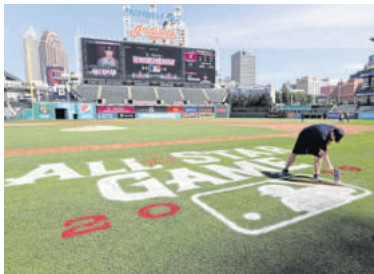


Council poised to give \$100K balance to schools

REGION » A3



Mid-Summer Classic

The annual MLB All-Star Game set in Cleveland » B1

BRISTOL HERALD COURIER

TUESDAY, July 9, 2019

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Sullivan County

Shelter employees to receive parvo training amid closure

BY LURAH SPELL
BRISTOL HERALD COURIER

BLOUNTVILLE, Tenn. — As Sullivan County's Animal Shelter remains closed due to another outbreak of parvovirus, officials from the University of Tennessee's College of Veterinary Medicine will be at the facility in Blountville today to train employees in canine parvovirus prevention and treatment.

For the second time in less than two months, the shelter closed last week due to parvovirus. County Mayor Richard Venable said Monday he hadn't been able to confirm how many dogs have been diagnosed with the highly contagious virus, but he heard the number was as high as five. He said he didn't know whether any died or were euthanized due to the illness.

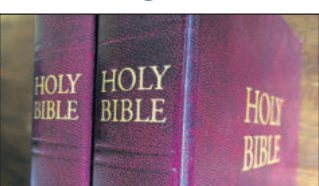
There have been no reports from shelter officials, but according to the volunteer-run Facebook public group page, Animal Shelter of Sullivan County, at least seven dogs have died from parvo.

Animal Shelter of Sullivan County Board President Linda Brittenham said last week the closing was the result of at least two confirmed cases of parvovirus.

Venable said he isn't sure when the shelter will reopen. The Bristol Herald Courier was unsuccessful in its attempts to contact Brittenham and board Vice President Gena Frye for additional information. Three other board members said they

See **SHELTER**, Page A5

INSIDE



Publishers say tariffs could cause Bible shortage » A6

Thank you, **James Keeling**, for subscribing to the Bristol Herald Courier.

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Weather » A8



PAYCHECKS BOUNCING

BLACKOUT

Blackjewel bankruptcy leaves workers in the dark



BHC FILE PHOTO

Coal mining in Buchanan County, Virginia: As Blackjewel LLC goes through bankruptcy proceedings, employees reporting that work has halted and recent paychecks are bouncing are left with few answers.

BY TIM DODSON
BRISTOL HERALD COURIER

As major coal producer Blackjewel LLC goes through bankruptcy proceedings, employees at some of the company's mines in Southwest Virginia report that work has halted at its facilities and recent paychecks are bouncing.

With unanswered questions surrounding the status of their work and what they feel is a lack of communication from their employer, some said they aren't sure whether they even still have jobs after they were told to stay home from work last week.

"We have not heard anything from the company," said Joe Williamson, 33, who ran shuttle cars at a mine at Jewell Ridge in Tazewell County that is owned by Blackjewel.

On July 1, Blackjewel filed for Chapter 11 bankruptcy in U.S. Bankruptcy Court for the Southern District of West Virginia. Blackjewel — the country's sixth-largest coal producer in 2017, according to the federal government's most recently released annual coal report — operates mines in Kentucky, West Virginia, Wyoming and Virginia.

An attorney for the company did not respond to a request for comment on the employees' concerns Monday.

In a statement dated July 5, the company acknowledged the outstanding payroll checks.

"Payment of these checks is dependent on the

company's ability to obtain additional financing that will allow normal operations to resume," it said.

On Monday, Blackjewel said in a statement that 120 employees have been able to return to work "to ensure the safety of our mines and our equipment while we work towards finding a longer-term solution." The company didn't specify how many of these employees are in Virginia but said checks were issued to them for time worked prior to the bankruptcy filing and that funds should be available for these checks.

As for its other employees, the company said Monday, "We fully intend to pay our employees the amounts owed for work completed prior to the Chapter 11 filing as we bring our employees back to work. Securing the funds necessary to bring Blackjewel back to full and profitable production remains the Company's top priority."

In an affidavit filed with the court on July 1, now-former Blackjewel CEO Jeff Hoops said the company needed about \$6 million to pay employees' salaries and benefits at the time the bankruptcy proceedings started.

Failing to meet payroll obligations and a lack of funding for day-to-day operations, Hoops said in the affidavit, will "destroy" Blackjewel's "business value" and undermine "any hope for a reorganization."

See **BLACKJEWEL**, Page A5

Sex Trafficking

Billionaire financier charged with molesting dozens of young girls

BY MICHAEL R. SISAK
and JIM MUSTIAN
The Associated Press

NEW YORK — In a startling reversal of fortune, billionaire financier Jeffrey Epstein was charged Monday with sexually abusing dozens of underage girls in a case brought more than a decade after he secretly cut a deal with federal prosecutors to dispose of nearly identical allegations.

The 66-year-old hedge fund manager who once socialized with some of the world's most powerful people was charged in a newly unsealed federal indictment with sex trafficking and conspiracy during the early 2000s. He could get up to 45 years in prison if convicted.

The case sets the stage for another #MeToo-era trial fraught with questions of wealth and influence. Epstein's powerful friends over the years have included President Donald Trump, former President Bill Clinton and Britain's Prince Andrew.

Prosecutors said the evidence against Epstein included a "vast trove" of hundreds or even thousands of lewd photographs of young women or girls, discovered in a weekend search of his New York City mansion. Authorities also found papers and phone records corroborating the alleged crimes, and a massage room still set up the way accusers said it appeared, prosecutors said.

Epstein, who was arrested Saturday as he arrived in the U.S. from Paris aboard his private jet, was brought into court Monday in a blue jail uniform, his hair disheveled, and pleaded not guilty. He was jailed for a bail hearing next Monday, when prosecutors plan to argue that the rich world traveler might flee if released.

His lawyers argued that the sex-crime allegations had been settled in 2008 with a plea agreement in Florida that was overseen by Alexander Acosta, who was the U.S. attorney in Miami at the time and is now Trump's labor secretary.

"This is ancient stuff," Epstein attorney Reid Weingarten said in court, calling the case essentially a "redo" by the government.

But U.S. Attorney Geoffrey Berman of New York said that the non-prosecution agreement

See **CHARGED**, Page A5

SUMMER SWIM



ANDRE TEAGUE/BRISTOL HERALD COURIER

A family beats the heat by swimming in South Holston Lake on Monday afternoon.

INSIDE: CLASSIFIED B6-8 | COMICS B4 | DEATHS A4-5 | OPINION A7 | SCOREBOARD B2 | TELEVISION B5



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Obituaries

From Page A4

Mary Ellen Cress Ward

CHILHOWIE, Va.

Mary Ellen Cress Ward, 70, was taken home to be with the Lord on Sunday, July 7, 2019. She was preceded in death by her father and mother, Fred Wayne Cress and Alice Virginia Edmiston Cress.

Mary Ellen is survived by her husband, Louie Wade Ward; one daughter, Deanna Lynn Ward Gravely and husband, Chris; two sons, Brian Wade Ward and wife, Cindy, and Eric Matthew Ward and wife, Jennifer; eight grandchildren, one great-grandchild; sisters-in-law, Patty Ward and Beulah Harris; numerous nieces, nephews, and cousins.

The family would like to thank everyone for their love and support through this difficult time. Special thanks to her cousin, Joyce Edmiston, who has been like a sister to her: transporting her to doctor appointments and supporting her during her battle with cancer. The family would also like to thank the staff at Wythe Hospice of Southwest Virginia, especially Crystal Wynn and Diane Gill who took such wonderful care of Mary Ellen.

Funeral services will be conducted at 11 a.m. on Thursday, July 11, 2019, at Williams Funeral Home Chapel with Elder Kenneth Presnell and Elder Larry Blevins presiding. Burial will follow at the Saint Clair Bottom Primitive Baptist Church Cemetery. The family will receive friends from 6 until 8 p.m. on Wednesday, July 10, 2019, at Williams Funeral Home.

Mary Ellen was a member of Tumbling Creek Primitive Baptist Church. In lieu of flowers, donations can be made to the church, ICO Ken Presnell 32037 Poor Valley Rd. Saltville, VA 24370.

Condolences can be made to the family online at www.williamsfuneralhomeofchilhowie.com. Williams Funeral Home of Chilhowie is serving the Ward family.



Irwin "Basil" Wyatt Jr.

Irwin "Basil" Wyatt Jr., age 61, of Bristol, Tenn., passed away on Wednesday, July 3, 2019, at his home.

Basil was born on December 7, 1957, the son of the late Irwin Basil Wyatt Sr. and Leona Broyles Wyatt. Along with his parents, he was also preceded in death by his sister, Lauren Wyatt Cooper.

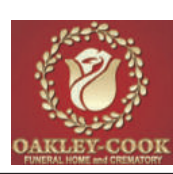
Basil worked for UPS and with his mother, owned and operated Wyatt's Mobile Home Park. He was a sweet, intelligent and funny man who adored his mom and would go out of his way to help his family and friends. Basil loved the outdoors and his greatest passion was to take off on his motorcycle to wherever it might take him. He was a loyal friend to many who remember him as "one of a kind."

He is survived by his sisters, Lisa Wyatt Underwood of Knoxville, Tenn., and Lynette Wyatt Sisk and husband, Conrad, of Bluff City, Tenn.; nieces, Erin Underwood Rininger and husband, Charlie, of Huntersville, N.C., Rachel Underwood of Washington, D.C., and April Sisk Osborne; her son, Noah of Bluff City, Tenn.; Basil's special friend, Elizabeth Hale; and many other close friends.

The family will receive friends on Thursday, July 11, 2019, from 5 until 7: p.m. at Oakley-Cook Funeral Home in Bristol, Tenn. A graveside service will be held at 11 a.m. on Friday, July 12, 2019, at Glenwood Cemetery in Bristol, Tenn., with the Rev. Barbara Farmer officiating.

In lieu of flowers, memorial donations may be made to the Sullivan County Animal Shelter, 380 Massengill Road, Blountville, TN 37617.

Condolences and memories may be shared with the family and viewed by visiting www.oakley-cook.com. Arrangements especially for Basil and his family have been made through Oakley-Cook Funeral Home & Crematory.



Martin Charnin, 84

Tony-winning 'Annie' lyricist

The Associated Press

NEW YORK — Martin Charnin, who made his Broadway debut playing a Jet in the original "West Side Story" and went on to become a Broadway director and a lyricist who won a Tony Award for the score of the eternal hit "Annie," has died. He was 84.

He died Saturday at a White Plains, New York, hospital, days after suffering a minor heart attack, his daughter, Sasha Charnin Morrison, told The Associated Press.

"He's in a painless place, now. Probably looking for Cole Porter and Ira Gershwin," Morrison wrote Sunday on Instagram.

Charnin was a keeper of the "Annie" flame, protective of what he created with songwriter Charles Strouse and book writer Thomas Meehan. The 1977 original won the Tony as best musical and ran for 2,300 performances, inspiring tours and revivals that never went out of style.

Charnin attributed the success of "Annie" in part to its sweet optimism and its message that things were

going to get better. After all, it was written during a period of instability, he told The Associated Press in 2015.

"We were living in a really tough time. Right in the middle of Nixon. Right in the middle of Vietnam. There was an almost-recession. There was a lot of unrest in the country, and you can always feel it, and a lot of depression — emotional depression, financial depression. We wanted to be the tap on the shoulder that said to everyone, 'It'll be better.'"

The musical contained gems like "Tomorrow" and "It's the Hard Knock Life." Charnin's lyrics, which earned him and Strouse a Tony for best score in 1977, are playful and moving: "You're never fully dressed/without a smile" and "No one cares for you a smidge/when you're in an orphanage."

The 1982 film version, which featured Carol Burnett was not nearly as popular or well-received. A stage sequel called "Annie Warbucks" ran off-Broadway in 1993.

Shelter

From Page A1

also hadn't been able to get any information.

The Animal Shelter of Sullivan County nonprofit organization will at some point take over operations of the shelter from the county, which has been in charge since Jan. 1, 2018, but it's not clear when. Venable said Monday the first step in the transition of operations was supposed to be with

a permanent manager at the helm, but Terry Johnson, the man the board's Executive Committee hired in late May, quit on his first day last week.

"I think he was supposed to come to work last Monday and put it off until Tuesday," Venable said. "I know he visited the shelter, but between when he was supposed to come [start the job] and then notified the board he wouldn't be taking the job ... I'm not sure why he quit. Hopefully, the board will do

an exit interview with him to see what his impressions were and see if we can't fix it."

During an interview with Herald Courier in June, he told the board that he's not an animal expert, but he's willing to listen to and work with employees, volunteers and the community toward what's best for the animals. Johnson couldn't be reached for comment despite several attempts last week and Monday.

Venable said the board is working "expeditiously" on

finding Johnson's replacement. Last week, he briefly met with Frye, who said she was interviewing a candidate that day, he said.

"I would like to be most happy if they had a manager selected by the end of this week," Venable said. "I won't say I expect that, but it would certainly make me happy if they did."

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Blackjewel

From Page A1

On July 3, the court authorized Blackjewel to borrow up to \$5 million, but court documents state that the loans should be used for security measures, "essential firefighting personnel," "professional fees" and "other essential emergency expenses." The terms detailed in the order do not provide specific authorization to use those funds for past payroll. Hoops resigned from his role as a condition for the emergency financing, according to the terms in the order.

The company's bankruptcy petition listed 10 facilities in Virginia among the company's principal assets. These include the Osaka Mine in Appalachia, Tunnel Mine in St. Charles and multiple mines at Jewell Ridge.

It was unclear Monday whether work has come to a standstill at all 10 facilities, but in interviews, workers from at least two sites in Southwest Virginia said they were blindsided early last week when they heard from supervisors and colleagues that the company declared bankruptcy and their work was being paused.

Williamson, who worked at a Jewell Ridge mine, said he was out of town with his family last week and first heard about the situation Monday night when co-workers started messaging him.

Others said they learned about it on social media.

The problems worsened for some employees when they said recent paychecks failed to clear their banks. Employees said the amounts from their June 28 paychecks were deducted from their accounts, leaving some with negative balances.

"I'm sitting here wondering, how am I going to get my bills paid?" said Bobby Allen, who worked in the Osaka Mine.

Allen, 44, of Pennington Gap, said his checking account wasn't overdrawn, but his account was down to about \$30 after his \$2,200 check was withdrawn.

He's worried about all of his expenses that need to be paid, including car payments and child support. If he isn't able to pay his child support, he fears losing his driver's license and then having no transportation to find a job.

Between the bounced paycheck and time worked that would have gone toward another paycheck, Allen estimated he's about a month behind in his pay.

John Mitcheum, who worked as a scoop man at a mine at Jewell Ridge, said he has four girls and he needs to support his family. The 33-year-old from Grundy said he now has a negative balance of about \$500 and is trying to figure out his next steps.

"I can't sit around and wait," he said.

In its bankruptcy petition, the company reported between \$100 million and \$500 million in estimated assets and at least \$500 million in estimated liabilities.

The company's eastern division employs about 1,100 people, according to the court filings. It's unclear how many workers in Virginia have been impacted by the bankruptcy.

In an email Friday, a spokeswoman for the Virginia Department of Mines, Minerals and Energy said the department's 2018 numbers showed that Revelation LLC, a company affiliated with Blackjewel, and its associated companies employed 484 miners in the commonwealth and had 79 sites permitted with the department.

The spokeswoman, Tarah Kesterson, said the department had been told employees were sent home, but she didn't have any other details.

The current status of all of the company's Virginia sites also weren't clear Monday. A Worker Adjustment and Retraining Notification [WARN] Act alert has not been reported to Virginia, Brett Tavel, a rapid response state coordinator, said in an email.

WARN notifications are required when a company that employs 100 or more

full-time workers closes a facility with 50 or more workers. Employees are supposed to be given 60 days' notice before termination; however, there are some exceptions to the 60-day notice rule, like "unforeseeable business circumstances."

Employees have created Facebook groups to share information and support each other. A recent post in one of the groups said workers were reaching out to state Del. Terry Kilgore, R-Gate City. Kilgore's district includes the town of St. Charles in Lee County, which the bankruptcy petition document lists as the site of two of Blackjewel's facilities.

On Monday, Kilgore said he started hearing about the issues with the Blackjewel facilities Friday and he has reached out to alert state agencies, namely the Virginia Employment Commission and the Virginia Department of Labor and Industry.

"I would hope that the mines would open back up and they bring these folks back to work, but in the meantime, hopefully, the Virginia Employment Commission can get some benefits out there ... that they can bring to the table to help these coal miners during this time," he said.

Employees say they are looking for answers.

"We want to be heard," said Williamson. "We want what's ours — we worked every day for it."

Allen expressed some mixed thoughts about potentially returning to work at the mine.

"If I'm not already working somewhere else and they call back saying we're starting back Monday, I would suck up my pride and go back because I have a family to feed. And I've got bills to pay," he said. "But then again ... I'm afraid of if we do go back to work and we get checks regularly, where am I going to get them cashed at? Wonder if they're going to bounce?"

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Charged

From Page A1

that spared Epstein from a heavy prison sentence a decade ago is binding only on federal prosecutors in Florida, not on authorities in New York. The alleged victims "deserve their day in court," Berman said. "We are proud to be standing up for them by bringing this indictment."

Epstein was accused in the indictment of paying underage girls hundreds of dollars in cash for massages and then molesting them at his homes in Palm Beach, Florida, and New York from 2002 through 2005.

He "intentionally sought out minors and knew that many of his victims were in fact under the age of 18,"

prosecutors said. He also paid some of his victims to recruit additional girls, creating "a vast network of underage victims for him to sexually exploit," prosecutors said.

Assistant U.S. Attorney Alex Rossmiller said that while there is some overlap between the Florida and New York cases, one of the counts is based entirely on New York victims.

Federal authorities said new accusers have come forward since Epstein's arrest, and they urged other possible victims to contact the FBI.

Some of Epstein's accusers welcomed the indictment.

"The news of my abuser's arrest today is a step in the right direction to finally hold Epstein accountable for his crimes and restore my faith that power and money can't triumph over

justice," Sarah Ransome said through her lawyer.

Prosecutors in New York are seeking the forfeiture of Epstein's mansion, a seven-story, 21,000-square-foot townhouse less than a block from Central Park. The home, formerly a prep school, is across the street from a home owned by Bill Cosby and has been valued at approximately \$77 million.

Epstein's arrest came amid increased #MeToo-era scrutiny of the 2008 non-prosecution agreement, which caused a furor in recent years as the details came to light, many of them exposed in a series of stories by The Miami Herald.

Under the deal, Epstein was allowed to plead guilty to state charges of soliciting a minor for prostitution. He avoided a possible life sentence and served

13 months in jail, during which he was allowed out to go to his office during the day. The deal also required that he reach financial settlements with dozens of his alleged victims and register as a sex offender.

"The last couple of years have helped build this environment where the public isn't willing to see these cases swept under the rug anymore," said Scott Berkowitz, president of RAINN, the anti-sexual violence organization.

"I also think there was such outrage over the sentence that he got and what seemed like a very special deal that he got the first time. So I think, similar to the first attempt to prosecute Cosby, I think there was a lot of public outrage at justice not being done. And so that helped lead the drive."

Briefly

Barr sees a way for census to legally ask about citizenship

EDGEFIELD, S.C. — Attorney General William Barr said Monday he sees a way to legally require 2020 census respondents to declare whether or not they are citizens, despite a Supreme Court ruling that forbade asking the question.

In an interview with The Associated Press, Barr said the Trump administration will take action in the coming days that he believes will allow the government to add the controversial census query. Barr would not detail the plans, though a senior official said President Donald Trump is expected to issue a memorandum to the Commerce Department instructing it to include the question on census forms.

The Supreme Court recently blocked the question, at least temporarily, saying the administration's justification "seems to have been contrived." That was a blow to Trump, who has been pressing for the government to demand information about citizenship.

The U.S. Census Bureau's experts have said requiring such information would discourage immigrants from participating in the survey and result in

a less accurate count. That in turn would redistribute money and political power away from Democratic-led cities where immigrants tend to cluster to whiter, rural areas where Republicans do well.

Activists worry about potential abuse of face scans for ICE

BOSTON — Civil rights activists complained Monday of the potential for widespread abuse following confirmation that at least three states have scanned millions of driver's license photos on behalf of Immigration and Customs Enforcement without the drivers' knowledge or consent.

Public records obtained by the Georgetown Law Center on Privacy and Technology provided the first proof that ICE asked for scans in Utah, Vermont and Washington, which offer driving privileges to immigrants who are in the U.S. illegally.

All three states agreed to the ICE requests, according to documents shared with The Associated Press on Monday and first reported by The Washington Post.

"States asked undocumented people to come out of the shadows to get licenses. Then ICE turns around and

uses that to find them," Alvaro Bedoya, the center's director, said Monday.

GOP scoffs at law allowing release of Trump's state taxes

ALBANY, N.Y. — President Donald Trump's New York tax returns could be given to Congress under a new law in his home state that was signed Monday by the Democratic governor and dismissed by Republicans as a partisan game that wouldn't stand up in court.

The measure signed by Gov. Andrew Cuomo directs state tax officials to share state returns of certain elected and appointed officials upon written request from the chairpersons of one of three committees: House Ways and Means, Senate Finance or Joint Committee on Taxation.

Designed to give Congress a way around the Republican president's refusal to release his returns, the new law is expected to face legal challenges. And it's unclear whether Congress will request access to Trump's state returns, which tax experts say would include many of the same details as his federal return.

From wire reports

ALL-AMERICAN

Bristol's VFW Post 6975 honored for leadership

REGION » A3

Former Supreme Court Justice Stevens dies » A5



CATCHING PRAISE

Son of former MLB catcher making name for himself behind the dish for BriBucs

SPORTS » B1



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BLACKJEWEL BANKRUPTCY



John Paul Shortridge (left) and son, Joshua, attended Tuesday's rapid response resource event for employees affected by the Blackjewel bankruptcy.

Caught off guard

Resource session held for workers hurt by company's filing

BY TIM DODSON
BRISTOL HERALD COURIER

NORTON, Va. — John Paul Shortridge is in the midst of his second layoff from a coal mine since 2017, but this time caught him off guard. Shortridge, 46, from Cleveland, Virginia, worked at the P12 Flat Rock mine in Honaker until July 1, when he said he was told at the end of his shift that employees would be out of work until further notice. Blackjewel

LLC, which owns the mine, filed Chapter 11 bankruptcy the same day. He said he was briefly laid off from a mining job for three weeks in September 2017, but he had a heads up before that happened and prepared for it. This time around, he's entering his third week without work, and he hasn't received clear communication from his employer, which he said owes him two paychecks.

"You can't get ahold of nobody from our company," he said Tuesday morning, sitting at a table with his wife, Francis, and son, Joshua, at a "rapid response" resource event at the Virginia Career Works center in Norton. There, they got information about filing a proof of claim form with the bankruptcy court in West Virginia to get the wages

See **BLACKJEWEL**, Page A6

Coal Mining Worker Resource Session

» **When:** Today, 9 a.m.-3 p.m.
» **Where:** Virginia Career Works Appalachian One Stop Workforce Center, 1928 Front St., Richlands

* Southwest Virginia Job Fair

» **When:** Friday, 10 a.m.-3 p.m.
» **Where:** Virginia Career Works Appalachian One Stop Workforce Center, 1928 Front St., Richlands
*While this event is in response to the Blackjewel bankruptcy, the public is welcome.

House rebukes Trump's tweets

The Associated Press


WASHINGTON — In a remarkable political repudiation, the Democratic-led U.S. House voted Tuesday night to condemn President Donald Trump's "racist comments" against four congresswomen of color, despite protestations by Trump's Republican congressional allies and his own insistence he hasn't "a racist bone in my body."

Two days after Trump tweeted that four Democratic freshmen should "go back" to their home countries — though all are citizens and three were born in the U.S.A. — Democrats muscled the resolution through the chamber by 240-187 over near-solid GOP opposition. The rebuke was an embarrassing one for Trump, even though it carries no legal repercussions, but if anything his latest harangues should help him with his die-hard conservative base.

Despite a lobbying effort by Trump and party leaders for a unified GOP front, four Republicans voted to condemn his remarks: moderate Reps. Brian Fitzpatrick of Pennsylvania, Fred Upton of Michigan, Will Hurd of Texas and Susan Brooks of Indiana, who is retiring.


Democrats saved one of the day's most passionate moments until near the end. "I know racism when I see it," said Rep. John Lewis of Georgia, whose skull was fractured at the 1965 "Bloody Sunday" civil rights march in Selma, Alabama. "At the highest level of government, there's no room for racism."

INSIDE

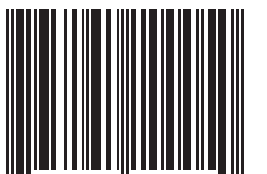


Apollo 11 astronaut returns to launch pad » A5

Thank you, Sylvia Stuart, for subscribing to the Bristol Herald Courier.



83/69
Weather » A10



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Lee announces new rural health research center at ETSU

BY ROBERT SORRELL
BRISTOL HERALD COURIER

With at least \$20 million set aside, officials in Johnson City believe a new rural health research center at East Tennessee State University will become a national leader. Tennessee Gov. Bill Lee joined ETSU President Brian Noland and Ballad Health CEO and Chairman Alan Levine during a news conference Tuesday at Stanton-Gerber Hall on the Veterans Affairs campus. The three leaders said a new National Center for Rural Health Research will be developed at ETSU's Quillen College of Medicine, which is housed at the VA. "This center will, I believe, be a national leader in research, not just in serving and services,

health care provider, will also donate \$15 million over a 10-year period, said Levine, who described it as the single largest monetary donation in the university's history. "There's a great deal of hope for prosperity in this region in ways that we haven't seen before," said Lee, who added that he is committed to rural Tennessee. The governor added that ETSU is already a leader in health care, noting various breakthrough projects over the years. Noland opened the conference by noting that one of ETSU's greatest missions is to improve the quality of life in the region. Scott Niswonger, chairman of ETSU's board of trustees, said he was impressed by the university's efforts to improve access to




PHOTO COURTESY OF ETSU

Tennessee Gov. Bill Lee announces a new rural health research center at ETSU's Quillen College of Medicine.

not just in access to care, but in researching things that drive the components of rural health," Lee said. The state will provide \$1.5 million in this year's budget and an additional \$750,000 in subsequent years, the governor said. Ballad Health, the region's lead

health care in rural communities. The center's goal will be to work with Ballad, local health care delivery partners, national experts and the leadership of ETSU Health to identify new mechanisms to improve health in rural and nonurban communities, according to an ETSU news release. Specific emphasis will be placed on strategies that disrupt intergenerational cycles of behaviors that contribute to poor health outcomes, which ultimately can affect college- and career-readiness, the release adds. Noland also announced that Randy Wyckoff, who currently serves as the dean of the college of public health, will become director of the new research center.

See **ETSU**, Page A6

INSIDE: CLASSIFIED B8-10 | COMICS B6 | DEATHS A4 | OPINION A8 | SCOREBOARD B2 | TELEVISION B7



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Blackjewel

From Page A1

They say Blackjewel owes them. Shortridge and his son also learned more about a commercial driver's license training program, which would allow them to drive tractor-trailers.

Joshua Shortridge, 20, worked at the same facility as his father and is also out of work. He used money from his savings to keep his family afloat, but they worry about how they'll pay upcoming rent and electricity bills.

The Shortridges aren't alone. About 40 Blackjewel workers attended the resources session in Norton on Tuesday, and more events are planned in Richlands later this week. Since the start of this month, employees in Southwest Virginia have reported that work came to a halt at Blackjewel's facilities, and their paychecks from the end of June bounced, leaving many with negative bank account balances.

The Southwest Virginia Workforce Development Board convened local and state agencies for the resource sessions, which cover job training and search assistance, unemployment insurance and applying for the Supplemental Nutritional Assistance Program and Medicaid, among other topics.

The situation surprised government officials because Blackjewel did not file a Worker Adjustment and Retraining Notification (WARN) Act alert, which is usually required for large-scale layoffs. State officials estimate the company's bankruptcy impacted about 480 workers in Virginia, although the impacts extend beyond the commonwealth's borders.

Blackjewel said in court filings it employs about 1,700 employees across Kentucky, Virginia, Wyoming and West Virginia.

"We learned about bankruptcy news through local media and by constituents calling into our office, saying their checks have bounced and [asking] how can we help," said Natalie Chapman, special assistant for rural workforce development in Gov. Ralph Northam's administration.

Stephen Mullins, small business coordinator for the Southwest Virginia Workforce Development Board, said rapid response resources may have been provided sooner if the company had filed a WARN notice, but he has been pleased with the resource agencies pulled together.

The company has offered a handful of statements about the impacts of the ongoing bankruptcy proceedings in U.S. Bankruptcy Court for the Southern District of West Virginia. But it hasn't provided a precise timeline for when all employees will return to work and receive owed pay.

"Management — and everyone involved in Blackjewel's Chapter 11 case — understands that every day that passes adds to the hardship our employees and their families are experiencing, and we want to emphasize the urgency with which we are approaching this situation," David Beckman, interim CEO of Blackjewel, said in a statement July 10.

"We are doing everything possible to get our employees back to work and ensure they are able to deposit their paychecks as quickly as possible."

So far, the coal company says more than 140 employees across its operations have returned to work to ensure the safety of the mines and equipment. Earlier this month, the court approved \$5 million in emergency financing, which the company used, in part, to bring those employees back.

"All the employees returning to work have or will be paid for time worked prior to the company's Chapter 11 filing, and the company fully intends to pay these employees for all hours worked moving forward. The company's ability to bring more employees back to work is contingent upon its ability to secure additional financing, which remains the top priority for the management team," the company said in its July 10 statement.

Virginia Attorney General Mark Herring has since taken steps to alert federal authorities about the severity of the situation.

Herring and Kentucky Attorney General Andy Beshear sent a letter Tuesday to the Office of the United States Trustee, urging "an immediate resolution in the form of payment of all paychecks of all Virginia and Kentucky employees of Blackjewel, L.L.C."

"Many miners have found themselves in a precarious state of purgatory and uncertainty: neither working, nor laid off. But regardless of their employment status, it is clear that many have not been paid the wages they have earned, creating financial chaos and a cascade of negative consequences," the attorneys general wrote.

Blackjewel did not immediately return a request for comment about this letter Tuesday afternoon.

The company is still working to obtain additional financing, although a final agreement hasn't been reached, Blackjewel's attorneys wrote in a status report filed with the court Monday. About \$2 million remains of the existing \$5 million in financing, and the company expects to provide another update to the court no later than Wednesday, according to the filing.

A number of employees also recently filed letters with the court, detailing the bankruptcy's impacts on their families and personal finances.

"It has hurt me + my family. My daughter will not get to play sports now cause we can't afford it," one person wrote in a handwritten note attached to a letter from a group of Virginia miners. "I feel like I am losing everything + my life is falling apart."

On Tuesday morning, Beckie Cox, rapid response coordinator for the western Virginia region, pointed to a "dead end" street sign across the road from the Virginia Career Works center in Norton.

"We don't want them to feel that way," she said about the affected Blackjewel employees.

"It's a transition, it's not easy," she said, adding that she encourages affected employees to connect with resources and get the assistance they might need.

"Their [unemployment] claim won't pop up in front of somebody in the state who doesn't know what's going on," she said.

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ETSU

From Page A1

"We are increasingly recognizing that one of the greatest health challenges for our region, and our nation, is to interrupt the intergenerational cycles of poor health, lack of education and persistent poverty," Wykoff said. "The center's mission is to work with regional partners and national experts to interrupt those cycles quickly, efficiently and affordably."

The center will also seek to be a reliable source of information for policymakers, providing evidence-based data from which to help inform policy decisions that can improve health in rural and nonurban communities, ETSU's release states. It will pursue connections with a range of funding partners to support efforts that advance the health and well-being of residents in these areas.

"This is a historic day for ETSU, and we are grateful to Gov. Lee and our partner, Ballad Health, for this significant investment that will help to improve the lives of the people of this region and in rural communities across the nation," Noland said. "As one of the world's most respected leaders in public health, Dr. Randy Wykoff has dedicated his entire career to improving health outcomes, and our new center will benefit greatly from his expertise and leadership and his vision for a healthier tomorrow for Tennesseans."

Noland added that rural health is not just a Tennessee issue but a national one.

"I'm pleased that ETSU will lead this academic, research-based effort to solve some of our nation's most important problems," he said.

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John Paul Stevens, 99

Retired Supreme Court justice dies

BY MARK SHERMAN and CONNIE CASS
The Associated Press

WASHINGTON — John Paul Stevens, the bow-tied, independent-thinking, Republican-nominated justice who unexpectedly emerged as the Supreme Court's leading liberal, died Tuesday in Fort Lauderdale, Florida, after suffering a stroke Monday. He was 99.

During nearly 35 years on the court, Stevens stood for the freedom and dignity of individuals, be they students or immigrants or prisoners. He acted to limit the death penalty, squelch official prayer in schools, establish gay rights, promote racial equality and preserve legal abortion. He protected the rights of crime suspects and illegal immigrants facing deportation.

He influenced fellow justices to give foreign terrorism suspects held for years at the Guantanamo Bay, Cuba, naval base the right to plead for their release in U.S. courts.

Stevens served more than twice the average tenure for a justice and was only the second to mark his 90th birthday on the high court. From his appointment by President Gerald Ford in 1975 through his retirement in June 2010, he shaped decisions that touched countless aspects of American life.

"He brought to our bench an inimitable blend of kindness, humility, wisdom and independence. His unrelenting commitment to justice has left us a better nation," Chief Justice John Roberts said in a statement.

He remained an active writer and speaker into his late 90s, surprising some when he came out against Justice Brett Kavanaugh's confirmation following Kavanaugh's angry denial of sexual assault allegations. Stevens wrote an autobiography, "The Making of a Justice: My First 94 Years," that was released just after his 99th birthday in April 2019.

At first considered a centrist, Stevens came to be seen as a lion of liberalism. But he rejected that characterization.

"I don't think of myself as a liberal at all," Stevens told The New York Times in 2007. "I think as part of my general politics, I'm pretty darn conservative."

The way Stevens saw it, he held to the same ground, but the court had shifted steadily to the right over the decades, creating the illusion that he was moving leftward.

He did change his views on some issues, however. He morphed from a critic of affirmative action to a supporter and came to believe the death penalty was wrong.



Stevens

Briefly

Planned Parenthood to defy referral rule

WASHINGTON — Federally funded family planning clinics, including Planned Parenthood, are defying the Trump administration's ban on referring women for abortions, drawing a fine against what they say amounts to keeping patients in the dark about legitimate health care options.

"We are not going to comply with a regulation that would require health care providers to not give full information to their patients," Jacqueline Ayers, the group's top lobbyist, said in an interview Tuesday. "We believe as a health care provider it is wrong to withhold health care information from patients."

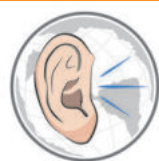
The fallout from the confrontation between the Trump administration and the clinics remains to be seen, but groups like the American Medical Association have been warning that many low-income women could lose access to basic services like contraception. Planned Parenthood's announcement came on a day when it also replaced its president, although it's unclear if there was any connection.

From wire reports



Elmer Russell - Troutdale, VA

"I have really enjoyed hearing the world again, I can even hear the birds singing for the first time in years!"



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WORK BEGINS ON
BOYCE COX FIELD
BLEACHERS
REGION » A3



TACO JOHN'S ON
EUCLID AVENUE
CLOSES ITS DOORS
REGION » A3



BRISTOL HERALD COURIER

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The Sessions Hotel in Bristol

Southern Craft to open at hotel

BY DAVID MCGEE
BRISTOL HERALD COURIER

BRISTOL, Va. — Southern Craft Restaurant is expected to open a second Tri-Cities location later this year at The Sessions Hotel. The hotel, which is currently under construction in the 800 block of State Street near Commonwealth Avenue, announced last year it was revising its food service plans. On Monday, hotel officials announced the selection in a written statement.

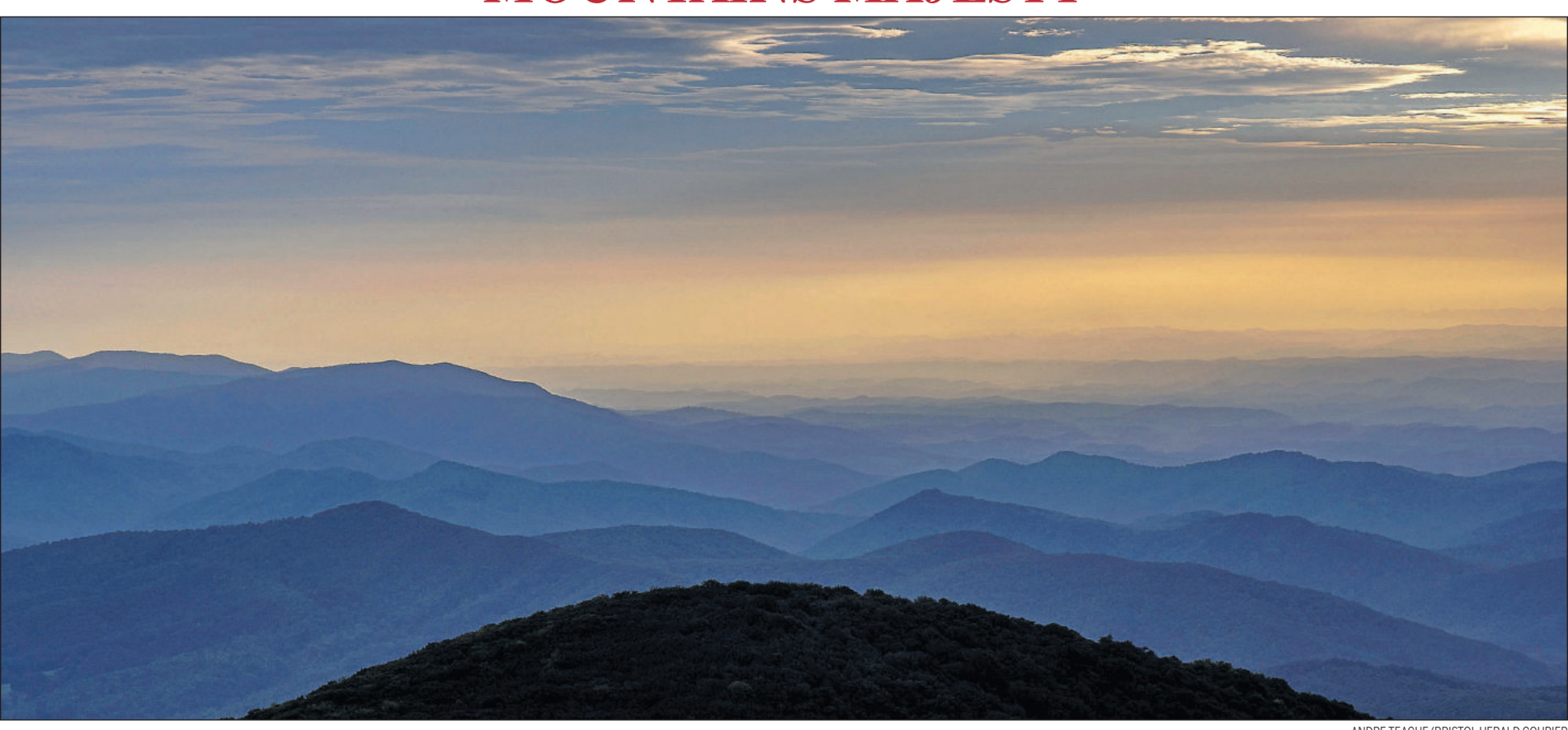
“As we entered construction and developed the project, we learned a lot about what the Bristol community wanted in a restaurant, what downtown needed and what would complement the concept of the Sessions Hotel,” said Hal Craddock, partner in project developers Creative Boutique Hotels. “High quality barbecue was the missing element.”

The hotel’s developers met with several restaurant operations throughout the Southeast and selected Southern Craft. “We feel the concept fits with the overall culture and experience we desire for the hotel. The expertise and proven success that this group brings to the project is critical,” said Kimberly Christner with Cornerstone Hospitality, a partner in the project.

Southern Craft features award-winning, wood-fired smoke-house barbecue, sauces by Tony Wilson of Stony Creek, Tennessee, along with side dishes. The restaurant will also offer cocktails, wines and award-winning craft beers brewed by Great Oak Brewing, which is inside the hotel.

See **HOTEL**, Page A8

MOUNTAINS MAJESTY



ANDRE TEAGUE/BRISTOL HERALD COURIER

Shadows deepen in the rolling ridges and mountains of Southwest Virginia as the sun sets during a recent visit to Whitetop Mountain.

Study: Millions should stop taking aspirin for heart health

BY LAURAN NEERGAARD
The Associated Press

WASHINGTON — Millions of people who take aspirin to prevent a heart attack may need to rethink the pill-popping, Harvard researchers reported Monday.

A daily low-dose aspirin is recommended for people who have already had a heart attack or stroke and for those diagnosed with heart disease.

But for the otherwise healthy, that advice has been overturned. Guidelines released this year ruled out routine aspirin use for many older adults who

See **ASPIRIN**, Page A5

Many Blackjewel employees still owed pay, figuring out next steps

BY TIM DODSON
BRISTOL HERALD COURIER

Three weeks after coal producer Blackjewel LLC declared bankruptcy and told its employees to stay home from work, many Virginia miners are navigating a period of limbo between being laid off and deciding whether to hold out hope that the company will fully reopen or pursue new job opportunities.

Some workers say they lost trust in the company after their paychecks from the end of June bounced and communication from the company was limited about when they can expect to be paid. Others are more optimistic that Blackjewel may reopen its 10 Virginia facilities and bring them back to work.

“It just makes you feel helpless,” said Francis Shortridge, whose husband and son worked the D-17 mine at Jewell Ridge and doubts all of the affected employees can continue in the coal industry if Blackjewel doesn’t reopen the mines anytime soon.

“There aren’t that many mines here to handle 480-something people,” he said Monday. According to state data, 484 Virginians worked for the company in 2018.

As the bankruptcy proceedings unfold in U.S. Bankruptcy Court for the Southern District of West Virginia, the company — the country’s sixth largest coal producer in 2017, according to the most recently available federal data — has yet to obtain long-term financing that would allow it to resume full operations.


See **STEPS**, Page A8

Upcoming Fairs

» The Southwest Virginia Workforce Development Board is hosting a resource fair at the Booth Center in Grundy on Thursday from 10 a.m. to 3 p.m.

» A job fair is scheduled Wednesday at the Mountain Empire Community College Center for Workforce and Innovation of Appalachia in Appalachia from 10 a.m. to 2 p.m.

Thank you,
Fern Lowe,
for subscribing
to the Bristol
Herald Courier.


75/53
Weather » A8



INSIDE



Wagner gets support for Baseball Hall of Fame » B1

INSIDE: CLASSIFIED B6 | COMICS B4 | DEATHS A4-5 | OPINION A7 | SCOREBOARD B2 | TELEVISION B5



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Forecast for Bristol

LOCAL FORECAST

Occasional rain today. Winds north-northeast 4-8 mph. Expect less than 2 hours of sunshine with average relative humidity 80%. Clear and cool tonight with the temperature approaching the record low of 51 set in 1947. Winds north 3-6 mph.

POP: Probability of Precipitation

TODAY



75° 53°

Occasional rain

Wind: NNE 4-8 mph
POP: 65%

WEDNESDAY



78° 55°

Mostly sunny and nice

Wind: NNE 4-8 mph
POP: 5%

THURSDAY



81° 58°

Mostly sunny and nice

Wind: NE 3-6 mph
POP: 5%

FRIDAY



82° 59°

Partly sunny and delightful

Wind: WSW 3-6 mph
POP: 15%

SATURDAY



84° 61°

A t-storm in spots in the afternoon

Wind: SW 3-6 mph
POP: 40%

SUNDAY



84° 61°

Partly sunny and pleasant

Wind: WNW 3-6 mph
POP: 20%

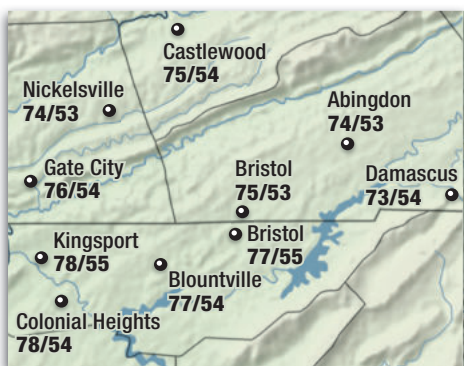
MONDAY



85° 65°

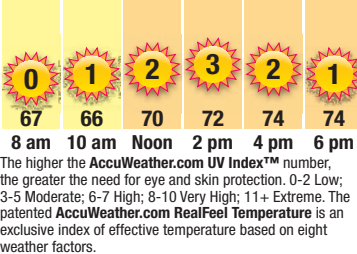
A shower and thunderstorm around

Wind: VAR 2-4 mph
POP: 65%

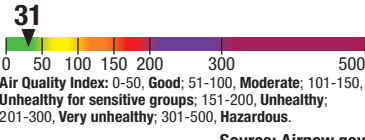


CONDITIONS TODAY

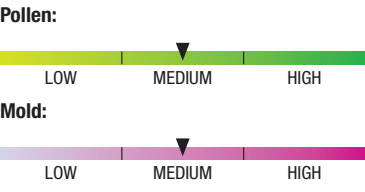
UV Index and RealFeel Temperature®



AIR QUALITY INDEX TODAY

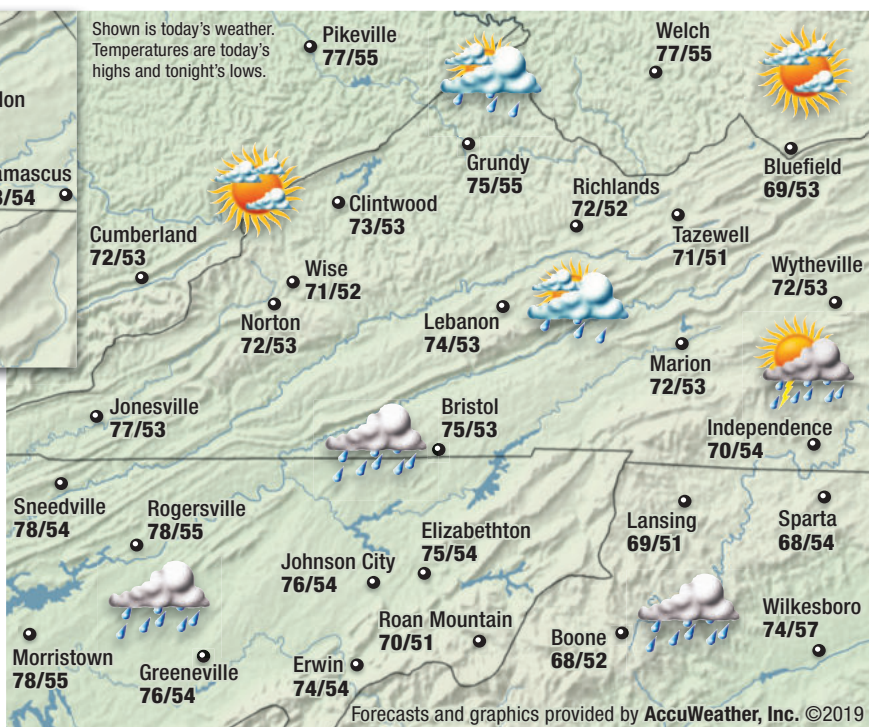


POLLEN INDEX



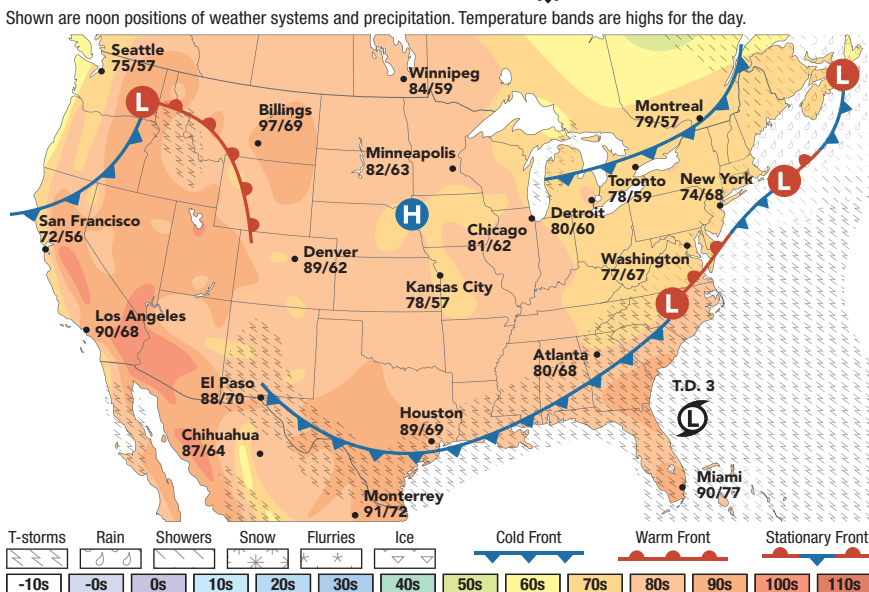
REGIONAL LAKES

Lake	Full Pool	Level	24-hr. Change
South Holston	1729	1729.34	+0.01
Watauga	1959	1958.58	+0.07
Boone	1382	1353.61	-0.20
Ft. Patrick Henry	1261	1260.75	-0.01
Cherokee	1071	1069.61	+0.12
Douglas	994	992.59	+0.04



REGIONAL FORECAST: Rain tapering off in eastern Tennessee and to the east today; a passing shower in the morning to the north and in the west. Clear tonight. Mostly sunny and pleasant tomorrow and Thursday. Friday: sun and some clouds. Saturday: a thunderstorm in spots in the afternoon.

NATIONAL FORECAST











ALMANAC

Tri-Cities Reg. Airport through 5 p.m. Mon.	
Temperature	81°/71°
High/low	86°/64°
Normal high/low	86°/64°
Record high	98° in 1952
Record low	52° in 1944
Precipitation (in inches)	0.81"
24 hours ending 5 p.m.	0.81"
Month to date/normal	2.43"/3.32"
Year to date/normal	35.91"/24.61"

WEATHER HISTORY

On July 23, 1979, heavy rain pushed the Reedy River out of its banks at Greenville, S.C. Thunderstorms dumped 2.00 inches of rain on Johnstown, Pa., in just one hour.

SUN AND MOON

	Today	Wed.
Sunrise	6:27 a.m.	6:28 a.m.
Sunset	8:43 p.m.	8:42 p.m.
Moonrise	12:11 a.m.	12:39 a.m.
Moonset	12:31 p.m.	1:27 p.m.
Last		
New		
First		
Full		
Jul 24	Jul 31	Aug 7

WEATHER TRIVIA™

Q: When does the Atlantic hurricane season start to get into full swing?

TRAVEL FORECAST

City	Today Ho/Lo/W	Wed. Hi/Lo/W
NATIONAL CITIES		
Albuquerque	86/66/pc	90/70/t
Anchorage	70/58/c	64/57/sh
Atlanta	80/68/t	84/66/pc
Atlantic City	77/70/r	80/69/pc
Baltimore	78/63/sh	85/63/s
Baton Rouge	83/68/t	87/66/pc
Billings	97/69/t	98/61/t
Bismarck	84/62/s	85/66/s
Boise	96/64/s	89/58/s
Boston	70/65/r	78/67/pc
Buffalo	79/60/s	77/61/s
Charlotte	79/62/t	84/62/c
Cheyenne	82/59/t	86/62/t
Chicago	81/62/s	83/62/s
Cincinnati	79/59/s	81/60/pc
Cleveland	77/62/s	79/60/s
Dallas	89/66/s	88/66/s
Denver	89/62/s	93/64/pc
Des Moines	80/60/s	82/62/s
Detroit	80/60/s	81/61/pc
Fairbanks	82/61/pc	77/57/sh
Grand Rapids	79/56/pc	82/60/s
Helena	90/60/pc	85/49/r
Honolulu	89/79/pc	90/78/s
Houston	89/69/pc	90/65/s
Indianapolis	80/59/s	81/60/s
Jacksonville	91/71/t	83/69/t
Kansas City	78/57/t	81/62/s
Las Vegas	102/84/t	102/83/t
Little Rock	83/61/s	84/63/s
Los Angeles	90/68/s	91/68/s
Louisville	82/63/s	83/62/pc
Memphis	82/63/pc	84/64/pc
Miami	90/77/t	92/78/t
Milwaukee	78/62/s	80/64/s
Minneapolis	82/63/s	83/65/s
Nashville	83/59/pc	84/60/s
New Orleans	85/75/t	88/74/t
New York City	74/68/sh	81/67/s
Oklahoma City	84/58/s	86/60/s
Omaha	80/60/s	82/66/s
WORLD CITIES		
Acapulco	87/78/t	88/78/t
Amsterdam	86/67/s	94/69/s
Baghdad	113/82/s	116/85/s
Barcelona	86/73/s	85/73/s
Beijing	96/77/pc	100/80/c
Beirut	88/76/s	87/76/s
Berlin	84/61/pc	88/64/pc
Buenos Aires	55/41/c	56/43/c
Cairo	98/76/s	97/76/s
Hanoi	92/80/t	93/80/t
Hong Kong	89/82/t	89/83/t
Kabul	100/68/s	102/67/s
London	89/68/s	88/67/pc
Manila	89/78/t	89/78/t
Montreal	79/57/pc	75/58/s
Moscow	70/59/sh	69/60/r
Paris	98/73/pc	102/74/pc
Tokyo	83/74/t	86/75/t

Steps

From Page A1

However, the court has approved two loans to keep the company afloat.

After denying a proposed \$20 million loan package, the court approved \$5 million in emergency financing on July 3 to be used for security measures, "essential firefighting personnel," professional fees of up to \$500,000 and "other essential emergency expenses." Blackjewel used this money, in part, to bring 140 employees back to work across its operations. In total, the company said in court filings it has about 1,700 employees in Kentucky, Virginia, Wyoming and West Virginia.

On Friday, the court approved an additional \$2.9 million in interim debit-in-possession financing.

The company said in court filings last week that it had used about \$3 million of the initial \$5 million loan. In the company's request for the new financing, it included a cash flow forecast throughout Monday showing it needed \$2.07 million to pay for insurance and \$658,000 to cover payroll for employees who have returned to work.

The \$2.9 million loan, the com-

Workers' Response

» Joe Williamson, 33, worked at the D-17 mine at Jewell Ridge and doubts all of the affected employees can continue in the coal industry if Blackjewel doesn't reopen the mines anytime soon.

» "They're not being held accountable," said Rufus Jewell, who also worked at the D-17 mine.

» "The only thing you can do in a situation like this is move on," said Clinton Lester, who worked as a foreman at D-17. He said he'd be skeptical of returning to Blackjewel if he's called back.

pany said in court documents, is "short-term bridge financing."

At a hearing Friday, Judge Frank Volk asked Blackjewel's attorneys about the impacts on workers.

Stephen Lerner, who represents Blackjewel, said amounts owed to employees would be at the "top of the food chain" in a restructuring deal, according to West Virginia Public Broadcasting's report on the hearing.

But it's unclear when and if the company's East Coast operations will return to full operation until Blackjewel reaches a deal for long-term financing.

"I won't say it's impossible, but I think at this point, with what we

know, it's less likely to happen in the East than in the West," Lerner told the court, West Virginia Public Broadcasting reported. "And that's simply because of the nature of operations and the cost structure."

As employees learn about these short-term loans, some are dismayed those funds haven't been used to pay what they are owed.

"They're not being held accountable," said Rufus Jewell, who also worked at the D-17 mine.

Like many of his co-workers, Jewell, 47, faces difficult financial decisions. He recently filed for unemployment, is looking at signing up for the Supplemental Nutrition Assistance Program and he's trying to figure out how he'll make his vehicle payments.

Jewell has worked in mining for a number of years and said he wouldn't be opposed to returning if he's called back to work.

"Coal has been good to me and my family," he said, but he hopes management would improve.

Other miners, like Williamson, said they just want their owed pay. In total, the company owes about \$11.75 million in payroll-related obligations to its East Coast employees as of July 1, according to a document filed with the court Saturday.

Williamson said he sold a ve-

hicle to pay for groceries and also filed for unemployment. He's now considering welding and heavy equipment operating classes so he can learn a new skill.

"The only thing you can do in a situation like this is move on," said Clinton Lester, who worked as a foreman at D-17. He said he'd be skeptical of returning to Blackjewel if he's called back.

"If I'm working somewhere that's going to take care of me, why [would I] go back somewhere that hurt me?" he said.

In an update to employees Monday, Blackjewel said its management "continues to do everything possible to secure additional financing to safely resume as much of Blackjewel's operations as possible and to bring more employees back to work."

The statement addressed questions employees raised about their benefits, including 401(k) retirement savings accounts.

"The funds in your 401(k) account belong to you — not the Company — and are therefore not affected by the Chapter 11 filing. That said, we are aware that certain amounts due prior to the filing were not paid as of the time Blackjewel filed for Chapter 11 protection. We are currently reviewing this situation with the hope of bringing the 401(k) payments up to date as of the filing,"

the company said in the employee update.

But employees can't take funds out of their 401(k) accounts because they haven't been terminated, and the plan doesn't permit withdrawal until the employee quits or is terminated, the company said.

Government officials have started responding to the ongoing situation.

Virginia Attorney General Mark Herring and Kentucky Attorney General Andy Beshear sent a letter to the Office of the United States Trustee last week, urging "an immediate resolution in the form of payment of all paychecks of all Virginia and Kentucky employees of Blackjewel, L.L.C."

The Southwest Virginia Workforce Development Board also convened local and state agencies for "rapid response" resource sessions in the region starting last week. Their efforts continue with a resource fair at the Booth Center in Grundy on Thursday from 10 a.m. to 3 p.m.

A job fair is scheduled Wednesday at the Mountain Empire Community College Center for Workforce and Innovation of Appalachia in Appalachia from 10 a.m. to 2 p.m.

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Hotel

From Page A1

Original Southern Craft in Johnson City.

"We're excited to bring this concept to Bristol and to be a part of what Creative Boutique Hotels is creating with The Sessions Hotel in Bristol," Rafael Zabala, a partner in Southern Craft, said in the statement. "We believe this project, being located at the western entrance to State Street, will not only be great for visitors to the community but for Tri-City residents as well. Our Southern Craft concept is closely aligned with everything that is being created at the hotel. In fact, the restaurant space is very similar to our Johnson City location."



CONTRIBUTED PHOTO/SOUTHERN CRAFT

Southern Craft, a Johnson City-based eatery/brewery, will open a location at The Sessions Hotel in Bristol, Virginia. The hotel opening is now expected in late October or early November.

The restaurant will be in the two-story historic Service Mills building along Commonwealth Avenue, occupying the entire first floor of the 100-year-old

brick structure. The bar area will occupy the first floor of the adjacent four-story mill building with covered outdoor seating opening toward Goode Street.

The second level above Southern Craft will be called "Simply Grand" and feature event spaces accommodating up to 150 guests, an additional bar and an

indoor music stage, according to the statement.

Plans also include a large outdoor music lawn space between the mill and the former Jobbers Candy building, including a stage and outdoor music venue. Southern Craft is slated to service this area from a walk-up window.

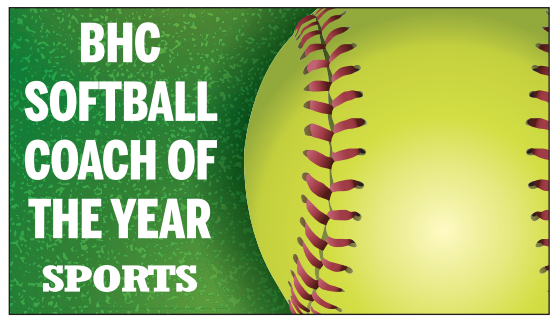
A rooftop venue overlooking the music lawn will be on the top of the adjacent Jobbers Candy building and offer a full bar and appetizers menu.

The \$20 million hotel is now expected to open in late October or early November, Christener wrote in an email.

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Virginia
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A&E » A6



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Blackjewel looking for buyers for assets

BY TIM DODSON
BRISTOL HERALD COURIER

Coal producer Blackjewel LLC is looking for potential buyers for its assets, according to a status report filed Tuesday with the U.S. Bankruptcy Court for the Southern District of West Virginia. The company listed 27 “principal assets” — including 10 facilities in Virginia — when it filed for Chapter 11 bankruptcy on July 1. As the bankruptcy case proceeds, work has halted at its facilities, which employed nearly 1,700 in Virginia, Kentucky, West Virginia and Wyoming.

Company advisers have reached out to more than 20 parties “to solicit interest in acquiring the Debtors’ assets with respect to their eastern and western operations,” the update reads. So far, eight parties “have signed non-disclosure agreements ... and are actively engaged in conducting due diligence,” the company’s attorneys said.

The court approved two short-term loans in recent weeks to keep Blackjewel afloat, but the company has yet to secure long-term financing that would allow it to fully restore operations at its sites.

See **BLACKJEWEL**, Page A9

EMPLOYEE RESOURCES

» An email address, blackjewel@oag.state.va.us, has been set up by Virginia’s attorney general for Blackjewel employees who have issues as a result of the company’s bankruptcy.

INSIDE



Richlands’ Mac Osborne commits to Va. Tech » B1

Thank you,
Steve McKinnon,
for subscribing
to the Bristol
Herald Courier.

Weather » A10



RUSSIA PROBE

Mueller: No exoneration



AP PHOTO/ALEX BRANDON

Former special counsel Robert Mueller is sworn in by House Judiciary Committee Chairman Jerrold Nadler, D-N.Y., to testify before the House Judiciary Committee hearing on his report on Russian election interference on Capitol Hill on Wednesday in Washington.

■ Ex-special counsel: Russian interference is still happening

■ Trump claims it ‘was devastating day for the Democrats’

■ Testimony did not prompt new push for impeachment

BY ERIC TUCKER, MARY CLARE JALONICK and MICHAEL BALSAMO

The Associated Press

WASHINGTON — Robert Mueller, the taciturn lawman at the center of a polarizing American drama, bluntly dismissed President Donald Trump’s claims of “total exoneration” Wednesday in the federal probe of Russia’s 2016 election interference. In a long day of congressional testimony, Mueller warned that Moscow’s actions represented — and still represent — a great threat to American democracy.

Mueller’s back-to-back Capitol Hill appearances, his first since wrapping his two-year Russia probe, carried the prospect of a historic climax to a rare criminal investigation into a sitting American president. But his testimony was more likely to reinforce rather than reshape hardened public opinions on impeachment and the future of Trump’s presidency.

With his terse, one-word answers, and a sometimes stilted and halting manner, Mueller made clear his desire to avoid the partisan fray and the deep political divisions roiling Congress and the country.

See **MUELLER**, Page A5



AP PHOTO/ALEX BRANDON

Former special counsel Robert Mueller checks pages in the report as he testifies Wednesday.

5 Key Takeaways

» **Mueller wouldn’t be a mouthpiece:** Mueller wouldn’t even read from his own report. That made it challenging for Democrats who called him in hopes that the sheer force of hearing him say the words on television would be more powerful to many Americans than the written form.

» **Russian interference is still happening:** Mueller was, for him anyway, far more expansive when he was asked about Russia’s interference in U.S. elections. Mueller warned that what Russia did in 2016 was not a “single attempt.”

» **Indicting never an option:** During his testimony, Mueller made clear that his team never considered charging the president with a crime because of Justice Department guidelines.

» **‘Not a witch hunt’:** Mueller swung back at the characterization made hundreds of times by Trump that the Russia investigation that shadowed his presidency was a “rigged witch hunt.” “It is not a witch hunt,” Mueller testified.

» **Impeachment remains unlikely:** Mueller’s testimony likely did little to change many minds in Congress on impeachment.

Mueller has spoken, but 2020 may be final word

BY LISA MASCARO

AP Congressional Correspondent

WASHINGTON — Robert Mueller’s testimony Wednesday sent the clearest signal yet that impeachment may be slipping out of reach for Democrats and that the ultimate verdict on President Donald Trump will be rendered by voters in the 2020 election.

Democrats had hoped the former special counsel’s appearance would be a turning point. A Marine who served in Vietnam, Mueller is the kind of square-jawed federal prosecutor to whom Americans may have once listened as a trusted source of authority. But in this era of stark political polarization, galvanizing the public is a difficult task even if Mueller wanted to produce a viral moment, which he never seemed inclined to do. Rather than swoop in to give voice to

Analysis

the 448-page report, Mueller said very few words.

What Mueller did say was striking: Trump was not exonerated of potential crimes. His report found Russia interfered in the 2016 election in “sweeping and systematic” fashion. Accepting foreign campaign assistance is wrong, he agreed. But Mueller’s reluctance to engage, and his one-word answers, deprived the country of a where-were-you-when moment that could bring decisive conclusion to the probe and Trump’s role in trying to obstruct the investigation.

“It was not a hoax,” Mueller testified of Russian election interference.

The result, after more than six hours at the House Judiciary and Intelligence committees, was that the

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2020

From Page A1

resides in Washington were retrenching to their familiar outposts, leaving voters to decide what to do next.

Trump derided Mueller's appearance — "disaster," he tweeted — and started fundraising off it. The president's reelection campaign set a \$2 million goal over the next 24 hours, it said, to counter those trying to "TRICK the American People into believing their LIES."

Allies of the White House quickly joined in. GOP Sen. Lindsey Graham of South Carolina called Mueller's appearance "sad." Rep. Devin Nunes of California, the top Republican on the Intelligence panel, said the hearing was the "last gasp" of the investigation.

"It's time for the curtain to close on the Russia hoax," Nunes said. "The conspiracy theory is dead."

Much was riding on Mueller's appearance, coming months after the release of his report in April. House Speaker Nancy Pelosi is weighing liberal calls for impeachment against her own instincts for a more measured approach investigating the Trump administration and laying out the findings.

Activists on the party's left flank have been impatient with what they see as Pelosi's slow-walking of impeachment — but they've also been deferential to her strategy. More than 85 House Democrats have called for the House to begin impeachment proceedings, and more lawmakers are expected to add their names after Mueller's testimony.

Yet even though Democrats hold the House majority, they're far from the 218 votes that would be

needed to approve articles of impeachment. With Republicans controlling the Senate, many Democrats warn moving forward is a political dead end.

"If we have a case for impeachment, that's the place we will have to go," Pelosi said afterward.

Mueller, in his testimony, didn't push the issue any further. While Mueller's team declined to prosecute the president, in part because of a Justice Department opinion against indicting a sitting president, the report also suggested other remedies, including in Congress. Asked about impeachment as an option Wednesday, Mueller refused to comment on it.

The former special counsel was always going to be a reluctant witness who wanted his report to speak for itself. Democrats knew what they would encounter even if they were hoping for a Mueller of a different vintage, from his time leading the FBI after the Sept. 11, 2001, terror attacks.

Instead, they saw a less forceful public presence, hard of hearing at times, hesitant to answer many of the questions, but one still skilled enough in the ways of Washington to not read his report in a way that Democrats could exploit.

When Rep. Ted Lieu, D-Calif., asked if Mueller would read a certain section from the report, Mueller turned the tables: "I'm happy to have you read it."

Republicans had their own expectations and tried to portray Mueller as an actor in an elaborate attempt to undermine Trump's election. Their revived their long-running theory about the origins of the report during Hillary Clinton's campaign and posed questions that seemed well designed to be replayed on conservative media, even if they, too, found Mueller's answers were not entirely fulfilling.

It had all the trappings of a classic Washington political drama, yet brought little closure.

Blackjewel

From Page A1

According to the update, the company is currently looking at stalking horse bids, which would set a minimum bid for an auction of the company's assets.

"While the Debtors have not finalized the sale terms for the various stalking horse bids being negotiated, the parties with which the Debtors are engaged have expressed interest in assets in the Debtors' eastern and western operations," Blackjewel's attorneys said in the update.

The update did not specify which assets could be sold off. The company indicated more filings are expected to be made with the court this week.

Although 140 workers have returned to work across the company's operations, most are still laid off. The company has nearly 500 workers in Virginia, and a number of them haven't been paid for work completed prior to the bankruptcy filing, creating financial hardships when paychecks from the end of June bounced. Many of the af-

fectured employees have filed for unemployment and are starting to look for new jobs.

Virginia Attorney General Mark Herring's office announced Wednesday that it has designated dispute resolution experts to mediate issues Blackjewel employees may be having as a result of the bankruptcy, like overdraft fees, rent and child care payments. The office set up an email employees can contact for help with accessing the free resources at blackjewel@oag.state.va.us.

"The sudden and haphazard bankruptcy of Blackjewel left nearly 500 Virginians without the paychecks they have earned, leading many to scramble for a way to pay their bills, provide for their families, and make ends meet," Herring said in a news release. "I'm hoping the dispute resolution experts in my office will be able to help mediate and resolve any problems these workers have encountered as a result of Blackjewel's conduct."

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UNION TIME

The United Mine Workers Annual Cook-Out will be held on July 27, 2019 at 11:30 a.m. at the Russell County Fair Grounds located in Castlewood, Virginia celebrating 30 years since the Pittston strike with a reunion of all our brothers and sisters, our labor friends and all others who supported us in 1989-1990. Topics will include the Pittston strike and our pension status/legislation. Please come in solidarity and fellowship with us & enjoy great music and great food. Anyone who supports our cause is welcome! Any questions please contact Josh West @ 276-762-5538.
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Sixth Street expansion causing problems for business owners

REGION » A3

Nobel laureate Morrison dies at 88

» A5



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Judge OKs Contura's bid for mines

BY TIM DODSON
BRISTOL HERALD COURIER

Bristol, Tennessee-based Contura Energy received the green light from a federal bankruptcy judge Tuesday to move forward with buying three mines in Wyoming and West Virginia from bankrupt coal producer Blackjewel LLC.

The proposed sale, however, still must be approved by the fed-

eral government, and it's not clear how soon operations would resume at the mines.

A Contura representative declined comment Tuesday evening.

After filing for Chapter 11 bankruptcy on July 1 and unsuccessfully trying to obtain long-term financing, Blackjewel held a court-

See **CONTURA**, Page A5

\$250K donation to help Blackjewel workers

BY TIM DODSON
BRISTOL HERALD COURIER

As the details of coal producer Blackjewel LLC's bankruptcy continue to be sorted out in federal court, a foundation announced a \$250,000 donation

to help those in Wise and Lee counties affected by the closing.

The Richard and Leslie Giliam Foundation presented the amount to the Southwest Virginia Workforce Development Board at a ceremony in Norton on Monday.

This week, the board will start the process of mailing a \$2,000 check to each Blackjewel employee who worked at one of the company's sites in Lee and Wise

See **DONATION**, Page A5

NATIONAL NIGHT OUT

Joining forces

Event looks to bridge gap between police and the community

BY ROBERT SORRELL
BRISTOL HERALD COURIER

As the helicopter approached the parking lot of the Boys & Girls Club in Bristol, Tennessee, on Tuesday night, a few orange cones — set up to keep families from the landing zone — blew across the pavement.

Once on the ground, children and their parents quickly rushed to the side of the Wings Air Rescue helicopter, which joined the 2019 National Night Out event. The chopper's crew members, from Marion, Virginia, said they could only spend a short amount of time in Bristol before returning home for another National Night Out event in Smyth County.

But during their time at the Bristol Tennessee Police Department's event, the crew had a chance to show off the cool gadgets inside the helicopter



PHOTOS BY DAVID CRIGGER/BRISTOL HERALD COURIER

and talk to the children about their jobs.

Police Lt. Brian Hess, who helped spearhead the annual event, said the department also brought in the Fire Department and paramedics, as well as local military personnel and a bounce house. Hess said the department also handed out

See **NIGHT**, Page A5



ABOVE: Three-year-old Jeremiah Lewis climbs through one of the inflatables during the National Night Out event in Bristol, Tennessee, on Tuesday night. **LEFT:** Wings Air Rescue pilot Jason Jones talks with 7-year-old Brantly Jones during the event. National Night Out, which was also held in Bristol, Virginia, and in other communities in the Mountain Empire and across the nation, enhances the relationship between neighbors and law enforcement, while fostering a true sense of community.

INSIDE



VHCC unveils college shuttle service » A3

Thank you, **Stephen Kiley**, for subscribing to the Bristol Herald Courier.

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Weather » A10



ANDRE TEAGUE/BRISTOL HERALD COURIER

The flag flies at half-staff in Cumberland Square Park in Bristol, Virginia, in memory of mass shooting victims in El Paso, Texas, and Dayton, Ohio.

Trump's divisive words collide with call for unity

BY JILL COLVIN
The Associated Press

WASHINGTON — President Donald Trump on Wednesday will bring a message aimed at national unity and healing to the sites of the mass shootings in El Paso and Dayton. But the words he offers for a divided America will be complicated by his own incendiary, anti-immigrant rhetoric that mirrors language linked to one of the shooters.

It is a highly unusual predicament for an American president to at once try to console a community and a nation at the same time he is being criticized as contributing to a combustible climate that can spawn violence. White House officials said Trump's

INSIDE

» Plan to boost 'red flag' gun laws gains momentum in Congress. **A6**

visits to Texas and Ohio, where 31 people were killed and dozens wounded, would be similar to those he's paid to grieving communities including Parkland, Florida, and Las Vegas, with the president and first lady saluting first responders and spending time with mourning families and survivors.

"What he wants to do is go to these communities and grieve with them, pray with them, offer condolences,"

See **TRUMP**, Page A6

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Obituaries

From Page A4



Dr. Samuel Hughes Melton

Dr. Samuel Hughes Melton, age 52, of Bristol, Virginia, went to be with the Lord on August 2, 2019, at the University of Virginia (UVA) Medical Center from injuries incurred from a motor vehicle accident. Born in Miami, Florida, he was the son of Howard Ivy Melton and Betty Hughes Melton. He was preceded in death by his mother, Betty Hughes Melton.

Hughes graduated from Washington and Lee University in Lexington, Va., where he studied German and Interdisciplinary Studies. A dedicated student and member of ROTC, he then went on to study at the UVA School of Medicine, where he served as class president. He stayed at UVA to complete his family medicine residency, where he served as house staff president. Following residency, he served in the US Army at Fort Campbell, Ky. and Fort Bragg, N.C. After leaving the Army, Hughes fulfilled his dream of caring for the medically underserved by opening C-Health, PC in Lebanon, Va., where he cared for patients in Russell County. During this time, Dr. Melton became board certified in Addiction Medicine and cared for his patients with substance use disorders at HighPower, PC in Lebanon. His incredible love for his patients and fellow staff, his evident passion for medicine, and his exemplary leadership led him to be awarded the 2011 Family Physician of the Year by the American Academy of Family Physicians.

After serving in the capacity of a clinician for many years, Hughes began his career in medical administration at Johnston Memorial Hospital in Abingdon, Va., as Chief Medical Officer for the Virginia facilities of Legacy Mountain States Health Alliance. He received the Servant's Heart Award, the highest patient service award granted by Ballad Health. During this time, he received his Master's in Business Administration from the Darden School of Business at UVA.

When he moved into the role of Vice President of Medical Education for the NE and NW markets of Legacy Mountain States, he led efforts to start a family medicine residency, addressing a need to bring more physicians to Southwest Virginia. In 2015, Hughes was presented with the opportunity to touch even more lives across the Commonwealth by accepting the position of Deputy Commissioner of the Virginia Health Department. After two years in this position, he was appointed by Virginia Governor Northam for the position of Commissioner of the Department of Behavioral Health and Developmental Services. His passion and efforts for his work for those with mental illness and addiction in Virginia have been recognized by national leaders.

While his accolades are endless, anyone who knew Hughes understood that to him, things were nothing, and people were everything. His deep love for Jesus Christ touched all aspects of his life and allowed a deeper understanding and passion for his life and the people in it. His devotion and love for his wife Sarah, and daughters Maggie and Claire, were unparalleled. His long, often life-changing and philosophical conversations with older daughter, Maggie, his "buddy," or "Mags," while on the many daddy-daughter dinner dates they shared shaped not only how she views life but how she lives it. He and his younger daughter Claire, or his "Copi," shared hundreds of precious hours together in the tiny Cirrus airplane that he helped teach her to fly. His love for his entire family, friends, patients, and co-workers was palpable. He was generous, kind, funny, patient, forgiving and compassionate. He touched and changed innumerable lives before his death and continues to touch many through his life story and his gift of organ donation. Even in his final minutes, Hughes was loved and celebrated by an "honor walk" in the University of Virginia Medical Center where staff, family, and friends lined the hallways as he was taken from the ICU to the operating room where he passed peacefully surrounded by his father, wife, and daughters and was able to donate his organs.

Hughes is survived by his wife, Dr. Sarah Melton of Bristol, Virginia; daughters, Maggie and Claire of Bristol, Virginia; father, Howard Melton (Diane) of Arlington, Virginia; brother, John Melton (Leigh) of Farmville, Virginia; brother, Benjamin Melton (Lisa) of Richmond, Virginia; father-and mother-in-law, Samuel and Margaret Tollison of Riner, Virginia; sister-in law, Julie McMichael of Riner, Virginia; and sister-in-law, Katie Reynolds (Peter) of Dayton, Ohio. He had numerous cousins, nieces, and nephews that he loved with all of his heart.

We would like to thank the incredible medical team of the Surgical Trauma ICU ward at the University of Virginia Medical Center, especially Michael D. Williams, MD, Ashok Asthagiri, MD, Rudolph B. Rustin III, MD, Elizabeth Alvarez, MSN, BSN, Katie Miller, BSN, Katie Ryan, BSN, Gabby Squeo, MD, and Katherine Pedersen, BSN. We would also like to thank Dr. and Mrs. Richard Pearson for their continued love and support.

A Celebration of Life will be held Sunday, August 11, 2019, at Fellowship Chapel, 201 Crockett Street, Bristol, VA 24201. Visitation will be held from 2 until 5 p.m., followed by a service at 5 p.m. Interment will be private.

In lieu of flowers, the family asks that donations be made to the UVA Cancer Center, Betty Hughes Melton Memorial Fund. Donations can be mailed to UVA Health Foundation, P.O. Box 400807, Charlottesville, VA 22904-4807, or made online at www.giving.uvahealth.com.

Weaver Funeral Home in Bristol, Tennessee will be assisting the family with Bristol services. Condolences can be sent to the family at www.hillandwood.com.

Toni Morrison, 88



AP PHOTO/CAROLYN KASTER

In this May 29, 2012, photo, author Toni Morrison receives her Medal of Freedom award during a ceremony in the East Room of the White House in Washington. The Nobel Prize-winning author has died. Publisher Alfred A. Knopf says Morrison died Monday at Montefiore Medical Center in New York. She was 88.

Nobel laureate, literary icon dies

BY HILLEL ITALIE
AP National Writer

NEW YORK — Nobel laureate Toni Morrison, a pioneer and reigning giant of modern literature whose imaginative power in "Beloved," "Sula" and other works transformed American letters by dramatizing the pursuit of freedom within the boundaries of race, has died at age 88.

Publisher Alfred A. Knopf announced that Morrison died Monday night at Montefiore Medical Center in New York after a brief illness.

"Toni Morrison passed away peacefully last night surrounded by family and friends," Morrison's family said in a statement through the publisher. "She was an extremely devoted mother, grandmother, and aunt who reveled in being with her family and friends. The consummate writer who treasured the written word, whether her own, her students or others, she read voraciously and was most at home when writing."

Few authors rose in such rapid, spectacular style. She was nearly 40 when her first novel, "The Bluest Eye," was published. By her early 60s, after just six novels, she had become the first black woman to receive the Nobel literature prize, praised in 1993 by the Swedish academy for her "visionary force" and for delving into "language itself, a language she wants to liberate" from categories of black and white.

Morrison helped educate her country and the world

about the private lives of the unknown and unwanted. In her novels, history — black history — was a hidden trove of poetry, tragedy and good old gossip, whether in small-town Ohio in "Sula" or big-city Harlem in "Jazz." She regarded race as a social construct and through language founded the better world her characters suffered to attain, weaving in everything from African literature and slave folklore to the Bible and Gabriel Garcia Marquez.

"Narrative has never been merely entertainment for me," she said in her Nobel lecture. "It is, I believe, one of the principal ways in which we absorb knowledge."

Winner of the 1988 Pulitzer Prize for "Beloved," she was one of the book world's most regal presences, with her expanse of graying braids; her dark, discerning eyes; and her warm, theatrical voice, which could lower to a mysterious growl or rise to a humorous falsetto. "That handsome and perceptive lady," James Baldwin called her.

Her admirers ranged from college students and housewives to Barack Obama, who awarded her a Presidential Medal of Honor; Bill Clinton, whom the author called "our first black president"; and Oprah Winfrey, who helped expand Morrison's readership. Morrison shared those high opinions, repeatedly labeling one of her novels, "Love," as "perfect" and rejecting the idea that artistic achievement called for quiet modesty.

Night

From Page A1

school supplies and pizza.

Sgt. Matt Cousins brought his K-9 to meet the children, including 1-year-old Turner Gollehon of Bristol. It was the boy's first opportunity to see inside a police car.

Cousins said he was impressed with the large turnout Tuesday.

National Night Out, which was also held in Bristol, Virginia, and in other communities in the Mountain Empire and across the nation, enhances the relationship between neighbors and law enforcement, while fostering a true sense of community, according to information provided by the Bristol Tennessee Police Department. The ultimate goal is to make neighborhoods safer, more caring places to live.

Bristol Virginia Police Department Crime Prevention Specialist Nicole Slagle said she currently has 13 neighborhood watch groups in the city, where four block parties were held Tuesday. Events were held at the community services center at Sapling Grove, Monarch Place, Ridgecrest Town Apartments and the Solar Hill neighborhood.

"National Night Out is a nationwide celebration of neighborhood watch," said Slagle, adding that Target, the main sponsor, provides funding and gifts for the events.

Slagle said the neighborhood watch groups remain active in the city, reporting suspicious activities and crime.

"They're calling and giving me very good, specific information," Slagle said. "They talk to our police officers. They are very comfortable approaching us."

With neighborhood watch groups, the Police Department remains proactive instead of reactive, she said. Slagle added that if criminals discover a neighborhood watch is active, they go elsewhere.

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Donation

From Page A1

and attended one of the board's "rapid response" resource sessions in Norton and St. Charles or the job fair in Appalachia in July, according to a written description of the process provided to the Bristol Herald Courier on Tuesday.

Employees who worked at a site in Lee or Wise and did not attend one of these events — which meant they were not entered into a database of known Blackjewel employees — can still receive assistance by contacting a workforce development specialist.

The Southwest workforce board "has graciously agreed to do the work of contacting these miners and getting the resources into their hands to smooth out this bad set of circumstances that has befallen them," Ross Kegan, a Gilliam Foundation representative, said in a news release about the donation.

The foundation supports initiatives aimed at strengthening communities and improving quality of life in Southwest Virginia and Eastern Kentucky.

Blackjewel — the sixth largest coal producer in the U.S. in 2017, according to the most recently available federal data — filed for Chapter 11 bankruptcy protection on July 1 in U.S. Bankruptcy Court for the Southern District of West Virginia. At the same time, the company halted operations at its facilities in Virginia, Wyoming, Kentucky and West Virginia, and most of the company's 1,700

How to Get Assistance

Blackjewel miners who worked at one of the sites in Lee County or Wise County, but were unable to attend one of the events in July, can contact one of the following workforce development specialists and set up an appointment for assistance:

» Lee County:

Monica Middleton
119 Hill Street
Jonesville, VA 24263
276-346-0054
m.middleton@swvaworks.com

» Scott County:

Sherry Tabor
225 Boone Trail Road – The Pioneer Center
Duffield, VA 24244
276-431-3594
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employees found themselves out of work.

The company owes hundreds of employees back pay for work completed prior to the bankruptcy filing. Miners in Virginia reported that their paychecks from June 28 bounced and were "clawed back" from bank accounts, leaving many with negative balances and dire financial situations. State officials estimate that Blackjewel employed almost 500 Virginians

in 2018. Most of the miners worked in Wise and Buchanan counties, according to data from Virginia's Department of Mines, Minerals and Energy.

As workers started to feel the impacts of the bankruptcy last month, the Southwest Virginia Workforce Development Board convened local and state agencies for a number of resource sessions across the region. These events covered job training and search assistance, unemployment insurance and applying for the Supplemental Nutritional Assistance Program and Medicaid, among other topics.

Following a month of bankruptcy proceedings and unsuccessful efforts to obtain long-term financing, Blackjewel held a court-approved auction last week to sell its assets to interested bidders.

Blackjewel accepted a \$33.75 million bid from Bristol, Tennessee-based Contura Energy for the Belle Ayr and Eagle Butte mines in Wyoming's Powder River Basin and the Pax Surface mine in West Virginia. Other companies bid on several of Blackjewel's Appalachian region facilities, including in Virginia. These proposed sales, however, are still being finalized in federal bankruptcy court this week.

It remains unclear when former Blackjewel employees can expect to be paid and which mines in Virginia may ultimately reopen, although it may be under new ownership.

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Contura

From Page A1

approved auction over three days last week to sell its assets to interested bidders.

Ultimately, Contura ended up with a winning bid of \$33.75 million for the Belle Ayr and Eagle Butte mines in Wyoming's Powder River Basin and the Pax Surface mine in West Virginia. Contura previously announced an initial bid of \$20.6 million for the trio of sites, which included an immediate \$8.1 million deposit that kept Blackjewel afloat.

Contura owned these two Wyoming mines before — it sold them to Blackjewel in 2017 and still holds permits for Belle Ayr and Eagle Butte. It was in the "final stages" of transferring the permits when Blackjewel filed for bankruptcy, Contura's release states. Contura will still be responsible for the multimillion-dollar reclamation obligations at the sites.

Over the course of a two-day hearing that started Monday in Charleston, West Virginia, Blackjewel has also sought approval

for a number of sales involving assets in the Appalachian region, including in Virginia.

The judge authorized Coking Coal LLC's purchase of the Pardee Mine in Wise County and Kopper Glo Mining LLC's purchase of the Black Mountain and Lone Mountain mines near the Kentucky/Virginia border, according to Eastern Kentucky news station WYMT.

A complete list of the specific Virginia-related assets was not immediately available Tuesday evening, and it's also not clear when operations would be restored at any of these facilities.

When Blackjewel filed for bankruptcy, the company halted operations at its facilities in Virginia, Wyoming, Kentucky and West Virginia, and most of the company's 1,700 employees found themselves out of work.

Hundreds of miners haven't been paid for work completed prior to the bankruptcy filing, and many are in difficult financial situations.

State officials estimate Blackjewel employed about 500 people in Virginia in 2018.

Sullivan constable indicted on felony charges
REGION » A3



THE BUMP
1999 race remembered for Earnhardt's nudge of Labonte
» SPORTS, B1

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US delays tariffs on some Chinese goods until December

BY PAUL WISEMAN and CHRISTOPHER RUGABER
AP Economics Writers
WASHINGTON — Responding to pressure from businesses and growing fears that a trade war is threatening the U.S. economy, the Trump administration is delaying most of the import taxes it planned to impose on Chinese goods and is dropping others altogether.
The announcement Tuesday from the Office of the U.S. Trade Representative was greeted with relief on Wall Street and by retailers who have grown fearful that the new tariffs would wreck holiday sales.

The administration says it still plans to proceed with 10% tariffs on about \$300 billion in Chinese imports — extending its import taxes to just about everything China ships to the United States in a dispute over Beijing's strong-arm trade policies.
But under pressure from retailers and other businesses, President Donald Trump's trade office said it would delay until Dec. 15 the tariffs on nearly 60% of the imports that had been set to absorb the new taxes starting Sept. 1. Among the products that will benefit from the 3½-month reprieve are such popular consumer goods as cell-phones, laptops, video game consoles, some toys, com-

See **TARIFFS**, Page A4

INSIDE



Johnson City gives robot to Bristol police
» A3

Thank you, **Ellis Whitten**, for subscribing to the Bristol Herald Courier.

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Weather » A10



SULLIVAN COUNTY



Sullivan County K-9 Officer Andrew Walden wears a new bite suit during a training demonstration Tuesday with K-9 Officer Neeko. The bite suit was purchased by Food City in honor of fallen Sgt. Steve Hinkle.

Stronger bite

New K-9 bite suit donated in honor of fallen Sullivan officer

BY LURAH SPELL
BRISTOL HERALD COURIER
BLOUNTVILLE, Tenn. — Sullivan County Sheriff's Office K-9 Officer Neeko demonstrated Tuesday how a new bite suit holds up to continue his training in apprehending potential suspects on command.

During a training session outside the Sheriff's Office in Blountville, the 7-year-old Belgian Malinois listened to his handler, K-9 Unit Sgt. Kris Thomas, and, within seconds, took down K-9 Officer Andrew Walden, who played the role of a suspect by donning the big orange suit.

See **BITE**, Page A6



K-9 Officer Sgt. Kris Thomas gets Neeko to release his bite from K-9 Officer Andrew Walden during the demonstration.

“He did what he was supposed to do at the end of the day, so, I mean, I was happy with it. ... I can actually feel his full bite.”
— Andrew Walden, Sullivan County K-9 officer

ONLINE
View video of the Sullivan County K-9 officers demonstrating the new bite suit at **HeraldCourier.com**.

Blackjewel

Feds ask judge to halt coal

Motion seeks stoppage until workers get pay

BY TIM DODSON
BRISTOL HERALD COURIER

The U.S. Department of Labor is asking a federal judge to halt the movement of coal from two Virginia facilities owned by bankrupt coal operator Blackjewel LLC until idled workers receive overdue pay.

The federal government considers coal at Blackjewel facilities in Raven and Honaker “hot goods” produced in violation of the Fair Labor Standards Act, which prohibits the transportation of goods made in violation of minimum wage and overtime requirements, Department of Labor attorneys wrote in an emergency motion filed Aug. 9.

As a result, the federal government requested an order in bankruptcy court prohibiting the transport of coal at these locations and requiring that any sales proceeds from the coal be held in an escrow account until the issue of uncompensated work is resolved.

Blackjewel is cooperating with federal authorities, the company's attorneys wrote in a preliminary response filed Aug. 10.

The federal bankruptcy court in Charleston, West Virginia, had not ruled on the motion as of Tuesday afternoon.

Department of Labor investigators interviewed Blackjewel employees in Virginia, who said they were owed pay from between June 10 and July 1. About 20,000 tons of metallurgical coal — with an estimated value of at least \$2.5 million — were observed stockpiled in train cars at a facility called Raven Dock, and employees told investigators 1,800 tons of clean coal and 15,000 tons of raw coal were at the Flat Rock Prep Plant in Honaker, according to the government's filings.

Blackjewel — the country's sixth largest coal producer in 2017, according to the most recently available federal data — filed for Chapter 11 bankruptcy protection on July 1 in U.S. Bankruptcy Court for the Southern District of West Virginia. At the same time, the company halted operations

See **BLACKJEWEL**, Page A6

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Bite

From Page A1

The \$1,800 suit was paid for by Food City in honor of fallen Sgt. Steve Hinkle, who was killed in the line of duty in February.

Thomas got Neeko out of his cruiser and shouted to Walden, who was sitting inside a vehicle, "Sheriff's Office K-9! Get out of the car! Sheriff's Office K-9! Get out of the car with your hands up!"

Walden got out of the car and acted like he was fleeing. Before turning Neeko loose, Thomas shouted, "Turn around! Stop! You're going to get bit!"

When he was let go, Neeko bolted toward Walden and latched onto his left forearm, keeping his grip despite being slung around in circles. Within seconds, he had Walden pinned, face down on the pavement, and he didn't let go until Thomas told him to.

During the takedown, Walden shouted to mimic being in pain, but when asked afterward if it was an act, he said no because it was painful.

"He did what he was supposed to do at the end of the day, so, I mean, I was happy with it," Walden said, adding that the new suit is much better than the old one. "I can actually feel his full bite."

Obviously, Neeko takes his job seriously because, even after he was commanded to stop, he looked around a couple times as if searching for the suspect before taking a break.

"The dog is getting

trained, but it's also training us, too, because we've got to work off of our cues of our dog," Thomas said. "If we're doing a track, and we get close to him [suspect], you'll see the dog's ears go up, he'll stiffen up, tail goes up, then you'll know you're close. His head will come up off the ground, and he'll start wind-scenting instead of tracking down on the ground, so it helps us training all the time to read the cues of our dogs."

Neeko is trained to search for, track and apprehend suspects, as well as to find drugs.

The scenario was similar to a recent call Walden and his dog, K-9 Officer Drako, responded to in the Sullivan Gardens area of the county, he said.

The material of the new suit is much thinner than the retired suit used for training for nine years, but Walden and Thomas said that's a good thing because it means better training for the dogs and handlers. There was some blood on the suit from Neeko's gums after the training. That's normal until the material is worn in some, and it strengthens the dogs' gums, Thomas said.

"It's kind of like wearing a winter sports coat," he said. "It's all about the decoy and the dog. If the decoy can't feel the dog come in and punch, your dog's going to not have a good bite, and the pressure that he can feel, he'll actually have bruises on the arm that he caught the dog on."

The suit is University of Tennessee orange

with white stripes down the legs and arms. Printed on the back of the suit in all capital letters is "Hinkle," and his badge number, 1741, is printed on the side of the left leg.

Sheriff Jeff Cassidy said he and his department are thankful for the donation and for Food City's dedication to helping law enforcement and the community.

"We rely a lot on donations and grants and stuff for certain equipment because most of our budget goes to mandatory [costs] — cars, fuel, the jail, inmates' health care, food, water and shelter," he said.

But Food City Security Director Daniel Sluss, who watched the demonstration with other Food City employees, said the goal of the donation was about honoring Hinkle. After his death, they asked what they could do, and Cassidy said they needed a new bite suit, so they donated the money.

"In light of the tragedy and what happened, we observed everything, and it really pulled on our heartstrings," Sluss said. "We're big in the community. We strive to help and involve the community, and a big part of that is first responders, whether it's EMS [emergency medical services], fire or your local sheriff's office or PD [police department], and we just really felt we want to do something in the honor of Sgt. Hinkle."

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Blackjewel

From Page A1

at its facilities in Virginia, Wyoming, Kentucky and West Virginia, and most of the company's 1,700 employees found themselves out of work.

Miners reported that paychecks from the end of June bounced, creating dire financial straits for many who suddenly found themselves with bills to pay and little information about whether they would return to work.

"Employee statements indicate Blackjewel employees worked on the coal at Raven Dock facility and Flat Rock Prep Plant during the relevant period and were not compensated for the work they performed on the coal," Department of Labor attorneys wrote in the Aug. 9 filing.

In accordance with the Fair Labor Standards Act, "the transporting and transferring of the coal in dispute should be halted in light of the violations of the 'hot goods' provisions of the FLSA and the evidence that these goods were produced by uncompensated employees," the attorneys added.

This follows a similar request earlier this month, when the Department of Labor sought to halt a shipment of coal from Harlan County, Kentucky. That coal had been sold to Blackjewel

Marketing and Sales Holdings LP, an entity formed by Blackjewel, Javelin Global Commodities and Uniper SE that marketed Blackjewel's coal.

Blackjewel is working with federal authorities to reach an agreement to resolve the situation in Kentucky, the company's attorneys said in an Aug. 10 filing.

When Blackjewel learned of the possible FLSA violation in Virginia, it "again cooperated fully with the DOL and DOJ," the attorneys said in the same filing. Some of the Virginia coal was also sold to the marketing company, and Blackjewel agreed not to move it "until a similar agreement to that proposed in Kentucky could be structured related to the Virginia coal."

Blackjewel has asked the Department of Labor to

withdraw the motion related to the allegations in Virginia.

It remains to be seen when and whether Blackjewel's Virginia employees will receive their back pay. State data shows the company employed about 480 Virginians in 2018.

After filing for bankruptcy, the company failed to obtain long-term financing that would have allowed it to fully resume operations at its facilities. It has since sought court approval for a number of sales, most notably a \$33.75 million sale of three mines in Wyoming and West Virginia to Bristol Tennessee-based Contura Energy. Although a judge approved the sale, the federal government still needs to approve the deal.

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NOTICE TO THE PUBLIC OF A PETITION BY APPALACHIAN POWER COMPANY FOR APPROVAL OF THE FRR OPEN ACCESS DISTRIBUTION SERVICE TARIFF CASE NO. PUR-2019-00111

On July 10, 2019, Appalachian Power Company ("APCo" or "Company"), pursuant to § 56-236 of the Code of Virginia ("Code"), filed with the State Corporation Commission of Virginia ("Commission") a petition ("Petition") requesting approval of its Fixed Resource Requirement ("FRR") Open Access Distribution Service Tariff (the "FRR-OAD Rate Schedules").

House Bill 2477 ("HB 2477"), which became effective on July 1, 2019, amends § 56-577 of the Code by requiring customers that elect to shop for retail electric energy pursuant to § 56-577 A 3 and § 56-577 A 4 of the Code to continue to pay the incumbent electric utility for non-fuel generation capacity and transmission related costs that the utility incurs to meet its capacity obligations, if the utility has elected the FRR alternative as a load serving entity in the PJM Interconnection L.L.C. region. The Petition states that APCo has elected the FRR alternative through May 2022. Thus, the Company filed this Petition requesting approval of the FRR-OAD Rate Schedules, effective as of July 1, 2019.

The Company asserts that the non-fuel generation capacity and transmission related costs that shopping customers will pay pursuant to the FRR-OAD Rate Schedules are identical to those in its standard service tariff, which the Commission has approved. Thus, the FRR-OAD Rate Schedules mirror the Company's standard service tariff, except that, as required by HB 2477, the FRR-OAD Rate Schedules exclude the costs for fuel and purchased power and the incremental costs of complying with the voluntary Virginia Renewable Portfolio Standard.

Interested persons are encouraged to review the Petition and supporting documents for the details of these and other proposals.

TAKE NOTICE that the Commission may adopt rates that differ from those appearing in the Company's application and supporting documents.

The Commission entered an Order for Notice and Comment that, among other things, directed the Company to provide notice of its Petition and provided interested persons an opportunity to comment or request a hearing on the Petition.

Copies of the Petition and the Commission's Order for Notice and Comment are available for public inspection during regular business hours at each of the Company's business offices in the Commonwealth of Virginia. Copies also may be obtained by submitting a written request to counsel for APCo, Noelle J. Coates, Esquire, 1051 East Cary Street, Richmond, Virginia 23219. If acceptable to the requesting party, the Company may provide the documents by electronic means.

Copies of the Petition, and the public versions of other documents filed in this case, also shall be available for interested persons to review in the Commission's Document Control Center, located on the first floor of the Tyler Building, 1300 East Main Street, Richmond, Virginia 23219, between the hours of 8:15 a.m. and 5 p.m., Monday through Friday, excluding holidays. Interested persons also may download unofficial copies from the Commission's website: <http://www.scc.virginia.gov/case>.

On or before September 24, 2019, any interested person may file with Joel H. Peck, Clerk, State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218-2118, written comments on the Petition. On or before September 24, 2019, any interested person desiring to submit comments electronically may do so by following the instructions found on the Commission's website: <http://www.scc.virginia.gov/case>. Compact discs or any other form of electronic storage medium may not be filed with the comments. All comments shall refer to Case No. PUR-2019-00111.

On or before September 24, 2019, any person or entity wishing to participate as a respondent in this proceeding may do so by filing a notice of participation. If not filed electronically, an original and fifteen (15) copies of the notice of participation shall be submitted to the Clerk of the Commission at the address set forth above. A copy of the notice of participation as a respondent also must be sent to counsel for the Company at the address set forth above. Pursuant to Rule 5 VAC 5-20-80 B, *Participation as a respondent*, of the Commission's Rules of Practice and Procedure ("Rules of Practice"), any notice of participation shall set forth: (i) a precise statement of the interest of the respondent; (ii) a statement of the specific action sought to the extent then known; and (iii) the factual and legal basis for the action. All such filings shall refer to Case No. PUR-2019-00111. For additional information about participation as a respondent, any person or entity should obtain a copy of the Commission's Order for Notice and Comment.

Any person may request a hearing on the Petition by filing such request for hearing on or before September 24, 2019. If not filed electronically, an original and fifteen (15) copies of the request for hearing must be submitted to the Clerk of the Commission at the address set forth above. Requests for hearing shall refer to Case No. PUR-2019-00111 and shall include: (i) a precise statement of the interest of the filing party; (ii) a statement of the specific action sought to the extent then known; (iii) a statement of the legal basis for such action; (iv) a precise statement why a hearing should be conducted in this matter; and (v) a precise statement why such issues cannot adequately be addressed in comments. Persons filing a request for hearing shall send a copy of the request to the Company's counsel at the address set forth above.

All documents filed with the Office of the Clerk of the Commission in this docket may use both sides of the paper. In all other respects, all filings shall comply fully with the requirements of 5 VAC 5-20-150, *Copies and format*, of the Commission's Rules of Practice.

The Commission's Rules of Practice may be viewed at <http://www.scc.virginia.gov/case>. A printed copy of the Commission's Rules of Practice and an official copy of the Commission's Order for Notice and Comment may be obtained from the Clerk of the Commission at the address above.

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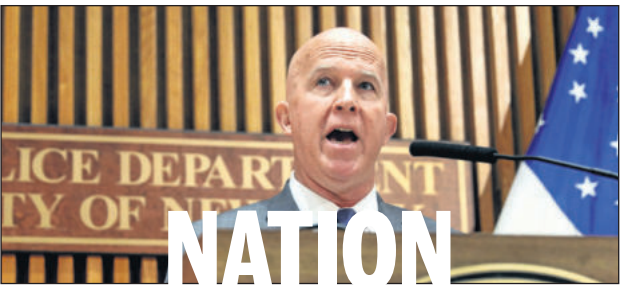
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NATION

NYPD fires officer involved in chokehold death » **A5**

Tenn. High transfer with previous state experience joins volleyball team » **B1**



SPORTS

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TUESDAY, August 20, 2019

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Blackjewel agrees to halt Virginia coal

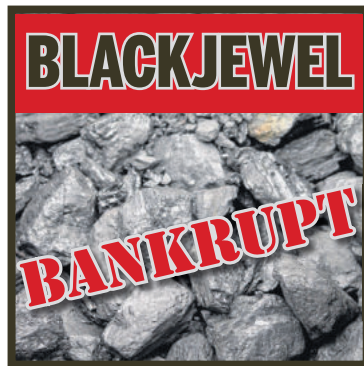
BY TIM DODSON
BRISTOL HERALD COURIER

Bankrupt coal producer Blackjewel LLC, an affiliated marketing company and the U.S. Department of Labor have agreed to a number of stipulations that will halt the transport of coal at three sites in Virginia until the issue of idled employees receiving overdue pay is resolved, according to a filing in a federal bankruptcy court.

The federal government argues that the coal at three Blackjewel facilities in Raven, Honaker and Appalachia are “hot goods” produced in violation of the Fair Labor

Standards Act, which prohibits the transportation of goods made in violation of minimum wage and overtime requirements.

Blackjewel and the marketing company, Blackjewel Marketing and Sales Holdings LP, “agree that they shall not transport, offer for transportation, ship, deliver, sell, or otherwise place into commerce any coal mined, processed, or stored in Virginia, including but not limited to the Virginia Coal” at the three locations “until the issue of the uncompensated work performed on the Virginia Coal by



Debtors’ employees is resolved,” states the Friday filing.

Blackjewel filed for Chapter 11

bankruptcy protection on July 1 in U.S. Bankruptcy Court for the Southern District of West Virginia. As the company started bankruptcy proceedings, it halted operations at its facilities in Virginia, Kentucky, West Virginia and Wyoming.

The company was the country’s sixth largest coal producer in 2017, according to the most recently available federal data.

Most of Blackjewel’s 1,700 employees were laid off, and the company owes many of them paychecks for work completed in the

See **BLACKJEWEL**, Page A4

Greg Kelly, former Abingdon manager, files lawsuit

BY DAVID MCGEE and JOE TENNIS
BRISTOL HERALD COURIER

ABINGDON, Va. — Former Abingdon Town Manager Greg Kelly filed a lawsuit Monday against the town claiming there was a hostile work environment and that his rights were violated under the Americans with Disabilities Act.

“Mr. Kelly has been subjected to insults, invasions of privacy, disclosure of confidential information, and profane and obscene messages from Town leadership and has been publicly ridiculed and defamed on several occasions,” the complaint states.

Kelly served as town manager from Sept. 7, 2006, until his resignation on May 7, 2018, according to a complaint filed in U.S. District Court in Abingdon.

The suit demands a trial by jury and names the town of Abingdon and Mayor Wayne Craig as defendants.

“I don’t think he has any case against me personally,” said Craig, 79, who served on the Town Council when Kelly was town manager but did not become mayor until July 1, 2018, after Kelly left his post.

“I haven’t spoken with him at all,” Craig said. “When he left, he indicated something like he and I should have a long, friendly conversation and that he would be in touch with me, and I haven’t heard from him.”

Kelly’s complaint states that he suffered from anxiety, high blood pressure and depression,

See **MANAGER**, Page A5

WILD HONEY



ANDRE TEAGUE/BRISTOL HERALD COURIER

A bee harvests pollen from a garden of flowers next to the new honeybee hive in Steele Creek Park on Monday afternoon.

INSIDE



Economists, Trump have different economy expectations » **A5, A6**

Thank you, **Jennifer Hurt**, for subscribing to the Bristol Herald Courier.

89/67
Weather » **A8**



Ballad reports solid first-year financial performance

BY DAVID MCGEE
BRISTOL HERALD COURIER

Ballad Health officials reported a solid economic performance in its first full year of operations following the merger of two former health care rivals.

For the fiscal year ending June 30, operating cash flow improved 15.4% to \$228.1 million from \$197.6 million in the prior year, according to a written statement. In addition, total cash flow earnings before interest, taxes, depreciation and amortization [EBITDA] improved 27.5% to \$254.6 million compared to \$199.6 million for the previous 12-month period. Ballad’s EBITDA margin improved from 9.9% in the prior 12-month period to 12.5% for the most recent fiscal year.

“Ballad Health has so far been

successful providing lower overall costs to consumers while also improving its own financial performance, proving that better quality should mean lower costs,” Chairman and CEO Alan Levine said in the statement. “Our improved financial performance is positive proof that by reducing lower acuity admissions and working with our payers across Medicare, Medicaid and commercial lines of services, we can reduce the cost of care for employers and consumers.”

Levine said combining the former Mountain States Health Alliance and Wellmont Health System allows Ballad to reduce “unnecessary duplication” of costs and allows the system to become stronger financially despite de-

clining inpatient numbers in its 21 hospitals.

Total revenue grew 1.3% while expenses remained flat.

Ballad’s improved financial performance follows expense management efforts, improvements in productivity, reduced reliance on temporary and contract labor and focused supply cost management, according to the statement.

The company spent more than \$1.04 billion on salaries, wages and benefits for its roughly 15,000 employees across the region.

Hospital-use rates continued to decline, which Levine said is a problem across rural areas. Ballad Health had 5,085 fewer hospital admissions, with approximately 4,290 of those admissions being

See **BALLAD**, Page A4

BY THE NUMBERS

\$228.1 million
operating cash flow in fiscal year 2018-2019

15.4%
operating cash flow increase from fiscal year 2017-2018

1.3%
total revenue growth from previous fiscal year

\$1.04 billion
spent on salaries, wages and benefits

15,000
approximate employees

SOURCE: Ballad Health

INSIDE: CLASSIFIED **B6-8** | COMICS **B4** | DEATHS **A4** | OPINION **A7** | SCOREBOARD **B2** | TELEVISION **B5**

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Obituaries

A4

TUESDAY, AUGUST 20, 2019 ♦ BRISTOL HERALD COURIER ♦ HeraldCourier.com

Today's deaths

Nancy L. Anders. Marion, Va.
Dorothy R. Blevins, 92
Charles Samuel Davidson, 91
Virginia Denton Dickenson, 80

Information and wording for obituaries are provided by funeral homes and are published as paid notices. Obituaries also appear online at www.HeraldCourier.com. Obituaries must be submitted by 3 p.m. for publication in the following morning's newspaper.



Nancy L. Anders MARION, Va.

Nancy Anders passed away peacefully in her sleep on Saturday, August 17, 2019, at Lucy Corr Medical Center in Chesterfield, Virginia. Nancy was born in Dante, Virginia, to the late George and Bertie Creggar Purcell. She was preceded in death by her late husband of 58 years, Glen Junior Anders. She is also preceded in death by

her sisters, Minnie Dooley and Edna Hawk; and brother, Gerald Purcell.

Nancy never met a stranger. Her beautiful smile and friendly personality warmed the hearts of all who knew and loved her. Nancy was hard-working and exceptionally generous. She loved welcoming customers at Marion Walmart for 24 years as a greeter. She had also given years of service to the Rural Retreat Shirt Factory and Harwood Mfg. Company. While working at Harwood, the company chose her to travel to Nicaragua to train employees there. She collected troll dolls and loved to go out to eat. She dressed as Peggy The Clown to entertain and delight at events and celebrations.

Left to cherish her memory are her three daughters, Linda Mason (Lonnie) of Waynesboro, Shirley Winebarger (Ken) of Chesterfield, and Freida Reed (Jerry) of Cibolo, Texas. In addition, she leaves behind many descendants. Four grandchildren, Shannon Wilt, Joshua Winebarger, Austin Reed (Ashley), and Leah Reed; three great-grandchildren, Brittany Wilt, Hailey Wilt, and Jeff Wilt (Amy); two great great-grandchildren, Raiden and Noctis Evans, several nieces, nephews, loving family, neighbors, and friends.

The family will receive friends from 6 until 8 p.m. on Friday, August 23, 2019, at Bradley's Funeral Home Chapel in Marion. A memorial service will be held on Saturday, August 24, 2019, at 2 p.m. with Pastor Otis Barker officiating. Interment will follow at Mountain View Cemetery in Rural Retreat.

Expressions of sympathy may be sent to the family at www.bradleysfh.com. Bradley's Funeral Home of Marion is serving the Anders family.



MSgt. Charles Samuel Davidson, U.S. Army, Ret.

MSgt. Charles Samuel Davidson, U.S. Army, Ret., age 91, of Blountville, Tenn., went to be with the Lord on Saturday, August 17, 2019, at Hermitage Health Care.

He was born on April 9, 1928, in Sullivan County, Tenn., a son of the late Nathan Edward and Alice Hicks Davidson. He was raised in the Muddy Creek area, and enlisted in the United States Army at a young age. He retired

after 27 years of service, in the 75th Infantry, Airborne Ranger, F Company; with service in the Korean Conflict and two tours in Vietnam. Charles' military career took him all over the world, and his family and country will be forever thankful for his service.

In addition to his parents, he was preceded in death by several siblings; and children, Rose Davidson Schultz, Inga Davidson Callahan, Charlie Davidson, and Barbara Davidson Sims.

He is survived by his daughters, Alice Davidson, Lisa Williams and husband, Bradley; son, Danny Callahan and wife, Jessica; 10 grandchildren, 13 great-grandchildren, one great great-grandchild, and many nieces and nephews.

The funeral service will be held 1 p.m. Thursday, August 22, 2019, in the Weaver Funeral Home Chapel with Pastor Mitchell Ratliff officiating. The family will receive friends from 12 until 1 p.m. prior to the service. The interment will follow the service at 2:30 p.m. at Mountain Home National Cemetery with full military honors and Pastor Chad Blevins officiating.

Online condolences may be registered at www.weaverfuneralhome.net. Arrangements have been made with Weaver Funeral Home and Cremation Services.



Virginia "Jenny" Denton Dickenson

Virginia D. Dickenson, age 80, departed this life at her residence in Lebanon, Va., on Sunday, August 18, 2019. After being hospitalized in Dallas, Texas and Charlottesville, Virginia during recent weeks, "Jenny" returned home and passed peacefully while surrounded by her husband and family

members.

Jenny was born and reared in the greater Kingsport area. She was the second of three siblings born to John H. Denton Sr. and Mary Hauk Denton of Indian Springs, Tenn., and was a Dobyns-Bennett High School and ETSU graduate.

For thirty-five years, Jenny was an educator, and began her teaching career at Tennessee High School and Virginia Intermont College in the Bristol, Tennessee/Virginia area. Thereafter, she taught in several of the states where she and her family resided over the years including North Carolina, Oklahoma, Texas and Virginia. Jenny retired from teaching after serving seventeen years in the Russell County, Virginia school system.

Jenny radiated optimism, happiness and grace; she looked for, and found, a reason to smile regardless of circumstance and provided encouragement, love and a smile to friend and stranger alike. She was a loving wife for fifty-nine years, and a devoted mother and grandmother. Jenny attended Lebanon Memorial United Methodist Church in Lebanon, was beloved by all who knew her, and will be greatly missed by her family and friends.

Jenny was preceded in death by her father and mother; her sister, Nancy D. Evans, and Nancy's husband, Bob C. Evans of Limestone, Tenn.; her brother, John H. Denton Jr of Knoxville, Tenn.; her brother-in-law, Henry H. "Hop" Dickenson Jr. of Kansas City, Kan.; and her grandson, Parker O'Connell of Plano, Texas.

Jenny is survived by her husband, Charles "Bub" Dickenson; sister-in-law, Kathryn D. Johnson of Lebanon and sister-in-law, Polly M. Dickenson of Kansas City, Kan. She is survived by her daughter, Angela D. O'Connell and husband, Terry, of Plano, Texas; her son, Charles E. Dickenson Jr. and wife, Jennifer, of Milton, Ga.; and son, John A. Dickenson and wife, Tiffany, of Southlake, Texas. Jenny is also survived by five grandchildren, Katy and Ellie Dickenson of Milton, Ga., and Will, Ashley and Caroline Dickenson of Southlake, Texas.

A celebration of Jenny's wonderful life on this earth will be held at 7 p.m. on Thursday, August 22, 2019, at the Lebanon Memorial United Methodist Church in Lebanon with Pastor Jeff Tallent officiating.

The family will receive friends on Thursday from 5 until 7 p.m. at the church prior to the service.

A graveside service will be held at 11 a.m. on Friday, August 23, 2019, at Russell Memorial Cemetery in Lebanon.

Share memories of Jenny and condolences with the family at www.owensfuneralservice.com.

Owens Funeral Service, 7 Tate Ave., Lebanon, Va., (276) 889-1212, is in charge of arrangements.



Ballad

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lower acuity medical admissions.

Adjusted discharges declined 0.8% to 247,013, while the number of inpatient surgeries declined 2.7%, outpatient surgical procedures fell 1.4%, and emergency room visits declined 3.8%.

"Ballad Health is facing a rapidly changing landscape where our financial success is no longer judged solely by volume, but increasingly, how we care for fewer people more efficiently, effectively and with better outcomes," Levine said. "Many of the quality metrics that we've seen improve have led to lower costs. Lower lengths of stay, reduced rates of hospital-acquired conditions, reduced readmissions and better integration with physicians have helped reduce the cost of care and helped Ballad Health achieve success with the new value-based purchasing environment."

Prior to the merger, it was estimated that as many as 1,000 jobs would be eliminated had both health systems been acquired by systems based elsewhere. However, the administra-

tive consolidation resulted in the elimination of approximately 200 administrative positions, according to the statement. According to the state of Tennessee, fewer job losses resulted from the merger than originally anticipated.

Since completing the merger, Ballad has recruited more than 150 new physicians and advanced practice providers, including cardiology in Wytheville and Norton, Virginia, nephrology in Abingdon and urology in Kingsport. Throughout the region, Ballad has also recruited neurology, orthopedics, pain management, hospitalists, psychiatry and other specialties, according to the statement.

The health care provider has also invested nearly \$200 million in new equipment, diagnostic technology, building improvements, information technology infrastructure and a common electronic health records system, according to the statement.

The health care provider has also invested nearly \$200 million in new equipment, diagnostic technology, building improvements, information technology infrastructure and a common electronic health records system, according to the statement.

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Dorothy R. Blevins

Dorothy R. Blevins, 92, of Damascus, Va., passed away on Sunday, August 18, 2019, at Johnston Memorial Hospital in Abingdon, Va.

She was born on January 9, 1927, a daughter of the late Ray and Lura Rouse. In addition to her parents, she was preceded in death by her husband, Thurman Blevins; two daughters, Sue Puckett and Nancy

Summitt; a grandson, Justin Moody; three great-grandchildren, Blake Wright, Brittany Puckett, and Evan Fritts; son-in-law, James Widener; daughter-in-law, Teresa Blevins; three sisters, twin sister, Ruby Nipper, Esther White, and Ruth Trent; and four brothers, Bill Rouse, Paul Rouse, Buster Rouse, and Bufford Rouse.

She was a life long resident of Damascus, Va. and was a member of High Point Baptist Church. Dorothy enjoyed playing bingo, and going to the beach and Dollywood.

She is survived by two daughters, Myrtle Louise and her husband, Tommy, of Damascus, Va., and Cristal Hamm and her husband, Walter, of Shady Valley, Tenn.; four sons, Charles Blevins and his wife, Gloria, of Damascus, Va., Bobby Blevins and his wife, Jessica, of Meadowview, Va., Danny Blevins and his wife, Debbie, of Glade Spring, Va., and Randy Blevins of Damascus, Va.; two brothers, Jack Rouse and Sam Rouse and his wife, Eva Joan, all of Glade Spring, Va.; 24 grandchildren, 39 great-grandchildren, 10 great great-grandchildren, and several nieces and nephews.

The family would like to express a special thank you to the 3rd floor staff and Joseph May at Johnston Memorial Hospital for all the love and care shown to Dorothy and her family during her illness.

The family will receive friends from 5 until 7 p.m.

Tuesday, August 20, 2019, at Garrett Funeral Home.

The funeral service will follow at 7 p.m. Tuesday in the Riverview Chapel at Garrett Funeral Home with Pastor Dwayne Dillard and Pastor Roy Burton officiating. The committal service and interment will be conducted at 11 a.m. Wednesday, August 21, 2019, at Sunset Memorial Park in Damascus, Va. Pallbearers will be Chuck Blevins, Michael Blevins, Abby Spicer, Luke Blevins, Jon Blevins, and Ray Blevins. Honorary pallbearers will be her grandsons. Those who wish to attend the committal service are asked to meet at the cemetery by 10:45 a.m. Wednesday. Condolences for the family may be sent and viewed by visiting www.garrettfuneralhome.com. Mrs. Blevins and her family are in the care of Garrett Funeral Home, 203 N. Shady Ave., Damascus, VA 24236, ph.#: (276) 475-3631.



Blackjewel

From Page A1

weeks before the bankruptcy filing.

Department of Labor attorneys filed an emergency motion earlier this month seeking an order to prohibit the transport of coal from Raven and Honaker and require that any sales proceeds from the coal be held in an escrow account until the issue of uncompensated work is resolved. The most recent filing added a facility called Pigeon Creek Processing near the town of Appalachia to the list of sites with "hot goods."

Blackjewel Marketing and Sales Holdings, one of the parties to the agreement, is an entity formed by Blackjewel, Javelin Global Commodities and Uniper SE that marketed Blackjewel's coal.

In previous filings, Blackjewel said it was cooperating with federal authorities in regard to coal in Virginia, as well as a similar situation involving coal in Harlan County, Kentucky.

State data shows Blackjewel employed about 480 people in Virginia in 2018. It's not known when unpaid miners will be compensated.

Blackjewel is in the process of selling its assets, including a \$33.75 million sale of three mines in Wyoming and West Virginia to Bristol, Tennessee-based Contura Energy. Although a judge approved the sale, Contura still must reach an agreement with the federal government to finalize the deal.

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Records: Epstein signed will 2 days before suicide

BY JIM MUSTIAN
and CURT ANDERSON
The Associated Press

NEW YORK — Jeffrey Epstein signed a will just two days before he killed himself in jail, new court records show, opening a new legal front in what could be a long battle over the financier's fortune.

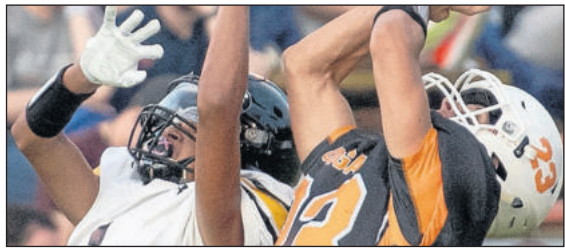
Court papers filed last week in the U.S. Virgin Islands list no details of beneficiaries but valued the estate at more than \$577 million, including more than \$56 million in cash.

The existence of the will, first reported by the New York Post, raised new questions about Epstein's final days inside the Metropolitan Correctional Center, where he was awaiting trial on federal sex trafficking and conspiracy charges.

Epstein signed the document Aug. 8. Less than 48 hours later, he was found dead in his cell.

Prosecutors on Monday moved to dismiss the indictment against Epstein but have said they are considering charging others with facilitating his alleged abuse of dozens of girls.

Several attorneys vowed to go after his assets even if the will had named beneficiaries, as Epstein's death means there will be no trial on the criminal charges against him.



BRISTOL HERALD COURIER

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EARNHARDT JR. PLANE CRASH

Initial findings



DAVID CRIGGER/BHC FILE PHOTO

An official with the National Transportation Safety Board looks over the crash scene on Aug. 16. The NTSB released its preliminary report on Friday.

NTSB releases its preliminary report into Earnhardt jet crash

BY ROBERT SORRELL
BRISTOL HERALD COURIER

After failing to “go-around” following two bounces along the Elizabethton Municipal Airport runway, Dale Earnhardt Jr.’s jet touched down a third time with just 1,000 feet of pavement remaining, according to a National Transportation Safety Board preliminary report.

The NTSB released its initial report Friday following the fiery crash Aug. 15. Earnhardt, a retired NASCAR driver currently serving as a sports broadcaster, his wife and daughter were en route

to race events at Bristol Motor Speedway last weekend. With a pilot and co-pilot, the family departed around 3 p.m. from Statesville Regional Airport in North Carolina in their private Cessna business jet.

Typical for such flights, no air traffic control services were requested, according to the NTSB report. The preflight, departure and en route portions of the flight were routine.

Approaching Elizabethton, the flight crew announced their intentions to land via the airport’s common traffic advisory frequency, which allows pilots

to communicate at non-tower controlled airports. They planned to land on Runway 24, which is more than 5,000 feet long and long enough for jets such as Earnhardt’s to land, according to the NTSB.

Airport surveillance video captured the subsequent mishap on the runway. The video revealed that the right main landing gear collapsed, and the outboard section of the right wing contacted the runway shortly after the third touchdown, the report states.

See **NTSB**, Page A10



ONLINE — Read the NTSB’s preliminary report on the Earnhardt plane crash at Herald-Courier.com.

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Fulmer helps kick off United Way effort » A3

Thank you, **Barbara Thomas**, for subscribing to the Bristol Herald Courier. **77/62** Weather » A10



Judge issues order to halt coal movement

BY TIM DODSON
BRISTOL HERALD COURIER

A federal district court judge issued a temporary restraining order Friday afternoon to prevent bankrupt coal producer Blackjewel LLC and a marketing company from moving thousands of tons of coal in Southwest Virginia that U.S. Department of Labor officials say were produced by unpaid employees in violation of the law.

The federal government and Blackjewel are at odds over whether an existing halt can be lifted on coal at three sites in Raven, Honaker and Appalachia, Virginia. The order — issued by James P. Jones, a U.S. District Court judge Abingdon — comes as Blackjewel’s bankruptcy proceedings play out in a separate federal court in West Virginia. The halted coal was the central fo-



cus of a hearing in a Charleston, West Virginia, courtroom Friday morning, before Jones issued his order. Bankruptcy judge Frank W. Volk ordered the scheduling of an evidentiary hearing related to questions surrounding the halted coal within the next 10-14 days. Jones took that into account for his district court ruling later in the day, setting the temporary restraining order to expire at the conclusion of the bankruptcy court’s evidentiary hearing, the date of which was not immediately available Friday evening.

“We have a melting ice cube here,” Stephen Lerner, an attorney for Blackjewel, told the bankruptcy court Friday morning.

Blackjewel attorneys argue that the company that purchased the coal should be able to take ownership of it before it degrades from oxidation, while the Department of Labor asked the district court in Virginia this week for a temporary restraining order and a preliminary injunction to prevent any movement of the coal.

Many of the company’s employees reported that Blackjewel failed to pay them for work completed in the weeks leading up to July 1, when the company filed for Chapter 11 bankruptcy in U.S. Bankruptcy Court for the Southern District of West Virginia. State data shows the company employed about 480 people in Virginia, although the company also had

See **BLACKJEWEL**, Page A10

Trump raises tariffs on China

BY PAUL WISEMAN, JILL COLVIN and JOE McDONALD
The Associated Press

WASHINGTON — President Donald Trump angrily escalated his trade fight with China on Friday, raising retaliatory tariffs and ordering American companies to consider alternatives to doing business there.

He also blamed Jerome Powell, the man he appointed as chairman of the Federal Reserve, for the state of the domestic economy, wondering who was a “bigger enemy” of the U.S. — Powell or Chinese President Xi Jinping.

Even by the turbulent standards of the Trump presidency, his actions, all done via Twitter, were notable, sending markets sharply lower and adding to a sense of uncertainty on the eve of his trip to France for a meeting of global economic powers.

Trump’s move came after Beijing announced Friday morning that it had raised taxes on U.S. products. He huddled with advisers, firing off tweets that attacked China and the Fed. And he mockingly attributed a Wall Street drop of 573 points to the withdrawal of a marginal candidate from the Democratic presidential race. The Dow Jones average eventually closed down 623 points.

The president attacked the Fed for not lowering rates at an informal gathering in Jackson Hole, Wyoming, where no such action was under consideration. Powell, speaking to central bankers, gave vague assurances that the Fed would act to sustain the nation’s economic expansion, but noted that the central bank had limited tools to deal with damage from the trade dispute.

Trump said he would be raising planned tariffs on \$300 billion in Chinese goods from 10% to 15%. The Office of the U.S. Trade Representative also said existing tariffs on another \$250 billion in Chinese imports would go from 25% to 30% on Oct. 1 after receiving feedback from the public.

INSIDE

- » As global economic picture dims, solutions seem out of reach. **A5**
- » US stocks tumble over US-China trade war. **B4**
- » Trump escalates attack on Fed chief. **B4**

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Forecast for Bristol

LOCAL FORECAST

Mostly cloudy today with a shower. Winds east-northeast 4-8 mph. Expect less than 2 hours of sunshine with average relative humidity 85%. Partly cloudy and humid tonight. Winds east 3-6 mph. Average relative humidity 95%.

POP: Probability of Precipitation

TODAY		SUNDAY		MONDAY		TUESDAY		WEDNESDAY		THURSDAY		FRIDAY	
77°	62°	78°	63°	78°	63°	82°	67°	82°	61°	79°	54°	84°	59°
Mostly cloudy with a shower		Mostly cloudy and humid		Times of clouds and sun		Humid with some sun; a p.m. t-storm		Some rain and a t-storm in the a.m.		Mostly sunny and nice		A t-storm possible in the afternoon	
Wind: E 4-8 mph		Wind: ESE 4-8 mph		Wind: SE 4-8 mph		Wind: S 4-8 mph		Wind: SW 3-6 mph		Wind: N 4-8 mph		Wind: S 3-6 mph	
POP: 55%		POP: 25%		POP: 25%		POP: 55%		POP: 55%		POP: 20%		POP: 30%	

ALMANAC

Tri-Cities Reg. Airport through 5 p.m. Fri.

Temperature	High/Low
87°/69°	85°/62°
Normal high/low	99° in 2007
Record high	49° in 1997
Record low	1.53"
Month to date/normal	2.72"/2.68"
Year to date/normal	39.55"/28.66"

Precipitation (in inches)

24 hours ending 5 p.m.

Month to date/normal

Year to date/normal

SUN AND MOON

	Today	Sun.
Sunrise	6:53 a.m.	6:54 a.m.
Sunset	8:09 p.m.	8:07 p.m.
Moonrise	12:48 a.m.	1:32 a.m.
Moonsset	3:17 p.m.	4:19 p.m.

New First Full Last

Aug 30 Sep 5 Sep 14 Sep 21

WEATHER HISTORY

The temperature in Washington, D.C., dropped to 49 on Aug. 24, 1890. The high temperature of 51 in Baltimore, Md., matched the record low daily maximum for August.

WEATHER TRIVIA™

Q: How much rain is needed to keep your lawn in good shape?

A: At least 1/2 inch per week

CONDITIONS TODAY

UV Index and RealFeel Temperature®

0	1	2	1	0
67	72	78	77	81
8 am	10 am	Noon	2 pm	4 pm

The higher the AccuWeather.com UV Index™ number, the greater the need for eye and skin protection. 0-2 Low; 3-5 Moderate; 6-7 High; 8-10 Very High; 11+ Extreme. The patented AccuWeather.com RealFeel Temperature is an exclusive index of effective temperature based on eight weather factors.

AIR QUALITY INDEX TODAY

40

Air Quality Index: 0-50, Good; 51-100, Moderate; 101-150, Unhealthy for sensitive groups; 151-200, Unhealthy; 201-300, Very unhealthy; 301-500, Hazardous.

Source: Airnow.gov

POLLEN INDEX

Pollen: LOW MEDIUM HIGH

Mold: LOW MEDIUM HIGH

Source: Dr. Marek M. Pienkowski

REGIONAL LAKES

Levels in feet as of 7 a.m. Friday

Lake	Full Pool	Level	24-hr. Change
South Holston	1729	1725.72	-0.09
Watauga	1959	1955.31	-0.16
Boone	1382	1353.78	+0.07
Ft. Patrick Henry	1261	1259.29	-0.18
Cherokee	1071	1064.70	-0.06
Douglas	994	988.14	-0.17

REGIONAL FORECAST

Mostly cloudy today. A little rain; arriving during the afternoon in the west, and dry to the north. Partly cloudy tonight. Mostly cloudy tomorrow; an afternoon shower or thunderstorm around in the west. Monday: clouds and sun; a shower or thunderstorm in spots in the west.

NATIONAL FORECAST

Shown are noon positions of weather systems and precipitation. Temperature bands are highs for the day.

TRAVEL FORECAST

City	Today	Sun.
Albuquerque	94/64/s	97/65/s
Anchorage	67/50/s	68/52/pc
Atlanta	90/70/t	80/70/c
Atlantic City	77/68/pc	75/67/c
Baltimore	80/62/pc	80/62/pc
Baton Rouge	86/74/t	87/75/t
Billings	89/59/pc	82/53/pc
Bismarck	79/65/t	77/57/t
Boise	95/58/s	86/53/s
Boston	74/61/s	70/59/sh
Buffalo	72/54/c	78/59/s
Charlotte	75/65/r	77/67/sh
Cheyenne	83/58/pc	89/53/pc
Chicago	75/60/s	78/67/pc
Cincinnati	79/60/pc	82/67/pc
Cleveland	73/58/s	80/64/s
Dallas	93/78/pc	98/81/s
Denver	88/61/pc	97/59/s
Des Moines	78/60/pc	73/64/pc
Detroit	75/59/s	78/66/s
Fairbanks	61/37/c	63/44/c
Grand Rapids	76/52/s	80/63/s
Helena	82/53/pc	75/49/pc
Honolulu	91/78/pc	91/78/s
Houston	89/75/t	93/76/t
Indianapolis	77/59/pc	81/68/pc
Jacksonville	90/75/t	89/74/t
Kansas City	77/65/c	77/69/t
Las Vegas	103/81/s	106/82/s
Little Rock	82/70/t	85/73/t
Los Angeles	86/65/pc	87/65/pc
Louisville	83/63/pc	84/71/pc
Memphis	84/72/t	85/73/t
Miami	89/77/t	90/77/t
Milwaukee	72/62/s	74/68/pc
Minneapolis	77/59/pc	75/63/pc
Nashville	83/69/pc	82/71/t
New Orleans	88/75/t	87/76/t
New York City	77/63/s	75/60/pc
Oklahoma City	86/71/t	92/73/t
Omaha	78/64/c	76/67/t

WORLD CITIES

City	Today	Sun.
Acapulco	89/79/t	89/81/t
Amsterdam	83/58/pc	85/61/s
Baghdad	115/84/s	117/84/s
Barcelona	82/71/s	82/69/s
Beijing	90/65/pc	89/67/s
Beirut	89/78/s	88/78/s
Berlin	84/63/s	87/65/s
Buenos Aires	64/51/pc	63/52/c
Cairo	98/78/s	98/78/s
Hanoi	93/79/t	95/80/t
Hong Kong	96/85/pc	91/81/r
Kabul	92/62/s	93/63/s
London	84/61/s	87/61/s
Manila	85/79/c	89/79/t
Montreal	73/54/s	78/56/s
Moscow	73/53/pc	68/49/c
Paris	86/61/s	90/64/s
Tokyo	89/73/pc	87/72/pc

Blackjewel

From Page A1

operations in Kentucky, West Virginia and Wyoming.

The federal government maintains that the coal these employees helped produce are “hot goods” made in violation of the Fair Labor Standards Act, which prohibits the transportation of goods made in violation of minimum wage and overtime requirements.

Earlier this month, the Department of Labor, Blackjewel LLC and a company called Blackjewel Marketing and Sales Holdings entered into stipulations filed with the bankruptcy court agreeing to halt the movement of coal at the three Virginia sites, until the issue of uncompensated work could be resolved.

All of the court proceedings related to issues surrounding Blackjewel’s

bankruptcy had taken place in the bankruptcy court until Tuesday, when the Department of Labor filed its complaint in the federal court in Abingdon.

Federal attorneys raised similar issues about “hot goods” in the Virginia complaint as they did in previous filings with the bankruptcy court.

In a preliminary response filed with the court in Virginia, Blackjewel’s attorneys said the relief a restraining order would provide was already achieved in the stipulations agreed on and filed with the bankruptcy court.

Blackjewel argues the district court in Virginia lacks jurisdiction because of an automatic stay that temporarily protects entities going through bankruptcy from having additional judicial proceedings brought against them. But the federal government claims it is exercising its regulatory powers and should be ex-

empt from automatic stay requirements.

In a filing Thursday with the bankruptcy court in West Virginia, Blackjewel attorneys asked the judge in that case to allow the “immediate release” of the “hot goods” to Blackjewel Marketing and Sales Holdings, an entity formed by Blackjewel, Javelin Global Commodities and Uniper SE that marketed Blackjewel’s coal. BJMS is not considered a debtor in the bankruptcy case, and the court previously approved a settlement where the marketing company would pay \$1.4 million to Blackjewel for the coal.

The coal company fears it won’t receive the \$1.4 million payment if the coal continues to sit at the sites and degrade because BJMS may not be able to sell that coal. Blackjewel attorneys have proposed that the \$1.4 million be held in a separate bank account until an agreement could be reached with

federal officials over how much of that amount would be paid to employees.

Volk, the bankruptcy judge, heard arguments related to these issues Friday.

“If we don’t get the money, everybody loses,” Lerner, representing Blackjewel, told the court. “The employees will be injured if we can’t bring the \$1.4 million into the estate.”

Department of Labor attorneys estimated employees are owed about \$4 million for uncompensated work. They said “hot goods” need to be “cooled” — meaning employees are paid for their work — before the coal can move in interstate commerce. They also said district courts are appropriate venues to deal with adjudicating whether violations of the Fair Labor

Standards Act occurred and determining what damages may be owed.

An attorney representing BJMS said the company had no knowledge or involvement with the non-payment of workers when the coal was produced.

Volk did not rule on any specific issues and said he wanted to hold an evidentiary hearing in the next 10-14 days. A date was not finalized at the hearing.

“It is unfortunate that we have to enter into another time-consuming and expensive inquiry, but I know that each party sort of dug in on their respec-

tive position,” Volk said.

He added that he’s not preventing any district courts from proceeding with cases.

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NTSB

From Page A1

The airplane then went into the grass, through a chain-link fence and up an embankment before coming to rest along state Route 91.

The pilots told the NTSB that after the second bounce they attempted a “go-around,” but the airplane did not respond as expected, so they landed straight ahead on the runway and could not stop.

After the plane stopped, the crew secured the engines and assisted the passengers

with evacuation. A post-accident fire was in progress during the evacuation.

Earnhardt was taken to the Johnson City Medical Center for minor injuries. He said he still plans to drive in the Xfinity race in Darlington on Aug. 31.

“Yes. I plan on driving still,” he wrote on Twitter. “My lower back is bruised up real bad. Lots of swelling and I just need that to go down and the pain to chill out. I been treating the area every day solely to get well to race. I have a plan B but hope not to use it.”

Data from on-board

equipment is being downloaded and reviewed, the NTSB said.

The pilot, who has not been identified, held an airline transport pilot certificate. He reported 5,800 hours total flight experience, the report states, including 765 hours in the type of jet that crashed. The copilot, who also had a certificate to fly, reported 11,000 total hours of flight experience, including 1,165 on the Cessna jet.

The NTSB continues its investigation.

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98.5 WTFM Movie Hotline (423) 758-5161

ANGEL HAS FALLEN (R) - 12:20PM, 2:20PM, 4:20PM, 9:10PM	ANGEL HAS FALLEN (R) - MXX - 12:50PM, 3:50PM, 6:50PM, 9:40PM
OVERCOMER (PG) - 12:40PM, 3:40PM, 6:40PM, 9:35PM	READY OR NOT (R) - 12:10PM, 2:30PM, 5:00PM, 7:20PM, 9:50PM
47 METERS DOWN: UNCAGED (PG-13) - 12:00PM, 12:30PM, 2:20PM, 4:40PM, 7:00PM, 9:20PM	GOOD BOYS (R) - 12:00PM, 2:20PM, 4:40PM, 7:10PM, 9:30PM
THE ANGRY BIRDS MOVIE 2 (PG) - 12:50PM, 3:00PM, 6:00PM, 9:00PM	SCARY STORIES TO TELL IN THE DARK (PG-13) - 1:00PM, 3:40PM, 6:20PM, 9:00PM
FAST & FURIOUS PRESENTS: HOBBS & SHAW (PG-13) - 12:10PM, 3:10PM, 6:10PM, 9:10PM	FAST & FURIOUS PRESENTS: HOBBS & SHAW (PG-13) - MXX - 6:40PM, 9:45PM
THE LION KING (PG) - 12:10PM, 3:10PM, 6:10PM, 9:00PM	THE LION KING (PG) - MXX - 12:40PM, 3:40PM
SUNDAY & WEDNESDAY FLASHBACK: SOUTH PACIFIC (1958) (NR) - 3:30PM, 8:00PM	
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DISPLAY ADVERTISING HOLIDAY DEADLINES

In observance of Labor Day, the following advertising deadlines will be in effect:

ADS FOR	DEADLINE
TUESDAY, SEPTEMBER 3	THURSDAY, AUGUST 29 - 5:00PM
WEDNESDAY, SEPTEMBER 4	FRIDAY, AUGUST 30 - 11:00AM

In observance of Labor Day, the advertising department will be closed Monday, September 2, 2019

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‘We’re getting out’
Trump lifts sanctions on Turkey, says cease-fire permanent
WORLD » A10



Read and react
Geddis weighs large in impact for E&H defense
SPORTS » B1



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Impeachment Investigation GOP storms hearing

Democrats claim move compromised national security

BY MICHAEL BALSAMO and MARY CLARE JALONICK
The Associated Press
WASHINGTON — Republicans briefly brought the Democrat-led impeachment investigation to a halt Wednesday when around two dozen GOP House members stormed into a closed-door deposition with a Defense Department official. Democrats said the move compromised national security because some of the Republicans brought electronic devices into a secure room.
The protest by Republican lawmakers captured national attention, drawing the focus away from the testimony of a top U.S. diplomat who told lawmakers just a day earlier that he was told President Donald Trump was withholding military aid from Ukraine unless the country's president pledged to investigate Democrats.
The maneuver delayed a deposition with Laura Cooper, a senior Defense Department official who oversees Ukraine policy, until midafternoon. The interview began roughly five hours behind schedule, after a security check by Capitol officials, and ended after roughly four hours.
As a series of diplomats have been interviewed in the

See **GOP**, Page A6

SEEING THE LIGHT OF DAY

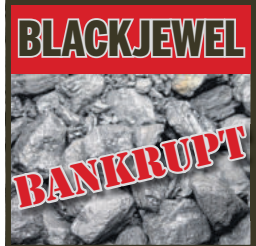


DAVID CRIGGER/BRISTOL HERALD COURIER

Workers from Bristol Motor Speedway are currently installing the light displays for the 23rd annual Speedway in Lights. The 4-mile drive through the speedway property features more than 2 million lights and will open Nov. 15. Above, Terry King attaches sections of the “Package Wrapping” display together.

Blackjewel to pay back wages to ex-workers

BY TIM DODSON
BRISTOL HERALD COURIER
Former employees of bankrupt coal producer Blackjewel LLC should receive owed wages in the near future, according to recent court filings and an attorney for the company.
For nearly four months, miners in Southwest Virginia and other parts of Appalachia have gone uncompensated for work completed in the weeks leading up to July 1, when the company filed for Chapter 11 bankruptcy in federal court. Employees reported paychecks issued around this time period bounced, leaving many with negative bank account balances after they had already paid bills at the start of the month.
Federal officials and Blackjewel reached an agreement that will result in the company paying about \$2.72 million in back wages to its employees in Virginia, according to a consent judgment U.S. Department of Labor attorneys filed Monday in the U.S. District Court for the Western District of Virginia in Abingdon.
“Payroll checks are expected to be issued this week,” Stephen D. Lechner, an attorney with Squire Patton Boggs, who represents Blackjewel, wrote in a Wednesday email to the Bristol Herald Courier.
Blackjewel — which was once the



COMING SUNDAY

» Former Blackjewel employees talk about their struggles over the past four months.

See **BLACKJEWEL**, Page A6

INSIDE



City receives unclaimed property check **» A3**

Thank you, **Jerry Musick**, for subscribing to the Bristol Herald Courier.

68/43
Weather **» A10**



Washington County Board of Supervisors: Madison District Hargis to challenge incumbent Mays for BOS seat

BY JOE TENNIS
BRISTOL HERALD COURIER
ABINGDON, Va. — Allison Mays wants more time to serve on the Washington County Board of Supervisors.
She's currently the board's vice chair and has spent four years on the board, calling herself proud of several achievements, especially when forming a Washington County committee to work on rural childhood poverty.
Mays, 46, is the director of grant writing and advancement for Mount Rogers Community Services in Wytheville.
On Nov. 5, Mays will be challenged by Charlie S. Hargis Jr., who says he wants to serve on the board to make changes.

Allison Mays
» Age: 46
» Occupation: Director of grant writing and advancement for Mount Rogers Community Services
» Party: Democrat

“I think we need to make some changes in the way things are done,” said Hargis. “And we need to make sure the agencies are giving an accurate budget if they're going to receive taxpayer money.”
Retired, Hargis has owned several businesses in the area, including an auto repair firm in Abingdon.
Mays says she wanted to join the board to share her “passion and

Charlie S. Hargis Jr.
» Age: 71
» Occupation: Retired business owner
» Party: Republican

experience.” Now, Mays says the county is challenged by economic development but says, “We're open for business, and it's a good place to bring business.”
Hargis, on the other hand, said, “I think we need to be much more business-friendly than we are and not only to new businesses but our current businesses.”
As for the recent proposal to move

the county courthouse to Abingdon's old Kmart, Mays says she now wishes the referendum on the upcoming ballot could be rescinded.
“Personally,” Mays said, “I will be voting against the referendum.”
Hargis is also against the option of moving the courthouse, saying, “A move to the Kmart is not the way to handle it.”
Hargis criticized county leaders for how the matter has been handled.
“I don't think they've gone about this in a very open manner,” Hargis said. “And I think there are a lot of people in the county who have not been told what is going on with it.”
jtennis@bristolnews.com
276-791-0709 | @BHC_Tennis

INSIDE: CLASSIFIED **B8-10** | COMICS **B6** | DEATHS **A4-5** | OPINION **A8** | SCOREBOARD **B2** | TELEVISION **B7**

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Blackjewel

From Page A1

country's sixth-largest coal producer — operated facilities in Virginia, Kentucky, West Virginia and Wyoming. The company employed about 1,700 people, including 1,100 in its Eastern division. Blackjewel had about 480 employees in Virginia, according to 2018 figures from the state's Department of Mines, Minerals and Energy.

As Blackjewel's bankruptcy case works its way through court in Charleston, West Virginia, the U.S. Department of Labor took steps to prevent Blackjewel and other companies involved in the bankruptcy proceedings from moving thousands of tons of coal sitting at Blackjewel's sites, including three Southwest Virginia facilities in Raven, Appalachia and Honaker. The department al-

leged the coal was "hot goods" made in violation of the Fair Labor Standards Act, which prohibits the transportation of goods if the workers who produced them are not paid in accordance with minimum wage and overtime requirements.

In order to "cool" the alleged hot goods, Blackjewel agreed to issue owed paychecks to its employees upon the sale of its Eagle Butte and Belle Ayr mines Wyoming to Eagle Specialty Materials LLC. As part of the agreement, Blackjewel Marketing and Sales Holdings — a separate entity from Blackjewel LLC — would pay the bankrupt company \$5.47 million to be used to settle the hot goods issue by issuing paychecks to employees who worked at the eastern mines.

Court filings show that Eagle Specialty Materials assumed the obligations of paying employees at Blackjewel's western mines.

Blackjewel's sale of its western assets to Eagle Specialty Materials closed last Friday, according to a news release from Bristol, Tennessee-based Contura Energy. Contura previously owned the Wyoming mines before selling them to Blackjewel in 2017. However, Contura still held permits for the sites when Blackjewel filed for bankruptcy in July. As part of the recent transaction, Contura agreed to pay Eagle Specialty Materials about \$90 million to take over the mines and assume about \$238 million in reclamation obligations.

In a filing with the bankruptcy court in West Virginia on Monday, attorneys for Blackjewel wrote, "In the coming days, the debtors will use an agreed-upon amount of the settlement amount to pay their former employees at various eastern mines." In Virginia, that amount is a little over \$2.72 million, which the consent

judgment describes as "the full extent of back wages owed" to employees for a period of June 10 to July 1.

"This is good news," Ned Pillersdorf, an attorney who represents Blackjewel employees in the Appalachian region, wrote in an email Wednesday.

The U.S. Department of Labor did not immediately return requests for comment Wednesday, but Labor Secretary Eugene Scalia tweeted praise this week for his department's work to obtain owed back pay for Blackjewel workers.

It remains to be seen how soon employees will receive their pay and to what extent the owed wages will heal the wounds Blackjewel's bankruptcy created. In interviews over recent weeks with the Bristol Herald Courier, former employees described how they've struggled to find new jobs, keep food on the table, pay bills and ensure kids had back-to-school

supplies. Others also grappled with how to get the necessary training for other industries and whether they may be able to return to mines Blackjewel has sold through the bankruptcy process.

"If Blackjewel had given us some kind of notice, then I could have planned for it," John Paul Shortridge, 46, of Cleveland, Virginia, said in an interview earlier this month. Shortridge worked at a Blackjewel site near Honaker up until July and currently works in a welding job in Abingdon. He said he would use a check for the pay Blackjewel owes him to get caught up on his bills.

"I would never think about that place over there [in Honaker] again if they'd just pay me the money they owe me," he added.

tdodson@bristolnews.com
276-645-2567
Twitter: @Tim_Dodson

GOP

From Page A1

impeachment probe, many Republicans have been silent on the president's conduct. But they have been outspoken about their disdain for Democrats and the impeachment process, saying it is unfair to them even though they have been in the room questioning witnesses and hearing the testimony.

"The members have just had it, and they want to be able to see and represent their constituents and find out what's going on," said Ohio Rep. Jim Jordan, the top Republican on the House Oversight and Reform panel. That committee is one of three leading the investigation, and its members are allowed into the closed-door hearings.

Lawmakers described a chaotic scene. Rep. Debbie Wasserman Schultz, D-Fla., said she had just walked into the room when the Republican lawmakers blew past Capitol police officers and Democratic staffers. The staff member who was checking identification at the entrance was "basically overcome" by the Republicans, she said.

"Literally some of them were just screaming about the president and what we're doing to him and that we have nothing and just all these things that were supportive of the president," Wasserman Schultz said.

Later when the deposition began, Cooper answered questions from lawmakers and staffers in response to a subpoena, an official working on the impeachment inquiry said. She explained to lawmakers the process of distributing military aid

and was asked whether the appropriate steps were followed on Ukraine, according to a person familiar with the interview.

Both the official working on the impeachment inquiry and the person familiar with the interview spoke on condition of anonymity to discuss the closed-door testimony.

"The president's allies in Congress are trying to make it even more difficult for these witnesses to cooperate," Adam Schiff, the chairman of the House intelligence committee.

Democrats deny that Republicans are being treated unfairly, noting they have had equal time to question witnesses and full access to the meetings. Schiff says closed-door hearings are necessary to prevent witnesses from concealing the truth and has promised to release the transcripts when it will not affect the investigation.

They also said the Republicans — several of whom do not sit on one of the three committees — compromised security at Wednesday's closed-door deposition. The interviews are being held in what is called a Sensitive Compartmented Information Facility, or SCIF, which is a secure room where members can hear classified information.

Several lawmakers leaving the facility said that some of the Republicans brought their cellphones, even though electronics are not allowed. All members of Congress are familiar with the protocol of the SCIF, since they are often invited to classified briefings, and there are several such rooms around the Capitol.

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The Great Pumpkin Canvas Class

OCTOBER 24, 2019 | 6 PM | KIL'N TIME CERAMICS STUDIO
Join #KTCrewMember Susan on Thursday, October 24th to recreate #TheGreatPumpkin Painting for #CanvasClass! Cost is \$35 per painter. Call or message us to reserve your seats.

Cleve Edwards

OCTOBER 25, 2019 | 8 PM | BLACKBIRD BAKERY

An evening of Jazz, Blues and R&B featuring "Cleve Edwards Live at Blackbird Bakery", October 25th from 8:00pm to 10:00pm. Mr. Edwards' vocal talents are akin to Michael McDonald and Louis Armstrong...a deep, "bluesy", soulful style of music. His repertoire is broad and ever changing, and believes no artist can ever "stand still" in his talents and to grow in music is to still have the passion for the artistry.



Pumpkin Palooza and Downtown Trick or Treating

OCTOBER 26, 2019 | 9 AM | DOWNTOWN CENTER

It's time for the Annual Pumpkin Palooza and Trick-or-Treating on State Street! On Saturday October 26, 9am to 12 noon, kids of all ages can come to the Farmers' Market at the Downtown Center, 810 State Street for a spooktacular event! Hosted by Bristol Tennessee Parks & Recreation Department and Believe in Bristol, there will be fun and games galore — children can decorate a pumpkin with a variety of fun craft materials. There will be treat bags for kids to take home (while supplies last), along with the pumpkin they decorated. The fun continues as downtown merchants are open for trick-or-treating at various shops along State Street from 10am until 12 noon, or until the candy runs out! It's fun for the whole family!



Community Day at the BCMM

OCTOBER 26, 2019 | 10 AM | BIRTHPLACE OF COUNTRY MUSIC MUSEUM

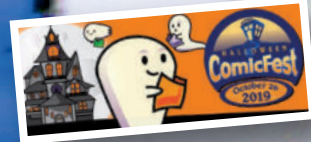
The Birthplace of Country Music Museum invites you to our FREE Community Day on Saturday, October 26, 10:00am—6:00pm. All day long you can visit the museum's permanent exhibits and the current special exhibit, American Ballads: The Photographs of Marty Stuart, for FREE. We will also be hosting a FREE Family Fun Day event at the museum from 12:00 to 2:00 pm, offering a variety of engaging and fun activities that all of the family will enjoy, such as storytelling, an "instrument petting zoo," and crafts. Both of these opportunities are the perfect partner to other Historic Downtown Bristol events on Saturday, October 26: Pumpkin Palooza and Downtown Trick or Treating from 9:00 am to 12:00 noon and 6th Street Comic Book Fest. Make a day of it!



Halloween Comic Fest

OCTOBER 26, 2019 | 10 AM | MOUNTAIN EMPIRE COMICS

Blibbity, Boppity, Books!!! Halloween Comic Fest will be happening at Mountain Empire Comics in Bristol on October 26th! There will be free comics, vendors, candy, costumes, food, and prizes all day! This October marks 35 years of business for Mountain Empire Comics! We will be running sales till November the 1st to celebrate!



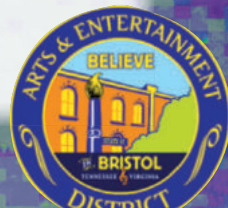
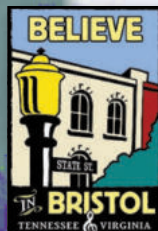
Maleficent Kids Canvas Class

OCTOBER 26, 2019 | 12 PM | KIL'N TIME CERAMICS STUDIO

Join #KTCrewMember Victoria for our #KidsCanvasClass happening on October 26th! Starting at 12 Victoria will be teaching painters how to recreate the #Maleficent Painting! Cost is \$20 per painter. Parents are welcome and encouraged to join! Call or message us to reserve your seats!



For all the events happening in downtown Bristol, call 276-644-9700 or visit www.believeinbristol.org.



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LOOK INSIDE

Fresh ideas to make the most of the season



VOLS ROLL PAST GAMECOCKS

SPORTS » C1



BRISTOL HERALD COURIER

SUNDAY, October 27, 2019

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'IT AFFECTS THE WHOLE COMMUNITY'



DAVID CRIGGER/BRISTOL HERALD COURIER

Joshua Shortridge talks about the effects of the Blackjewel bankruptcy as his mother, Francis, listens. Joshua and his father both lost their jobs.

RIPPLE EFFECT

Former Blackjewel employees share how bankruptcy fallout has affected their lives

BY TIM DODSON
BRISTOL HERALD COURIER

The Shortridge family in Cleveland, Virginia, waited weeks for a call that never came.

When coal company Blackjewel LLC filed for Chapter 11 bankruptcy on July 1, hundreds of workers across Central Appalachia — including John Paul Shortridge, 46, and his son Joshua, 20 — were suddenly told not to return to work until further notice. The father-



son pair worked at a Blackjewel plant just a few miles outside Honaker. Company officials gave them the impression that

the layoff was temporary — that they'd be able to return in a short period of

See **BLACKJEWEL**, Page A4



DAVID CRIGGER/BRISTOL HERALD COURIER

A large pile of coal still sits at the Flatrock Creek Processing Plant on Beehive Hollow Road outside Honaker, Virginia, following the Blackjewel bankruptcy.



IMPEACHMENT INVESTIGATION

Ex-Trump aide wants judge to decide on testimony

BY DEB RIECHMANN
and MARY CLARE JALONICK

The Associated Press

WASHINGTON — An ex-White House adviser who's supposed to testify before House impeachment investigators on Monday has asked a federal court whether he should comply with a subpoena or follow President Donald Trump's directive against cooperating in what the president dubs a "scam."

After getting a subpoena Friday, former deputy national security adviser Charles Kupperman quickly filed a lawsuit in U.S. district court in Washington. He asked a judge to decide whether he should accede to House demands for his testimony or to assert "immunity from congressional process" as directed by Trump.

The lawsuit came as Democrats' impeachment inquiry continued at full speed with a rare Saturday session. Philip Reeker, the acting assistant secretary of state for Europe, took questions behind closed doors for more than eight hours about Trump's ouster of the ambassador of Ukraine in

See **AIDE**, Page A9

INSIDE

» Trump intends to uphold tradition of presidents and baseball. **A3**
» Perry defends urging Trump to make call in impeachment focus. **A9**

INSIDE



Revolutionary War patriot honored as part of Scout member's project » B1

Thank you, J.B. Crabtree, for subscribing to the Bristol Herald Courier.



68/46
Weather » A10



7 65161 10012 8

Virginia's 4th District House of Delegates

Kiser, Wampler running for seat held by Pillion

Starla Kiser

» Age: 35
» Resides: Coeburn, Va.
» Born: Dante, Va.
» Occupation: Physician
» Personal: single, no children
» Party: Democrat
» Education: 2011 MD from Harvard Medical School and a master's degree in public administration at the Harvard Kennedy School, studying international development and health policy
» Previous elected or appointed public service: None
» Website: https://www.kiserfordelegate.com/



BY DAVID MCGEE
BRISTOL HERALD COURIER

Two young professionals who've never held elected office are running for Virginia's 4th District House of Delegates seat.

Starla Kiser, a 35-year-old Coeburn physician who grew up on a Dickenson County farm, is the Democratic candidate. William Wampler III, 28-year-old grandson of a former congressman and son of a former state senator, who grew up in Bristol and now practices law in Abingdon, is the GOP selection.

They are running for the seat held by two-term Del. Todd Pillion, R-Abingdon, who is running to replace retiring Sen. Bill Carrico, R-Galax. Carrico

replaced William Wampler Jr. in 2012.

Kiser and Wampler III say they are running to improve the quality of life in Southwest Virginia.

"I moved back here in 2017 with no intention of running for office," Kiser said. "I had a dream to start my own business and a love for Southwest Virginia and felt it was time for me to move back home. ... I started practicing, hearing stories from my patients, hearing how families were struggling. I began to realize — whether it be health care, the economy or education — I feel we deserve so much better."

Wampler also expressed his

See **4TH**, Page A5

William Wampler III

» Age: 28
» Resides: Abingdon, Va.
» Born: Bristol, Va.
» Occupation: Attorney
» Personal: single, no children
» Party: Republican
» Education: 2016 law degree Liberty University Law School; bachelor's degree in political science from University of South Carolina
» Previous elected or appointed service: None
» Website: https://www.wamplerfordelegate.com/



INSIDE: CLASSIFIED E1-12 | COMICS INSERT | DEATHS B2 | OPINION A8 | SCOREBOARD C2 | TELEVISION INSERT

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Blackjewel

time and that Blackjewel would be in touch, the Shortridges said. Then their paychecks from the end of June bounced; money already used to pay bills and their bank held them responsible for the paycheck John Paul cashed. In the face of financial turmoil, Joshua used some of his savings to help his parents cover looming expenses. The family also sold possessions like firearms and a trailer to pay bills. Local churches pitched in to help them pay for their electricity, John Paul said. He estimates the company owes him \$3,500.

As time passed, it didn't seem Blackjewel's employees at the Honaker facility would return to work anytime soon.

"I kept telling my husband, 'We can't wait until it might be next Monday, it might be next Monday.' I said, 'That's not going to pay our bills,'" Francis Shortridge, 45, recalled in an interview earlier this month at her home in Cleveland. She's married to John Paul and described the last few months as "really really rough."

The Shortridges filed for unemployment and food assistance as the father and son started looking for new jobs. Their search lasted through August and into September, when Joshua started working at a plastic packaging manufacturer in Lebanon, and John Paul found a welding job in Abingdon. The family's experiences mirrored those described by other miners over recent weeks.

In the face of a bankruptcy that led to widespread layoffs and bank balances drained from bad checks, workers grappled with a number of difficult questions.

Do you leave the coal industry or hold out hope for finding a new mining job? Do you have the skills needed for a new job? Where will you get training? How do you keep food on the table while taking time to make these decisions? What do you do when the bank keeps calling about your negative balance? How do you pay for diapers and clothes as your baby grows each month? Do you have enough to pay for basic back-to-school supplies? And as Blackjewel announced this past week that it is finally sending former employees owed wages as part of a settlement with the U.S. Department of Labor, workers say the money falls short of making them whole after nearly four turbulent months of financial and personal hardships.

A trip cut short

Joseph Fox was on vacation with his family in Myrtle Beach, South Carolina, when he got a notification on his phone: His most recent paycheck bounced and was clawed back from his account.

"Suddenly I went from having \$2,000 in the bank to nothing," said Fox, 38, who worked as a control room operator and performed plant maintenance at Blackjewel's P-12 Flat Rock facility in Honaker, where the Shortridges also worked. He told his wife and three children — ages 8, 11 and 14 — that they would need to cut their planned weeklong trip short after just 1 1/2 days.

"That's like someone hitting you with a sledgehammer when you are several hundred miles away from home," said Fox, who lives in Bluefield, Virginia.

The bounced paycheck was only the start of 13 grueling weeks of unemployment. He started a temporary welding job in St. Paul toward the end of September, but it was a painful summer for his family.

"We were kind of struggling to feed them," he said about his children. And when back-to-school season rolled around, they had to watch their spending and stick to the bare basic supplies that were needed, he said.

"I don't want them worrying about how the bills are getting paid," he said in a phone interview in September.

Upon hearing the news last week he should be getting the back pay from Blackjewel, Fox said, "I think it's a little too late. I'm glad they're doing it — that's stuff we worked for." He initially estimated that the company might owe him about \$4,400, but he argues Blackjewel owes him more than that. Fox said he had



DAVID CRIGGER/BRISTOL HERALD COURIER

When Blackjewel filed for Chapter 11 bankruptcy on July 1, hundreds of workers across Central Appalachia were idled.

Blackjewel Data

- » Employed 484 workers in Virginia
 - » Operated facilities in Buchanan, Russell, Lee and Wise counties
 - » Declared Chapter 11 bankruptcy on July 1, 2019
 - » Employed 1,700 people in Virginia, Kentucky, West Virginia and Wyoming
 - » Is set to use \$5.47 million to cover unpaid wages, including \$2.72 million for Virginia workers
- Sources: Virginia Department of Mines, Minerals and Energy; court filings

Coal Mine Employees

Average number of all coal mine employees in Virginia:

- » 2009: 4,646
- » 2010: 4,957
- » 2011: 5,261
- » 2012: 4,998
- » 2013: 4,521
- » 2014: 3,627
- » 2015: 2,993
- » 2016: 2,417
- » 2017: 2,660
- » 2018: 2,730

Source: U.S. Energy Information Administration



DAVID CRIGGER/BHC

Joshua Shortridge started working for Blackjewel at a young age because, in part, it was more lucrative than other jobs where he made \$7-\$8 an hour.

tools worth over \$4,500 missing from the work site, which he claimed was not properly guarded. And costs like late payment fees have added up.

New jobs, long commutes and looking long term

"I myself have lost about literally everything that I have," said Brandon Fleming, a former Blackjewel employee who worked as a scoop operator at the Osaka mine in Wise County.

Fleming, 34, lives in Wise with his wife, a 9-year-old daughter and a 6-month-old son. He's still paying his bank back for his bounced paycheck, and he's struggled to cover rent, car payments, utilities, diapers, dog food and baby wipes, he said.

He's received some charitable aid, including a \$2,000 check from a foundation started by Richard Gilliam, who formerly owned Cumberland Resources in the region. The foundation donated \$250,000 to Blackjewel miners in parts of Southwest Virginia, where Gilliam's company previously operated. "I was so far in the hole I cashed the check, and it was gone that day," Fleming said.

What used to be a 15-minute commute to work turned into a 1 1/2 hour trip to Abingdon where he's worked as a mechanic at a car dealership.

"I'm driving three hours a day to make about \$700 every two weeks when I was making \$2,700 every two weeks [at Blackjewel]," he said during a recent phone interview. "I lost all my benefits; I lost all my health insurance for my entire family."

Fleming is preparing to start a different job closer to home, but he's trying to think about the long term. Certain kinds of training — like learning how to drive commercial trucks or attending a police academy — can take time, which he doesn't have much of between work and raising his family.

"I'm 34 years old, and, because of mines going up and down, I've had to job hop; I'd like to have a career," Fleming said.

A changing industry

Blackjewel isn't the only Appalachian coal company to go bankrupt in recent years, but its disastrous effects have left some employees who grew up in families of coal miners wondering if the industry is sustainable.

In the past decade, the average number of coal mine employees in Virginia dropped from 4,646 in 2009 to 2,730 in 2018, according to data from the U.S. Energy Information Administration. The state's annual coal mine production has also fallen from about 21 million short tons to 12.7 million for the same period.

The jobs often pay well — particularly for someone who may not have a college degree — although they come with risks like working with heavy machinery and the danger of developing black lung disease from inhaling coal dust.

Joshua Shortridge started working for Blackjewel at a young age because, in part, it was more lucrative than other jobs where he only made \$7-\$8 an hour. Coal industry workers can make an hourly wage of over \$20 — and the jobs often come with good benefits and overtime opportunities. The Shortridge family mined coal over multiple generations.

"My dad is a disabled coal miner," said Joshua's father, John Paul, who added that he had uncles and a grandfather who worked in the mines too. "My dad did not want me to get into the coal mining industry because of the black lung."

Francis Shortridge said a silver lining of the bankruptcy is seeing her husband and son leave a dangerous industry.

"Honestly, I'm glad that he's away from it now because he would come home, and he would look like he'd been underground — his face completely black," Francis said as she turned toward her son, who sat next to her on a couch in the family's living room. Joshua worked with belts and machinery in the prep plant — not underground — but said he was still exposed to coal dust.

"The mining business is really dangerous — and people don't understand to get your electricity, what goes on to get it and how hard it is to work for," Francis added.

Fleming was a third-generation coal miner before Blackjewel laid him off this summer.

"Coal mines don't sound like a career to most people — it will break you down and wear you out, but it will also pay your bills," he said. "It's the only thing around here that a person without a college degree can do and make a decent living at."

Indeed, as researchers wrote in a January 2018 report for the Appalachian Regional Commission, "Highly-paid coal miners generally have limited re-employment opportunities within their place of residence, especially in terms of similar occupations and pay scales."

This can lead to workers taking jobs with lengthy commutes or moving to other communities for new job opportunities, the report noted.

This happened to Bobby Allen, a 44-year-old miner who worked at Blackjewel's Osaka mine in Wise County before the bankruptcy. He recently moved to Alabama to pursue a new coal job. But this also involved uprooting his family from Pennington Gap, where he lived with his fiancé, Leanna Parsons, and their two children, ages 2 and 10.

"I hated to move out of my community, but I had to work, I had to make sacrifices," Allen said.

Parsons, 33, said she has lived in the Pennington Gap area her whole life but is concerned about future opportunities, particularly for her children.

"You have to put yourself in

the shoes of your children," said Parsons, who is also 21 weeks pregnant.

Most former Blackjewel employees likely stayed within the region, however. The company employed about 480 people in Virginia, according to 2018 state data. The Southwest Virginia Workforce Development Board [SVWDB] — which has assisted displaced workers with finding training and job opportunities — has connected with about 250 of the workers, of whom it's only identified three so far that relocated out of state.

While some workers report that they will return to some of Blackjewel's former sites, which were sold in bankruptcy proceedings to companies like Kopper Glo Mining LLC, others are moving to manufacturing sectors.

John Deskins, an associate economics professor at West Virginia University who studies the coal industry, said it's common for coal workers to feel some reluctance about changing industries because of the high wages coal provides relative to other jobs. And there may not be as many opportunities in other employment sectors in coal communities, he said.

"Coal mining communities to a large extent are less diversified from an industrial perspective than many other parts of the country," said Deskins, who is originally from Russell County. "If you lose your job in a big city where there is a high level of industrial diversification ... you just go get another job because there are so many other industries that are still doing fine. But in a town like Grundy, Virginia, for example, with less diversification, that's a lot easier said than done."

And Blackjewel wasn't the only employer in Southwest Virginia to lay off workers this year — the SVWDB is aware of at least 700 workers being displaced since July, according to Tiffanie Goff, the board's director of workforce programs.

However, Blackjewel's bankruptcy surprised officials because the company did not file a Worker Adjustment and Retraining Notification [WARN] Act alert, which is required for large-scale layoffs.

"This just came out of the blue, and no one knew anything — not the workers, not the state officials," Goff said. "It was like a normal layoff times 10."

Now, board officials are focused on connecting people with training and certifications in areas like heavy equipment operating, commercial driver's licenses and welding.

"Some of the most skilled workers that we have are coal miners," Goff said, noting that they often have skill sets like welding and operating equipment. "I think they've got enough skills and drive and loyalty and those kinds of things that they can really make great employees in other fields."

Some local governments also stepped in to provide relief to miners, including Buchanan and Tazewell counties, whose boards of supervisors approved funds to be dispersed to Blackjewel families. But setting a precedent of providing monetary support during one layoff — and questions of whether this would occur for future layoffs from different employers — was one concern advocates encountered, which is why not all counties funded similar initiatives.

Nonprofits and volunteers also provided a large portion of the aid for local families.

Laura Gilliam, 36, of Scott County, has been called "the voice of the miners" for her work convening community groups and resources to assist miners throughout the region with utilities costs, as well as food, diapers and back-to-school supplies.

She said she did not have a direct connection to Blackjewel, but her father was a miner.

"He broke his back to raise us and give us a good life. I kept thinking if that had been us, we would have lost everything we had," said Gilliam (who is no relation to Richard Gilliam).

Gilliam's phone number "just spread like wildfire" among the employees needing assistance, she said. The Shortridges got in contact with her and said she's been a source of support, particularly since they said they did not receive direct assistance from Russell County.

"She helped us tremendously," John Paul Shortridge said. "It's a kick in the butt that our community didn't do anything — but this total stranger stepped up."

Community impact

Just a few miles down the road from Blackjewel's former Honaker plant, the bankruptcy's ripple effects extend beyond workers and their families.

Standing behind the counter at a Valero gas station near the small Russell County town, cashier Amanda Miller said she's seen fewer customers who worked at the facility.

"People came in on their way to work," she said.

At the Honaker Tobacco Outlet, cashier Cindy Shepherd shared that the Blackjewel bankruptcy affected some of their business.

"If you think about it, coal has built this whole area," said Shepherd, who has relatives who've worked in the coal industry. A bankruptcy like this does not go unnoticed, she said.

"It affects the whole community."

A lengthy court case

While Blackjewel's bankruptcy continues to play out in federal court, workers have tried to follow the proceedings — but it's not easy to understand, and filing a claim with the bankruptcy court was "overwhelming," as one of the former employees put it.

"This thing has gone on too damn long," Kentucky-based attorney Ned Pillersdorf said this past week. Pillersdorf is part of a group of lawyers representing Blackjewel employees across Central Appalachia, including Virginia employees, in a class action complaint against Blackjewel, former CEO Jeff Hoops and companies affiliated with Blackjewel.

He said the announcement this past week that Blackjewel plans to issue owed paychecks is good news, but he also said he doesn't think it makes the class action moot.

In an update to employees issued Monday, Blackjewel stated, "We know this will not make up for the hardships you've experienced in recent months, but management is grateful that the employees that have been so important to the success of these mines, and the recent sales process, are finally receiving their repitition wages."

The company went on to thank employees for "the perseverance you have demonstrated during this incredibly difficult time."

For workers like Fox, there is little love lost for the company, even as it starts to pay employees back wages.

"They could do a whole lot more than what they've done," he said about Blackjewel and how the true costs of the bankruptcy extended beyond lost wages.

Responding to the news of the paychecks, Fleming wrote in a Facebook message, "I will believe it when I see it." And for Fleming, the pay hardly brings an end to the ongoing disruption the layoffs caused in his life.

"I told these miners from day one, if you're a wage earner in a coal mine bankruptcy, it's like going to a funeral home [in] bankruptcy court — nobody leaves happy when they leave a funeral home," Pillersdorf said about the lengthy and complicated process.

Goff expressed some cautious optimism about the paychecks.

"Because [bankruptcy] was such a devastating blow, a lot of other things have happened," said Goff, with the SVWDB. "This is a victory for them for sure, but I think there is a processing of digging out for them."