Liberty County Grand Jury September 2008 Term Presentments

On September 8, 2008, the Grand Jury heard approximately 96 criminal cases returning indictments on most.

District Attorney's Office: No recommendations were made by the Grand Jury.

Tax Collector's Office: No recommendations were made by the Grand Jury.

Hospital Authority: The Grand Jury made the following recommendation:

The EMS employees should receive pay that is compatible with counties of the same size (population) as far as growth potential.

Sheriff's Department: Please refer to the following pages: 2-3.

Board of Education: The Grand Jury made the following recommendations:

1. The next Grand Jury needs to investigate the spending procedures on construction projects.

2. Establish an oversight committee to monitory BOE spending on construction projects.

3. Subpoena Dr. Wilmoth.

 Request that Mr. Roger Osbourne, Director of Maintenance and Operations for the Liberty County Board of Education speak to the Grand Jury about his role as Maintenance Director.

Probate Court: No Recommendations.

The following additional recommendations were made by the Grand Jury:

- 1. The Grand Jury no longer needs to inspect voting machines, because of the computerized system.
- 2. Pay increases for the Liberty County Bailiffs to \$70.00 per day.

3. Pay increases for the Jurors to \$50.00 per day.

4. The Grand Jury should have more authority as an appointed Judicial Committee to bring bills of indictments in the interest of the taxpayers of Liberty County.

Grand Jury Members September 2008 Term

Terry Satterfield, Foreperson Charles Lee, Assistant Foreperson Carolyn L. Tillman, Clerk Lillian F. Shurtleff, Assistant Clerk Nicholas F. Alexuk ng FER -h. PM 3: 27

Robert R. Bitzer Shirley J. Bunger Mary D. Creasy John R. Durrence Leon Frazier Jerry D. Heath, Jr. Saundra K. Henderson Eric M. Kearney Jon P. Long Aaron Scott Mock Meryl J. O'Neal Warren C. Pippen \Laura H. Pirkle Diana F. Reid Sallie W. Richardson Robert E. Shuman, Jr. Patricia A. Sippel Charles T. Vann

Respectfully submitted by:

Terry Satterfield, Foreperson

MINUTES LIBERTY COUNTY GRAND JURY September 15, 2008

Members Present:

Bitzer, Robert R. Jr.

Pirkle, Laura H.

Creasy, Mary D.

Reid, Diana F Richardson, Sallie W.

Durrence, John R. Frazier, Leon

Satterfield, Terry

Heath, Jerry D. Jr Lee, Charles

Shuman, Robert E. Jr. Shurtleff. Lillian F.

Mock, Aaron Scott

Vann, Charles T.

Members Absent:

Alexuk, Nicholas F

Oneal, Meryl J.

Henderson, Saundra K.

Sipple, Patricia A.

Kearney, Eric M.

Tillman, Carolyn L.

Officers:

Foreperson:

Satterfield, Terry

Assistant Foreperson: Lee. Charles

Assistant Clerk:

Shurtleff, Lillian F.

Board of Equalization

Reappointed Joseph Calgary to the Board. His present term expires the end of 2008.

Probate Court

The financial reports were provided by the Probate Court Judge and are available for any juror to review.

Committees

Board of Elections. It is necessary to check the voting machines to insure that the 1. counters are properly set. Committee members are:

Lee, Charles - Team Leader

Frasier, Leon

Mock, Aaron

Pippen, Warren

Durrence, John

Vann, Charles

- Liberty County Regional Medical Center. Any juror connected with the LCRMC or 2. related to any person with the LCRMC may be excused. Several issues were discussed. a. The issue with Dr. Glenn Carter is in civil litigation and the present Grand Jury will not look into the matter.
 - b. The Grand Jury elected to look into the Emergency Management Service. Items discussed were:
 - (1) The EMS has seven ambulances but only four are in constant use. One is in Long County, two are located at the station on South Main Street, and one is in Midway;

- (2) The EMS must ask Fort Stewart, Long County and McIntosh County for mutual aid on calls. How many times have they had to ask for this mutual aid on a daily basis? What do the 911 records show?
- (3) Questions were raised o the "up-to-date" equipment that each is equipped;
- (4) Questions on the latest inspection as the EMS failed the inspection the first;
- (5) Question on funding. Where is the money from the new mill rate for the hospital going? What about the request for SPLOST funds?
- (6)Do the citizens of Liberty County pay for the cost of operating the ambulance in Long County and is there a contract for Long County to pay those costs?
- (7) The building housing the EMS on South Main Street is inadequate and needs replacement. Is the building dangerous to the personnel?

Committee Members are:

Reid, Diana – Team Leader

Satterfield, Terry

Heath, Jerry D. Jr.

Pippen, Warren C.

Richardson, Sallie W.

Shurtleff, Lillian F.

3. <u>County Commission:</u> Questions were raised on the cost of the property purchased for the new courthouse. Other areas discussed were: plans for the old airport, public library building and attraction of industry to Liberty County to ease the dependences on Fort Stewart.

4. <u>Sheriff's Department</u>: The Grand Jury recommended that a walk through be conducted to follow-up on recommendations of the previous Grand Juries. Also a question was raised concerning the farming out of inmates to other counties.

Committee Members are:

Richardson, Sallie - Team Leader

Pippen, Warren C.

Frazier, Leon

Reid, Diana

- 5. <u>Board of Education</u>: Questions were raised with the majority concerned with the spending of taxpayer funds. Areas of concern include:
 - a. LCHS football field. Concerns of being over budget, cost of some items such as the scoreboard, selection of area for construction, materials of playing fields and contracting of work.
 - b. Pay scales for administrators in the system and teachers pay.
 - c. Contract for school resource officers.
 - d. How much, must be put aside for matching funds?
 - e. How are contracts for construction awarded?
 - f. Inspection of construction projects by the Assistant Superintendent.
 - g. Playing field at Olvey Field and placement/ use of well on Olvey field.

Committee Members are:

Lee, Charles - Team Leader

Shurtleff, Lillian F.

Durrence, John R.

Pippen, Warren C.

Satterdfield, Terry

Tillman, Carolyn L.

The Jury Foreperson asked that the Committees:

Select a Team Leader

Keep accurate notes for findings and presentation

Keep notes on questions asked and answers received

The Team Leader will set dates for visits and work on committee

Preliminary findings and notes be presented by each committee at the October meeting

Other Business

The Liberty County Development Authority sent word that they would be willing to come and address the Grand Jury if subpoenaed

It was recommended by the Grand Jury that:

1, Grand Jurors be paid \$50.00 per day

2. The pay for the bailiffs be raised to \$70.00 per day as there has been no pay raise for seven years.

The calendar for future meetings was set as:

September 23, 2008 at 9:00 am

October 20, 2008 at 9:00 am

November 17, 2008 at 9:00 am

December 15, 2008 at 9:00 am

Dates for January and February will be decided in December. The Grand Jury is also available as needed for special presentations.

Liberty County Grand Jury

Meeting Minutes

September 8th and 9th 2008

I. Call to order

Terry Satterfield (Foreperson) called to order the September 2008 meeting of the Liberty County Grand Jury at 09:00 on Monday the 8th day of September in The Grand Jury Room of the Liberty County Courthouse.

II. Roll call

Carolyn Tillman conducted a roll call. The following persons were present: Alexuk Nicholas, Robert Bitzer Jr, Shirley Bunger, Mary Creasy, John Durrence, Leon Frazier, Jerry Heath Jr, Saundra Henderson, Eric Kearney, Charles Lee, Jon P. Long, Aaron Mock, Meryl Oneal, Warren Pippen, Laura Pirkle, Diana Reid, Sallie Richardson, Terry Satterfield, Robert Shuman, Lillian Shurtleff, Patricia Sippel, Carolyn Tillman, and Charles Vann.

III. Approval of minutes from last meeting

As this was the first meeting of the Fall Grand Jury there were no minutes to read.

IV. Open issues

- a)
- b)
- c)

V. New business

- a) The Grand Jury received presentments from the District Attorneys Office and returned indictments on most.
- b)
- c)

VI. Adjournment

Terry Satterfield (foreperson) adjourned the meeting at 18:10 hrs on the 8th and 17:25 hrs on the 9th. And instructed all Jurors that the Grand Jury would reconvene on September 15th at 09:00 in the Grand Jury room.

Minutes submitted by:

Minutes approved by:

Liberty County Grand Jury

Meeting

Minutes

October 20, 2008

I. Call to Order

Terry Satterfield (Foreman) called to order the October 2008 meeting of the Liberty County Grand Jury at 9:00 a.m. on Monday the 20th day of October in The Grand Jury Room of The Liberty County Courthouse.

II. Roll Call

Carolyn L. Tillman (acting Clerk Grand Jury) conducted the roll call.

The following persons were present: Robert R. Bitzer, Jr., Shirley J. Bunger,
Mary D. Creasy, John R. Durrence, Leon Frazier, Saundra K. Henderson,
Eric M. Kearney, Chareles Lee, Arron Scott Mock, Meryl J. O'Neal, Warren
C. Pippen, Laura H. Pirkle, Diana F. Reid, Sallie W. Richarson, Terry
Satterfield, Robert E. Shuman, jr., Lillian F. Shurtleff, Charles T. Vann and
Carolyn L. Tillman.

III. Approval of minutes from last meeting.

Minutes were read and approved.

IV. Open Issues

a) The foreman, Terry Satterfield addressed the grand jury concerning the Board of Elections. He stated that the grand jury would not be required

to check voting machines to insure that the counters were properly set.

- b) Clifford Watson past grand jury foreman spoke briefly to the current grand jury.
- c) Redrawing the lines for the school districts in the county was a issue that was discussed during the meeting.
- d) The position of the voting machines in the Gumbranch precinct was a major concern. Serveral of the jurors were concerned about privacy when their ballots were cast Charles Lee stated that this would be mentioned to the registrar Ella Golden.
- e) A tour of the waste treatment plant on Live Oak Church Road would be scheduled at a later date.
- f) A preliminary report is due in November by all of the committees.
- g) The jail committee will visit the county's jail on October 28, 2008 at 10:00 a.m. Committee Members are: Diana Reid-Team Leader, Jerry D. Health, Jr., Sallie W. Richardson, Terry Satterfield, Warren C. Pippen, Lilian F. Shurtleff . The meeting dates: November 17, 2008 9:00 a.m. and December 15, 2008 9:00 a.m.
- j) The Jury Foreman, Tery Satterfield requested that the Grand Jury visit the Emergency Management Service unannounced on October 20, 2008.

 Members who toured the EMS facility were: Terry Satterfield (Foreman)

 Sallie W. Richarson, Lillian Shurtleff, Warren C. Pippen, Carolyn L. Tillman

and Sandra K. Henderson. The on site visit consisted of a walk through of the building, a formal question and answer session with the Director Jim Turner about the daily operations of the EMS, and whether the agency was incompliance with State Certification and Regulations. Mr. Turner assured the members that Liberty County's EMS was incompliance and all inspections regarding equipment and maintenance for the past eleven years had been passed by the Department of Human Resources recommendations from the Director were:

- a. Splost funding for a new building.
- b. Purchase of a new ambulance each year.
- c. A new station needs to built in the future in the Midway area in conjunction with the Development Authority.

Liberty County Grand Jury Meeting Minutes

November 17, 2008

1. Call to Order

Terry Satterfield (foreman) called to order the November 17, 2008

Liberty County Grand Jury at 9:00 a.m. in the Grand Jury Room of the

Liberty County courthouse.

II. Carolyn L. Tillman (secretary) conducted the roll call. The Following persons were present: Robert Bitzer, Jr., Shirley J.
Bunger, Mary D. Creasy, John R. Durrence, Leon Frazier, Saundra K. Henderson, Eric M. Kearney, Jon P. Long, Aaron Scott Mock, Warren C. Pippen, Laura H. Pirkle, Diana F. Reid, Sallie W.
Richardson, Terry Satterfield, Robert E. Shuman Jr., Lillian F, Shurtleff, Patricia A. Sippel, Carolyn L. Tillman, and Charles T.
Vann, Nicholas F. Alexuk, Jerry Heath, Charles Lee, and Meryl J.
O'Neal were absent.

The minutes from the October 20, 2008 were approved and adopted.

Mrs. Sallie W. Richardson gave a report on the on site jail visit on

October 30, 2008. The jail committee reported the following:

- A new court room has been added to the facility which reduces the cost of transportation fees for county.
- b. A work release program for non-violent offenders has been implemented. These individuals can continue working during the day, and return to jail at night to serve their sentence. This component has been very successful.
- c. An overview of the operations, capacity and programs were presented to the committee by Chief Deputy Sheriff Keith Moran and jail Administrator Douglas Franks. They commented on the construction of another pod to meet the growing needs of the facility, funding will come from SPLOST funds. The expected completion date for expansion will be within the next three years. Capacity of the current facility is 300 +. The present jail has been at it's current site for thirty-eight years.
- d. Court hearings are held on Mondays and

Wednesdays via Video conference. There were a few glitches on the part of the county but it should be resolved soon. Conducting hearings at the jail insures public and law enforcement safety, and reduces or eliminates escapes during transport.

- e. There is a nurse on duty at the jail eighteen hours per day. Dental care, and health services are available to the inmates via contract.
- f. There is a complete laundry, and kitchen facility which were spotless. The entire facility was well well maintained.
- g. The monitoring system is state of the art: all movement is monitored, and the system can lock down by units or the entire jail simultaneously.
- h. Chief Moran was instrumental in securing grant funds for a Work Release Program.

Sheriff Martin, chief Moran and Mr. Franks are proud of the services and security provided to the citizens of Liberty County.

Liberty County Grand Jury **Meeting Minutes** December 15, 2008

Call to Order.

Terry Satterfield (foreman) called to order December 15, 2008 Liberty County Jury at 9:00 am in the Grand Jury Room of the Liberty County Courthouse.

Carolyn L. Tillman (secretary) conducted the roll call. The following persons were present: Robert Bitzer, Jr., Shirley J. Burgess, Mary D. Creasy, John R. Durrence, Leon Frazier, Saundra K. Henderson, Jon P. Long, Aaron Scott Mock, Warren C. Pippen, Laura H. Pirkle, Diana F. Reid, Sally W. Richardson, Terry Satterfield, Robert E. Shuman, Jr., Lillian F. Shurtleff, Patricia A. Sippel, Carolyn L. Tillman, Charles T. Vann, Nicholas F. Alexuk, Jerry Heath, Charles Lee and Meryl J. O'Neal. Eric Kearney was absent.

Reading of the minutes were approved and adopted. A correction was noted on the date of the jail site visit. The correct date was October 30, 2008. The assistant foreman, Charles Lee opened the meeting by discussing the difference between the proposed bid of the Liberty County Stadium, and the actual amount that was paid; which was a major concern of the Education Committee.

The committee voiced its concerns on the following:

- a. Scoreboards were not included in the original bid.
- b. Sub-standard work on the Liberty County Stadium.
- c. Is Buckley Construction on retainer?
- d. A recommendation was made by the grand jury to have the district attorney review the contracts.
- e. It was also recommended by the committee that the architect and project manager of Buckley and Associates be subpoenaed by the District Attorney's office for possible fraudulent activities in the construction of the Liberty County Stadium. All documents will be subpoenaed from the architect.
- f. The foreman and assistant foreman will review the documents before the next grand jury session.

Charles Lee stated that he was interested in knowing why back taxes are not being collected from the Tax Commissioner's Office as well as why some taxes were being written off.

The foreman, Terry Satterfield stated that the Education Committee would make an on site visit to the Liberty County Board of Education Office on December 15, 2008.

The next Grand Jury Meeting will be held on January 12, 2009 at 9:00 am.

The meeting was adjourned.

The Education Committee visited the Liberty County Board of Education Office on December 15, 2008.

Jason Rogers the Financial Director and Dr. Cheryl Conley met with the following Jurors: Terry Satterfield, Charles Lee, Warren C. Pippen, Lillian F. Shurtleff and Carolyn L. Tillman.

Mr. Rogers updated the Grand Jury members on the following:

- a. According to Mr. Rogers the proposed contracts are estimated at seven million dollars in addition to the field houses and potential class rooms.
- b. A completion certificate for work completed on an assigned project is required before the architect can sign off on it.

An architect is chosen or selected by the Board of Education. There are three different contractors on the Liberty County Field project. The projected completion date of the field was not available; however the field house should be completed in February.

Dr. Cheryl Conley addressed the following concerns:

- a. The proposed school that will be built on Fort Stewart will have approximately 1300 students.
- b. The Liberty County Board of Education will oversee the curriculum and the school will be maintained by Liberty County.
- c. Liberty County and Fort Stewart students will be serviced by the school; however a re-zoning of the middle school population will be required.
- d. The construction site for the proposed school will be near gate seven.
- e. Dr. Conley also addressed the concerns of the Liberty County Stadium. She stated that soil samples have been pulled in order to make corrections to the site.
- f. Dr. Conley stated that the field was condemned before work started o the project. The problem is being evaluated by an independent field specialist. They will test the soil samples and present their finding to the board. A report is expected in January 2009.
- g. It was requested that the field reports be subpoenaed.
- h. Olvey Field house has not been condemned according to Dr. Conley.
- i. All documents should be reviewed by January 5, 2009.
- j. Dr. Steve Wilmoth former Liberty County Superintendent, will be subpoenaed concerning the Liberty County Stadium.

Liberty County Grand Jury Meeting Minutes January 12, 2009

Call to Order:

Terry Satterfield (foreman) called to order the Grand Jury meeting at 9:00 am in the Grand Jury room of the Liberty County Courthouse.

Carolyn L. Tillman (Secretary) conducted roll call. The following persons were present: Robert R. Bitzer, Jr., Shirley J. Bunger, Mary D. Creasy, John R. Durrence, Leon Frazier, Saundra K. Henderson, Erick M. Kearney, Charles Lee, Jon P. Long, Aaron Scott Mock, Meryl J. O'Neal, Warren C. Pippen, Laura H. Pirkle, Diana F. Reid, Sallie W. Richardson, Terry Satterfield, Robert E. Shuman, Jr., Lillian F. Shurtleff, Patricia A. Sipple, Carolyn L. Tillman and Charles T. Vann, Jerry D. Heath, Jr. was absent.

We will meet twice during the month of January to complete presentments. The next meeting will be held on January 26, 2009 at 9:00 am.

The meeting was adjourned.

NOTES LIBERTY COUNTY GRAND JURY JANUARY 12, 2009

Three associates of Buckley and Associates were subpoenaed and appeared before the Grand Jury. They were: Craig Buckley, President; Jamie Stuckey, Civil Engineer from the Swainsboro office; and David Hotler, architect from the Savannah office.

Mr. Buckley, when asked if the firm was on a retainer from the Liberty County Board of Education, stated that they were not. They have been involved in ongoing projects since 1968-1969. The firm provides design drawings and specifications; observe construction and administer contracts, bidding, and inspecting what cannot be seen. The contractors work directly for the BOE, not Buckley.

For the LCHS stadium, they met with Dr. Wilmoth, the superintendent at that time. Along with Paula Scott, principal of LCHS, and Kirk Warner, football coach, they visited a high school in Augusta to see a similar stadium. They then prepared drawings for the size of the stadium desired. They prepared specifications; advertised the project for bidding. Contractors have 30 days to cost out the project and submit bids. The BOE accepted the winning bid. In a later question, they were asked who chose the site. They said that site was selected by the BOE and Dr. Wilmoth. Buckley prepared a scale model of the stadium and the alignment was decided by Dr. Wilmoth and the BOE.

Buckley was asked about soil testing. He said that it was done up front by a geo tech company through Buckley. There were ten borings at places where concrete, etc. would be placed to see if the soil could hold the weight of the structures. The replacement soil was certified by a separate laboratory as suitable for the construction of the load-bearing structures.

When asked the completion date, he said that it will be May 2009. After graduation is held, the playing field will be re-grassed at no cost if re-sprigging is used. If the BOE changes the type of field, they will be responsible for the cost. The playing field grass is the fault of a subcontractor who sprigged the wrong type of grass.

When asked if topsoil was brought in, he said that 4 inches of topsoil was called for in the contract. The sprigging problem was that not the correct nutrients were spread on the field by the subcontractor. Also when it was sprigged a second time and then a third time, the wrong type of grass was used. The contract called for Tiff419 sports grass but Bermuda was used in areas. Also no fertilizer or insect preventative was used. A turf management specialist is not overseeing the re-grassing.

He was asked about the use of artificial turf. He did not recommend it to the BOE due to 1) cost—grass is \$15,000 and the artificial turf is \$700,000; 2) the playing field would not have multiple sport usage since other green space is available for a practice field, soccer, etc.

Buckley stated that the project is 95 percent completed.

When asked about field reports, he said that he receives field reports from every visit of any member of his firm. The last visit was last week due to the ongoing work on the field house. He had a report of December 10, 2008, in the file with him.

When asked what percentage Buckley and Associates receives, he stated that the firm receives 4 percent for design and 2 percent for construction supervision of the contracts for a total of 6 percent.

He stated that another problem remains and will be taken care of after May graduation is the irrigation system. It is too close to the surface of the playing field.

When asked about county inspections, etc. He stated that Buckley and Associates met with the County Planning Commission and BOE. Also his firm conducted on the site inspections

every week.

Overspending was discussed. Buckley stated that contingencies in each confact covered change orders. This allows for contract additional funds because of unforeseen items or changes by the BOE. The owner (BOE) is credited if the change order benefits them. Change orders on the project included: bleachers no changes; field five changes; restrooms/concessions 1 change on sanitary due to line from Hinesville; and field house no changes to date. He provided the Grand Jury with a breakdown of the four contacts to include the amount of the contingency fund for each and the amount of the contingency fund used to cover changes.

Buckley was asked about the Bradwell Institute field house at Olvey Field. He stated that it would be the same plans as the LCHS field house but the project was put on hold by the BOE until LCHS is completed.

Scoreboards and sound system were included in the original plans. They are working out problems of echoing/reverberation in the sound system.

When asked who was responsible for the time of completion, he was very candid and said that the BOE was responsible. He stated that there was a 12-18 month gap when the BOE did not have anyone specific to oversee the project. This was from the time that Dr. Tunkel retired to the time that Dr. Conley was appointed (August 2008). During that time, Dr. Wilmoth was responsible then there was the transition from one board of education to another. When asked if the BOE could have alleviated the problem, he stated that the playing field was not a BOE problem but a problem with the turfing contractor. He stated that there was lag time in removing bad dirt due to the BOE transition.

A question was asked about the track that was in the original plans. HE said that the contract was bid out with the track and that the track was started. There was a late decision by the BOE to remove the track. When the problem with the bad dirt came up as some was under the track area, he recommended to the BOE that the bad dirt under the track area be removed at that time to save money. When the BOE is ready to construct the track, they can add additional topsoil and paving.

A question about fencing around the detention pond was asked. Buckley stated that it would be fenced when the field house was completed. There would not be any access to the detention pond by anyone attending an event in the stadium.

There being no further questions, the representatives of Buckley and Associates were excused.

The Grand Jury will reconvene on January 26, 2009, at 9:00 a.m.

Liberty County Grand Jury Meeting Minutes January 26, 2009

Call to Order:

Terry Satterfield (foreman) called to order the Grand Jury meeting at 9:00 am in the Grand Jury room of the Liberty County Courthouse.

Carolyn L. Tillman (Secretary) conducted roll call. The following persons were present: Robert R. Bitzer, Jr., Shirley J. Bunger, Mary D. Creasy, John R. Durrence, Leon Frazier, Jerry D Heath, Jr., Eric M. Kearney, Aaron Scott Mock, Meryl J. O'Neal, Warren C. Pippen, Laura H. Pirkle, Diana F. Reid, Sallie W. Richardson, Terry Satterfield, Robert E. Shuman, Jr. Lillian F. Shurtleff, Patricia A. Sippel, Charles T. Vann, Carolyn L. Tillman, Nicholas F. Alexuk, Saundra K. Henderson, Charles Lee and Jon P. Long were absent.

ORDER FOR FILING AND PUBLICATION OF GRAND JURY PRESENTMENTS

The above and foregoing presentments of the Grand Jury for the September Term, 2008, of the Superior Court of Liberty County having been presented to the Court, it is hereby ordered that said presentments shall be filed by the Clerk of Superior Court and published in the legal organ of said county in the manner provided by law for legal advertisements.

So ordered on this 04th day of February 2009

Hon. Charles P. Rose, Jr.

Judge of Superior Court,