

Todd County Standard

4-H SHOW

Check out the winners, Page 4.

SOFTBALL PREVIEW INSIDE



INSIDE TODAY:

Classifieds, Page 9
Obituaries, Page 3
Society, Page 4
Take Note, Page 10
Opinion, Page 2

Police shoot armed man

BY RYAN CRAIG
TODD COUNTY STANDARD

Report: Man fired at officers answering domestic disturbance call

A Collier Springs Road man was shot and killed by police last Saturday night after a domestic disturbance call at the man's home.

According a Kentucky State Police report, when two state troopers, Todd County Sheriff Joey Johnson and a deputy sheriff arrived around 11 p.m. Saturday, Jeffrey Anderson, 27, came out of the home on to the porch with a shotgun and a handgun. Anderson fired

at the police. The police fired back, striking Anderson. He was taken to Jennie Stuart Medical Center in Hopkinsville, where he later died.

(Anderson's obituary can be found on Page 3 of this week's Standard.)

According to Kentucky State Police Spokesman Stu Recke, an



Anderson

autopsy performed on Anderson Sunday confirmed he died from gunshot wounds. Recke declined to comment on how many times Anderson was shot or which of the officers fired their weapons.

"There was no excessive amount of shots fired back by the state troopers or the sheriff or the deputy," Recke said.

Recke said that, per KSP policy, the shooting remains under investi-

gation and Troopers Jeff Ayres and Ben Cox have been placed on paid administrative leave.

Sherriff Joey Johnson, being an elected official, will remain on the job because of duties he has to perform as sheriff.

The deputy sheriff also at the scene, Patrick Turner, will remain on patrol duty to ensure the department can answer calls, Johnson said.

Earlier on the day Anderson was

shot, he had posted on Facebook that he was having problems with drugs and alcohol and that he was in the process of getting a divorce.

A couple hours before he was shot, Anderson said he had consumed a large amount of alcohol and that he was very angry.

"I'm sorry to all my friends on Face Book!!!" Anderson posted a little more than an hour before his confrontation with police.

Donkeyball kicks up fun in fundraiser



Participants in the Todd County Central Project Graduation Donkeyball fundraiser tried to play basketball on the top of beasts of burden last Saturday night at Rebel Gym. No one was hurt, but some prides were bruised.

STANDARD PHOTOS BY RYAN CRAIG



SUNSHINE WEEK PROJECT

Project: Most Todd public agencies overcharge for copies of records

ESSAY BY RYAN CRAIG
TODD COUNTY STANDARD

It started as a simple question about the cost of records and turned into an idea to help put the spotlight on what is known as "Sunshine Week" — an annual effort to promote openness in government.

A reader who had her home broken into called and asked if it was right for the Todd County Sheriff's Department to charge her \$5 for a copy of the police report. Honestly, I didn't know for sure. I told her we'd get the answer and we'd do it as a mini-project to gauge just what the citizens of Todd County are being charged to obtain copies of open records.



SEE SUNSHINE, PAGE 11

Relay, farmers market to be held on square

BY RYAN CRAIG
TODD COUNTY STANDARD

The Elkton City Council unanimously voted to use the public square as a setting for the upcoming Relay for Life, Bike Night and a Farmers Market/Trader Days, which will have an emphasis on shopping local. The council, at its regular meeting Monday, approved

to close the square and redirect traffic on June 8 so the Relay For Life event could be held on the square from 6 p.m. to midnight.

Relay For Life Chair Tamie Sears told the council that event planners have had trouble gaining interest for this year.

"The reality is that we went from 10 teams last year to 12 teams this year."

SEE SQUARE, PAGE 11

School board sets timeline for superintendent search

BY MELONY SEMBERGER
TODD COUNTY STANDARD

As applications for Todd County Schools superintendent come in, the search committee will decide next week what qualities it wants in the district's next leader.

The Todd County Board of Education, meeting Monday in regular session, set a special meeting for 4

p.m., Wednesday, March 21 at the central office to discuss criteria needed for the school system's top administrator.

Under the Kentucky Open Meetings Act, the special meeting is open to the public.

The search committee is looking for a successor to Mike Kenner, who is retiring set for June 30.

SEE SEARCH, PAGE 12

Sunshine

Continued from Page 1

Little did we know how hard it would be to chew what we had bitten off.

The answer we found was that most of the public offices in Todd County are overcharging for public records.

Some, it seems, are not charging enough.

Was that clear as mud? Thought so.

Let's start with what kicked this whole project off in the first place — the charge for the incident report at the sheriff's department should have been 10 cents per page and not the \$5 charge. The incident report is a public record and according to multiple state Attorney General and court opinions, the cost is 10 cents per page.

So, if the person who called had paid for a five-page report, she would have overpaid by \$4.50.

Don't think we are picking on the sheriff's department, because there is a provision that allows law enforcement (in the most recent case, it was the Kentucky State Police) to charge \$10 for a traffic accident report. Sheriff Joey Johnson said he might soon take the traffic reports to an all-electronic format and not charge anyone for the records. The move, Johnson said, would also save his office money on paper costs.

Still, according to media attorney Jeremy Rogers, there are exceptions for a public agency to charge more for a record — fragile records that could be damaged, or a specialized record, of which a copy would cost more to produce.

Rogers, who consults with newspapers across the state on open records and open meetings and was also the lead attorney in the Standard's battle over social service records concerning murdered 9-year-old Amy Dye, said the problem of overcharging for records is common around the state, but the attorney general and the courts have been consistent for several years on the price being 10 cents per page.

"The idea is that the public office is not supposed to make money, it is supposed to break even on public records," Rogers said.

There are a couple other exceptions, which we will deal with at the end of this column, but here is what public agencies are charging citizens to copy public records in Todd County:

- The City of Elkton (and

Police), the City of Trenton (and Police), the City of Guthrie (and Police), and the County Clerk all charge 25 cents per page (05-ORD-070 clearly states the charge should be 10 cents per page.)

- The Todd County Judge-Executive's office doesn't charge for records unless the amount of pages needing to be copied is large.

- Some agencies, such as the county Treasurer, Emergency Operations Center, the county Ambulance Service, the Road Department and Waste Management all fall under the record-keeping of the Judge-Executive's Office.

- Smaller taxing districts, such as the Health Board or the Library Board, are also subject to open records and open meetings laws and should only charge 10 cents per page when copies of records are requested.

- The Property Value Administrator and the County Clerk can charge a set fee schedule on records or information that will be used for profit — such as a surveyor coming in and wanting maps — but if a private citizen wants the information, then it should only cost 10 cents a copy. One neat way around a lot of open record requests and money being charged for copies is being used in the PVA office right now with the electronic system in place that allows citizens to come in and look up information they are seeking. It saves both time and money and allows the public to exercise the real intent of the open records law, which is to inspect records.

A very large exception to the open records and open meetings laws in Kentucky is the Todd County Circuit Clerk's Office. Because the records in the office fall under the Administrative Office of the Courts, they are not subject to open record laws. They are, however, either sealed by a judge or other exceptions such as juvenile records, or they are available for the public to view.

That means that an appeal to the attorney general's office over a record that has been sealed by a judge does absolutely no good. Instead, the seal would have to be removed by the same judge or a higher court.

The records also cost more. The circuit clerk is allowed to charge 25 cents per page. Is it fair? Probably not, but the rules for the office come from a different place and should be

examined by the state Supreme Court chief justice to see if it is necessary.

Rogers said he thinks often what public agencies charge may have to do with what the justice system charges, since it is often the highest in the courthouse.

Here are a few other things to watch out for when seeking public records.

- Your request letter is just as good or better in some cases as the office form some agencies want you to fill out. The Standard often refuses to fill the forms out and produces a letter stating what we want and the open record laws that support what we are seeking. The letter allows for a better appeal if necessary and the agency has three business days to respond to your request. If they don't have a timely response, they are in violation of the law.

- If you do decide to fill out the form, remember how much copies cost and that there is no "processing costs" or administrative fees for asking for a public record. You may have to put requests in writing, but often just asking nicely could get you the record.

- If it seems your request is being denied over a technicality, such as how you worded the language of your request, then consider if your letter was written clearly and appeal the denial to the attorney general. The appeal process can take a long time and the quicker you can determine if you need to appeal, the better.

Finally, on this Sunshine Week, remember that despite the layers of bureaucracy, your local government was created to serve the citizens and don't think of the records available to you — because there are a good number of open record exceptions — as "their" records. The records they keep are all of "our" records. Thinking of the records that way helps when asking for them.

Thanks to local agencies for cooperating with the Standard on this project. Check out www.kypress.com to learn more about the open records and open meeting laws of Kentucky.

Also, feel free to drop by or call the Standard if you need advice on getting a public record.

As Thomas Jefferson once said, "If (the people) become inattentive to the public affairs, you and I, and Congress and Assemblies, Judges and Governors, shall all become wolves. It seems to be the law of our general nature, in spite of individual exceptions."

Square

Continued from Page 1

year, 15 teams the year before to only three teams this year," Sears said. "Unfortunately interest in the relay is not what it used to be. But I do know that interest is greatly increased at events that are held on the square."

Sears said the events would be the same as in previous years and will include a cancer survivor walk, games, food and a luminary ceremony to honor those who have died because of cancer.

Elkton Councilman Jimmy Settle asked if the Relay For Life event organizers could divert the traffic around the square.

Elkton Police Chief Bruce Marklin told the council that the event organizers would have to seek permission to block the square. The city had used members of the Todd County Rescue Squad and volunteer fire department to divert traffic around the square during the annual HarvestFest.

Sears said she "was sure" the event would have enough volunteers to man the road blocks and the council gave its approval for Relay For Life to ask the state Department of Transportation to close the roadways. Camp told Sears she would help write the letter.

Another event planned in conjunction with the Todd County Community Alliance will be a Farmers Market/Trader Days event to be held on May 4.

The council approved permission for those selling produce or their wares to set up in parking spaces around the old courthouse on the square.

City Clerk Laura Brock told the council

that the Community Alliance would also be asking businesses in Elkton to stay open later as part of a shop/local program.

The Farmers Market/Trader Days will start around 3 p.m. and end at dark.

The council also approved to start accepting vendors for Bike Night. Settle commented that food trailers needed to be attached to vehicles in case of a fire or if there were an emergency and the trailer had to be moved.

Settle said he observed several food trailers last year that weren't attached to any vehicles.

In other business, the council:

- Approved the cemetery and maintenance bids for 2012, with the option to renew the contracts in 2013. The bids went to Ricchuite Enterprises of Elkton with a price of \$38,160 for the cemetery maintenance and \$1,505 per week as a package deal that includes mowing the right-of-ways, the fire department, the old Elkton Die Cast property and the sewer plant, including the adjoining fields.

Two bidders came in under the bid presented by Watson Ricchutie, but councilmen said they had been pleased with his work in the past. One councilman, Danny Laster, showed photos of city property that wasn't mowed last year which angered Ricchutie and he walked out of the meeting. Laster voted against approving the mowing bid for Ricchutie bid.

- Approved a request for a \$250 donation for Project Graduation.

- Approved a resolution supporting the 2012 Southern Pennyrile Chamber Alliance legislative agenda, which includes a regional training center in Todd County.

- Approved membership in the Todd County Community Alliance at \$1,000.

AT&T to make announcement March 19

A public announcement from AT&T concerning cellular and wireless broadband services will be held at 9:30 a.m. March 19 at the Historic Todd County Courthouse on the Public Square in Elkton.

According to Elkton Mayor Nancy Camp, the president of AT&T Kentucky and the vice-president of AT&T Mobility for Kentucky, Tennessee and southern Indiana will make an announcement concerning improvements to service in the Elkton area.

Camp did point out at the Elkton City Council meeting that the announcement wouldn't necessarily give a date for when any improved services will be put in place.

"There won't be a switch flipped that day," Camp said.

Last month there were reports that AT&T would be bringing third generation wireless broadband service (3G), but company officials told the Standard the service wouldn't arrive until later this year.

PARTICIPATION BY PRIVATE SCHOOL CHILDREN NCLB, TITLE I, PART A, SECTION 1120 AND 9501

The No Child Left Behind (NCLB) act requires a district to annually offer equitable participation in Title I, Part A, services to each private school that has children from participating Title I, Part A, attendance areas. The district must offer this participation through timely and meaningful consultation with each private school. The private school may be located within or outside the district. Home schools are treated as private schools for Title I, Part A, purposes. Title I, Part A, provides services to eligible private school children, not funds to private schools.

If you live in Todd County and have a child that is enrolled in a private school within or outside the district, please contact Michael Taylor, Title I Coordinator, by March 26, 2012 at (270) 265-2436, Todd County Board of Education, with the following information:

Name of private or home school: _____
 Position: _____
 Address: _____
 Phone Number: _____

TAKE NOTE

Continued from Page 10

South Todd SBDM to meet

South Todd Elementary SBDM Council meeting will be held on Mar. 20 at 4:30 in the Library. (Add'l. meetings are scheduled for Apr. 17, May 5, and June 19.)

Health Grants Awarded

Todd County Central High School is one of 41 Kentucky counties selected by the Kentucky Department for Public Health and its partners to receive grants to develop or improve the nutritional, physical activity or tobacco prevention policies at their schools. The \$500 scholarships are part of the Students Taking Charge program offered by Kentucky

Action for Healthy Kids.

SBDM Meeting at NTES

North Todd Elementary's SBDM Council will meet at 5 p.m. on March 19 in the Library.

KSP Trooper Island Scholarships

The Kentucky State Police is now accepting applications from Kentucky high school seniors who are interested in qualifying for \$1,000 scholarships that can be used for education expenses beginning in the fall of 2012. To be considered, students must complete and submit all application materials, which are available on the KSP website at www.kentuckystatepolice.org by April 1.

Todd County Board

The Todd County Board of Education will meet in special session on Wednesday, March 21 at 4:00 p.m., at the District Office Building. The agenda will be: Consider request from Todd County Senior Class for Senior trip April 19-23, to Gulf Shores, Alabama. Also, Meet with Superintendent Screening Committee to set criteria for selection of new Superintendent of Todd County Schools.

Todd County Extension Board

The Todd County Extension District Board will meet Tuesday, March 20, 9:30 a.m., in the conference room of the Todd County Courthouse.

CRIMESTOPPERS

Police are seeking Courtney Graves (a.k.a. Courtney Yeager). She was released on the Home Incarceration Program on Feb. 1, 2012. This program allows inmates to complete the last months of their sentence at home through electronic moni-



Graves

toring. Yeager is still considered a state inmate.

On Feb. 28, Yeager removed her electronic monitoring device and has not been seen since. If you have information as to her location, call the Todd County Sheriff at 265-9966, ext 2, or Parole Officer Mike Sears at 265-9966, ext 231.

COMMONWEALTH OF KENTUCKY
 TODD CIRCUIT COURT
 CASE NUMBER 08-CI-00161

THE BANK OF NEW YORK MELLON FKA
 THE BANK OF NEW YORK, as Trustee for the
 Certificateholders of the CWABS, Inc.
 Asset-Backed Certificates, Series 2006-22

PLAINTIFF

VS:

JOSEPH D. DAILEY, ET AL

DEFENDANTS

NOTICE is hereby given that pursuant to a Judgment and Order of Sale entered February 2, 2012, the Master Commissioner of Todd Circuit Court was ordered to advertise and sell the following described real property:

139 POSEY STREET, GUTHRIE, KY 42234

Land located in Todd County, Kentucky, described as follows, to-wit:

Tract 1:
 Beginning at an iron pipe, the Southeast corner of Lot 25, and an unnamed street running thence with said street 105 feet in a Southerly direction to another iron pipe; thence with the street in a Westerly direction 140 feet to another pipe thence in a Northerly direction 110 feet to another iron pipe, the Southwest corner of Lot 25; thence in an Easterly direction 165 feet to the point of beginning, being Lot 24 in the Oak Hill Subdivision, Guthrie, Kentucky, a plat of which is of record in the Todd County Court Clerk's Office in Deed Book 87, Page 133.

Tract 2:
 Lot 25 in the Oak Hill Subdivision, Guthrie, Kentucky, a plat of which is of record in the Todd County Court Clerk's Office in Deed Book 87, Page 133, said lot being 100 feet by 165 feet to which reference is hereby made for a more complete and accurate description.

SOURCE OF TITLE: Being the same property conveyed to Brandy Choate, Joseph D. Dailey and Tammy J. Dailey, no status given, from Brandy Choate, no status given, by Deed dated June 15, 2006 and recorded July 18, 2006, in Deed Book 176, Page 337, in the Office of the Todd County Court Clerk.

The real estate described above shall be sold at the front door of the Todd County Courthouse, located in Elkton, Kentucky, on **Thursday, March 29, 2012, at the hour of 11:30 a.m.** The terms of the sale shall be payment in full on date of sale, or in the alternative, a cash deposit of TEN PERCENT (10%) of the purchase price, immediately payable in cash, which shall be applied to the purchase price, and the balance of the purchase price shall be required in thirty (30) days for which the purchaser shall be required to execute his bond bearing interest at Twelve Percent (12%) per annum payable to the Master Commissioner thirty (30) days after the date of sale until paid with good surety; said bond shall have the force and effect of a judgment and shall remain a lien on the property sold as additional security for payment of the purchase price. In the event the Plaintiff purchases the property, it shall be entitled to take credit against his judgment herein granted to the extent of the purchase price paid by Plaintiff, and in such event, the above terms of sale shall not be applicable. Any change advertised at the location on date of sale shall supersede any newspaper or other advertisement. All real estate shall be sold subject to all existing restrictions and utility easements of record effecting same. The purchaser shall be required to assume and pay all taxes assessed against said property for the year 2012 and all subsequent years. The property shall be sold to the highest bidder on date of sale pursuant to a Judgment and Order of Sale entered February 2, 2012, said Order being fully incorporated herein by reference.

THIS 13th day of March, 2012.

/s/ Kenneth E. Dillingham
KENNETH E. DILLINGHAM
 MASTER COMMISSIONER
 TODD CIRCUIT COURT
 POST OFFICE BOX 129
 ELKTON, KENTUCKY 42220-0129
 TELEPHONE: (270) 265-5651
 FAX: (270) 265-5652