

Towns County Herald

Legal Organ of Towns County

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Wednesday, November 26, 2014

Local Weather and Lake Levels

Thu: Clouds	44 27
Fri: Sunny	50 30
Sat: Rain	56 41
Sun: Rain	61 43
Mon: Clouds	63 43
Tue: Sunny	60 47
Wed: Clouds	61 54



Upstream Elevation Predicted 11/26/2014	
Lake Chatuge	1,915.72
Lake Nottely	1,760.38
Blue Ridge	1,668.29

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SPORTS

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A Thanksgiving Tradition

We would like to wish all our loyal customers and friends a very Happy Thanksgiving!

The Staff of the Towns County Herald



Sponsor a Foster Child for Christmas

See Page 15A

9th District Announces Heating Assistance Funding Available

See Page 5A

Food Distribution

Town County Food Pantry
December 2nd
2 pm - 5 pm

See Page 5A

County budget comes in at \$9.5 million

By Shawn Jarrard
Towns County Herald
Staff Writer

Towns County Sole Commissioner Bill Kendall approved the county budget for the 2015 fiscal year at the regular monthly meeting Thursday, Nov. 20.

The budget will begin Jan. 1 and run through Dec. 31, 2015.

The budget for 2015 reflects general fund expenditures of \$9,579,733, which is \$223,722 below the 2014 budget, or down 2.28 percent.

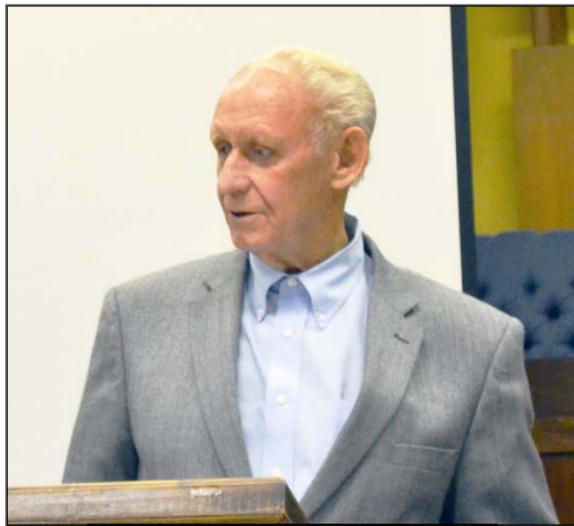
Included in the 2014 expenditures, however, is a watershed grant that will not be renewed for 2015, making the actual budget cut between 2014 and 2015 \$122,722. This translates into a budget for 2015 that will be 1.25 percent lower than in 2014.

And according to the budget, "2014 expenditures are on track to come under budget \$250,000, or 2.5 percent without any unforeseen emergencies."

The county will be implementing a 25-cent raise for all county employees, as well as a 1.5 percent increase to departments for which the county is responsible for paying utilities.

One way Commissioner Kendall is able to give county employees raises is by supplementing the budget with savings, coupled with waiting until July of 2015 to start the pay increases.

As highlighted in last month's meeting, another cost-cutting measure comes in the way of a pilot juvenile court program.



Towns County Sole Commissioner Bill Kendall discusses the 2015 budget at the County meeting last week. Photo/Lowell Nicholson

According to a statement previously released by Commissioner Kendall, a "federal judge ruled in 2013 that each child (referred to court by Dept. of Family & Children Services) and his/her parents must be represented by separate attorneys and county taxpayers must pay for the cost of the legal counsel for all."

Further, Commissioner Kendall demonstrated the actual monetary impact of this ruling on taxpayers by highlighting budgetary information for the year preceding this judgment and the years since.

In 2012, Towns County's Juvenile Court budget was \$6,000. The budget remained the same in 2013, but the court wound up spending \$26,000 "due to the high costs of the legal fees involved in these cases because of the new ruling."

So, in 2014, the budget was increased to \$26,000, but projected costs are \$80,000 for the year.

"In 2015, the Juvenile Court budget will be set at \$55,000," said Commissioner Kendall's office in the statement. "Judge Murphy Miller has approved Commissioner Kendall's request to start a trial pilot program projected to save taxpayers approximately \$25,000 per year. The pilot project will consist of Judge Miller appointing a panel of retired lawyers and judges to select four attorneys to be paid by contract instead of by the hour."

The newly adopted budget comes on the heels of a lowered county millage rate, which was set at last month's meeting.

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Christmas Parade on Saturday

By Shawn Jarrard
Towns County Herald
Staff Writer

The annual Towns County Sheriff's Parade rolls out this Saturday, Nov. 29, and it will entertain crowds and benefit the Sheriff's Department's Empty Stocking Fund to boot.

"It's pretty traditional that we do it the Saturday after Thanksgiving," said Towns County Sheriff Chris Clinton. "The parade itself starts moving for the spectators at 5:30. Participants line up at 4. What it is for us, it's really our big kick off to the Empty Stocking Fund. Participants in the parade generally come and they line up, and they bring at least one new, unwrapped gift for a boy or a girl."

Gifts of toys typically range between ages birth 12 years old.

"It's really about the kids and for the kids, and about the spirit of helping others and giving. It's just one of the very good things that I get to be a part of as the sheriff," said Sheriff Clinton. "And I tell people this, a lot of times there's this misconception that everybody thinks we're here to lock people up - well, actually, we're here to help people."



Christmas is that special time of year when giving seems downright ordinary, and residents of Towns County are no strangers to the act.

"There's something special about doing this for kids at

Christmas and being involved in that," said Sheriff Clinton. "I'm 46-years-old, and it's still the most magical time of the year for me - it's just incred-

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State Rep. Allison speaks to Shakers

By Shawn Jarrard
Towns County Herald
Staff Writer

Young Harris - Towns County High School junior Adam Penland opened the Mountain Movers and Shakers weekly meeting for State Rep. Stephen Allison on Friday, Nov. 21, at Mary's Southern Grill in Young Harris.

"I think it's important that I'm here for you guys to ask questions of," said Rep. Allison. "I think one of the most important things in a constitutional republic form of government that we can do is be in front of our constituents to make sure that we stand in front of them, election season or not."

Rep. Allison thanked the members of the Mountain Movers and Shakers for their proactive attention to the issues in the county at large.

"We don't see that anymore," said Rep. Allison. "The modern day city has turned into a bunch of people who commute from 8 to 5. They don't know their neighbors, have no clue who the school board members are. They don't even know what their community stands for, and I think it's really important that groups like this meet and discuss a wide variety of issues."

Rep. Allison won his par-



State Rep. Stephen Allison is introduced at the Mountain Movers and Shakers meeting by Towns County High School junior Adam Penland. Photo/Shawn Jarrard

ty's primary for House District 8 in May, and ran unopposed during the General Election on Nov. 4. He was one of many Republicans to celebrate victory that night.

"First and foremost, as many of you know, I've never hidden it at all - I'm a Republican," said Rep. Allison. "I'm very happy with the election results that came in two weeks ago."

Pointing out the country's desire for change, Rep. Allison highlighted the fact that

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Membership group pursues derivative action against EMC

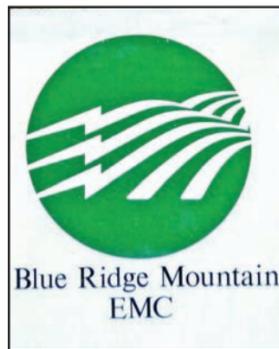
By Charles Duncan
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Ten members of Blue Ridge Mountain EMC will move forward with a derivative action seeking the dismissal of BRMEMC General Manager Matthew Akins, General Counsel Lawrence Sorgen, six members of the EMC's Board of Directors, and the EMC's Auditor and Certified Public Accountant Gene Allen.

A derivative action demand letter obtained by the *Towns County Herald*, was sent to BRMEMC on Nov. 6, with specific demands that the EMC Board of Directors assert causes of action against Akins and members of the Board of Directors. Ronnie Burch; William Prather; Bob Enslay; Kenneth Lance; Jerry Nichols; and Greg Owenby. The letter's demand was that the Board of Directors terminate Akins, BRMEMC attorney Sorgen, and BRMEMC's auditor and certified public accountant Allen.

In a letter dated Nov. 17, the membership group learned that the BRMEMC Board voted to reject the demands, according to a correspondence sent by BRMEMC legal counsel Sorgen.

"The Board has received and reviewed your letter of November 6, 2014 and has taken action in regard to the matters set forth therein that are relevant to the provisions of O.C.G.A. 46-3-272 and matters concerning derivatives actions. Be advised that after due consideration and deliberation, the Board of Directors has rejected your clients' demand that the Board assert the alleged causes of action against the General Manager and the six specifically named directors, as set forth in your correspondence of November 6, 2014. No action has been taken, at this time, upon the other demands made by your clients and set forth in your correspondence as such demands do not relate to causes of action that may be asserted on behalf of Blue Ridge Mountain Electric Membership Corporation."



EMC directors Steven Phillips, Charles Jenkins and Chris Logan abstained from the directors' vote to reject the membership demands, the newspaper has learned.

On Monday, Director Phillips said the EMC board took no vote regarding General Manager Akins.

"We didn't take a vote about Matthew Akins," Director Phillips said. "The only vote was in regards to the six named board members. Director Jenkins, Director Logan, and myself abstained from that vote."

The derivative action will be filed on behalf of EMC members Krista L. Gooch, Larry Williams, Todd and Helen Kimsey, Jerry O'Connell, Andrew E. Stephens, Barbara Moss, Dr. Marcia Schultz, Floyd Schultz, and Wes Hoppood, according to the demand letter.

The 10 members' derivative action, which will now move forward, seeks to have Akins dismissed for allowing former BRMEMC President Terry Taylor and his Taylor and Taylor Construction to accumulate significant balances with BRMEMC without requiring payment or informing the EMC's Board of Directors, according to a derivative action demand letter filed by the membership group.

Also, the membership group alleges that the decision of Akins and the six directors named in the action response, to continue providing service to Taylor and his commercial op-

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Kendall refuses to raise county property taxes

By Charles Duncan
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At the November County Commission meeting Towns County Sole Commissioner Bill Kendall denied demands to raise taxes and increase spending and adopted the 2015 Budget as advertised, with tax cuts for county residents of \$50,000.

At the budget hearing Commissioner Kendall refused a request from a group advocating that he raise county taxes and increase spending for the Sheriff's Office budget.

Commissioner Kendall told the crowd that he was born and reared to be a fiscal conservative, that it is a part of his DNA and Appalachian Mountain heritage.

He promised residents that he would operate their county government in a conservative, efficient manner.

The Commissioner reaffirmed that the power to tax is the power to destroy, and the Towns County Commissioner has the power to tax.

He assures Towns County residents that he will continue to fight to keep their county government taxes as low as possible while providing adequate services.

The Commissioner passed out information to those in attendance, as well as those lobbying to raise taxes and increase spending.

The information showed that Towns County is already budgeting and spending more of residents' taxes for the Sheriff's budget than other neighboring county.

Th information, based on 2013 budgets, was earlier given to a Grand Jury.

Interested residents can access more current information via their personal computers, Commissioner Kendall said.

The data shows Towns County's Sheriff and Jail budget based on a population of 10,471 is \$2,058,600.

Commissioner Kendall

said that the total budget of \$2,058,600 divided by the county population of 10,471 equals \$196.60 per capita, or one employee for every 262 persons based on the department's 40 employees.

By comparison, the Habersham County Sheriff and Jail budget with a population of 43,041 is \$4,349,172.

The total Habersham Sheriff and Jail budget of \$4,349,172 divided by population of 43,041 equals \$101.05 per capita, or one employee for every 615 persons based on that department's total of 70 employees.

Likewise, the Union County Sheriff and Jail budget of \$3,230,673 is for a population of 21,356.

The Union County total law enforcement budget of \$3,230,673 divided by the population of 21,356 equals \$151.28 per capita.

The Fannin County Sheriff and Jail budget of \$2,912,515 is for a population of 23,682.

Fannin's total Sheriff and Jail budget of \$2,912,515 divided by population of 23,682 equals \$122.99 per capita, or one employee for every 564 persons based on 42 law enforcement employees.

Concern was expressed by the group that advocated that Commissioner Kendall raise county taxes and increase spending for the Towns County Sheriff's Office budget, that the Commissioner was building a nice recreation facility that was taking money away from the Sheriff's budget.

Commissioner Kendall informed the group that the recreational facility was funded by SPLOST dollars, which Towns County voters passed by a 90 percent yes vote

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TOWNS COUNTY HERALD

