

IT'S FINALLY HERE: Georgia Tech opens its 2008 football season in Atlanta tonight. **SPORTS, 1C**


THURSDAY
 AUGUST 28,
 2008
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 GAINESVILLE,
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Welcome a new venue for water fun. **IN GET OUT**

PLUS: Flowerly Branch schedules hearings on tax increase. 1B

Hall recovers from the fury of 4 tornadoes



Photos by **SARA GUEVARA** | The Times

Above: Half of the roof on this Hewell Road trailer was torn off after Tuesday's tornado ripped through Gillsville. **Top:** Jane Gable, a cafeteria worker at East Hall Middle School, recalls the path of Tuesday's tornado that hit a trailer belonging to her daughter, Felicia Miller, Wednesday in Gillsville. The tornado destroyed much of her daughter's Timberidge Road trailer.

First encounter with twister was too close for some residents

BY **ASHLEY FIELDING**
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Until two days ago, Jesus Ramirez and Jane Gable only had seen a tornado in the movies, but four very real ones touched down in Hall County Tuesday afternoon, the National Weather Service confirmed.

Tuesday's tornado did not sound like the freight train tornado Ramirez had seen in the movies. Ramirez' experience had been a little more rural.

"I heard the noise, like a million cows coming through, breaking

limbs and everything," Ramirez said.

Hall County was hit by four F1 tornadoes within four hours Tuesday afternoon. The county seemed to be the center of activity for Tuesday's round of storms, although one F1 tornado hit Jackson County twice, and an F0 also touched down in Wilkes County, said Kent McMullen, meteorologist with the National Weather Service.

Gable did not need the official's nod that there had in fact been a

■ Please see **STORM**, Page 3A

MORE COVERAGE INSIDE

■ **Lyman Hall, Oakwood elementaries assess the damage, 3A**

gainesvilletimes.com/storm

- Watch Timberidge Road resident Jane Gable talk about what she saw when a tornado passed through.
- See damage at Oakwood and Lyman Hall elementaries.
- Watch video from Kim Leone of a twister in Flowerly Branch near the Atlanta Falcons complex.
- Watch video from the dashboard camera of Lt. Rick Whaley of the Oakwood Police Department.

Rainfall gives lake 'a pretty nice jump'

BY **DEBBIE GILBERT**
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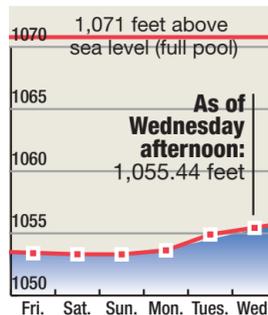
Even as Hall County residents were dodging tornadoes Tuesday, you still could hear people remarking that "all this rain is going to be good for the lake."

There's no question that Tropical Storm Fay did benefit Lake Lanier. By Wednesday afternoon, the U.S. Geological Survey was reporting the lake's elevation at 1,055.44 feet, about 2 feet higher than it had been on Monday.

That's still almost 15 feet below the normal full pool of 1,071 feet above sea level. But the storm made up for what had been an extremely dry August.

"Lanier's already made a pretty nice jump," said Matt Sena, meteorologist with the National Weather Service in Peachtree City. "We're back above where we were at the end of July."

When you consider the volume of water that Fay dumped on Northeast Georgia, it's easy to see



KRISTEN MORALES | The Times
 Source: U.S. Army Corps of Engineers, USGS

how the lake was able to rebound so quickly.

On Tuesday, water was flowing into Lanier at a rate of 20,501 cubic feet per second. That's more than a 2,000 percent increase over the 912 cfs recorded on Sunday, as the storm was moving into the area.

■ Please see **LAKE**, Page 3A

DEATH PENALTY CASE

Jury keeps pondering Vergara's sentence

Killer's mother asks for mercy; family of slain man wants justice

BY **STEPHEN GURR**
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Jurors will resume deliberating today whether to sentence a convicted killer to death for the drug-related shooting deaths of two men on a isolated South Hall road.

The jury of nine men and three women deliberated for more than

three hours Wednesday in the sentencing phase of Ignacio Vergara's death penalty trial before asking to be released from duty for the day at about 7:30 p.m. It was the eighth day of sequestration for the jury, which is staying in an area hotel.

The same jury convicted Vergara of murder Tuesday in the deaths of Alejandro Santana and Francisco

Saucedo, two Gwinnett County men allegedly killed for 2 kilograms of cocaine.

According to court testimony, Vergara planned, facilitated and ordered the March 2002 killings on a gravel road near Flowerly Branch. Co-defendant Brigido Soto, who earlier agreed to a plea deal of two consecutive sentences of life without parole, admitted to shooting the



Vergara

victims.

District Attorney Lee Darragh told jurors in his sentencing argument that he realized they would take into account that the triggerman did not get a death sentence.

"I'm not a foolish person," Darragh said. "I know that will be given some consideration by you all. (But) I am not discounting the argument for the death penalty in this case. Ignacio Vergara, ladies and gentlemen, according to the evidence in this case, deserves the death penalty."

■ Please see **TRIAL**, Page 4A

GAINESVILLE SCHOOLS

Board, Ballowe settle at \$190K

Mutual termination agreement reached

BY **JESSICA JORDAN**
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The Gainesville City Board of Education voted 3-2 to enter into a mutual termination agreement with former Gainesville school system Superintendent Steven Ballowe.

Phil Hartley, attorney for the Gainesville school board, said the board agreed to settle with Ballowe for \$190,000, the equivalent of his salary last year without benefits. Hartley said the board will pay Ballowe in two \$95,000 payments, one during this fiscal year and one during the next.



Ballowe

"(I aimed) just for a sense of fairness for both parties, and for the Gainesville Model to continue without interruptions," Ballowe said after the board's vote.

The board began an executive session at 9 a.m. Wednesday at the Hilton Garden Inn on Browns Bridge Road. Ballowe and his attorney also spent the day in a different room at the hotel, mediating with the school board. At about 6:30 p.m., the board voted to enter into a mutual termination agreement with Ballowe.

School board member Sammy Smith and board Chairman David Syfan voted against the mutual agreement, Hartley said.

The board could have ended the contract with Ballowe in any one of three ways: determine that he was fired for cause, which would require a full hearing and possibly court proceedings; determine that he was fired without cause, which would require the board to pay Ballowe approximately \$490,000; or end the conflict by coming to a mutual agreement.

According to the Fair Dismissal Act, a state law that applies to all educators in public schools, educators can be fired for acts including incompetency, insubordination, willful neglect of duties, immorality and "any other good and sufficient cause."

On July 3, the board cited fiscal irresponsibility as its primary cause for firing Ballowe. At the time, the school board was facing an estimated \$6.5 million deficit.

"To go through a 'for cause' hearing would have required a long, drawn-out legal battle that would have cost the school board a great deal," Hartley said.

He said the board decided a mutual agreement, along with the two payments, is the best financial move for the school board to conclude the conflict with the former superintendent.

Ballowe, whom the board fired on July 3 with a 3-2 vote, was finishing out his first year of a three-year contract with the school board when he was fired.

The former Gainesville school system superintendent is now working in the Glynn County school system as an interim high school principal.

"To go through a "for cause" hearing ... would have cost the school board a great deal."

Phil Hartley, attorney for Gainesville school board

DEMOCRATIC DIARY

Notes from the Democratic National Convention



Diaz

Local attorney Joe Diaz, a Democratic delegate, hears from Jimmy Carter and casts vote for Hillary Clinton.

PAGE 4A



INSIDE

Annie **8B** Get Out **inside**
 Business **7B** Lottery **2A**
 Calendar **2A** Opinion **5A**
 Classified **inside** Sports **1-5C**
 Comics **9B** TV/puzzles **8B**

WEATHER 2A

High **86** Low **67**
 Lake Lanier level: **1,055 feet**
 Up 1.35 feet in 24 hours

DEATHS 2B

Kenneth Adams, 61
 John S. Alford, 37
 Richard George Czerwinski, 80
 Felton Davis Jr.
 Ola Mae Guthrie, 80
 Kathryn Shirley Levan, 76

Rachel Carol McDougal, 74
 Jerry W. Mitchell, 65
 Hubert Murray, 89
 Cornelius Palmer
 Paul Payne, 76
 Nancy C. Samples, 64
 Kay V. Sturkie, 57

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