

PROCLAMATION
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partners serves to improve the quality of service for those most profoundly and directly affected by sexual violence; and the Kentucky Rape Crisis Center Coalition, the Kentucky Association of Sexual Assault Programs has reached its 34th year of speaking with a unified voice against sexual victimization;

NOW, THEREFORE, I, George Sparks, Lewis County Judge Executive, do hereby proclaim the month of April 2024 as Sexual Assault Awareness and Prevention Month in



Dennis Brown/LEWIS COUNTY HERALD
Judge Executive George Sparks has proclaimed April as Sexual Assault Awareness and Prevention Month in Lewis County. Local officials gathered to mark the occasion. Pictured (L-R) are Victims Advocate Whitney Maddix, County Attorney Benjamin Harrison, Ion Center Non-Residential Services Coordinator Tammy Brown, Judge Executive George Sparks, and County Treasurer Penny Lee.

AMBULANCE

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to Lewis County EMS during the February meeting by voting to cancel the contract with Portsmouth Ambulance.

“Danny Palmer and the ambulance board have been working really hard to get to where we are able to start the ambulance service here in Lewis County,” Sparks told magistrates during the meeting.

Sparks credited County Attorney Benjamin Harrison for his work on the application to obtain a license.

“He worked night and day for about a week on the full certificate of need application and did an outstanding job on it. We got it submitted with many letters of support from several different agencies in the county, and businesses.”

Sparks said he and other local officials have been in contact with ambulance services in all surrounding counties “who have all said, ‘we will step up. We will help you if you get in a bind and take runs,’” Sparks said. “And they have. They have come into our county many times (for mutual aid).”

Emergency medical 911 calls for ambulance transportation are being handled by ambulance services in surrounding counties based on availability and geographic location.

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In an incident over the weekend in which a youth was injured in an ATV accident in the Garrison area, Portsmouth Ambulance responded along with an Air Evac medical helicopter.

Sparks said Lewis County first responders are also continuing to provide service in assisting with the initial response to urgent medical calls.

“I am more than proud of our own first-responders for their selfless efforts in providing service to our citizens,” Sparks said.

“The (Lewis County) ambulance board has two ambulances that have been generously donated by other entities . . . and they have purchased another ambulance,” Sparks said.

He added that two other ambulances have been donated and the process is underway to have those transferred to Lewis County EMS as soon as possible.

Portsmouth Ambulance officials notified the county on February 24, 2022, of the intent to close their Lewis County hub within 30 days because they were losing money.

A contract was negotiated as a short-term solution with the initial one-year term calling for Lewis County to subsidize PEASI \$16,000 per month for them to con-

tinue to provide service in the county.

Funding for the first one-year contract was allocated from American Rescue Plan Act (ARPA) money received by the county. Craig Stanfield was serving as judge executive at that time.

Last year magistrates approved the creation of an ambulance tax and a five-member board was named to oversee the creation and operation of the local EMS service.

The property tax was established at 10 cents per \$100 valuation and appeared for the first time on Lewis County property tax bills mailed in October with the first proceeds realized by the taxing entity in December. The tax has been applied to motor vehicles and watercraft since January 1.

The contract for service with Portsmouth Ambulance was renewed for one year in April 2023 at a negotiated \$19,000 per month. The City of Vanceburg agreed to assist the county and had been contributing \$3,000 per month toward the cost.

Those wishing to apply for EMS and paramedic positions with the local service may drop off resumes in person at the Judge Executive’s Office in the Lewis County Courthouse or email them to LewisCountyEMS@lewiscountky.gov.

For additional information, please call Danny Palmer at 606-748-0773.

Opinion

HB 509 would destroy tradition of openness

By Jon Fleishaker and Michael Abate

Repeatedly in recent weeks, Gov. Andy Beshear has come out in favor of House Bill 509, a bill that would dramatically weaken Kentucky’s open records laws. The governor has tried to assure citizens the bill would result in more transparency, not less. The governor is wrong; this bill will inevitably lead to the public’s business being done in private.

The governor’s argument that the bill does more good than harm doesn’t hold water. HB 509 may not be as bad as it once was — thanks to public outcry over the havoc the original version of the bill would have wrought — but it still would create a glaring loophole allowing public officials and employees (like the governor and those who work in his administration) to easily hide their work from the public.

You don’t need to be a lawyer to see why this bill is so dangerous. HB 509 requires public agencies to create email accounts for all public officials and employees. That’s a good step that closes a relatively small loophole that exists in the law today. Also laudable is the bill’s requirement that officials and employees only use their public email accounts, and not personal emails.

But HB 509 then does an abrupt about-face that renders these modest improvements hollow gestures. For the first time ever, the law would limit where an agency needs to search for responsive records. An agency that creates these new email accounts only needs to search those accounts, or other publicly owned devices, for responsive electronic records. All other communication channels may be ignored by public agencies responding to records requests.

Do you know anyone who

communicates only by email in 2024? Of course not. Public employees, like all people, use a variety of platforms to do the public’s business — texts, other messaging apps, collaboration tools, private social media messages and more. Even though all records belong to the public under current law if they are discussing public business — as Attorney General Andy Beshear repeatedly ruled — they will become effectively off limits if the bill is passed and signed into law. What do you think public officials and employees are going to do if they would prefer not to have their decisions second-guessed? You got it; they will simply communicate by means other than their work email. And contrary to what some of HB 509’s proponents have said, nothing in the bill prohibits that.

What is the governor’s response to this criticism? At a recent press conference, he began by appealing to his own reputation for transparency. Sorry, Governor, “trust me” does not explain away a loophole so glaring any middle schooler could exploit it. Nor will it prevent the public from justifiably considering you the one who destroyed Kentucky’s long tradition of openness if this bill becomes law.

Next, the governor points out that someone intent on shielding communications won’t turn over their texts or direct messages anyway. But that’s why we have an attorney general appeal process and judicial oversight. We don’t repeal our criminal laws because criminals are likely to break them, do we?

Finally, the governor accuses the authors of this piece (one of whom helped write the law) of not understanding how the Open Records Act really works. That ad hominem attack is a tell that the governor knows his position isn’t adding up

for the public. And it should force us to ask some necessary, though uncomfortable, questions: Why does Gov. Beshear disagree with Attorney General Beshear? What text messages are the governor and his administration trying to hide? Is he selling out Kentucky’s transparency laws to make it easier to seek a national platform?

The brilliance of Kentucky’s Open Records Act is that it never made the public’s right to access its records dependent on the technology used to create a record or the place where it is stored. Rather, the act’s drafters made all records available so long as they concern the public’s business.

Now is the wrong time to reverse course and use a technology increasingly shunned by future generations to limit the public’s right to access its records. The inevitable outcome of such a law is that the public’s business will be done through “private” channels. The public is at risk of forever losing the right to supervise its public servants.

Jon Fleishaker is a media law and First Amendment expert who serves as general counsel to the Kentucky Press Association. He practices at the law firm of Kaplan Johnson Abate & Bird LLP, where he regularly litigates open records and First Amendment disputes across the commonwealth. Fleishaker was among the original authors of the state’s Open Records and Open Meetings Acts.

Michael Abate is a media law and First Amendment expert who serves as general counsel to the Kentucky Press Association. He practices law at the firm of Kaplan Johnson Abate & Bird LLP, where he regularly litigates open records and First Amendment disputes across Kentucky.

PAYMENTS

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Midwestern states with regional supermarket chain Meijer.

Other settlements, including with OxyContin manufacturer Purdue Pharma, are pending.

Follow the QR code for more information.



Now Hiring EMTs & Paramedics

The Lewis County Ambulance Service District is seeking applications for EMTs and paramedics.

Resumes may be dropped off in person at the Judge Executive's Office in the Lewis County Courthouse or emailed to LewisCountyEMS@lewiscountky.gov.

For additional information, please call Danny Palmer at 606-748-0773.

PUBLIC NOTICE 15

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Farm Location: 4954 Energy Road, Flemingsburg KY
Auction Location: Fleming County Golf Course

Tract 1: 2.4 acres (+or-) located at the corner of Ky. Hwy. 1325 (Energy Road) and Cord Lane. A very nice corner lot, County water available, over 200' of road frontage on Cord Lane, 260' frontage on Ky. Hwy. 1325. A large barn is located on this property.

Tract 2: 1.1 acres (+or-) with a Log Home with approximately 1050 sq. ft. 2 Bedroom, 1 bath, Large Kitchen and Front room, mud room, utility room. Metal Roof, Large detached garage log sided. Home built in 1998 (per PVA info). County water Frontage on very little used county road. Nice setting!!

Tract 3: Consisting of 2.3 acres (+or-) A wonderful tract of land with frontage on Cord Lane!!! County water available. Great building site.

Tract 4: Consisting of 13.8 acres (+or-). A Great level to rolling tract. A super tract of land that has several possibilities.

Tract 5: Consisting of 10.9 acres (+or-). This tract is mostly level with frontage on Ky. Hwy. 1325. A large cattle or horse barn located on this tract.

Tract 6: Consisting of 71.0 acres (+or-) A great pasture tract with woods and creek flowing thru it. Frontage on Ky. Hwy. 1325. Would be a great hunting or livestock farm.

****Buy one tract, a combination of tracts or all of them****

Terms: 5% buyer's premium will be added to all final bids to determine final sale price. **Real Estate:** Non-refundable escrow deposit of 10% of purchase price (sale price plus buyer's premium) due day of auction. Balance due in 30 days, at closing, on or before **May 11, 2024.**

Notes: Property is being sold as-is/where-is. No financial contingencies. Property selling subject to any and all recorded or unrecorded easements, restrictions and covenants.

Contact Auctioneers **Chuck Marshall @ 606-782-0374, Ronnie Lawson @ 859-494-9305, Lori Kielman @ 606-782-1554** or the Office @ **606-845-5010** with questions

For more information, pictures and map, visit www.chuckmarshall.com or www.auctionzip.com (auctioneer ID #1198)

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