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ATHENS-CLARKE COUNTY

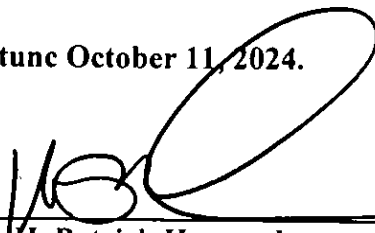
Clerk Superior Court, County, Ga.

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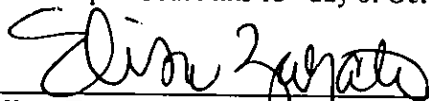
It is ordered that the foregoing presentments of the Grand Jury empanelled for the 2024 July Term of the Superior Court of Athens-Clarke County be entered on the minutes of the Court and published at the expense of the County in the official organ of Athens-Clarke County, Georgia. Exhibits are not to be published, but shall be available for inspection and reproduction in the Office of Clerk of Superior Court Athens-Clarke County,

This 15th day of October, 2024 nunc pro tunc October 11, 2024.



Judge H. Patrick Haggard
Superior Court Athens-Clarke County
Western Judicial Circuit

Filed in Open Court this 15th day of October, 2024.



Tiffany Treadway, Chief Deputy Clerk

General Presentations and Reports

Athens-Clarke County Grand Jury

Third Quarter Session 2024

On the 8th day of July 2024, the Honorable Judge John Bailey, Jr. selected a jury of 25 people including two alternates to the Grand Jury. Judge Bailey then administered the oath and charged them with their responsibilities.

The jurors then selected Mary Jennifer W. Abbott as Foreperson, Jessica R. McFadden as Assistant Foreperson, Alisha Marie Cromwell as Secretary, and Joan Leslie Davis as Assistant Secretary.

The remaining jurors were Marilyn L. Appleby, Sarah Katherine Bjornlie, Shawn Renae Carey, Joseph Paul Carter, Shi-Shan Chen, Dennis A. Daniel, Jennifer Lyn Eidson, Patricia A. Finn, Chad Frederick Garrison, Christopher Lynn Hilley, Jessica Kathryn King, Travon Malik Mace, Yoni Martinez, Melissa Navarro-Torres, Jeremy Scott Peacock, Karen Grubbs Pina, Sharon Eileen Sanderson, Misty Rae Scarborough, Connor Eugene Smith, Glenn D. Spear, and Ellen Karen Steinberg.

Criminal Functions

The Grand Jury was presented with 118 cases. Of the cases, 116 were True Bills, 0 were No Bills, and 2 were returned as Split Bills. This activity took place at the Athens-Clarke County Courthouse on July 12th, July 26th, August 2nd, August 9th, August 23rd, August 30th, September 6th, September 13th, October 4th, and October 11th.

Civil Functions

ACC Tax Assessors Office

A team of Grand Jurors met with the Chief Appraiser of the Tax Assessors Office Kirk Dunagan on Friday, September 20, 2024, to discuss how valuations and descriptions of properties are determined. In addition, the Grand Jury committee was interested in learning about the demographics of foreclosures and purchasers of these properties and the tasks assigned to the Tax Assessor office.

Mr. Dunagan described the responsibilities of the Tax Assessor office which include the

following: the annual collection of information for the property tax digest; the submission of the digest to the state tax department; and reviewing the current year's property tax appeals. Home valuations are determined by the milage rate, which is set by the ACC Mayor and Commission. This is driven by budget and potential spending needs for the government based on community needs. Mr. Dunagan explained that over the last several years, property valuations have increased across the country. He explained that the general method for determining assessments is to analyze sales, ratios, and medians in the 600 neighborhoods across the county. If a property owner appeals the valuation, the tax assessor's office visits the site to obtain additional information. If the owner still disagrees with the valuation, the individual has the right to have it reviewed by the equalization board. When asked if large, downtown student apartments receive tax breaks, he stated that they do not and cited that one of the buildings assessed property taxes is over \$2 million.

Mr. Dunagan explained the difference between a foreclosure and a tax sale. A foreclosure is when a lending institution takes over the property due to non-payment of the mortgage loan. Since 2021, there have been 16 foreclosures in the community. A tax sale is the failure to pay property taxes, and the ACC Tax Commissioner's office is tasked with the collection of back taxes. Property owners have one year to pay back taxes. The Tax Assessor's office does not keep a demographic listing for foreclosures or tax sales.

A committee member asked about plat drawings on the Qpublic web site citing that some do not show correct information for property lines. Mr. Dunagan stated that some of this information could depend on an aerial view and that GIS tends to correct the problem.

Currently, aerial photography for properties in ACC is not done on an annual basis. In addition, Mr. Dunagan was asked if the planning department shares permit application information for properties. He said the information is used internally for assessments to track significant changes to a property.

After interviewing the Tax Assessor, the Grand Jury committee recommends that aerial photography of properties be done annually in order to properly determine property taxes. This could be a shared commodity for several departments within ACC to aid in determining property survey lines, conditions and/or changes of structures and streets, etc.

ACC Planning Department

On September 20, 2024, members of the Grand Jury visited with Planning Department staff members Marc Beechuk, Comprehensive Planning Coordinator, and John Rogeberg, Developer Services Coordinator, to better understand what guides community growth.

Mr. Beechuk explained that the Planning Department staff is guided by federal, state, and local codes. In all cases, they must meet the federal and state requirements; however, a local government may decide to make an ordinance more stringent, based on knowledge of the community. On a local level, staff and developers may suggest amendments to requirements. However, a local ordinance can be overridden at the state level. The ACC Planning Department participates with the state on plat work and GIS work.

Currently, the planning staff is preparing for the 2028 Comprehensive Plan for the community. This includes reviewing ordinances, zoning, regulations and planning for potential growth and development in ACC. Issues that face the Planning Department include single family zoning and rentals to students in those areas; multi-family housing; and infrastructure updates for the community.

Mr. Beechuk described the struggle in Athens between the fact that university students contribute to local economy and the impact of students renting in single-family neighborhoods on traffic, noise, and quality of life issues. Changes in zoning could affect where or what single-family neighborhoods students could reside, but there needs to be a balance. Additional ordinances could impact a homeowner who may choose to rent empty rooms of their home to help with expenses or affect LGBTQ and minority communities or non-standard families. Code enforcement in single-family neighborhoods has often been lax in the past. Rental registries require cooperation of landlords and renters, making enforcement of ordinances difficult and would require investigations into situations. The situation can affect single-family homeowners and their assessments as rentals are valued at an investment rate. Committee members asked about the apartment complexes that have been built in recent years— some geared for student population and others for the wider community. Many of areas for commercial offices or services; however, many of these spaces go unfilled. Is it possible to have these spaces be community areas for services or activities for the whole community? The staff indicated that there is no incentive on the part of the developers to fill those spaces. In addition, the staff stated that they have no information about multi-family housing as to their occupancy rates to determine what is needed in the community.

The committee asked if there is a breakdown of the number of units of public housing, Section 8 housing, and market rate multi-family housing for Athens. Committee members stated that often in the Grand Jury's work, certain areas of the community are most often cited in the cases being reviewed. This might be helpful in recommending services in the community. **Mr. Rogeberg will provide the information.**

Recommendations from the Grand Jury that could assist the Planning Department in the future include:

- New aerial surveys to determine boundary lines to help mitigate residential and construction issues, potentially, developers could assist with cost.
- GIS updates for community survey for neighborhoods, infrastructure, industrial areas.
- Review of code enforcement ordinances and stronger enforcement.
- Determine what constitutes an accessory space on a property and its placement.

ACC Jail

A committee of Grand Jury members also visited the Athens-Clarke County Jail in the afternoon of September 20, 2024. The Grand Jury members were thoroughly impressed by the level of organization and oversight demonstrated by Chief Woods and the Staff. The facility was well-maintained, and it was evident that significant effort has been put into creating programs aimed

at enhancing the lives of inmates as they prepare to reintegrate into the community. We also noted the professionalism with which all staff members treated the jurors, fostering a respectful and informative environment. Additionally, Chief Woods and staff's extensive knowledge about the operations and programs within the jail further highlighted their commitment to both the inmates and the community. Overall, our visit provided valuable insights into the positive initiatives being implemented within the facility and the high-quality maintenance of the Clarke County jail.

However, the low pay scale for the hiring of jail personnel does not reflect the current rates of pay in other areas, therefore there are staffing issues, staffing shortages, and an inability to retain qualified personnel. This creates a safety concern for those currently employed at the jail as well as the inmates. The Grand Jury recommends the issue of pay parity be immediately addressed.

General Observations

1. Frequently, the Grand Jury proceedings have been held up due to mistakes in dates, names, and charges. Better and more careful proofreading is necessary as fixing the mistakes lessens the efficiency of the members of the Grand Jury in their duties and may also cause charges to be dropped if the case goes to court. This lack of due diligence has been cited at least twice before in previous Grand Jury reports and it is hoped that the office will correct this issue.
2. The majority of the police officers provided testimony in a precise and logical manner to make it easy for the Grand Jury to understand. However, not everyone is comfortable with public speaking; therefore, some training may be helpful to newer officers or those presenting complicated information. In addition, most cases were more than six months old and officers needed to take the time to review their reports completely.
3. A better explanation of the initial proceedings on the day citizens are convened to determine selection for the Grand Jury. For someone who has never served on a jury, there was no explanation as to what a foreman and secretary do for their tasks. Without this knowledge, many who would be capable for the job did not volunteer because there was not a clear explanation.
4. Lack of reasonable accommodation for juror who explained she needed a lactation station. The individual tried to serve but was unable to due to lack of facilities. Georgia state law requires employers to provide a space for lactation support, so it is surprising that a dedicated space was not available.
5. The Grand Jury would have preferred that cases were scheduled in a way to make use of jurors' time for a full day. Several times, jurors only met for a half day. If the schedule was known ahead of time, jurors could have utilized the unscheduled time to plan better for the required office visits they must perform.

Closing Remarks

The Grand Jury commends the ACC, UGA, and GBI Law Enforcement Officers who keep our community safe. We also give special commendation to Officers Beau Holcombe, Kyle Sartain, Sophia Sartain, Hilton Cooper, and all officers in the Special Victims Unit. The Grand Jury feels strongly that each Officer who came before us conducted themselves with honor and integrity.

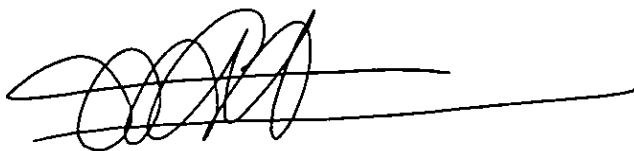
The Grand Jury has been very disappointed in the handling of multiple cases by the DA's Office, including the introduction and logistical coordination of presenting indictments. The overall communication from the DA's Office to our Foreperson was lacking, in the fact that emails went unanswered, and committees were not presented in a timely manner for the Grand Jury to actually perform the duties requested. The end date for the Grand Jury was miscommunicated at the start of the session as well as multiple inconsistencies in meeting places and start times within the Courthouse. The letters to employers that stated the dates of service had been extended by one week were not provided for the final week of the session, causing frustration, confusion and a lack of participant Jurors within the Grand Jury. While the Grand Jury was dissatisfied with the DA's office in handling cases, we do have to state that Charles J. Rettiger did an acceptable job considering the obstacles stated above.

The Grand Jury was proud to have served our community during these past thirteen weeks and are hopeful that this report will bring about meaningful change for Athens Clarke County and its citizens.

Foreperson

Mr. Junger W. Ahlert

Secretary

A stylized, cursive handwritten signature, likely belonging to the Secretary, written over a horizontal line.

July Term 2024	
Mary Jennifer W. Abbott as Foreperson	<i>M. Jennifer W. Abbott</i>
Jessica R. McFadden as Assistant Foreperson	<i>Jessica R. McFadden</i>
Alisha Marie Cromwell as Secretary	<i>Alisha Marie Cromwell</i>
Joan Leslie Davis as Assistant Secretary	<i>Joan Leslie Davis</i>
Marilyn L. Appleby	<i>Marilyn L. Appleby</i>
Sarah Katherine Bjornlie	<i>Sarah Katherine Bjornlie</i>
Shawn Renae Carey	<i>Shawn Renae Carey</i>
Joseph Paul Carter	<i>Joseph Paul Carter</i>
Shi-Shan Chen	<i>Shi-Shan Chen</i>
Dennis A. Daniel	<i>Dennis A. Daniel</i>
Jennifer Lyn Eidson	<i>Jennifer Lyn Eidson</i>
Patricia A. Finn	<i>Patricia A. Finn</i>
Chad Frederick Garrison	<i>Chad Garrison</i>
Christopher Lynn Hilley	<i>CH</i>
Jessica Kathryn King	
Travon Malik Mace	<i>Travon Mace</i>
Yoni Martinez	
Melissa Navarro-Torres	
Jeremy Scott Peacock	
Karen Grubbs Pina	
Sharon Eileen Sanderson	<i>Sharon Eileen Sanderson</i>
Misty Rae Scarborough	
Connor Eugene Smith	<i>Connor Smith</i>
Glenn D. Spear	<i>Glenn D. Spear</i>
Ellen Karen Steinberg.	<i>Ellen Karen Steinberg</i>