

**MAYOR:** Resigns to pursue business

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new senior citizens center.

He said he would not be involved in city affairs from that night forward, but that the resignation would not be official until the regular Thursday meeting of the commission this week.

The mayor pro-tem for the city is Eric Selby and the duties of mayor would fall to him until another mayor is appointed by the city commissioners to fill the unexpired term. If the commissioners cannot come to a consensus, the mayor would then be appointed by Gov. Ernie Fletcher.

Walters was elected in 2002 to the position and suffered indictment and prosecution during his tenure. In the end he pleaded to the violation of a city ordinance and false swearing, rather than the more serious charges he'd been indicted on, relating to road paving and placement of street lights in Remington Estates.

The commission voted, before the announcement of Walter's resignation, to pay \$10,000 of Walter's legal fees related to his indictment. The motion to approve the payment, made by Commissioner Carla Grider, was related to the fees Walters told the commission were paid in fighting a charge that was dismissed.

Commissioner Joe Branscum,

whose resignation is also in effect at the next meeting, asked the city's attorney if that payment would be legal.

The commissioners previously agreed to pay sums in like manner to City Clerk Wendy Burton and Commissioner Ray Barrett.

Mathew DeHart, the city's counsel, said he and his law partner Don Byrum had searched for case law on the issue, but found none. He said that it was important that Walters had admitted no guilt in that charge and that the charge was dismissed with prejudice.

The commission voted to approve the payment to Walters, with him abstaining from the vote.

The chair soon to be emptied by Branscum will be filled by Kelly Morrow after a 3-1 vote by the commission early in the meeting.

Branscum by law could not vote in that question and Grider voted against it having proposed another candidate for the position.

Commissioner Ray Barrett had questioned whether they could stipulate that Morrow could not run for the position in the fall election, saying he felt that being appointed to the position could give him an unfair advantage over the other candidates.

Walters said that Morrow had said he would not run, but by law the commission could not make

**PRAYER:** Issue at Russell Co. High School graduation grew large

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Chapman, who had originally been elected as the class chaplain, had to be re-elected by her peers as a "spokesperson" for the class, as the injunction stated that any clergy-led prayer would be unconstitutional. Chapman's graduation address was to be on a subject of her choosing.

Chapman chose to give a testimonial of her Christian faith in which she explained that God had guided her through life since she was baptized at age five.

After learning of the ruling, some of the senior class decided to recite the Lord's Prayer during opening remarks by their principal.

Lili Lutgens was the ACLU attorney who represented Ping and stated the significance of the case repeatedly to the media.

"This case is not about whether people can pray," said Lutgens. "It's about families and individuals deciding for themselves whether, when and how to pray. Our founders intended that these sorts of religious decisions be made by individuals and families, not government."

Lutgens said the ACLU was pleased with the ruling by Judge McKinley, but said she wouldn't say if she felt it was a success or not.

In statements made to the Times Journal, Rev. Falwell said that he was "by no means surprised" at the ruling, saying that "The ACLU has a primary goal of expelling God from the public square."

Falwell said that even the most influential civil liberties group in the country cannot act completely alone in its litigation.

"It takes a local antagonist to bring the ACLU into action... an anti-Christ person who wants to deny the rights of others," said

Falwell.

Chapman said the lawsuit was probably a blessing in disguise and doesn't hold any ill-will towards Ping or his representation.

"Nobody would have even thought about the prayer if that hadn't happened," said Chapman. "I'm not angry at all because God got so much glory because of it. I'm thankful that it happened."

She's also thankful that her testimonial at graduation so impressed Rev. Falwell that he offered her and her twin sister Mandy full scholarships to his college, Liberty University, in Lynchburg, Va.

Chapman said she was contacted shortly after the graduation by Mat Staver, the Founder and Chairman of Liberty Counsel, the group which intervened in the lawsuit on behalf of Chapman. Rev. Falwell said he wanted someone as bold as Chapman to attend his college and offered Chapman and her twin-sister Mandy full scholarships. Chapman said neither she nor her sister had even applied to the school.

"I was completely shocked and thankful" Chapman said.

She has Ping to thank for giving her the opportunity to give the address that earned her and her sister full scholarships. The dual scholarships will doubtless save her parents thousands of dollars. According to Liberty University's website, undergraduate tuition - including room and board - costs \$20,750 annually. When the tuition is calculated for four years, for both girls, the amount comes to \$166,000.

Ping is a 19-year-old whose personal convictions run counter to his community's strong religious framework.

When Ping decided to act on his convictions he created a firestorm of controversy that both enraged and united a community.

"I was trying to take away a little power from the religious regime here," Ping said. "They've gone unchecked for a good while now and if I didn't speak out, nothing was going to happen."

Ping said because of his denial of and opposition to Christianity he was consistently singled out and ridiculed by religious classmates during his school years.

Ping and Chapman both said they have a long history of debating each other over religion.

"We go way back," said Chapman.

Ping said their relationship goes as far back as seventh grade when a teacher asked their class if anyone believed in evolution. Ping raised his hand and said that he did.

"From that point on Megan decided it would be her goal to bring me to the light," said Ping.

Chapman said she felt it was her Christian duty to witness to Ping, telling him about the love of Jesus.

"I never forced it down his throat or told him he was going to go to hell," Chapman said. "But I did talk with him about Jesus."

Chapman's pastor at New Victory Baptist, Rick Neff, said that both of the Chapman twins and other young people in his congregation have invited Ping to their church, an offer he took them up on.

"They don't harbor any ill feelings towards Derrick (Ping)," said Neff. "They still want to reach him, for Christ."

Ping said he'd grown tired of what he perceived as a relentless wave of religious rhetoric throughout his school years from students and teachers alike.

One incident he remembers specifically occurred during a life-sciences class in middle school. He said the teacher was required to mention evolution and the Big-Bang theory during the class. Ping said the teacher must have taken literally this requirement to "mention" the theories, which the scientific community deems valid. He said the teacher gave them only a brief "30 second" paraphrase of them.

"After that he read from Genesis for quite awhile," said Ping. "That really bothered me."

Ping said he found little solace in Chapman's and others attempts to convert him to their own beliefs.

He said because he didn't subscribe to Christianity he was subject to discrimination from others and so became a self-described "loner."

He recalls incidents during high school in which students criticized him and said a few times he had been physically threatened. One time in particular a group of students surrounded him in the hallway, throwing taunts at him. He said he felt they were attempting to incite a fight.

"They were all around me and one guy said that people who didn't believe in God were gay," said Ping. He said he didn't understand the statement and said it was a stupid, illogical thing to say. He added that he has doubts as to how logical religious assertions are anyway. He said one of the students shoved him, hoping to start a fight.

"I had to duck into a classroom to get away from them."

Ping also said that on June 29, while working in the K-Mart parking lot, that he was accosted by three individuals whom he didn't know. One of the individuals, after berating him, punched him in the neck. Ping said the blow didn't hurt and that he stood his ground until the group left.

"I said, 'Are you done?' and they just left," recalled Ping.

He said he didn't retaliate because he is a pacifist by nature.

Chapman said that she remembers that Ping was not treated well in school by many of his classmates because of his different perspective on religious matters.

"People definitely could've been nicer, but I could understand them not wanting to talk to him," said Chapman.

Both Ping and Chapman said that the graduation controversy led to palpable tension and in some cases anger among students during the weeks leading up to graduation, most of which was targeted at Ping.

Ping said during the graduation rehearsal he was booed by many of the students as he walked towards the podium.

Chapman said much of the discrimination Ping faced was of his own doing.

"To be honest he brought it on himself," said Chapman.

When asked about the negative reaction from Christian students Chapman said she didn't agree with it, but that it was something that couldn't be dealt with easily.

"You can't control everyone's actions," said Chapman. "It's fine to feel the way he does but I don't think he should be like 'poor me', ya know."

Neff, agreed that the actions of some people can't be controlled.

"I am saddened to know that people react that way, and I know that they probably have but the true Christian at heart doesn't desire to respond in such ways of anger," said Neff.

Chapman said she felt the temporary restraining order against the graduation prayer was wrong because the majority of her class wanted prayer.

"In America the majority should win," said Chapman. "I hate to say it, but I'm sorry, the minority doesn't win."

Neff took a different stand when asked whether a religious majority should assert itself.

"In a political arena majority rules, but in a religious aspect, we as Christians should never seek out 'majority rules' in that sense," said Neff. "It would be wrong for us to witness in terms of 'majority rules.'"

Rev. Falwell, however, sees the controversy over church and state as a battle of numbers.

"It's a very small, hateful and vocal minority that seeks to deny the rights of people to express their religious beliefs," said Falwell. "There's too many of us to allow this to happen."

Falwell claims the effort to eradicate God from the public sphere has been caused by many factors including liberal journalists, politicians and recent appointees to the courts on both the federal and state levels, but added that "the ACLU is the primary villain."

He went on to say he hopes President Bush can use his executive powers to level what he sees as an unfair balance of opinion in the Supreme Court.

"Our only hope is that President Bush gets one more appointment to the Supreme Court," said Falwell, who added that he believes the teaching of evolution and anything else contradictory to Christianity should be outlawed.

Neff, who's approach to the subject was more moderate than Falwell's, said he promoted a tolerance of other's faiths, but also said he was completely opposed to the separation of church and state.

"You can't limit where you want to use God and where you don't," said Neff.

Ping said he feels that it is his constitutional right to not be subjected to the proselytizing of others about their religious beliefs, especially at a state-funded institution such as his high school.

He said he understands the Christian religion, having attended the Bernard Ridge Church of God, and has experienced biblical teachings first hand. He also said he's discussed religion with many Christians in the area, including preachers, and therefore has a good understanding of the Christian religion.

Ping said it is not that he doesn't know about Christianity, it's simply that he doesn't agree with the Christian stance on many issues, including the civil rights of homosexuals to marry and its rejection of scientific evidence supporting evolutionary theory.

He said he doesn't feel he should be constantly patronized by those who feel only their beliefs are valid while his are not.

**BERTRAM:**

**Continued from front page**

Robert Bertram.

Cleveland, who is trying the cases in Franklin County said that he wasn't sure why many of the cases were brought in the first place.

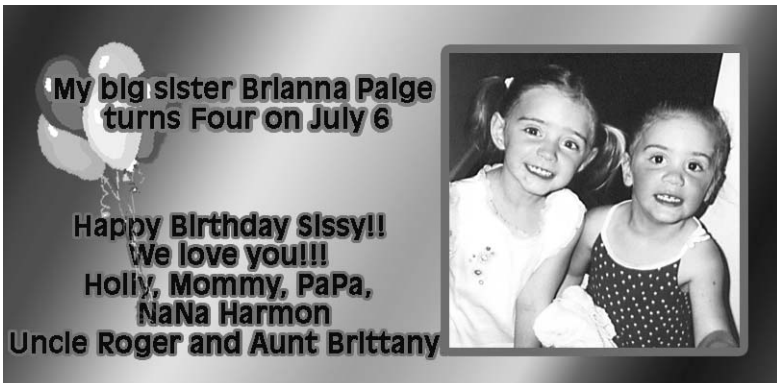
"That was a bad case in my opinion," he said of the indictment of Bertram on a charge of an improper campaign contribution.

As to the indictment for allegedly cashing an insurance company check that wasn't meant for Russell Springs Cleveland said, "There was no criminal intent in that case - He (Bertram) didn't get any of that money." So the prosecutor said he was again unsure why the indictment had been returned against Bertram.

Another charge pending, which involved the city's payment of insurance premiums for Bertram and his son, according to Cleveland was resolved by Bertram's agreement to repay the city something over \$31,000.

The remaining case, involving the city's payments into the retirement system on Bertram's behalf may also be resolved soon.

"We're hopeful that we'll get that case resolved by the end of the month," Cleveland said.



COMMONWEALTH OF KENTUCKY  
57<sup>TH</sup> JUDICIAL DISTRICT  
RUSSELL CIRCUIT COURT  
CIVIL ACTION NO.05-CI-00041

NATIONAL CITY BANK OF INDIANA C/O NATIONAL CITY HOME  
LOAN SERVICES, INC.

PLAINTIFF

VS.

PATRICIA RUSSELL A/K/A PATRICIA ANN RUSSELL, COUNTY OF RUSSELL  
CITY OF JAMESTOWN

DEFENDANTS

**NOTICE OF MASTER COMMISSIONER SALE**

By virtue of the order entered by the Russell Circuit Court on May 25, 2006, Master Commissioner of the Russell Circuit court shall proceed to offer for a sale, in the Circuit Courtroom of the Russell County Courthouse, to the highest and best bidder at public auction on the 29th day of July, 2006, at the hour of 9:00 a.m. CST or as soon thereafter as possible, the following described real property:

**PROPERTY ADDRESS: 273 Fair Oaks Drive, Jamestown, KY 42629**

**Being Lot No. 4 in Block "I" of the Fair Oaks Subdivision. For a more complete description of same, reference is made to plat which is of record in Deed Book No. 69, Page No. 447, Russell County Clerk's Office, Jamestown, Kentucky.**

**The above described property is restricted by the restrictions as set out in the plat of said subdivision, which appears in Deed Book No. 69, page 447, Russell County Clerk's Office, Jamestown, Kentucky.**

**Being the same property conveyed to Bessie E. Russell by deed from Larry Bryant & Judy Bryant, dated December 27, 1977 and of record in Deed Book 79, page 32, AND BEING acquired by Patricia Russell by Will of Bessie E. Russell, of record in Will Book 14, Page 692, in the office of the Russell County Clerk, Jamestown, Kentucky.**

The amount of money to be raised is the principal sum of **\$104,639.82** plus all delinquent, default and accrued interest due and payable in the amount of **\$19,573.74** for a total payoff of **\$124,213.56** as of July 29, 2006 with a daily accrual at \$29.39 until paid in full, plus additional costs and attorney fees to be approved by the court at a later date.

For the purchase price, the Purchaser may pay in full by cash or good check on the date of sale or the Purchaser may pay one-third (1/3) of the purchase price and remaining balance within thirty (30) days from the day of sale with the execution of a good and sufficient purchase money bond, with approved surety thereon, for an amount equal to the balance of the purchase price payable to the Master Commissioner. Any such purchase money bond shall have the force and effect of a Judgment and shall be a lien upon the property sold as additional security for the payment of the balance of the purchase price. The Master Commissioner's bond shall bear interest at the rate of 12% per annum until paid. Should execution be levied thereupon, no replevy shall be allowed.

The property is sold subject to the following:

1. The property cannot be divided without materially impairing its value or the interest of the parties hereto, and it shall be sold as a whole by the Master Commissioner.
2. Property taxes payable in the year 2006 and all taxes due thereafter.
3. Easements, restrictions and covenants of record.
4. Assessments for public improvements levied against the property.
5. Any facts, which may be revealed by visual inspection or accurate survey of the property and/or review of the properly indexed records of the Russell County Clerk. Master Commissioner Sale is not warranty of good title.

The property shall otherwise be sold free and clear of any and all right, title and interest of all parties to this action. Bidder should examine the records of the Russell Circuit Clerk and Russell County Clerk prior to the sale for further information. Any statements made the day of the sale shall take precedence over advertised material. Bidder shall be prepared to comply promptly with these terms.

HON. JENNIFER UPCHURCH CLARK  
Master Commissioner, Russell Circuit Court

**IN THE EVENT THAT THE PURCHASER IS NOT PAYING THE FULL AMOUNT OF THE PURCHASE PRICE OF THE PROPERTY ON THE DATE OF SALE, ANOTHER PERSON MUST BE PRESENT ON THE PURCHASER'S BEHALF TO SIGN AS SURETY FOR THE REMAINDER OF THE PURCHASE PRICE.**

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