

Towns County Herald

Legal Organ of Towns County

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Wednesday, October 16, 2013

Local Weather and Lake Levels

Thu: Showers	68 41
Fri: Clouds	70 41
Sat: Showers	65 38
Sun: Sunny	67 38
Mon: Sunny	70 43
Tues: Clouds	69 44
Wed: Sunny	66 43



Upstream Elevation Predicted 10/16/13	
Lake Chatuge	1,919.95
Lake Nottely	1,765.91
Blue Ridge	1,674.86

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Free Food Distribution

Tuesday
October 15th
Towns County
Food Pantry

Thursday
October 17th
North Mt. Zion
Church
10AM - Noon

Meals on
Wheels
NEEDS YOUR
HELP!

See Page 2A

Home Heating
Assistance
Funds May
Be Available

See Page 2A

Christmas
Tour of
Homes

Sat. Dec 7th
for more information
contact the Towns
County Chamber of
Commerce



FOOTBALL

FRI. OCT 18TH
7:30
@ North Cobb
Christian

High Court tosses LOST a curve ball

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

A recent Georgia Supreme Court decision has thrown a curve ball to many Georgia counties and cities who took part in baseball arbitration to settle their 10-year Local Option Sales Tax distributions.

Towns County and its municipalities are no exception.

The state Supreme Court ruled that the manner in which a final distribution of funds from a special tax district when no agreement can be reached, also known as baseball arbitration, violates the separation of powers doctrine of the Georgia Constitution of 1983, Art. I, Sec. II, Par. III.

"We conclude this procedure does violate the separation of powers doctrine," the Supreme Court Justices concluded.

The decision by the justices ruled a 2010 amendment by the Georgia Legislature allowing baseball arbitration by a Superior Court judge for local governments that could not



Commissioner Bill Kendall

reach a 10-year LOST accord unconstitutional.

The Court concluded that until the 2010 amendment, both the levy of a tax to be renewed pursuant to the LOST Act as well as the allocation of the eight proceeds of the tax required approval of the elected governing authority of each governmental entity participating in the tax.

If the entities did not agree upon the renewal and the manner in which the renewed tax funds were to be allocated and no renewal certificate was timely filed, then the LOST expired as of Dec. 31st of the year a new certificate was required

to be filed.

The court ruled that the fear of permitting a tax to lapse may have brought practical and political pressure upon the parties to reach a negotiated agreement but, nevertheless, the resolution of a dispute regarding the renewal of LOST and the distribution of tax proceeds upon renewal was left solely to the discretion of the governing bodies involved in the LOST.

The decision evolved from the case of *Turner County vs. the City of Ashburn, et al.*

The Justices ruled that as shown by Turner County, the additional procedure set forth in OCGA § 48-8-89 (d) (4), whereby one necessary party to the required renewal LOST certificate may petition the Superior Court for an order determining how tax proceeds shall be distributed within the special tax district, effectively permits a municipality or county to obtain a court order forcing the other party or parties to renew and levy the tax even if the elected rep-

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New wildland building codes on the horizon

By Heather Poole
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Despite the Government shut down, the Towns County Fire and Rescue, Georgia Forestry Commission, Southern Governors Association, State Fire Marshall and the Chattahoochee RC&D Council are looking forward to the next Legislative Session.

That's when new Wildland Urban Interface Codes (IWUIC) will be adopted by the state of Georgia.

The IWUIC, referred to as "Wooley," are essentially new building codes that would require contractors to use more fire-retardant materials to build a home, as well as the landscaping.

The Chestatee-Chattahoochee National Resource Conservation and Development Councils (RC&D), came to Towns County to host a two-day workshop Oct. 7 and 8.

Day one began at 8:30, and after everyone had signed



Frank Riley

in, Frank Riley, executive director of the RC&D, Commissioner Bill Kendall and Dwayne Garriss, State Fire Marshall, made opening remarks about the new codes.

Garriss coordinates the building plan review and construction inspection activities of the Engineering and Inspection staff throughout the State of Georgia.

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Fall Festival crowds strong in early days

By Charles Duncan
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The Georgia Mountain Fall Festival is a one stop shop for festival enjoyment.

The 2013 edition of the Fall Festival packs as much excitement into nine days as you can get. Brenda Lee, Ricky Skaggs, Lynn Anderson, the Isaacs, Percy Sledge and the Diplomats have proven worthy of the test for Country Music and Gospel aficionados coming to Anderson Music Hall.

Throw in some pretty nice weather and all around, the crowds have been plentiful at the annual Fall Festival.

The Festival has been an ongoing event since Oct. 11th, and throughout the weekend, the event has been a complete success thanks to the many acts taking the Anderson Music Hall stage.

The Fall Festival season also brings out the best vendors as well.

Everything from homemade wood works to funnel cakes are present at the Pioneer Village until the event ends with the wine of the fiddle with the Georgia State Fiddler's Convention on Friday and Saturday.



Brenda Lee

On Oct. 11th, Lee, a Georgia native, sounded out the hits that made her a star in both the Pop and Country Music genres.

She's the only Georgian in both the Rock 'N' Roll and Country Music Hall of Fames.

"I can't tell you how special it is to be here in Hiawassee, Georgia," said Lee, an Atlanta native. "I've performed in 86 different countries and all over the United States. But there's nothing like performing in front of the home folks."



Ricky Skaggs

Meanwhile, Michael Farist, of Baldwin, was excited to have seen Skaggs perform live again at Anderson Music Hall on Saturday.

"He's as good as ever," he said. "I haven't seen him in several years and he's still as good as it gets when it comes to Bluegrass and Country Music."

Skaggs, an iconic legend in both Bluegrass and Country Music genres, certainly was

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SAR honors local veterans

By Heather Poole
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On Wednesday, Tom Jones with the Sons of the American Revolution, presented Hiawassee Park with a certificate of appreciation for their dedication to properly displaying the American Flag.

Jones was filling in for the President of Sons of the American Revolution, David Cook.

Cook was unable to attend due to health problems.

SAR's purpose is to preserve the memory of the heroes who secured our liberty over 200 years ago.

"We try to inspire local community by instilling understanding and providing recognition for public



Veterans honored last week by the Sons of the American Revolution. servants, as well as honoring veterans," Jones said.

The SAR does genealogical and historical research in order to recognize

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TCHS students attend YHC Probe Fair

By Heather Poole
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On Tuesday, Oct. 8th, Towns County High School juniors and seniors hopped on a bus and visited Young Harris College Recreation Department to attend a Probe Fair.

Nearly 50 colleges were present from Valdosta State to Columbus State.

The Probe Fair was the perfect opportunity to peruse brochures and talk directly to college staff about what it is like to attend their school.

Some students looked anxious, while others seemed very excited to explore undergraduate options.

Many of the YHC faculty looked on, no doubt wondering how many TCHS students

would wind up being YHC graduates.

Kennesaw State University and Demorest's Piedmont College were popular.

Many of the TCHS seniors wound up on the bleachers within minutes, already knowing where they would be attending college in the fall.

Some seniors said are planning on attending technical colleges. Others said they will attend YHC.

Juniors were more enthusiastic about the visiting colleges, as they figure out the future.

Mia Manto, a junior, currently plans to go to Clemson. She was disappointed to find that they were not in attendance at the Fair.

She was not deterred entirely, as she collected infor-

mation from the colleges that did attend, all the while open to changing her mind.

Many students were asking about early enrollment policies, acceptance details and whether one should plan to start at a smaller school and transfer to a larger school for their junior and senior year.

Lesleigh Irvin, a senior, was concerned about safety at Atlanta schools. Kimberly Norfolk of Georgia State University was happy to explain all of the precautions that GSU has to assure their students are as safe as possible.

Those precautions include police escorts, locked doors, elevators and buildings, as well as numerous call boxes all over campus.

That seemed to calm Irvin's fears.

Pet acupuncture, the wave of the future

By Heather Poole
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Dr. Rinday Barrett of Lake Chatuge Animal Hospital spoke to the Mountain Movers and Shakers Friday, Oct. 11 about her career.

While being a veterinarian may not be anything new to the group, or to Towns County, Barrett's specialty sure is; she is a pet acupuncturist.

Animal acupuncture began as early as the 1970s, and its popularity steadily increased around 20 years later.

Despite the growth of the treatment, Dr. Barrett is the only pet acupuncturist in Towns County.

Acupuncture is intended to assist with functional problems such as inflammation, paralysis and general pain.

For smaller animals, acupuncture is helpful in aiding arthritis, hip dysplasia and even certain reproductive problems.

Truman Barrett, Dr. Barrett's father and a member of the Mountain Movers and Shakers, is incredibly proud of his daughter, and he enjoys telling people about his daughter's history of practicing acupuncture.

The Barretts have a small dog that is aging, and therefore was struggling with getting up



Dr. Rinday Barrett

and down the stairs easily. Dr. Barrett saw the pup's problem as a perfect opportunity to test her skills.

She practiced acupuncture on the family animal and he is now able to run up and down the stairs with gusto.

Dr. Barrett is skilled in more traditional practices as well, but she wanted to be good at holistic techniques, thus inspiring her to explore acupuncture.

Since it is so new to Towns County, she explained she has mostly a few returning, regular clients that bring their animals for acupuncture, but she expects her clientele to grow once people become more familiar with the practice.

To make your pet an appointment with Dr. Barrett, contact her at (706) 896-1244.

Career Expo a hit at Towns County High

By Heather Poole
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Almost 25 local businesses turned out in the Bill P. Kendall Gymnasium at Towns County High School on Tuesday, Oct. 8th to encourage students to start thinking about their futures.

From bankers to florists, chefs to makeup artists, students had the chance to speak to a diverse group of men and women about their professions.

Some of the businesses present came with perks. For instance, Slate Salon came equipped with curling irons and more to pamper the female students who were interested in cosmetology, and a florist was selling beautiful dyed roses.

The real crowd pleaser appeared to be North Georgia Technical College's Culinary Arts table, as they came with a buffet.

Students were able to fill a plate full of tasty items while learning about a future in the culinary field.

While the girls were getting their hair curled, all of the boys were fascinated by the Towns County Sheriff's Office and Navy recruiters.

The Georgia State Patrol had their Drug Task Force present, and the students loved hearing stories about their exciting jobs.

As if getting a free hairstyle and lunch was not exciting enough, students were able to visit the football field to speak to helicopter pilots of the GSP and Life Flight Erlanger.

The pilots did not bring free food, but they did fly in their birds.



Career Expo Day at TCHS

The students were fascinated by the helicopters, especially the middle school students who were able to visit the field.

Brian Ceralo, an Erlanger paramedic, told students that they usually have two or three flights a day.

The pilot, Doug Crawford, explained misconceptions about where patients can be taken.

The assumption is that Erlanger is the only possible destination, but Crawford assured any hospital the patient needs to go to is the one to which they will arrive.

Many of the students were

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