

4th of July ...from Page 1A

for a chance to win a cash prize need to decorate their boats creatively and pre-register for the event by July 3. To pre-register, call 706-896-4966.

Other events for the holiday include a patriotic show on the square in Downtown Hiawassee with Bill Renaldo, who will be performing a veterans' concert at 7 p.m. Attendees of the event are responsible for bringing their own seating.

Fireworks can also be viewed at the golf course of

Brasstown Valley Resort and the Sand Bar & Grille, with both offering free fireworks viewing opportunities to the public.

No matter the activity community members choose this weekend, Lake Chatuge Chamber of Commerce Candace Lee suggests people take advantage of the beauty of the area together.

"It would be a great day to get out with the family on the lake," Lee said. "It would also be a great time to get out with family and enjoy some of the

trails to the waterfalls or even play golf. It is a great time to play golf with your family.

"There are lots of areas to picnic and take your kids out to ride their bicycles safely around the recreation centers. And please patronize some of the local restaurants that have worked really hard through the whole pandemic to keep curbside open; I am sure they will have some great ideas for picnic lunches or family dinners or some creative license as far as that goes."

SPLOST Committee ...from Page 1A

which dates to 1964.

Collections will occur over the next six years, with the referendum calling for the issuance of a SPLOST-backed General Obligation Bond not to exceed \$8 million to facilitate the courthouse renovations.

As previously reported, citing inflation associated with future construction costs, Bradshaw said borrowing the money to totally renovate the old courthouse and build an addition with multiple courtrooms would be cheaper than saving up SPLOST money for construction later.

Towns County will receive 82 percent of total collections, and the cities of Hiawassee and Young Harris will each get 9 percent of collections for use on various projects.



Young Harris Mayor Andrea Gibby was more than pleased with the passing of the recent SPLOST referendum, which will bring a little more \$1 million in additional revenues to the city over the next six years.
Photo by Jarrett Whitener

In the June 22 meeting, Committee Member Joelle Kinsey introduced the rest of the committee and thanked those who'd made their goal a reality.

"We needed it more this year than ever because of COVID," Kinsey said. "We had our first meeting on Jan. 24; we have been working on it the whole year. We are just ecstatic that it passed, especially with COVID and us not being able to get out and promote like we had hoped to."

Over the next six years, Young Harris and Hiawassee are set to receive an estimated \$1.08 million apiece, with the remaining \$9.84 million of the expected \$12 million in collections to go directly to the county.

Bradshaw said in the meeting that the process to renovate the courthouse is already well underway, currently in the planning phase.

"They have started to draw the plans now," Bradshaw said. "They said that would take four to five months. During that time ... we are going to start interviewing construction companies. Hopefully by the

end of five months, maybe six, they can actually start construction.

"We also have some money in there for the Road Department; it has been a few years since a lot of the dump trucks have been replaced. Their equipment is old, so we want to upgrade that."

Added Bradshaw, "I want to thank the SPLOST Committee for all they do. There was a lot of hard work that went into that. I also want to thank the citizens for approving the SPLOST. I appreciate that very much."

"The SPLOST is 1 cent (on the dollar), and (the total sales tax) stays at 7 percent until it runs out, and our visitors pay a lot of that, so I feel very good about that tax. I think it is a good tax, and we are thankful for the community doing that."

As for Hiawassee, Mayor Liz Ordiales said much of the money will go toward recreational opportunities for the city's residents and visitors.

"We put some money into parks and recreation - we

are going to work on Lloyd's Landing," Ordiales said. "Right now, this week, they are supposed to start fixing the in-and-out, and we have a kayak ramp ready to be installed. We are going to clean up that Unicoi Parkway area."

Added Ordiales, "We are truly thankful for the money. We haven't had it for (four) years, and for cities like ours with budgets so tiny, we really can't do anything without that kind of SPLOST money."

Young Harris Mayor Andrea Gibby said the money would be put into parks and recreation in the Enchanted Valley, as well as maintenance projects around the city aimed at making Young Harris a more appealing and accessible place.

"Our plans have to do with roads, sidewalks and bridges," Gibby said. "So, we would like to finish our sidewalks on Main Street, and then work on some parks and rec. We are almost finished here with Mayor's Park, and we are going to start concentrating on Cupid Falls."

Nelms ...from Page 1A

of miles of electric lines."

For his part, Board President Ray Cook said he and his fellow directors were "very grateful for Jeremy's leadership over the last four years."

"He and the employees have done an outstanding job serving our membership, and we know without a doubt this exceptional service will continue," Cook said. "Jeremy leaves the EMC in very good fiscal health and a great position for growth."

"We wish Jeremy and his family the best in this next phase of their lives, and we sincerely thank him for his service and dedication to BRMEMC."

The board will begin its search for a new general manager later this summer.

"Having the opportunity to work alongside some of the finest co-workers I've ever met has been both rewarding and gratifying," Nelms said last week. "I have made wonderful

friendships over the last four years, and I know the EMC, its board and employees will continue to succeed and prosper for the benefit of the membership."

"I thank the board for allowing me the opportunity to pursue and grow my career at BRMEMC over these last four years."

In his new position, Nelms will be replacing longtime Flint Energies CEO Bob Ray, which Flint announced in a June 25 press release wherein Nelms also addressed his new EMC.

"I am honored to be named CEO of Flint Energies and look forward to working with the board of directors and employees as we work to fulfill the mission of providing superior service for the Flint membership," he said. "Flint Energies has an outstanding reputation for vision, innovation, and leadership in the local community, state of Georgia,

and nationally.

"That is a legacy that I plan to continue during my career of service to our members. My family and I look forward to the opportunity to become a part of the Flint Family."

Also last week, the Blue Ridge Mountain EMC Nominating Committee met June 25 to nominate members of the co-op "to serve a three-year term as director from their respective counties."

The three seats up for grabs during the election at this year's Annual Meeting on Sept. 24 are those held by Jeff Ledford of Clay County, North Carolina, Bert Rogers of Towns County and Danny Henson of Union County.

Both Ledford and Rogers were the sole candidates to submit nomination paperwork for their respective counties, while Henson will face four challengers in Union County: Jason Hughes, Patrick Solomon, Agustin Abalo and Michael Desparte.

Pandemic ...from Page 1A

seen a marked increase in the area, with Towns County having its own specimen collection site at the Health Department, but it's also clear that the virus never left the North Georgia Mountains.

Local resident Abbey Pacey was shopping at the Dollar General in Hiawassee last week, and she recommended that people double down on all the COVID best practices and precautions now.

"I'm afraid that this is coming again," Pacey said. "We need to prepare for the worst, or at least be safe so that the worst will not come. People aren't following their social distancing or wearing their masks, so I am afraid the numbers will keep increasing. There is no doubt in my mind about it."

"What we should do is listen to what doctors are telling us about this thing. I don't know when we stopped listening to doctors, but now is the time to listen more than ever before. I hate to be a negative person, but I don't have a lot of confidence

that we have seen the end of this."

Nathan Thompson of Clayton, who was out shopping at the Lakeview Vintage Market Saturday, agreed with Pacey, saying he felt some folks were not taking the virus as seriously as they should.

"COVID is definitely still out there - nobody denies that," Thompson said. "I think people just don't care about it. I think they are just tired of it, and that may come back to bite us on the butt in a few weeks. I don't point fingers, because I am guilty of not wearing my mask and being as safe as I could be."

"The last thing we want is to repeat (the month of April). Everything was closed, and people were stuck inside. It was necessary, but the economy took an undeniable hit. If we have to do that again, even more businesses will suffer. Some have already sunk to this thing; more will go with it if we mess this up. It's a double-edged sword."

David Tuttle, in town visiting from Alabama and shopping at Heavenly Bake Shop last week, said that COVID was becoming easier to forget about with the re-opening of businesses and resumption of events.

"I, like many others, thought that COVID would be a thing of the past," Tuttle said. "As it turns out, every day, I am more wrong. We aren't living in a world post-COVID, we are living through it right now."

"People are still getting it, and it is still on the move. Yeah, the heat and open air have shown to slow the spread, but that doesn't mean that we aren't spreading it. People should get out and have some fun, but I think we may be rushing some of these bigger events."

"Hundreds of people in one spot makes me nauseous now. If anything, COVID has shown me the importance of proper hygiene and health. All negative things have at least one upside to them. I would just tell people to be safe above anything else, because it is better safe than sorry."

Sentencing ...from Page 1A

Brunson said. "He is the most honorable person I have ever known. He has lost everything, but he has volunteered his stewardship in our community for five years at no pay."

Heaton, who surrendered his medical license to the Georgia Composite Medical Board in February 2020, told the court that he was sorry for his actions.

"I know I didn't document Mike's care like I should," he said. "I took being a doctor seriously. That's all I did. It got out of hand unintentionally. That was my fault. All I tried to do was help."

Representing Heaton, Atlanta attorney Kristen Novay told the court that only 6 percent of Heaton's patients were prescribed pain medication.

"He didn't have a large house and fancy lifestyle - he was clearly not trying to get rich," she said, adding that some patients even paid him in vegetables, and that it was dishonest to say he wielded power over the community.

Assistant U.S. Attorney Laurel Boatright, however, said evidence from the trial indicated that Heaton had illegally prescribed pain medication to multiple people over the course of 3 1/2 years, even while knowing that some of them had become addicted or were otherwise abusing the drugs.

"We are here today because of the way he abused his medical license for personal gain, greed and lust," Boatright said, alluding to sex-for-pills relationships alleged in trial.

"It is also significant that Dr. Heaton did this after already being on the radar of the Georgia Composite Medical Board."

"He had twice been investigated, he had been warned, and yet he continued for years after doing exactly that."

She added his relationship with Mike Gowder provided him with significant financial and professional benefits, given his expanded role inside Union General Inc. as the nursing home director, as well as the hospital's purchase of his sleep clinic, which he was then paid to run.

"He was effectively bribed," she said. "The impact of his conduct in the community was tremendous. He wanted to get close to the power, and Mike Gowder supplied it."

Judge Story agreed that the volume of pills Mike Gowder acquired through Heaton was a problem.

"Many patients who wrote described how you said 'no' when they asked for something stronger," he said to Heaton. "That showed you knew the dangers. The failure to keep records is a problem because you forget how many pills you've given."

On the other hand, the judge said he did not believe the incidents were driven by greed.

"I don't buy into Mike Gowder paying you off," he said. "I think it was a relationship matter."

Story said he had read each of the more than 70 letters of community support for Heaton, acknowledging that, "without question, you have been an excellent and competent physician to your patients."

"There were significant cases where you caught something that others had missed and saved lives," Story said, while also noting the significant negative impact opiate use has had on society, due in large part to the serious offense of unlawful distribution of controlled substances.

"As a society, we put so much confidence in our doctors, and we give them a lot of power," he said. "There are a lot of places where doctors are borderline saviors. That carries a huge burden. My hope for you is that you are able to get through this and get it behind you."

Mike Gowder's hearing followed. He was accompanied in court by his wife, children and Atlanta attorney Steve Sadow.

Rex Fortenberry, vice president and founder of diagnostic medical company R&F Imaging, spoke on Gowder's behalf, telling the court that in the many years he'd worked with him, Mike always kept the hospital's best interests in mind, and that all his dealings had been ethical.

"Union General Hospital would not have been as successful as it was if Mike Gowder had not been there," he said.

Stacy Dyer, former pastor of Harmony Grove Baptist Church, also offered words of support for Gowder, remarking to the judge that he had known three generations of Gowders.

"The good in Mike

Gowder, in my opinion, sir, far outweighs the bad," he said.

Dyer, too, praised the former CEO's leadership at the hospital, positively describing the operation of Chatuge Regional Hospital in Towns County and Gowder's development of the dialysis center.

"He led the purchase of the Hill farm," Dyer added, referencing a multimillion-dollar deal orchestrated by Gowder to purchase nearly 600 acres of land in Union County.

"His vision was for a retirement home. The hospital was able to do that because of Mike Gowder's leadership."

Assistant U.S. Attorney Boatright agreed that Mike Gowder had brought the Hill property to the attention of the Hospital Authority Board, though she characterized the deal in less charitable terms than Dyer.

"On the side, unknown to the board, Mike had a deal with the owner of the house (in the middle of the property) that he got the property upon her death," Boatright said. "It was another example of the self-dealing of Mike Gowder."

She described Gowder's sentencing as, "in some respects, the most important."

"As far as the government is concerned, his position drove, enabled and facilitated what happened," she said. "The government found it very compelling - the testimony of (local) people, for whom it could not have been easy."

"This case is extremely important to the North Georgia community and Blairsville. Mike Gowder is not a doctor. But like a white-collar offender, he used his power and influence to enable his own behavior and the criminal conduct of Dr. Heaton."

"It is inappropriate for him to be considered as a 'mere possessor' (of illegal pills). This offense was broader than just pills. He exercised great power. He is a trained medical professional. He knew what Dr. Heaton's responsibilities were."

She said that in the year before Heaton began prescribing opiates to Gowder, Heaton had gone through a bad time financially, getting divorced, facing bankruptcy and having to sell his medical building at a loss.

"At that time, the money mattered to Dr. Heaton, and Mike Gowder knew it," she said. "Getting closer to Mike Gowder paid off for Dr. Heaton."

Boatright further contended that, unlike David Gowder, the court only had Mike Gowder's word that he was addicted to opioid pills, of which he received more 15,000 in just 3 1/2 years.

"He never went through a detox program, never attended a (Narcotics Anonymous) meeting, and never had any signs of this painful addiction," she told the court, pointing to the existence of inconsistencies in his explanations about when and how he had stopped using opiates.

"There is evidence that it is not true," she said of his addiction, reminding the court of trial testimony that Mike's son had allegedly been getting pills from his father to sell.

"Some or many or most of the pills made their way into the hands of his son."

Gowder's attorney Sadow disagreed, telling the court that this line of testimony could not be believed.

"The one thing (Mike Gowder) has been adamant about is that there was no distribution (of the pills)," Sadow said. "Mike took them ... he consumed a substantial quantity of pills."

Gowder addressed the court himself, explaining that he took the medication because of back pain and his desire to continue working "at a job I loved." He said it never occurred to him he was taking too many until the arrest of his brother in 2015.

"I realized at the time I was taking way too much medication," he said. "On June 29, it will be five years since I took the last pill. I told the people I worked with I was having a procedure on my back, but I stayed home with my wife, a (registered nurse), and self-detoxed. It was seven to 10 days

of pure hell."

He thanked his family for their love and support, especially his wife Gail, whom he described as "my rock." He told the judge that he had lost everything because of this case - "my dignity, my reputation, my career."

For his part, Story said he had spent countless hours thinking through the case, which had begun with a multijurisdictional investigation in 2015. He agreed that a message had to be sent to Blairsville, but he said he had to follow the law in determining sentencing.

"In my view, your conduct was the least criminal," Story said. "These are legitimate convictions, but the greater culpability lies with the physician (Heaton)."

The judge added that he believed Gowder had been put in the untenable position of having to testify on his own behalf due to the accusation that he gave opiates to his son. Moreover, Story described Gowder's testimony that he would never have given his son, who suffers from addiction, the pain medication as "most compelling."

Story said the government had argued very strongly about its lack of belief in Gowder's having detoxed on his own, though he remained unconvinced of this position.

"If you did that - and I believe you did - it says a lot about you," Story said. "Mr. Gowder, this is an odd case. My hope is that this lets you close that chapter, move through this seamlessly, and live through the remainder of your days."

The Gowders and Heaton's cases involved a multijurisdictional effort by the Union County Sheriff's Office, Cherokee County (North Carolina) Sheriff's Office, the Drug Enforcement Administration, Georgia Drugs and Narcotics Agency, and the Zell Miller Mountain Parkway Drug Task Force.

It has taken a long time for the cases to be concluded - from the April 1, 2015, arrest of David Gowder and subsequent investigation leading to the February 2016 public arrests of all three men, to their individual sentencing hearings in June 2020.

Then there's the question of the state's charges, which were still pending at the time of federal sentencing.

Enotah Judicial Circuit District Attorney Jeff Langley's office was in the process of preparing to prosecute the state's cases against the men when the federal indictment was unsealed in April 2018, and Langley was at the federal courthouse last week to witness the sentencing hearings.

"Three one-time leading members of our medical community, each in very different ways, failed in our expectations of their profession and clearly committed crimes," he said. "All three are now under sentence to serve time in federal prison. All three have lost their reputations and the ability to practice their profession and spent untold sums on their defense."

He said the outcome was not exactly what he had sought, noting his frustration in the long delays in the federal process and saying that "the sentence in the case of Mike Gowder was less than I expected."

"The U.S. District Judge simply did not accept the argument made by the prosecutors that Mike Gowder's power over Dr. Heaton's actions by being CEO of the hospital justified a heavier sentence as an abuse of power," Langley said. "The judge sought to treat him as a patient knowingly getting improper opiates from his doctor, thus the relatively light sentence."

Langley said that law enforcement and prosecutors, both local and federal, had worked very hard to make sure that reputations, wealth and power did not hinder justice.

"On the other hand, the sentencing judge was very careful not to let considerations of these factors be weighed unfairly against the defendants," he said. "While I may not agree precisely with the sentencing, the system eventually worked."

He said it is unlikely his office will pursue state charges on the same facts presented in the federal trial unless additional evidence comes to light in the near future.