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# CHRONICLE & TIMES

Wednesday, November 28, 2018

FLOYD COUNTY

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## Federal appeals judges rule in favor of former Conn clients

### Judges find SSA's actions violated clients' due process

By **AARON K. NELSON**  
APPALACHIAN NEWSPAPERS

A panel of three U.S. Circuit judges have ruled in a consolidated appeal

of 11 former clients of Eric C. Conn, in a decision that could impact hundreds of other cases, and found the Social Security Administration violated

due process in their redeterminations of Conn's clients' disabilities.

The decision, released Nov. 21, noted that Conn had bribed an administrative law judge who reassigned Conn's cases to himself and rapidly approved them,

based on the medical evidence of four doctors. The SSA, the decision said, then threw out any medical evidence from those four doctors before opening cases for redetermination, without giving claimants any avenue to argue that the

evidence may have been valid in their cases.

Without the opportunity to challenge the finding of fraud in the medical evidence, claimants in federal court represented by Prestonsburg attorney

See CLIENTS, Page 6A



## Floyd board receives 'excellent' financial audit

By **MARY MEADOWS**  
STAFF WRITER

The Floyd County Board of Education received an "excellent" financial audit this week.

Artie White of White and Associates used that term when he presented the district's 2018 financial audit report, 2018 annual financial report and the 2018 balance sheet during a meeting Monday.

"Overall, it's an excellent audit report," he said.

He reported that auditors found no material weaknesses or significant deficiencies related to the district's internal control or compliance, but the audit does include a management letter that noted some issues with activity funds in two schools.

The letter detailed issues with Floyd Central High School, which ended its first fiscal year on June 30 with a deficit in its school activity fund, as well as documentation issues for that school's activity fund and at South Floyd Elementary.

White said the number of issues related to school activity funds

See AUDIT, Page 6A



## No major damage reported in South Lake Drive fire

The Prestonsburg Fire Department and Prestonsburg Police Department responded to a report of a fire on the second story of a building at 132 South Lake Drive on Monday afternoon. The incident hampered traffic for several minutes, but no injuries were reported. Fire Department Chief Mike Brown said a light fixture caused a small fire in the attic of the building, and it was extinguished with no major damage reported.

Floyd Chronicle and Times photos by Mary Meadows



## Letters To Santa

Santa wants to know what all of you girls and boys want for Christmas. We at the Floyd Chronicle & Times have agreed to help him out. Santa can read all your letters right here in our paper! All you have to do is email or mail (Santa prefers email these days)

See Inside For Details

Your letters will be published in our special Christmas section!

## Southern bond back on the fiscal court books

By **MARY MEADOWS**  
STAFF WRITER

When the Kentucky Public Service Commission approved the agreement between Prestonsburg Utilities and the Southern Water & Sewer District last year, Floyd County officials reported that Prestonsburg would take over payments on a \$2 million bond the county signed for Southern Water years ago.

That bond payment agreement, however, is no longer on the table.

During a recent special meeting, the Floyd County Fiscal Court voted, 3-2, to pay \$43,300 in interest on this bond — marking the first time in a year the county has paid it.

According to the fiscal court's debt service schedule reports, Prestonsburg City Utilities made all of the payments for this Southern Water bond in the 2017-2018 fiscal year, paying about \$160,000 for interest and

See SOUTHERN, Page 2A



Floyd Chronicle and Times photo by Mary Meadows

Floyd County Judge-Executive Ben Hale answers questions about a Southern Water bond payment the fiscal court paid this month during. Assistant County Attorney Tyler Green and magistrates Randy Davis and John Goble are also pictured.

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**SOUTHERN**  
Continued From Page 1A

principal payments for it in December 2017 and June 2018.

The fiscal court's 2018-2019 budget included \$1.9 million that was expected to be paid by Prestonsburg City Utilities as part of its deal to acquire a portion of Southern Water's system, but officials confirm the bond payments will now come from the Floyd County Fiscal Court.

When the PSC gave Prestonsburg Utilities permission to buy portions of Southern Water's system last year, that case noted discussions were underway between the county and city about acquiring "Property Interests" related to a "past financing arrangement."

That past financing arrangement started in 2005, when Floyd County backed a bond for Southern Water. The water commission reimbursed the county for the bond payments for years, but in 2013, the PSC ruled that Southern was not obligated to pay it, and the fiscal court started paying the bond, with complaints from some magistrates and, at times, heated discussions about the county's requirement to pay it.

That ended, however, in 2017, because of the deal between Prestonsburg Utilities and Southern Water.

When a resolution for a \$116,000 payment on the Southern Water bond arose in May 2017, Judge-Executive Ben Hale told the fiscal court, "Okay, this is something we've been looking forward to, guys."

He explained that because the PSC approved the acquisition of a portion of Southern's system by Prestonsburg Utilities, the city utilities had agreed, in a separate agreement with the county, to "take care of that bond" by "assuming the assets of what we were paying on that bond."

The agreement with the city will be reached after Prestonsburg completes a financing package, Hale said at the time. He said as part of the payoff, the county will receive most of the May 17 bond payment back.

"I know it sounds confusing, but basically, we're getting rid of it. That's the best way to put it," he told the fiscal court in May 2017.

When the \$43,300 bond payment made its way back to the fiscal court's supplemental bill list this month, however, it was met with opposition.

Magistrates John Goble and Mike Tackett voted against paying it.

Goble, who has opposed the Southern Water bond payment for more than a decade, voiced his concerns.

"Judge, there is a bill on there for Southern



Magistrate John Goble, right, complains about paying a bond the county signed for Southern Water during a meeting this month. Magistrate Randy Davis is also pictured.

Water, for paying that bond again," Goble said. "I thought we had that squared away to where we wouldn't be responsible for that."

Hale started to explain that the bill was for a bond the fiscal court backed in 2005, but Goble interrupted him.

"Oh, I know all about the bond," Goble said. "Trust me, I know."

Hale told him the county is obligated to pay the bond, but noted Prestonsburg has made the last few payments.

"With the fiscal court, it's like anything else, we're obligated to pay it," Hale said. "Now, we've been lucky, the last three payments were made by the City of Prestonsburg and there's a few things that's still in negotiations, and they didn't opt to go ahead and pay it this time, so it is our obligation, quite honestly."

Hale reiterated a comment he made about the Southern Water bond numerous times in the past.

"You got to remember guys, when there's bonds that have been done, it's our obligation," he said. "We have no way of getting out from it. That was done in 2005 by Mr. (Paul Hunt) Thompson, and he tied it into fiscal court for 35 years. It doesn't matter how many different fiscal courts come in, it's still a fiscal court responsibility. Once they pass that bond, that's it."

County Treasurer David Layne reported during the meeting that Prestonsburg Mayor Les Stapleton and Prestonsburg City Utilities Commission Superintendent Eddie Campbell said the utilities would no longer pay the bond for the county.

Campbell did not return a call seeking comment, but Stapleton confirmed that the city utilities will no longer pay it. He said the negotiations were undertaken prior to him getting involved in the Southern Water issue and he refused to pay it after learn-

ing the bond was not tied to Southern Water.

"That bond is not tied to Southern Water, so in no way, shape, form or fashion is it going to benefit us to pay that off," he said.

Damon R. Talley filed a letter with the PSC in July, reporting that the closing date for the transfer of ownership of Southern Water's wastewater treatment facilities were finalized, but officials confirm that the closing of the portion of the agreement related to 1,100 water customers in the Betsy Layne area that was set to be transferred to Prestonsburg as part of last year's agreement is still pending.

Southern Water is seeking a rate increase from the PSC and it cited the loss of revenue from those customers as the basis for its need to increase water rates.

Hale told fiscal court members this month that negotiations are still ongoing because of the revenue from those customers.

Goble asked if the Prestonsburg agreement with Southern was a "dead deal," and Hale told him it was ongoing.

"No," Hale told him. "I'd say it's still in negotiations because they're still doing evaluations right now, John. They're trying to find out exactly how much 1,100 customers are worth."

When asked about those comments Tuesday, Stapleton said the issue with the 1,100 customers concerns a federal Rural Development loan that Southern owes. He said Prestonsburg Utilities hired an expert to find the revenue value of those customers and that evaluation is complete.

"This has been a very long, tedious negotiation and finalization to this deal," Stapleton said. "The transaction for the waste treatment plant has already been completed and closed. The actual closing on the wa-

ter customers, the 1,100 water customers, should be forthcoming now that all the stipulations have

been satisfied for Rural Development."

Stapleton and Campbell are set to testify next

month in the PSC case that Southern filed to seek a rate increase.

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# Fiscal court awards bids for vehicles, equipment

**A FLOYD CHRONICLE AND TIMES STAFF REPORT**

The Floyd County Fiscal Court gained nearly \$11,600 during a surplus equipment sale this month.

During a special meeting, Judge-Executive Ben Hale opened 36 bids sent in by eight people who wanted to buy 15 vehicles, one backhoe and an equipment trailer.

After all bids were opened, fiscal court members approved a motion to award the sales to the highest bidders of each vehicle and piece of equipment.

Details about the winning bids and the total amount the county received from the sale were not available during the meeting, but that information was provided to the Floyd Chronicle and Times afterwards.

The report shows that the highest bid awarded was Georgia Allen's \$3,000 bid for a 2002 Ford F750 dump truck. The lowest bid awarded was \$155 from Nick Martin for a 1998 Ford F350 and a 1997 Ford F150.

The following bids were awarded:

- Nick Martin spent \$1,375. He bought three 2003 Chevy Astro vans for \$355 each and two Ford trucks for \$155 each.

- Billy Evans spent \$3,665. He bought a 1997 Chevy for \$220, a Jeep Liberty for \$265, an equipment trailer for \$310, two Ford trucks for \$530 each and a Case 580 backhoe for \$1,810. His was the only bid for most of those items.

- David Jones spent \$2,600. He bought a 2002 Ford F350 for \$2,000 and a 2001 Ford F250 for \$600.

- John McGuire spent \$450. He bought two 2003 Tundra vehicles for bids of \$100 and \$350.

- Jose Diez spent \$500 to buy a 1999 Chevy Tahoe.

- Georgia Allen spent \$3,000 to buy a 2002 Ford F750.

Two other bidders did not win any bids during the sale. The county approved the sale of all items for a collective total of \$11,590. Hale said winning bidders were required to remove their vehicles and/or equipment off of county property.

During the meeting, County Treasurer David Layne addressed questions from Magistrate Randy Davis about whether this administration will leave the incoming administration in good financial standing for the next fiscal year.

"Money-wise, we're on track to see they will be money left for the incoming administration, correct?" Davis asked.

Layne told him the county has not overspent.

"We're not hurting. They're not going to be hurting, correct?" Davis said.

Layne hesitated for a second before responding.

"No, there's going to be cash in the bank, there's no problem," he

said. Davis went on to explain that he wanted to make sure the fiscal court maintain funds in, talking about how this administration "came in under tough times."

Layne pointed out that the incoming administration will have to make decisions about its budget.

"There still has to be decisions made," he said. "I mean, because, you basically have spent money that's got to be paid back."

The county's financial report shows that after payments of bills in October, the fiscal court had \$3.4 million in its accounts.

In other news, the fiscal court also:

- Paid \$709,000 in bills, with the majority, \$272,000, in the general fund and road fund projects (\$358,000). Approved payments also include about \$54,000 in the jail fund, \$15,000 in the Local Government Economic Assistant fund, \$8,000 in E911 and \$2,400 in federal disaster projects.

- Approved a supplemental bills list totaling \$251,000, which included payment of more than \$150,000 on the principal and interest for a \$2.2 million loan the fiscal court took out this year to repair roads and make repairs to the jail. The list also included a grant payment of \$44,300 for the purchase of a jaws of life for the Middle Creek Fire Department.

- Approved paying \$30,800 for the third phase of the Harold sewer project to BOCA Enterprises, with a portion of the funds coming from Community Development Block Grant and a portion coming from the Appalachian Regional Commission.

- Received a E911 report from Emergency Management Director Tim Fields, who said the county received a Homeland Security grant for up to \$64,000 for new radio equipment. Judge-Executive Ben Hale said the county signed the memorandum of agreement the day prior and the purchase can proceed, as long as the county purchases the equipment at state contract pricing. Fields said auditors will

have no issues with the purchase because it is through a state contract.

- Adopted Bear Branch, a section of Henry's Branch, into the county road system. The road is 640 ft. long and 12 ft. wide.

- Appointed Jeremiah Parsons, a former Prestonsburg Tourism member, to the Floyd County tourism board. Parsons also previously worked as director for tourism in Paintsville. He replaced Tammy Patton, whose position has been vacant since March.

- Reappointed Paula Johnson and Larry Joe Osborne to the Southern Water board. They also



Floyd Chronicle and Times photo by Mary Meadows  
Floyd County Judge-Executive Ben Hale opens bids during a recent meeting.

appointed Hays Hamilton on the board. The terms expire Dec. 16. The new ton to replace Joe Jacobs for all three board seats terms will end Dec. 2022.

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# New lineman scholarship available

**SPECIAL TO THE FLOYD CHRONICLE AND TIMES**

Kentucky Power reports that it established two scholarships in an effort to encourage more women and minorities to become line mechanics.

The new Kentucky Power Lineman Scholarship is open to students enrolling at Ashland Community and Technical College and Hazard Community and Technical College.

Scholarship winners receive \$1,500 to help fund their training. The first scholarships will be awarded in the spring 2019.

To qualify, recipients must be enrolled in the lineman college program at ACTC or HCTC, have a high school diploma or GED and a 11.0 reading score on the TABE (Test for Adult Basic Ed-

ucation), have a 2.4 GPA, demonstrate potential for academic excellence, submit an application and essay answering, "Why I want to become a line person," and require financial assistance.

Preference will be given to a minority or female applicant when all other qualifications are equal.

"Line work historically has been dominated predominately by white men. But just as our military has opened up more roles for women and minorities, utilities across the country also are looking to diversify their workforce to better represent the communities we serve," said Everett Phillips, managing director of Distribution Region Operations.

"At Kentucky Power, we are committed to fostering an inclusive busi-

ness environment and see this scholarship as one way we can attract more women and minorities to our industry. While line work is still a physically challenging job, modernization has diminished the physical demands of the day-to-day work. Some 25 years ago, where a job may have called for a five-person crew, bucket trucks and other tools now allow that same job to be completed by a two-person team."

The required equipment for the lineman programs can cost nearly \$4,500.

"We do not want costs to keep good students from enrolling," Phillips said. "When we welcome those with backgrounds that differ from our own, they bring a fresh outlook. At Kentucky Power, we believe



Submitted photo  
Kentucky Power's Greg Sparkman, left, joins Hazard Community and Technical College President and CEO Jennifer Lindon in establishing a new scholarship designed to attract woman and minorities.

embracing diversity can lead to improved work and better customer service."

Jennifer Lindon, HCTC's president said, "Kentucky Power and

AEP have always supported the program through donations, including a truck and supplies. When we developed the original curriculum, it was based on AEP's curriculum, and

that has served us well." Applications and more information about the scholarships are available on each of the college's websites under the "affording college" link.

# Traffic stops lead to drug arrests in Martin

**A FLOYD CHRONICLE AND TIMES STAFF REPORT**

Traffic patrols led to the arrests of two people and the seizure of illegal drugs in Martin.

The Martin City Police Department reports that officers arrested Keith Douglas Webb, 44, of Dwale on Nov. 21 and Grover J. Allen, 37, of Salyersville, on Nov. 22 for allegedly possessing drugs and other crimes.

According to state-

ments issued by the department, police officers were patrolling near the Allen/Banner Road on Nov. 21 when they found Webb's vehicle "parked in the middle of the roadway" with its lights off.

A search of the vehicle resulted in the confiscation of crystal meth and needles, the department reported.

Webb was charged with first-degree possession of a controlled substance and possession

of drug paraphernalia. He was also arrested on a Pike County warrant in a case in which he was charged with first-degree possession of a controlled substance and driving under the influence, the press release said.

The department reported that Allen was arrested following a traffic stop on Ky. 80 on Nov. 22.

During that stop, according to a statement, Officer Brad Stidham

observed a passenger in the vehicle throw something out the window and determined it was a small baggie containing what appeared to be methamphetamine.

Allen was charged with first-degree possession of a controlled substance and he was also arrested on an outstanding Floyd County warrant in a case in which he was charged with driving on a suspended license.

"We remind everyone

that while it may take some time to locate and bring offenders to justice as we build a case, the trafficking of illegal drugs

will not be tolerated," the department said in the press releases. "When you are caught, you will be arrested."

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Our regularly scheduled board meeting on Monday, Dec. 24, 2018 has been rescheduled for **Monday, Dec. 10, 2018, at 5 p.m.**

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## EDITORIAL

# Without vision, you cannot see

The Martin Community Center was once bustling with activity, and it now sits vacant, unused and full of parking lot yard sales.

It's a sad state of affairs for a building and 25 acres of property that Floyd County taxpayers have spent so much money on, and the incoming fiscal court should carefully consider their decision about whether to sell, lease or keep this property.

The fiscal court recently voted to table the matter, turning down a \$150,000 bid for the property (which is valued at more than \$300,000) after receiving comments from incoming Judge-Executive Robbie Williams. He said to them, "I'm just concerned why we're in such a state-fire hurry if we've had this for 30 years, to sell it in the last 40 days before the changing of the guard."

Fiscal court members

were right in tabling the matter, especially since it's not long until Williams and other new fiscal court members take the reins, but we understand why the matter came up for discussion in the first place.

Floyd County's current administration has heard repeated requests over the past several years from people and groups that want to lease the community center (for free or at low cost) so local kids don't have to travel to Knott County to play basketball. Over the past few years, the fiscal court has also approved putting it up for sale three times—and all of those attempts fell flat.

Judge-Executive Ben Hale was correct in reporting that this building has been quite a burden to Floyd County taxpayers. As previously reported in the Floyd County Chronicle, the county has poured

more than \$500,000 into the community center since 2001, and who knows how much prior to that.

To put a long story short, after all this time, after all of this investment, the only thing Floyd County taxpayers have to show for their tax dollars is a building that needs major repairs, the promise of what it could have been and excuses, excuses, excuses.

We hope that the incoming fiscal court members consider what county taxpayers have already given this facility before they make their decision next year, but we hope they take whatever action they approve a step further than that.

We hope that once and for all, they finally give county taxpayers their money's worth here.

The Martin Community Center has been deathly ill for years, but it was sick

long before its doors were closed and floors were forgotten. The problems the county faces now with this property were caused by several issues, but, in truth, each and every single one of those problems started because of only one: The lack of strategic planning.

Over the past few years, the fiscal court has spent a lot of time listening to folks who want to lease this building, with some of them pledging that they have volunteers lined up to help, others saying they want to do this or that, and all of them talking about how awful it is that Floyd County children have to travel to other counties to play ball.

But, during all of that time, aside to listening to the dreams those folks have or aside from trying to sell this property outright, the fiscal court members have not really sat down and made any

plans. Years before that, the only planning that went into the Martin Community Center was ensuring that the wording in the lease was appropriate so that someone else could deal with it.

We're talking about a county asset.

We're talking about 25 acres of property and a large, dilapidated building that's located right off of Ky. 80.

We're talking about the possibility of selling or re-opening a community center when one of the county's own cities is also pondering a multi-million dollar community center project just a few miles away from this facility.

We're talking about all of this without any plan.

The plague that has haunted the Martin Community Center started because prior administrations had no vision — because of the lack of strategic planning that could

have helped the center grow instead of allowing it to fall into disrepair.

Although the future of the Martin Community Center is uncertain, we are sure of a couple of things. We know that the amount taxpayers have already paid for this building will remain, regardless of whether new fiscal court members decide to sell it, lease it or reopen it.

And, without a doubt, we also know that the burden this center has become will continue to be unless our leaders actually sit down and hash out a plan that keeps it growing and moving forward.

The days of leasing it and forgetting it until it's time for repairs are over. Floyd County taxpayers are sick of that. It's time to sit down and figure out where the county needs to go with this asset, and devise the plan that will make the taxpayer investment worth it.

## GUEST EDITORIAL

# A safer world for women means a brighter future

Sunday marks the beginning of more than two weeks of activism geared at eliminating violence against women.

According to the United Nations,

- One in three women and girls experience physical or sexual violence in their lifetime, most frequently by an intimate partner

- Only 52 percent of women married or in a union freely make their own decisions about sexual relations, contraceptive use and health care

- Worldwide, almost 750 million women and girls alive today were

married before their 18th birthday; while 200 million women and girls have undergone female genital mutilation (FGM)

- One in two women killed worldwide were killed by their partners or family in 2012; while only 1 out of 20 men were killed under similar circumstances

- 71 percent of all human trafficking victims worldwide are women and girls, and 3 out of 4 of these women and girls are sexually exploited

- Violence against women is as serious a cause of death and incapacity among women of

reproductive age as cancer, and a greater cause of ill health than traffic accidents and malaria combined.

"Violence against women and girls (VAWG) is one of the most widespread, persistent and devastating human rights violations in our world today remains largely unreported due to the impunity, silence, stigma and shame surrounding it," according to the UN.

That is why Nov. 25 was recognized as the International Day for the Elimination of Violence against Women. The date marks the launch of 16

days of activism that will conclude on International Human Rights Day, which is Dec. 10.

International Day for the Elimination of Violence Against Women was first marked as a day to combat violence and raise awareness in 1981 by activists. The United Nations General Assembly gave the day its official designation in 1999. The date is based on the 1960 assassination of three Mirabal sisters who were political activists in the Dominican Republic who opposed the dictatorship of Rafael Trujillo.

Violence against wom-

en is one of the many obstacles facing the world to achieving equality and the fulfillment of women's and girl's rights.

While American women still battle inequality, they have some of the strongest rights and freedoms among women around the world. It is critical women with these freedoms use them to speak out against violence against women, that women and men at all levels of authority — from government, to the judicial system, in schools, in our churches, in our neighborhoods, etc. — set policies and instill values that re-

fect respect and equality for women.

Equality can mean a lot of things, but it is impossible to argue that women do not deserve to be free of fear of violence at such alarming rates.

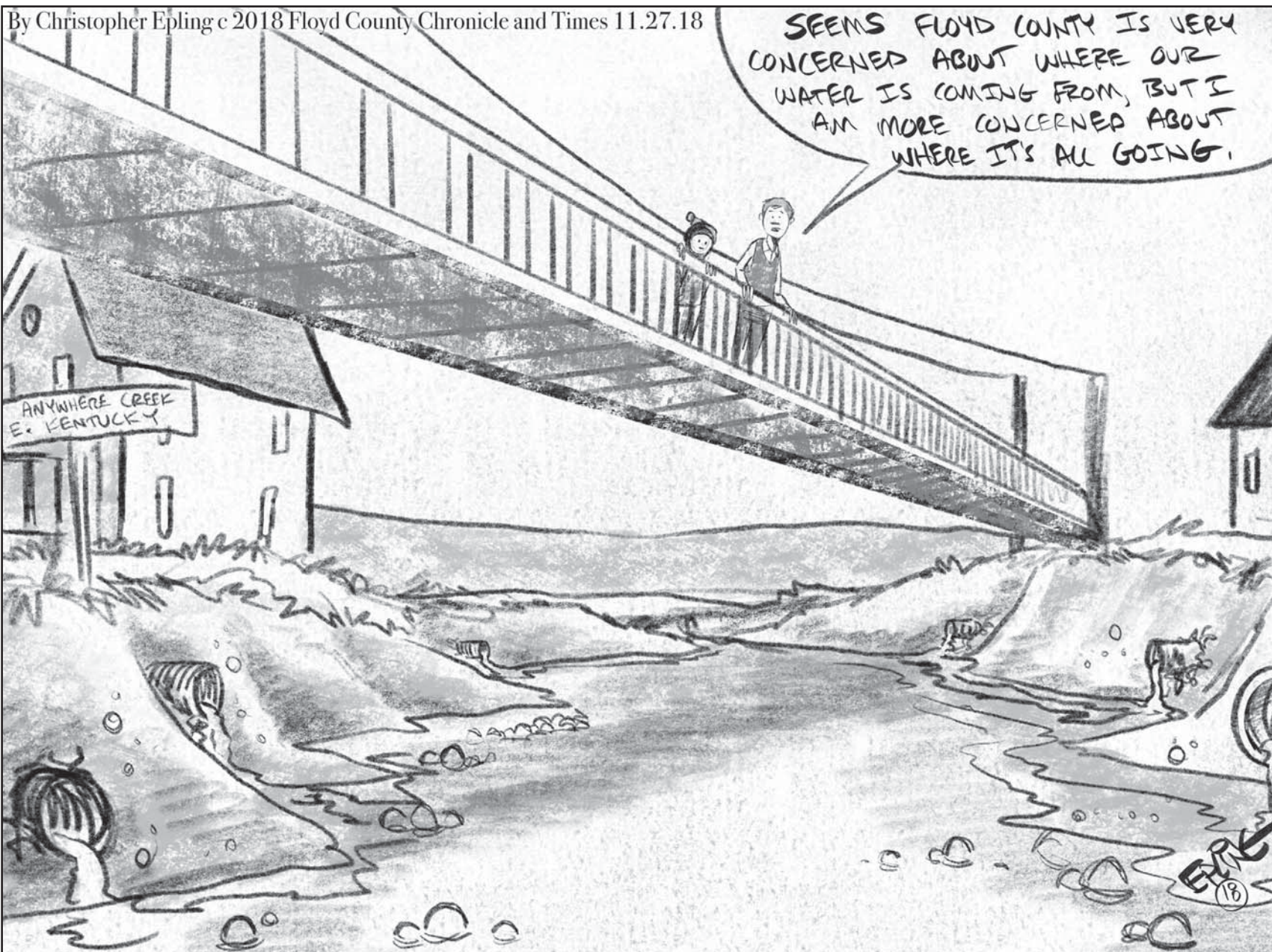
The 25th of each month is designated as Orange Day by the UN Women Campaign, a day when people can wear orange in solidarity for the cause.

This year's theme for International Day for the Elimination of Violence against Women campaign is "Orange the World: #HearMeToo.

This year, organize an event, wear orange or simply educate yourself on the issues and how to address them in your own family, school, workplace and community.

A future without violence against women is one that is brighter for all of us.

By Christopher Epling © 2018 Floyd County Chronicle and Times 11.27.18



## CHRONICLE & TIMES

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# Black lung legislation pre-filed

**SPECIAL TO THE FLOYD CHRONICLE AND TIMES**

State representatives Angie Hatton and Robert Goforth pre-filed legislation to roll back the sections of a new law that limits the number doctors eligible to diagnose black lung.

"At a time when we're seeing a spike in black lung, especially in

Eastern Kentucky, many legislators unfortunately decided to make it much tougher for miners in these cases to qualify for the workers' comp benefits they deserve," said Hatton, a Democrat from Letcher County. "I'm proud to reach across the aisle and work with Robert as we try to remove this punitive measure. I've seen first-hand what

these miners have to live with; they need our help."

"Black lung is one of the most horrific diseases that individuals can contract through occupational safety hazards," said Rep. Goforth, a Republican from Laurel County. "We owe it to our heroic coal miners and all of Kentucky's workers to right the wrongs that happened as a result

of House Bill 2, which I voted against. If we are committed to doing the right thing, we will fix this and correct this in a bipartisan fashion."

The legislation would again allow the state to contract with any physician trained to diagnose black lung. Under this year's House Bill 2, which was signed into law in March, that group is lim-

ited to board-certified pulmonary specialists who are licensed as "B" readers. "When this bill passed, there were only a handful of doctors here in Kentucky meeting that standard, according to a news report by NPR, and nearly all were working for the coal industry or nearing retirement," Hatton said. "This change all but cut out radiologists

who are just as qualified to make black-lung diagnoses." In April, the chief executive officer of the American College of Radiology called this issue "a matter of life and death," a press release from the representatives said.

The bill will be considered when the General Assembly re-convenes at the Capitol in January.

## AUDIT

Continued From Page 1A

has decreased. He commended schools and district leaders for working to correct past findings in these activity funds, saying Floyd County schools have "consistently gotten better" at managing these funds.

The audit shows that the school district ended the 2018 fiscal year on June 30 with a general fund balance of \$6.2 million, an increase from a balance of \$4.1 million during the prior year.

Referring to the district's balance sheet, White pointed out that the district spent about \$2 million less than the revenue it received.

He pointed out a \$16.5 million deficiency listed in as a net change in the district's construction fund, but, in doing so, he also described that account is a "clearing account" that is not tied to the district's general fund.

"Obviously, a construction project such as ... Floyd Central, will go through multiple years. That doesn't mean you're in deficit, if you sell bonds, if you make the proper transfers over there," White said. "That should be, if you don't have a lot of change orders, there should be a little bit of surplus left

there that you can actually buy equipment and stuff. But it's totally a clearing account and it has no fund balance attached to it, so I wanted to make that point."

White reported that the school district is severely underfunded in retirement, as are districts and government entities across the state, but he said that the number doesn't have anything to do with the district's general fund, either. The district's pension liabilities total more than \$41.7 million, the audit points out, if all of its qualifying employees retire.

"That's basically an actuarial value that say, if everybody retired from the Floyd County system, and vested in the retirement system, based on how long they're going to live with all kinds of assumptions ... this is what they figure it's underfunded within this school district," he said, pointing out that number, however, "really doesn't have a bearing on the financial impact" to the district.

"I always try to remind people that will never happen," he said, saying that part of the report is "mainly for third-party use" in gauging a district's bonding capacity.

The district maintained a contingency of about \$1.85 million, or four percent of expen-

ditures, well above the requirement, the audit shows.

It also showed the district gave schools \$150,000 for school trips and other needs, and substantially completed the \$8 million renovation at Betsy Layne High School with revenue bonds and local funding.

Answering questions about how Floyd County schools compare, financially, to other districts, White said he's starting to see that other school districts "are trying to avoid cutting services."

He recommends that school districts maintain what he called "zero budgeting," describing it as spending less than the district's current-year revenue, like Floyd County's audit shows.

The school district transferred funds and received state funding to compensate for the loss in tangible taxes in the last fiscal year, and it still ended the year under budget, Superintendent Danny Adkins explained.

"I've been in a district close to here and I hear a lot of superintendents talk about districts in Eastern Kentucky and I have to say that I think we're probably in pretty good shape, as opposed to the other districts around us," Adkins said. "And I don't say that to be tooting our own horn.

I say that because I know some of the financial situations (in the other districts)."

Board Chairperson Sherry Robinson interrupted him, saying, "I'll toot our horn." Remaining "fiscally solvent" is a district goal that is emphasized at every board of education meeting.

The audit shows the district owes more than \$72 million in bonds, with payments scheduled to continue on some loans for years. The district borrowed about \$7,000 in 2014, \$52.5 million in 2015, \$10.5 million in 2017, and about \$13,000 from 2008-2013, it reports. The district's worker's compensation liability is around \$1.5 million and its liability related to leases total more than \$2 million.

During the meeting, the board unanimously approved a consulting agreement with the Kentucky Valley Educational Corporation, agreeing to pay \$27,650 plus related fringe and expenses for the direct services of an "educational financial consultant for 70 days."

The district's financial director, Matt Wireman, who was not in attendance at the meeting, was elected as judge-executive in Magoffin County this year and will start in that role in January.

neighbors, things are a lot brighter today than they were yesterday," Pillersdorf announced.

Of the three-judge panel, judges Karen Nelson Moore and Julia Smith Gibbons formed the majority, while the third, John Rogers, was of a dissenting opinion, saying that there are precedents for the possibility that accurate evidence can sometimes be excluded rather than engaging in "the hard, if not impossible, work of confidently determining which portions are good evidence and which are bad."

trative Procedure Act and remanded those cases for further consideration, but sided with the SSA against the plaintiffs' argument that the SSA violated the Social Security Act in its procedures.

Pillersdorf has said that while the case before the panel directly affected only 11 individual cases, hundreds of other cases pending before federal judges in Kentucky have been on hold awaiting the decision in this appeal, meaning the victory will have far-reaching consequences.

"While the future still has uncertainties for our vulnerable friends and

## FLOYD COUNTY CHRONICLE AND TIMES OBITUARIES

### Columbus Amburgey

Columbus Amburgey, 60, of Martin, died Wednesday, Nov. 21, 2018.

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

### Krystal Chaffins

Krystal Gayle Chaffins, 47, of Versailles, died Monday, Nov. 19, 2018.

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

### William Elliott

William "Bill" Elliott passed away in Fort Wayne, Ind., on Friday, Nov. 16, 2018. He was 78 and a resident of rural Sidney, Ind.

Born on Feb. 24, 1940, in West Prestonsburg, Bill was the son of Orval and Mary Belle (Stephens) Elliott. He was one of seven children moving to Indiana when Bill was 15 years old.

On July 16, 1974, Bill was married to Dorothy L. Cremeens in Virginia. Their friendship turned romance lasted for nearly 50 years before Dorothy's 2016 passing.

Bill worked as a machinist for Dana-Weatherhead. Although retired, he had farmed throughout his life; he raised everything from traditional livestock to quail, peacocks and other exotic animals. He was known for his love of auctions and swap meets. He enjoyed fishing, hunting and the outdoors. He also enjoyed watching sports, especially if it was to watch his grandchild-

dren play. He was a good friend, a hard worker and a kind person who never knew a stranger.

Those who survive with memories to treasure include his five children: Tari Sue (Patrick) Blocher of Warsaw, Ind., Brian (Melissa) Grindle of Oswego, Ind., William (Tana) Elliott, Jr. of Claypool, Ind., Bobbi (Jerry) Wood of Milford, Ind., and Amy (Charles) Bradley of Claypool, Ind.; 19 grandchildren; 19 great-grandchildren, four great-great-grandchildren and three siblings: Anna Blair of Warsaw, Ind., James (Glenda) Elliott of Silver Lake, Ind. and Tom Elliott of Hoffman Lake, Ind. In addition to his wife, Dorothy, he was preceded in death by brothers John Elliott (2013) and Henry Elliott (2012) and by his sister Linda Justice (2017).

Services were held in Indiana on Monday, Nov. 20. Interment was in Sidney Cemetery. Arrangements were trusted to Titus Funeral Home of Warsaw, Ind.

This is a paid obituary.

### David King

David Larry King, 68, of Prestonsburg, died Monday, Nov. 19, 2018.

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

### Danny Sizemore

Danny Craig Sizemore, 63, of Martin, died Sunday, Nov. 25, 2018.

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

## CLIENTS

Continued From Page 1A

Ned Pillersdorf, the Appalachian Citizens' Law Center, the Appalachian Research and Defense Fund and other attorneys all argued that the SSA violated the basic Constitutional right to due process. U.S. District Judge Amul Thapar sided with that argument in 2016 decisions, while other district judges disagreed.

In their review of the cases, the judges sided with Thapar's ruling for the plaintiffs and against the SSA.

"Not only are the (Office of the Inspector Gen-

eral's) assertions of fraud unreviewable, but the SSA's application of those assertions is unreviewable. ... In effect, the SSA insists that it may unilaterally select the criteria for fraud (based on vague statutory guidance) and then unilaterally select which evidence satisfies those criteria. With no adversarial input and no judicial oversight, the risk that nonfraudulent material will be erroneously excluded is impermissibly high," the decision reads in part.

The decision also reverses district courts' rulings in favor of the SSA on the basis of alleged violations of the Adminis-

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# KYTC reminds travelers to check licenses

Residents should gather documents for upcoming license changes, check expiration date ahead of holiday travel

**SPECIAL TO THE FLOYD CHRONICLE AND TIMES**

The Kentucky Transportation Cabinet is encouraging license holders to check their card's expiration date to avoid delays at airport security checkpoints and possible citations on the road.

"Driver's licenses are a common form of identification used for domestic air travel, and checking the expiration date now can save travelers from being grounded during this prime travel time," Department of Vehicle Regulation Commissioner Matt Henderson said. "A quick check can also ensure motorists are not unknowingly driving with an expired license."

Prior to air travel, Kentuckians should check the expiration date on their license, permit or personal ID to make sure

it is valid for both their departure and return dates. Identity credentials can be renewed up to six months before the listed expiration date by visiting the Circuit Court Clerk office in the cardholder's county of residence.

Identifying the expiration date now also helps cardholders interested in requesting a new Voluntary Travel ID - a REAL ID compliant Kentucky driver's license, permit or personal ID acceptable for air travel and restricted facility entry-know whether their renewal window occurs before federal enforcement begins Oct. 1, 2020.

A phased, statewide rollout of the new standard and Voluntary Travel ID will begin in early 2019 and conclude in the spring. Once implementation begins, all first-

time cardholder applicants or those requesting a Voluntary Travel ID will need to present documentation.

KYTC has launched the IDocument Guide, an online interactive tool online at, drive.ky.gov, to help residents determine what documents they should gather before the rollout begins. The form guides visitors through a short series of questions to create a personalized list of documents to bring to the Circuit Court Clerk's office when applying for the card. The card will be received in the mail five to 10 business days later.

Applicants requesting a new Voluntary Travel ID or first-time standard driver's license will need to present documentation proving identity (such as a certified birth certificate, U.S. passport or Permanent Resident

Card), social security number (such as a social security card or W-2 form) and proof of residency (such as a utility bill or lease; two proofs required for a Voluntary Travel ID).

To renew a standard driver's license or personal ID if no changes regarding personal information (i.e. current legal name, address) have taken place, applicants will only need to surrender their current license and take a new photo. Personal identification cards require the same verification documents as a license.

"This tool helps future applicants walk into the Circuit Court Clerk office with confidence that they have the right documentation in hand by creating a tailored list of documents based on a range of individual

considerations that affect what type of documents are necessary," said Henderson. "Sparing a few minutes now can really pay off later by avoiding unnecessary, repeat trips, and it helps residents begin the process of replacing or updating documentation before it's time to renew."

Some Kentuckians may need to obtain replacement copies of documents if they plan to present them to satisfy the requirements. A certified copy of a birth certificate can be acquired by contacting the vital statistics agency in the state of your birth. Those born in Kentucky may contact the Kentucky Office of Vital Statistics. To request a replacement Social Security card, visit the Social Security Administration's website.

If your personal information (i.e. current legal name) is different than what is displayed on your identity or law-

ful status document, you must present additional documentation, such as a marriage license or divorce decree. A full list of acceptable documents is available online.

A standard credential is acceptable for voting, age-restricted purchases and driving (with a license or permit). As long as Kentucky maintains an extension from the U.S. Department of Homeland Security, it is also acceptable for U.S. air travel and restricted federal facility entry until federal enforcement begins Oct. 1, 2020. A Voluntary Travel ID credential is acceptable for voting, age-restricted purchases, driving (with a license or permit), U.S. air travel and restricted federal facility entry both prior to and following federal enforcement. Non-U.S. citizens may only apply for a new standard credential.

To prepare for the upcoming changes, visit, drive.ky.gov/confidentky.

# Area health inspections released

**SPECIAL TO THE FLOYD CHRONICLE AND TIMES**

The Floyd County Health Department recently released its latest list of health inspections. They include:

Hardees: Score, 99; violations, 1  
El Azul Grande: Score,

96; violations, 3  
Betsy Layne Elementary: Score, 93; violations, 2

Betsy Layne Elementary cafeteria: Score, 99; violations, 1

Hi Lite Pizza: Score, 91; violations, 6

El Rodeo Grande: Score, 88; violations, 7;

critical violations, 1  
Champs Country Kitchen: Score, 92; violations, 5

Double Kwik, Allen: Score, 96; violations, 5

Double Kwik, Martin: Score, 95; violations, 4

Allen Elementary: Score, 94; violations, 2

Allen Elementary caf-

eteria: Score, 98; violations, 2

Three Sisters Restaurant: Score, 93; violations, 5

Double Kwik, Prestonsburg: Score, 95; violations, 5

Subway, Prestonsburg: Score, 99; violations, 1

David School cafeteria: Score, 93; violations, 5

David School: Score, 94; violations, 3

Super Dollar Discount: Score, 96; violations, 3

Speedway, Martin: Score, 95; violations, 3

Quick Mart, Ky. 114:

Score, 94; violations, 5  
Wendy's: Score, 94; violations, 4

McDowell Stop and Shop: Score, 91; violations, 6

Fat Daddy's Restaurant: Score, 84; violations, 8; critical violations, 1

## Community Events

- Through Dec. 14: Essentials for Santa, a program hosted by Duff-Allen Central students and Dumas Rescue, seeks donations of blankets, pillows, socks, personal hygiene items, clothes, toys and nonperishable food items at donations boxes at DACE, the Dollar Store at Eastern, the county library at Eastern, Howard Family Pharmacy. Donations will be given to Floyd County children in need.
- Through Dec. 20: East Kentucky Science Center hosts holiday-themed laser shows, "Season of Light" at 2 p.m. and "Laser Holidays at 3:15 p.m. on Tuesdays through Saturdays. (606) 889-8260
- Through Dec. 10: Kentucky State Police Post 9, Pikeville, invites the public to donate non-perishable food items during Cram the Cruiser. Donations may be dropped off at any time at Post 9 or at Food City, 215 Cassidy Blvd., Pikeville, from 10 a.m. to 3 p.m. on Dec. 1.
- Archer Park Christmas light display is open to the public through New Years. The park will offer sleigh rides from 6 p.m. to 8 p.m., carnival rides and other events on Fridays and Saturdays through Dec. 22. Carnival rides, games and food will be available in the evenings, throughout the week. Admission is free. Group discounts are available for the rides.
- Nov. 28, 10 a.m. to 2 p.m.: The Women of the Bible Quilt Group meets, Floyd County Extension Office. (606) 886-2668
- Nov. 28, 12 p.m.: Floyd County Chamber membership luncheon, Brickhouse
- Nov. 28-30, 7 p.m.: The Nutcracker, Mountain Arts Center. macarts.com
- Nov. 29, 12 p.m.: Floyd County Chamber of Commerce to host ribbon cutting ceremony for Hatfield McCoy Heating and Cooling at US Bank, Prestonsburg
- Nov. 29, 5 p.m. Tiny Bulldog Academy for kids age birth to five, Duff-Allen Central Elementary. Free. (606) 358-0110
- Nov. 29, 5:30 p.m.: Big Sandy Community & Technical College to host open house for its nursing program, Campbell building, room C218.
- Nov. 29, 8 p.m.: Benji Carroll Jam Session, The Brickhouse, Prestonsburg
- Nov. 30 through Dec. 2: The Brickhouse, Prestonsburg, is seeking new toys in a donation drive for the Floyd County Shrine Club

# Marriages, property transfers filed in Floyd County

**SPECIAL TO THE FLOYD CHRONICLE AND TIMES**

The following marriages and property transfers have recently been filed in the Floyd County Clerk's office:

### Marriages

Jared Daniel Hall, 39, of Stanville, to Penny Lea Thacker, 39, of Stanville

Caitlin Danielle Slone, 22, of Martin, to Derick Michael Wright, 21, of Martin

Jessica Michelle Hill, 36, of Wheelwright, to James Clinton Phipps, 53, of Wheelwright

### Property transfers

US Bank National Association to Secretary of Housing and Urban Development (Deeds Book 641; pg. 578)

Lowell Steele, Peggy Steele to Lowell Steele,

Peggy Steele (Deeds Book 641; pgs. 582, 586)

Bennie Lafferty, Pauletta Smith Lafferty, James Edward Smith, Regina Smith to Janet L. Salisbury, Jimmie D. Salisbury (Deeds Book 641; pg. 590)

Vanderbilt Mortgage and Finance Inc. to Orville Mitchell, Jenny Newman (Deeds Book 641; pg. 595)

Kim Newsome, Tim Newsom to Tom McKinney (Deeds Book 641; pg. 598)

CR 2018 LLC to Evan Spears (Deeds Book 641; pg. 602)

US Bank National Association to Scott Alan Merrell (Deeds Book 641; pg. 607)

Ricky Robinson, Tonia Robinson to Erica Darby, Kennan Darby (Deeds Book 641; pg. 616)

Richard Gibson to

Garnett Gibson Jr. (Deeds Book 641; pg. 620)

Floyd County Master Commissioner, Gregory Isaac, Michael Taylor, Paula Taylor, Lisa Burchett, Lori Hudson Flanery, Bluesine LLC, US Bank, Independent Capital Holdings, to Pamela Ray, Reese Ray (Deeds Book 641; pg. 624)

Montgomery F. Harkins to Gregory T. Hackney, Bonnie Hensley, Johanna L. Hensley (Deeds Book 641; pg. 629)

Cann Martin Isaacs to University of Pikeville Inc. (Deeds Book 641; pg. 631)

Michael Bryan Allen to Joey Hacker (Deeds Book 641; pg. 634)

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# For first time in nearly 25 years, Kentucky is getting new racetrack

By JANET PATTON  
LEXINGTON HERALD LEADER

Keeneland and Churchill Downs won the right to jointly build and run a new harness racetrack and gambling parlor in Western Kentucky near Fort Campbell.

The Kentucky Horse Racing Commission voted 11-3 this month to award the first new racetrack license in nearly 25 years to the \$150 million project for Oak Grove in Christian County over competing projects from Kentucky Downs in Franklin and Caesars-Bluegrass Downs in Paducah.

Churchill Downs and Keeneland, which owns only 5 percent of the project, will build a five-eighths of a mile harness track to host 12 days of

standardbred racing as early as 2019.

They also plan to build a gambling parlor with up to 1,500 historical racing machines, which are similar to slot machines and have produced millions for purses and more than \$21 million for the state since 2010.

Kevin Flanery, Churchill Downs racetrack president, told The Blood-Horse that the gambling parlor would generate an estimated \$10 million both Thoroughbred and standardbred purses in Kentucky.

The new track also will have a 125-room hotel with an event center and food and beverage venues, a 1,200-person seat-grandstand with event space for indoor events, a 3,000-person outdoor amphitheater

and stage and a state-of-the-art equestrian center with indoor and outdoor arenas.

About 400 full- and part-time jobs will be created by the facility as well as an estimated 800 construction jobs, according to a press release from Churchill Downs and Keeneland.

In 2017, Churchill and Keeneland jointly applied for two new racetracks: the Oak Grove facility and one in Corbin that Keeneland had been pursuing for years. It is unclear if Keeneland intends to move forward with the Corbin track as well.

The new Oak Grove track will be along I-24 on the Kentucky-Tennessee line, between Nashville and Hopkinsville, and near the popular Land Between the Lakes resort

area.

The losing bidders for the track were quick to object to the process, with Kentucky Downs issuing a press release from its prospective new owners, Ron Winchell and Marc Falcone.

Earlier in the week, racehorse owner Winchell (Gun Runner, Tapit) and former casino analyst and executive Falcone announced plans to purchase a majority interest in the Franklin track along I-65 for an undisclosed price.

"We came into the process obviously very late. We were really trying to persuade people to give us more time," said Winchell in a statement. "This decision, we felt, was very important and needed more time, the processing to be more

well thought out. We've obviously very disappointed in the result. We're happy and excited about what's going on at Kentucky Downs and looking forward to the future."

Falcone said the Franklin track increase a previously announced \$25 million expansion to better compete with the new facility, which also will draw from the Nashville market.

"Now we know we have competition" in the market, Winchell said in the statement, "we're going to gear up."

According to published reports, Caesars Entertainment executive Dan Real also expressed frustration with losing the bid to Churchill and Keeneland.

"They don't have a

signed horsemen's agreement ... They don't have the ability to do simulcasting, they don't have any history, relationships, or marketing in the region, which obviously the other operators do," Real told the Paulick Report.

Last month the Franklin Circuit Court ruled that one system of historical racing gambling machines was parimutuel and legal; the conservative Family Foundation has filed an appeal of that decision. No ruling has been made on other types of machines.

Earlier this year, Churchill Downs opened its historical racing gambling parlor in Louisville. Keeneland the Red Mile operate one in Lexington and Ellis Park also has machines.

## Kentucky county uses new tactic to get millions owed by company tied to W.Va. Gov. Justice

By BILL ESTEP  
LEXINGTON HERALD LEADER

A county prosecutor in Eastern Kentucky is trying to collect delinquent property taxes linked to West Virginia Gov. Jim Justice by intercepting royalty payments from local coal operators to a Justice-family company.

That's a new tack in Knott County, where Kentucky Fuel, a coal company once owned by Justice and now controlled by his children, owes more than \$2 million in back taxes.

The debt has been a sore spot because it has meant less money for county government and the school system as both have struggled with tight finances.

Knott County Attorney Tim Bates' office has sued Kentucky Fuel several times to collect delinquent taxes, but began trying to collect through garnishment in recent months.

In that process, money from a third party can be seized to pay a debt owed by a person or company. For example, a creditor owed money by a person can get an order for the person's employer to take money directly from his or her paycheck and give to the

creditor, guaranteeing the payment.

The process is often used to collect unpaid child support.

"It's revenue the school system could have used," Bates said of Kentucky Fuel's tax payment.

The garnishment of local coal companies to get money headed to Justice hasn't yet brought in any cash for the county.

Bates said Larry King, who is deputy county judge-executive and heads one coal company subject to a garnishment order, promised to bring in a payment in October but didn't.

More recently, an attorney representing King and his brother, Barry "B.B." King, who heads another company under a garnishment order, said Barry King would bring in a payment Monday or Tuesday.

That didn't happen by the close of business Tuesday, Bates said, but he plans to continue trying to collect.

A sharp downturn in coal mining since 2011 and a lower tax valuation on unmined coal have sapped revenue for school systems and county services in Eastern Kentucky's coal counties.

The state gets a portion of property taxes collected by counties, but much of the money goes to local schools, counties and programs such as libraries and health departments.

Bates' office sued Kentucky Fuel last year to collect \$1.8 million in unpaid property taxes, penalties and interest, charging in the lawsuit that failing to pay taxes on time "is both a willful and repetitive method of doing business" by Kentucky Fuel.

Circuit Judge Kimberley C. Childers ordered Kentucky Fuel to pay the delinquent taxes.

The company's delinquent property-tax debt in Knott County now totals \$2,023,956 because of additional annual delinquencies, interest and penalties, according to county Clerk Ken Gayheart's office.

Much of the debt is from the time Gov. Justice owned the company. His son and daughter took over as controllers in 2017.

Jay Justice, Gov. Justice's son, told the Herald-Leader earlier this year he understands how important tax revenue is to counties and was working toward paying off delinquent taxes.

"We've never bankrupted any company and we will always make good on our obligations," Justice said. "Sometimes it takes a while."

Bates said he and Randy G. Slone, the assistant county attorney, learned after Childers' judgment that Larry and Barry King had a deal to mine coal controlled by Kentucky Fuel, indicating the Justice company could be receiving money out of Knott County as it was behind on taxes.

It was not clear earlier that Kentucky Fuel could be receiving income from operations in the county. A federal mining database lists no active Kentucky Fuel mines in Kentucky.

Bates filed garnishment orders in August directing the two companies controlled by the Kings, KI-Coal and King Brothers Coal, to give the county money meant for Kentucky Fuel under any mining agreement.

The King brothers are well-known with ties to local schools needing money. In addition to serving as deputy judge-executive, Larry is married to the school superintendent, Kim King, and Barry is the basketball coach at Knott Central High School.

Larry King did not respond to requests for comment by the Herald-Leader, but Barry King said he's not happy about being in the middle of an effort to collect taxes from Kentucky Fuel.

"I think I was drug into it," King said.

King declined further comment except to say he is concerned that if Kentucky Fuel doesn't get the money, it will pull out of the contract and cost his employees their jobs.

But Bates said the garnishment doesn't violate any contract between the King brothers and Kentucky Fuel or give the Justice company grounds to pull out of the deal.

Any money recovered would be applied to a debt Kentucky Fuel owes, Bates said, meaning the company would still be receiving a benefit even if it isn't getting the cash.

Bates said he is trying to collect badly-needed tax revenue, not disrupt jobs, and would help the King brothers defend the contract in court if allowed.

"If you're in business with Justice you've got to expect to be in the legal crosshairs," he said.

The details of any deal between the King

brothers and Kentucky Fuel have not been made public.

Bates said a Kentucky Fuel attorney told him the Kings pay Kentucky Fuel \$4 on each ton of coal mined or 10 percent of the gross sales price, whichever was greater.

The U.S. Mine Safety and Health Administration (MSHA) does not list any active mines for King Brothers Coal or KI-Coal in Knott County.

Last week, however, Bates learned of another coal company, Adella Coal, was incorporated last September with Barry King as president.

Federal records show Adella Coal started producing coal at a small mine at Mousie late last year.

In the first three quarters of 2018, the mine had between 14 and 18 employees and produced 45,440 tons of coal, according to MSHA.

Bates had a new garnishment order served Monday directing Adella Coal to give the state and local governments any money due to Kentucky Fuel.

"That money needs to pass through to Knott County and the school system," he said.

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# Kentucky bill would allow employers to fire, refuse to hire smokers

By MAYTAL LEVI, Fox19 For The KENTUCKY ENQUIRER

A bill in the Kentucky's Senate would allow employers to discriminate against cigarette smokers. Even if you smoke off the clock, employers could choose not to hire you just because you're a tobacco user.

The measure was pre-filed by Republican Kentucky state Sen. John Schickel from northern Kentucky this week.

"We only have several protected classes in Kentucky: gender, age, religious preference and it makes no sense for a smoker to be a protected class," he said.

Covington resident Mark Borison says the bill would set a bad prece-

dent. "Of course, what's the next thing they're going to come after you for?" he said.

Borison is not a smoker but believes the bill is "unnecessarily restrictive for no reason."

Another Covington resident, Kevin Emerson, has been a smoker for 15 years. He says he should be able to do what he wants as long as it's legal during his off-time. Emerson also believes if the bill passes the unemployment rate would increase.

"I can't even imagine what the figures would be," he said.

The bill is in the Senate and still has to be passed there before it's voted on in the House.



## Bobcats sing for BOE

Betsy Layne Elementary students sing for members of the Floyd County Board of Education prior to a Nov. 26 meeting at the school.

Floyd Chronicle and Times photo by Mary Meadows

# Medicaid approval sets stage for court battle

By DARLA CARTER INSIDER LOUISVILLE

Another battle in court is brewing after the federal government decided to approve Kentucky's Medicaid overhaul — Kentucky HEALTH — despite the state's contentious work requirement for "able-bodied" adults.

The three groups that filed a lawsuit earlier this year, temporarily stopping Kentucky HEALTH's main components from going forward, will return to federal court to launch another challenge of the state's program.

"We will be in front of the same judge, with basically the same case," Cara Stewart, a health law fellow with the Kentucky Equal Justice Center, said on Wednesday.

Along with the Southern Poverty Law Center and the National Health Law Program, the Kentucky Equal Justice Center filed a lawsuit in January on behalf of more than a dozen Medicaid recipients, who alleged that the approval was illegal and would jeopardize the health coverage of tens of thousands of people.

"We intend to pursue the next court challenge as vigorously as we have before when we won," Southern Poverty Law Center Deputy Legal Director Samuel Brooke said in a news release Tuesday. "We have no reason to believe that the results will be any different this time."

Their comments follow an announcement by the Kentucky Cabinet for Health and Family Services late Tuesday that the U.S. Centers for Medicare and Medicaid Services greenlighted the program to start next spring.

Those who are likely to be impacted by the Medicaid changes include more than 450,000 individuals who received medical assistance as a result of former Gov. Steve Beshear's decision to expand Medicaid in

Kentucky.

CMS said this week that Kentucky HEALTH will provide medical assistance in a manner that improves the "safety net" for such individuals.

"Kentucky has repeatedly stated that if it is unable to move forward with its Kentucky HEALTH demonstration project, it will discontinue coverage for the ACA (Affordable Care Act) expansion population, a choice it is entitled to make," CMS said in its approval letter.

But "Kentucky expects that the reforms included in the demonstration will enable the Commonwealth to continue to offer Medicaid to the ACA expansion population."

Kentucky HEALTH, also known as a Section 1115 waiver, will require some Medicaid recipients, ages 19 to 49, to work or perform other "community engagement" activities for 80 hours a month to keep their health coverage. There are exemptions for several groups, including pregnant women and survivors of domestic violence.

The plan — which includes various other features, such as premiums and non-eligibility periods — was approved for a five-year period, from April 1, 2019, to Sept. 30, 2023. The state estimated Tuesday that it will save in excess of \$2 billion during that time, with more than \$300 million in savings in general fund alone.

Kentucky House Democratic Leader Rocky Adkins, House Democratic Caucus Chair Dennis Keene and House Minority Whip Wilson Stone issued a statement Wednesday that criticized the Bevin administration for the plan.

"Our caucus sees remarkably little difference between the most recently approved Medicaid waiver and the one tossed this summer by a federal judge, so we first question why this admin-

istration thinks traveling the same route will lead to a different outcome," the Democrats said in part. "We also find it odd that Governor Bevin sees nothing wrong in spending nearly \$400 million in tax dollars to devise an unnecessary and complicated system whose only savings comes from removing health coverage from about 95,000 Kentuckians, nearly all of whom are already working in jobs that do not provide health insurance."

In a June 29 ruling, U.S. District Judge James Boasberg sent Kentucky HEALTH back to the federal government for further review. He had decided that the Trump administration's initial approval of the plan was arbitrary and capricious because it had failed to consider the plan's impact on providing medical assistance.

"Nothing in the (November) approval appears to make it less arbitrary and capricious than the January approval which was struck down," Stewart of the Kentucky Equal Justice Center said.

"Even if Judge Boasberg decides their approval is not arbitrary and capricious, that leaves several other complaints and the core substance of our objection, that Kentucky HEALTH fails to comply with the requirements of Section 1115 because it fails to promote the purposes of Medicaid," she added.

In the approval of Kentucky HEALTH this week, CMS said the state's plan "is likely to promote the objective of furnishing medical assistance because it provides coverage beyond what Kentucky is required to provide."

The waiver's features include a My Rewards account that requires certain participants to earn virtual dollars to access things like routine dental and vision benefits instead of giving it to them automatically.

"The over-the-count-

er medications, vision services, and dental services that can be accessed through the My Rewards Account are benefits that the Medicaid statute does not require states to cover," CMS notes.

It also cites limited fitness services available through My Rewards and the coverage of "high-quality addiction services," adding, "This

new non-mandatory coverage for treatment of substance-use disorders is a matter of particular importance to Kentucky in light of the opioid crisis."

Responding to the CMS approval, Bevin issued a statement on Twitter, saying that program is "essential to the long-term success of the state's Medicaid program," and its approval

"ensures that the Commonwealth can continue to provide services for traditional Medicaid beneficiaries, while also offering a path toward improved health outcomes for all recipients."

In the past, Bevin had threatened to end Medicaid expansion if a court prohibited any of the components of his Kentucky HEALTH plan from being implemented.

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## Kentucky Opry 'Christmas Show' opens Dec. 1

A FLOYD CHRONICLE  
AND TIMES STAFF REPORT

The creative team at the Mountain Arts Center has been busy the past several weeks getting ready for Billie Jean Osborne's Kentucky Opry Christmas show.

There will be seven opry performances spanning a three-week timeframe this holiday season. The show will open at 7 p.m. on Saturday, Dec. 1, and shows will also be performed at 7 p.m. on Dec. 7-9 and Dec. 14-15. There will also be a 2 p.m. performance on Saturday, Dec. 8.

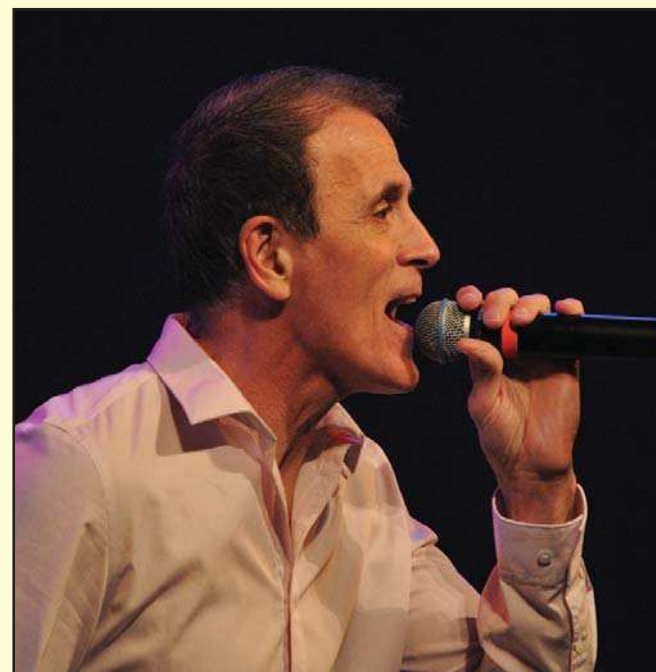
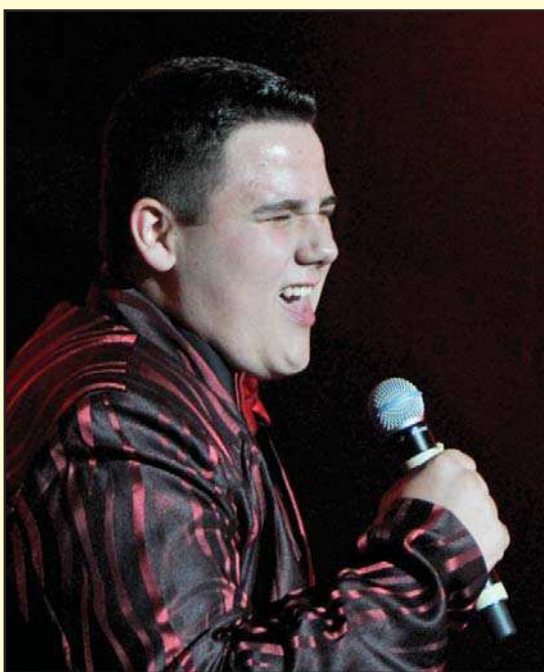
This season's production includes a return visit from vocalist Rachel Messer, who

was featured on NBC's "The Voice" recently, as well as other longtime opry members and house comedian "Munroe."

Kentucky Opry Producer and Emcee Clayton Case said that the cast is eager to get back on stage.

"I get so excited when our creative team comes together to build and create a new show," Case said. "This cast, band, and crew never cease to amaze with the pure talent, work ethic, and creativity they exhibit year after year."

Tickets range from \$12 to \$16 and can be purchased by visiting, [macarts.com](http://macarts.com), by calling, (888) MAC ARTS, or by visiting the MAC box office.



## Former Auxier, Maytown high school students sought

A FLOYD CHRONICLE  
AND TIMES STAFF REPORT

Researchers are looking for students who attended Maytown or Auxier high schools during the 1960s.

In 1960, students of Auxier High School and Maytown High School participated in the Project Talent study—joining more than 400,000 teenagers in 1,353 schools across the country and nearly 5,500 students from 24 schools in Kentucky who participated.

The goal of the original study was to identify "the unique strengths and interests" of the country's youth and to "ensure they were being guided into careers that

would make the best use of their talents."

Follow-up studies also collected information about occupations, family formation, education and health. It was developed by the American Institutes for Research and funded by the U.S. Office of Education in the 1960s.

Project Talent has launched a 58-year follow-up for participants of that study and hope to reach those students from Floyd County who took part. The National Institutes of Health is funding the new study.

The researchers are also seeking students who attended other local schools from 1960-1963, including Pikeville

High School, Whitesburg High School, Blackey High School and Letcher County High School.

"Project Talent presented a snapshot of a generation coming of age on the cusp of a new era," a press release from the organization states. "It was the most comprehensive study of American high school students ever conducted and included students from all walks of life and every racial and ethnic group."

Participants will be sent a questionnaire and asked to take part in the follow-up study, which is designed to show how the lives of these students have "unfolded" over the past five decades, the statement said.

The study would be the only large-scale, nationally-representative study that tracks participants from adolescence to retirement age.

"It helps us understand how experiences, environments, genetics, and behaviors combine to make us who we are and influence how we age. The new follow-up study will have a special focus on memory and cognitive health in an effort to develop evidence-based policies to combat the looming Alzheimer's crisis," the press release said.

The National Institute on Aging reports that by 2050, the number of Americans living with Alzheimer's disease will

more than triple, reaching 16 million. The cost of caring for sufferers will exceed \$1 trillion annually.

The new study is seeking to include the experiences Project Talent participants who identified in 1960 as belonging to a racial or ethnic minority.

Researchers wish to understand the health disparities that exist between minority and non-minority groups and to examine the long-term effects of attending racially segregated versus integrated schools.

Project Talent's Director Susan Lapham said, "These findings will be important in informing current health policy.

Segregation in schools has been increasing in recent years but we know little about the potential long-term impact on health in later life.

The Project Talent generation has contributed to important research in the past five decades. Now, they have the opportunity to help us address some of the most pressing public health concerns currently facing our country."

Students from the old Auxier and Maytown schools that participated in the study in the 1960 may call, 866-770-6077, or email, [projecttalent-study@air.org](mailto:projecttalent-study@air.org). More information about the study is also available online at, [projecttalent.org](http://projecttalent.org).



Floyd Chronicle and Times file photo  
Susan Scott-Goble offers a presentation to students during a Halloween program at the East Kentucky Science Center.

## Scott participates in conference

SPECIAL TO THE FLOYD  
CHRONICLE AND TIMES

East Kentucky Science Center educator Susan Scott-Goble participated in the GEMS (Girls in Engineering, Math and Science) Conference, which was recently held

in Morehead.

More than 300 female students in fourth through 12th grade attended the conference, held with collaboration between Morehead State University and the Girl Scouts of Kentucky Wilderness Road Council.

The GEM Conference has been held annually since 2005.

Scott-Goble led four workshops on 'Bubble-ology'.

"It was a lot of fun. This is one of our most

See SCOTT, Page 11A

# Riverview

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Submitted photo

Bubble-ology participants participate in the Girls in Engineering, Math and Science (GEMS) Conference in Morehead.

**SCOTT**

Continued From Page 10A

requested programs and it was great to participate with the GEMS girls and their Girl Scout leaders," she said.

At the conference, Scott-Goble was observed by Joseph Collins from the Challenger

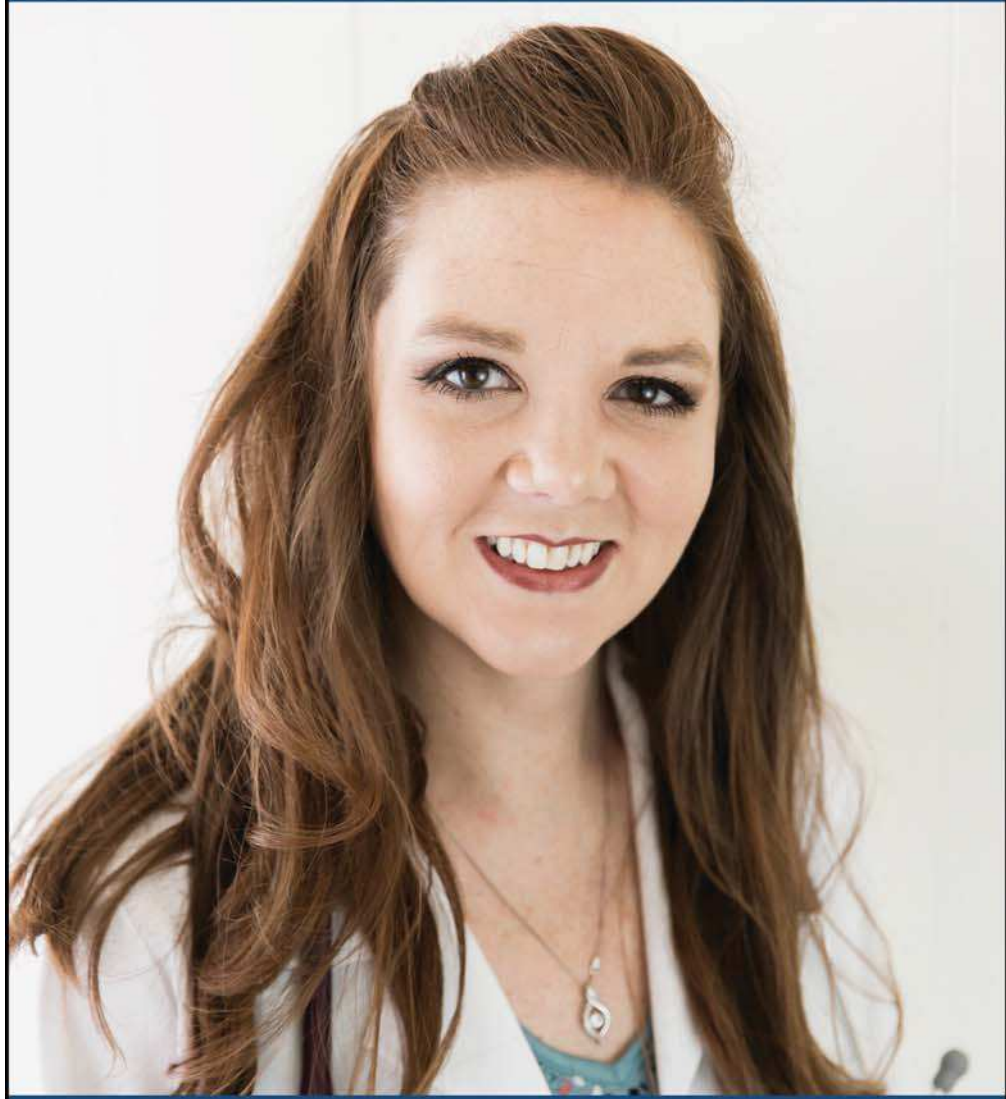
Learning Center in Hazard.

Collins is certified to report on STEM programs using the "Dimensions of Success" system through the PEAR, or "Programs in Education, Afterschool and Resiliency," which is offered through Harvard University. PEAR is geared to help educational programs and school

locate and find resources that match their needs.

Collins' observation was made possible through a grant with the Kentucky Out of School Alliance, BSCTC reported, and it "will boast the East Kentucky Science Center's Bubble-ology program as 'highly recommended' by a certified STEM analyst."

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# Letters To Santa

Santa wants to know what all of you girls and boys want for Christmas. We at the *Floyd Chronicle & Times* have agreed to help him out. Santa can read all your letters right here in our paper! All you have to do is email or mail (Santa prefers email these days) your “Letters To Santa” to one of the following:

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and address.

**All letters must be  
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## All District: Class 3A District 6



Floyd Chronicle and Times photo by Steve LeMaster

Floyd Central quarterback Caleb Hager (1) runs with the ball as running back Josh Whitaker (2) blocks for him in action earlier this season. Hager and Whitaker were both named All-District by the coaches.

By **STEVE LEMASTER**  
SPORTS WRITER

**EASTERN** — A dozen Floyd Central football players have earned Class 3A District 6 honors.

The All-Class 3A District 6 Team was released prior to Thanksgiving.

Belfry head coach Philip Haywood was named the Class 3A District 6 Coach of the Year. A pair of standouts, Lawrence County's Noah

West and Belfry's Avery Browning, were named Co-Class 3A District 6 Players of the Year

Floyd Central's Caleb Hager, Josh Whitaker, Braxton Turner, Trenton Hatfield, Ethan Smith-Mills, Noah Marcum and Brady Jones were among the top honorees.

The Class 3A District 6 honors follow.

**Coach of the Year:** Philip Haywood (Belfry).

**Co-Players of the**

**Year:** Noah West (Lawrence County), Avery Browning (Belfry).

**All-District Team**

Belfry: Ben Bentley, Isaac Dixon, Brett Coleman, Dagen Rash, Austin Lawson, Keaton Tacker, Ethan Wolford, Justin Barker, Grayson Cook and Jacob Baisden.

Lawrence County: Burke Hogan, Ashton Blankenship, Hunter Crum, Dylan Sizemore, Eric Price, Brad Osborne,

Baden Gillispie, Branden Davis and Christian Horn.

Pike Central: Nate Roberts, Issac Thacker, Tanner Hunt, Tyler Hunt, Austin Morrow, Isaiah Hess, Brady Wood and Seth Ferguson.

**Floyd Central:** Caleb Hager, Josh Whitaker, Braxton Turner, Trenton Hatfield, Ethan Smith-Mills, Noah Marcum and Brady Jones.

Sheldon Clark: Daylon Stafford, Branson

Smith, Drake Muncy, Chase Damron, Logan Proctor and Nick Harless.

Honorable Mention

Belfry: Logan Arbogast, Sean Cochran, Austin Blankenship, Austin Fields and Isaiah Birchfield.

Lawrence County: Tanner Rasnake, Kolton Dean, Eric Webb, Danny Hall and Clayton Sullivan.

Pike Central: Issac Hunt, Jacob Young, Shaun May, Logan Sand-

ers and Aaron Slone.

**Floyd Central:** Elijah

Cotton, Brae Coleman,

Dalton Boyd, Brenden

Little, Gavin Martin and

Preston Grace.

Sheldon Clark: Mason

Gordon, Austin Borders,

Brandon Arledge, Jake

Carter, Steven Thompson

and Timmy Ramey.

## Johnson Central eyes state title

By **RANDY WHITE**  
REGIONAL SPORTS EDITOR

**Who:** Johnson Central vs. Franklin-Simpson

**Kickoff:** Saturday, 4:30 p.m.

**Location:** Kroger Field, Lexington.

**Coaches:** Johnson Central, Jim Matney. Franklin-Simpson, Doug Preston.

**Notes:** Johnson Central rolled past Knox Central 59-20 in the Class 4A semifinals, while Franklin-Simpson knocked off Taylor County 33-0 in the other semifinal.

This will be the third straight meeting be-

tween Johnson Central and Franklin-Simpson in the Class 4A state championship game.

The Golden Eagles won the first meeting in 2016 48-0.

Last season, Franklin-Simpson avenged the shutout loss with a 35-21 win over the Golden Eagles.

This will be the rubber match between to two schools.

In last season's championship game, the speed of Franklin-Simpson's Tre Bass was apparent on the first drive. Bass scored on a 30-yard TD run with 7:26 left in

the first quarter to give the Wildcats an early 7-0 lead.

After holding Johnson Central on the Golden Eagles' second drive, Bass struck again for the Wildcats. Bass caught a pass from quarterback Rylan Thomas and he broke a 73-yard TD run. He found the end zone with 3:13 left to play in the first quarter. That pushed the Wildcats' lead to 14-0.

Bass led the way for the Wildcats on offense. Bass rushed the ball seven times for 76 yards and two TDs. He caught one

See **EYES**, Page 2B



Floyd Chronicle and Times photo by Randy White

Johnson Central quarterback Ryley Preece celebrates after scoring the game's first touchdown against Knox Central Friday in the Class 4A state championship.

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# Jaguars set to visit Perry Central, Fleming County

By Steve LeMaster  
Sports Writer

**EASTERN** — After hosting Magoffin County in a season opener on Tuesday, Floyd Central is set to take to the road for back-to-back games.

The Jaguars are slated to visit perennial 14th Region titles contender Perry County Central on Thursday.

In another early-season matchup, Floyd Central is slated to visit Fleming County on Saturday.

Results from the Floyd Central-Magoffin County boys' basketball game were unavailable at press time.

Floyd Central, the reigning 58th District champion, returns senior power forward Brady Conn (6-5). A productive player, Conn scored his 1,000th point during the 2017/2018 season. He is 39 caroms away from reaching 1,000 rebounds for his high school career.

As a junior, Conn averaged 14.4 points and 9.2 rebounds per game for the Jaguars.

In addition to Conn, Floyd Central returns junior guards Ethan Smith-Mills (6 foot 2) and Dalton Boyd (5 foot 10).

Smith-Mills, fresh off a solid

football season, is among the 15th Region's most underrated boys' basketball players.

A versatile performer, Boyd can play either guard position. Due to an injury, Boyd was limited during the 2017/2018 season.

Other returning players for the Jaguars are Grant Blackburn (6 foot 7, Jr., C), Payton Tackett (6 foot 5, Jr., F), Markus Thacker (6 foot 1, Jr., PG), Brady Jones (6 foot 2, Jr., F/C), Hayden Hall (6 foot 2, Jr., G/F), Skyler Hall (5 foot 10, So., G) and Dalton Younce (5 foot 10, So., G).

Newcomers for Floyd Central are Brandon Little (6 foot 5, Jr., F/C), Kobe Brown (5 foot 10, Sr., PG), Jacob Hamilton (6 foot, Sr., G) and Sebastian Tackett (6 foot 2, Sr., F).

Perry Central concluded the 2017/2018 season 20-8. Senior Noah Back (17.7 ppg, 2.6 rpg) is the only returning starter from Perry Central's 2017/2018 team. However, Perry Central has added a pair of guards from nearby Cordia. Senior guard Marquis Frazier (13.4 ppg, 5.9 rpg) and junior guard DeAndre Reed are newcomers for the Commodores.

In addition to Back and the two transfers from Cordia, Perry Cen-

tral will feature 6 foot 6 senior center Noah Caudill (8.9 ppg, 5.5 rpg).

The Commodores, under the direction of head coach Shannon Hoskins, fell to Knott Central in the 2018 14th Region Boys' Basketball Tournament semifinals. Perry Central competes with crosstown rival Hazard, Leslie County and Buckhorn in the 54th District.

Former 14th Region powerhouse Perry Central will entertain Floyd Central in its season opener.

Tip-off for the Floyd Central-Perry Central boys' basketball game is set for 7:30 p.m.

Fleming County finished the 2017/2018 season with an 11-20 record. The Panthers lost to longtime rival Rowan County in the quarterfinals of the 2018 61st District Boys' Basketball Tournament.

Injuries plagued Fleming County throughout the 2017-18 season. Junior guard Kaleb Flannery (10.9 ppg) is the top player back for the Panthers.

Fleming County competes with Rowan County, Menifee County and Bath County in the 61st District. Head coach Chris Stapleton guides the Panthers.

Tip off for the Floyd Central-Fleming County boys' basketball game is set for 5:30 p.m.



Floyd Chronicle and Times photo by Randy White

**Johnson Central's Alex Horn pressures the Knox Central quarterback in action last Friday night in the Class 4A state semifinals.**

# Blackcats set to visit Leslie County

By **STEVE LEMASTER**  
SPORTS WRITER

**PRESTONSBURG** — Following its season opener on the road at 15th Region rival Pike Central on Tuesday, Prestonsburg is preparing to visit Leslie County. The Blackcats are slated to travel to Leslie County on Thursday.

Results from the Prestonsburg-Pike Central boys' basketball game were unavailable at press time.

Brent Rose is guiding Prestonsburg in his first season as the Blackcats' head coach. Prestonsburg finished runner-up to Floyd Central in the 58th District and compiled a 14-19 overall record last season.

Returning starters from the 2017/2018 season for the Blackcats are juniors Adam Slone (10 ppg)

and Graham Burchett (eight ppg) and sophomore Grant Justice (five ppg, six apg).

Senior Blake Slone is also back on the court for the Blackcats. Blake Slone leads Prestonsburg inside.

In addition to Blake Slone, Prestonsburg features another senior, Josh Hall, who transferred from Betsy Layne.

Sophomore Will Gullett and senior Andrew Hale (6-4) are additional key contributors for 58th District member Prestonsburg.

After finishing runner-up to Floyd Central in the 58th District, Prestonsburg fell to perennial 15th Region title contender Johnson Central in the 2018 15th Region Boys' Basketball Tournament quarterfinals.

Veteran assistant coach Justin Rice is guiding the Eagles in

his first season at the helm of the Leslie County boys' basketball program. Rice replaced longtime Leslie County head coach Daniel Day.

The Eagles ended the 2017-18 season 15-9. Leslie County lost to longtime rival Perry County Central in the the 2018 54th District Boys' Basketball Tournament quarterfinals.

All five starters from Leslie County's 2017-18 team are gone. Leslie County lost standout Darron Whitaker to Knott County Central following a transfer.

Tip-off for the Prestonsburg-Leslie County boys' basketball game is set for 7:30 p.m.

**LOOKING AHEAD:** On Monday, Dec. 3, Prestonsburg is scheduled to visit 15th Region foe Phelps. Tip-off for the Prestonsburg-Phelps boys' basketball game is set for 7:30 p.m.

## EYES

**Continued From Page 1B**

pass for a 73-yard TD and a TD.

On Franklin Simpson's third possession, the Wildcats put together a 50-yard drive. Thomas scored on an one-yard sneak with 9:50 left in the first half to push the lead to 21-0.

Thomas was six for seven passing with 195 yards and a TD. He also had a rushing TD.

The Golden Eagles hadn't had any success on offense until Riley Preece found Seth Dalton for a 49-yard TD pass. Dalton got behind the defense on a go route. That score cut the lead to 21-7 and gave Johnson Central some life.

Preece led the way for Johnson Central. Preece was four for nine passing for 180 yards and two TDs. Dalton caught two passes for 111 yards and two TDs.

The Johnson Central run game was ineffective.

The Golden Eagles only rushed for 66 yards on the game.

Franklin-Simpson held a 21-7 lead at half-time.

Bass struck again to open the third quarter of play. Bass scored on a 16-yard run with 8:03 to push the lead to 28-7.

The Golden Eagles went back to the air. Preece found Adkins again, this time it went for a 62-yard TD pass to cut the lead to 28-14 with 3:36 left in the third.

Franklin-Simpson put together a drive on its next possession. A 16-play 92-yard drive that lasted 8:53 seconds. Carlos McKinney capped the drive off with a three-yard TD run with 6:35 left in the game to seal the win.

Johnson Central didn't quit, though. The Golden Eagles added another score. Blake Gamble found the end zone on a seven-yard TD run with 1:08 left in the game.

Gamble finished the game with 33 yards on the ground on nine carries and the TD. Devin Johnson followed with 29 yards.

Bass returns for the Wildcats this season and he has a back that com-

pliments him well in Carlos McKinney.

Bass leads the team in rushing with 1,963 yards and 29 TDs on 157 carries. McKinney is right behind with 1,632 yards and 21 TDs.

The Wildcats do have a different starting quarterback this season in Luke Richardson. Richardson is 36 for 66 passing for 695 yards and nine TDs with six interceptions.

Johnson Central has Joe Jackson and most of its starters back from last season and the Golden Eagles are rolling.

The Golden Eagles have scored at least 50 points in all four playoff games.

Last week, quarterback Ryley Preece led the way for the Johnson Central offense. He rushed for 141 yards and three TDs on seven carries and was three for three passing for 75 yards.

Jackson rushed for 179 yards and two TDs on 11 carries.

Devin Johnson added 103 yards and a score on 11 carries for the Golden Eagles.

The defense had 3.5 sacks last week. Alex Horn had two sacks and Hunter McCloud added 1.5 sacks.

**Who 2 Watch:** For Johnson Central, Joe Jackson.

Jackson didn't play in the state title game last year.

But he has state championship experience.

As a sophomore, Jackson was named the MVP of the 2016 state championship game.

He's bounced back strong this season after missing all of last season with a season ending knee injury in the opening game of his junior season.

This season, Jackson has rushed for 2,203 yards and 29 TDs on 199 carries.

He has his second 2,000 yard season in his career at Johnson Central.

Jackson will look to be the extra piece that brings home another state championship for Johnson Central.

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# Panthers look to bring home state championship

**By RANDY WHITE**  
REGIONAL SPORTS EDITOR

**Who:** Pikeville (11-2) vs. Beechwood (11-2)  
**Kickoff:** Friday, 2:00 p.m.

**Location:** Kroger Field, Lexington.

**Coaches:** Pikeville, Chris McNamee. Beechwood, Noel Rash.

**Notes:** Pikeville knocked off Raceland 38-19 last week in the Class A semifinals, while Beechwood knocked off Campbellsville 48-13 in the other semifinal.

Pikeville fell short of making the state championship last season.

The Panthers were driven to make it there this season.

Pikeville is making its first state championship appearance since the Panthers won the title in 2015.

Beechwood is looking to win its third straight state championship. The Tigers knocked off Hazard 21-13 in 2016 and knocked off Raceland 41-0 last season.

The Panthers and the Tigers faced off for the state championship in 2015. Pikeville won that game 42-28.

Pikeville and Beechwood's numbers are pretty similar this season.

Both teams boast an 11-2 record.

Pikeville has scored 561 points this season, while the Panther defense has given up 199 points.

Beechwood has

scored 556 points and given up 172 points.

Pikeville quarterback Connor Roberts led the way for the Panthers against Raceland. Roberts was nine for 13 passing for 55 yards and a TD. Connor Roberts did most of his damage on the ground with 156 yards and a TD on 27 carries.

Jackson Hensley threw a 32-yard TD pass. He caught four passes for 27 yards and a TD.

Christian Billiter led the wide receivers with four catches for 40 yards and a TD.

Jon Collum had 75 yards and a TD on three carries. Cody Raines had 50 yards on the ground on five carries.

Billiter added an interception.

On the season, quarterback Cameron Hergott leads the Tiger offense. Hergott is 95 for 156 passing for 1,597 yards and 22 TDs with seven interceptions. He is second on the team in rushing with 442 yards and six TDs on 69 carries.

Logan Castleman leads the Tiger running attack with 1,593 yards and 28 TDs on 185 carries.

John Odom leads the Beechwood receivers with 31 catches for 617 yards and six TDs. Mason Williams follows with nine catches for 205 yards and two TDs. Hank Birinelli has 12 catches for 219 yards and three TDs. Duncan Baugh leads

Beechwood with eight sacks.

Odom leads the Tigers with five interceptions. Williams and Castleman each follow with four interceptions.

**Who 2 Watch:** Pikeville quarterback Connor Roberts.

Roberts is one of the top dual threat quarterbacks in the state.

He leads the Panthers in throwing and rushing.

Roberts is 97 for 155 passing for 1,907 and 24 TDs with five interceptions. He also leads the team in rushing with 1,245 yards and 18 TDs on 138 carries.

Roberts is a problem that opposing defenses just can't solve.

He has so many weapons to work with on offense.

The Panthers have a slew of players who can run the ball and they have a ton of top level receivers as well.

If you try and take the pass game away from Roberts, he will just run the ball.

If you try and take away the run game, he will just throw the ball to all of his athletic receivers.

If Roberts can continue his level of play against Beechwood, Pikeville might be able to add another state championship to their trophy case.



Floyd Chronicle and Times photo by Cory Vance  
Pikeville's Christian Billiter heads to the end zone for a pick six after an interception against Raceland last Friday.

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Ads will be printed at publisher's discretion. Publisher not responsible for results, parties responding to or placing ads.

**TO OUR READERS**

**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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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.



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**LEGALS**

**PUBLIC NOTICE**

Pursuant to 405 KAR 8:010, Section 16(5), the following is a summary of permitting decisions made by the Department for Natural Resources, Division of Mine Permits with respect to applications to conduct surface coal mining and reclamation operations in Floyd County. FLOYD, SPUR-LOCK MINING, LLC, 836-5616

**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.



**LEGALS**

FLOYD, SPUR-LOCK MINING, LLC, 836-5668  
FLOYD, SPUR-LOCK MINING, LLC, 836-8078

**ADVERTISE- MENT FOR BIDS**

Sealed bids for the public housing Modernization project KY 36 P 035-501(18) will be received by The Housing Authority of Prestonsburg, Kentucky, on December 11, 2018, at 1:30 p.m., (local time), and then at said office publicly opened and read aloud. The Project consists of: Bathroom 7 Kitchen Upgrades The information for Bidders, Form of Bid, Form of Contract, Drawings, Specifications and other contract documents may be examined at the following locations: C S Design, Inc. 1088 Wellington Way Lexington, Kentucky 40513 The Housing

**LEGALS**

Authority of Prestonsburg #12 Blaine Hall Street Prestonsburg, Kentucky 41653 Additional information is provided in the bidding documents. Copies of the bidding documents may be purchased at the following location to be eligible to submit a bid for this project. Lynn Imaging 328 Old Vine Street Lexington Kentucky 40507 Telephone: (859)255-1021 Attention: Plan Distribution Department www.lynnimaging.com A Pre-Bid Conference will be held on November 29, 2018, at 1:30 a.m. (local time) at the Housing Authority's main office for purposes of answering Bidders' questions and to consider any suggestions. The Housing Authority of Prestonsburg By: Rhonda Burchett, Executive Director

**LEGALS**

**PUBLIC NOTICE**

Notice is hereby given that Gilbert Stambaugh has filed an application with the Energy and Environment Cabinet for placement of 120'x225' fill in the right descending floodplain of Little Paint Creek at about stream mile 1.1 with coordinates of N 32.733535, W

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**PUBLIC NOTICE**

**Southern Water & Sewer District**

Our regularly scheduled board meeting on Monday, Dec. 24, 2018 has been rescheduled for **Monday, Dec. 10, 2018, at 5 p.m.**

Thank You

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**NOTICE (Of Final Settlement)**

**COMMONWEALTH OF KENTUCKY COUNTY OF FLOYD...SCT**

I, Douglas Ray Hall, Clerk of the Floyd District Court, do hereby certify that the following Settlements of Estates have been filed in my office. Anyone desiring to take exceptions to said Settlements must do so on or before DECEMBER 26, 2018 at 10:00 am.

SETTLEMENT	CASE NUMBER	ESTATE OF:	FIDUCIARY	DATE FILED
FINAL	15-P-458	E J PITTS	CAUSETTA BRYANT, BONNIE DAVIDSON, BEULAH PRICE	11/11/15
FINAL	16-P-16	JOHNNY HALL	JESSICA SHEPHERD	1/14/16
FINAL	16-P-289	BEATRICE HAMILTON	LINDA BARTLEY	7/25/16
FINAL	17-P-181	MAGDALENE SLONE	RAY SLONE	4/25/17
FINAL	17-P-386	JOYCE BURKE	KIM ISAAC	10/6/17
FINAL	17-P-402	BILLY MAY	PATRICIA GIBSON	10/19/17
FINAL	17-P-438	IRISH DOUG COOLEY	DELLA COOLEY	11/15/17
FINAL	18-P-103	EVERETT BLANTON	CAROL BLANTON	3/8/18
FINAL	18-P-119	DEBORAH GOEBEL	LEWIS THOMAS	3/19/18
FINAL	18-P-176	BETTY MULLINS	ANITA MULLINS	4/23/18
FINAL	18-P-185	WALTER GEARHEART	SHARON GEARHEART	4/27/18

**LEGAL NOTICE: NOTICE OF APPOINTMENT**

**COMMONWEALTH OF KENTUCKY COUNTY OF FLOYD**

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

DATE OF APPOINTMENT	CASE NUMBER	ESTATE OF:	FIDUCIARY	ATTORNEY
10/24/18	18-P-404	JERRY A. MULLINS	PRISCILLA COMPTON	
10/25/18	18-P-406	MELISSA LIKENS	KATELYN ROBERTS	
10/30/18	18-P-412	PRISCILLA TACKETT	PATRICIA HUNTER-KIDD	TAMMY SKEENS
11/1/18	18-P-414	EDITH HANSFORD	DONALD HANSFORD	
11/1/18	18-P-416	JOSEPH TACKETT, JR.	KIMBERLY TACKETT	GREGORY ISAAC
11/1/18	18-P-417	PATSY COLLINS CASE MITCHELL	MICHELL SODE & STACI NUNEMAKER	
11/5/18	18-P-419	EULA STUMBO	GWENDOLYN HAMMONDS	
11/5/18	18-P-421	JULIUS ISAAC	SHERRY CONINE	
11/5/18	18-P-422	EDITH ISAAC	SHERRY CONINE	
11/5/18	18-P-423	PHYLLIS BRANHAM	ROSCOE BRANHAM	
11/6/18	18-P-424	PAULINE CONN AKERS	PAUL AKERS	ANTHONY CRAIG DAVIS
11/7/18	18-P-426	DON CRAFT	SAMANTHA SCOTT	VIRGINIA BAIRD
11/8/18	18-P-429	MARGARET WRIGHT	CHADWICK WRIGHT	
11/15/18	18-P-431	CLARENCE MARTIN	MARY LOU BAILEY	LORRAINE NEELEY
11/16/18	18-P-433	EMOGENE BURKE	DELLA OMEROD	JENNIFER ELLIOTT
11/16/18	18-P-435	EDWARD STUDER	MARTHA HUFF	
11/19/18	18-P-437	KATHLEEN MANUEL	PHYLLIS BARE	
11/20/18	18-P-439	WILLIAM POTTER	HAROLETTA POTTER	
11/20/18	18-P-440	SALLY MILLER	JEFFRY MILLER	

**Project Director**

Operation UNITE is seeking a full-time Project Director for the "Rural Health Opioid Outreach Project" in the Kentucky River region. The position requires travel throughout Knott, Lee, Leslie, Letcher, Owsley, Perry and Wolfe counties. Qualifications shall include a Bachelor's degree in social services, health care, education, or related field, 5 years experience working with public service organizations, or equivalent combination of education and experience; competency in Microsoft applications (including Excel, Word, and Outlook); and ability to communicate effectively. Contact Debbie Trusty for questions and additional details (dtrusty@centertech.com) (606-889-0422).

A cover letter and resume should be submitted to:

**Debbie Trusty via email to**  
**dtrusty@centertech.com or mailed to**

**100 Resource Drive,**  
**Prestonsburg, KY 41653.**

**Resumes must be received by 5 pm**  
**Friday, December 14, 2018**



LEGALS	LEGALS	LEGALS	LEGALS	LEGALS	LEGALS	LEGALS	LEGALS	LEGALS
82.787454 near Auxier, Floyd County. Directions to the	site are as follows: US 23 North from Prestonsburg to	Bays Branch/Highlands Regional Connector Road. Turn right	for 200', then left onto State Rt. 1100 N for 1.5 miles. Site is on	left near the mouth of Crider Branch Road. Any comments or	objections concerning this application shall be di-	rected to: Kentucky Division of Water, Surface Water Permit	Brnach, Flood Plain Management Section, 200 Fair Oaks Lane,	Frankfort, Kentucky 40601. Phone (502) 564-3410.

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