

CHEROKEE COUNTY

STATE OF GEORGIA

GRAND JURY PRESENTMENTS

**TO: The Honorable N. Jackson Harris
Chief Judge, Superior Court
Cherokee County, Georgia**

**The Honorable Ellen McElyea
Judge, Superior Court
Cherokee County, Georgia**

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

We, the members of this Grand Jury, chosen and sworn to serve the May 2013 term of the Superior Court of Cherokee County, hereby submit the following report and recommendations.

We, the May 2013 Grand Jury, heard 189 bills of indictment, returned 189 true bills and 0 no bills.

PRESENTMENT 1

We, the May 2013 Grand Jury, commend Superior Court Chief Bailiff Jane Johnson, Bailiff Johnny Champion and Bailiff Fay McCurry and all bailiffs for their diligent assistance in arranging materials for Grand Jury proceedings, managing the schedule for cases to be presented, coordinating Grand Jury payroll, and ensuring that proceedings run smoothly.

PRESENTMENT 2

We, the May 2013, Grand Jury commend District Attorney Shannon Wallace, each of her Assistant District Attorneys and staff members, each law enforcement

officer and investigator associated with the cases brought before this Grand Jury for their professionalism and hard work.

PRESENTMENT 3

We, the May 2013 Grand Jury, sincerely express thanks to the Honorable Judge Ellen McElyea for her professional and informative empanelment and orientation of this Grand Jury.

PRESENTMENT 4

We, the May 2013 Grand Jury, express thanks to Mr. Thomas Heard and Board Members L. B. Ahrens and Nancy Martin of the Cherokee County Water and Sewage Authority for taking time out of their busy schedules to educate the Grand Jury about the needs pertinent to the aforementioned Board in order to assist the Grand Jury in making the appropriate appointments to this Board.

PRESENTMENT 5

We, the May 2013 Grand Jury, sincerely express our appreciation to Amy Economopoulos and the staff of the Anna Crawford Children's Center for their tireless efforts in serving and protecting at risk and victimized children in our community. Through the presentation by Director Economopoulos, we learned that Cherokee County is at the forefront of child abuse investigations and prevention resources provided to children and parents in the State of Georgia through the Center. Anna Crawford Children's Center is a non-profit organization that provides forensic interviews for children suspected of being physically or sexually abused and also provides treatment services to these children and their families at no cost to the families. The Center is funded by grants and donations and not by the Cherokee County tax payers. The Center offers training programs, such as Darkness to Light, which helps parents and other individuals that care for children to recognize the signs of child abuse, and provides training for forensic interviewers from around the State of Georgia through their "Child First Georgia" program. More information about the Center can be obtained by visiting their website at <http://cherokeechildadvocates.org>.

PRESENTMENT 6

We, the May 2013, Grand Jury sincerely express our thanks to Cherokee County Multi-Agency Narcotics Squad Commander Phil Price for his informative presentation about the drug epidemic in Cherokee County. All Cherokee County citizens are encouraged to be proactive about drug related activity. Any citizen that is concerned about drug related activity in his or her area can send CMANS an anonymous tip by going to www.cmans.org/news/tips-contact or by calling the anonymous tip line at 770-345-7920. Commander Price assured the Grand Jury that all tips are investigated.

PRESENTMENT 7

We, the May 2013 Grand Jury sincerely express our appreciation to District Attorney Shannon Wallace for her presentation on the physical plant and functions of the District Attorney's Office. We inspected the Office of the District Attorney during this term and found the office to be clean and orderly, but somewhat crowded. As our county continues to grow, there is a need for additional space in this office which is not currently available.

Based on this inspection, we, the Grand Jury, were concerned about the lack of security in parts of the District Attorney's Office, specifically the reception area, in which the public has ready physical access to the receptionist. Likewise, we the Grand Jury, were concerned about the lack of secured doors leading into the Grand Jury room, which permits unfettered access to the Grand Jury proceedings.

PRESENTMENT 8

We, the May 2013 Grand Jury, requested a copy of the executed change order authorizing an extension of time to the Professional Services Agreement, dated January 8, 2013, between the County and Rhonda D. McClendon, CPA, PA. This order was provided to the Grand Jury by the county attorney, Angela Davis. While the order provided to the Grand Jury does modify in writing the amount authorized to complete the audit, a formal change order modifying the completion date from March 31, 2013, was not executed. Per the schedule of services (Section II.A.), "the County reserves the right to order changes in the Work to be performed under this Agreement by altering, adding to, or deducting from the Work. All such changes shall be incorporated in written change orders executed by the Consultant and the County. Such change orders shall specify the changes ordered and any

necessary adjustment of compensation and completion time.” Contract administration best practices require all changes or modifications to contracts or service agreements to be in writing, signed and executed by both parties.

RECOMMENDATIONS:

RECOMMENDATION 1

We, the May 2013 Grand Jury, hereby recommend that the Cherokee County School Board implement the Anna Crawford Children’s Center Darkness to Light program into the school system.

RECOMMENDATION 2

We, the May 2013 Grand Jury, recommend the Board of Commissioners allot funds to rectify the security issues in the reception area of the District Attorney’s Office as well as the grand jury room as soon as possible.

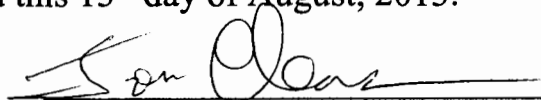
RECOMMENDATION 3

We, the May 2013 Grand Jury, recommend a long term plan for the expansion of the Justice Center be developed as soon as possible and recommend this plan be reevaluated every five years as the county continues to grow.

RECOMMENDATION 4

We, the May 2013 Grand Jury, recommend a review of procedures governing contract administration for all contracts in which the county has fiscal liability be conducted as soon as possible. We further recommend that an external audit of all contracts in the amount of \$50,000 or greater be conducted on an annual basis to ensure compliance with all contract terms and accurate payment application as well as to provide for additional oversight of these contracts for the citizens of Cherokee County.

Respectfully submitted this 13th day of August, 2013.



Thomas Cleary,
Grand Jury Foreman

CHEROKEE COUNTY

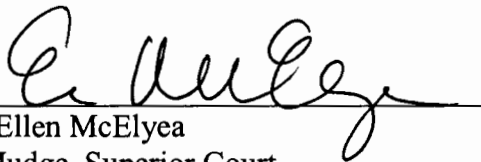
STATE OF GEORGIA

ORDER

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

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

This the 13th day of August, 2013.



Ellen McElyea
Judge, Superior Court
Blue Ridge Judicial Circuit