

Towns County Herald

Legal Organ of Towns County

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Local Weather and Lake Levels

Thurs: Rain	47 44
Fri: Rain	61 40
Sat: Rain	66 44
Sun: Clouds	65 40
Mon: Sunny	61 40
Tue: Clouds	63 41
Wed: Sunny	66 47



Upstream Elevation Predicted 03/18/2015	
Lake Chatuge	1,918.17
Lake Nottely	1,763.62
Blue Ridge	1,676.64

INDEX

2 Sections 14 Pages

Arrests.....	2A
Church.....	2B
Classifieds.....	4B
Editorial.....	4B
Letters.....	4B
Legals.....	5B

SPORTS

Page 7A

Towns County Board of Health Dangerous Dog Hearing

March 27 9:30 AM



FREE Food Distribution

N. Mt. Zion March 19 10-Noon

HIAWASSEE GARDEN CLUB SPRING PLANT SALE

Hiawassee Town Square April 11th

SPORTS

Baseball

Mar 17 vs. Athens Academy TBA
Mar 19 vs. Prince Avenue 5 PM
Mar 20 @ Prince Avenue 5:30 PM

Soccer

Mar 17 @ Fannin County 5 & 7 PM
Mar 20 @ Providence 4 & 6 PM
Mar 23 @ Union County 5 & 7 PM

Four BRMEMC directors countersue

By Charles Duncan
Towns County Herald
cduncan.tch@windstream.net

Four members of Blue Ridge Mountain EMC's Board of Directors have filed a counter claim in Towns County Superior Court seeking damages for defamation of character. Attorneys for Kenneth Lance, Greg Owenby, Jerry Nichols, and Robert Ensley claim their clients have been subjected to false and defamatory charges by a membership group that has filed suit against BRMEMC.

The suit revolves around a petition sent out by the membership group claiming that the directors breached their duty of honesty and good faith owed to all members and stakeholders of BRMEMC; the petition also reads that the directors failed to act with undivided loyalty and diligence to protect the financial and social interest of BRMEMC; that the directors violated the by-laws, were negligent and that their failure to act resulted in financial losses to BRMEMC; that the directors authorized preferential treatment of fellow directors to the detriment of BRMEMC; that the directors allowed misuse of BRMEMC assets and equipment; that the directors acted with carelessness which resulted in perjury to



the Internal Revenue Service; that the directors failed to maintain a high standard of conduct, condoned conflicts of interest, showed favoritism, were dishonest, and acted with carelessness and violated rules and standards.

The petitions were circulated in the *North Georgia News*, the *Towns County Herald*, *Clay County Progress* in Hayesville, NC, and the *Cherokee Scout*, in Murphy, NC, according to the counter claim filed in Towns County Superior Court.

The counter claim also cites a postcard with the same

allegations mailed to every BRMEMC member.

The counter claim on behalf of Lance, Owenby, Nichols and Ensley emphasizes that the four have been libeled, slandered, and maliciously damaged, to be proven in court.

The four seek award of damages to be determined by a fair and impartial jury.

The four demand a jury trial; pray for the court to enter a judgment in favor of Lance, Owenby, Nichols and Ensley for what they say was

See EMC, Page 6A

Two charged with molestation

By Charles Duncan
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Two Hiawassee men have been charged with multiple sex-related offenses, the Towns County Sheriff's Office reports.

On March 9, the Towns County Sheriff's Office received a complaint of incidents which had occurred involving child sexual abuse allegations. The incidents were reported to have occurred within the last several weeks. The reported incidents involved a 14-year-old juvenile.

Sheriff's Office investigators, upon completing their investigation into the reported incidents, arrested Michael Eric Bivens, age 42, Hiawassee on two counts of child molestation, one count of aggravated child molestation, one count sexual battery, one count enticing a child for indecent purposes, and one count furnishing alcohol to a minor.

Also charged was Nicholas Ryan Surber, 20 of Hiawassee on one count child molestation, one count making false statements to law enforcement, and one count sexual battery.

Bond has been set for Nicholas Ryan Surber at \$65,000. Michael Eric Bivens is being held without bond.

BOE experiences National BOE Appreciation Day



By Shawn Jarrard
Towns County Herald
Staff Writer

School boards everywhere – and especially the Towns County Board of Education – are receiving VIP status this week, as Gov. Nathan Deal has designated March 16 through March 20 as School Board Appreciation Week.

Towns County's local school board is comprised of Board Chairman Bob Gibby, Vice-Chair Jerry Taylor, Robert Williams, Cliff Bradshaw and Donna Hedden.

The governor signed the proclamation on Thursday, Feb. 26, sealing the deal for school boards to receive official appreciation around the state this week.

"Fortunately, in the United States, we elect our friends and neighbors as school board members, and we rely on them to make tough educational decisions on our behalf," said Towns County Superintendent of Schools Dr. Darren Berrong. "While their occupations and life experiences are varied, when they come together in regular public meetings, they are there to make education their common business. Our board members invest count-

less hours into making sure our schools reflect local traditions and unique needs.

"Their decisions often reach far beyond the classroom to impact local businesses, economic development and, ultimately, the future of this community," continued Dr. Berrong. "We are particularly fortunate in this community to have board members whose vision and accountability are making sure that our children can compete successfully in college and the workplace after they graduate from Towns County Schools. Therefore, I am proud to promote School Board Member Appreciation Week in Georgia, and especially in Towns County."

School Board Appreciation Week calls special attention to the contributions of the school board to education and the community at large. The leadership exhibited by the school boards of Georgia is why Gov. Deal felt it necessary to issue his proclamation.

"Educating our youth is the key to our state's continued prosperity and to opening the doors of opportunity for every citizen," according to the governor's proclamation.

See Appreciation, Page 6A

Young Harris parks go tobacco-free

By Shawn Jarrard
Towns County Herald
Staff Writer

The Young Harris City Council unanimously passed a Tobacco Free Parks Resolution in its regular monthly meeting on Tuesday, March 3.

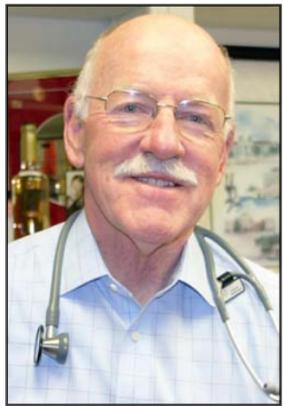
"Since the park is utilized by families, and young children are there enjoying their recreation in the park, we did not want them to be exposed to tobacco products, so we felt like it would be a wise move to make the park a tobacco-free environment," said Councilman Dr. John Kelley.

Signs will be made up and posted around Mayors Park and Cupid Falls to deter park visitors from using tobacco products.

"Certainly, if I as a councilmember see people smoking and not heeding it, I will walk up to them and courteously ask them to not use their tobacco products in the park," said Dr. Kelley. "Whatever it takes to get the point across."

It is the council's hope that residents will help to enforce the policy to ensure that the parks remain tobacco-free zones.

"We don't have a police force in the City of Young Harris, so it will be up to the citizens to help us enforce it, and those citizens that see it being abused, we would encourage them to point the sign out to the abuser and respectfully request that they adhere to the sign policy," said Dr. Kelley. "I'm sure if people ignore their fellow citizens' requests, the council will hear about it,



Dr. John Kelley

because our office is right next to the park."

Dr. Kelley is a cardiologist, and currently serves as the Northeast Georgia medical director for the Piedmont Heart Institute in Blairsville.

"Usually, peer pressure works in our society pretty well, and I think people will understand the reasoning," said Dr. Kelley. "Heart disease is the number one killer in America. There's over 1.2 million cardiovascular events per year, and the death rate from heart disease totals more than the death rate yearly of all cancers included. So, you could total up all the cancer-related deaths per year and it not equal the cardiac deaths per year."

"Obviously, cardiology-related adverse medical events are our focus, but lung cancer and other forms of tobacco related to dipping and what we call smokers' tobacco results in laryngeal cancer, tongue cancer and lip cancer, etc. We're trying to be good stewards of our environment."

ing to be good stewards of our environment."

It is this stewardship that Dr. Kelley and his fellow councilmembers hope the community will embrace, as this decision affects more than those who choose to use tobacco.

"The focus in Young Harris from the council's standpoint, we want to have a friendly, eco-friendly environment," said Dr. Kelley. "We want to encourage pedestrian utilization of our recreational facilities, and we want them to be respectful of our facility. And part of that respect will include no tobacco products. "Hopefully, they will adhere to this request, and we expect people to look favorably on it, because most of us will go to extremes to protect our children and our grandchildren, so hopefully people will understand that that's the main focus."

The tobacco-free signs will serve as a means to empower residents, to give them a voice to speak out when someone violates the new resolution.

"I think it will enable people to, instead of being quiet, now they'll have a reason to speak up," said Dr. Kelley. "And if it gets a dialogue begun in our community regarding the harmful effects of tobacco, I think that will be a healthy thing for the whole county and the surrounding area. If we can begin this movement, then hopefully it will spread, and people will start thinking about their health and make it a priority."

Master Gardeners recognized

By Shawn Jarrard
Towns County Herald
Staff Writer

On Monday, March 9, Towns County Sole Commissioner Bill Kendall signed a proclamation making Saturday, March 21, Master Gardener Appreciation Day.

The Master Gardener Program is a national volunteer horticultural educational training program sponsored by the Cooperative Extension, U.S. Department of Agriculture and the University of Georgia, according to the proclamation, and provides avid gardeners with intensive education in research-based horticultural principles and pest control practices.

"New Master Gardeners must initially provide at least 50 hours of volunteer service through their County Extension Offices, working on community and school garden projects, conducting garden clinics and answering questions," according to the proclamation.

In 2014, 41 Towns-Union Master Gardeners volunteered 4,728 hours of their time, which represents \$105,210 in labor. This is a calculation by the University of Georgia of



what it would cost these counties to pay people to do what the Master Gardeners do.

These individuals also traveled 23,582 miles in order to provide technical information and service residents of both Towns and Union counties.

"In the spirit of volunteerism, Master Gardeners have provided and continue to provide valuable services to Georgia communities through

education and training programs," according to the proclamation.

Judy Caines and Jo Anne Allen formed the Towns-Union Master Gardeners Association, or TUMGA, five years ago. Caines is the president of the Towns portion, and Allen is president of the Union portion of the group.

"When I took my class

See Master Gardeners, Page 6A

Towns emergency agencies prepare for natural disaster situations

By Shawn Jarrard
Towns County Herald
Staff Writer

Emergency responders of Towns County gathered to conduct a sand table roleplaying exercise on Thursday, March 12, at the 911 Building in Young Harris.

The exercise consisted of a model of Hightower Road. In the scenario, a category F2 tornado had ripped through the area, knocking down power lines, leaving cattle dead in the road and presenting obstacles such as trees that blocked access to emergency vehicles.

Towns County responders were not briefed on the scenario prior to entering the situation, in order to gauge their realistic responses to a sudden disaster.

Fire Chief Harold Copeland was first on the scene. After event organizers removed the cover from the table, he assessed the situation and started calling others to assist.

911 Dispatch Director Laura Stamey was his first point of contact, and through her, other firefighters and sheriff's deputies began arriving on the scene, as well as Towns County EMS.

Frank Riley headed up a chainsaw crew to clear road access, but only after Chief Copeland had contacted Blue Ridge Mountain EMC to make sure the power was cut to the area.

Tony Harkins of the Georgia Forestry Commission participated in the roleplaying, along with several members of

the U.S. Forest Service, including Jason Demas, Dequincy Gordon and Nick Peters.

Renee Bishop of the Forest Service's Georgia Inter-agency Coordination Center out of Gainesville fielded calls through that dispatch center, which helped the Forest Service get badly needed equipment and information to the disaster site.

Chief Copeland established a chain of command, delegating responsibilities as they piled up, as well as reacting to changes in the situation that mirrored what could actually happen in such an event.

Towns County Sole Commissioner Bill Kendall, Roads Superintendent Clyde Shook, 911 Mapping Director Marty Roberts, Towns County Fire and Rescue Division Chief Doug Mills, Lt. Mark Cecci of the sheriff's office and others were on hand to observe or participate in the event.

The exercise attempted to make the situation seem as real as possible, with chainsaw sound effects representing crews cutting through trees, and people talking over each other and across the room, signifying the amount of communication that would be experienced should a real disaster break out.

See Disasters, Page 6A

TOWNS COUNTY HERALD

