# North Georgia News

Hometown newspaper of Blairsville, Suches and Union County

www.nganews.com

**Legal Organ of Union County** 

**Your Hometown Newspaper Since 1909** 

Wednesday, May 12, 2021

### Woody Gap celebrates students with Homecoming, Prom

North Georgia News Staff Writer

SUCHES - The smile on Woody Gap Junior Ivre Cantrell's face was one of surprise and relief as she was crowned the school's 2021 Homecoming Queen prior to Saturday night's high school prom at Kennedy Creek

"I was a little surprised (when they called my name), but then I was just really excited and happy," Cantrell said. "It's been hectic the last couple of weeks, and there's been a lot going on with nails, dresses, rehearsals and all that stuff. I just want to thank God

With the annual alumni basketball game being canceled

homecoming festivities and the prom in 2020, students and everyone that helped put this event on. We've been looking the prom in 2020, students and faculty alike have been anxious for a return to normalcy.

And the brand-new Kennedy Creek Resort in Suches was happy to oblige, rolling out the red carpet for Woody Gap School and its guests May 8. "This is a great occasion,"

Resort Owner Jere Wood said. "This is the first event in our new pavilion. We're excited to welcome the school and be a part of this wonderful community.' Woody Gap Principal

Carol Knight said that this year "is extra special for the kids after last year's cancelations."

"Everyone is ready to get out, spend time together and have fun," Knight said. "We due to COVID-19, as well as appreciate all the support and

forward to the time when the community could start coming together safely.

2020-21 Homecoming festivities got underway at 6 p.m. and were a prelude to the Woody Gap Prom, which began just before Joining Cantrell on the

Homecoming Court were freshmen Haylie Wood and Jennifer Marsh, along with sophomores Molli Tritt and Brooklyn Payne. Each class from kindergarten through eighth

grade was also represented, beginning with Susan White's kindergarten and first-grade classes, represented by Zoe Kendall and Bently Worley.

Stacy Olson's second

and third-grade class was represented by Devlyn Racine and Jackson Kendall.

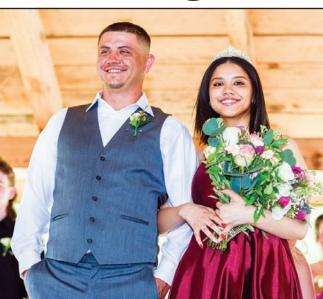
Julianna Johnson and Braxton Miller represented Pamela Jernigan's fourth and fifth-grade class. The middle school was represented by eighth-grader Mia Roberts and seventh-grader Elijah Miller.

Reigning Woody Gap Homecoming Queen Gretchen Mossinger was also on hand to crown Cantrell.

The resort treated students, faculty and guests to a patio meal that overlooked the grass runway with a mountain sunset providing a beautiful suppertime backdrop.

Woody Gap Band Director Doug Roberts served as prom DJ, with Coach

See Woody Gap, Page 6A



2021 Homecoming Queen Ivre Cantrell - pronounced "Ivory was joined by her father Timothy Cantrell for her coronation on Saturday, May 8. Photo by Todd Forrest

Commissioner talks multifamily dwellings in public hearing By Shawn Jarrard

North Georgia News editor@nganews.com

Union County Sole Commissioner Lamar Paris held a public hearing May 6 to discuss the proposed ordinance addition for "Minimum Development Standards for Multi-Family

A first reading of the ordinance was held in his April 20 regular meeting at the courthouse, and Paris plans to hold a second reading and adoption of the ordinance in the May 20 regular meeting.

Once in place, the ordinance will allow for the development of apartment See Public Hearing, Page 2A



**Lamar Paris Sole Commissioner** 

### Kenney receives Rotary Award for dedication to community



Past District 6910 Governor Gene Windham and Union County Rotary President Ed Sternberg present Dr. Patricia Schaeflern Kenney with Rotary's exclusive W. Lee Arrendale Vocational

By Jarrett Whitener North Georgia News Staff Writer

Rotary International District 6910 has recognized Union County Rotarian Dr. Patricia Kenney with the prestigious W. Lee Arrendale Vocational Excellence Award, honoring the local veterinarian for her dedication organization.

Rotary Clubs of Georgia north of Interstate 20 and Interstate 285, including Union County, and each year, the district presents the award to a deserving member in one of the clubs.

Kenney received the award at Hospital. a virtual district conference on

The award is named District 6910 covers all after the late W. Lee Arrendale, who was a highly influential Rotarian and business leader in Habersham County. The same can be said of Dr. Kenney, a 23-year member of the local Rotary and a veterinarian and As the 2021 recipient, owner of Union County Pet She is also a West Point

See Rotary Club, Page 6A

#### Covington lands major scholarship to Eastman School of Music her education later this year on to fruition a lifelong

the shores of Lake Ontario at

of Music in Rochester, New

North Georgia News Staff Writer

Union County High School Senior Drum Major Aliceyn Covington will continue

Covington brought

dream when she put pen to the prestigious Eastman School paper committing to the school alongside family, friends, Band Director Will Stafford and other

See Covington, Page 2A



UCHS Senior Aliceyn Covington has made her family proud in committing to Eastman School of Music in Rochester, New York, pictured here with family members and Band Director Will Photo by Todd Forrest

#### Nottely Dam releases water onto spillway during maintenance

By Shawn Jarrard North Georgia News editor@nganews.com

The Tennessee Valley Authority is conducting routine maintenance on the Nottely Dam, so right now and roughly through the first part of June, residents and visitors can take a trip down TVA Road next to the dam and likely catch the spillway in action.

Lake Nottely is a testament to the beauty of nature, the ingenuity of man, and the good fortune of a community that benefits year-round from having a hydroelectric facility right in its backyard.

As part of the maintenance that started at the beginning of the month and is expected to last about 45 days, TVA has shut down the dam's large generator that usually takes care of the reservoir's bulk water releases into the Nottely River below the dam.

There is a small generator that releases water at a rate See Nottely Dam, Page 3A

The sight of the Nottely Dam spillway in action will be a much more frequent occurrence this month as maintenance continues

#### to the community and the Saturday, April 24. Prosecution rebuts Heaton's appeal to

By Linda Erbele

North Georgia News

The U.S. Attorney's Office of the Ninth District of Georgia has filed a rebuttal to the appeal of former Blairsville physician James Heaton, who was convicted of multiple prescription fraud charges in

Heaton's conviction resulted in a six-year prison sentence that is slated to begin June 8, and he has appealed

his case to the Eleventh Circuit Court of Appeals. As previously reported,

in December 2020, Heaton's legal team filed a 38-page brief arguing the court should overturn his conviction for the following reasons: 1) The evidence presented

during the trial was insufficient to support the conviction.

2) The judge's instruction to the jury was a "misstatement

Inside

**Arrests** 

3) The law on this subject is unconstitutionally vague.

On April 26, Assistant U.S. Attorney Laurel Boatright, who helped to try the case against Heaton, filed the government's response to those concerns in a 73-page brief.

Boatright contended that, based on Heaton's knowledge of the rules and regulations established by the Georgia Composite Medical Board, the evidence at trial was

sufficient to support the jury's finding that he had illegally dispensed controlled substances to patients "contrary to the standard of care for prescribing controlled substances in

In laying out her rebuttal, Boatright first called attention to the fact that the jury had heard from three women prescribed painkillers by Heaton, including two who testified to having had

sexual relationships with him

while receiving prescriptions. To establish that

Heaton was aware that such relationships were in violation of the rules, Boatright referred the court to a "letter of concern" issued by the Medical Board to Heaton regarding the "boundary with patients" rule about unprofessional conduct like sex with a patient.

According to Boatright, the jury also heard evidence that would have indicated to

Heaton that all three women had become addicted, though he continued to prescribe them medication anyway, even increasing it for two of those patients, contrary to "the course of professional practice."

Boatright then outlined the extent of the prescriptions Heaton wrote for his codefendant, former Union General Hospital CEO Mike Gowder, describing how Heaton See Heaton, Page 6A



4 Sections 24 Pages Weather Thurs: Cloudy Hi 62 Lo 42 Classifieds 3D

Vol. 112 No. 20

Hi 66 Lo 43 Opinion Fri: Cloudy Hi 69 Lo 47 Legals **Sports** 

Church 4C Obits

2B

**SPORTS** 5B TRACK & FIELD STATE CHAMPIONSHIPS

May 13 - May 15 @ McEachern High School Powder Springs, GA

**Woody Gap Band of Steel Concert May 15** 

See page 4B

**Union County May 22** 

See page 6C



See page 2D

Page 2A THE NORTH GEORGIA NEWS May 12, 2021

### Public Hearing...from Page 1A

potentially provide avenues for more local families and others to find affordable housing in the current extreme seller's market for real estate.

Moreover, multifamily dwellings would serve as

complexes and townhomes, and housing for employees of local businesses who can't afford or find residential spaces elsewhere in Union County, either for rent or for sale, so the development of apartments can house five or more units and other such dwellings would support a larger labor pool.

According to the proposed new section of the Union County Code of Ordinances, a multifamily dwelling is "a structure that but is limited to no more than 100 units.

The proposed section outlines a variety of restrictions and standards for construction, including a maximum building height of 40 feet "as measured from exterior roof peak to the lowest exposed exterior point of the structure. Among the other

requirements are specifics regarding setbacks from property lines and other structures, and the creation of vegetative or structural buffers around the perimeter of such developments "sufficient to screen (them) from' neighboring properties. Other stipulations include

the paving of all roads within developments, the inclusion of culverts to prevent undue flooding, the installation of fire hydrants in accordance with the International Fire Code, and more.

e m e r g e n c y moratorium on applications for multifamily unit developments has been in place since Aug. 6, 2019, to allow for the development of the proposed standards. That moratorium has been extended several times, most recently in October

"As more and more apartment complexes have been built here in Union County, it was determined that there needed to be specific rules and regulations for their construction," Paris said in the May 6 public hearing.

This is due to the impact they would have on county roads, and also the impact they could potentially have on emergency services, especially the Fire Department."

A half dozen residents attended the meeting, with two of them asking questions about clearcutting of trees in the mountains, including in developments not related to the proposed multifamily dwelling

Paris acknowledged that it's not ideal for people to be clearcutting, in valleys or on mountainsides, but he

as a property rights advocate, saying his office was looking into ways of balancing property rights with limiting the cutting

Since the public hearing was called specifically to discuss construction standards for multifamily dwellings, Paris said there would be a time and place in the future to talk about issues surrounding larger developments in the county. 'The reason apartments

are being dealt with first is, No. 1, for a long time, we didn't have hardly any apartments," Paris said. "Then all of a sudden, we got two new ones, and then we had a third or fourth that had come to us with an interest.

"And that's when we realized, hey, we don't have restrictions for height, we don't have restrictions on the road we don't have restrictions on any of this stuff that we're talking about. We just didn't have it covered, because normally, apartments are only where there's public sewer, and public sewer 98% of the time is in the city limits of Blairsville.

"It didn't really impact us, until we started getting apartments outside the city limits of Blairsville. So, that's the first thing we wanted to address, is the apartment issue, not to stop them, but to make sure we got some guidelines so that they don't just pop up anywhere and we don't really know where that's going to

workforce housing and for a lot of different things, retirement housing as well, and we are in the process of looking at all that and trying to come up with

clearing too many trees, Paris said that the county was "open to any ideas that anybody has about what to do and what we could do differently."

As for landowners

Citing the potential for increased traffic, taxes and reiterated his long-held position crime rates, a general sentiment simply be removing it.

from other comments included concerns over too much growth too fast, exacerbated of late by people moving from more populated areas to the isolated greenspaces of the North Georgia mountains.

Paris said he was sensitive to those issues and wanted to retain as much of the character of his birthplace as possible. adding that he was encouraged that at least half of the land in the county was owned by the federal government, which will necessarily limit growth moving forward.

'That gives us a bigger buffer than any county other than Rabun County, probably in the country until you get out West," Paris said. "So, we've got a lot of guidelines that really help us, but we don't have everything.

"We've got to decide, do we want everything, or do we want some things where we try to keep it practical while keeping people's property rights? At the same time, we want to protect your property

"A lot of things to look at, and we'll continue to look at them, but we need to hear from the public about your ideas, so thank you for being here and bringing that up."

Prior to the upcoming May 20 meeting, people may continue to submit comments to the Commissioner's Office for potential inclusion in the proposed standards for multifamily dwellings.

Moving to the second "Yes, there's a need for item of business for the May 6 public hearing, Paris discussed the removal of Chapter 82, Article II – aka the Speed Zone Ordinance - from the Union County Code of Ordinances.

Paris explained it had been brought to his attention by the Georgia Department of Transportation and county attorney that, since all speed limits are set by the state, having a local Speed Zone Ordinance – in place since 1992 - was unnecessary, so he would

#### Cruiz-in on the Blairsville Courthouse Square Saturday



The Blairsville Cruisers Car Club will host a Cruiz-in on the Historic Courthouse Square in Blairsville Saturday, May 15th. Scheduled time for the event is 3 - 7 PM. The event will honor Armed Forces Day which falls on Saturday, May 15th this year.

Welcome to all hot rods, classics, customs, trucks, antiques and collector vehicles. This is a family friendly car ers Car Club is a 501(c)3 event and everyone is welcome to enjoy the show.

Trophy for "Best Interior" as well as two "Class Winner" plaques and two "Club Choice" trophies will be presented. A 50/50 cash drawing and door prizes for participating vehicles will be featured. There is no registration fee for entry or for spectators, however a donation to the club for ing our efforts to insure that our charity programs will be appreciated. All vehicles are

welcome to participate, club member or not.

The Blairsville Cruisnonprofit. The Cruisers, their sponsors and supporters have contributed to the community since 2007 with scholarships and donations to various local organizations, especially programs for needy children and their families at Christmas and for our local Veterans and Veterans organizations.

Thank you for supportno needy kid goes without at Christmas. NT(May12,Z10)CA



### Covington...from Page 1A

faculty members at the Union County Fine Arts Center on Wednesday, May 5.

"I wanted to attend a music school that would fit my career path, and Eastman absolutely does that," Covington said.
"My goals have always been to tour and play professionally, and Eastman definitely caters to that. So, I decided to audition for them, and thankfully, I was accepted.'

Stafford and High School Principal C.T. Hussion opened the signing ceremony with a few comments regarding Covington and her accomplishments.

'I was speaking with the football coach today and I was telling him, a musician going to Eastman is the equivalent of a football player getting a scholarship to Alabama,' Hussion said.

As for Stafford, he said that Covington's achievement was remarkable, but considering her talent and dedication, he was not surprised "in the least."

'I expected this to happen," Stafford said. "Since Day One, Aliceyn marched in here and became our first freshman to serve as a section leader. She is a natural leader and has consistently been one of the top horn players in the country.

"But she is a better leader than she is a musician, if that tells you anything about her. She's made our band better, and she's always looking to improve

anything she's involved in." Covington hasn't visited Eastman, which is part of the larger University of Rochester, but everything she's learned about the campus has only solidified her decision in a school that's been atop her list from the very beginning.

"I auditioned at some other schools, but Eastman has always been my No. 1 choice, and I never seriously considered anyone else," she said.

Majoring in French horn performance and music education, Covington sees herself either putting her gifts to use as a career musician or using her leadership skills to produce and teach music.

"Ideally, I would like to join a professional orchestra and also start a studio of my own," she said. "While I'm in school, I want to make sure I manage my time well and just keep loving music and not get burned out, because I know that I'll be

studying it pretty intensely." Spending her winters in western New York was never a deterrent, though Covington did say that not being able to visit her family on weekends will

take some getting used to. "I'm excited but also terrified," she said with a laugh. "But I just couldn't turn down this opportunity. I know I'll be homesick for a bit, but I'm just really excited.

"My family has been super supportive of my music career, and Mr. Stafford has been fundamental in helping me to achieve my goals.'

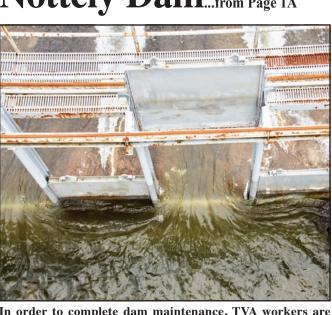
The soon-to-be high school graduate has been in both band and chorus since the sixth grade, and she has taken chorus with her mother. UCHS Choral Director Alicia Covington, since becoming a freshman.

Joining her for the signing that Wednesday were her proud father and mother Ray and Alicia Covington, as well as sister Reagan Covington, a freshman at Union County High who performs in theater and plays soccer.

Following graduation. Aliceyn will get a taste of New York – albeit New York City when she spends the entire month of July in the Big Apple as a participant in the National Youth Orchestra Program. At the program's

conclusion, she will have less than a month at home before returning to the Empire State for her first day of classes at Eastman on Aug. 25.

### Nottely Dam...from Page 1A



opening several spillway gates at a time to release water from Photo by Shawn Jarrard the lake into the Nottely River.

"What's a little bit

unique for Nottely," Everett

said, "is that, in terms of how

we can release water from the

project, Nottely really only has

a couple options, (including)

the generating unit through the

powerhouse, which is down at

the base of the dam; we can

release through the large unit,

and that carries the bulk of the

minimal flow unit that runs

anytime that the large unit is not

on, and that supplies a constant

minimum flow below the dam

that supports water quality and

fish and a healthy river system

generator is shut down for

any stretch of time, in order

to supplement the work of

the small unit, "the only other

method we have of releasing

water is through the spillway.'

Nottely is not a super rare event,

but it is a little bit uncommon to

pass water down the spillway,

so we want folks to be aware of

that," Everett said. "If they're

out in that tailwater area or

driving by, if they see water

coming down the spillway and

wonder why, it's because of

the main way of moving water

through the dam is out for

that does occur every so often,

where the folks that manage

Nottely Dam have to go in there

and upgrade equipment or do

repairs or inspections on some

sort of routine basis. So, that's

"And that's something

maintenance.

However, when the main

"Utilizing the spillway at

"But we also have a

flow through the dam.

below Nottely Dam."

of 60 cubic feet per second, mainly to maintain water quality downstream, but it can't handle the amount of water needing to be released during maintenance, so the spillway is being used in conjunction with the small generator.

This will create ample opportunities for onlookers to enjoy the picturesque scene of water passing through the spillway gates before flowing down the spillway itself at up to 400 cubic feet per second and falling more than 100 feet to cascade over the boulders at the base of the dam.

TVA River Forecast Center Manager James Everett said that Nottely is one of 29 power-generating dams located throughout the Tennessee River Watershed, some of which date back to the 1930s. Other nearby hydroelectric dams include Blue Ridge and Chatuge.

"We do a lot of inspections, maintenance, all the way down from weekly stuff to monthly, to things that happen once a year to every few years," Everett said. "There's been some work going on in the spillway at Nottely, and that's going well."

Now, TVA employees have transitioned to working on the Nottely generating unit, which generates hydroelectric power for the grid, so the generator has had to be temporarily removed from service. The last time the generator was taken offline for similar maintenance was

what's going on in Nottely." The lake is at full pool a little earlier this season due to all the rain the area has been experiencing. People will notice that the Nottely River up past Meeks Park is now effectively lakebed, and may even seem to flow backward at times due to wind blowing along the surface.

Nottely Dam was built during World War II, with construction occurring between 1941 and 1942. The structure is 197 feet high and stretches 3,915 feet across the Nottely

"In a year with normal rainfall, the water level in Nottely Reservoir varies about 20 feet from summer to winter to provide seasonal flood storage," per TVA.com. "The reservoir has a flood-storage capacity of 61,600 acre-feet.

The one generating unit at the dam has what's known as a "summer net dependable capacity" of 19 megawatts. Net dependable capacity is the amount of power a dam can produce on an average day, minus the electricity used by the dam itself, according to Hydroelectricity

accounts for about 10% of the energy generated by TVA, and though it's a relatively small dam, Nottely is one of 109 hydroelectric units that contributes to supplying power to roughly 10 million people in the Tennessee Valley. "Hydropower is a very

flexible resource," Everett said. "The water behind the dam is what turns the turbine, which in turns spins the generator and produces power. So, it's a very efficient technology, very economical.

"You're not talking about a great deal of cost, as the fuel is free; you're just using gravity to use water to spin a turbine and make electricity, which is a big part of how TVA helps meet power demand for those 10 million people.'

For more information, visit https://www.tva.com/ environment/lake-levels/ nottely or check out the "TVA Lake Info" downloadable app, which can utilize geolocation to clue people into the dam nearest them.

"Nottely is a big system we manage, and we manage it for a lot of different benefits,' Everett said. "Recreation is a benefit that we definitely recognize up on the lake, and

things are looking good from that aspect.

"For power generation, this is all about keeping the unit in good working order, so there's that component. Flood control is a component with the different ways that Nottely Dam can release water. Then there's water quality, (the importance of maintaining) minimum flow downstream.

"It's all part of a big puzzle here. What's going on in Nottely has impacts locally in the North Georgia and Blairsville area, but definitely

has a trickle-down effect through Hiwassee, through Apalachia Dam, all the way

into Chickamauga Reservoir and the main-stem Tennessee River.'

#### orrection:

of the newspaper, the North Georgia News misidentified the attorney with whom the City of Blairsville was setting a meeting to discuss litigation regarding the Dec. 19, 2018, plane crash outside the Blairsville Municipal Airport.

The newspaper said the meeting would be with Attorney

W. Newton Moore, who is representing the plaintiffs in the lawsuit. This was incorrect. In actuality, the city was setting a meeting with its own attorney, Richard North of Nelson

That meeting took place via teleconference in an executive session during last week's regular city meeting.

# in 2016.

## NESS SPOTLIGHT



#### **MONTGOMERY** CONGRETE

~ FOR ALL YOUR CONCRETE NEEDS ~ Forming through Finishing, House Slabs, Driveways, Sidewalks, Stamped Colored Concrete. Top Quality Work!

See photos on Facebook under Lee Montgomery

Big Jobs and Small Jobs! • Insured

Call 706-781-1806

TOTAL RECOVERD

PAINT & BODY

706) 745-9703

391 BLUE RIDGE HWY



"From the Front Porch to the 568 Blue Ridge St. · Blairsville, GA

706-835-1209

FREE DELIVERY!

Mon-Fri 9am-6pm · Sat 9am-4pm · Closed Sun



and Medicare

**Advantage Plans** 

Contact me to review

**Susanne Johnson: 706-897-3551** 

12 Years Experience with Medicare!

Are you turning 65... or moved recently?

& Spray Foam 706-745-8685

1442 Blue Ridge Hwy. www.segeothermal.com www.sesprayfoam.com



Grading, Dump Truck, Gravel, Dirt, Driveways, Underbrushing, Lot Clearing, Water Lines, Basements

ACS GRADI

No Job Too Small - FREE Estimates

**EXCAVATING** 

Locally Owned & Operated '06-897-041

Michelin Specializing In: Alignment • Computer Balancing BFG Brakes · Auto Repair

# Thomas Tire, Inc.

Industrial Foam Fill Oil Changes

Oscar Thomas - Owner

Uniroyal

Auto & Big Truck Service





(706)230-9100 267 B Cleveland St. Blairsville, GA. 30512 Mother's Day is Coming... Be Prepared!



706-897-8564



www.visitdowntownblairsville.com/shop

#### 76 Shoe Factory Road (706) 745-0264 Blairsville, Georgia 30512 **KELLEY HOME IMPROVEMENTS**

"May you have joy in the work of the LORD" Remodeling • Painting Yard Maintenance

& Much More Mark A. Kelley, Owner 706-897-9485 **FREE ESTIMATES** 





General Supply **Enchanted Forest Gift Shop** 

### Welcome Spring



706-363-1000 gsfarmandfeed.com

764 Gainesville Hwy. Blairsville, Georgia 30512 🖼 🕤



Melissa's Salon & Spa

Where you always get the best seat in the house!



Specializing in:

Cuts ~ Color ~ Curls Mani's & Pedi's

Bring this ad in for 10% off ANY service \*Please call for Appointment



TOMOTIVE G We Make Buying Easy!

Page 6A THE NORTH GEORGIA NEWS May 12, 2021

### Woody Gap...from Page 1A

Robert Hill acting as the public homecoming festivities.

Graduation exercises for the school gymnasium.

The school also expects address announcer during the to be the site of the annual July 4 fireworks celebration and October's Indian Summer Woody Gap are scheduled for Festival. Both events were Saturday, May 22, at 10 a.m. in scratched in 2020 due to coronavirus concerns.



Woody Gap held a joint Homecoming and Prom on Saturday, May 8, where students dressed to the nines and got a little foot-Photo by Todd Forrest loose on the dance floor.



Woody Gap School's 2021 Homecoming Court is Ivre Cantrell, Haylie Wood, Jennifer Marsh, Molli Tritt and Brooklyn Payne, pictured here with past Homecoming Queen Gretchen Mossinger. Photo by Todd Forrest crime by violating a state rule

#### Heaton...from Page 1A



James Heaton in Gainesville, GA

pills to Gowder over more than three years," which he assisted in filling illegally out of state, all the while forgoing a "paper trail" by not documenting the prescriptions in Gowder's patient file.

Bolstering her contention that the evidence supported Heaton's "convictions for unlawfully prescribing controlled substances, Boatright highlighted trial testimony of his knowledge about the Medical Board's record-keeping requirements

"supplied more than 15,000 statements by a pain management expert regarding Heaton's "shoddy practices and lack of recordkeeping."

In the same vein, she referenced testimony by another doctor "in the same town with Heaton's claim that the law in the same kind of practice as Defendant," who explained to the jury how it was "easy" to comply with Medical Board requirements.

As to whether the judge "misstated" the law to the jury, Boatright argued that medication outside the usual the judge's instruction was appropriate "as established in

the crux of the matter spelled out as follows:

or regulation."

Heaton was charged with issuing the prescriptions for controlled substances "outside the scope of professional practice and not for a legitimate medical purpose." When U.S. District Judge Richard W. Story explained the law to the jury, he repeatedly said "outside the usual course of practice or for no legitimate medical purpose.'

Heaton's legal team has taken issue with the use of the conjunction "or" versus "and" in the jury instruction, which had the effect of lowering the prosecution's burden of proof when it came to jury deliberations.

However, Attorney Boatright cited several court cases as precedent backing up her claim that "or" was the correct verbiage, "holding that a licensed physician may be convicted ... for either prescribing outside the scope of professional practice or for no legitimate medical purpose."

Finally, Boatright refuted question - Section 841(a) of the Controlled Substances Act, or CSA-is "unconstitutionally vague.

The appeal stated that "there is 'no definable standard of what it means to prescribe course of professional practice,' so (Heaton) had no notice that and pointed to witness this Court's precedent," with he was committing a federal

serving as a helicopter pilot on active duty until November

In 1993, Kenney graduated and generally, Kenney fit the to help local families inoculate from the Veterinary School of Medicine at Auburn University opening the Union County Pet Hospital in 1994, which she continues to operate to this day.

Kenney was in the Reserves until 2002, and she returns to West Point each August to march with the new cadets from their summer camp known as "Beast Barracks."

Presently, she enjoys 'working with dogs, cats, horses, and exotics, including the odd mouse with delusions of grandeur," according to biographical information submitted alongside her award nomination.

As for the business side of things, Kenney is happy to report that the Pet Hospital is doing well, having successfully adjusted during the pandemic to keep people and pets safe amid

And while Rotary was unable to host its usual rabies vaccination clinic in 2020, the club plans to have the event this year on Saturday, June 5.

"We had to skip the rabies shots last year because of the pandemic, but this year we are going to have a modified rabies clinic, and it is only going to be at the one site at the school,"

### Rotary Club...from Page 1A

graduate and U.S. Army veteran, volunteers, including Rotarians, award evaluation guidelines to a T, as evidenced by her "excellence in her vocation, achievements in the community, and academic achievements.'

"I joined the Rotary Club because it was a service organization," Kenney said. "The Rotary Club is true to its motto of 'Service Above Self.'

'We provide our time and expertise, and we are one of the nonprofit organizations that has a very high filter-through rate of what comes in money wise and what goes out into the community, area and the world.

The local veterinarian said it has been a true honor to receive the award this year, especially considering the stellar quality of her fellow Rotarians here in Union County and around the district.

"I am very humbled," Kenney said. "We have a lot of people who are very accomplished and self-sacrificing, and I am very humbled to be in with that group of people. This means a lot to me that I was chosen amongst a very accomplished field of people."

In terms of volunteerism. for several decades, Kenney has taken it upon herself to organize the annual pet clinic to provide rabies and other shots to pets in the community, enlisting many

their dogs and cats at a discount.

Most recently, she helped Union General Hospital locate much-needed personal protective equipment toward the onset of the pandemic, and she has administered COVID shots at the recent Public Health mass vaccine clinics.

Kenney was president of the Rotary Club of Union County in 2014-15 and is active in numerous Rotary projects, both locally and within District 6910. She was also club secretary from 2015 through June 2019 and has been Assistant District Governor for Area 3 since July 1, 2019.

She voluntarily teaches basic medical canine pet care to inmates at Colwell Probation Detention Center; works with the Union County High School Agriculture Department; and provides internships for students interested in veterinary and care

Additionally, Kenney has participated in Rotary International Polio Plus inoculation projects in the Ivory Coast in Africa, and she is a 12-year member of the local Rotary Club's "Spelling Team," competing annually to raise funds for adult literacy.

She graduated from the United States Military Academy at West Point in 1982, afterward

#### VALOR and Veterans Unstoppable service organization in Blairsville

We all know that there conducts is a great legacy of military service in Blairsville and surrounding areas. What you might not know is that for the past year, and organization called VALOR, Veterans Unstoppable, has been getting a foothold. The 501(c)3 Veterans

Service Organization started in Pennsylvania with SGM Mark D. Baylis at the helm. It has sprouted many and various branches throughout the United States, with one being right here in Blairsville. Bob Williams of the Dahlonega Rangers Association heads up the local chapter.

Veterans Unstoppable and ride) from 5-7 PM.

intensive training sessions for military and first responders who carry the weight of service-related PTSD and other related issues. The program is highly successful, boasting an extremely low recidivism rate. The program incorporates post training PEER to PEER network sessions, where participants can be heard in a group of their

Anyone with service-related PTSD is welcome to join the PEER to PEER network group which meets every third Thursday at the Leon Davenport Center, (gray building behind McDonald's next to park

This August 15th through the 21st, Veterans Unstoppable will hold their third semi-annual program, right here in Blairsville. The program gets participants to identify past trauma and then presents alternatives to participants which help them determine how best to deal with post-trauma related issues.

The program is open to all honorably discharged veterans and first responders, and is not limited to those only residing in Blairsville. If you, or anyone you know is interested in learning more, or attending, or you would like a speaker for your group, please contact the local liaison for the program, Janice, at 706-400-9048.

entitled to infer that Defendant other evidence in the case." violated the CSA based on A hearing date for the But Boatright rejected this his many, many violations of appeal had yet to be scheduled notion, again citing precedent the Medical Board's rules and by press time Monday. and writing that "the jury was regulations, along with the