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- PAGE A3

briefs

Corrections

■ In stories that ran June 11 and June 27 concerning a lawsuit filed in response to a mine accident that resulted in the death of Paul Edward Blair, it was incorrectly reported that Tee Engineering Company is a subsidiary of Cody Mining. Tee Engineering is actually an independent contractor and was hired by Knott-Floyd Land Company to set spads at the mine. The articles also refer to Don R. Blackburn as an employee of Cody Mining subsidiaries. Blackburn is actually president of Tee Engineering and is not affiliated with Cody Mining.

■ In a story that ran on Sunday, it was erroneously reported that Ray Collins will go to trial in September for allegedly shooting into a car at Sam an Tonios Restaurant. The Commonwealth's Attorney's Office has since clarified that the shooting took place on U.S. 23 and that the car stopped at Sam an Tonio's afterwards so that the alleged victims could call police.

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2 DAY FORECAST

Today



High: 84 • Low: 66

Tomorrow



High: 81 • Low: 66

For up-to-the-minute forecasts, see floydcountytimes.com

Officer sued for fatal shooting

by MARY MUSIC
STAFF WRITER

PRESTONSBURG — A Kentucky State Police Officer who fatally shot a man during a routine traffic stop last year is the focus of a Floyd County lawsuit.

Pikeville attorney Lawrence R. Webster filed suit against KSP Officer Kerry White, who killed Allen resident Aaron Tackett during a Route 80 traffic stop on July 1,

2003.

White shot Tackett, who was riding with his son, Jason Aaron Tackett, after an altercation ensued, officials said.

An eyewitness at the scene claimed that White was sitting in the driver's seat of the vehicle as a man, presumably Jason Aaron Tackett, stood near the passenger door.

The eyewitness said White stepped out of the vehicle and the man "threw his hands up" and bolted over a guardrail into

a heavily wooded area.

Police concentrated a search for Jason Aaron Tackett, sought for questioning, several days after the shooting.

He later told authorities that he heard the shot as he fled the scene. He also claimed that neither he nor his father were armed that day.

Tackett, shot once in the chest, died later that evening at Our Lady of the Way Hospital in Martin.

As the investigation continued, KSP officials labeled the incident as a justifiable shooting, saying that White "had to resort to lethal force to protect himself."

"Our internal investigation of this incident shows that Trooper White was in compliance with KSP policy and state statutes regarding the use of deadly force," KSP information officer Scott Hopkins

(See LAWSUIT, page three)



FEMA funds at work at the Stevens residence on Abbott Creek.

photo by Mary Music

Many flood victims still struggling

Some say FEMA help isn't enough

by MARY MUSIC
STAFF WRITER

ABBOTT CREEK — A month after homes were destroyed in the Memorial Day flood, families are still picking up the pieces.

Judge-Executive Paul Hunt Thompson said this week that the county has removed more than 1,250 tons of debris, but, as construction continues, several yards in Middle Creek, Abbott and Corn Fork are marked with piles of

unsalvageable furniture and belongings.

Some residents have decided to sell, others have received or are seeking help from the Federal Emergency Management Agency, and others still have no idea what shape their life will take after they survived the brunt of the disastrous storm, which affected approximately 4,000 homes and 90 roads in Floyd County.

FEMA reported Wednesday that 7,000 people in the 77 disaster-declared counties have applied for assistance. More than 1,000 of those applications, totaling \$2.4 million, were approved for Floyd Countians, spokesman Dennis Lowery said.

Martin County received approval of \$3.3 million for 898 residents applying for assistance and more than \$4 million will be distributed to Johnson, Magoffin

and Pike counties, FEMA reported.

Though the assistance is desperately needed and greatly appreciated by those applying, some local residents are questioning their disbursements.

"I'm not disgruntled and I'm not complaining, but I would like to know one thing," Corn Fork resident Billy Yonts said. "How do they decide who gets what? Some people are getting \$5,100, some people are getting \$12,000, and some people are getting \$25,000. I have major structural damage and I got \$5,100. That will replace my heating and air conditioning and a hot water heater and that'll about sum it up."

Yonts, whose home was submerged in 2 feet of water, said his

(See VICTIMS, page three)

4-year-old run over by lawnmower

by JOYAL FRAZIER
STAFF WRITER

MINNIE — A 4-year-old child was run over by a lawnmower Tuesday evening at S & V Trailer court in Minnie.

Josh Carroll's grandmother said that she just let him out the door to play outside for a few minutes with other family members next door.

According to the Floyd County Sheriff's Department, Casey Vanderpool, 25, was cutting grass around a pole at the corner of the park which his parents run, when Carroll came running around the side of the house. When the child saw the lawnmower he slid, because the grass was

damp, and fell and his leg went under the mower. Vanderpool was very upset and he said that he didn't have enough time to stop the mower when he saw the boy coming.

When the call came in to 911, it was transferred to McDowell ARH where David Little, a security guard and former EMT, took the call. There were no ambulances available at the time so Little went to the scene of the accident which was only a couple of miles away.

"This was the worst accident I've seen in a long time," Little said. "I felt it was in the best interest to get the child to the [emergency

(See MOWER, page three)

Woman target of phone scam

by TOM DOTY
STAFF WRITER

MARTIN — Grace Flannery, 92, of Martin, came very close to losing \$2,500 to a telephone scammer Tuesday.

The scam artist was very persistent and placed eight calls to Flannery's residence offering her \$250,000 prize as soon as she wired the taxes due on it to a telegraph office in Costa Rica. The caller was very charming, Flannery said, and dazzled her with all of the ways the

money could benefit her grandchildren.

The scammer slipped up, however, by making her instructions for paying the "taxes" so complicated that Flannery got confused after withdrawing the money and returned home where her daughter was waiting. The daughter heard of the scheme and immediately helped her mother place a call to the Consumer Protection Agency as well as the Federal Bureau of

(See SCAM, page three)

Office creates veterans display

by JOYAL FRAZIER
STAFF WRITER

PRESTONSBURG — The Fourth of July has different meanings for everyone and people across the country celebrate in different ways. For Sam Blankenship, he celebrates the veterans of Floyd County by displaying war memorabilia in his office located at 255 West Court Street in Prestonsburg.

The display remains up the entire month of July and this is the fifth year that Blankenship has

exhibited the war items.

The display is made up of pictures, medals, newspaper clippings, parachutes, battle flags and more. People from all over the county bring in their memorabilia and it has all been put together by word of mouth and by the help of Jean Burke and Carolyn Meade. There are still items coming in to be put up for display.

"The pictures are of Floyd Countians, all of different branches and wars that have served for

(See DISPLAY, page three)



Sam Blankenship dedicates his office, the entire month of July, to recognizing veterans from Floyd County. The exhibit fills the entire front office along with the window of pictures that can be seen from West Court Street.

photo by Joyal Frazier

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Odds & Ends

■ **VERSAILLES, Ill.** — Convicted bank robber Gordon A. Bryant might have had a better shot at his last hold-up attempt if he'd shown his face.

The 70-year-old put a stocking over his head before he tried to enter the Farmer's State Bank of Versailles on Tuesday, police said.

The bank had installed a system to buzz in customers after a holdup in February. Suspicious employees refused to unlock the door because the man was wearing the stocking.

"When you're going into a bank, you usually don't wear those in there," Brown County Sheriff Jerry Kempf said. "It's not Halloween."

Bryant drove away, but a deputy caught up with him, authorities said.

Bryant was turned over to the FBI and charged with attempted bank robbery Wednesday, special agent Nathan Williams said. The charge carries a maximum sentence of 20 years in prison.

The sheriff said Bryant had served prison time for bank robbery and ought to be more competent by now.

"He's 70 years old, you would hope he would have learned by now," Kempf said.

■ **HANSON, Mass.** — Dorinda McCann is hopping mad over a toad she found in her salad.

McCann, 34, found the two-inch long toad in a takeout salad bought at a McDonald's in Hanson on June 16.

Both the restaurant's owner and the town health department are investigating, but McCann said did not hear from the owner until Tuesday, and she is still awaiting word from the health department.

"I was sick — what if I had salmonella poisoning? Did anybody call?" she said.

Town health agent Vincent Flaherty said he is waiting to learn the origin of the toad, which is being tested by the California-based company that processes the lettuce used in McDonald's salads.

Restaurant owner Mark McBee tried to contact the McCanns on several occasions and never received a return call until Tuesday, said Tara Richards, a spokeswoman for McBee.

"The safety of our food is

very important to us and we are taking this matter very seriously," she said. "We are working to gather all of the facts. The health department completed a thorough review of restaurant operations and gave the restaurant a clean bill of health."

Meanwhile, McCann, her husband, Thomas, and their two daughters, once regular McDonald's customers, have stopped going to the restaurant.

■ **MORRISTOWN, N.J.** — A man accused of job hunting at day care centers while clad in a soiled diaper and pink stretch pants will avoid jail time.

Authorities say William Rhode III, 53, unsuccessfully tried to get work at five different centers in four area communities on Feb. 12. He was arrested later that day and had been housed since then in the county jail's psychiatric unit.

Rhode, who now lives in a homeless shelter, had been indicted on seven counts of child endangerment. The county grand jury said his behavior constituted sexual conduct and

that children at all five centers saw him.

Rhode was freed Tuesday after pleading guilty to a disorderly persons charge. He was sentenced to five years probation and must undergo a psychiatric evaluation and receive any recommended counseling. He also must stay away from children.

■ **NEW ORLEANS** — It took more than holding his breath or a scare to cure Shane Shafer of his hiccups.

After seven months of constant, bark-like hiccups, a first-of-its-kind operation has returned normal life to the 50-year-old Texas man.

Shafer's speech is now a hoarse whisper — a side effect of the electronic device that cured him, one generally used to treat epilepsy.

But for the first time since November, he can eat, sleep and talk without a bark-like hiccup every three to four seconds.

"Even something as simple as a kiss is now performed without a hiccup," said his wife, Lori Shafer.

Surgeons implanted a vagal nerve stimulator in Shafer's chest June 23 in New Orleans. It was activated last week.

The couple wed in May 2003, on the first anniversary of the first of three strokes that apparently damaged Shafer's brain stem, leading to the hiccups.

"We had just recently started dating when he had his stroke. We tried to take the negative day of the stroke and make it positive, so the next year we got married," Lori Shafer said.

Then, around Thanksgiving, the hiccups began. They got worse with the new year.

Doctors tried a number of drugs, including tranquilizers and seizure drugs.

The vagal nerve stimulator, the doctors decided, could disrupt the miscommunication causing Shafer's hiccups just as it does to control seizures that can't be stopped by drugs.

In about 4 percent of patients, the device itself can cause hiccups. That wasn't really a worry, Lori Shafer said: "Nothing could have made them worse."

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Today in History

The Associated Press

Today is Friday, July 2, the 184th day of 2004. There are 182 days left in the year.

Today's Highlight in History:

On July 2, 1776, the Continental Congress passed a resolution saying that "these United Colonies are, and of right, ought to be, Free and Independent States."

- On this date:**
- In 1881, President Garfield was shot by Charles J. Guiteau at the Washington railroad station; Garfield died the following September.
 - In 1890, Congress passed the Sherman Antitrust Act.
 - In 1926, the United States Army Air Corps was created.
 - In 1937, aviator Amelia Earhart and navigator Fred Noonan disappeared over the Pacific Ocean while attempting to make the first round-the-world flight at the equator.
 - In 1961, author Ernest Hemingway shot himself to death at his home in Ketchum, Idaho.
 - In 1964, 40 years ago, President Johnson signed into law a sweeping civil rights bill passed by Congress.
 - In 1976, the Supreme Court ruled the death penalty was not inherently cruel or unusual.
 - In 1989, former Soviet Foreign Minister Andrei Gromyko died in Moscow at age 79.
 - In 2001, Robert Tools received the world's first self-contained artificial heart in Louisville, Ky. (He lived 151 days with the device.)

■ In 2002, American adventurer Steve Fossett became the first person to fly a balloon solo around the world as he returned to western Australia.

Ten years ago:

A USAir DC-9 crashed in poor weather at Charlotte-Douglas International Airport in North Carolina, killing 37 of the 57 people aboard. Colombian soccer player Andres Escobar was shot to death in Medellin, 10 days after accidentally scoring a goal against his own team in World Cup competition.

One year ago:

Palestinian police marched into Bethlehem, taking control of the ancient West Bank city after Israel withdrew under a U.S.-backed peace plan. Vancouver was awarded the 2010 Winter Olympics.

Five years ago:

Former Northwestern University basketball coach

Ricky Byrdsong was shot to death in Skokie, Ill.; authorities believe he was the victim of a three-day shooting rampage by white supremacist Benjamin Nathaniel Smith that targeted minorities in Illinois and Indiana. (One other person was killed and several wounded before Smith committed suicide.) "Godfather" author Mario Puzo died on Long Island, N.Y., at age 78.

Conchita Martinez won the women's title at Wimbledon, defeating Martina Navratilova 6-4, 3-6, 6-3.

(See HISTORY, page five)

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2002 Chevy Cavalier 4-door, red, 4-cylinder, CD, new tires. 30 Miles Per Gallon!	1999 Cadillac Sedan DeVille White, loaded, leather. Priced to sell! NADA = \$14,900 SALE = \$10,900 SAVINGS = \$3,000	1999 Suburban LT Leather, CD & cassette, new tires. 59,000 miles, "bright red." "Absolutely Mint Condition!"

Victims

Continued from p1



photo by Mary Music
Eric Hamilton, forefront, and Manuel "Hershey" Adams worked Wednesday on building a new bridge on Ray Branch at Middle Creek.

contractor estimated \$20,000 in damages to his foundation and flooring. He and his wife, Susan, are currently facing the replacement of sheet rock, carpet, flooring and subflooring in their home.

His neighbor, Ranson Hunt, had similar remarks.

Water invaded a few inches into his home and damaged several pieces of equipment and tools in his garage.

"You think \$2,000 is fair?" Hunt questioned, pointing out that the water hit two of his motorcycles, an ATV, a riding lawnmower, two weed trimmers, two push mowers, and nearly every electrical tool in his possession. "I can't see why they can't give a feller help on this."

Hunt and his wife, Betty, received a call Monday from FEMA, telling them that they could possibly receive more FEMA funds. They were instructed to get an estimate of the damages. When The Times visited their home Wednesday, a construction firm was estimating the damages at \$11,000, an

estimate they are forwarding, as requested, to FEMA.

Brenda and Stan Stevens, residents of Abbott, whose home was completely destroyed, will receive \$5,100 from FEMA.

"That's barely enough to cover what we need. It wouldn't even buy appliances," Brenda Stevens said.

The Stevenses are using the money to raise the level of their home to prevent future flooding.

With a house payment, car payment and other bills to attend to, the pair agree that they cannot afford a Small Business Administration loan to cover the rest of the damages. They are contemplating bankruptcy and say they don't know what they will do.

Lowery said yesterday that residents who question the amount of assistance awarded can appeal their case through FEMA, as instructed on their award letter. More grant money (up to \$25,000) is available for those who can't afford a loan, he said, through the Other Needs Assistance program. According to him, \$5,100 is the maximum

allowed under the disaster housing program, which provides assistance to renters and for minor house repairs. SBA loans will provide funds to return homes back to their original condition, Lowery said.

Judge-Executive Paul Hunt Thompson said that the fiscal court is "writing up" 11 different public works projects which include work needed on various bridges and roads throughout the county. A resolution was passed during a special called fiscal court meeting yesterday to pay contractors for work already completed, a stepping stone, Thompson said, for the county to receive 75 percent assistance through FEMA.

Shortly after the Memorial Day flood, the county received \$700,000 from FEMA for last year's flood. Over half of that money was spent clearing debris and beginning road construction, Thompson said.

Construction is currently underway in Middle Creek on two bridges that were destroyed during the flooding. Workers with Hamilton Construction, through the fiscal court, began this week digging footers for new 40- and 60-foot bridges on Ray Branch and Monroe Adams Road.

Edward Poe, 63, says resi-

dents in the six homes on Ray Branch have been driving through the creek since flooding occurred a month ago.

"I think they're doing a great job," he said. "We appreciate all the effort they're doing to help us."

Homes along Creekside in Abbott are coming along, with construction workers and hundreds of volunteers on hand to clean up the mess.

Debbie Paige worked alongside her father, Clyde Ritchie, Wednesday, salvaging what they could from her Creekside home, which was soaked in 3 feet of floodwater.

Her valued losses totaled \$51,000 and she's currently awaiting word from her insurance company. She expects FEMA to pay the leftover needs not covered by her policy.

One home on Creekside clearly destroyed in the flood is up for sale. Fill dirt is requested at another residence. A note on the front door of the home of Keith and Connie Spencer reads "No insurance. Need house raised 8 ft." Neighbors say the family spent 3 hours during the height of the storm on their rooftop. A camper now sits in their driveway.

Nearly everyone visited by The Times Wednesday

expressed their deepest appreciation for the volunteers and organizations who've stepped up to help during their time of need.

"I don't know what I would have done," one resident said.

"Times like this right here that does a lot for the community," Billy Yonts said. "There were people on this holler that hadn't spoken in 10 to 15 years. Now they come out and talk.

People are coming over asking if they can help. It's brought the community together for the first time in years and years."

The FEMA assistance line is still available. Those with questions or wishing to apply can call (800) 621-FEMA or (800) 462-7585. A disaster recovery van will be available at the Clark Elementary School until July 3. Others are available in Magoffin and Martin counties.



Frank Fitzpatrick, left, president of the Middle Creek National Battlefield Foundation, joined Burl Wells Spurlock, center, board chairman, and Greg Wilson, right, president and CEO of First Commonwealth Bank, at the unveiling of the third in a series of interpretive panels located in and around Prestonsburg. The panel shown above was erected near the site where John M. Burns' home, later known as the Garfield house, stood. James A. Garfield used this home as his headquarters during his campaign.

Lawsuit

Continued from p1

said yesterday.

Webster, however, is questioning the validity of that investigation.

"That's what happens when people are allowed to investigate themselves. That's the kind of reports that you get," he said. "These kinds of cases test the mettle of the legal system. You have to rely on public servants, most whose sympathies, day to day relationships, loyalty and political statements all favor the police. Many juries are afraid to turn a guilty verdict against policemen."

Webster, who is suing White on behalf of Tackett's brother, Robert Tackett, says the officer's conduct, although in the line of duty, may have went beyond the "course and scope of his employment." He believes the evidence in the case may

indicate that it was a "deliberate act."

"Taxpayers shouldn't have to pay for things like that," Webster said. "The investigation into this case is in the possession of public officials. Information we have shows at least negative conduct or, very possibly, willful conduct. We have to try to get that information from the government and hope that it's fairly shared and hope that it was fairly gathered."

Robert Tackett is asking for compensatory damages covered under the state's wrongful death statute, a trial by jury and punitive damages if White's conduct is found to be willful or malicious.

County makes first payment for cleanup

by TOM DOTY
STAFF WRITER

PRESTONSBURG — The Floyd County Fiscal Court held a special meeting Thursday in order to approve payment of a whopping bill for \$267,128.86.

The bill was generated by efforts to provide cleanup in communities after the devastating Memorial Day flood. The bill was submitted quickly in the hopes that compensation would be swift after the receipts are collected and sent to FEMA.

"There should be a pretty fast turnaround because it's clean up costs," said Judge-Executive Paul Hunt Thompson.

The bill includes two payments to Drains Unlimited that amount to over \$120,000 and payments of almost \$42,000 a piece to Holland Enterprise and Waste Management.

In other business the court approved hiring Evelyn Marie Holbrook to fill a position as ABC clerk. The position carries a 90-day probation period.

The court also approved hiring Stan Farler as its new code enforcement officer.

Both employees will begin their new duties on Tuesday July 6.

Each motion carried unanimously by the court, and all members were present.

Scam

Continued from p1

Investigation. The daughter also noticed that Flannery's Caller I.D. feature listed the calls as coming from an exchange in Texas and promptly gave that number to authorities.

"I don't know how they got hold of me but I enter a lot of contests," Flannery said. "What got me was that he said I could use the money as something to leave to my children."

Flannery taught at a one-room schoolhouse at Spurlock 72 years ago and has enriched the lives of many area children.

Her daughter, Emma Pigman, was appalled at the brazenness and skill of the caller, who manipulated her mother and played off her concerns for her children.

"He went after her because she's a senior," Pigman fumed. "All she's ever wanted was what's best for her students and her nine children."

Scams like this one are very common and Attorney General Greg Stumbo has made a point to address them at his website. The site is located at <http://ag.ky.gov/cp/phones.htm>. At the site Stumbo lists many approaches by telemarketers that indicate that they may be scamming you.

One of the tips offered is to avoid pitches that involve big returns on no-risk investments. If they were for real, they wouldn't have to call for investors.

Stumbo also warns about any

deal where they want you to wire cash. This often means they are trying to avoid the stiffer penalties that come with falsely using the mail, which is a federal offense.

There are many other tips at the site as well as who to report these crimes to.

Wanda Delaplane, spokesperson for the Attorney General's Office, said, "We really urge people to call our office and ask questions. We are paid by their taxes and exist to serve them."

Delaplane went on to point out some Kentucky laws that protect consumers.

"Sweepstakes companies don't collect taxes here," Delaplane said. "The state will do that from winners, so never pay taxes for a prize because its not the law here."

She also warned that many scammers will ask for your bank account numbers and then access your money.

"We are getting more complaints now than ever about unauthorized billing," she said. Delaplane also warned that these phone scammers are experts on the phone and make up excuses to get personal information that sound legitimate.

"Don't give in though," she said, "You can call us about any company or with any question."

You can contact the Attorney General's Office at (502) 696-5389. There is also a toll-free number at (866) 592-2550.

Mower

Continued from p1

room as quick as possible."

Sgt. Steve Little, with the Sheriff's Department, said, "He probably helped the little feller quite a bit. The ambulance was still 15 minutes away."

David Little helped control the bleeding and took the boy in his car to McDowell ARH along with the child's grandmother. Carroll was later flown to the University of Kentucky Chandler Medical Center, where they had to amputate his leg from the knee down.

The child's parents could not be reached for comment on the accident.

Sgt. Steve said that Vanderpool has been cooperating in every way with them. When asked if there would be charges, he said that the investigation is still ongoing.

Display

Continued from p1

our country," Blankenship explained. "Most of them are brought in by ladies because they are proud of their men."

One of the more unique items that Blankenship talked about was a Japanese battlefield flag that was found in a little shop in another state. The gentleman that found it started calling the names on the flag and finally found one person that was still alive and listed, John Burke Sr., of Prestonsburg. All the other people that had put their names on the flag were deceased, so the gentleman had the flag framed and sent to Burke.

When asked why he creates the display each year, Blankenship simply said, "Whether you are for an issue or against an issue, if it weren't for veterans there'd be no issues."

If you would like more information or have items you would like to display, contact Sam Blankenship at (606) 889-9004 or stop by and visit the exhibit at 255 West Court Street in downtown Prestonsburg.

4th of July Fish Fry

The law office of Pillersdorf, DeRossett & Lane, and Attorney Mike Endicott, are hosting a 4th of July Fish Fry, Sunday, July 4th, from 5:00 p.m. to 9:00 p.m., on the patio of Pillersdorf, DeRossett & Lane, adjacent to the Prestonsburg City Municipal Parking Lot.

Special Guests:

- Kentucky Supreme Court Justice Janet Stumbo
- Former General Burnside State Park workers—William Leslie, Sandra Dale, Genell Roberts and Dan Mongiardo



There is no particular dress code for the fish fry, and all guests, including past and current state park workers, are more than welcome.

For further information, please call

886-6090

Viewpoint

Worth Repeating ...

"You may be deceived if you trust too much, but you will live in torment if you do not trust enough."

— Frank Crane

Amendment 1

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

Editorial roundup

The Buffalo (N.Y.) News, on American credibility:

Like the Keystone Cops or the Gang that Couldn't Shoot Straight, the Bush administration has been tripping over its own feet, giving rise to criticism that its defenders cite as some version of a vast left-wing conspiracy. But the truth is that the administration has only itself to blame for the recent brickbats headed its way.

The incidents go back to the arguments the administration used to justify the war in Iraq, but they are more recent as well. The State Department's 180-degree reversal on the number of terror attacks in 2003 made it look like the administration had been trying to falsely claim success in reducing terrorism, while the Justice Department's legalistic defense of torture made the actions inside Abu Ghraib prison look more like policy than insubordination.

The administration insists the undercounting in the April terror report was caused by a compilation error, and earlier last week, in an effort to prove that Bush had rejected the use of torture, it unclassified documents regarding interrogation techniques. The protestations of innocence may be legitimate, but the constant repositioning of facts is also consistent with an administration that has been caught in the act. If it is not guilty of something, it sure is acting that way. ...

The Cincinnati Enquirer, on the flight of SpaceShipOne:

Monday's remarkable flight by the SpaceShipOne rocket plane, which barely scraped across the arbitrary outer boundary of Earth's atmosphere, may have been one small step for manned spaceflight, but it was one giant leap for the entrepreneurial spirit. It sent a soaring signal that the era of commercial space travel offered by private industry may be nearer than we think. And it provided further evidence that while there are many things that government is well-equipped to do, matters of efficient, timely innovation are best left to a free, competitive market.

The Times

FLOYD COUNTY

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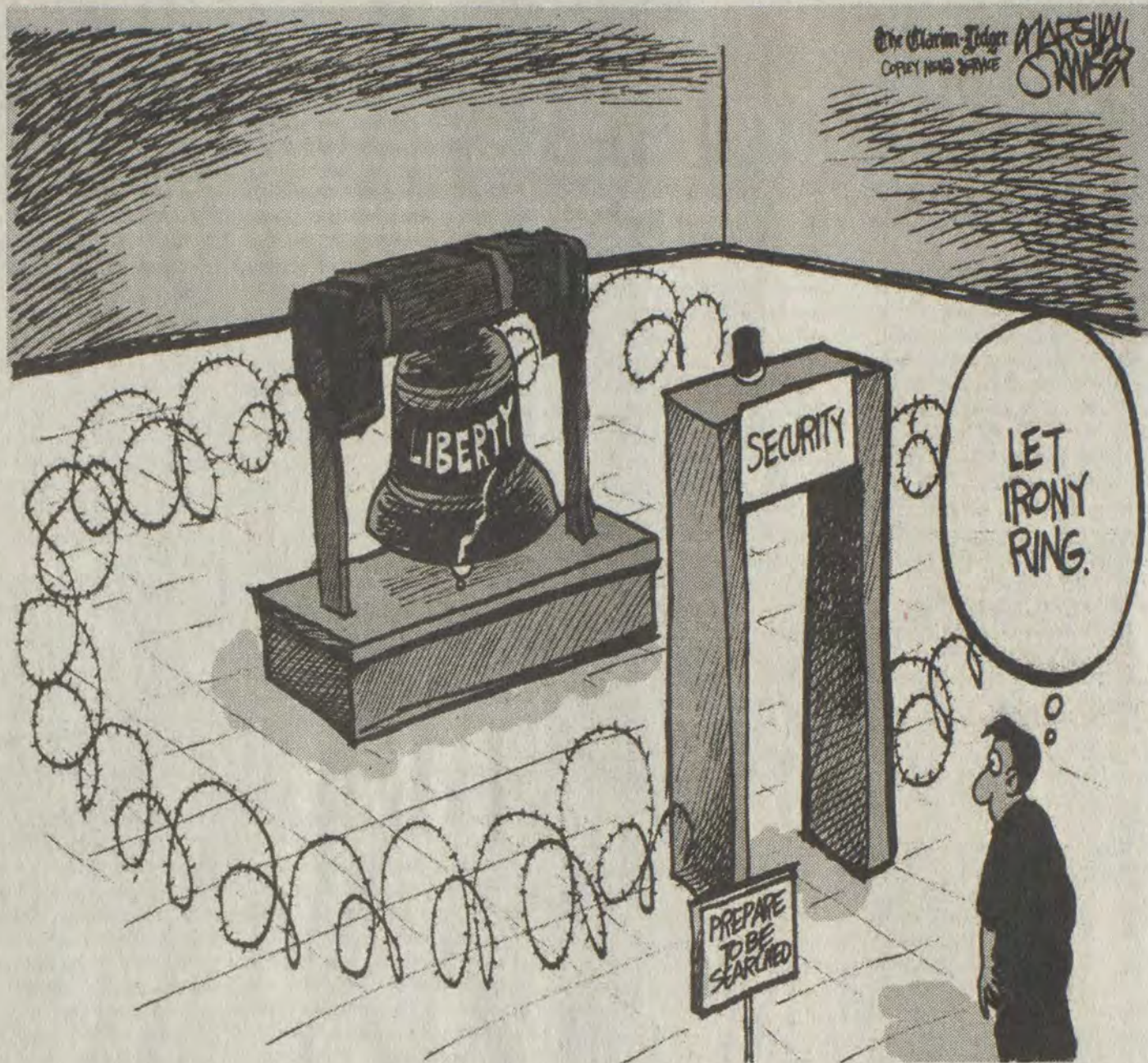
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Guest Column

No right to remain silent

by SHELDON RICHMAN

You have the right to remain silent — unless you're asked your name when you aren't even charged with a crime. That's right: it can now be a crime to refuse to tell a policeman your name. What's happening to America?

Nevada and 20 other states have criminalized remaining silent in the face of a policeman's question "What's your name?" By a 5-4 vote the U.S. Supreme Court said that's okay — it's no violation of the Fourth Amendment prohibition against unreasonable searches or the Fifth Amendment prohibition against compulsory self-incrimination.

"Obtaining a suspect's name in the

course of a Terry stop serves important government interests," wrote Justice Anthony Kennedy for the majority, referring to an earlier case (Terry) that permits the police to detain people on the basis of a suspicion that falls short of the traditional standard of "probable cause" for arrest. It may serve "important government interests." But some of us in the United States still harbor the impression that the rights and interests of individuals trump the interests of state.

The latest case arose out of a rancher's refusal to identify himself while the police were looking for a man in a truck who had been seen beating a woman. The rancher had been spotted by his truck and, after refusing 11 requests to give his name, he was charged with and later convicted of a misdemeanor. He was fined \$250.

It doesn't seem like much of a penalty, but we have to think in principles. It should make the citizens of a putatively

free country uncomfortable to know that the police can have the authority to stop and demand identification on the basis of a "reasonable suspicion," which after all is a highly subjective state of mind. A person is looking at a storefront. Is he admiring the window display or casing the joint? It's up to the policeman to decide. Under the Terry ruling, which was decided more than three decades ago, the cop can stop, question, and frisk the person without probable cause. The latest ruling simply fills in a missing detail. The policeman can demand that the person identify himself.

Kennedy and his four colleagues rejected the argument that giving one's name can be an act of self-incrimination. Obviously, if the person questioned is wanted for another crime, then being forced to identify himself does violate the right against self-incrimination. Kennedy dismissed this objection all too

(See GUEST, page six)

Capital Ideas

Faction lines drawn in Kentucky Democratic Party

by CHARLES WOLFE
ASSOCIATED PRESS WRITER

FRANKFORT — Seven months after Republican Ernie Fletcher took possession of the governor's office, the Kentucky Democratic Party is still trying to get its footing.

The party, which held the statehouse for 32 straight years, lost more than a governor when Fletcher defeated Ben Chandler in the 2003 election. It lost its central figure.

A power vacuum at the top led to leadership by committee. Factional lines emerged.

One camp includes state Auditor Crit Luallen, Treasurer Jonathan Miller and Terry McBrayer, a former party chairman and current Democratic National

Committee member.

A second camp includes Attorney General Greg Stumbo, former Lt. Gov. Steve Henry and Jerry Lundergan, a former legislator and party chairman who has been raising money for the Democratic minority in the Kentucky Senate.

The party's chairman, Bill Garmer, defeated Lundergan to get the post in January. Garmer fended off a coup attempt led in part by Lundergan at the party's recent state convention.

Lundergan was part of a group — as was Stumbo — that wanted to replace Garmer with Henry's wife, former Miss America Heather French Henry. Garmer's allies, including Luallen, Miller, McBrayer and Chandler, outmaneuvered the other faction.

No direct referendum occurred on the convention floor, but doubts about Garmer — mainly about his fund raising capabilities — were not assuaged. Stumbo said he was still enthused about Heather Henry.

"She has star power. She can raise money," Stumbo said in an interview. "Problem is, we're mining from the

same old mine" — meaning trial lawyers and labor, traditional sources of Democratic campaign contributions.

"This is a game of raising money as much as anything," Stumbo said. Miller, who showed his own money raising prowess in winning two elections as state treasurer, said before the state convention that Democrats needed a paradigm shift.

"This is not a party where millions of dollars can be raised and have huge staffs," unlike the days "when we'd have a governor who would lean on the government contractors to make big contributions," Miller said. "Instead," he said, "the model is a smaller party, a leaner party" with fund raising focused on candidates as opposed to raising money for the party itself.

Radical chic?

House Speaker Jody Richards is on a T-shirt, available on line in various styles and colors, beginning at \$15.99. Plus shipping.

(See IDEAS, page six)

Letter Guidelines

Letters to the Editor are welcomed by The Floyd County Times.

In accordance with our editorial page policy, all letters must include the signature, address and telephone number of the author.

The Times reserves the right to reject or edit any letter deemed slanderous, libelous or otherwise objectionable. Letters should be no longer than two type-written pages, and may be edited for length or clarity.

Opinions expressed in letters and other voices are those of the authors and do not necessarily reflect the views of the newspaper. Send letters to: The Editor, The Floyd County Times, P.O. Box 391, Prestonsburg, Ky. 41653.

Entertainment Extra

Web-slinger swings back on screen in grand style

by **CHRISTY LEMIRE**
AP ENTERTAINMENT WRITER

More is more — and we're not talking about Michael Moore, for once — with "Spider-Man 2."

The web-slinging sequences are bigger-better-brighter-faster than the already spectacular ones in 2002's "Spider-Man," and at the same time, the film's smaller emotional moments are denser, richer and more resonant than those in the first.

Summer blockbusters aren't supposed to make you think or feel — they usually dazzle and deafen for a couple of hours of air-conditioned numbness before sending you back out into the blinding sun.

Much of what makes the

"Spider-Man" movies more engaging has to do with Tobey Maguire, whose big, blue eyes and boyish face ooze vulnerability. You want to take him in your arms and protect him from the world's cruelties, even though as a comic-book superhero, it's his responsibility to protect everyone else.

When he's just regular-guy Peter Parker, he's even more of a sad sack than he was in the first film. Director Sam Raimi needed time with "Spider-Man" to establish Peter's back story and the thrill of discovering his new powers. With the sequel — written by Alvin Sargent from a story by Michael Chabon, Alfred Gough and Miles Millar — Raimi has room to explore the details of Peter's daily life,

which can be simultaneously hilarious and heartbreaking.

He's always late — with the rent on his shabby, one-room apartment; with his job delivering pizzas, which he loses at the film's beginning; and with assignments for his college science courses, where his professors have written him off as brilliant but lazy.

He's wracked with guilt over the death of his uncle Ben, for which he feels responsible. He tries but fails to financially support his Aunt May (Rosemary Harris), who's on the verge of eviction. And he constantly disappoints best friend Harry (James Franco) and secret love Mary Jane (Kirsten Dunst) when his secret life takes him away from them.

Peter Parker, in essence, is just like us — struggling to keep it together while juggling a million tasks at once.

Some of those tasks just happen to include stopping crimes and saving lives.

That becomes more difficult when Dr. Otto Octavius (Alfred Molina), a scientist Peter admires, turns into the menacing, multitentacled Doc Ock during a fusion experiment that goes horribly awry.

Doc Ock is a more intimidating villain than Willem Dafoe's Green Goblin was in the original film, partly because his face isn't obscured by a dark mask and partly because his capacity for destruction is so much greater.

He first unleashes his fury in a truly horrifying scene in a hospital operating room that harkens to Raimi's "Evil Dead" days in the '80s. The four metal arms that snake and whip from his back have minds of their own, and they often want to wreak havoc on Manhattan when the human being they're attached to wants to do the right thing.

And yet, because Doc Ock is such a complicated creature, trying to figure out exactly how he's doing what he's doing can be distracting, and it sometimes takes away from the action itself.

At its core, "Spider-Man 2" is a love story, fully realized and with a believable, effortless chemistry between Maguire and an adorably redheaded Dunst.

The most moving moments take place when Peter and Mary Jane are on the verge of professing their hidden ardor for each other.

Stricken with doubt, Peter even temporarily abdicates his Spideyship to be with Mary Jane until crime and chaos ensue.

Something always stands between them.

And who in the audience can't relate to that?

"Spider-Man 2," a Columbia Pictures release, is rated PG-13 for stylized action violence. Running time: 122 minutes. Three stars out of four.

Rental Central

by **TOM DOTY**
STAFF WRITER

The last weekend of June shaped up as a good one for comic book fans — no wonder with "Spider-Man 2" on its way — with two releases that should excite older fans and hopefully new ones.

First up is the DVD release of the entire "Spider-Man" cartoon from the late 1960s. The animation may be a bit creaky by today's standards, but these are pretty good for their time and feature the old Spider-Man theme song as well as a slew of classic villains like Dr. Octopus, the Rhino and Electro. Three years and 52 episodes make up this set, which takes up six discs.

Next up is the first season of "Wonder Woman." Lynda Carter stars as the Amazon warrior who employs a golden lasso, an invisible plane and a gravity-defying outfit. The feature-length pilot and all 13 first season episodes are included here. Watch for Debra Winger in an early role as Wonder Girl.

Comedy fans will get a kick out of the 30th Anniversary Edition of Mel Brooks' "Blazing Saddles." Cleavon Little, stepping in for co-writer Richard Pryor, stars as a black cowboy who takes on a corrupt town with the aid of the Whacko, er, Waco Kid (played by Gene Wilder). This edition features a cast reunion, the TV pilot, and inspiration for the movie, BLACK BART, and a few deleted scenes.

Horror fans will not be disappointed by the release of three cult films on DVD this week. "Death Dream" is a modern take on the "Monkey's Paw" tale and involves a soldier returning from Vietnam and terrorizing his friends and neighbors. His father, John Marley, who got a horse's head in his bed in "The Godfather," eventually realizes his son is a monster and must come to grips with taking him down. Great stuff here with special effects by Tom Savini ("Dawn of the Dead").

The other horror classic is "Driller Killer." A madman goes on the loose in Manhattan, as if anyone would notice, and takes out his victims with a battery operated drill. Abel Ferrara ("King of New York") directs and stars here. The DVD also includes some of Ferrara's earlier short films.

"Uncle Sam" rounds out the horror releases and hits video in time for the Fourth of July. Here the denizens of a small town are being wiped out by a Marine that was killed in Desert Storm. Draft dodgers, flag burners and the zombie's ex-wife feel his wrath in this tongue-in-cheek thriller from the same team that made "Maniac Cop." Bo Hopkins and Robert Foster star.

The big studio release this week is "Cold Mountain." This is a two-hanky affair with Nicole Kidman as a farm girl who falls for a deserting soldier from the Civil War. Renee Zellweger (who copped a supporting actress Oscar for her work here) and Natalie Portman costar.

Next week sees the DVD release of several film collections. The Film Noir set will feature classics like "The Asphalt Jungle" and "Gun Crazy," while the other set will exclusively feature "Charlie Chan" movies which have been recently been the subject of some ridicule by politically-correct watchdog groups who think that Chan was a racist character.

Free Comic Book Day is Saturday

by **TOM DOTY**
STAFF WRITER

PIKEVILLE — Free Comic Book Day is arriving tomorrow, offering free comics to readers.

This year marks the third Free Comic Book Day, which began in 2002 as a way to introduce comics to new readers and reacquaint old fans with current titles.

The only area store participating this year is Page-3 Comics, which is located at 236 2nd street in Pike. Manager Nathan Varney promises that it will be a big enough event at the store to make up for lack of other participating vendors nearby.

"We plan to give away between 1,000 and 2,000 comics," Varney said. "We will also celebrate by offering 50 percent off all new comics as well as discounting our back issues."

Visitors to the store will be able to choose one copy of every free comic that is being offered. These 14 titles will include the first issue of "Teen Titans Go," a new "Spider-Man" title, "Star Wars Clone Wars Adventures," and comic versions of several popular television series, including "CSI," "The Shield" and

"24." The store will also be contributing some of its own stock for free as well as discounting graphic novels and other products.

The store offers much more than comics, however, and area readers will find a full range of magazines, role playing games and books as well as discounted DVDs and video games. Customers can also get store credit for items that the store is interested in.

"Basically we will take trade-ins on any product we sell," said Varney.

Store owner Richard Belcher loves the event and sees it as an opportunity to invite new readers to sample the current range of titles.

"We're proud to be part of this magnificent event," Belcher said. "There are comics for children, for families to enjoy together, for adults, and especially for people who think they'd never read a comic. Come on by on July 3 and let us show you what's available for free."

The store which Belcher founded right out of high school during the mid-1980s comic boom, is open from 10 a.m. to 8 p.m. on Saturday and is open seven days a week.

History

Continued from p2

Today's Birthdays:

Country singer Marvin Rainwater is 79. Actor Brock Peters is 77. Former Philippine first lady Imelda Marcos is 75. Jazz musician Ahmad Jamal is 74. Actor Robert Ito is 73. Actress Polly Holliday is 67. Former White House chief of staff John Sununu is 65. Actor Ron Silver is 58. Luci Baines Johnson, daughter of President Johnson, is 57. Actor Saul Rubinek is 56. Rock musician Roy Bittan (Bruce Springsteen

& the E Street Band) is 55. Rock musician Gene Taylor (The Blasters) is 52. Actress-model Jerry Hall is 48. Actor Jimmy McNichol is 43. Rock musician Dave Parsons (Bush) is 39. Actress Yancy Butler is 34. Singer Michelle Branch is 21. Actress Vanessa Lee Chester is 20. Actress Lindsay Lohan is 18.

Thought for Today: "Genius is eternal patience." — Michelangelo, Italian artist (1475-1564).

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Cinema One • PG-13 HELD OVER STEPFORD WIVES Mon.-Sun. 7:10-9:30; Fri. (4:20), 7:10-9:30; Sat.-Sun. (2:10-4:30), 7:10-9:30	Cinema Six • R OPENS FRI 7/2 FAHRENHEIT 9/11 Mon.-Sun. 6:45-9:15; Fri. (4:15), 6:45-9:15; Sat.-Sun. (1:45-4:15), 6:45-9:15
Cinema Two • PG HELD OVER SHREK 2 Mon.-Sun. 7:05-9:20; Fri. (4:20), 7:05-9:20; Sat.-Sun. (2:05-4:20), 7:05-9:20	Cinema Seven • PG-13 HELD OVER THE NOTEBOOK Mon.-Sun. 7:05-9:20; Fri. (4:20), 7:05-9:20; Sat.-Sun. (2:05-4:20), 7:05-9:20
Cinema Three • PG HELD OVER GARFIELD Mon.-Sun. 7:15-9:25; Fri. (4:25), 7:15-9:25; Sat.-Sun. (2:15-4:25), 7:15-9:25	Cinema Eight • PG-13 OPENS WED. 6/30 SPIDER-MAN 2 Mon.-Sun. 6:45-9:15; Fri. (4:15), 6:45-9:15; Sat.-Sun. (1:45-4:15), 6:45-9:15
Cinema Four • PG-13 HELD OVER THE TERMINAL Mon.-Sun. 6:45-9:15; Fri. (4:15), 6:45-9:15; Sat.-Sun. (1:45-4:15), 6:45-9:15	Cinema Nine • PG-13 HELD OVER WHITE CHICKS Mon.-Sun. 7:00-9:20; Fri. (4:20), 7:00-9:20; Sat.-Sun. (2:00-4:20), 7:00-9:20
Cinema Five HELD OVER TWO BROTHERS PG—Mon.-Sun. 6:45-9:15; Fri. (4:10), 6:45; Sat.-Sun. (2:10-4:10), 6:45	Cinema Ten • PG-13 HELD OVER DODGEBALL Mon.-Sun. 7:00-9:20; Fri. (4:20), 7:00-9:20; Sat.-Sun. (2:00-4:20), 7:00-9:20

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For the Record

Marriage Licenses

Mindy Nicole Bailey, 16, to Randall Ray Iricks, 26, both of Prestonsburg.

Regina Johnson, 22, of Martin, to Barry Scott Penix, 30, of Paintsville.

Dawn Yvetti Hamilton, 18, of Teaberry, to Justin Daril Hall, 19, of Prestonsburg.

Ladonna Kaye Bragg, 20, of Prestonsburg, to Larry Gene Mullins Jr., 21, of Martin.

Marlana Kay Cole, 19, of Fayette County, to Matthew Patrick Sigler, 19, of Decatur, Ga.

Carrie Lynn Charles, 26, to Ronald Allen Hampton, 34, both of Pikeville.

Eriza Nicole Sexton, 20, of Martin, to Chad Preston Shepherd, 22, of Prestonsburg.

Civil Suits Filed

Bobby R. Newsome vs. Sheila Adkins; petition for child support and health care insurance.

Associate First Capital Corporation vs. Denzil and Mary Hall; complaint.

Buddy and Geraldine Lemaster vs. Wallace and Sherry Lemaster; petition for custody.

Buddy and Geraldine Lemaster vs. Wallace and Sherry Lemaster; petition for custody.

Damon Cox vs. Regina Cox; divorce.

General Electric Corporation vs. Lee Blevins; complaint.

Community Trust Bank vs. Tony Butler, Ford Motor Credit Company, and Floyd County; complaint.

Green Tree Servicing vs. Linda Johnson; complaint to foreclose security interest.

Tonya Bartrum vs. John Bartrum II; divorce.

Jackie Hall vs. Leona Hall; divorce.

State Farm Mutual Automobile Insurance vs. Bobby May; complaint.

Whitaker Bank vs. Reed Stamer; complaint.

Green Tree Servicing vs. Thomas Rose Jr.; complaint to foreclose security interest.

Carol Meade vs. Thomas Meade; divorce.

Delmer Paige vs. Carter Yates; petition for health care insurance.

Blaine Adkins vs. Ola Adkins; petition for health care insurance.

Commonwealth Credit Union vs. Mike Turner; complaint.

Angela Hall vs. Robert Hall; petition for health care insurance.

Claude Gilliam vs. Ellen Gilliam; petition for child support and health care insurance.

Rebecca Conley vs. Bryan Conley; petition for health care insurance.

Tracy Horn vs. Brian Horn; petition for health care insurance.

Gretchen Scarberry vs. Gary Scarberry; petition for health care insurance.

Tonya Bartrum vs. John Bartrum II; petition for child support and health care insurance.

Opal Garrett vs. Eddie Slone; petition for child support and health care insurance.

Bonnie Johnson vs. Glenda Slone; petition for child support and health care insurance.

Jani Sword vs. Curtis Sword; petition for health care insurance.

Billie Howard vs. Kimberly Howard; petition for health care insurance.

Annabell Harless vs. Lanora Harless; petition for health care insurance.

Linda Ousley vs. Delmer Ousley; petition for health care insurance.

Shawntel Ray vs. Johnny Ray; petition for health care insurance.

John Murphy vs. Saybra Brown; petition for health care insurance.

Amanda Hall vs. Charles Hall; petition for health care

insurance.

Remit Corporation vs. Tami Lynn Blackburn; complaint.

Rodney Hall vs. David Sammons; complaint.

Robert Tackett vs. Kerry White; complaint.

Small Claims Filings

Betty M. Francisco vs. Randy Henaire, monetary damages.

Busy Bee Septic Systems vs. Eddie D. (Whitey) Lawson, monetary damages.

Busy Bee Septic Systems vs. Lawson Excavating, monetary damages.

Maggie L. Marcum, 28, Hi Hat; alcohol intoxication, resisting arrest, disorderly conduct, criminal mischief.

Danny Burchett, 53, Prestonsburg, alcohol intoxication.

Gina M. Hale, 36, Auxier; theft, prescription not in original container.

Jeffery Halbert, 20, Langley; theft.

Joshua Miller, 19, Prestonsburg; alcohol intoxication.

Rhonda J. Hall, 31, Grethel; fourth-degree assault.

David Young, 48, Eastern; alcohol intoxication, drinking alcoholic beverage in public.

Eric D. Shepherd, 24,

MPH over limit, improper passing.

William D. Marsillett, 26, Prestonsburg; criminal mischief, wanton endangerment.

Paul D. Salisbury, 26, Teaberry; forgery.

Keith Jones, 45, Auxier; criminal mischief.

Levon Thacker, 42, Garner; theft.

Joshua Dale Moore, 21, Minnie; fourth-degree assault.

Gregory K. Rowe, 32, Prestonsburg; public intoxication, controlled substance prescription not in original container.

James J. Butte, 28, Prestonsburg; alcohol intoxication.

Judy T. Slone, 39, Prestonsburg; possession of marijuana, controlled substance prescription not in original container, use/possession drug paraphernalia.

Harry Vaughn, Jr., 45, Greensboro, N.C.; alcohol intoxication.

Frank Albert Rudder, 37, Prestonsburg; cultivation of marijuana.

Leth's Carryout, Grethel, regular inspection. Violations noted: Proper hair restraints not in use, wiping cloth use unrestricted, lights in food prep area not shielded, restroom door not

self-closing. Score: 95.

Pappy Mart, Teaberry, regular inspection. Violations noted: Thermometers not provided in all refrigerator units, food items stored on floor of walk-in cooler, bottom of upright display refrigerator in disrepair, no soap or towels in restroom, walls and ceilings in disrepair, lights in retail area not in proper working order. Score: Food 91, Retail 93.

Brenda's Place, McDowell, regular inspection. Violations noted: Easily seen thermometers not present in all refrigeration units, wiping cloth use not restricted, wiping cloth not stored in sanitary solution between uses, proper hair restraints not in use. Score: 97.

McDowell Dollar General, Route 122, regular inspection. Violations noted: Thermometers not provided for all refrigeration units, paper towels stored on floor of women's room, no soap provided for hand wash sink in men's room, wet mop head stored on floor. Score: 95.

Snacks and More, Langley, regular inspection. Violations noted: Floors not in good repair, one wall, ceiling with attached equipment not constructed properly, two walls, ceiling and attached equipment not in good repair. Score: 98.

Holiday Inn Pool, Prestonsburg, regular inspection. Violations noted: Equipment room cluttered and unorganized, full of nonessential materials, pH levels too low, alkalinity low. Score: 93.

Steven E. Haywood, Deborah Haywood, Tonia Robinson and Ricky Robinson to Billy Buchanan and Teddie Renee Buchanan, property located at Little Mud Creek.

Cinda Kidd to Terry Kidd, property located at Big Branch.

Roger Reynolds to Brian K. Reynolds, property located at Middle Creek.

Warco Land Improvement Company to Kanawha Enterprises Inc., property located at Trimble Branch.

Rosie W. Collins to William R. Collins and Juanita Collins, property location undisclosed.

Stella Music, Billy P. Music, Loretta Allen, Daniel Wheeler Allen, Lon Clay Gibson and Johnny E. Gibson to Allen Rose and Sheila Rose, property location undisclosed.

of federal cuts — will force further scaling back in offices that already are forced to accept only the most urgent cases on behalf of poor clients.

"I'm sort of reeling," said Larry York, executive director of Appalachian Research and Defense Fund, or Appalred, in Eastern Kentucky. "We're already limiting the type of cases that we can take."

York said he stands to lose about \$100,000 from his annual budget of about \$3.8 million to serve 33 counties, including some of Kentucky's poorest.

"Basically, that's two attorneys," he said.

Legal Aid received about \$6.7 million from the federal government last year — an amount that has decreased each year for the past several years, Hamon said. It employs 70 lawyers and last year han-

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Judge says Fletcher spending plan can proceed but with limits

by CHARLES WOLFE
ASSOCIATED PRESS

FRANKFORT — A judge ruled that Gov. Ernie Fletcher could run state government under his own spending plan since the General Assembly failed to pass a budget for the fiscal year that begins Thursday.

Franklin County Circuit Judge Roger Crittenden said government could continue "at the last level the legislature approved ... in its last, regularly approved budget," which was

passed last year.

Crittenden said that meant Fletcher could not undertake building projects or new programs that were not previously authorized and funded by the General Assembly. But his ruling allowed state government to keep operating in the new fiscal year that started Thursday.

"I don't believe the legislative branch can destroy the government of the commonwealth by inaction," Crittenden said in a hearing. "The question is in the details of what the governor can be authorized to do."

Fletcher on Monday issued a "public services continuation plan" to run through Sept. 30 — the end of the first quarter of the fiscal year. He said he would issue a follow-up plan for the second quarter if the state was still without a budget.

Crittenden said questions that would have to be litigated included whether state government and school employees would have to be given 5 percent pay raises, as specified in a statute. Fletcher's plan would give 2 percent raises.

Crittenden's ruling also would put on hold a handful of new projects Fletcher proposed to fund with cash, including \$5.5 million for a new technical school at Bowling Green. The school has been described as essential to the state's getting a Magna International truck frame plant in the area.

Other new, proposed projects being delayed were a \$4.4 million aircraft hangar at a military depot in Fayette County, a \$1.2 million roof for a rehabilitation center near Paintsville and a \$2 million technology project in state government.

Fletcher also wanted to provide funding for "Read to Achieve," a child literacy initiative championed by first lady Glenna Fletcher. State

Budget Director Brad Cowgill said it was not clear how that was affected by Crittenden's order.

Cowgill's deputy, Bill Hintze, said the administration also was mulling whether it could undertake another Fletcher initiative — \$5 million for planning and design of future construction projects.

Also yet to be determined was whether Fletcher's plan to restore \$10 million in funding to public schools could proceed. Crittenden said it would have to be compared to the level of school funding in the current budget — funding that was subject to cuts as Fletcher had to fend off a deficit.

The ruling came in a lawsuit by Attorney General Greg Stumbo, who did not challenge Fletcher's authority to continue spending money but instead raised the narrower issue of whether a spending plan could be used — as is often done in the budget law — to suspend other statutes.

Stumbo said Fletcher did a "commendable job" of "not blatantly suspending any statutes," though fine details remain to be argued in court.

Also in court Wednesday, Crittenden said he would permit the citizen group Common Cause to join the case and likely would do the same for three Kentucky House members who filed a separate petition. All question the governor's authority to spend money without legislative appropriation.

In yet another development, Senate President David Williams, a defendant in Stumbo's suit, argued in papers filed with Crittenden that Fletcher can spend money only for "a specific and essential public service" until a budget is passed. Crittenden did not make a ruling.

The Associated Press

LOUISVILLE — Advocates for a statewide program that provides legal services to the poor are shocked that funds have been slashed under Gov. Ernie Fletcher's spending plan.

Fletcher's so-called "public services continuation plan" takes effect on Thursday instead of a state budget. It

includes a 27 percent cut in state funds for Legal Aid — from \$1.3 million to about \$970,000.

"We're in trouble," said Jamie Hamon, executive director of the Access to Justice Foundation in Lexington, a research and policy arm of Kentucky's four regional Legal Aid offices. "It's a grave day for legal aid for the poor."

Doug Hogan, a Fletcher spokesman, said Wednesday that the Legal Aid funding should be sufficient, and that the cuts do not affect public defenders who represent the poor in criminal cases.

"I don't think that would have a devastating effect on the system in general," he said.

Legal Aid represents people in areas such as consumer problems, domestic cases, predatory lending and government benefits.

Legal Aid lawyers said the cuts — following several years

of federal cuts — will force further scaling back in offices that already are forced to accept only the most urgent cases on behalf of poor clients.

"I'm sort of reeling," said Larry York, executive director of Appalachian Research and Defense Fund, or Appalred, in Eastern Kentucky. "We're already limiting the type of cases that we can take."

York said he stands to lose about \$100,000 from his annual budget of about \$3.8 million to serve 33 counties, including some of Kentucky's poorest.

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In Loving Memory "Buddy Boy"

Don't grieve for me, for now I'm
free;
I'm following the path God laid for
me.
I took his hand when I heard him
call;
I turned my back and left it all.
I could not stay another day.
To laugh, to love, to work or play.
Tasks left undone must stay that
way;
I found that place at the close of
the day.
If my parting has left a void,
Then fill it with remembered joy.
A friendship shared, a laugh, a
kiss;
Ah yes, these things, I too, will
miss

Lawyers

Continued from p6

dled about 17,500 cases — about 250 cases per lawyer, she said.

Legal Aid directors said they worry what the cutback will mean for poor people facing eviction, domestic abuse or victimization by unscrupulous lenders or sales people.

"We have people that are waiting for help. We have people that we have to turn away," said Dennis Bricking, executive director of the Legal Aid Society of Louisville, which serves Jefferson and 15 surrounding counties. "Our clients are in dire straits."

Bricking said he expects to lose about \$57,000 in state funds from his annual budget of about \$2.8 million. His office already is cutting spending and staff haven't had raises for two years, he said.

"We understand there's a tight budget but we've been doing this now for two years," said Jeff Been, Bricking's associate director.

Mary Bush, a Legal Aid

Society board member, said the cuts mean less legal help for those most in need.

"There are an awful lot of clients who need it," she said. "It will be a terrible blow."

Hogan said the Fletcher administration is doing the best it can for Legal Aid under tight budget constraints and lack of a formal budget approved by lawmakers.

"If that's an area lawmakers want to revisit when they reach an agreement on tax modernization and the budget, that would be their prerogative," Hogan said.

Hogan said the Fletcher administration had intended to reduce funds for Legal Aid in the budget it presented lawmakers earlier this year, although the amount was not specifically listed as a line item.

House lawmakers added a specific budget line for Legal Aid in the budget they passed, funding it at \$1.3 million, the previous year's level.

Treasurer must repay, judge rules

by MARY MUSIC
STAFF WRITER

BETSY LAYNE — The former treasurer of the Betsy Layne Fire Protection District is liable for funds misappropriated during his tenure, Circuit Judge John David Caudill ruled this week.

Caudill entered a partial summary judgment in favor of the district, ruling that Glenn Donovan Burgess, his wife, Delores, and their company, East Kentucky Printing, are responsible for money they stole while Burgess was acting secretary and treasurer from February 1995 to August 2001.

The fire district's attorney, Craig Davis, filed a motion in February requesting summary judgment because Burgess had already admitted liability when he pleaded guilty to seven counts of theft in October.

Burgess held no objection to the motion for summary judgment, according to a response

filed later that month by his attorney Ned Pillersdorf, who stated that Burgess did not deny that he misappropriated those funds. He does, however, disagree with the amount he is accused of stealing.

In that response, Pillersdorf pointed out that Burgess is already paying restitution to the district as a stipulation of his pleading in the criminal case against him.

As a condition of his guilty plea, Burgess, who received five years, concurrently, on each count of theft against him, was ordered to pay the District \$15,000 annually, placed under a 1,000-foot restraining order, and denied the obligation to volunteer for "any sort" of community based organization without the permission of the probation and parole department.

The district alleges that

Burgess stole \$219,496.57 between April 1995 and August 2001, an amount that Burgess claims is partially repaid through his plea arrangement with the commonwealth.

In November, Deloris Burgess and her father, Arthur Gibson, relinquished their rights to a Community Trust Bank account totaling more than \$30,000. Those funds were released to the district on behalf of Burgess, court documents say.

Caudill overruled a shock probation motion for Burgess April 9, siding with victims' statements alleging that Burgess threatened them, their homes and put the Betsy Layne community "at risk" when he stole the funds.

"Our firefighting equipment were deteriorated to the point that firefighter's lives were at

risk. This was because there was never enough money to buy proper equipment, keep air tanks fully compliant with safety standards, and buy boots, gloves, and vests for traffic control ... The lives of Joe David Taylor and Eddie Clark were threatened along with burning their houses ... Eddie Clark feared for his life to the point of interfering with running his business," Homer Hardwich wrote in a victim impact statement earlier this year. That statement, used in the consideration of Burgess' shock probation, alleged that he promised a payment of \$45,000 to the district, but those funds were never forwarded, Hardwich wrote.

The matter of controversy regarding the amount Burgess now owes the district will be determined in future court proceedings.

Accusing mom loses custody of kids

by MARY MUSIC
STAFF WRITER

PAINTSVILLE — A Johnson County woman seeking warrants against Paintsville social workers signed over permanent custody of two children this week.

Melissa Foster, 34, of Flat Gap, entered into a joint agreement with her ex-husbands during a custody hearing Wednesday, Judge Steven Frazier said.

In lieu of participating in an evidentiary hearing regarding custody of her son and daughter, Melissa Foster signed permanent custody of the children over to her ex-husbands, Charles Wetzel and Kevin Franklin.

"What was I supposed to do — cough up my entire defense on these criminal charges?" Foster said yesterday. "They

wanted to hold a mini-trial and put me on the stand to testify about my evidence in the criminal case against me. I can't do that. They're wanting to put me away for 5 to 10 years on that charge. What was I supposed to do? I was forced into this. It's unfair and it's wrong, and I don't like it, not one bit."

Foster and her husband, Troy, were both charged with complicity to commit first-degree criminal abuse last year when Troy's son showed up at Flat Gap Elementary School with "bruises from his head to his knees," according to the citation issued against them.

Foster, who was released Saturday on a \$10,000 cash bond, vehemently denies the charges against her, claiming that the child, diagnosed as a crack baby, hurt himself by

wrecking several times on his bicycle.

He suffers from RAD, a disorder where children repeatedly hurt themselves, she also said.

The couple obtained custody of the boy 4 months and 28 days prior to their arrest. He was extremely disturbed and in need of psychiatric treatment, they say, but they were unable to obtain it because the case wasn't promptly transferred from the Georgia social services. The boy was taken into social services care when he was found with his mother, Tanya Fortner, in an operating meth lab, according to Hall County, Ga., police documents.

He was returned to his mother after the criminal abuse

(See KIDS, page ten)

Wednesday, Thursday, & Friday

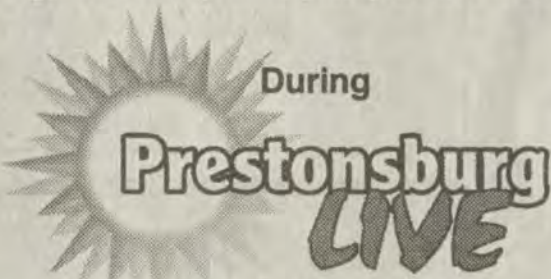
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The Times

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Collect tickets from us and other participating merchants for your chance to win a

"Kentucky Weekend Vacation," or other fine prizes during the drawing, Saturday at 8 p.m., at the courthouse.



MUSIC CARTER

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'98 Ford Windstar
Vacation Time!
Was \$3,995
Now **\$2,995**

'94 Chevrolet Blazer
Runs good, 1-owner!
Was \$4,995
Now **\$3,995**

'97 Buick LeSabre
White
Was \$4,995
Now **\$3,995**

'00 Olds Intrigue
White
Was \$5,995
Now **\$4,995**

'93 Chevrolet Caprice
Runs Good!
Was \$5,995
Now **\$4,995**

'00 Oldsmobile Alero
Silver.
Was \$5,995
Now **\$4,995**

Special of the Week!

2001 Chevrolet Venture LS

N.A.D.A. Retail \$12,200

Now **\$9,995**

'92 Oldsmobile Ciera
25,000 actual miles!
Was \$6,995
Now **\$5,995**

'93 Chevrolet X-Cab
Low miles!
Was \$6,995
Now **\$5,995**

'98 Mazda Pickup
63,000 miles.
Was \$7,995
Now **\$5,995**

'96 Ford 4x4 Pickup
Local vehicle.
Was \$6,995
Now **\$5,995**

'99 Chevrolet Tracker
4x4
Was \$8,995
Now **\$6,995**

'95 Toyota 4-Runner
4x4
Was \$8,995
Now **\$7,995**

'98 Mercury Mountaineer
Was \$9,995
Now **\$8,995**

'00 Chevrolet Blazer ZR2
Was \$11,995
Now **\$10,995**

'01 Dodge Caravan Sport
Was \$13,995
Now **\$12,995**

'01 Dodge Durango 4x4
Was \$16,995
Now **\$15,995**

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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: features@floydcountytimes.com. Information will not be taken over the telephone. All items will be placed on a first-come, first-serve basis as space permits

OUTDOOR MASONIC MEET PLANNED, AUGUST 7TH
The annual outdoor

Masonic meeting of John W. Hall Lodge No. 950, F&AM, and James W. Alley Lodge No. 657, F&AM, will be held on Saturday, August 7, at the Tom Flannery farm at Warco.

The dinner will be served beginning at 4 p.m., and the second section of the Master Mason degree will follow at 6 p.m. All Master Masons are encouraged to attend.

KY OPRY PERFORMING ARTS SCHOOL TO BEGIN

KY Opry performing arts school will begin Monday, July 5, 9-1. Buses will be running for four weeks; four days per week, Monday-Thursday. Free lunch.

HURD FAMILY AND FRIENDS REUNION

There will be a Hurd family

and friends reunion, Saturday, July 3, starting at 11 a.m., at Shular Hurd's residence at 474 Conn Street, Ivel. For more information, call: (606) 478-5631.

1973 AND 1974 ACHS CLASS REUNION

The 1973 and 1974 graduating classes of Allen Central High School will hold a class reunion on Saturday, September 18, at the Prestonsburg Holiday Inn. Social Hour: 6 p.m. until 8 p.m. Dance—8 p.m. until midnight. For more information, please contact Beth Conn Mullins at 606-285-0074 or Rita Duff Osborne at 606-358-9874.

J.M. CONLEY FAMILY REUNION

The J.M. Conley family reunion will be held on July 4th, at the home of Bessie Conley, J.M. Conley homeplace. There will be a potluck dinner at 12 p.m. For additional information, you may call Dexter Conley, at (606) 358-9444 or Bessie Conley, at (606) 358-9608.

FREEDOM BIBLE CHURCH

July 4 - Missionary Kathleen Runyon, 11 a.m., morning worship service.

DOWNTOWN VETERAN SHOWCASE

The 5th annual Veteran Showcase window display will be held June 21-August 1, at the office of Edward Jones Investments/Sam Blakenship, located in downtown Prestonsburg, 255 W. Court St. Please bring your family photos, medals, uniforms, or any other memorabilia from Civil War to present time. Mr. Blakenship's office will proudly display, and protect, your cherished valuables. Call 889-9004 during business hours, or after hours call 886-3023, or 886-2654 for more information.

4-H CAMP

To be held July 19-23, at the JM Feltner 4-H Camp, in London. Applications are now being accepted. Fee: \$95; scholarships may be available. Contact Chuck Stamper at the Floyd County Extension Office at 886-2668 or by email at: cstamper@uky.edu. Camp theme for 2004: "4-H Goes to Hollywood!"

HRMC JULY CALENDAR

- July 13 - Senior Advantage, 9-11 a.m., meeting rooms A & B.
- July 13 - Mending Hearts, 5-6 p.m., meeting place B.
- July 15 - Laryngectomy Support Group, 5-7 p.m., meeting place B.
- July 17 - Childbirth classes, 8 a.m. to 4 p.m., meeting place A & B.
- July 22 - Alzheimer's Support Group, Johnson County Library, 6-7 p.m.
- July 29 - Diabetic Support Group, 4-7 p.m., meeting place A & B.

July 29 - "Living Well with Diabetes," support group class. Topic: "Depression and Diabetes" - a candid discussion about this often overlooked complication of diabetes. 5-6 p.m., meeting rooms A & B. All classes free of charge and open to the public.

AUXIER LIFETIME LEARNING CENTER

July 12-16 - Kids Sewing Camp (for kids over 8 years); 10 a.m. to 1 p.m. Learn to sew, make a purse and other fun things. Small fee includes sewing supplies and snack.

Sept. 29, Oct. 6, 13, & 20 - Super Pantry "Stars in the Kitchen." 9:30 a.m. to 1:30 p.m. Learn life skills, low-fat cooking and new recipes. Cook and eat lunch. WIN: Door prizes and bag of groceries each week.

For more information about either of these activities, call 886-0709.

UK DENTAL VAN AT FCHD

The UK Dental van is now at the Floyd County Health Dept. Services available until July 22 for children ages 4-12. FREE services include cleanings, fillings, sealants, and extractions. Call 886-2788 for an appointment. Parents/guardians may also schedule child's school physical by calling to schedule an appointment.

PRATER CREEK BAPTIST CHURCH

July 12-16 - Vacation Bible School, 6-8 p.m., classes for pre-school to high school. Call 874-3222 for transportation.

July 17 - Cookout & Concert! Community-wide event with fun and games and food for everyone, 4 p.m. Concert will follow at 6 p.m. "Alive" contemporary Christian band will perform.

TEEN BIBLE STUDY GROUP

A teenage Christian study group meets the 2nd and 4th Friday of each month at 7 p.m., at the Burton Pentecostal Church, in Upper Burton, near Wheelwright. All interested teens cordially invited and encouraged to attend.

STEPHENS-SLONE REUNION

Relatives of the late Samuel and Rebecca (Castle) Stephens, Samuel and Mary (Sammons) Stephens, and Carew and Callie (Brown) Slone will host a reunion that will be held at the Morsches Park Pavilion in Columbia City, Indiana, on Saturday, July 10, at 12 p.m. Register by July 3 by calling (260) 839-4206 or (260) 691-2830, after 4 p.m.

BLHS CLASS OF '94

The Betsy Layne High School Class of 1994 will hold their 10-year class reunion on July 24, 2004. Call 478-3253 or 587-1028 for more information.

PHS CLASS OF '69

The Prestonsburg High School Class of 1969 will hold a reunion on Saturday, September 4, 2004 (Labor Day weekend), at the May Lodge, Jenny Wiley State Park. Pre-dinner meeting will be held from 5-6 p.m.; Dinner will be at 6 p.m., in Lodge dining room; Reunion meeting following dinner, from 8 p.m. until midnight in Lodge conference rooms. For more info., contact Ken & Jan at 886-8328, or Mike at 886-0252.

FREE BODY RECALL CLASSES
Free Body Recall Exercise

Classes will be held Monday, Wednesday, and Friday, at 9:30, at the Presbyterian Church in Prestonsburg. Classes are held Monday, Wednesday, and Thursday, at 11 a.m. at the old R & S Building. Classes are offered by the Floyd County Health Department. Call the health department, 886-2788, for more information.

'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?"

Alzheimer's Association Care-giver Support Group - Meets on the second Tuesday of each month at the First Presbyterian Church (near Jerry's Restaurant), at 7 p.m. For more info., call Dana Caudill at 886-0265.

Alzheimer's Association, Eastern KY Regional Office - 24-hour Helpline, call 1-800-

272-3900 for emotional support, local resources, and other information.

Fibromyalgia Support Group - Meets first Tuesday of each month at 6 p.m., at the Betsy Layne Senior Citizens Building, on the Pike-Floyd Hollow Road (just above the Betsy Layne Fire Dept.). For more info., call Sharon at 478-5224, or Phyllis at 874-2769.

MS Support Group - Meets third Monday of each month at 7:00 p.m. at the Seton Complex, Martin. Offers group support for MS patients and their caregivers.

Overeater's Anonymous (O.A.) - Meets each Monday, at 3:30 p.m., at the St. Martha Catholic Church, Water Gap Road. For more info., call 886-2513.

Community Weight Loss Support Group - To meet Thursday's at 6:30 p.m., at the Martin Community Center, beginning Feb. 5. For more info., call 377-6658. Those who have had gastric bypass surgery most especially welcome to attend. Meetings being offered as support to anyone needing extra support in dealing with weight loss.

(See CALENDAR, page ten)

LOST

Black female Shih Tzu, eight years old, answers to the name Tinkerbelle.

Lost in the Betsy Layne area.

Please, call 478/4671, 477/8352, or 478/5486.

\$150 Reward



The MOVIES at the Plaza

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606-789-4500 • 606-789-6352
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985003	SPIDER-MAN 2	985003	Starts Wednesday Mon.-Fri., 6:30, 9:00; Sat.-Sun. Matinee 4:00, 6:30, 9:00 Rated PG-13
985003	WHITE CHICKS	985003	HELD OVER Mon.-Fri., 7:00, 9:15; Sat.-Sun. Matinee 3:00, 5:00, 7:00, 9:15 Rated PG-13
985003	DODGE BALL	985003	HELD OVER Mon.-Fri., 7:15, 9:30; Sat.-Sun. Matinee 3:15, 5:15, 7:15, 9:30 Rated PG-13
985003	TWO BROTHERS	985003	HELD OVER Mon.-Fri., 6:45 Sat.-Sun. Matinee 4:45, 6:45 Rated PG
985003	HARRY POTTER	985003	HELD OVER Mon.-Fri., 8:45; Sat.-Sun. Matinee 8:45 Rated PG
985003	GARFIELD	985003	HELD OVER Mon.-Fri., 7:30, 9:05; Sat.-Sun. Matinee 3:30, 5:30, 7:30, 9:05 Rated PG

789-4500

A WEEK'S WORTH OF CELEBRATING AT ARCHER PARK, IN PRESTONSBURG

Tuesday, June 29 - Sunday, July 4th

Featuring The Pirate Ship, The Chain Saw, Bumper Cars, and many more exciting rides.

TWO DREW DOLLARS

Cut & Use Coupon for Our 2 for 1 Savings

Tuesday, June 29th, Wednesday, June 30th and Thursday, July 1st

THIS COUPON IS WORTH \$2.00 WHEN USED FOR PURCHASE OF A REGULAR \$12.00

UNLIMITED RIDES TICKET!
RIDE EVERY RIDE ON THE MIDWAY AS MANY TIMES AS YOU WISH!

OFFER GOOD FOR 3 BIG NIGHTS!
Tuesday, June 29, Wednesday, June 30, Thursday, July 1
Pay one Price, \$10.00
w/2 Drew Dollar Coupon - 5 p.m. - closing

Archer Park

Tuesday - Friday, 5 p.m.-close
Saturday & Sunday, 12 p.m. - close

DREW EXPOSITION

NOT TO BE USED WITH ANY OTHER OFFER!

Offer good for 3 Big Nights!

Offer good for 3 Big Nights!

Psychiatric Center Inc.
Jay V. Narola, M.D. and Staff
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Floyd County Devotional Page

ASSEMBLY OF GOD

First Assembly of God, Martin: Sunday School, 10 a.m.; Worship Service, 11 a.m. and 6 p.m.; Wednesday, 7 p.m.; Lorie Vannucci, Minister.
New Bethel Assembly of God, Burning Fork Rd., Salyersville: Sunday School, 10 a.m.; Worship Service, 11 a.m. and 6 p.m.; Wednesday, 7 p.m. Arthur (Sam) Smith, Minister.
Praise Assembly, 1 mile S. of Prestonsburg, intersection of Rt. 80 and U.S. 23: Sunday School, 10 a.m.; Worship Service, 11 a.m. and 6:30 p.m.; Wednesday, 6:30 p.m.; J.M. Stoe, Minister.

BAPTIST

Allen First Baptist, Allen: Sunday School, 10 a.m.; Worship Service, 11 a.m. and 7 p.m.; Wednesday, 7 p.m.; Arnold Turner, Minister.
Auxier Freewill Baptist, Auxier: Sunday School, 10 a.m.; Worship Service, 11 a.m. and 6 p.m.; Thursday, 7 p.m.; Bobby Spencer, Pastor.
Benedict Baptist, Slick Rock Branch, Cow Creek: Sunday School, 10 a.m.; Worship Service, 11 a.m. and 6 p.m.; Wednesday, 7 p.m.; Gordon Fitch, Minister.
Betsy Layne Free Will Baptist, Betsy Layne: Sunday School, 10 a.m.; Worship Service, 11 a.m. and 6 p.m.; Wednesday, 7 p.m.; Tracy Patton, Minister.
Bonanza Freewill Baptist, Abbott Creek Road, Bonanza: Sunday School, 10 a.m.; Worship Service, 11 a.m.; Wednesday, 7 p.m.; Jimmy D. Brown, Minister.
Brandy Keg Freewill Baptist, Corn Fork: Sunday School, 10 a.m.; Worship Service, 11 a.m.; Wednesday, 7 p.m.; Roger Music, Minister.
Calvary Southern Baptist, Betsy Layne: Sunday School, 9:45 a.m.; Worship Service, 11 a.m. and 7 p.m.; Wednesday, 7 p.m.; Doug Lewis, Minister.
Community Freewill Baptist, Goble Roberts Addition: Sunday School, 10 a.m.; Worship Service, 11 a.m. and 6 p.m.; Wednesday, 7 p.m.; Paul D. Coleman, Minister.
Cow Creek Freewill Baptist, Cow Creek: Sunday School, 10 a.m.; Sunday, 11 a.m. and 6 p.m.; Wednesday, 7 p.m.; Nathan Lafferty, Minister.
Daniels Creek Baptist Fellowship Church of God, Banner: Sunday School, 10 a.m.; Worship Service, 7 p.m.; Tuesday, 6:30 p.m.;
Drift Freewill Baptist, Drift: Sunday School, 10 a.m.; Worship Service, 6:30 p.m.; Thursday, 6:30 p.m. Jim Fields, Minister.
Endicott Freewill Baptist, Buffalo: Sunday School, 10 a.m.; Worship Service, 6 p.m.; Wednesday, 7 p.m.; James H. Smith, Pastor.
Faith Freewill Baptist, 1/4 mile above Worldwide Egt. on Rt. 1428: Sunday School, 10 a.m.; Worship Service, 11 a.m. and 6 p.m.; Wednesday, 7 p.m. Buddy Jones, Minister.
First Baptist, Garrett: Sunday School, 9:45 a.m.; Worship Service, 11 a.m. and 7 p.m.; Wednesday, 7 p.m.; Randy Osborne, Minister.
First Baptist, Martin: Sunday School, 10 a.m.; Worship Service, 11 a.m. Sunday Evening Service 7 p.m.; Wednesday, 7 p.m.; Greydon Howard, Minister.
First Baptist, 54 S. Front St. (Irene Cole Memorial): Sunday School, 9:45 a.m.; Worship Service, 11 a.m. and 7 p.m.; Wednesday, 7 p.m.; Dr. Floyd Price, minister.
Fitzpatrick First Baptist, 2656 West Mt. Parkway, Prestonsburg: Sunday School, 10 a.m.; Worship Service, 11 a.m. and 6 p.m.; Wednesday, 7 p.m.; Jennings West, Minister.
Free United Baptist, West Prestonsburg: Sunday School, 10 a.m.; Worship Service, 11 a.m. and 6:30 p.m.; Wednesday, 7 p.m.
Free United Baptist, West Prestonsburg: Sunday School, 10 a.m.; Worship Service, 11 a.m. and 6:30 p.m.; Wednesday, 6:30 p.m.
Grothel Baptist, State Rt. 3379, (Branches Creek Rd.): Sunday School, 10 a.m.; Worship Service, 11 a.m. and 6:30 p.m.; Wednesday, 6:30 p.m.

Facts About The BIBLE BY JOHN LEHTI

THE PROPHETS AND POLITICS!

DURING THE YEARS OF THE DIVIDED KINGDOMS, JUDAH AND ISRAEL, THEIR DAYS OF GLORY OVER, WERE HEMMED IN BY ENEMY STATES ON ALL SIDES! THE KINGS, EACH IN HIS TURN, APPEALED TO PROPHETS FOR HELP. BEING A PROPHET IN THOSE DAYS ENTAILED MORE THAN JUST A PASSING KNOWLEDGE OF CURRENT POLITICS! WAS SYRIA AT ODDS WITH EGYPT? DID BABYLON HAVE ITS EYE ON ASSYRIAN TERRITORY? WERE THE ARABES LIKELY TO FORM ALLIANCE WITH MOABS? THESE QUESTIONS HAD TO BE WEIGHED CAREFULLY, FOR JUDAH AND ISRAEL WERE SQUEEZED BETWEEN POWERFUL STATES....



IN THE BOOKS OF THE PROPHETS, WE CAN FIND AMONGST ADDITIONS TO THE PEOPLE TO KEEP GOD'S WORDS, MANY BITS OF ADVICE AGAINST ALLIANCES WITH COUNTRIES THAT MIGHT BRING THE WRATH OF ANOTHER POWERFUL STATE SHATTERING DOWN UPON THEIR LUCKLESS HEADS! ISAIAH, JEREMIAH, AMOS, NATHAN, ETC., ALL HAD THEIR SAY IN HOW BEST TO AVOID DESTRUCTION BY SOME ALL-POWERFUL NEIGHBOR—UNFORTUNATELY, KINGS BEING WHAT THEY WERE, THIS ADVICE WAS RARELY TAKEN!

SAVE THIS FOR YOUR SUNDAY SCHOOL SCRAP-BOOK.

This devotional and directory is made possible by these businesses who encourage all of us to attend worship services.

Highland Avenue Freewill Baptist: Sunday School, 9:50 a.m.; Worship Service, 11 a.m. and 6 p.m.; Wednesday, 7 p.m.; David Garrett, Minister.
Jacks Creek Baptist, Bevinville: Sunday School, 10 a.m.; Worship Service, 11 a.m. and 6 p.m.; Wednesday, 7 p.m.; Jeff Barrett, Minister.
Katy Friend Freewill Baptist, 2 miles up Abbott: Sunday School, 10 a.m.; Worship Service, 11 a.m. and 6 p.m.; Wednesday, 7 p.m.; Jim Price, Minister.
Lackey Freewill Baptist, Lackey: Sunday School, 10 a.m.; Worship Service, 11 a.m.; Wednesday, 7 p.m.; Johnny J. Collins, Minister.
Lancaster Baptist Church: 71 Cooley St., Prestonsburg, Sunday School, 10:00 a.m. Morning Worship, 11:00 a.m., Evening Worship, 6:00 p.m., Wednesday Prayer Meeting and Bible Study, 7:00 p.m.; Pastor Bobby Carpenter
Liberty Baptist, Denver: Sunday School, 10 a.m.; Worship Service, 11 a.m. and 6 p.m.; Wednesday, 6 p.m.; Merle Little, Minister.
Ligon Community Freewill Baptist, Ligon: Sunday School, 11:00 a.m. Thursday, 7 p.m.
Martin Branch Freewill Baptist, Estill: Sunday Service, 10 a.m.; Worship Service, 11:15 a.m. and 7 p.m.; Wednesday, 7 p.m.; James (Red) Morris, Minister.
Martin Freewill Baptist, Martin: Sunday School, 10 a.m.; Worship Service, 11 a.m. and 6 p.m.; Wednesday, 7 p.m.; John L. Blair, Minister.
Maytown First Baptist, Main St., Maytown: Sunday School, 10 a.m.; Worship Service, 11 a.m. and 6 p.m.; Wednesday, 6 p.m.; Bob Varney, Minister.
McDowell First Baptist, McDowell: Sunday School, 9:45 a.m.; Worship Service, 11 a.m. and 6 p.m.; Wednesday, 6 p.m.; Gene Bracken, Minister.
Middle Creek Baptist, Blue River: Sunday School, 10 a.m.; Worship Service, 11 a.m. and 6 p.m.; Wednesday, 7 p.m.; Eugene Cook, Minister.
Lighthouse Baptist, 2194 KY Rt. 1428, Prestonsburg: Sunday Service, 10 a.m.; Worship Service, 11 a.m. and 6 p.m.; Wednesday, 7 p.m.; Donald Crisp, Minister. home phone 285-3385
Pleasant Home Baptist, Water Gap Road, Lancer: Sunday School, 10 a.m.; Worship Service, 11 a.m. and 6 p.m.; Wednesday, 7 p.m.; Mark Tackett, Pastor.
Prater Creek Baptist, Banner: Sunday School, 10 a.m.; Worship Service, 11 a.m. and 6 p.m.; Wednesday, 7 p.m.; J.B. Hall, Pastor. Phone: (606) 874-3222.
Prestonsburg Community College Baptist Student Union, J. 102, Wednesday, 11:30 a.m.; French B. Harmon, Director; Ella C. Goble, President; 874-9468/478-2378.
Rock Fork Freewill Baptist, Garrett: Sunday School, 10 a.m.; Worship Service, 11 a.m.; Wednesday, 7 p.m.; Wendell Crager, Minister.
Rock Fork Regular Baptist, Garrett: Worship Service, 9:30 a.m.; Earl Stone, Minister; Jerry Manns, Assistant Minister.
Salt Lick United Baptist, Salt Lick, Hueysville: Worship Service, 10:30 a.m.; 4th Sunday, Thursday, 6:30 p.m.; Pastor, Chester Lucas.
Sammy Clark Branch Freewill Baptist, Dana: Sunday School, 10 a.m.; Worship Service, 11 a.m. and 6 p.m.; Wednesday, 6:30 p.m.; Pastor, Robert Shane Powers.
Stephens Branch Missionary Baptist, Stephens Branch: Sunday Service, 10 a.m.; Worship Service, 11 a.m.; Wednesday, 6 p.m.
The Third Avenue Freewill Baptist: Sunday School, 10 a.m.; Worship Service, 11 a.m. and 6 p.m.; Wednesday, 7 p.m.
Tom's Creek Freewill Baptist, U.S. 23 (north of Layne Brothers): Sunday School, 10 a.m.; Worship Service, 11 a.m. and 6 p.m.; Wednesday, 7 p.m.; Chuck Ferguson, Minister.
Tom Moore Memorial Freewill Baptist, Cliff Road: Sunday School, 10 a.m.; Worship Service, 11 a.m.; Youth Service, 5:00 p.m.; Evening Service, 6:00 p.m.; No Service the 1st Sunday of each month; Wednesday, 7 p.m.; Jody Spencer, Minister.
Trimble Chapel Freewill Baptist, Intersection of U.S. 23 and KY 80, Water Gap: Sunday School, 10 a.m.; Morning Worship Service, 11 a.m. and Evening Worship Service 6 p.m.; Wednesday Bible Study, 7 p.m., Youth Services 7 p.m.; Everyone Welcome.
United Community Baptist, Hwy. 7, Hueysville: Worship Service, 2 p.m.; Friday, 7 p.m.; Carlos Beverly, Minister.
Wheelwright Freewill Baptist, Wheelwright Junction: Sunday School, 10 a.m.; Worship Service, 11 a.m. and 7 p.m.; Wednesday, 7 p.m.; Louis Ferrari, Minister.

CATHOLIC
St. Martha, Water Gap: Mass: Sunday, 11:15 a.m.; Saturday, 5 p.m.; Sunday; Father Robert Damron, pastor.

CHRISTIAN
First Christian, 560 North Arnold Avenue: Sunday School, 10 a.m.; Worship Service, 11 a.m.; Jim Sherman, Minister.
Garrett Community Christian, Route 550, Garrett: Worship Service, 10:30 a.m. and 6:30 p.m.; Wednesday, 6:30 p.m.; Donnie Hackworth, Minister.
Victory Christian Ministries, 1428 E.; Sunday School, 11:30 a.m.; Worship Service, 11 a.m.; Wednesday, 7 p.m.; Sherm Williams, Minister.

CHURCH OF CHRIST
Betsy Layne Church of Christ, Betsy Layne: Sunday School, 10 a.m.; Worship Service, 11 a.m. and 6 p.m.; Wednesday, 7 p.m.; Tommy J. Spears, Minister.
Church of Christ, South Lake Drive: Worship Service, 10 a.m. and 6 p.m.; Wednesday, 7 p.m.; Benny Blankenship, Minister.
Harold Church of Christ, Harold: Sunday School, 10 a.m.; Worship Service, 11 a.m. and 7 p.m.; Wednesday, 7 p.m.; James H. Harmon, Minister.
Highland Church of Christ, Rt. 23, Hager Hill: Sunday School, 10 a.m.; Worship Service, 11 a.m. and 6 p.m.; Wednesday, 7 p.m.
Hueysville Church of Christ: Sunday School, 10 a.m.; Worship Service, 11 a.m. and 7 p.m.; Wednesday, 7 p.m.; Chester Varney, Minister.
Lower Toler Church of Christ, Harold: Sunday School, 10 a.m.; Worship Service, 11 a.m. and 6:30 p.m.; Wednesday, 6:30 p.m.; Lonnie Meade, Minister.
Mare Creek Church of Christ, Stanville: Sunday School, 10 a.m.; Worship Service, 11 a.m. and 6 p.m.; Wednesday, 6:30 p.m.
Martin Church of Christ, Martin: Sunday School, 10 a.m.; Worship Service, 11 a.m. and 7 p.m.; Wednesday, 7 p.m. Gary Mitchell, Minister.

Upper Toler Church of Christ, 3.5 miles up Toler Creek on right: Sunday School, 10 a.m.; Worship Service, 11 a.m. and 6 p.m.; Wednesday, 7 p.m.; Tommy Dale Bush, Minister.
Weeksbury Church of Christ: Sunday School, 10 a.m.; Worship Service, 10:45 a.m. and 6 p.m. Mike Hall, Minister.

CHURCH OF GOD

Betsy Layne Church of God, Old U.S. 23: Sunday School, 10 a.m.; Worship Service, 11 a.m. and 6 p.m.; Wednesday, 7 p.m.; Judith Caudill, Minister.
Community Church of God, Arkansas Creek, Martin: Worship Service, 11 a.m.; Friday, 7 p.m.; Bud Crum, Minister.
First Church of God: Sunday School, 10 a.m.; Worship Service, 10:45 a.m. and 6 p.m.; Wednesday, 7 p.m.; Steven V. Williams, Pastor.
Garrett Church of God, Garrett: Sunday School, 10 a.m.; Worship Service, 11 a.m. and 7 p.m.; Wednesday, 7 p.m.; Donald Bragg, Minister.
Landmark Church of God, Goble Roberts Addition: Sunday School, 10 a.m.; Worship Service, 11:10 a.m. and 7 p.m.; Wednesday, 7 p.m.; Kenneth E. Prater, Jr., Minister.
Little Paint First Church of God, 671 Little Paint Road, East Point: Sunday School, 9:45 a.m.; Worship Service, 11 a.m. and 6 p.m.; Wednesday, 7 p.m.; Charles Heater Jr., Minister.
The Church of God of Prophecy, Hi Hat: Sunday School, 10 a.m.; Worship Service, 11 a.m. and 7 p.m.; Wednesday, 7 p.m.; Don Fraley, Jr., Minister.

EPISCOPAL

St. James Episcopal: Sunday Service, 9:45 a.m.; Holy Eucharist 11:00 a.m. Wednesday Study Group 6:00p.m., Holy Eucharist & Healing 7:30 p.m. Father Johnnie E. Ross, Rector.

LUTHERAN

Our Savior Lutheran, Sipp Bayes Room Carriage House Motel, Paintsville: Sunday Service, 11 a.m.; WKJW (600 am) 12:05 p.m.; Roland Bentrup, Minister.

METHODIST

Auxier United Methodist, Auxier: Sunday School, 10 a.m.; Worship Service, 11 a.m.; Wednesday, 6 p.m.; Doug Lawson, Minister.
Betsy Layne United Methodist, next to B.L. Gymnasium: Sunday School, 10 a.m.; Worship Service, 11 a.m.; Wednesday, 7 p.m.; Randy Blackburn, Minister.
Christ United Methodist, Allen: Sunday School, 9:45 a.m.; Worship Service, 11 a.m. and 7 p.m.; Wednesday, 7 p.m.; Kenneth Lamaster, Minister.
Community United Methodist, 141 Burke Avenue (off University Drive and Neeley St.): Sunday School, 10 a.m.; Worship Service, 11 a.m. and 6 p.m.; Wednesday, 7 p.m.; Steve Pescosolido, Minister.
Elliott's Chapel Free Methodist, Rt. 979, Beaver: Sunday School, 10 a.m.; Worship Service, 11 a.m. and 6 p.m.; Philip T. Smith, Minister.
Emma United Methodist, Emma: Sunday Worship Service, 2 p.m.; Jack Howard, Minister.
First United Methodist, 256 South Arnold Avenue: 9 a.m. Contemporary Service; Sunday School, 9:45 a.m.; Worship Service, 10:55 a.m. and 5 p.m. UMYS Service; Wednesday, 7 p.m.; Mark D. Walz, Pastor.
Horn Chapel Methodist, Auxier Road, Auxier: Sunday Morning Service, 9 a.m.; Sunday School, 10 a.m.; Mid-week Service, 7 p.m.; Sunday Evening Service held on the 1st and 3rd Sundays of each month at 6 p.m.; Garfield Potter, Minister.
Martin Methodist: Sunday School, 10 a.m.; Worship Service, 11 a.m.; Wednesday, 7 p.m.; Roy Harlow, Minister.
Maytown United Methodist, Langley: Sunday Service, 11 a.m.; Worship Service, 9:30 a.m. and 6 p.m.; Wednesday, 6 p.m.; Roy Harlow, Minister.
Salisbury United Methodist, Printer: Sunday School, 10 a.m.; Worship Service, 11 a.m. and 7 p.m.; Wednesday, 7 p.m.; Bobby G. Lawson, Minister.
Wayland United Methodist, Rt. 7, Wayland: Sunday School, 10 a.m.; Worship Service, 11 a.m.; Wednesday, 6 p.m.; Brad Tackett, Minister.

Wheelwright United Methodist, Wheelwright: Sunday School, 10 a.m.; Worship Service, 11 a.m. and 6 p.m.; Wednesday, 6 p.m.; Bobby Isaac, Minister.
Drift Pentecostal, Drift: Sunday School, 10 a.m.; Worship Service, Saturday/Sunday, 7 p.m.; Wednesday, 7 p.m.; Ted Shannon, Minister.
Free Pentecostal Church of God, Rt. 1428, East Point: Sunday School, 10 a.m.; Worship Service, 11 a.m. and 6:30 p.m.; Thursday, 6:30 p.m.; Buster Hayton, Minister.
Free Pentecostal Church of God, Weeksbury: Sunday School, 10 a.m.; Worship Service, 7 p.m.; Wednesday/Saturday, 7 p.m.; John "Jay" Patton, Minister.
Free Pentecostal Deliverance, Ext. 46 off Mt. Parkway at Campton: Worship Service, Saturday and Sunday, 7 p.m.; Patricia Crider, Minister.
Free Pentecostal Holiness, Rt. 122, Upper Burton: Sunday School, 11 a.m.; Worship Service, 6 p.m.; Friday, 7 p.m.; Louis Santan, Minister; David Pike, Associate Minister.
Goodloe Pentecostal, Rt. 850, David: Worship Service, 6 p.m.; Malcom Stone, Minister.

Parloway First Calvary Pentecostal, Floyd and Magoffin County Line: ; Worship Service, 6:30 p.m.; Mike D. Caldwell, Minister. 297-6262.
Trinity Chapel Pentecostal Holiness, Main St., Martin: Sunday School, 10 a.m.; Worship Service, 7 p.m.; 2nd Saturday, 7 p.m.; Thursday, 7 p.m.; Ellis J. Stevens, Minister.

PRESBYTERIAN
Drift Presbyterian, Route 1101, Drift: Worship Service, 11 a.m.
First Presbyterian, North Lake Drive: Sunday School, 9:30 a.m.; Worship Service, 11 a.m.; George C. Love, Minister.

SEVENTH DAY ADVENTIST
Seventh-Day Adventist, 5 miles West on Mountain Parkway: Sunday School, 9:15 a.m.; Worship Service, 10:30 a.m.; Gary Sheph Minister.

THE CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS
 The Church of Jesus Christ of Latter-Day Saints; Relief Society/Preist-hood/Primary, 9:30 a.m.; Sunday School, 10:30 a.m.; Sacrament Mtg., 11:20 a.m.; Wednesday, 6 p.m. Church Meeting House address, Hwy. 80, Martin, KY 41649; Meeting House telephone number: 285-3133; Ken Carriere, Bishop.

OTHER
 Pastor Atha Johnson welcomes everyone to attend services at the CHURCH OF GOD OF PROPHECY TRAM KENTUCKY. Sunday school 10 a.m., Worship service 11 a.m.
Drift Independent, Drift: Sunday, 11 a.m.; Thursday, 6:30 p.m.
Dwale House of Prayer, Dwale: Worship Service, 7 p.m.; Sunday, 6 p.m.; William Jarrell, Minister.
Grace Fellowship Prestonsburg (next to old flea market): Sunday School, 10 a.m. Worship, 11 a.m. Bill Stukenberg, Pastor 889-0905.
Faith Bible, Martin: Sunday School, 10 a.m.; Worship Service, 11 a.m. and 6 p.m.; Wednesday, 6 p.m.
Faith Deliverance Tabernacle, West Prestonsburg: Sunday School, 10:30 a.m.; Thursday, 7 p.m.; Don Shepherd, Minister.
Faith Revelation Ministry, 1/4 mile above Worldwide Equipment: Sunday School, 10 a.m.; Worship service, 11 a.m. and 6 p.m.; Randy Hagans, Minister.
Faith Worship Center, US 460, Paintsville: Worship Service, 11 a.m.; Thursday, 6 p.m.; Buddy and Maude Frye, Minister.
Full Gospel Community, (formerly of Martin) moved to Old Allen: Sunday School, 10 a.m.; Worship Service, 11 a.m.; Sunday evening, 6:30 p.m.; Wednesday, 6:30 p.m.; Lavonne Lafferty, Minister.
Lighthouse Temple, Main St. and Hall St.: Worship Service, 12 p.m. and 7 p.m.; Wednesday/Friday, 7 p.m.; Roy Cosby, Minister.
Martin House of Worship, Old Post Office St.: Worship Service, 7 p.m., Saturday/Sunday.
Old Time Holiness, 2 miles up Arkansas Creek, Martin: Sunday School, 11 a.m.; Worship Service, 7 p.m.; Friday, 7 p.m.; John W. Patton, Minister.
Spurlock Bible (Baptist), 6227 Spurlock Creek Rd., Prestonsburg: Sunday School, 10 a.m.; Worship Service, 11 a.m.; Wednesday, 7 p.m.; Dan Heintzelman, Minister.
Town Branch Church: Sunday School 10 a.m. except for first Sunday in each month; Worship Service, Sun. morning 10:00 a.m.; Evening 6 p.m.; Wednesday, 6 p.m.; No Sunday night services on first Sunday of each month. Tom Nelson, Minister.
The Father House, Big Branch, Abbott Creek: Sunday School, 10 a.m.; Worship Service, 6 p.m.; J.J. Wright, Minister.
Youth Fellowship Center, Wheelwright, Monday-Tuesday, 6 p.m.; Thursday, 7 p.m.
Zion Deliverance, Wayland: Sunday School, 10 a.m.; Worship Service, 11 a.m. and 6 p.m.; Wednesday/Saturday, 7 p.m. Prayer Line: 358-2001; Darlene Arnett, Pastor
Taylor Chapel Community Church, formerly the old Pric's Food Service building, located 1 quarter mile above Worldwide Equipment, Rt. 1428. Sun. Bible Study, 10 a.m.; Sun. Morning Service, 11 a.m.; Sun. Evening, 6:30 p.m. Kerry Vanderpool, Pastor.
International Pentecostal Holiness Church, 10974 N. Main St., Martin: Rev. Elis J. Stevens, Senior Pastor.
Rising Sun Ministries, 78 Court Street, Allen, Ky: Sunday, 10:30 a.m.; Wednesday, 6:30 p.m. Pastor: D.P. Curry.
Church of God of Prophecy, Sun. School 10 a.m., worship Service 11 a.m., Sunday Night - 6:00 p.m., Wednesday Night - 6:00 p.m. Pastor Glenn Hayes. West Prestonsburg.

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Kids

charges were taken out on the couple. According to a case history report filed June 9 in Johnson County, Georgia social workers say that the child, who has "exceeded expectations of the case plan to which she is obligated," has reported no self-abusive behavior to social workers investigating her case.

"[The child] is more likely to cause harm to his younger sister than to himself," the report says, noting that his current psychologist recommended the child be seen by a psychiatrist.

Both Melissa and Troy Foster allege that Paintsville social workers Jessica Music Franklin

and Melissa Click have "consciously and willfully committed acts of dishonesty and corruption" in their case. Franklin, who initiated the latest investigation into the Foster home, is related to both Charles Wetzel and Kevin Franklin, Melissa Foster says.

In a letter to Robert Benvenuti, inspector general for the Cabinet for Families and Health Services, the Fosters allege that Franklin and Click have committed perjury, withheld evidence from the courts and have been "deceptive and misleading" in reports to supervisors and to the Johnson

County Family Court and judges.

During an interview yesterday, Judge Frazier spoke on behalf of workers with the Cabinet for Health and Families Services.

"The Cabinet workers have done a pretty good job throughout this case," he said. "They've been very diligent in their dealings with the court."

In a letter dated June 29, Benvenuti said the inspector general's office is providing a special investigator for the Foster case. That investigation, he said, will not include a review of underlying charges of abuse and neglect and will not act as a waiver to any other investigation by other offices.

The Fosters requested special prosecution from the Johnson County Attorney's Office earlier this month. Citing a case conflict, County Attorney Paul Pack transferred their request to Lawrence County Attorney Michael Hogan. Hogan said last week that his office may also have a conflict in the case. Inquiry calls to his office this week were not returned.

Melissa Foster said she would appeal the custody case after the criminal charges against her are settled, but Judge Frazier said Foster's willingness to sign over custody may affect the outcome of that appeal.

"Anything can be appealed, but it's hard when someone agrees to it, isn't it?" Judge Frazier said.

The Fosters are allowed 8 hours of visitation with the children each week.

A preliminary hearing in the criminal case is scheduled for July 16.

Continued from p7

Administration ponders extent of judge's order halting projects

by CHARLES WOLFE
ASSOCIATED PRESS

FRANKFORT — A judge's order forbidding new state-funded construction in the absence of a state budget may delay hundreds of campus projects for which universities were going to use their own money.

Other agencies that use their own revenues for projects, not relying on money from the state's General Fund, could be similarly affected, administration officials said Thursday. They said they expected to seek clarification from the judge.

Even with self funding, university projects have to be authorized by the General Assembly and spelled out in the state budget. The General Assembly failed to pass a budget for the new biennium before it adjourned in April. Kentucky began a new fiscal year Thursday, running on Gov. Ernie Fletcher's own spending plan for the first quarter.

State government was not forced to shut down. But Franklin County Circuit Judge Roger Crittenden ruled after a hearing Wednesday that the administration could not launch building projects or programs that were not previously authorized and funded by the General Assembly.

Administration officials were still mulling Crittenden's order Thursday. "I don't think anybody thought that we were talking about university projects yesterday," said Fletcher's general counsel, John Roach.

Fletcher's spending plan — he titled it the Public Services Continuation Plan — contained

scores of projects, mostly for uni-

versities. The judge's order meant institutions could not issue bonds to fully finance the projects, but they could begin work with cash on hand. Universities have revenue sources from tuition, dormitory and dining hall fees.

"The vast majority of capital projects that would be authorized, but for the judge's order, are not funded with general funds or General Fund bonds," Bill Hintze, deputy state budget director, said in a telephone interview.

As for postsecondary education projects, Hintze said: "We have a question as to whether those are prohibited by the judge's order. Our first reading is, they probably are."

Sherron Jackson, assistant vice president for finance at the state Council on Postsecondary

Education, said the universities had been given Crittenden's order but no instructions on implementing Fletcher's continuation plan. "We're all really on hold until they can get some clarification," Jackson said.

Also Thursday, a 2 percent pay raise for state government employees went into effect, as provided in the Fletcher plan as an austerity measure. Employees get raises on their hiring anniversary dates, not all at the same time.

The raise ordinarily is 5 percent, an amount specified in statute. The budget law, had one been enacted, would have been used to override the pay statute.

Attorney General Greg Stumbo, who sued to challenge Fletcher's use of a spending plan, said the legality of a 2 percent raise was among issues still to be resolved.

Introducing...

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Inside each issue of The Floyd County Times, you will find a coupon for a free item worth more than the price of the paper. It's our way of thanking our readers. Look for it on page A3 every Sunday, Wednesday and Friday.

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KING'S DAUGHTERS MEDICAL CENTER
Taking Medicine Further



photo by Mary Music

Prestonsburg Police Officer Brian Kidd took statements from Richard and Pricilla Horn following a wreck yesterday afternoon.

Soil spill reroutes traffic on U.S. 23

by MARY MUSIC
STAFF WRITER

PRESTONSBURG — A topped truck and trailer filled with topsoil skirted traffic on U.S. 23 yesterday afternoon.

Richard T. Horn, 70, and his wife Pricilla, 61, were traveling north when their six-ton trailer filled with more than 100 bags of topsoil began to swerve, Prestonsburg Police officer Brian Kidd said.

Horn, who later admitted he was "inexperienced" at driving loaded trailers, told Kidd that he lost control of his Chevy truck when the trailer fishtailed as he drove down the Tiger Mart hill.

Horn's truck hit the guardrail on the northbound lane, skidded in a 180-degree revolution across the four-lane, and came to

rest on its side facing the opposite direction, Kidd reported.

The Horns escaped without injury.

"It fishtailed on me up here and I couldn't control it," Richard Horn said. "What scared the hell out of me was that I was afraid my wife was hurt. I was hanging onto her arm, but I didn't know where the rest of her was at. I just thank God no one was coming in the southbound lane."

The couple purchased 173 bags of topsoil at Wal-Mart yesterday to level their yard. They left behind 70 of those bags as a safety measure, Horn said.

Traffic was diverted by the Prestonsburg Police Department for approximately an hour while Adams Wrecker Service cleared the mess.

Howard Auction

60 Acre Farm - Extra Nice Home
Saturday, July 17 - 11:00 A.M.

LOCATED P.O. Box 4870, Ezel Community of Morgan County, off U.S. 460 15 miles west of West Liberty. Take Route 772 1.7 miles to Route 3345, east one-tenth mile, turn left, watch for signs.

This auction consists of 60-acre farm with a 3-bedroom, 2 bath vinyl siding home, 1,600+ sq. ft. gross living area. Includes kitchen-dining with tile floors, nice oak cabinets, large fireplace, new carpet, York 4-ton air conditioning unit, York 4 ton heating unit. Also comes with deck and pool, large back porch, plenty of landscaping—A doll house. Also 32'x72' tobacco barn, 32'x52' metal shed for equipment storage, 18'x48' hay shed, 24'x34' boat storage house w/6' shed, 24'x24' 2-car garage w/roll-up doors. This is a property people dream about. Could be horse farm, purebred cattle farm, or any type of operation, under good fence, 2 ponds, city water, 2 acres bottom land for raising hay. Also selling: New Holland 7' mowing machine.

Open House July 11 - 2:00 to 4:00 P.M.

Terms: 20% down day of sale, balance in 30 days or sooner.
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Mike Phipps, Auctioneer

606-674-9409

Auctioneer's Note: Look no further for a small farm with all the amenities. This is it. Be at this sale. Owners are going to another area.

Sports Editor
Steve LeMaster
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FLOYD COUNTY Sports

SECTION

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Change the dead period – hey, it's a thought

by RICK BENTLEY
 TIMES COLUMNIST

We're currently in the midst of the "dead period" for high school athletics, a two-week hiatus when teams are forbidden from any form of practice or team function.

I like the idea, but think I have a better one.

The dead period, for those unaware, is in effect to stop high school teams from practicing all summer. Because so many athletes play so many sports in Kentucky, the KHSAA has adopted the policy that for 14 days, these student-athletes get to be kids again and not have to do anything.

It's a great idea. It gives them time to do other things and comes at the time of the traditional miner's vacation here in our mountains, so kids could possibly go away with their families and not have to beg the coach and/or face his/her wrath to get permission.

Now please allow me to say this – I know our coaches here in our mountains and know they're very understanding of summer vacations. I see this every year when they come to the Pikeville College Team Camp; rarely does a team roll in for the three-day event without at least one player missing because of vacation.

The coaches want their kids to be there, and expect them to, but if they're vacationing, they generally give them a pass.

(See BENTLEY, page two)

BoB Series returning to 201

TIMES STAFF REPORT

LEXINGTON – The O'Reilly NARA Battle of the Bluegrass DirtCar Series presented by Arizona Sport Shirts heads to the 201 Speedway in Sitka Saturday night for its 12th points race of the 2004 season. It will be the fifth-ever appearance at the Bill Mike Vaughn-promoted facility, which is located near Paintsville. In the previous four shows at the track there have been four different winners with 2002 Battle of the Bluegrass Series Champion Eddie Carrier Jr. of Salt Rock, W.Va., 2003 BoB Champion, Mike Marlar of Winfield, Tenn., Aaron Hatton of Mt. Sterling, and Tyrel Todd of Eubank, all ending up winning in previous appearances. With a points battle that looks like it will go down to the end, valuable points are looking to be earned at the Johnson County track. There will be a complete show for the O'Reilly NARA Battle of the Bluegrass DirtCar Series with Racing Optics Time Trials, Crown Spray Power Heat Races, O'Reilly Auto Parts B-Mains and 40 Lap Lucas Oil A-Main paying \$3,000 to win. O'Reilly NARA Battle of the Bluegrass DirtCar Series rules and procedures will be place for the Late Models.

The 201 Speedway is located five-and-a-half-miles north of U.S. Highway 23 on State Road 201. The track phone on race day is 606/ 265-3201. For more information on the track, go online to www.201speedway.net.

(See BOB, page two)

District 7 Little League Tournament 9-10-Year-Olds Scoreboard

Wednesday's games
 Paintsville 34, East Ridge 0
 Belfry 14, Morgan County 1
 HAP 13, Beaver Creek 1

Tuesday's games
 Martin Co. 16, Virgie 2
 Belfry 15, Knott Co. 1
 Whitesburg 11, Phelps 6

INSIDESTUFF

- Lifestyles • page 7B
- Poison Oak • page 7B
- Classifieds • page 10B

Creekers blank HAP

by STEVE LeMASTER
 SPORTS EDITOR

PAINTSVILLE – The Harold-Allen-Prater (HAP) 11-12-year-olds fell to 0-3 in pool play Wednesday, dropping a third consecutive

game in the District Seven Tournament. Beaver Creek, behind the strong pitching of Cody Cook, downed HAP 7-0. Cook pitched a one-hit shut out and struckout nine. He walked two and hit a batter.

Beaver Creek plated one run in the opening inning and backed its offense up with sturdy defense. The BC defense made two errors, but held HAP to just five

(See HAP, page two)



photo by Steve LeMaster

Cody Cook took the mound for Beaver Creek Wednesday evening and held HAP scoreless.



photo by David Allio

Prestonsburg racer Steve Blackburn returned to victory lane at Lonesome Pine Speedway for a 10th time Saturday.



photo by Steve LeMaster

Morgan County pitcher Cory Lykins showed emotion during the final inning against Belfry. More on the game appears inside today's edition.

Paintsville 11-12s blast East Ridge

by STEVE LeMASTER
 SPORTS EDITOR

PAINTSVILLE – The Mighty Paintsville All-Stars continue to roll – in each and every division.

Paintsville starter Seth Alex Rice tossed three innings, struckout four batters and allowed just one base runner.

Rice and teammate Taylor Smith both hit their third home runs of the post-season. And Smith also got into

(See BLAST, page two)

BLACKBURN WORKS WAY TO TOP OF ATLANTIC REGION

by STEVE LeMASTER
 SPORTS EDITOR

PRESTONSBURG – From April through June, Steve Blackburn has dominated – for the most part – Late Model racing at Lonesome Pine Raceway. In less than three months, Blackburn has won 10 races. And this week, he found himself at the top of the NASCAR Weekly

Racing Series presented by Dodge Atlantic Region points standings. At the top, as in, number one, with a higher ranking than other drivers from other Atlantic Region states, including North Carolina, South Carolina and Georgia.

Blackburn recorded his 10th win of season Saturday, taking a Kinzer Drilling-sponsored race win.

Blackburn won his first race of the 2004 season back in April. On June 5, the crafty Late Model driver from Prestonsburg, racing in the Pepsi 260, won a pair of Twin 50 Late Model races, claiming two victories in one night.

"We've been fortunate this race season," Blackburn admitted in an interview conducted earlier

(See BLACKBURN, page five)

Beaver Creek 15-16s in finals

by STEVE LeMASTER
 SPORTS EDITOR

PAINTSVILLE – The Beaver Creek 15-16-year-olds are in the finals of the District Seven Senior League Tournament. Beaver Creek won its way to the District Seven Senior League championship game by posting an impressive 13-1, five-inning win over East Ridge Tuesday night at Charlie Adkins Field.

The runaway win was Beaver Creek's second mercy rule win over East Ridge in the tournament. Beaver Creek, Floyd County's strongest Little League team of any group in the

(See PLAYERS page two)

Paintsville 5, Belfry 3

TIMES STAFF REPORT

PAINTSVILLE – Freshman-to-be J.D. VanHoose struckout 14 Belfry batters and allowed three hits to lead the Paintsville Junior League All-Stars to a 5-3 victory in the semifinals of the winner's bracket of the District Seven at Charlie Adkins Field Wednesday evening.

The win allows Paintsville to advance on to meet Magoffin County tonight at 8 p.m.

Paintsville put up a run first, scoring in the top half of the fourth inning. VanHoose reached on an error and scored on a Josh Gourdouze single. Another error allowed Gourdouze to

cross the plate, giving Paintsville a 2-0 lead.

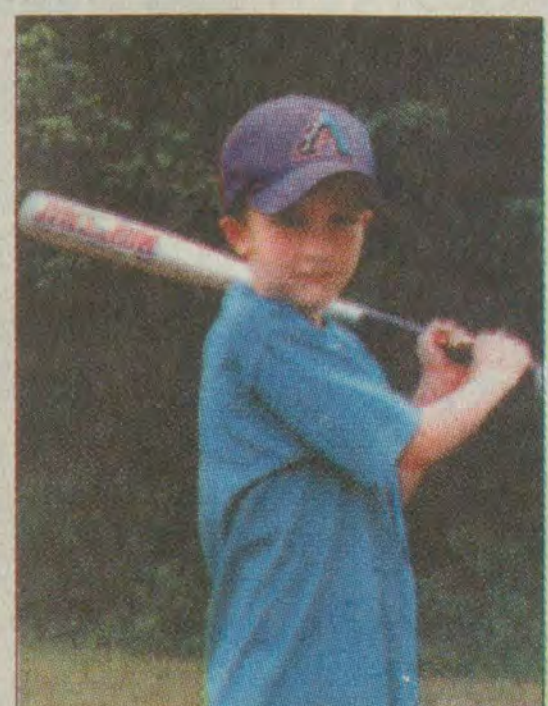
Tyler Dotson reached base on an error and scored for Belfry.

Paintsville scored two more times in the fifth inning as Jake Cyrus singled, stole a base and scored and Chase Richardson, who banged out a single in the first inning, reached on an error and scored. VanHoose later walked and scored to make the score 5-1.

B.K. Farley walked and scored in Belfry's half of the fifth. R.T.

Runyon then singled and scored on an error for Belfry in the sixth inning

(See GAME, page six)



LITTLE LEAGUE SPOTLIGHT – Colton Nelson is a member of the Louisa-Fort Gay Little League Rookie League Tournament Champions – the Diamondbacks. He is the son of Jeffrey and Deanna Nelson of Louisa. He is the grandson of Patty Wilson of East Point and Mr. and Mrs. Elmer Pack of Fallsburg.

Blast

the pitching act. Neither Rice nor Smith allowed a base hit. Smith walked four and fanned three. Zach Salyers doubled to lead off the game for Paintsville.

Salyers scored on a Taylor Smith base hit. Paintsville scored eight runs in its half of the fourth inning. Wil Meek had two hits, drove in a pair of runs and scored

twice. Paintsville (3-0) will face Martin County Saturday (2 p.m.) as they wrap up play in Pool A. Martin County (2-0) played Fleming-Neon (1-1) last night.

The top two teams in each Pool will play in a single elimination tournament (six teams) which begins Monday.

Wednesday games: Morgan County 6, Belfry 4 - Morgan County scored four runs in the top of the sixth inning and came away with the win. Morgan County is the Pool C winner with a record of 3-0 and will play in the single elimination tournament which begins Monday. Belfry will join Morgan County in the tournament as the Pool C runner-up.

Cory Lykins closed out the sixth inning on the mound for Belfry.

Tuesday's games: Phelps 3, Whitesburg 0 - Aaron Salyer tossed hit second shut out of the tournament to help Phelps

improve to 3-0. Salyer whiffed eight batters and allowed five hits. In addition, Salyer singled and scored in the fourth inning. Tyler Hurley and Tyler Gannon each walked and scored for Phelps' other runs. Cory Charles knocked two base hits.

McKenzie Smith threw for Whitesburg, striking out 13, allowing three hits, and walking three.

Belfry 14, Knott County 2 - Belfry scored eight runs in the fifth inning to run away with the win.

Matt Blackburn and Charles Ryan Smith both homered for Belfry in the offensive-heavy fifth inning. Blackburn also doubled in the inning, driving two runs.

Martin County 11, Virgie 2 - Martin County pitcher Tyler Todd allowed just three hits and struckout eight batters in the

win. Todd walked five hitters. John Hall walked and scored in the third and Brad Begley doubled and scored in the fifth for Virgie's two runs.

Zack Wright and Logan Lucas had hits for Virgie.

Martin County plated seven runs in the fourth inning. J.J. Jude hit a

two-run double and scored in the inning. Corey Crum singled and scored.

Kelly Hayes, Tyler Lafferty, Dustin Meade, Austin Stepp and Casey Delong each scored. Channing Smith singled and scored in the sixth. Tyler Hall

doubled in a run and scored in the second inning. Smith tripled in a run and crossed the plate. Delong singled in a run and scored. Stepp also scored.

Hayes and Lafferty also singled.

HAP

Continued from p1

base runners, spread out for the most part.

Justin Jackson tripled and scored two runs for Beaver Creek, which lost an opening game to Whitesburg, falling 5-1.

Tyler Hall and Cory Conn each doubled and scored. Conn scored two runs. Cory Hall and Zac Hall also scored runs.

Beaver Creek took advantage of having runners on base. Logan Crowder hit a double and Tommy Joe Hall had two singles in the Beaver Creek win. Hunter Crowder and Chad Nelson both hit sacrifice fly RBIs. Cook also hit a single in the game.

Other teams in Pool A, along with Beaver Creek and HAP, include Whitesburg, Magoffin County and Phelps.

Play in each of the District Seven post-season divisions continues today.

BoB

O'Reilly NARA Battle of the Bluegrass DirtCar Series

Event No. 12 of 2004 Season Saturday Night, July 3 201 Speedway Feature Payoff - 1. \$3,000; 2. 1,500; 3. 1,000; 4. 800; 5. 750; 6. 700; 7. 650; 8. 600;

9. 550; 10. 500; 11. 450; 12. 400; 13. 350; 14. 350; 15. 325; 16. 325; 17. 300; 18. 300; 19. 300; 20. 300; 21. 250; 22. 250.

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ATHLETES OF THE WEEK



Dane Sizemore, Beaver Creek All-Star



Erica Meade, Harold-Allen-Prater All-Star

Bentley

Continued from p1

District Seven Tournament, will now face Paintsville in the finals in a rematch of an earlier matchup that went into extra innings, taking nine innings to decide.

Paintsville beat Beaver Creek 7-6 in extra innings when the two teams first meeting. The finals are this evening at 6 p.m.

To advance on to state play, Beaver Creek must beat Paintsville two straight games. A Paintsville win would advance the host team to the state tournament, which begins July 17 in Paintsville.

In its comfortable win over East Ridge, Beaver Creek scored six times in the first inning. The early deficit was too much for the East Ridge team to try and overcome. Nick Music, Justin Jacobs and Tyler Turner each singled and scored. Scotty Little, Josh McKinney and Alex Hammonds each reached base and scored. Jacobs doubled and scored on a Turner triple in the second inning for a 7-0 lead. Beaver Creek plated six more runs in the third inning to complete the winning effort.

Jacobs, Little, McKinney and Brock Kidd each singled and scored. Music and Turner both walked and scored, adding to the offensive onslaught.

Five different Beaver Creek pitchers combined to strikeout five and walk three opposing batters.

For East Ridge, Aaron Ward walked and scored on a double hit by Andrew Robinson in the third. Ward also singled.

Eagles combine academic, athletic success

SPECIAL TO THE TIMES

For Morehead State University, the term "student-athlete" is not just an empty phrase. Whatever success the Eagles have had on the courts or fields, they have accomplished even more in the classroom.

During the June Board of Regents meeting, MSU Director of Athletics Chip Smith provided those in attendance with details from a three-year academic survey conducted by his department.

For the 2003-04 school year, Eagle student-athletes had a combined 2.878 grade point average, which should rank them among the best in the Ohio Valley Conference.

In 2002-03, MSU ranked third among OVC universities with a 2.872 GPA

"We are very proud," said Smith. "Our students work hard in both their sports and their classes and the numbers show this."

In the spring 2004 term, a total of 82 athletes were on the dean's list at MSU. Out of that number, 28 had perfect 4.0 grade point averages. Both are records for the athletic department.

"There still is work to be done," said Smith. "This staff is committed to providing our student-athletes the best possible opportunity to obtain their college degrees."

"Unless you work with these young women and men, who maintain a full-load of classes and a challenging practice or game schedule, it is hard to understand the mental and physical demands on a Division I student-athlete."

However, we do feel that we have the right type of students to overcome what may be obstacles to others."

In the past year, Smith's unit has not only hired a full-time athletic academic coordinator but has opened an academic center, which includes a computer lab as well as study space for the student-athletes.

According to the survey, six out of seven women's sports have at least a combined 3.0 grade point average, which includes three sports - tennis, volleyball and rifle - that had 3.5 or higher.

On the men's side, five out of the seven sports had a 2.7 GPA or better.

Successes of the athletic department from the past 12 months includes:

For the fifth time in the last nine years, the Morehead State softball team was recognized by the National Fastpitch Coaches Association (NFCA) for its team grade point average, by receiving the organization's annual Top 10 Academic Award. The 2002-03 team posted its highest-ever finish in the history of the award, finishing fourth among all Division I schools. The Eagles boasted a 3.446 GPA for the 2002-03 academic year.

Former Lady Eagle basketball player Kandi Brown captured Ohio Valley Conference's Steve Hamilton Sportsmanship Award. The award recognizes an OVC male or female junior or senior student-athlete who best exemplifies the characteristics of significant athletics performance, good sportsmanship and citizenship.

In 2002-2003, Lady Eagle Abby Adams captured her fourth straight OVC Academic Medal of Honor, given to the

(See EAGLES, page three)

Former JCHS principal now coaching college football

TIMES STAFF REPORT

PAINTSVILLE - Former Johnson Central High School principal Tom Swartz has been a lifelong educator. Last fall, he joined the Centre College football program as an assistant coach, mentoring the Colonel running backs. When Swartz served as principal at Johnson Central, Bill Musick, who now works in the Fairview Independent Schools System, worked the sidelines as the head football coach.

Swartz was a newcomer to the Centre College coaching staff during the 2003. The Lawrenceburg native is a retired

Kentucky educator, serving 27 years in the public school setting as a school principal. He coached football at Nelson County High School in Bardstown, Kentucky for five years.

Swartz played college football at Eastern Kentucky University from 1965-1970. He received a B.S., M.A. and Rank I in administration from EKV.

He serves on the Fellowship of

Christian Athletes Board of Directors and has been active in high school huddles across the state of Kentucky. He and wife, Rosemary, have two children and three grandchildren.



Tom Swartz

Bentley

Continued from p1

But says here they shouldn't have to.

Here's my thinking. Summer is the time for kids to be kids. These youngsters are entirely too busy. They're doing too many things and don't have enough time to just be kids.

I propose that instead of the two-week dead period, there should be a two-week live period.

And every coach in the mountains just groaned.

I'm sorry, but it's how I feel. The KHSAA should treat summer just as they do spring football practice - give them two weeks and let that be that.

I ran this by Bill Watson to get his reaction. Watson is the coach of the Pikeville College Lady Bears, but has spent many years as a high school assistant throughout northern and central Kentucky.

He's a solid, level-headed coach with a healthy appetite (but that's another story for another day), but he's also a coach. I was interested to get his reaction, and used him as my own litmus test.

"I wouldn't like it because I'm a basketball coach," he said.

"But I see what you're saying."

Watson is also a father and has two active little girls. One is rapidly approaching junior high age, which in the mountains means high school junior varsity play in many cases. So while he's a coach, he also recognizes that he's a parent who is soon going to have to invest a lot of time and gas money transporting his daughter to practice after summer practice and camp after summer team camp.

I just think we're asking too much of kids and parents.

Set up a two-week window, give it to everybody in every sport, and be done with it.

I read with interest a story written by Tom Kopacz last week about how coaches loved the dead period and what they planned to do during it.

More than one coach - people, by the way, who I consider friends first and work companions second - talked about how they supported the dead period, saying they encouraged their players to enjoy themselves, to be kids and go on vacation during the time.

See, that's not what a dead period should be - that's called

summer vacation!

You can't give a kid two weeks out of two months and then feel like you're doing him a favor. They deserve the same free time as their neighbor and right now they're just not getting it.

And I certainly don't see how the parents do it. Many homes now either have only one parent or two working ones, and my question is who is getting to take the players to and from practice?

Thank God for grandparents, I suppose.

I know I'm probably going to be castrated by coaches and school administrators for this, most of whom are well-meaning people who are in this for the right reason. And as I've said, nearly all understand if a family has a vacation planned during a camp and a player has to miss.

But it shouldn't be something they have to worry about. Give them two weeks to play and not two weeks of rest.

Let kids be kids. Let them enjoy themselves away from the court or field.

After all, that's where they'll live the rest of their lives.

Dairy Queen of Prestonsburg

SPORTS FAN OF THE WEEK

If you are the sports fan circled here... it's your lucky day!

Bring this photo to The Floyd County Times office at 263 South Central Avenue (down the street from the courthouse) to claim your Gift Certificate, which will entitle you to a free 8-inch ice cream cake of your choice, redeemable at **DAIRY QUEEN OF PRESTONSBURG**, and choice of a Times hat or coffee mug.

Eagles

Continued from p2

student-athlete from each institution with the highest grade point average.

Five members of the Morehead State University football team were honored on the 11th Annual Academic All-Pioneer Football League Team while a total of 31 players were named to PFL Academic Honor Roll.

Eagle senior track and field standout Brandon Gully, for the third consecutive year, was named to the Verizon Academic All-District IV Men's University Division Track and Field/Cross Country First Team.

In addition, three Morehead State men's and women's rifle team members earned honors as College Rifle Coaches Association (CRCA) All-Academic Scholars. Garry Garrett, Matt Ritenour and Erica Werkman were selected for the CRCA award. Garrett was named to the First-Team Verizon/CoSIDA Academic All-District team.

MSU's student-athletes' graduation rates for the 2002-03 academic year were 54 percent, up from 50 percent in 2001-02.

photo by Steve LeMaster

Harold-Allen-Prater put five runners on base in its loss to Beaver Creek.

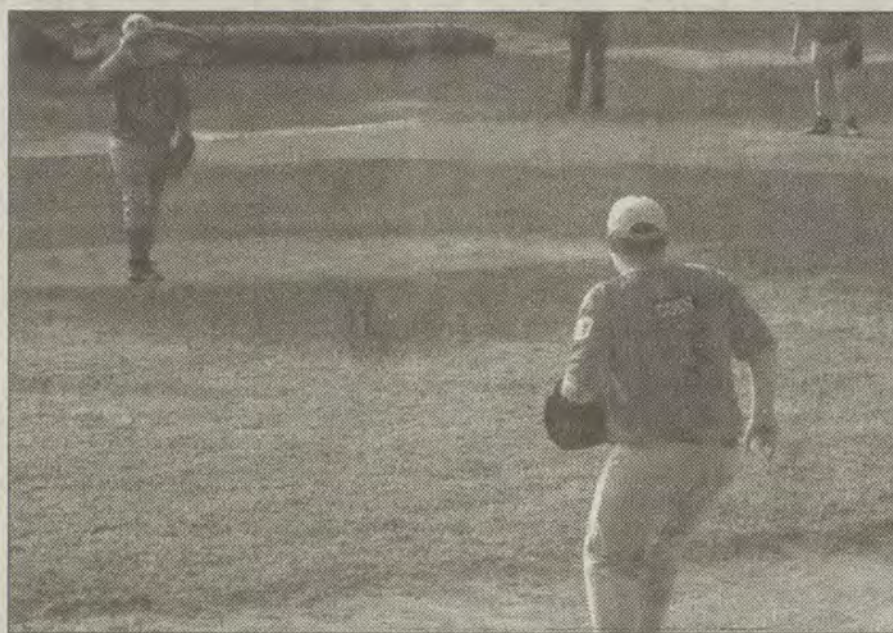
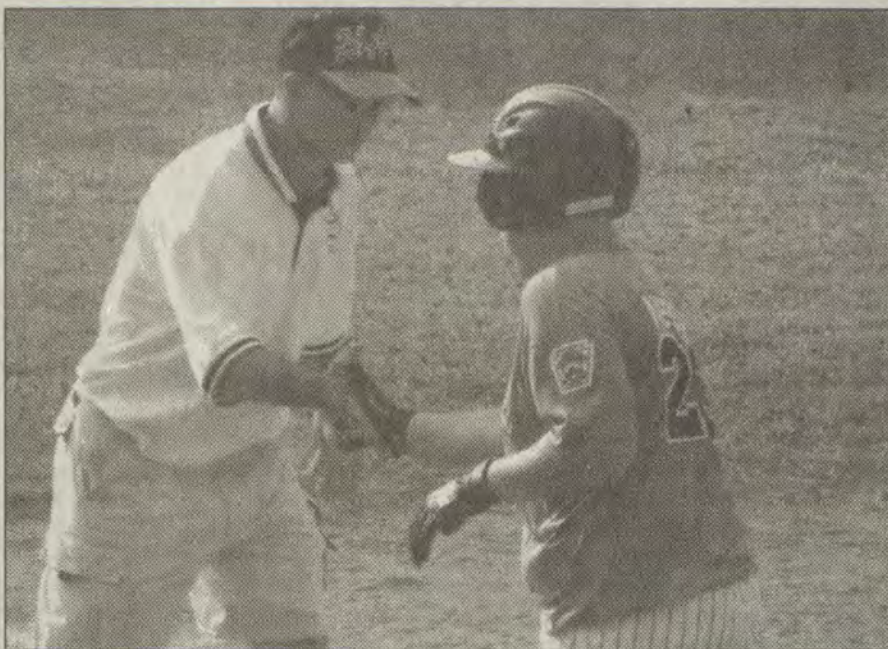


photo by Steve LeMaster

Beaver Creek first-baseman Cory Conn tagged first base for an out during the win over HAP.

Castro has to dig out first baseman's mitt

by JOE KAY
ASSOCIATED PRESS

CINCINNATI — Juan Castro hoped he would never have to use the black first baseman's mitt with his name embroidered on the side in red thread.

On Wednesday, the mitt was on his left hand.

Manager Dave Miley decided to let Castro play first base for the first time this season. Miley overhauled his lineup against Mets left-hander Tom Glavine, who was 25-11 in his career against the

Reds heading into his latest start.

With Sean Casey out for a second straight game because of a strained calf, Miley decided to let Castro try his hand at first base, a position he has played only a few times in his career.

"Don't expect too much," Castro warned.

Castro is one of the Reds' best defensive infielders, able to play shortstop, third or second base. First base is something else.

He has appeared at first base a few times in spring training, but only three times in his career. His first game

there was unforgettable.

Former manager Bob Boone decided to load his lineup with right-handers against Randy Johnson for a game on May 8, 2001. It was Castro's first career appearance at the position, one he knew nothing about until he saw the lineup posted on the board.

"I went right into Boone's office and said, 'Is somebody joking around with the lineup (board)?" Castro said. "Then I looked at their lineup and went, 'Oh my God, Randy Johnson.'"

The left-hander struck out 20 that game, and Castro will never forget how he got to the mark.

"I was the 20th," Castro said.

Castro, 32, made his third career appearance at first base last season in a June 24 game against St. Louis. With so little experience, he doesn't feel very comfortable at the position.

"It's not like you're seeing Adam Dunn or Sean Casey at

first," he said. "I'll do my best."

CASEY HOBBLER, BOBBLES: The Reds got their eighth sellout of the season Wednesday for a Sean Casey bobblehead giveaway.

The first 40,000 fans got bobbleheads, which came in a box with the personable first baseman's nickname — "The Mayor." Unable to play because of the strained calf, Casey autographed bobbleheads for fans in the stands for more than half an hour before the game.

Teammate Adam Dunn had some fun with one of the bobbleheads in the clubhouse, hanging it from his locker with a long strip of tape. He also put a thick piece of tape across the bobblehead's mouth.

"I wish we could do this in real life," he joked.

Casey talks nonstop on the bench when he's not playing.

NO JR: Ken Griffey Jr. was out of the lineup for a second

(See CASTRO, page five)

Smarty Jones name game

THE ASSOCIATED PRESS

LEXINGTON — Smarty Jones is having an impact on the horse-naming game, too.

In recent weeks, a bunch of owners and breeders have used the Kentucky Derby and Preakness winner as inspiration for naming their own horses.

For openers, there's Party Jones, a 2004 colt by Smarty Jones' sire, Elusive Quality. Since May 14 — a day before the Preakness — The Jockey Club's registry has approved eight Smarty Jones-like names.

The others are Sleepy Jones, Marty Me, Like Smarty, Smarty Who, Smarty Dec, Smarty Joe and Smarty Brown.

Some owners have even renamed their horses, perhaps hoping a little of Smarty Jones' good fortune will come their way.

It's already happened for the filly formerly known as Hastalavista Baby. The 3-year-old filly, also by Elusive Quality, was renamed Marty Me by owners Robert and Mary Ellen McKee in May, and won in her debut June 15 — by 8 1/4 lengths at Prairie Meadows.

"I take it as a compliment and I'm honored that people are doing this," Pat Chapman, who owns Smarty Jones with her husband Roy, said in a statement issued by The Jockey Club.

"I was surprised when I first heard about it but then I remembered that I once named a cat after Tug McGraw."

When he is retired, Smarty Jones will stand at stud at Three Chimneys Farm near Midway. "I just hope they leave some good names for me," Chapman said.

Smarty Jones is back in training after falling short in his Triple Crown bid with a runner-up finish in the Belmont Stakes on June 5.

The colt could make his next start in the Haskell Invitational at Monmouth Park on Aug. 8, with a year-end goal of running in the Breeders' Cup Classic at Lone Star Park on Oct. 30.

Other thoroughbreds ran around with Smarty-like names before Smarty Jones burst on the scene. Among them are Smarty at the Party, Smarty Cat, Smarty Pants and Smarty Smarty.

Champions of Character: Student-Athletes active in community

TIMES STAFF REPORT

PIKEVILLE — For Brienne Daniels, there was no such thing as free time during her freshman year.

A rare three-sport athlete, Daniels came to Pikeville College on a softball scholarship but decided to try her hand at two other sports as well. By the time softball season, rolled around, she was already had a season under her belt in volleyball and basketball.

As if being a full-time student playing three demanding, time-consuming sports wasn't enough, Daniels also had other obligations that took her off campus on a regular basis. Through the NAIA's Champions of Character initiative, every sport at Pikeville College is active in the community at several special and regular events throughout the school year.

"Playing three sports and trying to keep my head above water in the classroom wasn't easy, but it was a lot of fun," said Daniels. "When I first got here and found out about the Champions of Character and the volunteering we'd be doing, I thought there was no way I could do it all."

"But then you start getting out in the community and meeting people and you realize it's far more rewarding than anything else I could be doing in my spare time."

"We think it's important that we teach these young men and women that it's important to be out in your community," said Ron Damron, who is director of athletics and vice-president for student services. "It's part of the college's mission to not only educate but also to help develop the whole person. Volunteerism is a large part of that."

As a result, not only do the school's 12 NAIA sports participate, but also Damron has the institution's three other sports

involved as well.

In addition to his other titles, Damron coaches the school's successful men's and women's bowling teams at the college. And while the NAIA does not sanction bowling (it falls under the auspices of College Bowling USA), he requires them to follow the same guidelines as the school's other student-athletes.



Brienne Daniels

"If you look at the Champions of Character pledge, it provides a good framework for what we should be teaching the people under our influence," said Damron, who was named national women's bowling coach of the year three days before that team won the school's first national championship in April.

The initiative asks those involved in intercollegiate athletics to embrace five traits — respect, responsibility, integrity, servant leadership and sportsmanship.

"In my opinion, the Champions of Character plan really sets the NAIA apart from other governing bodies," Damron said. "If something were to ever happen and we were to leave the NAIA altogether, I would hope we would continue to follow the guidelines of this initiative. Therefore we have both our bowlers and our cheerleaders (another sport not sanctioned by the NAIA) actively participate as well."

This year, students from 10 sports across the athletics department worked with the Kentucky State Senior Games, an Olympics-style event that brought more than 630 senior citizens to the Pikeville area.

Working in conjunction with the office of Pike County Judge-Executive Bill Deskins, student-athletes served as judges and even coordinators for the week-long celebration.

"Without the help of groups such as the Pikeville College

athletics teams this undertaking would not have been possible," said Deskins. "We sincerely appreciate their support and help these young men and women will be able to help us again in September 2004."

In addition to the Senior Games, many other groups benefited from the volunteering student-athletes. Several football players helped Habitat for Humanity build houses and others read to preschool and elementary classes. The Cross Country teams helped the Pikeville Area YMCA with its Safe Halloween function, and the golf team volunteered at StoneCrest Golf Course in Prestonsburg, assisting golfers load and unload equipment as well as delivering carts.

Also, the women's basketball team finished its fourth season working with Pikeville Elementary School through its PLAY (Participate in the Lives of America's Youth) program, assisting teachers in every aspect of their classroom activities.

"We're proud that these student-athletes make time to get out and be involved in their community," said Damron, the director of athletics. "Hopefully it is things like this that they will take with them from their collegiate experience, along with what they learn in the classroom."

For student-athletes such as Daniels, who worked both with the Senior Games and elementary students, it helped her realize the importance of time management.

"Going to class fulltime and keeping on top of the workload can be difficult enough, and then juggling that with practices and games really keeps you busy," she said. "I can see where some people would think volunteering would eat away at what little free time we have, but it actually is helpful to me."

"It provided me with the opportunity to get my mind off the stress and enjoy being with other people. To me, it was a highlight of the school year."

DISTRICT 7 LITTLE LEAGUE TOURNAMENT SCHEDULE

11-12-YEAR-OLDS
Played at Paul B. Hall Field
TODAY
Phelps-Beaver Creek, 4:30
East Ridge-Virgie, 6:30
Whitesburg-HAP, 8:30

SATURDAY
Fleming-Neon-Virgie, 10 a.m.
Magoffin County-Beaver Creek, noon
Martin County-Paintsville, 2 p.m.
July 5-6 (6, 8 p.m.): The top two teams of each pool will compete in a single elimination tournament to decide the winner. Championship game will be Thursday, July 8.

9-10-YEAR-OLDS
Played at B.W. McDonald Field
TODAY
Phelps-Beaver Creek, 4:30 p.m.
Whitesburg-HAP, 6:30 p.m.
East Ridge-Virgie, 8:30 p.m.

SATURDAY
Martin County-Paintsville, 10 a.m.
Fleming-Neon-Virgie, noon
Magoffin County-Beaver Creek, 2 p.m.
July 5-6: A single-elimination tournament with six teams (top two teams of each pool) will be played. Championship game will be Thursday, July 8.

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NASCAR looking to simplify rules

by MIKE HARRIS
ASSOCIATED PRESS

For the most part, the first 10 months of Brian France's tenure as boss of NASCAR has been a breeze.

The changeover from long-time sponsor Winston to Nextel in NASCAR's top series has gone smoothly. A major antitrust lawsuit over a second race for the Fort Worth track was settled out of court and played right along with the expected schedule realignment. And a new way of determining the Cup championship — with a 10-race shootout at the end of the season — is already generating excitement.

"I've enjoyed the responsibilities and it's obviously action-packed," France said Tuesday during a teleconference. "We have our work cut out for us, but working with the team we've got, developing new ideas and trying to make racing better, it's been a fun first year for me."

One thing that hasn't been much fun, though, is the reaction of competitors and fans to the first major rule change of France's tenure.

Last fall, shortly after taking over from his father, Bill France Jr., as chairman and CEO of NASCAR, it was announced that drivers would no longer race to the finish line when a yellow flag came out.

Competitors had been complaining about that dangerous

practice for years and, after a particularly scary moment in which former Cup champion Dale Jarrett's car was stuck in the middle of the track with nearly the entire field bearing down at top speed, the younger France decided to do something about it.

Unfortunately, the change has caused debate over how to freeze the drivers' positions at the moment the caution flag waves and how soon to open the pit lane during yellows.

There have been a series of confusing rule changes, over-long caution periods during some races and several mistakes by officials that prompted NASCAR president Mike Helton to issue apologies.

France said NASCAR is well on the way to solving those problems, but he wants to make the rules as simple as possible for everyone.

"The expectations from the drivers, the owners, fans and everybody in the industry is that NASCAR is going to conduct the events in a mistake-free environment," France said. "We all know that that's not humanly possible, although that's our own expectation."

"We have had several mistakes in the last month that we think we've gotten, for the large measure, corrected. We've obviously introduced a more complicated system in terms of freezing the field, although we simplified that in the last two

weeks." Among the recent changes: pit road is now opened only by officials in the control tower, rather than an official at the end of the service lane, and the scoring of the field when a caution is displayed is being done with electronic scoring that shows where every car is at any given moment, removing the human element as much as possible.

More changes are coming. "There will be a thing or two that we think will even further simplify it," France said. "It's all about improving our accuracy and our speed."

The next big rule change being contemplated, which could be just as controversial and difficult to police, is how to

make sure races end under a green flag.

Four of the last eight Cup races have ended under caution, meaning that the drivers did not get to race to the finish but ended the day driving slowly behind the pace truck. That didn't make the drivers or the fans happy.

"We are studying that whole idea of how we might give ourselves more opportunities to finish under a green flag scenario, which is what we want," France said.

Former series champion Rusty Wallace isn't in favor of an idea that would restart the cars with both the white one-

(See NASCAR, page five)

Points race heats up heading into Daytona

by JENNA FRYER
ASSOCIATED PRESS

Even from his perch atop the points standings, Jimmie Johnson hasn't wavered in his dislike for NASCAR's new championship system.

Johnson heads into the Pepsi 400 on Saturday night at Daytona International Speedway with a 27-point lead over Dale Earnhardt Jr., an advantage that doesn't mean as much as it used to.

Under NASCAR's new formula, all drivers in the top 10 in the standings and anyone within 400-points of the leader will start over after the 26th race of the year. Those drivers will then compete in a 10-race shootout to crown the champion.

"I don't feel it really represents what a true champion needs to do in the course of a year," Johnson said. "Our sport is founded on long races and a long season. I think our point system should reflect that."

Johnson believes NASCAR created the new system to add a bit of drama to what had become ho-hum points races over the final stretch of the season.

"It has a lot of entertainment value, but when you're a competitor looking to find an advantage and working the sport year 'round, I don't think this point system really reflects what we have to do week in and week out," he said.

The push for the championship chase begins with the Pepsi 400, the first of the final 10 races before NASCAR sets the field for the "playoff."

Heading into Saturday night, at least a dozen drivers were in position to make the cut. Several others were on the fringe — reaching all the way back to 19th-place Sterling Marlin, who was 688 points back. A few good finishes could loft even Marlin into the 400-point range.

NASCAR chairman Brian France thinks that's the beauty of the new system. Once the points reset for the final 10 races, drivers who normally would have zero chance at winning the championship are now contenders.

"You're seeing drivers that were out of it in previous years that are not out of it today," France said. "So it's going to be what we all hoped for, a lot more excitement a lot more drama, a lot more fan bases energized as a result of the system. And frankly, the competition has

heated up."

Even France acknowledges the next 10 races are going to be extremely competitive as drivers attempt to get into the 400-point range.

"You see the urgency that the drivers have today that maybe they would not have had under the old system," France said.

Johnson has been fairly consistent in his five previous Daytona starts — three top 10s, and his lowest finish was 18th in this race last year. But he knows everyone behind him is coming after him, and the high-speeds at Daytona's 2.5-mile superspeedway are sure to make things a little dicey.

"There is so much on the line to be in that 400-point cut, I would expect to see some crazy things happening," he said. "After this weekend, we'll all have a pretty good idea of how things will lay out and who's in contention and who needs to be desperate."

Earnhardt, who won this event in 2001 and captured the season-opening Daytona 500 this year, will not be one of the desperate drivers. He's been a firm fixture at or near the top of the standings all season, and that's not expected to change after Saturday night.

He's got nine wins in 27 starts at Daytona in various series and has finished seventh or better in the last three Pepsi 400s. Earnhardt, who has seemed to master the restrictor-plate races at Daytona and Talladega, is ready to race for another win.

"Daytona rewards a good handling car," he said. "Look at how the 500 developed — it was more spread out than in the past because good handling cars were able to pull away from the pack. I think you'll see more of that this weekend."

Michael Waltrip, Earnhardt's teammate at Dale Earnhardt Inc., is expected to be among the top contenders. Waltrip has won three of the last seven races at Daytona and his team headed into the Pepsi 400 on a roll — he posted five top-10 finishes in his last 10 races to climb from 30th to 18th in the standings.

But Waltrip knows how quickly things can go wrong at Daytona: He was in a frightening wreck in the season-opener, flipping his car at least three times and finishing 38th.

"There's a lot of pressure you put on yourself to make sure you don't make any mistakes and you make all the right moves," he said. "One wrong drafting move late in the race can take you from the top two or three cars to 20th. You can't recover from that. You just have to be smart and not make any mistakes."

And don't count out Jeff Gordon, Johnson's teammate at Hendrick Motorsports.

Gordon is coming off last weekend's dominating victory on the road course in California, and a win Saturday night would give him back-to-back victories for the 20th time in his career.

But Gordon already scored a restrictor-plate win this year at Talladega, and he's never won two plate races in the same year. Still, he thinks the Hendrick fleet should give the DEI cars some competition.

"We're making gains in our plate program," he said, "and hopefully we'll be challenging for the win at the end of the race."

Ohio fan wins race-used hood from Labonte

SPECIAL TO THE TIMES

CINCINNATI — Cintas Corporation (Nasdaq: CTAS) announced the winner of its "What NASCAR wears on Race Day Sweepstakes." Dayton, OH resident Sharon Meyers was randomly selected to win an autographed hood from Bobby Labonte's No. 18 Interstate Batteries Nextel Cup car.

When asked what she was going to do with the hood, Meyers replied, "First I'm going to hang it above my bed. Then after I enjoy it for awhile, I'm going to give it to a charity to help them raise money for their cause."

The hood came from the #18 car that raced at Miami-Homestead in 2003.

Second prize in the sweepstakes was a Washington Redskins racing helmet signed by Joe Gibbs and Bobby Labonte. An Interstate Batteries NASCAR race jacket was given away to the third prize winner.

The contest was part of a Cintas catalog marketing campaign that included radio advertising and direct mail. Participants were directed to Cintas' racing web site to register for their chance to win. Anyone that made a minimum purchase of \$100 from the

Cintas catalog was automatically entered in the sweepstakes. More than 11,000 people registered in May.

Cintas leverages its NASCAR relationship in numerous markets across the country. "Thousands of race fans wear a Cintas uniform to work everyday," said Scott Farmer, Cintas President and CEO. "It's not enough to have your name on a car and hope your customers notice. We've been successful with NASCAR because we've always made the effort to share our relationship

with our customers."

Cintas is the preferred uniform and first aid supplier of NASCAR. All NASCAR officials wear a Cintas uniform to work at each race. Cintas is also an associate sponsor of Joe Gibbs Racing and a track sponsor at the following venues: Kentucky Speedway, Richmond International Raceway, Phoenix International Raceway, Gateway International Raceway, Kansas Speedway, Memphis Motorsports Park, and Dover International Speedway.

XM Satellite Radio adds SPEED programs to lineup

SPECIAL TO THE TIMES

WASHINGTON — XM Satellite Radio, America's leading satellite radio service, has announced that NASCAR Radio (XM Channel 144) is adding programming from the popular cable network SPEED Channel to its premier schedule of live NASCAR races, exclusive inter-

views, and call-in shows.

NASCAR Radio, one of the most-listened-to channels on XM, now carries 11 programs produced by SPEED Channel, one of the nation's fastest-growing sports cable networks. The SPEED programming on NASCAR Radio includes NASCAR This Morning, Totally NASCAR, Pit Bull, NASCAR Victory Lane, NBS 24/7, Inside Nextel Cup, Trackside, NASCAR Edition Speed News, NASCAR Fast Forward, NASCAR Past Champions and Men Behind the Wrenches.

As part of this new partnership, XM will be the presenting sponsor of the highly-rated SPEED program Pit Bull, which can be seen on SPEED and heard on XM every Saturday preceding a NASCAR Nextel Cup Series race at 6:30 p.m. ET.

The SPEED Channel programs join NASCAR Radio's stellar line-up, which includes exclusive XM shows such as Dialed In, the enormously popular call-in program hosted by Charlotte-based anchor Claire B. Lang. Dialed In receives tens of thousands of calls each month as fans heat up the phone lines to talk about the latest NASCAR happenings. NASCAR Radio also carries every live race broadcast from Motor Racing Network (MRN) and Performance Racing Network (PRN), every NASCAR Nextel Cup Series qualifying session and race, every NASCAR Busch Series and NASCAR Craftsman Truck Series race, and series and specials that you

can only hear on XM.

"SPEED Channel and NASCAR Radio on XM is a terrific partnership for racing fans," said Tim Farley, Program Director for NASCAR Radio. "NASCAR Radio has become the national water cooler for fans to find out what's happening in the sport, hear the latest racing action, and voice their opinions on the air. Now listeners can enjoy some of their favorite SPEED programs on NASCAR Radio from coast to coast."

"Partnering with XM Satellite Radio is a great opportunity for SPEED Channel to extend its brand, putting our exclusive NASCAR TV properties in front of XM's two million subscribers," said Kevin Annison, SPEED Channel VP Business Operations & Finance. "SPEED's strategic initiatives look to team the network with industry leaders, and XM Satellite Radio certainly fits that criteria."

"This deal threads together two very important media partners," said Jeffrey Pollack, managing director of broadcasting and new media, NASCAR Digital Entertainment. "XM gets quality programming and SPEED Channel gets in front of a powerful audience. Together they will reinforce the access and exposure NASCAR Radio and NASCAR TV create for our fans and industry. This is a classic win-win."

NASCAR Radio, available exclusively on XM, is the first and only 24-hour radio channel dedicated to a single sport.

2004 NASCAR Nextel Cup Remaining schedule, standings

- July 3 — Pepsi 400, Daytona Beach, Fla.
- July 11 — Tropicana 400, Joliet, Ill.
- July 25 — New England 300, Loudon, N.H.
- Aug. 1 — Pennsylvania 500, Long Pond
- Aug. 8 — Brickyard 400, Indianapolis
- Aug. 15 — Sirius at The Glen, Watkins Glen, N.Y.
- Aug. 22 — Michigan 400, Brooklyn
- Aug. 28 — Sharpie 500, Bristol, Tenn.
- Sept. 5 — Pop Secret 500, Fontana, Calif.
- Sept. 11 — Chevrolet Monte Carlo 400, Richmond, Va.
- Sept. 19 — Sylvania 300, Loudon, N.H.
- Sept. 26 — MBNA America 400, Dover, Del.
- Oct. 3 — EA Sports 500, Talladega, Ala.
- Oct. 10 — Banquet 400, Kansas City, Kan.
- Oct. 16 — UAW-GM Quality 500, Concord, N.C.
- Oct. 24 — Subway 500, Martinsville, Va.
- Oct. 31 — Bass Pro Shops MBNA 400, Hampton, Ga.
- Nov. 7 — Checker Auto Parts 500, Avondale, Ariz.
- Nov. 14 — Southern 500, Darlington, S.C.
- Nov. 21 — Ford 400, Homestead, Fla.

Driver Standings

- | | |
|------------------------------|----------------------------|
| 1. Jimmie Johnson, 2,375 | 11. Jamie McMurray, 1,892 |
| 2. Dale Earnhardt Jr., 2,348 | 12. Kasey Kahne, 1,891 |
| 3. Matt Kenseth, 2,143 | 13. Jeremy Mayfield, 1,851 |
| 4. Jeff Gordon, 2,123 | 14. Dale Jarrett, 1,803 |
| 5. Tony Stewart, 2,068 | 15. Mark Martin, 1,789 |
| 6. Elliott Sadler, 2,067 | 16. Rusty Wallace, 1,753 |
| 7. Bobby Labonte, 2,018 | 17. Casey Mears, 1,745 |
| 8. Kurt Busch, 1,993 | 18. Michael Waltrip, 1,693 |
| 9. Ryan Newman, 1,980 | 19. Sterling Marlin, 1,687 |
| 10. Kevin Harvick, 1,974 | 20. Brian Vickers, 1,654 |

201 SPEEDWAY POINTS STANDINGS

LATE MODELS

1. Michael Paul Howard, 430
2. Robert Fielcher, 350
3. Dave Hackathorn, 335
4. Steve Stollings, 310
5. Rod Evans, 295
6. Chris Wilson, 290
7. David Powers, 260
8. Jim Edmisten, 230
9. Daniel Williams, 180
10. David Smith, 175
11. Alban Watts, 150
12. Benny Felner, 125
13. James Butcher, 120
14. Paul Harris, 100
15. Brandon Kinzer, 100
16. Shannon Thomsberry, 90
17. Scott Hall, 85
18. Tom Pennington, 80
19. Rick Williams, 85
20. John Brown, 75
21. Jamie Ferguson, 70
22. G.C. Erwin, 65
23. Chad Estep, 55
24. Tandy Spurlock

SUPER BOMBERS

1. Glen Patton, 585
2. Jim Lemaster, 515
3. Beadie Blackburn, 485
4. Dennis Deboard, 475
5. Brent McCormick, 440
6. Allen Turner, 355
7. Randy Farmin, 295
8. Lester Robinette, 220
9. Elva Smith, 215
10. Jackie Buskirk, 195
11. Lee Neal, 170
12. Tim Maggard, 130
13. Eric Stegall, 90
14. Jake Miller, 70
15. Tom Crabtree, 70
16. Ricky Dials, 60
17. Ted Felner, 50

MODIFIEDS

1. Tim Moore, 570
2. Mike Osborne, 535
3. B.J. Osborne, 425
4. Bill Butcher, 310
5. Shon Flanary, 305
6. Keith Sanson, 290
7. Darren Muncy, 280
8. Clint Shurts, 275
9. Sammy Brown, 275
10. Marty Meade, 195
11. James Ball, 164
12. Michael Butcher, 130
13. George Canteberry, 110
14. Tony Sites, 75
15. Keegan Tussey, 75
16. Thomas Sigler, 75
17. Dave Kelly, 65
18. Jason Ball, 60
19. Joe Stepp, 55
20. Brad Hensley, 40

BOMBERS

1. Scooter Lemaster, 625
2. Michael P. Howard, 580
3. Ronnie Booth, 535
4. Bo Howard, 465
5. Kenneth Howell, 420
6. Davey Warnock, 350
7. Dustin Sharp, 320
8. Buck Lemaster, 315
9. Charlie Mullett, 315
10. Bannie Blair, 260
11. Ervin Blair, 235
12. John Fitzpatrick, 210
13. Gary Cunagin, 190
14. Charlie Jude, 175
15. John Fairchild, 165
16. Mark Trimble, 155
17. Eddie Ratliff, 155
18. Scott Lemaster, 145
19. Nathan Grimm, 120
20. Scott Pennington, 85
21. James Stack, 70

ROAD HOGS

1. Rick Baker, 640
2. Wes Bailey, 575
3. Mikey Wallen, 490
4. Wes Blair, 420
5. Walt Castle, 415
6. A.J. Stambaugh, 385
7. Scott Pennington, 370
8. Derek Powers, 360
9. Lloyd Kimbler, 295
10. Chris Stambaugh, 225
11. Steve Lewis, 155
12. James Conley, 125
13. Jerry Honeycutt, 80
14. Bryston Guthrie, 60
15. Larry Whisman, 55

MODIFIED FOUR-CYLINDERS

1. Marty Hall, 620
2. James D. Mosley, 540
3. Stacy Hall, 445
4. Jamie Hamilton, 370
5. Jason Hall, 370
6. Leroy Newsome, 320
7. D.L. Henson, 315
8. Nick Martin, 290
9. Gary Prater, 205
10. Jacob Ross, 140
11. Shannon Pence, 85
12. David Lovins, 80
13. Glen Patton, 65

REGULAR FOUR-CYLINDERS

1. Mary English, 590
2. Mark Jude, 540
3. Jack Clevenger, 505
4. Tim Mayhan, 450
5. Alerd Newsome, 440
6. Allen Osborne, 345
7. John Vance, 315
8. Mike Mayhan, 290
9. Ronnie Maynard, 255
10. Brian Pinson, 245
11. Eric McKinney, 180
12. Shawn Blackburn, 160
13. Patrick Morris, 135
14. Larry Jarell, 90
15. Rex Stone, 80
16. Jr. Blackburn, 80
17. Audie Keaton, 70
18. Keith Anderson, 65
19. Brian Vance, 60
20. Gary Whitt, 55
21. Eddie Lackay, 45

Mets 7, Reds 6

by JOE KAY
ASSOCIATED PRESS

CINCINNATI — Al Leiter pitched seven shutout innings, Shane Spencer hit the most emphatic of New York's four homers and the Mets held on for a 7-6 victory Thursday over the Cincinnati Reds.

Leiter (4-2) gave up only two hits, demonstrating that he's all the way back from the shoulder tendinitis that sidelined him in May. The left-hander is 5-1 with a 1.70 ERA since returning from the disabled list.

The bullpen let most of a 6-0 lead slip away in the eighth, when the Reds sent 10 batters to the plate. Adam Dunn's RBI double off Ricky Bottalico ended the shutout bid and started a five-run rally.

Braden Loper relieved with two outs and gave up a bloop RBI single to pinch-hitter Ken Griffey Jr. and a run-scoring single by Javier Valentin, cutting it to 6-5.

Loper got out of the inning, and Jason Phillips doubled home an insurance run in the ninth. That was big because Loper gave up Dunn's 24th homer with two outs in the ninth, then retired Wily Mo Pena for his 15th save in 17 chances.

Spencer hit a three-run homer in the sixth off Jose Acevedo (4-7). Eric Valent, Jose Reyes and Richard Hidalgo added solo shots as New York matched its season high for homers in a game.

The Mets took two of three in the series, then headed home for a rematch with the

Yankees. The Mets dropped two of three at Yankee Stadium last weekend.

Leiter had his way with a lineup missing Griffey and Sean Casey, both hampered by sore legs. Casey, one of the NL's top hitters all season, missed the series. Griffey was limited to two pinch-hit singles.

It might not have mattered much even if they were in the lineup. Leiter was that good against the Reds.

Again. The left-hander has a prominent place in Reds history. His two-hitter beat them 5-0 in a one-game playoff for the NL wild card in 1999, ending one of Cincinnati's most enchanting seasons with a deep disappointment at Cinergy Field.

He's been nearly as tough on the Reds ever since, a trend that continued in his first career start at Cincinnati's new ballpark. An injury to his foot didn't even slow him.

D'Angelo Jimenez stepped on Leiter's right foot as he covered first on a grounder to Valent, twisting his ankle awkwardly. Leiter fell to the ground and got up wincing but continued after a few warmups and pitched out of a scoring threat.

Leiter struck out four, walked two and hit a batter. His pitches darted and his fastball reached 90 mph in the sixth inning.

Since returning on June 1 from his shoulder problems, Leiter has allowed only 21 hits and seven runs in six starts, a huge boost for a rotation that is one of the majors' best so far.

Hitting and defense have been the Mets' downfall. They had two more errors on Thursday, but made up for it with homers. The most important came from Spencer, who flied out with the bases loaded in the seventh inning of a 2-0 loss to the Reds on Wednesday night.

The Mets hit three homers in a series-opening 7-5 win on Tuesday.

Notes: The Mets signed 19th-round draft pick Jim Burt Jr., son of former New York Giants defensive lineman Jim Burt. He was assigned to Class-A Brooklyn. Burt was carried on the field by his father after the Giants beat Denver in the 1987 Super Bowl. ... Mike Piazza caught after playing the first two games of the series at first base. He has started 33 games behind the plate and 33 at first. ... Valentín was 0-for-23 this season with runners in scoring position before his eighth-inning single.

Blackburn

Continued from p1

in the month. "We've had a real good car and we can't say enough about our crew."

With the upcoming Fourth of July holiday, Blackburn and his fellow Lonesome Pine racers will not be in action at their home track.

Lonesome Pine Raceway will not host races during the upcoming weekend. The track will return to action July 10 will a full session of races.

ABOUT THE NASCAR WEEKLY RACING SERIES PRESENTED BY DODGE

The NASCAR Weekly Racing Series presented by Dodge is contested every season on both dirt and asphalt tracks, nationwide. Weekly short-track racers have the opportunity to compete for regional and national recognition, as well as over \$1.7 million in posted awards, the highest posted awards for any short-track racing series.

The NASCAR Weekly Racing Series presented by Dodge competition index system rewards excellence in competition at your home track, while comparing your performance against drivers competing throughout your region and, ultimately, throughout the United States.

Between January and September, drivers earn and accumulate points at their home track based on how they finish each race. NASCAR then applies a formula known as the Competition Performance Index (CPI).

Each week, using the CPI formula, the performance of the driver with the greatest

number of points given at a race track (that track's points leader) is compared against the performance of the points leaders from the other nine tracks in his or her region. This creates a top-10 ranking of drivers for that region.

Every week the CPI is updated. When the season concludes, whoever is atop the regional top-10 ranking is crowned the NASCAR Weekly Racing Series regional champion. NASCAR divides the tracks of the NASCAR Weekly Racing Series into geographic regions, with the CPI formula used to establish 10 NASCAR Weekly Racing Series regional champions, one for each of the 8 designated regions in the United States.

The CPI formula is employed once more at season's end to compare the relative performances of the 8 regional champions. The driver atop this special ranking of the regional champions, in turn, is crowned the 2002 NASCAR Weekly Racing Series national champion.

This season a factor has been added to the CPI in a continuing effort to improve the formula. A competitor's top-five finishes will be averaged into formula.

This same CPI formula, with the exception of a 16-race minimum start, is used to determine the weekly regional index leaders and ultimately the 8 regional champions and national champion of the NWRS True Value ShortTrack Division. This "second tier" is for support divisions (Mini Stock, Hobby Stock, Street

(See BLACKBURN, page six)

Kearns needs surgery, out 4-6 weeks

by JOE KAY
ASSOCIATED PRESS

CINCINNATI — Austin Kearns needs surgery to remove scar tissue from his aching right thumb, sidelining the Cincinnati Reds outfielder for another four to six weeks.

Kearns developed a sore spot on the inside of the thumb last month, eventually forcing him onto the 15-day disabled list for the second time this season. The soreness hasn't gone away, and doctors decided Tuesday that surgery is the only option left.

"I'm glad it's a situation where it's not something that's going to end my season," Kearns said, following a 7-5 loss to the Mets. "Hopefully I'll be back by the end of July. After all that we tried, this obviously needed to be done."

Castro

Continued from p3

consecutive game, but was available to pinch-hit.

Griffey got cramps in his left calf before a 7-5 loss to the Mets on Tuesday, prompting manager Dave Miley to take him out of the starting lineup. Griffey pinch-hit and singled in the ninth, then left for a pinch runner.

"He feels better," Miley said Wednesday. "It's still a little stiff from the cramping."

VANDER WAL BACK: John Vander Wal was reinstated off Triple-A Louisville's temporary inactive list Wednesday so he could resume his comeback from a torn knee ligament.

Vander Wal hurt his right knee while shoveling snow after signing with the Reds in January. He was released and signed a minor league deal, hoping to join the Reds at some point as a pinch-hitter.

To make room for Vander Wal, outfielder Reggie Taylor was released from Louisville. Taylor hurt his shoulder while diving for a ball on Aug. 24 last year and didn't play the rest of the season.

Taylor appeared in 235 games for the Reds in 2002-03, hitting .240. He was hitting .257 at Louisville.

NASCAR

Continued from p4

lap-to-go flag and green displayed simultaneously.

"I don't agree with that and I'll be the first one politicking that you shouldn't do that," Wallace said last week. "All these race fans drinking beer and screaming and hollering have not been in a helicopter upside down with 30 tubes hanging out of you after going end-over-end 30 times like I've been before because of these green-white starts. I think it's ridiculous and it's unsafe."

The truck series has a rule in place that requires what the drivers call a green-white-checkered finish. With the white flag signifying one lap to go, following a late caution flag, the truck

"I knew (surgery) was a possibility. It was definitely a last resort."

Dr. Timothy Kremchek said a bone spur, scar tissue and a callus will be removed Friday morning.

Kearns tried to take batting practice Tuesday with a padded glove imported from Indonesia, but the thumb hurt the first time he hit a ball.

"It didn't work," Kremchek said. "Today after the first couple of hits, it turned red. That's a sign it wasn't going to work."

Kearns, 24, tore a ligament in the thumb in 2001 and missed most of a season in the minors. Kremchek said the ligament is fine, but scar tissue from that injury is causing problems now.

The Reds tried treatment and pads to get the pain to subside, but it never went away.

"I know he's frustrated," manager Dave Miley said. "He has basically tried everything you could try to rectify or play through it. He tried everything under the sun, except what he's going to have done."

Kearns emerged as one of the NL's top hitters in the opening months of last season, before tearing his right shoulder in a home plate collision on May 21. Kearns got hurt again on April 26 when Ryan Vogelsong's pitch broke a bone in his forearm, just above the wrist.

The thumb started to bother him when he returned, and he didn't play after June 1.

Illegal muskellunge snaggers caught at Cave Run Lake

SPECIAL TO THE TIMES

FRANKFORT — Three men were recently fined for illegally snagging muskellunge on Cave Run Lake.

Kentucky Wildlife and Boating Officer Randy Joseph observed Jeremy Cornett, 21, of Jeffersonville in Montgomery County, Stephen Brewer, 20, of Denniston in Menifee County and Joshua Lucas, 19, of Frenchburg in Menifee County

illegally snagging muskellunge in the headwaters of Beaver Creek at Cave Run Lake in April, 2004. Officer Shane Ratliff assisted Officer Joseph.

The officers seized over 20 illegally snagged muskellunge that ranged from 32 to 49 inches. Some of these fish were hidden and not in the three men's possession. A muskellunge must be 40 inches long to qualify for the Kentucky Department of Fish and Wildlife's (KDFWR) Trophy Fish/Master Angler program.

A 40-inch muskellunge weighs approximately 20 pounds.

"Cave Run Lake is one of the top 10 muskie lakes in the country," said Benjy Kinman, director of fisheries for the KDFWR. "We have people who pay good money and travel a long way to come and fish for these trophy muskellunge."

This represents a significant economic impact to the local economy.

The economic value of muskellunge fishing trips on Cave Run Lake reached nearly half a million dollars in 2003. A typical muskellunge angler on Cave Run Lake spent on average \$54.38 per trip.

The illegal snagging occurred when muskellunge were making their spawning runs into tributaries of the lake.

Johnson joins elite; Kearns out for Reds

by ED TAYLOR

SPORTS CORRESPONDENT

Arizona lefthander Randy Johnson joined the elite company of Nolan Ryan, Roger Clemens and Steve Carlton as the fourth player to strike out 4,000 batters in his major league career. It is doubtful that Johnson will come close to catching Ryan's 5,714 strikeouts. The Big Unit's feat could not prevent the Diamondbacks from losing their 11th consecutive game, a franchise record.

GIVENS AWESOME IN SCHOOL — It appears that former University of Kentucky basketball All-American Jack Givens has gotten himself in a bit of hot water after being hired

to teach a 14-year old girl some basketball moves — in the family pool.

Like all Kentucky fans, who can't forget his performance in the 1978 NCAA

championship game against Duke. He was unbelievable.

KEARNS TO MISS MORE GAMES — Cincinnati right-fielder Austin Kearns will miss yet another month of the baseball season after undergoing surgery on his right thumb today.

Kearns has spent most of the first three months on the disabled list and could very well miss more than four weeks. Kearns missed most of the 2003 season on the DL.

LIDLE ON A ROLL — You have to hand it to Corey Lidle after he was bombed so hard by the Oakland A's just over a month ago. It never brought him down. Since then, Lidle has been outstanding on the hill for the Reds. He picked up his third straight victory with a 2-0 win over the New York Mets Wednesday night. It was the second time the Reds beat Tom Glavine in as many weeks. Remember, the Reds never beat Glavine when he was with the Atlanta Braves.

HIGH SCHOOLERS BEING LURED — Years ago before the old American Basketball League (ABA) came into being, the National Basketball League (NBA) would never have entertained the thought of drafting a college player until after his senior year, let alone a high school player. But when the ABA came on the scene, the ABA had no such ruling and went after the best players the college game had to offer and began to lure them away from colleges.

The NBA, in order to stay competitive and get some better players, had to get in the battle for the kids and that escalated even the salaries. In the past NBA draft, eight high schoolers were taken. I know the money is appealing, but just think of that part of life the high schoolers will miss my not having played at the college level. I for one did not like the NBA raiding the colleges early and I certainly do not think drafting high schoolers is a good idea. But that is just my opinion.

Until Sunday, good sports everyone and be good sports. Email me at edtaylor1@gtcom.net.

2004 HIGH SCHOOL VOLLEYBALL SCHEDULES

(Note: All schedules subject to change.)

ALLEN CENTRAL
Aug. 17 Perry County Central
Aug. 19 South Floy
Aug. 21 Mercer County (Greater Mercer County Invitational)
Harrodsburg Open)
Aug. 26 at South Floy
Sept. 2 at Knott County Central
Sept. 4 Washington County (At Rowan County Invitational)
Sept. 7 at Pike County Central
Sept. 8 at Lawrence County
Sept. 9 at Betsy Layne
Sept. 14 at Belfry
Sept. 16 Sheldon Clark
Sept. 20 Phelps
Sept. 21 at Paintsville
Sept. 23 Cordia
Sept. 27 at Letcher
Sept. 28 at Hazard
Sept. 30 Betsy Layne
Oct. 5 at Pikeville

BETSY LAYNE
Aug. 19 Phelps
Aug. 23 Paintsville
Aug. 26 Pike County Central
Aug. 31 at Pikeville
Sept. 2 at Pike County Central
Sept. 7 at Phelps
Sept. 9 Allen Central
Sept. 13 South Floy
Sept. 14 Prestonsburg
Sept. 16 at Paintsville
Sept. 20 Sheldon Clark
Sept. 21 at South Floy
Sept. 23 at Prestonsburg
Sept. 27 at Magoffin County
Sept. 28 at Sheldon Clark
Sept. 30 at Allen Central
Oct. 4 Magoffin County

PRESTONSBURG
Aug. 17 at Phelps
Aug. 19 at Paintsville
Aug. 23 Lawrence County
Aug. 26 at Magoffin County
Sept. 2 South Floy
Sept. 7 Pikeville
Sept. 9 South Floy
Sept. 13 Magoffin County
Sept. 14 at Betsy Layne
Sept. 18 South Floy
Sept. 20 at Lawrence County
Sept. 21 Phelps
Sept. 23 Betsy Layne
Sept. 30 Sheldon Clark
Sept. 30 at Pike County Central
Oct. 4 Paintsville

SOUTH FLOYD
Aug. 17 Buckhorn
Aug. 19 at Allen Central
Aug. 24 at Perry County Central
Aug. 26 Allen Central
Aug. 28 Cordia
Aug. 31 Paintsville
Sept. 2 at Prestonsburg
Sept. 4 Oneida Baptist Institute
Sept. 4 at Cordia
Sept. 7 at Paintsville
Sept. 9 at Prestonsburg
Sept. 13 at Betsy Layne
Sept. 16 at Johnson Central
Sept. 18 Buckhorn
Sept. 18 Fleming-Neon
Sept. 18 Prestonsburg
Sept. 21 Betsy Layne
Sept. 23 at Pike County Central
Sept. 28 at Phelps
Sept. 30 Perry County Central
Oct. 5 Johnson Central
Oct. 7 Pike County Central

PAINTSVILLE
Aug. 19 Prestonsburg
Aug. 23 at Betsy Layne
Aug. 24 Sheldon Clark
Aug. 30 Johnson Central
Aug. 31 at South Floy
Sept. 2 Phelps
Sept. 7 South Floy
Sept. 9 at Johnson Central
Sept. 13 at Lawrence County
Sept. 14 Magoffin County
Sept. 16 Betsy Layne
Sept. 20 at Pikeville
Sept. 21 Allen Central
Sept. 23 at Magoffin County
Oct. 4 at Prestonsburg
Oct. 5 Pike County Central
Oct. 7 at Sheldon Clark

JOHNSON CENTRAL
Aug. 17 at Magoffin County
Aug. 23 at Phelps
Aug. 26 at Lawrence County
Aug. 30 at Paintsville
Aug. 31 Sheldon Clark
Sept. 2 East Ridge
Sept. 7 at Belfry
Sept. 9 Paintsville
Sept. 14 Pikeville
Sept. 16 South Floy
Sept. 18 Phelps
Sept. 18 Lawrence County (Johnson Central Invitational)
Sept. 21 Magoffin County
Sept. 23 at Sheldon Clark
Oct. 5 at South Floy

Source: www.khsaa.org
Coming Sunday: Team schedules from Magoffin, Martin, Lawrence, and Knott Counties.

American Heart Association
www.americanheart.org

Michigan State football coach ready to tackle Kilimanjaro

by TIM MARTIN
ASSOCIATED PRESS

EAST LANSING, Mich. — Thrill-seeking Michigan State football coach John L. Smith has run with the bulls in Pamplona, Spain, barrel-rolled as an Air Force jet passenger at 600 miles per hour and jumped from a Cessna at 14,000 feet.

Next month, Smith plans to climb a 19,340-foot peak on Africa's Mount Kilimanjaro.

"We've got our Spartan flag we're going to plant on top," Smith said Tuesday.

Smith, entering his second season as Michigan State's head coach, is well-known for his wild streak. The 55-year-old Idaho native says it's part of his nature to seek challenges on and off the football field.

Smith's family is forced to live with it. His wife, Diana, and the couple's three children will come along for at least part of the trip, which begins July 8 with an African safari.

Smith's sons — Nick, 25, and Sam, 20 — will join their

father for the Kilimanjaro climb in a party expected to include at least 10 people.

The climb will be guided and is non-technical, meaning ropes and mountain climbing expertise are not necessary. But the trip will lead Smith through five distinct climate zones — starting in a rain forest and ending in bitter cold with temperatures below freezing.

The climb and descent of the mountain in northern Tanzania is expected to take about a week, ending in late July.



John L. Smith

Smith has been training for an hour-and-a-half a day a few days each week in anticipation of the climb. Most of his work is on a stairclimber, treadmill and exercise bike.

"The problem isn't being in shape," said Smith, a former college athlete who has remained in good physical condition. "It's altitude sickness. ... You just don't want your lungs to explode."

Smith can't totally explain his risky behavior. He attributes part of it to his upbringing and his personality.

"You make a list of the things you want to do before you leave," he said. "As I get older, the list seems to be growing all

the time, not getting shorter."

A phrase from an anonymous author in a frame in Smith's office offers a clue to his life philosophy. It says: "Life is not measured by the number of breaths we take, but by the moments that take our breath away."

Smith led Michigan State to a surprising 8-5 record last season, his first in East Lansing. He was previously head coach at Louisville, Utah State and Idaho.

Smith has a career record of 118-65 record in 15 seasons as a head coach.

Michigan State opens the 2004 season Sept. 4 at Rutgers.

BRIEFS: Williams downs Capriati in Wimbledon

WIMBLEDON, England — In a match that never lived up to expectations, two-time defending champion Serena Williams beat a listless Jennifer Capriati 6-1, 6-1 in 45 minutes to

advance to the Wimbledon semifinals.

Andy Roddick had a much tougher test to reach the men's semis, outslugging Sjeng Schalken 7-6 (4), 7-6 (9), 6-3. The second-seeded American, who hasn't lost a set in five matches, served 18 aces and closed out the match with a leaping overhead.

Roddick advances to meet 20-year-old Mario Ancic, who upset fifth-seeded Tim Henman 7-6 (5), 6-4, 6-2. Roddick is 3-0 against Ancic, including a three-set win on grass at Queen's Club last month.

Williams set up a semifinal against No. 4 Amelie Mauresmo. Mauresmo beat No. 14 Paola Suarez 6-0, 5-7, 6-1.

Roger Federer eliminated No. 7 Lleyton Hewitt 6-1, 6-7 (1), 6-0, 6-4. His semifinal foe is No. 10 Sebastian Grosjean, a 7-5, 6-4, 6-2 winner over 66th-ranked Florian Mayer.

AUTO RACING

INDIANAPOLIS — Al Unser Jr. announced his retirement, stepping away from a successful career on his own terms.

Unser, 42, leaves open-wheel racing as one of its most successful drivers. In more than 21 seasons, Unser won two Indianapolis 500s, two CART championships and a combined 34 races on the CART and Indy Racing League circuits.

His new career — as an adviser for Patrick Racing, his team, and a driving mentor for his son, Al — begins this weekend at the Argent Mortgage Indy 300 in Kansas City, Kan.

CHARLOTTE, N.C. — Tony Stewart avoided suspension when NASCAR fined him \$50,000 and docked him championship points for his altercation with Brian Vickers.

Stewart lost 25 points in the driver standings, car owner Joe

Gibbs lost 25 points in the owner standings, and Stewart was also placed on probation until Aug. 18.

COLLEGE SPORTS

CAPE GIRARDEAU, Mo. — After more than 80 years, Southeast Missouri State University will no longer use Indians as a nickname.

Years of debate over the use of the nickname and mascot ended when the board of regents voted unanimously to drop both for the men's teams as well as the Otahkians nickname for the women. The women's name came from the legend of a Cherokee woman named Otahki, who died near Cape Girardeau on the Trail of Tears forced march to the Oklahoma territory in the 1830s.

Supporters had argued that the nicknames showed pride in the American Indian heritage of the region. But others found them demeaning.

After a brief phasing out of the Indians, Southeast's teams will be known as the Redhawks.

The change is expected to come in the spring semester of 2005. — The Associated Press

Blackburn

Continued from p5

Stock, etc.), at each track, as selected by your track operator.

To be eligible for the NASCAR Weekly Racing Series local or regional championship, each competitor must compete in 18 events in the feature division at one of the NASCAR Weekly Racing Series presented by Dodge tracks across the country. The following chart and information describes the Competition Performance Index (CPI) sys-

tem used to determine the regional and national champions. This same formula also applies to the ShortTrack Division.

The CPI formula looks at five important parameters: How many races you win; how many times you finish in the top-five vs. the available starts at the competitor's home track; how many other drivers you compete against; how many races you participate in during the season.



ANGELS — MARTIN PEE WEE LEAGUE CHAMPS. Coaches: Keith Parsons, Jim Jarrell, Roger Tackett, Ken Carriere, Ernie Gullett, Jeffery Tackett, and Randy Humble. Team Members: Andrew Tackett, Austin Jarrell, Darren Tackett, Larry Mullins, Coltin Parsons, Krista Parsons, Brett Mullins, J.R. Tackett, Brody Mullins, Josh Carriere, Mollie Parsons, Kelsie Parsons, Chase Solar, Natalie Mullins, and Gage Parsons.

Angels — Martin Pee Wee League Champs

MARTIN — After five years of placing second in Pee Wee coaching, Keith Parsons finally led his talented team to a first-place finish Wednesday night in the Martin Pee Wee League. The tournament concluded in dramatic fashion as the Angels defeated the Tigers 5-4 with an impressive come-from-behind win. Both teams were outstanding with their defensive play. The Angels went undefeated in this championship tournament. The Angels had handed the Tigers their first loss of the season on the previous night, forcing the Tigers in a position to

have to win two games against the Angels in this double elimination championship tournament. However, at the top of the fifth inning of the first game, when Brett Mullins snagged a difficult fly ball that had been deflected by Gage Parsons thus ending the game, the Angels' coaches and their fans erupted in celebration. The Angels' Chase Solar was given the game ball by his coaches for his clutch game — a winning hit at the bottom of the 4th inning. This was his second key hit in two consecutive big games.

MAJOR LEAGUE BASEBALL STANDINGS

NATIONAL LEAGUE

East Division				
	W	L	Pct	GB
Florida	41	37	.526	—
Philadelphia	40	36	.526	—
New York	37	39	.487	3
Atlanta	37	40	.481	3 1/2
Montreal	26	50	.342	14

Central Division				
	W	L	Pct	GB
St. Louis	46	32	.590	—
Chicago	42	35	.545	3 1/2
Cincinnati	42	35	.7/8	3 1/2
Milwaukee	40	34	.541	4
Houston	40	37	.519	5 1/2
Pittsburgh	32	43	.427	12 1/2

West Division				
	W	L	Pct	GB
San Francisco	44	34	.564	—
San Diego	41	36	.532	2 1/2
Los Angeles	39	36	.520	3 1/2
Colorado	28	48	.368	15
Arizona	28	50	.359	16

AMERICAN LEAGUE

East Division				
	W	L	Pct	GB
New York	49	26	.653	—
Boston	42	34	.553	7 1/2
Tampa Bay	38	37	.507	11
Toronto	34	44	.436	16 1/2
Baltimore	32	42	.432	16 1/2

Central Division				
	W	L	Pct	GB
Chicago	41	33	.554	—
Minnesota	41	35	.539	1
Cleveland	37	39	.487	5
Detroit	37	39	.487	5
Kansas City	29	46	.387	12 1/2

West Division				
	W	L	Pct	GB
Texas	44	31	.587	—
Oakland	43	33	.566	1 1/2
Anaheim	41	36	.532	4
Seattle	31	45	.408	13 1/2

Note: Thursday's games not included in standings.

Watkins eyeing championship trip

by STEVE LeMASTER
SPORTS EDITOR

Fishing as a co-angler over the weekend, Tee Watkins enjoyed a successful time in New York out on Lake Champlain. As a co-angler, Watkins led a portion of the tournament, before claiming a fourth-place finish. For his efforts, he collected somewhere in the vicinity of \$9,000.

Prior to the start of the tournament, Watkins, with a friend, took in three days of practice.

In FLW Tour competition, pros and co-anglers are randomly paired each day, with pros supplying the boat, controlling boat movement and competing against other pros. Co-anglers fish from the back deck against other co-anglers. One of the anglers Watkins fished with during his recent fourth-place finish hailed from Japan.

Watkins is already looking forward to a trip to the tour's championship tournament in mid-August.

Named after the legendary founder of Ranger Boats, Forrest L. Wood, the Wal-Mart FLW Tour is administered by FLW Outdoors, the world's leading marketer of competitive fishing. Other FLW Outdoors-sanctioned tournament trails are the EverStart Series, the Wal-Mart Bass Fishing League, the Wal-Mart RCL Walleye Tour,

the Wal-Mart RCL Walleye League and the Wal-Mart Texas Tournament Trail.

Wal-Mart and many of America's most respected companies support FLW Outdoors and its six tournament trails. Wal-Mart has been the title sponsor of FLW Outdoors since 1997.

Game

Continued from p1

as the visiting team fell short.

Runyon, who pitched for Belfry, allowed five hits and struckout four batters.

The Belfry defense committed six errors.

Zach Vialopondo and Brett Meade hit singles for Paintsville.

Ryan Preston and Shane Williamson had hits for Belfry.

With the loss, Belfry drops to the loser's bracket and was scheduled to be back in action against East Ridge last night.

Morgan County and Whitesburg were scheduled to play in the other elimination game. Results of both games were unavailable at press time.

Magoffin County 9, Whitesburg 8 — Magoffin County advanced on to date with Paintsville by edging Whitesburg.

In the end, Jamie Duty smacked a double and scored on a Nick Davis hit score the game's winning run in the seventh inning.

Magoffin County had seven hits. Brandon Marshall had three of the hits and scored twice.

Duty had two hits, drove in two runs and scored. Davis had two hits, including the game-winning knock.

Tyler Gambill had a first

inning single and with it, plated a run. Nick Davis had two hits including the game winning single.

Garrett Gibson, Derek Howard and Kyle Rudd each scored a run. Levi Chaffins, Wes Miller and Tyler Isaac also scored.

Tuesday's game: East Ridge 6, Martin County 4 — East Ridge tapped out for nine hits, including four in the first inning. East Ridge took a 4-0 advantage in the first inning and made it stick.

Keith Miller, Casey Smith and Joel Meade each singled and scored. Matt Kendrick singled in a run and Tyler Hylton reached on an error and scored.

The loss eliminated Martin County.

Meade, who pitched for East Ridge, struckout seven in the win.

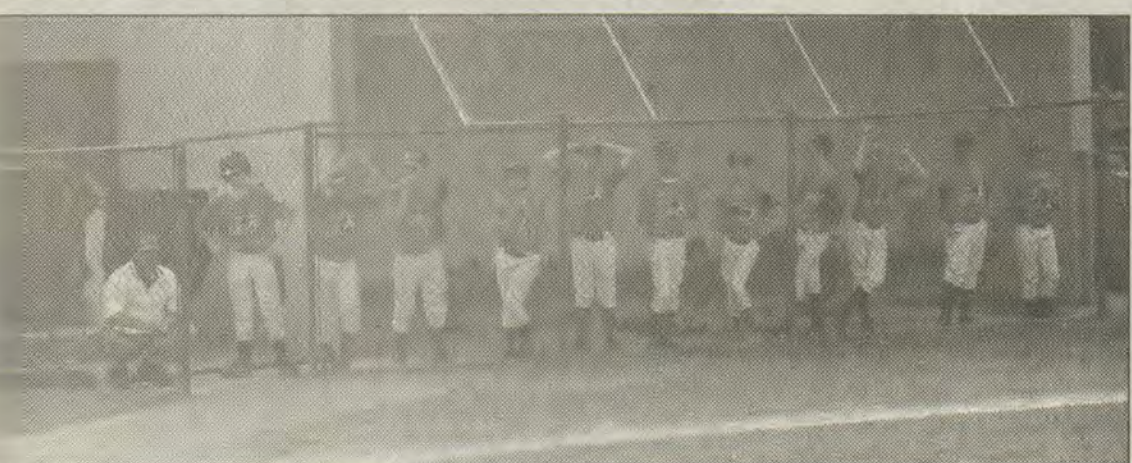


photo by Steve LeMaster

Members of the Harold-Allen-Prater 11-12-year-old All-Stars looked on Wednesday evening during a pool play game against Beaver Creek.

photo by Steve LeMaster

The Prestonsburg 11-12-year-olds were back in action last night against Knott County. Results were unavailable at press time.



Free pizza party to precede wrestling

A free pizza party will be held Saturday at 7 p.m. in Martin at the Town Center. The free pizza party will precede a Commonwealth Wrestling Association show that'll feature local professional wrestlers as well as NWA-TNA star Abyss.

Be an Angel.

Become a Kentucky organ & tissue donor. For information contact: 1-800-525-3456, or www.trustforlife.org

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FLOYD COUNTY Lifestyles



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FAMILY MEDICINE

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THROUGH MY EYES

It may be hot, but it's still a holiday

Wow! Another Fourth of July already upon us. I just don't know where the time goes these days. Seems like, as I get older, the years just flash by in rush, one holiday merging into another, morph speed.

The Fourth of July has, typically, not been a holiday that I have ever cared much for. Can't exactly say why, I love watermel-



Kathy Prater
 Lifestyles editor

on, cook-outs and fireworks. Guess it's just the crowds and the (usually) oppressive heat that I just don't care for. Yep, don't do well with mugginess, humidity and temperatures soaring past ninety degrees. Never have, as a matter of fact. I recall, one hot summer day many moons ago now, sitting on my parent's front porch, legs crossed Indian style, clutching my knees, head down, crying like a little baby (and "baby" I actually was, since I'm thinking I was only about 5 years old).

"What on earth is wrong with you?," my mother inquired as she

(See **EYES**, page nine)

POSTSCRIPT

Here we go again

Beloved high school English teacher, the late Loraine Wiley, used to point out examples of



Pam Shingler
 contributing writer

what she called "life's little ironies" when we discussed certain literary works. It was one of her favorite phrases, and I can still see her standing in front of the class with a knowing smile and the smirk of a raised eyebrow.

I experienced one of those ironies last week. After I had submitted the column on atlases and place names, the venerable Jimmy Goble emailed me that he had a book of mine, The Post

(See **POSTSCRIPT**, page eight)

MAC NEWS

Kick off your July 4th weekend with this Friday night's show at the MAC

THE KENTUCKY OPRY & THE KENTUCKY OPRY JUNIOR PROS 2004 SUMMER SHOW Friday, July 2 at 8 pm

This sparkling show is filled with excitement and red, white and blue! From the opening of the show with the Kentucky Opry Little Fiddlers and the

Kentucky Opry Junior Pros to the Kentucky Opry, this summer's show is filled with the rousing good-time feeling everyone loves.

Get your holiday week-end off to a great start...come to see the Kentucky Opry show this Friday night, July 2 at 8 pm!

Call today to reserve your seats... Tickets: Adults \$13; Students (18 & under) \$11; Senior Citizens (55 & older) \$11; Wheelchairs \$11; Groups 15+ \$10

Toll Free 1-888-MAC-ARTS (1-888-622-2787) or locally 886-2623 For your convenience we accept

Visa, Master Card, Discover and American Express

Additional Show Dates Are:
 Saturday, July 10; Friday, July 16,
 Saturday, July 24; Saturday, July 31;
 Saturday, August 7; Saturday, August 14 and Saturday, September 4!



photo by Kathy J. Prater

Betty Rowland, second from left, departing Uniserv Director for Kentucky Education Association, was treated to a retirement party held by friends and associates on Tuesday evening at the Martin Community Center. From left to right, some of those in attendance were: Lou Ann Asbury, President, East Kentucky Education Association; Ms. Rowland; Susan Key, incoming Floyd County Education Association President; Dani Smith, outgoing Floyd County Education Association President; Paul Hunt Thompson, Floyd County Judge-Executive; and, Janice B. Allen, member, Kentucky State Board of Education.

Uniserv director, Rowland, retires after 36 years of service to teachers

by **Kathy J. Prater**
 FEATURES EDITOR

When you've committed to yourself to a lifetime of caring, others come together to hand that caring right back to you, and that's exactly what happened this past Tuesday evening as Floyd County teachers, friends and associates gathered together to wish Ms. Betty Rowland, educator, friend, and guiding influence, a fond farewell as she now moves into a new phase of her life - retirement.

"Actually, Betty, you're not leaving us," said Dani Smith, outgoing president of the Floyd County Education Association, "because Floyd County has made the decision to keep you on as a consultant," she good-naturedly continued.

Rowland has served as an educator and educational administrator for the past 36 years, most recently in the position of Uniserv director for Floyd, Johnson, Pike, and Magoffin counties, as well as for both the Paintsville and Pikeville Independent school systems.

"My role has been that of a facilitator," Rowland said to the assembled group. "I have been here to help you do the things you are all capable of doing. To help you believe in yourselves...it's been 36 wonderful years and I'm going to miss all of you, though I won't be far away." Rowland

invited all of her former colleagues to "drop by, visit and call" often.

Janice B. Allen, retired Floyd County educator and former principal, Adams Middle School, took a moment to affectionately recall moments spent with Rowland through the years. "Betty, you've been one of my mentors, I'm sure you know that," she began, "not only my professional mentor, but a mentor in my personal life, as well...I will always look to you as not only my mentor, but my friend also."

Allen is currently serving on the Kentucky State Board of Education.

Before the evening of fond remembrances, wonderful food, gifts, and even, a few tears, came to a close, Betty received well wishes from attending associates, as well as good wishes and regrets that they could not attend from Floyd County Superintendent Paul Fanning, Floyd County Board of Education member Glenna Slone, and associate Ruth Patterson. Floyd County Board of Education member Earl M. "Mickey" McGuire was also in attendance at the retirement celebration, held at the Martin Community Center.

"Tonight, the teachers of Floyd County recognize you," said Smith to Rowland, "and, we thank you for your service to us all."



photo by Kathy J. Prater

Ms. Rowland enjoyed opening gifts from well-wishers, bidding her a fond farewell. Along with this exquisitely framed print by a well-known Kentucky heritage artist, she also received several books, a lovely diamond bracelet, and an assortment of other beautiful gifts with which to fill her coming "days of leisure."

PROMOTING MENTAL HEALTH

Things to ponder: Caring for yourself-you're worth it!

"I am a single mom, head of household, female ... Who am I really? How am I? I'm not happy in my job. My mother bugs me. My children are never happy. I would like to try my head and hands at something different. The little ones start whining when I mention change. I arranged the house to the kids' liking, I thought, such as my taking the smaller bedroom. When I'm at the bottom, Mother calls to complain about my inability to discipline the children correctly, get organized, or have a better career. I give, Give, GIVE. I look for me! I've disappeared, except for the big, brown

bowling ball in the pit of my stomach." What would be your answers to questions like, "Are you important?" ... I didn't hear you. Hopefully, you're screaming, "YES!" You do want "better," don't you? Although everyone has ideas about what he/she thinks what would help the most, one marriage therapist (Thomas Wright, 1994) wrote of 12 major suggestions for taking excellent care of the most important person in your life - YOU! If you don't take care of you and learn how to feel worthy, who else is going to do it for you?

If you aren't taking care of you

already, the "biggie" is that you LEARN TO AIR YOUR FEELINGS. This is very difficult if you have not learned that your feelings are important. To begin, find a good and trustworthy friend or professional person with whom you are free to express all your sorrows, joys, needs, disappointments, and grievances. Perhaps you and a friend can take turns listening to each other's feelings in a non-judgmental, understanding way. Once deep and hurtful feelings are out, they lose their power to hurt and usually are easier to examine in an objective way. Verbalize your feelings in an appropriate way at the

time of the event.

By all means, you need to AVOID COMPARING YOURSELF WITH OTHERS. Everyone is different, with various gifts, strengths, weaknesses, and faults. Concentrate on your own good points. YOU are unique!! "Put no one's head higher than your own." It helps sometimes to learn to respond to "faultfinders" (including mothers) with a "script." When you hear uninvited "guilt" trips, unasked-for suggestions, and negative opinions, you have a prepared statement that



Mable Rowe Lineberger,
 Ph.D.

(See **PONDER**, page eight)

School Happenings

■ June 14 thru July 22 - UK Dental Van will offer services at Floyd County Health Department, in Prestonsburg. Call 886-2788, ext. 221 for an appointment.

■ July 28 - "Back to School Health Fair," 9 a.m. to 3 p.m., at Allen Central High School. Services will include free physicals, hearing screenings, child identification, school supplies, and drawings for free haircuts. Event is FREE to all Floyd County students.*

ADAMS MIDDLE SCHOOL YOUTH SERVICES CENTER

■ July 14 - FREE sports physicals for PHS and its feeder schools will be provided by Our Lady of the Way Hospital, at the Seton Complex, in Martin, from 9 a.m. to 4 p.m. Parent/guardians need to accompany students.

■ August 5 - New student/parent orientation for AMS students, 6 p.m., at the school. Information about school programs and policies will be provided. Students and parents may meet staff, tour building, and get answers to any questions they may have.

■ Health records for students may be dropped off to the Youth Services Center throughout the summer months.

■ The AMS Youth Services Center is open all year to assist students and families in need. Please drop by or call the center at 886-9812 for more information or to request assistance with a family need. Center is open from 8 a.m. - 4 p.m., and later by appointment. Center coordinator, Michelle Keathley. Assistant coordinator, Sheila Allen. Center offers services to all students regardless of income.

ALLEN CENTRAL MIDDLE SCHOOL

■ July 6 - FREE sports physicals for the Allen Central area, 9 a.m. to 4 p.m., at the Martin Family Health Center.

■ The ACMS Youth Service Center is open each day from 8:00 a.m. to 3:00 p.m., or later by appointment. For more information about the center, call LaDonna Patton, coordinator, or Marilyn Bailey, assistant, at 358-0134.

ALLEN ELEMENTARY AND FAMILY RESOURCE YOUTH SERVICE CENTER

■ Call Allen Elementary Youth Service Center at 874-0621 to schedule your child's Hepatitis B vaccination, immunizations, and WIC appointments.

BETSY LAYNE ELEMENTARY

■ The Family Resource Youth Service Center provides services and referral services to all families regardless of income. The center is located in the middle building of the Betsy Layne Elementary School. Office hours are Mon. - Fri., 8 a.m. until 3 p.m.

■ Open enrollment for After School Child Care is available through the Family Resource Center. Service hours are 3 p.m. to 6 p.m.

■ Contact the center at 478-5550. Contact persons are Brian Akers and Charlotte Rogers.

CLARK ELEMENTARY

■ We are currently scheduling Hep B immunizations and physicals for 5th grade students. Also scheduling appointments for WIC services. These services are available to anyone in the community.

■ The FCHD nurse is in the center weekly. Please call to schedule an appointment.

■ The Clark Elementary Family Resource Center provides services for all families regardless of income. We are located in the Clark Elementary School building and can be reached by calling 886-0815.

DUFF ELEMENTARY

■ July 6 - Athletic physicals for Allen Central High School and its feeder schools, at Martin Family Health Center, 9 a.m. to 4 p.m.

■ Floyd County Health Dept. is at the school each Tuesday. Services include 6th grade school entry physical; kindergarten, Head Start and well-child physicals; T.B. skin test; T.D. boosters; and WIC services. Please call 358-9878 for appointment if you are in need of any of these services.

■ The J.A. Duff Elementary Family Resource Center provides services for all families regardless of income. We are located in the tan metal building at the rear of the school. Contact persons are Judy Handshoe, coordinator, and Ruby Bailey, assistant.

MAY VALLEY ELEMENTARY

■ Parent Lending Library is available to parents for video check-outs. A variety of topics are available.

■ Floyd County Health Dept. nurse at school every Wednesday. Services include Head Start physicals, kindergarten physicals, 6th grade physicals, well-child physicals, immunizations, TB skin test, WIC program, blood pressure checks, and more. Must call the FRC at 285-0321 for an appointment.

MCDOWELL ELEMENTARY AND FAMILY RESOURCE CENTER

■ Floyd County Health Department Nurse Joy Moore, is at the center each Monday to administer immunizations, T.B. skin tests, well-child exams, WIC, prenatal and post-partum services, and school physicals. Call 377-2678 for an appointment.

PRESTONSBURG ELEMENTARY AND FAMILY RESOURCE CENTER

■ The Family Resource Center is open weekdays 8 a.m.-4 p.m.

■ After School Child Care, 3-6 p.m., school days.

■ Call 886-7088 for additional information regarding the Prestonsburg Elementary Family Resource Center or its programs.

SOUTH FLOYD YOUTH SERVICES CENTER

■ Walking track open to public.

■ The center has a one-stop career station satellite that is available to the community as well as students.

■ Anyone interested in Adult Ed may contact the center for information.

■ All new students and visi-

tors, stop by the Center, located on the South Floyd campus, Room 232, and see Mable Hall.

■ For more information call 452-9600 or 9607 and ask for Mable Hall, ext. 243, or Keith Smallwood, ext. 242.

STUMBO ELEMENTARY/MUD CREEK FAMILY RESOURCE CENTER

■ Resource Center hours are 8:00 a.m. to 4:00 p.m. Parents and community members are welcome to visit. For questions, call 587-2233 - ask for Tristan Parsons, Center Coordinator, or Anita Tackett, Assistant.

W.D. OSBORNE "RAINBOW JUNCTION" FAMILY RESOURCE CENTER

■ Rainbow Junction Family Resource Center is located in the W. D. Osborne Elementary School. Hours of operation - 8 a.m. to 4 p.m. Monday through Friday, or later by appointment. Call 452-4553 and ask for Cissy or Karen. Parents/community members free to visit any time.

FLOYD COUNTY ADULT CLASS SCHEDULE

■ For information about Adult Education class schedules, contact the David School at 886-8374. All classes and materials free of charge.

Postscript

Offices of Kentucky's Big Sandy Valley, by Robert M. Rennick. I didn't even remember having it, much less lending it.

Like many books I've bought over the years, I've lent them out and forgotten about them. Sometimes they come back and sometimes not, but then I'm never sure.

The irony is that I'd been writing about place names in the region when, lo and behold, one of the top references for our valley drops back into my lap.

I guess it's just fate that I continue on this tangent. And I am compelled to commend Prestonsburg's own Mr. Rennick for the wealth of information he has given us in this and several other books.

The book Jimmy sent back to me features places in Floyd, Johnson, Magoffin and Martin counties, but I'll stick with Floyd for now. Today we'll hit some high points.

For starters, did you know Prestonsburg was known as Preston's Station when it was laid out in 1797 on part of a 100,000-acre land grant to John Preston. For many years, it was written as Prestonburgh, but the "h" was dropped and the "s" was added in the late 1800s.

Did you know that West Prestonsburg has gone through a couple of metamorphoses? Storekeeper Job Spurlock's top choices for the post office

name were Job, Lee and Maud, but, would you believe, all three of those place names were already taken. So, Job settled on Middle Creek. In 1918, however, the post office took on the geographical name it's still known as, even though the separate postal identity is gone.

What is now Allen was once known as the Mouth of Beaver. (Thomas Johns, Betsy Layne's brother, was the postmaster.) In the latter part of the 1800s, it was renamed Catalpa Grove by George Hatcher and even later Beaver Creek Junction. To further delineate, around the area were the communities of East Allen and New Allen.

Down around what is now Ivel was a post office called Old Brother (not to be confused with Oh, Brother!). What is now Dana was intended to be Venus, but that name was already taken by a post office in Harrison County. Henry C. Hall then requested that the local post office be called Doney for his young daughter, but the US Postal Department changed it to Dana without seeking his approval.

Emma was almost Bertha. William Weddington Jr. wanted to name the p.o. after his daughter, but that name was already in use in Knox County, so the station was named after Reuben Taylor's wife, Emma.

How about this? Martin was originally called Preston. Nearby was Banty, the origin of

which is unknown. Also nearby was the community of Grist - because the name Mill was taken.

At the mouth of Brush Creek on Right Beaver was a post office named Bosco. Occasionally, you still hear people refer to Hueysville by that name. Bosco was reportedly a noted bird dog.

Hippo, Mr. Rennick's book asserts, was named for Bee Madison Craft, who was characterized as a chronic complainer and, hence, was nicknamed Hippo.

Eastern, which is more western than eastern in the county, was named after the Eastern Carbon Manufacturing Company. In 1943, the post office at Northern - again not geographically correct - merged with Eastern.

Melvin, on Left Beaver, was intended to be Dellie, but ended up being named for the son of Marion Hall. Weeksbury is one of the more logical of postal names. It comes from two coal company officials, Weeks and Woodbury. Likewise, Wheelwright assumed the name of the president of Consolidated Coal Company, Jere H. Wheelwright.

Frank Parsons' daughter shared her name with the community of Grethel on Mud Creek. On nearby Toler Creek, two post offices have gone in and out of existence, both

named after local settlers, Osborne and Sturgell, which later became Linwood.

There's also some foreign influence in Floyd County post offices and place names. For instance, the first post office on our section of John's Creek was Shumla. Postmaster William Collinsworth apparently named it for a Bulgarian town that was in the news in the 1870s. German, it turns out, at the mouth of Buffalo Creek was named for the deceased son of postmaster Francis Marion Crider.

Dewey, which exists under the lake these days, is the subject of considerable speculation as to nomenclature. With the post office established in 1904, some folks believed it was named for Spanish-American War hero Admiral George Dewey, but others contended it was named for one of two local residents, Dewey Wells or Dewey Burchett.

My own favorite is Blue Moon on Little Mud. It seems Alex Meade submitted several names offered by his family for postal approval. The one that was selected was the one suggested by his daughter Alice, who had received a bottle of Blue Moon perfume for Christmas.

I'm realizing I've gone way beyond the stopping point, but, as I've said, I'm easily distracted. I hope you are, too.

Continued from p7



Peter Pan saves the day in Jenny Wiley Theatre's production of "Peter Pan," sponsored by Community Trust Bank. Photo by Angie Carriere.

Pay what you can night for flood victims

Jenny Wiley Theatre announces Pay-What-You-Can Night for Flood victims. In light of the recent eastern Kentucky flooding damaging homes as well as the Theatre, the JWT Board has enthusiastically agreed to offer a Pay-What-You-Can night. Managing Director, Martin Childers says, "The Theatre has been blessed with support during this difficult

time, and we feel this is a good way to give back to the community. We know people have had to put a lot of their own resources back into their homes to make them habitable and extra cash for entertainment is probably hard to come by. But many of them do have kids, and we don't want them to miss out on a fun evening with Peter Pan.

Any family in Pike, Floyd, Knott, Lawrence, Letcher, Perry, Magoffin, Martin & Johnson Counties that sustained flood damage to their home is welcome to pay whatever amount they can for the tickets on Wednesday, July 7. Any amount of payment from \$0 to \$18 is acceptable. This evening is made possible by our Helping Hand Sponsors, which include Dawahares, F.S. Vanhoose & Company, Pikeville Rotary, Kentucky West Virginia Gas, Baird & Baird, PSC and Hazard Clinic. Because seating is assigned and limited, reservations MUST be confirmed with the Box Office by calling toll free at 1-877-CALL-JWT.

This performance is open to the public as always and everyone is welcome on that evening, even if the flood has not directly affected them. Please come see Peter Pan and support your neighbors, friends and Jenny Wiley Theatre!

Ponder

helps decrease your angry reaction. "Thank you for being concerned about me. I will let you know if I need to discuss this again. Gee, how about a positive story?"

It is a great help to FIND A SMALL GROUP OF PEOPLE WITH WHOM YOU CAN RECEIVE AND GIVE EMOTIONAL SUPPORT. You may want to plan a regular gathering time for this group with several easy-to-follow "rules", such as maintaining confidentiality and having "equal" time so one person doesn't take charge. Listening and concentrating completely on the person who is talking helps. Don't give advice unless the speaker asks for it. Be gentle.

Give yourself permission to TAKE TIME TO PLAY. Reward yourself with a favorite activity in the process of doing many chores. After working an hour, you may choose such things as 15 minutes of listening to music, talking on the phone, or e-mailing. Plan small "play" times and large. You deserve it!!

DON'T FORGET TO LAUGH, ESPECIALLY AT YOURSELF. Laughing is incredibly healthy, releasing

tension in your body, getting your brain cells working, and making the wrinkles disappear from your face. Make fun of yourself, do something silly, watch a funny movie, plan a surprise for a friend or spouse. Get together with friends and laugh! You might even have some fun with Mother and the faultfinders.

LEARN TO RELAX. You work hard and use your body and brain constantly. All human beings as well as mechanical creations need to be turned off once in awhile. Don't let yourself get overheated. Read a good book. Watch an old movie or go see a new one. Learn to meditate, visualize positive things and watch them come true. Pray. Take a walk or go swimming. Take a nap or a soothing bath with aromatherapy-scented candles. New things may take a little extra effort to start. Schedule your "time-out" activities. Move mountains to meet that schedule until children, mother, friends, and co-workers are in tune with your efforts and purpose.

An extremely important part of taking care of yourself is to PROTECT YOUR RIGHT TO

BE HUMAN. When you think of yourself as needing to be perfect or a superhuman, it can be a dangerous place to be. Family members, friends, and others typically follow our lead as to what to expect of us. Your responsibility is to stress to others that you are only a human being with the normal imperfections. Don't set yourself up for failure.

LEARN TO SAY "NO!" Most of us do too much for others and place too many demands on ourselves. You cannot fix, rescue, and change others. It is a significant signal of difficulties when you are unable to say "no" to yourself and others. One way is to tell the other person that you have a previous "commitment." It might not be an appointment or activity written in stone, but the most important obligation of all is the one to yourself. When you do say, "yes," to a request, it will be much more valuable to you and the person making the request. Make sure it's really something you care to do. Each time you make this choice you'll feel better about yourself.

Do you just hate the idea of going to work, much less being

there all day? Be good to yourself - CHANGE JOBS IF YOU ARE MISERABLE AT WORK. This sounds easier than it is; but it is certainly something you can work on. Think about choices, ways to get there, and who/what/how might be helpful for a better change. Don't be in a hurry. If you just can't do anything different, lists things you enjoy about your job and the difficult elements as well. Concentrate on the good. Figuring out if the job is wrong for you is also helpful. What is your ideal job, based on your personality and skills? Then try to fit it to a business, someone else's or your own. You probably have many marketable skills.

STRETCH YOUR MUSCLES. Take care of yourself by exercising your body. The positive effects physically and mentally are incredible, even with the smallest of efforts. Park farther away, take the stairs, and start a walking regimen with a neighbor or friend. Summer heat can be oppressive so start early in the morning or take an evening stroll. Join a local baseball team. It's fun too!

PRACTICE BEING POSI-

Continued from p7

TIVE AND ENCOURAGING. Each time you give others a word of encouragement you not only feel better, but you build up yourself. Being constantly negative doesn't work. Look for opportunities to say positive things to friends, co-workers and yourself.

PAY ATTENTION TO YOUR SPIRITUAL LIFE. Learn to slow down and pay attention to that inner voice inside. Think of the peace and beauty in the world and be thankful.

Take care of you and make the necessary changes. Begin with one step at a time. Human beings can train themselves to change, IF THEY WANT. You'll be very pleased with the new you.

(A hope is that everyone who needs the benefit of the info in this article will follow the suggestions. They are intended to help and support you become an even better "you." It might sound familiar since this a repeat of a couple of years ago. However, it all seemed to hit the spot for me too, since it was one of those instances that I needed the "gift of time." Remember that it is OK to take care of ourselves.)

Be an Angel.

Become a Kentucky organ & tissue donor.
For information contact:
1-800-525-3456, or
www.trustforlife.org



Family Medicine

By Martha A. Simpson, D.O., M.B.A.



Have a safe and sane 4th by leaving fireworks to pros

Q We live in a state that allows firecrackers and most other fireworks. My children, who are now teenagers, want to have a family fireworks display in our backyard this year. I think that this could be dangerous. What would you advise?

A The laws vary greatly from state to state on which fireworks are legal for consumers to purchase and use. Currently, 18 states allow nearly all consumer fireworks. There are 20 states that restrict non-professionals to what's called "safe and sane" fireworks. Generally this means no firecrackers, but such things as fountains, sparklers, trick noisemak-

ers, smoke devices and snakes are OK. Four states, including Ohio, allow only sparklers or novelties. There are now eight states that ban the use of all consumer fireworks.

Since you live in one of the more "liberal" states in terms of fireworks laws, a greater share of the burden is on you — as a parent — to oversee the activities of your children and to insure their safety. My recommendation would be to scrap the backyard display and go to a public fireworks show in your area. In other words, leave it to the pros. If, however, you decide to let your children do a fireworks show, there are a few things which you should keep in mind.

First, choose a safe location. It should not be near any combustible materials, and the surface should be free of obstacles so that the risk of falling in the dark is minimized. Select light-colored, flame resistant clothing. This will help prevent the participants from running into each other in the dark and make it less likely that any stray sparks will set someone's clothing on fire.

The explosive force necessary to make a firecracker go "BANG" or to propel a rocket into the sky can cause serious damage if it goes off while still in someone's hand. An obvious method for preventing these injuries is to never light any firework while it is in someone's hand. Put the firework in a proper holder or on a solid surface. Light the fuse, preferably with a long match, then run-run-run.

Fuses are unpredictable, and sometimes they will set off the fireworks in

an instant instead of allowing the usual several second delay. Remember that skyrockets and other fireworks have sufficient force to go up into the air. If your child were to lean over the rocket when it is ignited, the rocket goes into him or her instead of into the sky. Instruct them to stand to the side of the firework and use that long match.

Be very careful with firecrackers. While small firecrackers will only cause a burn if they go off in the hand, larger firecrackers will blow fingers to pieces. If a firecracker is lit on a gravel driveway, it will send gravel shrapnel flying in every direction when it goes off. That's why it's important to place firecrackers on a safe surface, like a concrete driveway, when lighting them.

Even the so-called "safer" fireworks — like sparklers, smoke bombs and snakes — can produce injury from burns or falls. The wire inside a sparkler gets very hot as the sparkler

burns. The wire stays hot after the sparkler has burned out, but young children often don't realize this until they grab that hot wire and burn their hand. Here's wishing you a happy and safe Independence Day!

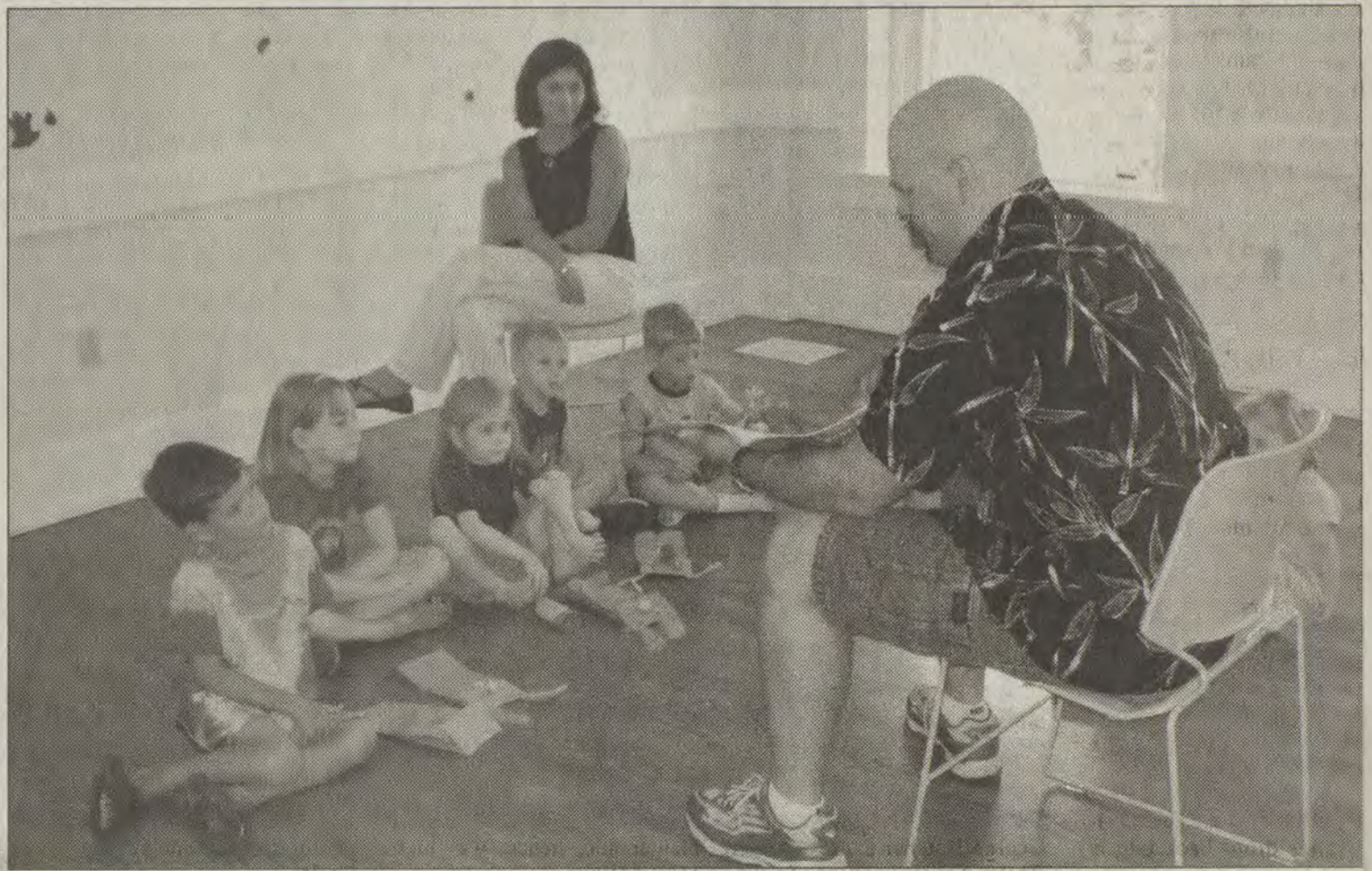
Family Medicine® is a weekly column. To submit questions, write to Martha A. Simpson, D.O., M.B.A., Ohio University College of Osteopathic Medicine, P.O. Box 110, Athens, Ohio 45701, or via e-mail to readerquestions@familymedicine.org. Medical information in this column is provided as an educational service only. It does not replace the judgment of your personal physician, who should be relied on to diagnose and recommend treatment for any medical conditions. Past columns are available online at www.familymedicine.org.

Announcements



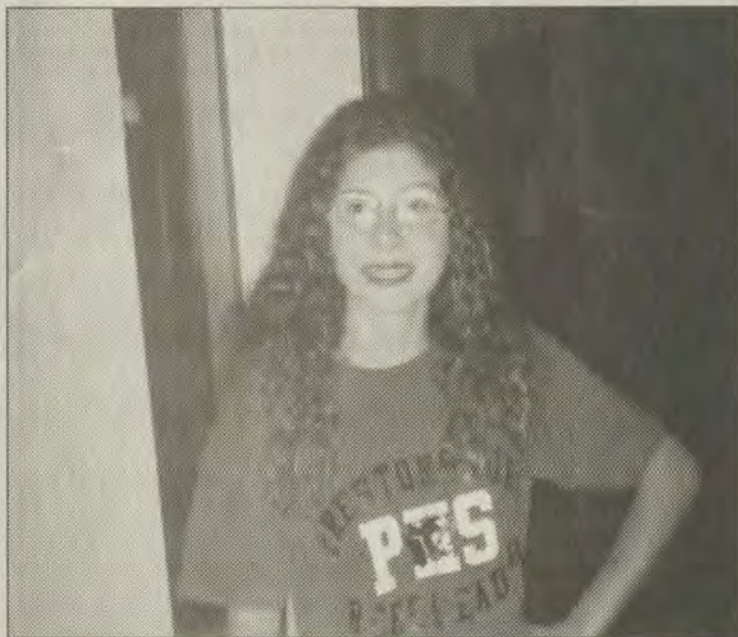
Betsy Layne Seniors hold Rook Tournament

On June 4, 2004, the Betsy Layne Senior Citizens Center held a rook tournament. Approximately 50 people attended with Holly Meade and Nannetta Yates finishing with first place; Veda Blankenship and Carmel Akers placing second place; and, Dan McKinney and Roy Rogers placing third. Everyone attending enjoyed the food and fun.



Life Skills Center entertains kids

Hazard Community and Technical College hosted a "Kids Fest" throughout the month of June. Children ages 4-12 met one day a week at the Breathitt County Life Skills Center to make crafts, read stories and have fun. Instructor Amber Raleigh (shown above) noted that Mike Shouse (also pictured above), Gene Bays, and all the parents each contributed to making "Kids Fest" a success.



PHS student nominated to Who's Who

Dana Fields, the daughter of Jeffry and Greta Smith, of Prestonsburg, has been nominated for "Who's Who Among American High School Students," for the 2003-2004 school year. Dana was in the top 5 percent of students at Prestonsburg High School. Her profile will be published in the 38th edition of "Who's Who Among American High School Students." This recognition will give her the opportunity to receive college scholarship funds. Dana will be a sophomore this fall at PHS. During her freshman year, Dana participated in the Science Club, 4-H Teen Youth program, and the PHS Girls Varsity Cheerleading team. She plans to continue to participate in the 4-H Teen Youth program and to serve as a counselor at the annual 4-H summer camp this July. She plans to attend college and major in the medical field.

New Arrivals

HRMC New Arrivals

June 7, 2004

A daughter, MaKayla Leigh Tackett, to Amanda & Bruce Tackett

June 8, 2004

A son, Wesley Michael Mozena, to Susan & John Mozena

June 8, 2004

A daughter, Haley Ann Newsome, to Jayre Renee Newsome

June 9, 2004

A son, Gavin Scott Hamilton, to Jessica & Randy Hamilton

June 9, 2004

A son, Jake Alexander Dean Reffitt, to Amy Miller

June 9, 2004

A daughter, Harleigh Ann Evans, to Michelle & Landrum Evans

June 9, 2004

A son, Jeremy Dawson Adams Butcher, to Jeremy &

Nikkie Adams-Butcher

June 10, 2004

A son, Caleb Anthony LeMaster, to Angela & Anthony LeMaster

June 10, 2004

A daughter, Natasha Kaye Moore, to Beverly & John Moore

June 11, 2004

A daughter, Haley Lynn Newsome, to Kimberly Lynn & Larry Newsome

June 11, 2004

A daughter, Kayli Renea Caudill, to Tammy Renea & Christopher Caudill

June 14, 2004

A daughter, Alexis Michelle Stambaugh, to Heather Michelle Bowling

June 14, 2004

A son, Joseph Bradley King, to Amanda Castle

June 14, 2004

A son, Isaiah Edward Mullins, to Stephanie & Kenneth Mullins

June 14, 2004

A daughter, Francis Grace Martin, to Jamie Lynn & Charles Landon Martin

June 15, 2004

A daughter, Gracie Ann Moore, to Diana & Robert Moore

June 15, 2004

A daughter, Lakeisha Rose Maynard, to Tiffany & Ralph Maynard

June 16, 2004

A daughter, Mikka Jaylin Adney, to Jessica & Michael Adney

June 16, 2004

A daughter, Skylar Elizabeth Francis Nicole Ramey, to Ella Sue Ward

June 16, 2004

A daughter, Melinda Kaelee Stumbo, to Ealita & Timothy Stumbo

June 16, 2004

A daughter, Rebecca Gayleene Sparks, to Jessica & Arnton Sparks

June 16, 2004

A son, Zachary Michael Baldwin, to Jacqueline Michelle Ward

Eyes

Continued from p7

stepped out into the bright light of the summer sun.

"I don't like my birthday!" I cried (this day being that day). "It's too hot! It's my birthday and it's too hot. I don't like it!" I pouted pitifully.

Poor baby girl, I was. To not care for hot weather and be born in August, one of the hottest months of the year. And, back in those days, before home air-conditioning became a mainstay, it was pretty hard to keep the icing from dripping off your cake and to keep the ice cream from dripping away before you had had sufficient time to thoroughly, and rightfully, enjoy it all. No wonder I was so unhappy.

This year, though, the summer temperatures have, thus far, been pretty pleasant. So, I'm looking forward to a pleasant Fourth of July. Hope you have a great one. Enjoy that extra slice of watermelon for me!

Thanks to everyone who has been so kind as to inquire about my mother. At this writing, she is out of the hospital and doing quite well, though still a bit

weak. My mother always loved all of her Prestonsburg neighbors and friends and she would be very pleased to know that many of you are thinking of her and praying for her full recovery. You are all wonderful folks and we love you much.

Before I close, I want to take a moment to say "Hello" to Mrs. Lucille May, of Maytown. I was in the Hager Hill post office late Wednesday afternoon when I met up with a cute little bird who told me that you look forward each week to reading my column. Let me share with you that I was feeling pretty blue on Wednesday and receiving a compliment on my writing, along with news that a faithful reader was enjoying my work, brought a much needed ray of sunshine into my day. Proof further that God always finds a way to part the clouds and allow the light to come streaming back through. Have a wonderful Fourth of July, "Miss Lucille"! (And the same to all our readers out there! See you next week!)

Wildfire Beware & Prepare

Prepare your home, family & community for survival.

In a wildland fire emergency, call 9-1-1, your local Fire Department, or your local Division of Forestry office.

Please, keep 'em coming!

Our pet photos file needs replenishing, and we know that you have lots of precious pics to share with us, so, please, send them along! And while you're at it, help Dr. Carol get her creative thoughts jumpstarted by sending along a few questions about "pet things you've always wanted to know but have been afraid to ask"! You can send both pictures and questions to: Kathy Prater at the Floyd County Times, P.O. Box 390, Prestonsburg, KY 41653, or you may e-mail to: features@floydcountytimes.com. You may also send questions only to Dr. Carol at: 1768 KY Rt. 7, Estill, KY 41666, or e-mail to: carolcac@tusa.net. We'll be waiting to hear from you!

The Floyd County Times

Classifieds

Classified Rates: for 20 words or less
 Sunday, Wednesday, Friday, only \$12.00
 Sunday, Wednesday, Friday & Shopper \$13.00
 An additional charge of .25 per word for every word over 20
 Classified Manager: Pauline Branham, ext. #19

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- Wednesday Paper, Noon Mon.
- Friday Paper and Shopper, Wed. 5 p.m.
- Sunday Paper, Thurs. 5 p.m.

CONTACT US AT: (606) 886-8506



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110 - Agriculture 115 - ATV's 120 - Boats 130 - Cars 140 - 4x4's 150 - Miscellaneous 160 - Motorcycles 170 - Parts 175 - SUV's 180 - Trucks 190 - Vans	210 - Job Listings 220 - Help Wanted 230 - Information 250 - Miscellaneous 260 - Part Time 270 - Sales 280 - Services 290 - Work Wanted	310 - Business	410 - Animals 420 - Appliances 440 - Electronics 445 - Furniture 450 - Lawn & Garden 460 - Yard Sale	510 - Business 510 - Commercial Property 530 - Homes 550 - Land/Lots	610 - Apartments 620 - Storage/ Office Space 630 - Houses 640 - Land/Lots 650 - Mobile Homes 660 - Miscellaneous	670 - Commercial Property 690 - Wanted To Rent	740 - Masonry 745 - Miscellaneous 750 - Mobile Home Movers 755 - Office 760 - Plumbing 765 - Professionals 770 - Repair/Service 780 - Timber 790 - Travel	810 - Auctions 815 - Lost & Found 830 - Miscellaneous 850 - Personals 870 - Services 880 - Legals

The FLOYD COUNTY TIMES does not knowingly accept false or misleading advertisements. Ads which request or require advance payment of fees for services or products should be scrutinized carefully.

AUTOMOTIVE

130 - Cars

For Sale 1995 Mercury Sable, 4 door, Silver, Auto loaded, runs great, 3.0 motor has 159,000 miles asking 1200.00 or best offer call 606-886-8648

For Sale 1999 Black Porsche Boxster Convertible, auto with his/her transmission, Black/Black 41,000 miles Book Value \$25,000 asking price \$22,500 call after 5pm at 886-2030

For Sale 1993 Ford Escort wagon, asking 2,000, 4 door with new tires and brakes, runs great call 606-886-2844 before 10pm or days 606-886-2788

For Sale 1994 Chevy Corsica, 3.1, V6 Automatic asking \$1,500.00 606-889-9091

\$500! POLICE IMPOUNDS! Hondas/ Chevys/ Fords/ Jeeps/ Cars, trucks, SUV's from \$500! Listings: 800-366-0124 xA919

150-Miscellaneous

For Sale 1989 Yamaha Golf cart gas engine, good condition asking \$1,500

1995 Honda CVR 900RR Cobra and Yoshi pipes-slip on with 2 matching helmets. Runs great call 606-226-1577 or 606-889-9283

For Sale 1998 YAMAHA YZ80 New tires, pro-circuit pipe. \$1600. Call 606-452-9599 for more info.

175-SUV's

For Sale 1999 GMC Denali Yukon. Loaded heated seats, Black with Gray interior, it's a must see, 81,000 miles book value 20,000 asking price \$17,500, call after 5pm at 606-886-2030

1993 Grand Cherokee Jeep \$3,500.00 call 606-452-4687 or leave message after 5pm

For Sale 1994 Chevrolet S-10 Blazer (Khaki color) asking \$1,500. Buy as is call 606-886-2844. Leave message if interested.

180-Trucks

For Sale 1972 Chevrolet Pick up long wheel base asking \$2,200.00 call 606-358-3498

2000 Dodge Ram Sport 4X4 Quad cab, Remote entry remote start, remote 6 disc CD changer, PW, PD, PL, PM, heated mirrors, step bars, cruise, bed liner, tinted windows, 606-226-1597 or 606-889-9283

1993 Chevy 2 wheel drive, 4.3-5 speed needs paint work asking \$1,500 call 606-874-4013

1989 S10 2 Wheel drive auto 4.3 good shape asking \$1,200 call 606-874-4013

FOR SALE: 1986 10' WHEELER Dump Truck Please call 874-9481 after 8 p.m.

FOR SALE: 1993 KENWORTH TRACTOR and 1994 J&B trailer. Please call 874-9481 after 8 p.m.

For Sale 1992 GMC Sonoma approx 151,000 miles 2.8, V-6 runs good, Good work truck asking \$1,500 O.B.O. call 606-297-1454

1975 Ford F 600 Flat Dump Truck 350 motor with 4 barrell, 5 speed with 2 speed axle, day call 606-424-2828 and night 606-285-9704

190-Vans



For Sale 1993 Red Jeep Grand Cherokee asking \$3,500 call 606-452-4687 leave message

For Sale 1994 Mitsubishi Expo Minivan, Blue and Silver, in good shape asking \$2,500 call 606-297-1454 after 5:30 pm or leave message.

EMPLOYMENT

When responding to Employment ads that have reference numbers, please indicate that entire reference number on the outside of your envelope. Reference numbers are used to help us direct your letter to the correct individual.

210-Job Listing

OIL FIELD SERVICE COMPANY has opening for a hard working for weekend dispatcher hours are 32 -40 hours a weekend first week hours will be Friday 4.00pm until 12.00am mid-night, Saturday 8.am to 12.00am midnight to Sunday 8am until 12 midnight SECOND WEEK WILL BE: FRIDAY 12:00 MID-NIGHT UNTIL 8:00 A.M. SATURDAY 12:00 MIDNIGHT UNTIL 8:00 A.M. AND 4:00 P.M. UNTIL 12:00 MID-NIGHT PLEASE APPLY IN PERSON MONDAY THRU FRIDAY 8:00 AM. THRU 4:00 P.M. LOCATED AT: UNIVERSAL WELL SERVICES 5252 ROUTE 1428 ALLEN KENTUCKY PHONE NUMBER 606-874-3487

Position For Assistant Teacher Toddler CLASS- 5 days per week beginning Aug. 2004 Qualifications, working with children apply in person- First Baptist Church 157 S. Front St. Prestonsburg, KY. or call 606-886-8681

Night care giver needed for elderly lady, in Prestonsburg, references required 606-789-1306

Heavy Equipment Steam cleaning company needs employees. must have a valid drivers license and up to date Surface Mining Papers no calls after 8pm call 606-886-1759

Need someone looking for full time position, building and maintenance stations. Must have electrical and plumbing experience. Good pay and benefits. Must have at least years experience. Also looking for helper for this position and someone who can weld. If interested call for an appointment. call 606-478-9501. We will be hiring for eight 8 new positions!

Oakland City University is seeking faculty to teach in the Otter Creek Correctional Center, Wheelwright, Ky. Faculty will be selected to teach in the University's programs with in the correctional facility during evening ours, and works closely with the University Educational Coordinator. BS minimum. Content areas needed: English, Mathematics, Science, History and Business. Letter of application, resume, letters of reference and copy of transcripts should, be sent to Dr Bernard Marley, Academic Dean Oakland City University 143 N. Lucretia Oakland City, In. 47660 Applications accepted until position is filled

Receptionist for Dental Office. Computer experience preferred but, not required. Send resume to North Lake Drive Suite 201 Prestonsburg, Ky. 41653

Auto Body Man wanted call 606-478-9501 ask for Chris or Carol

Deliver/ Warehouse-Auxil distributor. full time job, 1/ day customer service and 1/2 day delivery /warehouse. Must be at least 21 years old, have valid drivers license and meet requirements. Must have at least 6 months verifiable experience driving a 20 foot truck or larger or a 10 wheel dump truck. Heavy lifting Fork lift experience helpful. Drug screen and DOT physical. M-F with benefits. Fax resume to Corporate office 812-280-2232 or call 800-967-7473

Oakland City University is seeking Education Coordinator of the Otter Creek Correctional Center, Wheelwright, Ky. This person provides the leadership for implementation of programs within the correctional facility, recommends faculty employment for the university programs in the facility, works closely with the facility's administration. Doctorate preferred, MS required Experience in teaching, Administration testing and intervention required. Letter of application, resume, letters of reference and copy of transcripts Dr Bernard Marley, Academic Dean Oakland City University 143 N. Lucretia Oakland City, In. 47660 Applications accepted until position is filled

AVON Earn your own money. \$10.00 sign up fee. Free gift. Call Jancy at 886-2082.

220-Help Wanted

Help wanted in Medical Office from 9am to 5pm Mon.thru Fri. call 606-886-1714 or 606-285-9000

Auto Body Man wanted call 606-478-9501 ask for Chris or Carol

Deliver/ Warehouse-Auxil distributor. full time job, 1/ day customer service and 1/2 day delivery /warehouse. Must be at least 21 years old, have valid drivers license and meet requirements. Must have at least 6 months verifiable experience driving a 20 foot truck or larger or a 10 wheel dump truck. Heavy lifting Fork lift experience helpful. Drug screen and DOT physical. M-F with benefits. Fax resume to Corporate office 812-280-2232 or call 800-967-7473

To place your ad call 886-8506!

Prestonsburg Law Firm seeks Real Estate Paralegal with a paralegal degree or 5 years experience, Holiday and vacation paid, competitive salary. Send Resumes to P.B. Paralegal P.O. Box 390, Prestonsburg, Ky 41653

AVON Earn your own money. \$10.00 sign up fee. Free gift. Call Jancy at 886-2082.

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To place your ad call 886-8506!

FINANCIAL

330-For Sale

For Sale Kids game table (pool/air Hockey) \$75.00 and somma water Mattress, Full size \$100.00 Queen Size 125.00 call 886-6906

For Sale complete Stock (worth \$18,000) from Hughes Craft Store (asking \$11,000) call for more information 606-478-9048

MERCHANDISE

410-Animals

For sale 1 year old Blonde Male Cocker Spaniel great with kids asking 100.00 firm, call 606-886-8648

445-Furniture

RAY'S BARGAIN CENTER

New & Used Furniture & Appliances @ unbelievable prices. Come in today for incredible savings. Shop At The Little Furniture Store & Savell Route. #122, McDowell. Call 606-377-0143.

460-Yard Sale

3 family yard sale at Trimble Chapel church junction 23 & 80 Monday July 5th, from 8am to 2 pm Rain or Shine

2 Family yard sale July 2 & 3 follow the signs, children, women and mens, clothing house hold goods on Madison Ave

REGENCY PARK APARTMENTS

One-, Two- and Three-Bedroom Units

Kitchen Appliances Furnished
Water, Sewer & Garbage Paid

For Applications, call or write
Regency Park Apartments
61 Regency Park Dr., Box 17
Prestonsburg, KY 41653

Phone: 606-886-8318 or 1-800-686-4447

(TDD for speech & hearing impaired 711)

874-0264 or 791-5763
and Gravel Hauling
Heavy Equipment Rental,
Licensed and Certified
Bill W. Music, Owner & Operator

BLUE RIVER CONSTRUCTION

'99 Ford Contour For Sale

Burgandy 4 dr.,
A/C, AM-FM Cassette Power Steering,
Cruise Control, 75,000 miles

\$3,500

Interested Buyers Call:
606-886-8494, after 5pm

Management Positions Available

Pikeville, Prestonsburg, Portsmouth, Wise

Minimum 6 months food service experience necessary.

Excellent Benefits / Salary negotiable
Insurance • Paid Vacations

Mail all résumés to:
Reno's Roadhouse
253 University Drive
Prestonsburg, KY 41653
Or Fax to:
(606) 886-0112

Server & Crew Positions also available

Kentucky Valley Special Education Cooperative (KVSEC)

Notice of Vacancy

The Kentucky Valley Special Education Cooperative is accepting résumés for the following position:

Job Title: Behavior/Complex Needs Consultant

Date Open: June 25, 2004 **Date Closed:** July 26, 2004

Salary: Salary commensurate with education and experience in accordance with certified salary schedule

Contact Person: Bill Rigney, Program Coordinator (606) 439-2311 x 31

Minimum Qualifications:

- Teacher certification in Special Education, Masters Degree preferred
- 5 years teaching experience working with students with complex needs (Autism, TBI, FMD, EBD, etc.)
- Training in behavior management therapy

Independent travel and overnight lodging are required for this position. Applicants should be able to handle light-lifting and transport materials for training.

Applicants must submit a résumé, including three professional references, to Bill Rigney, Program Coordinator, Kentucky Valley Educational Cooperative, 325 Broadway, Hazard, KY 41701, by 4:00 p.m. on July 26, 2004.

KVSEC is an equal opportunity employer.

Pikeville Main Street/Renaissance Program is taking applications for the new position of UNITE PIKE COORDINATOR

Coordinator for program to fight substance abuse among adults and juveniles in Pike County. Reports to Pikeville Main Street/Renaissance Project Manager; takes direction from the UNITE PIKE Committee.

Bachelor's degree or higher, major in social work, communications, or related field preferred.

Required ability to facilitate partnerships with agencies and individuals, to motivate individuals and groups to form collaborations that will support each agency's efforts to eliminate substance abuse in Pike County. Ability to guide and encourage the partnerships to stay focused on the goal; eliminating substance abuse among adults and juveniles in Pike County.

Evidence of successful grantwriting ability strongly preferred, including preparation of goals, objectives, and line item budgets.

Ability to communicate with individuals from all walks of life, such as substance abusers and their family members, school students and teachers, media representatives and reporters, fiscal court members, city commission members, and funding agency representatives.

Must have freedom to travel using personal vehicle; valid driver's license; must pass background check; must be drug-free. Starting salary: \$25,000-\$30,000 + fringe benefits, single coverage medical insurance paid in full by employer, two weeks' paid annual vacation; one week annual sick leave. Paid holidays as follows: New Year's Day, Good Friday, Memorial Day, Fourth of July, Labor Day, Veterans Day, Thanksgiving Day, Christmas Eve and Christmas Day. Travel reimbursement (including mileage) for approved work-related travel submitted with proper documentation and receipts.

Send résumé and references with cover letter and mock grant proposal to: UNITE Coordinator, c/o Ken Trivette, Pikeville Main Street/Renaissance Program, Post Office Box 363, Pikeville, Kentucky 41502. Deadline for applications: July 15.

JOB VACANCY

The Floyd County School system has an opening for a **Financial Analyst I**. Position is a 12-month position with a beginning salary range of \$30,000-\$31,000. Permanent worksite is the central office, with work throughout the district required.

Minimum Education, Training and Experience: Any combination equivalent to: bachelor's degree in Business Administration or Accounting and three years professional experience in a school business setting or a related field. The ideal candidate should possess a working knowledge of MS Excel, MS Word, MS Access, experience with automated accounting systems, and experience in maintaining and completing inventory processes.

Duties and responsibilities include, but are not limited to: maintaining the financial records for assigned programs and activities, making appropriate journal and general ledger entries and preparing appropriate journal and general ledger entries; preparing appropriate accounting reports and financial statements for long- and short-term strategic planning. Planning, developing and monitoring related management information systems. Assisting Internal Audit with audits as assigned; assisting Budget Office in estimating portion of the overall District Budget and payroll related issues.

Apply at the Floyd County Schools Central Office, 106 North Front Avenue, Prestonsburg, Kentucky 41653, Human Resources office. Phone: 606-886-2354.

The Floyd County Board of Education does not discriminate on the basis of race, color, national origin, age, religion, marital status, sex, or disability in employment, educational programs, or activities, as set forth in Title IX & VI, and in Section 504.

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Phone (859) 626-7888 or (866) 385-Rowe(7693)

Yard Sale at Goble Roberts Fri & Sat. 8am to 7 Appliances, house hold items, clothes brand name all sizes to much to mention call 606-889-9898

Huge Yard Sale 3 family 2 days fri. July 2 and Sat. July 3 located A-Frame on the hill across from Kinzer Drilling (mouth of Left Fork Bull Creek, Route 80) Video, Play pens Baby Swing, Kids clothing and shoes, movies, Toys, and lots, lots more

Yard Sale most items 1.00 or less. Baby Youth Adult Clothes Household Item and Furniture available, Thur. and Fri. 9am to 5 pm at 122 South Highland behind old Post Office Prestonsburg

BIG YARD SALE July 1, 2, 3, Items galore! Big and tall men's clothing and lots more! May's Branch in Prestonsburg behind Pizza Hut 1/2 mile

7 family yard sale Fri. July 2 and Sat. July 3 in front of Prestonsburg Senior Citizens 4 way Stop at Lancer name brand clothes for children and Adults. Household items. To many misc. items to list

2 family yard sale July 2 & 3 Mens, Womens and childrens clothing furniture, computer & computer equipment, household items and more 5 miles up Spurlock Creek in Prestonsburg on left for

3 family yard sale at Emma on Friday July 2nd at 3rd Rail Road crossing down brick house on hill call 606-874-2002

6 family Yard Sale at Banner-1/2 mile up Prater Creek. July 1st thru 6th Anique Furniture & dishes, House ware, Quilt Top clothing 606-874-2887

Carport Sale 3 family Fri. 2 & Sat. 3 lots of items 36 x 32 size jeans, crafts, fireplace inserts, on Route 80 at Water Gap, right fork of Bull Creek, first right up black topped Hill.

BIG YARD SALE July 1st (Wed) and July 2 Thur. 2nd house on left, beside CLark Elementary School

4 family Yard Sale Thur. July 1 st from 8am to ?? old U.S. 23 between Prestonsburg and Allen across from Faith Ind. Church Lots of good stuff

3 family Yard Sale Furniture, baby clothes children clothes, ect. Thur. Fri. & Sat. from 9am to 4pm. on 22 South Third street at New Allen, KY. call 606-874-8978

2 family moving Sale Thursday-Saturday July 1-3 from 9am to 3.00pm household items gardening tools, gift clubs, toys, many more items adult and children's books located 183 Dorton Blvd, Cross Creek in Staffordsville

Yard Sale 2 1/2 miles on Route 3 going toward Inez, on Fri. 2 and Sat. 3 misc. items, multi items, dishwasher, box springs, tupperware lots of clothes of all sizes call after 10am, 606-789-8964 for directions

Yard Sale Large 2 family sale Fri. July 2nd and Sat 3rd at 1274 and 1292 Riverside, behind Giovanni's Pizza, clothes, household, furniture call 886-2265

Multi family Yard Sale Fri. 2nd and Sat. 3rd. 8am to 4 pm, 1 mile up Bucks Branch on right brick home of Bonnie Crisp /Cindy Martin call 606-285-3512

480-Miscellaneous

INSURANCE
Auto insurance rates getting too high? You need to call Maynard Insurance Agency at Harold, They've got a new company and rates are pretty good! check it out call 606-478-9500

For Sale 2 / 20,000 BTU Air Conditioner contact Johnny Martin at 606-358-3469

Need a loan \$6000 or more we can help call Celestica today at 800- 806-3170 for a fast approval

WATER DAMAGE? We can help. Let the power of nature in a box, take care of those left over odors and eliminate mold and mildew before it starts with an air purification machine that is cutting edge technology. This product has already been proven in your area. Call Fresh Quest - Air and Water Purification at 270 .202. 8219 today. Whether your concern is your business or your home we have various size models to suit all needs."

Wolff tanning beds affordable convenient, tan at home, payments from \$29.00 per month free color catalog call today 800-781-5173 www.np.etstan.com

For Sale 1 Prom Dresses size 20 80.00 each call 606-886-9305

Airater Septic System, It has 3 compassator Brand New, installed but never used call 606-297-1454 asking \$1,800. firm...

For Sale: 3/4 karat diamond ring, Asking \$500. Call 606-874-4981 or 606-791-2167.

For Sale: 8 ft' refrigerated deli case, \$1000, small pizza oven, \$400, small juice cooler, \$150, washer & dryer, \$150 pair. Call 606-886-2367.

For Sale: 8 ft' deli cooler, \$950 and Gas convection oven, \$450. Call 606-886-2367.

Kay's Wallpaper 205 Depot Road Paintsville, Ky Hundreds of Patterns of Wallpaper & Borders All under \$10.00. Open Tues - Fri. 10 a.m. to 5 p.m. Sat. 10 a.m to 3 p.m. Closed Sun. & Mon. 606-789-8584.

REAL ESTATE

510-Comm Property
For Rent or lease 150 ft x 150ft. south of Worldwide Equipment between Prestonsburg and Allen 606-874-2421

For Rent: Beauty shop equipped with 3 stations, and tanning bed. located 1 mile south of Martin on Route. 122. or would consider remodeling for office space Call 606-285-4826 or 606-285-9112.

530-Houses
Cabin for sale located at Cave Run 100 ft. x 100 ft. \$7,500 call 606-874-2421

Home for sale 3 bed room Ranch, hard wood floors, bay window, attached garage breezeway, large fire place with insert, deck, nice yard, patio, out of flood. Serious inquiries / appointments only call 606-358-3045

House for sale 3 bed room brick. 1 1/2 bath located 2 miles from Prestonsburg city limits call 606-886-2818

House for sale Beautiful 3 year old 3800 square foot home in Prestonsburg 3 levels, finished attic with wrap around porch and Gazebo asking \$355,000 call before 10pm 606-886-8841

House for sale at Maple wood village, 2 miles from route 23 on Prater creek 3 bed room 2 bath, garage 1/2 acre land call 285-0246 or pager 606-886-7166

For Sale 7 room older Home located on Riverside Drive in Prestonsburg, Well Maintained. Priced at \$57,500. Land Contract considered. call 606-874-9595 after 5pm

House for sale at Maplewood village, 2 miles from Route 23 on Prater creek 3 bed room 2 bath with garage 1/2 acres land call 606-285-0246 or page 606-886-7166

House for Sale 4400 sq.ft. restricted neighborhood Big Branch of Abbott \$310,000 call 886-6289

3 bed foreclosure 1 buy for only \$17,850! for listings call 800-366-0142 extension. B 183

550-Land & Lots
Acreage For Sale close to Martin No Flood danger call 606-886-8366

For Lease Retail space, utilities paid N.L.K. Drive call 606-886-8366

570-Mobile Homes
For Sale 2 bed room trailer, 14 x 60 all new flooring, water heating, and plumbing, great condition \$5,600 call 606-886-6219

Brand new program that, with land equity or cash down payment met. we can get 90 percent of applications pre-approved. Poor credit situations urged to apply call to day before the programs ends. call 606-353-6444 or toll free 577-353-6444

For Sale 1999 Clayton Double wide and Land 3 bed rooms, 2 bath, large Kitchen and Dining, Large living room with fire place located between Martin and Allen on Finance Hollow, \$65,000.00 firm call 606-285-3661

For Sale 1999 Clayton Double wide and Land 3 bed rooms, 2 bath, large Kitchen and Dining, Large living room with fire place located between Martin and Allen on Finance Hollow, \$65,000.00 firm call 606-285-3661

For Sale 1999 Clayton Double wide and Land 3 bed rooms, 2 bath, large Kitchen and Dining, Large living room with fire place located between Martin and Allen on Finance Hollow, \$65,000.00 firm call 606-285-3661

NOW ACCEPTING APPLICATIONS IN THE FLOYD COUNTY TIMES CIRCULATION DEPT. ASSEMBLING NEWSPAPERS

Part-time: Day and night shifts

APPLY AT 263 S. CENTRAL AVE. No Phone Calls, Please! E.O.E.

For Sale 1999 Fleetwood Mobile Home 16 x 64 must be moved asking 15,000 call 606-874-8410 before 10pm or will let you take over payments.

For Sale: 12 X 60 Mobile Home. Under pinning & steps included, needs repairs, excellent for or storage \$1000. OBO Call after 5 .30 call 606-874-4604

All Drywall, 2004 Dutch "5/12 Designer" with 2x6 walls, 5/12 roof pitch, flat ceilings, ultimate stainless steel kitchen, stretched for larger bed rooms and many more extras, Set up for viewing. For details call 606-353-6444 or toll free 577-353-6444

RENTALS

610-Apartments

Apt. for rent 1 bed room on River side Drvie in Prestonsburg \$350. per month plus utilities call day 606-886-8883 or evenings 606 - 889-9396

Now Renting Park Place Apartments in Prestonsburg Elderly, Handicapped & Disabled available for immediate occupancy rent 1 BR./\$309, 2 BR./\$345 call 886-0039

Furnished Apts. Utilities included Prestonsburg References rquired call 606-886-8366

Apt. "Open House" showing Sat. only 10 am to 7 pm. Newly remodeled 1 bed room and 1 bath, furnished on Lake Road behind Williams Motel \$300. per month plus \$300. deposit call 704-824-2034

Apt. completely furnished utilities already turned on \$360. per month plus Electric and water \$100.00 deposit call 606-285-3641 any time

Vacancies Branham Heights Apts. Wheelwright, KY. is accepting applications for 1 and 2 bed room apartments. And 1 bed room handicap accessible apartment. Rent based on income water sewage and garbage are included in rent. PLease contact Kathy at 606-452-4777. Office hours are Tuesday thru Friday 8am till 4:30pm

Apt. for rent completely furnished utilities already turned on \$360.00 plus Electric and water \$100.00 Deposit call 606-285-3644 any time

Summer Move-In Special Park Place Apartments in Prestonsburg, Get first Months Rents Free with paid Security Deposit! Elderly, Handicapped and Disabled available for immediate occupancy. Rent 1 bed room \$309.00, 2 bed room \$345.00 call 606-886-0039

Apts. for rent like new in downtown Martin good location, call 606-285-3025 between 9am to 5 pm

For Rent 2 bed room central Heat and Air with washer and dryer hook ups excellent condition located 1 mile north of Prestonsburg on U.S. 23 No Pets. call 886-9007 or 889-9747

New Townhouse Apartment for rent: 2 Bed room stove, refrigerator, d/w central h/a, w/d hookup, city limits at US 23 & 80. \$550.00 mo. + utilities and \$350 deposit. 1 year lease, no pets. Call 606-886-7237 or 606-237-4758,

Greetings from Lighthouse Manor, Terry & Sharon Smith. We have apartments for rent that are efficiency apartments, all utilities paid. For more info call 606-886-2797.

Furnished 1 bed room Apt. Central heat & air. Rent starting at \$375. month, + \$300. deposit water included. Located near HRMC. 606-889-9717.

Quality Lawn Care Services and Landscaping

Call any time.
606-285-9176
606-226-0174
606-358-9562 or 9561

Ask for Larry or Jason.
30 Years Experience

Home Improvement Services

Carpentry, decks, siding, windows, Hotwater pressure washing concrete, siding, decks, mobile homes. Cedar siding and wood decks renewed

Donnie Calhoun 886-1961

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Free estimates, call anytime
606-452-2490 or 606-424-9858

J & L Electrical Contracting

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640-Land/Lots
Office/Retail Space available Great Location near downtown, in the PHS, BSCTC, and the new Food City area of Prestonsburg, up to 4,200 square feet for lease call Today 886-0111 .x16 or 226-2266

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650-Mobile Homes
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For Rent 2 bed room Mobile Home, all electric with yard call 606-285-3980

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660-Miscellaneous
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670-Comm. Property
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705-Construction

ALL TYPES: Remodeling & additions, garages, decks, etc. Also concrete work. Robbie Johnson, Jr., call anytime, 606-886-8896.

NOTICES

805-Announcements
Concert July 4th at Zion Deliverance Chrch, Wayland, Ky from 11am to 7pm, featuring Perry and Mary Jordon Everyone welcome

812-Free
FREE PALLETS: Can be picked up behind The Floyd County Times.

815-Lost & Found
Lost in Pike Floyd Hollow, Betsy Layne area, Fri. 6-25-04. small dog, Chihuahua mix, black and tan, Caesar, Reward call 606-478-4629

\$300.00 Reward for missing dog disappeared June 19 at Sugar Loaf Female, White and Brown Jack Russell named Lucy if you have found our family pet please call 606-874-9135

900-Legals

NOTICE OF INTENTION TO MINE

Pursuant to Application Number 436-5181, Renewal In accordance with KRS 350.055, notice is hereby given that Buck Coal, Inc., 544 South Lake Drive, Prestonsburg, KY 41653, has applied for renewal of a permit for an underground coal mining operation, located 1.2 mile southwest of Eastern, in Floyd County. The operation disturbs 46.08 surface acres, and will underlie 436.00 acres, and the total area within the permit boundary will be 482.08 acres.

(2) The operation is approximately 1.1 mile southeast of KY RT 80's junction with

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Goose Creek Road, and located along Goose Creek.

(3) The operation is located on the Wayland U.S.G.S. 7 1/2 minute quadrangle map. The disturbed surface area is owned by The Elk Horn Coal Company, LLC. The operation underlies lands owned by The Elk Horn Coal Company, LLC, Bill Allen et al., Kenneth & Velva Hall, James E. Patton, Willie Jr. & Rebecca Conley, George Ousley, Coal-Mac., Inc., and Lafayette Gayheart.

(4) 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 or requests for a permit conference, must be filed with the Director, 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.

ADVERTISEMENT FOR BIDS

Sealed bids for the public housing modernization project KY36P035-501(03) will be received by the Housing Authority of Prestonsburg, Prestonsburg, Kentucky, on July 15, 2004, at 2:00 p.m., prevailing time, then at said office publicly opened and read aloud. The project consists of:

HVAC Upgrades in 38 Dwelling Units.

The Information for Bidders, Form of Bid, Form of Contract, Drawings, Specifications and other contract documents may be examined at the following locations:

CS Design, Inc., 401 West Main Street, Suite 318, Lexington, Kentucky, 40507.

The Housing Authority of Prestonsburg, 387 South Roberts Drive, Prestonsburg, Kentucky, 41653.

Additional information is provided in the bidding documents. Copies of the bidding documents may be purchased at the following location:

Lynn Imaging, 328 Old Vine Street, Lexington, Kentucky, 40507, Telephone: (859) 255-1021, Attention: Plan Distribution Department, www.lynnimaging.com.

A Pre-Bid Conference will be held on July 7, 2004, at 2:00 p.m. (local time), at the Housing Authority's main office, for purposes of answering Bidder's questions, and to consider any suggestions.

The Housing Authority of Prestonsburg, By: Brenda Harris, Executive Director

PUBLIC NOTICE

Notice is hereby given that Denzil B. Martin, Mill Creek Road, P.O. Box 315, Wayland, Ky. 41666, has filed an application with the Natural Resources and Environmental Protection Cabinet to place fill dirt on said property. The property is located 1/4 mile from town of Wayland, Ky., on Mill Creek Road, adjacent to Right Beaver Creek. Any comments or objections concerning this application, shall be directed to: Kentucky Division of Water, Water Resources Branch, 14 Reilly Road, Frankfort Office Park, Frankfort, Kentucky, 40601. Phone (502) 564-3410.

COMMON-WEALTH OF KENTUCKY FLOYD CIRCUIT COURT DIVISION NO. II C.A. NO. 03-CI-00491 GARY WRIGHT, ET AL. PLAINTIFFS VS. LYNN WEDDINGTON TUCKER, JOE D. WEDDINGTON, BILLY A. COOLEY, FLOYD COUNTY, ET AL DEFENDANTS

Being the same land conveyed by Martin Burchett, et al., to Bertha Faye B. Wright and Herbert Gary Wright, by deed dated February 25, 1999, recorded in Deed Book 431, Page 331, Floyd County Clerk's Office, and by Flo Weddington Cooley and Billy Cooley, her husband, to Joe D. Weddington, by deed dated November 5, 1997, recorded in Deed Book 412, Page 518, Floyd County Clerk's Office.

NOTICE OF COMMISSIONER'S SALE

BY VIRTUE OF Judgment and Order of the Floyd Circuit Court, entered on the 3rd of May, 2004, in the Floyd Circuit Court, in the above styled action, 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 15th day of July, 2004, at the hour of 9:00 a.m., the following described surface property, located and lying in Floyd County, Kentucky, and more particularly described as follows:

Tract No. 2: A one-half interest in the following tract and; Beginning at C & O Right of Way and line of Togo Harris and Georgia Harris, his wife; thence straight up the point with line of Lee Leslie and Annie Leslie to the top of the ridge; thence running with the ridge to the line of Lula Bevins and Ben Bevins and back down their lie to a cedar tree, marked with three hacks on upper side; thence a straight line down the hill to a sycamore marked with three notches; thence a straight line back to the C & O Right of Way, the point of beginning.

It is agreed by and between the parties hereto that a ten foot (10') roadway shall be given through Tract No. 1, beginning at the gate post and running to the first locust post mentioned in said Tract No. 1, and a roadway ten feet (10') in width through Tract No. 2, beginning at line of Togo and Georgia Harris and running with line of C & O Railway right of way to W.H. Weddington line.

ED from the above conveyance the Weddington Cemetery located thereon as defined by the existing fence line of such cemetery; there is also EXCEPTED the "Community Cemetery" which is bounded by the blacktop road (county road), on the lower side and the back side, and by the edge of the existing cemetery where it borders the Leslie Heirs' property, and extending down to and no further than the front fence of the Weddington Cemetery and parallel to it.

That portion of the John Graham Historical Cemetery, as it now exists, as may be located upon the subject property is also EXCEPTED.

There is also EXCEPTED the blacktop road (county road) as it now exists located upon the above described property.

Being the same land conveyed by Martin Burchett, et al., to Bertha Faye B. Wright and Herbert Gary Wright, by deed dated February 25, 1999, recorded in Deed Book 431, Page 331, Floyd County Clerk's Office, and by Flo Weddington Cooley and Billy Cooley, her husband, to Joe D. Weddington, by deed dated November 5, 1997, recorded in Deed Book 412, Page 518, Floyd County Clerk's Office.

TERMS OF SALE

(a) At the time of sale, the successful bidder, if the other than the Plaintiff, shall either pay cash or 10% of purchase price, with the balance on credit for thirty (30) days, and required to execute a bond with good surety thereon for the unpaid purchase price of said property, if any, bearing interest at the rate of twelve percent (12%) per annum, from the date of sale until paid, having the force and effect of a Judgment.

(b) The property shall be sold subject to any easements and restrictions of record in the Floyd County Clerk's Office, and such right of redemption as may exist in favor of the United States of America, and/or the record owners thereof.

(c) The purchaser shall be required to assume and pay all Floyd County, Kentucky, real property taxes for the year 2004, and all subsequent years which are not yet due and payable. Any and all delinquent Floyd County, Kentucky, real estate taxes will be paid from the sale proceeds.

(d) If the successful bidder is a party to this action, he/she shall be given credit on the balance of the purchase price to the extent of his/her ownership interest in the above described real property, subject to payment of sufficient funds to satisfy the costs of sale, and for the master commissioner.

Any announcements made on date of sale, take precedence over printed matter contained

herein. PLAINTIFF'S ATTORNEY: Hon. Jimmy Webb 187 East Court Street Prestonsburg, Kentucky 41653 WILLIAM S. KENDRICK M a s t e r Commissioner P.O. Box 268 Prestonsburg, Kentucky 41653

NOTICE OF BLASTING SCHEDULE APPLICATION NUMBER 836-0303 NW

In accordance with the provisions of 405 KAR 18:120E, Section 3, notice is hereby given that Frasure Creek Mining, LLC, 1051 Main Street, Suite 100, Milton, West Virginia 25541, (304) 743-8617, proposes the following blasting schedule. The blasting site consists of approximately 261.39 acres, located at Craynor, in Floyd County, Kentucky. The proposed operation is located approximately 0.90 mile south from KY Route 979's intersection with Mink Branch Road, and is located within Dry Branch, and at the head of Mink Branch of Mud Creek. The mine site is located at Latitude 37°25'56" and Longitude 82°39'07". Detonations of explosives are proposed to occur Sunday through Saturday, sunrise to sunset, from July 4, 2004, through July 3, 2005. Control of the blasting area will be maintained by blocking the access roads to the area at least ten minutes prior to the blast. Blocking of access roads will be done by flagmen or company personnel, who are in constant contact with the blaster. Post detonation access to the blasting area will be allowed only after an inspection has determined that no hazards exist.

After personnel are cleared from the area, five minutes prior to detonation a pre-detonation warning, consisting of one minute series of long blasts of a siren will be given. The blast signal will consist of a one minute series of short blasts of a siren prior to detonation. The all-clear signal will consist of a prolonged blast, sounded on a siren, following the inspection of the blast site. These signals will be audible over a minimum distance of one-half mile.

All blasting will be scheduled from Sunday through Saturday from sunrise to sunset. If in the event that unscheduled blasting is unavoidable, then the audible signals described above will be used to notify all persons within one-half mile of the blasting site. The applicant must document the reason and conditions for the unscheduled blast with any required seismograph report. Events which could lead to blasting at times other than those

scheduled, include, but are not limited to rain, lightning, or other atmospheric conditions which involve personnel, operational, or public safety.

NOTICE OF INTENTION TO MINE1

Pursuant to Application Number 836-5306, Major Revision No. 11

In accordance with the provisions of KRS 350.070, notice is hereby given that MATT/CO, INC., 439 Meadows Branch, Prestonsburg, Kentucky 41653 has applied for a major revision to an existing underground coal mining and reclamation operation, located 0.50 mile north of Emma, in Floyd County. The major revision will add an additional 98.81 acres of underground mining area, making the total area within the revised boundary 1944.00 acres.

The operation is located 0.50 mile northeast of Emma in Floyd County. The operation is located approximately 0.25 mile north from KY Route 1428's junction with KY Route 194, and located 0.30 miles northeast of the Levisa Fork. The latitude is 37°38'31" and the longitude 82°41'00".

The proposed major revision is located on the Lancer, U.S.G.S. 7-1/2 minute quadrangle maps. The major revision will underlie land owned by William H. Amburgey, and Brodis Gobel, Peachie Merrit, and Columbus Jervis.

The major revision proposes to add an additional 98.81 underground acres to the existing permit.

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

NOTICE OF INTENTION TO MINE

Pursuant to Application Number 836-5429, Amendment No. 2

In accordance with the provisions of KRS 350.070, notice is hereby given that Motts Branch Coal, Inc., P.O. Box 2765, 436 Daniels Creek Road, Pikeville, Kentucky 41502, has applied for an amendment to an existing underground coal mining and reclamation operation, located 2.9 miles northeast of Hueysville in Floyd and Magoffin counties. The amendment

will add an additional 58.19 acres of surface disturbance, and re-designate 26.06 acres from underground acres to auger acres, making the total area within the permit boundary will be 866.39 acres.

The amendment area is approximately 1.5 mile northwest from Route 2029's junction with KY Route 7, and located in Sayers Branch.

The proposed amendment is located on the Martin, Wayland, Handshoe, and David U.S.G.S. 7-1/2 minute quadrangle maps. The amendment will use the contour and auger methods of mining. The surface area to be disturbed is owned by Knott Floyd Land Company, Inc., Virgil Shepherd Heirs, Arnold D. Prater, Eugene Shepherd, and Nelson Prater. It will underlie lands owned by Virgil Shepherd Heirs, Arnold D. Prater, Eugene Shepherd, and Nelson Prater.

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

PUBLIC NOTICE ORDINANCE NO. 04-002

Notice is hereby given that the following proposed Ordinance was given its First Reading at the Regular Meeting of the Floyd County Fiscal Court held on Friday June 18th, 2004.

FLOYD COUNTY, KENTUCKY ORDINANCE NO. 04-002 AN ORDINANCE RELATING TO PUBLIC NUISANCES IN FLOYD COUNTY, KENTUCKY

WHEREAS, Floyd County, Kentucky, by and through its Fiscal Court, has an obligation to protect its citizens from certain conditions which constitute a public nuisance; and

WHEREAS, certain conditions presently exist within the jurisdictional boundaries of Floyd County, which can only be characterized as public nuisances; and

WHEREAS, these conditions constitute potential dangers to the public health, welfare and safety of the citizens of Floyd County; and

WHEREAS, the following language is applicable to Public Nuisances in Floyd County, Kentucky,

and can be used, pursuant to KRS 381.770, as the controlling authority for the County regarding this matter.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY OF FLOYD, COMMONWEALTH OF KENTUCKY, AS FOLLOWS: PUBLIC NUISANCES

Section No. Definitions Common law and statutory nuisances Certain conditions declared a public nuisance Abatement procedure Nuisance created by others Suspension of license Lien on property; costs in enforcing lien Precedence of lien; personal liability of property owner Penalty Effective Date

DEFINITIONS

For the purpose of this Ordinance, the following definitions shall apply unless the context clearly indicates a different meaning:

(A) "AUTOMOBILE PARTS." Any portion or parts of any motor driven vehicle as detached from the vehicle as a whole.

(B) "DWELLING." Any part of any building or its premises used as a place of residence or habitation or for sleeping by any persons.

(C) "INOPERATIVE CONDITION." A motor vehicle unable to operate on a public highway under its own power due to defective or missing parts, and which has remained in such condition for a period of not less than ten (10) consecutive days, or a motor vehicle which may not be legally operated because it does not have a valid license plate as required by state law.

(D) "MOTOR VEHICLE." Any style or type of motor driven vehicle used for the conveyance of persons or property.

(E) "NUISANCE." Public nuisance.

(F) "SCRAP METAL." Pieces or parts of steel, iron, tin, zinc, copper, aluminum, or any alloy thereof, whether covered with porcelain or any other material, whether intact or in parts, which has served its usefulness in its original form and can no longer be used for its originally intended purpose.

(G) "UNFIT FOR FURTHER USE." In a dangerous condition; having defective or missing parts; or in such a condition generally as to be unfit for further use as a means of conveyance, on or off a public highway

(H) "UNFIT FOR HUMAN HABITATION." Dangerous or detrimental to life or health because of want of repair; defects in the drainage, plumbing, lighting, ventilation, or construction; infection with contagious

disease; or the existence on the premises of an unsanitary condition likely to cause sickness among occupants of the dwelling.

COMMON LAW AND STATUTORY NUISANCES.

In addition to what is declared in this Ordinance to be a public nuisance, those offenses which are known to the common law, statutes, and regulations of the Commonwealth of Kentucky as public nuisances may be treated as such and with any other provision of law.

CERTAIN CONDITIONS DECLARED A NUISANCE

It shall be unlawful for the owner, occupant, or person having control or management of any land within the County to permit a public nuisance to develop thereon. The following conditions are declared to be public nuisances:

Dwellings unfit for human habitation. The erection, use, or maintenance of a dwelling which is unfit for human habitation.

Dangerous buildings adjoining streets. Any building, house, or structure so out of repair and dilapidated that it will, if the condition is allowed to continue, endanger the life, limb, or property of, or cause harm, damage, or injury to persons or property using or being upon the streets or public way of the County adjoining the premises, by reasons of the collapse of the building, houses, or structure or by the falling of parts thereof or objects therefrom.

Dilapidated buildings.

Any building, house, or structure which is so out of repair and dilapidated that it constitutes a fire hazard liable to catch on fire or communicate fire, or which due to lack of adequate maintenance or neglect, endangers the public health, welfare, or safety, or materially interferes with the peaceful enjoyment by owners or occupants of adjacent property.

Accumulation of rubbish. An accumulation on any premises of filth, refuse, trash, garbage, or other waste material which endangers the public health, welfare, or safety, or materially interferes with the peaceful enjoyment by owners or occupants of adjacent property because of the danger that it will catch or communicate fire, attract and propagate vermin, rodents, or insects, or blow rubbish into any street, sidewalk, or property of another.

Noise. Emission of noise which is noxious enough to destroy the enjoyment of dwellings or other uses of property in the vicinity by interfering with the ordinary comforts of human existence.

Storage of explosives or combustible material. The storage of combustible or explosive material which creates a safety hazard to other property or persons in the vicinity.

Open wells and pools. The maintenance of any open, uncovered, or insecurely covered cistern, cellar, pool, pit, excavation, or vault situated upon private premises in any open or unfenced, or inadequately fenced lot or place.

Keeping animals. The failure to keep an animal's pen, yard, lot, or other enclosure in a sanitary condition and free from preventable offensive odors.

Junk; scrap metals; motor vehicles. The storage of motor vehicles in an inoperative condition, motor vehicles unfit for further use, automobile parts, or scrap metal within the County's jurisdictional boundaries except on premises authorized by the County for such purposes.

00.04 ABATEMENT PROCEDURE (A) It shall be the duty of any police officer, the Building Inspector, the Code Enforcement Officer, and/or other responsible officers designated by the County to serve or cause to be served upon the owner or occupant of any premises on which there is kept or maintained any nuisance in violation of the provisions of this Ordinance notice of the particular violation in question and to demand the abatement of the nuisance within five (5) days unless the nuisance constitutes an immediate danger to the health and well-being of the community. If such danger is present, the nuisance shall be abated within twenty-four (24) hours of notice. Notice shall be served upon persons by hand-delivery or certified mail, return receipt requested, but if the whereabouts of the person or entity is unknown and cannot be ascertained in the exercise of reasonable diligence, the enforcing officer shall make an affidavit to that effect, and the service of notice may be made by publication in a newspaper of general circulation for two (2) consecutive issues. A copy of the notice shall also be posted in a conspicuous place on the premises affected by the notice.

(B) If the person or entity so served does not abate the nuisance within five (5)

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Class Being Held July 19th, in Prestonsburg Arera

days, the County may proceed to abate the nuisance, keeping an account of all costs of the abatement, and these costs shall be charged to and paid by the owner or occupant.

(C) All costs for nuisance abatement shall be a lien upon the premises. Whenever a bill for these costs remains unpaid sixty (60) days after it has been rendered, the Code Enforcement Officer may file with the County Clerk a statement of lien claims. This statement/affidavit shall contain a legal description of the premises, the costs incurred, the date the nuisance was abated, and a notice that the County claims a lien for this amount. The affidavit of the Code Enforcement Officer shall constitute prima facie evidence of the amount of the lien and the regularity of the proceedings pursuant to KRS 381.770 and this Ordinance. The lien shall be notice to all persons from the time of the recording and shall bear interest at 8% per annum thereafter until paid. Notice of the lien claim shall be mailed to the owner of the premises if his address is known. However, failure to record the lien claim or to mail the notice, or the failure of the owner to receive the notice, shall not affect the right to foreclose the lien for charges as provided in subparagraph (D) below.

(D) In addition to the lien to which reference is made in KRS 381.770, the County shall have a lien upon the land to which reference is made in KRS 381.770 and Section 00.04 of this Ordinance for the costs incurred in all legal actions necessary to foreclose the lien, which costs shall include reasonable attorney's fees.

(E) Property subject to a lien for unpaid nuisance abatement charges shall be sold for non-payment and the proceeds of the sale shall be applied to pay the charges after deducting all costs, as is the case in the foreclosure of statutory liens. This foreclosure shall be in equity in the name of Floyd County, Kentucky.

(F) The County Attorney is authorized and shall institute the proceedings set forth in Section 00.04(E) of this Ordinance, in the name of the County, in any court having jurisdiction over the matter, against any property for which the bill remains unpaid sixty (60) days after it has been rendered.

(G) In the alternative to the abatement procedure described in this section, any police officer may issue a written warning of a nuisance which is a violation of Sections 00.02 and 00.03 of this Ordinance. If the person or entity receiving the warning does not abate the nuisance within five (5) days, a citation may be issued commanding the person or entity's representative to appear in the Floyd District Court to answer for a violation of the specified provision involved.

00.05 NUISANCE CREATED BY OTHERS For the purposes of this

Ordinance, it shall not be essential that the nuisance be created or contributed to by the owner, occupant, or the person having control or management of the premises, but merely that the nuisance be created or contributed to by licensees, invitees, guests, or other persons for whose conduct the owner or operator is responsible, or by persons for whose conduct the owner or operator may not be responsible, but by the exercise of reasonable care and diligence should have discovered.

SUSPENSION OF LIEN

(A) Whenever it is brought to the attention of the Fiscal Court that a nuisance exists and the Fiscal Court deems that there is an immediate threat to public health, safety, and welfare, the Fiscal Court may by majority vote suspend the license of any person or entity conducting business upon the premises where the nuisance exists.

(B) The County shall cause notice of the suspension to be served personally upon the person or entity holding the license or at the premises where the nuisance exists.

(C) Upon application of the person or entity holding the license, the Fiscal Court may remove the suspension upon such terms as it may direct.

00.07 LIEN ON PROPERTY; COSTS IN ENFORCING LIEN Upon receipt of the affidavit set forth in Section 00.04 of this Ordinance, the County Clerk shall: Add the amount of the lien to which reference is made in KRS 381.770 to the County's tax bill for real estate.

Retain the affidavit, and upon payment of the lien to which reference is made in the affidavit and the costs, including attorney's fees, endorse his name to the release attached to the affidavit, and deliver the affidavit and release to the owner of the real estate.

00.08 PRECEDENCE OF LIEN; PERSONAL LIABILITY OF PROPERTY OWNER (A) The lien created pursuant to this Ordinance shall take precedence over all other subsequent liens, except federal, state, county, school, and city taxes, and may be enforced by judicial proceedings.

(B) In addition to the remedy prescribed in this Ordinance or any other remedy authorized by law, the owner of property upon which a lien has been attached pursuant to this Ordinance shall be personally liable for the amount of the lien, including all interest, civil penalties and other charges and the County may bring a civil action against the owner and shall have the same remedies as provided for the recovery of a debt owed.

00.09 PENALTY Whoever violates any provision of this Ordinance shall be guilty of a Class A Misdemeanor and shall be fined not less than Ten Dollars (\$10.00) nor more than One Hundred Dollars (\$100.00) for

each offense. Each day of violation or noncompliance shall constitute a separate offense.

00.10 EFFECTIVE DATE

This Ordinance, Floyd County Ordinance No. 04-002, shall become effective upon its Second Reading, adoption and passage, as required by law.

Motion by: Gerald Derosssett
Seconded by: Alan Williams
INTRODUCED, SECONDED, AND GIVEN FIRST READING AND APPROVAL at a duly convened meeting of the Floyd County Fiscal Court held on this the 18th day of June, 2004.

PAUL H. THOMPSON,
FLOYD COUNTY JUDGE/EXECUTIVE

Motion by: _____
Seconded by: _____

GIVEN SECOND READING AND ADOPTED at a duly convened meeting of the Floyd County Fiscal Court held on this the _____th day of July, 2004.

PAUL H. THOMPSON,
FLOYD COUNTY JUDGE/EXECUTIVE

ATTEST:
CHRIS WAUGH,
FLOYD COUNTY CLERK

BY: _____
D.C.

Notice is now given that this proposed Ordinance will be considered for passage and given its Second Reading at the Regular/Special Meeting of the Floyd County Fiscal Court to be held on July 23, 2004, at the hour of 10:00 a.m. in the County Courtroom located on the second floor of the Floyd County Courthouse, 149 South Central Ave. Ste. 9, Prestonsburg, Ky. 41653.

PUBLIC NOTICE ORDINANCE 03-003

Notice is hereby given that the following proposed Ordinance was given its First Reading at the Regular Meeting of the Floyd County Fiscal Court held on Friday June 18th, 2004.

FLOYD COUNTY KENTUCKY
ORDINANCE 03-003

AN ORDINANCE relating to the Retail Sale of Distilled Spirits in Restaurant-Hotels/Motels in Floyd County, Kentucky.

WHEREAS, the following language is applicable to the Retail Sale of Distilled Spirits at Restaurant-Hotels/Motels in Floyd County, Kentucky, and can be used as the controlling authority for the County regarding this matter.

NOW, THEREFORE, BE IT ORDAINED BY THE FISCAL COURT OF FLOYD COUNTY, COMMONWEALTH OF KENTUCKY, AS FOLLOWS:

RETAIL SALE OF DISTILLED SPIRITS

Section
General Provisions
Title
Definitions
Licenses
License required
Classification of licenses; fee schedule
Form, content of county license

Application;

issuance
Notice of application required

Applications for licenses by restaurants-hotels/motel

Approval of application

Denial of application

Persons who may not be licensed

Licenses to sell alcoholic beverages on city property restricted

License not to be granted to premises trafficking in controlled substances

Exceptions to license applications

Hearings

Expiration date; fractional fees

Transfer of license; lost or destroyed license

Applicant to pay for own license

Sale of Distilled Spirits

Hours

Compliance with regulations and prohibitions

Maintenance of state license

Display of required licenses and certain signs

Criminal conduct on premises prohibited

Business to be conducted continuously; exceptions

Sales to be conducted openly

Conditions, prohibitions, and restrictions

Administration and Enforcement

Alcoholic Beverage Control Administrator

Right of entry; search and seizure

Suspension, revocation of license

Penalty

Effective Date

DISTILLED SPIRITS-GENERAL PROVISIONS

This chapter shall be known as and may be cited as the "Distilled Spirits Control Ordinance" of Floyd County, Kentucky.

DEFINITIONS.

"ALCOHOLIC BEVERAGE." Alcoholic brandy, whisky, rum, gin, beer, ale, porter, wine and all other spirituous, vinous, malt, or fermented liquors, liquids, and compounds, whether medicated, proprietary, patented or not, and by whatever name called, containing more than 1% of alcohol by volume, which are fit for use for beverage purposes.

"RESTAURANT-HOTEL-MOTEL." Any retail establishment which derives more than 50% or more of its gross revenues for the sale of food for consumption on the premises for at least two meals per day, including lunch and dinner, and has a minimum of fifteen units (15) available for customers and is attached to a hotel/motel.

"DISTILLED SPIRITS." Any alcoholic beverage except malt beverage and wine.

"LICENSE." Any premises licensed by the county to sell distilled spirits whether by the drink for consumption on the premises or otherwise, and relates to the sale of any combination of the same.

"MALT BEVERAGE." Any fermented undistilled alcoholic beverage of any name or description, manufactured from malt wholly or in part, or from any substitute for malt, and having an alcoholic content greater than .5% by volume and not more than 4.8% of alcohol by weight or 6.02% of alcohol by volume.

"PERSON." Any natural person, corporation, partnership, joint venture, or unincorporated association of persons or any

combination thereof, and the shareholders, officers, agents, servants, and employees thereof.

"PREMISES." The premises described in the county license issued pursuant to the terms hereof and the applications therefore.

"STATE." The Commonwealth of Kentucky.

"STATE LICENSE." A license authorized by KRS 243.030 to 243.680.

"TRAFFIC IN ALCOHOLIC BEVERAGES." Any action, business, or transaction in regard to the production, storage, transportation, distribution, sale, delivery, and transfer of alcoholic beverages.

"WINE." The product of the normal alcoholic fermentation of the juices of fruits, with the usual cellar treatment and necessary additions to correct defects due to climatic, saccharine, and seasonal conditions. It includes champagne and sparkling and fortified mixtures vendible in retail containers if such preparations or mixtures contain not exceeding 15% of alcohol by volume.

LICENSES REQUIRED.

No person, firm, or corporation conducting a place of business in the county patronized by and open to the general public, or any private club as defined by KRS 243.270, who does not hold the necessary license or licenses, as herein provided, shall permit any person to, nor shall he, sell, barter, loan, give away, or drink any distilled spirits on the premises of his place of business, nor shall any proprietor of any unlicensed premises patronized by and open to the general public, or on any portion of his premises which is open to the general public.

CLASSIFICATION OF LICENSES; FEE SCHEDULE.

(A) For the privilege of causing, permitting, and engaging in the actions, business, and transactions authorized thereby in regard to traffic in distilled spirits in the county and pursuant to the authority of KRS 243.070, there is hereby established a corresponding county license for each of the state licenses described in the following county license for each of the state licenses described in the following schedule. The actions, business, and transactions authorized and permitted thereby and the expiration dates thereof shall be and are the same as those of the state licenses to which the county licenses correspond and which are indicated and described in the sections of state law indicated in the following schedule. The fees for such county licenses shall be the maximum allowed by law as indicated in the following schedule.

(B) No person shall cause, permit, or engage in any of the actions, business, or transactions authorized by such county and state licenses within the county and without both a valid county license and a valid state license therefore.

FORM, CONTENT OF COUNTY

LICENSE.

All county licenses shall be in a form as may be prescribed by Floyd Fiscal Court and shall contain:

The name and address of the licensee;

The number of the license;

The type of license;

A description by street and number, or otherwise, of the licensed premises;

(5) The name and address of the owner of the building in which the licensed premises are located;

The expiration date of the license;

A statement in substance that the license shall not be a property or vested right and that it may be revoked at any time pursuant to law.

Each kind of license shall be printed so as to be readily distinguished from the other kinds.

APPLICATION; ISSUANCE.

Subject to the limitations and restrictions described herein, county licenses shall be originally issued by the County Clerk/Tax Collector and renewed by him upon the expiration thereof upon receipt of the following documents and fees more than 30 days prior to the effective date of an original license and more than 15 days prior to the expiration date of any license to be renewed:

(A) A written application therefore with the truth of the information, statements, and representations therein attested by the signature and the oath or affirmation of the applicant. The form and content of such application shall be prescribed by regulation of the County ABC Administrator; however, provision for the following information statements, and representations shall and must be included therein:

All information required by KRS 243.390 to be contained in the application for state licenses.

A consent by the applicant to the search of the licensed premises by any peace officer at any time for any purpose, the removal therefrom of any evidence of any crime or other violation of any law; and the use thereof in any trial or hearing in regard thereto.

The names, addresses, photographs, and fingerprints of the applicant and all shareholders, officers, agents, servants, and employees thereof.

The approval of the applicant, the application, and the premises described therein by the County ABC Administrator.

The applicable fee, paid in cash or by certified or cashier's check, for the county license which is the subject of the application.

NOTICE OF APPLICATION REQUIRED.

Applicants for any license involving the sale of any distilled beverage shall first advertise their intention to apply for a license by publishing a notice of intention in the local newspaper having the largest circulation, at least twice within a 30-day period. The applicant shall be responsible for the publication fees.

FORM, CONTENT OF COUNTY

FOR LICENSES BY RESTAURANTS-HOTELS/MOTELS.

(A) Any application by a bona fide restaurant-hotel/motel which meets the qualifications as herein defined for a license to sell distilled spirits by the drink for consumption on the premises shall be accompanied by records sufficient to establish to the County ABC Administrator that the applicant derives a minimum of 50% of its gross revenues from the sale of food for consumption on the premises for at least two meals per day, including lunch and dinner, and has a minimum of fifteen (15) hotel/motel units for rent. The County ABC Administrator shall review all records which the applicant restaurant-hotel/motel must submit as a part of its application for a license, and the County ABC Administrator shall determine if said restaurant meets the criteria contained herein.

(B) Nothing contained herein shall be in any way interpreted to allow for the sale of distilled spirits by the drink for consumption on the premises in connection with any business in which a part of the commercial transaction consists of selling, at retail, staple groceries, or which is used solely as an entertainment facility and does not meet the criteria of a bona fide restaurant as defined in supra paragraph (A).

APPROVAL OF APPLICATION.

Within 30 days of the date of the application for an original county license and 15 days of the date of an application for renewal of a county license, the County ABC Administrator shall, by mail or personal delivery thereof, notify the applicant, in writing, of either the approval thereof or the disapproval thereof and a hearing in regard thereto.

DENIAL OF APPLICATION.

As is similarly set forth in KRS 243.450, the County ABC Administrator shall not approve any application for a county license if:

(A) The applicant, the application, or the premises described therein do not fully comply with the provisions of this chapter and all laws in regard to alcoholic beverages;

(B) The applicant and/or any shareholder, officer, agent, servant, or employee thereof has caused, permitted, or engaged in any act for which the revocation of a state or county license is authorized including, but not limited to, those acts as are defined by KRS 243.100, 243.450, 243.500, or 244.120;

(C) The applicant and/or any shareholder, officer, agent, servant, or employee thereof had a state license or county license which was revoked within two years of the date of the application, or the premises described therein were the premises or any portion thereof described in a state license or county license revoked during such time;

(D) Any statement or representation in the application

is false; or

(E) In the exercise of sound discretion, the County ABC Administrator determines any cause or reason for refusing to approve an application reasonably related to the purpose and objective of this chapter and the state laws and regulations of the State Alcoholic Beverage Control Board. Among those factors that the County ABC Administrator shall consider in the exercise of his discretion are: public sentiment in the area; number of licensed outlets in the area; potential for future growth; type of area involved; type of transportation available; and financial potential of the area.

PERSONS WHO MAY NOT BE LICENSED.

(A) No person shall become a licensee under this chapter who:

(1) Has been convicted of any felony or misdemeanor directly or indirectly attributable to the use of alcoholic beverages, within two years preceding the application;

(2) Is under the age of 21 years;

(3) Is not a citizen of the United States and has not had an actual, bona fide residence in this state for at least one year before the date on which his application for a license is made. This division shall not apply to applicants for manufacturers' licenses, to applicants that are corporations authorized to do business in this state, or to persons licensed on March 7, 1938;

(4) Is a partnership or corporation, unless each member of the partnership or each of the directors, principal officers, or managers of the corporation has not been convicted of any misdemeanor or felony directly attributable to the use of alcohol beverage, is 21 years of age or more, and is a citizen of the United States;

(5) Has had any license issued under KRS 243.100 relating to the regulation of the manufacture, sale, and transportation of alcoholic beverages revoked for cause or has been convicted of a violation of any such statute, until the expiration of two years from the date of the revocation or conviction; or

(6) Is a partnership or corporation, if any member of the partnership or any director or principal officer of the corporation has had any license issued under any statute relating to the regulation of the manufacture, sale, and transportation of alcoholic beverages, revoked for cause or has been convicted of a violation of any such statute, until the expiration of two years from the date of the revocation or conviction. (KRS 243.100)

(B) No license to sell distilled spirits shall be granted to any person, firm, or corporation who is delinquent in payment of any taxes due to the county at the time of issuing to license; nor shall any license be granted to sell upon any premises or property, owned and occupied by the licensee, upon which there are any delinquent taxes due to the county.

LICENSES TO SELL DISTILLED SPIRITS ON COUN-

TY PROPERTY RESTRICTED.

No license to sell distilled spirits shall be granted to any person, firm, or corporation for the sale of distilled spirits on any real property owned or maintained by the county, including, but not limited to, parking lots, sidewalks, roadways, alley ways, or streets.

LICENSE NOT TO BE GRANTED TO PREMISES TRAFFICKING IN CONTROLLED SUBSTANCES.

No license to sell distilled spirits shall be granted to any person, partnership, firm, or corporation who has permitted the use, sale, or trafficking of controlled substances as described in KRS Chapter 218A, to take place on the premises, whether known by the applicant or unknown. Any such use, sale, or trafficking of controlled substances, as defined by KRS Chapter 218A, upon any licensed premises may result in the immediate revocation or suspension of any license issued to said premises, and may further prohibit the named licensee from receiving any license relating to the sale of alcoholic beverages within the county for a period of two years thereafter. Any applicant who has been convicted of an offense relating to the use, sale, or trafficking in controlled substances as defined in KRS Chapter 218A, shall not be issued a license under this chapter for a period of at least two years from the date of such conviction.

EXCEPTIONS TO LICENSE APPLICATIONS.

Any resident of the county may file with the County ABC Administrator exceptions to an application for the sale of distilled spirits for consumption on the premises, and the County ABC Administrator shall conduct a hearing upon said exceptions. The County ABC Administrator shall thereafter reduce his findings and recommendations which shall be presented to the Fiscal Court for acceptance, in whole or in part, or rejection in whole or in part. Any party aggrieved by the final action of the Fiscal Court may file an appeal with the ABC Board, Frankfort, Kentucky, within 30 days from the action of the Fiscal Court, and no license shall be issued until the matter becomes final and nonappealable. The Fiscal Court, in the exercise of sound discretion, may direct the County ABC Administrator to issue said license, the appeal notwithstanding, if it has been established that the applicant otherwise meets all qualifications as hereinabove specified for issuance of a license for the sale of alcoholic beverages for consumption on the premises.

HEARINGS.

Should a request for a hearing be made, the County ABC Administrator is to hold said hearing pursuant to the general practice procedures found in the Kentucky Rules of Civil Procedure and the following shall apply:

(A) Definitions. All words are used as defined in the

Kentucky Alcoholic Beverage Control Law (KRS Chapters 241, 242, 243, and 244), unless otherwise specified;

(B) Appearances. Any Applicant or licensee may appear and be heard in person, or by duly-appointed attorney, and may produce under oath evidence relative and material to matters before the Board;

(C) Briefs. Briefs may be filed at the request of the ABC Administrator, or at the option of the applicant or licensee;

(D) Rules of evidence. The Rules of evidence governing civil proceedings in state courts shall govern hearings before the County ABC Administrator; provided, however, that the hearing officer may relax such rules in any case where, in his judgment, the ends of justice will be better served by so doing;

(E) Subpoenas. The County ABC Administrator shall have subpoena power for such hearings and shall at the request of the applicant, who shall provide the Administrator with the names and addresses of those desired, issue them subpoenas;

(F) Transcripts. Upon request and at the cost of the applicant or licensee, the hearing may be transcribed; and provided to any party at the party's own expense.

(G) Decisions. All decisions shall be written and based upon evidence developed at the hearing.

EXPIRATION DATE; FRACTIONAL FEES. All licenses issued pursuant to this chapter shall expire on June 30 of the year following the year in which said license was issued.

Application for renewal of licenses shall be submitted no later than 30 days before expiration thereof and shall be made pursuant to the provisions of this subchapter.

TRANSFER OF LICENSE; LOST OR DESTROYED LICENSE.

(A) No license issued by the county to sell alcoholic beverages at retail shall be transferable or assignable to any other person or any other premises, or to any other part of the building containing the licensed premises, unless the transferee or assignee has submitted application to the Administrator and the same has been approved, and as provided for in KRS 243.640 and KRS 243.650.

(B) A lost or destroyed license may be replaced by the County Clerk/Tax Collector for a fee of ten dollars (\$10) for issuing said duplicate license.

APPLICANT TO PAY FOR OWN LICENSE. The license tax for every license issued under this chapter shall be payable by the person who makes application for that license and to whom is issued the license; and no other person, firm, or corporation shall pay for any license issued under this chapter. In addition to all other penalties provided in this chapter, a violation of this section shall authorize and require the revocation of the license, the tax for which was

paid by another, and also the revocation of the license, if any, of the person, firm, or corporation so paying the license fees of another.

HOURS. Premises licensed under this chapter may remain open for business daily from 9:00 a.m. until 12:00 a.m. prevailing time, and shall have their last call for drinks at 11:30 p.m., except that no sale of distilled spirits by the drink may be made from 12:00 a.m. on Sunday until 9:00 a.m. on Monday, and said licensed premises shall not sell any alcoholic beverages on Christmas Day (December 25), nor on any election day during the time when the polls are open. All persons except for employees, agents, or licensees shall be off the premises no later than one hour after the close of sales.

COMPLIANCE WITH REGULATIONS AND PROHIBITIONS. (A) At all times during which any person has a valid county license issued pursuant to the provisions hereof, that person shall fully comply with all of the rules, regulations, requirements, and prohibitions set forth in this chapter.

(B) A county licensee shall comply fully with all of the provisions hereof and all of the rules and regulations of the County ABC Administrator in regard thereto; all provisions of the state statutes and the rules and regulations of the State Alcoholic Beverage Control Board in regard to the licensed premises and the actions, business, and transactions conducted thereon subsequent to the issuance of a state license therefore and prior to the expiration, revocation, or suspension thereof which are hereby incorporated herein and made applicable to all county licenses corresponding thereto, the premises described therein, and the actions, business, and transactions conducted thereon; and the county licensee shall comply fully therewith.

MAINTENANCE OF STATE LICENSE. A county licensee shall maintain the state license to which the county license corresponds and fully comply with all state statutes and the rules and regulations of the State Alcoholic Beverage Control Board in regard thereto.

DISPLAY OF REQUIRED LICENSES AND CERTAIN SIGNS.

As required by KRS 244.083, a county licensee who has a valid county retail distilled spirits license shall cause to be displayed in a conspicuous and prominent place on the licensed premises each of the following documents so that they may be seen and observed by all persons entering the licensed premises:

(A) A sign or placard at least eight (8) inches by eleven (11) inches in size with the following message printed or displayed thereon in thirty (30) point or larger type:

"Persons under the age of twenty-one (21) years are subject to a fine up to five

hundred dollars (\$500) if they:

a. Enter licensed premises to buy or have served or delivered to them any alcoholic beverages; or
b. Possess, purchase or attempt to purchase any alcoholic beverages; or
c. Misrepresent their age for the purpose of purchasing or obtaining alcoholic beverages."

(B) All valid county licenses issued therefore and the state licenses to which they correspond. The failure to so display such licenses shall be prima facie evidence that no such valid licenses have been issued or exist, and all actions, business, and transactions authorized thereby conducted on such premises are illegal and in violation of the provisions hereof and the state statutes and regulations of the State Alcoholic Beverage Control Board in regard thereto.

CRIMINAL CONDUCT ON PREMISES PROHIBITED. A county licensee shall not cause, permit, or engage in any conduct upon the licensed premises by either the commission of a prohibited act or the omission of a required act which is a crime or other violation of any law, rule, or regulation of any governmental agency having jurisdiction thereof or any officer or agency thereof. Any such conduct upon the licensed premises by any person may result in the immediate revocation or suspension of the license, and may subject the licensee to other penalties as more specifically set out hereafter.

BUSINESS TO BE CONDUCTED TINUOUSLY; EXCEPTION. (A) A county licensee, who has a valid county wholesale or retail distilled spirits license must conduct the actions, business, and transactions authorized thereby upon the licensed premises.

(B) When no such actions, business, or transactions are conducted thereon for a period of 90 consecutive calendar days, the county license therefore shall become null and void and revoked by the County ABC Administrator unless:

(1) The county licensee is unable to continue in business at the premises for which a license is issued due to an act of God; casualty; the acquisition of any federal, state, county, or other governmental agency under power of eminent domain; acquisition of any private corporation through its power of eminent domain granted to it, whether such acquisition is voluntary or involuntary; or loss of lease through failure of the landlord to renew the existing lease; and

(2) Prior to the discontinuance of business at the licensed premises or immediately thereupon, if such is due to an act of God, the county licensee delivers to the County ABC Administrator a written statement signed by the county licensee and verified by the oath or affirmation thereof indicating the discontinuance of business at the licensed premises

for any of the causes or reasons described herein.

SALES TO BE CONDUCTED OPENLY. No person holding a license under the provisions of this chapter shall sell any distilled spirits behind blinds or screens. All sales shall be conducted openly and without any attempt to hide them or screen them from public view.

CONDITIONS, PROHIBITIONS, AND RESTRICTIONS. All licenses granted under this chapter shall be subject to the following conditions, prohibitions, and/or restrictions and all other provisions of KRS Chapters 241, 242, 243, and 244, and other ordinances and regulations of the county applicable thereto:

(A) Every licensed restaurant-hotel/motel shall be entitled to serve such beverages as said licensee is entitled to serve upon the issuance of a license under this chapter and in such room or rooms at banquets, dinners, and where meals are served; however, no hotel or motel shall maintain or operate or permit to be operated more than one bar or room where distilled spirits are sold which is open to the general public without first obtaining a separate license for each bar or room which is open to the general public in accordance with this chapter.

(B) Each licensed premises shall at all times be conducted in an orderly manner, and no disorderly, riotous, or indecent conduct shall be allowed at any time on any licensed premises, and no nuisance suffered, permitted, or maintained thereon.

(C) No gambling or game of chance shall be permitted in any form on such licensed premises. Dice, slot machines, or any device of chance is prohibited and shall not be kept on such premises.

(D) It shall be unlawful for any licensee licensed under this chapter to have or maintain any radio receiving apparatus on such premises which is intentionally adjusted so as to receive police messages broadcast from the County Police Radio Station as it is now or may hereinafter be operated. In addition to other penalties provided for the violation of this section, the Sheriff or County Administrator shall have the authority to confiscate any and all such radio receiving apparatus.

(E) It shall be unlawful for any licensee under this chapter to sell, to smoke, or to keep or permit to be sold, smoked, or kept upon the licensed premises any marijuana or controlled substances as defined in KRS Chapter 218A. It shall be unlawful for a licensee, except licensed drug stores, to keep or sell or permit to be sold or used on the licensed premises any narcotic or barbiturate drugs. In addition to other penalties set out in this chapter for the violation of this section, the County ABC Administrator shall also have the authority to revoke the license issued to

said premises.

(F) The licensee shall be responsible for maintaining security on his premises, which shall include providing adequate outside lighting, to permit customers to utilize the parking area and to promote the safety, health, and welfare of the general public utilizing the licensed premises. Security standards are further necessary to discourage unlawful activity in and around the licensed premises.

(G) No license shall be issued to any person, firm, or corporation for the sale at retail of any distilled spirits at any store or any other place of business where the majority of its business consists of the selling of school books, school supplies, food, lunches, or drinks for such minors, irrespective of the distance of such store or other place of business from the church, school or hospital.

(H) It shall be unlawful for any licensee under this chapter to give away or offer to give away anything tangible of value as a premium or prize in connection with the sale of distilled spirits.

(I) No licensee, agent, or employee shall permit any person to become drunk or intoxicated on the premises, nor shall any licensee permit any drunk or intoxicated person to remain on the licensed premises.

(J) No licensee, agent, or employee shall permit any person or persons, other than employees of the licensee, to open any bottle of distilled spirits.

(K) No person under 21 years of age shall enter any premises that is licensed for the sale of distilled spirits by the drink for the purpose of purchasing and receiving any distilled spirits. No person under 21 years of age shall possess for his or her own use, or purchase or attempt to purchase or have another purchase for him or her, any alcoholic beverage by the drink; no person shall aid or assist any person under 21 years of age in purchasing or having delivered or served to him or her

any distilled spirits by the drink; no person under 21 years of age shall misrepresent his or her age for the purpose of inducing any licensee or other employee to sell or serve any distilled spirits to such person.

ALCOHOLIC BEVERAGE CONTROL ADMINISTRATOR. As required by KRS 241.160 and as set forth in supra, the office of Alcoholic Beverage Control Administrator, also known as the County ABC Administrator, is hereby established.

RIGHT OF ENTRY; SEARCH AND SEIZURE. Every applicant procuring a license hereby consents to the entry of police or other duly authorized representatives of the county or state at all reasonable hours for the purpose of inspection and search, and consents to the removal from the premises of all things and articles there had in violation of county ordinances or state laws, and consents to the introduction of those things and articles in evidence in any prosecution that may be brought for those offenses.

SUSPENSION, REVOCATION OF LICENSE. (A) Pursuant to the procedure set forth in KRS 243.480 through 243.590, county licenses may be either revoked or suspended by the County ABC Administrator upon the occurrence of:

(1) Any violation of the provisions of this chapter or any other alcoholic beverage control ordinance of the county; (2) Any violation of any provision of state law in regard to alcoholic beverages or the rules and regulations of the State Alcoholic Beverage Control Board in regard thereto; or (3) Any other cause, reason, or circumstance for which a state license may be revoked or suspended by the Board.

(B) However, county licenses must be revoked by the County ABC Administrator upon the occurrence of any cause or circumstance which requires revocation of county licenses pursuant to KRS

243.500 or the revocation of a state license to which a county license corresponds. Further, with the approval of the County ABC Administrator, a licensee may, as an alternative and in lieu of part or all of the days of any suspension period, pay the following sums to the county as set forth in KRS 243.480: \$100 per day; retail drink distilled spirits: \$250 per day.

(C) The procedure for the revocation or suspension of a county license shall consist of a written notice signed by the County ABC Administrator and mailed to the licensee at the address of the licensed premises by certified mail, describing the cause, circumstance, or occurrence and the time and date thereof for which the county license may be revoked and indicating the time and place of a hearing in regard thereto at least five days thereafter at which the licensee and the representatives thereof shall be heard thereon. The hearing thereon shall be conducted by the County ABC Administrator in the county and according to the procedure prescribed by the State Alcoholic Beverage Control Board for hearings by the Board as supplemented by the regulations of the County ABC Administrator. The County ABC Administrator shall control and make all decisions in regard to the introduction of evidence and shall hear all arguments in regard thereto. At the conclusion of the hearing, the County ABC Administrator shall issue a written decision in regard thereto and mail a

certified copy thereof to the licensee at the address of the licensed premises by certified or registered mail.

PENALTY. The following penalties shall be in addition to any criminal prosecution instituted in the Floyd District or Circuit Court against any alleged violator and fines hereunder shall be payable to the County ABC Administrator:

(A) Any person, firm, or corporation that holds a license for the retail sale of distilled spirits who knowingly provides, by sale or gift, directly or indirectly, distilled spirits for the use or consumption by anyone under the age of 21 years, shall for the first offense be fined in the sum of \$500, and shall have his license suspended for a period of seven days; and for the second offense, his license shall be suspended for a period of 14 days, and he shall forfeit his bond made at application for the license; and for the third offense, he shall be subject to a fine of \$2,000 and revocation of his license.

(B) Any person 21 years of age or older, not being a licensee, who shall provide, by sale or gift, distilled spirits for the use and consumption by person or persons under the age of 21 years shall be fined, for each offense, the sum of \$500. Any person who violates any provision of this chapter for which a penalty is not otherwise provided shall be fined not less than \$10 nor more than \$500, or imprisoned in the county jail for not more than six months, or both.

EFFECTIVE DATE. This Ordinance,

Floyd County Ordinance No. 03-003, shall become effective upon its Second Reading, adoption and passage, as required by law.

Motion by: Jackie Owens

Seconded by: Larry Stumbo

INTRODUCED, SECONDED, AND GIVEN FIRST READING AND APPROVAL at a duly convened meeting of the Floyd County Fiscal Court held on this the 18th day of June, 2004.

PAUL H. THOMPSON, JUDGE/EXECUTIVE

FLOYD COUNTY Motion by: _____

Seco n d e d by: _____

GIVEN SECOND READING AND ADOPTED at a duly convened meeting of the Floyd County Fiscal Court held on this the _____th day of July, 2004.

PAUL H. THOMPSON, FLOYD COUNTY JUDGE/EXECUTIVE ATTEST: CHRIS WAUGH, FLOYD COUNTY CLERK

D.C.

Notice is now given that this proposed Ordinance will be considered for passage and given its Second Reading at the Regular/Special Meeting of the Floyd County Fiscal Court to be held on July 23rd, 2004, at the hour of 10:00 a.m., in the County Courtroom, located on the second floor of the Floyd County Courthouse, 149 South Central Ave., Ste. 9, Prestonsburg, Ky. 41653.



STOP!

You've cleaned out your attic, your basement, your garage and now you're ready to host a garage sale. Before you proceed, follow these signs for placing the type of classified ad that will help turn your event into a best-seller.

Be sure to include in your Garage or Yard Sale ad...

1

WHAT.

Describe the type of sale you're hosting. Is it mostly household goods? Nursery furniture? Apparel?

2

WHEN.

Give dates and time of sale, and rain date information.

3

WHERE.

Where the sale will be held, with directions or phone number for directions.

4

WHY.

Reason for sale, especially if it is a "moving" sale, since these tend to attract more customers.

Let one of our "ad-visors" help you with your ad. Call 886-8506

The Floyd County Times