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Judge Levins signing paperwork for one of two oaths of office he took on March 31 when he became the newest judge in the Enotah Judicial Circuit.
Photo by Shawn Jarrard

colleagues from the State Bar of Georgia looked on proudly.

There in spirit were the Levins' parents and family members, who wanted to be there but live in other areas, so could not attend due to concerns over travel and the coronavirus.

"This is a happy day in this courtroom," George said to those spread out around the room. "A lot of times, this courtroom sees the tragedy of the human experience, whereas today, we get to honor a young man who is joining our team."

After pledging to uphold the U.S. and Georgia constitutions, Levins received from George the pen he used to sign the oaths he swore that day, and he was asked to sign one more thing: the locally renowned "Sword of Justice," which is a literal sword Judge George keeps in his office.

"It's a tradition here in the Enotah Judicial Circuit that started (in 2012) when I got to swear in my son (Michael George) as a lawyer," George said, holding up the sword. "We're going to get Judge Levins to initial and date the sword."

"As you can see, the Superior Court judges of this circuit have had the honor several times of swearing in new lawyers, but this is the first time we've had the distinct honor of swearing in a Superior Court judge."

Added George, "My



The Blue Ridge Mountain Chapter of Military Officers Association of America (MOAA) is comprised of services who've served our country as Commissioned Officers in the military or U.S. Public Health Service. Members may be active, inactive, reserve or retired.

The local chapter serves both Western North Carolina and North Georgia and meets on the third Wednesday of each month at different locations in our area.

For information on membership enrollment in the Blue Ridge Mountain Chapter, call Joff Filion at (386) 530-0904 or email joff27@aol.com and visit www.moaa.org/chapter/blueridgemountains.

attorney colleague. As a veteran prosecutor, he described his nomination by someone from across the legal aisle as a great compliment.

Gov. Brian Kemp selected Levins for the appointment from among several highly qualified candidates earlier this year. At the time, Levins was working in the Tallapoosa Judicial Circuit District Attorney's Office, where he served from August 2019 until his swearing in as a judge.

Prior to Tallapoosa, Levins served as a senior prosecutor for the Enotah Judicial Circuit; as assistant district attorney for the Alcovy and Atlanta Judicial Circuits; and as an associate attorney at several Georgia practices, to include criminal defense work.

Levins will use his well-rounded legal career and the wisdom he's gleaned from peers across the state to shape his judicial philosophy, which will be centered on impartiality and justice.

"Like so many of my friends and colleagues, I've worked both as a criminal defense attorney and as a prosecutor," Levins said. "I think all of us as litigators want the opportunity to have an open and fair courtroom and have an honest ump who calls fair balls and strikes."

In addition to his new judicial role, Levins said he anticipates being an active member of his community, which makes sense given his past experience with the Rotary Club of Union County and as a member of the Blairsville-Union County Chamber of Commerce Board of Directors.

The office of Superior Court judge is an elected position in Georgia, only filled by appointment when necessary.

Levins is filling the vacancy created when former Chief Judge N. Stanley Gunter decided to retire last year. Gunter started a new term in 2019, so Levins will have the opportunity to continue in his role at least through 2022, after which he will have to run for election to the seat.

Currently, all Georgia courts are under a "Statewide Judicial Emergency," declared by Chief Justice Harold D. Melton of the Supreme Court of Georgia on March 14 in response to the pandemic. As such, courts remain open, but have suspended "all but essential court functions." These functions include "domestic abuse restraining orders, juvenile court delinquency detention hearings and emergency removal matters, mental health commitment hearings," and cases requiring the court's attention to address "an immediate liberty or safety concern."

"We're excited about the expertise and legal knowledge he's going to bring to the bench," Judge Parks said. "We're ready for him to start working as soon as possible."

Levins, a native of Houston County, moved to Blairsville in 2012 with his wife Jaime to begin his work with the Enotah Judicial Circuit, where he served in the District Attorney's Office until August 2019.

"We've been in Union County going on eight years, and we're excited that he gets to continue serving this area," Jaime Levins said. "I'm just really proud of him."

"I think he has the right experience, skill set, temperament and personality to do the job. I believe he'll be fair and just, and that he'll uphold the oaths that he took today."

Judge Levins' nomination last year came by way of a defense

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local park."

Still, the question remains – and has for weeks now – as to whether or not the state is actually following CDC and President Donald Trump's guidelines advising people to "avoid discretionary travel," which would presumably include trips to Georgia's parks and beaches.

The president's coronavirus response team, headed up by Dr. Deborah Birx, is heavily advocating that people stay home to avoid transmitting or catching the virus during this crucial time, as health experts believe the virus' spread is still ramping up in the U.S.

In a press conference Saturday, Dr. Birx even went so far as to say people should avoid travel for other things deemed "essential" by Kemp, to say nothing of exercise.

"The next two weeks are extraordinarily important," Dr. Birx said. "This is the moment to not be going to the grocery store, not going to the pharmacy, but doing everything you can to keep your family and your friends safe, and that means everybody doing the 6-foot distancing, washing their hands."

Opposition to leisure travel allowed by Kemp has been widespread across the state, and particularly so here and in surrounding counties due to Vogel State Park continuing to welcome thousands of visitors in recent weeks into mountain communities.

The frustration people are feeling has only been compounded by Kemp's decision to suspend all county and city ordinances responding to COVID-19, resulting in the re-opening of many hotels, vacation rentals and campgrounds in various communities.

In sharp contrast, the U.S. Forest Service, which is federal, has closed High Shoals Falls and access points to the Appalachian Trail to discourage travel-related virus spread between communities and encourage social distancing.

Kemp's order also identifies "Critical" versus "Noncritical" infrastructure, establishing requirements for businesses and organizations to follow if they want to continue serving the public, such as monitoring employee health, sanitizing the workplace and maintaining space between workers.

In defining "Critical Infrastructure," Kemp refers to

an extensive list compiled by the U.S. Department of Homeland Security. To read the full document issued by Homeland Security, visit <https://www.cisa.gov/publication/guidance-essential-critical-infrastructure-workforce>.

Most businesses and organizations can remain open under Kemp's shelter-in-place order if they follow the proper requirements, though no business, organization or local government may allow more than 10 people to gather in a single location unless they can maintain at least 6 feet apart.

To review the list of requirements and explore "Critical" versus "Noncritical" infrastructure, check out the governor's website at gov.georgia.gov. Look for the press release titled "Governor Kemp Issues Shelter in Place Order," which includes many supporting documents.

The overarching goal of the order is to keep people from entering into unnecessary contact with one another.

Importantly, the order attempts to address the growing calls of late from local governments around the state looking for a more uniform approach to combatting the virus, as mitigation efforts have varied widely from municipality to municipality, with some areas doing little to slow the spread and others closing businesses and instituting curfews.

Similar to what many counties and cities have already done, including Towns County, Hiawassee and Young Harris, the order closes businesses requiring prolonged physical contact, such as gyms, barber shops and nail salons.

Bars and nightclubs, originally closed under a previous executive order from March 23, will remain closed throughout the shelter-in-place order, and newly, the order closes places like movie theaters, as well as the interior dining areas of restaurants, which have been closed through local ordinance for some time now.

As mentioned above, the order supersedes all local ordinances and prevents counties and cities from adopting "more restrictive or less restrictive" measures, effectively stripping local governments of the ability to mitigate virus impacts on a community by community basis.

For example, Sole Commissioner Cliff Bradshaw ordered local hotels, vacation

rentals and campgrounds to close recently to discourage the movement of people from other areas into Towns County.

Kemp's order, however, suspends the county's ability to close hotels and campgrounds, and furthermore, suspends any other measures not specifically mentioned in the state order.

Once Kemp's shelter-in-place order expires after April 13, unless it is extended, all local ordinances that have not yet expired will go back into effect.

When reached for comment, State Sen. John Wilkinson said he appreciates Gov. Kemp's work during this time and the position he's been in regarding the state-level response to COVID-19, and the senator remains in contact with the Governor's Office.

"I have encouraged them to close the state parks, because, especially with the scenarios that we have in North Georgia and the state parks, people are coming in from other states and camping in the campgrounds, shopping in the grocery stores, and exposing the residents of the local community," Wilkinson said. "I just feel like it would be in the best interest if we closed our state parks, so I continue to encourage them to do that."

"Also, his order, I think it does give us some consistency statewide, but there are differences from community to community. What I continue to encourage his staff to do is to set these statewide requirements up as minimum requirements, and to say you have to do at least that much."

"But if there are scenarios that pop up in a local community or county, I'd like to see the local people have the opportunity to adopt stricter requirements if they feel they're needed."

On Thursday, Kemp signed an additional order giving local sheriffs' offices and deputies the ability to enforce his order by closing businesses and organizations that don't comply. Furthermore, anyone convicted of violating the order will be found guilty of a misdemeanor.

The order also enshrines Second Amendment protections around the state, guaranteeing that the sale, dispensation and transportation of firearms and ammunition may continue unimpeded.

For CDC guidelines, visit www.cdc.gov/coronavirus.gov. To follow the virus' spread via the Georgia Department of Public Health COVID-19 Daily Status Report, visit <https://dph.georgia.gov>.

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and ordered them to cease all operations except minimum essential services.

All customers were to vacate on April 1, and no tourism rentals will be able to accept reservations during the local state of emergency if the order is allowed to take effect again. However, businesses would still be allowed to rent to Towns County residents.

Rentals to public safety or healthcare professionals and their immediate families are also allowed under Bradshaw's emergency declaration if they are working within Towns County or an adjacent county.

During the Tuesday meeting, Bradshaw requested that all residents shelter in place, and he encouraged all nonessential businesses to close, work remotely, or at a minimum practice social distancing.

To read the original order and amendment in full, visit <http://www.townscountyga.org/covid-19-info.html>.

"I'm so proud of our citizens," Bradshaw said. "They have done a great job of honoring the (10 or less in a location) and staying separated."

"I've received lots of phone calls from folks thanking me for what we're doing and (wanting to know) what they can do to help. That's what makes this community so great."

Bradshaw also thanked the businesses for their understanding and support, noting that he wants the community to understand that his decisions are affecting people's livelihoods.

"I also want to thank all of the doctors and nurses, not only in the county but across the nation," he added. "They're laying their lives on the line to protect people. (That goes for)

our Sheriff's Department and all of our public safety all over the county. We appreciate all of them."

The commissioner is also grateful for the recent donations the county has received; his office took in a check for \$1,000 that he, in turn, gave to the Food Pantry.

And though most feedback has been positive, Bradshaw said he has experienced some disagreement from local business owners.

"I understand that, but we're all in this together, and we will get through it, but you can make money another day," Bradshaw said. "If you want to put your business ahead of the life and health of other citizens, then shame on you. I worry about you and I pray for you, because it's not right."

"Right now, I'm asking residents to stay at home. I'm asking for no visitors whatsoever. We don't need them, and we don't want them right now. We'll welcome them back with open arms at a later date."

Bradshaw also moved last week to close all boat ramps in the county while at the same time recognizing that Kemp's order gutted everything he'd done up to that point, at least for the time being.

"We appreciate the governor and what he's doing," Bradshaw said. "I know he's doing his best and is getting pulled from all directions, and the shelter in place is a big help to Towns County to try to keep all the visitors away from here for now."

However, as a commissioner, I'm going to do whatever it takes to keep our citizens safe, so we're going to act as we need to act."

Similarly, the Hiawassee City Council approved Mayor Liz Ordiales' Emergency

Coronavirus Ordinance during a special called meeting on Monday, March 30, which was streamed using Facebook Live.

During the meeting, the previous ordinance was extended, along with a few alterations. Those changes include the closing of all lodging establishments to tourists and leisure visitors, though they are not currently in effect due to suspension by Kemp's statewide shelter-in-place order.

According to the city's order, no new reservations or extensions to current bookings are to be accepted, and the order declares that all hotels, short-term vacation rentals, campgrounds, etc., may not rent to non-Towns County residents for the remainder of April.

The rental ban does not apply to military personnel, first responders, health care workers, construction workers, long-distance truck drivers, contractors or city employees that are actively engaged in local projects.

A discussion took place in the meeting regarding the issue of out-of-town license plates around the city and at local grocery stores. Ordiales answered that many of the non-local plates actually belong to residents who own second homes in Towns County.

Other than discouraging it through the media, there is very little a local government can do about visitors to the area, City Attorney Thomas Mitchell said.

"When it comes to crossing state and county lines or general travel ... there is not much that can be done about that," he said.

For additional COVID-19 resources, business information or to view the entire updated emergency declaration, the public is encouraged to visit <https://hiawassee.ga.gov>.