



This Friday. See detailed schedule on 1-B

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# Sumter County Record-Journal

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Volume 16 • Number 50 • 12 Pages • 3 Inserts • 2 Sections • Livingston, Alabama 35470 • Thursday, April 7, 2011 75¢ Each, 10% tax include

## 'Moccasin Lady' welcomes national archeological group to Ft. Tombeche

The University of West Alabama's Center for the Study of the Black Belt Program Coordinator, Mrs. Rosa Hall, is pictured portraying Moccasin Lady, a 19th-century Choctaw woman during a recent tour by members of The Archaeological Conservancy at Ft. Tombeche. See story on page 6-B.

Photo by Gena D. Robbins



## Gosa dismissed from Bell law suit

### Joe Bell's widow is suing City of York, David Rowry and Gosa for \$3 million

Former York Mayor Carolyn Gosa has been dismissed from a wrongful death federal lawsuit filed by Elizabeth Bell, wife of deceased husband Joe Louis Bell of York.

United States District Court, Northern Division District of Alabama, Western Division, Judge Sharon Lovelace Blackburn signed the order Friday, March 25.

Gosa was being sued along with former York Police Chief David Rowry and the City of York for \$1 million each by the Bell family.

Joe Louis Bell, 55, died in Church's Restaurant on Sept. 18, 2008 from a single gunshot wound to the side from Rowry's

police pistol.

Rowry was convicted of Manslaughter by a Sumter County Circuit Court Jury on Dec. 3, 2009. Rowry is serving a 15 year sentence to the Alabama Board of Corrections.

According to testimony at the trial, Rowry was attempting to make an arrest when he and Bell briefly struggled over Rowry's gun according to some witnesses. Other witnesses said the two were feet apart, but Bell was approaching Rowry who had his gun drawn. Bell was unarmed. Bell out weighed Rowry by over 100 pounds.

Gosa was dismissed from the suit on a motion by the Plaintiff, Elizabeth Bell. Bell asked the

judge to dismiss the defendant, Carolyn Mitchell-Gosa, in her individual capacity. The order stated the motion was "Dismissed with prejudice."

"Dismissed with prejudice" means the case can not be brought up again or refiled against Gosa.

The order went to on to state that, "This dismissal shall not affect any other right, claim or cause of action which the Plaintiff (Bell) has, or may have, against any remaining defendant."

The Motion to dismiss was filed by Birmingham Attorney David Gespass with the law firm of Gespass and Johnson. Gespass is working with the

continued on page 2-A

## Hospital Authority ponders offer to manage Hill Hospital

By Herman B. Ward, Jr. Associate Editor

Hill Hospital Board members agreed to consider a proposal from HospitalMD, to manage, lease, or purchase the hospital Tuesday evening, April 5.

Former Hill Hospital physician and administrators Dr. Perry Wallace and Gerald Kidd, revisited York, and expressed their interest and

concern for the community. HospitalMD CEO Jim Burnette and Vice President Ryan Zondervan also visited the hospital and met with the board.

"Our message to you would be to keep doing everything you can to keep this hospital open," encouraged Jim Burnette.

Burnette assured the board that if the existing physicians

worked together with the administration, Sumter County could maintain a hospital.

"Whether you do business with us or not, do whatever you have to do, to keep the hospital open and avoid at all cost, any option to close your hospital," added Burnette.

Hospital Board Chairperson Shirley Byrd told the panel that the board has done, and will

Continued on page 2-A



## York-Livingston Rotary joins Sumter Chamber

Sumter County Alabama Chamber of Commerce Executive Director Allison Tucker, center, accepts a check from York-Livingston Rotary Club members Richard Losch, left, and Jimmy Collins, right. The Rotary Club, who now meets in Livingston at UWA, voted to join the Sumter Chamber of Commerce at its Tuesday, March 29 meeting. Tucker spoke to the civic group and gave an update on the Chamber and its projects. Sumter Chamber Executive Director Tucker encourages other civic organizations and churches to join the Chamber to help the organization to promote Sumter County to bring in more businesses and jobs. Civic club and church dues are only \$50.00 per year, according to Tucker. You may reach Tucker at the Chamber's office at 502 Lafayette St., or P.O. Box 1619, Livingston, AL 35470. The Chamber's office telephone number is (205) 652-1580 and Fax number is (205) 652-1580. You may visit the Chamber's website at <http://www.sumterchamber.com> or email Tucker at [sumterchamber@yahoo.com](mailto:sumterchamber@yahoo.com).

Photo by T. McGraw

## Kinterbish student's hair set on fire on school bus

By Tommy McGraw Publisher

A Sumter County High (SCHS) male student set fire to a Kinterbish female student's hair while they were on a school bus Wednesday, March 23.

Sumter County School Parent Gloria Townsend chas-

tised Schools Superintendent Dr. Fred Primm and the Sumter County Board of Education (SCBOE) for the delayed action in addressing the "bullying attack" on her daughter.

Townsend addressed the SCBOE at their regular meeting Tuesday night, April 5 at the F.

N. Nixon Building in Livingston.

The student did not suffer and severe burns to the head, but a portion of the hair was burned.

Ms. Townsend provided photographs of her daughter's head to board members who passed

Continued on page 3-A

## Urologist screen record 168, still time to be screened

Urology Centers of Alabama, the Urology Health Foundation and the Sumter County Health Department broke the record by screening 168 men for prostate cancer Saturday, April 2.

"Last year 104 men were screened in Sumter County. These men know the importance of early detection and screening for prostate cancer. Last year four men in Sumter who were screened were found to have prostate cancer and needed treatment," according to Dr. Thomas E.

Moody, president of the Urology Health Foundation.

Prostate cancer is the second leading killer (behind lung cancer) among men in the USA. One in six men (one in four African American men) will have prostate cancer sometime in their life. "Early detection and treatment are key factors in addressing prostate cancer," said Dr. Moody. No one knows the exact cause of prostate cancer. Doctors can seldom explain why one man develops the disease and another does not.

Research has shown that men with certain risk factors are more likely than others to develop prostate cancer. A risk factor is something that may increase the chance of developing a disease. Age is the strongest risk factor for prostate cancer. The disease is rare in men younger than 40, but the chance of getting it goes up sharply as a man ages.

A man's risk of prostate cancer is higher than average if his brother, father or uncle had the disease. Race is also a risk factor. Continued on page 2-A



One hundred and sixth eight men in Sumter County took the time to have a simple exam to see if they might have prostate cancer. Urology Centers of Alabama, the Urology Health Foundation and the Sumter County Health Department test the 168 men Saturday, April 2 at the Sumter County Health Center in Livingston. Albert Henderson, standing, left, and Eddie Henderson, seated, are being tested by Nurse Rosie Cunningham and Dr. Tom Holley in white coat.

<b>Sumter County's 7-Day Forecast</b> <b>April 7-13</b>	<b>This Week's Local Forecast</b>							<b>Weather Trivia</b> <i>Based on average yearly snowfall, what is the snowiest location in the U.S.?</i>
	<b>Thursday</b> Partly Cloudy 82/67 Precip Chance: 10%	<b>Friday</b> Partly Cloudy 83/66 Precip Chance: 20%	<b>Saturday</b> Partly Cloudy 86/66 Precip Chance: 10%	<b>Sunday</b> Cloudy 87/65 Precip Chance: 20%	<b>Monday</b> T-storms 79/58 Precip Chance: 30%	<b>Tuesday</b> Sunny 81/55 Precip Chance: 0%	<b>Wednesday</b> Sunny 84/60 Precip Chance: 0%	
	Answer: Stamped Pass, Wash. with 440.3 inches per year. <a href="http://www.WhatsOurWeather.com">www.WhatsOurWeather.com</a>							

# SECOND FRONT

SEND YOUR LETTERS TO: SUMTER COUNTY RECORD- JOURNAL,  
PO BOX B, LIVINGSTON, AL 35470

Letter to the editor

## Thanks for helping break screening record in Sumter

Dear Tommy,

Thank you for your outstanding article.

The front page placement was great and thanks to your help, we had a record turnout.

Last year we had a very good

response of 104, but this year we had a record of 168 people came in and were screened for prostate cancer.

We could not have done it without your help!

Kindest regards,

Jerry Bernheim  
Urology Health Foundation  
3485 Independence Drive  
Homewood, AL 35209  
Phone: 205.445.0253  
jbernheim@urology.com  
www.urologyhealthfoundation.org

## More urology ... from front



Sumter Health and Wellness Center Director Debra Clark holds up a sign in Livingston to help bring in the 168 men who were tested the Sumter County Health Department for prostate cancer Saturday, April 2. The Urology Centers of Alabama, the Urology Health Foundation and the Sumter County Health Department provided the free screening for the men. The T-shirt Clark adorns states that one in six Caucasians will have prostate cancer and one in four black men will test positive for the deadly disease.

tor for prostate cancer. Prostate cancer is particularly important for African American men because they are significantly more likely to be diagnosed with prostate cancer and their death rate from this disease is two and one-half times greater than the rate for Caucasian men.

Because there are no noticeable symptoms of prostate cancer while it is still in the early stages according to Dr. Moody that is why screening is so critical. In more advanced stages, symptoms may include difficult or frequent urination, blood in the urine or bone pain. Every man age 40 or over should resolve to be screened annually.

Screening for prostate cancer involves a simple blood test called a PSA that measures the level of protein called prostate-specific antigen in the blood. Normally PSA is found in the

blood at very low levels. Elevated PSA readings can be a sign of prostate cancer. A physical examination is also given to detect prostate cancer. This exam is called a DRE or digital rectal exam. These tests take approximately 10 minutes to perform and could save a man's life.

If a man missed the free prostate cancer screening on Saturday, Urology Centers of Alabama and the Urology Health Foundation will be offering these screenings in the following counties:

April 16, 2011, Lowndes County Health Department; May 7, 2011, Choctaw County Health Department; May 21, 2011, Greene County Health Department; June 11, 2011, Butler County Health Department; August 20, 2011, Monroe County Health

Department; September 17, 2011, Perry County Health Department; October 1, 2011, Hale County Health Department; October 29, 2011, Wilcox County Health Department; November 5, 2011, Conecuh County Health Department and on November 19, 2011, Marengo County Health Department.

## Commission on Improving State Government ask Alabamians to share ideas with new website

MONTGOMERY, Alabama (April 1, 2011) – Lieutenant Governor Kay Ivey announced today the launch of a new website that will give Alabamians a means to share with the Commission their ideas on how to make state government more efficient and effective. The website will serve as an important tool to allow Alabama's citizens to directly participate in the process.

Lt. Governor Ivey, who serves as Chairman of The Alabama Commission on Improving State Government, said the site, www.improve.alabama.gov, will be operational as of today.

"We want all Alabamians to have a voice in what they think the Commission should consider as it evaluates ways to reduce costs, improve efficiencies and hopefully guide our state to better economic times," Lt. Governor Ivey said.

Governor Robert Bentley signed an executive order in January creating the 25-member Commission and charged it with reviewing previous studies and making recommendations to reduce government spending with little reduction to essential services.

Lt. Governor Ivey said the Governor has asked her group to deliver a preliminary report of recommendations by June 1 and says the website is an effective method for the

Commission to receive workable ideas.

"The Governor knows I am committed to reaching our goals, and, with the input of the people of Alabama, we all can participate in reaching those goals," Lt. Gov. Ivey said.

## Sheriff's Report Deputies arrest five

Sumter County Sheriff Tyrone Clark issued his weekly press release of person arrested by the Sumter County Sheriff's office.

Sheriff Clark also urges anyone with information regarding crimes in Sumter County to contact the Sheriff's Office at 205-652-7984.

### Arrests

Wesley Winston, 18, black male (BM) of 1125 Ward Rd. 16, Cuba, was arrested on March 29 and charged with assault Second Degree. The

arresting officer was Sgt. Jeff Shaw, Sumter County Sheriff's Office (SCSO.)

Janice Faye Gordin, 55, white female (WF) of 3012 Mt. Alvan Rd, Vicksburg, Miss, was arrested on March 30 and charged with Theft of Property, First Degree. The arresting officer was Chief Deputy Robert Cottrell, SCSO.

Laurie Thompson, 63, BM of 203 Monroe St., York, was arrested and charged with Failure to Appear (FTA). The arresting officer was Deputy

Cedric Bell, SCSO.

Eddie Graham, 60, BM of 128 Shelton Rd, Cuba, was arrested on April 4, and charged with Driving Under the Influence (DUI), Second Offense. The arresting officer was Deputy Tyrenza Washington, SCSO.

Jeremy Ruffin, 24, BM of 69 Grove St, Livingston, was arrested on April 4, and charged with Theft of Property Third Degree. The arresting officer was Chief Deputy Robert Cottrell, SCSO.

## Livingston Police Report Police make eight arrests

Livingston Police Chief Ashley Welborn issued the latest Livingston Police report. Those arrested and charge with a crime include, Earnest N. Jenkins, 36, of York. Jenkins was arrested March, 11 and charged with Harassing Communications. Jenkins was placed in the Sumter Jail

Denson Deunta Stasher, 24, of Livingston was arrested March 12 and charged with Driving under the Influence of Alcohol. Stasher was placed in the Sumter County Jail.

Maurice Moore, 30, of York was arrested March 13 and charged with Failing to Appear. Moore was released after he posted bond.

Ebony S. Bowden, 25, of Livingston was arrested March 19 and charged with Contempt of Court. Bowden was placed in the Sumter County Jail.

Deja Divine Williams, 22, of York was arrested March 27 and charged with Assault, Third Degree. Williams was released after she posted bond.

Deval M. Byis, 24, of

Livingston was arrested April 1 and charged with Contempt of Court. Byis was placed in the Sumter Jail.

Patrick Deon Gowdy, 25, of Northport was arrested April 2 and charged with Driving under the Influence. He was placed in the Sumter County Jail.

Caun Ali Foster Davis, 40, of Ward was arrested April 5 and charged with Contempt of Court. He was released after he posted bond.

## More Hospital Authority ponders ... continued from front page

continue to do everything they can to keep Hill Hospital open, but while they will consider any proposal, they are more interested in utilizing management services than selling or leasing the facility.

Dr. Wallace commended Hill Hospital administrators for retaining "four solid physicians" that serve the hospital, and encouraged the board to do everything possible to keep the hospital open, keep patients in York, and keep their doctors happy.

"Sending patients over to Meridian, is not really the option. Because once they get over there, they are at the mercy of those doctors who don't know them. They have no responsibility or passion for this hospital," Dr. Wallace said.

"You can be able to keep your patients in your hospital. Use those hospitals for when

you want to refer them to special things. Then the community supports you, and know when they come here, you will watch out for them, and the things that need to be done.

"If you are sending everybody out the door, it gets to the point that they say 'why go there' when they are going to send me to Meridian. I may as well go to Meridian anyway," explained Dr. Wallace.

Dr. Wallace and Burnette also told the board to avoid relying only on out-patient services.

"It's great to have geriatric site, recovery and all these special kinds of programs. But your bread and butter for a community hospital, is community patients," insisted Dr. Wallace.

Dr. Wallace recommended utilizing HospitalMD as a option for Hill Hospital, and

discouraged selling Hill Hospital to a larger, local medical facility.

"When things don't work, they start cutting. When things don't add up, they shut it down. It may be easy to always sell.

The dis-service is that their motive is not to come here and save your town. It's to come in here, shut you down, and convert it into something more user friendly for them," explained Dr. Wallace

Hospital Board member Tommie Armistead told the panel time is a factor, and asked they present a proposal for the hospital board to consider as soon as possible.

Burnette offered to present a proposal next week.

Hear an audio recording of the discussion between HospitalMD and the Hill Hospital board at www.record-journal.net

## More Bell-Gosa ... from front

law firm of Friedman and Gilbert of Cleveland, Ohio. The Ohio attorney's are the second set of attorneys. The first law firm was fired by the Bell family.

Gespas stated in his motion to dismiss, "As grounds, she (Elizabeth Bell) states that, after engaging in initial discovery, she has determined that she (Bell) cannot establish any facts that would support the claim made against Ms. Gosa."

Gosa and several witnesses were deposed or asked questions Thursday and Friday, March 24, 25 by attorneys representing the Bell, City of York, Rowry and Gosa. Gosa was questioned at approximately 11:00 a.m. Thursday morning, March 24 and the motion to dismiss was filed shortly after 3 p.m. the same day.

Judge Blackburn granted the motion on the next day, Friday March 25.

Among the other witnesses that testified March 24, 25 were Sumter County Record Journal Publisher Tommy McGraw, York Police Chief Brian Harris, York City Administrator Tim Sweezy and York Mayor Glenda Dubose.

There are two other \$1 million dollar lawsuits that have been filed in State Court against the City of York.

Clara Pearce filed a \$1 million dollar lawsuit claiming mental harm. She was eating

lunch with Joe Bell the day he died.

Another witness to the shooting, Christopher Holcomb also filed a \$1.3 million dollar law suit against the City of York. He also alleges mental and physical harm because he witnessed the shooting. He was a star witness for the prosecution.

Testimony that was not allowed into the criminal proceedings against Rowry in the Dec, 2009 Manslaughter trial, may be allowed into a civil court proceeding.

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6:30 & 9 p.m. nightly  
Friday, April 8 - Thur. April 14  
\$6 adults - \$3 age 10 & under



# THURSDAY

## WVUA LAWCALL

Plus Your  
Phone Calls

Host Terri Brewer and Attorney Bob Prince

**Topic:**  
Fighting the  
Insurance Co.

**Guest:**  
Josh Hayes

**Host:**  
Bob Prince

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**This Thursday  
Night at 6:30 p.m.**

No representation is made that the quality of legal service is greater  
than the quality of legal services performed by other lawyers.