

EMC Board discusses term limits, rates and meeting days

By Shawn Jarrard
North Georgia News
editor@nganews.com

YOUNG HARRIS – The Blue Ridge Mountain EMC Board of Directors revisited director term limits in the December regular board meeting.

Term limits came up as a topic conversation following a discussion about the cost of board training.

Several directors undertook board training recently, the costs of which can start to add up over time – it costs roughly \$10,000 just to cover the required training of newly elected directors, not to mention additional costs for further training.

The concern among some of the directors was that, by the time they had completed all their training and settled in to understanding their duties and responsibilities on the board, it was either time for another election or they would be facing the max term limit, thereby wasting the cost of training.

Several years ago, the membership voted to impose a three-term limit on director positions. This was meant to prevent people from serving lifetime directorships on the board.

Some directors wondered in their Dec. 11 board meeting if, in hindsight, maybe the membership should have thought to tack on a couple more terms to the limit or otherwise lengthen how long a



Jeremy Nelms

term would last.

In turn, this would allow for an increase in the knowledge base among directors at any given time, as well as optimize the investment of training board members.

The discussion was not an agenda item and contained no action items but was simply a spontaneous conversation among board members.

Also in the meeting, the board discussed the possibility of implementing a revenue-neutral rate adjustment – not to be confused with a rate increase – sometime in the near future.

Historically, in order to keep customer charges down, local power companies across the board have located some of the fixed costs associated with running a power company, i.e. the trucks, computer systems, employees, substations, powerlines, etc., in the volumetric, or usage, side of power bills.

brought up the “Motion to Sever Defendant” that he had filed earlier this year.

The legal counsels for both Mike Gowder and Heaton have made motions to sever their clients as co-defendants so that they may be tried separately.

Rule 8B of the Federal Rules of Criminal Procedure says that two or more defendants may be charged together if they are alleged to have participated in the commission of the same crime. This is the government’s position, so Gowder and Heaton were indicted jointly.

However, Sadow argued Wednesday that Heaton has made exculpatory statements in support of Gowder, and that severing the two as co-defendants would put Heaton in a better position to testify as a witness on Gowder’s behalf.

Story said that he would decide on the motions to sever defendants at a later date, and that he would be scheduling another pretrial conference – date and time to be determined – to occur either over the phone or in person.

Also during the Dec. 19 conference, Story asked if there were any other issues requiring discussion, and Assistant U.S. Attorney McKinnon stood up to express concern over media coverage in Union and Towns counties possibly influencing potential trial jurors selected from this area.

McKinnon asked whether or not the court should request extra potential jurors from around the Gainesville area to make up for this fact.

Story largely dismissed the concern, saying that not many potential jurors come from this area, and that, furthermore, the government should go ahead and plan to ask jury candidates about their prior knowledge of the case via

The reason this is problematic, said EMC General Manager Jeremy Nelms, is because energy consumption has gone down thanks to a variety of efficiency measures over the last decade, all the while fixed costs have continued to increase.

To address this, Nelms told the board he has begun preliminary work on developing just such a revenue-neutral rate adjustment, wherein fixed costs baked into the usage side of member power bills would start to be shifted back to the fixed cost side, taking into account a corresponding drop in per kilowatt-hour electric rates.

Ultimately, Nelms said the goal of the revenue-neutral rate adjustment would be to reduce the EMC’s dependence on energy sales in producing operating revenue for the coop.

A side effect of such an adjustment would be that each member would be paying a fairer share of the fixed costs of the system, regardless of usage, resulting in lower power bills for average power users during high usage months, and a slight increase in low usage months.

Nelms talked about Winter Storm Diego in the meeting, which moved through the Southeast over the Dec. 8 weekend.

All told, Diego resulted in three broken power poles and the outage of 5,800 meters over the 20 hours of the storm event.

media coverage.

McKinnon also let the court and defense attorneys know that the prosecution would be calling an expert witness in patient files, among other things, adding that he had yet to learn what expert witnesses, if any, the legal counsels for the defense might call.

In response, Sadow said they still had plenty of time to make those announcements before the trial date.

Present in the courtroom for the Dec. 19 pretrial conference were: William McKinnon and Laurel Boatright for the U.S. Attorney’s Office; Jeffrey Brickman and Jeff Wolff for Dr. David Gowder; Kristen Novay for Dr. James Heaton; and Steven Sadow for Mike Gowder.

As previously reported, all three men pleaded not guilty to the federal charges earlier this year on April 9, after a federal grand jury handed up a 212-count indictment on April 4 that listed the Gowder brothers and Dr. Heaton as defendants.

Each defendant is presumed innocent of the charges, according to the U.S. District Attorney’s Office in Atlanta, “and it will be the government’s burden to prove each defendant’s guilt beyond a reasonable doubt at trial.”

Prior to their Feb. 4, 2016, arrests in Union County, Mike Gowder was the CEO of Union General Hospital and Dr. Heaton ran a family practice clinic in Blairsville.

Dr. David Gowder was the emergency room director at Union General Hospital at the time of his initial arrest for allegedly attempting to fill fraudulent prescriptions in Fannin County on April 1, 2015, according to authorities.

In Towns County, a majority of the outages occurred along the Hiwassee River, and in Union County, out in the Richard Russell/Gainesville Highway areas.

Nelms thanked his crews for their reliability and hard work during the storm, adding that the EMC also shared a couple of crews with Habersham EMC to assist with restoring power there.

As for the fiber expansion pilot program that will see new investment of \$740,000 in total funding to reach neighborhoods in all five counties serviced by the EMC in 2019, Nelms reported that Hiwassee Estates and Canal Lake were the only two areas in the program that met the necessary criteria for expansion.

Moving forward, the EMC’s broadband staff will be looking at how best to capture the interest of neighborhoods selected for potential expansion.

The board voted to accept the 2019 Board Meeting calendar as presented by Nelms, which will move the regularly scheduled meetings from Tuesdays to Mondays in

2019, including the following dates: Jan. 14, Feb. 11, March 18, April 15, May 13, June 17, July 15, Aug. 12, Sept. 16, Nov.

18 and Dec. 9. Tuesday, Oct. 8, is the one exception to the new Monday meeting schedule.

Young Harris Jamboree

Country Western Jam Session at Stephens Lodge in Young Harris next door to Young Harris Pharmacy. First Friday of every month at 6:30 p.m. Free to all musicians and listeners. Food available. Food sales to raise funds for Young Harris Scholarship Fund.

NTDec26Z3CA

Union/Towns Volunteers monthly meeting

The Union/Towns Volunteers meet the first Monday of the month, 7 PM, at First United Methodist Church in Blairsville, GA.

NTDec26Z3CA

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original indictment and contain new and/or different charges.

McKinnon noted that the federal grand jury that is set to hear new evidence in the case is the same grand jury that handed up the original 212-count indictment.

The federal prosecutor did not say what new charges a superseding indictment might entail, but he did say that the new evidence was developed recently based on witness testimony.

He also said that the charges would not amount to a significant change to the original indictment, in which case the prosecution felt Heaton would not need much more time to prepare for his defense.

Of the three co-defendants, McKinnon said only Heaton would be facing new charges, with the possible exception of “one additional item” concerning alleged conspiracy between Heaton and Mike Gowder.

Regarding Samuel’s second reason for requesting a trial postponement – a scheduling conflict involving two other big cases – Story said he realized the original trial date was not going to work.

Addressing all defense attorneys present, Story said he wanted to secure a specially set trial date “to protect you from getting on another judge’s calendar.”

He acknowledged the difficulty in coordinating trial proceedings for three defendants, and, hearing no strong objections to the proposed specially set date, he reset the trial to take place on April 8, 2019.

In other pretrial conference business, Steven Sadow, Mike Gowder’s attorney,

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County Arena.

“We will have free parking and free admission to the public,” said Tali Patterson, Organizer of the event. “We will have concessions during the event, and people are welcome to come and go as they please.”

The barrel race brings a family-friendly event to the region for people to enjoy before any major New Year’s celebration plans, and though the event and date are confirmed, the organization has yet to settle on an exact timeframe for activities.

“We were going to start at 11 a.m., but I have a poll out between us right now whether to start at 11 a.m. or 4 p.m.,” said Patterson.

When the organization concludes the poll to determine the official time, the information on their website will be updated to reflect the official start time.

For more information on this event, visit UnionCountySaddleClub.org.

On New Year’s Day, Vogel State Park has a First Day Hike event that members of the public are invited to come out and participate in.

The hike covers the Bear Hair Gap Trail at the park, which adds up to around four miles to complete the hike.

Vogel staff members

suggest making preparations before the hike by bringing essentials needed to participate comfortably and safely.

“Definitely bring sturdy shoes that you like to go hiking out in, whether it’s tennis shoes or boots, whatever you want,” said Mikayla Murphy, assistant manager at Vogel. “We suggest warm clothing, but go ahead and bring weather-appropriate clothing.”

“If it rains, go ahead and bring a rain jacket, and bring warmer clothes for colder days. Definitely bring snacks and water to have along the hike.”

The hike begins at 10 a.m., but guests need to arrive at least 15 minutes prior to the hike and meet at the park’s Visitor Center.

There is an age restriction set for the hike due to the length, making the minimum age to participate 8 years old.

The hike itself does not have a cost to participate, but participants will need to pay Vogel’s parking fee of \$5 to gain access to the park.

For those looking to kick off the New Year with a midnight celebration, there are a few around the area that offer parties to attend.

The Sand Bar in Hiwassee will have fireworks and live entertainment on New Year’s Eve, with no cost of

entry and a bar opening at 2 p.m. Other activities will start around 7 p.m., so be sure to check in at Sand Bar Facebook page for more information on the event.

Brasstown Valley Resort & Spa will host a New Year’s Eve Gala featuring an “Under the Sea” theme.

This gala begins at 7:30 p.m. with an open bar, followed by a gourmet dinner, music and dancing, and a balloon drop at midnight.

The price to participate in the party sits at \$280 per couple, which includes tax and gratuities.

For those interested in this style of event, reservations can be made by calling the resort.

Another midnight party, the 25th Annual Clay’s Possum Drop, will take place in Andrews, North Carolina, at the Heritage Park.

This event begins at 8 p.m. and will feature live bands, entertainment, fireworks and the dropping of the possum to bring in 2019.

More information on this event can be found by searching Possum Drop Andrews, NC, on Facebook.

These activities and others are available to area residents, so be sure to check out the online calendars of surrounding organizations for even more New Year’s event information.