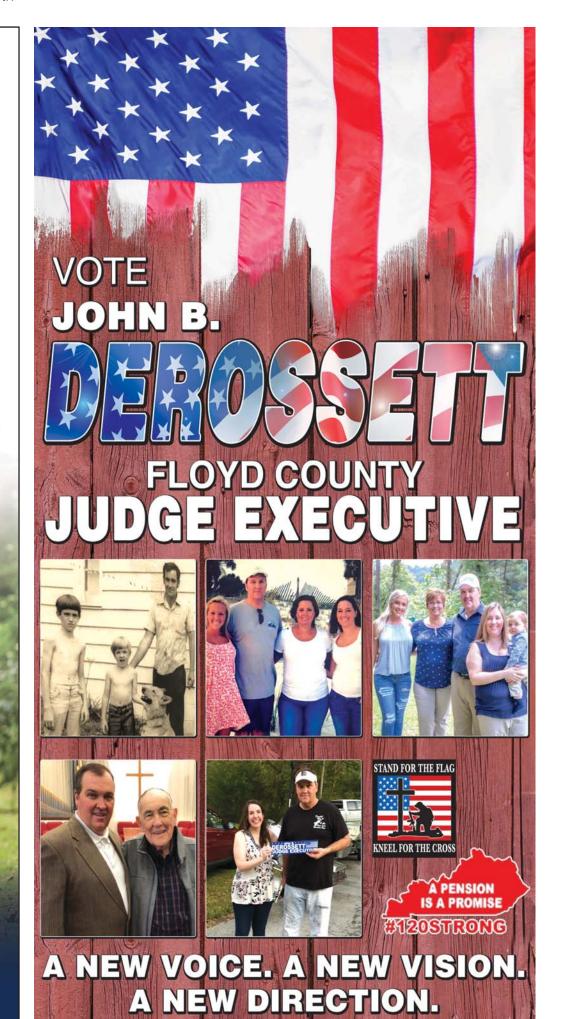
John Tate Maggard, 33, of McRoberts and Jennifer G. Jernigan, 43, of Prestonsburg, were indicted alongside Sexton on complicity to commit

murder. Turner said he believes that Maggard's case may be resolved soon.

"That one's still pending, and there's a possibility that it may get resolved, but we'll just have to see," he said.

Jernigan pleaded guilty in May 2017, accepting a sentence of five years. The sentence was set to be suspended after she served two years and Jernigan was scheduled be on supervised probation for three years after that two-year jail term. In exchange for the Floyd County Commonwealth Attorney's offer on a guilty plea, she was required to "testify truthfully" against the Sexton and Maggard. She was enrolled in a Lexington-based substance abuse treatment facility this March, court records show.

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#### **CMH23 Continued From Page 1A**

tout the CMH 23 partnership with The Country Network as a dream come true for Eastern Kentucky.

"Thank you for letting us be here. Thank you for letting us be a part of this dream, because it's not a dream anymore. It's become reality," The Country Network CEO Tim Eaton told the crowd.

Keith Casebolt, a founding board member of CMH 23, said he got the idea to establish the nonprofit organization after learning four years ago that Eastern Kentucky gets five percent of the revenue generated by tourism in the state.

"I went back immediately and wrote down a little idea called CMH 23 and started to work on it, which is a unified approach for this whole region," Casebolt said. "We've been working on it for about four-and-ahalf to five years."

The plan includes creating a regional channel and television studio, based at the MAC, to highlight local musicians and tourist attractions, and partnering with The Country Network to share content. Officials hope to reach 150,000 households in Kentucky alone with this new channel, and "Live from CMH 23" episodes will air nationally on The Country Network.

The partnership is also expected to create educational opportunities through Big Sandy Community & Technical College.

Prestonsburg Mayor Les Stapleton said the venture will be beneficial for the entire region.

"It's going to connect everybody," he said. "We can promote the Appalachian region. We can showcase local talent and, if they were to work it out with the college, then we can train people to be in this field." Casebolt said Appalachian Wireless CEO Allen Gillum wanted "Nashville quality" when planning was underway to find a partner for CMH 23. Gillum has high hopes for this partnership, saying it could boost the local economy. "I do believe that if we can get this thing right, which I think we started right, get it up and going, I think in five to 15 years, that CMH 23 has the ability to be one of the very largest economic components east of 175 and south of 164. I really believe that," Gillum said.

people," he said. "It's absolutely fantastic and I am honored to be part of this board."

Ashland City Commissioner Amanda Clark said it offers an opportunity to showcase the region.

"We know how great Eastern Kentucky is. We know what's here and it's time we told everybody else what it is and what's here and I couldn't be more honored to be part of it," she said.

Eaton described The Country Network as a "discovery network" that highlights both nationally known musicians and lesser-known musicians from all over the county. He grew up listening to Loretta Lynn, so he knew about Eastern Kentucky when he was approached about a possible affiliation with CMH 23. He said being a part of it was a "no brainer."

"When he (Keith Casebolt) started talking about putting people here that have recording studios and they're teaching kids how to play musical instruments, that is a farm system that we could only dream about," Eaton said. "So, it was a no brainer for us to get involved."

Recording for the first season of "Live from CMH 23" began in April at the Mountain Arts Center, the Paramount Arts Center in Ashland and at Hillbilly Days in Pikeville, and The Country Network team returned to Prestonsburg last week to record performances for the second season of the show.

They taped Troy Burchett singing during the Jenny Wiley Festival and also recorded performances by Clark Sexton, Arlow McKinley, Jason Goble, Senora May and Jeremy Dempsey, as well as others.

Cary Rolfe, vice pres-

the talent they've found during recording sessions here.

"Our first trip up here, I think it was in March, we taped, I think over 100 artists in the two trips here, and they've all been spectacular," Rolfe said. "They've been wonderful to work with. A lot of them, it's their first time in front of a TV camera, and they were pros." Eaton said The Coun-

try Network is giving CMH 23 six minutes of commercial time every hour so that it can continue its mission.

"We're giving back to that nonprofit organization so that you guys can continue to develop talent, so that we can record it so that we can have new discovery talent," he said.

He said he likes the third episode of the show.

it was known as the Artists & Fans Network. It was bought by one of its founders and became the American Music Video Network, briefly, then was renamed The Country Network in 2010.

The Country Network the network in 2013,

launched in 2009, when re-branding it as Zuus Country. In 2016, the network was bought by a Texas company, TCN Country LLC, and its name changed back to The Country Network.

For more information about CMH23, visit, tcn-Zuus Media bought country.net/cmh.htm.

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Other CMH 23 board members also praised the project.

Hazard City Commissioner Dew Gorman said it could break down regional barriers.

"Whenever Mayor Stapleton brought this idea to me, and presented it, I was all over it because this tears down the lines that we see and worries more about the

ident for development and artist relations at The Country Network, said his goal is to discover talent and give those musicians a national platform.

Commending MAC Marketing and Programming Director Joe Campbell for scheduling recording sessions for The Country Network, Rolfe said he and his team "have not been disappointed at all" with



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Blessing Nollah, MD Hematologist & Oncologist

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# www.mountainmusicexchange.com

# Annexation begins in Wayland

#### By MARY MEADOWS STAFF WRITER

The Wayland City Commission moved closer to the final phase of its corridor annexation.

During a regular city commission meeting last week, the commission unanimously approved the second reading of the city's intent to annex the roadway corridor that stretches from the intersection of Ky. 7 and Ky. 550 to that road's intersection with Ky. 80. Then, the commission held the first reading of the ordinance in which the city plans to annex the corridor.

The ordinance annexing the property cites two portions of KRS 81A, which specifies regulations in annexation proceedings. That law requires a 60-day waiting period following the approval and publication of an ordinance announcing a city's intent to annex before it holds the first reading of the ordinance formally annexing the property.

City officials believe, however, that the 60-day waiting period between the two ordinances is not required in Wayland's corridor annexation without property owners.

The city has been annexing corridors surrounding it over the past several years and this is its fourth phase of annexation. The three prior corridor annexations

covered from the Knott County line to the center of town, from the center of town to the top of Sizemore Mountain on Ky. 1086 and from the center of town to Lackey.

The road is the primary means of entrance and exit to and from Wayland, a reason the annexation would be beneficial to the city, officials said.

The roadway proposed for annexation stretches about one mile from Lackey, and once the annexation is finalized, residents who live along that road may petition Wayland for voluntary annexation.

In other news, the commission tabled a vote on a lease agreement with the city of Prestonsburg for about 35 acres of property that Prestonsburg owns in Wayland. Prestonsburg obtained this property through its purchase of a portion of the Southern Water & Sewer District and Prestonsburg officials said that city has no need for this acreage. The lease agreement, which has already been approved by the Prestonsburg City Council, allows Wayland to "occupy and use" the property "for the benefit of economically based projects," paying Prestonsburg \$1 annually. The lease requires Wayland to pay Prestonsburg two percent of any profits it earns over \$75,000 through the property.

# **Registration underway** for Code Red

#### By MARY MEADOWS **STAFF WRITER**

Floyd County Emergency Management is now accepting registrations for a new mass notification system.

Residents can receive text alerts, calls and email notifications about weather emergencies other issues that could pose a danger with the implementation of a Code Red.

for this service, which is open to all Floyd County residents and visitors.

Floyd County Emergency Management Director Tim Fields started sharing a registration link for Code Red on local social media pages last week and he said the agency could start sending out test alerts on this system this week.

The Floyd County Fiscal Court approved the only bid it received for the purchase, installation and implementation of the system last August, agreeing to pay OnSlove, based in Florida, \$22,000 for Code Red. Fields has been working to obtain grant funding and implement the service since that time.

The county bid request required the company to provide a system that is capable of notifying the entire county within 30 minutes, "producing a minimum of 500 calls per minute or at a rate supported by the local telephony system." It also required the company to include unlimited SMS text, phone app

alerts, e-mail, paging and you." calls as part of its total cost.

Those who register may receive calls, texts or emails about adverse weather events and disasters. The notification system will automatically issue weather warnings, and local agencies will also be able to send out alerts for disasters or other problems that could impact residents.

"Basically, we have Registration is free the weather warning system and we have the standard warning system, that we can send out," Fields said. "Basically, they use the link and they put their information in and they've got different things they can opt into and opt out of. There's different levels of Weather Warn. You can have it call your home. You can have it email you. You can have it text you. You can put in your cellphone. You can actually sign up with the mobile app, if you want to download the mobile app. It's all kind of in your control, how you want it to notify

He explained that the

service will provide alerts about emergencies as well as announcements in Floyd County.

"There's going to be other people than just me who will be using it," Fields said. "The water utilities will be using it. At some point, the schools may or may not start using it. The health department will have it. The utilities services will have it. It could be a simple as a boil water advisory, or pending weather issues. If we have a big storm coming, we can put out information on where storm shelters will be, those kind of thinas."

Judge-Executive Ben Hale explained that Code Red would help the county send area-specific alerts in the county to notify residents about issues that arise in their community.

"It doesn't have to be an all-call every time," Hale said. "It can be down to the minutia of an area if a bridge was going to be worked on or this road

was going to be closed, find an alternate route, that they can knock it out within that area."

Fields said, for example, that through Code Red, emergency management could notify residents of a community where a mock disaster drill will be held to let them know that it's just an exercise.

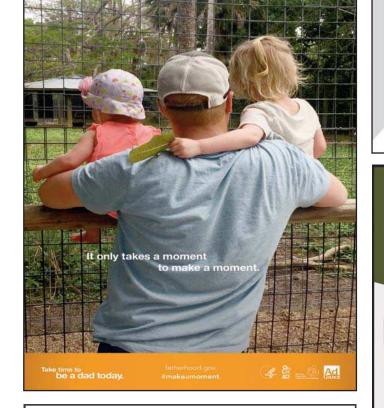
Hale and Fields encourage county residents to sign up for the free service.

"So, we're close to getting our Code Red up and going, which should be beneficial right now for our county citizens, especially when we try to alert or bring something to the attention to somebody in a certain area," Hale said.

"Right," Fields said. "We're coming into a season where we've got the potential to get some weather, so it'll work out verv well."

For more information or to sign up for the service, visit the Floyd County 911/EM on Facebook.





#### **Town of Martin Project Public Meeting Notice**

The U.S. Army Corps of Engineers (USACE), Huntington District, is hosting a public meeting for the Town of Martin project. The purpose of the meeting is to solicit comments on potential impacts to historic properties and archeological sites in accordance with Section 106 of the National Historical Preservation Act and to discuss status of real estate acquisitions.

In the past, the USACE evaluated alternative flood damage reduction measures for the Town of Martin project area. The project area has been devastated by numerous floods during the past years. The April 1977 flood is the flood of record and caused severe damages to residential and nonresidential structures in the project area. In the past, several flood reduction measures have been implemented such as the construction of the Phase 1 Redevelopment Site. Recent supplemental funding has been allocated towards the Town of Martin project to continue and complete flood reduction measures.

A public meeting with USACE staff available to discuss the project will begin at 6 p.m. on October 25, 2018 at the Fire Station on the Redevelopment Site (1 Randy Caudill Loop, Martin, Kentucky).

Questions regarding the public meeting can be sent to Ms. Rebecca Rutherford, Chief, Environmental Analysis Section, Planning Branch, Huntington District Corps of Engineers, 502 Eighth Street, Huntington, West Virginia 25701-2070.



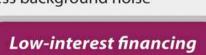
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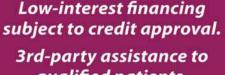
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# Wednesday, October 17, 2018 · Page 5A

# Editorial

# CMH 23 could benefit the region

missed the free premiere of the first episode of "Live from CMH 23" at the Mountain Arts Center last week lost the opportunity to see this region shine.

The one-hour television show, produced with a partnership between the local nonprofit CMH 23 and The Country Network, featured live recorded by The Counperformances by Eastern Kentucky musicians, including Brittany Taylor, Jeremy Short, The Jenkins Twins, Kelsie May, Cory Harris, Rachel Messer, Sean Whiting, Josh

Local residents who Martin and Chelsea Nolan. Some of those performances were backed by members of the Billie Jean Osborne Kentucky Opry house band.

That list of performers in the first episode of "Live from CMH 23" includes just a few of more than 100 local musicians whose live performances have already been try Network as part of this partnership. Officials traveled to Floyd County last week to record more videos of local musicians at the MAC and the Jenny Wiley Festival.

performances will air locally on a new television channel, CMH 23, that is under development, and they will also be broadcast on The Country Network's national network.

Years ago, Kentucky tourism leaders devised a plan to promote this region's musical heritage by promoting US 23 as the Country Music Highway.

Until now, the major developments of that initiative concerned the placement of roadway signs honoring musicians like Ricky Skaggs, Loretta

The videos of these Lynn, Chris Stapleton and others who were born in these mountains, and the opening of the Country Music Highway Museum in Johnson County.

> Now, this group, made up of representatives of all communities located along US 23, is working together to grow that plan into something that could actually make a difference in the lives of the musicians who will be highlighted on "Live from CMH 23."

Organizers hope to use this project to give these musicians a national platform and to pro-

mote tourism in Eastern work grows into a strong Kentucky. They also want to partner with Big Sandy Community & Technical College to launch educational programs that could lead local students into a recording or production or similar career in media.

It's a fine plan that's taken a lot of hard work and diligence. We hope it works.

If done correctly, this television series has the potential to do much more than just bring a few Eastern Kentucky musicians to the forefront. If The Country Net-

national market, comparable or better than other country music video stations available today, then this series could help redefine a whole region of folks who have been negatively stereotyped for decades.

We're thankful to have a trove of talented, passionate musicians in our midst. We're even more thankful when we get to share that talent and passion with the rest of the country.

Congratulations, CMH 23. We hope the journey continues upward.

# **GUEST EDITORIAL**

# Stop arguing with political opponents and start listening

time you spoke with someone of a different political persuasion than yourself and listened well enough to understand where they were coming from?

Has it been a week? A month? A year?

For way too many of us, the answer to that question is "never."

er listen to the "other

When was the last er side's" manipulations, you've definitely experi-sides need to listen to lies, bad behaviors and ignorance.

> The Internet and social media have only fueled the fire by diluting sensible, measured free speech.

We are cast adrift in an ocean of trolls foaming at the mouth and looking for any chance to be aggressive and mean. As a country, we nev- Unfortunately, many of us have given up and

enced a time when your kid was in the wrong. You knew they had done something bad, but hopefully your reaction wasn't anything like, "How big of an idiot are you?" It was probably something along the lines of "Why did you do that?"

You don't want to belittle or degrade your kid; you want them to learn from their mistakes and

each other. We need to listen with the intent to understand where the other person is coming from, and the desire to grow and become better people.

TV news doesn't want you to do that. Facebook and Twitter don't want you to do that. Whatever partisan news website you visit doesn't want you to do that. They all

stop arguing and start listening. We've been so conditioned to political fighting and never-givean-inch attitudes that it's side" a chance. Listen to almost innate for many of us. Many of our first attempts at listening may not go well; they may devolve right back into bitter and stupid fighting. But that doesn't mean we shouldn't try.

The first step you can

It won't be easy to tival. Do something that isn't staring at a screen, wallowing in hatred for the "other side."

Then, give that "other them like you would listen to a beloved family member. Try to see where they're coming from. Recognize there are no ulterior motives or secret agendas — they are just like you in that they care about their country and

side" anymore. We listen joined the fray. to the people we already know, the people we already trust. But when it comes to people we don't agree with, we only ever argue.

We are all consumed with hatred for the "oth-

But it doesn't have to be this way. It's time we started treating each other less like soldiers on opposite sides of a war and more like family members.

a result, you want to understand where they're coming from, and you're open to hearing their explanation, even if you're more ads. It's great for certain they're wrong.

This is how those of If you're a parent, us on opposite political of America.

do better next time. As want controversy and shouting and anger and fear and insults. All of the drama keeps more people hooked and sells their bottom lines, even as it destroys the fabric

take is to turn off the TV. Log out of Facebook. Then, you can walk out your front door. Pay a visit to the coffee shop. Visit a church you don't normally go to. Ask an acquaintance out to dinner. Patronize a local fes-

believe they know how to make it better.

You might be surprised at how much you have in common. You might find that you begin to accept where they're coming from. If they're willing to listen as well, you might find that they begin to accept where you're coming from. In any case, "the other side" won't be a demonized, faceless thing anymore; it will be another human being.

> - The Advocate-Messenger

#### **CHRONICLE & TIMES**

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#### Sol Griffith

Sol Griffith, 89, of Garrett, died Thursday, Oct. 11, 2018.

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

#### **Beulah Mae Hall**

Beulah Mae Hall, 79, of Kite, died Wednesday, Oct. 10, 2018.

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

#### **Edith Hansford**

Edith "Moore" Hansford, 91, of Wayland, died Sunday, Oct. 14, 2018. Arrangements are

under the direction of Hall Funeral Home of Martin.

### Community **Events**

•Oct. 17; 10 a.m. to 2 p.m.: Nimble Thimble Quilt Guild meets, Floyd County Extension Office. (606) 886-2668

•Oct. 17; 10:30 a.m.: Dr. Thomas Vierheller to present a water quality seminar at Big Sandy Community & Technical College's Gearheart Auditorium. Free admission.

•Oct. 17; 17; 11 a.m. to 1 p.m.: Big Sandy Community & Technical College to host "Spirit Day" at the flagpole on the Prestonsburg campus, Mayo Park in the Paintsville campus and in the atrium, Pikeville campus.

• Oct. 16; 7 p.m.: Tuesday Night Songwriter's Scene, Lizzie B's. (606) 886-1341

•Oct. 18-20: 49th Annual Red White & Blue Days Festival, Martin

•Oct. 18, 10 a.m.: The Big Sandy Elder Abuse Council, open to any person who is interested in helping senior citizens in Floyd, Martin, Magoffin and Pike counties, meets, Big Sandy Area Development District. (606) 886-2374.

•Oct. 18; 4:30 p.m.: Reception for exhibition of works by Brooklyn Dyer, Erin Conley, Jessica Salyer featured in "Weird Appalachia" at McCall Art Gallery, Big Sandy Community & Technical College. (606) 889-4762

•Oct. 18; 7:30 p.m.: Joe Nichols in concert, Mountain Arts Center.

•Oct. 18; 5 p.m. Tiny Bulldog Academy for kids age birth to five, Duff-Allen Central Elementary. Free. (606) 358-0110

•Oct. 19, 20, 26, 27; dusk: Haunted Boat Ride, Stratton Branch Boat Ramp, Jenny Wiley State Resort Park. (606) 889-1790

•Oct. 19, 20, 26, 27; dusk: Haunted Hay Ride, Jenny Wiley State Resort Park campground. (606) 889-1790

•Oct. 20; 12 p.m. to 8 p.m.: Buffalo Night,



Floyd Chronicle and Times photo by Mary Meadows

Big Sandy Community & Technical College President/CEO Dr. Sherry Zylka and Prestonsburg Mayor Les Stapleton sign an agreement to continue the partnership between the two entities for the operation of the Mountain Arts Center.

# P'burg, BSCTC partnership agreement signed

#### **A FLOYD CHRONICLE** AND TIMES STAFF REPORT

Big Sandy Community & Technical College President/CEO Dr. Sherry Zylka and Prestonsburg Mayor Les Stapleton formally signed a memorandum of agreement on Friday to continue the college's operation of the Mountain Arts Center.

At the ceremony, held at the MAC, Stapleton commended Dr. Zylka as a "big advocate for the arts" and said the partnership has benefited the city.

"It's been exciting for us because, honestly, it's the first time we were ever in the black at the Mountain Arts Center," Stapleton told those gathered for the ceremony. He was referring to a report previously provided by MAC officials, that showed the facility operated in the red by about \$70,000 in 2015, \$37,000 in 2016, \$60,600 in 2017, but this year, the loss was replaced by a profit of \$45,500. Dr. Zylka said she was "delighted" to extend the partnership between the college and the city. "The partnership between Big Sandy Com-Technical munity & College and the city of Prestonsburg to have the Mountain Arts Center be a rising star in the community is just an amazing journey and adventure, and we're really looking forward to seeing it taken to the next level," Dr. Zylka said. The Prestonsburg City Council and the **BSCTC Board of Directors** approved the agreement prior to the Oct. 12 signing ceremony. Officials reported there has been no change in the terms of the contract since it was first approved in 2016. Through the partnership, the MAC has access

writer, information technology and fine arts department.

The college agrees to fund employment of the MAC director, marketing and programming director, assistant fine arts director, production and technical director, fine arts faculty and student workers and interns, while the city agrees to fund the employment of it sharing option, through the MAC's assistant director, box office manager and part-time employees in concessions, the box office and stage and a portion of profits if the lighting roles.

According to the agreement, any revenue generated through the MAC's recording studio will be "split 50/50" be-

to the college's marketing tween the MAC and the cent of the revenue and arm, webmaster, grant college, while all other revenues from shows, events, rentals and donations and other funds earned by the MAC will stay in that facility.

> The agreement, however, requires the MAC to pay a \$71,000 management fee to the college to support the personnel, with monthly installments of about \$6,000.

It also includes a profwhich the city and the college agree that at the end of the fiscal year, the college is entitled to earn MAC closes the fiscal year with a positive net asset position. Under that condition in the agreement, the college would be eligible to receive 25 per-

30 percent of "each and every" \$50,000 in profit above \$100,000 that is made at the end of the fiscal year.

The agreement also outlines the goals of the partnership as being to expand the MAC's capacity, raise awareness about it being a "premiere performing arts facility," promote it as a tourist attraction, enhance the college's missions to "enhance community and economic development" and "become a leader in the community" and create a platform from which the MAC and the college can "better develop and enhance the talent and skills" of people who are interested in the performing arts.



Jenny Wiley State Resort Park (606) 889-1790

•Oct. 22: Pre-Service Volunteer Training for people interested in becoming a Court Appointed Special Advocate, Floyd County Emergency & Rescue Squad. (606) 886-8520

• Oct. 23; 7 p.m.: Tuesday Night Songwriter's Scene, Stonecrest. (606) 886-1341

•Oct. 25; 7 p.m.: East Kentucky Science Center hosts its "Halloween Laser Spooktacular," with a "Fright Light" show featuring Michael Jackson's "Thriller," Black Sabbath's "Iron Man," and other music. Tickets are \$5 and available beginning at 6 p.m. (606) 886-8260

•Oct. 26, 27; dusk: Haunted Boat Ride, Stratton Branch Boat Ramp, Jenny Wiley State Resort Park (606) 889-1790

•Oct. 26, 27; dusk: Haunted Hay Ride, Jenny Wiley State Resort Park campground. (606) 889-1790

•Oct. 19; 9 a.m.: Tiny Bobcat Academy for kids age birth to five, Betsy Layne Elementary. (606) 478-9751

•Oct. 19; 10 a.m.: Floyd County Fiscal Court meets, county courthouse. (606) 886-9193

•Oct. 19; 3:30 p.m.: Big Sandy Community & Technical College, Prestonsburg, to host pre-admission conference for dental hygiene program; Johnson building, J132. (606) 886-7352

•Oct. 20; 9 a.m.: Run for the Shelter 5K, city stage in Prestonsburg, raises funds for the Floyd **County Homeless Shelter** 

•Oct. 21; 8 a.m.: Climb Your Mountain 5K/14K and Trail Hike raises funds for Soul Food. tristateracer.com

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- All material must be received by Friday, October 26, 2018 at 5pm.
- · Only name, rank, branch and years of service and picture, if available, will be published.
- Must send phone number and address (NOT published, for verification purposes only).





# 36th Annual Jenny Wiley Festival 2018

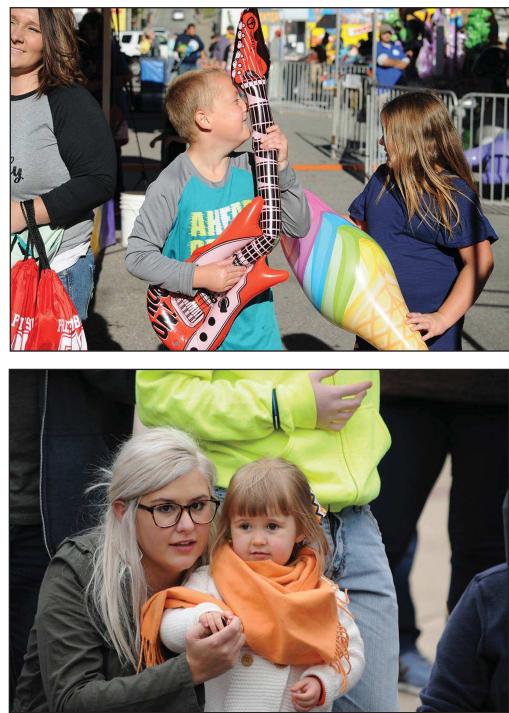
















# Pike does not qualify for state's ambulance emergency regulation

#### **By JOSH LITTLE APPALACHIAN NEWSPAPERS**

Last month, Kentucky Gov. Matt Bevin and the Cabinet for Health and Family Services drafted a State of Emergency declaration to combat inadequate ambulance services in Kentucky counties, which according to the regulation, could have impacted Pike County. However, Charles "Chuck" O'Neal, deputy executive director of the Kentucky Board of Emer-

gency Medical Services, said that information may be incorrect.

Documents provided by the state, citing a study from the Pegasus Institute, said that Pike County is one of six counties in Kentucky that have one Class 1 ambulance service that is not owned or operated by a public organization (a county or city government entity).

In fact, Pike County has two Class 1 am-

owned by a public orga- non-substantive review, nization: Trans-Star Ambulance, located in Pikeville, and Appalachian First Response Emergency Services, Inc., located in Stone.

In an email sent to shortage. Appalachian First Response, O'Neal said he that two (2) Class I lidid not believe Pike County would qualify for the emergency regulation, which, according to the statement, is designed to place certain ambulance Certificate of Need bulance providers not (CON) applications into

streamlining the process of approving additional providers also helping to increase competition, protect patient choice and alleviate ambulance

"I believe the fact censes are held in Pike County, not to mention a third through Pikeville Fire that operates in the city of Pikeville and is government operated, relieves Pike County from consideration under the rent Class I ground am-

non-substantive review provision," said O'Neal.

O'Neal cited the following requirements: The proposal involves an application to establish a Class I ground ambulance service; The applicant's proposed service area is limited to a county with a population of 50,000 or more; There is no more than one licensed Class I ground ambulance service in the county that the applicant is proposing to serve; and the curbulance service provider serving the county is not owned or operated by a public organization.

Doug Hogan, executive director of public affairs for the Cabinet for Health and Family Services, said Friday that an initial emergency regulation did include Pike County.

However, he said only three counties meet the criteria in the latest emergency regulation filed —Warren, Laurel and McCracken.

# Kentucky judge tosses 'Marsy's Law' ballot question, but votes will still be counted

#### **By JACK BRAMMER** LEXINGTON HERALD-LEADER

Franklin Circuit Judge Thomas Wingate ruled Monday that Secretary of State Alison Lundergan Grimes, as the state's chief election official, cannot certify the votes cast for or against a constitutional amendment known as Marsy's Law that will be on the statewide Nov. 6 ballot.

In his 18-page order, Wingate said the ballot question, which grants certain rights to victims of crime, does not sufficiently state the substance of the proposed constitutional amendment. The question will remain on the ballot and officials should count the votes for or against it in case an appellate court rules differently from him, Wingate said.

it and drafted the question for it on the ballot.

Voters will be asked this question: "Are you in favor of providing constitutional rights to victims of crime, including the right to be treated fairly, with dignity and respect, and the right to be informed and to have a voice in the judicial process?"

On Aug. 7, the Ken-Association tucky of Criminal Defense Lawyers challenged the substance of the ballot question, saying the wording is misleading. It filed suit Marsy's Law for Kentucky against Grimes, Westerfield, Rep. Joe Fischer and Marsy's Law for Kentucky LLC.

Kentucky is one of six states with questions about victims' rights on the ballot in November. The nationwide campaign is named after Marsalee Sen. Whitney West- Nicholas, a California college student who was murdered in 1983. One week after her death, the man accused of killing her was let out of jail on bail. Nicholas' mother did not know that and was

grocery store.

Fifteen states already have similar amendments in their constitutions.

Westerfield, who is chairman of the Senate Judiciary Committee and an announced candidate for attorney general in 2019 after losing to Democrat Andy Beshear in 2015, said he "profoundly" disagrees with Wingate's ruling "and will seek transfer of the inevitable appeal directly to the Kentucky Supreme Court."

A statement from said "we strongly believe the ballot question drafted by the General Assembly adequately informs the voters and will immediately appeal the decision to the Kentucky Court of Appeals."

Louisville attorney R. Kenyon Meyer, who is representing the criminal defense lawyers, said his clients "are pleased with the well-reasoned opinion of the court."

of a proposed amendment before they vote," Meyer said.

Wingate said his ruling does not address the constitutionality or the merits of the substance of SB 3, but is concerned solely with the wording of the ballot question.

"The heart of the issue before the court is does the question submitted to the electorate incorporate the substance of the amendment in order to properly inform the electorate of the contents of the proposed constitutional amendment," said Wingate.

He said the question "must encompass the substance of the amendment in order to properly and fairly inform the pub-

ate and House approved confronted by him at a formed about the content lic of the contents of the proposed constitutional amendment."

> He said the question submitted by the General Assembly fails to do that. He said SB 3 contains numerous new constitutional rights that would be granted to crime victims, such as giving victims timely notice of all court proceedings and the right to be present at the trial and all other proceedings.

"The question drafted by the General Assembly for SB 3 merely asks if voters are interested in providing constitutional rights to victims and instead of stating the proposed constitutional rights simply categorizes the rights as the right to be treated "fairly" and with "dignity and respect."

"The electorate cannot be expected or required to vote on a constitutional amendment of which they are not accurately informed of the substance," said Wingate.

Wingate said he anticipates the issue will be settled by the appellate courts upon review. He said the secretary of state may tally the ballots but must withhold certification unless ordered to finalize the vote by a reviewing court.

Grimes' spokesman, Bradford Queen, said the secretary of state is reviewing the ruling. He said votes on the ballot question will be counted and made public but will not be certified until a court says to do so.

#### PROCLAMATIÓN

erfield, R-Hopkinsville, successfully introduced in this year's state legislative session the proposed constitutional amendment in the form of Senate Bill 3. Both the Sen-

"Before our Constitution can be changed, the voters should be fully in-



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- WHEREAS, Kentucky's retired teachers represent the profession, which is given the basic responsibility for launching the careers of state and national leaders and for laying the foundation for the welfare of all members of our society; and
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- WHEREAS, Kentucky's retired teachers represent a loyal, patriotic, and concerned citizenry, which provided a dedicated and dependable support to the leaders in our communities, state, and nation
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NOW, THEREFORE, I, Shirley Wolf, President of the Kentucky Retired Teachers Association, do hereby proclaim October 14-20, 2018 as

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Aherley Dick Wolf

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Shirley Dick Wolf, President Kentucky Retired Teachers Association

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# Wheelwright wants to partner with Prestonsburg for police

#### By MARY MEADOWS STAFF WRITER

Wheelwright City Commission members praised the work of its newly-hired police officer last week and talked about the possibility of partnering with Prestonsburg to grow its police presence in the city.

During its Oct. 10 meeting, commission members praised the work of David Pridemore, who was recently hired to work as Police Chief Randy Johnson is off on

medical leave.

Pridemore, who is also employed at the federal courthouse in Pikeville, works part time in Wheelwright.

"I just wish we could have him more than part time," Mayor Don Hall said, responding to a compliment given by Commissioner Andy Akers.

Akers mentioned a possible partnership with Prestonsburg to provide police officers on a contract basis in Wheelwright, and Hall said he

"Effective today, the

talked to Prestonsburg Mayor Les Stapleton about it.

City Attorney Tyler Green said Wheelwright could approve an interlocal agreement with Prestonsburg for police services. The city has one, he said, with Floyd County for an animal control officer.

He suggested that Hall check with the Kentucky League of Cities about whether Wheelwright would need a rider on its insurance policy for contract employees.

contracted with another city for police service, that officer would remain an employee of that city, not Wheelwright.

"You would pay a flat rate for the service." Green said. All Kentucky police officers have county-wide jurisdiction, he Commissioners also: explained.

Green agreed to talk to Stapleton about it.

Stapleton said he is considering the proposal and must ensure there won't be any liability issues for Prestonsburg

management" and "general unprofessionalism."

The notice of termination letter claims that the performance measures in Floyd County office declined in the 2017 fiscal year after the departure of one employee and the hiring of Bartley's girlfriend, who the letter claims, was allowed to

costs would financially

He said if Wheelwright Police if an agreement is September and October. approved.

> Hall reported he has also talked with Stapleton about the possibility of contracting the Prestonsburg fire marshal/ code enforcement officer for Wheelwright.

Wheelwright City

•Approved the financial report, showing the city had about \$18,000 in carry-forward funding, \$170,600 in its prison fund and \$24,000 in its road fund in September and \$24,000 in bills for

the notice of termination that Bartley fired his "three most senior caseworkers, leaving one caseworker to handle approximately 3,200 cases" and then hired less experienced workers who earn more. The letter claims he fired the employees under a "false pretense" that a mandated budget reduction and pension

•Received a report from Commissioner Sam Little regarding a disciplinary hearing held last

month because of allegations made by his parents and girlfriend. He said, "The situation we had last time, we actually sat down and had a discussion with our core members of our fire department and I am happy to say, I think, for the time being we've got it on the right track. We've got a goal set and a way to get there, so."

#### impact the office.

Hubbard also claims that Bartley made comments to his staff about choking a state worker and burning down the governor's house.

At the time, Bartley said he intended to "disprove every single claim" asserted by Hubbard. He could not be reached for comment prior to press deadline on Tuesday.



#### BARTLEY **Continued From Page 1A**

support enforcement for county residents.

On Tuesday, the Kentucky Cabinet for Health and Family Services released a copy of a settlement agreement signed by Bartley, Cabinet Secretary Adam Meier and Commissioner of the Cabinet's Department of Income Support Bryan Hubbard, reporting the lawsuit Bartley filed against the cabinet is dismissed and the case was settled, and Bartley's oversight of child support enforcement will now be handled by the Madison County Attorney.

Hubbard said in a telephone interview that the negotiation for this settlement agreement has occurred over the past two weeks and was finalized "about a week ago." All parties are prohibited from commenting on the lawsuit, but Hubbard said he could talk about child support enforcement services in Madison County Attorney's office has hired a member of the Floyd County Bar by the name of Mike Fox, who has a caseload in Floyd County through his private practice, who has prior child support experience and he will be the one performing the legal work for the Floyd County Child Support in the Floyd County Child Support Office, which will remain where it has always been," Hubbard said.

The settlement also notes that "any currently pending and preliminary investigation being conducted by any agency" of the cabinet, including "any pending and preliminary investigation related in any way" to the lawsuit Bartley filed against the cabinet "will cease in view of the termination" of Bartley's contract with the cabinet.

It also states that "no information obtained through any currently pending or preliminary investigation, including any currently pending and preliminary inves- terminated, tigation related" to the lawsuit "will be used by the Cabinet against Bartley for any purpose."

The parties agree to decline to comment about the lawsuit and agreed to state only that they have "no comment" when asked about it.

By signing the settlement, Bartley agreed to discharge the cabinet from any and all liability or claims originally alleged by the lawsuit, and the cabinet agreed to discharge Bartley from any claims of liability as well.

The agreed order will lead to the dismissal of the lawsuit, with prejudice, the order said.

Bartley filed the lawsuit against the cabinet in Franklin County in July, claiming that a letter ending his contract with the cabinet for child support enforcement services "for the convenience of the Commonwealth" was unlawful.

Hubbard responded to Bartley's claims with another letter on Aug. 13, in which the cabinet officially withdrew its previous termination letter and reported that Bartley's contract for child support enforcement is "effective immediately," because of his alleged failure to meet performance goals, his "deliberate staff miswork from home.

Hubbard claimed in

Floyd County.

"Number He said, one, Mr. Bartley will no longer be administering child support for Floyd County. The child support office will come to be administered by the Madison County Attorney's office. It will stay in its same location. Everybody who was in the office, as well as those employees who were previously dismissed, had an opportunity to interview if they wished. Two of the three dismissed workers applied and were rehired. They are the senior case managers and they have been placed back into their positions."

Hubbard said he was in agreement with the terms of the settlement agreement, which was approved Sept. 20.

In exchange for the dismissal of the lawsuit, the cabinet agreed to move Bartley's child support enforcement contract to another entity by Sept. 30, with the state paying related costs and invoices submitted by Bartley's office.

The cabinet agreed to contract with a member of the Floyd County Bar Association, the settlement says, and Hubbard reported Tuesday that attorney Michael Fox will oversee Floyd County Child Support Enforcement.



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# 'Haunted Boat Ride' returns to Jenny Wiley

#### **A FLOYD CHRONICLE** AND TIMES STAFF REPORT

Hundreds of people are expected to line up at Jenny Wiley State Resort Park this month for a unique Halloween attraction.

> park's annu-The

al "Haunted Boat Ride" will be offered only two weekends this month, starting this week, and it coincides with the annual haunted hayride that is also offered at the park's campground.

These events will begin at dusk on Oct. 19, call (606) 889-1790.

20, 26 and 27. Those interested in the Haunted Boat Ride should meet at the Stratton Branch boat ramp. Those interested in participating in the haunted hayride should go to the campground.

**Oct.** 30

Floyd

County

6 p.m. to 8 p.m.

For more information,

# **Joe Nichols concert** canceled at the MAC

#### FLOYD CHRONICLE AND TIMES STAFF REPORT

The Mountain Arts Center announced on social media Thursday that an Oct. 18 concert with country music star Joe Nichols has been canceled.

The MAC shared a statement from Nichols on its Facebook page in which Nichols reports he has been "forced to be-

gin vocal rest" and has to for the concert. cancel shows.

"I'm sorry to disappoint any of you who planned to see me in these coming weeks, but if I don't begin the required vocal rest now, I could end up unable to record or perform for an extended period of time," his statement said.

The MAC box office is offering refunds for those who purchased tickets

There is, however, another show, booked by the MAC this week. Neighborhood Watch, a pop/rock band, will perform at 7 p.m. on Thursday, Oct. 19, in the Gearheart Auditorium at Big Sandy Community & Technical College. Tickets are \$10.

For details, visit, macarts.com, or call, (888) MAC-ARTS.

**Floyd educators** to be honored

**FLOYD CHRONICLE** AND TIMES STAFF REPORT

The University of Pikeville announced that it will induct new members to its Distinguished Educators Hall of Fame, including some teachers and former administrators in Floyd County schools.

"The prestigious award honors those whose contributions to learning have inspired generations of students and made significant impact in the field of education," a press release from the university said.

Awardees are nominated by their peers, former students or community members.

This year's inductees include former Betsy Layne High School Principal Cassandra Akers of Stanville, Dr. Jeff Shannon of Prestonsburg High School, former Floyd County Schools interim Superintendent Stephen A. Trimble, Teddie Renee' Buchanan (posthumously), Tammie Hobbs Hensley of Pikeville, Deborah Lemaster of Paintsville, Modena Sallee of Lexington and Emily Faye Warne of Paintsville. T

he campus and community are invited to join in celebrating education and the dedication of this year's inductees.

The public is invited to the induction ceremony, which will be held Thursday, Oct. 18, at 6 p.m. in Booth Auditorium at the University of Pikeville.

DR. JESSICA BRANHAM **OBSTETRICIAN/GYNECOLOGIST IS ACCEPTING NEW PATIENTS AT PHYSICIANS FOR WOMEN** 

# Appalachia' to be held

**Reception for 'Weird** 

#### **FLOYD CHRONICLE** AND TIMES STAFF REPORT

Big Sandy Community and Technical College invites the public to an artist reception this week.

Ad

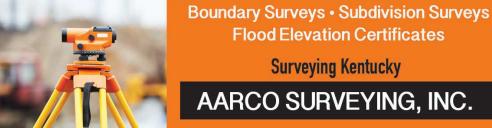
A reception for the exhibiting artists featured in "Weird Appalachia," the second and final exhibition of the Fall Art Series, "Women in Art," will be held Oct. 18 from 4 p.m. to 6 p.m. The ex-

hibit features the work of artists Brooklyn Dyer, Erin Conley and Jessica Salyer. Admission is free. For more information,

call Tim Smith at, (606) 889-4762, or Tina Ouslev at, (606) 889-4718.



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# Jenny Wiley Festival 2018









#### FESTIVAL Continued From Page 1A

honor veterans, begins on Thursday, Oct. 18, and continues through Saturday, Oct. 20, with carnival rides, live music, a parade, a wrestling match, arts, craft and food vendors, inflatables, fireworks and other activities throughout the week.

Martin City Tourism Director Kris Rudder announced on Monday that the city is offering free carnival rides from 5 p.m. to 10 p.m. on Thursday, Oct. 18.

The Derby City Amusements carnival will also be open on Friday and Saturday. The lineup of activities include live music beginning at 5 p.m. on Thursday, with Dewey Moore scheduled to perform at 6:30 p.m. and Tyler Stephens set to perform at 8 p.m.

Friday's activities start at 5:30 p.m. at the fire department, with a flag raising ceremony, followed by the annual Veterans Memorial Dinner, open to all veterans and their spouses, at 6 p.m. at the old Martin School gym.

On Friday, music starts with the Buzz at 5 p.m., followed by Dave Adkins at 6:30 p.m. and Skin City Angels at 8 p.m.

BCW Wrestling is also hosting a wrestling match, beginning at 5 p.m. on Friday.

Saturday's activities include a car show that starts at 9 a.m. at US Bank, the parade at 3 p.m. and live music from Bobby Caudill at 1:30 p.m., Burden of Proof at 4:30 p.m., Those Guys at 6 p.m. and the Hank Williams Jr. Tribute Band at 7:30 p.m. festival with a fireworks show at 10 p.m. on Saturday.

Martin City Tourism partners with the city and its Red, White & Blue Days Festival Committee, as well as Mayor Sam Howell, to host this event.

ns Jr. Tribute Band at For more informa-0 p.m. tion, visit the city tourism The city will end the Facebook page.

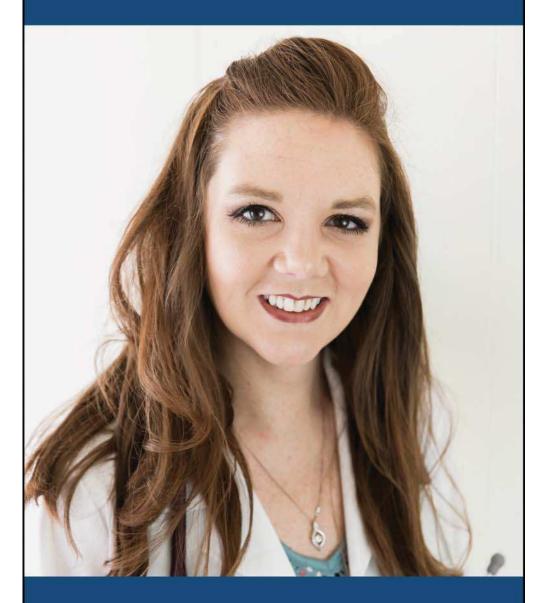
### Dr. Amanda Lowe at Eula Hall Health Center

Learning as I go with Diabetes

May 17, 2018 is a day Carolyn Rohr, known as Sue to everyone will not forget anytime soon. It all began with a sore on the side of her foot that would not heal. She made an appointment with her family



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doctor to get it checked out just to be safe. Once there she had lab work done, her foot was checked and she was referred to a specialist. On this day May 17, 2018 she went to see the podiatrist and he had the results back from her lab work and it was then that she found out she had diabetes. "He actually thought I was going to lose my foot" Rohr stated. Hearing this and finding out I had diabetes was devastating. At the time of diagnosis her A1C level was 7.9%. Type 2 Diabetes is diagnosed with an A1C The A1C test measures your >6.5%. average blood glucose for the past 2 to 3 months.

With a family history of diabetes and risk factors for diabetes, she stated "you don't want to think about it". She had only one of the common symptoms of diabetes. Symptom of diabetes include:

Frequent urination Excessive thirst Blurred vision Extreme fatigue Extreme hunger Unintentional weight loss Irritability Slow healing wounds Frequent infections

After her diagnosis of Type 2 Diabetes, Sue enrolled in the Diabetes Self Management Sessions at the Floyd County Health Department. It was at these sessions that Rohr learned more about diabetes and what to eat to control her blood sugar.

Rohr who is the Manager at McDonald's admits the first two weeks were hard. With working in fast food she has learned she can still have fast food, she just makes healthier choices and monitors the portions.

Since May she has made changes in her diet and lifestyle. She has lost 63 pounds, follows a 1500 calorie diet while monitoring her carbohydrate intake. The results of her work are proven by her twice a day blood sugar readings which are now normal. Her last A1C dropped to 6.3%. The American Diabetes Association recommends an A1C <7% for adults with diabetes. She currently is controlling her blood sugar, without medication, with diet and activity only. Rohr stated, "I feel great, I have more energy and no longer get sleepy when driving". Her foot has healed and she still sees the Podiatrist along with her family doctor.

Cheryl Younce, Registered

Dietitian and Diabetes Educator with the Floyd County Health Department stated "Sue is a true success, because she took the information I provided her and made it work". She is determined and has a goal to succeed. "I admire her for what she has accomplished in these few months all the while working daily in a restaurant" Younce stated.

When asked, What advise she would give to someone newly diagnosed with diabetes? Rohr stated, "definitely take the classes, they are informative, you learn a lot and don't have a breakdown. It will be alright, you will get use to it and you will learn. I am learning as I go."

More than 100 million adults-are living with Diabetes or Prediabetes according to the Centers for Disease Control and Prevention.

According to the most recent Behavioral Risk Factor Surveillance System data, Kentucky ranked #7 in the United States for Diabetes. So it is

recommended you know you risk factors and get screened.

#### Are you at Risk?

Over the age of 45 years Have a family history of diabetes Overweight Not active Delivered a baby weighing more than 9 pounds History of Gestational Diabetes

If you answer yes to one or more of these questions or you have symptoms of diabetes talk with your health care provider about getting your blood sugar checked.

For more information on the Diabetes Self Management Sessions or Diabetes Prevention Program at the FCHD contact Cheryl Younce at 606-886-2788 or visit Kentucky Diabetes Resource Directory https://prd.chfs.ky.gov/KYDiabetesResource s/Search.aspx.

This is a paid advertisment

The Jenny Wiley Festival offered live music, a carnival, a parade, several contests and competitions, Native American powwows by the Richmond Powwow Association, a Lumberjack show by Timberworks, a car and bike show, a quilt show and, among other activities, a Pumpkin Derby.

Floyd Chronicle and Times photos by Mary Meadows















# IF ES Wednesday, October 17, 2018 · Page 1B

# **15th REGION:**

# Prestonsburg knocks off Lawrence County, 4-1



Floyd Chroncicle and Times photo by Steve LeMaster

Teammates celebrated with Isaiah Collins following a goal Monday night against Lawrence County in the opening round of the 15th Region Tournament. The Blackcats walked away with a 4-1 win over the Bulldogs.

By Steve LeMaster SPORTS WRITER

PRESTONSBURG - Prestonsburg will have an opportunity to play for a 15th Region boys' soccer title. The Blackcats, under the direction of first-year head coach Brad Burchett, knocked off 58th District champion Lawrence County 4-1 in the 15th Region Boys' Soccer Tournament semifinals at Josh Francis Field/Blackcat Stadium on Monday night.

With the win, Prestonsburg

vances to meet 57th District rival Johnson Central in the 15th Region title match.

ed its season 11-4-1 with the Burchett netted one goal loss.

The Blackcats scored three goals in the second half to pull away for the victory. Tournament host Prestonsburg and Lawrence County were deadlocked 1-1 at halftime.

Grant Justice scored two goals to lead Prestonsburg past Lawrence County in the

improved to 16-2-3 and ad- 15th Region Boys' Soccer Tournament match.

Accompanying Justice in the Prestonsburg scoring col-Lawrence County conclud- umn, Isaiah Collins and Matt apiece for the Blackcats.

> Matt Burchett provided assists on two of the Blackcats' four goals.

The field for the 2018 15th Region Boys' Soccer Tournament is made up of four teams. Johnson Central defeated Belfry 3-1 in the opening match of the 15th Region Boys' Soccer Tournament on Monday.

Prestonsburg and Johnson Central are scheduled to meet on the Blackcats' newfound home field in the 15th Region title match at 7 p.m. on Wednesday.

#### Johnson Central 1, Prestonsburg 0

Prestonsburg came up short in its bid to win a 57th District boys' soccer title on Thursday, falling to rival Johnson Central. Determined Johnson Central outlasted the

Blackcats 1-0 in the 57th District Boys' Soccer Tournament title match at Sheldon Clark Stadium.

With the loss, Prestonsburg dropped to 15-2-3.

Johnson Central improved to 10-7-1 with the win.

Both Johnson Central and Prestonsburg advanced to the 15th Region Boys' Soccer Tournament.

Junior Jake Headley provided the lift for Johnson Central in the district title match, scor-

See REGION, Page 3B

East Ridge, Floyd Central move on in first

# round of 15th Region Tournament

#### BY MIKE MUNCY SPORTS WRITER

BETSY LAYNE — The first round of the 15th Region Volleyball Tournament kicked off Monday night at Betsy Layne High School.

Johnson Central took on Floyd Central, but was unable to put the Lady Jaguars (3-0) away putting an end to their season.

The first match of the night saw Pike Central and East Ridge square off. The two teams have met three times this season so far, and East Ridge won two of the three matches this season. East Ridge continued this winning streak pulling off a 3-0 victory in three very close games (25-22, 25-14, 25-21).

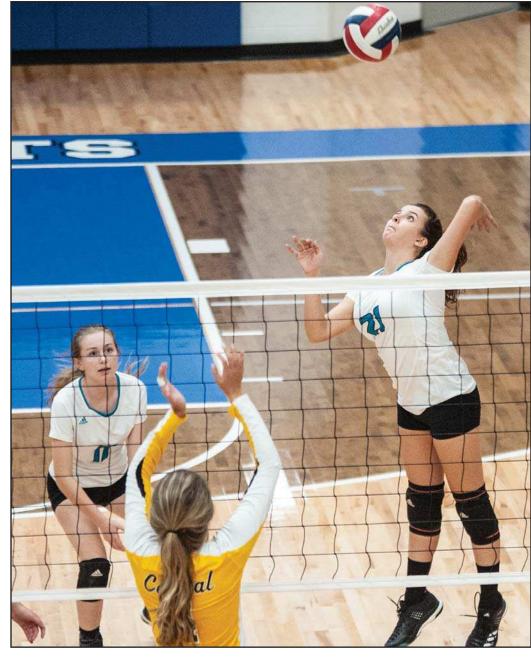
The second match pitted John-

son Central (11-17) vs Floyd Central (26-6). The Lady Golden Eagles struggled to keep up with the Lady Jaguars falling 25-8 in the first game. Johnson Central fought back hard in the second set to try to keep their season hopes alive, but Floyd Central was just too much with a second game score of 25-19. The final game was 25-11.

This pins East Ridge vs Floyd Central in the semifinals with the winner of that match appearing in the 15th Region Volleyball championship match.

The other side of the bracket has Pikeville (30-6) taking on Lawrence County (15-19) and Paintsville (32-3) going head-to-head with Belfry (12-10).





Floyd Chronicle and Times photo by Mike Muncy

Floyd Central's Allyson Stumbo goes up for a kill Monday evening against Johnson Central in the opening round of the 15th Region Volleyball Tournament. The Lady Jaguars were able to pick up a 3-0 (25-8, 25-19, 25-11) win over the Lady Golden Eagles.

To submit sports news or comments, contact Regional Sports Editor Randy White or Steve LeMaster • Phone: 606-886-8506 • Email: sports@news-expressky.com

### Bobcats drop non-district game to Casey County



Betsy Layne's Chase Mims and Austin Tackett

# 2018 Mitsubishi AWD **ECLIPSE CROSS**



By STEVE LEMASTER SPORTS WRITER

#### BETSY LAYNE — Bet-

sy Layne was unable to claim a non-district win in Week 8 of the 2018 high school football season. Visiting Casey County, an opponent from Class 3A, District 8, pulled away to beat the Bobcats 52-6 in a non-district high school football game on Friday night.

With the loss, Betsy Layne dropped to 0-9.

Casey County improved to 7-1 with the win.

The Rebels set the tone early. Casey County secured a lead in the opening quarter and never faltered.

Dominant Casey County rolled up 503 yards of total offense in the convincing victory.

Quarterback Austin Campbell helped to pace Casey County offensively, completing nine of 12 passes for 140 yards and two TD. Campbell is one of the most underrated quarterbacks in Class 3A.

The Casey County quarterback's starting backup, Reece Brown, completed three of four passes for 63 yards and one TD as the Rebels rolled to the non-district win.

Haden Bastin led the Rebels in receiving, hauling in three receptions for 91 yards and two TDs.

Micah Pendleton claimed a game-high five catches for 39 yards and one TD in Casey County's winning effort.

As a team, Casey County rushed 23 times for 300 yards and five TDs.

Preston Tucker paced the Rebels on the ground, rushing nine times for 124 yards and three TDs.

Brown and Elijah Pitman rushed for one TD apiece for the Rebels. Brown finished second in rushing for the Rebels, providing 83 yards.

Pitman paced Casey County defensively, recording eight tackles.

Dalton Hall accounted for Betsy Layne's only TD, reeling in a scoring reception from quarterback Chase Mims.

Betsy Layne has regular-season games remaining versus Class 2A, District 8 foe Prestonsburg and Jenkins. The Bobcats are scheduled to visit Floyd County rival Prestonsburg on Friday, Oct. 19.

Lady Blackcats edge Johnson Central, take 57th

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See dealer for details.

# **District title**

BY STEVE LEMASTER SPORTS WRITER

INEZ — Prestonsburg would not be denied a 57th District girls' soccer title. The Lady Blackcats, under the direction of head coach Paul Burchett, managed to edge rival Johnson Central 1-0 in the 57th District Girls' Soccer Tournament title game at Sheldon Clark High School Stadium on Thursday.

Makayla Slone netted the game-winning goal for the Lady Blackcats. Slone scored off an assist from Jillian Kidd.

Goalkeeper Chelsea Samons led the Prestonsburg defensive effort, recording a shutout.

The Lady Blackcats excelled both offensively and defensively.

"The girls played great," said Burchett. "Johnson Central is a good team and we knew that. But we knew if we played the way were are capable, that we're really

good too. It was a great game between two really good teams and another Johnson Central-Prestonsburg classic. It's unbelievable the number of games that we've had against Johnson Central over the last few years that have been decided in the last 5 to 10 minutes or overtime. Our defense was fantastic. Chelsea Samons played her best game of the season in goal. Midfield controlled the game with effort, ball winning and good decision making."

With the win, Prestonsburg improved to 15-6-1.

Johnson Central slipped to 17-2-1 with the loss.

Prestonsburg Both and Johnson Central advanced to the 15th Region Girls' Soccer Tournament in Pikeville. The field for the 15th Region Girls' Soccer Tournament also includes Lawrence County and Belfry.

### Prestonsburg knocks off East Ridge, 32-16



Floyd Chronicle and Times photo by Randy White

Prestonsburg's Ethan Varney plows through two East Ridge defenders Friday night in a 32-16 Class 2A District 8 win. With the win, the Blackcats advance to 1-7 on the season and will be at home this week as they host Betsy Layne. For full game preview, see Friday's edition of the Floyd Chronicle and Times.

#### REGION

Continued From Page 1B

ing the game's lone goal. Defensively for Johnson Central, senior goalkeeper Travis Caudill recorded a shutout. Caudill recorded 16 saves for Johnson Central in the district title-clinching victory.

Prestonsburg, under the direction of first-year head coach Brad Burchett, defeated

Sheldon Clark 6-2 in the opening round of the 57th District Boys' Soccer Tournament on Wednesday, Oct. 10.

Along with Prestonsburg and Johnson Central, the 15th Region Boys' Soccer Tournament includes Belfry and Lawrence County. Prestonsburg is hosting the 15th Region Boys' Soccer Tournament for the first time at Josh Francis Field/ Blackcat Stadium.

#### Floyd Central, Prestonsburg honored for sportsmanship **A FLOYD CHRONICLE AND** TIMES STAFF REPORT

LEXINGTON — Floyd Central and Prestonsburg are among 68 KHSAA member schools whom have been identified as having zero disqualified players or coaches during the 2017-18 school year following a final review of the available data. With 596 disqualifications reported last year in the sports of Baseball, Basketball, Field Hockey, Football, Soccer, Softball, Volleyball and Wrestling; the level of sportsmanship displayed by the 68 member schools becomes all the more impressive. Many of these schools were recognized at the KHSAA Annual Meeting of the membership in September, with additional schools recognized following an audit of disqualification data in October.

"In this day when it is more and more difficult to recruit and retain officials and where conduct expectations in everyday conversation appear to be subpar, it is great that we can recognize these schools for modeling that sportsmanship and good behavior are important," said KHSAA Commissioner Julian Tackett. "Displaying good sportsmanship on the field or court, when tensions can sometimes be overblown and over-exaggerated, makes this a great feat for each of the schools."

Floyd Central earned the sportsmanship recognition in its first year of existence following the consolidation of Allen Central and South Floyd high schools in 2017.





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#### Floyd County Chronicle · Wednesday, October 17, 2018 · Page 4B

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Employment and upload appropriate applicant documents by November 1, 2018. Contact the office of Human Resources at (606) 783-2097 should you have questions about our online application. MSU is an Equal Opportunity, Affirmative Action employer. Minorities, women, veterans and individuals with disabilities are encouraged to apply

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NOTICE

Floyd County Fiscal Court is accepting sealed bids for surplus items. For more information contact the Judge Executive's Office @ 606-886-9193. Items are located and can be viewed at: Floyd County 1476Garage, Creek, Mare Stanville, KY. Sealed bids must be submitted by November 12th @ 9:00 AM to: Sharon May, 2nd floor, 149 South Central Ave. Prestonsburg, KY.

APPLICATIONS

**BEING ACCEPTED** 

for 1,2,3 & 4

#### LEGALS

Bids will opened at the November Court Meeting. The court reserves the right to accept or reject any bid. Awarded items must be removed from county property within 15 days of bid opening. NOTICE OF

> INTENTION TO MINE Pursuant to Application Number 836-0446, **Major Revision** No. 9

accordance In with KRS 350.070, notice is hereby given that Spurlock Mining, LLC 3228 Summit Square Place, Suite 180, Lexington, KY 40509 has applied for a major revision to an existing surface/ auger coal mining and reclamation operation located

#### LEGALS

3.0 miles southeast of Printer in Floyd County. The major reviwill sion add 57.30 acres and delete 59.36 acres of surface disturbance and will delete 6.25 acres of highwall/auger mining, making a total area of 435.08 acres within the revised permit boundary. The proposed major revision area is approximately 3.0 miles south-State east of Route 2030's junction with State Route 122 and located 0.1 miles west of Spurlock Creek.

mas Spurlock, c/o John S. Bowers, Blackhawk Min-The proposed maing, LLC), Clayjor revision is loborn Heirs(Joe Dean cated on the McDowell, Way-Bailey, land, Martin, and Humphrey Harp-Harold USGS 7 er, Sue Burns, Kay H Estep, Ti-1/2 minute quadrangle maps. The na M. Beaver, Tysurface area to be ler Bailey, Noah affected by the Hinton, Jr., Robmajor revision is ert

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The application has been filed for public inspection at the Department for Natural Resources Prestonsburg Regional Office, 3140 South Lake Drive, Suite 6, Prestonsburg,

LEGALS

Kentucky 41653. Written comments, objections, NOTICE OF **INTENTION** TO MINE Pursuant to Application Number 836-5660,

Renewal No. 4 In accordance with KRS 350.055, notice is hereby given that Spurlock Mining, LLC, 3228 Summit Square Place, Suite 180, Lexington, Kentucky 40509 has applied for a renewal of a permit to an underground coal mining and reclamation operation located 0.25 miles east of Drift in

#### ORDINANCE NO. 2018-002

AN ORDINANCE RELATED TO ANNEXATION OF TERRITORY FROM THE EXISTING CITY BOUNDARY TO THE INTERSECTION OF KENTUCKY ROUTE 80 COMPRISING THE CORRIDOR OF KENTUCKY ROUTE 7 AND 550

WHEREAS, the City of Wayland is currently a home rule class city governed by the laws of the Commonwealth of Kentucky;

WHEREAS, KRS 81A.410 authorizes and delegates city legislative bodies the authority to annex territories:

WHEREAS, KRS 81A.420 provides the manner in which said annexation should be accomplished:

WHEREAS, the City of Wayland finds it desirable to annex the currently unincorporated

in the Times

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

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The Floyd County Chronicle and *Time*s reserves the right to edit properly classify cancel or decline any ad. We will not knowingly accept advertising that discrimi nates on the basis of sex, age, reli gion, race nation al origin or physical disability.

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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 Cilifiside Apartments do not discriminate in admission or employ-ment in subsidized housing on account of race, color, religion, gender, national origin, E lisability or amilial status.

territory comprising the corridor of Kentucky Route 7 and 550 from the current city boundary to the intersection of Kentucky Route 80 and

WHEREAS, the City of Wayland has a tangible municipal purpose in annexing the unincorporated territory, as the corridor provides the principal means of ingress and egress from the northern end of the City to and from the remainder of Floyd County, thus providing concrete and tangible value to the City by reason of proximity to urban development;

IT IS HEREBY ORDAINED by the City of Wayland Commissioners that;

#### SECTION 1: INTENT TO ANNEX

The City of Wayland hereby intends to annex the currently unincorporated territory described herein.

SECTION 2: DESCRIPTION OF TERRITORY TO BE ANNEXED

The area to be annexed is the currently unincorporated territory comprising the corridor of Kentucky Route 7 and 550 from the current city boundary to the intersection of Kentucky Route 80, an area of approximately 1.3 linear miles. The unincorporated territory is more particularly described by and depicted in the exhibits attached hereto and incorporated herein by reference and is more particularly described in public records and documents referred to in said exhibits.

#### SECTION 3: FINDING OF DESRIABILITY

The City of Wayland finds it desirable to annex the unincorporated territory described herein. Given first reading on the // day of SEPTEMBER, 2018.

Given second reading and final passage on the 9 day of October , 2018.

JERRY A. FULTZ

MAYOR, CITY OF WAYLAND

ATTEST. SHARON ANDERSON, CLERK,

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#### Floyd County Chronicle & Times • Wednesday, October 17, 2018 • Page 5B

County. Flovd The proposed operation will disturb 15.80 surface acres and will underlie 588.14acres, and the total area within the permit boundary will be 603.94 acres. The proposed operation is approximately 0.50 miles

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application

northeast from KY Route 1101's junction with KY Route 122 and located 0.10 miles east of Left Beaver Creek. The operation is

located on the McDowell and Wayland USGS 7 1/2 minute quadrangles. The surface area to be disturbed is owned by Harry and Reba Martin and Denzil Ray Hall. The operation will underlie land owned by Harry and Reba Martin, Denzil Ray Hall, Robert Martin, Alma Land Company, Pete Butler, Clinnon Martin, Raymond Martin and John T. Martin. The application has been filed for public inspection at the Department for Natural Resources= Prestonsburg Regional Office, 3140 South Lake Drive, Prestonsburg, Kentuckv 41653.Written comments, objections, or requests for a permit conference must be filed with the Director of the Division of Mine Permits, 300 Sow-Boulevard, er Frankfort, Ken-

NOTICE OF **INTENTION TO MINE** PURSUANT TO **APPLICATION** NUMBER 836-5688 **OPERATOR** CHANGE

tucky 40601.

In accordance with the provisions of 405 KAR

#### LEGALS LEGALS INTENTION NOTICE OF BOND **TO ENGAGE** RELEASE IN AN **ALCOHOLIC** accordance KRS **BEVERAGE** 350.093, notice is BUSINESS hereby given that Dollar General Spurlock Mining, Partners, a Ken-LLC, 3228 Sumtucky general mit Square Place, partnership, 100 Suite 180, Lexing-Kentucky 40509 has applied for Phase II bond release on **permit** 836-8080 which was last issued on Au-

Livestock CENTRAL KEN-TUCKY PREMIER HEIFER SALE. Saturday, November 3, 1:00 EST Marion County Fairgrounds, Lebanon KY. Selling 150 Spring calving Heifers www.heifersales.co m; David Sandusky (270) 692 7793 Antiques

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Mission Ridge, Goodlettsville, TN 37072, hereby declares its intention to apply for an NQ Retail Malt Beverage Package License no later than October 26, 2018 for Dollar General at

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Ŷ	Steven		
r	Deckard, Chief		
s	Executive Officer		
У	and Jason Reiser.		
s	Chief		
3,	Merchandis-		
Í,	ing Officer and		
e	Secretary and DG		
у	Promotions, Inc.,		
e	whose officers are		

#### Steven Deckard, Chief Executive Officer, John Garratt, Chief Financial Officer and Jason Reiser, i e f C h Merchandising Officer and Secretary, all with a mailing address

LEGALS

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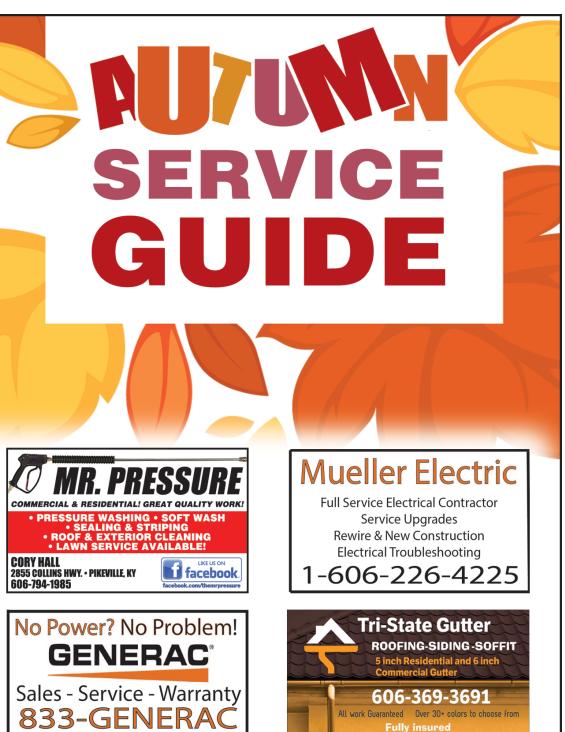
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8:010, notice is hereby given that Ember Dying Coal, LLC, 165 Cornelia Avenue, Whitesburg, Kentucky 41858 intends to revise Permit No. 836-5688 to change the operator. The operator present-У

approved in the permit is Dying Ember Coal, LLC, 165 Cornelia Avenue, Whitesburg, Kentucky 41858. The new operator will be Calvary Enterprises, LLC, P.O. Box 392, Pikeville, Kentucky 41502. The operation is located 1.06 miles southeast of Blue Moon in Floyd County. The operation is approximately 1.03 miles southeast of Little Mud Creek Road's junction with KY Route 2030 and located 0.1 miles east of Little Mud Creek. The operation is located on McDowell the USGS 7 1/2 minute quadrangle map application The has been filed for public inspection at the Department for Natural Resources' Prestonsburg Regional Office, 3140 South Lake Drive, Suite 6, Prestonsburg, Kentucky 41653. Written comments or objections must be filed with the Direc¬tor, Division of Mine Permits,

A public hearing on the application has been scheduled for Monday, December 10. 2018 at 10:00 a.m. at the Division of Mine Reclamation Enforcement's Prestonsburg Regional Office, 3140 South Lake Drive. Suite 6, Prestonsburg, Kentucky 41653. The hearing will be cancelled if no request for a

hearing or informal conference is received by December 7, 2018. PUBLIC NOTICE Notice is hereby given that the Kentucky Department of Fish and Wildlife Resources, #1 Sportsman's Lane, Frankfort, ΚY 40601, has filed application with the Natural Resources and Environmental Protection Cabinet to conduct boat ramp maintenance on Dewey The property is located in Floyd, KY (37° 42' 52.30" N, 82° 44' 18.69" Any comments or objections concerning this application shall be directed to: Flood-Manage-Section, Kentucky Division of Water, 300 Sower Boulevard, Third Floor,

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# **Recipes** FROM A **Child's Point of View**

**Turkey** 

# TURKEY

First, I would go to the barn and catch a turkey. Next, I would take his feathers off and put cheese on him. Then, I would put him in a big big thing where the cookies go in. Last, I put it in the stove. Then when he is done I would eat it. – Alexis Puckett, age 5

Attention

# TURKEY

Get a turkey by going to WalMart and buy it. Before you cook it you need to: put sauce on it like mustard and get all the grits out of it. Cook the turkey at 100 degrees for 100 minutes in the fire (you cannot play with fire you must be careful with it so you don't die). The turkey is done when I look at it. You can eat a fork with the turkey. For dessert I would go with another turkey. *– Jayson Bartley, age 6* 

Teachers & Parents:

Submit your class/child's turkey recipe(s) to be published for

FREE in the Chronicle & Times' Thanksgiving Edition. Please include the child's name and age. **Email submissions to** (preferred method): rgodbey@news-expressky.com. Mail to: Turkey Recipes, c/o Floyd County Chronicle & Times, 197 South Lake Drive, Suite 201, Prestonsburg, Ky 41653. Submissions must be received by 5 p.m. on

### Friday, November 2, 2018.

