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# The Times

FLOYD COUNTY

Serving the citizens of Floyd County since 1927

JAN 1 2013

### INS

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Vol. 1

### Jack Staff W

PR1

A Pike County man was indicted last week on a charge of murder, resulting from a police chase which led to a fatal car accident. James E. Mace, 22, of Pikeville, was indicted on one count of murder and one count of first-degree as-



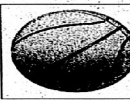
### WEATHER

Chance of snow today. High of 42. Low of 23.



### SPORTS

Belfry, Betty Lane square off .... B1



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WEDNESDAY, DECEMBER 26, 2012

75 cents

## Mace indicted for murder in fatal car wreck



MACE

the 2000 Chevrolet Malibu which crashed into Jack-

sault for his part in a May 15 car accident which claimed the life of 63-year-old Brenda Montgomery. Mace was the driver of the 2000 Chevrolet Malibu which crashed into Jack-

and her passenger, Elsie Oakley. Montgomery was transported to Highlands Regional Medical Center, where she was pronounced dead by Floyd County Coroner Greg Nelson. Oakley was transported to Highlands Regional Medical Center and then airlifted to Cabell Huntington Hospital. Police officials said, at

the time of the accident, Mace was fleeing from sheriff's deputies who had spotted him and his passenger, Jonathan Crider, melting copper at an old strip mine. Deputies reported losing track of the vehicle when they reached the main road. Moments later, Mace's vehicle collided head-on with Montgomery's on Route 114.

Mace was previously charged with two counts of first-degree wanton endangerment, receiving stolen property, first-degree fleeing or evading police, criminal trespassing, and tampering with physical evidence.

As emergency crews worked to free Mace from the vehicle, they first had to wedge through and re-

move a large quantity of stolen wire that the two had allegedly been stripping on a nearby strip mine. Mace and Crider were also airlifted to Cabell Huntington Hospital. A pre-trial conference is scheduled for April 18. Mace is currently serving time in the La Grange State Penitentiary.

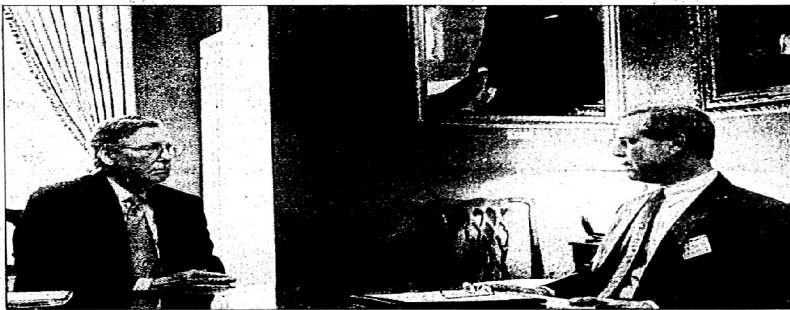


Photo courtesy Sen. McConnell's press office

Senator McConnell meets with acting Health and Human Services General Counsel Bill Schultz to discuss the potential for crushable generic painkillers entering the market and their likely impact on Kentucky.

## Officials push to prevent crushable painkillers

Ralph B. Davis  
Managing Editor

WASHINGTON, D.C. — While most officials in the nation's capital were consumed by negotiations over the looming fiscal cliff, two Kentucky lawmakers were sending a warning about another deadline with potentially deadly consequences.

U.S. Rep. Hal Rogers and Sen. Mitch McConnell each sounded the alarm last week over patents expiring next month on prescription narcotics such as Oxycodone and Opana. Once the patents expire, generic versions of the two drugs will be allowed on the market.

What worries the two men, however, is that the generic versions of the drugs might lack some of the safeguards the commercial versions have.

Oxycodone and Opana each have tamper-resistant coatings which, while not foolproof, are believed to deter abuse. The coatings make it more difficult for abusers to crush the pills in an attempt to bypass their extended-release mechanism.

Rogers issued a statement last Tuesday, asking the Food and Drug Administration to act

before Jan. 1 to require generic manufacturers to also implement tamper-resistant coatings.

"After Oxycodone came on the market 15 years ago, a wave of overdose deaths devastated entire towns in my region of Appalachian Kentucky before spreading like wildfire to big cities and suburban communities across the country," Rogers said. "By crushing these pain pills, abusers can experience an euphoric high, but oftentimes deadly high. But today, the FDA has an opportunity to keep these crushable pills out of our children's reach. A number of prescription medicines already on the market use tamper-resistant technologies that can cut back on abuse. No generic pill should come to market without these life-saving features."

McConnell went a step further, calling Bill Schultz, acting general counsel for the Department of Health and Hu-

man Services, to his office last Wednesday to express his concerns in person.

"Prescription drug abuse is a significant problem in Kentucky that will be made worse by the imminent availability of these crushable pain pills and I encourage the Administration to take action immediately to avert the looming threat to Kentucky from these frequently-abused, crushable pain pills," McConnell told Schultz.

McConnell said he has heard concerns from

law enforcement, hospitals and health clinics in Kentucky that these generic crushable drugs lack the tamper-resistant gel coating of the brand name drugs. He fears that if the new generics come to market without the tamper-resistant coating, much of the work that law enforcement and health care providers have done to stem the tide of pain pill abuse in Kentucky will be lost.

**"By crushing these pain pills, abusers can experience a euphoric — but oftentimes deadly — high."**

— Hal Rogers  
Kentucky congressman



file photo by Jack Latta

The Strand Twin Theater, which had been slated to close in two weeks, may remain open, if a proposed deal to sell the theater goes through as expected.

## Tentative buyer steps forward to save Strand

Ralph B. Davis  
Managing Editor

PRESTONSBURG — The announced closure of the Strand Twin Theater may be averted, as a tentative buyer has stepped forward to rescue the cinema.

Owner-operator J.T. Absher said earlier this month that declining sales, as well as the upcoming industry-

wide conversion to digital projector systems, had left the Strand without a viable way forward and that the theater would be closing Jan. 6. That closure, however, now may not happen.

The tentative buyer, who has asked not to be identified until the deal is final, plans to continue to

See STRAND | B2

## Inmate charged with attacking guard

Jack Latta  
Staff Writer

PRESTONSBURG — An inmate at the Floyd County Detention Center could see significantly more time added to his sentence after allegedly assaulting a guard.

According to court records, Jeremy Ison, 39, of Pikeville, was charged last week with four counts of third-degree assault for allegedly attacking guard Parker DeRossett.

In the complaint, DeRossett alleges he opened Ison's

cell door Dec. 12 to give him his tray of food, when the prisoner ran forward and attempted to spit on him. The inmate was forcibly restrained and during the confrontation allegedly bit DeRossett's left hand.

Ison was being held in the jail on a charge of driving under the influence, with a \$200 cash bond. His bond has now been set to \$50,000.

Third-degree assault is a class D felony, punishable by up to 5 years in prison, and \$10,000 in fines.

## Judge freezes questionable credit card

Jack Latta  
Staff Writer

PRESTONSBURG — An order to freeze former David School director Danny Greene's credit card was issued in Floyd County court after the school alleged questionable expenses charged to the account.

On Wednesday, The Times reported on a motion filed Dec. 14 by the David School's attorney, Michael Endicott, which noted an existing credit card account with a bill of over \$2,000.

Prestonsburg attorney Ned Pillersdorf, who serves as vice chairman of the school's board, said in an affidavit that the charges appear to be mostly unrelated to school functions, and included charges in at

least five different states.

At least one of the charges listed on the account was a single charge of \$32.35 to Adult World Factory Outlet, in Widener, Ark.

During the court hearing Friday, Judge Johnny Ray Harris said the credit card charges were troubling and issued a court order freezing the account.

The motion also called into question some tax liability with which the David School had been saddled.

According to Pillersdorf, Greene subjected the school to a tax bill of \$33,919.33 by failing to pay withholding tax

**Former David School director Greene also is accused of subjecting the school to a tax bill of \$33,919.33 by failing to pay withholding tax to the government, even after it had been deducted from employee paychecks.**

to the government, even after it had been deducted from employee paychecks, and failing to file required forms.

"I have no hesitancy in representing to the court, that he (Greene) caused these charges," Pillersdorf said.

Pillersdorf was accompanied in court by attorneys from the

state Attorney General's Office, who indicated they would refer the matter of the tax liabilities to the prosecutorial division to address criminal aspects of the case.

They also said they would try to help the David School with resolve the matter with the Internal Revenue Service.

A final item of the motion was addressed in court, concerning a piece of property the school bought from Greene in 2005, at a price of \$157,000, consisting of two tracts of land. Pillersdorf says that a clerical error only accounted for one tract in the actual deed.

Pillersdorf said that school

is currently in negotiations to sell the property and asked that a quitclaim deed be issued to establish both tracts as being part of the property to be sold. Greene and his wife only signed one of the deeds, leaving ownership of the other piece of land in question.

The motion asks for Greene and his wife to sign a quitclaim deed for the other piece of land so that the sale could move forward.

Judge Harris agreed that the deed in question was for both tracts of land, and entered an order for the Greenes to sign a quitclaim deed.

Pillersdorf added that with the sale of the property, and a resolution to the tax liability issue, the school could be financially on solid footing again.

# Obituaries

## Charlotte Elaine Guess

Charlotte Elaine Guess, 72, of Prestonsburg, widow of Johnnie Guess, died Dec. 22, 2012, at Prestonsburg Health Care.

Born Nov. 23, 1939, in Woodland, Calif., to the late Charlie and Grace Late George, she was a homemaker and a member of the St. Vincent Mission Church, at David.

She is survived by three sons, James Robert Guess and Willard David Guess, both of Prestonsburg, and Charley Edward Guess, of Owingsville; two daughters, Carol Mae Guess of Arkansas, and Cheryl Marie Guess, of Prestonsburg; a brother, Charles George, of Washington; a sister, Louise Want, of California; 19 grandchildren; and 13 great-grandchildren.

She was preceded in death by a brother, J.B. George, and a sister, Laura

Richardson.

Funeral services for Charlotte Elaine Guess will be held at 11 a.m., Wednesday, Dec. 26, at Nelson Frazier Funeral Home, in Martin, with Ron Peckett officiating. Burial will follow in the Guess Family Cemetery, at Flat Gap.

Visitation will be held after 6 p.m., Christmas, at the funeral home.

In lieu of flowers, please make donations to Nelson Frazier Funeral Home, P.O. Box 1609, Martin, KY 41649.

Nelson Frazier Funeral Home, of Martin, is in charge of arrangements.

www.nelsonfrazierfuneralhome.com

## Jerry Lewis

Jerry Lewis, age 62, of Stanville, husband of Doris Jean Lewis, passed away Friday, Dec. 21, 2012, at his residence.

He was born May 17, 1950, at Banner, a son of

the late Frederick Charles and Gertrude Osborne Lewis. He was a retired track press operator at Brandeis Machinery and a member of the Freewill Baptist Church.

In addition to his wife, Jerry is survived by a son, Mark (Brenda) Hunt, of Westland, Mich.; three daughters, Michelle Leigh (William "Bub") Boyd, Kimberly Dawn (Brandon) Hall, and Donna Lynn (Scott) Reed, all of Banner; five brothers, Danny Lewis, Roger Lewis, Jimmy Dale Lewis and Jeff Lewis, all of West Liberty, and Earnest Lewis, of Prestonsburg; a sister, Ruby Jean Lewis, of Stout, Ohio; 14 grandchildren, Ashley, Amy, Ryan, Tyler, Brady, Gracie, Stacy, Chris, Austin, Sara, Stevie, Kenzie, Logan and April; and five great-grandchildren.

He was preceded in death by his parents; a daughter, Tammy Hunt;

and a brother, Ralph Lewis.

Funeral services for Jerry Lewis will be held at 11 a.m., Saturday, Dec. 23, in the Hall Funeral Home Chapel, in Martin, with Mark Hunt officiating. Burial will follow in the Davidson Memorial Gardens, at Ivel.

## Jennifer Lynn Rogers Ousley

Jennifer Lynn Rogers Ousley, 30, of McDowell, died Tuesday, Dec. 18, 2012, at Hazard ARH.

She was born Feb. 14, 1982, to Phillip Rogers, of Harold, and Beatrice Meade, of McDowell. She was the wife of Thomas Dale Ousley, of McDowell.

She was preceded in death by her grandfather, George Meade. She is survived by a brother, Michael Lee Rogers and his wife, Beckie, of McDowell; grandparents, John and Inez Rog-

ers, of Harold, and Vern Edith Ratliff, of Stanville; nephews, Tristen Rogers, Clayton Rogers and Dalton Rogers; as well as a host of aunts, uncles, family and friends.

Funeral services were held Saturday, Dec. 22, at Nelson Frazier Funeral Home, in Martin, with Ronnie Samons and Church of Christ ministers officiating. Burial followed the service in the Jeff Hunter Cemetery, at Printer.

Nelson Frazier Funeral Home, of Martin, was in charge of arrangements.

www.nelsonfrazierfuneralhome.com

## Judy Ann Pack

Judy Ann Pack, 68, of Science Hill, died Wednesday, Dec. 19, 2012, at Lake Cumberland Regional Hospital.

She was born May 9, 1944, to the late Laura Robinson Henry. She was the wife of the late Don Pack Sr. Judy was a retired

Subway manager and a member of the Eubank Baptist Church, of West Science Hill.

She is survived by her sons, Don Pack Jr. (Cindy), of Science Hill, and David Pack (Kim), of Pikeville; brothers, Kenneth Henry and Charles Henry, both of South Carolina; sisters, Friscilla Walker and Betty Henry, both of South Carolina; grandchildren, Jessica, Jeremy, Casey, Colby, Chelsey, Collins, Blair and Haylee; great grandson, Carson David; and a host of nieces and nephews.

Funeral services were held Sunday, Dec. 23, at Nelson Frazier Funeral Home, in Martin, with Ted Shannon officiating. Burial followed the service in the Lucy Hill Cemetery, at McDowell.

Nelson Frazier Funeral Home, of Martin, was in charge of arrangements.

www.nelsonfrazierfuneralhome.com

# Aid for heating emergencies begins

Ralph B. Davis  
Managing Editor

After helping over 8,500 households obtain heating assistance over the past two months, Big Sandy Area Community Action Program is preparing for the next stage of heating assistance.

Big Sandy ACP will begin accepting applications Jan. 7 for the crisis component of the Low-Income Home Energy Assistance Program. Applications will be accepted on a first-come, first-served basis until March 31, or until funds are depleted.

The crisis portion of LIHEAP is intended to assist households experiencing heating emergencies.

Households are considered to be in a home heating crisis in any of the following circumstances:

- The household is within four days of running out of fuel if bulk fuel (coal, fuel oil, propane, kerosene, or wood) is the primary heating source.

- The household has received a disconnect notice if natural gas or electric is the heating source.

- The household's home heating costs are included in the rent and the household has received an eviction notice for non-payment of rent.

To be eligible for Crisis assistance, households must verify their address, verify a heating crisis exists and meet federal income eligibility guidelines. Applicants also must apply in their county of residence.

In addition, applicants must present the following:

- Proof of household income for prior month;

- Birthdates for all household members;

- Social security card or official documentation with social security numbers for each member of household.

Big Sandy ACP provided \$1.3 million to 8,543 households in Floyd, Johnson, Magoffin, Martin and Pike counties during LIHEAP's subsidy component.

"This year saw many people in the region lose their jobs - and their incomes," noted BSACAP Executive Director James Michael Howell.

"Without LIHEAP, many of these individuals wouldn't have been able to heat their homes or keep their families warm."

"In addition to helping people in need, LIHEAP also put money into the local economy by directly paying fuel vendors."

In Floyd County, applications for the LIHEAP crisis component will be accepted at Big Sandy ACP's local office, located at 60 Court Street, in Allen, from 8 a.m. to 4:30 p.m., beginning Jan. 7. The telephone number is (606) 874-3595.

In surrounding counties, applications will be taken at the following BSACAP service offices from 8 a.m. to 4:30 p.m.:

**Johnson County**  
230 Court Street  
Paintsville, Ky.  
606-789-6515

**Magoffin County**  
131 S. Church Street  
Salyersville, Ky.  
606-349-2217

**Martin County**  
387 E. Main Street  
Inez, Ky.  
606-298-3217

**Pike County**  
478 Town Mountain Road  
Pikeville, Ky.  
606-432-2775

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# Celebrate the New Year with 10 free flowering trees from the Arbor Day Foundation

Residents of Kentucky can ring in the New Year with 10 free flowering trees by joining the Arbor Day Foundation any time during January 2013.

By becoming a part of the nonprofit Arbor Day Foundation, new members will receive two white flowering dogwoods, two flowering crabapples, two Washington hawthorns, two American redbuds and two goldenrain trees. "These beautiful trees will give your home in Kentucky lovely flowers with pink, yellow and white colors," said John Rosenow, founder and chief executive of the Arbor Day Foundation. "These trees are perfect for large and small spaces, and they will provide food and habitat for songbirds."

The free trees are part of the Foundation's

Trees for America campaign.

The trees will be shipped postpaid at the right time for planting, between February 1 and May 31, with enclosed planting instructions. The 6- to 12-inch tall trees are guaranteed to grow or they will be replaced free of charge.

Members will also receive a subscription to the Foundation's bimonthly publication, Arbor Day, and The Tree Book, which includes information about tree planting and care.

To become a member of the Foundation and to receive the free trees, send a \$10 contribution to TEN FREE FLOWERING TREES, Arbor Day Foundation, 100 Arbor Avenue, Nebraska City, NE 68410, by Jan. 31. Kentucky residents can also join online at arborday.org/january.

## Strand

From Page A1

keep the Strand open on an uninterrupted basis. If the deal goes through, the theater would remain open on weekends until March, then expand to seven days a week after March.

In addressing the challenge of digital conversion,

the tentative buyer has already obtained one digital projector.


Plans call for both screens to continue showing movies, with one showing digital movies and one showing 35 mm film.

The tentative buyer also has other plans to expand

some of the offerings at the theater, including private rentals and live performances.

The deal to transfer the theater could be finished as early as later this week. The Floyd County Times will have full details of the deal, if and when it happens.

In Loving Memory



**Heath Adam "Buddy" Adkins**

**Merry Christmas!**  
Every day without you, since you had to go, is like summer without sunshine, and winter without snow. I wish that I could talk to you. There's so much I would say. Life has changed so very much, since you went away. I miss the bond between us, and I miss your kind support. You're in my mind and in my heart, and every Christmas thought. I'll always feel you close to me, and though you're far from sight, I'll search for you among the stars that shine on Christmas night. We love and Miss You Forever in our hearts  
Love: Mom, Dad, Jeannette, Renee and Family

08/09/67 - 05/31/11

# Community Calendar

*Calendar items will be printed as space permits*  
**Editor's note:** To announce your community event, you may hand-deliver your item to The Floyd County Times office, located at 263 S. Central Avenue, Prestonsburg, or mail to: The Floyd County Times, P.O. Box 390, Prestonsburg, KY 41653; or fax to 606-886-3603; or email to: [fctfeatures@floydcountytimes.com](mailto:fctfeatures@floydcountytimes.com). Information will not be taken over the telephone. All items will be placed on a first-come, first-served basis as space permits.

## Dance Like an Egyptian

The University of Pikeville School of Dance will be offering Middle Eastern dance, commonly known as belly dancing, for teens and adults during the spring semester.

Classes will be taught on Wednesdays from 2-3 p.m. and from 7-8 p.m. Additional times may be arranged. Classes begin on Wednesday, Jan. 16, at the UPike Ridenour Dance Studios, Renard Memorial Building, level two. Cost is \$150 for the semester.

For more information, call the dance studio at (606) 218-5751.

## Kudzu seeking submissions

Do you have a poem or a story to share? HCTC's literary magazine, Kudzu, is seeking submissions for its Spring 2013 issue. Send your original poetry, short stories, flash fiction, and creative nonfiction. Submissions must be in either Word or as an RTF and uploaded as attached documents at <https://kudzu.submittable.com/> submit. Please upload each poem, story, or essay separately.

No snail mail submissions will be accepted. Please contact Instructor Savannah Sipple at [ssipple001@kctcs.edu](mailto:ssipple001@kctcs.edu) or at 487-3547 for more detailed submission guidelines. Deadline is Jan. 15, 2013.

## Floyd County Job Club

The Floyd County Job club meets every Thursday, from 11 a.m. until noon, at the Kentucky Career Center Office of Employment and Training, in Prestonsburg. This free job club is sponsored by Eastern Kentucky Concentrated Employment Program, Big Sandy Area Community Action Program and the Office of Employment and Training. At the club, you will get job leads, job search advice and networking opportunities that will help you get hired. All are welcome and first-time visitors are encouraged to come one hour early for a new member orientation. Call (606) 886-2948, for more information.

## Quit smoking

Are you ready to kick the tobacco habit for good? The Cooper/Clayton Method to Stop Smoking can help. Classes are ongoing at Saint Joseph - Martin on Mondays, at 10:30 a.m., in the Seton Complex Lower Level Conference Room.

For more information, call 285-6892. The Cooper/Clayton Method to Stop Smoking Program is made available to Kentuckians through the Kentucky Cancer Program and its partners.

## Communities Against Drug Addiction

Floyd County Communities Against Drug Addiction meets at noon the third Tuesday of each month, in the third floor conference room of the Floyd County Health Department. Lunch is provided.

For more information, contact Mike Vance at (606) 226-2075; Leslie Howell at (606) 263-4370 or (606) 339-7358, or Carol Jo May at (606) 226-2565.

## Allen VFD membership drive

Allen Volunteer Fire Department is now holding a membership drive. Meetings are held every Monday night, at 6:30 p.m., at the station. Please stop and help your volunteer fire department or call Asst. Chief Bill Jarvis at (606) 791-6601.

## Volunteer mentors wanted

Mentoring for a Second Chance is a jail-based service program designed to help reduce recidivism and promote positive growth, by linking nonviolent offenders with a mentor from the local community. M2C is looking for local men who are motivated to make a difference in the life of an individual while having a positive impact on the community.

If you or someone you know is interested in becoming a mentor, contact mentor coordinator Joshua Kinzer at (606) 886-4439, (606) 339-8378, or [Jkinzer@MtComp.org](mailto:Jkinzer@MtComp.org).

## Veterans service officer

VFW Post #839 in Lancer will have a service officer available every Wednesday, from noon until 4 p.m. Some services offered will be initial claim filing, upgrades, appeals, permanent and total claims and others.

Contact (606) 886-9428 or (606) 297-1973 for more information.

## Autism Awareness & Support Group

2nd Monday of each month. Calvarys call Church, Lancer, (6-7 p.m.). Contact: Bill

Chain, [eastkyautism-awareness@gmail.com](mailto:eastkyautism-awareness@gmail.com)

## Autistic Children Support Group plans monthly meeting

Support group for Guardians of Autistic Children will meet the first Thursday of every month at the Haven of Rest, 1601 Airport Road, Inez. Call 606-298-0520 for information.

## Non-profit agency needs foster parents

Non-profit agency in need of foster parents in your area. Financial compensation/ bonuses, free foster parent trainings, mileage reimbursement, and 24-7 support are available. All foster children get a medical card, free school lunches, and clothing vouchers/other reimbursements. Call for more information, at 606-886-0163 or visit our website at [www.benchmarkfamilyservices.org/](http://www.benchmarkfamilyservices.org/)

## Auxier Learning Center offers home repair aid

Need help with home repairs? The Auxier Lifetime Learning Center can help. We are now taking applications for home repairs. If you or someone you know are low income and need help with repairs on your home, please call 606-886-0709 for your application, or stop by the office at 21 South River Street, Auxier. Office hours: Monday-Friday, 8:00-4:00. Must provide proof of income and ownership.

## FCHD offers Body Recall exercise classes

The Floyd County Health Department offers Body Recall gentle exercise classes every Monday, Wednesday, and Friday, at 9:30 a.m. and at 10:30 a.m., at the First Presbyterian Church in Prestonsburg.

Classes are free and open to the public. Call 886-2788 for more information.

## Become a volunteer with Victim Services Program

You are more likely to be hurt by someone whom you know rather than be assaulted on Kentucky's streets by a total stranger. Learn to assist victims of sexual assault, child abuse and domestic violence by becoming

a Volunteer with Victim Services Program. Call today to receive an application for our free training program.

Call the Volunteer Coordinator at (606) 886-4323 for further information or to request an application. (The Victim Services Program is a program of Mountain Comprehensive Care Center.)

## OutPatient Drug Treatment Program and Education

Narconon warns parents that abuse of addictive pharmaceutical drugs with youth is on the rise with deadly consequences. Learn the signs of drug abuse.

Call Narconon for a free brochure on the signs of addiction for all drugs. 877-379-0208. [www.drugso.com](http://www.drugso.com)

## Auxier Community Center

Free GED classes, Monday, Tuesday and Wednesday, from 10 a.m.-12.

## Free Bible Lessons

Write to: Bible Way Outreach Ministry, P.O. Box 4377, Kingsport, TN 37664. Lessons completely free of charge to all interested.

## Need help with addiction?

Lifeline of Floyd County "Conquer Chemical Dependency" is a Christ-centered 12-step program offering support to those who are coping with addiction and learning to live drug-free lives. The support group meets on the following schedule:

Mondays, at Minnie (beside pharmacy), from 7-8 p.m.

Tuesdays, at Little Mud Spruce Pine School, from 7-8 p.m.

Mondays, family support group, for families that have been hurt by addiction, McDowell First Baptist Church, 7 p.m.

Tuesdays, at David, The David School, from 3:30-4:30 p.m.

Wednesdays, at Allen Baptist Church, from 7-8 p.m.

Thursdays, at Allen Baptist Church, from 7-8 p.m.

Sundays, "Stepping into Freedom" group, McDowell First Baptist Church, 7 p.m.

For more information, call Libbi Hall at (606) 377-2930.

## Need Help With Home Repairs?

The Auxier Lifetime Learning Center can help. We are now taking applications for home repairs. If you, or someone you know, are low income and need help with repairs on your home, please call 606-886-0709 for your application, or stop by our office at 21 South River Street, Auxier. Office Hours: Monday-Friday, 8-4.

## Hope in the Mountains

Hope in the Mountains will host public meetings on Mondays, at 9 a.m., at the junction of U.S. 23 and Rt. 80, on Water Gap Rd., behind the Trimble Chapel Church.

Meetings focus will be to offer information in regard to community resources available to women seeking freedom from drug abuse. Family members are also welcome to attend. The Hope initiative proposes to help women break free from addictive lifestyles to become self-respecting contributing members of society. Call 874-2008 or 788-1006 for more information.

## Floyd County Seniors

A regular scheduled Board meeting of the Floyd County Senior Citizens, Inc. will be held on Thursday, November 15 at 4:00pm, in the Courtroom of the Fiscal Court, in the old courthouse building.

## Democratic Woman's Club

The Floyd County Democratic Woman's Club meets the third Monday of each month at 6 p.m., at Prestonsburg City Hall.

## Have an 'Out of this World' birthday party!

The East Kentucky Science Center is now offering a fun and distinctive party venue for kids of all ages. The Birthday Party package includes rental of a classroom and admission to exhibits and planetarium programs. Must be booked two weeks in advance; limit 40 guests. Call 889-8260 for more information.

## Prestonsburg Rotary Club

Prestonsburg Rotary Club meets on Thursdays, 12 noon to 1 p.m., at Reno's Roadhouse. For additional information, contact Paula Howard, 263-3225, or Tommie Layne, 886-4585. Everyone welcome.

## 'Earn While You Learn'

The Big Sandy Area C.A.P. office is taking applications for its "Senior Training Program." You must be 55 or older to apply. In Floyd, call 886-2929; Johnson, call 789-6515; Magoffin, call 349-2217; Pike, call 432-2775, and in Lawrence, call 638-4067.

## Looking for a support group?

Floyd County Alzheimer's Support Group meets regularly at Riverview Manor Healthcare Center. Call the center for meeting times.

## Domestic Violence Support Group

The Big Sandy Family Abuse Center holds meetings each Tuesday from 5:30 to 6:30 p.m. The meetings are free of charge. Call 886-6025 for more information.

## Card of Thanks



The family of Ursal Ray "Buddy" Wilcox wishes to thank all those who sent flowers, food and words of kindness to us during the time of his death. A special thanks to Merle Music.

Peggy A. Lantz, Sister & Family

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# Viewpoint

Worth Repeating...

A liberal is a man who is right most of the time, but he's right too soon.

— Gregory Nunn

**Amendment I**

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; abridging the freedom of speech, or of the press; or the right of the people to peaceably assemble, and to petition the government for a redress of grievances.

Guest View

## Balancing the budget on the backs of seniors

Ron Bridges

Governor Beshear's Blue Ribbon Commission on Tax Reform has released its final recommendations on Kentucky's tax structure — and their plan would mean bad news for Kentucky seniors.

The plan recommends that seniors bear the burden of the state's fiscal challenges through increased taxes on retirement income. At the same time, the Commission also recommends cutting income taxes on Kentuckians in the highest tax brackets and lowering corporate tax rates.

This unbalanced approach will unfairly burden retirees, many of whom have endured significant losses to their retirement savings in the economic recession and simply do not have time or ability to adjust their retirement savings strategy to make up for those losses.

Unfairly taxing retirement income will take money out of the pockets of Kentucky seniors — money that is needed to cover basic necessities like groceries, prescription drugs and utility bills. The Commission expects this tax on retirees to generate \$485 million annually.

The Blue Ribbon Commission itself said that "retirees would be negatively impacted" by this proposal and that "taxation of retirement income could impede Kentucky's ability to retain and attract retirees."

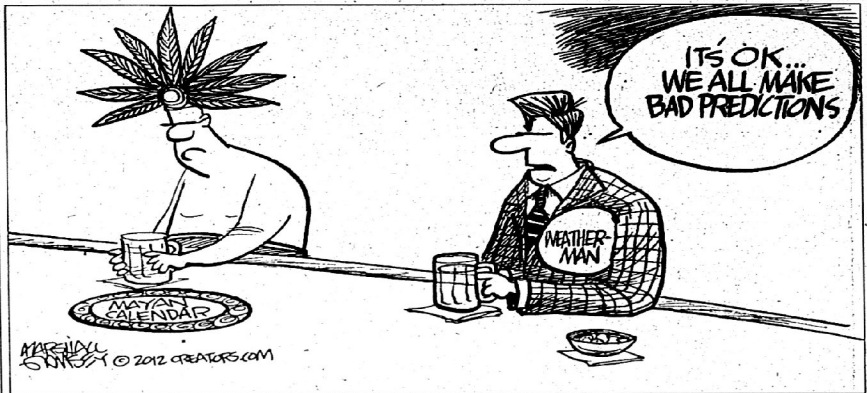
The Commission's report mentions the possibility of a long-term, structural budget deficit in Kentucky. Yet it proposed a plan that includes hundreds of millions in tax cuts, most of which are not targeted to people in need.

In its testimony before the Commission, AARP Kentucky recommended seeking a fair and balanced approach to improving the adequacy of the tax code. We recommended the Commission take advantage of significant savings available to taxpayers from increasing home and community based senior services and decreasing the state's reliance on more costly nursing home care within the Medicaid program. We will continue to urge the General Assembly to consider other alternatives to addressing the tax code.

The bottom line is this: balancing the budget on the backs of Kentucky seniors is simply not the answer. Moving forward, AARP will monitor the situation closely and fight any attempt to unfairly tax retirement income.

We urge Kentuckians to contact their legislators and tell them that raising taxes on seniors is not a solution to the state's budget woes.

Ron Bridges is state director of AARP Kentucky.



## A Legislative Perspective

Rep. Greg Stumbo  
Speaker of the House

One of the hallmarks of the holidays is that there never seems to be a shortage of good food to eat. From turkey on Thanksgiving to homemade candy at Christmas, it's usually easy to find something to fill up a plate.

Increasingly, there's a strong chance that this food has a Kentucky connection as well, though that may not always be readily known when we reach into the pantry or the refrigerator.

Those who eat Jif peanut butter, for example, may not realize it was made in Lexington, home to the world's largest peanut butter factory. Its owner, Smucker's, also produces the "Unrustable" sandwiches that are a staple in many school lunch boxes. Those come out of Scottsville.

Though they aren't necessarily exclusive to Kentucky, there are Pop-Farts made in Pikeville, Laughing Cow cheese in Leitchfield and frozen pizzas in Florence, which produces pies under several different names: Tony's, Red Baron and Freschetta.

Mt. Sterling makes Hot Pockets; Sister Schubert's Homemade Rolls rise out of Horse Cave; and Paducah can lay claim to Dippin' Dots, the flash-frozen ice cream often found at amusement parks across the country.

Outside of these well-known prod-

ucts, Kentucky also plays a sizeable role in the fast-food market. Louisville has the corporate headquarters for Papa John's, Long John Silvers and Yum! Brands, which owns Pizza Hut, KFC and Taco Bell. Lexington, meanwhile, is the corporate home of Fazoli's.

Given all of these examples, it's no surprise that Kentucky relies more on the food and beverage industry than many other states. A 2009 comparison by the state's Cabinet for Economic Development showed that we outpaced the national average and every surrounding state when measuring the percentage of the industry's employees against our total workforce.

The cabinet says there are now 185 food and beverage factories across the commonwealth, and they are responsible for 14 percent of our total manufacturing jobs — about 30,000 altogether.

One area that has seen phenomenal growth over the last dozen years is bourbon. Our distilleries now sell about \$2 billion worth of spirits a year, and there are more barrels aging in our warehouses than there are people in Kentucky.

For a product that relies so much on practices perfected in the past, bourbon's future is looking especially bright; consider that distilleries invested \$170 million alone in their facilities in 2011.

Another major factor behind Kentucky's rise in the food and beverage industry is "Kentucky Proud," which the General Assembly created in 2000 to promote the state's agricultural products. With about 3,500 different vendors licensed to use this brand, sales are now exceeding \$250 million a year. Farmer's markets are making steady gains as well, with sales topping \$10 million.

Our farmers, of course, are the bedrock foundation for the food industry, and Kentucky gets high marks here as well. Only a handful of states have more farms than we do, and eight of our commodities — from poultry and corn to soybeans and hogs — bring in at least \$100 million a year. Total sales are at \$5 billion and growing.

While the food we eat may travel many more miles than it did decades ago, it's good to know that Kentuckians are at least playing a bigger role in the way it is grown and produced. It's something to chew on the next time we sit down to eat.

With the new year a few days away, the start of the 2013 legislative session is just around the corner. Your input in this process is critical, so please let me know if you have any concerns or questions regarding issues important to Kentucky. You can leave a message for me or for any legislator at 800-372-7181. For those with a hearing impairment, the number is 800-896-0305.

## House Week in Review

Rep. Hubert Collins

As we continue to look at issues that are likely to come before the 2013 Kentucky General Assembly in a couple weeks, I want to express my sadness and concern in the wake of the Dec. 14 shooting at Sandy Hook Elementary in Connecticut. The loss of children and innocent adults to such brutality in these United States is inexcusable and, I'm sure, we will be reviewing the causes and looking for solutions as a nation in the months to come.

My deepest sympathy is extended to those affected by the shooting, especially those who lost loved ones.

Of all the issues facing our nation and this Commonwealth, protection of our children takes center stage. We know we cannot be with them all the time but when we can't, we want to know they are safe. That goes for our own children and grandchildren and for those children who, like the small children killed in Newtown, Conn., we don't know personally yet want to protect just the same.

Last regular session, Kentucky state lawmakers considered changing rules governing disclosure of information about child abuse and neglect, which is usually inflicted by someone a child knows. The legislation in question would have established a process for review of fatalities and near fatalities caused by abuse or neglect of children who had prior involvement with the state Cabinet for Health and Family Services and those with no prior involvement. The legislation, which was similar to bills introduced in 2010 and 2011, was not passed into law. A

few months later on July 16, Governor Beshear issued an Executive Order establishing an external review panel in the state Justice Cabinet to review cases independent of the CHFS pertaining to fatalities caused by child abuse or neglect.

The problem is the governor's order is not permanent, like a law would be. It also does not require full public disclosure (as many media and others would like) of action taken — or not taken — to protect a child from abuse or neglect, nor does it require the review of deaths caused by abuse or neglect of a child who had no prior involvement with CHFS. This next session, we expect there to be a push for legislation that does all the executive order cannot — specifically, a law that establishes a legal requirement for external review of child fatality and near fatalities cases resulting from abuse or neglect.

You should also expect lawmakers to consider changes to the state's unified juvenile cost which governs treatment of youth who have committed criminal and noncriminal acts. Since the code was enacted in 1986, the inconsistencies found in it have become difficult for those in the justice system to navigate. A task force that met throughout the summer and fall looked at the ambiguous code and possible changes, such as alternatives to incarceration for troubled youth, better community care and consistency-based treatment, the need (or not) to establish an age of criminal responsibility, how violence impacts youth and sharing of information. Educational issues like compulsory attendance, truancy and access to school records were also discussed.

Suggested changes were made by the task force's working groups in November — chief among them a call to stop incarcerating any child age 12 or under for criminal, or noncriminal ("status"), offenses in Kentucky. Current state law prohibits putting a child age 10 or under in detention unless they are charged with a serious felony, but the law has no minimum age for charging someone with a crime.

Final recommendations of the task force were expected middle of last week, and I am sure we will touch on the recommendations in our session coverage in this column. Until then, I encourage you to study the issue through news stories in the state or local papers, or get a copy of the task force report yourself (which should be accessible soon via the www.ky.gov web site). Rest assured that it won't be long until we delve deeper into the issue in my column.

A final issue that state lawmakers are likely to consider in the 2013 Regular Session is a reform to the tax code, as we discussed in some depth last week. Among the reform ideas is subjecting new services to the state sales tax of 6 percent. Currently, the tax applies to most goods, but only a few services. There are pros and cons to both sides of this issue, as there are to most, any issue that comes before the General Assembly, but it is something we should at least look into, and will likely do so in the upcoming session.

This will be my last column before the new year arrives, so let me take this moment to wish each and every one of you the best in 2013. I'll talk to you next year.

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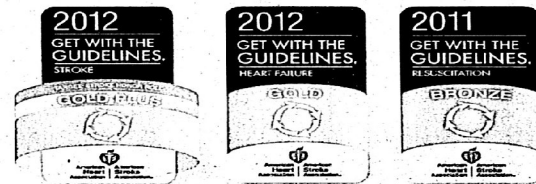
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# EPA releases update on ongoing fracking study

WASHINGTON — The U.S. Environmental Protection Agency provided an update last week on its ongoing national study currently underway to better understand any potential impacts of hydraulic fracturing on drinking water resources.

Results of the study, which Congress requested EPA to complete, are expected to be released in a draft for public and peer review in 2014. The update provided Dec. 21 outlines work currently underway, including the status of research projects that will inform the final study. It is important to note that while this progress report outlines the

framework for the final study, it does not draw conclusions about the potential impacts of hydraulic fracturing on drinking water resources, which will be made in the final study.

As the administration and EPA has made clear, natural gas has a central role to play in our energy future, and this important domestic fuel source has extensive economic, energy security, and environmental benefits. The study EPA is currently undertaking is part of EPA's focus to ensure that as the Administration continues to work to expand production of this important domestic resource safely and responsibly.

Among the information released today are updates on 18 research projects and details on the agency's research approach, as well as next steps for these ongoing projects and analyses. Today's update follows the public release, in November 2011, of the agency's final study plan, which underwent scientific peer review and public comment.

EPA has engaged stakeholders, including industry, to ensure that the study reflects current practices in hydraulic fracturing. EPA continues to request data and information from the public and stakeholders and has put out a formal request for information

which can be accessed through the federal register <https://atwww.federalregister.gov/articles/2012/11/09/2012-27452/request-for-information-to-inform-hydraulic-fracturing-research-related-to-drinking-water-resources>.

EPA also expects to release a draft report of results from the study in late 2014. The study has been designated a Highly Influential Scientific Assessment, meaning it will receive the highest level of peer review in accordance with EPA's peer review handbook before it is finalized. The 2014 draft report will synthesize the results

from the ongoing projects together with the scientific literature to answer the study's main research questions.

EPA's Science Advisory Board (SAB) is forming a panel of independent experts which will review and provide their individual input on the ongoing study to EPA. The SAB will provide an opportunity for the public to offer comments for consideration by the individual panel members. For more information on the SAB process, please visit: <http://yosemite.epa.gov/sab/sabpeople.nsf/WebCommittees/BOARD>.

For more information, see [www.epa.gov/hfstudy](http://www.epa.gov/hfstudy).

# Housing assistance funds available from BSACAP

Big Sandy Area Community Action Program has received funding to aid in homelessness prevention and rapid re-housing and is now taking applications in its service area of Floyd, Johnson, Magoffin, Martin and Pike counties.

Short-term (up to three months) and medium-

term (from four to six months) rental assistance will be provided to eligible applicants to allow time to secure stabilized housing.

To receive assistance with homelessness prevention, the applicant must present an official court-documented eviction notice.

Individuals applying for rapid re-housing must be coming directly from a homeless shelter or a domestic violence shelter or present a letter from a person of authority (for example: a police officer, a clergy member, etc.) documenting homelessness.

Eligible applicants

also must verify income and present social security cards and birth certificates for everyone in household.

To apply for assistance or for more information, contact one of the following service offices:

- Floyd County: 60 Court Street, Allen, Ky.
- Johnson County: 606-874-3595, 230 Court Street, Paintsville, Ky. 606-789-6615
- Magoffin County: 131 S. Church Street, Salyersville, Ky. 606-349-2217
- Martin County: 387 E. Main Street, Inez, Ky.
- Pike County: 478 Town Mountain Road, Pikeville, Ky. 606-432-2775

The program is funded through the Kentucky Housing Corporation (KHC) and the Department of Housing and Urban Development (HUD).

# Kentucky Farm Bureau urges drivers to prepare for winter weather

LOUISVILLE — As winter weather enters the region and brings falling temperatures, snow and ice to Kentucky's roadways, Kentucky Farm Bureau Insurance Companies urges all drivers to exercise extreme caution on their regular commutes. Slick accumulations and icy patches may make roadways difficult to navigate, reduce tire traction, increase required braking distances and, at times, may limit driver visibility. Motorists must take extra caution when headed out under these conditions.

"Everyone hopes they won't be the person sliding off the road or crashing into another vehicle when a snowstorm hits, but ice and snow on the

streets can be just as hazardous to an experienced driver as they are to an inexperienced one," said KFB Insurance Vice President of Claims, Greg Youngblood. "Staying off the roads until the conditions are clear and dry is really the best way to avoid being in a wintertime collision."

While not everyone is able to completely avoid driving whenever it snows, all drivers can make a few advance preparations to help increase the chances for a safe journey. Vehicle upkeep and modified driving behaviors are essential in the winter as road and vehicle conditions are often quite different during this season than at other times of the year.

In addition to scheduling the regular maintenance that keeps a vehicle running at the highest level year-round, KFB advises all drivers to make extra preparations for cold-weather driving or commuting during snowfall. Kentucky drivers can optimize their vehicle's performance for snow, ice and freezing temperatures by checking:

- Tire treads** — Special treads on snow tires provide optimal grip on icy roads, but at a minimum regular tires should be inspected to insure that an appropriate amount of tread is available on each wheel.
- Air pressure** — Measure the air pressure of each tire to make sure it is filled to the

manufacturer's suggested PSI (pounds per square inch). The PSI is listed in the owner's manual as well as on a label found on the inside of the driver's door.

- Fluid levels** — The salt and sand on the road that comes with winter weather removal often ends up on windshields, making it is essential to have a full tank of no-freeze washer fluid. Additional checks on the engine's coolant system should also be made to spot leaks and make sure enough coolant is in the reservoir to withstand the colder winter temperatures.
- Windshield wipers** — Vision on the roadways is imperative but not always possible if a vehicle's windshield wipers are worn. Replace wipers before the snow and ice hits.
- Battery** — It takes more power to start a vehicle in cold weather than in warmer conditions, and battery power drops as temperatures get colder. Have a mechanic check the charge on the vehicle's battery and keep jumper cables handy for those extra cold mornings.
- Gas tank** — Fuel line freeze up is a wintertime headache in many driveways. Keep a vehicle's tank at least two-thirds full during the winter to help

keep air and condensation from freezing and preventing gas flow to the engine.

- Headlights, mirrors and windows** — Drivers should always remove ice and snow from all mirrors, windows and head and tail lights before pulling onto the road. The importance of being able to see and be seen on the road cannot be overemphasized. NEVER pour water on windows as this may cause the glass to shatter.
- Of course, vehicle preparation is only part of the journey in winter conditions. Motorists must also make adjustments to their own driving habits and be keenly aware of the conditions and traffic around them. If driving is necessary, motorists can help prevent crashes on snowy or icy roads if they:
- Check road conditions** — Depending on the severity of the storm, some roads may be closed, blocked or extremely backed up. Plan the best route to travel before leaving home.
- Allow extra travel time** — When wintry weather covers Kentucky roads, everyone's commute time slows down. Drivers should take the time to completely uncover their vehicle, leave early whenever possible and allow plenty of time to

arrive at their destination.

- Accelerate and decelerate slowly** — Vehicles can better grip the road and avoid slipping if both the gas pedal and brake are applied slowly. A vehicle will not get moving — or slow down — quickly in the snow and ice.
- Leave more space** between vehicles — Coming to a complete stop in the snow may require up to four times as much room as it would in dry conditions. Avoid crashes by allowing more space on the road.
- Practice driving in the snow** — When it does snow, locate an empty section of a parking lot and become familiarized with the way vehicles handle in the snow. This is especially helpful for inexperienced drivers learning how to drive in wintry conditions for the first time.
- Above all, KFB Insurance Companies wants drivers to protect themselves and their passengers.
- "We want everyone to stay safe as the snow and ice return to the region," said Youngblood. "Patience is the key to safely navigating wintry roads, but every bit of preparation and awareness a driver can add to the journey definitely helps."



**"I'D LIKE TO STAY IN MY OWN HOME."**

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See more of what AARP is doing to help Kentuckians at [aarp.org/ky](http://aarp.org/ky)

# Floyd woman arrested for 16 counts of cold checks

Jack Latta  
Staff Writer

PRESTONSBURG — A Floyd County woman is behind bars after being charged with 16 counts of writing cold checks.

According to court records, Tracy Lynn Oaks, 39, of East Point, is charged with 16 counts of theft by

deception for writing cold checks to Food City.

Sixteen checks were allegedly written by Oaks to Food City in Prestonsburg from August 4 through August 15. The checks in question totaled more than \$1,000.

Oaks was being held in the Big Sandy Detention Center when the charges

were filed. A transport order was issued from Judge Jimmy R. Marcum on Dec. 17, ordering that Oaks be transported to the Floyd County Detention Center.

Oaks, who has been charged on at least three previous occasions for writing cold checks, is now being held in Floyd County without bail.

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## Betsy Layne outlasts Belfry in OT

Steve LeMaster  
Sports Editor

**BETSY LAYNE** — Host Betsy Layne pulled away from Belfry in overtime on Saturday night, defeating the Pirates 63-56 in an early-regular-season contest at the Dome. The win was Betsy Layne Coach Junior Newsome's 499th.

After regulation ended with the two teams tied 52-52, Betsy Layne controlled the extra period, outscoring the Pirates 11-4 to post the win.

Belfry came up empty on multiple possessions while

Betsy Layne converted on its end during the overtime frame.

Betsy Layne claimed its second straight win, prevailing for the fifth time in six outings. With the win, Betsy Layne moved to 7-2.

Following a topsided win over Riverside Christian earlier in the week, Belfry slipped back into the loss column. The Pirates dropped to 3-2.

The battle between two 2012 15th Region semifinalists featured numerous highlights for both teams.

Junior guard Dylan Meade paced Betsy Layne

with a game-high 25 points. Meade was one of only two Betsy Layne scorers to reach double figures. Sophomore guard/forward Peyton Case chipped in 14 points for the Bobcats.

In all, eight different Betsy Layne players scoring in the non-district win.

Senior guard Garra Newsome scored seven points while sophomore forward/center Lako Daniels and junior forward/center Dylan Hamilton added five apiece for the Bobcats.

Betsy Layne was nearly automatic at the free throw line, finishing seven-for-

eight from the charity stripe.

Belfry faced an eight-point deficit in the first half but managed to battle back to get near even with the Betsy Layne prior to intermission. Only one point separated the two teams on numerous occasions.

Betsy Layne outscored Belfry 17-12 in the opening quarter and led 36-28 at halftime.

Belfry, under the direction of veteran head coach Randy Casey, owned the third quarter, outscoring Betsy Layne 17-9 to tie the game 45-45.

After being held to seven points in the final quarter,

the Bobcats thrived offensively in overtime.

Dustin Rogers had three points and Blake Rose and Wynston Akers added two apiece for the Bobcats.

Senior center/forward Tony Messer led Belfry with a team-best 21 points. Messer carried a 24 points per game scoring average into the 15th Region matchup. Messer was one of three Belfry scorers to reach double figures. A pair of senior guards aided the Belfry offensive attack. Brett Charles scored 14 points and Josh Robinson netted 12 for the Pirates.

A fourth Belfry scorer narrowly missed double figures with Sean Hurley, another senior guard, scored nine points for Belfry in the setback.

Girls: In the girls' game played as part of a boys-girls doubleheader, host Betsy Layne defeated Belfry 32-26.

Boys' Basketball: Betsy Layne 63, Belfry 56.

Betsy Layne (7-2): Newsome 7, Dy Meade 25, Case 14, Hamilton 5, Daniels 5, Rogers 3, Rose 2, Akers 2.

Belfry (3-2): Charles 14, Robinson 12, Hurley 9, Messer 21.

Betsy Layne...17 19 9 7 11-63

Belfry...12 16 17 7 4-56

## Second quarter slump leads to loss for Rebels

Steve LeMaster  
Sports Editor

**STEARNS** - Eleven different McCreary Central players dented the scoring column on Thursday evening as the Raiders defeated the visiting Allen Central Rebels 75-48 in the second round of the Arby's/KFC Holiday Classic.

Senior center Tyler Strunk paced McCreary Central with a game-high 19 points.

McCreary Central claimed its second straight win, improving to 3-1.

Allen Central suffered its fifth straight loss, falling to 2-8. Allen Central notched back-to-back wins over South Floyd and Piast School prior to stumbling on its current five-game skid.

McCreary Central carried a lead out of each quarter. The Raiders outscored Allen Central 24-16 in the first quarter but did most of their damage in the second period. McCreary Central went on a 27-5 run in the second quarter to lead 51-21 at intermission.

Senior guard Josh Gregory accompanied Strunk in double figures, chipping in 13 points for McCreary Central. Senior guard Cody Ross narrowly missed double figures, netting nine points for the Raiders.

Sophomore guard Devan Horn paced Allen Central with 18 points. Senior forward Josh Wiley joined Horn in double figures, finishing with 10 points.

Mason Nelson had seven points, Tyler Keens six, Cameron Hamilton three and Aaron Hoover two for the Rebels in the setback.

McCreary Central 75, Allen Central 46  
Allen Central (4-6): Hamilton 3, Nelson 7, Wiley 10, Keens 6, Horn 18, Hoover 2.  
McCreary Central (3-1): Gregory 13, Ross 9, Tucker 4, R. Strunk 5, Duncan 4, T. Strunk 19, Trammell 4, Dople 2, Spradlin 5, Longrange 7, Brown 3.  
Allen Central...16 5 13 12 46  
McCreary Central...24 27 5 19 75

## Raiders fall to Boone County

Steve LeMaster  
Sports Editor

**RACELAND** — South Floyd has a rough start in the Raceland Derby Classic on Thursday evening. Sophomore Junior Stockwell scored 17 points to lead Boone County to a 61-44 win over the Raiders in the opening round of the Raceland-hosted holiday tournament.

**Boone County** fought its way to a 15-14 lead at the first quarter stop. The Rebels started to separate themselves from South Floyd in the second quarter, outscoring the Raiders 19-9 to lead 34-23 at halftime.

Stockwell was one of four Boone County scorers to reach double figures. Brenden McDonald and Barry Ordu added 11 points apiece for the Rebels. Brenden Stanley was Boone County's fourth scorer in double figures. Stanley tossed in 10 points for the Rebels.

Boone County was 17-of-24 from the free throw line

and overcame 19 personal fouls of its own.

The Rebels owned a slim scoring advantage over South Floyd in each of the last two quarters to pull away for the win.

Junior guard Austin Bailey led South Floyd with 17 points, sharing game-high scoring honors with Boone County's Stockwell. Another junior guard, Austin Salisbury, accompanied Bailey in double figures for the Raiders, finishing with 11 points.

South Floyd was 14-of-23 from the free throw line.

Junior forward Tyler Daniels (seven points), freshman forward Johnson (five points), senior guard Dakota Justice (three points) and senior guard Weston Little (one point) also contributed scoring for the Raiders.

Hunter Johnson (five points), senior guard Dakota Justice (three points) and senior guard Weston Little (one point) also contributed scoring for the Raiders.

Boone County 61, South Floyd 44  
South Floyd (4-4): Justice 3, Daniels 7, Salisbury 11, Bailey 17, Johnson 5, Little 1.  
Boone County (6-1): Hisebaugh 4, Ordu 11, Scholz 2, Warrick 4, Stanley 10, Stockwell 17, Patton 2, McDonald 11.  
South Floyd...14 9 10 11-44  
Boone County...15 19 12 15 61



South Floyd High School senior running back Weston Little has been named First Team All-State. Little is pictured with South Floyd head coach Donnie Daniels.

## Little named 1st team All-State

Steve LeMaster  
Sports Editor

**HI HAT** - South Floyd High School senior running back Weston Little has been named First Team All-State selection from the Louisville Courier-Journal. Little ended his high school career as one of the

state's top high school running backs. A longtime leader on the gridiron, Little was one of the state's top prep rushers throughout his junior and senior seasons.

A senior, Little rushed 260 times for 2,315 yards and 31 touchdowns. The South Floyd High School senior running back

averaged 210 rushing yards per game for the Raiders.

The productive Little also hauled in 219 receptions for a team-high 219 yards and two touchdowns.

Little played under the direction of veteran South Floyd head coach Donnie Daniels.

## Wildcats ranked eighth in preseason poll

Times Staff Report

**LEXINGTON** - The University of Kentucky baseball program has been tabbed as the No. 8 team in the preseason in the 2013 Collegiate Baseball Newspaper top-40 poll, its highest preseason ranking in the 117-year history of the program, it was announced on Thursday afternoon.

With the Wildcats ranked No. 8, it is their highest preseason ranking by the Collegiate Baseball Newspaper in program history, a poll that dates back to 1958. UK had last been ranked in the pre-season as high as No. 19 in 2009 and No. 20 in 2008 by Collegiate Baseball. UK was last ranked by Baseball America in the preseason in 2007, checking in No. 30. Conclusive preseason polls have been located back to 1999.

Kentucky is coming off the best season in the 117-year history of the program, claiming a school-record 45 wins in 2012 and owning the best finishes in the Southeastern Conference and NCAA tournaments in UK annals. The Wildcats went 45-18 in 2012 in UK's 103rd official season of collegiate baseball, setting a bevy of records and owning 20 total wins against league foes.

After the 2012 season, UK had a school-record nine players selected in the MLB Draft, the second-most in the NCAA. UK then sent a



Charidier Shepherd

total of nine players from its 2013 roster to the prestigious Cape Cod League or with the USA Collegiate National Team, tied for tops in the NCAA. UK's 2013 roster also boasts the second-most drafted players in the SEC (15), behind Vanderbilt (18) and ahead of South Carolina and Florida (12).

UK returns one of the most talented rosters in college baseball in 2013, including preseason All-Americans in centerfielder Austin Cousino, left-handed starting pitcher Corey Littrell and two-way standout A.J. Reed. UK returns seven of its nine starters in the field, including dynamic

middle-infield duo J.T. Riddle and Matt Reid and its starting outfield of Cousino, Lucas Witt and Zac Zellers.

On the mound, Littrell and senior southpaw Jerad Grundy give UK two of its three-man SEC weekend rotation from a year ago. Reed, a 6-foot-4, 235-pound southpaw, is coming off the third-best ERA in the Cape Cod League during the summer and could give UK its second consecutive season with three left-handed pitchers in the weekend rotation. In addition, sophomore first-team summer league All-American right-hander Chandler Shepherd — a hero from UK's NCAA Tournament run in 2012 — gives UK more experienced talent.

UK's bullpen returns record-setting closer Trevor Gott, who shattered the school-record with nine saves in 2012 and paced the Wildcats to a staggering 40-0 record when leading after seven innings and a record 22 team saves. Gott, the 2011 Cape Cod League Reliever of the Year, saved nine of 10 games as a sophomore and will help anchor the UK bullpen, along with senior righty Walter Wijas.

Kentucky will open its 2013 season on Feb. 15 in Spartanburg, S.C., taking on UNC Asheville at Wofford. All told, UK will play 26 games in 2013 against teams ranked in the Collegiate Baseball preseason top-30 poll.



# Eagles drop road game to North Dakota State

Times Staff Report

FARGO, N.D. - Juniors Marshall Bjorklund and Taylor Braun combined for 39 points on 13-of-16 from the field and the North Dakota State men's basketball team registered a 69-49 win over Morehead State on Friday night at Bison Sports Arena.

The Bison improved to 10-3 overall with their fifth victory in the past six contests.

The Eagles slipped to 5-7 overall.

NDSU also moved to 2-0 in the all-time series with a season sweep of Morehead State.

"This was an extremely tough road trip for us," Morehead State Coach Sean Woods said. "We played very poorly against South Dakota and North Dakota State, which is certainly disappointing."

Bjorklund posted a game-high 20 points on 8-of-8 shooting and 4-of-5 from the free-throw line, while Braun contributed 19 points on 7-of-9 from the charity stripe and sophomore Lawrence Alexander won NDSU's third double-figure scorer with 12.

Bjorklund also pulled

down a game-high nine rebounds, while Braun yanked seven missed shots from the glass. Alexander was credited with a game-best five assists.

North Dakota State finished at 56 percent for the game (24-of-43), including 74 percent from inside the arc (20-of-27). The Bison also connected on 85 percent of their attempts from the free-throw line (17-of-20).

Morehead State was limited to 35 percent overall (16-of-46), including just eight percent from long distance (1-of-13). The Eagles did, however, drill

84 percent from the charity stripe (16-of-19).

"North Dakota State credit for finding ways to win both games against us this year," Woods said. "Them shooting 74 percent from inside the arc tonight tells the unfortunate story. They got way too many easy looks at the basket, including several lay-ups and dunks."

Junior Chad Posthumus paced MSU with team highs of 14 points and eight rebounds. Sophomore Angelo Warner added 10 points for the Eagles, while senior Devon Atkin-

son tallied nine and junior Maurice Lewis-Briggs tossed in eight.

North Dakota State posted advantages of 31-22 in rebounding, 32-15 in paint points, 11-8 in second-chance points and 6-0 on the fast break. Both teams committed 14 turnovers, while Morehead State managed a 7-4 advantage in steals.

The Eagles never led in the contest. The game's only tie was at 16-all with 9:04 before intermission, but the Bison followed with a 13-4 spurt and never looked back. NDSU's biggest lead of 69-47 came

with 2:15 remaining in the second period.

Morehead State returns to Johnson Arena on Dec. 28 and 30 for a pair of non-conference affairs. The Eagles entertain Conference USA opponent Southern Mississippi on Friday at 7 p.m. and in-state NAAIA foe Union on Sunday at 2 p.m.

"I don't think we've been right since the Kentucky game before Thanksgiving," Woods added. "All I know is we will work extremely hard to find the answers. Adversity happens in college athletics and that's when everyone needs to pull together."

# Pikeville YMCA holding basketball league signups

Times Staff Report

PIKEVILLE - The Pikeville Area YMCA is currently taking registrations for its spring basketball program. The program itinerary includes teaching basic basketball fundamentals such as dribbling, passing, defending, ball control and shooting.

For cheerleading, participants will build self confidence while learning age appropriate chants and experiencing the performance aspect of cheerleading as they cheer for the YMCA Youth Basketball participants.

The league is for boys and girls ages 3-12. Registration is being held through January 4.

The cost is \$30 for YMCA members and \$45 for non-YMCA program participants.

The Pikeville Area YMCA is currently taking registrations for its summer/fall soccer league. The program itinerary includes teaching basic soccer fundamentals such as dribbling, passing, defending, ball control,

throw-ins, goal and penalty kicks. The soccer program also teaches the value of citizenship along with the YMCA core character development values of honesty, caring, respect, responsibility and having fun.

The soccer league is for boys and girls ages 3-12.

Registration will be held Jan.

14-Feb. 23. All registration forms along with registration fees must be completed and paid for by Feb. 28. All games and practices will take place at North Point Academy (the Old Mullins Grade School) along US 23.

The cost is \$30 for YMCA members and \$45 for non-YMCA members.

# Bowling Green to host '13 Kentucky State Amateur

Times Staff Report

BOWLING GREEN - Even as the weather changes to a less favorable season for those wanting to be on the golf course, many are looking forward to the next year of golf in Kentucky. It won't be that long until the Bluegrass turns green and golfers flock to courses around the state. The Kentucky Golf As-

sociation is finalizing the 2013 championship schedule and it will be released in the next few weeks. The 2013 Kentucky State Amateur Championship is set for June 18-20 and will be hosted by Bowling Green Country Club.

BGC will celebrate its 100th anniversary in 2013. Murray State University senior Patrick Newcomb is the two-time reigning

KGA Player of the Year. Newcomb won his second straight KGA State Amateur Championship at The Cardinal Club back in June. He added more points with a tie for runner-up position at the Fred Allen Team Championship and thrived with his performance at the 2012 U.S. Amateur Championship, where he made it to the round of 16 in match play.

# South Floyd falls to East Carter, finishes 0-3 in holiday tourney

Steve LeMaster Sports Editor

RACELAND - East Carter prevented South Floyd from posting a win in the Raceland Derby Classic on Saturday afternoon, defeating the opposing Raiders 72-62 in the seventh-place game of the holiday tournament.

Cole Brammer paced East Carter with a game-high 24 points. Connor Greene added 17 points for the East Carter boys' basketball team.

The win allowed East Carter to even its overall record to 5-5.

South Floyd remained winless, slipping to 0-3.

The South Floyd Raiders led early, outscoring East Carter 14-10 in the opening period. The Raiders from Floyd County, however, faced a deficit at the end of each of the next two quarters.

East Carter battled back to lead 29-25 at halftime. The Raiders from Carter County led 52-41 at the

conclusion of the third quarter.

Junior guard Austin Salisbury led South Floyd with 14 points. South Floyd featured three scorers in double figures as junior forward Tyler Daniels tossed in 13 points and junior guard Austin Bailey added 11.

Other scorers for South Floyd were Weston Little (eight points), Dakota Justice (seven points), Michael Martin (seven points) and Jimmy Helton (three points).

East Carter 72: Raceland 62  
East Carter (72): Barnett 7, Huddle 11, Brammer 24, Greene 17, B. Marsh 4, West 9  
South Floyd (62): Justice 7, Daniels 13, Salisbury 14, Martin 7, Bailey 11, Little 8, Helton 3  
East Carter...10 19 23 20-72  
South Floyd...14 11 17 21-62

Lewis County 80, South Floyd 50  
RACELAND - Lewis County carried a 17-point lead over South Floyd into halftime and never relinquished it in the second half, defeating

the Raiders 80-50 Friday evening.

Wade Adams and Jake Parker paced Lewis County with 16 points apiece. Adams also dished out eight assists for the Lions, who doubled up South Floyd 16-8 in the opening quarter and led 44-27 at halftime.

Caleb Pruitt tossed in 12 points and Brett Ruckel added 11 for Lewis County, which improved to 6-3.

Trenton Walker and Colton Ripato pulled down 10 rebounds apiece for the Lions.

Austin Bailey led South Floyd with a team-best 15 points. Tyler Daniels joined Bailey in double figures with 13 points.

Lewis County 80: South Floyd 50  
Lewis County (80) - Adams 16, Ruckel 11, Parker 16, Pruitt 12, Ripato 5, Davis 4, Walker 4, Harlow 2, Duncan 2, Weddington 4, Keibler 2, Wallington 2.  
South Floyd (50) - Salisbury 15, Daniels 13, Johnson 9, Justice 4, Bailey 3, Helton 2, Branham 1, Newman 1, Little 2.  
Lewis County...15 23 14 22-80  
South Floyd...8 19 11 12-50

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### GOVERNMENT FORECLOSURE SALE

THURSDAY, JANUARY 17, 2013 11:00 A.M.  
AT THE SITE OF THE BELOW DESCRIBED PROPERTY HOUSE AND LOT LOCATED AT 67 ARMORY ROAD, PRESTONSBURG, KY 41653 IN FLOYD COUNTY, KENTUCKY

This is a 2 bedroom home on public water and septic. It is well located in a quiet neighborhood. It consists of 2 bedrooms, living room, kitchen and 1 bath. This property is considered unsuitable for the Rural Development, Rural Housing Program. This would be an excellent buy for an investor interested in rental property or for resale after repairs.

The minimum acceptable bid for this property is \$14,430.00.

An open house will be held on January 8, 2013, from 1:00 pm to 2:00 pm.

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

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

**LEGAL NOTICE**

Notice is hereby given that on Thursday, January 17, 2013 at 1:00 pm., at the property site, at 67 Armory Road, Prestonsburg, KY, in Floyd County, Kentucky, in order to raise the principal sum of \$26,946.49, with accrued interest of \$2,602.53 through December 10, 2010, with the total subsidy granted of \$6,005.76, and with fees assessed of \$209.79, for a total unpaid balance due of \$35,764.57, interest is accruing on the unpaid principal balance at the rate of \$15.1276 per day after December 10, 2010, until the date of entry of judgment, plus interest on judgment amount (principal plus the shared appreciation recapture plus interest to the date of entry of this judgment) at the legal rate of 0.18% computed daily and compounded annually, until paid in full and for the costs of this action and the sale, pursuant to Judgment and Order of Sale, being Civil Action No. 7:11-cv-00080-RT in the Filiovic Division of the United States District Court for the Eastern District of Kentucky, entered on September 18, 2012, in the case of the United States of America vs. Patsy S. McBride, et al; the following described property will be sold to the highest and best bidder:

House and Lot located at 67 Armory Road, Prestonsburg, Floyd County, KY Being the same property conveyed by Deed dated January 7, 1992, and recorded in Deed Book 654, Page 216 in the Floyd County Clerk's Office.

Terms of Sale: Ten percent (10%) of the bid price (in the form of a Cashiers Check made payable to the U.S. Marshal) on the day of the sale with good and sufficient bond for the balance, bearing interest at the rate of 0.18% per annum until paid, due and payable in sixty (60) days and said bond having the effect of a Judgment. Upon a default by the Purchaser, the deposit shall be forfeited and retained by the U.S. Marshal as part of the proceeds of the sale, and the property shall again be offered for sale subject to confirmation by the Court.

This sale shall be in bar and foreclosure of all right, title, interest, estate claim, demand or equity of redemption of the defendant(s) and of all persons claiming by through, under or against them, provided the purchase price is equal to two-thirds of the appraised value. If the purchase price is not equal to two-thirds of the appraised value, the Deed shall contain a lien in favor of the defendant(s) reflecting the right of the defendant(s) to redeem during the period provided by law (KRS 428.530). Under law, the purchaser is deemed to be on notice of all matters affecting the property of record in the local County Clerk's Office.

Inquiries should be directed to:

Darwin E. McGuire, Area Specialist  
Rural Development  
Paintsville, Kentucky - Telephone: 606/789-3768

# Young Professionals of East Kentucky hosts awards dinner

**WEST LIBERTY** — The Young Professionals of East Kentucky organization hosted its third annual awards dinner in West Liberty, on Nov. 10, at West Liberty Elementary School.

The awards dinner honors outstanding young professionals across the region as well as to celebrate YPEK's regional mission to connect, grow and lead.

The event included remarks by former governor and current University of Pikeville President Paul Patton. The keynote ad-

dress was delivered by Luther Deaton, a Breathitt County native who currently serves as president and CEO of Central Bank and Trust of Lexington.

The 2012 YPEK award recipients are as follows:

- Young Professional of the Year:** James Hurley, Pike County
- Young Civic Leader of the Year:** Bridgette Gambrell, Laurel County
- Young Educator of the Year:** Kevin Gay, Leslie County
- Young Entrepreneur of**

**the Year:** Jason Hoskins, Morgan County

**Young Professional of the Arts:** Jason Kretzer, Johnson County

**Father Being Awarded:** Will Nash, Perry County

**Rising Star Award:** Madison McCowan, Laurel County

YPEK is a nonprofit organization that serves 32 east Kentucky counties and is designed to promote networking, leadership and service in the region.

For more information, visit [www.ypek.org](http://www.ypek.org).

## Pikeville welcomes visiting professor



The University of Pikeville-Kentucky College of Osteopathic Medicine welcomed Annette T. Carron, D.O., FACOI, as a visiting professor. Carron, board certified in internal, geriatric and palliative care medicine, presented "Geriatric Assessment and Opportunities in Osteopathic Geriatric Medicine." The lecture was sponsored by the American College of Osteopathic Internists. Carron currently serves as the director of the internal medicine residency program at Botsford Hospital in Michigan. Pictured with Carron, center, are, from left, KYCOM students Ashleigh Whitehead, Nick Collins, Marcus Moseley and Sahill Malik.

## ALC names Floyd students to dean's list

**PIPPA PASSES** — Several Floyd Counties have earned a high level of academic distinction at Alice Lloyd College for the 2012 fall semester.

The following students have been named to the President's List for achieving a 4.0 grade point average (based on a 4.0 scale):

- Sarah Caldwell, of Melvin
- Kimberly Kilgore, of Blue River
- Savannah Minor, of Garrett.

Students named to the Dean's Distinguished List for achieving a grade point average of 3.75-3.99 were:

- Kiana Hall, of Bypro
- Clyde Hamilton, of Garrett
- Brittany Newsome, of Harold
- Jamie Po, of Drift.

Named to the Dean's List for achieving a grade point average of 3.25-3.74 were:

- Brandi Prasune, of Melvin
- Evan Hayes, of Prestonsburg
- Jessi Hayes, of Eastern
- Chasty Hunter, of Wayland
- Mickenah Johnson, of Bevensville
- Jeremy Ousley, of Prestonsburg
- Steven Patrick, of Auxier
- Tianna Patton, of Drift
- Samantha Williams, of Ivel.

## Colorful fruits and vegetables linked to lower breast cancer risk

Come to find out, pink isn't the most important color when it comes to breast cancer. According to researchers in the Journal of the National Cancer Institute, women loading up on carotenoids, the micro-nutrients found in red, yellow and deeply colored fruits and vegetables such as carrots, sweet potatoes, spinach and kale, showed lower rates of breast cancer than those who didn't eat as many of them.

Alexandra Sifferlin at Healthland Time magazine explains that Dr. Heather Eliassen, an assistant professor of medicine at Harvard Medical School, led an analysis of data

collected in various studies about the carotenoids and their effect on blood and breast cancer rates. The studies included 3,000 participants and nearly 4,000 controls. Women with carotenoid levels in the top 20 percent of measured ranges had a 15-20 percent reduced risk of breast cancer compared to those with carotenoid levels in the lowest category. "It looks like it is a linear relationship," says Eliassen. "The higher you go, the [lower] your risk is."

Why carotenoids work against breast cancer isn't clear. They may metabolize into retinol, which regulates cell growth. Or they may im-

prove cell communication and enhance immune system function. Eliassen urged caution. Other research carotenoids, in the form of beta-carotene supplements, are linked to an increased risk for lung cancer.

The Kentucky Fruit and Vegetable Conference will be held Jan. 7-8 at the Embassy Suites in Lexington. Deadline for pre-registration is Dec. 19. The block of rooms for the conference will be held until Jan. 4. Program and registration information are available here or through John Strang at (859) 257-5685 or [jstrang@uky.edu](mailto:jstrang@uky.edu), or Tim Cooolong at (859) 257-3374 or [timcooolong@uky.edu](mailto:timcooolong@uky.edu).

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**Legal**

**NOTICE OF BOND RELEASE**  
 Pursuant to Application Number 836-0311

In accordance with the provisions of KRS 350.093, notice is hereby given that Noble Coal LLC, P.O. Box 438, Wayland, Kentucky 41666, has applied for a Phase 1 bond release of Permit Number 836-0311 for Increment Nos. 1, 2, & 3 which was last issued on August 29, 2012. The application covers an area of approximately 17.12 acres of coal at Risner in Floyd County.

The proposed operation is approximately 1.50 miles southeast of KY Route 1210 and located 0.20 miles east of Carney Creek.

The bond now in effect for increment 1 is a surety bond for sixteen thousand four hundred dollars (\$16,400). Approximately sixty percent (60%) of the original bond amount of (\$16,400) is included in this application for release.

The bond now in effect for increment 2 is a surety bond for thirty-five thousand nine hundred dollars (\$35,900). Approximately sixty percent (60%) of the original bond amount of (\$35,900) is included in this application for release.

The bond now in effect for increment 3 is a surety bond for forty-three thousand three hundred dollars (\$43,300). Approximately sixty percent (60%) of the original bond amount of (\$43,300) is included in this application for release.

Written comments, objections, and requests for a public or informal conference must be filed with the Director, Division of Mine Reclamation and Enforcement, Hudson Hollow, Frankfort, Kentucky 40601, by January 15, 2013.

A public hearing on the application has been scheduled for 8:00 am January 16, 2013 at the Division of Mine Reclamation and Enforcement's Prestonsburg Regional Office located at 3140 South Lake Drive, Suite 6 Prestonsburg, KY 41653 1410. The hearing will be canceled if no request for a hearing or informal conference is received by January 15, 2013.

**Legal**

**NOTICE OF BOND RELEASE**

- 1) In accordance with KRS 350.093, notice is hereby given that The Elk Horn Coal Company, LLC, 544 South Lake Drive, Prestonsburg, KY 41653, has applied for a Phase 1 bond release on Increment No. 2 of Permit No. 836-5603, which was last issued on August 29, 2012. Increment No. 1 covers an area of approximately 20.12 acres. Increment No. 2 covers an area of approximately 10.00 acres. The operations are located near the Raynor/Mink Branch Community in Floyd County, KY.
- 2) The permit is located approximately 1 mile south of the KY- 979 junction with Mink Branch Road.
- 3) The bond now in effect for Increment No. 1 is \$24,900.00, of which approximately 60% will be included in this application for the Phase bond release. The bond now in effect for increment No. 2 is \$3,500.00, of which approximately 60% will be included in the application for the Phase 1 bond release.
- 4) Reclamation work performed includes backfill, grading, seeding and mulch which were completed in May, 2012.
- 5) Written comments, objections and request for a public hearing or informal conference must be filed with the Director, Division of Field Services, No. 2 Hudson Hollow, Frankfort, KY 40601, by January 22, 2013.
- 6) A public hearing on this application has been scheduled for January 23, 2013, at 9:00 a.m., at the Department for Surface Mining Reclamation and Enforcement's Prestonsburg Regional Office, 3140 South Lake Drive, Suite 6, Prestonsburg, KY 41653 1410. The hearing will be canceled if no request for a hearing or informal conference is received by January 22, 2013.

**Legal**

**NOTICE OF INTENTION TO MINE PURSUANT TO APPLICATION NUMBER 836-8071 OPERATOR CHANGE**

In accordance with the provisions of 405 KAR 8.010, notice is hereby given that Frasure Creek Mining, LLC, 4978 Teays Valley Road, Scott Depot, West Virginia 25560 intends to release Permit No. 836-8071 to change the operator. The operator presently approved in the permit is Frasure Creek Mining, LLC, 4978 Teays Valley Road, Scott Depot, West Virginia 25560. The new operator will be Green River Energy Technologies LLC, P.O. Box 438, Wayland, Kentucky 41666. The operation is located 1.5 miles east of Goodloe in Boone County. The operation is approximately 0.60 mile west from State Route 404's junction with State Route 850 and located along Lick Fork of Midsouth River. The operation is located on the Big Sandy National USGS 7 1/2 minute quadrangle maps. The application has been filed for public inspection at the Department of Natural Resources' Prestonsburg Regional Office, 3140 South Lake Drive, Suite 6, Prestonsburg, Kentucky 41653. Written comments or objections must be filed with the Director, Division of Mine Permits, #2 Hudson Hollow, U.S. 127 South, Frankfort, KY 40601. All comments or objections must be received within fifteen (15) days of today's date.

**Legal**

**NOTICE OF INTENTION TO MINE PURSUANT TO APPLICATION NUMBER 836-8058 OPERATOR CHANGE**

In accordance with the provisions of 405 KAR 8.010, notice is hereby given that Frasure Creek Coal Corporation, 760 Town Mountain Road, Pikeville, Kentucky 41501 intends to revise Permit No. 836-8058 to change the operator. The operator presently approved in its permit is Fratar Creek Coal Corporation, 750 Town Mountain Road, Pikeville, Kentucky 41501. The new operator will be Appalachian Mining and Energy, L.L.C., P.O. Box 235, Ivel, Kentucky 41642.

The operation is located 0.25 miles south of Ivel in Floyd County. The operation is approximately 0.25 mile south from US 23 junction with Ivy Creek Road and is located 0.25 miles south of the Big Sandy River. The operation is located on the Harold USGS 7 1/2 minute quadrangle map. The application has been filed for public inspection at the Department for Natural Resources' Prestonsburg Regional Office, 3140 South Lake Drive, Suite 6, Prestonsburg, Kentucky 41653. Written comments or objections must be filed with the Director, Division of Mine Permits, #2 Hudson Hollow, U.S. 127 South, Frankfort, Kentucky 40601. All comments or objections must be received within fifteen (15) days of today's date.

**Legal**

**COMMONWEALTH OF KENTUCKY FLOYD CIRCUIT COURT DIVISION NO. II C.A. NO. 11-CI-604**

**U.S. BANK, NA (Successor by Merger to Firstar, Bank, NA, f/k/a Star Bank, NA, Successor by Merger to Trans Financial Bank, NA, f/d/b/a Trans Financial Mortgage Company, Successor by Merger to The Citizens Bank of Pikeville) PLAINTIFF**

**vs.**

**BRADLEY J. MOORE, ANY UNKNOWN OR UNASCERTAINABLE SPOUSE OF BRADLEY J. MOORE, MICHAEL MCCRAY and ANY UNKNOWN OR UNASCERTAINABLE SPOUSE OF MICHAEL MCCRAY DEFENDANTS**

**RE-NOTICE OF COMMISSIONER'S SALE**

By virtue of a Summary Judgment and Order of Sale of the Floyd Circuit Court entered the 16th day of January, 2012, in the above cause, as their interest in the subject property, in the principal amount of \$20,860.04, with interest thereon, plus additional sums and costs, please be advised that I shall proceed to offer for sale at the Old Floyd County Courthouse Door, South Central Avenue, Prestonsburg, Kentucky, (behind the old Floyd County Justice Center), to the highest and best bidder, at public auction, on the 3rd day of January, 2013 at 10:00 a.m., upon the terms set forth following the description, to-wit: The above described real property, to-wit: Property Address: 29 Lower Burton Road, Wheelwright, Floyd County, Kentucky

Lying and being in Burton Village Subdivision and being the surface and improvements of House and Lot No. 49 as shown upon the plat of Burton Village Subdivision filed in the office of the Clerk of Floyd County Court on December 12, 1955, and filed in Box No. 3, Map No. 174 therein, to which reference is made. This conveyance is subject to easements heretofore granted and all rights reserved and restrictions, limitations, and obligations imposed in the instruments in first party's chain of title.

Being the same property conveyed to the mortgagors herein by deed dated October 29, 1990, as recorded per Deed Book 342, Page 17, in the Floyd County Clerk's Office.

Being the same property conveyed to Bradley J. Moore, from Peggy Moore, by Quitclaim Deed, pursuant to Floyd Circuit Court Civil Action 92-CI-476, dated April 1, 1994, and recorded April 25, 1994, in Deed Book 376, page 142, in the Floyd County Clerk's Office.

A. The successful bidder shall either pay cash or make a deposit of 10% of the purchase price with the balance on a credit of thirty (30) days, in which event the successful bidder shall be required to execute bond with good surety thereon. Said bond shall be for the unpaid purchase price and bear interest at the rate of 12% per annum from the date said bond is paid. Said bond shall have the force and effect of a Judgment for which execution may issue, and a lien shall be retained upon the above described real estate and additional surety.

B. The purchaser shall be required to assume and pay the taxes or assessments upon the property for the current year real estate taxes and all subsequent years. All taxes or assessments upon the property for prior years shall be paid from the sale proceeds if properly claimed in writing and filed of record by the purchaser prior to the payment of the purchase price.

C. The property described above is sold subject to any easements, restrictions, defects, liens or encumbrances of record in the Floyd County Clerk's Office and such rights of redemption as may exist in favor of the United States of America and/or the record owners thereof.

Any announcements made on date of sale takes precedence over printed matter contained herein.

Hon. William Francis, Special Floyd County Master Commissioner

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Legals

**COMMONWEALTH OF KENTUCKY  
FLOYD CIRCUIT COURT  
DIVISION NO. I  
C.A. NO. 10-CI-1048**

**WELLS FARGO BANK, NA PLAINTIFF  
VS.  
PATRICIA CONN DEFENDANT.**

**NOTICE OF COMMISSIONER'S SALE**

By virtue of an Agreed In Rem Judgment and Order of Sale of the Floyd Circuit Court entered the 8<sup>th</sup> day of October, 2012, in the above cause, as their interest in the subject property, in the principal amount of \$193,736.17 was interest thereon; please be advised that I shall proceed to offer for sale at the Old Floyd County Courthouse Door, South Central Avenue, Prestonsburg, Kentucky, (behind the new Floyd County Justice Center), to the highest and best bidder, at public auction, on the 20th day of December, 2012 at 9:15 a.m., upon the terms set forth following the description, the following described property, to wit: Property Address: 127 Osborne Branch, Hi Hat, Kentucky 41636

Parcel No.: 069-00-00-086.00

Tract No. 1

Beginning on a bunch of willows marked; thence up the creek to opposite a large oak; thence up to the bank; thence down with the road right of way to a planted stone; thence a straight line across the bottom to the beginning.

A 12 foot line is also accepted out of this conveyance so that the party of the first part, his heirs and assigns, shall have right of ingress and egress to their bridge and property.

Tract No. 2

Beginning at a mulberry tree and running 136 feet across the bottom to the C&O Rail Road line down the creek 94 feet joining Freddie Gibson line.

Tract No. 3

Beginning at a mulberry tree down the creek to a big rock joining at the C & O Railroad property, joining Johnnie Hackey's line, thence straight across the bottom to the beginning at a mulberry tree, containing 1/2 acres more or less.

Being the same property conveyed to Patricia Conn, an unmarried who acquired by a deed from Freddie Gibson and wife, Tillie Gibson, dated February 9, 2006, filed February 21, 2006, recorded in Deed Book 521, page 281, County Clerk's Office, Floyd County, Kentucky.

A. The successful bidder shall either pay cash or make a deposit of 10% of the purchase price with the balance on credit for thirty (30) days, in which event the successful bidder shall be required to execute bond with good surety thereon. Said bond shall be for the unpaid purchase price and bear interest at the rate of 12% per annum from the date of sale until paid. Said bond shall have the force and effect of a judgment for which execution may issue, and a lien shall be retained upon the above described real estate as additional security.

B. The purchaser shall be required to assume and pay the taxes or assessments upon the property for the current year's property taxes and all subsequent years. All taxes or assessments upon the property for prior years shall be paid from the sale proceeds if properly claimed in writing and filed of record by the purchaser prior to the payment of the purchase price.

C. The property described above is sold subject to any easements, restrictions, defects, liens or encumbrances of record in the Floyd County Clerk's Office and such rights of redemption as may exist in favor of the United States of America and/or the record owners thereof.

Any announcements made on date of sale takes precedence over printed matter contained herein.

Hon. Williams S. Kendrick, Floyd County Master Commissioner



Legals

**COMMONWEALTH OF KENTUCKY  
FLOYD CIRCUIT COURT  
DIVISION II  
C.A. NO. 09-CI-415**

**CITIMORTGAGE, INC., SUCCESSOR BY MERGER TO  
CITIFINANCIAL MORTGAGE COMPANY, INC.,  
FKA ASSOCIATES HOME EQUITY SERVICES,  
INC. PLAINTIFF**

**VS.**

**SABRENA STEPP  
CACH, LLC  
RE-NOTICE OF FLOYD DEFENDANTS**

**RE-NOTICE OF COMMISSIONER'S SALE**

\*\*\*\*\*

BY VIRTUE OF Judgment and Order of Sale referring to Special Master Commissioner of the Floyd Circuit Court entered on the 16th day of September, 2009, in the Floyd Circuit Court, in the above stated action, in the principal sum of \$2,155,450.00, together with interest, costs and fees, I shall proceed to offer for sale at the Old Floyd County Courthouse Door, South Central Avenue, Prestonsburg, Kentucky, (behind the new Floyd County Justice Center) to the highest bidder, at public auction on Thursday, the 3rd day of January, 2013 at the hour of 10:15 a.m., the following described real estate lying in Floyd County, Kentucky, and more particularly described as follows:

**PROPERTY ADDRESS: 115 COPPERAS LICK BRANCH, PRESTONSBURG, KY 41659.**

**BEING LOT NOS. 8-12, OF THE COPPERAS LICK ESTATES, PRESTONSBURG, FLOYD COUNTY, KENTUCKY.**

**BEING THE SAME PROPERTY COVEYED TO SABRENA STEPP AND NORMAN STEPP FROM CHARLES E. BRANHAM AND SHARON NEELEY BRANHAM, HIS WIFE, BY DEED DATED SEPTEMBER 4, 1998, AND FILED FOR RECORD ON SEPTEMBER 9, 1998 IN DEED BOOK 424, PAGE 346 IN THE OFFICE OF THE FLOYD COUNTY CIRCUIT CLERK.**

**NORMAN STEPP IS NOW DECEASED. UPON HER DEATH, ALL RIGHT, TITLE AND INTEREST BECAME VESTED TO SABRENA STEPP.**

**TERMS OF SALE:**

A. The successful bidder shall either pay cash or make a deposit of \$5,000.00 of the purchase price with the balance on a credit for thirty (30) days, in which event the successful bidder shall be required to execute bond with good surety thereon. Said bond shall be for the unpaid purchase price and bear interest at the rate of 12% per annum from the date of sale until paid. Said bond shall have the force and effect of a judgment for which execution may issue, and a lien shall be retained upon the above described real estate as additional security.

B. The purchaser shall be required to assume and pay the taxes or assessments upon the property for the current year's real estate taxes and all subsequent years. All taxes or assessments upon the property for prior years shall be paid from the sale proceeds if properly claimed in writing and filed of record by the purchaser prior to the payment of the purchase price.

C. The property described above is sold subject to any easements, restrictions, defects, liens or encumbrances of record in the Floyd County Clerk's Office and such rights of redemption as may exist in favor of the United States of America and/or the record owners thereof.

Any announcements made on date of sale takes precedence over printed matter contained herein.

Hon. William S. Kendrick, Special Master Commissioner

Legals

**NOTICE OF INTENTION TO MINE  
PURSUANT TO APPLICATION NUMBER 836-8057  
OPERATOR CHANGE**

In accordance with the provisions of 405 KAR 8:010, notice is hereby given that Prater Creek Coal Corporation, 750 Town Mountain Road, Pikeville, Kentucky 41501 intends to revise Permit No. 836-8057 to change the operator. The operator presently approved in the permit is Prater Creek Coal Corporation, 750 Town Mountain Road, Pikeville, Kentucky 41501. The new operator will be Appalachian Mining and Reclamation, L.L.C., P.O. Box 235, Ivel, Kentucky 41642.

The operation is located 0.25 miles east of Ivel in Floyd County. The operation is approximately 0.25 miles southeast from US 23's junction with Ivel Road and is located 0.25 miles southeast of Levisa Fork of the Big Sandy River. The operation is located on the Harold USGS 7 1/2 minute quadrangle map.

The application has been filed for public inspection at the Department for Natural Resources' Prestonsburg Regional Office, 3142 South Lake Drive, Suite 6, Prestonsburg, Kentucky 41653. Written comments or objections must be filed with the Director, Division of Mine Permits, #2 Hudson Hollow, U.S. 127 South, Frankfort, Kentucky 40601. All comments or objections must be received within fifteen (15) days of today's date.

Legals

**NOTICE OF INTENTION TO MINE  
PURSUANT TO APPLICATION NUMBER 836-8072  
OPERATOR CHANGE**

In accordance with the provisions of 405 KAR 8:010, notice is hereby given that Frasure Creek Mining, LLC, 4978 Teays Valley Road, Scott Depot, West Virginia 25560 intends to revise Permit No. 836-8072 to change the operator. The operator presently approved in the permit is Frasure Creek Mining, LLC, 4978 Teays Valley Road, Scott Depot, West Virginia 25560. The new operator will be Green Energy Technologies LLC, P.O. Box 439, Wayland, Kentucky 41866.

The operation is located 0.75 mile northwest of Goodloe in Floyd County. The operation is approximately 1.30 mile northwest from State Route 404's junction with State Route 850 and located 0.10 mile south of Buckeye Branch of Middle Creek. The operation is located on the David and Martin USGS 7 1/2 minute quadrangle maps.

The application has been filed for public inspection at the Department for Natural Resources' Prestonsburg Regional Office, 3142 South Lake Drive, Suite 6, Prestonsburg, Kentucky 41653. Written comments or objections must be filed with the Director, Division of Mine Permits, #2 Hudson Hollow, U.S. 127 South, Frankfort, Kentucky 40601. All comments or objections must be received within fifteen (15) days of today's date.

Legals

**NOTICE**  
(Of Final Settlement)

**COMMONWEALTH OF KENTUCKY  
COUNTY OF FLOYD**

I, Douglas Ray Hall, Clerk of the 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              |
|---------------------|-------------|---------------------------|---|-----------------------|
| 11-26-12            | 12-P-442    | Ella E. Hall              | Buleah Hamilton                           |                       |
| 11-26-12            | 12-P-443    | Forrest Music             | Forrest Denise Robinson                   | P. Franklin Heberlein |
| 11-26-12            | 12-P-444    | Dennis Hall               | Joyce Hall                                |                       |
| 11-28-12            | 12-P-445    | Ursal Ray Wilcox          | Peggy Ann Lantz                           | Martin L. Osborne     |
| 11-19-12            | 12-P-448    | Ruth Slone Martin         | Theodore Wallace Martin                   |                       |
| 11-29-12            | 12-P-449    | Madie Osborn              | Magalene Conn                             |                       |
| 11-29-12            | 12-P-450    | Ruby Conn                 | Juanita Branham                           |                       |
| 11-30-12            | 12-P-451    | Denber Slone              | Carol A. Slone                            |                       |
| 12-03-12            | 12-P-452    | Estill Goble              | Paul Dean Coble                           |                       |
| 12-03-12            | 12-P-456    | Williard Dotson           | Edith Dotson                              | Thomas Moak           |
| 12-06-12            | 12-P-436    | William Kirk Salisbury    | Linda Salisbury                           | Larry D. Brown        |
| 12-05-12            | 12-P-460    | Shular Jackson Hurd       | Debra J. Hurd and Cathy Griffith          |                       |
| 12-05-12            | 12-P-461    | Bill Goble                | James David Goble                         |                       |
| 12-06-12            | 12-P-462    | Farris Lawson             | Ruby J. Lawson                            |                       |
| 12-07-12            | 12-P-463    | Donna M. Amburgey         | Charlie R. Rowe Jr.                       | William C. Francis    |
| 12-12-12            | 12-P-467    | Jackie Blake Hoover       | Peggy Hoover                              |                       |
| 12-13-12            | 12-P-468    | Judith Ann Haldridge Rowe | Karen Hobbs and Edward Bradley            |                       |
| 12-14-12            | 12-P-470    | Bill Henry Montgomery     | Steve R. Montgomery                       |                       |
| 12-18-12            | 12-P-471    | Manda Pratt               | Priscilla P. Prater                       |                       |
| 12-18-12            | 12-P-472    | Charles David Parsons     | Donna Walberg                             |                       |
| 12-19-12            | 12-P-474    | Ray Gordon Osborne        | Bonnie Watts                              |                       |
| 12-19-20            | 12-P-475    | Priscilla Sue Moore       | William Kelly Moore                       |                       |
| 12-20-12            | 12-P-476    | Alma D. Newsome           | Vivana Newsome                            |                       |
| 12-20-12            | 12-P-477    | Kenis Michael Hall, II    | Kenis Michael Hall, III/ Sharon L. Hadley | Arnold Turner, Jr.    |
| 12-20-12            | 12-P-478    | Charlie Bentley           | Mose Bentley                              | Larry Brown           |

Legals

**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 January 26th, 2013, at 10:00 am.

| Settlement | CASE NUMBER | ESTATE OF:              | FIDUCIARY                             | Date Filed |
|------------|-------------|-------------------------|---------------------------------------|------------|
| Final      | 12-P-197    | Everett McCracken       | Peggy McCracken                       | 11-20-12   |
| Final      | 12-P-220    | Vina Salisbury Nuckles  | Etta Marrea Nuckles                   | 11-21-12   |
| Final      | 12-P-204    | Barbara Ann Allen       | Nanna Fannin                          | 11-27-12   |
| Final      | 10-P-471    | Martha Jane Fitzpatrick | Franklin D. Fitzpatrick               | 11-28-12   |
| Final      | 12-P-209    | Larry Joe Eliswick      | Maylynn Sparkman                      | 11-28-12   |
| Final      | 10-P-404    | H.D. Fitzpatrick Jr.    | Franklin D. Fitzpatrick               | 11-28-12   |
| Final      | 08-P-225    | Madelyn Cottwell        | Beaty Schoolcraft                     | 11-29-12   |
| Final      | 06-P-220    | Nora George             | Roger George                          | 12-04-12   |
| Final      | 12-P-157    | Joseph McKinney         | Brad McKinney                         | 12-07-12   |
| Final      | 12-P-221    | Elmer Hall              | Danny Hall                            | 12-10-12   |
| Final      | 10-P-406    | Ross W. Lewis           | Retha Likens                          | 12-10-12   |
| Final      | 12-P-224    | Mecie McKinney          | Billy G. McKinney & Danny K. McKinney |            |
| Final      | 12-P-239    | Oval Pack               | Sharon Pattison                       | 12-13-12   |
| Final      | 10-P-433    | William Edward Flannery | Larilla Flannery                      | 12-14-12   |
| Final      | 12-P-225    | Florence B. Morrison    | Constance Horn                        | 12-14-12   |
| Final      | 12-P-231    | Nyokia Adkins           | Danny Corey Kidd                      | 12-14-12   |
| Final      | 11-P-494    | Danny Watkins           | Rooney Watkins & Mary Stacy           | 12-17-12   |
| Final      | 10-P-224    | Gary R. Slone           | Shayna Louise Hall                    | 12-17-12   |

**Legals**  
**NOTICE OF INTENTION TO MINE**  
Pursuant to Application No. 836-5612, Renewal #1

In accordance with KRS 350.055, notice is hereby given that the Mine Plan, 836-5612, 9730 Garman Road, Leo, IN 46785 has applied for a renewal of a permit for an existing underground coal mining operation located on approximately 0.15 mile southwest of Eastern in Floyd County. The proposed operation will disturb 5.87 surface acres and will underlie 200.84 acres, and the total area within the permit boundary will be 203.35 acres.

The proposed operation is approximately 0.50 miles southwest from KY Route 550 Junction with KY Route 80 and located 0.10 miles northwest of the Right Fork of Beaver Creek.

The proposed operation is located on the Martin S.G.S. 7 1/2 minute quadrangle maps. The surface area is owned by Fred and Monica Wilmer. The operation will underlie land owned by Fred and Monica Wilmer, Robert B. Martin & Joan S. Flannery, Wilford W. Flannery, Gregory W. Cooley Estate, Roger & Freda Tackett, Myrtle & Jobe Cooley Estate, Ralph & Glenda Barnatt, Floyd County Board of Education, Forrest & Cindi Hughes, Alda Hazel Gibson and Ronald & Dawn Gibson.

The application has been filed for public inspection at the Department for Surface Mining Reclamation and Enforcement's Prestonsburg Regional Office, 3140 South Lake Drive, Suite 6, Prestonsburg, KY 41653. Written comments, objections and requests for a permit conference must be filed with the District Division of Permits, #2 Hudson Hollow, U.S. 127 South, Frankfort, KY 40601.

This is the final advertisement for the application. All comments, objections or requests for a permit conference must be received within thirty (30) days of today's date.

**Legals**  
**NOTICE OF INTENTION TO MINE**  
Pursuant to Application No. 836-9024

In accordance with the provisions of 405 KAR 8.010, notice is hereby given that Prater Creek Coal Corporation, 750 Town Mountain Road, Pikeville, Kentucky 41501 intends to revise Permit No. 836-9024 to change the operator. The operator presently approved in the permit is Prater Creek Coal Corporation, 750 Town Mountain Road, Pikeville, Kentucky 41501. The new operator will be Appalachian Mining and Reclamation L.L.C., P.O. Box 235, Ivel, Kentucky 41642.

The operation is located 0.25 miles east of Ivel in Floyd County. The operation is approximately 0.25 miles southeast from US 23's junction with Ivel Road and is located 0.25 miles southeast of Levisa Fork of the Big Sandy River. The operation is located on the Harold USGS 7 1/2 minute quadrangle map.

The application has been filed for public inspection at the Department for Natural Resources' Prestonsburg Regional Office, 3140 South Lake Drive, Suite 6, Prestonsburg, Kentucky 41653. Written comments or objections must be filed with the Director, Division of Mine Permits, #2 Hudson Hollow, U.S. 127 South, Frankfort, Kentucky 40601. All comments or objections must be received within fifteen (15) days of today's date.

**Legals**  
**NOTICE OF BOND RELEASE**

In accordance with the provisions of KRS 350.093, notice is hereby given that Dusky Diamond Company, Inc., 183 Tollage Creek, Pikeville, Kentucky 41501, intends to apply for Phase 1 bond release on Increment 34 of Permit No. 836-0771 which was last issued on January 18, 2012. The application covers an area of approximately 190.68 acres located 5.70 miles east of Pikeville and is situated in both Pike and Floyd County, Kentucky.

The proposed operation is approximately 4.20 miles southwest from Pike 1289's junction with KY Route 1426 and located 1.10 miles south of Island Creek.

The bonds now in effect for Increment 34 are in the amount of \$489,900. Approximately sixty percent (60%) of the original bond amount of \$489,900 is included in this application for release.

Reclamation work performed for Increment 34 includes: backfilling, grading and seeding which was completed in April 2011.

This is the final advertisement of the application. Written comments, objections, and requests for a public hearing or informal conference must be filed with the Director, Division of Mine Reclamation and Enforcement, #2 Hudson Hollow, U.S. 127 South, Frankfort, Kentucky 40601 by January 25, 2013.

A public hearing has been scheduled for Monday, January 28, 2013 at 10:00 a.m. at the Division of Mine Reclamation and Enforcement's Pikeville Regional Office, 321 Main Branch Road, Pikeville, Kentucky 41501. The hearing will be cancelled if no request for a hearing or informal conference is received by January 25, 2013.

**Legals**  
**LEGAL NOTICE**

I have been appointed Warning Order Attorney by the Circuit Court of Floyd County, Kentucky to notify unknown Defendants that a Complaint was filed in Civil Action Number 12CI-01235 now pending in the Floyd Circuit Court, styled: Deidre Endicott vs. Pizza Hut of America, Inc.; Pizza Hut, Inc.; Boylan, Inc.; Boylan Realty, Inc. My Branches Limited Partnership; William C. May; Ailie M. May; Charles May; Callie D. May; Gary A. May; Leslie B. May; Lucille May and Unknown Defendants. The Unknown Defendants are hereby warned and notified that they have fifty (50) days from and after December 11, 2012 in which to file an answer to the Complaint filed against them. Failure to do so may result in the relief requested in the Complaint. This may be a matter for which you want to consult an attorney at law. A copy of the Complaint can be obtained from the undersigned Warning Order Attorney, Wolodymyr Cybrynsky, Warning Order Attorney, 214 South Central Avenue, Prestonsburg, KY 41653. (606) 886-8365

**Legals**  
**NOTICE OF INTENTION TO MINE**  
**PURSUANT TO APPLICATION NUMBER 836-9024**

**OPERATOR CHANGE**

In accordance with the provisions of 405 KAR 8.010, notice is hereby given that Prater Creek Coal Corporation, 750 Town Mountain Road, Pikeville, Kentucky 41501 intends to revise Permit No. 836-9024 to change the operator. The operator presently approved in the permit is Prater Creek Coal Corporation, 750 Town Mountain Road, Pikeville, Kentucky 41501. The new operator will be Appalachian Mining and Reclamation L.L.C., P.O. Box 235, Ivel, Kentucky 41642.

The operation is located 0.25 miles east of Ivel in Floyd County. The operation is approximately 0.25 miles southeast from US 23's junction with Ivel Road and is located 0.25 miles southeast of Levisa Fork of the Big Sandy River. The operation is located on the Harold USGS 7 1/2 minute quadrangle map.

The application has been filed for public inspection at the Department for Natural Resources' Prestonsburg Regional Office, 3140 South Lake Drive, Suite 6, Prestonsburg, Kentucky 41653. Written comments or objections must be filed with the Director, Division of Mine Permits, #2 Hudson Hollow, U.S. 127 South, Frankfort, Kentucky 40601. All comments or objections must be received within fifteen (15) days of today's date.

**Legals**  
**NOTICE OF BOND RELEASE**

In accordance with the provisions of KRS 350.093, notice is hereby given that Dusky Diamond Company, Inc., 183 Tollage Creek, Pikeville, Kentucky 41501, intends to apply for Phase 1 bond release on Increment 34 of Permit No. 836-0771 which was last issued on January 18, 2012. The application covers an area of approximately 190.68 acres located 5.70 miles east of Pikeville and is situated in both Pike and Floyd County, Kentucky.

The proposed operation is approximately 4.20 miles southwest from Pike 1289's junction with KY Route 1426 and located 1.10 miles south of Island Creek.

The bonds now in effect for Increment 34 are in the amount of \$489,900. Approximately sixty percent (60%) of the original bond amount of \$489,900 is included in this application for release.

Reclamation work performed for Increment 34 includes: backfilling, grading and seeding which was completed in April 2011.

This is the final advertisement of the application. Written comments, objections, and requests for a public hearing or informal conference must be filed with the Director, Division of Mine Reclamation and Enforcement, #2 Hudson Hollow, U.S. 127 South, Frankfort, Kentucky 40601 by January 25, 2013.

A public hearing has been scheduled for Monday, January 28, 2013 at 10:00 a.m. at the Division of Mine Reclamation and Enforcement's Pikeville Regional Office, 321 Main Branch Road, Pikeville, Kentucky 41501. The hearing will be cancelled if no request for a hearing or informal conference is received by January 25, 2013.

**ANNOUNCEMENTS**

**SERVICES**

**FINANCIAL**

**EDUCATION**

**ANIMALS**

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**MERCHANDISE**

**Miscellaneous**

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**Miscellaneous**

**PARK AVENUE**  
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**Walnut Lumber For Sale**  
Some has been seasoned for over 50 years, some for 25 years. Prestonsburg - Call 606-886-3118

**AUTOMOTIVE**

**Autos**

**HICKS AUTO SALES DAVID ROAD**  
"Good Titles"  
1999 Oldsmobile silhouette van 115,000 miles \$3,200  
98 Dodge ram 4x4 quad cab 1995 GMC sierra 4wd extra cab 1998 272 310  
1995 Ford Mustang GT Convertible 80,000 miles \$2,500  
1998 Chevy Tracker \$3,000  
2003 Wide Odette H.D. 12,000 miles \$9,000  
"Rebuilt Titles"  
2004 Mercury Marque 128,000 miles \$3,900  
2005 Buick Rendezvous AWD 90,000 \$6,200  
2005 Nissan Sentra 90,000 miles \$2,900  
1999 Ford Taurus \$2,900  
CALL 606-886-2842

**REAL ESTATE SALES**

**Houses For Sale**

**NEW Clayton 3 bedroom 2 bath \$25,900 Delivered and Setup (606) 487-0323**

New housing program now available! Your land or family land. \$0 down and turn key housing available with land improvement packages. Call to apply 866-591-0983

**PRICED REDUCED, Home for Sale**

Beautiful 4 bedrooms, 3 baths, brick one level home on one acre lot in Prestonsburg, KY. Price recently reduced and willing to negotiate. Newly upgraded kitchen, 2 new heating units, new roof. Master on suite is a show piece and large outside shop/storage. Too many amenities to mention to forsalebyowner.com. #2492395 for more information or call Judy @ 606-886-7093 or 606-259-1033.

**RENTS**

**LOTS FOR RENT, DWALE MOBILE HOME PARK, NEAR PRESTONSBURG, RESTRICTIONS APPLY. CALL 377-2357.**

**REAL ESTATE RENTALS**

**MEADE RENTALS**

- 2 bedroom Condo "brand new" - 1.5 bath - All hardwood floors - Located in the middle of Prestonsburg - Luxury Kitchen - Pantry cabinets - Dishwasher, Stove, Refrig. - Luxury at it's finest \$795 per month \$250.00 deposit Call 367-1605 Ask for Todd

**Apartment/Townhouses**

**Miscellaneous**

**APARTMENTS/TOWNHOUSES**  
WIDE EFFICIENCY FURNISHED APARTMENT. SUITABLE FOR 1 OR 2 PEOPLE ONLY. UTILITIES & CABLE INCLUDED. NO HUD, NO PETS. 500.00 PER MONTH. \$20.00 DEPOSIT. AVAILABLE JAN. 1ST. 606-259-7063

2 BR House & 2 BR Duplex for rent, central heat and air, 1 mile north of Prestonsburg. No pets, references and security deposit required. Call 889-9747 or 886-9007.

**TOWNHOUSE APARTMENT**  
FOR RENT: 2BR, 1 1/2 BATH, STOVE, REF, DW, W/D. HOOK UP, CITY LIMITS AT US 23 and 80. \$500.00 A MONTH PLUS 400.00 DEPOSIT. NO PETS. 1YR LEASE. ALSO 2 BDR, 1 BATH - \$550 PER MONTH PLUS \$350 DEPOSIT. CALL 606-237-4768 OR 606-825-0134

**Apartment/Townhouses**

**FOR RENT**  
FURNISHED GUEST HOUSE APARTMENT. UTILITIES INCLUDED. NO PETS PLEASE. ALSO 2 BR UNFURNISHED APARTMENT LOCATED @ UNIVERSITY DR. @ THE POST & SECURITY DEPOSIT REQUIRED. 889-0999 OR 886-3565.

**Houses For Rent**

3 BDR - 2 BA DW near Health Dept. Call for Rental, Residential or Commercial. \$695 per month. 606-794-4422

**FOR RENT**  
A FRAME 2 1/2 STORY ON SPURLOCK CREEK, CEDAR SIDING, HARDWOOD FLOORS, ON 5 ACRES OF LAND. TOTAL ELECTRIC. \$50.00 PER MONTH CALL 606-785-0770

**MANUFACTURED HOUSING**

**Rentals**

FOR RENT 3 BR, 2 BATH MOBILE HOME. LOCATED AT NEIGHBORHOOD. 550.00 DEPOSIT. 550.00 PER MONTH. REFERENCE REQUIRED. CALL 606-948-7056 LEAVE MESSAGE

FOR RENT NICE 2 BR MOBILE HOME. PRIVATE LOT. SUEBEN ALLEN PRESTONSBURG. 450.00 PER MONTH. 250.00 DEPOSIT. WATER, TRASH PICKUP & LAWN CARE. MOBILE FURNISHED. NO HUD, NO PETS. CALL 606-259-7063

FOR RENT SINGLE WIDE 2 BR 2 BATH. 1-606-648-6056 or 711 or come by the office for an application. Highland Heights 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 family status.

**Applications Being Accepted For 1, 2, 3, 4 Bedroom Apartments**

Located in Prestonsburg is Highland Heights Apartments in Goble Roberts addition and Cliffside Apartments on Cliff Road. Rent is based on gross monthly income. All utilities included at Highland Heights and a utility allowance at Cliffside. Learning centers at both sites with computers available. For more information call Highland Heights at 606-886-0608 and Cliffside at 606-886-1819, TDD: 1-800-648-6056 or 711 or come by the offices for an application. Highland Heights and Cliffside Apartments do not discriminate in admission or employment in subsidized housing on account of race, color, religion, gender, national origin, disability or family status.

**Sales**

Huge 2013 Clayton 28x72 4 bedrooms-2 bathrooms \$49,900 Delivered and Setup (606) 487-0323

Model Year Clearance Save \$383.606-487-0323

NEW 16X80 \$29,900 606-487-0323

Used Homes starting @ \$9,999 606-487-0323

**EMPLOYMENT**

**Help Wanted- General**

**Drivers Needed**  
Professional Transportation, Inc. is seeking local drivers for passenger vans in the Martin, KY area. Drug screen, driving record and criminal background check required. EOE 1-800-471-2525. Call www.professionaltransportationinc.com

**EXPERIENCED TAX PREPARERS NEEDED PRESTONSBURG & PIKE COUNTY. LIBERTY TAX SERVICES CALL 306-871-8859**

Immediately needed Part Time RN for a busy medical office. Day shift only. Email resumes to prete0007@gmail.com

Tax preparer. No experience necessary. Free one week computer training. Starts Jan. 2nd. Register by calling 304-671-9959. Starting 12/28/12. May also register by calling 606-432-7440. Limited space in class. Seasonal job opportunities available in Prestonsburg and Pike Co. Liberty Tax Services.



**Repairs**

**Review IS OUR BUSINESS**

**Parkview Pharmacy**  
www.refillrx.com/parkview  
Drive-thru Available  
Located across from Monroe Ballpark  
Kristy Moore / Valerie Akers  
(606) 377-2117  
FREE DELIVERY

**Roger Honeycutt Builders**  
New building, Do-it-yourself construction, Free estimates, Mobile Home, Manufactured Homes, Insulation, Drywall, Framing, Siding, Painting, Pole Barns, Porches.  
30 Year Experience  
FREE ESTIMATES  
606-566-0635  
606-566-9157

**Reynolds Marine Service**  
"Service Your Boat, Trust Sibley Reynolds Owner/Operator"  
Located at Banner, KY  
Repair Work & New and Used Parts  
Taka Service Available  
606-972-6221

**Mr. Fix-It Home Improvement**  
We can do a lot of many problems in your house or make a home. We have a great team of professionals. 24 hours a day.  
Give us a call for a FREE ESTIMATE  
606-205-4188

**ALLEN'S LAWN SERVICE**  
Landscaping • Hillside Clearing • Tree Trimming & Cutting  
We do it all!!  
606-886-1958  
606-701-2970

**Good & Sons EXCAVATING**  
Ditches & Ditches  
House Seats - Healing and Filling - Tree Removal  
606-226-8935




Value. Everyday.

Food City wishes you and your family a safe and...

# HAPPY NEW YEAR!

Food City will be open regular hours on New Years Day! Ad effective through December 29th




Selected Varieties  
**Pepsi-Cola Products**  
6 Pk./16-16.9 Oz. Btls.  
**BUY ONE, GET ONE FREE!**  
With Card



85% Lean, 15% Fat  
**Fresh Ground Round**  
3 Lbs. Or More, Per Lb.  
**2.99**  
With Card



Cumberland Gap  
**Hog Jowl Squares**  
Per Lb.  
**1.99**  
Per Lb., Sliced  
With Card



Jumbo Pack, Food City Fresh!  
**Boneless Fryer Breast**  
Per Lb.  
**1.99**  
With Card



Half  
**Boneless Pork Loin**  
Per Lb.  
**1.99**  
With Card

In Our Bakery-Deli  
**Rotisserie Chicken**  
Each  
**BUY MORE, SAVE MORE!**  
**3/\$10** FOR **2/\$8.99**  
Most purchase 1e single transaction. Purchase one for \$4.99 each.



96  
Cabbage  
Per Lb.  
**4/100**  
Lbs. For  
With Card



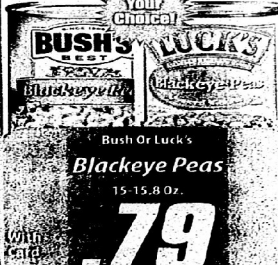
100  
Broccoli  
Bunch  
**1.99**  
With Card



94  
California  
**Cuties Clementines**  
5 Lb. Box  
**5.99**  
With Card



Selected Varieties, Pre-Sliced  
**Bistro Deli Classic Lunch Meats**  
9 Oz.  
**3.99**  
With Card



Your Choice!  
BUSH'S BEST LUCK'S  
Blacks Eye Peas  
15-15.8 Oz.  
**.79**  
With Card



Hamburger Or Hot Dog Buns (8 Ct.) Or  
**Kern's Sandwich Bread**  
20 Oz.  
**BUY ONE, GET ONE FREE!**  
With Card



Selected Varieties, Terry's  
**Tortilla Or Potato Chips**  
11 Oz.  
**BUY ONE, GET ONE FREE!**  
With Card



Selected Varieties  
**Chips Ahoy Cookies**  
9.5-15 Oz.  
**BUY ONE, GET ONE FREE!**  
With Card

2010  
**Traditional New Years Favorites!**



Thin, Ultra Thin Or Rising Crust (13.95-17.75 Oz.)  
**Food Club Pizza**  
Or Food Club Pizza Rolls (90 Ct.)  
Selected Varieties  
**BUY ONE, GET ONE FREE!**  
With Card



Individually Wrapped  
**Food Club American Cheese**  
24 Ct., 16 Oz.  
**BUY ONE, GET ONE FREE!**  
With Card



White Supplies Last!  
Lemon Lime or Fruit Punch Only  
**Gatorade Thirst Quencher**  
20 Oz. 18 Pk.  
**3.99**  
With Card

## PRESTONSBURG

SALE DATES  
Wednesday, December 26 through  
Saturday, December 29, 2012