GENERAL NEWS

County considers creating Regional Jail Authority

JAIL

Continued from Page 1

dicated they wanted to form the Regional Jail Authority in part to

"1. Gain control of management/operations of the jail to prevent issues such as those which have arisen in the past in Bourbon County and;

"2. To reduce the costs/ save money for both counties."

Magistrate Avery Thornsburg listened intently but did not offer an opinion, nor did Magistrate Steve Hamilton, though Hamilton did raise questions about the length of any future contract entered into.

Both Hamilton and Thornsburg said at the end of the meeting they were "undecided."

Magistrate Daryl Stacy voiced strong opposition to the proposal and spoke passionately about the reasons why.

"Too many things can go wrong," Stacy said at one point.

Under the proposal, a Regional Jail Authority would be established with Bourbon County providing three, perhaps four, members to the board, which would oversee the day-to-day operations. Nicholas would have two board members. They would have fewer members because of the Kentucky Revised Statutes, which state the county with the most population is entitled to the most board members, according to discussion from County Attorney Dawn Letcher.

Stacy repeatedly asked about the legality of forming the board, particularly in connection with the pending election filing, and said he did not believe the law would support an elected official, such as the next elected Bourbon Jailer, being forced out of office or out of pay and responsibility due to the sudden formation of a Regional Jail Authority.

None present could voice anything of substance to refute Stacy's fears in that regard.

All present were very aware of the seemingly endless problems the jail has encountered in the past, with the death of inmate Daniel Trimble and the subsequent indictments against former Bourbon Jailer Tony Horn and Chief Jailer Sandy Dotson. Other investigations also revealed questionable work release practices at the Bourbon jail in the past and missing methadone pills held in storage at the jail, among other problems.

Those concerns were the basis for discussion about insurance premiums, which Nicholas County has through KACo.

Stacy also expressed caution in the timing of entering into a contract due to the election, saying that inevitably the current entities or members of the Nicholas and Bourbon Fiscal Court members, would not be the same after a future election and future contracts might reflect increases in jail costs if elected officials in the future deemed it necessary.

"I just don't want to obligate the county," Stacy said. "I can see so many things changing in the future."

Letcher has been vigorously researching all statutes and possible contingencies regarding the forming of a Regional Jail Authority and along with Nicholas County Judge-Executive Larry Tincher has consulted KACo Department of Legal Services Rich Orstein and KACo Assistant Director of Insurance Mark Miller.

Regional jails with contracts between various counties do exist in Kentucky and Tincher and Letcher said their discussions with KACo officials were informative and supportive of the regional jail concept.

At several points during the meeting the discussion broke down with three separate discussions going on simultaneously between different Nicholas officials and different Bourbon officials.

Near the end of those discussions Bourbon Magistrate John Smoot stood and spoke.

"The bottom line is do you want to save your taxpayers $15,000 to $20,000 a year?"

Judge Tincher quickly added that there was also "risk" to be considered but did think at this time it was a "good idea."

Both county entities said they would continue researching the legalities of the proposal and if those findings are acceptable Judge Tincher may appoint a committee to continue to research the viability of entering into an agreement with Bourbon County to form a Regional Jail Authority, though no specific action was taken by Nicholas County Fiscal Court members Monday night.

All did agree that if the proposal were entered into, the current Bourbon County Jail, built in 1993, would be the structure that would house the inmates.

JUDGE

Continued from Page 1

Cynthiana-Harrison County Jaycees and two-time president of the organization. Kuster is a member of the Sunrise Christian Church in northern Harrison County, active there as a deacon and member of the Men's Quartet.

Kuster was admitted to the Kentucky Bar in 1983. He has practiced throughout the district in civil and criminal practice for 26 years and has been a partner at Keith & Kuster, P.S.C. for over 20 years.

Upon admission to the Bar in 1983, Kuster served as Assistant Commonwealth Attorney for the 18th Judicial District, serving Harrison, Nicholas, Pendleton and Robertson Counties from 1983 until 1991 under the supervision of Commonwealth Attorney John M. Keith, Jr. Kuster participated in the negotiation and/or trial of hundreds of felony criminal matters during this time throughout the district.

In 1991, Kuster became the Assistant County Attorney under Harrison County Attorney William D. Probus, serving in that capacity until 1998 when he was elected to the position of County Attorney. He is currently serving his third term as Harrison County Attorney. He is currently assisting with the Teen Court Program, the Mock Trial Competition and the upcoming Truancy Program. He has continued a traffic diversion program for first time high school offenders and has initiated a successful cold check division/collection program as well as a recent traffic diversion program. Kuster is a member add past president of the Harrison County Bar Association, a member of the Kentucky Bar Association and the National College of District Attorneys.

The jurisdiction of district court is limited and includes civil disputes of less than $4,000, voluntary and involuntary commitments, guardianships, probate matters, domestic violence, juvenile public offenses, enforcement of city/county ordinances, traffic and misdemeanor criminal matters and probable cause determinations in felony cases. It is estimated that 90 percent of all persons who appear in Kentucky courts appear before the district court.

Regarding his decision to pursue the District Court Bench, Kuster said, "During my tenure as Assistant Commonwealth Attorney, Assistant County Attorney and then County Attorney, I have tried hundreds of jury and bench trials in civil and criminal matters and through out the district with particular emphasis on district court matters. I feel that my experience in my various capacities as a civil attorney and prosecutor for over 26 years uniquely qualifies me to continue to provide for the firm and fair administration of justice in this District. We have been blessed in the 18th Judicial District to be served by excellent and principled Judges with the highest integrity. I hope to bring those same qualities to the honest, fair and impartial administration of justice in this District in the future."

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COMMONWEALTH OF KENTUCKY
NICHOLAS CIRCUIT COURT
CASE NO. 09-CI-00005

WASHINGTON MUTUAL BANK fka WASHINGTON MUTUAL BANK, FA, successor by merger to WASHINGTON MUTUAL HOME LOANS, INC. fka NORTH AMERICAN MORTGAGE COMPANY — PLAINTIFF

VS: NOTICE OF SALE

BENJAMIN RITCHIE, ET AL. — DEFENDANTS

By virtue of a Judgment and Order of Sale of the Nicholas Circuit Court entered in the above styled action on January 22, 2008 and Order to Reschedule Master Commissioner Sale entered in the above styled action on September 3, 2009, and to make enough money to satisfy said judgment lien owed Plaintiff as of November 30, 2007, in the amount of $64,476.42, plus interest at the rate of $9.11 per diem from said date until paid plus late charges, advances for taxes and insurance plus any delinquent property taxes, and its costs herein expended including expenses of sale and a reasonable attorney fee and any other fees expended for services performed in connection with the Defendant's default and for the purposes of protecting Plaintiff's interest in the property and its rights under the mortgage instrument; all as provided in said judgment, the undersigned Master Commissioner will on November 14, 2009, at or about the hour of 9:00 a.m. at the Nicholas County Courthouse door in Carlisle, Kentucky, offer for sale to the highest bidder(s) that property located on Mt. Mariah Road, Carlisle, Nicholas County, Kentucky 40311, and more particularly described as follows:

"A certain tract or parcel of land in Nicholas County, Kentucky, located on the west side of Kentucky Highway 1455 (Mt. Mariah Road) approximately 0.09 miles northwest of its intersection with U.S. Highway 68 and more particularly described as follows:

"Commencing at a corner fence post on the western right-of-way line (30' R/W) of Kentucky Highway 1455 (Mt. Mariah Road), marking a corner common to Ronnie Dean Marshall (Deed Book 83, Page 796) and Connie S. White Ritchie and Terry D. Ritchie, (Deed Book 99, Page 698); thence down said right-of-way line and with Connie S. White Ritchie and Terry D. Ritchie, for three (3) calls: S 12 deg 50 min 41 sec E, a distance of 75.42 feet; thence S 0 deg 05 min 00 sec W a distance of 74.93 feet; thence S 5 deg 52 min 51 sec W a distance of 246.01 feet to the POINT OF BEGINNING, marking a NEW corner to Connie S. White Ritchie and Terry D. Ritchie; thence continuing down the western right-of-way line (30' R/W) of Kentucky Highway 1455 (Mt. Mariah Road) for two (2) calls: S 3 deg 10 min 57 sec W, a distance of 102.98 feet, to a ½ inch x 18 inch rebar (set); thence S 5 deg 56 min 11 sec E, a distance of 101.72 feet, to a ½ inch x 18 inch rebar (set), marking a NEW corner to Connie S. Ritchie and Terry D. Ritchie, (Deed Book 99, Page 698); thence leaving the right-of-way line of Kentucky Highway 1455 (Mt. Mariah Road) and through the land of Connie S. White Ritchie and Terry D. Ritchie along a NEW division line for three (3) calls: N 74 deg 54 min 17 sec W a distance of 35.68 feet, to a ½ inch x 18 inch rebar (set); thence N 40 deg 17 min 22 sec W, a distance of 193.99 feet, to a ½ inch x 18 inch rebar (set) at the base of a fence post; thence N 49 deg 45 min 16 sec W, a distance of 272.15 feet, to a ½ inch x 18 inch rebar (set) in the southeasterly boundary line of Ronnie Dean Marshall (Deed Book 83, Page 796), marking a NEW corner to Connie S. White Ritchie and Terry D. Ritchie; thence up the hill and with Ronnie Dean Marshall, N 54 deg 35 min 00 sec E, a distance of 239.55 feet, to a ½ inch x 18 inch rebar (set), marking a NEW corner to Connie S. White Ritchie and Terry D. Ritchie, (Deed Book 99, Page 698); thence through the land of Connie S. White Ritchie and Terry D. Ritchie, along a NEW division line for two (2) calls: S 18 deg 49 min 58 sec E, a distance of 221.77 feet, to a ½ inch x 18 inch rebar (set); thence S 58 deg 51 min 09 sec E, a distance of 112.17 feet, to the POINT OF BEGINNING; said described tract containing 1.50 acres, more or less, and being subject to easements and rights-of-way of record and in existence and in accordance with a new survey and plat by Ronald F. Witholt, PLS 3004 in August, 2001."

Being the same property conveyed to Benjamin Ritchie, a single person, from Connie W. White Ritchie and Terry D. Ritchie, wife and husband, by Deed dated September 5, 2001, and of record in Deed Book 108, Page 667, Nicholas County Clerk's Office.

Upon the sale of the above-described property, the purchase price shall be payable in cash. If the purchase price is not paid in full, the successful bidder(s) shall make a deposit of 10 % of the total purchase price and give bond with approved good and sufficient surety thereon for payment of the remaining part of the purchase price within thirty (30) days after the date of sale, said bond to have the same force and effect as a judgment and to be a lien on said property and to bear interest at the rate of twelve (12%) percent per annum from date of sale until paid, which bond and accrued interest can be paid before maturity.

Said property shall be sold as a whole "as is" and free and clear of all liens, encumbrances, claims and interests of the parties herein but shall be sold subject to:

(a) 2009 and subsequent years ad valorem property taxes which shall be paid by the purchaser(s);
(b) Legal highways, easements, restrictions, conditions, covenants and stipulations of record affecting said property, and all governmental laws and regulations affecting same;
(c) Any assessments for public improvements levied against the property;
(d) Any facts that could be disclosed by an accurate survey and inspection of the property.
(e) Any right of redemption which may exist.

Neither the Court nor the Master Commissioner shall be deemed to have warranted title to any purchaser(s). Purchaser(s) shall be entitled to possession of the premises, upon full payment of the purchase price or execution of the sale bonds and confirmation of the sale by the Court. A deed will be delivered to purchaser(s) upon confirmation of the sale and approval of the deed by the Court.

Following sale of the above-described property, the Master Commissioner shall promptly report same to the Court, and said report shall be held over for a period of ten (10) days for confirmation or exceptions. Anyone desiring to object or except to the sale shall do so by that time or be forever barred.

s/ Joseph H. Conley, Master Commissioner
Nicholas Circuit Court

Published in The Carlisle Mercury on Wednesday, Oct. 28, Nov. 4 and 11, 2009

COMMONWEALTH OF KENTUCKY
NICHOLAS CIRCUIT COURT
CASE NO. 09-CI-00009

JPMORGAN CHASE BANK, NATIONAL ASSOCIATION — PLAINTIFF

VS: NOTICE OF SALE

LENNIE R. STITT, ET AL. — DEFENDANTS

By virtue of Judgment and Order of Sale entered in the above styled action on October 21, 2009, and to make enough money to satisfy said judgment lien owed Plaintiff as of February 1, 2009, in the amount of $80,397.33, plus interest at the rate of 6.625% per annum from said date until paid, plus any delinquent ad valorem property taxes, sums advanced in payment of ad valorem taxes, insurance premiums, winterization, or in preservation of the real estate, and the costs and fees of this action including expenses of sale and reimbursement for attorney's fees, all as set out in said judgment, the undersigned Master Commissioner will on November 14, 2009, at or about the hour of 11:30 a.m. at the Nicholas County Courthouse door in Carlisle, Kentucky, offer for sale to the highest and best bidder(s) the following described property known as 1541 Arthur Pike, Carlisle, Nicholas County, Kentucky 40311, and more specifically described as follows:

"BEGINNING at the North margin of the Arthur Pike and corner to Fred McDonald; thence leaving road with his line N 4-1/2 deg. W 208.71 feet to a stake; thence S 83-3/4 E 208.71 feet to a stake; thence S 4-1/2 deg W 208.71 feet to roadway; thence with a line of same N 83-3/4 W 208.71 feet to the beginning, containing 1.00 Acres."

Being the same property conveyed to Lennie R. Stitt and Ronna L. Stitt, husband and wife, by Garry Reid Rector and Brenda E. Rector, husband and wife, by deed dated December 18, 1996, recorded in Deed Book 81, Page 10, in the Nicholas County Clerk's Office.

Upon the sale of the above-described property, the purchase price shall be payable in cash. If the purchase price is not paid in full, the successful bidder(s) shall make a deposit of 10 % of the total purchase price and give bond with approved good and sufficient surety thereon for payment of the remaining part of the purchase price within thirty (30) days after the date of sale, said bond to have the same force and effect as a judgment and to be a lien on said property and to bear interest at the rate of twelve (12%) percent per annum from date of sale until paid, which bond and accrued interest can be paid before maturity.

Said property shall be sold as a whole "as is" and free and clear of all liens, encumbrances, claims and interests of the parties herein but shall be sold subject to:

(a) 2009 and subsequent years ad valorem property taxes which shall be paid by the purchaser(s);
(b) Legal highways, easements, restrictions, conditions, covenants and stipulations of record affecting said property, and all governmental laws and regulations affecting same;
(c) Any assessments for public improvements levied against the property;
(d) Any facts that could be disclosed by an accurate survey and inspection of the property.
(e) Any right of redemption which may exist.

Neither the Court nor the Master Commissioner shall be deemed to have warranted title to any purchaser(s). Purchaser(s) shall be entitled to possession of the premises, upon full payment of the purchase price or execution of the sale bonds and confirmation of the sale by the Court. A deed will be delivered to purchaser(s) upon confirmation of the sale and approval of the deed by the Court.

Following sale of the above-described property, the Master Commissioner shall promptly report same to the Court, and said report shall be held over for a period of ten (10) days for confirmation or exceptions. Anyone desiring to object or except to the sale shall do so by that time or be forever barred.

s/ Joseph H. Conley, Master Commissioner
Nicholas Circuit Court

Published in The Carlisle Mercury on Wednesday, Oct. 28, Nov. 4 and 11, 2009

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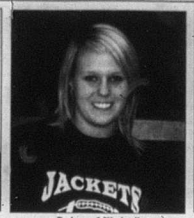
STUDENT SPOTLIGHT

Bryan Mitchell

Bryan Mitchell is one of the many new faces you may have noticed at NCHS this year. A sophomore, he seems to fit in so well that, unless you asked, you might never know that he hadn't lived here his entire life. Bryan deserves this nomination for student spotlight because of his excellent work ethic and his positive attitude. When class begins and others bemoan the fact that we are taking notes...

AGAIN, Bryan is already pulling out a sheet of paper and waiting patiently with a smile on his face. Always the first to be done with his work, I can count on Bryan to get the right answer, and assist others in finding it too. He is also incredibly helpful in class. He is always the first to volunteer to help pass out materials or to click through PowerPoint slides. Bryan is a joy to have in class, and if you haven't gotten to know him yet, you are missing out!

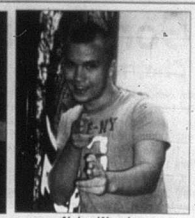


Petrea Mitchell

As a teacher, you want to have students in your class like Petrea Mitchell. No matter what the assignment is, Petrea can always get it finished on time. She is in my yearbook class and her responsibilities include working on the yearbook as well as her main assignment for the year, The Sports Programs.

Petrea, who along with me, works with Hank Bond, district PR director, as well as administrators and coaches in the district, has organized all of the parent ads, business ads, and developed a high quality athletic program for the students as well as the parents. Athletic Director Robert Hopkins and Hank Bond both agree that she has done an excellent job orchestrating the sports program and has taken a lot of pride to make the Sports Program outstanding.

--Mrs. Swartz



Nolan Woosley

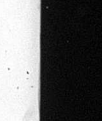
I would like to nominate Nolan Woosley for this week's Student Spotlight Showcase. Nolan is a pleasure to have in class. He greets every day with a smile and always has a few kind words to exchange with his peers. He is a helpful and hard worker. He often asks if he can help out in class. Many times he is the first to volunteer for anything I may need... even when he isn't sure what he is volunteering for. I have always found him to be respectful and considerate with his teachers and peers.

Nolan is concerned with his school work as well and does well on his assignments. Nolan comes to class readily prepared and always takes part. He is a leader in class and will often helps others when they need it. Nolan has a positive attitude and participates with his classmates well. He has adapted reasonably well to high school life. I have found that I can count on Nolan.

Chelsey Lyons

I nominate Chelsey Lyons for Student Spotlight. Chelsey is a great student athlete. Not only does she excel in the classroom but on the volleyball team as well. She is a very quiet girl but leads by example. I look for Chelsey to do great things in the future.

--Coach Cornett



Good Job Students!

Lady Jackets to scrimmage Powell County, Silver Grove

The Nicholas County High School girls' basketball program has been hard at work during preseason practice sessions. The first of two preseason scrimmages is quickly approaching for the Lady Jackets.

Nicholas County will face Powell County on Nov. 14 in the first of two exhibition games at Paris. Tip-off for the Nicholas County-Powell County girls' basketball game at Paris is set for 2 p.m.

The Lady Jackets will travel to Pendleton County Nov. 21 for their second and final preseason game, facing Silver Grove in another preseason matchup that will serve as one last tune-up prior to the 2009-10 season tipping off.

Senior leadership is expected to play a key role for Nicholas County during the upcoming season. Seniors Petrea Mitchell, Shelby Sosby and Megan Hunter comprise the Nicholas County High School girls' basketball senior class. Nicholas County is under the direction of head coach Jennifer Cornett.

Fourteenth Region member Powell County finished the 2008-09 season 13-15. The Lady Pirates – expected to contend for the 2009-10 56th District championship and make a move up in the 14th Region rankings – will afford Nicholas County a tough preseason test.

Powell County senior forward Kendra McFarland ranks amongthe 14th Region's top players. McFarland averaged 19.4 points and 7.0 rebounds per game during her junior season and is closing in on 2,000 points for her prep career. Senior forward Stevie Rogers (15.0 ppg, 7.0 rpg) is another leading player back for the Lady Pirates.

Additional proven players back for Powell County include senior guard Meghan Mays junior guard Kelly Gibson, senior forward Kasey Reed, junior guard Megan Boswell and sophomore point guard Taylor Atkinson. Powell County competes in the 56th District along with Owsley County, Estill County and Lee County.

Silver Grove is a member of the 37th District along with Scott, Campbell County, Bishop Brossart and Calvary Christian. The Big Trains join Nicholas County in the 10th Region field. Silver Grove finished last season 9-17, falling to Campbell County in the opening round of the 37th District Tournament.

Junior guard Cindy Miller is back to lead Silver Grove. Miller led the Big Trains in scoring last season, averaging nearly 14 points per game.

Nicholas County ended the 2008-09 season 8-15. The Lady Jackets fell to Deming at Harrison County in the opening round of the 38th District Tournament. Deming edged the Lady Jackets 45-44 after the Nicholas County squad blitzed the entire game.

Despite being 10th Region rivals, Nicholas County did not meet Silver Grove during the 2008-09 campaign.

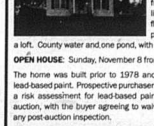
(Left out)

Absolute Estate Auction

Saturday, November 14 10:00 a.m.

9465 Elizaville Road • Cowan, Fleming Co., KY

We have been authorized to sell the following for the estate of the late Paul and Phyllis Gray.



Conveniently located and highly desirable 19 acre baby farm improved with a two story frame home with single story rear section, aluminum siding, and a 4 year old metal roof. Many recent updates, including new septic system, new carpet, new bathroom fixtures, new kitchen ceiling, and new paint. All ready now for a "new" owner! Covered front porch, large eat-in kitchen, first floor front bedroom, living room, dining room, family/sun room, and two second floor bedrooms with a large attic for storage. Heated by a propane furnace. Farm buildings include a stock barn with a loft. County water and one pond, with fenced pasture and scattered trees.

OPEN HOUSE: Sunday, November 8 from 2 to 5 p.m.

The home was built prior to 1978 and may contain lead-based paint. Prospective purchasers may conduct a risk assessment for lead-based paint prior to the auction, with the buyer agreeing to waive the right to any post-auction inspection.

Terms: 10% down day of auction, with the balance due on or before December 14, 2009.

MARK MATTOX
REAL ESTATE
& REAL ESTATE BROKER, INC.
3740 Maysville Rd., Carlisle, KY 40311
859-289-5720
Visit our website at www.mattoxrealestate.com

Absolute Estate Auction

Saturday, November 14 1:00 p.m.

216 E. Chestnut Street • Carlisle, KY

We have been authorized by the owners to sell the following at Absolute Auction.

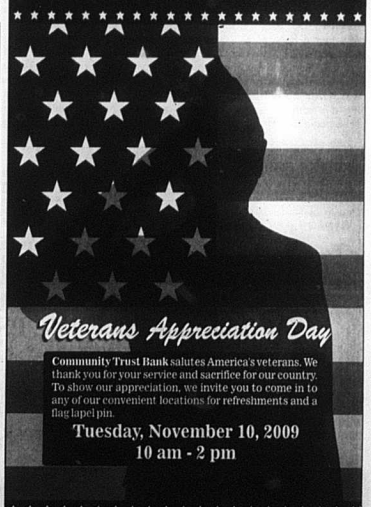
Conveniently located two story Victorian home with over 3,100 sq. ft. of living space on two floors, plus a basement area of app. 1,376 sq. ft. (per PVA records). A true "diamond in the rough" awaiting the special touch and patience of a new owner who appreciates quality moldings, original door hardware, beautiful mantles, and the other special features of the homes of this era. The home has seven rooms, one bath, and an open foyer on the first floor, with three large rooms, a bath with a claw foot tub, and a second partially finished bath on the second floor. In addition, easy attic access is available on the second floor. Once used as two apartments, this home has many possibilities. Located on a corner lot just one block off Main Street. Open House: Saturday, November 7 from 2 to 5 p.m. Also shown by appointment.

Please visit our website at www.mattoxrealestate.com for additional details.

Terms: 10% down day of auction, with the balance due on or before December 14, 2009. This home was built prior to 1978 and may contain lead-based paint. Prospective purchasers shall have the right to conduct a risk assessment for lead-based paint prior to the auction, with the purchaser waiving the right to any post-auction inspection. The property is being sold As Is.

MARK MATTOX
REAL ESTATE
& REAL ESTATE BROKER, INC.
3740 Maysville Rd., Carlisle, KY 40311
859-289-5720
Visit our website at www.mattoxrealestate.com

IN HONOR OF OUR VETERANS



Veterans Appreciation Day

Community Trust Bank salutes America's veterans. We thank you for your service and sacrifice for our country. To show our appreciation, we invite you to come in to any of our convenient locations for refreshments and a flag lapel pin.

Tuesday, November 10, 2009
10 am - 2 pm

Flemingsburg Main — 36 Brookhaven Dr. — 606-845-3551
Ewing — 1527 Ewing Rd. — 606-267-2061
South Ridge — 108 Clark St. — 606-849-2304

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