

CHEROKEE COUNTY

STATE OF GEORGIA

GRAND JURY PRESENTMENTS

TO: The Honorable Frank C. Mills, III
Chief Judge, Superior Court
Cherokee County, Georgia

The Honorable N. Jackson Harris
Judge, Superior Court
Cherokee County, Georgia

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

FILED IN OFFICE
CLERK OF SUPERIOR COURT
CHEROKEE COUNTY, GA
2011 DEC 20 AM 9:23
PATTY BAKER, CLERK

We, the members of this Grand Jury, chosen and sworn to serve the September 2011 term of the Superior Court of Cherokee County, hereby submit the following report and recommendations.

We, the September 2011 Grand Jury, heard 231 indictments and returned 231 true bills and 0 no bills.

PRESENTMENT 1

We, the September 2011 Grand Jury, request that the future Grand Juries be provided in writing, in the letter in which they are summoned, with the specific dates of service, to avoid misunderstanding. In addition, we request that the future Grand Juries be provided in writing, no later than the second day of the first month of their term, 1.) with the Judge's charges 2.) with a list of Cherokee County agencies and facilities, along with their physical addresses, available for inspection or interview, and 3.) with a list of dates that each of the agencies were interviewed or inspected within the last two years by previous Grand Juries. The purpose of this is to ensure that the periodic inspections set forth in our charge are accomplished and to also ensure more effective use of the Grand Jury's time and resources.

PRESENTMENT 2

We, the September 2011 Grand Jury, request that Presentment No. 8 of the January 2011 Grand Jury be revisited; to-wit:

“We, the January 2011 Grand Jury, request that the jury hot line phone number be added to the jury summons letter and the Cherokee County Justice Center also add a tab on the website in the event of inclement weather and clear communication be

present with the Jurors and the Justice Center.”

PRESENTMENT 3

We, the September 2011 Grand Jury, would like to express our gratitude to Garry Moss and all the Assistant District Attorneys and also to the Superior Court Chief Bailiff Jane Johnson and Bailiff Johnny Champion for their professionalism, diligence, helpfulness, and hospitality.

PRESENTMENT 4

We, the September 2011 Grand Jury, reappoint Donald Sams and J.E. White and appoint Horace L. Carter and Joe Mastroserio to the Cherokee County Board of Equalization for three year terms. We are grateful for their commitment and service to our county.

PRESENTMENT 5

We, the September 2011 Grand Jury, invited Cherokee County School Superintendent, Dr. Frank P. Petruzielo, through the District Attorney's office, to appear before the Grand Jury for one hour. He sent various central office personnel, Brian Hightower, Carrie Budd, Ron Dunavon, and Barbara Jacoby, and the school system attorney, Tom Roach, in his place. It is the opinion of the Grand Jury that it would be beneficial to and appreciated by the citizens of Cherokee County for Dr. Petruzielo to appear himself when invited by future Grand Juries. We are grateful that the individuals who he sent in his stead explained the Education SPLOST and policies regarding Charter Schools and home-schooled childrens' participation in school programs. We acknowledge the effective use of technology and the excellent facilities in our school system.

PRESENTMENT 6

We, the September 2011 Grand Jury, would like to express our gratitude to Major Karen Johnson, Captain Hill, and Sgt. Harris for the tour of the Adult Detention Center and the lunch that was provided. We appreciate that its staff manages resources carefully, that the facility is maintained and kept sanitary, and that careful long-range planning was and is used in building and maintaining the facility. We also appreciate their use of the direct supervision method in which one deputy is assigned to sixty-four inmates in a housing unit. We share Maj. Johnson's concern that mental health is the biggest challenge with inmates, although we do not currently have a solution to offer. However, we appreciate being made aware of the needs in this area.

PRESENTMENT 7

We, the September 2011 Grand Jury, recommend that the Georgia Legislature include the death of a child (at an age to be established by the Legislature) as an aggravating factor in seeking the death penalty.

PRESENTMENT 8

We, the September 2011 Grand Jury, would like to express our gratitude to Renee Cornelison, Deputy Director of the Emergency Operations Center, for the tour of the Emergency Operations Center and the information regarding its service to the County during emergencies and disasters. Also, she made us aware of the importance for all Cherokee County citizens to have a shelter-in-place and an evacuation plan. We appreciate the close collaboration of the Center with the National Weather Service and the School System. We are also grateful to Kelly Boughner, LCO of the 911 Center, for the tour of the facility and for its efficient handling of emergency calls.

PRESENTMENT 9

We, the September 2011 Grand Jury, would like to express our gratitude to Chief Prather, Fire Chief, and Chief Robinson, Assistant Fire Chief, along with all the Cherokee County Fire Department First Responders and EMS employees for their service. We learned that, despite the loss of one battalion chief due to budget cuts, the captains are stepping up and taking on more responsibility. This additional responsibility will also prepare them to become future battalion chiefs. We were pleased to hear the chiefs' opinion that the department's morale remains intact, and the employees continue to serve our county with excellence, as evidenced by the forty-six firemen who attended a training class in Atlanta, unpaid and on their own time.

PRESENTMENT 10

We, the September 2011 Grand Jury, would like to express our gratitude to Jim Hubbard, County Commissioner, and Jerry Cooper, County Manager, for answering questions and addressing concerns regarding county budgeting and the building of the aquatic center. Also, we appreciate the information regarding the wellness program through a community health network that is offered to county employees. The network offers incentives for quitting smoking and offers coaching for weight loss. It is the intent that this program will ultimately decrease insurance premiums at a savings to taxpayers. In addition, we would like to commend the Commissioners for the transparency page on the county website (www.cherokeega.com) and for the Commissioner meetings being made available on this website live and archived. Finally, we appreciate that the Commissioners have supported a Citizens Committee and Town Hall Committee, both consisting of volunteers. We commend these concerned citizens for volunteering their time, and we encourage an open dialog between the Commissioners and volunteers. We recommend that the volunteers include in their examination how budget cuts could be made by decreasing the number of county vehicles that are driven home.

PRESENTMENT 11

We, the September 2011 Grand Jury, would like to express our gratitude to Patti Baker, Clerk of Superior Court for the tour of her staff's offices. We appreciate the innovations her office utilizes, including the use of a "lojack" type security system for files, digitization of records, and online access to deeds and trade names.

PRESENTMENT 12

We, the September 2011 Grand Jury, would like to express our gratitude to the District Attorney's staff and law enforcement personnel for their willingness to educate us about the judicial process and points of law, as well as providing us with the evidence we needed to find "True Bills". We appreciate their continued service to our county to keep us safe. In particular, we appreciate the service of Det. Kara Chagnon and Inv. Beth Furman with the Crimes Against Children Division and Inv. Jeff Donley in the Financial Crimes Division.

Respectfully submitted this 20th day of December, 2011.


MARILYN L. FARROW
GRAND JURY FOREMAN

CHEROKEE COUNTY

STATE OF GEORGIA

ORDER

The within and foregoing Grand Jury Presentments having read and considered, let the same be filed.

Let a copy of the Presentments, along with a copy of the Order, be sent to the Cherokee Tribune and Radio Station WLJA for publication and the usual fees paid thereon.

This the 20 day of December, 2011.


HONORABLE ELLEN MCELYEA
JUDGE, SUPERIOR COURT
Blue Ridge Judicial Circuit

FILED IN OFFICE
CLERK OF SUPERIOR COURT
CHEROKEE COUNTY, GA
2011 DEC 20 AM 9:24
PATY BAKER, CLERK