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DADE COUNTY COMMISSION
REGULAR MEETING
JUNE 7, 2007

1 MR. BRANDON: It is 7:00. It's time to
 2 start the regular meeting. Before we get started, I
 3 think I saw Brother Robert Goff. I want to ask him
 4 to come up, if he would, and lead us in the
 5 invocation.

(Thereupon, the invocation and
 Pledge of Allegiance were given.)

8 MR. BRANDON: This is the
 9 regularly-scheduled meeting of the Dade County
 10 Commission which takes place at the same time on the
 11 first Thursday of every month. Proper notice of
 12 this meeting was given to the legal organ of Dade
 13 County and posted in the hallway of the
 14 Administration Building. I'll call the roll and
 15 have it recorded by the clerk. Mr. Lowery is on
 16 vacation. Ms. Moore?

17 MS. MOORE: Here.

18 MR. BRANDON: Mr. Pittman?

19 MR. PITTMAN: Here.

20 MR. BRANDON: Mr. Young?

21 MR. YOUNG: Here.

22 MR. BRANDON: And the chair is present.
 23 We have a forum and, therefore, a legal meeting.

24 The reading of the minutes of the May
 25 2007 regular meeting will not be required since all

1 commissioners have been furnished copies in advance.
2 The minutes are public record and available for
3 review in the county executive's office. The
4 minutes are included in the consent agenda. At this
5 time, I would ask the county clerk to read over the
6 items in the consent agenda for this meeting.

7 MR. TOWNSEND: Okay. The approval of
8 previous meeting minutes, the Soil Erosion
9 Sedimentation and Control Ordinance 06-0707. This
10 was the second reading, the final reading. The
11 third is Transportation Enhancement Grant, depot
12 renovation, advertise for an architect. The fourth
13 is Coosa Valley Regional Development Center, a
14 resolution to adopt a final version and be sent to
15 DCA by June 30. Corporative agreement between Dade
16 County and U.S. Department of Agriculture requesting
17 50 percent of the budget, \$20,950.50; Code
18 Enforcement Officer Ordinance. Again, this is the
19 second reading. Now it will become law after it is
20 passed tonight, finance committee report dated
21 June 2007 and that is all.

22 MR. BRANDON: Good enough. Do I have a
23 motion we pass the consent agenda?

24 MR. YOUNG: I make a motion we pass the
25 consent agenda.

1 MR. BRANDON: I have a motion. Do I
2 have a second?

3 MR. PITTMAN: I'll second.

4 MR. BRANDON: I'll call the roll.
5 Mr. Young?

6 MR. YOUNG: Yes.

7 MR. BRANDON: Mr. Pittman?

8 MR. PITTMAN: Yes.

9 MR. BRANDON: Ms. Moore?

10 MS. MOORE: Yes.

11 MR. BRANDON: Consent agenda passes.

12 Moving into the regular meeting. The
13 one thing that I have on the executive update
14 tonight, I was handed something earlier this week
15 that's of importance to everybody in the county.
16 It's been very dry. You may have heard today that
17 the State EPD has got a state-wide watering ban in
18 effect and we are desperately, desperately in need
19 of rain.

20 Someone brought me this earlier this
21 week and asked if I would bring this to everyone's
22 attention tonight. There is a prayer to overcome
23 drought and I want to read this. I don't know if it
24 will have the same effect as actually praying it or
25 not, but it says, Sustaining God, we receive the

1 fruit of the earth from your generous hand, yet now
2 we observe the eager earth frustrated by lack of
3 rain. We remember the smell of damp earth and
4 welcome cooling. We remember happy times when
5 fields were green and all rejoiced in the prosperity
6 of the land. Now we see heaviness and gloom. We
7 hear anger and despair. We fear that the burden of
8 the rural community may be too great to bear. Have
9 mercy, oh, Lord, on our parched land, our worried
10 minds, our anxious hearts. In the name of the
11 Prince of Mercy, Jesus Christ. Amen.

12 We all need to be praying that we will
13 get some relief from this drought soon. We have
14 farmers whose ponds are drying up. The grass is
15 crunching as you walk across it. People who
16 normally cut hay for a living are getting a fraction
17 of what they normally get and it's going to be a
18 hard time for the farmers and people who have to
19 feed animals this winter and this fall even if we
20 don't get some rain soon. So I want to encourage
21 all of you to include in your daily prayer regimen,
22 if you have one, to pray that we would get some
23 relief from this drought.

24 Moving on into the rest of the agenda,
25 we have under appearances tonight, we have the mayor

1 of the City of Trenton, Anthony Emanuel. I'll ask
2 him to come forward.

3 MR. EMANUEL: On behalf of my fellow
4 City Commissioners, I'd like to express my
5 appreciation for this time before the Dade County
6 Commissioners in presenting what in effect is the
7 state of the City of Trenton through the end of May.

8 Financially, through the end of May,
9 the City has received \$1,027,000 in revenue. We
10 have expensed \$890,000 of those dollars, which
11 yields a net income on the positive side of
12 \$137,000. In Trenton, your City for Family Living,
13 it's all about quality of life. Everything that the
14 City does passes through the filter of will this
15 improve the quality of life of Trentonians. The
16 vehicle that we use for that is our Downtown
17 Development Authority.

18 The Downtown Development Authority is
19 composed of four major committees. The first is the
20 Promotion Committee and the Promotion Committee has
21 just completed Family Fest, which was held on May
22 18th, 19th and 20th and they and I would like to
23 personally thank all of the volunteers, all of the
24 vendors, all of the sponsors and the Dade County
25 Commissioners who were actively involved. David

1 Young and Lamar Lowery actually extended their own
2 personal time and energy to be engaged in the
3 promotion of Family Fest.

4 I would also remind you that the
5 campaign, the Chickamauga Campaign Heritage Trail is
6 ongoing and you may have or you may not have noticed
7 the erection of a sign along Highway 11 at the Shaw
8 Industries site. This sign promotes the Macon Iron
9 Works. The Macon Iron Works was a viable, working
10 iron smelting operation during the war which was
11 later destroyed by federal troops as they came
12 through the county.

13 The Promotion Committee also
14 recommended and the City Commissioners followed up
15 and approved a 90-day moratorium on signs, billboard
16 type signs. It may not be a concern to you, but
17 it's a concern to the City Commissioners and other
18 Trentonians that our city is being populated by
19 billboard signs, the latest of which is at Highway
20 136 right at -- almost right at the intersection of
21 Highway 11, but there now exists a 90-day moratorium
22 which simply gives the City Commissioners time to
23 enact a billboard sign ordinance, which will seek to
24 control not only the number, but the size and the
25 placement of billboard signs throughout the city.

1 The Design Committee is busy engaged in
2 working on streetscape. Streetscape has many
3 components. The first component, which you probably
4 have noticed hopefully, is at Jenkins Park along
5 Town Creek right outside the Scout Building. Phase
6 one, that is phase one where we've planted trees and
7 landscaped the area and have cleared on the south
8 side of Town Creek a loop trail. We're grateful
9 that a grant from Tree City USA allowed the purchase
10 of the trees that were planted in this phase one
11 section.

12 The City has hired Arcadis as the
13 engineering firm for streetscape and they've
14 completed their preengineering work and have
15 submitted that to the City and the City held public
16 reviews for those plans on May the 7th and the
17 29th for the public's review and comment.

18 I can tell you that on June 15th the
19 City of Trenton will be submitting the necessary
20 paperwork for a Transportation Enhancement Grant of
21 \$1 million. We're not naive enough to think that
22 we're going to get the \$1 million, but we are
23 hopeful we'll get at least \$400,000 and if we do and
24 when we do, we'll be able to begin streetscape
25 around the perimeter of the county courthouse and it

1 will effect and improve the appearance of the
2 perimeter around the courthouse, not just one side,
3 not the north side, south side, east side or west
4 side, but the entire perimeter.

5 The Economic Restructuring Committee
6 continues to seek project alternatives for the
7 downtown area. They held a meeting with other
8 regional one Downtown Development Authority
9 representatives and the Department of Community
10 Affairs personnel regarding those programs that the
11 State has for financing downtown development.

12 The Organization Committee, which is
13 the fourth and last of the major committees of DDA,
14 has accepted the resignation of Beth Clinton from
15 the board of directors and we are now presently
16 looking for a Trentonian to accept and fill her
17 position on the board.

18 On animal control, as the providing
19 entity, the City of Trenton has been engaged in
20 revising the intergovernmental agreement on animal
21 control that's between the City and the County. The
22 agreement is being finalized with input of both
23 animal activist groups prior to submitting to the
24 Dade County Commissioners.

25 We were made aware of a letter from the

1 county attorney, Mr. Rogers, telling us that the
2 intergovernmental agreement for prisoner housing had
3 expired and it has. It expired December 31st of
4 last year, 2006. So what we really need to define
5 at this point and have an agreement on is who is the
6 provider of benefits versus the recipient of the
7 benefits and then we hopefully will be able to sign
8 off on a new intergovernmental agreement between the
9 City and County on prisoner housing.

10 Same applies to the Senior Citizens'
11 Building, except what's unique about the Senior
12 Citizens' Building -- Mr. Rogers, unless you have
13 documentation that the city attorney does not have,
14 we have no agreement on the Senior Citizens' Center.
15 If you do, if you would make that available to us
16 for our review, then we certainly will seek to renew
17 intergovernmental agreement between the City and the
18 County as needed on the Senior Citizens' Building.

19 Once again, thank you for the
20 opportunity to present this update to you on the
21 City of Trenton on behalf of my fellow City
22 Commissioners. It is always good for us to be a
23 part of Dade County. Thank you.

24 MR. BRANDON: Thank you, Mayor. Next
25 up, I think we have Barton Harris who had asked to

1 speak tonight under personal appearances.

2 MR. HARRIS: What I'm back for again
3 tonight, of course, I've been here for two months,
4 is to talk about and ask, for those that haven't
5 been here, our city tipping fee. Anybody that takes
6 garbage to our County Transfer Station knows that
7 household garbage is not charged to dump their
8 garbage, but the city residents by means of the
9 truck that we provide does have to pay and it's
10 about 800 to \$1,100, depending on the amount, a
11 month. And I'm back again to ask -- we pay a higher
12 tax rate than the county residents do, which is not
13 right, but I'm set on trying to right a wrong here.

14 We shouldn't be paying to dump
15 household garbage. I'm asking for y'all -- I've
16 asked for two months to review, look at. It's not a
17 great lot of money, but still, you know, I feel like
18 we're being basically taxed or have to pay three
19 times to get our garbage dropped off at the city --
20 or the County Transfer Station. So I'm here again
21 tonight to ask for a motion to waive the tipping fee
22 for city garbage truck.

23 MR. BRANDON: Barton, the problem we
24 have with that is that our budget is already
25 established this year, as yours is. I wouldn't -- I

1 would not entertain a motion to waive the tipping
2 fee this fiscal year. Now, if you want to talk
3 about doing it for next fiscal year, we can appoint
4 a committee to look at that. I think the Public
5 Works Committee ought to be the ones to evaluate it.

6 But I think that the charge for the
7 dumping is for the -- we charge it to anybody who
8 picks up residential garbage and I don't know if
9 that was the original intent when they first started
10 doing this or not. But at this point, I think
11 before we could agree to do that, and we can open it
12 up for discussion, we can't do it this year because
13 it would make us even shorter on our budget -- on
14 the revenue side of our budget than we're already
15 going to be.

16 So for the next fiscal year, if we do
17 that, it would have to come out of next fiscal
18 year's budget. So I'm willing to assign that to the
19 Public Works Committee, but I don't think we can do
20 that this year. I'll open it up to any discussion
21 if anybody else wants to comment on it.

22 MR. YOUNG: I wouldn't mind looking
23 into it for next year's budget.

24 MR. HARRIS: I think we need to look at
25 it. One of the things in the paper in the last

1 month or so, one of the things is you all have
2 rerouted your garbage service to save some money.
3 Pass on the savings. You know, I've been here.
4 This is three months in a row. If this was going to
5 be the action, it should have been last month or the
6 month before before you decide now to tell me that
7 we're going to wait several months before we review
8 it again.

9 MR. BRANDON: We were hoping you
10 wouldn't come back and ask.

11 MR. HARRIS: Oh, I figured you did. I
12 really did figure that.

13 MR. BRANDON: No. I didn't assume that
14 at all. But really we can't do it this year because
15 with this fiscal year's budget, we couldn't any more
16 give that up than we could give up any other revenue
17 stream we have even though it is -- it's actually
18 more than the \$1,100 a month. We collected --
19 through October of last year, I think we collected
20 about \$22,000 from the City of Trenton. I'm
21 assuming that was all for tipping fees since that's
22 the only transfer of funds that we have from the
23 City of Trenton as far as I know from you to us.

24 MR. HARRIS: Well, what I'm asking
25 though, to reiterate what I'm talking about, the

1 City is not in the business -- we're not in the
2 garbage business. We don't make a profit. We don't
3 try to make a profit and it's no different if
4 somebody picks it up and carries it down there,
5 there's no charge. I think it ought to be fair
6 across the board.

7 MR. BRANDON: Well, at this point, I
8 will make that -- I will pass along that request for
9 the Public Works Committee to study that, but I
10 really don't think we can do it this year.

11 MR. HARRIS: When does your fiscal year
12 fall, what month?

13 MR. BRANDON: January 1st.

14 MR. HARRIS: Well, all I can ask is see
15 what you can --

16 MR. BRANDON: Isn't the City on the
17 calendar fiscal year also?

18 MR. HARRIS: Yeah. I didn't know what
19 fiscal year y'all were only.

20 MR. BRANDON: See, at this point, I
21 would imagine you've built into the year's budget
22 for the City the tipping fees and I understand you
23 don't want to pay that unless you have to. Just
24 like you've built it in as an expense, we've built
25 it in as a revenue item. So I'm sure you'd like to

1 give that up and we'd like to keep it, but at this
2 point halfway through the year, almost exactly
3 halfway through the year, we couldn't do that
4 without jeopardizing our revenue stream coming in
5 even lower on our revenue than we might come in
6 anyway. So I will definitely assign that to Public
7 Works and you can -- I will ask them to contact you
8 about discussing the issue.

9 MR. HARRIS: Well, I would hope in the
10 near future that the County's budget could level out
11 to where, you know, 15 or 22, you said, thousand
12 dollars wouldn't really interfere with the County
13 budget. But in the meantime, get that wrote down
14 somewhere in black and white where it will be
15 addressed. Okay?

16 MR. BRANDON: Okay.

17 MR. YOUNG: You're coming at a good
18 time, Barton, on this because as we develop the
19 budget for next year. If you were to come in
20 November, you know, that would almost be too late.
21 So I can say you've come at a good time.

22 MR. HARRIS: For the last three months.
23 See what you can do.

24 MR. BRANDON: I would also at this
25 time -- at this time I would also ask that we have

1 the City study -- this is the question I asked
2 Barton the last two times he came up about what the
3 City gets in franchise fees from Georgia Power.
4 This is an ACCG issue that we've talked about many
5 times. I'm on the Finance Committee and Government
6 Committee for the ACCG and there's a little known
7 thing that happens. When you get your electric
8 bill, there is a franchise fee that Georgia Power
9 passes along to every customer that they collect
10 from every power user and they remit that back only
11 to municipalities. So if you're living in Head
12 River and you get a Georgia Power bill, you're
13 paying a franchise fee that only gets sent back to
14 the City of Trenton. And I asked Barton about this
15 and it started off as a joke and I see Barton every
16 Sunday morning at church and we kid back and forth
17 about it. You know, if you want to do a quick
18 proquo, we ought to really look at what that
19 franchise fee is. I know it's set in state law, but
20 that doesn't mean the City of Trenton couldn't remit
21 whatever portion that should go to the County back
22 to the County as well.

23 So if we're looking at some kind of
24 equity here and have the money float where it
25 originated, we really ought to look at that as well.

1 So I would ask the City of Trenton, if you would, to
2 evaluate how much of the franchise fee you think is
3 paid by the City of Trenton rather than the
4 residents outside the City of Trenton.

5 Moving along under fiscal matters, I
6 will ask the county clerk to read the financial
7 report.

8 MR. TOWNSEND: As of May 31st, 2007,
9 the drug education fund had a balance of \$115,568;
10 federal assistance fund, \$10,369; special sheriff's
11 fund, \$52,232; jail fund, \$17,428; juvenile services
12 fund, \$6,890; victim assistance fund, \$3,828;
13 payroll account, \$14,400; general fund, \$623,377.
14 The S.P.L.O.S.T fund including principal and
15 interest account, \$461,453; principal and interest
16 CDs on hand, \$750,000. The interest accrued off of
17 CDs for this year for the P&I -- principal and
18 interest CDs is \$16,658. The capital bond fund is
19 \$16,707; capital bond CDs is \$901,079, for a total
20 of principal and interest fund balance of \$1,228,110
21 and also total capital bond fund balance of
22 \$917,786.

23 MR. BRANDON: Okay. Thank you.

24 At this point, I'll look to the county
25 attorney to ask if there are any outstanding legal

1 issues that we've carried over from previous
2 meetings that haven't been addressed?

3 MR. ROGERS: No, there's not.

4 MR. BRANDON: There is no unfinished
5 business, to my knowledge. Under new business, I
6 don't think we have any on the agenda.

7 We're up to citizen participation. Is
8 there anyone that would like to address their fellow
9 citizens? Yes, Mr. Pittman.

10 MR. EDDIE PITTMAN: My name is Charles
11 Pittman and I'm here tonight on behalf of the Recall
12 Committee. I don't know if it's a committee, but
13 I'm going to call it a committee, the folks engaged
14 in the recall effort for -- to have another election
15 for Ben Brandon. When we started out -- to give you
16 a few facts that you might not know, some states in
17 the United States, you can just recall somebody
18 because you don't like them. I think that's what
19 happened in California with Gray Davis, you know,
20 when he was recalled and now Arnold Schwarzenegger
21 is their governor. But in Georgia, you've got to
22 have a legal basis to recall someone.

23 So on the 21st of May we went to the
24 courthouse. Ben was there with his attorneys and we
25 met in front of Judge Coy Temple and we presented

1 our side and he presented his side and he reviewed
2 the evidence and said, yes, there's grounds. So we
3 went forward from there.

4 The odds and the rules are really all
5 against a recall. The people who write the rules
6 and the law for a recall to recall an elected
7 official are elected officials and they don't want
8 recalled, so when they write the rules, they really
9 make them very hard. They make it to where it's
10 almost impossible.

11 There's been some talk in the past in
12 the county here about recalling someone, but it's
13 really never gotten off the ground. Well, it's
14 gotten off the ground this time. We're in the
15 process now after the judge's ruling of collecting
16 our signatures and it's -- we're getting very good
17 feedback. We're pleased with the number of people
18 who are signing up and pleased with most of the
19 comments that we've gotten back and I wanted to come
20 here tonight and thank the people. I wanted to come
21 here tonight and thank the people who have made
22 their voices known one way or the other and let you
23 know that we, of course, are always willing to
24 accept any help we can get, anybody that's willing
25 to circulate, you can contact me or Roy Fowler.

1 MR. BRANDON: Mr. Pittman, I don't
2 think it's appropriate to solicit. I think this is
3 highly inappropriate. I mean, you can give your
4 speech, but I think trying to recruit folks in an
5 open meeting is pretty inappropriate. I think
6 people have gotten the point.

7 MR. PITTMAN: Okay. That's really all
8 that I had to say. Thank you.

9 MR. BRANDON: Thank you. Anyone else?
10 Yes, sir.

11 MR. GALLOWAY: Good evening. My name
12 is Carnell Galloway. Ben, when I come down here for
13 that meeting, I wasn't interested in signing it
14 whatsoever, but after finding out some facts that
15 you had put in the paper about working 30 minutes a
16 week for about three or four months --

17 MR. BRANDON: I don't think I put that
18 in the paper.

19 MR. GALLOWAY: Well, anyhow, \$72,000 a
20 year and not doing eight hours work.

21 MR. BRANDON: Mr. Galloway, we're
22 already in the middle of a recall. I don't think
23 you need to pile it on here. I think everybody has
24 got the point.

25 MR. GALLOWAY: Well, I just want you to

1 know why people are doing it.

2 MR. BRANDON: I understand.

3 MR. GALLOWAY: And you need to take up
4 for yourself or something.

5 MR. BRANDON: Well, all that does is
6 encourage people when you start hitting back and
7 it's in God's hands anyway, so I believe we'll be
8 all right. I appreciate you coming up. Thank you.

9 MR. GALLOWAY: All right. Thank you.

10 MR. BRANDON: Anyone else?

11 MR. FOWLER: Yes, sir. Mr. Pittman
12 said Georgia is one of the few states that requires
13 legal grounds for a recall.

14 MR. BRANDON: Roy, I'm sorry. This is
15 out of order.

16 MR. FOWLER: Excuse me. I have my five
17 minutes if you don't mind.

18 MR. BRANDON: Roy, this is out of
19 order.

20 MR. FOWLER: It's not out of order.

21 MR. BRANDON: This is out of order.
22 This is enough.

23 MR. FOWLER: This is not out of order.

24 MR. BRANDON: This is enough.

25 MR. FOWLER: This is not out of order.

1 I am not out of order.

2 MR. BRANDON: You're out of order, Roy.

3 MR. FOWLER: I am not out of order.

4 MR. BRANDON: Have a seat, please.

5 Have a seat.

6 MR. FOWLER: No, sir.

7 MR. BRANDON: At this point, being
8 unable to control the meeting, I declare the meeting
9 adjourned. Thank you very much.

10 MR. FOWLER: Thank you.

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12

END OF MEETING

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