

# Towns County Herald

Legal Organ of Towns County

www.townscountyherald.net

Your Hometown Newspaper Since 1928

75 Cents

Publication Number 635540 Volume 95 Number 48

Wednesday, September 25, 2024

## Hiawassee PD must relocate license-plate reader

By Shawn Jarrard  
Towns County Herald  
Editor

Following an inquiry by the Towns County Sheriff's Office, the Hiawassee Police Department is having to relocate one of the automated license-plate recognition cameras it leases from Flock Safety, the Atlanta-based company that manufactures and maintains the equipment.

The camera, a Flock Safety Falcon model, was originally permitted for use on US 76 near Tater Ridge Drive. It resided there from January 2021 until January 2022, when the camera was moved to just west of city limits to read vehicle license plates entering the city via Anderson Bridge.

Reportedly, the solar-

powered camera was relocated because it was in a shady spot and kept dying, but the location it moved to is three-tenths of a mile outside city limits, and therefore outside Hiawassee PD jurisdiction.

For the camera to be permitted for use there, it needed approval from the appropriate jurisdiction – the Towns County Sheriff's Office – which it never had. Unclear at press time was why the camera was moved outside the city's jurisdiction without agreement from the Sheriff's Office.

Flock Safety had scheduled to take the camera down on Tuesday, Sept. 24, and Flock plans to re-install the camera inside the city in the coming days once the company has secured a new location

permit through the Georgia Department of Transportation.

It remains to be seen what impact, if any, the improperly permitted placement will have on prosecutions that have been made using information obtained from the camera while outside jurisdiction, though Hiawassee City Hall is expected to address these concerns soon.

Sheriff Ken Henderson said he first approached the city about the "illegal" placement in 2022, after fielding multiple complaints from county residents, but was told by the city then that the camera was legally located.

Following more recent complaints, Henderson engaged local attorney Larry Sorgen to investigate the mat-

ter on behalf of the Sheriff's Office, and Sorgen sent his findings in a Sept. 12 letter to Thomas Mitchell, the city's attorney.

In the letter, Sorgen stated that GDOT was apparently "not informed" that the new location for the 2022 "revised" permit was beyond city limits, and therefore outside of the legal jurisdiction of Hiawassee PD.

The letter warned the city that continued use of the camera at that location "constitutes unlawful law enforcement activity by HPD," and that the use of such data "is tainted and any further investigation or prosecution arising therefrom may be compromised."

See Camera Moving, Page 6



The Hiawassee Police Department's license-plate recognition camera was scheduled to be removed from its perch west of Anderson Bridge on Tuesday, Sept. 24.

Photo by Shawn Jarrard

## Bradshaw talks permits, commits to rollback rate

By Shelly Knight  
Towns County Herald  
Staff Writer

During his regular monthly meeting on Tuesday, Sept. 17, Towns County Sole Commissioner Cliff Bradshaw took public comments and questions about the possibility of charging for outbuilding permits.

"We're not here to cause anyone financial hardship, but we're encountering some issues relating to outbuildings," Bradshaw said. "The county requires a permit for building; that is not new and hasn't changed. But some of the buildings are not being used for the purpose stated.

"Buildings which are marked as storage-only are actually being used for other purposes, such as rental units.

People are adding power and sewage lines, building additions and so on. They've got washers and dryers and bathrooms outside of these buildings. These buildings have not been inspected, and that causes many safety concerns.

"We've had a permit marked storage-only, and it turned out to be a wedding venue. Enchanted Valley has their own sewage system, but the county is 100% sure that they are over capacity.

"Remember sewage leaking into the lake in July (in a separate area of the county)? That's what we're worried about up there. I'm worried



Cliff Bradshaw  
Sole Commissioner

about the lake and our drinking water. It could cause problems for the taxpayers.

"We have not made any decisions. I'm open to suggestions. I'm working with the Planning Commission. If you've got ideas, bring them to me and let's discuss this."

Regarding the 2024 property tax rate to fund the maintenance and operations of the county, Bradshaw gave some welcome news that "we will not be raising the millage rate" when the time comes.

"We will accept the rollback," Bradshaw said. "We feel like we're in very good

shape for another year."

In other business, Towns County Historian Jerry Taylor of the Historical Society highlighted a photographic replica of the quilt made by the Misty Mountain Quilters Guild. The actual quilt was created in 2006 to celebrate the sesquicentennial anniversary of Towns County.

"This will be one of the pieces of artwork on the courthouse wall," Taylor said. "The centerpiece of the quilt is Brasstown Bald, our mountains and wildlife and all the recreation here on our lake.

See County Meeting, Page 14

## Food Pantry in dire need of monetary donations

By Brittany Holbrooks  
Towns County Herald  
Staff Writer

"By grace of God, Towns County Food Pantry exists to assure that no citizen of Towns County goes hungry, to provide food for those in difficult circumstances, and to serve those in need with dignity and respect."

Such is the mission statement of the Towns County Food Pantry, but it's getting harder for the nonprofit organization to do that these days.

While the Food Pantry may not be in danger of closing its doors for good, according to Pantry Chair Teresa Stephens, the organization is still dealing with dire straits and has had to make some tough decisions to stay afloat.

As revealed in the Towns County Commissioner's meeting in August, the Food Pantry has had to suspend a beloved – and, as Stephens believes, necessary – program in order to keep feeding families in need.

The Backpack Program used to supply certain students with a bag of food to take home. There was no application process, and the Pantry worked with teachers to identify and help children most in need of support. In all, it cost \$4,000 monthly to keep it going.

Historically, the program served Towns County Elementary School, and while the Aug. 20 estimate to cov-



The Towns County Food Pantry needs fiscal assistance to maintain its programs feeding local families and seniors in need.

Photo/Facebook

er supply costs was around \$26,000, a more recent investigation revealed a dire situation. Stephens found out just a week after that meeting that the updated numbers showed approximately 170 kids were facing hunger.

"The numbers were double, but that, in essence, is \$55,000 a year at an average of \$8 a bag. It adds up in a hurry," said Stephens, lamenting that she "(doesn't) enjoy" having to make tough decisions when it came to rationing supplies.

The problem has been chalked up largely to inflation

and the rising cost of groceries exacerbated by a significant drop in donations. Primarily, the Food Pantry purchases food from the Northeast Georgia Food Bank but can get discounts through Dollar General and sometimes Walmart.

Northeast Georgia Food Bank is in a similar boat – as are many other organizations dedicated to free food distribution – leading to a sort of "domino effect" that leaves smaller drives wanting.

Stephens said she's seen donations wane in other chari-

See Food Pantry, Page 6

## Moriah Owenby nominated for Western music award

By Shelly Knight  
Towns County Herald  
Staff Writer

The International Western Music Association is an organization created by performers in 1988 for the purpose of preserving the culture and traditions of the Western lifestyle. The group's goal is to "represent the true cowboy image while providing exceptional family entertainment."

Each year, the association presents awards of excellence to entrants who are 21 years of age or younger in several different categories, including best male/female performer, best male/female poet, best instrumentalist and so on.

This year, local youth Moriah Owenby, who performs regularly as the lead guitarist of John Cochran and the Cowhands, has been nominated for the Liz Masterson Crescendo Award.

The Crescendo Award is presented to the artist who has shown the most advancement in his or her career over the

last year, and Moriah certainly qualifies for that.

"I just feel really blessed," said Moriah, 16, of her nomination. "I feel like God has put me here, and in the past year, He's given me a lot of opportunities to do what I love. I'm very excited to be nominated. I never dreamed that I would be."

Moriah began performing with the Cowhands less than a year ago as a vocalist and has learned to play the acoustic guitar, the electric guitar and is currently learning the piano, all by ear. She has never had any formal training.

"It's a huge honor to be nominated," Moriah's mother McKenzie Owenby said. "Moriah attended a workshop hosted by the IWMA in Texas last summer, rubbing shoulders with radio hosts and other artists, and came to the attention of an IWMA member who nominated her.

"There are five finalists in this category, and the nominating committee will

announce the winner this November. I don't know if she will win, but just being nominated is huge.

"I know I'm her mother, but what she has learned to do with those instruments with no training in this short amount of time just blows my mind."

Western music is a distinct genre, written by and about the people who settled and worked throughout the Western United States and Canada. It celebrates the lifestyle of the cowboy along the open range and among the prairies of Western North America. It is also influenced by the folk music traditions of those living in the Southeastern U.S. and even some gospel music.

Everyone remembers the cowboys who sang ballads like "Streets of Laredo" by the campfire, helping to establish a genre that is still loved today. They typically performed simple arrangements with rustic vocal performances and a guitar or a fiddle for accom-

paniment, and Western music maintains that tradition with assistance from artists like Moriah.

"Moriah has been singing since she was 4 years old," McKenzie said. "She's always sung in church and for shows. She won the Fannin County 4-H Performing Arts award four years in a row. She performs for the Union County Historical Society and at the Courthouse and for other local events."

The youthful musician came to John Cochran's attention last year after she attended one of his shows and knew the words to every song they sang, so he asked her to join the band.

"I just knew she'd be a Cowhand – she was great," said Cochran, leader of the Cowhands. "She opens every show with the 'Steel Guitar Rag,' the 'Pan Handle Rag,' and the 'San Antonio Rose.' She is a true artist and has a great future ahead of her."

See Owenby Nominated, Page 6



Moriah Owenby

14 Pages



Vol. 94 No. 48

Arrests - 2 Opinions - 4  
Chamber - 5 Legals - 13  
Church - 8 Obits - 9  
Classifieds - 13 Sports - 10

Lake Levels

Blue Ridge 1,675.66  
Chatuge 1,920.72  
Nottely 1,766.93

Towns Co. High Student of Week See Page 5

Sample Absentee Ballot for 2024 See Page 11

Young Harris Porchfest Sept. 29 See Page 14



The support you need for your next big dream.  
Talk to me today about your loan and line of credit options.

Tina Denton | 706-435-1104 | Hiawassee Main Office | NMLS #744611



© 2024 United Community Bank | NMLS #421841 | [ucbi.com/borrowing](https://ucbi.com/borrowing)  
This is not a commitment to lend. Normal credit criteria apply.

United  
Community

# Camera Moving...from Page 1

Sorgen went even further, citing Georgia law to say that "such collection and use of license plate data may constitute criminal activity."

"In order to avoid injustice and unlawful surveillance, Sheriff Henderson respectfully instructs HPD to immediately deactivate the LPR in question and to remove it from the unincorporated area of Towns County, as soon as possible," Sorgen wrote.

Hiwassee Police Chief Jeremy Parker, who did not work for Hiwassee PD until after the camera was moved, said last week he was limited in what he could say while the city attorney worked on an official response.

"We have been made aware of the concern and allegations, and we are going through the proper channels to make sure that camera is legal, properly placed and properly permitted," Parker said. "Once we get through that process, then we will release a statement based on the findings."

Parker said that the statement and a resolution to the issue would be available soon, possibly as early as this past Monday afternoon, after press time, and he expressed his belief that the city had not engaged in any potential "criminal activity."

A former employee who worked for the city when the camera was relocated said that Flock Safety was the entity that requested it be moved and suggested that location to get more sun to power the battery, and that GDOT approved the new location on state right of way.

But regarding how the camera was moved without the proper permitting, Flock Safe-

ty Communications Director Holly Beilin said she could "not speak to what happened in the past."

License-plate recognition cameras are an increasingly common law enforcement tool used to investigate things like stolen vehicles, kidnappings, missing persons, outstanding warrants, etc., and are integrated with the AMBER Alert database.

The cameras do not detect speed but can be used in traffic enforcement by picking up on, for example, expired tags that are then visually verified by law enforcement as expired, though Flock Safety said traffic enforcement is not the intended purpose of its technology.

"Flock cameras are used solely for solving and deterring crime - that's very much our only mission for Flock cameras," Beilin said, adding that customers, i.e., law enforcement agencies using the service, "own all of the data collected through the Flock devices."

"These are LPR cameras, license-plate recognition, so they're motion activated and capture still images," Beilin continued. "That's a common misconception - our cameras aren't capturing video."

"They're capturing images, and through an integration with the National Crime Information Center, they're determining whether the vehicles are stolen, associated with a known wanted offender, or associated with a missing person."

Flock technology is in over 5,000 communities around the U.S. - including in certain areas of unincorporated Towns County as used by the

Sheriff's Office - and Beilin said the technology "has actually helped recover over 400 missing persons through those different integrations."

In terms of when Hiwassee's westernmost camera will be replaced inside city limits, Beilin said it will happen soon, perhaps "in a week or so."

"The kind of things that we're dealing with are fairly life or death," Beilin said. "If a kidnapped child is passing through town, local law enforcement want to know about that, so we move relatively quickly in that sense."

"Again, I can't speak to what happened in the past, I don't have insight into that, but the camera will be moved on Tuesday (Sept. 24), and it will be properly permitted within the city."

Added Beilin, "We definitely want to make sure that everything is being used properly."

Sheriff Henderson said he is grateful for the removal of the potentially "illegal device," because "this is not about trying to win any kind of battle," but addressing "what's legal and what's not legal."

"My job is to enforce the law," Henderson said. "If I feel laws are being broken or citizens' rights and laws are being violated, then I'm going to address it, and that's what I did."

This is not the first jurisdictional issue between the two agencies. Sheriff Henderson has a years-long complaint that Hiwassee PD inappropriately pursues vehicles into the county, though the police department has maintained that its "hot pursuit" chases are legally justified.

Henderson broached the



Hiwassee PD will be relocating its westernmost LPR camera after a complaint by the Sheriff's Office resulted in Flock Safety agreeing that it needed to be moved for not having permission to be outside the city's jurisdiction.

Photo by Shawn Jarrard

subject of police pursuits into the county again this summer, sending a letter dated July 11 to the City of Hiwassee outlining his expectations for police activity as it relates to the unincorporated areas of Towns County.

City Attorney Mitchell responded Aug. 23 that, "with regard to traffic enforcement, the City is unaware of any examples in which city officers failed to act consistently with requirements of State Law, especially with regard to hot

pursuit."

The city agreed, however, to not have police officers respond to scenes originating outside city limits "unless a Towns County deputy advises that they are (in) need of emergency backup."

# Owenby Nominated...from Page 1



John Cochran and the Cowhands are John Cochran, Moriah Owenby and her father Wayne Owenby

Moriah is a mature young lady already focused on her career aspirations in the music industry. While she would love to be a performer, she also plans to pursue her passion for music by attending Middle Tennessee State University to major in Music Business.

"She wants to learn the business side of the industry as well so that she will always

have a job," McKenzie said. "She loves the music of Roy Rogers and the Sons of the Pioneers."

"This music niche just fits her. With the Western swing and the jazz influence and some gospel mixed in, this just suits her. I am humbled and blessed to be a parent watching all of this happen for my daughter."

John Cochran and the

Cowhands, which includes Moriah's father Wayne as a member of the band, play at local festivals and other gatherings, with a regular Jamboree the first Friday of each month at 6:30 p.m. inside the Stephens Lodge in Young Harris.

The Jamborees are free and open to the public, with the next performance set for Friday, Oct. 4.

## BENEFIT FOR BRAYDEN SHIFLETT

September 28th @ 2 pm  
Brasstown Community Center

Brayden is a nine-year old boy who has been battling with his health since birth. He has lots of health issues, some being Tetralogy of Fallot (a heart condition), severe spine problems, Lung issues, as well as others that require treatment and numerous surgeries. Brayden spends more time in the hospital than at home.

This benefit is to help with medical expenses that have been accumulated. Brayden is awaiting surgeries for his heart. He has treatments all the way into next year already scheduled. You can follow Brayden on his facebook page below:

<https://www.facebook.com/braydensstory>  
Mothers email: Mshiflett420@gmail.com



# Food Pantry...from Page 1

ties, and she can understand why when many people are struggling to provide even for their own loved ones.

Another problem comes in the misconception that the Food Pantry receives federal funding. While still recognized as a 501(c)(3), the Food Pantry had its start under Towns County Cooperative Ministries, meaning that it, too, is a ministry, so doesn't qualify for government help.

"I'm actually only the volunteer chair for that organization; I don't work for them," explained Stephens, referring to the Food Pantry. To put things into perspective, there's only one paid staff member. Otherwise, it falls upon about 40 to 50 volunteers to pack boxes and hand out food.

Stephens emphasized that despite going through hard times right now, the Food Pantry won't be closing. In fact, she's hopeful that the doors will remain open, and that the community will come through as it has in the past.

"We've gotten some really good interactions with the community," said Stephens, who is also working with a local radio station to get the word out. "We have had some money come in, and we look a little better than we did, but not a whole lot better than we did."

Current donations are maintaining distributions to local families, meaning that the same students who would benefit from the Backpack Program are still receiving food in some capacity.

That said, it would take \$4,000 completely dedicated to the Backpack Program to keep it running on a monthly basis, and right now, the Food Pantry receives about \$7,000 every month to meet all of its needs.

For growth to happen again, Stephens said she would like to see a 25% increase in donations before the holidays. That way, the Backpack Pro-



Towns County Food Pantry Chair Teresa Stephens spoke on the plight of the nonprofit organization in the August commission meeting.

Photo by Brittany Holbrooks

gram could start up again and then hopefully remain standing.

"The worst thing, I feel like, is if I could start the Backpack Program and then have to stop it again," said Stephens, adding that she would reevaluate finances at the start of November.

The best way to help the Food Pantry right now is to offer monetary donations, but Stephens said she won't turn away foodstuffs. That said,

it's better to call and consult the office before dropping anything off so that donation boxes are uniform.

To get in touch, call 706-896-4783 or email towns.pantry@ndocsbg.org. The Food Pantry is open Monday through Thursday from 9 a.m. to noon. Food distribution takes place every other Wednesday from 11 a.m. to 2 p.m. For more information, visit <http://www.townscountyga.org/food-pantry.html>.

# ARFS Offers Help to Stop Cycle of Abandoned Kittens at Red House

The red house in Hiwassee has become a hotspot for dropping abandoned kittens, and ARFS is hoping to put an end to the cycle of emergency kitten situations. If you are the person responsible for leaving kittens at the red house, ARFS would like to offer its assistance in trapping and fixing the cats to prevent further unwanted litters. By spaying and neuter-

ing the cats, it will help decrease the number of kittens in need of rescue and fostering.

If you are the individual leaving the kittens or know who is, please call 1-762-294-9467 to arrange for someone to help trap the cats.

Let's work together to ensure the well-being of these animals and prevent further over population issues in our community.

# County Meeting...from Page 1

“But it also has a series of frames with a yellow ribbon woven through. That yellow ribbon represents the Unicoi Turnpike, which connected northern Georgia and eastern Tennessee in the early 1800s. It was a major thoroughfare. “This quilt embodies Towns County history in stitches. The seven clans of

the Cherokee are represented, our gold mining, the settlers building log cabins, the Trail of Tears, the first church house in Macedonia, the Civil War, the first schoolhouse at Young Harris Chapel and Hiwassee Academy, the logging industry, the Towns County Herald, the moonshine industry, the mill, the Appalachian Trail,

the dam and electricity in the 1940s, and our first hospital.

“That ribbon winds all the way through to modern times and the influx of new residents.”

New meeting business included a budget amendment, increasing the training stipend for Towns County Tax Assessors Board members from \$75 per day to \$125 per day, a renewal of the Veterans Memorial Park lease with the Towns County Board of Education, and more.

Pertaining to the budget amendment resolution, employees of the Sheriff’s Office and Jail will be getting retention raises.

“The sheriff approached me several weeks ago, and we discussed the problems the department has been experiencing because other counties were offering higher salaries,” Bradshaw said. “So, we have a budget amendment granting a raise anywhere from \$1 more per hour to \$2.75 more per hour based on the job description.

“Again, this raise is to keep us competitive with departments around us. This will help us retain and recruit the

## Carter joins Letter To Postmaster General demanding answers on processing absentee ballots

WASHINGTON, D.C. — Rep. Earl L. “Buddy” Carter (R-GA) this week joined all Republican members of the Georgia congressional delegation, led by Rep. Rick Allen (R-GA), in sending a letter to United States Postal Service (USPS) Postmaster General Louis DeJoy expressing concerns with the Atlanta Regional Processing and Distribution Center’s (RPDC) ability to process mail-in absentee ballots for the upcoming election. In the letter, the Members write: “Our constituents and all residents of Georgia—most of whom have always viewed the USPS as reliable—depend on the delivery of mail to pay their bills, receive their paychecks, file their taxes, and send their ballots. However, over the past year, many of our constituents have lost faith in mail delivery by the USPS in Georgia due to delays caused by the implementation of the United States Postal Service Delivering for America (DFA) Plan. As members of the United States House of Representatives, we have received many calls from constituents frustrated with the abrupt delay in delivery and receipt of their mail due to processing is-

sues at the Atlanta RPDC.”

The Members continue: “With that in mind, ensuring the integrity of absentee ballots is crucial for maintaining trust in the democratic process. Voting is a sacred right and the most important tool in shaping our republic. The USPS plays a crucial role in processing mail-in ballots during elections and is tasked with working closely with local and state election officials to ensure the secure delivery of absentee ballots.

“The state of Georgia allows absentee ballots to be requested any time between 78 and 11 calendar days prior to Election Day, and all absentee ballots must arrive at their county election office by Election Day. We want assurances that the USPS will be able to guarantee delivery and return of the absentee ballots in such a short turnaround time of at least 11 days.”

Cosigners: Rep. Drew Ferguson (GA-03), Rep. Rich McCormick (GA-07), Rep. Austin Scott (GA-08), Rep. Andrew Clyde (GA-09), Rep. Mike Collins (GA-10), Rep. Barry Loudermilk (GA-11), and Rep. Majorie Taylor Greene (GA-14).



Towns County Historical Society Vice President Jerry Taylor and President Tyler Osborn showing off a reproduction of the historical Towns County quilt in the September commission meeting.

Photo by Shelly Knight

finest employees.” Additionally, the commissioner approved the final payment for the Courthouse Addition/Renovation contract,

and he noted that the project came in under budget at \$10,292,136.

Commissioner Bradshaw holds his regular meet-

ing the third Tuesday of each month starting at 5:30 p.m. in the Towns County Courthouse. The public is encouraged to attend.

## Porchfest 2024 to be Held in Young Harris



Mark your calendar now for Sunday, September 29, 2024, for Porchfest 2024. The event will be held in downtown Young Harris from 1-5 PM, with live music at Cable’s Gallery, Young Harris Wing House, and The Fix.

Vendors and food trucks will be present, and music will range from bluegrass to rock and roll. Venues include the vacant lot next to Cable’s Gallery, with YHC student organizations, Cable’s Gallery, Young Harris Wing House, UG Clinic parking lot, and The Fix.

Wear your walking shoes and bring a chair to sit and enjoy the sounds, rain or



shine. Last year Porchfest had 700 visitors, and we hope to see you there!

Thank you to our sponsors: Blue Ridge Mountain EMC, Peach State Federal Credit Union, Jo Ellen Thornton of Century 21, Black Bear Realty, Enotah Environmental, Fine Line Builders, CGH Ventures, The Fix, the Young Harris Wing House, City of Young Harris.

## Towns County Fire and Rescue Seeking Volunteers



Have you ever wanted to give back to your community or be a part of it in a special way? If so come join us at Towns County Fire and Rescue.

We are seeking new volunteers to become a part of our family; we are also looking for Explorer Firefighters to be a part of our explorer program (ages 14-18). No experience is required. We will provide all equipment needed and all training needed which will consist of firefighting training and basic first aid and CPR. You will assist with special

events in our community and respond to a variety of emergency calls from fires to medical calls and search and rescue calls.

There is a job for everyone in the fire service so come be apart of our great team of firefighters and family to help us better serve our community and county.

For more information and to meet us and check out our equipment come by Fire Station one in Hiwassee City limits at 156 Sims Circle or give us a call at 706-896-2090 anytime from 8 AM to 4 PM, Monday-Friday, we will be happy to speak to you and answer any questions you may have.



**Question:** Do I need an appointment to see someone there?

**Answer:** Ideally yes. Our advocates are all volunteers and are staffed according to how many clients we have scheduled each day. This means if you come in without an appointment we may or may not be able to accommodate you. With an appointment you can be assured to have a prepared Advocate familiar with your situation. This is an added plus because it keeps you from having to repeat your story to a different person every time you come. It also allows you to develop a relationship with your Advocate. Your Advocate will be familiar with

your needs and will help keep you abreast of any resources that might be available to you. To make an appointment please call 706-745-7518. Our offices are open Tuesdays, Wednesdays and Thursdays 9 AM to 4 PM.

**Question:** Where do you get the clothes that you give out to clients?

**Answer:** All of our clothing is donated. Some are new items which are featured in our “Baby Boutique” for pregnant moms. The used items are placed in our “Children’s Shoppe”. If you would like more information about our ministry, please contact the WEC offices at 706-745-7518.