

CLERK OF SUPERIOR, STATE
AND JUVENILE COURT
FILED FOR RECORD

2009 NOV 13 PM 12: 59

IN THE SUPERIOR COURT OF RICHMOND COUNTY
STATE OF GEORGIA

W. C. JOHNSON, CLERK
RICHMOND COUNTY, GA.

IN RE: GRAND JURY PRESENTMENT FOR THE SEPTEMBER TERM 2009

The Grand Jury having returned the attached general presentment for the September Term 2009, and the same having been reviewed and accepted by the Court on November 13, 2009, it is now,

ORDERED that the said presentment shall be filed in the Office of the Clerk of Superior Court for Richmond County, and that it shall be published once in the *Augusta Chronicle*, the legal gazette for said County; and

FURTHER ORDERED that the said general presentment shall be posted by the Director of Information Technology on the Augusta-Richmond County website for public access through the Internet (World Wide Web).

It is so ORDERED this 13th day of November 2009.



Michael N. Annis
Superior Court Judge
Augusta Judicial Circuit

TO: The Michael N. Annis
Judge, Superior Court

FROM: Richmond County Grand Jury
September Term 2009

DATE: November 13, 2009

RE: Grand Jury Presentment

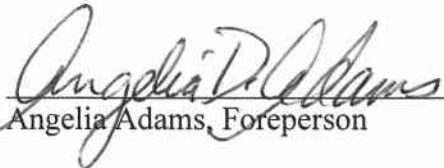
Members of the September Term Grand Jury were sworn in on September 21, 2009 by the Honorable James G. Blanchard, Jr. The Grand Jury met on each Tuesday during the September Term, September 22nd through November 10th, to act upon Indictments presented by the District Attorney Ashley Wright and Assistant District Attorney Kristi Connell as prescribed by the laws of the State of Georgia. All Bills of Indictment were presented with thoroughness and clarity. All questions of members of the Grand Jury were answered satisfactorily.

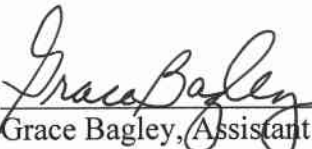
Two Sub-Committees were formed to conduct Richmond County Civil Inspections. The two agencies inspected were the Charles B. Webster Detention Center on Phinzy Road and the Augusta-Richmond County Commission. Reports from each Sub-Committee are attached.

As part of our duties, we appointed Gerald P. Hatch as a member to the Richmond County Board of Equalization.


The Grand Jury was impressed with the professionalism and dedication of the District Attorney's Office and members of the Richmond County Law Enforcement community.

The Grand Jury respectfully submits this presentment on the 13th day of November 2009 and requests that it is published.


Angelia Adams, Foreperson

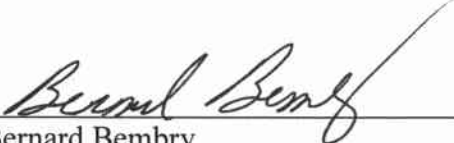

Grace Bagley, Assistant Foreperson


Marjorie Melissa Aitken, Secretary


Ann Rountree


Tiffanie Allen


Bryan Hatch


Bernard Bemby



Robin Barfield

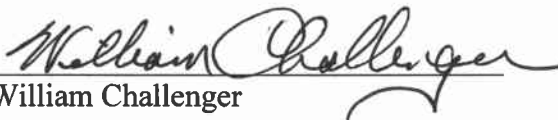
Schelene R. Kelso


Roy Jones


Doris E. Dunton

Ricky A. Hedgepeth



Elizabeth Tucker



William Challenger


Steven D. Frails


Micky M. Poole


Dilbert Butler



Timothy Wehrer


Juliette L. Ellis


Sandra I. Rodriguez


Mark Johnson


Bobbie Einfinger-Byrd


George Brodbeck

SUB-COMMITTEE OF THE SEPTEMBER TERM 2009 GRAND JURY
REPORT ON THE CHARLES B. WEBSTER DETENTION CENTER

On October 20, 2009, a Sub-Committee of the September Term of the Grand Jury was greeted at the entrance of the Charles B. Webster Detention Center by Captain Chester Huffman. Captain Huffman, a 1996 graduate of the FBI National Academy, oversees the day-to-day operation of the Charles B. Webster Detention Center located at 1941 Phinizy Road in beautiful South Augusta. Opened in 1997, this pod-style detention facility was designed to alleviate the overcrowding at the Richmond County Jail located at 401 Walton Way. Captain Huffman began by providing a brief agenda for the visit as we proceeded to the dining facility.

As we were escorted by Captain Huffman into the jail, we could not help but feel the eeriness of the jail doors as they shut behind us. However, once arriving in the dining hall, we could see how clean they kept the facility. The walls and doors were well painted, as well as the floors and kitchen, which appeared to be clean and well maintained. The tour of the facility was initiated with a sit-down lunch followed by a question-and-answer session. We were able to taste the quality of food being served at the facility. We were advised that jail personnel, including officers, also dine in the facility. After the nutritious meal, Captain Huffman was open to any and all questions the Sub-Committee presented to him.

One of the more dominant questions asked was concerning the overcrowding that occurs within the facility. Captain Huffman explained to us, in detail, about the number of beds in this facility. The facility currently holds 553 beds; however, at any given time, they can house up to 700 inmates. This results in 100 to 150 inmates resorting to sleeping on the floor. When this occurs, the jail provides each inmate with a mattress, pillow and sheets. Captain Huffman also explained the phases the facility is now going through – a 20-million dollar “Phase One” project. This project will increase the number of beds from 553 to 1033, a much-needed improvement. Another improvement accompanying this project will be a new medical facility with 140 beds as well as a mental health ward. As a result of this multi-million dollar project, the Richmond County Jail located on 401 Walton Way will close.

The tour then continued as we were escorted to one female and male quadrant. The jail has four quadrants - three for males and one for females. As the Sub-Committee entered the quadrant for the males, we were shown to the main control booth where the guards control the inner and outer cell doors for the inmates. The officers are able to view all of the common areas of that quadrant from the control center. Conversely, we were able to notice the shortness of staff. Our concern aroused, in the instance that something were to happen, there would not be enough guards to secure the area quickly. According to Captain Huffman, staff shortages is an on-going problem. It has been noted in the past; unfortunately, there hasn't been any measures taken to improve the situation.

As we left the male quadrant and entered into the female quadrant, there was a noticeable freshness in the air. When asked, Captain Huffman simply replied that the women keep themselves and their area cleaner than the male inmates. Coherently, the female quadrant had

the same set-up as the male quadrant. Visually, both quadrants visited appeared to be clean and well kept. Captain Huffman did state they try to keep the more violent inmates separated.

We also inquired about the average age within the jail and the answer for males was under 20 and for females under 23; the youngest age among all inmates was 17. The major concern for all of the Sub-Committee Members was the lack of recreational outlets for the inmates. They have only television and newspapers and the Bible to read. There are no additional programs available. Captain Huffman's reply to our concern was as follows, "We can't make them go to school and we don't have a basketball court because there would be more sport injuries." Despite the minimal recreation, the inmates did seem to be content.

The Sub-Committee was guided back to the front of the jail and given a hand-out outlining the standards, as well as a brief history, of the jail. We graciously thanked Captain Huffman and his staff for their support and their continued service to our city.

Sub-Committee Members:

Angelia Adams
Tiffanie Allen
Grace Bagley
Doris E. Dunton
Juliette L. Ellis
Ricky A. Hedgepeth
Sandra I. Rodriguez
Ann Rountree
Elizabeth Tucker

SUB-COMMITTEE OF THE SEPTEMBER TERM 2009 GRAND JURY
REPORT ON THE AUGUSTA-RICHMOND COMMISSION

On November 3, 2009, a Sub-Committee of the September Term 2009 Grand Jury met with the Augusta-Richmond County Commission in the County Commission Meeting Room for the purpose of reviewing the operations of the County Commission. Present were Mayor Deke S. Copenhaver, Commissioners Jerry Brigham, Don A. Grantham, J. R. Hatney, Calvin Holland, Sr., Joe Jackson and Corey Johnson, County Administrator Fred Russell and Members of the Grand Jury. The meeting was congenial and pleasant; the Commissioners and the Mayor received the Grand Jury Members warmly and professionally.

The Grand Jury Sub-Committee sought to explore the challenges and opportunities facing the County Commission for the purpose of recording recommendations for the governance of the County to the community at large. The Commissioners were candid and forthcoming and presented a common vision for the future of the county.

There is a consensus among the Commissioners and the Mayor that the biggest challenges to the growth and prosperity of the County include lack of funding due to rising operational costs, State accounting of sales tax revenues, unfunded State mandates and State control of issues that need to be decided locally.

Commissioners and the Mayor also agree that many problems stem from flaws within the original consolidation charter. These flaws have not been properly addressed since the charter was written and enacted over thirteen years ago. All of the Commissioners agree that it needs to be reviewed.

Based on the information gathered, the Sub-Committee makes the following recommendations:

- 1) The consolidation charter must be thoroughly reviewed by an independent third party so that a controlling authority such as the County Commission can amend the document to better suit the needs of Richmond County as it exists today. The charter, in its current form, inhibits the Commissioners' ability to govern effectively. While Commissioners agree that every citizen of Richmond County is entitled to the same level of service regardless of their address, the consolidated government has not yet been completely unified and many problems exist. For example, there remains a separate tax base for both the urban and suburban districts and some departments within the County continue on pre-consolidation work schedules almost 13 years after consolidation.
- 2) If an independent third party finds that it is in the best interest of the County to amend the charter, the County Commission and State delegation need to act on the findings of the independent third party. A resolution should be passed and a

referendum put forth to the citizens of the County so that they might vote on a more efficient governmental system for Richmond County.

- 3) Special Option Sales Tax (SPLOST) dollars should be accounted for and administered at the local level. It is inefficient to send locally-collected SPLOST funds to the Capitol only to be returned later to the County. Currently, the State government provides no accounting of these funds to the local County government.
- 4) More decentralization from State control is required so that necessary decisions can be made by the local government. With the State's budget cuts shifting more financial burden onto the local government, it is becoming harder to fund the day-to-day operations with the current revenues. Municipalities, such as Richmond County, need to be free from State control so that they may better chart their own destiny. The County needs to be allowed to have a voice in controlling State-mandated obligations.
- 5) The County Commission should consider a separate one-penny sales tax designated for County operations. All members of the Commission see the need for a Municipal Option Sales Tax (MOST) which could be used to fund operations. Commissioner Grantham stated he would like to entertain a MOST referendum for the voters and requested the Grand Jury support such action. Commissioner Johnson believes a tangible plan with designated dollars for specific services presented to the public prior to the vote would garner more support. Commissioner Brigham stated this would bring our sales tax in line with other surrounding counties. The consensus is that this special municipal operating sales tax must be preceded by a compelling strategic plan put forth to the community. The plan must provide confidence that these funds will be used strictly for improvement and funding of services such as transportation, the sheriff's department and the fire department; and possibly reduce rates on water service and garbage pickup while lessening the need to raise property taxes. Administrator Russell stated that an increase of one cent to the sales tax would increase revenue by approximately \$30,000,000.00.
- 6) A better system for informing the community on matters relating to County operations needs to be developed. While the Commissioners are diligently holding district meetings for their constituents, there is little attendance. To the Commissioners, this translated to lack of concern by the citizens of their district. It seems that some, if not all, of the Commissioners are relying on the neighborhood associations to spread the word of such meetings, when, in fact, several neighborhood associations are nonfunctional. Other misperceptions among the citizens may arise from a lack of access to information. For instance, the general perspective of the community is that the increases in property taxes are due to actions of the County Commission, while in reality they are due to increases from the Board of Education. Over 70% of the property taxes collected in Richmond County go to the school board and many property owners might not

realize that the Board of Education is, in fact, a separate tax collecting entity which has significantly increased taxes on property owners. Taxes collected for the operation of the County have not been raised by the County Commission for some time.

- 7) Commissioners should establish and enforce guidelines for civility and decorum while meetings are in session. Commissioners agree on roughly 90% of issues that come before them, yet the general opinion of the public is that there is disagreement the majority of the time. This may stem from media coverage that only highlights the few areas of contention; however, Commissioners can take steps to improve the public's perception of the interaction among the elected officials.
- 8) The Commission might consider the creation of a Conference Committee comprised of four members of the Commission that are either appointed by or elected by the Commissioners. The task of the Conference Committee would be to develop consensus among Commissioners on difficult or contentious issues. In this scenario, each Commissioner would submit his/her non-binding opinion for the resolution of the issue to the four-member Conference Committee so that the Committee could draft and present unified legislation to the full Commission for a vote. Since the compromise is based on input from each Commissioner, it is more likely that all parties will agree on the final product.
- 9) The County Administrator needs to be given more authority. Commissioners agree that in order to be efficient, the Administrator needs to be given the ability to deal with more of the day-to-day operation of County business.
- 10) The people who live and work in Richmond County should take an active role in helping to make the County a better place to live. The burden of improving the community should not rest on the shoulders of the Mayor and the ten Commissioners. It is true that the Commissioners hold a unique perspective; however, as they point out, they are also citizens and the County belongs to everyone. Administrator Russell stated, "The good job being done is lost in the negativity being brought to the public." While he is proud of the accomplishments, he acknowledges there is room for improvement. We recommend that where possible, the County Commission give direction to citizens as to how individuals might have more involvement in community activity.
- 11) The Commissioners welcome feedback from their constituents. Commissioners Hatney and Holland, as well as Administrator Russell, expressed frustration with negative public opinion. Commissioner Hatney is receptive to public suggestions, but stated that constituents rarely submit actionable ideas for improvement. We recommend that voters provide positive feedback to the elected officials of the County. While Commissioners often hear about what does not work, it is

important that people in the community also express positive solutions and positive feedback where possible.

Mayor Copenhaver spoke about the County's master plan and future growth. In recent months, the County has seen the creation of many new jobs in the technical service area. The expansion of Plant Vogle and developments with the N.S.A. at Fort Gordon will provide even more tangible growth. He pointed out that while growth is good, uncontrolled growth can create problems. Commissioner Holland commented on the growth anticipated for South Augusta. New homes and hotels have already been constructed and with the future opening of the N.S.A. at Fort Gordon, this area is expected to boom. Work is currently in progress to expand the municipal water and sewage systems in this area.

It is clear that the Commissioners are not just planning for today, they are also focused on a developing a long-term plan that will benefit the community as a whole. The Commissioners are working methodically to repair and avoid repeating mistakes made during the consolidation process so that future administrations and succeeding generations are empowered to better control their own destiny. A wealth of information is available on the Augusta, Georgia official website including information on the master plan at www.augustaga.gov.

During these extraordinary times, the Commission has done well controlling expenses, but they face many challenges as they move forward.

With the State's budget cuts shifting more financial burden onto the local government, it is becoming harder to fund the day-to-day operations with current revenues. Administrator Russell stated that Richmond County has one of the lowest tax levels compared to other municipalities of our size. He stated that the State has placed a cap on taxes based upon figures from 1979. Richmond County has functioned under this restriction – even two mils below the cap. The governing body has managed the available funds very well, offering elevated service levels while maintaining zero public debt. The most recent accomplishments include 11 new fire stations, a new fire administration building and state-of-the-art training facility, a new library and a new judicial building. We can take pride in the fact that Richmond County is growing, is a great place to work and live, and is debt free.

Sub-Committee Members:

Angelia Adams
Grace Bagley
Dilbert Butler
William Challenger
Doris E. Dunton
Bryan Hatch
Schelene R. Kelso
Elizabeth Tucker

The September Term, 2009 of the Richmond County Grand Jury appoint the following people to serve as members or alternate members on the Board of Equalization:

1. Gerald P. Ittich Member [] Alternate

Address: 1134 MONTE SAND AVE 30904
Phone: 706-738-4084

2. _____ [] Member [] Alternate

Address: _____
Phone: _____

3. _____ [] Member [] Alternate

Address: _____
Phone: _____

4. _____ [] Member [] Alternate

Address: _____
Phone: _____

5. _____ [] Member [] Alternate

Address: _____
Phone: _____

J. D. Adams, Foreperson

This 6 day of October 2009