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DADE COUNTY COMMISSION
REGULAR MEETING
AUGUST 2, 2007

1 MR. BRANDON: I want to call the
2 meeting to order, but before we do, as we always do,
3 I want to go to the Lord in prayer and have the
4 Pledge of Allegiance and I'll ask Former
5 Commissioner John Deffenbaugh if he would lead us in
6 that, please.

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

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

17 MR. LOWERY: Here.

18 MR. BRANDON: Ms. Moore?

19 MS. MOORE: Here.

20 MR. BRANDON: Mr. Pittman?

21 MR. PITTMAN: Here.

22 MR. BRANDON: Mr. Young?

23 MR. YOUNG: Here.

24 MR. BRANDON: And the chair is present.
25 We have a forum and therefore a legal meeting. The

1 reading of the minutes of the July 2007 regular
2 meeting will not be required since all commissioners
3 have been furnished copies in advance. The minutes
4 are public record and available for review in the
5 County Executive's office. The minutes are included
6 in the consent agenda. At this time, I would like
7 to ask the clerk to read the items that are on the
8 consent agenda, please.

9 MR. TOWNSEND: The previous meeting
10 minutes, the DFACS request for building maintenance,
11 which is \$400 in repairs, an ordinance. This is the
12 second reading of Ordinance 080207A amending two
13 county road speed limits, Resolution R-20-07
14 amending county road standards which is the
15 cul-de-sac change. Also, rescinding of resolution
16 restricting current year cash flow on the
17 recommendation of Commissioner Lamar Lowery, county
18 policy -- let's see, oh, two invoices to be paid,
19 Department of Family and Childrens Service \$7,875,
20 and Board of Health 11,500. I believe that's it.

21 MR. BRANDON: All right. Do we have
22 any discussion on the consent agenda? Hearing none,
23 we need a motion and a second. Do I have a motion?

24 MR. LOWERY: I make a motion we approve
25 the consent agenda.

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

3 MR. PITTMAN: I'll second that motion.

4 MR. BRANDON: I have a motion and a
5 second. I'll call the roll. Ms. Moore?

6 MS. MOORE: Yes.

7 MR. BRANDON: Mr. Young?

8 MR. YOUNG: Yes.

9 MR. BRANDON: Mr. Pittman?

10 MR. PITTMAN: Yes.

11 MR. BRANDON: Mr. Lowery?

12 MR. LOWERY: Yes.

13 MR. BRANDON: And the chair votes yes.

14 Moving into the administrative part of
15 the meeting, the executive update. The only thing
16 that I have that I want to talk about tonight is the
17 financial results. Year-to-date to be on track on
18 expenses and revenue, you need to be at
19 approximately 58 percent. Through the end of July,
20 expense wise the county as a whole is right around
21 56.38 percent. So we are below where we should be
22 on expenses and if I -- I don't have the revenue,
23 but if I remember, the county clerk told me we're at
24 65 percent on revenues, which would put us ahead of
25 the game on where we're supposed to be there on

1 revenue. So we're in pretty good shape there. We
2 have a minor cash flow issue that we think we have
3 figured out how to address and we are taking steps
4 to fix that, but overall, we're in pretty good
5 shape.

6 Moving into the appearances, we have as
7 always an appearance by the City of Trenton Mayor
8 Anthony Emanuel. I would ask him to come up at this
9 time.

10 MR. EMANUEL: Good evening. It is with
11 pleasure that I present to the Dade County
12 Commissioners the key performance indicators for the
13 City of Trenton and beginning with the financials
14 year-to-date through July 31st of this year, we've
15 had total revenues of 1,179,000. We've had total
16 expenses of 1,152,000, resulting in a net income of
17 some \$45,000. It's important to note that our
18 expenses include \$63,000 in a contingency fund that
19 we try to grow each month.

20 In looking at the city, our slogan is
21 City of Trenton, your city for family living. You
22 can't have that kind of a slogan without addressing
23 quality of life issues and the vehicle that we
24 address quality of life within the City of Trenton
25 is through our Downtown Development Authority which

1 is managed by our Better Hometown Manager, Peter
2 Cervelli. The Downtown Development Authority has
3 four committees, the first being the Promotion
4 Committee and in the Promotion Committee, which is
5 chairpersoned by Rex Harrison, the campaign for the
6 Chickamauga Heritage Trail. As I mentioned in the
7 last meeting a month ago, we have put the sign up
8 for the Macon Iron Works, which is along Highway 11
9 at the mill. We are negotiating with the property
10 owners behind that sign with the hope of being able
11 to provide a pull-in type setup for people who want
12 to stop and read that sign.

13 Under the Promotion Committee, there
14 will also be a series of summer concerts which will
15 begin this month on the 18th of August and I know
16 I'm not the only person in this room who is old
17 enough to remember Tommy Jett. And if you don't,
18 you're lying. But at any rate, Tommy Jett will be
19 the DJ at the August 18th concert in Jenkins Park.
20 We will also have, other than homemade ice cream,
21 lemonade, hamburgers and hot dogs, we're also going
22 to have a horse shoe tournament and those of you who
23 think you're good enough at pitching horse shoes are
24 invited to participate. That's on the 18th of
25 August.

1 In September, the Downtown Development
2 Authority, in collaboration with the Dade County
3 Chamber of Commerce, will host another musical event
4 within the park. It will coincide with the picture
5 contest of personalities in Dade County. So those
6 are two events coming up in the immediate future
7 that you can look forward to.

8 On the Design Committee, which is
9 chaired by Vickie Seymour, the Creek Walk along Town
10 Creek continues evolving into its finished state.
11 If you've not had a chance to visit that at Jenkins
12 Park, it would be time well spent for you to do so.

13 Arcadis has completed the
14 preengineering work that defines the scope of the
15 work involved in our streetscape program and we
16 continue to seek funding for that program.

17 Under Economic Restructuring which is
18 chaired by Alan Ward, they continue to seek project
19 alternatives for the downtown area. The
20 Organization Committee, which is chaired by Janet
21 York, filed no report for this month.

22 In other areas of concern within the
23 City, the animal control intergovernmental agreement
24 as the providing entity, the City of Trenton has
25 been engaged in revising the intergovernmental

1 agreement on animal control between the City and the
2 County. The agreement is being finalized with
3 public, private and local animal control activist
4 groups input prior to submittal to County
5 Commissioners for their review. We had hoped to
6 review that at this meeting, but personal affairs of
7 my life took me out of pocket for a couple of weeks,
8 a couple of unexpected deaths in my family, but we
9 will have that, I can assure you, presented for the
10 County Commissioners' review in the next County
11 Commissioners meeting.

12 Under prison housing intergovernmental
13 agreement there, as the providing entity, the County
14 needs to define the benefits under the public
15 housing -- I mean, the prisoner housing
16 intergovernmental agreement and the recipient -- in
17 this case, the recipient of those benefits is the
18 City and we await the County's proposed changes to
19 that intergovernmental agreement.

20 The Senior Citizens Building
21 intergovernmental agreement, I'm not aware of one.
22 I haven't seen one. If there is one, we need to see
23 it. The City has no authority over the
24 administration, operations or funding for the Senior
25 Citizens Center, however, we do recognize and accept

1 our responsibility for being an active supporter of
2 the center and we are open to be accountable for
3 some level of support, whatever that may be.

4 As always, it is a pleasure and a
5 privilege to present the state of the City of
6 Trenton to the Dade County Commissioners. Trenton
7 after all is the face of Dade County. Thank you.

8 MR. BRANDON: Next on the agenda, we'll
9 deal with the county's fiscal matters. I will ask
10 the clerk to read the financial report, please.

11 MR. TOWNSEND: In the general fund we
12 have \$280,495. In the S.P.L.O.S.T funds principal
13 and interest account, \$1,197,040. Principal and
14 interest CDs, 550,000; principal and interest debt
15 services account, which is the interest, 23,582.
16 Capital bond fund account, \$17,089. And for the
17 Commissioners, you'll see right under tab number one
18 there, the third page over, there's a couple of
19 reports there under the general fund revenues by
20 department level and the general fund balance sheet
21 by department level.

22 MR. BRANDON: Thank you, Don. Moving
23 along, I'll ask the county attorney if we have any
24 outstanding legal issues that we haven't already
25 discussed this evening that we need to address.

1 MR. ROGERS: The only legal matter to
2 report is that the County filed a motion for summary
3 judgment in the --

4 MR. BRANDON: Use your microphone.

5 MR. ROGERS: Sure. The only legal
6 matter report is that the County filed a motion for
7 summary judgment in the tax appeal cases that have
8 been brough by Mr. Blevins and Ms. Holmes and those
9 motions at present are scheduled to be heard at the
10 first part of September.

11 MR. BRANDON: Okay. Would you explain
12 a little bit about what our motion said?

13 MR. ROGERS: Yeah. The -- our motion
14 for summary judgment raises both technical grounds
15 as well as substantive grounds regarding
16 constitutional claims that they had brought
17 challenging the homestead freeze exemption and the
18 motion for summary judgment just asks the Court to
19 dismiss the case prior to it going to trial. So in
20 that procedure, you file a motion and the other side
21 gets 30 days in which to respond and then the Court
22 has to decide on that.

23 MR. BRANDON: There's precedent for
24 asking this be dismissed, is there not?

25 MR. ROGERS: Yes, there is. I'm not

1 sure what you're trying to get from me.

2 MR. BRANDON: I don't want to put you
3 on the spot, but I read the motion you filed and I
4 think that this was -- it's already been settled
5 once in Columbus.

6 MR. ROGERS: That's right. There was a
7 Columbus, Muskogee County case which is similar to
8 ours in which we cited and relied upon precedent in
9 our case.

10 MR. BRANDON: Thank you. Moving on to
11 unfinished business, I would ask the other
12 Commissioners if there is any unfinished business
13 that you're aware of. Seeing no hands, we will move
14 forward into new business.

15 The first item on new business was put
16 on here by Commissioner Lowery and I will turn it
17 over to him at this point.

18 MR. LOWERY: I asked Ben to put this on
19 here because I want to talk about how the district
20 commissioners are elected. I think we're the only
21 elected officials in Dade County that are elected
22 just in their district and I personally don't feel
23 like that's the right way to do it. I've talked to
24 a lot of my constituents. I've talked to some of my
25 fellow commissioners about it. I believe I'd like

1 to see us go to being elected at large, all district
2 commissioners. That way -- like it or not, there
3 could be three commissioners up here that's
4 controlling what's going on in the whole county and
5 you won't have a say so whether or not they go back
6 into office. If we're elected at large, I think
7 it's a better representation of the whole county as
8 a whole and I would like for us to draft a letter or
9 ask Ben maybe to draft a letter, contact our
10 senators and see if we can -- I'll make a motion
11 that we do that, that we -- that district
12 commissioners will be elected at large. They'll
13 have to run from their district, so you'll have
14 representation in your district, but they should be
15 elected at large. That's my feelings. Is there
16 anybody else that would like to have any input?

17 MR. BRANDON: Any other discussion?

18 MR. LOWERY: I guess I would need a
19 second before we discuss it.

20 MR. BRANDON: Well, we need to go into
21 discussion to talk about it. Do I have a motion
22 that we send Senator Mullis a letter asking him to
23 allow all the commissioners in Dade County be
24 elected at large, but running from a district; do I
25 have a motion to do that?

1 MR. LOWERY: I make that motion.

2 MR. BRANDON: Do I have a second?

3 MR. PITTMAN: I'll second it.

4 MR. BRANDON: I have a motion and a
5 second. Is there any discussion? Do any of the
6 commissioners have anything to say about this?
7 Because it's Senator Mullis' position on local
8 legislation is that either you have to do it by a
9 ballot, by a petition and ballot referendum or by
10 unanimous consent of the Commission. Is there any
11 other discussion on this?

12 MR. YOUNG: My gut feeling is against
13 it. The reason I'm saying that is right now we have
14 a large population that lives in the City of Trenton
15 and although my district does go into the city,
16 someone from Sand Mountain -- if the City of Trenton
17 residents didn't want someone on Sand Mountain to
18 get elected, they have enough of a pull in voting
19 where it wouldn't matter and it would be almost like
20 the city controlling the county.

21 MR. BRANDON: All the districts are
22 roughly equal in population, so that's the reason
23 they're drawn the way they are now. So they're all
24 roughly the same population.

25 MR. PITTMAN: Lamar talked about this

1 is the same setup the school board has got. So I
2 mean, I have no problem. Everything we do affects
3 the entire county.

4 MR. LOWERY: Can we take a poll of the
5 crowd and see what --

6 MR. BRANDON: Well, I think certainly
7 we'll probably want to have a public meeting on this
8 to discuss it before we take any action to send it
9 to the senator. Ms. Moore, what's your feelings on
10 this?

11 MS. MOORE: I don't have any problem
12 with that.

13 MR. PITTMAN: Sarah has been elected
14 county-wide four or five times, right, Sarah?

15 MS. MOORE: I don't have any problem
16 with that if it's like the school board. This is
17 just the first time, you know, that we've brought it
18 up and discussed it. I don't have a problem with
19 it.

20 MR. BRANDON: I would not have a
21 problem.

22 MR. LOWERY: It wouldn't take effect
23 until 2010 or 9.

24 MR. BRANDON: Possibly -- well, it
25 could take -- 2010 would be the first time it would

1 apply. Well, not necessarily though because if you
2 put this into -- if you send Senator Mullis this
3 letter, all he requires for local legislation is
4 unanimous consent from the Commission. So if we had
5 that unanimous consent, sent him this letter, put it
6 in his local legislation, it would pass in the next
7 session of the legislature so that anybody running
8 for office next year, it could apply to them unless
9 you specifically say no.

10 MR. LOWERY: What do you think? In
11 April we would have to vote on it before it actually
12 became a law or do you agree with what Mr. Brandon
13 said?

14 MR. ROGERS: No. It would not take --
15 I mean, that's in -- right now in the local
16 legislation, but it would be amending the local
17 legislation, which they can do at the state level or
18 home rule, I suppose, too.

19 MR. BRANDON: All he requires for
20 changing local legislation, my understanding, is
21 unanimous consent of the County Commission. So if
22 you send him such a letter from us, then he and
23 Representative Scott could change it in the next
24 session of the legislation. Now, whether it would
25 apply in the same year that it was passed, I don't

1 know.

2 MR. ROGERS: That vote would be
3 affecting voting rights, so it would have to clear
4 the Department of Justice and so forth. So that may
5 take some time to do. I'm not so sure it can be
6 done by --

7 MR. BRANDON: Worse case, 2010 if we --

8 MR. ROGERS: I suspect so.

9 MR. BRANDON: Any other discussion?

10 MS. MOORE: Well, you said something
11 about a public hearing. I mean, could you not have
12 a public hearing before we do that --

13 MR. BRANDON: Oh, certainly.

14 MS. MOORE: -- and see what, you know,
15 people would like.

16 MR. YOUNG: I'm not saying my mind
17 can't be changed. That's just my gut instinct.

18 MR. BRANDON: We have a motion on the
19 floor. We need to deal with the motion on the floor
20 unless the motion is withdrawn. So we'll --

21 MR. LOWERY: I'll withdraw it since we
22 obviously don't have unanimous consent. I will ask
23 that we set up a public hearing to discuss it if you
24 don't mind.

25 MR. BRANDON: We'll certainly do that.

1 So the motion is withdrawn. But we will -- I will
2 ask the clerk to look at the calendar going forward
3 and find a time when we can have a public meeting on
4 this issue and solicit public opinion.

5 Next up, we have a very
6 noncontroversial item that Commissioner Pittman has
7 added to the agenda, which is the county executive
8 job description.

9 MR. PITTMAN: In case you just moved
10 into Dade County or haven't read the local paper,
11 we've had some controversy over the executive's job
12 description. Everybody up there here, I think, had
13 their different ideas of what it was going to be
14 when the form of government changed. I thought it
15 was going to be kind of what it is now, the
16 executive being in control of day-to-day. We
17 have -- we've had controversy, what, three times
18 we've went and changed the job description because
19 we had it in the form of a resolution where we could
20 change it at any meeting.

21 What I'm proposing is that we put this
22 in the form of an ordinance. That doesn't mean that
23 three votes couldn't change it. It means it would
24 take a month and you would have to have two public
25 hearings before it would change. That leaves the

1 control on the local level. It leaves the State out
2 of it, but it gives the whole Commission some say so
3 over what the executive's job description would be.
4 It would give the county a month to give their
5 Commissioner feedback on whether they think what we
6 were proposing is a good idea or bad idea.

7 Now, the second part of this, the job
8 description we've got now is not vague by any
9 stretch of the imagination. It may be a little too
10 wordy. So what I would propose on that is that any
11 group, Republican party, the Democratic party, the
12 Citizen Watch Group, the Chamber of Commerce, any
13 group that wants to give us their ideas on what the
14 county executive's job description should entail can
15 fill out a -- they can come by and get Don to give
16 them the current job description. They can fill out
17 their ideas on what it should be and give them back
18 to us.

19 There's a few stipulations on that. I
20 would ask that at least five people sign this --
21 sign their recommendations because if you can't get
22 five people to agree on it, why turn it into us to
23 review because we may have 20 of them to review. We
24 may not have but one. Another stipulation, I can't
25 speak for the other commissioners, but I had that

1 one that mentioned a tick and flea shelter, I'll
2 throw it in the garbage. The dog shelter, this is
3 strictly about the county executive. It's not about
4 Ben. He said it before, the next person needs to
5 know.

6 I ask that it -- I ask that it's not
7 extreme one way or the other. I don't think
8 somebody should turn one in and say we need a sole
9 commissioner, that's my recommendation. I don't
10 think somebody should turn one in that says we need
11 to run Ben out of town on a rail. That's not what
12 we're asking. We're asking for y'all's help.

13 That's -- I don't know that we need to
14 do anything tonight. Robin, I know you've been
15 talked to about this issue. We could make this into
16 an ordinance. We could put wording in it that the
17 ordinance cannot be abolished, correct?

18 MR. ROGERS: Well, yeah. You could put
19 as part of the ordinance a procedure that would have
20 to be filed before it was altered or abolished or
21 whatever. My only caution would be that you don't
22 make those restrictions or those conditions so
23 restrictive so as to bind future Commissions. I
24 mean, so you couldn't say --

25 MR. PITTMAN: It could always be

1 altered, but it can't be completely wiped out.

2 MR. ROGERS: I think it could be. It
3 could be amended, but you could put in a procedure
4 such as what you suggested with two public hearings
5 or two readings and public hearings involved. I
6 mean, that's up to you all. I guess my caution is
7 that you don't make it such that someone could
8 challenge it on the grounds that what you're doing
9 is actually binding future Commissions, unreasonably
10 binding future Commissions. So -- but, yes, you can
11 have an ordinance with some established procedures,
12 have it with that one caution.

13 MR. PITTMAN: I know Jeff Mullis has
14 been contacted about this issue. Martin Scott has
15 been contacted about it and they're both in
16 agreement that this is a good starting point to
17 maintain this Commission on a local level. The
18 State does not want to get involved. They want us
19 to work through it and we want to work through it.
20 So I don't know if any of the other Commissioners
21 have any discussion.

22 MR. BRANDON: Well, Scottie and I
23 talked about this this morning and my feeling right
24 now is the same as it's been all along. Whoever is
25 the next resident of this office in here needs to

1 know what their authority is. You cannot operate
2 the county day-to-day without knowing what your
3 authority is. Right now we have to vote to pay
4 invoices for \$274 worth of asphalt. We have to have
5 a whole commission meeting to approve somebody to
6 work at the very lowest level of the county for
7 hiring purposes.

8 You have to have -- as the county
9 executive, you have to have managerial or
10 operational control of the county. You need people
11 advising you and making sure that you stay within
12 the lines, but you have to have enough authority to
13 actually run the county and the resources to carry
14 out the job that you've done, that you're tasked
15 with doing.

16 My concern here is not that I don't
17 want to talk about this. I do. We'll talk about it
18 and we probably should have done this last December
19 before we -- before we revoked the other one because
20 I think that would have been a good starting point.
21 But my concern is that I don't think -- if you're
22 really serious about this, why would you not just go
23 ahead and put it in the enabling legislation because
24 if you're serious about it and you think it's a good
25 idea, then let's put it in there and set it up so it

1 can be changed again on the spur of the moment or
2 even on 30 days because -- and again, this is not
3 for me because it's not going to apply to me. It
4 will apply to the next person who is the county
5 executive of Dade County, but I won't be any less
6 vocal or any less adamant about arguing for their
7 ability and their right to have a job description
8 which is understood before they take the office as I
9 am about my own ability or my own need to have the
10 same thing.

11 So we can certainly get together and
12 talk about this and have as many meetings as we
13 want, but at the end of the day, we have to come up
14 with something that can't be changed, you know, on
15 the spur of the moment because I'm not convinced --
16 and we can check -- we can have Representative Scott
17 or Senator Mullis check with the Legislative Council
18 and see if you can do an ordinance that can't be,
19 you know, easily overturned. I'm not convinced you
20 can, especially if it can't be binding on future
21 Commissions.

22 MR. ROGERS: Well, I think the words I
23 used -- there's a rule of law that says that a
24 Commission can't take an action that would bind a
25 Commission. In other words, you all can't enter

1 into a contract for ten years and -- because that
2 would be deemed as binding. So by that phrase, what
3 I mean is you all can't take an action that could
4 not be amended or altered by a future Commission.

5 MR. BRANDON: Yeah, I understand. But
6 we could check on that and see. Again, I'll talk
7 with anybody about any of this, but there are a
8 certain number of things that Lamar and I have
9 talked, Scottie and I have talked about, that you
10 just have to have, which we don't currently have in
11 place. We need to discuss those. I've talked with
12 Evan Stone about it and I've talked with my friend
13 Tony Moreland about it and there are certain things
14 that you just absolutely have to have that are
15 basically not negotiable. So we'll get together and
16 talk about these. Certainly we can fix it that way,
17 but there is a group of people that has already
18 started to work on a legislative fix to this and I
19 would not in any way get in their way of doing
20 whatever they want to do.

21 MR. PITTMAN: I wouldn't expect you to.

22 MR. BRANDON: By anyway, I'm all for
23 that. We can set times to sit down and discuss this
24 and come up with alternative proposals about what
25 that should be, but there's arguments on both sides

1 of this and I recognize that people have legitimate
2 differences of opinion on what they thought they
3 were getting when they elected a county executive.
4 But we need to fix this because until we fix it, for
5 the next person in here and succeeding people, we're
6 not going to have the best representation and the
7 best management of the government of Dade County.
8 Any other discussion?

9 MS. MOORE: My discussion on it is I've
10 also talked with Senator Mullis and Martin Scott
11 personally with the meeting and they too both agree
12 that this does not need to be handled on the State
13 level, that we need to work it out on the local
14 level because our form of government has been
15 changed three times since the '80s and I don't think
16 they really want to get involved in this anymore.

17 And as far as the enabling legislation,
18 I understood the enabling legislation, you know, to
19 mean that you -- the county executive would manage
20 the day-to-day operations of the county. I
21 understand the first resolution and in the first
22 resolution there were some things that occurred,
23 without me going into that, that caused us to change
24 to the second resolution and the second resolution
25 sets it out plainly that I understand -- I mean, and

1 what the job description is, that that person would
2 be in charge of the day-to-day activities and I
3 think it's -- I think it's working. Actually, I
4 think it's working well. I mean, we're not to say
5 which county executive because that will change as
6 all of us commissioners will change from time to
7 time. But I already see an improvement and this was
8 a new form of government and it needs a chance to
9 get off the ground without having to go back to the
10 legislation again and I think that we're working
11 together as a team and we -- you are working with
12 the -- our finance officer and county clerk and
13 developing a budget and I see things moving forward.
14 I see some changes now already.

15 I did talk with one of the groups of
16 citizens today that's very concerned about this and
17 it's my idea that this group is a group that wants
18 to see positive changes for Dade County and not just
19 representing one person, you or us or any of us and
20 I advised that person that we welcomed them at our
21 meetings. We want you at our meetings. I think
22 this is great to see this room full tonight. We
23 want your input. And always before, you had five,
24 six, ten people here.

25 I was a county clerk in 1981 and you

1 might have four people come and it was under a sole
2 commissioner. You might have four or five come to
3 the meetings unless you had something very, very
4 controversial and when he's talking about this --
5 right now I understand the resolution as it is even
6 if you didn't do an ordinance, but however, if
7 you've got to compromise and do something, that --
8 you know, the ordinance -- and if you change
9 anything, and you keep referring to like on a whim,
10 but if you -- and I don't like that either upon a
11 whim and I think it's good to have the citizens'
12 input. If you have something that's come up, say,
13 okay, we need to change this. Okay, go to the
14 people and say this is why we need to change it, but
15 I think it's working well and I think I see positive
16 people here working -- you know, out here working
17 for the betterment of the county and I think -- when
18 we talked about the website tonight and developing
19 our website and bring it up to date, promoting Dade
20 County, giving us a positive image and none of this
21 negative image that we've been getting.

22 A lot of us commissioners haven't been
23 speaking out because we didn't really want to come
24 out and say negative things. We want positive
25 things and we want growth for our county and input

1 from our citizens and that's where I stand.

2 MR. BRANDON: Okay. Thank you,
3 Ms. Moore. Any other discussion from the
4 commissioners?

5 MR. LOWERY: Scottie had mentioned
6 coming by and getting a new job description. If we
7 could get a copy of the old one too, I would be
8 tickled for them to have that to take with them,
9 too. Like you said, I think that's what we need to
10 work between. I think you were pretty well -- you
11 liked the old one or did you?

12 MR. BRANDON: No. The old one was
13 fine.

14 MR. LOWERY: So maybe between the old
15 one and the new one.

16 MR. BRANDON: I used the template from
17 the only other county in Georgia that has an elected
18 executive who is also CEO of the county without
19 having a hired county manager and I used it as a
20 template and I took out some of the things I felt
21 like we didn't need. It's not like -- it wasn't
22 something I just dreamed up one day. It was already
23 in existence. Yeah, we can make copies of that.

24 MR. LOWERY: Give them a copy of both
25 of them and maybe they can work it out and give us

1 some ways to work together and make some changes or
2 whatever.

3 MR. BRANDON: All right. If we could
4 possibly piggyback the meeting -- public meetings on
5 this with the issue of the at-large election of the
6 commissioners. We will try to schedule that as
7 well.

8 MR. LOWERY: We could do that with the
9 next budget hearing as well because -- or is that
10 too much?

11 MR. BRANDON: I think -- as a friend of
12 mine said, too much sugar for a dime. I think
13 that's going to pack too much in a short period of
14 time. They probably need to be separate. Any other
15 discussion on that issue?

16 Okay. Moving along, we have no -- I
17 skipped one. Up to citizen participation. Let me
18 give you some ground rules here. I've spoken with
19 the other commissioners. If you have something of
20 interest to the community or to the fellow citizens,
21 I encourage you to come up. If you come up here
22 just to sale one of the commissioners, me or any of
23 the rest of them, no matter which side of the issue
24 you're on, please don't do it because we -- that got
25 out of hand and it got away from us and I will call

1 you out of order and either in the meeting or have
2 you escorted from the building if you do that.

3 So having said that, is there anybody
4 that still wants to speak? I see Robert Goff has
5 already started standing up, so I'll ask him to come
6 up, please.

7 MR. GOFF: I've lost a front tooth, so
8 I may -- I don't know what the words will come out
9 like. My name is Robert Goff and I have been a
10 citizen of Dade County I wrote down 56 years, but
11 since Tommy Jett was at WFLI. I didn't dance to
12 him, but I did listen.

13 I am here tonight on behalf of a group
14 that has newly formed under the name of Dade County
15 Citizens Watch. I would like to thank you tonight,
16 first of all, for having this opportunity to speak
17 and also for what just went on. It sounds like when
18 I read or talk about what I prepared to come with,
19 it stole a little bit of thunder, but that's good
20 because that's what should come from these meetings
21 is good, positive feedback.

22 We have been accused, of course, of
23 having secret meetings. We have had one meeting.
24 It wasn't a secret, but we are organizing. We've
25 been asked for a mission statement by several

1 people. I do have one with me tonight, but it's not
2 exhaustive, so we're not really ready to go public.
3 We will be very soon because there's been a lot of
4 interest in what we're trying to accomplish. But
5 I'm speaking on behalf of them tonight, the Dade
6 County Citizens Watch and we are at present
7 addressing two issues that we feel are of great
8 interest to the citizens of this county.

9 The first issue is what we're looking
10 to go through and let me stop right here and say
11 that Senator Mullis did say that he would like to
12 see these people agree, that if these five people
13 here can agree, it would stop a lot of the State
14 being involved. He did make that comment. But he
15 has been made aware that it has not been working and
16 I hope that there can be some turnaround on that and
17 it does work. But we're trying to see it put into
18 the enabling legislation, legislated as law so that
19 the county executive/manager, whatever he or she
20 will be called in the future, will know going in
21 exactly what their job is. We will know what their
22 job is and that the other four commissioners that
23 are sitting on this bench are still there as a
24 checks and balances, to work together so that if
25 boundaries are being overstepped, then those people

1 can step in and we can work together as a community.

2 The second issue is that we would like
3 to see commissioners voted on at large, just as we
4 do our school board because just as it's been said
5 here tonight, it affects me what another
6 commissioner or another district may do. It will
7 affect my district, but we would like to see that
8 turned around. Both of these, and I know Senator
9 Mullis has met with a lot of people. He met with us
10 last Friday and we had a very good meeting and most
11 of these issues, he told us how we could do it. He
12 did not want to get the State involved. He would
13 rather they be worked out here in this county if at
14 all possible. But he did tell us if we would get
15 the documentation, legislation, whatever, written up
16 and circulate petitions and get ten percent of the
17 registered voters in this county to sign those
18 petitions, that he would take it to the next session
19 of the legislation. Therefore, he gave us a time
20 frame to do it and that time frame was before the
21 end of this year, a very good time frame.

22 So that's what we're working on.
23 That's who we are and he did ask would we get --
24 asked to get this present Commission involved. I
25 thank you, Ms. Moore, for saying that you would like

1 to meet with -- us be at your meetings and we
2 appreciate the fact that you have spoken to us and
3 we hope that we can keep that dialogue going and
4 that we can work out some things, that we can look
5 at those job descriptions and we can work those out
6 here in the county where it should be, that we're --
7 you know, I have a problem when the State says they
8 don't want to get involved and then they tell me
9 everything that they do in the school, so I guess I
10 just don't understand everything.

11 I know my five minutes is up, but
12 that's who we are and that's what we're working on.
13 And just in light of what we said, I was going to
14 ask these five people on this board here tonight
15 would you be willing to work, but after what is
16 already in the minutes that you've said, I think
17 that you will be at least willing to sit down and
18 listen to us and us listen to you so we all do what
19 is right for Dade County because that is our only
20 goal. Thank you very much.

21 MR. BRANDON: Thank you. Anyone else?
22 I see Bill Marshall.

23 MR. MARSHALL: Thank you. That's the
24 first time I've been able to speak before this
25 Commission and I appreciate the opportunity.

1 I've got some good news. All mine is
2 good news, in fact. I've been asked to lead the
3 Historical Society since I didn't have anything else
4 to do and I've been working on that recently. We've
5 got the book worked out now. We know how to put it
6 together. We've got somebody to help us with it.
7 We're going to finish the Heritage Book for Dade
8 County. We've been on that for about ten years, so
9 I hope you appreciate what we're getting done now.

10 Anyone that needs to put something in
11 that hasn't in the past about their family, they
12 should write it in an article form and give it
13 either typed or on a disk with the picture to the
14 library and then we'll fit it into the program also.

15 The other thing that we've done to
16 build up our membership which has fallen off quite a
17 bit, we're going to have a Civil War band playing in
18 Dade County. We're going to have it up at the Slygo
19 Methodist Church on Slygo Road. We can take care of
20 about 180 something people in there. They're coming
21 from Rome. It's the Eighth Regiment and they play
22 with some instruments that are Civil War instruments
23 and they dress in Civil War garb and play only Civil
24 War music and I've heard them and they do a great
25 job. So I think it would be good entertainment if

1 you would come. All of this is a part of the fact
2 that the 150th year celebration of the Civil War
3 is coming up in 2011 and the group that's formed to
4 make this happen is asking us to do something every
5 year until then to bring them up to that big
6 crescendo of the celebration. So we're going to
7 have John Culpeper, which is kind of the leader in
8 that be the speaker just before the band plays to
9 give you a little information about what we can
10 really expect in economic benefits when everybody
11 comes in this area to celebrate the Civil War
12 celebration.

13 UNIDENTIFIED CITIZEN: When will the
14 band play, Mr. Marshall?

15 MR. MARSHALL: It's going to be on
16 Saturday night, the 11th.

17 MR. LOWERY: What time do they start?

18 MR. MARSHALL: 7:00. 7:00 on the 7th.

19 MR. LOWERY: On the 11th?

20 MR. MARSHALL: On the 11th. I put it
21 in the paper wrong, too, I think. They tend to
22 forgive your age, see, and that makes me lazy, but
23 that's not really true.

24 The other thing is I happened to be at
25 a Lookout Mountain Parkway Association meeting when

1 our speaker, our leader, our president had to leave
2 for another job. It was Patty out of Fort Payne and
3 so they all looked at me and said, well, how about
4 you taking it temporarily. The guilty party is
5 right back there. Anyway, the only other one from
6 Dade County at that time was Patty, Debbie Tinker.
7 Anyway, I agree to do it on an interim basis. I
8 just want you to do know that the world's longest
9 yard sale is on now. It started this morning and
10 the most scenic part of it, we think the big selling
11 part of it is right here in Dade and on down into
12 Alabama to Gadsden.

13 We had some signs painted for all of
14 the members of the Lookout Mountain Parkway
15 Association so they can put it in the ground at
16 their place. It says welcome from the Lookout
17 Mountain Parkway Association letting all the people
18 come that are yard sale buyers, but we look at them
19 better than that. They're really tourists when
20 they're here in our area and they spend money while
21 they're here.

22 We told the press the other day that
23 this kind of a yard sale is Reagan's -- reverse of
24 Reagan's trickle down economics. It's trickle up
25 economics because you take something out of your

1 garage or barn that you were going to throw away
2 anyway and put it out and sell it and you take that
3 money and spend it locally, well, that's trickling
4 up the economics, right? Don't that make sense?

5 Anyway, it's on for now and we're going
6 to be doing several things. We had a whole week
7 cleanup on the Lookout Mountain Parkway. Everybody
8 up and down the road went up and picked up and
9 shaped up and cleaned up and throwed out and fixed
10 things and DOT in Georgia anyway, I don't know about
11 Alabama, they've mowed most of the roadsides for us,
12 which we appreciate that. So there are a lot of
13 things going. If you would like to be a member of
14 it, it only costs \$15 per year per person and we'll
15 give you a sign for your front yard, which you
16 wouldn't really need.

17 MR. BRANDON: Okay. Thank you, Bill.
18 Anyone else? Yes, come up, please, and announce who
19 you are.

20 MS. BAXLEY: My name is Anita Baxley.
21 I'm proud to say that I am a human rights activist.
22 I'm also very proud to say that I am an animal
23 rights activist. I feel like the time has come for
24 this area to have a decent humane animal shelter for
25 the County and City combined. It doesn't have to

1 have an underground garage or a penthouse for Lamar
2 to live in. I've been here 40 years. In those 40
3 years, I have picked up untold numbers of animals
4 and taken care of them. Some had to be put to sleep
5 at my own expense. I know of people who have --
6 before the City had their so-called pound, would
7 bring animals to the City of Trenton, namely
8 somewhere around my neighborhood a lot of times and
9 leave their unwanted animals. I also know that
10 before the City of Trenton had their animal shelter,
11 people would take their animals out to one of the
12 less traveled areas of Dade County and dump them and
13 I know who those people are.

14 We have a tremendous amount of
15 beautiful scenery here. Whether we like it or not,
16 Dade County and Trenton are going to grow. It is a
17 growing metropolitan area and I don't think it's too
18 much to ask for a decent animal shelter. Thank you.

19 MR. BRANDON: Thank you. Anyone else?

20 MR. DEFFENBAUGH: I'm John Deffenbaugh
21 and I wrote a letter to the editor just the other
22 day commenting about some way getting the
23 Commissioners involved in making a job description.
24 After hearing today's conversation, I think that it
25 could be an added-to type thing. I think that the

1 Commission should still give their own job
2 description in conjunction with the public. I think
3 that the Commission outcome should be somewhere
4 other than the Commission. I think that someone
5 else needs to review those inputs. I don't think
6 it's right for the Commission to do it and I don't
7 think it would be the best result for the Commission
8 to do it. So I think either a committee set up by
9 the Commission, which would include a lot of the
10 people in the community and then we could bring this
11 back to the Commission for action, which I think
12 would be good.

13 Ms. Moore, you commented how you're all
14 working together and it's good. I don't see that as
15 being a Commission that's working together for the
16 betterment of Dade County, but I do see something
17 good coming out of it, which I try to look for in
18 every situation and that is that we have much, much
19 more public input, much more citizen input and I
20 think by far, that's a very good thing and something
21 we need to strive to do.

22 So we have the opportunity now of
23 making the county the way we want it to be as a
24 community and I think if we can include as many
25 people as possible to make that happen, it will be

1 better. Thank you.

2 MR. BRANDON: Thank you, John. The
3 chair recognizes Ms. Bryson.

4 MS. BRYSON: Mr. Pittman, I just wanted
5 to say thank you for bringing a reasonable thing to
6 the board for you guys and the citizens. I really
7 believe in what Abraham Lincoln said, government of
8 the people for the people by the people and I would
9 like to see this resolved here at our local level
10 and not be big brother stepping in. Thank you.

11 MR. BRANDON: Thank you. Anyone else?
12 Yes, sir.

13 MR. MARTIN: I would like to say my
14 name is J.D. Martin from Lookout Mountain on Craig
15 Road. I've been on Craig Road 50 years this March
16 and I understand now that the county don't own our
17 road. What I know, they've had it for 40-something
18 years. They brought a petition around and everybody
19 signed it on that road but one person and I own more
20 land down that road than anybody and they asked me,
21 said, are you willing to give more space. I said,
22 yeah, take ever what you want. Before then, we had
23 to buy gravels, tiles or anything. It was in the
24 '60s when the county took it over and so now they're
25 saying that the county don't own it. I would like

1 to know what happened in between all that. Does any
2 of y'all know the answer to it?

3 MR. BRANDON: No, sir. The county
4 attorney has been studying this whole issue and I'm
5 sure he would be willing to speak with you and
6 answer any question you might have. We're not
7 entertaining abandoning the entire road. We have a
8 property dispute down at the end of it that we're
9 trying to deal with right now and I'm sure the
10 county attorney can answer any question you might
11 have on the part of where -- by your house.

12 MR. MARTIN: She don't know what she's
13 talking about. I was out there before she was even
14 born probably.

15 MR. BRANDON: Well, if you would, speak
16 to the county attorney and let him know what your
17 concerns are, but we're not entertaining abandoning
18 the entire road, so you don't have to worry about
19 that. All right. Thank you, sir.

20 Anyone else? Seeing no other -- yes?

21 MS. REYNOLDS: Hi. My name is Joanne
22 Reynolds. I live on Lookout Mountain and I had no
23 intention of talking tonight, but I would like a
24 couple of questions, input on the Commissioners at
25 large. I think it's an important issue and I think

1 a quick decision on the Commission would be not
2 prudent. I think you need a lot of citizen
3 participation in it. I think you need a lot of
4 discussion in it. I think it's a major change for
5 the way we pick our people to rule our lives in the
6 public. I do not feel that the Commissioners are
7 the same as the school board. I feel they have a
8 lot more power in our lives and how our lives are
9 ran, so to speak, as the government runs our lives
10 and I just think we ought to get -- in addition to
11 that, having another issue as far as voting on is
12 not prudent. There's enough controversy in how the
13 Commission is run now to throw another entity in
14 that before this is totally resolved and working in
15 good order to change how we pick the people to run
16 the Commission would be prudent and at least a lot
17 of public input before. And I really don't like the
18 idea that Commissioners can just agree on something
19 and change how we pick them. I think that the
20 voters ought to have a right to choose a change in
21 how we vote. Thank you.

22 MR. BRANDON: Commissioner Lowery is
23 wanting to challenge somebody to a horseshoe
24 pitching match.

25 MR. LOWERY: The Tommy Jett thing on

1 August 18th, I hope everybody will come out. I
2 think it's going to be \$10 a team, \$10 a team
3 starting at 7:00.

4 MR. BRANDON: You said you would be
5 paying for any team that didn't have money to enter,
6 right?

7 MR. LOWERY: I wish everybody would get
8 out. This will be a first annual. We're going to
9 try to make it a yearly thing, turn it into
10 something big, but we would like to start out.
11 That's something my dad likes to do and something I
12 like to do and I think a lot of people around Dade
13 County may enjoy that. So just something we're
14 going to try and I wish everybody would come out and
15 support us.

16 MR. BRANDON: Thank you. One other
17 thing they I'm sure I have the correct date on and
18 I'll ask the county clerk if he knows. Congressman
19 Nathan Deal is going to have a town hall meeting
20 here sometime next Monday. Okay. That's what I
21 thought. And it will be in here in this room.
22 10:00 to 11:30 on Monday.

23 Having no further business for the Dade
24 County Commission, I declare the meeting adjourned.
25 Thank you.

1 REPORTER'S CERTIFICATE

2 STATE OF TENNESSEE)
3 COUNTY OF HAMILTON)

4
5 I, Erin M. Flatt, Court Reporter and
6 Notary Public, in and for Hamilton County and the
7 State of Tennessee at Large, do hereby certify that
8 I reported in machine shorthand the proceedings had
9 in the above-styled cause on the 2nd day of
10 August, 2007;

11 That the said proceedings were
12 reduced to typewriting under my personal supervision;
13 and that the foregoing is a transcript of said
14 proceedings.

15 This the 2nd day of September 2007.

16
17
18
19
20 Erin M. Flatt
21 Erin M. Flatt, Notary Public
22 in and for the State of
23 Tennessee at Large.
24 My commission expires
25 November 7, 2010.