

GBI launches probe of DA finances

THE GEORGIA Bureau of Investigation confirmed Tuesday that it has begun an official inquiry into financial questions surrounding the district attorney's office.

GBI spokesman John Bankhead said the bureau began its investigation last week after being asked to do so by the Georgia Attorney General's Office. The Cleveland office of the GBI will be handling the probe, he said.

"We are looking into financial issues," said Bankhead. "That is all I can say right now."

The GBI probe comes after several investigative reports published in *The Jackson Herald* questioned how District Attorney Tim Madison has been handling funds in several unaudited bank accounts he con-

trolled. The newspaper reports also questioned how Madison had handled funds paid by former DA staffers who broke employment contracts.

Madison is the district attorney for the Piedmont Judicial Circuit, which covers Jackson, Banks and Barrow counties.

Last week, Jackson County Sheriff Stan Evans asked Georgia Attorney General Thurbert Baker to look into the financial dealings of Madison's office. That call was echoed this week by Jackson County leaders who asked for state help in accounting for funds in the DA's office.

FINANCIAL ENTANGLEMENTS

During its investigation, *The Herald* uncovered several items that called into question Madison's handling of public funds.

Specifically, *Herald* articles reported that:

- Madison has employed his wife, Linn Jones, in the Jackson County DA's office since 2004. During 2005 and 2006, he had her on both the Jackson County and Banks County district attorney payrolls. She netted \$55,000 in 2006 from the two counties, one of the highest paid positions in his office. Madison had also previously arranged for her to work under a 2001 federal grant his office received, first by having the Banks County Sheriff's Office hire her and then the City of Winder Police Department hire her. In both instances, Madison used the federal grant money to reimburse the local governments for his wife's salary.
- Madison required some staff members, mostly assistant district attorneys, to sign

unusual employment contracts when he hired them. The contract included a provision that if the employee left Madison's office before a certain length of time, 30-48 months on average, the employee had to pay "liquidated damages" of \$2,000-\$5,000. Several former staff members left the DA's office and subsequently paid "liquidated damages," but where those payments went isn't clear. Madison has refused to answer numerous requests made by *The Herald* for that information.

- Madison reportedly mandated that at least one staff member pay part of his local salary supplement back into a "training fund." But the location of such a fund is in question (see story below.)
- Madison maintained at least six unaudited

bank accounts in which he deposited court-mandated victims' assistance funds and drug forfeiture funds. Four of the accounts were closed on Jan. 10, shortly after the newspaper's first open records request was made. One account was in Madison's personal name and that of a long-time staffer.

- Madison had been paying some DA employee wages, bonuses and supplements outside of county government payroll systems, despite a 2002 warning by a Jackson County auditor to stop the practice. The wage payments involved victims' assistance money in Barrow and Jackson counties.
- Madison spent some of the drug forfeiture money from Banks and Jackson counties on entertainment, travel and food for himself and some staff members.

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Jackson 32nd nationally in growth

BY KERRI TESTEMENT

JACKSON COUNTY continues to be one of the fastest-growing counties in the nation, according to the U.S. Census Bureau.

In the latest population estimates released last week, the Census Bureau said Jackson County's estimated population through July 1, 2006, is 55,778 — making it the 32nd fastest-growing county in the nation.

Jackson County has grown 34.1 percent since 2000, when the county had 41,589 residents, according to the Census Bureau.

The Census Bureau looked at population estimates from 2000 to 2006 for the nation's 3,141 counties.

Between 2005 and 2006, Jackson County added 3,400 new residents for a one year growth of 6.5 percent, one of the fastest growth rates in the state. It was also one of 18 Georgia counties to add over 3,000 new residents during that time.

SURROUNDED BY GROWTH

Neighboring Gwinnett County was one of 10 counties in the United States that added the largest number of residents from 2000 to 2006. The Census Bureau estimates Gwinnett County had 757,104 residents as of July 1, 2006 — a 28.7 percent increase since 2000, when the county had 588,448 residents. Gwinnett County is ranked as the 69th fastest-growing county in the nation, according to the latest population estimates.

Barrow County, which also abuts

100 Fastest Growing Counties						
Table B: Population Estimates for the 100 Fastest Growing U.S. Counties with 10,000 or More Population in 2000. April 1, 2000 to July 1, 2006						
Rank	Geographic Area	Population Estimates			Change 2000 to 2006	% Change
		July 1, 2004	April 1, 2005 (interim base)	Number		
1	Flagler County, FL	52,894	42,835	32,269	61.2	
2	Rockwell County, NC	46,154	41,793	31,638	67.2	
3	Rockwell County, TX	36,157	47,074	31,681	87.6	
4	Lauderdale County, MS	265,537	263,359	30,216	11.3	
5	Rockwell County, GA	173,963	171,407	30,061	17.3	
6	Paul County, AZ	27,208	178,527	30,022	110.0	
7	Banks County, GA	163,817	174,346	29,954	18.3	
8	Franklin County, MS	178,703	188,244	29,689	16.6	
9	Paulding County, GA	121,252	151,902	29,522	24.3	
10	Evans County, GA	51,771	71,301	29,379	56.8	
11	Newton County, GA	91,451	121,901	29,432	32.2	
12	Lincoln County, SD	35,229	27,137	29,392	83.4	
13	DeKalb County, GA	156,697	186,524	29,203	18.6	
14	Collins County, TX	566,851	602,772	29,129	5.1	
15	Union County, NC	174,022	171,144	29,111	16.7	
16	Wolfeboro County, NC	373,832	295,632	29,100	7.8	
17	Greene County, FL	246,645	272,732	28,922	11.7	
18	Blount County, NY	14,475	14,276	28,729	198.5	
19	Washington County, UT	126,113	60,154	28,718	22.7	
20	Fort Bend County, TX	428,157	394,472	28,710	6.7	
21	Scott County, MO	114,890	89,148	28,554	24.9	
22	Barrow County, GA	63,700	46,144	28,328	44.5	
23	Lake County, FL	290,435	270,527	28,266	9.7	
24	Cherokee County, GA	195,127	181,825	28,126	14.4	
25	St. Johns County, FL	165,254	122,146	28,076	17.0	
26	Harris County, TX	3,574,294	3,427,216	28,079	0.8	
27	Hale County, AL	52,492	55,222	28,028	53.4	
28	Manassas County, VA	295,229	229,289	27,922	9.5	
29	DeWitt County, MS	54,756	107,159	27,529	50.1	
30	DeKalb County, TX	294,238	424,296	27,472	9.3	
31	Franklin County, MS	56,302	78,702	27,404	48.7	
32	Jackson County, GA	55,778	41,589	27,189	48.8	
33	Clay County, IA	24,322	16,174	27,052	111.1	
34	Paris County, IN	137,192	97,725	26,749	19.5	
35	Wasatch County, UT	20,252	15,215	26,642	131.3	
36	Ball County, IN	625,137	585,287	26,650	4.3	

Jackson on the west side, is ranked as the 22nd fastest-growing county in the United States, with an estimated population of 63,702 in 2006, the Census Bureau said. In 2000, the county had 46,144 residents.

Hall County to the north now has at least 173,256 residents — up from 152,190 residents in July 2002.

Flagler County, Fla., was named the

fastest-growing county in the nation since 2000. That county has grown from 49,835 residents in 2000 to 83,084 residents in 2006, according to the Census Bureau.

In Georgia, Forsyth County was the fastest-growing county, ranking fifth nationally with 150,968 residents in 2006. Forsyth County had 98,407 residents in 2000.



READY FOR THE BALL

Little League action got under way across Jackson County this past week. Opening day for both the Jackson County and Jefferson recreation departments was held Saturday. Ben Pierce, a member of the Jackson County Recreation Department's Athletics T-ball team, was ready to catch the ball in the first game of the season. His teammates shown include: Lauren McMurray (far left) and Samuri Collins (far right). One of the coaches for the Athletics team, Reggie Collins, is also shown (far right).

Special Investigative Report: Part 3

Where did DA 'training funds' go?

BY MIKE BUFFINGTON
 EDITOR

DISTRICT ATTORNEY Tim Madison mandated that a staff member pay several thousand dollars of his local salary supplement to a "training fund," according to the former employee. But the disposition of that money is unclear and no official "training fund" was apparently ever created.

The staff member, a former assistant district attorney who has since left the Piedmont Judicial Circuit District Attorney's office, said he was told by Madison to pay part of his local salary supplement "to defray training expenses" while he was in the Banks County district attorney's office.

The former staffer, whose identity is being kept confidential by *The Herald*, reportedly went to the Georgia Attorney General's Office to discuss the payments after he was contacted by the newspaper several weeks ago.

The former ADA said he had been assigned to the Banks County office, where he began receiving a local supplement to his salary from that county. He said Madison told him to keep \$1,000 per month from the supplement, but to turn over the rest of the county salary supplement for a "training fund" account.

"I paid all I was told to pay," said the former employee.

Based on Banks County pay records for the former employee obtained by *The Herald* through an open records request, around \$10,000 was likely paid by the employee for the "training fund." The employee said he gave all the checks he wrote for the "training fund" to Madison.

NOT SENT TO COUNTY

Banks County records indicate that none of those funds were subsequently reimbursed to the county for any county-paid training expenses. The records also indicate that Banks County paid out only \$2,300 in training expenses for all DA staffers from 2002-2006.

"Our records do not show any reimbursements paid by any employee in the district attorney's office to this office as a result of any employment contractual arrangement with the district attorney," said a memo from Banks County in response to a *Herald* open records request.

It is not clear what other accounts the funds may have been deposited into. Madison has said his office kept no bank statements or other bank records for a Wachovia account that was used to manage some Banks County drug forfeiture funds. *The Herald* is continuing its efforts to get those Wachovia bank records, along with other bank documents that were apparently disposed of by the DA's office.

As reported last week, Madison is also said to have received payments from staff members who broke employment contracts they signed when Madison hired them. No details about the disposition of those payments has been forthcoming from Madison, despite repeated requests by *The Herald* for such documentation.

Several former staff members did, however, confirm to *The Herald* that they had written checks to Madison at the time they left employment in the Piedmont District Attorney's Office.

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opinions

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our views

It's a matter of public trust

A COUPLE of weeks ago, District Attorney Tim Madison attempted to evade an open records request from this newspaper by having a staff member write us to say that the district attorney had undergone back surgery and would be out of the office for several weeks. Only when he returned would he be able to respond to the newspaper's open records request.

A couple days later, after the newspaper's lawyer sent a follow-up memo, Mr. Madison's office relented and responded to the request with some, but not all, of the documents.

In the meantime, Mr. Madison has seemingly made an amazing recovery from his projected weeks of being an invalid. Last week, Jackson County courthouse workers called to say Mr. Madison was back at work and appeared well.

Then this past weekend, an alert citizen noticed Mr. Madison riding his bike around the back roads of Banks County and made a few photographs to document his rapid recovery from surgery.

Obviously, the back surgery excuse given to this newspaper two weeks ago was just a ploy used by Mr. Madison in an effort to dodge the newspaper's open records request.

But this matter raises a larger issue that is pertinent to the district attorney's office — does the Piedmont Judicial Circuit have a district attorney it can trust?

As the chief prosecutor for the counties of Jackson, Banks and Barrow, Mr. Madison holds a powerful position that affects thousands of lives. But can the citizens of these counties trust a district attorney who tries to dodge an open records request by fabricating a misleading medical story?

That issue goes to the core of a prosecutor's credibility. If the public — jurors, defendants, lawyers, judges, law enforcement officers — think that a district attorney is playing games and not being totally truthful, then the entire judicial system is called into doubt.

Regardless of what happens with all the questions surrounding Mr. Madison's financial dealings, one has to wonder if he has any credibility now to stand in a courtroom and argue for the "truth." While citizens sometimes expect their political leaders to stretch the truth, they have to believe that their prosecutors are above any kind of dishonesty or deception.

It's a matter of public trust. Unfortunately, Mr. Madison's fudging the facts and clever dodging has caused the public to question his integrity as the top prosecutor in the Piedmont Judicial Circuit.



Testing the myths

I NEVER knew there were so many different ways to tell if you were having a boy or a girl.

I have been bombarded with people guessing what I was having, along with other ways of early gender detection. And I'll admit that I've tried many and researched many others. And by all calculations of all the methods it's 75 percent likely to be... Well, I'm not telling yet.

The Chinese Lunar Calendar said it's a boy. The over 150 beats per minute heartrate indicates that it's a girl.

The way I am carrying low is said to be a boy. Many have told me that they can't tell I'm pregnant from walking behind me, meaning that it's a boy.

I've been told that the way my face is breaking out means it's a girls because a daughter steals her mother's looks.

I've craved sour and salty stuff...boy. I've craved fruit...girl. From cravings to the way I'm carrying, rate of weight gain, sickness versus non-sickness and even how I choose to sleep at night. Everything seems to be an indicator.

My grandparents always said that once you've had one child, you knew what the next children would be by comparing the pregnancies. If that's the case, then it's definitely a boy because everything about this pregnancy is different from my previous two, which were similar and both were girls.

Now with modern advances (since my first child), there

is a gender prediction kit for parents that can't wait. For \$34.99 plus shipping and handling, you can find out the gender of your unborn child with a 94 percent accuracy rate. Apparently there are two ways for testing, by urine or by blood.

I think I'd rather just go to the grocery store and spend a couple of dollars on crystallized drano and put my urine on it to tell the sex — brown for girl, stays blue if boy. It's said to have the same accuracy rate.

I will admit that I did test that one with my second child, but haven't with this one.

There's a slew of other methods too. Holding a needle on a thread over your belly. If it swings back and forth, it's a boy. If it rotates in a circle, then it's a girl.

I haven't really pushed the issue of knowing at this point for a few reasons. Firstly, I promised my step-son that we'd all go together to "check the equipment" at the same time. That way no one would know for sure ahead of anyone else.

Another reason I've waited is because I just haven't been in the mood to shop for baby stuff. It's kind of hard to shop ahead these days without knowing because there's not much selection for neutral baby colors.

My main reason for not being eager for a final answer is because it never seems to be final until the baby arrives in your hands. And my friends all know that I'm a "in my hand" kind of person.

Plus it's lots of fun hearing everyone guess at this point. We'll know a little more definite in a week, but it surely won't be the final answer.

Amy McKown is a reporter for *The Jackson Herald*.



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'Adultery anyone?'

Newt Gingrich told a Vanderbilt University audience last week that the personal lives of presidential candidates should not become an issue in the 2008 campaigns.

A couple of weeks earlier, Gingrich confessed on a "family values" radio program that he had engaged in an extramarital affair even as he sought to expel President Bill Clinton from the White House for lying about his sexual conduct. Newt did not make a big deal of his confession, nor should he have. Most of us already knew.

Newt says he'll tell us by Sept. 30 whether he will run for president. *The Washington Post* reports that contributions to his campaign are already pouring in.

Tossing off his adulterous affair as if it were a traffic ticket, Newt wants to clear the path for a presidential bid. Another major potential candidate, former New York Mayor Rudolph Giuliani, has been outed in the tabloids in so many sexual dalliances that he doesn't even bother to confess. They've become part of his campaign trademark. At the moment, the Grand Old Party — the "family values" party — has only one major candidate with a public commitment to just one wife. Mitt Romney, the Mormon. The ironies abound.

My, my, my, how times change. I listen to Gingrich's off-hand admission of adultery, and I think of Mike Bowers.

Just 10 years ago, Bowers, the straight-arrow state attorney general, a West Point graduate, a decorated Air National Guard general and a seemingly committed family man, appeared the heavy favorite to become Georgia's first Republican governor.

Bowers' personal magnetism plus his broad knowledge of geopolitics would have made him a national political figure the moment he became governor. No one argued otherwise. The 1997 state GOP convention in Macon turned into a lively pre-inaugural celebration for soon-to-be Gov. Bowers.

On June 5, 1997, the sky fell on Bowers, and it may have collapsed on Georgia too. We just didn't know that Bowers' sins might eventually condemn all Georgians to state government hell.

Bowers confessed at a press conference that he had engaged in a long-term affair with his former secretary. He did not drop out of the governor's race, but he was finished nevertheless. The hard-eyed Christian conservatives who ran the state party would never tolerate a publicly confessed philanderer as their standard-bearer.



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What will county 'be' in the future?

WHAT WILL Jackson County "be" in the next 10 years? What kind of growth should it seek? How

should local economic development efforts be coordinated among the large number of towns, authorities and other political subdivisions in the county?

Those key questions recently floated to the surface in a move by local chamber of commerce leaders to create a new Economic Development Council. The council will be the gathering of a large group of key leaders from all the various agencies in the county that have a stake in economic development.

This is an important, perhaps pivotal moment in the county's history. If successful, this new group will perhaps have more influence on the future of Jackson County than any other single entity. It will represent a gathering of all the county's key decision-makers, the movers-and-shakers who will shape what Jackson County is to become as it enters a phase of what could be hyper growth. Now the nation's 32nd fastest growing county, Jackson County could find itself swamped with even a more rapid growth rate.

Over the last decade, Jackson County has been very successful in attracting new industries and businesses. That success comes, in part, from the groundwork laid here by previous leaders in the 1980s who began creating the infrastructure needed to support industrial development.

But for all that success, there is a nagging sense among some county leaders that something is still missing. In addition to addressing the basic logistics of handing new business prospects, this new economic development council is slated to act as a county "think tank" to ponder that issue and to ask, "Where do we want to be?" in the next five or 10 years.

There are three main concerns being aired that relate to this issue. First, business leaders want to quell the rivalry and jealousies between the various towns in Jackson County over growth issues. Some parts of Jackson County are growing faster than other areas, a fact of geography that leaves some community leaders feeling like they're being left out of the growth gravy.

It is perhaps impossible to keep all such feelings at bay, but by having the county's various leaders sitting around the same table hearing the same reports and discussing the same core issues, business leaders hope to prevent unnecessary animosities from festering.

A second concern certain to be aired by this new council is the relatively unchartered area of retail growth. As local governments have become more dependent on sales tax income, the need to develop a strong retail sector has become more important. And there is a sense that overall, Jackson County is "under-retailed" owing to its close proximity to the larger retail centers in Gwinnett County, Athens and Gainesville.

But retail growth isn't an easy issue. For one thing, concentrations of retail developments often create waves of community traffic problems. In addition, poorly planned retail development can create suburban eyesores and lead to citizen backlash over "sprawl" concerns. Finally, big box retail developments might bring in huge sales taxes, but they also shock smaller local businesses. No suburban community today wants the image of being a big-box "Wal-Mart" town.

The third concern that this new council will likely air is the type of future industrial development the county should solicit. In recent years, the county has seen a boom in large warehouse projects along I-85. But these businesses often don't employ large numbers of people despite having a large building "footprint." Some local leaders question the long-term implications of creating a "forklift economy" in Jackson County.

Coupled with that is the desire by most county leaders to attract more white collar office parks, medical centers and other higher-end jobs. Historically, the I-85 corridor has attracted a lot of blue-collar growth while the Hwy. 400 corridor has attracted more white-collar jobs. Many local leaders now want to focus on bringing in more high-paying jobs, both for their economic impact (housing, retail sales, etc.) and to deepen the pool of future potential leaders.

All of these issues are critical to the future of Jackson County. Hopefully, this new economic council will be able to focus on these matters and to direct county resources to address them.

Mike Buffington is editor of *The Jackson Herald*. He can be reached at mike@mainstreetnews.com.

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