

Patty Baker, Clerk of Superior Court Cherokee Cty, GA

CHEROKEE COUNTY
STATE OF GEORGIA

ORDER

It is ordered that the within and foregoing Grand Jury Presentment having been read and considered, the same be filed.

It is further ordered that a copy of the Grand Jury Presentment, along with a copy of this Order, be sent to the Cherokee Tribune for publication and the usual fees paid thereon.

This the 13 day of April, 2021.



Judge, Superior Court
Blue Ridge Judicial Circuit

**CHEROKEE COUNTY
STATE OF GEORGIA**

GRAND JURY PRESENTMENT

To: Honorable Ellen McElyea
Chief Judge, Superior Court
Cherokee County, Georgia

Honorable David L. Cannon, Jr.
Judge, Superior Court
Cherokee County, Georgia

Honorable M. Anthony Baker
Judge, Superior Court
Cherokee County, Georgia

We, the members of the Grand Jury, chosen and sworn to serve the January 2021 Term of the Superior Court of Cherokee County, hereby submit the following report and recommendations.

We, the January 2021 Term Grand Jury, heard 222 Bills of Indictment, returned 222 True Bills and 0 No Bill.

Presentment 1

We, the January 2021 Grand Jury, commend Superior Court Bailiffs Johnny Champion, Faye McCurry, Sandra Foster and Linda Wolfe for their diligent assistance in arranging materials for the Grand Jury proceedings, managing the schedule for cases to be presented, coordinating Grand Jury payroll and ensuring that all of the Grand Jury proceedings ran smoothly.

Presentment 2

We, the January 2021 Grand Jury, commend District Attorney Shannon Wallace, each of her Assistant District Attorneys and staff members, and each law enforcement officer and investigator associated with the cases brought before this Grand Jury for their professionalism and hard work in protecting the citizens of Cherokee County.

Presentment 3

We, the January 2021 Grand Jury, express our sincere appreciation to Sheriff Frank Reynolds, Major Bill Smith, Captain Danny Higgins, and Lieutenant Irene Ruiz for hosting an informative tour of the Cherokee County Adult Detention Center. We, the Grand Jury, inspected

the intake area and the male and female housing units. Overall, we found the areas we visited to be clean, orderly and effectively managed, especially during this global pandemic.

We, the January 2021 Grand Jury, commend Sheriff Reynolds and his staff at the Cherokee County Adult Detention Facility for the manner in which his office continues to handle the COVID-19 pandemic by continuing to enforce COVID policies and protocols within the jail to reduce the spread of this virus and to ensure the health and safety of all inmates in this facility.

We, the January 2021 Grand Jury, commend Sheriff Reynolds and his staff at the Cherokee County Adult Detention facility for their programs that focus on inmate art display, GED services, and mental health programs.

We, the January 2021 Grand Jury, recommend more funding be allocated to the Cherokee County Sheriff for mental health services for the inmates.

Presentment 4

We, the January 2021 Grand Jury, express our thanks to the Honorable Chief Judge Ellen McElyea for her professionalism and informative empanelment of this Grand Jury.

Presentment 5

We, the January 2021 Grand Jury, express our sincere gratitude to the District Attorney and her staff, the Clerk of Courts and her staff, the Bailiffs, the Judges, the law enforcement and all of those involved in organizing, coordinating, and managing Grand Jury during this global pandemic.

We, the January 2021 Grand Jury, were socially distanced in the jury assembly room throughout our service, and were each required to wear masks throughout our service. It was abundantly clear to the Grand Jury that our health and safety was a top priority at all times during this term to all individuals involved with ensuring the statutory duties of the Grand Jury were fulfilled.

Presentment 6

We, the January 2021 Grand Jury, express our thanks to Clerk of Court Patty Baker for her informative tour of the offices of the Clerk of Courts. We, the January 2021 Grand Jury, physically

inspected the Superior Court Clerk's Office and the Deeds and Records Division. We, the Grand Jury, found the offices of the Clerk of Court to be efficiently run and extremely organized.

We, the January 2021 Grand Jury, commend the Clerk for digitizing all of the old records and also for collaborating with the judges, sheriff, district attorney, solicitor general, court administrator and indigent defense to continue the operations of the court during the pandemic.

We, the January 2021 Grand Jury, recommend the Courts continue to use technology to conduct the business of the Courts where allowed by law, especially with respect to video conferencing with inmates in the Cherokee County Adult Detention Facility and the usage of e filing. Likewise, we, the Grand Jury, recommend more physical space be allocated to the Clerk of Courts as her office continues to grow.

Presentment 7

We, the January 2021 Grand Jury, toured Courtrooms 1B and 1D to better understand how the Court System has adapted the courtrooms for jury trials due to COVID-19. We commend Chief Judge Ellen McElyea and all of the members of the Jury Trial Resumption Committee, which was tasked with developing a plan to resume jury trial in Cherokee County, for all of their hard work in developing a workable plan to resume jury trials. This plan was instrumental in starting back jury trials in March of 2021.

Presentment 8

We, the January 2021 Grand Jury, express our sincere appreciation to Patty Baker for her presentation on the Board of Equalization and its functions. Pursuant to O.C.G.A. §48-5-311, we, the Grand Jury, were provided notice by the Clerk of Courts of three vacancies on Board of Equalization. While the Clerk of Courts publicized these vacancies in compliance with O.C.G.A. § 15-12-8, there were only two applications submitted to the Clerk of Court.

We, the January 2021 Grand Jury, appointed the following Grand Jurors to serve on the committee to interview the two candidates who submitted applications for the vacant positions on the Cherokee County Board of Equalization. The committee members were as follows:

- 1) Steven James Flynn
- 2) Clydina Murtagh
- 3) Mark Avillar

- 4) Chase Weston
- 5) Laurence W. Aber

The Grand Jury Committee met and interviewed Emily Lemke and Phillip Hogsed on April 13, 2021, and reported its findings and recommendation to the entire grand jury on that same day.

We, the January 2021 Grand Jury, pursuant to O.C.G.A. §48-5-311, hereby appoint the following individuals as additional alternate members to the Cherokee County Board of Equalization for a term, which ends on December 31, 2022:

- 1) Emily Lemke
- 2) Phillip Hogsed

We, the January 2021 Grand Jury, recommend that the Clerk of Courts re-publicize the remaining vacant position on the Cherokee County Board of Equalization and submit the applications to the May 2021 Grand Jury for review. We further recommend that the May 2021 Grand Jury thoroughly vet all applicants who apply to fill this vacancy and conduct an interview of each applicant before selecting the new member for the Board of Equalization.

Presentment 9

We, the January 2021 Grand Jury, express our appreciation to the acting chair of the Cherokee County Airport Authority, Steve Mammen, for his informative presentation about the Cherokee County Airport Authority. We, the Grand Jury, were provided notice of one vacancy on the Authority created by the death of Don Stevens. The Clerk of Court publicized this vacancy in compliance with Georgia law and there were four applicants for this position. We, the Grand Jury, appointed the following Grand Jurors to serve on the committee to interview the four candidates who have submitted applications for the vacant position on the Cherokee County Airport Authority. The committee members were as follows:

- 1) Steven James Flynn
- 2) Clydina Murtagh
- 3) Mark Avillar
- 4) Chase Weston
- 5) Laurence W. Aber

The Grand Jury Committee met and interviewed Quentin Thomas, Evan Marble, Keith Stevens, and Matthew Phelps on April 13, 2021, and reported its findings and recommendation to the entire grand jury on that same day.

We, the January 2021 Grand Jury, pursuant to O.C.G.A. §15-12-81, hereby appoint **Quentin Thomas** to fill the unexpired term of Don Stevens on the Cherokee County Airport Authority. This term will expire on June 30, 2022.

We, the January 2021 Grand Jury, recommend that the Cherokee County Airport Authority and the Cherokee County School District actively work together to implement programs focused on aviation. The need for pilots and mechanics will increase as the current generation retires.

We, the January 2021 Grand Jury, make the following recommendations with respect to the Cherokee County Justice Center:

Recommendation 1:

Based on the current size of the Justice Center and the parking lot, the current staff which occupy the Justice Center, and the amount of growth expected in Cherokee County over the next few years, we, the January 2021 Grand Jury, recommend that the Justice Center and parking lot be expanded as soon as possible.


Recommendation 2:

We, the January 2021 Grand Jury, recommend that all jurors be allowed to bring metal cups into the Justice Center while serving as a juror.

Recommendation 3:

We, the January 2021 Grand Jury, express our sincere appreciation to the Cherokee County Sheriff's Office Internet Crimes Against Children (ICAC) Unit for the excellent job they do in protecting the children in Cherokee County. We, the Grand Jury, recommend this Unit be increased in size and that more funding be allocated to ensure this Unit has the proper resources needed to continue serving and protecting the public.

Respectfully submitted this 13th day of April 2021.



Steven James Flynn
Grand Jury Foreperson

IN THE SUPERIOR COURT OF CHEROKEE COUNTY

STATE OF GEORGIA

BOARD OF TAX EQUALIZATION APPOINTMENT

The Grand Jury for Cherokee County, Georgia, January Term, 2021 pursuant to O.C.G.A. § 48-5-311, notice from Board of Tax Equalization, and after publication by the Clerk of Superior Court in compliance with O.C.G.A. § 15-12-81 hereby appoint as a

_____ A. Regular Member

_____ B. Numbered Alternate Member

X _____ C. Additional Alternate Member

NAME: Phillip Hogsd

to the Board of Tax Equalization of Cherokee County for a term commencing January 1, 2021 and ending December 31, 2022.

Foreman

Clerk

SO ORDERED this 13 day of April, 2020.

[Signature]
JUDGE, SUPERIOR COURT
Cherokee County, Georgia

IN THE SUPERIOR COURT OF CHEROKEE COUNTY

STATE OF GEORGIA

BOARD OF TAX EQUALIZATION APPOINTMENT

The Grand Jury for Cherokee County, Georgia, January Term, 2021 pursuant to O.C.G.A. § 48-5-311, notice from Board of Tax Equalization, and after publication by the Clerk of Superior Court in compliance with O.C.G.A. § 15-12-81 hereby appoint as a

_____ A. Regular Member

_____ B. Numbered Alternate Member

X _____ C. Additional Alternate Member

NAME: Emily Lemcke

to the Board of Tax Equalization of Cherokee County for a term commencing January 1, 2021 and ending December 31, 2022.



Foreman



Clerk

SO ORDERED this 13 day of April, 2020.



JUDGE, SUPERIOR COURT
Cherokee County, Georgia