

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, Cherokee County, Georgia

This 9th day of Dec., 2008

At 3:00 P m.

Patty Baker
PATTY BAKER, Clerk / Deputy Clerk
Superior, State and Juvenile Courts

We, the members of this Grand Jury, chosen and sworn to serve the **September 2008** term of the Superior Court of Cherokee County, hereby submit the following report and recommendations.

We, the September 2008 Grand Jury, heard 248 bills of indictment, returned 248 true bills and 0 no bills.

PRESENTMENT 1

We, the September 2008 Grand Jury, would like to commend Superior Court Chief Bailiff Jane Johnson and Bailiff Johnny Champion for their assistance in arranging the material for the Grand Jury, managing the schedule of cases to be presented, coordinating the Grand Jury payroll, and helping the Grand Jury to run as smoothly as possible. We thank them both for their friendliness, helpfulness and support of this Grand Jury.

PRESENTMENT 2

The September 2008 Grand Jury gratefully appreciates District Attorney Garry Moss and his Assistant District Attorneys who submitted indictments to the Grand Jury, the staff members, and all of the law enforcement personnel who testified and offered evidence. We especially thank District Attorney Moss for always being available to provide appropriate instructions and to answer the Grand Jury's questions.

PRESENTMENT 3

The September 2008 Grand Jury would like to thank Sheriff Roger Garrison, Captain Karen Johnson, Major Chris Collett, and the staff of the Sheriff's Office and Jail for their diligent work and hosting an informative tour. The County Detention Center was found to be clean, and effectively managed. We thank Captain Johnson for our lunch, and commend Captain Johnson, Major Collett and Sheriff Garrison for having our jail under their control. They are doing an excellent job. We also thank Renay Cornelison for showing us the Emergency Response Center.

PRESENTMENT 4

The September 2008 Grand Jury commends the Cherokee Multi-Agency Narcotics Squad (CMANS) members and staff for the work concerning drug enforcement in the county. We would like to thank Kim Williams for speaking to the Grand Jury concerning CMANS operations. We strongly recommend that all municipalities in Cherokee County continue to stand with and support the work of CMANS.

PRESENTMENT 5

The September 2008 Grand Jury would like to thank County Manager, Jerry Cooper, for speaking with us concerning issues in the county. We appreciate him taking the time to meet with us.

PRESENTMENT 6

The September 2008 Grand Jury would like to thank the Mayor of Holly Springs, Tim Downing, for discussing litigation issues between the county and the city. We appreciate him taking the time to meet with us.

PRESENTMENT 7

The September 2008 Grand Jury would like to thank Capt. Ed Lacy from the Internet Crimes Unit for coming to speak to us. We appreciate all of his valuable insight into the area of internet crimes in Cherokee County.

PRESENTMENT 8

The September 2008 Grand Jury would like to thank Cherokee County School Police, particularly Officer Beth Buffkin, Sergeant Dan Peabody and Chief Mark Kissel for their review of the gang activity and other types of school crime in Cherokee County. The Grand Jury was asked by the May 2008 Grand Jury to investigate canine use in the county for school patrols. After speaking with the canine officer, the Grand Jury recommends that the School Board investigate hiring an additional officer to enable the existing canine officer to patrol the whole county school system.

PRESENTMENT 9

The September 2008 Grand Jury would like to thank Patty Baker, Clerk of Courts, for the tour of her office and to commend her, and her staff for automating the clerks office, for bringing services, forms, and documents on-line through the utilization of new technology, thus enhancing performance, efficiency, and providing the citizens of Cherokee County with improved customer service. Other improvements include digital scanning for document management, web-based case management search tools, case file tracking system, and more efficient office management of filing.

PRESENTMENT 10

We, the September 2008 Grand Jury, after examining the applications for the Tax Equalization Board, voted and accepted the re-appointments of 1 regular and 3 alternate members to the board. The re-appointments are Donald Sams – regular member, J.E. White – a numbered alternate, Larry Haynes – additional alternate, and Bill Matthews – additional alternate.

PRESENTMENT 11

We, the September 2008 Grand Jury, recommend that the county implement an extension of retirement benefits for retired Sheriff's department personnel. In order to stay competitive in today's marketplace, both active and retirement benefits need to be the best that they can be. The Grand Jury believes this increase in retirement benefits would help to attract and retain the best candidates for the Sheriff's office.

PRESENTMENT 12

We, the September 2008 Grand Jury, reviewed current litigation between Cherokee County and the City of Holly Springs. It is the understanding of the Grand Jury that costs of this litigation exceeds \$390,000 to date at a time when county revenues are in decline.

It was the hope and desire of the Grand Jury to encourage a resolution to the differences presented by this litigation. The Grand Jury thanks County Manager, Jerry Cooper, for his cooperation in meeting with the Grand Jury. The Grand Jury also extends it's appreciation to Mayor Tim Downing for his attendance and example of willingness to be cooperative in the Grand Jury's effort to seek a resolution to the litigation. An invitation to meet with the Grand Jury was extended to the Cherokee County Board of Commissions which was declined.

PRESENTMENT 13

We, the September 2008 Grand Jury, examined the audit reports of 2007-2008 from the Cherokee Water and Sewer Authority. After reviewing this audit report, the Grand Jury notes the following facts:

1. Approximately every 2 years the authority issues bonds for between \$16 million and \$70 million (page 24 of the 2007-2008 fiscal years report)
2. Water production lab fees doubled in 2008 from \$20,000 to \$40,000 (page 32)
3. Water production professional fees quadrupled in 2008 from \$4,000 to \$16,000 (page 32)
4. Wastewater salaries saw a 10% increase in 2008 of \$200,000 (page 33) even though the projected salary increase was to be 5% (page 31)
5. Administration salaries saw a 10% increase in 2008 of \$400,000 (page 34) even though the projected salary increase was to be 5% (page 31)
6. Lake Allatoona/Upper Etowah Study nearly tripled in 2008 by \$213,000 (page 34)

The Grand Jury recommends a further review be done on the audit reports.

PRESENTMENT 14

We, the September 2008 Grand Jury, , having learned the bailiffs have not received a pay increase for over 5 years, recommend that the pay for the Bailiffs for the Cherokee County Court system be increased from \$70 per day to a minimum of \$75 per day, with a suggested amount of \$80 per day.

PRESENTMENT 15

We, the September 2008 Grand Jury recommend that the pay for regular jurors be increased from \$25 per day of service to \$30 per day of service.

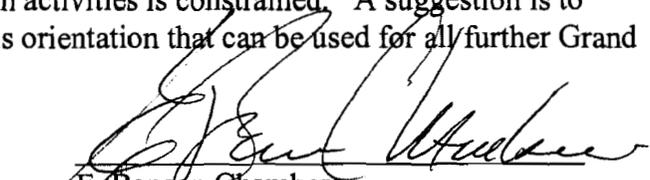
PRESENTMENT 16

We, the September 2008 Grand Jury, recommend that the pay for Grand Jurors be increased from \$50 per day to \$60 per day.

PRESENTMENT 17

We, the September 2008 Grand Jury, strongly recommend an improved orientation process be given to the grand jurors on the first day of session. This orientation should include assistance with creating and publishing a calendar of scheduled events, a list of possible tours, list of county offices, list of county departments (such as CMANS, police, school police, school board, etc.), and a list of any required term activities (such as appointments to various boards and authorities).

The calendar should be published by the second day of the first session, as the Grand Jury term is limited and time to accomplish activities is constrained. A suggestion is to produce a video or power point of this orientation that can be used for all further Grand Juries.



E. Benson Chambers
Grand Jury Foreman