

Fiscal court discusses jail contract and passes 911 ordinance

The Estill Fiscal Court met in a special session Monday to discuss a jail contract and pass the 911 ordinance.

"Finally, (we have) a (jail) contract to review with Powell County," stated Judge/Executive Wallace Taylor.

The opening of a new addition at the Stanton detention center was expected in September.

"They are open," Taylor stated. "They are moving some inmates around."

County attorney Rodney Davis had drafted a contract, and the Powell fiscal court was meeting the following day to review it.

Taylor said that Powell was willing to take all Estill jail inmates, both male and female. The males are currently housed at Three Forks Jail in Beattyville, while the females are in the Clark Detention Center.

Jailer Bo Morris said the local jail census on Monday was 47 inmates. When the jail closed in March, it was in the 80s.

The fiscal court discussed that Powell is asking for a guarantee of 50 prisoners per day.

The fiscal court would like to negotiate that down to 35 per day.

The cost is also expected to be \$50 a day, which may be negotiated upon.

If the county incarcerates 35 inmates a day at that price, it will cost \$637,000 a year.

"It's going to have to save a lot of money," stated Darrell Johnson, magistrate of District 3.

In recent years, the jail budget has exceeded a million dollars with the jail open.

There will still be some jail operating expenses for employees salaries and benefits, and transportation costs.

The contract also calls for a 60 day notice of termination of the contract.

The fiscal court gave second reading to the 911 ordinance which places a \$4 monthly fee on water bills.

The fee will be collected for the first month in January and will most likely appear on February water bills.

Magistrate Johnson cast the only no vote on the ordinance. He had said he wanted to keep the fee at \$3 a month, the same in was on landlines.

The landline fee will be removed after Dec. 31. Because phone bills are prorated, customers could see a pro-rated fee on January's bill.

The fiscal court then went into closed session to discuss litigation and personnel.



Oh, Santa and Mrs. Clause, where did you get all these pretty girls? Will you have enough toys for them this year? These girls attended the Elizabeth Witt Christmas party recently.

Fireman files lawsuit against clerk, Irvine

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The lawsuit states that Powell had the duty to pay those premiums on the insurance policies after deducting them from Mitchell's paychecks.

Unknowingly, Mitchell said that Powell did not make the premium payments as agreed and required although the money was deducted from his paycheck.

The lawsuit states that Mitchell's paychecks all reflected money being withheld to pay insurance premiums for Mitchell.

It adds that Mitchell was injured on December 19, 2016 and became unable to work. He applied for his insurance benefits which would provide assistance with medical bills and disability income.

The lawsuit says that Mitchell was informed by the carriers of the insurance policies that they had been

cancelled because of non-payment of premiums, and Mitchell was not entitled to receive any insurance benefits.

The suit is accusing the city of Irvine for breach of contract.

It says the city agreed to compensate Mitchell in the form of wages and benefits, but breached the contract by failing to compensate Mitchell in the amount the parties agreed upon.

Mitchell is seeking compensatory damages, punitive damages, a trial by jury, attorney fees, interest, cost incurred in the suit, and any other relief to which he may be entitled.

Mitchell is represented by attorney John P. Cornett of the Lexington law firm, Clark Law Office, Inc.

This lawsuit only presents Mitchell's side of the issue. The city will file a response in court.

Local Police Activity Report

Tommy Irvin Chasteen, 30, of Riverview Road, Irvine was arrested Friday morning at Shell Mart by Irvine Officer Brian Cloyd.

The citation states that Cloyd was dispatched to Renaissance Apartments in reference to a suspicious white four-door vehicle. The officer made contact with Chasteen in the parking lot of Shell Mart less than 20 minutes later. Chasteen was driving a 2003 white Mitsubishi Galant.

Chasteen was charged with possession of a controlled substance, second degree, no registration receipt, and operating on a suspended or revoked license.

His passenger, Jason Newton, 30, of Churchhouse Hill Road, Irvine, was arrested also arrested and charged with public intoxication.

• Hobert Hall, 40, of Autumn Court, Irvine, was arrested Dec. 5 on Broadway by Irvine Officer Jason Conrad.

Conrad wrote in the citation that he saw Hall walking unsteadily in an alley behind Broadway. It adds that Hall admitted to shooting up on heroin a few hours earlier.

Conrad charged Hall with public intoxication of a controlled substance, but the officer soon charged him with possession of a controlled substance, first degree and first offense.

He said that when Hall left his cruiser to be transported to jail, there was a small plastic baggie containing a crystal like substance in the back seat. The citation states the

substance field tested positive for methamphetamine.

Hall pleaded not-guilty during his arraignment in Estill District Court on Dec. 6. Judge Leach scheduled a preliminary hearing for Hall on Dec. 13.

Hall's bail was set at \$5,000 cash.

• Windfred A. Tipton, 34, Stanton, was charged with public intoxication on Nov. 27 by Irvine Chief Brad Smith. The arrest was made at 82 Food Mart.

• Two bench warrants were served by Irvine Officer Brian Cloyd Dec. 1 on Timothy Puckett, 30, of Broadway, Irvine.

The first bench warrant was from Estill District Court and said that Puckett had failed to appear on April 12 for charges of public intoxication, drug paraphernalia, and fleeing or evading police, second degree (on foot). The second bench warrant was an indictment warrant from Estill Circuit Court. Puckett was indicted for public intoxication, resisting arrest, assault third degree of a police officer, and disorderly conduct.

• David Mullins of Plum Street, was served a bench warrant from Estill District Court on Nov. 30 by Officer Cloyd.

According to the warrant, Mullins failed to pay a fine. He was sentenced Sept. 14, 2016 to diversion for harassing communications.

• Two bench warrants were served Nov. 29 on Gerald B. Johnson, 29, of Scott Court, Irvine by Officer Ja-

son Conrad.

Judge Leach signed the warrant saying that Johnson had failed to appear in court on April 14, 2017. No bail was set.

The second bench warrant also said Johnson failed to appear the same day in district court on another charge.

• A local firefighter and his passenger were injured during a one-vehicle accident on Spout Springs Road around 8:17 p.m. on Dec. 4.

Deputy Russell Morris said the steering failed on a privately owned vehicle driven by Ronnie Grace of Pea Ridge Road, Irvine.

The 1999 Dodge Ram left the roadway on the right side and strike a ditch. The truck rolled over and came to rest upright.

Grace and his passenger were both transported to Marcum and Wallace Hospital by Estill County EMS.

The passenger, Donna Wise of Grindstone Road, Irvine, was airlifted to UK Medical Center.

Grace was also transferred to UK Medical Center by Estill County EMS.

• Six entered guilty pleas and were sentenced on the Rocket Docket program on December 7.

Steven B. Walters pled guilty to two counts of trafficking in a controlled substance, first degree and first offense (heroin and opiates).

Donald Ray Hardy pled guilty to two counts of trafficking in a controlled substance, first degree and first offense, and trafficking in a controlled substance, second degree, first offense (drugs were unspecified).

Jacob Henry entered a guilty plea to wanton endangerment, first degree of a police officer, two counts of possession of a controlled substance, first degree, first offense (methamphetamine and drug unspecified), drug paraphernalia - buy/possess.

Kenneth Raider entered a guilty plea to theft by unlawful taking auto \$500 or more. Elliot Karsten Muncy pled guilty to first degree possession of a controlled substance, first offense and drug paraphernalia - buy/possess.

Gary Lacy entered a guilty plea to first degree possession of a controlled substance, first offense, and drug paraphernalia - buy/possess.

• Fifteen traffic related charges were made against Calvin D. Arvin, 39, of Webb Road, Irvine.

The citation states that around 8:35 p.m. on Dec. 2, Trooper W. Hunter observed

Arvin's vehicle, a 1998 Black Chevrolet, with one headlight and Arvin was not wearing a seat belt.

The citation states the trooper activated his lights and siren while following Arvin on Trotting Ridge Road to Opossum Run Road.

The citation adds the vehicle reached speeds of 75 mph in a 55 mph zone as it continued on Sandhill Road to Webb Road. Irvine Police Department brought its canine to the scene but was unable to locate the driver.

Arvin was cited for speeding 20 mph over limit, one headlight, rear license not illuminated, failure of owner to maintain insurance, no operators license, reckless driving, failure to improper signal, failure to wear seat belts, fleeing or evading police, first degree, wanton endangerment, first degree of police officer, disregarding stop sign, no registration plates, no registration receipt, improper display of registration plates, and theft of motor vehicle registration plate.

Arvin is to be arraigned in Estill District Court on Dec. 20.

• A homeless man was arrested Dec. 9 at South Irvine by Deputy Chris Coffey.

The deputy said he and Deputy Russell "Doc" Morris were dispatched to 810 South Irvine Road to investigate a man passed out in the bathroom.

After the man came to, Deputy Morris reported finding marijuana on him. The man allegedly shoved a pill into his mouth.

He told the deputies that it was a xanax and he swallowed it to avoid being charged with it.

• Thomas Estes, 28, was charged with public intoxication, possession of marijuana, and tampering with physical evidence.

• Stuart Couch, 36, of Happy, Ky. was arrested for theft by unlawful taking of a firearm on Dec. 9 by KSP.

Several days earlier, Trooper Nick Brumback had investigated a burglary at 2907 Mountain Springs Road.

The homeowners told him that Couch had left the residence and allegedly took a firearm.

The citation states that Couch returned to the residence after hiding/staying in a cave in the mountains.

It adds that Couch returned to the residence and the owner put him on the ground and called 911.

Circuit clerk's race will be settled at May 22 election

One political race has been finalized before the deadline to register on January 30.

Stephanie L. Brinegar, a republican, had filed to be re-elected to a six year term to the circuit clerk's office.

Last week, Sharla Plowman, also a republican, filed for the same job.

The winner in that race will be determined in the May primary election.

A test is given to potential circuit clerk candidates before they can file to run for that office. Plowman was the only Estill resident to take that test and pass it.

A test is also given for the Property Valuation Administrator's Office. PVA Jeff Hix, a democrat, has filed for re-election.

The Estill Tribune has

been unable to officially confirm it, but our staff was told that either no one took the PVA test or did not pass it.

The incumbents are not required to take the exams again, since they have previously passed them.

New filers include Gary W. Powell, a republican, who filed to run for county judge/executive.

Mike Abney, a democrat, has filed to run for magistrate in district one.

Holden Hardy, a democrat, filed to run for magistrate in district three.

Herman C. Price, a republican, is seeking the office of Constable in district one.

Glenwood "Woody" Tipton, a republican has filed for re-election to the Irvine City Council.

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Grand Jury indicts five

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It adds that Miller used the credit card to buy items for himself.

The indictment states that Miller was previously convicted in Estill Circuit Court of theft by unlawful taking \$500 or more but less than \$10,000, second degree forgery, and burglary second degree.

Appearing before the Estill Grand Jury were Matthew Easter of the Attorney General's office and Ms. Lytle.

Circuit Judge Michael Dean set Miller's bail at \$20,000 cash.

The grand jury delivered a report of no indictment against Brandy Horn. The complaint was brought to the grand jury in Nov. by Trooper Zach Pennington.