

Faulty test caused 'PCB scare,' Jenkins council told

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county's growing drug problem.

In other business Monday, the council learned that a "false positive" from a water test was the cause of a "PCB" scare in a water source serving much of the Joe's Branch community.

City Engineer Paul Nesbitt of Nesbitt Engineering said a project to build new water lines in Joe's Branch was stopped and then restarted by the Kentucky Division of Water (DOW) after the false positive in a test for polychlorinated biphenyl (PCB), a toxic chemical that contains dioxin.

Nesbitt said the DOW had given the all clear and later reported that the test was faulty.

District Five Magistrate Wayne Fleming, who represents Jenkins on the Letcher Fiscal Court, asked if a check valve could be installed to prevent contamination of the entire system in case of future problems in Joe's Branch. Nesbitt said he could make the change, which would cost approximately \$6,000.

"How much will it cost to contaminate the system and give 100 people cancer?" asked Fleming. "I would rather pay for this than contaminate the entire system."

Fleming said the Kentucky Environmental Protection Agency had called Letcher County Judge/Executive Jim Ward's office on August 8 and told them to tell the Joe's Branch

residents not to drink the water or to bathe in it. Fleming said EPA called back and said the water was OK on Friday.

Council member Rick Damron, who is an electrical engineer, said check valves should be in every branch line as a standard procedure to prevent contaminated water from infiltrating the system in case of line breaks.

A public hearing held to allow members of the public to comment on a cable television rate hike helped stretch Monday's meeting to three hours.

Kentucky Regional Cable Commission attorney Linda Ain told the council the city has the right to regulate basic cable rates up through the first 19 channels. Ain said the city is supposed to receive forms from the cable provider annually concerning cable rates but the practice hasn't been followed since 1999. Inter Mountain Cable, the current cable provider, has not filed the forms since it took over the system last year.

Ain said the rate-regulating process was potentially costly for the city, and that cable companies can challenge it if they have effective competition of 15 percent, including satellite television providers. She said telephone companies are also beginning to offer television programming through "superfast" fiber optic lines in competition with cable providers.

Inter Mountain was represented by marketing director

Keith Wiley and chief financial officer James Campbell. Both said the cable company intends to address any problems customers may have and Campbell added that the company has invested more than \$1 million in the Jenkins system, which also includes part of Wise County, Va. He also told the council that cost increases from cable channels like ESPN and others had made it necessary to raise the rates.

"I feel like we've made vast improvements," said Campbell. "We raised our rates to match cost increases from our channels and we have to pass the rate hikes on. We're here to stay and we want to be good corporate citizens. Occasionally we have to raise rates and that's what we did. It's not pleasant."

Jenkins resident Bob Bartram said his monthly rate had gone up more than \$5 a month with no corresponding increase in service. Campbell said the rate increase was \$5.30 per month effective Sept. 1. He said Inter Mountain now offers a 750 MHz cable system with bundled packages featuring cable modems, cable television, and local and long distance telephone service.

Jenkins resident Jim Polly, who serves on the Jenkins Planning Commission and the Old Jenkins High School Committee, said he had recently gotten the bundled system and is very satisfied with it.

Magistrate Fleming said he feels there are hidden charges

when cable boxes are upgraded. Fleming said he recently replaced his old cable boxes and his bill went up by \$20. Campbell said the technology had changed to the point that the old boxes had to be switched out as they are replaced and a cable box costs approximately \$300. He said for a while the company was short of cable boxes and there were substantial waits for service but now it has a surplus.

Campbell also said Inter Mountain plans to run a promotion with a half-price rate for the transition. Council member Linda Baldwin complained of what she called "garbage channels" on the higher ranges. Baldwin said the reception was very poor for local channels and she didn't like it when the cable company changed channel numbers without notifying customers.

"I don't know if we need five home repair channels," said Baldwin. "It's garbage TV. If you were putting out quality TV, but this is the worst service I've had since TV companies came here. Channels six and eight are constantly changed. We're paying for good TV but we're getting garbage."

Dixon announced Monday night that the city has received a \$600,000 grant from the state to continue work on a proposed welcome center on U.S. 23 and an additional \$15,000 to extend sidewalks from the Jenkins football field to the crossing area at

Jenkins High School.

The council also:

- Received a report from Dennis Elrod of Adkins Elrod Associates that the water line connection with Mountain Water System of Pike County will be complete by the end of August.

- Received a Water Report from Water Superintendent Bo Hopkins that leaks accounted for the loss of 4,528,800 gallons of treated water. Hopkins said 22 leaks were found and repaired in July, some in lines that date back to 1908.

- Received a report from Dave Chaltes concerning a Civil War reenactment skirmish scheduled for Sunday, August 26, at the Little Shepherd Amphitheater during the Jenkins Homecoming Days Festival.

- Announced a city-wide cleanup for August 18. Those who wish to have heavy items picked up by city workers should call 832-2635.

- Voted to allow the Jenkins Volunteer Fire Department to rent paddle boats on Jenkins Lake during the Jenkins Homecoming Days Festival.

- Voted to begin the process of raising the procurement code (the amount the city can spend without placing an item for bid) from \$7,500 to \$20,000 to match state codes and a proposed change by the Letcher County Fiscal Court.

- Learned that Jenkins Police officers answered 76 complaints in July, issued 41 citations, and

made 24 arrests. Chief Stevens said activity was down somewhat. Mayor Dixon also issued letters of commendation to Sgt. Adam Swindall and Officer Anthony Maggard for their handling of several situations which Dixon said could have gotten out of hand otherwise.

- Learned that the city might be eligible for an EPA/Kentucky DOW Grant for "impaired water" from massive leaks from old sewer lines. Utilities Board member Tracy Goff told the council that Elkhorn City had received a similar grant for \$600,000 to do water monitoring and sampling in its watershed.

- Received a report from council member Chuck Anderson on the Jenkins Homecoming Days Festival. Anderson said the festival is really taking shape and train rides in the park will be free to all during the festival. Anderson also said that this year there will be real crafters at the festival.

- Discussed an ongoing problem with four-wheelers in Burdine. Chief Stevens said he would increase patrols in the area. Stevens said Jenkins officers can pursue four-wheelers but they use common sense and don't risk their own lives or the lives of others by trying to follow off-road vehicles with cruisers. Stevens said if violators are under age their parents can be cited and vehicles can be confiscated and towed, but he prefers a less confrontational approach if possible.

Nashville singer says she's ready to play here Saturday

Nashville recording artist Kate Sansing is scheduled to perform a free concert Saturday night (August 18) at 8:30 at Riverside Park in Whitesburg, next to the Whitesburg hospital.

Sansing is opening for country star T.G. Sheppard during the Riverfest celebration, being sponsored by Jenkins Festival Committee Inc. and Coca-Cola.

Sansing is described as a fiery singer who made her way to Nashville with a mountain of talent, a dream and a plan. Her music is described as straightforward, danceable, honky tonk tunes that are fun, sassy, and honest, with a whole lot of country and a little bit blues and western swing.

Sansing said she is excited about performing in Whitesburg, a part of the country she has never seen,

but always wanted to visit.

"I have heard about the beautiful mountains in the coal mining communities of eastern Kentucky and I cannot wait to see it," said Sansing. "'Coal Miner's Daughter' was my favorite movie growing up. We had a Beta version of it as a child and watched it over and over. When DVDs came out, the first DVD I ever received was 'Coal Miner's Daughter.' My sister got it for me for Christmas."

Sansing moved to Tennessee six years ago from Colorado. She said she was influenced by country music from her father, a native of East Texas.

"I really got into Texas swing music while attending the University of Texas in Austin," she said.

But country music and western swing are not the only types

of music that influence Sansing. She said she has always loved bluegrass.

"When I hear the music, I associate it with the peace and tranquility of the mountains," said Sansing. "I love taking trips to the Smoky Mountains and staying at these little bed and breakfasts. They always have bluegrass music playing on the porch and it is such a great escape from the world."

Sansing said that since this is her first time playing in eastern Kentucky, she will add a "surprise" bluegrass song to her show. The local bluegrass band East Kentucky Tyme will perform the song with her, she said.

"East Kentucky Tyme agreed to back me on one song," Sansing said. "I am excited to be able to perform this song with them."

"She's adapted her show to area," said Kevin Flint, owner of Kevin Flint Productions and the festival production manager. "She added songs exclusively for this performance including a song by Loretta Lynn and a tribute song to coal miners. Kate will always go the extra mile for a performance and to make it special."

Flint said Sansing has a lot of talent and the business sense to make it in the country music industry.

"I met Kate when she first moved to Nashville and could immediately see her talent and brilliance," he said. "I knew from the first time I talked to her and listened to her demo that she had what it takes to make it. I am always amazed at how Kate is able to do things that most up-and-coming artists could only dream of — like attracting sponsors, playing major private shows and being a moderator at large music industry events."

Sansing's debut album can be purchased locally at Tan-A-Rama & Gifts in Jenkins, Hometown Music in Whitesburg, and on Internet sites such as amazon.com. She will also have her albums available at the festival in Whitesburg on Saturday.

More information on the three-day festival, Kate Sansing, or East Kentucky Tyme is available on the Internet at www.Jenkinsdays.com.



Robert Murray, founder and chairman of Ohio-based Murray Energy Corp., looked on Monday during a news conference on the rescue efforts for six trapped coal miners at the entrance to the Crandall Canyon Mine in Utah. (AP Photo/Jae C. Hong)

Mine owner controversial

By KEN WARD JR.
The Charleston Gazette

Murray Energy President Bob Murray was scheduled to brief reporters on efforts to rescue six miners trapped deep inside his company's Crandall Canyon Mine.

Instead, Murray went off. He ranted against environmental regulation, labor unions and the news media.

On live television last week, Murray turned an update on the Utah mine collapse into a platform for promoting the coal industry and his views of how it should operate. He specifically attacked the United Mine Workers union and mine safety advocates Davitt McAteer and Tony Oppgaard, all of whom had told reporters of the dangers of "retreat mining" that the Crandall Canyon Mine employed.

To anyone who follows the coal industry closely, Murray's performance came as no surprise.

Murray has developed a reputation for taking on unions and battling environmentalists. He's become known for donating big money to Republican politicians, and for occasionally using his political ties to try to bully government regulators.

Above all, Murray is famous for saying what he thinks.

"What you see is what you get in Bob Murray," said Steve Cohen, who handled Murray's public relations for three years and now runs the group West Virginia Citizens Against Lawsuit Abuse.

Murray's life story has been told before, in industry journals and business publications. The Ohio native's father was paralyzed in a mining accident, and Murray was forced to work to help support the family, the accounts say.

"By 16, he was mowing lawns every day after school, using a coal miner's cap with a light on the front so he could continue to work past dark," said a May profile in *The Wall Street Journal*.

Murray had hoped for a medical career, but instead got a scholarship to study mining engineer-

ing at Ohio State University. He then spent more than 30 years at North American Coal Corp., before being fired — the reasons are not clear — in October 1987.

Murray took out personal loans, and borrowed money against future coal delivery payments, to start his own company.

Since then, Murray has become a major player in the industry. His privately held company has 11 mines and 3,300 employees in five states, and touts a production figure of 32 million tons of coal per year.

Along the way, Murray has also become a major political player. Murray Energy ranks among the coal industry's major donors to federal candidates. Since 1996, Murray has contributed nearly \$1 million, most of it to Republicans, according to the Center for Responsive Politics.

Murray has also not hesitated to make use of those political connections.

In May 2002, two U.S. Mine Safety and Health Administration officials were transferred after they clashed with Murray over inspections at the company's Maple Creek Mine in western Pennsylvania.

Later, West Virginia Public Broadcasting reported that Murray warned MSHA officials in Morgantown that the same thing would happen to them if they didn't let up on inspections at his Powhatan No. 6 Mine in Belmont County, Ohio.

"Mitch McConnell calls me one of the five finest men in America, and the last I checked, he was sleeping with your boss," Murray told the MSHA officials, according to meeting notes cited by public broadcasting. McConnell, a Republican U.S. senator from Kentucky, is married to U.S. Labor Secretary Elaine Chao, whose department includes MSHA.

After that meeting with Murray, MSHA Morgantown district manager Tim Thompson was transferred.

Murray has also duelled with environmental regulators and

with citizen groups.

Last year, Murray sued the Pennsylvania Department of Environmental Protection in federal court after the agency denied an underground permit on the grounds it would drain streams.

Murray also fought for several years with regulators and citizens over his proposal to mine underneath the Dysart Woods, a tract of old-growth forest in southeastern Ohio.

Initially, Murray got along well with the United Mine Workers union. UMW members at the Powhatan No. 6 Mine were especially pleased when he bought and kept open their troubled mine.

The relationship soon soured, when Murray asked for a wage freeze and refused to hire laid-off UMW members for new jobs, according to an article in the July-August 2001 UMW Journal.

The UMW launched a massive public relations campaign against Murray. Murray fought back, filing a defamation lawsuit against union Secretary-Treasurer Carlo Tarley. Such tactics aren't unusual for Murray. When the *Akron Beacon-Journal* published an unflattering profile, Murray sued the paper.

While the Crandall Canyon Mine's safety record appears to have been good over the last two years, the operation had troubles in 2003 and 2004. Fines assessed by MSHA jumped from \$5,800 in 2002 to \$39,000 in 2003 and more than \$100,000 in 2004, agency records show.

Murray's other large mines generally report accident rates that are better than the national average. But the company's largest operation, the Galatia Mine in Illinois, recorded accident rates worse than the national figures in each of the last five years, MSHA data shows.

Murray's company argues against efforts by MSHA and Congress to increase fines for safety violations. But Murray often pays the fines as they are assessed by MSHA, rather than (Continued on Page 13)



Country music newcomer Kate Sansing will perform at River Park in Whitesburg Saturday night just before one of the genre's stars, T.G. Sheppard, takes the stage.

Jason Isbell to perform here



Jason Isbell, 28, was a key member of the Drive-By Truckers. He will perform at the Summit City Lounge in Whitesburg.

A limited number of tickets are now on sale for a concert in Whitesburg next month featuring Jason Isbell and his touring band, The 400 Unit.

Isbell, familiar to many as a guitarist, singer and songwriter with the critically-acclaimed Drive-By Truckers, is scheduled to perform at the Summit City Lounge on Main Street on Friday, September 28 at 8 p.m.

Since leaving the Drive-By Truckers in April, Isbell has released his debut solo album, *Sirens Of The Ditch*, which he co-produced with DBT's Patterson Hood. Other members of the Truckers also perform on the album, which was recorded over the past four years at FAME Studios in Muscle Shoals (Aretha Franklin, Duane Allman, Otis Redding).

Isbell will arrive in Whitesburg for Mountain Heritage Festival weekend fresh from an appearance at the famed 40 Watt Club in Athens, Georgia.

Persons wishing to buy tickets for show should contact Greg Napier at 606-434-8648 or Joel Beverly at 606-454-1581. Tickets are also on sale at Dad's CD's in Wise, Va.