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Wednesday, February 23, 2011

The Times

FLOYD COUNTY

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Fiscal court showing signs of schism



Judge R.D. "Doc" Marshall

by SHELTON COMPTON
STAFF WRITER

PRESTONSBURG — The Floyd County Fiscal Court met for its regular February session Friday, and it took only about two minutes before it seemed the unease that halted January's meeting with a two-hour executive session returned.

During that January meeting, an executive session was called

when an agenda item to approve Judge-Executive R.D. "Doc" Marshall's administrative appointees prompted Magistrate Hattie Owens to call for the closed-door discussion.

The court returned and voted to approve all appointees with the exception of Sylvia L. Marshall, wife of Judge-Executive Marshall.

(See COURT, page 7)



Magistrate Hattie Owens

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Knott

killed

motorcycle accident

by JARRID DEATON
FEATURES WRITER

EMMALENA — A Knott County man was killed Monday night after an accident involving a motorcycle and a car on Montgomery Road in Emmalena.

According to Kentucky State Police Post 13 in Hazard, a vehicle that was operated by Twyla Moberly crossed into the opposing lane and struck a motorcycle operated by Ricky Allen Shepherd. The impact of the crash ejected Shepherd from the motorcycle.

Shepherd, 23, was pronounced dead at the scene by the Knott County Coroner. Moberly was reportedly not seriously injured in the crash.

The accident is still under investigation by officers with the Kentucky State Police.

3 DAY FORECAST

Today

Partly cloudy
High: 52 • Low: 36

Tomorrow

Chance of rain
High: 56 • Low: 47

Friday

Chance of rain
High: 52 • Low: 31

Get up-to-the-minute weather forecasts at floydcountytimes.com

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THE COOKIES ARE HERE



It's time for Girl Scout cookies again! Volunteers helped unload Girl Scout cookies Monday morning in Prestonsburg. Lisa Music, Floyd Service Unit Cookie Manager, said more than 550 cases of cookies were delivered Monday morning.

photo by Sheldon Compton

CDC: East Ky. counties among nation's least active

by RALPH B. DAVIS
MANAGING EDITOR

Are you sitting down for this?

If so, you might want to consider getting up and moving around a bit.

That's because a new report released by the Centers for Disease Control and Prevention has found that Kentucky is the least active state in the nation, in terms of its residents getting exercise in

their spare time, and Eastern Kentucky counties — including Floyd County — are among the most inactive in the country.

Kentucky is joined by Alabama, Louisiana, Mississippi, Oklahoma and Tennessee as the most inactive states in the nation, with each of those states showing physical inactivity rates at 29.2 percent or greater in more than 70 percent of their counties.

And at the county level, the

picture is just as bad, with five of the bottom six counties and seven of the bottom 10 located in Eastern Kentucky.

While McDowell County, W.Va., holds the dubious distinction of being the least active county out of 3,141 counties in the United States, with 43 percent of residents there getting no exercise in their spare time, Pike and Carter counties follow close

(See INACTIVE, page 7)

Senior center group looking for better days

by SHELTON COMPTON
STAFF WRITER

PRESTONSBURG — James Whitehead, who serves on the board of the newly-formed Floyd County Senior Citizens Inc., said Friday combining the seven centers throughout county will help see more money come in than any of the centers had seen in

some time, especially the four that had lost state funding and been operating on whatever the county could provide from its general budget since 2008.

Centers in Whedwright, Mud Creek, Weyland and Betsy Layne had been funded through funds secured by then-State Sen. Betsy Bailey until 2008, when the funding was pulled. The three

remaining centers in Prestonsburg, Martin and McDowell, continued to receive the state funds, referred to as Title III funds.

In August of last year, the Floyd County Fiscal Court voted to incorporate the seven centers and bring them under one umbrella such as has

(See CENTERS, page 7)

3 charged with vote buying in Magoffin

by SHELTON COMPTON
STAFF WRITER

SALYERSVILLE — Three Magoffin County residents were indicted in federal court earlier this week on charges of vote buying during the 2010 general election.

Randall E. Salyer, 54, Patricia L. Trusty, 43, and Donald Trusty, 43, all from Salyersville, were indicted this past week on the charges.

The indictment alleges all three paid several people for their votes in November. Salyer is charged with four counts of vote buying, while Donald Trusty faces two counts of the same charge and Patricia Trusty, a single charge for buying votes.

The investigation before the indictment was officially issued was conducted by the Kentucky Attorney General's Office and the Federal Bureau of Investigation. The U.S. District Court of Eastern Kentucky has not yet released further details concerning the allegations and a date has not been set for the three Magoffin residents' next appearance in federal court.

If convicted, each of the three could face a maximum prison sentence of five years.

County to offer tire amnesty next month

by JARRID DEATON
FEATURES WRITER

PRESTONSBURG — The Floyd County Fiscal Court will be participating in the Kentucky Waste Tire Amnesty Program, after voting to enter into an agreement with the Kentucky Energy and Environment Cabinet on Feb. 18.

According to the Kentucky Energy and Environment, "The Waste Tire Amnesty Program, established in 1998, is part of the Energy and Environment Cabinet's (EEC) ongoing effort to rid Kentucky's landscape of waste tires. During a waste tire amnesty event, individuals can drop off their unwanted tires at a specific location within their county at no cost. The EEC contracts for the removal and delivery of the recovered tires to "beneficial end use" markets where they are recycled to become products such as tire-derived fuel or crumb rubber. Multiple-county programs are included under each contract to achieve an economy of scale necessary to attract large, well-capitalized contractors."

The Floyd County Fiscal Court is required to provide a minimum staff of three employees during the amnesty program weekend to unload waste tires from those who participate in the program, and also to provide someone to

(See TIRES, page 7)

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| Biscuits or Toast served w/Jelly | Fresh cooked Oatmeal (good for heart) |
| (2) 2 Pancakes, Bacon or Sausage.....4.19 | served w/Toast & Jelly |
| served w/butter and syrup | Additional Items—\$1.69 each |
| (3) Country Gravy and Biscuits.....3.19 | (1) Hash Browns |
| 2 Buttermilk Biscuits and Gravy | (2) Orange Juice or Tomato Juice |
| | (3) Country Gravy |
| | (4) Fried Apples |



Obituaries

Ernie L. Cole

Ernie L. Cole, 62, of Melvin, died February 18, 2011, at his home.

Born on April 20, 1948, in Melvin, he was the son of the late Lundy and Hattie Gibson Cole. He was a disabled laborer.

In addition to his parents, he was preceded in death by six brothers: Ronnie Cole, Phillip Cole, James Cole, Arnold Cole, Harold Cole and Charles Cole.

He is survived by Delmas Cole, of Lexington. Funeral services were held February 22 at the Wheelwright Freewill Baptist Church with Louis Ferrari officiating.

Burial followed at Painter Harve Cemetery at Melvin.

Nelson and Frazier Funeral Home were in charge of funeral arrangements.

Tobie Ann Keene

Crum

Tobie Ann Keene Crum, 39, of Harold, died on February 19, 2011, at her residence. Born April 17, 1971, in Michigan, she was the daughter of the late Jerome and Marilyn Crum. Keene, at the wife of Stevie Eugene Crum.

Survivors include one son: Austin Lee Jerome Thomas, of Stanville, two daughters, Alexis Pauline Goldie Thomas, of Stanville, and Delia Mae Crum, of Ironton, Ohio and three brothers: Tim Cecil and Sam Cecil, both of Pikeville and Doug Cecil, of Winchester.

Funeral services will be held Wednesday, Feb. 23, 2011, at 11 a.m. at Nelson-Frazier Funeral Home, in Martin, with Jack Howard officiating. Burial will follow, at Thomas Family Cemetery, in Harold.

Nelson-Frazier Funeral Home is in charge of arrangements.

William Thomas

"Tommy"

DeRossett

William Thomas "Tommy" DeRossett, 72, of Dwayne, died February 20, 2011, at Pikeville Medical Center.

Born March 14, 1938, in Dwayne, he was the son of the late Homer and Ida Belle LaFerty DeRossett. He was a retired welder and a member of the Praise

Assembly of Prestonsburg.

In addition to his parents, he was preceded in death by his wife, the late Emma Porter DeRossett, and one brother, Earl Ray DeRossett.

He is survived by one son: William Gregory DeRossett, of Dwayne; two daughters: Karen DeRossett Clark, of Prestonsburg, and Drema Buerkley, of Georgetown; one brother: Aaron Ricie DeRossett, of Allen; three sisters: Emma Sue Geiger, of Florida, Patricia Shepherd, of Dwayne, and Peggy DeRossett, of London; four grandchildren: Joshua Kyle Clay, of Prestonsburg; Brent Austin Clark, of Lexington; Nicholas Clay, of Shelbyville, and Kelly Nicole Clark, of Richmond, as well as two great-grandchildren.

Funeral services will be held February 23, 2011, at 1 p.m. at Nelson and Frazier Funeral Home in Martin with JM Solce and Gordon Fitch officiating.

Burial will follow at Davidson Memorial Gardens in Ivel.

Nelson and Frazier Funeral Home has been placed in charge of funeral arrangements.

Lowey

Breckenridge

(Breck) Frazier

Lowey Breckenridge (Breck) Frazier, 59, of Price, died on February 17, 2011, at McDowell Appalachian Regional Hospital. Born on March 9, 1951, he was the son of the late Lowey and Bertha Moore Frazier. He was disabled.

Survivors include four brothers: James Frazier (Irene) of Ramsour, North Carolina, Glenn Frazier, of Price, Roy Frazier (Debbie) of Price, and Doug Frazier (Pam) of Price, a sister: Roberta Fugate (Hugh) of Price, sister-in-law: Marie Frazier, of Jacksonville, Florida, a host of nieces and nephews and a best friend and caregiver for 20 years: Sharon Jones, of Price.

He was preceded in death by his parents, two brothers: John C. Frazier and Wallace R. Frazier, and two sisters-in-law: Thelma Frazier and Eula Frazier.

Funeral services were held Sunday, Feb. 20, 2011, at Little Nancy Old Regular Baptist Church, in Hi Hat,

with Old Regular Baptist ministers officiating. Burial followed at Frazier Family Cemetery, at Price.

Nelson-Frazier Funeral Home was in charge of arrangements.

Nannie Walters

Hall

Nannie Walters Hall, 91, of Fishers, passed away on Friday, February 18, 2011, at River View Hospital in Noblesville. She was born on March 3, 1919, to Talbee and Laura (Spriggs) Walters in River, Kentucky.

Nannie was retired from McDowell School in McDowell, Kentucky, where she had been a teacher and librarian for 36 years. She was a member of the Senior Citizens Organization in Noblesville, where she was involved in their sing-along group; was an avid reader, and loved to dance. She attended Bethel Missionary Baptist Church in Noblesville; graduated from Morehead State University and earned her Master's degree at George Peabody College for Teachers.

She loved her family and is survived by her husband of 71 years, Estill Hall, of Fishers; son, Thone (Shirley) Hall, of Fishers; sister, Faye Ward, of River; nine grandchildren; and 12 great-grandchildren.

Services were held Tuesday, February 22, 2011, at Randall and Roberts Fishers Mortuary, in Fishers. Pastor Mark Lowe officiated. Burial followed at Oaklawn Memorial Gardens in Indianapolis.

Online condolences can be given at www.randall-roberts.com. Randall and Roberts Funeral Home were in charge of funeral arrangements.

Tivis Johnson Jr.

Tivis Johnson Jr., 42, of Wheelwright, died February 15, 2011, at McDowell ARH Hospital.

Born October 5, 1968, in McDowell, he was the son of Tivis and Geraldine Slone Johnson and the husband of Pamela Carol Little Johnson.

In addition to his wife, he is survived by one sister, Amanda (Jarrod) Hall, of Wheelwright; nephew, Noah Carter Hall; and a host of aunts, uncles, nieces, nephews, family and friends.

Funeral services will be held February 18, 2011, at 1 p.m. at the Wheelwright Freewill Baptist Church in Wheelwright with Louis Ferrari and other Old Regular Baptist ministers officiating.

Burial will follow at the Tilton Johnson Cemetery in Melvin.

Nelson and Frazier Funeral Home will be in charge of funeral arrangements.



Dorothy Marie

Allen Marshall

Dorothy Marie Allen Marshall, 84, formerly of Allen, passed away Sunday, January 30, 2011, at Henry Ford Macomb Hospital in Clinton Township, Michigan.

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Betty Layne • 478-2477

Born October 20, 1926, at Hueysville, she was the daughter of the late David Murph Allen and Josephine Bentley Allen. Dorothy was preceded in death by her husband, Dock Marshall on January 2, 1996, and also by three sisters and two brothers.

Survivors include two daughters: Barbara Appel (Darryl), of Fraser, Michigan, Judy Rigney (Monie) of Clinton Township, Michigan; four sons: Glenn Marshall (Linda) of Washington Township, Michigan, Don Marshall of Prestonsburg, Larry Marshall of Clinton Township, Michigan, Grover Marshall (Laurie) of Lewisville, Texas; one sister: Beryl A. Shrum of Lookout Mountain, Georgia; 12 grandchildren and 13 great-grandchildren. She was a loving homemaker.

Funeral services will be 11 a.m. Friday, February 4, 2011, at Carter Funeral Home with Rev. Jim Adams and Rev. Cecil Gravitt officiating. Burial will be in the John Allen Cemetery at Sugar Loaf. Active pallbearers are Christopher Rigney, Tim Adams, Bryan Rigney, William Jaquays, David Marshall, Craig Marshall and Steven Marshall. Honorary pallbearers will be Robert R. Allen, David D. Allen, Tim Allen, James J. Carter II, John A. Spurlock, Glenn Allen, Sammy Allen and Charles Pinion II.

The family has entrusted arrangements to Carter Funeral Home.

Dorothy Pearl

Rone Osborne

Dorothy Pearl Rone Osborne, age 88, of Prestonsburg, was born Feb. 27, 1922. She was preceded in death by her husband, Edgar Osborne. Daughter of the late Elwood and Victoria Bratcher Rone. She passed away on Feb. 19, 2011. She has two children, Carol Louise Osborne Snellenberger, Beverly and Clarence Michael Osborne; four grandchildren, Nelson Edward Snellenberger II, Jeffrey Michael Snellenberger, Christopher Michael Osborne and Anita Gayle Osborne; two great grandchildren; and three step-grandchildren. She had one brother, Elwood Rone Jr., who is deceased.

She retired from North American Van Lines, Fort Wayne, Ind., and Appalachian Research and Defense Fund of Ky., Prestonsburg.

A member of the First Baptist Church, Prestonsburg; past President of American Association of Retired Persons (AARP); a member

of Big Sandy Historical Society; President of Kiwanians; Past Secretary of the Local Church Women's Club; was on the Board of Personnel at the First Baptist Church, Prestonsburg, Ky.; was Secretary/Treasurer of Prestonsburg Day Homemakers; Member of the Eastern Star; Miriam Rebekah Lodge (IOOF); Past officer of Women's Traffic Club, Fort Wayne, IN; serving as Recording Secretary and Editor of the Traffic Club paper; Chairman of the Philanthropic Committee; Past officer of Prestonsburg Women's Club, Prestonsburg, Ky.; on the Board of Directors of Appalachian Research and Defense Fund of Ky., Inc. Prestonsburg; the Board of Directors of the Floyd County Education Forum; Second Vice-Rgent of DAR; and on Board of Directors of "Friends of the Samuel May House"; Member of Daughters of American Revolution; Home Maker Club; Floyd County Chamber of Commerce; Litter Task Force; Kentuckians for the Commonwealth; School District Blue Ribbon Panel; June Buchanan School Contributors; on Board of Directors of Prestonsburg Housing Commission.

Visitation from 1 to 4 p.m. on Saturday, Feb. 26, at Hall Funeral Home.

Funeral services will be 11 a.m. Sunday, Feb. 27, 2011, at Hall Funeral Home with Rev. Jim Adams and Rev. Cecil Gravitt officiating. Burial will be in the John Allen Cemetery at Sugar Loaf.

Active pallbearers are Christopher Rigney, Tim Adams, Bryan Rigney, William Jaquays, David Marshall, Craig Marshall and Steven Marshall. Honorary pallbearers will be Robert R. Allen, David D. Allen, Tim Allen, James J. Carter II, John A. Spurlock, Glenn Allen, Sammy Allen and Charles Pinion II.

The family has entrusted arrangements to Carter Funeral Home.

Interment in Layman Cemetery, Payne, Ohio on April 30. In lieu of flowers donations may be made to the Hospice Chapter of your choice.

James Cecil Price

James Cecil Price, 60, of Prestonsburg, died on February 20, 2011, at his residence. Born November 16, 1950, in Prestonsburg, he was the son of the late Billie and Ruth Miller Price and the husband of Teresa Woods Price. He was a disabled coal miner and a member of the Town Branch Church.

Survivors include one son: William Robert Price, of Prestonsburg, two daughters: Amanda Jean Quinn of Pensacola, Florida and Brittany Nicole Price, of Prestonsburg, two brothers: William Frank Price, of Texas City, Texas, and Richard Price, of Prestonsburg, one sister: Ruth Ann Hobson, of Prestonsburg, and three grandchildren: Robert Alexander Price, Maria Nicole Price and Logan Chase Price.

Funeral services will be held on Thursday, Feb. 24, 2011, at 1 p.m. at Town Branch Church in Prestonsburg, with Tommy Nelson officiating. Visitation is after 6 p.m. Tuesday, Feb. 22, and Wednesday, Feb. 23, at

(See OBITUARIES, page 3)

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Floyd County Health Department



Please register by
February 28, 2011
By Calling
Floyd County Health Department
606-886-2788 ext. 214
Class is limited to 30

Card of Thanks

The family of Charles Clayton Reid 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 Raymond Lawson 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 CHARLES CLAYTON REID

Card of Thanks

The family of Billy L. Howard would like to extend their appreciation to those who helped comfort them during the time of sorrow. Thank you to all those who sent flowers or just spoke kind words, all your acts of kindness will never be forgotten. We would like to send a special thanks to Clergyman Raymond Lawson for their comforting message, the Floyd Sheriff's Department for their assistance in traffic control and the Hall Funeral Home for their kind and professional service. We will always remember all the love and kindness that was shown to our family.

THE FAMILY OF BILLY L. HOWARD

Card of Thanks

The family of Oliver Elam would like to sincerely say, "Thank You" to all of our wonderful friends and neighbors who helped to comfort us during this difficult time. Those who sent flowers, food, or came by to share our loss. A special thanks to Clergyman Ted Shannon 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. We will always remember all the love and kindness that was shown to our family.

THE FAMILY OF OLIVER ELAM

Floral Regulations Effective January 1, 2011

Mayo Cemetery

1. Flowers, artificial or fresh, and other types of decorations shall be secured to the headstone or they may be secured to shepherd's rods driven into the ground

2. Permanent in-ground flower containers are not authorized for placement in any burial section of the cemetery

3. All flowers, artificial or fresh, on the ground will be removed from graves and disposed of by cemetery personnel, when they become withered faded or otherwise unsightly

4. Permanent plantings, statues, breakable objects of any kind and similar commemorative items are not permitted on graves at any time. These and other hazardous objects will be removed by cemetery personnel wherever found on a grave

5. Recent inspection has revealed numerous monuments that are in need of prompt attention due to putty deterioration.

6. During the Christmas season, Christmas wreaths and grave floral blankets will be permitted, commencing December 1 and allowed to remain on the grave through January 1

7. Between March 21 and March 25 all artificial and fresh flowers or decorations that are on the ground will be removed and disposed of by cemetery personnel

If there would be any questions concerning the above regulations please contact the cemetery at (606) 886-1312

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Viewpoint

Amendment 7
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 ...

The probability that we may fail in the struggle ought not to deter us from the support of a cause we believe to be just.

— Abraham Lincoln

Guest View

Letter from U.S. Rep. Hal Rogers to Florida Gov. Rick Scott

Dear Governor Scott:

I am alarmed and dismayed by recent press reports indicating your intention to repeal Florida's Prescription Drug Monitoring Program (PDMP). On behalf of my constituents, who continue to suffer from out-of-control and escalating prescription drug diversion originating from your state, I respectfully ask that you reverse your position on the value of and unquestionable need for Florida's PDMP and go to work on implementing this important medical and law enforcement solution. The tragic story of Lisa Rogers as reported on February 14, 2011 in the St. Petersburg Times is one of many heart-wrenching incidents in my congressional district that have occurred as a direct result of the illicit diversion of prescription narcotics from Florida to Appalachian Kentucky, and frankly, along the entire eastern seaboard. Dubbed the "Flamingo Road," thousands of unscrupulous drug dealers and addicted users have made the trek to your state because of the ease of access to these powerful and habit-forming drugs, and after years of prodding, your predecessor acknowledged the need for action. A giant sigh of relief swept across the nation when S.B. 462 was signed into law in Gainesville. Now is not the time to back down from this life-or-death challenge.

The Office of National Drug Control Policy has indicated that the abuse and misuse of prescription drugs is our country's fastest growing drug problem, and your state is ground zero for black market painkillers that continue to spawn overdoses and feed illegal habits across the country. Notably in 2009, 98 of the top 100 prescribers of oxycodone hailed from Florida, dispensing over 19 million dosage units of this drug, which represents 89% of the total dispensed by the country's top prescribers. While Kentucky leads the nation in the non-medical use of prescription drugs, overdoses are killing seven Floridians per day. The notion of cancelling Florida's PDMP is equal to firing firefighters while your house is ablaze; it neither makes sense nor addresses an urgent crisis. Governor, your state, more than any other, must take this crisis seriously.

As we've seen in Kentucky, PDMPs are one of the most effective and accessible tools to combat prescription drug diversion and abuse, bridging the gap between legitimate medical need and potential misuse. The Kentucky All Schedule Prescription Electronic Reporting System (KASPER), after which your program is modeled, has had unprecedented success in bringing this problem under control. In 2008, KASPER processed nearly 418,000 requests for patient prescription information. Of the 94% which came from the medical community, including physicians, ER doctors and pharmacists, nearly three-quarters of them say KASPER is "important" in helping to ascertain patient intentions and patterns, and to feel comfortable writing prescriptions for patients truly in need of medical attention. In the same year, just over 11,000 KASPER requests came from the law enforcement community, and 96% of these KASPER users agree that the PDMP is an excellent tool for obtaining evidence in criminal investigations.

These reports create informed decision-making for good medicine and good law enforcement. I have heard anecdotally of countless occasions where KASPER has helped a doctor provide better patient care or a law enforcement official interrupt a crime. Thirty-three other states are catching on with operational PDMPs. Still ten others, Florida included, have passed authorizing legislation. Nationwide, since 2003, there has been a 2.596% increase in the number of prescription reports produced by state-run PDMPs annually. Important steps have recently been undertaken to facilitate interstate data exchange among these programs to reduce the doctor shopping we're experiencing, such as that between Florida and Kentucky. With such impressive strides being made to enhance the PDMP model and integrate data-sharing, now is not the time to back away from project implementation in Florida. Your state's participation is paramount to the success of our nation in fighting this problem, helping addicts get treatment and prosecuting pushers.

Some have wrongly suggested that patient privacy could be compromised and have used this as an unfounded distraction. Every existing

(See LETTER, page 5)

SOCIAL NETWORKING



Guest Column

A legislative perspective

by REP. GREG STUMBO
SPEAKER OF THE HOUSE

As the General Assembly prepares for the final third of the 2011 Regular Session, it's a good time to step back and see what has taken place.

The Kentucky House of Representatives has approved what I think are some sensible moves forward for the Commonwealth. In some of the higher profile bills, we have worked to increase the high school dropout age from 16 to 18; we are trying to crack down on convicted drunk drivers to keep them from drinking and driving again; and we have attempted to close what would be a very sizeable gap in Medicaid (nothing is done). Last Thursday, we added to that list a bill that has the potential to be one of the session's most substantial accomplishments and one of the biggest updates of our criminal laws in decades.

This bill came together after an influential group of leaders with ties to the judicial system met through much of the last year to see what could be done to lower what was the nation's fastest-growing prison population in 2007. We now have about 21,000 people behind bars, at a cost of about \$440 million a year, and our counties spend about \$140 million more on their jail.

A non-profit organization known as the Pew Center on the

States offered considerable help in getting this legislation written. It has worked in such states as Texas to find ways to lower corrections costs while improving public safety.

In short, this bill puts much more emphasis on treating non-violent, low-level drug users while providing some reasonable changes to non-criminal violations of probation and parole. These two areas have been the key drivers behind the growth in our prison population. If this bill becomes law, it would cut about 10 percent from our corrections costs, with about half of that plowed back into the system for treatment and needed staff and equipment.

There have been quite a few other bills to make it through the House this session that also deserve mention.

One of those I'm proud to sponsor, House Bill 4, would create what is known as the False Claims Act, which would give whistleblowers greater financial incentive to report fraud being committed by companies doing business with the state.

That incentive is a sizeable one, too. In short, companies found guilty would have to pay back three times what was fraudulently taken, and the whistleblowers could be eligible for up to 30 percent of that. These judgments can reach into the tens of millions of dollars.

The Senate is considering similar legislation, but the scope of that chamber's bill is limited to the fraud within Medicaid. Mine would cover all of state government, because we should not differentiate between one mis-spent tax dollar and another.

That's the approach taken by the federal government and 20 of the 28 states that have False Claims Acts.

Some of the other noteworthy bills to make it through the House would do such things as make sensible exceptions to truancy laws as they apply to autistic children who may arrive late to school or need to leave early. We also call for an in-depth study on childhood obesity.

We appear to be putting more information about your government online and providing more oversight for contractors who help homes, schools and businesses remove radon, a colorless, odorless, naturally occurring gas that is the second-leading cause of lung cancer in the country. This would provide some needed consumer protections.

Quite a few bills to make it through the House this legislative session would help our veterans and those still serving. One would let our men and women in uniform fish or hunt without a license on military property owned by the state, while another would give some leniency to those on active duty who might miss professional requirements in their non-military job. Another bill would create an "I Support Veterans" license plate that anyone could purchase to show their support.

We have just little more than a week to work on making these and other bills law. There is still time, however, to let me know your views on these items. You can always leave a message for me or for any legislator at 800-372-7181. For those with a hearing impairment, the number is 800-896-0305.

House week in review

by REP. HUBERT COLLINS

Sure as winter morphs into spring, changes come to state law each year. Some of those are technical, like changing the date in a law or fixing an oversight, while others—like a major penal code reform law that passed the House by a vote of 97-2 last Thursday—can impact how a big chunk of state government operates.

Reforms in House Bill 463 are designed to free up a good amount of the nearly half-billion dollars we send annually to care for the state's more than 20,000 corrections inmates—many of whom are in a jail or prison on drug charges—by reducing penalties for less severe drug crimes and simple possession of small quantities of drugs. Drug offenders who violate probation or parole would also find themselves facing lesser penalties than re-imprisonment under the legislation.

Most of HB 463 includes recommendations from the state Task Force on the Penal Code

and Controlled Substances Act, which met throughout last year. But the House did add language to the bill in a last-minute compromise between local governments and hospitals that would help fund prisoner treatment out of a state catastrophic loss fund now available.

The task force worked with consultants from the Pew Center on the States to craft the recommendations that are rolled into HB 463, with hopes of an estimated gross annual savings of \$42.1 million by 2014 and up to \$147 million in possible net savings over 10 years.

HB 463 now goes to the Senate, where a similar measure was awaiting committee action early Thursday.

The dangers of street drugs and their impact on all parts of Kentucky society are the number one issue for many lawmakers this session. These lawmakers are determined to do everything they can in this limited economy to protect our citizens while also protecting state government from the cost of illness and incarceration that comes with drug abuse.

Protecting Kentuckians is always a legislative priority, which is why the House voted last week to require those who

measure and mitigate the deadly radon in homes or businesses be more carefully monitored. HB 247, which passed the House 85-12 and now goes to the Senate, would require radon measurement and mitigation contractors and radon laboratories to be certified by July 1, 2012, plus require contractors to be licensed and bonded and have \$500,000 of general liability insurance coverage, among other provisions. Lawmakers who support HB 247 hope it will save lives lost to radon, a colorless and odorless gas that is believed to be a leading cause of lung cancer.

Lawmakers also recognize the dangers posed by another health scourge among Kentuckians: Obesity. Research shows that obesity costs the state over \$1.2 billion a year in health care costs, reduces worker productivity and increases workers' comp claims. As the fifth most obese state in the country, Kentucky must do something to reverse that trend.

The House did something last Tuesday when it unanimously passed House Concurrent Resolution 13, a resolution that would create a legislative Task

(See HOUSE, page 5)

The Times

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Penal code overhaul passes House by large margin

FRANKFORT—A massive overhaul of the state's penal code system that is expected to net \$147 million in savings over 10 years by reducing penalties for lesser drug crimes while remaining tough on serious offenders has passed the House 97-2.

House Bill 463, sponsored by House Judiciary Committee Chair John Tilley, D-Hopkinsville,

puts several provisions in place to improve public safety while lowering Correctional costs and the state crime rate.

"Our drug convictions have skyrocketed," said Tilley, adding that approximately 25 percent of all current prison inmates in the state are held for drug offenses. HB 463 will replace imprisonment or jail time for many of these

offenders with supervised treatment "...leaving (jail and prison) beds for serious offenders," he said.

Highlights of HB 463 include drug penalties with serious drug traffickers, manufacturers of meth, those convicted of first-degree drug possession of cocaine and other top-scheduled narcotics continuing to face felony penalties while penalties

for many lesser crimes, including simple possession of small quantities of drugs, would be reduced to misdemeanors. Parolees "would earn credits for time served, and many offenders would be sent to local jails toward the end of their sentence."

The bill also would encourage drug treatment over incarceration for low-level non-violent offenders—who can be treated at Comp Care centers for around \$3,000 as opposed to the taxpayer cost of \$21,700 a year cost to incarcerate a prisoner in Kentucky, said Tilley—and institute "presumptive probation" for many low-level offenders unless the court finds "substantial and compelling reasons" why community supervision is not an acceptable option. GPS monitoring

of offenders would be expanded, and an online database to keep victims informed of an offender's whereabouts would be created, and an emergency provision—that would take effect the moment the bill becomes law—would ensure better tracking of sex offenders who violate upon their release.

A last-minute compromise between local governments and hospitals would help pay cost of hospitalization of prisoners out of a state catastrophic loss fund that is available, Tilley said.

Fellow lawmakers, including House Minority Floor Leader Jeff Hoover, R-Jamestown, praised Tilley for his work on the bill before the vote.

"Only those with private insurance or other means are able to get help

most of the time (in treatment)," said Hoover. "This will help many more people. This is a step in the right direction," although Hoover said he still has some concerns with the bill.

The majority of the provisions in HB 463 were recommended by the state Task Force on the Penal Code and Controlled Substances Act that met for over six months last year to recommend updates to the penal code, which was last revised in the mid-1970s.

The outdated code is believed by many to be a primary cause for a 45 percent jump in the state's prison population since 2000. The rate of incarceration has only gone up 13 percent nationally over the same period.

Senators sign off on elected utilities regulators

FRANKFORT — The state's Public Service Commission, which regulates the state's utility providers and must approve all rate increases, would be an elected rather than appointed body under legislation approved by the Senate last week.

Senate Bill 151, sponsored by Sen. Ray Jones, D-Pikeville, would convert the panel, whose three current members are appointed by the governor, into a seven-member body elected by the people. One member would be elected from each of the state's six congressional

districts, with the seventh elected statewide. Terms would be for four years.

If passed by the House and signed into law by the governor, the first elections would be held in 2012 and the new panel would take office on January 1, 2013.

The impetus for the bill is recent double-digit rate increases that were approved by the appointed PSC, Jones said. "Electing the members of this body would give the people the direct voice in those decisions," he said.

One utility provider raised rates 17 percent last

year with PSC approval, Jones said. "I don't know of any constituent in my district who saw a 17 percent increase in their Social Security checks, their pension checks, or their paychecks," he said.

The rate increases also affect the region's economic competitiveness, Jones said, with higher electric rates driving manufacturers away or reducing their ability to hire and pay employees.

The bill, which passed on a 29-5 vote, now awaits action in the House.

Letter

PDMP has strict state and federal regulations governing who may access the data system and for what purpose. Florida is no different. Violators of these laws are charged in criminal courts as Class C or Class D felons, and medical practitioners face the loss of their license. In most instances, only medical licensing boards, law enforcement officers, Medicaid, grand juries with a subpoena, practitioners, pharmacists and judges and/or parole officers are granted access to patient information. Many states have even stricter regulations governing access to prescription drug information.

Finally, as Chairman of the House Appropriations Committee, I can certainly appreciate the fiscal pres-

sures with which you are confronted in balancing a tight state budget. However, this is a matter which warrants sacrifices elsewhere.

The U.S. Department of Justice has already invested \$800,000 to stand up Florida's program. Surely we can agree that to squander this important investment in your PDMP, which I understand has been complemented by some \$500,000 in private donations, during such dire economic times would be imprudent.

Governor Scott, President Obama's Drug Czar and former Seattle police chief Gil Kerlikowske will tour Kentucky next week to survey the Commonwealth's enormous troubles with prescription drug abuse. I can

tell you that he will find that our problems begin in the Sunshine State. I strongly encourage you to see through the implementation of Florida's PDMP and not turn your back on the coalition of Florida police officers, physicians, pharmacists, treatment professionals, and even legitimate pain management clinics who have fought tirelessly in search of a solution.

Sincerely,
Hal Rogers
Member of Congress

House

Force on Childhood Obesity, if the Senate agrees.

The task force would meet regularly through this November, when it would submit its recommendations and findings on how to best address the problem to the General Assembly's administrative arm and the interim Health and Welfare Committee. Recommendations would be based largely on input from pediatric professionals, non-profit organizations like Partnership for a Fit Kentucky and others that have made promoting children's health a top priority.

We also did something for active-duty military personnel and their spouses last week by voting 98-0 to excuse them from paying renewal fees for professional licenses or certificates.

Under HB 301, active-duty personnel in Kentucky would be eligible for the exemption while on active duty and for up to six months after discharge, while a licensed or certified spouse of active-duty personnel transferred to Kentucky would be issued a six-month temporary license by the state. The spouse must meet certain requirements under state law to receive a temporary license or certificate. HB 301 now goes to the Senate for consideration.

Economic development in the energy sector got a boost last Wednesday when the House voted 96-0 to provide state incentives for manufacturers of components used in renewable and alternative energy facilities and for other energy technology. Should HB 340 become law, manufacturers could receive state tax and financial incentives for many kinds of renewable, alternative or gasification projects, energy storage, energy efficiency or conservation technology with a minimum investment of \$25 million. Current state incentives for alternative and renewable energy projects are expected to pump billions of dollars into the state's economy.

Other legislation acted on by the full House or in House committee last week includes:

Innovative school districts: HB 394, approved by the House Education Committee last Tuesday, would allow the state Board of Education to name five school districts per year as "districts of innovation," thereby allowing certain state regulations and statutes to be waived for innovative purposes in the districts and for one school per district that chooses to participate. Examples of innovative programs that could be instituted in approved districts and

their schools are extended employment contracts, extended school days, virtual school within the district or a more flexible school calendar. The bill is designed to give districts some of the freedoms that charter schools enjoy. HB 394 now goes to the full House for consideration.

Prescriptions from nurses: HB 282, which passed the House 80-16 last Wednesday, would allow advanced registered nurse practitioners to prescribe and dispense non-schedule legend drugs—or non-controlled substances—that require a prescription, such as antibiotics and cholesterol medications—without entering into a written agreement with a physician. HB 282 now goes to the Senate.

From now until the session concludes in late March, you can stay informed of legislative action on bills of interest to you by logging onto the Legislative Research Commission website: www.lrc.ky.gov or by calling the LRC toll-free Bill Status Line at 866-840-2835. For committee meeting schedules, please call the LRC toll-free Meeting Information Line at 800-633-9650. Or, to comment on a bill, please call the toll-free Legislative Message Line at 800-372-7181.

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Inactive

behind tied for second, with 42.8 percent of their residents also getting no exercise.

The remaining counties in the bottom 10 are Magoffin County (42.2 percent), McCreary County (41.6), Martin County (40.8), Logan County, W.Va. (40.3), Leslie County (40.2), Boone County, W.Va. (40.1), and

Wyoming County, W.Va. (40).

Floyd County fares a little better on the list, but not by much. The county's 38.8 percent rate of physical inactivity rates 18th worst in the nation.

Other Big Sandy area counties include Knott County, at 132nd with 34.8 percent; Lawrence County, at 143rd with 34.7 percent;

and Johnson County, at 218th with 33.8 percent.

The least inactive counties in the country are Teton County, Wyo., with 10.1 percent of people there reporting getting no exercise, and Boulder County, Colo., at 10.5 percent.

The county level leisure-time physical inactivity estimates come from CDC's Behavioral Risk

Factor Surveillance System, which uses self-reported data from state-based adult telephone surveys, and 2007 census information. Those participating in the survey were asked if they participated in any physical activities or exercise outside of their regular job.

The lack of exercise, experts say, leads to a host of problems including a higher incidence of obesity and diabetes.

"Physical activity is crucial to managing diabetes and reducing serious complications of the disease," said Ann Albright, Ph.D., R.D., director of CDC's Division of Diabetes Translation. "Moderate intensity activities such as dancing or brisk walking, for just 150 minutes a week, can significantly improve the health of people with diabetes or at high risk for the disease."

In areas showing the least amount of physical

activity, rates of obesity and diabetes are the highest.

Floyd County ranks as the 101st-fattest county in the country, with 35.7 percent of residents classified as obese. It also ranks 117th out of the nation's 3,141 counties for incidence of Type 2 diabetes, with 12.5 percent of the population diagnosed with the disease.

CDC officials say the data from the study can now be used by community organizations and policymakers to support health-promoting design, land use, and transportation policies in their states, communities and neighborhoods.

"Chronic diseases, like diabetes, are a burden on our health care system," said Janet E. Fulton, Ph.D., of CDC's Division of Nutrition, Physical Activity and Obesity. "We need changes in communities that make it safe and easy to be active. Sidewalks, street lights, and access to parks

or recreation areas can encourage people to get out and move more."

And that appears to be exactly what is on the horizon, locally.

Denise Thomas, community and economic development associate with Big Sandy Area Development District, stressed the importance of projects that get locals moving, both in terms of individual health as well as regional economic viability.

"Health and wellness are key components for advancing economic development in the region and specifically workforce development," Thomas said. "We will continue our efforts in supporting local governments with developing projects that increase physical activity and provide a higher quality of life. These figures will provide the basis for and the supporting documentation needed to get projects funded."

■ Continued from p1

Court

Also during that meeting, Owens, who won her husband's long-held position on the court as a write-in candidate this past election, asked that the magistrates be given a full agenda packet at least 48 hours before each regular meeting in order to have more time to consider materials to be voted on.

To start the meeting Friday, Owens voiced her concerns that this request, which was voted on and approved during the January meeting, was not carried out.

The brief back-and-forth between Marshall and Owens was commented on by members of numerous senior citizens on hand for the meeting, with some saying it seemed there appeared to be "problems between those two," speaking of Marshall and Owens.

The same visitors then sighed as the court voted to

adjourn the meeting for 30 minutes to give magistrates time to look over the full agenda packet, primarily the claims list, a list showing money paid for various services and other items that is always included in each monthly meeting.

Some county workers, who have asked not to be named, are growing concerned that the friction between county leaders could cause the progress of county business to suffer.

However, following the half-hour break, the court resumed business and concluded a number of business items, including a final payment to the WestCare drug rehab program that has now been pulled from the Floyd County Detention Center due to lack of state funding.

In addition, the fiscal court approved a budget surplus offered from the Floyd County Sheriff's Department totaling

\$40,934. Records show that the sheriff's department's largest source of income for the past year came from commission on taxes at \$465,935, while the largest dent the department took on expenses was for payroll at \$732,492.

Another point of business taken care of without issue was something the full court has been trying to chop away at for some time — paying contractors to help with the 2009 flood.

Payments were made to nine contractors ranging from \$2,000 to \$50,000 and totaling just over \$284,748. The next regularly scheduled meeting of the Floyd County Fiscal Court is Friday, March 18, at 10 a.m.

Tires

■ Continued from p1
great program participants, provide directions and answer questions. The county is also required to assist eligible participants in the amnesty program with the transportation of waste tires to the central staging area.

The Kentucky Waste Tire Amnesty Program is scheduled to be held on March 24, 25 and 26 at the Kentucky Highway Garage in Allen.

■ Continued from p1

Centers

already been done in Pike County. This, said Whitehead, opens the doors for all seven to receive state funding, even more so than before.

"There will be roughly \$20,000 more for nutrition, with another \$25,000 to \$30,000 coming just from Title III funds," said Whitehead, who works as financial director for the Big Sandy Area Development District. "Without this money ... well, I don't even want to go there."

Whitehead said though the four centers that had been struggling since losing state funding in 2008 will soon see a turnaround, adding that each has learned to spend its money wisely

during those tight times, the road ahead is still somewhat lengthy to a complete return.

"It's going to take some time to get back to before, when the centers had the funding from Bailey," he said.

Before the summer decision to bring all the centers under the same umbrella, the fiscal court had been giving what could be spared from an already tight budget to the four centers that had no funding at all, other than fundraising and similar efforts.

On Friday, fiscal court members authorized a quarterly check to the now incorporated system of centers totaling \$69,944.

The centers that had


been without state help had been operating on random amounts totaling around \$10,000 about every three months, Marshall said last year, adding that on average, annual budgets for most centers were roughly \$50,000.

■ Continued from p1

LEGAL NOTICE

The Board of Directors of Appalachian Research and Defense Fund of Kentucky, Inc., will hold their annual meeting on Saturday, February 26th, at 10:30 a.m. at the Richmond Public Library, Richmond, KY. The meeting is open to the public.

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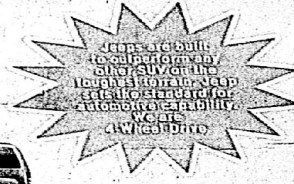
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Mills named KIAC Women's Coach of the Year

TIMES STAFF REPORT

LOUISVILLE — John Mills, who guided the Alice Lloyd College Lady Eagles to a second-place finish in the Kentucky Intercollegiate Conference (KIAC) regular-season standings, has been voted by his peers as the 2010-2011 KIAC Women's Coach of the Year.

Mills returned to Alice

Lloyd this year after a nine-year stint at Berea College. Inheriting a team picked in the preseason to finish seventh out of eight teams, Mills and the Lady Eagles surprised the league by tying for second with a 9-4 conference mark. Two of the losses came at the hands of the defending champion, and only undefeated team in the league, IU-Southeast. ALC

dropped close contests to tie league frontrunner. One of Alice Lloyd's setbacks to IU-Southeast came in overtime.

When asked about his honor, Mills replied, "These awards are special because you are being recognized by your peers. However, your players have to produce the results. I am just simply the recipient of these ladies' hard

work and dedication. This award actually belongs to them more than it belongs to me."

Mills is no stranger to such honors. He has received the same award previously on the women's level once before (1994 TVAC Coach of the Year). On the men's level, he has been voted NAIA Regional Coach of the Year once (2003), and KIAC

Coach of the Year three times (2004, 2008, 2009).

Alice Lloyd was opening KIAC Tournament play on Tuesday (Feb. 22), hosting Asbury. Results from the Alice Lloyd-Asbury women's basketball game were unavailable at press time. A complete recap of the game will appear in the Friday, Feb. 25 edition of The Times.

INSIDE

Lady Eagles fall to IU Southeast in overtime

Page B2

Lady Blackcats beat Elliott in overtime

DeRossett scores 1,000th career point in win over Buckhorn

by **STEVE LeMASTER**
SPORTS EDITOR

SANDY HOOK — The Prestonsburg Lady Blackcats pulled away to defeat host Elliott County 62-52 in overtime Thursday.

Prestonsburg shot 51.1 percent en route to the win. The Lady Blackcats connected on 23-of-45 field goal attempts.

Prestonsburg was 14-of-22 from the foul line and collected 28 total rebounds.

Kristian Waugh paced the Lady Blackcats with 19 points. Cassie Burchett turned in a double-double of 16 points and 12 rebounds for the Lady Blackcats.

Alexis DeRossett netted 15 points, joining Waugh and Burchett in double figures for the Prestonsburg girls' basketball.

Caitlin Kidd and Katie Burchett rounded out the Prestonsburg scoring with eight and four points, respectively.

Catie Burchett added six rebounds in the Prestonsburg win. Earlier in the season, Friday, Feb. 11, DeRossett scored her 1,000th career point in a convincing 72-49 win over Buckhorn.

The Lady Blackcats concluded the regular-season 12-15, winning two of their last four games.

Prestonsburg, currently ranked ninth in the 15th Region standings, will face South Floyd this evening in the opening round of the 58th District Girls' Basketball Tournament at Raider Arena in Hi Hat. Tip-off for the Prestonsburg-South Floyd girls' basketball game is set for 7:30 p.m.

Bobcats hold off Pikeville in finale

by **STEVE LeMASTER**
SPORTS EDITOR

PIKEVILLE — The Betsy Layne Bobcats ended the regular-season 22-6 following a hard-fought 36-38 win over Pikeville Thursday night in a regular-season finale at T.W. Oliver Gymnasium.

Betsy Layne ended the regular-season on a three-game winning streak, comprised of victories over Pikeville, East Ridge and Prestonsburg.

The Bobcats overcame a poor shooting outing that included a 14-of-45 (31.1 percent) effort from the field. Betsy Layne also struggled at the foul line, connecting on only six-of-11 charity shots.

Senior guard/forward Nathan Martin led Betsy Layne with a game-high 19 points. Martin was one of only four scorers for the Bobcats. Derek Tackett tossed in nine points, Casey Adkins scored six and

(See **BOBCATS**, page two)



Junior center Micah Harlow (55) and freshman guard J.R. Handshoe (12) are pictured putting up shots for the Allen Central boys' basketball team in a regular-season finale against Magoffin County. Allen Central defeated visiting Magoffin County 55-42 at J.E. Campbell Arena. Both teams entered postseason play earlier this week.

TOURNAMENT TIME

15th Region

Boys' Basketball Standings

Team	Record
Betsy Layne	22-6
Pikeville	19-7
Johnson Central	18-6
East Ridge	16-8
Sheldon Clark	16-10
Belfry	15-8
South Floyd	14-9
Pike County Central	12-11
Paintsville	12-13
Magoffin County	12-13-1
Shelby Valley	9-16
Allen Central	8-18
Prestonsburg	7-20
Phelps	3-23-1
Lawrence County	0-28



Eagles fall to Asbury on Senior Night

TIMES STAFF REPORT

PIPPA PASSES — The Alice Lloyd Eagles fell to highly-regarded Asbury University last week in a late-regular-season KIAC contest. Asbury defeated Alice Lloyd 85-76.

ALC seniors Daniel Combs, Will Jones and Charles O'Steen were recognized before a large home

crowd prior to tipoff.

In the first half, Asbury sharpshooter Philip Morrison got the guests off to a torrid start, draining three three-point baskets. AU led by as many as 15 points before a late Alice Lloyd run cut the deficit to 45-35 at intermission.

In the second half, Asbury maintained its double digit lead until the

seven-minute mark. At this point, ALC began one last run at the visiting team. Combs and Jones helped the host team slice the deficit to just six points with four minutes remaining. Asbury, however, then scored on its next possession to end the last serious threat from host Alice Lloyd.

For Alice Lloyd (8-21, 4-9), Combs led the way with

26 points. He also passed the 1,000 point mark for his career in the closing minute of the contest. Jones added 18 points and eight rebounds for the Eagles. Freshman guard Isaac Wilson contributed 13 points for Alice Lloyd in the KIAC loss.

Morrison paced Asbury (20-7, 11-2) with 26 points.

P'burg track team competes in indoor meet

Tincher, Jamerson set school records

by **STEVE LeMASTER**
SPORTS EDITOR

MAYSVILLE — The Prestonsburg High School track and field program, under the direction of veteran head coach Dewey Jamerson, competed in the KTCCCA (Kentucky Track

and Cross Country Coaches Association) indoor meet held at Mason County on Saturday. Both the PHS girls' and boys' teams performed well during the indoor meet.

The PHS girls' track team placed 11th among 19 teams.

The PHS boys' track team placed eighth out of 18 teams. Male (Girls) and Dixie Heights (Boys) captured the team titles.

A breakdown of highlights for PHS track and field program follows.

— Catherine Tincher set school

records in the 55-meter hurdles and the 55 meter dash, placing third and fourth, respectively.

— Hannah Hitchcock delivered a personal record in the 800 meter run.

— All Hopkins had a personal in the shot put.

— Micheala Stone turned in a personal record in the 55 meter dash.

— Makayla Williamson had personal records in the 800 meter run and 1600 meter run.

— Joseph Jamerson set a school record in the 55 meter hur-

dles. He placed second in the hurdles and fourth in the high jump.

Nathan Stone placed second in the triple jump.

— Alex Garner placed fourth in the shot put. Garner, Chris Cook and Kain Collins each had personal records in the shot put.

— Griffin Baker had personal records in the 800 meter run and the 1600 meter run.

Prestonsburg will return to Mason County on Saturday for another indoor meet.

Allen Central 53,
Piarist 36

Piarist (36): Calhoun 13; Akers 14, Hamilton 2, Hall 3, Lemaster 4.

Allen Central (53): Kinney 6, MacElhose 13, Parsons 6, Elliott 3, Moore 2.

Elliot...11 6 9 10-36
AC...14 12 14 13-53



TESTING: Family Academy of Martial Arts Master Michael Gambill (left) tested students from the Prestonsburg and Maytown schools in late January. Gambill is pictured along with Teresa Crum, Thomas Tackett, Scotty Baril, Curtis Rowe, Jessica Kinzer and Maytown instructor John Vaughn. Kinzer, Baril and Rowe received their 4th Gup Blue Belt. Crum and Tackett received their 1st Gup Blackbelt Candidate Red Belt with Black Stripe.

Hot shooting from Hicks, Setty leads to weekend sweep

TIMES STAFF REPORT

MONTGOMERY, W.Va. — Senior Justin Hicks and sophomore Trevor Setty combined for 10 three-point shots to lead Pikeville College to a 92-80 win over WVU Tech Saturday evening at the Baisi Athletics Center.

Hicks, a 6-0 guard from Hazard, nailed six three-point shots to match his season high with 27 points while Setty, a 6-8 guard from Maysville, tossed in four to finish with 21 in the win.

Pikeville is now 23-6 on the season, the most wins ever for Kelly Wells as a collegiate head coach. More importantly, the Bears are 12-5 in the Mid-South Conference, keeping the pressure on 12-4 Cumberland and St. Catharine, which took an 11-4 record into Saturday night's game at Campbellsville.

For Tech, the record fell to 12-14 overall, 7-9 in the league.

Tech came out on fire in the first half, shooting 57.6 percent (19-of-33) and hitting 7-of-12 (58.3 percent) from the arc. At one point the home team's lead was 15-3, but the Bears finished 9-of-19 from the arc before recess, thanks to Hicks' 5-of-9 shooting, and the half-time edge was only 51-50.

The second half was a different story. While Pikeville cooled off to 44.4 percent overall, it hit five

more threes and was 15-of-20 from the line. Tech, however, hit only 36.7 percent in the second half and was 1-of-11 from downtown.

As a result, Pikeville outscored Tech 42-29 and pulled away for the 12-point win.

Hicks and Setty were joined in double figures by senior Vance Cooksey, who was 11-of-13 from the free-throw line to finish with 14 points. The point guard added eight rebounds and six assists.

WVU Tech got 17 points from Joseph Morgan on his Senior Day, while junior Josh Proctor followed with 13 points, nine rebounds and four blocked shots.

Pikeville has the game remaining in the regular season and will celebrate Senior Night next Saturday with an 8:07 opening tip against regional rival U.Va.-Wise at the East Kentucky Expo Center.

Cooksey leads Bears past Rio Grande

RIO GRANDE, Ohio — Pikeville College blistered the nets for 53 percent shooting and got a monster game from senior Vance Cooksey in an 87-72 win over the University of Rio Grande Thursday night.

Pikeville (22-6) improved to 11-5 on the season in the Mid-South Conference and

rebounded from a heart-breaking loss on Saturday to St. Catharine.

Rio Grande fell to 5-22 overall and remained winless in 15 league games this season.

The Bears hit well from the arc as well, knocking down 12-of-25 (48 percent) from the arc, to overcome 18 turnovers for the win.

Rio Grande shot it well from the arc as well, hitting 8-of-17 (47.1 percent). That was better than its overall percentage, which was 43.1 percent.

Cooksey, a 6-0 point guard from Chicago, led all scorers with 23 points. He filled the stat sheet with seven assists, six steals and four rebounds in the win.

Cooksey led four Bears in double figures. Senior Justin Hicks hit three three-point shots and finished with 17 to go with four assists. Sophomore Trevor Setty flipped in five three-point shots to score 16 points in addition to pulling down a team-high eight rebounds.

Senior Quincy Hankins-Cole finished with 10 points, seven boards, as the Bears won that battle as well 39-31.

Sophomore Danil Marti led the Red Storm with 22 points and 10 rebounds, matching Setty's five triples on the night. Junior Brad Cubbie followed with 10 points and eight assists, while sophomore Caleb Kinner came off the bench for 10.

Pikeville, Wise to close out Mid-South season Saturday night

TIMES STAFF REPORT

PIKEVILLE — Saturday's doubleheader with U.Va.-Wise will be the final games of the 2010-11 regular season for the Pikeville College basketball teams, will serve as Senior Day for 12 players and will start later than normal.

To cooperate with WYMT-TV, Pikeville College will start the women's game at 5:45 p.m., while the men will tip off at 8:07 p.m. In addition, the game will be available at its normal media outlets, which include WPRG-TV 5 and Z-Rock 107.5 FM.

Saturday's games will be the final regular-season games in the Mid-South Conference. The rest of the league will wrap up its schedules with games at the normal 2 and 4 p.m. local-time starts on Saturday after-

which begin Monday, Feb. 28 with play-in games at the sites of the teams seeded seventh and eighth in both brackets.

The winners then, as well as the teams seeded in the top six, move on to Frankfort for the tournament, which will begin Thursday, Mar. 3. Pikeville's women are 18-10 overall and 8-9 in the league. Bill Watson's team could finish as high as tied for fourth in the final standings.

The men's basketball team is 23-6 on the season and 12-5 in the Mid-South Conference, and will enter Saturday's action tied for third place with the team that loses Thursday's game when Cumberland visits St. Catharine. On Saturday, Cumberland will end its season at Campbellsville while St. Catharine will play host to Lindsey Wilson. Both

games, but Pikeville owns a win over Georgetown, which would likely be the deciding factor. St. Catharine, by virtue of its sweep of the regular-season series, holds the tie-breaker with the Bears.

The senior ceremony for the women will begin at approximately 5:30 p.m., while the men will hold theirs at the conclusion of the women's game.

The seniors on the women's team are Lakia Bailey, Ashley Chandler, Whitney Compton, Meagan Johnson, Nateria Hinton and Lauren Potts.

The men's seniors include Quincy Hankins-Cole, Vance Cooksey, Chris Donald, Justin Hicks, Andre Thornton and Ryan Whitaker.

In addition, senior ceremonies will be held for band members, cheerleaders and sports-information personnel.

Bobcats

Andrew Roberts added two for Betsy Layne in the non-district win.

Adkins led Betsy Layne at the boards, claiming eight rebounds. Martin rounded up four rebounds

while Dylan Maldonado recorded three for the Betsy Layne boys' basketball team.

The Bobcats grabbed 23 total rebounds. Betsy Layne was facing

Allen Central Tuesday night at South Floyd in the opening round of the 58th District Boys' Basketball Tournament. The tournament game ended too late to make this edition.

Lady Eagles fall to IU Southeast in overtime

Three Alice Lloyd seniors honored during pregame ceremony

TIMES STAFF REPORT

PIPPA PASSES — The Alice Lloyd Lady Eagles battled the 20th-ranked IU Southeast Grenadiers on Senior Night for 45 minutes before succumbing in overtime, 68-64.

ALC seniors Chelsea Jarrell (Paintsville), Nicole Lutes (Jackson) and Whitney Frazier (Louisia) were honored before the highly-anticipated matchup between the KJAC's top two teams, and the fans were treated to an exciting, action-packed game.

In the opening half, both teams played stellar defense, which caused each club to shoot a poor percentage. At the half, the score was knotted at 23-23.

In the second half, the pressure began to build as the two squads traded buckets. The key play of the half occurred with 7:40 remaining in the game and IU clinging to a 40-38 lead.

ALC's leading scorer and rebounder Ariel Nickell was called for an over the back foul as she went for an offensive rebound. This was her fourth foul. Nickell then received a technical, which counted as her fifth foul, and regulated her to the bench for the remainder of the night.

Indiana seized this momentum to vault ahead 43-38, and seemed to have the game well in hand.

However, no one told this ALC's Lutes that the contest was over, and she proceeded to spark the Lady Eagles to a furious comeback. In one stretch, Lutes sank a jumper, and then swished a bomb from 25 feet. Her intensity rallied her club, and the girls from Caney clawed their way back into the game.

Trailing by four (51-47) with just 1:12 remaining, Lutes came through again as she blocked a shot, garnered the loose ball, and fed the lightning quick Frazier who sped to the goal for a layup. On the next possession,

ALC came up with a loose ball, and found Frazier once more. The point guard was fouled on a drive to the hoop, and calmly sank both free throws to knot the score at 51.

IUS held the ball looking for a good shot, but misfired and gave ALC the ball back. Alice Lloyd got the ball to Lutes who was fouled on a 10-foot shot with just 13 seconds remaining.

Showing incredible poise, Lutes swished both charity shots to put the Eagles back in front by two (53-51).

The Grenadiers raced down court desperate for a shot. They nearly lost the ball, but found 6-2 Alden Krausse, who was fouled going to the goal with just four seconds left.

ALC Coach John Mills then called back to back timeouts looking to ice the shooter. To her credit, the senior Krauss calmly drained both charity tosses to force overtime at 53-53.

In overtime, IU drew first blood as Ashmere Woods sank a bomb. ALC's Lutes then popped off a screen and incredibly drilled a bomb of her own to knot the score once more at 56-56.

Indiana then went to center Frazier Murphy, but the big center surprised everyone by shooting and hitting another three-point field goal to put her club up by three (59-56).

ALC found Gemma Gray (Manchester), but her shot rimmed out and was collared by Krausse who was fouled. Once again, she drained both free throws to finally put the game out of reach.

For ALC (13-14, 9-4 KJAC), Lutes played phenomenal in the last 12 minutes of the game, finishing with a team high 14 points. Frazier added 13 points and 6 assists. Gray and freshman Ariel Nickell (Claiborne, TN) added 11 and 10 points, respectively. ALC also got a huge effort off the bench from junior Nikki Durman (Lexington) who contributed 8 points, and a

season high 11 rebounds. She also registered an incredible 7 blocks.

Krausse paced IUS (24-5, 13-0 KJAC) with 16 points.

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NO STRINGS ATTACHED (R), Mon-Fri, 9:00; Sat., Sun, (2:00) 9:00
Cinema 2 - Held Over
BIG MOMMAS: LIKE FATHER, LIKE SON (PG-13), Mon-Thurs, 7:00-9:00; Fri., Sat., Sun, (2:00) 7:00-9:00.

Cinema 3 - Held Over
UNKNOWN (PG-13), Mon-Thurs, 7:00-9:00; Fri., Sat., Sun, (2:00) 7:00-9:00; Sat., Sun, (2:00) 7:00-9:00.
Cinema 4 - Held Over
THE ROOMMATE (PG-13), Mon-Thurs, 7:15-9:30; Fri., Sat., Sun, (2:15) 7:15-9:30.

Cinema 5 - Held Over
I AM NUMBER FOUR (PG-13), Mon-Thurs, 7:00-9:00; Fri., Sat., Sun, (2:00) 7:00-9:00.
Cinema 6 - Held Over
JUST TO WITH (PG-13), Mon-Thurs, 7:00-9:00; Fri., Sat., Sun, (2:00) 7:00-9:00.

Cinema 7 - Held Over
JUSTIN BIEBER: NEVER SAY NEVER 3D "DIRECTOR'S FAN CUT" (G), Mon-Thurs, 7:00-9:00; Fri., Sat., Sun, (2:10) 7:00-9:00.

Cinema 8 - Starts Fri., Feb. 25
HALL PASS (R), Mon-Thurs, 7:15-9:30; Fri., Sat., Sun, (2:15) 7:15-9:30.

Cinema 9 - Held Over
GNOMEO AND JULIET (G), Mon-Thurs, 7:10-9:15; Fri., Sat., Sun, (2:10) 7:10-9:15.

Cinema 10 - Held Over
KING OF SPEECH (R), Mon-Thurs, 6:55-9:15; Fri., Sat., Sun, (1:55) 6:55-9:15.

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EVERYBODY'S SCIENCE

Jiminy Cricket's ugly cousins

by SANDY MILLER HAYS
 AGRICULTURAL RESEARCH SERVICE

True confession time: I haven't always written about agriculture.

At the beginning of my writing career, I interviewed celebrities—rock stars, ballerinas, rodeo heroes, TV personalities. If they were "big" in the 1970s, I've probably talked to them.

All these years later, most of those stars have dimmed in my memories (although some are eternal stand-outs; Lawrence Welk was an absolute delight).

Truth be told, I've had more "gosh, I'll never forget this" moments during interviews for agricultural stories. One especially memorable experience was decades ago, when an epidemiologist was telling me about the dangers of brucellosis, a highly contagious bacterial disease of cattle. When humans catch this disease, it's called undulant fever.

This epidemiologist had the unusual habit of rarely looking at me while talking to me, and I had become accustomed to that. But when I asked him if a human could die from undulant fever, he abruptly fixed his steely eyes on mine and said in the grimmest possible tones, "No ... but you will wish you were dead." I swear, the hair stood up on the back of my neck!

Another moment—a bit less startling, but just as memorable—came years later, when an Agricultural Research Service (ARS) entomologist told me about how horrid—of grasshoppers can devour tractor tires and wooden fenceposts. Imagine it—fenceposts!

An adult female grasshopper can lay multiple egg pods, each containing many eggs, in a single summer, which can greatly increase the hopper population in the next summer. And grasshoppers can eat their body weight daily in vegetation, leaving less grass for livestock—and of course, they sometimes move on to the crops that we humans want to eat. Bottom line: When you take into consideration the loss of revenue for farmers and ranchers, a grasshopper infestation could cost our country billions of dollars per year.

But this doesn't mean we're helpless in the face of the hoppers. ARS scientists in Montana, working with state, federal and university colleagues, have been studying better ways to battle grasshopper outbreaks.

For starters, there's fire—controlled burns of rangeland areas, especially in late summer and early fall, after the insects have laid some or all of their eggs.

The conventional wisdom is that the insects living or hibernating in the soil are protected from the fires. That's not entirely true, the ARS scientists say. In laboratory studies, they showed that if you're talking about two common pest species of North American grasshopper—*Aenegetettix deorum*, which lays shallow egg pods, and *Melanoplus sanguinipes*, which lays deeper pods—a good toasting will kill 80 percent of the *A. deorum* eggs, although fire isn't as effective against the deeper-laid *M. sanguinipes* eggs. So that means fire, while useful, is just one tool in our arsenal against the hoppers.

Another could be cattle. Since the grasshoppers have to compete with livestock for food, grazing could be used to prevent or moderate the worst grasshopper outbreaks. The scientists say their studies indicate that in contrast to chemicals, habitat manipulations such as controlled burning and grazing have the potential to keep those grasshopper populations below economically threatening levels.

In the Northern Plains states, grasshoppers aren't the only guilty parties; their cousins, the Mormon crickets, aren't likely to find many welcome mats out, either. And these creatures don't just endanger our econ-

(See SCIENCE, page 4)



A wide variety of performers will share their talents at the Big Sandy Stars Talent Showcase on Friday. Pictured are front row: The Morphmen; second row: Terry O'Brian, Vada Bowens, Phyllis Puffer, Emily Mills, Kandyce Hannah, and Rhonda Alley; third row: members of Trespass - Jack York Wyane Evan Douglas, and Matt Pugh; Dr. Doug Herman, Dr. Don Barlow, Stephanie Prater, Kay Johnson, Deb Ramey, Virginia W. Jones, and duo members of Saints Under Construction (Please Excuse the Mess); Martha Burchett and Elizabeth Cole.

TALENT SHOW

Local acts to perform at college on Friday

by JARRID DEATON
 FEATURES WRITER

PRESTONSBURG — Twenty unique acts will show their special talents at the seventh annual Big Sandy Stars Talent Showcase on the Prestonsburg campus of Big Sandy Community and Technical College (BSCTC) on Friday.

According to Laura Ford Hall, director of music at BSCTC, the acts will include students, faculty, staff and community program members of the

college.

The showcase will feature singer and songwriter Jeremy Dempsey, singer Deb Ramey, writer Phyllis Puffer, members of the Faculty and Staff Chorus: Doug Herman, Don Barlow, Mike Dixon, Tom Vierheller, Kay Johnson, Mary Wallen, Susan Scott, Kathy Dixon, Elizabeth Cole, Virginia Williamson Jones, Clayton Case, Timothy C. Cooley, and Laura Ford Hall. BSCTC Community Music Program members Brandi Brown, Mary

Lou Lavender, Martha Burchett, Tori Stepp & Hope LaFatty, and BSCTC students: Kandyce Hannah, Vada Bowens, Rhonda Alley, Emily Mills, Matt Pugh with Trespass, Candace Preece, Stephanie Prater, Tanner Howard, Amber Coleman, Sarah Adams, Terry O'Brian, and The Morphmen.

"I am looking forward to performing," said Kandyce Hannah, student performer. "The talent show gives students, faculty, and staff a great opportunity to use their gifts. I am

excited about the event and encourage everyone to come to see what our college and college community programs have to offer."

The showcase is scheduled to begin at 6:30 p.m. on Friday in the Gearheart Auditorium located in the Pike Building on BSCTC's Prestonsburg campus. Tickets are \$6 and will be available at the door. All proceeds will benefit the BSCTC Music and Drama Club for funding for the music and drama programs at the college.

Work program helps seniors overcome isolation

In Martin, the Martin Area Senior Citizens Center is a critical force in dispelling the isolation that often deepens physical and emotional problems for older adults. The center's services include hot lunches — dished up at the center as well as delivered to 26 homes on a largely rural 60-mile route — and activities such as trips, computers and exercise classes.

With much to do, but little funding, and staff, center director Karon Robinson has always depended on the help of a participant in the Senior Community Service Employment Program (SCSEP), a federal program that prepares older, low-income adults to re-enter the workforce by placing them in paid, part-time positions serving their communities.

In the fall of 2009, Robinson asked Martin resident Judy Stumbo whether she'd like to serve the center as a SCSEP participant. A retired high school teacher and nurse, Stumbo had been praying for contact with others that would make her feel useful again.

"I was getting pretty down and disgusted with myself for doing nothing," she says. Her answer to Robinson was an immediate yes.

Today, 70-year-old Stumbo knows she made the right decision. "I'm contributing to society and making a few lives a little better. We all want to feel needed and of value—SCSEP has been a godsend for me. And I'm grateful that the program has given

me the opportunity to learn new workplace skills."

In addition to teaching exercise class and assisting with meals, Stumbo is "slowly but surely" acquiring computer skills needed to keep records for the center. "I did not know how complex it is to make this place operate successfully," she says. "I like that I can help in the office."

According to Robinson, Stumbo's assistance in the office has "taken a big load" off of her, freeing her to get out in the community more to raise awareness of what the center has to offer.

And by directly engaging with fellow older adults, Stumbo too is extending the center's reach and capacity.

Accompanying Robinson on home visits to individuals referred to the center, Stumbo's training as a nurse and teacher allows her to skillfully assess those whose lives may be enriched by a variety of services—from medical care to home repair—offered by the Big Sandy Area Agency on Aging. These state- and federally-financed services are aimed at assisting older, low-income adults in retaining their independence in the community for as long as possible.

Stumbo has the right set of eyes and ears, according to Robinson: "Judy is closer in age to these folks than I am. They relate more easily with her, especially when they find out she's worked in the nursing field and they feel like they're speaking with a

medical professional."

And these home visits have enriched Stumbo's understanding of her community. "We live in a low-income area," she says. "Many seniors are living in ways that could be made more comfortable and better for their physical well-being through the use of services available for them. But there is also a strong sense of pride among people, which makes them reluctant to accept help."

Assistance cannot be forced, Stumbo says: "You can try to persuade them, but you don't want to make people angry, because you want to keep that bond going with them as much as you can."

Back at the center, Stumbo does some of her most important work as a trusted listener.

"Empathy is a very valuable thing, especially when you've been there and had the same mental, emotional and physical problems," she says. "Quite a few have had cancer, and it's remarkable how well they handle it."

"Sometimes your defenses weaken as you age, and you just need somebody to talk to about the fears and, sometimes, the anger. This is a busy world, and sometimes the elderly are neglected—nobody wants to sit down and just listen. I'm grateful that I can be here to do that."

For more information about SCSEP, contact Sherry Burchett at (606) 436-3158. Online, learn more at <http://chfs.ky.gov/dall/scsep.htm>

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Legals

NOTICE OF INTENTION TO MINE Pursuant to Application Number 836-5470, Renewal 01

In accordance with the provisions of KRS 350.055, notice is hereby given that Laurel Mountain Resources, LLC, 1801 W. Wagon Road, Prestonsburg, Kentucky, 41653 has filed for renewal for a surface coal mining and reclamation operation located 2.2 miles northeast of Handshoe in Floyd County. The proposed operation will disturb 202.00 surface acres and will underlie 5.6 acres and the total area within the permit boundary will be 202.00 acres. The operation is located approximately 0.1 miles northwest from KY 5025 at the junction with State Route 7 and is located on an unincorporated area of Handshoe Branch. The operation is located on the Wayland, Handshoe, and David U.S.G.S. 7 1/2 x 12 1/2 minute quadrangle map. The operation will use the contour, area, auger and re-mining methods of surface mining. The surface area is owned by Conest of Kentucky. Betty Reed, Delpha M. Hale and Carol S. Wrennan, Virgil Shepherd, Hairs, Eugene Shepherd, Carl D. Whitaker, Gorman Shepherd, Dallas Sparsman, Matigold Warrick, Clayton Ramey, Craig Hicks, Laurel Mountain Resources, LLC, Virgil Shepherd, Hairs, Bobby & Lenore Stone, Clinton Handshoe, Homer Ratliff, David Compton, D. Allen, Linda Frater, Timothy Gene Francis, Edward & Dora Handshoe. The application has been filed for public inspection at the Department for Natural Resources and Enforcement's Division of Mine Reclamation and Enforcement's Office, 3140 South Lake Drive, Prestonsburg, Kentucky 41653. Written comments, objections, or requests for a permit conference must be filed with the Director, Division of Permits, #2 Hudson Hollow, U.S. 127 South, Frankfort, Kentucky 40601.

This is the final advertisement of this application; all comments, objections or requests for a permit conference must be received within 30 days of this date.



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NOTICE OF INTENTION TO MINE Pursuant to Application Number 836-5470, Renewal 01

In accordance with KRS 350.055, notice is hereby given that The Elk Horn Coal Company, LLC 544 South Lake Drive, Prestonsburg, KY 41653 has applied for a permit for a renewal for an underground coal mining operation located approximately 0.23 miles northeast of Orkney in Floyd County. The proposed operation will disturb 15.15 surface acres and will underlie 1,011.85 acres, and the total area within the permit boundary will be 1,027.00 acres. The proposed operation is located 0.23 miles northeast from State Route 122's junction with Spewing Camp Branch Road and located 0.2 miles north of Spewing Camp Branch. The proposed operation is located on the McDowell U.S.G.S. 7 1/2 minute quadrangle map. The surface area is owned by Nicholas Cooley and Mary Anderson. The operation will underlie land owned by Kennel Dye, Ribben & Millie Dye, Millie Hall Estate, Mary Anderson, Jimmy R. & Diana Conley, Brenda Johnson, Anita Stumbo, Curtis & Pamela Seord, Richard Stumbo Estate, Polly Howell Estate, Progress Land Corporation, The Elk Horn Coal Company, LLC, Sterlison Gayheart, Ed Moore Estate, Day Gayheart, Ivan & Shirley Moore, Ted Moore, Prophet Moore Estate, Willard Moore Estate, Jake Cooley, Bartha Leathman Jones, Edgar & Leathman Jones, Coal Co., Inc., Tracy & Linda Frasure, Randall & Judy Frasure, Elbe & Jane Collins, Bethel & Avelene Gayheart, Bill Mosley, Carl & Patricia Moore, Green & Helen Gayheart and Bert Newman. The application has been filed for public inspection at the Department for Natural Resources, Prestonsburg Regional Office, 3140 South Lake Drive, Suite 6, written comments for a permit conference must be filed with the Director, Division of Permits, #2 Hudson Hollow, U.S. 127 South, Frankfort, Kentucky 40601. This is the final advertisement of this application; all comments, objections or requests for a permit conference must be received within 30 days of this date.

NOTICE OF INTENTION TO MINE

Pursuant to Application Number 836-5496 Renewal 01 in accordance with KRS 350.055, notice is hereby given that Mat/Co., Inc., 439 Meadows Branch, Prestonsburg, Kentucky 41653 has applied for a renewal of a permit for an underground coal mining operation located approximately 0.8 miles west of Tram to Floyd County. The proposed operation will disturb 8.74 surface acres and will underlie 541.01 acres and the total area within the permit boundary will be 549.75 acres. The proposed operation is located on the Harlow U.S.G.S. 7 and a half minute quadrangle map. The surface area to be disturbed is owned by Sidney Justice. The operation will underlie land owned by Sidney Justice, Bee Rickman Estate, Appalachian Land Company, Green Kidd Estate, Ruth Boyd, Kate Cade Estate, Nora Louise Watkins, Frank Justice Estate, Floyd Rickman, Jamesetta and Fela Wilson Jr. and George Jackson. The application has been filed for public inspection at the Department for Natural Resources and Enforcement's Division of Mine Reclamation and Enforcement's 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 Permits, #2 Hudson Hollow, U.S. 127 South, Frankfort, Kentucky 40601.

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Legals

Floyd County Sheriff Department

John K Backburn Sheriff

Po Box 152

Prestonsburg, KY 41653

Actual Income and Expense for 2010

Income	Expense
Saving Papers \$73,580.00	Payroll \$732,402.00
Commission on Taxes \$405,035.51	Office Supplies \$72,154.74
State Advancement \$30,000.00	Postage \$11,513.53
County Payments \$150,875.80	Auto Expenses \$30,150.00
Union Fee \$4,220.00	Uniforms \$13,575.08
Auto Inspections \$10,974.00	Auto Maintenance \$34,250.32
County Clerk \$77,285.00	Convention \$8,955.80
Interest Emailed \$5,100.00	Gas \$34,172.22
Sheriff Security SER \$10,024.01	Advertising Cost \$327.18
Accident Reports \$1,285.00	KLEFF \$25,905.82
State Payments \$125,442.35	Training Expenses \$532.06
C.C.D.W. \$7,900.00	Unemployment INS \$8,019.40
KLEFF \$27,013.82	Start Up Cash \$1,200.00
Start Up Cash \$300.00	Misc. \$3.00
Transporting \$55,283	Dues \$1,057.00
Misc. \$301.87	Books \$1,840.00
Fees Collected For SER \$121,880.12	Fiscal Court Fees \$4,710.00
Lake Patrol \$33,739.18	Training (HES10) \$3,624.24
	State Advancement \$30,000.00
	Transport \$788.39
Total \$1,210,315.75	Total \$1,169,381.23
Total 2010	Excess Fees \$40,934.52

LEGAL NOTICE: NOTICE OF APPOINTMENTS

COMMONWEALTH OF KENTUCKY
COUNTY OF FLOYD

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

DATE OF APPOINTMENT	CASE NUMBER	STATE OF	FIDUCIARY	ATTORNEY
01-20-11	11-P-22	LOUISE HALL REFFITT	ELLS RAYMOND REFFITT	
01-20-11	11-P-21	TESSIE HAMILTON BRYANT	NORA MAE BAXTER	
01-20-11	11-P-24	MILTON F. HARVEY	JOHN K. LEWIS	
01-25-11	11-P-29	EDWIN KENNETH FLETCHER	LYNN FLETCHER	
01-27-11	11-P-30	GARY T. HERALD	KELLIE H. CLARKE	
01-31-11	11-P-31	EDWARD S. STRATTON	CEALIA A. STRATTON	
02-01-11	11-P-32	LAURA MARGARET HOWELL	WILLIAM C. HOWELL	
02-02-11	11-P-35	VEDA BURKE	GWINDA HUGHES	
02-02-11	11-P-36	ALVIN ALE LITTLE	ALVIN'S COTT LITTLE	
02-02-11	11-P-37	THELMA GOSBORNE	GLENDA HICKS	
02-03-11	11-P-41	DONALD PATTON	DAVID TRIMBLE	AD AND BLANKENSHIP
02-03-11	11-P-42	BILLIE EARLENE MAY PATTON	DAVID TRIMBLE	AD AND BLANKENSHIP
02-03-11	11-P-44	NORA SLOAN	PAT MUSIC	
02-04-11	11-P-45	JALYLIOUS SHEPHERD REYNOLDS	JIMMY R. REYNOLDS	JENNIFER BURKE ELLIOTT
02-07-11	11-P-46	BERALDINE M. DEVORE	ANTOINETTE DEVORE	
02-07-11	11-P-47	BENJAMIN ORSEY FERGUSON JR.	CHARLES Y. FERGUSON	JAMES D. ADAMS, II
02-08-11	11-P-51	EDNA JOHNSON	ANTHONY PHILLIPS	
02-08-11	11-P-52	EARLY YOUNCE	KENNY YOUNCE	MICHAEL LUCAS
02-10-11	11-P-53	BILLY L. HOWARD	GLENDA CLARK	
02-11-11	11-P-55	LEE ESTER STONE MANN	GLADYS MANN GIBSON	
02-14-11	11-P-58	MARTHA AVON	PATTY FANNIN	
02-14-11	11-P-59	JAMES W. AKERS	ELIZABETH K. AKERS	
02-15-11	11-P-60	LEA COLE	RYAN HACKWORTH	
02-16-11	11-P-61	HOMER MULLINS	PHYLLIS MULLINS	

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Legals

NOTICE OF PUBLIC HEARING

A public hearing will be held on March 22, 2011 at 10:00 a.m., Eastern Daylight Time, at the office of the Kentucky Public Service Commission, 211 Sower Boulevard, Frankfort, KY for the purpose of Cross Examination of witnesses of Kentucky Power and intervenors in an Examination of the Application of the Fuel Adjustment Clause of Kentucky Power Company From November 1, 2008 through October 31, 2010.

Lila P. Munsey
Manager Regulatory Services
Kentucky Power Company

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Legals

PUBLIC NOTICE

Notice is hereby given that White Reach Martin, LLC, 201 W. Short Street, Suite 500 Lexington, Kentucky 40507, has filed an application with the Commonwealth of Kentucky, Department of Environmental Protection, Division of Water to develop and construct a proposed commercial/retail structure in Martin, Kentucky. The project will consist of site grading, utility installations, building construction, and final paving. The property is located along Beaver Creek in Martin, Kentucky, at latitude 37°43'43.4"N and longitude 82°45'41.4"W. Questions or comments regarding this application should be directed to the Kentucky Division of Water, Floodplain Management Section, 200 Fair Oaks Lane, 4th Floor, Frankfort, KY 40601. Phone (502) 584-3410.

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Legals

Public Notice

Notice is hereby given that Toby Hamilton, 4255 KY Rt 122, printer KY 41685, has filed an application with the Energy and Environment Cabinet to acquire property. This property is located 4255 KY Rt 122, Printer KY 41685, about 5 miles up Rt 122 from Martin KY at the mouth of Shop Branch, Left Fork Beaver Creek. Any comments or objections concerning this application shall be directed to the Kentucky Division of Water, Surface Water Branch, Floodplain Management Section, 200 Fair Oaks Lane, Frankfort, Kentucky 40601. Phone (502) 584-3410.

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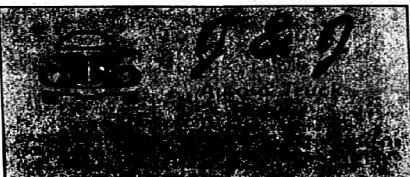
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Legal Advertisement

Notice (Of Final Settlement)

Commonwealth of Kentucky
County of Floyd...SCT

I, Douglas Ray Hall, Clerk of the Floyd District Court, do hereby certify that the following Settlements of Estates have been filed in my office. Anyone desiring to take exceptions to said Settlements must do so on or before March 23, 2011 at 10:00 am

Settlement	Case Number	Estate Of:	Fiduciary	Date Filed
Final	07-P-394	Julinia Hamilton	Eugene Hamilton	1-19-11
Final	10-P-23	Russell Mont Frazier	Mary Frazier	1-21-11
Final	10-P-189	Lizbie Conn Sr.	Lizbie Conn Jr.	1-14-11
Final	08-P-458	Evelyn Hamilton	Katie Cordial, David Hamilton and Donna A. Kay	1-20-11
Final	08-P-447	Frank Prater	Jo Ann Joseph	1-25-11
Final	08-P-463	Edna Derossett Hammons	Carol Holbrook	1-26-11
Final	04-P-301	Franklin Del Wallace	Jenny Wallace	1-27-11
Final	10-P-221	Winchester Francis	Gary D. Francis	2-1-11
Final	08-P-460	Lorena B. Horne	Steward Ray Horne	2-04-11
Final	09-P-13	Anna V. Banks	Paul Banks	2-07-11
Final	09-P-30	Stella O. Smith	James A. Redrick	2-07-11
Final	09-P-28	Dana W. Moore	Tandy Moore	2-07-11
Final	07-P-217	Thomas Jackson Webb	Mary J. Webb	2-07-11
Final	09-P-005	Maxine Mullins	Maryon Sue Johnson	2-11-11
Final	10-P-197	Asie Lee Bays	Judy Carol Bays	2-15-11
Final	10-P-13	Alda Hazel Gibson	Dennis C. Gibson	2-16-11
Final	10-P-203	Billy Lee Hall	Jeff L. Hall	2-16-11

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100 Legals

Deutsche Bank National
Trust Company, et al vs.
Edward P. Harless, et al
Floyd Circuit Court, Div. II,
Case No. 10-CV-00117 EKE

[illegible]

upon the above described real estate; an additional surety

The purchaser shall be required to assume and pay the 2010 property taxes for the property for the current tax year and subsequent years. The taxes or assessments upon the property shall be paid from the sale proceeds if properly claimed in writing and received by the County Clerk prior to the payment of the purchase price. C. The property purchaser shall be subject to any easements, restrictions, defects, liens or encumbrances that may exist in favor of the County Clerk's Office and such rights of redemption as may exist in favor of the County Clerk's Office and/or the record owners thereof. Any announcements made on this date shall have precedence over printed matter.

S. Korduck, Master Commissioner

Help Wanted - General
Regional mystery shopper needed, you will be hired to conduct an all expenses paid surveys and evaluation exercises on behalf of Bannest and earn \$300.00 per survey. Our e-mail Address jms-brown93@aol.com

Office space for lease in Prestonsburg two blocks from the courthouse. Call 226-0036.

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Community Calendar

Calendar items will be printed as space permits

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

Veterans representative

A veterans benefits field representative will be at the Floyd County Public Library in Prestonsburg on Wednesday, March 2, from 9 a.m. until 3 p.m.

Veterans and their dependents will receive assistance filing for federal and state veterans benefits. This service is provided free of charge by the Kentucky Department of Veterans Affairs.

To apply, veterans need to furnish copies of pertinent documentation to verify eligibility.

For more information, call toll-free at (866) 647-2926 to speak with a veterans benefits field representative.

Free clothes and household giveaway

Free clothes and household items will be given to anyone in need on the following days and times at the Old Middle Creek Fire Department on Route 114: Friday, Feb. 25, 9 a.m. to 6 p.m.

Saturday, Feb. 26, 10 a.m. to 4 p.m.

For more information, call Deed Holbrook at (606) 886-8481 or (606) 226-3525, or Faye Click at (606) 889-0216.

Donations of any kind will be accepted. Sponsored by the Middle Creek Ladies' Auxiliary.

Free Tax Filing Available

Big Sandy Area Community Action Program is once again offering FREE help for eligible tax filers in preparing and filing tax returns. The service is available in Johnson, Magoffin, Martin, Floyd and Pike Counties for persons earning under \$49,000. IRS-certified BSACAP staff prepares and electronically files tax returns, screens individuals for the Earned Income Tax Credit (EITC), and offers the service free of charge to qualifying residents. To schedule an appointment, call (606) 789-3641 for Johnson, Floyd and Martin Counties; for Pike County, call (606) 218-2106, and for Magoffin County, call (606) 349-2217.

Free Parenting Classes

To determine eligibility.

Science

omy, they can endanger our lives. That's because when they're mashed en masse on highways, they create road slicks that are very hazardous to drivers.

But ARS scientists say the Mormon cricket's Achilles heel may be, oddly, its immune system. The researchers have found that the young crickets grow so quickly that they sacrifice the growth of their immune system to allocate more of their resources for physical growth, and the young insect's immune system is weakened each time the creature molts.

Once the insect reaches the adult stage, it simply adds body mass without needing to molt, so that

call John 791-9887.

Autism Awareness & Support Group

2nd Monday of each month, Calvarys Church, Lancer, Ky. (6-7 p.m.). Contact: Billie Chain, eaikyautismawareness@gmail.com

Autistic Children Support Group plans monthly meeting

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

Non-profit agency needs foster parents

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

Foster parent info

Benchmark Family Services is offering a free informational session for anyone interested in becoming a foster parent. If you have ever wanted to help a child in need, this is your chance. Monday, Jan. 24, at 10 a.m. and Wednesday, Jan. 26, at 5 p.m. at Benchmark Family Services Office. For more information, please call (606) 886-0163.

FCCH 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

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

Free Bible Lessons

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

Need help with addiction?

Lifeline of Floyd County "Conquer Chemical Dependency" is a Christ-centered 12-step program offering support to those

who are coping with addiction and learning to live drug-free lives. The support group meets on the following schedule:

Mondays, at Minnie (beside pharmacy), from 7-8 p.m.
Mondays, at Little Mud, Spruce Pine School, from 7-8 p.m.
Tuesdays, in the Van Ark Building, from 2-3 p.m.
Tuesdays, at David, The David School, from 3:30-4:30 p.m.

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

For more information, call Shirley Combs at (606) 434-8400, or Tom Nelson at

(606) 478-2836.

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.

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