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# The Times

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Volume 85, Issue 3 • 75 cents

## Sex abuse suspect to be arraigned

by JARRID DEATON  
FEATURES WRITER

PRESTONSBURG — Issac N. Cottrell, the Lexington man arrested in Prestonsburg on Oct. 5, on charges that include first-degree sexual abuse, is scheduled to be arraigned in Floyd County Circuit Court on Wednesday.

According to court documents, Cottrell, 23, allegedly committed the offense of first-degree sexual abuse by subjecting an unnamed victim to sexual contact by forcible compulsion. Cottrell was charged with second-degree burglary for allegedly entering or remaining in the dwelling of an unnamed victim with the intent to commit a crime.

During his arrest, Cottrell allegedly assaulted Prestonsburg Police Officer George Tussey and was charged with third-degree assault, resisting arrest, second-degree disorderly conduct, menacing, and third-degree terroristic threatening for allegedly threatening to kill Tussey. Cottrell was also charged with alcohol intoxication.

## 3 charged after jail riot

by SHELDON COMPTON  
STAFF WRITER

PRESTONSBURG — Thirteen Floyd County Detention Center inmates were arraigned Monday on felony charges of inciting a riot and first-degree complicity to commit criminal mischief following a riot that took place at the facility on Jan. 5.

Jailer Roger Webb said the riot, which he said was initiated by accused murder and current inmate Dwayne Earl Bishop, 51, started at approximately 3 a.m. Wednesday.

Webb said the standoff was brought under control some five hours later, at about 8 a.m. "The inmates were cleaning out the day room or something and, according to deputy statements, Dwayne Bishop came out of his cell, waving his hands and making threats to the deputies and stirred the other inmates all up into a riot," Webb said.

Bishop and the other 12 inmates now charged allegedly held off guards in the day room of the jail

(See RIOT, page 7)

## City to be presented with grant proposals

by SHELDON COMPTON  
STAFF WRITER

PRESTONSBURG — With a newly seated city council to confer with, Prestonsburg Director of Economic Development Brent Graden, has already laid out his plans for upcoming grant proposals, including grants that could, if secured, see a large, downtown renovation take place.

"I've invited the council to a roundtable discussion Thursday to discuss grants, city unfunded projects, the state's six-year road plan, county coal severance projects and various other planning topics."

Graden said he is hopeful for many of the grant ideas, adding that of the 26 applied for in the last fiscal year, the city received seven, a number he said he is more than happy with.

Currently, Graden plans to present to council members grant applications to the Appalachian Regional Commission (ARC) for downtown revitalization and a community civic center. The grant program in this case would be limited to a reimbursement of no more than 80 percent on projects, Graden said.

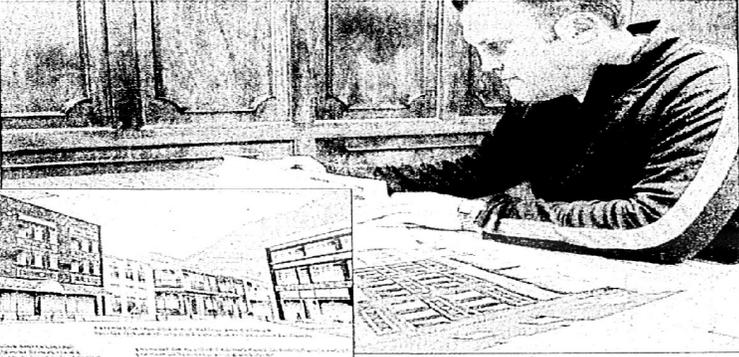
The ARC program has in the past allowed a maximum of \$500,000 for projects, and the city plans to apply for the full amount for development.

Another grant application seeking \$1.75 million will be submitted for the restoration and site development of the West Prestonsburg Bridge.

A grant application planned to the Neighborhood Stabilization Program to further help in efforts to revitalize the downtown area and help in erasing blight could bring as much as \$1 million for the city, of which the program would reimburse a maximum of 75 percent of the cost.

Another grant proposal Graden will share with council members Thursday is one to see an animal shelter established for the city. This grant could result in funding between \$5,000 to \$250,000 with no matching terms and 100 percent reimbursement stipulations.

Other proposals will be covered during the roundtable meeting, which is set for Thursday at 1 p.m. at city hall and is open to the public.



Brent Graden, Prestonsburg's director of economic development, studies grant proposals and plans for, among other projects, renovations of the downtown area of the city and work on the West Prestonsburg Bridge. Graden intends to discuss his plans for grant applications Thursday with city leaders.

## Escapee still on the run

by SHELDON COMPTON  
STAFF WRITER

PRESTONSBURG — Authorities had yet to locate Steven Rogers as of Tuesday, local officials said, adding they suspect he could have left the county, but had plans for apprehending the 21-year-old who escaped from custody Thursday, Jan. 6.

Rogers was arrested Wednesday, Jan. 5, on charges of kidnapping, after police say he followed Regina Hall to an apartment where she was staying after an

(See ESCAPE, page 7)



Steven Rogers

## Robbery suspects to appear

by JARRID DEATON  
FEATURES WRITER

PRESTONSBURG — Three robbery suspects arrested in November for allegedly robbing and detaining a Beaver couple are scheduled to be arraigned in Floyd County Circuit Court on Friday.

Billy Bob Nelson, 28, of Blue River, Helen Nelson, 29, of Prestonsburg, and Jarrod Harvey, 30, of Banner, allegedly entered the home of Jamie Tackett, of

(See ROBBERY, page 7)

## National figure to address UNITE meeting

by SHELDON COMPTON  
STAFF WRITER

PRESTONSBURG — The head of a national drug monitoring center is set to attend Operation UNITE's next medical advisory council meeting.

John Eadie, director of an initiative to monitor and assist prescription drug monitoring programs (PMPs) nationwide, will discuss what is being done and how medical professionals from across the state can benefit from collaboration, during the meeting, which is scheduled for Thursday, Jan. 20.

"We need to find ways to improve the efficiency and effectiveness of prescription drug monitoring in order to further interdict this epidemic," Eadie said.

(See UNITE, page 7)



Kentucky House Speaker Greg Stumbo was sworn into his second term as Speaker on Tuesday, Jan. 5, by Kentucky Court of Appeals Judge Sara Walter Combs, right, while his wife, Mary Karon, held the family Bible.

photo by LRC Public Information

2 DAY FORECAST

Today  
**Snow**  
High: 27 • Low: 18

Tomorrow  
**Mostly cloudy**  
High: 25 • Low: 9

For up-to-the-minute forecasts, see [floydcountytimes.com](http://floydcountytimes.com)

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		(2) Orange Juice or Tomato Juice	
		(3) Country Gravy	
		(4) Fried Apples	



# Obituaries

**Janice Marion Mathews Akers**  
Janice Marion Mathews Akers, 77, of Prestonsburg, died on January 8, 2011, at Highlands Regional Medical Center. She was born October 24, 1933, in Iola Kan. She was the daughter of the late Clark and Delphia Richardson Mathews. She was a retired dietary cook/housekeeper for McDowell ARH.

Survivors include three daughters: Diana Akers Greenleaf, of Hager Hill, Fam Akers, of Prestonsburg, and Linda Gomez, of Detroit, Mich.; one brother: Howard Mathews, of Ariz.; five grandchildren: Rudy Gomez, Crystal Stumbo, Monica Iricks, Ashley Hall and Matthew Gomez and nine great-grandchildren: Logan, Devan, Xander, Maci, Kooper, Isaiah, Noah, Heaven and Brayden. Funeral services are scheduled for Wednesday, Jan. 12, 2011, at 2 p.m. at Nelson-Frazier Funeral Home, in Martin, with Richard Greene and Slade Stinson officiating. Burial will follow at Davidson Memorial Gardens, in Ivel.

**Patricia Ann Akers**  
Patricia Ann Akers, age 74, of Allen, passed away Monday, Jan. 10, 2011, at her residence. She was born Sept. 6, 1936, in Pikeville, the daughter of the late Nickolas Damron and Virginia Ratliff Damron.

Mrs. Akers was a homemaker and a cosmetology graduate from Mayo Vocational School, a member of the Eastern Star and a member of the Allen Baptist Church. Survivors include three daughters, Terri (Delbert) Ison, of Langley, Lisa Ann Williamson, of Pikeville, and Amy Delores Hall, of Ivel; six grandchildren, Nickolas Scott (Jamie) Ison, Jennifer Ison, Tyler and Austin Williamson, Nickolas and Nathan Hall, and two great grandchildren, Taylor Elizabeth and Brayden Scott Ison.

Preceding her in death were her parents, a brother, Kenneth Damron, and a sister, Francis Damron. Funeral service for Patricia Ann Akers will be conducted Thursday, Jan. 13, at 1 p.m., at the Hall Funeral Home Chapel, in Martin. Burial will follow in the Davidson Memorial Gardens, at Ivel, with the Hall Funeral Home, Martin, caring for those arrangements. Visitation is until 9 p.m. Wednesday at Hall Funeral Home.

**Payne "Bubby" Blanton Jr.**  
Payne "Bubby" Blanton Jr., 66, died January 5 at Ohio State University Medical Center in Columbus, Ohio.

Born February 1, 1944, in Dwale, he was the son of the late Payne and Fannie Flair Blanton. He was a retired coordinator for Ford Motor Company. In addition to his parents, he was preceded in death by his wife, Elizabeth Miller Blanton.

He is survived by one son: Michael (Wendy) Blanton of Oil Springs; one daughter: Dawn (Jason) Blanton of Hartman, of Columbus, Ohio; one brother: Ellis Wayne Blanton of Morristown, Tennessee; and two grandchildren: Andrew Joseph Hartman and Nicholas Stephen Hartman. Funeral services were held January 9 at Nelson Frazier Funeral Home in Martin with Mearl Music officiating.

Burial was at Highlands Memorial Park in Staffordville.

□□□

**Oralorene Sanford Bussey**

Oralorene Sanford Bussey, 99, died January 6 in Prestonsburg. Born May 13, 1911, in Cullman, Alabama, she was the daughter of the late William and Lillie Sanford. She was a homemaker and the oldest member of the First Baptist Church in Prestonsburg, as well as a lifetime member of the Prestonsburg Woman's Club.

She was preceded in death by her husband, Otis Howard Bussey.

She is survived by one daughter: Wonell Godsey (Garland), of Prestonsburg and one son: William Thomas Bussey, of Clermont, Florida; 6 grandchildren; 6 great-grandchildren; and 9 great-great grandchildren.

Funeral services were held January 9 at the First Baptist Church in Prestonsburg with Rev. Jerry Workman officiating. Burial was at Richmond Memorial Cemetery in Prestonsburg.

**Shaunish David Crider**

Shaunish David Crider, 31, died January 5 in Pikeville.

Born December 31, 1979, in Prestonsburg, he was the son of David Crider and Kay Hall Stambaugh. He was a disabled grocery salesman.

He is survived by two sons: Luke David Crider and Zackery Ryan Crider and one daughter: Harley Marie Crider; two brothers: Jeremy Owsley and Johnathan Crider.

Funeral services were held January 9 at Nelson and Frazier Funeral Home in Martin with Terry Adkins and Terry Bostic officiating.

Burial was at Gethsemane Gardens in Prestonsburg.

**Brenda Joyce Crum**

Brenda Joyce Crum, 64, of Tram, died January 5 at her home.

Born November 14, 1946, in Pikeville, she was the daughter of Zettie Akers Justice and the late Walter Justice. She was a homemaker and a member of the Old Time Baptist Church.

She is survived by two sons: Gary Lee Crum and George Robert Crum, both of Tram; five daughters: Vonda Lynn Stuel Crum, Amanda Lorraine Crum, and Lusty Sargent, and Kristy Nicole Crum all of Tram, and Tammy Louise Hill, of Betsy Layne; one brother: Ester Mark Justice, of Betsy Layne; three sisters: Bonnie Lou Wallace and Berniece Holbrook, both of Pikeville, and Patty Lee, of Tram; 14 grandchildren and 6 great-grandchildren.

Funeral services were held January 10 at Nelson and Frazier Funeral Home in Martin with Alta Johnson, Lester Johnson and others officiating. Burial was at the Crum-Blevins Cemetery in Tram.

**Wanda Gayheart**

Wanda Gayheart, 71, of Beaver, died on January 7, 2011, at her residence. Born May 25, 1939, she was the daughter of the late Earl and Ida Reynolds Gayheart. She was a homemaker. She is survived by her husband, Rex Gayheart.

Other survivors include two daughters: Carletta (Jeff) Hamilton and Carol Sue (Phillip) Hall, both of Beaver; one brother: Glennis Gayheart, of Beaver; two grandchildren: Whitney Nicole Hamilton and Brianna Paige Hall, very special cousin: Brian Newsome, of Lexington,

five nieces and eight nephews.

She was preceded in death by her parents, two brothers: Audrey Gayheart and Cecil Gayheart, and two sisters: Kalenda Gayheart and Billie Little. Funeral services were held on Jan. 9, 2011, at 10 a.m. at the Samaria Old Regular Baptist Church, in Teaberry, with Old Regular Baptist Ministers officiating. Burial followed at the Gayheart Family Cemetery, in Beaver.

**Linzie Chester Howell**

Linzie Chester Howell, 83, of Pikeville, died on Jan. 8, 2011, at his residence. Born May 1, 1927, in Floyd County, he was the son of the late Charlie and Leona Hall Howell. He was a retired chef and a member of the Church of Christ of Latter Day Saints. He is survived by his wife, Virgie Conway Howell. Other survivors include one son: Thomas Douglas (Kimberly) Conway, of Galveston, Rebecca Bradford, of Taylor, Mich., and Vickie (Edgar Jr.) Isaac, of Taylor, Mich.; two sisters: Dolly Stevens, of Harild, and Betty Birchfield, of Ohio; nine grandchildren and five great-grandchildren.

He was preceded in death by his parents, one son-in-law: Bobby Bradford, brothers and sisters: John Howell, Raymond Howell, Ray Howell, Willis Howell, Hillard Howard, Okel Richards and Rodabee Ford.

Funeral services were held on Tuesday, Jan. 11, 2011, at 1 p.m. at the Full Gospel Christian Church of Pikeville with Keith Collins officiating. Burial followed in Howell Cemetery, in Pikeville.

**Doffie Justice**

Doffie Justice, 84, of Beaver, died on Friday, January 7, 2011, at McDowell ARH. He was the son of the late Sam and Laura Bell Mullins Justice. He was a retired coal miner and a US Army WWII Veteran.

He is survived by children: Doff Drene (Companion: Sue Newman) Justice, of McDowell, SS Hilman (Liz) Justice, of Taylor, Mich., Danny Ray (Denise) Justice, of Ligon, Glenn Dale (Lark) Mitchell, of Taylor, Mich., Brenda Gale (Larry) Johnson, of Fenton, Mich., and Linda Fay (Jerry) Tackett, of Ligon, like a son: Hillard Gayheart, of Ind.; one sister: Bonnie Hall, of Bevensville, grandchildren: Larry, Jr., Barry, Tina, Katrina, Lisa, Doff "Funkin", Denny, Shawna, Pamela, Timothy, Michelle, Kim, and Andrea; and 16 great-grandchildren.

He was preceded in death by his parents, wife, brother and sisters: Victor Justice, Connie and Monnie, and grandchildren: Edward and Danny Ray, Jr. "Dec."

Funeral services were held on Tuesday, Jan. 11, 2011, at 12 p.m. at Nelson-Frazier Funeral Home in Martin, with J.N. Sloce officiating. Burial followed at Justice Cemetery, in Ligon.

**Card of Thanks**

The family of Rosie Mary Reffitt would like to sincerely say, "Thank you," to all of our friends and family who helped to comfort us during this very difficult time. Those who sent flowers, food, or just came by to share our loss. A special thanks to Clergyman Curt Howard and the Regular Baptist Ministers for their comforting message, the Sheriff's Department for their assistance in traffic control and the Hall Funeral Home for their kind and professional service. All your love and support will always be remembered.

THE FAMILY OF ROSIE MARY REFFITT

**Ernest Martin (Ernie) Kendrick**

Ernest Martin (Ernie) Kendrick, 83, of West Van Lear, died on January 9, 2011, at Riverview Healthcare, in Prestonsburg. Born November 27, 1927, in Lancer, he was the son of the late John E. and Narcie Harris Kendrick. He was a retired mine foreman and a US Army and Korean War Veteran. He is survived by his wife, Tommie George Kendrick.

Other survivors include a son: Ernest Martin (Marty) Kendrick, Jr., of Dwale, a brother: Paul Kendrick, of Dwale, five grandchildren: Shane Kendrick, Jared Kendrick, Alex Kendrick, Nick Kendrick and Amanda Meade, and two great-grandchildren: Jaden Kendrick and Gabriel Stepp.

He was preceded in death by his parents, a son: Howard Glenn Meade, two daughters: Deborah Campbell and Penny Kendrick, two brothers: James Robert Kendrick and Marvin Kendrick, and two grandchildren: Mark Aaron Meade and Clinton Ray Campbell. Funeral services are scheduled for Wednesday, Jan. 12, 2011, at 1 p.m. at the Nelson-Frazier Funeral Home, in Martin, with Bob Varney officiating. Burial will follow at the Richmond Cemetery, in Prestonsburg.

**Norma Jean Patton**

Norma Jean Patton, 81, of Garrett, died on Friday, January 7, 2011. Born January 11, 1929, she was the daughter of the late Joe Jones and Bertha Sparkman. She was a homemaker and a member of the First Baptist Church, in Langley. She was the wife of the late Harry Patton.

Survivors include children: Janice Jackson, of West Liberty, Veneta Brown, of Langley, Debra Hagans, of Langley, Ann Jackson, of Garrett, and William Patton, of Langley; one brother: Marcus Sparkman, of Pippa Passes, 16 grandchildren and 31 great-grandchildren.

She was preceded in death by her parents, husband, brother: Doug Sparkman, three grandchildren and one great-grandchild: Dale Clark.

Funeral services were held on Jan. 11, 2011, at 1 p.m. at Nelson-Frazier Funeral Home, in Martin, with Bob Varney officiating. Burial followed in the P. Allen Cemetery, in Langley.

**Willene Cole Pendleton**

In loving memory of our sister, Willene Cole Pendleton, of Owensville, Mo.; Betty Albert and Dorothy Cole, of Hunter, March 5, 1946. Died way too soon on Dec. 16, 2010, following a brief illness.

She leaves behind a husband, Jim Pendleton, of Owensville, Mo.; Lisa Fulmar (Lee); a granddaughter, Isabella, of Tallahassee, Fla.; a son, Freddie Fletcher, of Tallahassee, Fla.; a sister, Rita Osborne (Harold), of

Martin; Russell Cole (Donna), of Lexington; Joy Patton (Eddie), of McDowell; many nieces, nephews and friends who loved and cherished her.

She was preceded in death by brothers Rodney Collins (Zelma), of Dry Ridge, and Donald Ray Collins (Karen), of Chicago.

A huge hole is left in our hearts. We will always love and cherish her.

The Cole family.

**Marcella Combs Shepherd**

Marcella Combs Shepherd, age 66, of Garrett, daughter of the late Enoch and Dorothy Conley Combs, died Thursday, Jan. 6, 2011, in the Mayo Clinic, Jacksonville, Fla.

She was born June 20, 1944 in Lackey. Marcella was a former teacher, who taught in the White Pigeon High School, Sturgis, Mich., and in the Knott County Central High School in Hindman. Additionally she was employed as a life insurance sales agent for Commonwealth/Monumental Life Insurance Company.

She is survived by, one son, Abbe Enoch Shepherd, and his wife Samantha, of Richmond; one daughter, Karen Machille Shepherd, of Jacksonville, Fla., and her former husband, Abe Shepherd; two sisters, Betty Karen Conley, of Garrett, and Cora Ann Whitaker, of Pontiac, Mich.; and two grandchildren, Lexi and Kaitlynn.

Funeral service for Marcella Combs Shepherd were conducted, Monday, Jan. 10 at 11 a.m. in the Hall Funeral Home Chapel, in Martin. Entombment followed in the Highland Memorial Gardens, in Staffordville.

**Edward S. Stratton**

Edward S. Stratton, age 95, of Ivel, husband of Cealia Ann Click Stratton, passed away Monday, Jan. 10, 2011, at his residence.

He was born Feb. 12, 1915, in Ivel, the son of the late John Nelson Stratton and Nannie Travis Stratton. Mr. Stratton was a retired coal miner and a member of the UMWA.

Survivors include his wife, Cealia; two sons, Larry Edward (Gwen) Stratton and Chester Eugene (Audrey) Stratton, both of Ivel; two brothers, Charles Allen Stratton, of Dayton, Ohio, Billy E. Stratton, of Ivel; three sisters, Joda "Tiny" Butts, of Ivel, Millie Gibson, of Dayton, Ohio, and Ruth Joann Hall, of

Prestonsburg; five grandchildren, John Edward (Mary) Stratton, Birdie (Robbie) Tackett, Vanessa (Devon) Akers, Trina (Chris) Stanley, Kabrina Stratton; and seven great-grandchildren, Kayla Tackett, Sasha (Aaron) Goble, Wesley Akers, Megan Akers, Jarrett Stanley, John William Stratton and Jamison Edward Stanley.

Preceding him in death were his parents, a brother, John "Dime" Stratton, and two sisters, Cora Stratton and Zella Ratliff.

Funeral services will be conducted Thursday, Jan. 13, 2011 at 11 a.m., at the Hall Funeral Home Chapel, in Martin, with the Clergymen Chris Stanley and Barry Clark officiating. Burial will follow in the Davidson Memorial Gardens, at Ivel, with the Hall Funeral Home caring for those arrangements.

**Willie "Pee Wee" Williams**

Willie "Pee Wee" Williams, 66, of Grethel, died on January 10, 2011, at Paul B. Hall Medical Center, Born May 1, 1944, he was the son of the late Willie and Ethel Evans Williams. He was a retired coal miner.

Survivors include two sons: Robert "Maggie" Williams, of Grethel, and Kenny Lee Williams, of Warsaw, Ind.; four brothers: Ray Williams and Hank Williams, both of Grethel, Rex Williams, of Lakewood, Ohio, and Denver Williams, of Brunswick, Ohio; four sisters: Alice Belles, of Lodi, Ohio, Bertha Hollis, of Spencer, Ohio, Aileen Collins, of McDowell, and Mary Eschuk, of Brooklyn, Ohio; six grandchildren and six great-grandchildren.

He was preceded in death by his parents, one sister: David Williams, four brothers: Edgel Williams, Tex Williams, Emmitt Williams and Butler Williams, two sisters: Clara Jarvis and Helen Williams, and one grandchild.

Funeral services will be held on Thursday, Jan. 13, 2011, at 11 a.m. at the Zion Old Regular Baptist Church, in Grethel, with Old Regular Baptist Ministers officiating. Burial will follow at the Evans Family Cemetery, in Grethel.

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# You Have The Right To Know



Each application made at the Social Security Administration local office for Social Security Disability or SSI benefits

requires that the Social Security employee is required to give his or her "observations" about you. The problem is that this allows SSA employees to say whatever they want because they are generally not subject to cross-examination about their "observations". Your Social Security Hearing Judge -- who is required to consider these "observations" -- has no way to know if the SSA employee's "observations" are biased. Unfortunately, in my experience, an SSA employee's "observations" are almost always against you.

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# Viewpoint

Amendment 2  
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.

Worth Repeating ...

Wisdom too often never comes, and so one ought not to reject it merely because it comes late

— Felix Frankfurter

Our View

## Tone it down

In the wake of a gunman's rampage against U.S. Rep. Gabrielle Giffords (D-Ariz.) over the weekend, it is troubling that the first reaction of some has been to quickly point fingers at assorted Republican leaders and talking heads for supposedly contributing to the attack by fanning the flames through rhetoric.

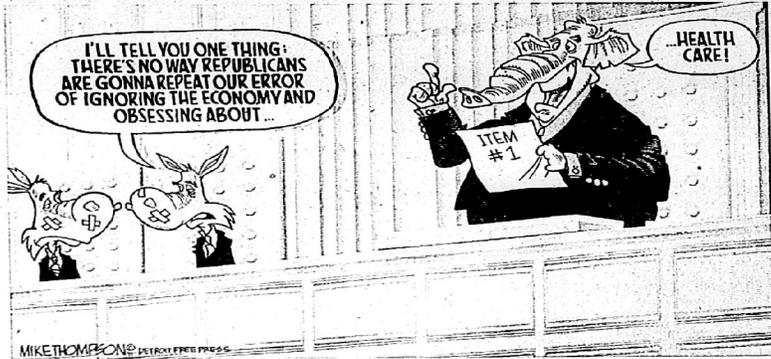
It should be clear to all rational adults that no one bears responsibility for the attack — which left six people dead, the congresswoman clinging to life and 11 others injured — other than the person who pulled the trigger.

True, an examination of the pre-shooting rhetoric employed by Republican, Tea Party and conservative politicians and pundits against Giffords and other Democrats reveals their comments to be tasteless in hindsight, to say the least. But implicating those same people in this attack is just as offensive and serves no purpose other than to further alienate liberals and conservatives from each other.

And make no mistake: There is a serious need for healing in America. The gulf between left and right has perhaps never been wider.

If anything comes from this assassination attempt, we hope it is the realization that we are all Americans, regardless of our political beliefs, and an acknowledgement that those who view things differently are not bent on destroying this country, but, rather, simply differ on the best method to make life better for all.

— The Floyd County Times



## Guest Column

### A legislative perspective

by REP. GREG STUMBO, SPEAKER OF THE HOUSE

At the start of January, there are two things that can always be counted on: It will take at least two weeks to write the new year correctly on such things as checks, and the General Assembly will return to the Capitol to begin a new legislative session.

That got underway last week, when I and the other just-elected members of the General Assembly were sworn in. I was deeply honored the next day to be elected House Speaker for a second, two-year term. Afterward, my fellow House leaders and I spent much of the remainder of the week establishing membership of the legislative committees and their chairmen for the next two years.

Under the constitutional rules that govern these odd-year meetings, the first four days are traditionally set aside for these organizational matters, and the work on legislation begins after a brief recess. We will reconvene on February 1st and hear the State of the Commonwealth

address that evening.

In today's electronic age, keeping track of the legislative process is easier than ever. The General Assembly's website is [www.lrc.ky.gov](http://www.lrc.ky.gov), which is where you can find the full texts of bills and resolutions; the votes taken by the House and Senate; and how to contact any legislator. My legislative email address, for example, is [Greg.Stumbo@lrc.ky.gov](mailto:Greg.Stumbo@lrc.ky.gov).

There are also regular updates of committee meetings and even ways to track individual bills, so that you can always have the latest information on their progress. Children have a section online, too, which gives them insight into the legislative process.

Much of this information is available by phone as well. If you would like to leave a message - with a live operator and not a recording - you can call (800) 372-7181 or, for the hearing impaired, (800) 896-0305. Messages can be left with one member or all of them.

If you are curious about the day's scheduled when we're in session, a taped message can be heard at (800) 633-9650. To get the status of individual bills, call (866) 840-2835.

It is too soon at this point to say what might become law this legislative session, which will

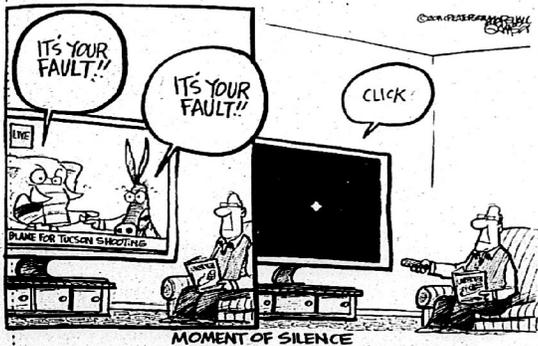
end in the latter part of March, but there are several issues certain to be discussed in the House.

The Judiciary Committee, for example, will hear the final report from a task force that has been studying the penal code. This task force features leaders from all three branches of government and is working closely with the prestigious Pew Center on the States, a non-profit organization that has helped such states as Texas reduce their prison population with smart-crime initiatives.

Another major piece of legislation drawing attention in the House is a constitutional amendment that would further solidify hunting and fishing rights. More than 40 members out of the 100 in the House have joined with me as co-sponsors. If it passes, voters would consider it in November 2012.

The goal of this amendment is to ensure that state officials, local governments or judges do not infringe on this basic right. Other states have seen attempts to curtail this activity, which is a situation we want to avoid. Several states, including Tennessee, adopted similar amendments in November, while others have had it in their

(See STUMBO, page 5)



### Senate week in review

by SEN. JOHNNY RAY TURNER

The Kentucky General Assembly convened its 2011 Regular Session last week, with hundreds of bills already filed and ready for consideration. Ordinarily, the first week of the session would be spent on formalities like electing leaders and appointing committees, with the real work beginning in February. With only 30 days to accomplish so much, however, we went right to work holding committee meetings and passing legislation.

We did begin our first day with the traditional ceremonies, swearing in five new members along with re-elected colleagues. Seven of our eight chamber leaders were re-elected, with Sen. R.J. Palmer II of Winchester chosen to lead the Democrats in place of the retired Ed Worley.

On Day Two, though, the real work began with committee hearings. By the end of the week, we had passed several bills and sent them to the House. One of the bills we passed was Senate Bill 8, which would create an online one-stop portal for businesses in Kentucky. The website, run through the Secretary of State's office, would allow businesses to do everything from filling out per-

mits to accessing information on grants and incentives to paying their unemployment taxes. Saving time and paperwork will allow companies, particularly small businesses, to focus on their products and services. In the end, that means more money and more jobs for Kentuckians.

In addition to helping small business, we took steps to make government more accessible to the public. Senate Bill 7 would create searchable online databases of government spending for all three branches, allowing taxpayers to see how their money is spent. In many cases, the original documents would also be available from purchase orders to hotel receipts.

Another bill that will make government more transparent is Senate Bill 5. SB 5 would require the budget and other spending bills to be publicly available for 48 hours before they could get a vote, as well as set forth a timeline so that elected legislators, not the governor, have the final say on the budget as our constitution intended. The budget is the most important bill we consider, and it merits lawmakers' thoughtful consideration rather than the hurried vote that has recently become the norm.

We got off to a strong start, but many other issues will arise when we return in February and March. To help us do our best job, we need you to play your role in our representative democracy. The General Assembly has a number of ways for you to stay informed, from

our toll-free hotlines to the Kentucky Legislature Home Page to our free e-mail service.

The Kentucky Legislature Home Page ([www.lrc.ky.gov](http://www.lrc.ky.gov)) provides information on each of Kentucky's senators and representatives, including our phone numbers, addresses, and legislative committee assignments. The home page also provides summaries and complete text of bills, as well as information on the progress each bill has made through the legislative process.

By going to our eNews page ([www.lrc.ky.gov/pubinfo/list-serv.htm](http://www.lrc.ky.gov/pubinfo/list-serv.htm)) you can subscribe to frequent e-mail updates on what is happening at the Capitol. In addition, the General Assembly has its own blog, Capitol Notes ([www.lrc.ky.gov/pubinfo/capitol\\_notes.htm](http://www.lrc.ky.gov/pubinfo/capitol_notes.htm)).

You can also stay in touch with General Assembly action in the following ways:

■ A taped message containing information on legislative committee meetings is available by calling (800) 633-9650.

■ To leave a message for a legislator, call the General Assembly's toll-free Message Line at (800) 372-7181. People with hearing impairments may leave messages for lawmakers by calling the TTY Message Line at (808) 896-0305.

■ You can also e-mail me directly at [johnnyray.turner@lrc.ky.gov](mailto:johnnyray.turner@lrc.ky.gov).

Senator Johnny Ray Turner represents Breathitt, Floyd, Knott and Lecher counties.

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# Local ordinances have set the stage for statewide smoking-ban legislation, advocates say

by TARA KAPROWY and AL CROSS  
KENTUCKY HEALTH NEWS

## Poll shows a clear majority support it

FRANKFORT — Though advocates of anti-smoking laws don't believe a statewide smoking ban will pass in the General Assembly this year, they see public support for it, and have come to the conclusion that it's time to get the discussion started.

"This will get the ball rolling at the state level," said Dr. Ellen Hahn, left, a nursing professor at the University of Kentucky and director of the Kentucky Tobacco Policy Research Program. "We know the best comprehensive laws won't happen overnight. We really need to start somewhere."

On Wednesday, state Rep. Susan Westrom, D-Lexington, filed House Bill 193, which would prohibit cigarette use in all enclosed public places and enclosed places of employment, including restaurants and bars. It also bans smoking within a "reasonable" distance outside of public places and work places.

Hahn, who has been reluctant to support a statewide ban, said Westrom's move is timely. Dozens of organizations now publicly support "smoke-free" laws, and 29 communities have enacted local smoke-free ordinances. "We're getting more ready every day because local leadership has shown the way," Hahn said. For a list of the communities and more details, click here.

As of now, 32 percent of Kentuckians are covered by smoke-free laws, and those numbers are growing, thanks, in part, to Campbell County's recent ordinance (though a new Fiscal Court is moving to repeal it before it takes effect). "I think the movement in Northern Kentucky has helped," Hahn said. "That's kind of the last urban area any where. Bardonia has gone into effect in Bardonia and Glasgow. We've had some key places in the state if you look at the map. We're starting to fill in some areas."

Hahn is the leading advocate for smoke-free ordinances in the state, but has long been reluctant to push for a statewide ban. "My hesitation was that we would end up with something bad, a law that would tie the hands of local government," she said. "And we didn't want something that was carved up with loopholes."

But the tide has turned, Hahn said. "I've said all along everyone deserves protection, everywhere. I don't think we'll ever see local ordinances in every locale in the state. In some ways, it's got to start some

time and we're on first base. It's a process."

Jim Waters of the Bluegrass Institute for Public Policy Solutions, a free-market think tank in Bowling Green, replied to the developments this way: "Ironically, state politicians who loathe interference from Washington seem want to impose Frankfort's will on local communities. Some local communities like Bowling Green have had their own hard-fought, emotional battles over the smoking ban issue. It would be outrageous for Frankfort now to come swooping in and possibly override their decisions."

Waters has branded Hahn "the smoking nanny" and debated her in a series of "Sorting Through the Smoke" seminars for journalists held by Kentucky Youth Advocates and the Institute for Rural Journalism and Community Issues, another UK-based center that publishes Kentucky Health News. For video of one encounter they had, in Danville, click here.

Hahn said it takes an average of two and a half to five years for Kentucky communities to pass smoke-free ordinances. As for enacting statewide bans, "It really varies across the country," she said, adding that she's willing to wait. "We don't want them to do something until they're ready," she said. "It's going to take a while for state legislators to study the science. They haven't done it before. We haven't asked them to do it."

What's important, Hahn said, is to wait until legislators are ready to pass a comprehensive law, not one subject to exemptions such as private clubs or nightclubs. Amy Barkley, a director for the Campaign for Tobacco-Free Kids, agreed. "Here's what's important: We don't want to settle for a half-baked law," Barkley said. "This is not an area that can be compromised to study the science. Exemptions to the law lead to complications. Barkley said. "First, they mean that certain employees are not protected," she said. "If the intent of the bill is to protect people, why are some people more important than others?" Second, laws with exceptions are more difficult to enforce. "With a comprehensive law, everyone knows if you smoke, you can't smoke," Barkley said. "These things are very self-enforcing the more clear, concise and comprehensive they are."

Thirdly, exemptions can result in legal challenges," Barkley said, citing an example in Louisville when

its smoking ordinance exempted Churchill Downs from being subject to it. "There was a lawsuit over that and the ordinance could not be put into effect while it was pending," she said. Ultimately, both Hahn and Barkley are willing to bide their time. They both stressed the importance for local governments to continue their smoke-free efforts in the meantime. "These local officials shouldn't wait," Hahn said.

### Poll shows clear support for statewide ban

A poll released Thursday by supporters of a statewide ban shows that a majority of Kentucky adults favor it, that opinions on both sides are strong, and that local communities should have the option of passing additional restrictions on smoking in public places and workplaces.

The telephone survey was taken Dec. 12-14 by Public Opinion Strategies, a well-regarded national firm that gave Kentucky Health News its questionnaire and the number of adults it called in each county. The poll asked, "Would you favor or oppose a state law in Kentucky that would prohibit smoking in most public places, including work places, public buildings, offices, restaurants and bars?" Then they were asked if they felt strongly about their opinion or were "just somewhat" in favor or opposed.

The results: 44 percent said they strongly favored such a law, while 15 percent said they were somewhat in favor of it. For a total of 59 percent. The opposition totaled 39 percent: 14 percent said they were somewhat opposed to the law, and the strongly opposed were 25 percent, the same percentage of adult Kentuckians who said they smoke. The strong opinions on both sides totaled 69 percent, a very high figure. The margin of error for the poll of 500 adults was plus or minus 4.38 percentage points for each figure, so a clear majority favors a statewide smoking ban.

Among smokers, 31 percent said they favored the law and 68 percent opposed it. Among the three-fourths of Kentuckians who don't smoke, the figures were virtually a mirror image: 69 percent in favor, 29 percent opposed. (The figures for smokers come from an interview by Kentucky Health News with Glen Bolger, a partner in the Arlington, Va.-based polling firm.)

Statistically, the poll found no difference among Democrats, Republicans, independents and tea-party

supporters, with 55 to 60 percent identifying with each label saying they support a statewide ban.

While both leading candidates for governor, Democratic Gov. Steve Beshear and Republican state Senate President David Williams, have said they favor a statewide ban, neither has emphasized it, and there is skepticism among state legislators that it would be a deciding issue for voters. However, the poll found that 34 percent of voters said they would be "much more likely" to vote for a candidate for state office who supports the law, and 21 percent said they would be "somewhat more likely" to do so, for a total of 55 percent. On the other side, a total of 36 percent said they would be less likely to vote for a supporter of the law (20 percent much more likely and 16 percent somewhat more likely). Only 6 percent said the candidate's position would make no difference.

The question initially described two alternative, unnamed candidates in terms of positions on the issue and asked, "For which of these candidates would you vote?" Even 31 percent of smokers said they would be more likely to vote for a candidate who supports a statewide ban.

Then the survey asked which is more important, the rights of smokers and of restaurant and bar owners, or the right of employees and customers to breathe clean air in such establishments. (The alternatives were rotated, as were those on "other" questions.) A majority said employees and customers' rights were more important, 53 percent much more so and 15 percent only somewhat. The poll did not differentiate between the rights of smokers and business owners or those of employees and customers.

Waters said, "Just because a majority of people in this poll say they want more government nanny-ism doesn't make it the right, or constitutional, action to take. The last time I checked, restaurant and bar owners' constitutionally protected private property rights are not subject to polling. In fact, the constitution exists for the express purpose of protecting those rights from some popular movement such as the one being pushed by Kentucky's health nannies who want to deny Kentuckians their individual liberty to make their own decisions regarding smoking, eating and other lifestyle choices."

The main medical reason for smoking bans is

research showing that second-hand smoke causes cancer and other diseases, and Kentuckians seem to accept those findings. Almost half, 48 percent, said exposure to second-hand smoke is a serious health hazard, while 28 percent said the hazard is moderate, 17 percent said it is minor, 5 percent said it is not a health hazard at all and 2 percent declined to say.

Many smokers acknowledged their risky behavior; 24 percent said second-hand smoke is a serious health hazard, while 35 percent said the hazard is moderate and 28 percent said it is minor. Only 10 percent said it is not a health hazard.

The poll found that regardless of what happens at the state level, 76 percent of Kentucky adults think local communities "should continue to have the option of passing additional restrictions on smoking in public places and workplaces." Fifty percent strongly agreed with the statement, and 26 percent agreed somewhat. Most of the 22 percent who disagreed did so strongly, again revealing the depth of feeling about the issue.

Waters said the Bluegrass Institute favors local control. "Even though we vehemently disagreed with the smoking bans implemented by Louisville, Lexington and other communities," he said, "we would be absolutely opposed to Frankfort over-

riding those local community decisions."

The poll also illustrated the precipitous decline of tobacco as a political force in Kentucky since repeal of the federal quota and price-support program in 2004. Only 6 percent of respondents said they grow tobacco or own land on which it is grown:

Kentucky Health News, <http://kyhealthnews.blogspot.com>, is a service of the Institute for Rural Journalism and Community Issues, based in the School of Journalism and Telecommunications at the University of Kentucky. The service is funded by the Foundation for a Healthy Kentucky, which was created to address the unmet health needs of Kentuckians. For more on the foundation, see [www.healthy-ky.org](http://www.healthy-ky.org). For more on the institute, see [www.RuralJournalism.org](http://www.RuralJournalism.org).

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### Card of Thanks

Mrs. Mildred Mullins and the children, grand-children, and great grand-children of the late Herman Mullins of Hi Hat, KY, who passed away on November 24, 2010, would like to express their heartfelt love and thanks to anyone who came by to share our loss, said a kind word, sent flowers, food, cards, and prayers, or made a donation to the Little Nancy Church in memory of our precious Love one. We would like to thank as well the ladies and members of the Little Nancy Church, the Ministers of the Old Regular Baptist Church, Nelson-Frazier Funeral Home, the Left Beaver Rescue Squad, and the Floyd County Sheriff's Department for their kindness and support. The Mullins family also extends a special "Thank You" to preacher Chuckie Hall for his love and support for our Daddy and family in our days of sadness. God Bless you! You will always be a special part of our family. Again, thank you to everyone and may God Bless you all.

- Mrs. Mildred Mullins and Family of Herman Mullins

### Stumbo

constitution much longer. One bill that has proven successful in other states is a false claim legislation I am proud to sponsor. About two dozen states, plus the federal government, have enacted this legislation, which gives whistleblowers financial incentive to report criminal activity involving state resources. In some cases, especially in programs like Medicaid, this could help the state recoup millions of dollars that might otherwise be lost to fraud.

Because the General Assembly enacts a budget in even-numbered years, there will be few attempts to tinker with it this session, especially your financial projections show us to be on target. The only major change will likely involve

Continued from p4

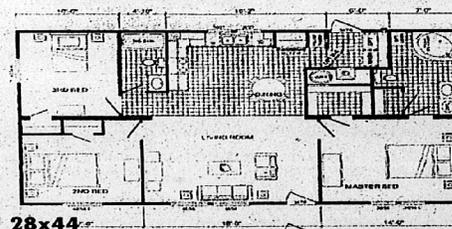
Medicaid, which Governor Beshear said needs money moved from next year to cover a deficit in the program. Efforts to bring more managed care to the state are expected to provide enough savings to make up the difference.

So far, dozens of bills have been filed in the House and Senate, and more will join them in the days ahead. If history is a guide, only a fraction will go on to become law, but it is still a lot of ground to cover in the 26 legislative days that remain.

Your input, of course, is critical. I encourage you to use the information mentioned in this column to let me know your thoughts or concerns or to learn more about the process.

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# German woman sues prison Escape

by SHELDON COMPTON  
STAFF WRITER

**WHEELWRIGHT** — A German woman, who was a former inmate at Otter Creek Correctional Center in Wheelwright, has filed a lawsuit against the prison, saying an officer at the facility during her stay there forced her to trade sex for phone calls.

The woman, 38, has accused Dwight Crowell, an internal affairs officer at the prison, of sexual assault in the lawsuit, alleging he forced her to exchange sex for phone calls to her mother, who she claims was sick during the time period.

The lawsuit also names numerous others, all supervisors of Crowell's, who she claims made no effort to put an end to the alleged arrangement.

According to reports from the Associated Press, the woman was in prison on theft and various other charges.

Otter Creek, a privately-owned facility, now houses male inmates. Female inmates were pulled from the facility roughly a year ago in the wake of several claims from inmates of sexual abuse at the hands of officers.

In the three years leading up to this move, there were 18 alleged cases of sexual misconduct at the

prison, while the investigation conducted this past fall revealed another seven allegations.

Gov. Steve Beshear called the removal of the female inmates a "bold" plan and a step closer to a long-term solution as to how to manage female inmates within the state.

Speaker of the House Greg Stumbo called for a state-takeover of Otter Creek at that time in a letter written to the governor.

In July of last year, Randy Stovall, who was the prison's top official in the early 1990s, was again appointed as warden at Otter Creek. At that time, the prison housed some 640, with full capacity set at 653.

alleged dispute between the two to Prestonsburg. Once there, police reports state Rogers beat on the door of the apartment saying he knew Hall was inside.

Hall's friend told Rogers to "go away, that there were four kids inside," according to police, at which time he allegedly kicked the apartment door down.

Rogers then allegedly grabbed Hall's friend by the throat and pushed her aside, leaving "visible red marks" on her, according to the police report.

Police then say Rogers made his way through the apartment and grabbed Hall by the throat, dragging her around to the back of the apartment where he "threw her into his truck and then sped off."

Rogers was eventually taken into custody in Johnson County and transported back to Floyd County, where he appeared

for arraignment the next day. It was while being transported back to the jail, adjacent to the Floyd County Justice Center that Rogers made his way loose from a bailiff and fled into the back streets of downtown Prestonsburg.

During his arraignment, Rogers was fitted with a \$100,000 cash bond.

State, county and city police continue their search, saying Rogers had very likely by now traded his orange jump suit issued at the jail for other clothing. They added that the public should consider the 21-year-old as dangerous and that, if recaptured, he would face additional charges to accompany the kidnapping charge he currently faces.



## Riot

with mop handles and ice coolers, Webb said.

"They shattered the windows in the day room after he (Bishop) instigated everybody to get violent," he said, "but the deputies went back in there and had them put in lockdown by around 8 a.m."

The 12 others involved included one other inmate currently facing a charge of murder, Timothy Marsillett, 42, and another who is jailed for allegedly shooting a man in the groin, 25-year-old Michael Nolan Stone, of Wayland.

The other inmates jail officials say were involved in the riot included Jesse Keathley, 24,

Prestonsburg; Jonathan Endicott, of Prestonsburg; Jarred Harvey, 30, of Prestonsburg; Jeremy Bryant, 22, of Wheelwright; James William Miller, 24, of Prestonsburg; Jimmy Dewayne Branham, 32, of Prestonsburg; Phillip Morgan Joseph, 34, of Prestonsburg; Jonathan C. Crider, 34, of Auxier; and Benjamin Davis, for which no personal information was available for at press time.

Webb said the riot could have been worse, if what one inmate said were true.

"In the other cells, the other areas, there was an inmate who told me Bishop tried to get the other cells in

the areas involved, but they didn't participate," said Webb, adding that the inmate did not wish to be named. "As of right now we have everything under control, but who knows from one minute to the next what's going to happen inside a jail."

The trend of inmates becoming more violent in the past year is something Webb said could possibly be attributed to the increase in drug abuse throughout the county and region.

"I've found in this past year, with all this drug abuse, my inmates are either detoxing or we're having to take them to the hospital overdosed," he

said. "When they're coming off these chemicals, they are a lot more violent than previous years."

Bishop was brought back to Floyd County last year after the state granted him a new trial in the 2000 murder case of his estranged wife, Carolyn Bishop.

Though it was initially thought he would be transported out of Floyd County until his new trial date was set, Webb said, to his knowledge, he would be held in Prestonsburg until that time. As of yet, no new trial has been set.

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## Robbery

Beaver, on Nov. 10, and stole \$154 and Tackett's medication, then bound Tackett and his girlfriend, Candice Rogers, with duct-tape before leaving the home.

Billy Bob Nelson, Helen Nelson and Harvey were placed under \$50,000 cash bonds after being arrested. Billy Bob Nelson was

the first of the three to be taken into custody. Nelson was arrested a few days before the others after clerks at the A-Plus store in Prestonsburg noticed Nelson acting strangely in the store. When officers arrived, Nelson failed sobriety tests and was arrested. Multiple prescription pills were allegedly located on

Billy Bob Nelson, including bottles of Xanax, prescribed to two separate individuals.

The case against Bill Bob Nelson, Helen Nelson, and Jarrod Harvey was waived to the grand jury during a preliminary hearing in early December. The three are scheduled to be arraigned at 9 a.m. on Friday.

## UNITE

"Kentucky happens to have one of the best PMP's in the country."

Better utilization of the state's prescription drug monitoring program, increasing education about the disease of addiction, and providing greater collaboration and communication on available resources were all short-term priorities identified during a medical symposium held in March.

That meeting brought together more than 300 physicians, nurses, pharmacists, dentists, social workers, substance abuse counselors, adult care providers, coalition representatives and other professionals to address prescription drug abuse and workplace safety.

"To fully craft a course of action to address drug addiction, workplace safety,

diversion and other issues we need input from all sectors of the health care profession," said Karen Kelly, UNITE director. "We are excited about having Mr. Eadie come and share information with this region's medical professionals."

PMPs are currently authorized in 43 states and the U.S. Territory of Guam. While the basic function of a PMP is to track filled prescriptions for controlled substances dispensed by pharmacies, these programs vary greatly in data collection, how the data is analyzed, and how it is reported and used.

By providing useful and timely data on prescriptions to doctors, pharmacies and regulatory agencies, Eadie said the center can serve as a forum for the effective

exchange of ideas and fostering of partnerships that will increase PMP effectiveness.

Van Ingram, Executive Director of the Kentucky Office on Drug Control Policy, and KASPER Project Manager, Dave Hopkins also expected to attend.

The meeting will be held in the conference training room of the Big Sandy Area Development District, 100 Resource Drive, Prestonsburg. Dinner will be served at 5:30 p.m. with the business meeting beginning at 6 p.m.

There is no charge for dinner, but RSVP is requested to Sarah Flynn, UNITE director for Research and Community Outreach, at (866) 678-6483 or sflynn@centertech.com.

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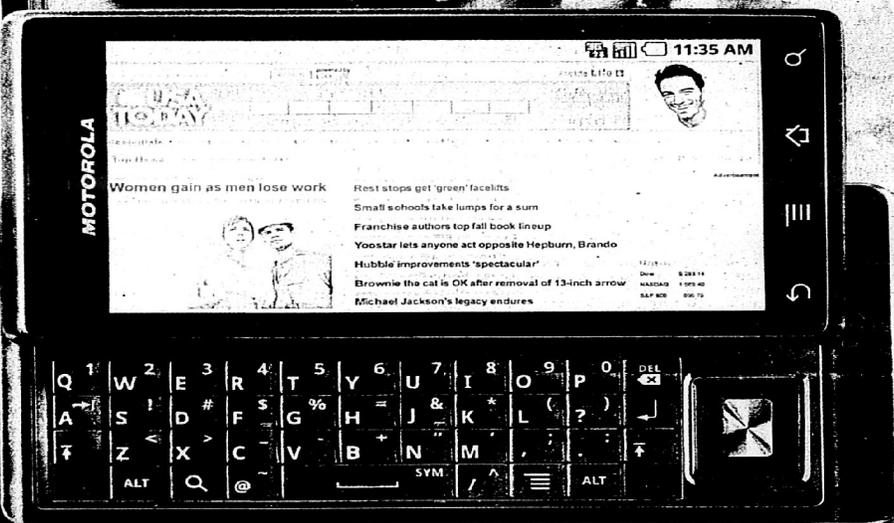
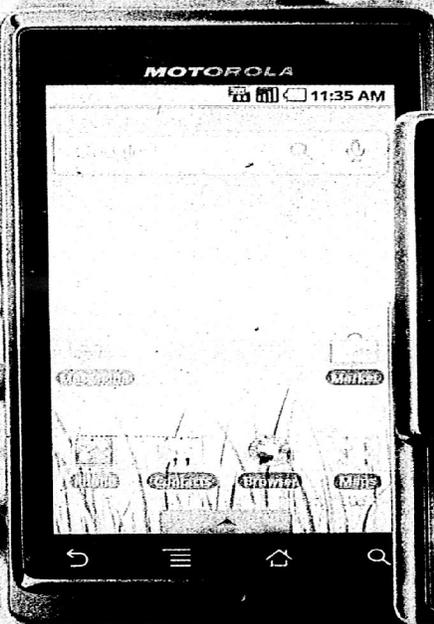
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## Eagles fall to visiting Milligan

**TIMES STAFF REPORT**

**PIPPA PASSES** - The Alice Lloyd Eagles battled visiting Milligan College for 40 minutes before falling on Tuesday night (Jan. 4). Milligan defeated Alice Lloyd 88-78.

In the first half, freshman guard Issac Wilson paced the Eagles with 17 points. He kept his team close as ALC trailed by five (42-37) at the break.

In the second half, senior Daniel

Combs picked up where Wilson left off, hitting several shots which helped the Eagles take the lead with 9:04 remaining. Milligan then regained the lead as the squads battled to the wire.

Another clutch basket from Combs with 2:03 remaining cut the Eagle deficit to two at 77-75. On the ensuing possession, Milligan ran the shot clock down before guard Hudson Fricke drained a three-point shot. This proved to be the backbreaker as the Buffaloes hit their free throws

to seal the win.

For Alice Lloyd (3-10), Combs tossed in all 19 of his points in the second half, and was joined by Wilson with game-high-scoring honors. Junior Van Ferguson (Paintsville High School) and sophomore Brent Hall (June Buchanan School) also reached double figures adding 13 and 11 points, respectively.

For Milligan (4-8), Tyler DeVault and Fricke led the way with 15 and 14 points, respectively.



**Former Paintsville High School standout Van Ferguson (5) scored 13 points for Alice Lloyd in a non-conference win over Milligan.**

## St. Catharine controls glass, beats Bears

**TIMES STAFF REPORT**

**SPRINGFIELD** - No. 15 St. Catharine College dominated the game and lived at the line in picking up a 97-83 win over Pikeville College Saturday afternoon.

The Patriots (11-2, 5-1 in the Mid-South Conference) won the rebounding battle 46-27 and had 15 rebounds off the offensive end, and went 40-of-54 (74.1 percent) from the free throw line in the win as they moved into first-place in the conference.

The teams combined for 45 turnovers in the game, with the Patriots holding the Bears below 40 percent (39.0 percent) shooting from the field.

Junior Kashiff Carr led all scorers with 24 points, hitting 11-of-13 from the free-throw line. Three teammates joined in double figures, with Josh Edwards tossing in 19.

Junior Brandon Johnson followed with 15 while senior Ervin Williams finished with a double-double of 13 points and 11 rebounds.

Pikeville (14-4, 3-3) was led by senior Justin Hicks, who had 22 points on 5-of-8 shooting from the arc. The Hazard native moved from 15th to 13th on the all-time scoring list and now has 1,321 points in his career.

Senior Quincy Hankins-Cole tossed in 17 for the Bears, with senior Vance Cooksey providing 14.

The Bears lost a game in which it was 9-of-18 from the three-point stripe.

Pikeville will be back in action on Thursday night, playing host to Rio Grande at 8 p.m. in the final game of the season to be played at the Pikeville College Gym. St. Catharine will visit Mountain State on Tuesday night for a 7 p.m. tip.

## Lady Bears net first MSC win

**Hinton leads Pikeville women past St. Catharine**

**TIMES STAFF REPORT**

**SPRINGFIELD** - The Pikeville College women's basketball team picked up its first Mid-South Conference win of the season with a 67-57 win over homestanding St. Catharine College on Saturday afternoon.

The win left WVU Tech and idle U.Va.-Wise as the only winless teams in the conference. Both are 0-5 on the season.

On Saturday, Pikeville held the Lady Patriots to 37.7 percent shooting and survived 22 turnovers to claim the road win.

Senior Natiera Hinton led the Bears with 23 points, adding a team-best 10 rebounds in the win. She was joined in double figures by senior Lakia Bailey, who came off the bench to toss in 11.

St. Catharine (8-10, 3-3) had three players reach dou-

(See BEARS, page two)



**HOOPIN' IT UP:** Seth Jarrell (22) drove to the basket for the Allen Central boys' basketball team during a Pikeville Invitational Tournament (PIT) game in late-December. Allen Central is scheduled to face Sheldon Clark on Thursday in the opening round of the 15th Region All "A" Classic at the East Kentucky Expo Center.

## Tackett honored for scoring over 300 plus points

Osborne Elementary School fifth grade standout J.R. Tackett recently reached a milestone that no other player has reached so early in their career. On December 11, 2010, in a home game against John M. Stumbo, Tackett received the game ball for reaching 300 plus points in his two-year career at OES.

Tackett is the 12-year-old son of Roger and Karen Tackett of Weeksbury. He also plays basketball for South Floyd Middle School.



## Watson wins No. 218, becomes all-time leader in basketball wins

**TIMES STAFF REPORT**

**PIKEVILLE** - It all started on a weekend road trip in November of 1997, has featured two trips to the national tournament and all four 20-win seasons the women's basketball program at Pikeville College has ever known.

Another milestone came on Saturday when the Bears knocked off St. Catharine College 76-68. The win was No. 218 for Bill Watson during his time as

head coach of the women's basketball program, and made him the school's record holder for wins by a basketball coach.

In getting the win, Watson - already the all-time leader in women's basketball wins - surpassed one of his mentors in Roy Cutright, who had won 217 games in nine seasons as women's coach and five more with the men.

Typical of Cutright, an alumnus of the college and a member of the athletics

hall of fame, he was gracious with his praise of Watson.

"It's well-deserved," he said. "Billy is a guy whose heart is at Pikeville College. He has served both programs well, and served me well in my time there. He's proven that by staying as long as he has at the school."

Watson will be honored in a ceremony on Saturday when the basketball teams play a doubleheader with



**BILL WATSON**

(See LEADER, page two)

## 15th Region Boys: Bobcats fend off Johnson Central

by STEVE LEMASTER  
SPORTS EDITOR

**BETSY LAYNE** - Nathan Martin and Casey Adkins combined for 50 points and 20 rebounds as Betsy Layne held off Johnson Central 66-62 on Monday night at the Dome.

Martin led Betsy Layne with a game-high 30 points and 10 rebounds. Adkins added 20 points and 10 rebounds for the Bobcats, which shot 57.1 percent from the field, draining 28 of 49 shots. Betsy Layne

shot a blistering 62.5 percent from three-point range, draining five-of-eight treys.

The Bobcats won despite being limited to 21 total rebounds. Betsy Layne enjoyed a lead at the end of each quarter. The Bobcats raced out in front during the first quarter, outscoring Johnson Central 23-10. Betsy Layne took a 33-24 lead into halftime and led 50-38 through three quarters.

Dylan Maldonado scored seven points. Andrew Roberts and Dylan

Hamilton netted four apiece and Tyler Reznick sunk one free throw for the Bobcats.

Senior point guard Wade Skaggs, a transfer from 57th District rival Lawrence County, led Johnson Central with 15 points. Cody Parker, a power forward/center, followed with 14 points for the Golden Eagles, as two Johnson Central players reached double figures.

JK Hall, a senior guard, narrowly missed double figures, netting nine points. Shane Hall, a freshman, added eight points for the

Golden Eagles. TJ Curtis and Tate Salyer chipped in five points apiece. Tanner Braxton scored four and Matt Gallagher added two for Johnson Central in the non-district loss.

Betsy Layne will face Pikeville on Thursday at the East Kentucky Expo Center in the 15th Region All "A" Classic. Tip-off for the Betsy Layne-Pikeville boys' basketball game is set for 8:15 p.m. at the Expo Center.

## 15th Region Boys' Basketball Standings

Team	Record
East Ridge	9-2
Pikeville	9-3
Johnson Central	7-4
Sheldon Clark	7-5
Betsy Layne	6-5
Seifry	6-4
Pike Central	5-5
Paintsville	5-8
South Floyd	4-5
Allen Central	4-6
Magoffin County	4-7
Frestonsburg	4-9
Shelby Valley	3-7
Phelps	3-9
Piarist School	1-1
Lawrence County	0-12

## 15th Region Girls' Basketball Standings

Team	Record
Shelby Valley	11-1
Magoffin County	9-2
Seifry	8-1
Paintsville	7-3
Betsy Layne	7-6
East Ridge	7-6
Pikeville	6-6
Sheldon Clark	6-6
Johnson Central	6-6
Frestonsburg	5-7
South Floyd	4-4
Lawrence County	4-8
Pike Central	4-8
Phelps	2-6
Piarist School	2-8
Allen Central	2-9

## Hilton completes Pikeville staff

with Brown, Jones

**TIMES STAFF REPORT**

**PIKEVILLE** - New Pikeville College football coach Dudley Hilton has completed his coaching staff with two new hires, both of whom have mountain ties.

Hilton has named Dayne Brown as the new defensive coordinator and David Jones will be the defensive backs coach.

Brown comes to Pikeville after three seasons as head football coach and weightlifting coach at Harmony High School in Saint Cloud, Fla. Brown has also served as the Associate Director of Football Operations under Head Coach Pat Fitzgerald at Northwestern University in Evanston, Illinois.

"I am extremely excited and humbled by the opportunity to return to the mountains and be a part of the Pikeville College family," Brown said. "I was sold on Coach Hilton's vision for the program and the commitment from President Patton and the rest of the administration to make Bear football something really special. I'm ready to go to work."

Brown has also spent time as defensive coordinator at Lake Howell High School and Saint Cloud High School, both in Central Florida.

He began his coaching career in Eastern Kentucky as an assistant at his alma mater, Magoffin County High School, where he was later named head coach. He also spent time at Johnson Central High School and Powell County High School.

"For Coach Brown, this is kind of a return to home with his ties in Magoffin County," said Hilton. "But he has been in Florida for about 10 years, and his connections down there should really help broaden our recruiting in that state."

Among his notable accomplishments, Brown (See PIKEVILLE, page two)

## Senior guard leads Bears past Campbellsville

TIMES STAFF REPORT

CAMPBELLVILLE — Senior Vance Cooksey had 26 points and 11 rebounds to lead Pikeville College to an 87-76 win over Campbellsville University in Mid-South Conference play Thursday night.

Cooksey, a 6-9 point guard, led the Bears in double figures and helped the guests to a 44-39 edge on the glass in getting the important conference road win.

Pikeville improved to 14-3 on the season, stretching its win streak to four. Campbellsville lost its second straight and fell to 9-6 overall. Both teams are now 3-2 in the league.

The Bears jumped out to an early lead and were never headed, leading by as many as 18 points twice in the first half before they settled with a 44-29 edge. The second half saw the Tigers outscore the Bears by four, but could get no closer than three, 62-59, on a free throw by Caleb Harris with 6:01 to play.

But senior Chris Donald, the current Mid-South Conference player of the week, hit two free throws to right the ship as the Bears pulled away, thanks largely to solid free throw shooting. They were 20-of-25 (80 percent) from the line in the second half.

Cooksey was joined in double figures by four teammates, with senior Justin Hicks tossing in 13. Donald and senior Andre Thornton had 12 points apiece off the bench, and sophomore Trevor Setty tossed in 10 in his return after missing two games.

Campbellsville had four starters in double digits, with senior Shawn Vaughn leading the way with 18 points and five assists. Senior Ja Vaughn Espirit followed with 17 points and seven rebounds, while Harris tossed in 12 and grabbed a team-best eight boards.

Junior Reggie Smith added 10 points and pulled down seven caroms. Both teams are back in action on Saturday afternoon. Campbellsville remains home to meet U.Va.-Wise, while Pikeville visits No. 15 St. Catharine College. Both games are slated for 4 p.m. tips and will be preceded by women's games involving the same schools.

## Third-ranked Campbellsville holds off Pikeville women

TIMES STAFF REPORT

CAMPBELLVILLE — Four Bears reached double figures as Pikeville pushed the nation's third-ranked team to the brink, but it wasn't enough as Campbellsville University escaped with an 85-76 win Thursday night.

The win kept the Tigers a perfect 5-0 in the Mid-South Conference and 12-2 overall. Pikeville fell to 9-5 on the season and remained winless in five league games.

Senior All-American Whitney Ballinger led the Tigers with 30 points and 14 rebounds. A 63 percent free throw shooter, the Carrollton product was 14-of-17 from the stripe on Thursday. In addition, she had five steals, four blocked shots and a pair of assists.

Pikeville had four players in double figures, led by junior point guard Megan Mosley's 17 markers. Sophomore center Lenae Shouse had a career-best 16 points in the setback.

Coach Ginger Colvin's Tigers turned the ball over an uncharacteristic 19 times in the loss, but had 14 steals while forcing 24 Pikeville turnovers.

Campbellsville closed the first half on a brief run, turning a two-point lead into a 35-26 advantage at the break. But Pikeville continued to battle and was within one point at 55-54 with about seven minutes left.

The Bears could never get over the top and take the lead down the stretch, while the Tigers nailed their free throws to hold off a Pikeville team that hit 54.5 percent from the floor in the second half.

Ballinger was followed by two teammates in the scoring column, getting 17 from sophomore Courtney Clifton to go with five rebounds. Sophomore Mackenzie Lee added 14.

Mosley and Shouse were joined in double digits by senior Natiera Hinton's 13, while freshman Brogan Conley came off the bench to toss in 12.

## Strong second half propels MSU to win; home streak improves to 24

TIMES STAFF REPORT

MOREHEAD — The Morehead State University men's basketball team dominated the second half to cruise to a 73-52 Ohio Valley Conference win over Jacksonville State Saturday night at Johnson Arena.

The win, coupled with a Murray State loss earlier in the day, vaulted the Eagles (11-6, 4-2 OVC) into a tie for third place with Kentucky for the longest home-court winning streak in Division I. Only storied programs Kansas and Duke have won more consecutive home games. Morehead State also moved into a tie for fifth-longest conference home winning streak, equalling Gonzaga and Cornell.

MSU scored Jacksonville State 45-30 in the second half after leading by just six at the intermission. The Eagles got late spurts from Kenneth Faried, who had just one field goal in the second half. Demonte Harper, who scored 10 in the second stanza, and Drew Kelly, whose career-high 12 points all came in the second half.

After allowing JSU to shoot 60 percent from beyond the arc in the first half, the Eagles buckled down and cut that percentage to 45.5 in the second half. The Gamecocks scored just two first-half field goals that weren't 3-pointers.

"They have a very good team. I know their record may not indicate it, but they played a brutal non-con-

ference schedule," MSU coach Donnie Tyndall said. "I have a great deal of respect for coach Green, his kids always play extremely hard. I told our guys before the game, this team is going to come right at us and they did."

Morehead State dug itself out of a pair of first-half deficits by forcing 15 first-half JSU turnovers, 13 of which came off of steals. The Eagles had 22 steals in the game, resulting in 28 Jacksonville State turnovers and 34 points off of those turnovers. The 22 steals were the most at Morehead State under Tyndall. Terrance Hill had a career-high five steals and Faried, Harper and Sam Goodman each had four steals, which equaled a career-high for Goodman.

"At home your press is always a lot more effective with the energy that you get. We really dogged the basketball, got after them, forced tempo and forced them into turnovers," Tyndall said. "That kind of work on them. That was the biggest thing tonight, we had an emphasis of really getting after their guards and forcing tempo."

Hill, who was 6-of-10 from the field, including 4-of-5 from beyond the arc, led MSU with 19 points, which tied his season high. Faried finished with 13 points and 11 rebounds for the 72nd double-double of his career. He also had a career-high six blocks. Harper had 10 points and a season-high six assists.

The Gamecocks (6-10;

3-2 OVC) came out firing and took a nine-point lead thanks to a trio of triples in the first five minutes, two of which came from Jeremy Bynum. An eight-point surge by the Eagles made the deficit just one, but JSU got it back to eight again thanks to a pair of triples, the final one coming from Bynum, who led Jacksonville State with 15. But Bynum's triple, which came at 5:33, was the last field JSU goal of the half, allowing Morehead State to double its score and take a 28-22 halftime lead.

Nick Murphy, who scored 11 points for JSU, opened the second half with a jumper and Bynum drilled his fourth 3-pointer of the game to pull within one. MSU then reeled off a 20-3 run that included eight straight points from Kelly. From there, the Gamecocks never got any closer than 13 points.

Stephen Hall led JSU with four rebounds, and Murphy dished out a game-high eight assists.

Morehead State, which concluded a five-game home stand, travels to OVC foe Southeast Missouri at 8:30 p.m. Eastern on Thursday. "When you look at it record-wise, SEMO might be the most improved team in our league. They're 4-2 just like we are. They're drawing better at home, people are rallying around what their coach is doing and what they're building there, so it's going to be a tough environment and a challenging game."

## Bears

ble digits, led by Danielle Brown's 15. Courtney Milam followed with 14 points, while Rianne Hofstraat came off the bench for 10.

'Sa'de Mullins, who had seven points, led SCC with 11 rebounds.

Pikeville (10-5, 1-5) shot

45.2 percent from the field and was 5-of-12 (41.7 percent) from the arc en route to the win. The Bears also held a 45-40 edge on the glass thanks to Hinton's double-double.

Junior Megan Mosley and sophomore Jennifer Grant added nine points

Continued from p1 for the Bears. Sophomore Sally Roberts finished with eight.

Follow the Bears online at [www.gopcbeas.com](http://www.gopcbeas.com).

## Pikeville

was selected as the 2009 Florida Athletic Coaches Association 4A Coach of the year and the 2009, Orange Belt Conference Weightlifting Coach of the Year.

Jones is a graduate of Belfry High School, where he helped the Pirates win their first state football championship. After graduating, he signed a scholarship to play at the University of Kentucky, where he spent four years

playing both receiver and defensive back.

Jones, who had an impact on the special teams units at Kentucky, spent time in camp with the Baltimore Ravens and was an assistant coach at Belfry under Philip Haywood in 2010, helping guide the Pirates to a state runner-up finish in Class AAA.

"Getting a former Kentucky player should really help us establish a connec-

tion with UK," said Hilton. "That should be another advantage in recruiting. We believe his experience and knowledge should be a major asset both in recruiting and coaching our student-athletes here at Pikeville College."

The Dudley Hilton era at Pikeville College will begin Saturday, Sept. 3, when the Bears play host to Southern Virginia. Kickoff is slated for 6 p.m. EDT.

## Leader

WVU Tech at the East Kentucky Expo Center beginning at 2 p.m.

Kelly Wells, in his fifth season as head coach of the men's basketball team, says Watson's impact off the court is as important as his success on it.

"It is a great honor to work with Bill day in and day out and to be around him for this great landmark in his career," Wells said. "Bill is not only a good basketball coach, but also he is even a better person and friend! He has truly made a difference at Pikeville College and in the lives of all he has come in contact

with through sports."

Watson began his collegiate coaching career as an assistant coach with the men's team under Rick Scruggs. When the opportunity came prior to the 1997 season, he accepted the head coaching position with the women after assisting Randy Roberts during his final season at the helm.

The first win of his tenure came at the Pikeville College Gym on Nov. 14, 1997, when the Lady Bears defeated Ohio-Eastern 86-36.

Cutright won 146 games in nine seasons with the women, and Watson passed

him with a 70-66 win over St. Vincent on Nov. 4, 2005 to become the all-time leader in women's basketball wins.

Cutright said while being at the top of any list is a source of pride, seeing one of his former assistants surpass him is as well. "You always know it's going to happen," he said. "It's good when you find somebody who likes what he does and is willing to stay there, and doesn't use Pikeville College as a stepping stone."

"He has enjoyed his time there. I enjoyed my time there too."



ALLEN CENTRAL is headed into a 15th Region All "A" Classic opening round matchup versus Sheldon Clark. First-year head coach Kevin Spurlock, a Floyd County native, guides the Sheldon Clark Cardinals.

# WANTED

## Enterprising Journalist

The Williamson Daily News, located in the beautiful hills of southern West Virginia, seeks and enterprise journalist that can pull strong stories out of a variety of beats. This is a small daily newspaper, so the candidate will juggle several areas of reporting. Photography skills not required, but definitely a plus. Solid news judgment and great storytelling will be the biggest skills needed. Full-time, entry-level position with benefits. Please send cover letter, resume and at least three writing examples to:

greatonefrommatewan@yahoo.com or by mail to Mike Browning, Editor, P.O. Box 1660, Williamson, WV 25661

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# FLOYD COUNTY Lifestyles

## YESTERDAYS

Items taken from The Floyd County Times,  
20, 30, 40, 50, 60, 70 years ago. page B4

## INSIDESTUFF

Community Calendar • page B8

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### EVERYBODY'S SCIENCE

Pass the butter,  
please!

by SANDY MILLER HAYS  
AGRICULTURAL RESEARCH SERVICE

I think I may be trapped in "Invasion of the Body Snatchers." At least, that's how it feels around the office on some days, because at this time of year, people start to disappear suddenly. You've worked with these folks for a couple of decades, you've become very used to having them around, and then poof—one day they're gone. But it's nothing as ominous as body-snatching; it's this thing called "retirement."

Today I heard that my "bread buddy" is going. This scientist is one of our leading vegetable researchers, but I always mentally associate him with breadmaking, because way back when I acquired my first bread machine, he laughed and said, "That'll soon be living in your garage!"

It turns out he had an acquaintance who'd initially been very enthusiastic about baking bread, but after a month or so, her bread machine took up permanent residence in the garage. I, on the other hand, have completely worn out two bread machines (parts started falling off) and am now busy wearing Machine No. 3 down to a nub. But I always think of that scientist when I bake bread.

I guess it's just a peculiar coincidence that I got word of his retirement today, as I was reading a story about other Agricultural Research Service (ARS) scientists who really are baking bread (as opposed to developing vegetable varieties).

Now, my breads and rolls, much as I love them, have a fairly limited audience: my husband and my neighbors. But these ARS scientists' breads could make millions of people happy, so I think they've got me beat!

That's because they're working on baking bread and rolls from grains other than wheat—specifically, gluten-free grains such as corn, rice and sorghum. Why is that a big deal? It's because as many as 3 million Americans suffer from celiac disease, a condition in which the human immune system erroneously attacks the intestine when gluten is ingested, causing severe diarrhea and inability to absorb nutrients.

For these folks, the simple pleasure of a good dinner roll is off limits because they can't tolerate the proteins found naturally in grains like wheat, barley and rye that are used in flours.

The ARS scientists have had some success in the past in developing gluten-free pan bread from grains other than wheat, barley and rye. But they just couldn't crack the code on how to produce free-standing hearth-style rolls because the rolls spread out too much. Also, the pan bread they produced was considered lower in quality than comparable wheat bread.

But recently, the scientists have taken a giant step towards success, making free-standing corn-based rolls that are more than just gluten-free; they also rise better and more closely resemble wheat rolls.

In previous studies, the ARS scientist found that a corn protein called zein—readily available as a byproduct of corn wet milling and production of fuel ethanol—could be used to make a more wheat-like dough. But the dough still didn't live up to their expectations because it lacked strength and the rolls it produced had a bad tendency to "heave down on the job," so to speak. For that study, the scientists were using commercially available zein.

But then they found that by removing additional fat from zein, they were able to produce a dough that's a lot more like wheat dough, and free-standing hearth-style rolls that more closely resemble wheat rolls.

The secret? Removing more of the fat from the zein protein's surface allowed the proteins to stick to each other much like wheat proteins do, which contributes significantly to the elasticity of wheat doughs.

(See SCIENCE, page 4)

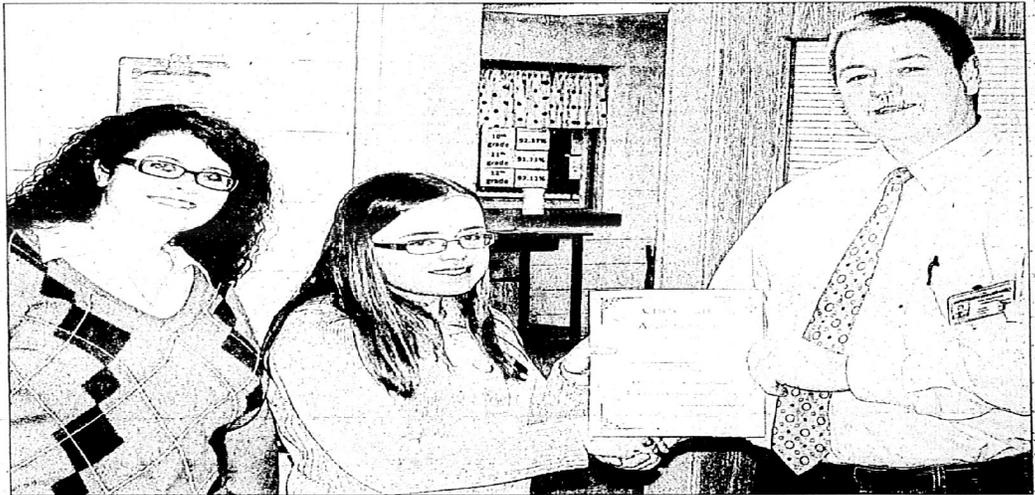
## Spring registration next week at PC

PIKEVILLE — Open registration for the spring 2011 semester at Pikeville College will be held Tuesday, Jan. 18, beginning at 9 a.m. on the first

floor, of the Administration Building. Classes begin Wednesday, Jan. 19. A complete list of class offer-

ings and other helpful information can be found at [www.pc.edu](http://www.pc.edu). Scholarships are still available for the spring semester.

For more information about registration or financial aid, contact a member of the Admissions team at (606) 218-5251.



Chelsea Ord, a junior at South Floyd High School, was recently selected to perform with the Kentucky Music Association District 9 Senior High Band. Pictured left to right are Sarah Joseph, band director at South Floyd High School, Chelsea Ord, and Joe Marson, principal at South Floyd High School.

## HITTING THE RIGHT NOTES

Ord selected to play at KMEA event

by JARRID DEATON  
FEATURES WRITER

Chelsea Ord, a junior at South Floyd High School, will get the chance to show off her skills on alto saxophone with the Kentucky Music Education Association (KMEA) District 9 Senior High Band. KMEA District 9 includes 11 counties throughout Eastern Kentucky.

Ord was selected to fill one of six spots for alto saxophone after auditioning with 12 others.

"We are excited for Chelsea to have this

honor," said Supt. Henry Webb. "Venues such as KMEA's District 9 Senior High Band allow our students to have opportunities to perform at higher levels and we always want to challenge our students."

South Floyd High School Principal Joe Marson is happy that Ord will be performing before a large audience.

"Chelsea's talent can now be showcased to a larger audience," Marson said. "We believe this young lady will be a wonderful addition to this concert."

Chelsea Ord is the daughter of Walter and Sherry Ord, of McDowell.

The stated mission of the KMEA is, "To advance the cause of music education throughout the Commonwealth of Kentucky by encouraging the study and making of music by all of the population; and by serving as a strong advocate for issues affecting the accomplishment of that mission."

The KMEA District 9 Senior High Band concert is scheduled to be held at 2 p.m. on Jan. 16, 2011, at the Ramada Inn, in Paintsville. The concert is free of charge and open to the public.

## KHS accepting nominations for 2011 History Teacher of the Year

FRANKFORT — The Kentucky Historical Society (KHS), in partnership with the Gilder Lehrman Institute for American History, HISTORY and Preserve America, is now accepting nominations for 2011 National History Teacher of the Year.

The Gilder Lehrman Institute sponsors the National History Teacher of the Year award annually in its effort to promote the study and love of American history. The state winner receives

\$1,000, an archive of classroom resources and the opportunity to compete for the national award. The national winner receives a \$10,000 prize and a trip with two of his or her students to the award ceremony in early Fall 2011.

This year's contest recognizes K-6 teachers of American history. Nominees must have at least three years of classroom experience in teaching social studies with a focus on American history, including

state and local history. They must exhibit creativity and imagination in the classroom with the intent to promote literacy and content beyond state standards. Nominees must also devote close attention to primary documents, artifacts, historic sites and other primary materials of history, including oral history, and provide thoughtful assessment of student achievement and progress. Nominees must also plan to teach for at least one year following the award year.

Nominations can be made by a student, parent, colleague, supervisor or other education professional familiar with the teacher's work. Self-nominations are not accepted.

To view award criteria or submit a nomination, visit [www.gilderlehrman.org/nhtoy](http://www.gilderlehrman.org/nhtoy). Nominations are due by Feb. 1. To find out more about KHS programs and resources for educators and students, including classroom resources and field trips, visit [www.history.ky.gov](http://www.history.ky.gov).

# OUR YESTERDAYS

(Items taken from The Floyd County Times, 10, 20, 30, 40, 50, 60, 70 years ago.)

### Ten Years Ago (Jan. 7, 10 and 12, 2001)

The old Williams Motor Court, at the entrance to Jenny Wiley State Resort Park, was the scene of an early-morning fire which resulted in the deaths of two people. Authorities say the fire appears accidental, but they are still investigating... Senator Ernest Scorsone, D-Lexington, has filed legislation that would prevent people assigning mandatory treatment programs to convicted drunk drivers from sending business to themselves. "This legislation is aimed at getting rid of a conflict of interest that too often casts doubt on whether DUI treatment referrals are made objectively," said Scorsone. "We must ensure that people convicted of driving under the influence are sent to the alcohol intoxication education and treatment programs best suited to their needs..." Floyd County Sheriff John K Blackburn and Sgt. Shawn Roop have been working in conjunction with the United States Secret Service in an investigation involving the passing of counterfeit bills. The investigation has resulted in the arrest of Steven Todd Harris, 30, of Corn Fork. Harris was apprehended and placed under arrest, Thursday evening, December 28, by Sheriff Blackburn and Sgt. Roop... House majority floor leader Greg Stumbo has come forward as the primary sponsor of Governor Paul Patton's effort to revamp the state's black lung program on Friday. Stumbo sponsored House Bill 132, which contains Patton's proposal... The first meeting of the Wheelwright city commission for the new year involving newly-elected members of the commission for the new year, involving newly-elected members of the commission took place, Friday morning. Among the issues discussed was a report adopted ordinance pertaining to merit system benefits for city employees and further discussions in relation to a lawsuit filed against the city and its utilities commission by two former utilities employees... Members of the Floyd County Board of Education had only two options regarding continued state management as they went into Monday night special meeting. But they

created another one. Board members last week received the two-volume report of the system audit, done by the state Department of Education last fall, and Education Commissioner Gene Wiholt's recommendations that the county school system remain under state oversight, as it has been for the last several years... Reports and rumors that a long-serving city council member has resigned his office have proven to be misleading. According to Mayor Jerry Fannin, "the city council members all remain the same, no one has resigned..." Governor Paul Patton addressed a meeting of the East Kentucky Corporation at the Prestonsburg Corporation at the Prestonsburg Holiday Inn, Monday, at which time he unveiled an Eastern Kentucky publicity video aimed at erasing stereotypes about the region... The City of Prestonsburg's annexation of the Big Branch of Abbott Creek area continues to move forward, with the latest development in the matter being that the remaining petitioners in the suit have recently filed a motion in Floyd Circuit Court to withdraw their previous request for a temporary injunction against the annexation... Prior to this motion, a motion to withdraw from the suit was entered by three of the original petitioners after the City filed a counterclaim against them in response to the class action lawsuit. The counterclaim stated that Kent Dingus, Debbie Dingus, and Debbie Leslie all waived their rights to challenge annexation of their property when they signed an agreement with the city upon acceptance and receipt of the city's sewer service... The Mountain Arts Center Management Commission met Monday afternoon to view final reports, discuss Bluegrass promotion services and touch base on a few old business matters. Ken Carriere, who operates "Goodyme Productions," was on hand to present his concerns in regard to future promotional dealings with the center... A newly elected Wayland city council member was arrested over the weekend on charges of driving under the influence, disorderly conduct and terroristic threatening. Michael W. Gibson, 45, of Wayland, was arrested early Saturday morning on Route 7 in Wayland by Wayland City Policeman Aaron Kidd... The Floyd County Times Interactive, the online product of The Floyd County Times, reached a milestone Thursday when it logged its 100,000 visitor. The Times website went online January 23, 2000, and logged 100,000 just 12 days shy of its first birthday... State Treasurer Jonathan Miller presented County Judge-Executive Paul Hunt Thompson with a list of Floyd Countyans who have money they don't know about. A total of \$95,000 is owed to county residents and is waiting to be claimed. Jonathan Miller, Kentucky's State Treasurer is preparing to launch a new prepaid college tuition plan that will go into effect the beginning of the 2001 school year, fall semester. The plan received unanimous approval by both houses of the Kentucky General Assembly during the 2000 legislative session... There died: Greenville Calhoun, 84, of Dwayne, Friday, January 5, at Highlands

Regional Medical Center; Chester Porter, 74, of Allen, Wednesday, January 3, at Pikeville Methodist Hospital; Conner Oneil Hamilton, of Wheelwright, January 2, at Highlands Regional Medical Center; Louise Hicks, 62, of Hueysville, Monday, December 25, at the Cleveland Clinic, in Cleveland, Ohio; Phyllis Mae Moore, 66, of Langley, Friday, January 5, at her residence; Herbert Hoover, 82, of Claysville, formerly of Robertson Center, in Harrison Memorial Hospital; Ruth O. Sherman Mosley, 83, of Melvin, Friday, January 5, at the McDowell Appalachian Regional Hospital; James Monroe Powers, 92, of Auxier, Monday, January 1, at Highlands Regional Medical Center; Uble Coy Elswick, 76, of Westland, Tennessee, formerly of Virgie, Friday, January 5, in the Maceo County General Hospital; Hubert Clayton Gambill, 81, of Paintsville, Friday, December 29, at the Veterans Administration Medical Center; Huntington, West Virginia; Freddie Williams, 87, of Prestonsburg, retired body shop owner, Saturday, January 6, in the Highlands Regional Medical Center; Josephine Jervis, 78, of Endicott, Monday, January 8, at the Pikeville Methodist Hospital; Robert Lee Burchett, 74, of Prestonsburg, Saturday, January 6, at Central Baptist, Lexington; Roger Dale Cartmill, 51, of Prestonsburg, Saturday, January 6; Rosemary Samons, 52, of Dana, Friday, January 5, at her residence; Virginia Jean Slone, 72, of Warsaw, Indiana, Sunday, January 7, at Kosciusko County Hospital; Magdalene Buehler Little, 70, of LaRue, Ohio, native of McDowell, Tuesday, January 2; Albert Richard James, 78, of Betsy Layne, Wednesday, January 10; Frank Layne Caldwell, 95, of Bowling Green, Tuesday, January 9, at Medical Center, Bowling Green; Evan Tackett Jr., 57, of Printer, Tuesday, January 9, at River View Manor Nursing Home; Timothy Hunt, 34, of Centre, Alabama, formerly of Floyd County, Saturday, January 7, at Gadsden, Alabama; Chalmer Blevins, 77, of Prestonsburg, Tuesday, January 9, at Highlands Regional Medical Center.

Twenty Years Ago (January 9 & 11, 1991) Former Betsy Layne High School assistant football coach Donnie Ray was arrested, Monday evening, in connection with a Monday afternoon bomb threat which forced emergency service workers to evacuate students at Betsy Layne High School... Convention facilities in Floyd County will expand next month when the new Jenny Wiley Convention Center opens for business... A 30-year-old Langley man was arrested, December 26, and charged with three counts of first degree rape and two counts of first degree sodomy after an alleged incident involving two juveniles... State Representative Greg Stumbo of Prestonsburg was re-elected by Democratic legislators this week as House Majority Leader for the Kentucky General Assembly... Former Martin postmaster Leslie C. Nelson was sworn in Monday as the new postmaster for the Paintsville office of the U.S. Postal Service... There died: Melba

Lemasters, 70, of Prospect, Ohio, formerly of Floyd County, Tuesday, January 1, at her home; Lenora Hall Ravensburg, 73, of Lake Stevens, Washington, formerly of Topmost, Wednesday, January 2, at the Everett General Hospital; Imelene Craft, 58, of Prestonsburg, Saturday, January 5, at her residence; Rosie Gayheart, 84, of Eastern, Monday, January 7, at Our Lady of the Way Hospital; John B. Tackett, 56, of Beaver, Sunday, January 6, at Jewish Hospital; Maggie Webb Allen, 94, of Lexington, formerly of Eastern, Thursday, January 3, at the Lexington Country Place Nursing Facility; James Gilliam, 72, of Wheelwright, Saturday, January 5, at Hazard Appalachian Regional Hospital; Wanda Seiser, 83, of Allen, Wednesday, January 2, at Highlands Regional Medical Center; Audie Ellen Shepherd, 69, of Winona Lake, Indiana; Nancy Gibson Hall, 89, of McDowell, Monday, January 7, at her residence; Bruce Shepherd, 72, of East Point, Sunday, January 6, at Paul B. Hall Medical Center; H.B. Flack, 95, of Betsy Layne, died Wednesday, January 2, at the Veterans Hospital in Lexington; Ruth Marie Conn, 63, of Arkansas Creek of Martin, Tuesday, January 8, at HRMC; Johnny G. Mulkey, 62, of Banner, Tuesday, January 8, at Our Lady of the Way Hospital; Stella Stegall, 80, of Hi Hat, Tuesday, January 8, at McDowell ARH.

after seven days due to a two-inch snowfall... There died: Ollie Robinson, 84, of Martin; Anna Dingus, 72, of Martin; Minnie W. (See YESTERDAYS, page 8)

### Science

Continued from p1

But the ARS scientists think the best is yet to come. They say sorghum, a gluten-free grain of choice as a wheat substitute, could work even better than corn. They view the corn protein as an intermediate step toward achieving what they call the Holy Grail of gluten-free breads: a wheat-like dough, made from non-wheat proteins, that yields products with a fluffy, light texture. For me, bread and rolls are the ultimate "comfort food"—so let's all keep our fingers crossed that these scientists are on the right track to making these products more comfortable for all our friends who can't tolerate gluten!

The Agricultural Research Service is the chief in-house scientific research agency of the U.S. Department of Agriculture. You can read more about ARS discoveries at [www.ars.usda.gov/news](http://www.ars.usda.gov/news)

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1/4/11 12/01/11

**Cinema 1—Hold Over**  
GULLIVER'S TRAVELS (PG) Mon-Thurs. 7:10-9:25; Fri. (4:25) 7:10-9:25; Sat-Sun. (2:10-4:25) 7:10-9:25.

**Cinema 2—Hold Over**  
YOGI BEAR (PG) Mon-Thurs. 7:00-9:15; Fri. (4:15) 7:00-9:15; Sat-Sun. (2:00-4:15) 7:00-9:15.

**Cinema 3—Hold Over**  
TRUE GRIT (PG-13) Mon-Thurs. 6:50-9:15; Fri. (4:15) 6:50-9:15; Sat-Sun. (1:50-4:15) 6:50-9:15.

**Cinema 4—Hold Over**  
THE LITTLE FOCKERS (PG-13) Mon-Thurs. 7:15-9:30; Fri. (4:30) 7:15-9:30; Sat-Sun. (2:15-4:30) 7:15-9:30.

**Cinema 5—Hold Over**  
THE FIGHTER (R) Mon-Thurs. 7:05-9:25; Fri. (4:25) 7:05-9:25; Sat-Sun. (2:05-4:25) 7:05-9:25.

**Cinema 6—Hold Over**  
SEASON OF THE WITCH (PG-13) Mon-Thurs. 7:15-9:30; Fri. (4:30) 7:15-9:30; Sat-Sun. (2:15-4:30) 7:15-9:30.

**Cinema 7—Starts Fri., Jan. 14**  
THE GREEN HORNET 3D (PG-13) Mon-Thurs. 6:55-9:20; Fri. (4:20) 6:55-9:20; Sat-Sun. (1:55-4:20) 6:55-9:20.

**Cinema 8—Starts Fri., Jan. 14**  
THE DILENNA (PG-13) Mon-Thurs. 7:00-9:25; Fri. (4:25) 7:00-9:25; Sat-Sun. (2:00-4:25) 7:00-9:25.

**Cinema 9—Hold Over**  
COUNTRY STRONG (PG-13) Mon-Thurs. 7:05-9:25; Fri. (4:30) 7:05-9:25; Sat-Sun. (2:05-4:30) 7:05-9:25.

**Cinema 10—Hold Over**  
TRON: LEGACY (PG) Mon-Thurs. 6:55-9:20  
TANGLED (PG) Fri. (4:20), Sat-Sun. (2:00-4:20)

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 Available immediately. Willing to sit with elderly in their home, hospital or nursing facility. More than 15 years experience. Professional attitude. Call 226-2234 for more information.

**Help Wanted - General**

Drivers needed - Class A CDL apply in person @ H.T. Hackney Co. Harold Ky. Pre-employment drug test required. Please bring drivers license & social security card when you come to apply.

**Equipment Operator Job**  
 Opening: Dozer and excavator job openings. Shift at surface mine at Dorton, Pike County, KY. Operators must have three or more years experience on surface mining operation. Medical, dental and gratification insurance provided. Salary commensurate with job skills and experience. Appointment by calling 606-889-9909.

Doctor's Office needs a part time help from Monday to Friday from 12:30 p.m. to 5:30 p.m. Job descriptions: receive phone calls, call scheduled patients, pull charts, file back charts, scan medical documents, lab, schedule patients for procedures & referring doctors etc. We will train but good speed of computer typing required. Fax resume to 606-889-9909.

Central Financial Services, Inc has immediate openings for multiple positions. Individuals will become a member of a team devoted to providing quality customer service. Duties include greeting customers, answering multiple phone calls, data entry, receiving and processing cash/check payments, and other duties. Must be a high school graduate or equivalent. Apply in person to: Central Financial Services, Inc 198 Collins Circle Box 4, Prestonsburg, Ky 41653. EOE

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**Notice of Public Hearing**

Sandy Valley Transportation Services, Inc (SVTS), will host a public hearing at 1:00pm, Friday January 28, 2011, at Sandy Valley Transportation Services, Inc., Prestonsburg, Kentucky. The Public Hearing is for the consideration of grant applications for federal funds for capital and operating assistance for the period of July 1, 2011, to June 30, 2012, for rural community transportation services in the big sandy valley area, including Floyd, Johnson, Magoffin, Martin and Pike counties. There is no significant environmental impact. Regulations regarding the disabled and the elderly shall be complied with accordingly. The grant applications will be available at the SVTS office, 81 Resource court, Prestonsburg, Kentucky 41653, on April 1, 2011.

**100**

**Legals**

**NOTICE OF INTENTION TO MINE Pursuant to Application Number 836-8068.**

In accordance with the provisions of KRS 350.055, notice is hereby given that Laurel Mountain Resources LLC, 1801 Watergap Road, Prestonsburg, Kentucky 41653 has applied for a permit for an underground coal mining operation located 1.06 miles southeast of Blue Moon in Floyd County. The proposed operation will disturb 8.9 surface acres and will underlie 696.0 acres, and the total area within the permit boundary will be 704.9 acres. The proposed operation is approximately 1.03 miles southeast of Little Mud Creek Road's junction with KY Route 2030 and located 0.1 miles east of Little Mud Creek. The proposed operation is located on the McDowell U.S.G.S. 7-1/2 minute quadrangle map. The surface area to be disturbed is owned by The Elk Horn Coal Company, LLC. The operation will underlie land owned by SEO CHAP-TER N V T The Elk Horn Coal Company, LLC, Emory Newsome, Icess Newsome, Willis Newman, Joseph Tackett, Carmel Newman, Thurman Newman, Marie Tackett, Lou Tackett, Rosemary Tackett, Commonwealth of Kentucky, James Newman, Terry and Gayle Hall, Max and Margaret Aker, Estil Moore, Palmer Hamilton, Clifford Hall, Ravin Parsons, East Kentucky Network LLC, Nancy Leedy Estate, Ddra Hall, and Judy Tackett. The operation will affect an area within 100 feet of public road CR 1737. The operation will not involve relocation or closure of the public road. The application has been filed for public inspection at the Department for Natural Resources' Prestonsburg Regional Office, 3140 South Lake Drive, Suite 6, Prestonsburg, Kentucky 41653. Written comments, objections, or requests for a permit conference must be filed with the Director, Division of Mine Permits, #2 Hudson Hollow, U.S. 127 South, Frankfort, Kentucky 40601.

**NOTICE OF INTENTION TO MINE Pursuant to Application Number 836-8068.**

In accordance with 405 KAR 8:010, notice is hereby given that FDCG Coal, Inc., P.O. Box 77, Ivel, Kentucky 41642 intends to transfer permit number 836-8064 to FDCG Coal, Inc., P.O. Box 1200, Robinson Creek, Kentucky 41660. The new permit number will be 836-8068. The operation disturbs 305.12 surface acres and includes 838.75 underground acres of which 450.11 acres overlie/underlie permitted surface or underground area making a total of 693.76 acres within the permit boundary. No new acreage is affected by this transfer. The operation is located 1.90 miles southeast of Ivel in Floyd County. The proposed operation is approximately 1.40 miles southeast from KY Route 122's junction with KY Route 2030 and located 0.004 miles northeast of Spurlock Creek. The operation is located on the Harold USGS 7 1/2 minute quadrangle. The application has been filed for public inspection at the Department for Natural Resources' Prestonsburg Regional Office, 3140 South Lake Drive, Suite 6, Prestonsburg, Kentucky 41653. Written comments or objections must be filed with the Director, Division of Mine Permits, #2 Hudson Hollow, U.S. 127 South, Frankfort, Kentucky 40601. All comments or objections must be received within fifteen (15) days of today's date.

**NOTICE TO BYRON TYLER STUMBO WARNING ORDER**

Notice is hereby given that the undersigned attorney has been appointed to notify the Defendant, BYRON TYLER STUMBO and JESSICA SEXTON STUMBO that a civil action has been filed against them in Floyd Circuit Court, Division III, as C.A. No. 10-AD-00041. Said Defendant must immediately file an Answer in this matter otherwise, judgement may be entered against him. Said Defendant should contact the undersigned attorney immediately.  
 Anthony Craig Davis  
 Davis Law Office  
 104 Hayes Complex  
 P.O. Box 200  
 Betsy Layne, Kentucky 41605  
 Office: 606-478-1002.

**HOME FIRES** America's Biggest Disaster Threat

**4 Out Of 5 Americans Are Unaware That Home Fires Are The Most Common Disaster Threat.**

Preparedness is your best defense against deadly fires. Use these checklists to make your home safe and prepare your family.

- To prevent fires before they start:
- Never leave burning candles unattended
  - Keep fuel (paper, clothing, bedding) at least three feet away from heat sources
- To stay safe from fires:
- Create a home fire escape plan.
  - Practice your plan at least twice a year
  - Install smoke alarms and escape ladders
  - Replace smoke alarm batteries at least once a year
  - Purchase and learn how to use fire extinguishers safely

Visit [www.redcross.org](http://www.redcross.org) or contact your local American Red Cross chapter today to learn more.



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Legals

**COMMONWEALTH OF KENTUCKY, FLOYD CIRCUIT COURT, DIVISION II, C.A. NO. 08-CI-01021 VANDERBILT MORTGAGE AND FINANCE, INC. PLAINTIFF VS. MICHAEL EDWARD CHILDERS, BRANDON CHILDERS, PATRICIA CHILDERS, and FLOYD COUNTY, DEFENDANTS. NOTICE OF COMMISSIONER'S SALE**

BY VIRTUE OF Default Judgment and Order of Sale referring to Master Commissioner of the Floyd Circuit Court entered on the 27th day of March, 2009 in the Floyd Circuit Court in the above styled action, in the principal sum of \$45,533.52, together with interest, costs and fees, I shall proceed to offer for sale at the Old Floyd County Courthouse Door, South Central Avenue, Prestonsburg, Kentucky, (behind the new Floyd County Justice Center) to the highest bidder, at public auction on Thursday, 27th day of January, 2011, at the hour of 9:45 a.m., the following described real estate lying in Floyd County, Kentucky, and more particularly described as follows: Being a certain tract of land lying and being in Floyd County, Kentucky, further described as follows: BEGINNING at a stake on the south side of the Kentucky Highway 777 right-of-way line, a corner to Raymond and Peggy Layton; thence running with the said Lawson line in a Southerly Course 86 feet to the North side of Lawson Drive; thence in a Westerly course 22 feet to a stake on the South side of Lawson Drive, also being a corner to Minnie Ramey; thence in a Southerly course with said Ramey line 45 feet to a stake in the center of Stone Coal Creek; thence in an Easterly course with the center of Stone Coal Creek 107 feet to a stake; thence in a Northerly course 132 feet to a stake on the South side of Kentucky Highway 777; thence in a Westerly course with the right of way line of said highway 90 feet back to the point of beginning. EXCEPTION is here made to the said Lawson Drive, which is a paved 10 foot wide road, located in the Southwest corner of the above property, which is to be left open. BEING the Same property conveyed to MICHAEL EDWARD CHILDERS and PATRICIA CHILDERS, his wife, by Deed with right of survivorship dated 7-7-05 of record in Deed Book 515, Page 445, in the Office of the County Clerk of Floyd County, Kentucky. Also, along with the property to be sold is a mobile home currently situated on the subject real property, described as a 2005 Clayton mobile home, Serial No. CWP015734TN.

A. The successful bidder shall either pay cash or make a deposit of 10% of the purchase price with the balance on a credit for forty-five (45) days. In the event the successful bidder shall be required to execute bond with good surety thereon. Said bond shall be for the unpaid purchase price and bear interest at the rate of 12% per annum from the date of sale until paid. Said bond shall have the force and effect of a Judgment for which execution may issue, and a lien shall be retained upon the above described real estate as additional security.

B. The purchaser shall be required to assume and pay the 2010 property taxes or assessments upon the property for the current tax year and subsequent years. All taxes or assessments upon the property shall be paid from the sale proceeds if properly claimed in writing and filed of record by the purchaser prior to the payment of the purchase price.

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

Any announcements made on date of sale takes precedence over printed matter contained herein. Hon. William S. Kendrick, Master Commissioner

**COMMONWEALTH OF KENTUCKY, FLOYD CIRCUIT COURT, DIVISION II, C.A. NO. 10-CI-789DLTUSCHKE BANK TRUST COMPANY AMERICAS AS INDENTURE TRUSTEE FOR THE REGISTERED HOLDERS OF SAXON ASSET SECURITIES TRUST 2006-1 MORTGAGE LOAN ASSET BACKED NOTES, SERIES 2006-1 PLAINTIFF VS. TIMOTHY LYONS, DEBRA KAY SENTER; and COMMONWEALTH OF KENTUCKY, COUNTY OF FLOYD, DEFENDANTS. NOTICE OF COMMISSIONER'S SALE**

By virtue of a Judgment and Order of Sale of the Floyd Circuit Court entered the 24th day of November, 2010, in the above cause, as their interest in the subject property, for the sum of \$102,720.62 with interest thereon, plus additional sums and costs; please be advised that I shall proceed to offer for sale at the Old Floyd County Courthouse Door, South Central Avenue, Prestonsburg, Kentucky, (behind the new Floyd County Justice Center), to the highest and best bidder, at public auction, on the 27th day of January, 2011, at 9:15 a.m., upon the terms set forth following the description, the follow described property, to wit: Property Address: 568 Spurlock Fork, Dana, Kentucky 41615 Beginning at an iron stake in edge of existing drainage hollow near a block of land, the following said drainage in a north-westerly direction for a distance of 185 feet; thence in a northerly direction around the hill, down the said Spurlock Fork for a distance of 150 feet; thence in a southeasterly direction down the hill for a distance of 150 feet; thence in a southerly direction up the said Spurlock Fork for a distance of 60 feet to the point of beginning. Also included in this conveyance is a 13 foot roadway described as follows: "Beginning at county road at an iron stake and running in a northeasterly direction to said tract of land. This road is to be thirteen feet wide from the said iron stake down said Spurlock Fork. Being the same property conveyed to Timothy Michael Senter and Debra Kay Senter, his wife, by that Deed of Conveyance dated May 2, 1984, and recorded on May 3, 1984, in Book 284, at Page 54, in the Deed Book 515, recorded in the office of the Clerk of Floyd County, Kentucky. Being the same property conveyed to Timothy Michael Senter and Debra Kay Senter, his wife, by that Deed of Correction dated August 22, 1984, and recorded August 22, 1984, in Book 286, at Page 708, of the Floyd County, Kentucky records. A. The successful bidder shall either pay cash or make a deposit of 10% of the purchase price with the balance on a credit for sixty (60) days, in which event the successful bidder shall be required to execute bond with good surety thereon. Said bond shall be for the unpaid purchase price and bear interest at the rate of 12% per annum from the date of sale until paid. Said bond shall have the force and effect of a Judgment for which execution may issue, and a lien shall be retained upon the above described real estate as additional security. B. The purchaser shall be required to assume and pay the 2010 property taxes or assessments upon the property for the current tax year and subsequent years. All taxes or assessments upon the property for prior years shall be paid from the sale proceeds if properly claimed in writing and filed of record by the purchaser prior to the payment of the purchase price.

C. The property described above is sold subject to any easements, restrictions, defects, liens or encumbrances of record in the Floyd County Clerk's Office and such rights of redemption as may exist in favor of the United States of America and/or the record owners thereof. Any announcements made on date of sale takes precedence over printed matter contained herein. Hon. William S. Kendrick, Master Commissioner

**COMMONWEALTH OF KENTUCKY, FLOYD CIRCUIT COURT, DIVISION II, C.A. NO. 08-CI-1233 DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF SCOVILLE HOME LOAN TRUST, 2006-0PT4, ASSET-BACKED CERTIFICATES, SERIES 2006-0PT4 PLAINTIFF VS. FRED LYONS, OPTION ONE MORTGAGE CORPORATION, LLC MEDICAL IMAGING GROUP COUNTY OF FLOYD COUNTY, COUNTY OF KENTUCKY, ADMINISTRATIVE OFFICE OF THE COURTS, DEFENDANTS. NOTICE OF COMMISSIONER'S SALE**

By virtue of a Judgment and Order of Sale of the Floyd Circuit Court entered the 20th day of December, 2010, in the above cause, as their interest in the subject property, for the sum of \$62,610.90, with interest thereon, plus additional sums and costs; please be advised that I shall proceed to offer for sale at the Old Floyd County Courthouse Door, South Central Avenue, Prestonsburg, Kentucky, (behind the new Floyd County Justice Center), to the highest and best bidder, at public auction, on the 27th day of January, 2011, at 10:00 a.m., upon the terms set forth following the description, the follow described property, to wit: Property Address: 97 Rister Road, Garrett, Kentucky 41630 Beginning on a stone at the left hand side going up Scott Fork; thence running with Felix Scott's line to a beech tree; thence running up the hill to a water oak tree to corner of Anderson Hoover's line; thence running with Anderson Hoover's line up the point to a chestnut oak tree; thence running down the hill a straight east line to the branch to a stone; thence running down said fork with Anderson Hoover's line to the beginning. Being the same property acquired by Fred Lyons and Sherry Lynn Rister Lyons, husband and wife, from Sherry Lynn Rister Lyons and Jelanda Shepherd, husband and wife, dated May 4, 1993, in record of Deed Book 396, Page 294, recorded in the office of the Clerk of Floyd County, Kentucky. Being the same property acquired by Fred Lyons and Sherry Lynn Rister Lyons, by Deed dated November 17, 2005, of record in Deed Book 519, Page 522, in the office of the Clerk of Floyd County, Kentucky. A. The successful bidder shall either pay cash or make a deposit of 10% of the purchase price with the balance on a credit for thirty (30) days, in which event the successful bidder shall be required to execute bond with good surety thereon. Said bond shall be for the unpaid purchase price and bear interest at the rate of 12% per annum from the date of sale until paid. Said bond shall have the force and effect of a Judgment for which execution may issue, and a lien shall be retained upon the above described real estate as additional security. B. The purchaser shall be required to assume and pay the taxes or assessments upon the property for the current tax year and subsequent years. All taxes or assessments upon the property for prior years shall be paid from the sale proceeds if properly claimed in writing and filed of record by the purchaser prior to the payment of the purchase price.

C. The property described above is sold subject to any easements, restrictions, defects, liens or encumbrances of record in the Floyd County Clerk's Office and such rights of redemption as may exist in favor of the United States of America and/or the record owners thereof. Any announcements made on date of sale takes precedence over printed matter contained herein. Hon. William S. Kendrick, Master Commissioner

**COMMONWEALTH OF KENTUCKY, FLOYD CIRCUIT COURT, DIVISION II, C.A. NO. 10-CI-435FIRSGARRANTY BANK, MARTIN, KENTUCKY PLAINTIFFS, JAMES M. ALLEN, RITA ALLEN, FLOYD COUNTY, MIDLAND FUNDING, LLC, DYNONOBEL, INC., INTERNAL REVENUE SERVICE, COMMONWEALTH OF KENTUCKY, PETROLEUM, CO., LTD., JOHN DEERE CONSTRUCTION & FORESTRY, KENTUCKY REFINING COMPANY, and LOGAN CORPORATION, DEFENDANTS**

By virtue of a Summary Judgment and Order of Sale of the Floyd Circuit Court entered the 9th day of December, 2010, in the above cause, as their interest in the subject property, for the sum of \$138,092.07, with interest thereon, plus additional sums and costs; please be advised that I shall proceed to offer for sale at the Old Floyd County Courthouse Door, South Central Avenue, Prestonsburg, Kentucky, (behind the new Floyd County Justice Center), to the highest and best bidder, at public auction, on the 27th day of January, 2011, at 9:00 a.m., upon the terms set forth following the description, the follow described property, to wit: PARCEL 1: Being the same property conveyed to James M. Allen, from Dixie Nell Layne, a widow, by deed dated August 24, 1989, of record in Deed Book 336, Page 93, in the office of the Floyd County Clerk, and being a certain tract or parcel of land lying in Floyd County, Kentucky, which is more particularly described as follows: Bounded as follows, Being the same property conveyed to Earl Layne and Dixie Layne from Cassie Stone and Everett Stone by Deed dated April 1st, 1978, and recorded in Deed Book 233, Page 262, reference to which is made for a more particular description, with the exceptions of the following: conveyance of deed 7/274 recorded in deed book 216, page 583, deed dated 10/1/77 recorded in deed book 231, page 199; deed dated 10/1/77 recorded in deed book 232, page 69, all instruments cited and recorded in the Floyd County Clerk's office and same are hereby incorporated by reference for a more particular description. There is excepted from the above described property and not hereby mortgaged that portion of same previously conveyed to Christopher Allen Click, from James M. Allen and Rita G. Allen, his wife, by deed dated September 26, 1995, of record in Deed Book 390, Page 1, in the office of the Floyd County Clerk, and being a certain tract or parcel of land lying in Floyd County, Kentucky, which is more particularly described as follows: Beginning at an iron stake on the right-of-way of Highway 1210, then running south with a driveway to the property of Mar on a Hale and Marshal Hale to the C & O railroad, thence running east with the C & O railroad to a stake being the common corner to the land of Ollie May and Henry B. May, thence running north to Highway 1210, then running east to the right-of-way of Highway 1210 to the Beginning. PARCEL NO. 11: Being the same property conveyed to James M. Allen from Gary M. Allen and Judy Allen, his wife, by deed dated January 16, 1992, of record in Deed Book 353, Page 559, in the office of the Floyd County Clerk, and being a certain tract or parcel of land lying in Floyd County, Kentucky, which is more particularly described as follows: Beginning at a stake at the Gary Allen line and the State Highway property, running with the State Highway Property one hundred (100) feet in an Easterly direction to an iron stake; thence in a Southerly direction to the C & O right of way; thence a westerly direction to a stake being (100) feet to the state highway and the point of beginning. A. The successful bidder shall either pay cash or make a deposit of 10% of the purchase price with the balance on a credit for thirty (30) days, in which event the successful bidder shall be required to execute bond with good surety thereon. Said bond shall be for the unpaid purchase price and bear interest at the rate of 12% per annum from the date of sale until paid. Said bond shall have the force and effect of a Judgment for which execution may issue, and a lien shall be retained upon the above described real estate as additional security. B. The purchaser shall be required to assume and pay the 2010 property taxes or assessments upon the property for the current tax year and subsequent years. All taxes or assessments upon the property shall be paid from the sale proceeds if properly claimed in writing and filed of record by the purchaser prior to the payment of the purchase price. C. The property described above is sold subject to any easements, restrictions, defects, liens or encumbrances of record in the Floyd County Clerk's Office and such rights of redemption as may exist in favor of the United States of America and/or the record owners thereof. Any announcements made on date of sale takes precedence over printed matter contained herein. Hon. William S. Kendrick, Master Commissioner

permitted number 836-0345 which was last issued on July 14, 2010. Increment 3 covers an area of 15.96 acres, increment 5 covers an area of 75.63 acres, increment 6 covers an area of 10.33 acres and increment 7 covers an area of 25.96 acres located on Hamilton Branch of Big Mud Creek in Floyd County, Kentucky. The permit area is along KY Route 680, approximately 0.5 miles southwest from the intersection of KY Routes 680 and 979. The latitude is 37 degrees 27' 27". The longitude is 82 degrees 39' 48". The bond now in effect for increment 3 is a surety bond in the amount of \$22,100, for increment 5 is a surety bond in the amount of \$251,000, for increment # 6 is a surety bond in the amount of \$35,600 and for increment 7 in the amount of \$59,600. The Division 60% of the original bond amounts are included in this application for release. Reclamation work performed for increments 3, 5, 6 and 7 include: backfilling, grading and seeding which was completed in the spring of 2006. Results thus far achieved are backfilling, grading, and initial revegetation of disturbed areas. Written comments, objections, and request for a public hearing or informal conference must be filed with the Director, Division of Mine Reclamation and Enforcement, #2 Hudson Hollow, US 127 South, Frankfort, Kentucky 40601 by February 1, 2011. A public hearing has been scheduled for 11:00 a.m. on Wednesday, February 2, 2011 at the Division of Mine Reclamation and Enforcement's Prestonsburg Regional Office, #140 South Lake Drive, Suite 6, Prestonsburg, Kentucky 41653. The hearing will be cancelled if no request for a hearing or informal conference is received by February 1, 2011.

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**NOTICE OF BOND RELEASE**  
In accordance with the provisions of KRS 350.093, notice is hereby given that Frasure Creek Mining, LLC, 4978 Tays Valley Road, Scott Depot, West Virginia 25560 intends to apply for a Phase 1 bond release on in-

**Weatherization Crew Laborer**

Big Sandy Area Community Action Program is seeking a Crew Laborer for the Weatherization Assistance Program in Pike County. Duties include but are not limited to: Performing energy saving functions to existing structures which includes air infiltration, duct repair, insulation, roofing, ceiling repair, wall and floor repair, window and door replacement, and heat system installation.

Two years of heating system, carpentry and/or construction experience that includes a wide range of general skills and knowledge is required. The successful candidate must possess the ability to lift a heavy object (up to 100 lbs.), bend, stoop, climb and perform work in various weather conditions. Candidate must have knowledge of occupational hazards, safety precautions and be proficient in the proper use and care of power hand tools. The position will require a valid driver's license and frequent travel throughout Middlesboro, Martin, Floyd, Pike and Johnson Counties.

Qualified applicants may submit a resume and letter of application to Big Sandy Area Community Action Program.

ATTENTION: Human Resources Manager, 230 Court Street, Painsville, KY 41240 or via e-mail to [webb@bsacop.org](mailto:webb@bsacop.org). Closing date for applications is Friday, January 14, 2011. An Equal Opportunity Employer.

# 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, Ky. 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](mailto: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.

**Midway** The Midway Creek Ladies Auxiliary will be having a giveaway on Friday, Jan. 28, from 9 a.m. to 6 p.m., and on Saturday, Jan. 29, from 10 a.m. to 4 p.m., at the Middle Creek Fire Department, Station 1. The giveaway will consist of clothing, household items, food and toys. The Ladies Auxiliary will be having their giveaway the fourth weekend of each month. Watch the local newspaper and TV for details.

**Bluegrass Gospel Concert** Christ United Methodist Church, located at 105 Methodist Lane in Allen, will host a bluegrass gospel music concert at 6 p.m., Sunday, Jan. 16. The featured performer will be Melvin Goins. Everyone is welcome to attend.

**Free Parenting Classes** To determine eligibility, call John 791-9887.

**Autism Awareness & Support Group**

2nd Monday of each month. Call Calvary Church, Lancer, Ky. (6-7 p.m.). Contact: Billie Chain, [eastkyautismawareness@gmail.com](mailto:eastkyautismawareness@gmail.com)

**Autistic Children Support Group plans monthly meeting**

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

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

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

**Benchmark Family Services family care support** Benchmark Family

Services is a private, non-profit therapeutic foster care agency seeking caring and compassionate foster parents in eastern Ky. Free flexible training schedules, 24-7 support monthly financial compensation, financial bonuses, and mileage reimbursement available. Call: 606-886-0163. [www.benchmarkfamilyservices.org](http://www.benchmarkfamilyservices.org)

**FCHD offers Body Recall exercise classes** The Floyd County Health Department offers Body Recall gentle exercise classes every Monday, Wednesday, and Friday, at 9:30 a.m. at May Drive, just off 1428, and at 10:30 at the First Presbyterian Church in Prestonsburg. Classes are free and open to the public. Call 886-2788 for more information.

**Become a Volunteer with Victim Services Program** You are more likely to be hurt by someone whom you know rather than be assaulted on Kentucky's streets by a total stranger. Learn to assist victims of sexual assault, child abuse and domestic violence by becoming a Volunteer with Victim Services Program. Call today to receive an application for our free training program. Call the Volunteer Coordinator at (606) 886-4323 for further information or to request an application. (The Victim Services Program is a program of Mountain Comprehensive Care Center.)

**OutPatient Drug Treatment Program and Education** Narconon warns parents that abuse of addictive pharmaceutical drugs with youth is on the rise with deadly consequences. Learn the

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

**Auxier Community Center** Free GED classes, Monday, Tuesday and Wednesday, from 10 a.m. to 12.

**Free Bible Lessons** Write to: Bible Way Outreach Ministry, P.O. Box 3371, Kingsport, TN 37664. Lessons completely free of charge to all interested.

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

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

**Democratic Woman's Club meets at May Lodge.** The Floyd County Democratic Woman's Club meets the second Monday of each month at 6:00 p.m. at the May Lodge, Jenny Wiley State Park.

## Yesterdays

Geahrheart, 73, of Hueysville; Alvin Newsom, 73, of Teaberry; Otto Moles, 80, of East Point; Anthony Howard, one month, of Hippo; Beatrice Durnagan, 70, of East Point; William (Rev.) Slone, 79, of Ligon; Mary Hamilton, 53, of Bypro; Elder William Amburgey, 57, of Allen; and Bessie Johnson, 69, of Halo.

**Forty Years Ago (January 14, 1971)** A tentative agreement reached Monday between two mine locals at mines of the Patsy Development Co. of David, may have ended a work stoppage there which also had spread to mines of the Island Creek Coal Company on Left Beaver Creek and idled more than 700 workers...Commonwealth Attorney Harold J. Stumbo, said Monday, that he is inviting all peace officers to meet with him at his office in the courthouse next Wednesday in an effort to establish needed coordination of effort and cooperation between the court and peace officers...Although some Kentucky waters are known to be polluted by mercury, none of these are in Eastern Kentucky—"that I know of," said Minor Clark, commissioner of the Department of Fish & Wildlife Resources, last Friday...Born: to Mr. and Mrs. Ali Wells, Jr., of Auxier, a daughter, Franci Noel, Dec. 10; to Mr. and Mrs. Clyde O. Burchett Jr., of San Diego, Calif., a daughter, Aimee Leigh, Jan. 10; to Mr. and Mrs. Bobby R. Newsome, of Teaberry, a daughter, Dec. 29; to Mr. and Mrs. William B. Little, of Wheelwright, a daughter, Dec. 31; to Mr. and Mrs. Monford L. Howell, of Grethel, a son, Dec. 31; to Mr. and Mrs. Clarence Catron, of East Powell, a son, Jan. 1...There died: Dollie Belcher, of Garrett; Rachel Slone, 90, of Pippa Passes; Steve Walker, 95, of West Prestonsburg; Moore, 52, of Wheelwright; Virgie P. May, 73, formerly of Floyd County; and Henry Robinson, 83, Friday, at his home at Martin.

**Sixty Years Ago (January 11, 1951)** The Inland Steel Company announced this week from its Chicago office that its new coal preparation plant at Price is capable of processing 750 tons of coal per hour...The office of district detective in this county will become vacant next Monday, and there is some doubt that it again will be filled...Floyd county officers last week destroyed three moonshine stills in the Dewey Lake section and on the head of Toler Creek...Formal organization of a casting club to represent Floyd county in local and state events will be effected at a banquet, Tuesday, at the Presbyterian Church here...Born: to Mr. and Mrs. A.J. Archer, Jr., a son, A.J., III, Sunday, at Prestonsburg General Hospital...There died: Mrs. Anna Mae Combs Hoover, last Thursday, in a fire which consumed the home of her father on Rock Fork; Mrs. Lanie Shepherd Howard, 62, of Wayland, last Thursday, at the Paintsville Hospital; Mrs. Florence Martin Cox, 85, Tuesday, at Hi Hat; Mrs. Eulah May Burchett Vanhoose, 30, native of Prestonsburg, Monday, at Methodist Hospital, Pikeville; Charles Turner, 62, formerly of Drift, Wednesday, at Portsmouth,

daughter, Rebecca Alta, Jan. 3, at the Prestonsburg General Hospital; to Rev. and Mrs. Blachard Amunztz, Wayne, Mich., a daughter, Charla Ann, Dec. 25, Mrs. Amunztz is the daughter of the Rev. Mrs. Orin Simmerman, of Prestonsburg...There died: Donnie E. Hicks, 26, formerly of Langley, Tuesday, in an auto accident near Salina, O.; Mrs. Bessie Pennington, 66, of Melvin, Monday, at the McDowell Memorial Hospital; Michael Zemo, 77, of Prestonsburg, Saturday, at the Pikeville Methodist Hospital; Mrs. Nancy Scott Whit, 77, last Thursday, at Garrett; Mrs. Barbara Ward, 66, of Banner, Saturday, at Our Lady of the Way Hospital, Martin.

**Seventy Years Ago (January 9, 1941)** Of the 20 indictments returned by the grand jury of the Floyd circuit court at noon, Wednesday, three named six Floyd county men on wilful murder charges...Completion of sever work at Martin is expected to be made without interruption as the town council recently took legal steps to authorize the project after an injunction had been granted against it...With title of landowners in Floyd, Knott, Pike and Letcher counties threatened by the \$70,466,900 suit filed in United States district court by the Penn-Ken Gas & Oil Corporation against the Warfield Natural Gas Company under terms of the ancient Haskell patent, Commonwealth's Attorney John Allen last Friday filed a petition in the Floyd circuit court which is designed to protect the private property-owners...An avalanche of western action, the dash and devilry of mad adventure, tragedy and romance under western skies will be depicted by Ray "Crash" Corrigan and his Western Stars when they appear at the Martin Theatre, Sunday," according to an ad for the live stage appearance in this week's Times...Born: to Mr. and Mrs. Kelly Dingus, of Dinwood, a son, Saturday...There died: Roscoe Castle, 52, of Wayland, New Year's Day; Mrs. Esther Lee Allen Martin, 40, Thursday, at her home at Allen; Mrs. Hattie Harmon, 66, Monday, at her home at Sugar Loaf; George Tuttle, 64, Saturday, at his home at Mirtine; Mrs. Rosanna Hamilton, Hall, of Amba, Saturday, at the Beaver Valley Hospital, Martin; Duran Hall, 58, formerly of this county, Dec. 28, at Fullerton.

O.; Mrs. Ann Miller Herford, 91, Friday, at Cliff; Mrs. Ann Jones Moore, 58, of Minnie, Sunday, at Martin; William T. Shell, 54, formerly of Bonanza, Sunday afternoon, at the shipyard near Casstown, Ohio.

**Continued from p4**

**Fifty Years Ago (January 12, 1961)** The Floyd fiscal court Monday renewed its expression of opposition to the proposed increase of gas rates in Allen, Dwayne and possibly other communities served by the Floyd County Gas & Water System...Ten additional members of the Floyd County Educational Council Advisory committee were elected at the Jan. 3 meeting of the organization at the Allen grade school, it was announced this week by Raymond A. Bradbury, secretary-treasurer of the group...Two firms have paid stream pollution fines in this county recently and another is under investigation on the same charge, it was noted this week by Don Meade, conservation officer...Born: to Mr. and Mrs. Leo Watts, of Allen, a

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