



GENERAL PRESENTMENTS

of the

2006

MARCH/APRIL

GRAND JURY

IN THE SUPERIOR COURT

COBB COUNTY, GEORGIA

PAUL BRIAN FRICKEY, FOREPERSON

JULIE ANNA JOHNSON, ASSISTANT FOREPERSON

MELISSA G. ROBERTSON, CLERK

March/April Term of the Cobb County Grand Jury

Consisted of the Following Panel Members:

Officers:

Paul Brian Frickey, Foreperson

Julie Anna Johnson, Assistant Foreperson

Melissa G. Robertson, Clerk

Kathryn R. Lawrence

Michael Vassar Crump

Scott Hamilton Creekmore

Patricia Leigh Clinton

Anel Desil

Nancy Pamela Starks

Amanda Elizabeth Newman

Nicholas Byron Herring

Donna Lynn Vaughn

Marcus Darnell Mitchell

Alcuin J. Schneider

William M. Bailey, Jr.

Christine Golik Navalta

Robert John Buckley

John Patrick Sells

Terry Jay Troutman

Randy B. Hagood

Brenda Hutchinson Baker

Jerry Russell Morrow

Floyd G. Moffett

Willer Justinvil

Sandra M. Fischer

GRAND JURY PRESENTMENTS

We, the Grand Jury, selected and sworn for the March/April 2006 Term, respectfully make the following presentments:

This Grand Jury has acted on **341** Indictments, returning **335** True Bills and **6** No Bills during the term.

COBB COUNTY TAX COMMISSIONER'S OFFICE COMMITTEE

Committee Members:

Michael Crump	Christine Navalta	Julie Johnson	Terry Troutman
Paul Frickey	Al Schneider	Floyd Moffett	

The March/April 2006 Grand Jury committee met with Gail Downing, Tax Commissioner, Beth Williams, Tax Division Director, and Celia Griffith, Delinquent Tax Administrator on March 28, 2006. The main items of discussion were as follows:

- Tax collection process, tax bill adjustments due to appeals, and accounting procedures
- Delinquent tax collection process and scheduling properties for tax sale

Committee findings and potential areas of improvement:

- The Tax Commissioner's Office is pursuing accounting software for more efficient processes. The committee highly encourages this.
- Tax bills could be re-issued when an appeal process is complete, with new amount due, if applicable.
- The Levy Department could collect a greater amount of delinquent taxes with more resources.
- The noise level in the new building is higher due to the open floor plan. Some concerns were expressed about the cubicles in the Levy Department not providing enough privacy for "delinquent" taxpayers who come to the office in person.

COBB COUNTY PENAL COMMITTEE

Committee members:

William Bailey	Brenda Baker	Scott Creekmore
Sandra Fischer	Randy Hagood	Amanda Newman
Patrick Sells	Donna Vaughn	

The Grand Jury Penal Committee visited the Smyrna Police Department and Jail on March 28, 2006. The penal committee found the entrance and general grounds of the Smyrna Police Department to be

well kept, clean and attractive. Officer Clark Pino met with the committee in the reception area. Officer Pino proceeded to give a very thorough tour of the police station. Of note, Officer Pino pointed out that the police department had recently made a purchase of security cameras to be installed in the reception area to monitor and record all persons and activity in the reception, records and general public areas of the police station. Officer Pino indicated that the police department is looking at digital video solution to enable officers to upload video directly from the patrol cars to the station. Officer Pino directed the committee to the Officer's areas within the station and introduced the committee to Officer Keith Sherwood in the Forensics Department. Officer Sherwood was taking in evidence in the evidence room and showed the committee the evidence holding room and described the process of taking physical evidence from officers. The Evidence Room was well kept and orderly. Secondly, Officer Sherwood led the committee to the Forensics Lab, Technology and Surveillance Rooms, which were also orderly and well kept. Officer Sherwood informed us that digital records are held in duplicate in an off-site location.

Deputy Chief Michael Brown met the committee in the forensics room and completed the tour with Officer Pino. Dep. Chief Brown showed the committee how an officer transfers reports into the central computer system. He indicated they are evaluating solutions for a wireless reporting system. Dep. Chief Brown continued the tour through the 911 operations center, which was very well maintained and operated, and then on to the jail.

Captain Black, who gave a thorough tour of the jail and its operations, manages the Smyrna Jail. The jail has 4 pods and 5 holding cells all of which were well kept and clean. The full service kitchen was clean and in process of preparing lunch when we toured. Captain Black informed the committee that the Smyrna Jail processes about 300+ persons a month with an average daily population between 30-40 persons. The average stay is approximately 90 days. Prisoners are allowed 15 minutes visitation on the weekends.

Overall the Smyrna Jail and Police Department was very well managed, operated, and staffed. The grounds and facility were clean and in order. The Grand Jury committee found no issues or concerns at this time.

COBB COUNTY CODE ENFORCEMENT COMMITTEE

On March 30, 2006, a small committee of the March/April Grand Jury met with Rob Hosack, AICP Director to discuss Code Enforcement issues for the county. In response to our many questions Mr. Hosack with forthcoming and detailed in his answers. He described a vast array of responsibilities his department holds. The Cobb County Community Development Agency is in charge of the growth and development while providing conservatory lands (Green Space, Flood Plains, etc.) and balancing natural resources (available water and treatment, waste control, sewer, etc.), developing the infrastructure of support and economics to handle and grow with the community. "Community Development responds to development issues that affect the environmental, financial, economic, legal and social welfare of the county." (C.C.D.A. web-sight)

Cobb County Community Development Agency is composed of seven divisions: 1) Business Licenses 2) Code Enforcement 3) Erosion and Sediment Control 4) Planning 5) Zoning 6) Permits and Developments and 6) Inspections. Some of the issues they are working towards resolution in 2006 are the development of "McMansions" that keep rising in older established neighborhoods. These

construction projects dwindle green space and need to be restricted to save and maintain the natural landscapes which support nature's changes in our community. There are several water issues at hand, such as water restrictions from receding reservoirs, treating water run-off to help reduce pollution and create a more environmentally sound solution and reallocating flood plains in "Green Space Conservatory Lands". In regards to these many water issues they are looking at re-zoning current and future building sites to limit the amount and size of homes to be constructed changing "low density" areas into "rural" allowing 1 home per acre vs. 3 homes per 3 acres and a limit on square footage. (EXAMPLE ONLY) In regards to construction they are attempting to put into place a State Run Contractors Licensing Board which would create guidelines, testing, and legal accountability for contractors, while allowing a "grandfather clause" for those who have been in business for a pre-established time.

Because construction growth has increased in our community, Mr. Hosack sees the need for more qualified inspectors to monitor and inspect the construction sites, maintain the goals, regulate the policies and support the community. With all of the growth that is ahead for Cobb County, the recommendations we believe need to happen are: 1) a larger number of permit audits per month vs. the current number of 25, and the ability to hold and enforce Cobb County School District to the building code standards and inspections (C.C.S.D. currently are exempt from zoning codes and do not require inspections from C.C.C.D.A.). This is the current business practices of Cobb County construction.

We encourage you to learn more about the Cobb County Community Development Agency by visiting their web-site, www.cobbcounty.com. The sight is easy to follow and contains a great deal of information about current and future projects as well as reports summarizing 2005. There is plenty of contact information for questions or concerns that are not addressed on the web-site; however, we found it be full of clear, easily understood information and maps showing zoning, green space, and other related aspects.

COBB COUNTY SENIOR CENTER COMMITTEE

Committee Members:

Katie Lawrence	Julie Johnson
Michael Crump	Al Schneider

Upon arrival at the West Cobb Senior Center, we were greeted by John Green (Division Manager) and Kristen Vinings (Program Leader), where we were taken on an extensive tour and explanation of the facility. During the tour, each room was explained to us as to what activities occurred in the rooms.

After the tour of the facilities, John Green, Kristen Vinings and the Committee members (including our driver and bailiffs) convened in one of the rooms for an extensive question and answer session. During this Q&A session the following items were explained to us:

- When seniors enter the facility, they sign in at the front office and then proceed to their destination

- Also at the front desk, the monthly newspaper (The Bulletin-a newspaper for activities and events in Cobb County for Seniors) and a local facility paper (The Leaflet-a newsletter for seniors of that particular center) are available for the Seniors.
- Within each of the classrooms/break rooms there are bulletin boards with flyers of upcoming events and classes. Also posted are pictures of the Seniors on events that have transpired.
- In the break room, food and coffee are provided by different local vendors free of charge.
- Art was being displayed in the hallways-this artwork was done by the Seniors who attended classes there.
- The different facilities were explained to us: 5 multi-purpose Senior Centers and 5 Neighborhood Day Care Centers (also referred to as Social Services). John explained to us what the differences and purposes of these Centers are. At this time, he explained that the Social Services are grant funded; whereas, the majority of the grant is used for Social Services and a small portion is used for Multi-Purpose Centers.
- Of the 5 Multi-Purpose Centers, Windy Hill is the oldest, West Cobb is a prototype and North Cobb is the newest.

Once John had finished the explanation and the operations of the Centers, some of the committee members discussed their personal situations, at which time they asked a series of questions to which John and Kristen provided answers and also were provided documentation (2006 Cobb County Resource Directory for Senior Citizens). Listed below are examples of questions that were asked:

- What type of medical training do the employees of the Centers have?
- Do employees of the Center wear photo ID badges?
- What transportation is available to Seniors?
- What seminars are available to help them make educated decisions regarding healthcare and finances? (taxes/IRS)
- If a Senior comes in and asks for a recommendation, what route do the employees take? (i.e., hairdresser, stores, etc.)

John briefly explained to us the 10 year Master Plan that has been put together by the Division Group and Center Members. They explained to us that they foresee transportation will be their biggest issue. They foresee that it will be a tremendous demand for medical purposes (transporting a senior to a doctor's appointment). They also foresee the challenges in the 10 year plan as to Well Seniors vs. Frail Seniors and how Cobb County will accommodate them. John explained to us that Cobb County was the first county in the state of Georgia to adopt the *Mattie's Call* alert system.

The committee was impressed by the presentation of the Senior Centers and the knowledge of John Green and Kristen Vinings. When I was taking care of my elderly parents and parents-in-laws, I wish that I had had these facilities and knowledge base available to myself and my family. In visiting this facility, the committee had the opportunity to view photos of the Seniors at their activities and at their outings, these Seniors appeared to be having fun, smiling and enjoying themselves. The committee believes that many citizens of Cobb County (young and senior) do not necessarily know what is available to them via these Centers. We would suggest that somehow the word spreads about these wonderful centers and resources that are available. The documentation that was provided was educational, detailed, and a great source of knowledge.

COBB COUNTY RECREATION COMMITTEE

Committee Members:

Robert Buckley Paul Frickey William Bailey
Marcus Mitchell Donna Vaughn

The Cobb County March/April 2006 Grand Jury committee met with representatives of Cobb County and Affiniti Golf Partners on March 29, 2006 to inspect Cobblestone Golf Course and the management of the course. A number of questions had arisen from an article published in the Marietta Daily Journal regarding potential privatization of the golf course. The article specifically stated that a profit of over \$400,000 had been realized by the course leading citizens to question the current direction. In attendance were: Steve Willy, Partner with Affiniti and Bob Ash, Director of Cobb Public Services Agency, along with other county officials and representatives of Affiniti.

We reviewed the actual budget along with the income statements of the past five years and concluded the following:

- The course was running at a loss and consequently needed additional funding prior to Affiniti Golf Partners taking over the management contract three years ago. Under their management the rounds per year have increased to 45,000 bringing the financial performance into the black. However, the excessive profits mentioned in the article were shown to be in error. We found no evidence of excessive profits.
- The condition of the course was found to be excellent except for the condition of the bunkers. The capital spending budget for this year had been set at zero. This was questioned by the committee as the reputation of the course might be at risk without continued investments that allow this premier course to maintain that reputation. This is especially important as competition has grown faster than the demand over the past few years. It appears that the county needs to continue to invest in the course condition to allow for the continued positive trend in financial performance.
- We discovered that there is only another eight years before the bond is paid off. If the county can maintain a positive financial performance, we can look forward to many years of adding this attraction to our offerings of Cobb County. It is for this reason that we felt the importance of continued investments so as not to see deterioration of the course.

In general, the committee was very impressed with the current trends in the management of Cobblestone Golf Course and recommend that the county continue the fine direction that this establishment has started.

COBB COUNTY FIRE AND EMERGENCY SERVICES COMMITTEE

Committee Members:

Jerry Morrow
Scott Creekmore
Nancy Pamela Starks

The above listed March/April 2006 Grand Jurors investigated Fire Stations # 1 and # 27 on March 28, 2006.

The first station toured was Fire Station # 1 at 5656 Mableton Pkwy., Mableton, GA 30126. We met with Captain Gresham and several of his firefighters who gave us a tour of the facility including administrative areas, Captains quarters, common day use areas and the engine bays. This station is old (built in 1968) and has maintenance issues. The exhaust systems in the bays need revamping. There are 30 firefighters, working 3 shifts who answered 6,225 calls last year. An additional firefighter would be helpful. Safety LED lights for the back of firefighter suits as well as chargeable, portable flashlights for all their engines would increase safety and productivity. The ladder truck for this station is adequate, but not state of the art. Fire Station # 1 was immaculate and the engines clean. Overall, the firefighters are satisfied with their equipment, calling them quality fire apparatus. Fire Chief Rebecca Denlinger met with the committee and followed us to Station # 27.

Fire Station # 27 is located at 477 Veterans Memorial Hwy., Mableton, GA 30126. Two EMT's (Copeland and Ethridge) gave us a tour of the station, set up very much like Station # 1, with the living area quarters on one side of the engine bays and administrative offices and common day areas on the other. There are 5 firefighters on duty per shift in this orderly and efficient facility. Built in 2000, Station # 27 has 1 engine and 1 air supply vehicle. The committee met with Fire Chief Denlinger who presented a very extensive detailed 10 year plan for county growth (3 new stations planned-Mars Hill, Mt. Wilkerson and West Cobb), fire station renovations (among others-Fire Station # 1) and preparing fire and emergency services for disaster situations, such as a flu epidemic. The Fire Chief is working closely with cities in Cobb County who have their own fire and emergency services for better communication/coordination and therefore faster and more efficient response times. Installing GPS systems, tracking systems on each engine to send the "closest unit" regardless of jurisdiction, were ideas also discussed. A need was presented in Basic Life Support protocol-equipment to measure oxygen content in blood, the cost ranging from \$600-\$1200 per unit.

In conclusion, this committee is very impressed with the Fire and Emergency Services in Cobb County. Under the direction and vision of Fire Chief Denlinger, we now know that our community excels in service.

COBB COUNTY GANGS COMMITTEE

Committee Members:

Lisa Robertson	Brenda Baker	Pam Starks	Katie Lawrence	Patrick Sells
Michael Crump	Sandy Fischer	Ansel Desil	Willer Justinvil	Christine Navalta

The March/April 2006 Grand Jury committee met with detectives from the C.A.G.E. (Cobb Anti-Gang Enforcement) Unit on March 28, 2006. Sgt. Stanley Wheeler presented a very informative program about gang activity in Cobb County. Citizens need to educate themselves about gang influence in their neighborhoods. Parents need to know where their children are and what they are doing at all times. The committee had no concerns to report regarding the C.A.G.E. Unit.

Respectfully submitted this the 4th day of May 2006.

Paul B. Frickey, Foreperson

Georgia, Cobb County
Cobb County Superior Court
Cobb Judicial Circuit

ORDER

Read and Considered, Let the Same Be Filed.

It is hereby ordered; that the within Presentments be published in the official organ of Cobb County within fifteen (15) days from the date.

So Ordered, this the 4th day of May, 2006.

Mary Staley
Judge, Superior Court
Cobb Judicial Circuit