

# North Georgia News

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## Membership group sues BRMEMC's Akins, directors

By Charles Duncan  
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A Blue Ridge Mountain Electric membership group has filed suit in Towns County Superior Court seeking remedy to what they call breaches of fiduciary duty by the Blue Ridge Mountain EMC general manager, and the six directors, according to a copy of the lawsuit obtained by the North Georgia News and Towns County Herald.

The suit was filed Jan. 2 in Towns County Superior Court, according to the 219-page lawsuit, and seeks a jury trial to decide the case. No trial date had been set at press time.

The plaintiffs, Krista L. Gooch, Larry Williams, Andrew Stephens, and Barbara Moss, on behalf of the BRMEMC membership, ask for a judgment in favor of the membership against General Manager Matthew Akins, and directors Ronald Burch, William Prather, Robert Ensley, Kenneth Lance, Jerry Nichols and Greg Owenby, according to the suit.

The suit also seeks the dismissal of Akins, legal counsel Lawrence Sorgen, and auditor Gene Allen, according to the suit.

The suit also seeks a judgment in favor of the plaintiffs for the benefit of the membership against the six directors and Akins for breach of fiduciary duty in an amount



Blue Ridge Mountain EMC General Manager Matthew Akins and six members of the Board of Directors have been sued by a membership group seeking their ouster. Photo/Lowell Nicholson

to be proven at trial.

The suit claims that the membership has been damaged by a result of the actions of the six named Board of Directors and Akins.

The suit claims the directors named in the suit failed to discharge their duties in good faith and with the degree of diligence, care, and skill, which ordinarily

prudent men would exercise under similar circumstances in like positions and are therefore liable to the membership for breach of fiduciary duty under O.C.G.A. Sections 46-3-303 and 46-3-303-1.

The suit stems from the disclosure that former BRMEMC President Terry Taylor was allowed to carry a significant debt, and retain

commercial service to both his residential operation and residential dwelling for a number of years.

The suit also alleges that Taylor, who first became BRMEMC president in 1997, was in conflict with the Board of Directors for having commercial contracts that allowed the president to benefit financially from the construction of the BRMEMC headquarters project.

The suit claims that more than one of the Board of Directors knew about the debt incurred by Taylor and Tay-

lor Construction, and Terry Taylor's residential account, which also was in arrears.

The suit claims that Akins, in addition to allowing Taylor to continue the indebtedness to BRMEMC, perjured himself and damaged BRMEMC by filing false reports in 2011 and 2012 on IRS Form 990. The claim is that Akins had knowledge of a conflict of interest arising out of Taylor receiving compensation from BRMEMC at the same time that Taylor and Taylor Construction and Taylor personally, had an un-

paid balance with BRMEMC, as well as Taylor and Taylor Construction doing work on the BRMEMC corporate headquarters project.

The happenings led to a change in three directors at the annual BRMEMC Meeting in September. Charles Jenkins, Steven Phillips, and Chris Logan unseated three incumbent directors by election of the membership.

Their historic elections (the first board members elected but not nominated by the BRMEMC Board of Directors) followed news that former long-time EMC President Terry Taylor was severely in arrears on his EMC commercial account. Taylor also had a history of not paying his residential account. The most recent debt was more than \$48,000, according to documents obtained by the North Georgia News and Towns County Herald.

According to the suit, Attorney Sorgen failed to inform the Board of Directors of Taylor's debt after discovering the debt through a meeting with Akins in May or June 2013.

Sorgen's failure to inform the Board of Directors of Taylor and Taylor Construction's unpaid balances, and correct the timing of the demotion of Director of Operations Chris Kelley, who, blew the whistle on the unpaid debt, indicates that it is in the best

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Unpaid commercial debt by former BRMEMC President Terry Taylor, above, and actions that followed prompted a lawsuit on behalf of the BRMEMC membership. Photo/Lowell Nicholson

## Santa came to visit in a bright red firetruck

By Charles Duncan  
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The Union County Fire Department played a significant role in the lives of seven local families at Christmas time.

Each of the volunteer precincts within the department - Jones Creek, Ivy Log, Blairsville City, and Owtown - along with paid firefighters coordinated with Union County Schools' Family Connection to adopt families and provide Christmas for seven families, Fire Chief David Dyer said.

"Each Station was given information by Family Connections on the family needs, sizes and interest," Chief Dyer said.

"Firefighters then hit the



stores, shopped and wrapped the toys, clothes and other gifts for the children and parents in these families," Chief Dyer

said.

"In one case, a station went as far as to provide a propane tank and fuel to help a family in need," the chief said.

Many of the families had their Christmas gifts delivered by Union County Firefighters in a fire engine, Chief Dyer said.

"The funds used for these gifts were raised by the stations during their various fundraisers," Chief Dyer said. "This is just one of the ways that the firefighters give back to the community.

"A big thank you goes out to the Family Connections Department, the members these fire stations, and businesses who supported us in the making of Christmas brighter for many in our community," Chief Dyer said.

## Langley sworn in for second term as DA

By Shawn Jarrard  
North Georgia News  
Staff Writer

Enotah Judicial Circuit District Attorney Jeff Langley was sworn in for his second term by Union County Probate Judge Dwain Brackett on Friday, Jan. 2, at the Union County Courthouse.

Langley has been an attorney for 30 years, but has acted in one capacity or another for going on 17 years within the Enotah Judicial Circuit's DA office, which comprises Union, Towns, Lumpkin and White counties.

"I need to thank everybody in this room," said Langley before the start of official proceedings. "A lot of you folks are the people who helped me win my election four years ago. A lot of you folks in this room are the people who worked so hard in my office this year that we did a job that didn't compel anyone to run against me. We didn't do so



Jeff Langley

badly someone felt compelled to sign up and run against me. So, I was elected without opposition, and very thankful for that."

Angela Langley, his wife, stood by him as he was sworn in, and quite a few members of Langley's church showed their support Friday, as well as for-

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## New EMC board members talk to Shakers

By Shawn Jarrard  
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Staff Writer

Young Harris - The three newest members of the Blue Ridge Mountain EMC Board of Directors spoke at the weekly Mountain Movers and Shakers meeting on Friday, Jan. 2, at Mary's Southern Grill.

Former Georgia House District 8 State Rep. Charles Jenkins, local radio personality Steven Phillips and North Carolina Forester Chris Logan, who were the first ever board members to be nominated by petition, then elected by the membership, addressed many concerns raised by those in attendance, as the meeting took on a Q&A format.

The trio recently returned from board training in Nashville, which was conducted by the National Rural Electric Cooperative Association, an organization representing more than 900 EMCs.

All three board members trained for five days, from 8 a.m. to 4:30 p.m., and are now board certified members of the BRMEMC Board of Directors.

"I know a lot of people are interested in the Blue



EMC Directors Chris Logan, Steven Phillips and Charles Jenkins speak to the Mountain Movers and Shakers. Photo/Lowell Nicholson

Ridge Mountain EMC," said Phillips. "Of course, we just barely got elected on the board, so we've not been there - it's a slow process. I know a lot of people are wanting change, and I think change is coming. It's just going to be, like I said, a slow process."

One hot-button issue with the board of directors has been health insurance for board members paid for by the membership.

"Another thing that we brought up to the board is dissolving the health insurance for the board members," said Logan. "We don't feel that it's something that the members themselves need to pay for. We brought it up, and it's probably going to come up in a motion next time."

Not all of the members on the board of directors have health insurance paid for by the membership, but a few do,

as does BRMEMC attorney Larry Sorgen.

"Another thing that we're looking at is this: deposits," said Logan, who is on the board's finance committee. "Anybody that gets power, they put a deposit down, and then it's just almost like you never get it back. It's never seen again."

"And so, we're in the process of coming up with a system that, the first thing we'll do is, anybody that shows that they're paying their bill in a timely manner and are in good standing, then you'll get that returned. This hasn't taken place yet, but it's in the works."

They are also looking into utilizing credit scores to determine whether or not a deposit is even applicable on a per customer basis.

"A lot of people have more than one meter, so if you've got another something, you add another meter, you have to put another deposit down," said Phillips. "But if you've been a member for 20 years, that's crazy."

Logan said that members can look forward to movement on the deposit

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## Public hearings for statewide deer season begin



By Charles Duncan  
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The Georgia Department of Natural Resources Division is seeking public input on a single season for deer hunting.

A public hearing was scheduled for 7 p.m. on Tuesday at Blue Ridge Mountain

EMC headquarters in Young Harris.

The meeting is one of eight scheduled statewide this week.

Hunters and other interested residents are invited to attend any of eight upcoming public meetings related to the

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