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DADE COUNTY COMMISSION
REGULAR MEETING
MARCH 6, 2008

1 MR. BRANDON: I want to call the
2 meeting to order. Before we get started, as we
3 always do, we'll begin with an opening prayer and
4 Pledge of Allegiance and I'll ask our default
5 chaplain, Former Commissioner John Deffenbaugh, if
6 he will lead us in 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 on the first Thursday of every
12 month. Proper notice of this meeting was given in
13 the legal organ of Dade County and posted in the
14 hallway of the Administration Building. I'll call
15 the roll and have it recorded by the clerk.

16 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: The chair is present and
25 we have a forum and, therefore, a legal meeting.

1 The reading of the minutes of the
2 February 2008 regular meeting will not be required
3 since all Commissioners have been furnished copies
4 in advance. The minutes are public record and
5 available for review in the county manager's office.
6 The minutes are included in the consent agenda which
7 was discussed at the work session. I will at this
8 time ask the clerk to cover the items that were
9 included in the consent agenda.

10 MR. TOWNSEND: The approval of previous
11 minutes as amended. Jennifer Hodnett to be promoted
12 or recognized as the health promotion and wellness
13 program coordinator, the new hire transfer roster
14 that was prepared, approval of invoices as
15 presented, South Dade Fire Department's 2004
16 S.P.L.O.S.T request at a cost to the County of
17 \$105,674 from S.P.L.O.S.T, soil erosion and
18 sedimentation control ordinance upon the second
19 reading. This was an amendment as amended,
20 reallocation of the 2004 S.P.L.O.S.T original
21 project cost as recommended and the School Board
22 agreement as prepared by the county attorney.

23 MR. BRANDON: Thank you, Don. Do I
24 have a motion we accept the consent agenda as read?

25 MR. LOWERY: I make a motion we accept

1 the consent agenda as read.

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

4 MR. PITTMAN: I'll second.

5 MR. BRANDON: I have a motion and a
6 second. I'll call the roll. Mr. Lowery?

7 MR. LOWERY: Yes.

8 MR. BRANDON: Mr. Pittman?

9 MR. PITTMAN: Yes.

10 MR. BRANDON: Mr. Young?

11 MR. YOUNG: Yes.

12 MR. BRANDON: Ms. Moore?

13 MS. MOORE: Yes.

14 MR. BRANDON: The chair votes yes. The
15 consent agenda is adopted.

16 I have a short executive update. We
17 had a meeting last week talking about S.P.L.O.S.T
18 projects, didn't make a whole lot of progress.
19 We're still working on that. Lamar and I sat down
20 for about an hour-and-a-half last night and talked
21 about it a little bit. We're still working on it.
22 We will probably have one or two more meetings in
23 the coming weeks and try to come to some agreement
24 on how to allocate the \$18 million we agreed on the
25 other night. That was the one thing we did agree on

1 was the amount. So we'll try to come up with
2 another meeting to allocate the rest of that money
3 and what it should be spent on, so we can have the
4 referendum on July 15th.

5 The only other thing I have on the
6 executive update tonight is just when you think that
7 you're clear of the never-ending legal action, this
8 week -- yesterday the County was served, the County
9 and the Board of Assessors were served with papers
10 by Ms. Christina Holmes. She's a realtor that lives
11 in Dade County challenging the homestead freeze,
12 House Bill 918 and 919. This was previously -- she
13 had previously dropped her claim or her challenge
14 had expired.

15 MR. ROGERS: She had previously filed a
16 claim and voluntarily dismissed it.

17 MR. BRANDON: She has raised it again.
18 So we will be -- I'm not sure when this is going to
19 come up. I'll give the attorney advance notice that
20 I'm going to ask you to comment on this when it
21 comes around to legal issues. But this is back
22 again. She is asking that House Bill 918 and 919,
23 which some of you may have on your property which
24 freezes the assessed value, not the appraised value,
25 but the assessed value of your property and that

1 those be taken away, which would affect the tax
2 bills you'd be getting on your property. So we will
3 be discussing and talking about how to defend the
4 County against that.

5 Next up under appearances, we'll start
6 with the Mayor of Trenton, as we always do, and then
7 after him, we'll hear about the changes to our
8 hospital in Fort Oglethorpe.

9 MR. EMANUEL: Good evening. Can y'all
10 hear me? With this deep frog voice I have because
11 of sinus drainage, I hope you can. We are pleased
12 to once again present the key performance indicators
13 of the City of Trenton through February 29th to
14 the Dade County Commissioners in their monthly
15 meeting.

16 Financially, the City year-to-date has
17 enjoyed revenues of 652,000. We've managed to spend
18 half of that or 350,000, leaving a net income of
19 301,000. Included in that net income is 25,000 that
20 is earmarked in a contingency fund.

21 In the area of quality of life, we like
22 to talk about our Downtown Development Authority and
23 for good cause. The Promotion Committee, which is
24 chaired by Rex Harrison, will host its annual Easter
25 egg hunt at Jenkins Park and if you have children

1 who still enjoy the Easter bunny and hunting Easter
2 eggs, then I would strongly urge you to be there.
3 It's scheduled, I believe, for March 15th.

4 Family Fest 2008 is scheduled for
5 April 18th through April 20th, which is a Friday
6 evening through Sunday.

7 The Design Committee, which is chaired
8 by Bob Dombrowski, has a lot to talk about. To
9 begin with, phase one of the Jenkins Park portion of
10 the Town Creek Trail is virtually completed. We've
11 had additional work completed on the south side of
12 the creek. We've added a limestone footpath and
13 also benches that you can sit and reflect and, in
14 fact, that's the name of that section, The
15 Reflection Garden of Town Creek.

16 They've also joined forces and have
17 secured the service of Charlene Nash. She is the
18 horticulturist with the Tennessee Aquarium and she
19 has agreed to provide free consulting services on
20 what type of plants that we need to have on the
21 banks of the Town Creek. That sounds like, you
22 know, so what, but it's a big deal. It's a big deal
23 particularly in drought conditions that we face now
24 and knowing what native plants you can use along the
25 bank to control erosion.

1 We're still pursuing city entranceway
2 signs. I've been talking about this for over a
3 year. You wouldn't think it would take a year to
4 decide what kind of sign you wanted outside your
5 city until you start asking people what do they want
6 and then you find out they don't want what you want.

7 MR. BRANDON: Really? We never
8 experience that.

9 MR. EMANUEL: So we're working on that.
10 We do have it down to one set and hopefully in the
11 not too distant future, we'll have signs at the
12 entranceway to our fair city.

13 Streetscape, this past Monday,
14 March 3rd, the collaboration and hard work by the
15 City of Trenton, its Downtown Development Authority
16 and its Better Hometown manager, Peter Cervelli, the
17 Dade County Commissioners, public and private
18 business owners and the hard work of Senator Jeff
19 Mullis and Representative Martin Scott resulted in
20 the presence of Mr. Mike Evans who happens to be the
21 chairman of the Georgia Department of Transportation
22 Board being in our county and city and presenting to
23 us a check for \$250,000 to be used for phase one of
24 the City's streetscape project. This award is
25 significant in that it begins the process of

1 streetscape. It will enhance the transportation
2 experience to improve landscaping, historical
3 beautification and environmental protection. It
4 will expand transportation choices by opening up
5 pedestrian and bicycle infrastructure and safety.

6 It has been the goal of the City and
7 its Downtown Development Authority to bring to the
8 citizens the opportunity to improve the look of U.S.
9 11 and its corridor around the courthouse and
10 eventually extend it north and south of the
11 courthouse area. We want to make a statement about
12 downtown Trenton and this award will allow that
13 process to begin.

14 In Economic Restructuring, which is
15 chaired by Alan Ward, I can't give you any details.
16 These things are always hush-hush and kept private,
17 but we are engaged in discussion with a significant
18 business enterprise which would bring 20-plus jobs
19 to the City of Trenton if we're successful in the
20 recruitment exercise.

21 The Organization Committee, which is
22 chaired by Janet York, continues to develop nontax
23 revenue sources and they, of course, have the
24 responsibility of maintaining the Downtown
25 Development Authority website.

1 The Downtown Development Authority's
2 meetings are held the third Monday of each month.
3 Come join us. After all, it is your city. Thank
4 you.

5 MR. BRANDON: Thank you, Mayor.

6 Before we bring our next guest up, I
7 want to give you a little bit of background.
8 Mr. Charles Stewart is the CEO of the hospital,
9 Hutcheson Medical Center. When he took over, he
10 inherited a mess. I know that because I was in a
11 few of the meetings and they were not friendly. I
12 mean, basically there was just a lot of issues and
13 they were not -- they were not very good meetings
14 because of some of the problems we've had, the
15 communications we've had with the counties in the
16 past and he inherited a hospital that was losing
17 money. It was hemorrhaging badly.

18 In the time that he's been there, he
19 has done nothing short of a miracle because he's
20 inherited a business, and a hospital is a business,
21 that was losing nearly \$7 million a year. He has
22 turned that around and last year they made right
23 around \$800,000. So they had nearly a \$7 million,
24 \$8 million swing in a period of 18 months and I just
25 think that the residents of all three counties that

1 support that hospital in which they serve owe him a
2 debt of gratitude because if he had not been there
3 and if we had kept going the way we were going, we
4 would be in real trouble today.

5 He assembled a team of professionals,
6 directors that is making some major changes and it's
7 just been a real -- it's been -- this is Harvard
8 Business review kind of turnaround stuff that we're
9 talking about that he's accomplished. So without
10 further ado, I want to introduce you to Mr. Charles
11 Stewart of Hutcheson Medical Center.

12 MR. STEWART: Thank you, Ben. I
13 appreciate that introduction. Well, I appreciate
14 you all letting me come out and speak with you today
15 and, Ben, thank you for that introduction. I wasn't
16 expecting that and I appreciate those kind comments.

17 I do have some good news to report to
18 you tonight about our hospital. As Ben said, for
19 the last two years, we have gone through some
20 tremendous changes at Hutcheson starting at the top
21 of our organization. We now do have a completely
22 new management team in place. Doug Volinski, my
23 chief financial officer, is here with me tonight.
24 Doug has been with me for a little over a year now
25 and we are making some positive changes there and

1 I'm just very pleased I've been able to get some
2 good people to come in and help me to lead this
3 organization because I think it is a vital community
4 resource. Everyone on our team comes to us with
5 several years of solid experience from some very
6 well known hospital organizations. So I'm really
7 glad to have him working with me.

8 Last year we embarked on a new
9 strategic planning process that resulted in us
10 developing a strategic plan that's based around
11 three strategic focus areas. Those are operational
12 excellence, growth and customer service. I would
13 like to give you just a little bit of overview of
14 those areas. The first one being operational
15 excellence.

16 One aspect of our focus in operational
17 excellence is in the area of quality. We've
18 implemented several new initiatives that focus on
19 improving our patient care at the hospital. Some of
20 those included an emergency room throughput team
21 that's been working on different initiatives
22 analyzing to the minute detail how we can speed up
23 our process through our emergency department to get
24 people in and out of the emergency department
25 quicker. We've also implemented an admissions nurse

1 program that can help get nurse -- the detailed
2 information that we need on patients at the
3 beginning, to speed that process up to get patients
4 into a bed quicker.

5 We have a PIC team in place now.
6 That's a specifically trained staff that inserts the
7 long catheters and IVs providing a higher standard
8 of care and lower infection rates. We've also
9 started an initiative called patient safety
10 executive rounding where our senior executive team
11 goes out every week going throughout the hospital
12 trying to identify any particular areas where we
13 need to improve patient safety.

14 We've implemented a new -- what we call
15 a critical assessment team, which is a team that's
16 called in anytime -- it's inside the hospital, but
17 it's a team that's specifically trained to respond
18 before a patient gets into a desperate need where a
19 code blue is called. The purpose of it is to
20 prevent deaths and prevent even getting to the point
21 of needing to call a code.

22 So those are just some of the things
23 that we're doing there that we're seeing some real
24 improvement in quality. As a result, we've started
25 to have some positive recognitions at the hospital

1 as well. Some of those include our Battlefield
2 Imaging Center being named the number one outpatient
3 imaging center in the country for outpatient
4 excellence. Our breast center was named a center of
5 excellence, only one of five in the country to
6 receive that designation. Our home health agency
7 that Patty Nethery has assisted with over here was
8 named to the 2007 health care elite, the top home
9 health care companies or agencies in the country.

10 We have a clinic down at Roper, the
11 corporation down there in Lafayette, where we
12 provide nurses on site for them and that clinic was
13 named one of the top ten percent of GE on-site
14 clinics in the country. Last year we received the
15 Better Business Bureau for greater Chattanooga area
16 business award for marketplace ethics, the first
17 time that a hospital in our region has received that
18 recognition. So, you know, we're glad to see that
19 we're beginning to get some recognition for some of
20 these efforts that we're putting in place that's all
21 for the purpose of improving our quality of the
22 hospital.

23 Next area of operational excellence I
24 just want to mention is in the area of finance. Ben
25 has already given you a little bit of forerunner

1 there. In the last few years, you know, it seemed
2 like the only news that made headlines about the
3 hospital were the financial struggles that the
4 hospital was going through. That lowest point came
5 in 2005 when the hospital lost about \$6 million. By
6 the end of 2006, we had reduced that loss by over
7 \$4 million and as Ben mentioned, in January we
8 received our annual audit for 2007 and we were able
9 to report a positive net income of over \$800,000,
10 which was the first time in several years that we
11 had reported a positive bottom line for the
12 hospital. I do agree with Ben. I think this has
13 been a real significant turnaround for us in a very
14 short period of time compared with any hospital you
15 would look at.

16 Our second strategic focus has been in
17 the area of growth. Any organization, I believe,
18 that's not trying to grow, grow its services,
19 improve its services is, in fact, dying. A
20 hospital's growth is then dependent on a dedicated
21 and viable medical staff.

22 Our medical staff there at Hutcheson, I
23 think, deserves a big thank you for their support of
24 Hutcheson Medical Center over the years during both
25 prosperous times and the lean times that we've gone

1 through in the past years. During the past year
2 though, we've seen the addition of several new
3 physicians to our medical staff who are enhancing
4 the quality of patient care as well as a level of
5 services that are available at Hutcheson. An
6 important note here is that all of the physicians
7 that we have brought in of the last year or
8 year-and-a-half are all practicing full time in our
9 community. They're not coming out of Chattanooga or
10 some other area to do clinics. They're actually
11 based there in our community, providing services
12 full time. That means that their presence means
13 more convenience, better access to medical services
14 that are needed in our communities.

15 These are new physicians. These new
16 physicians include Dr. Diane Roland, who is one of
17 the only three endocrinologists in the region.
18 Pulmonologists and intensivists Dr. Nathan Mull and
19 Dr. Carlos Baleeiro. General surgeon, Dr. Andrew
20 Lovette. We have a whole new anesthesiologist group
21 that's dedicated just to Hutcheson, Dr. Cynthia
22 Encona, Dr. Michael Dykes, Dr. Chris Ince and
23 Dr. Joseph McCord. Two of those physicians,
24 Dr. Dykes and Dr. Ince have also worked with us in
25 starting a chronic pain management clinic at our

1 Parkway Facility. Both of them are board certified
2 in pain management. And then also we're glad to
3 have the addition of Dr. Sal Bruno with Georgia
4 Cancer Specialists. He is a medical oncologist who
5 has joined us full time at our Fuller Cancer Center.

6 Our third strategic focus has been on
7 customer service. We know that patients do have a
8 choice as to where they can go for hospital
9 services. It's for this reason that we make
10 customer service one of our key strategic
11 initiatives. We conduct weekly telephone surveys to
12 measure how well we're meeting our patients'
13 expectations. What we're seeing from our survey
14 results and from an increase in unsolicited letters
15 of praise for our staff, that a positive change is
16 taking place at Hutcheson that we're noticing.
17 We've made this a top priority and it is helping us
18 create what I'm calling a new Hutcheson and I think
19 our patients are feeling that.

20 Everything I've mentioned so far have
21 been focused around organizational changes at the
22 hospital. Now, I would like to talk a little bit
23 about what our plans for the future are. Due to the
24 financial difficulties over the last few years,
25 there were limited resources to put back into our

1 facilities on the campus, but we're in a position
2 now where we would like to change this. For the
3 past several months, we've been working with an
4 interior design firm on developing a major
5 renovation plan for our patient rooms and public
6 areas there at the hospital. We just unveiled this
7 new look for Hutcheson Medical Center last week when
8 we had a press conference at the hospital.

9 We estimate that the renovations will
10 take about three years to complete as we move
11 through the hospital. In addition to the
12 renovations to the patient rooms and public areas,
13 we also plan to acquire all new patient room
14 furniture, seating for our waiting rooms and
15 although we currently provide all the diagnostic
16 equipment that you will find in all hospitals and
17 most hospitals today, this is an area that's
18 constantly changing with new technology being
19 introduced every year.

20 We have several plans to make several
21 new major equipment purchases including another CT
22 scanner, a new MRI, new cardiac cath lab and patient
23 monitoring equipment just to name a few of those.

24 Obviously, plans like this with major
25 renovation like this as well as all of these big

1 ticket item equipment purchases come with a big
2 price tag. But we feel that these are all very
3 necessary expenditures as we continue our quest for
4 improving patient care for north Georgia and the
5 Chattanooga area.

6 As our financial picture has started to
7 change over the last year, it didn't go unnoticed by
8 several of the large lending institutions that do
9 institutional lending. Over the last nine months,
10 Doug and I have been evaluating several different
11 financing options for our future needs. During our
12 financial struggles, Regions Bank, which is formerly
13 AmSouth, was a good business partner with us. They
14 hold some of our outstanding bonds right now and
15 they were very willing and eager to work with us as
16 we began to put strategies in place. They've been a
17 good supporter of our envision for the future for
18 Hutcheson.

19 Last Monday night, February 25th, the
20 Hospital Authority Board, the Hutcheson Enterprises
21 Board and the Hutcheson Medical Center Board met
22 jointly and approved up to 47-and-a-half million
23 dollars in funding for our health system.
24 Thirty-five-and-a-half million dollars will be
25 financed by Regions Bank's investment arm, Morgan

1 Keegan. This transaction would allow us to pay off
2 our existing debt and provide 12 and three quarter
3 million dollars for new renovations and equipment.
4 An additional 12 million dollars then would also be
5 available to us through a different firm for a lease
6 line that would allow us to acquire the new
7 high-tech equipment that we need.

8 Let me point out an important point
9 here. In going through this bond financing, we're
10 not obligating counties in any way for this. This
11 would all be funded through revenues from the
12 hospital without asking the counties to be obligated
13 here.

14 Through these finances, financing plus
15 cash we expect to generate from operations and from
16 donations from our foundation, we hope to invest up
17 to \$40 million in capital improvements over the next
18 three to five years at the hospital. This is big
19 money for some big plans that we have and we have a
20 lot of big changes still in store for us. We think
21 what we're doing is creating a new Hutcheson Medical
22 Center and our goal is to establish a new confidence
23 level in the communities that we serve across north
24 Georgia so that when people need to go to the
25 hospital, Hutcheson is the first place they think

1 of. We think that this is a big deal for our
2 community as we continue to grow and respond to our
3 patients' needs.

4 For the Commission, last Thursday,
5 February 28th, we held a public hearing at the
6 hospital as required by the Internal Revenue Service
7 whenever tax exempt financing is being proposed.
8 Receiving no opposition at that hearing, we come
9 before the Commission tonight with a resolution that
10 would allow us to move forward with our financing
11 options there and we would be seeking approval from
12 the Commission tonight that would allow us to move
13 forward with that financing.

14 MR. BRANDON: Thank you, Mr. Stewart.

15 MR. STEWART: Thank you.

16 MR. BRANDON: As a follow up on
17 Mr. Stewart's presentation, I would now move down to
18 item number seven, new business, where we have the
19 approval of the request for the reissuance of
20 revenue anticipation certificates for Hutcheson
21 Medical Center. We have had this in the work
22 session. We discussed it. There was no objection.
23 The reason it wasn't added to the consent agenda
24 like we normally do when there's no discussion is
25 that we have two of the people sitting around the

1 table are either doing work for the hospital or are
2 employed by the hospital and they cannot be involved
3 in the decision. So Commissioner Lowery will not be
4 voting on this. He has to abstain and recuse
5 himself. He has to abstain and our county attorney
6 whose firm has done some work for the hospital also
7 has to recuse himself and I told him we weren't
8 going to ask him to vote on it anyway, so he's okay.

9 But at this time, I would ask under new
10 business if I have a motion before the Commission to
11 approve the issuance of the tax anticipation
12 certificates for Hutcheson Medical Center?

13 MR. PITTMAN: I'll make that motion.

14 MR. BRANDON: I have a motion by
15 Commissioner Pittman. Do I have a second?

16 MS. MOORE: I'll second that motion.

17 MR. BRANDON: I have a second by
18 Ms. Moore. I'll call the roll. Ms. Moore?

19 MS. MOORE: Yes.

20 MR. BRANDON: Mr. Young?

21 MR. YOUNG: Yes.

22 MR. BRANDON: Mr. Pittman?

23 MR. PITTMAN: Yes.

24 MR. BRANDON: Commissioner Lowery
25 abstains. And the chair votes yes as well. The

1 motion passes. Thank you for coming, Mr. Stewart.

2 MR. STEWART: Thank you all very much.

3 MR. BRANDON: Okay. Moving back to
4 item four on the agenda, which is fiscal matters, I
5 will ask the clerk at this time to deliver the
6 financial report.

7 MR. TOWNSEND: As of February 29th, the
8 drug education fund had a balance of 94,984; federal
9 asset fund, 10,868; special sheriffs fund, 64,651;
10 jail fund, 2,856; juvenile services fund, 11,828;
11 victim assistance fund, 1,152; payroll account,
12 120,039; general fund, 1,015,499; S.P.L.O.S.T funds,
13 697,140. In the principal and interest account,
14 550,000 in certificate of deposits and in capital
15 bond fund, 629,539. Capital bond CDs, 300,432.

16 Page two, you see the certificates that
17 are active currently. Page three are the redeemed
18 or renewed certificates. And flipping over to page
19 five, you'll see the current income statement for
20 the County. We have under the revenues collected at
21 29.84 percent for the year. The only reason that is
22 a little bit high is because we've collected most of
23 our tax revenue for the year in the Tax
24 Commissioners office. Then under the funds
25 departmental level for the expenses, we've spent

1 17.45 percent.

2 At this point, we should have obtained
3 16.67 percent with two months gone on that. That
4 leaves a balance of \$1,143,568.49, which is revenues
5 less expenses for year-to-date. The following pages
6 are the project variance report listing the
7 different accounts for the County. Following that
8 is the S.P.L.O.S.T year-to-date 2008 principal and
9 interest account, capital bond account and then the
10 S.P.L.O.S.T tracking worksheet that you've already
11 reviewed earlier in the meeting.

12 MR. BRANDON: Thank you, Don.

13 Next item number six under unfinished
14 business, to my knowledge, we have none. Excuse me.
15 We skipped over legal matters and I will ask the
16 county attorney to come back -- it's kind of ironic,
17 something that Commissioner Young pointed out to me,
18 that the House Bill 918 and 919 addresses a freeze
19 on your -- the assessed value of your property,
20 which is exactly what the legislature was trying to
21 do before they ran into a roadblock by some of the
22 folks in the Senate, but they were trying to do
23 exactly the same thing that we already do and we're
24 getting sued for it and probably nobody is going to
25 sue them. Of course, they weren't successful. But

1 anyway, they were trying to pass a constitutional
2 amendment to do exactly the same thing that we've
3 already done. So I will ask the county attorney to
4 bring us up to date on where we stand and what we'll
5 do next in defending the County against this
6 lawsuit.

7 MR. ROGERS: In February of 2007, Rex
8 Blevins and Christina Holmes each filed individual
9 appeals, identical appeals of their assessment to
10 the Superior Court and they each raised
11 constitutional claims challenging House Bills, the
12 homestead tax freeze that the County had adopted
13 previously. And in August -- I think in August,
14 August or September, Christina Holmes then
15 voluntarily dismissed her claim and the County has
16 proceeded with only Rex Blevins. And what has
17 happened within the last day or two is that
18 Christina Holmes has reinstituted her appeal and
19 she's filing the exact same allegations, exact claim
20 with the Superior Court.

21 So really nothing has changed by the
22 way of new allegations or new claims. It's the same
23 ones as before, but she has just reinstituted the
24 claims that she had voluntarily dismissed about six
25 months previously.

1 MR. BRANDON: This is -- again, just a
2 little bit of a recap. This exemption that we have
3 in place here, which we voted on by something like a
4 70 percent margin in, what, 2001, 2000? Anyway,
5 it's the exact same language, exact same bill that
6 over 20 other counties have in place and several
7 cities, including, I believe, the City of Atlanta
8 and I believe Marietta. So it's the exact same
9 language.

10 The thing we -- and I have spoken with
11 the gentleman, Jerry Keen from St. Simons Island who
12 wrote the language of the first exemption that was
13 done in Georgia and it's his feeling and the
14 legislative council that approved this and these all
15 have to be reviewed by the state attorney general,
16 that this is legal for us to do this. If it
17 weren't, I'm hopeful that the attorney general would
18 not have approved it and the governor would not have
19 signed it and the legislature would not have
20 approved it when we voted to do this because we had
21 to run it past them first.

22 The point that they've made is this is
23 just another exemption. The State already allows
24 exemptions based on various criteria and it's not
25 any different from any other exemption. It's just

1 this one has to do with how long you've owned your
2 home, not how old you are or whether you're a widow
3 of a deceased veteran or anything like that. It's
4 just another exemption and we feel pretty good that
5 this is going to stand up because if this one -- if
6 this one is overturned, then that means that all the
7 other counties in Georgia who have this same one
8 would also be overturned. And if those are
9 overturned, then since this is just another
10 exemption, there's a good possibility that all of
11 the rest of the exemptions that are out there based
12 on age or any other criteria could also be
13 overturned. So we need to keep an eye on this and
14 we need to defend the County diligently, but I'm
15 told that we have a pretty good case on this one.
16 I'll see if the county attorney is going to commit
17 one way or the other.

18 MR. ROGERS: Sure. I feel very good
19 about our position.

20 MR. BRANDON: Okay. I don't want to
21 put you on the spot there. Anyway, that's legal
22 matters.

23 We have no other unfinished business.
24 We have no new business. We're up to citizen
25 participation if anyone has anything they would like

1 to add. Yes, sir?

2 MR. BALL: Gary Ball from West Brow and
3 I'm here with some fire issues. We have had some
4 very energetic and diligent people in the last four
5 years in our area that have done something that
6 nobody else in the past could do and that is to get
7 our insurance down up there and they had to bury a
8 lot of secretive deals and things that other people
9 have done that were holding that back, but they got
10 past all that.

11 But in the process, we as residents are
12 saddled with an old facility with no room to expand
13 because of some deals that were made years ago. I
14 understand from going to a meeting the other night
15 that you were asked to look into S.P.L.O.S.T being
16 utilized to build facilities. I know there are
17 issues about the County owning the property, but you
18 can't determine whether you can do something unless
19 you have all the facts and so I'm here to ask you
20 and Ben to get the facts, not the story, not some
21 tale that, well, this can't be done because. If it
22 can't be done, then we need to move on, but they're
23 asking us to pony up fairly substantial sums of
24 money over a period of time and I don't mind doing
25 that, but I'm paying taxes in the meantime.

1 Also, at that very same meeting, the
2 consensus was the S.P.L.O.S.T won't pass. Well, I
3 don't know. But I would think that you people up
4 here, especially that guy down there that's really
5 pushing it, would want to really give the
6 constituents all the opportunities they can to
7 benefit from something instead of everything
8 happening right within a few miles of this building
9 right here, which is where most of that money gets
10 spent every single time and sewers in Wildwood and
11 some things like that. There is a history of that
12 money pretty much being utilized to help a very
13 limited amount of the constituents of the
14 communities.

15 So I am here to go on record that I
16 would like for our community and maybe the next --
17 when is the next meeting, Buddy? I would like for
18 you to be there and tell us why it can't be done or
19 why it can be. Okay. Thank you.

20 MR. BRANDON: At this point, I'll do
21 something we don't ordinarily do, which is to
22 respond to citizen participation and I will -- I'll
23 be glad to come to the next meeting and talk about
24 the same thing. I will look to the county attorney
25 to stop me when I make a mistake. But S.P.L.O.S.T

1 projects for capital improvements, any capital
2 improvement has to be -- the project or the
3 equipment has to be owned by the County. If, for
4 instance, if the County Commission were to decide
5 that we were going to put a new roof on the North
6 Dade -- the North Dade Building down there, I
7 believe we could do that since it is still owned by
8 the County.

9 MR. ROGERS: If it is owned by the
10 County.

11 MR. BRANDON: If it's owned by the
12 County. The same thing for South Dade. I'm not
13 sure about New Salem, if that's owned by the County
14 or by New Salem community.

15 MS. MOORE: It's owned by the New Salem
16 community.

17 MR. BRANDON: So that would be the
18 criteria for deciding whether or not you could use
19 S.P.L.O.S.T money for that. We heard a little while
20 ago from Roger Woodyard who came up and asked for
21 their final amount of money that they had allocated
22 for the 2004 S.P.L.O.S.T. All the equipment that he
23 mentioned there, when it's purchased will be titled
24 to Dade County, not to South Dade Volunteer Fire
25 Department. It will be owned by the County. That's

1 the only requirement as far as I know.

2 Now, if the -- we've had a proposal on
3 the upcoming S.P.L.O.S.T to provide money to build a
4 community center that the County doesn't currently
5 own property for or a building for and that's --
6 that's something that would have to be worked out if
7 it's approved on the S.P.L.O.S.T. And the same
8 thing would be true for the West Brow Volunteer Fire
9 Department and Community Center as well. I think
10 it's just the fire department, isn't it, Gary?

11 MR. BALL: Yes.

12 MR. BRANDON: It would have to be owned
13 by the County for that to -- for any money allocated
14 through S.P.L.O.S.T to be spent on that. But,
15 again, I would be glad to come out and talk about
16 that at your next meeting and explain it to
17 everybody else if you would like.

18 MR. BALL: I think we understand that.
19 We want to find some proactive discussion on how to
20 get there because there are ways. If you already
21 own buildings that you're spending S.P.L.O.S.T money
22 on and volunteer fire departments are using them, I
23 don't know how you got there, but we deserve the
24 same opportunity to get there. And so I don't know
25 exactly how we do, how you underwrite the loans, but

1 there are ways to get there. Before we start
2 spending their own money, me, if there's another way
3 to get there, I want some real discussion on how to
4 do it.

5 MR. BRANDON: I agree. And if I'm not
6 mistaken, I believe, at least since I've been on the
7 Commission, all the money we've given all the
8 volunteer fire departments, y'all have gotten the
9 same treatment as everybody else, but all the money
10 has been spent on equipment. There's been no
11 expenditure on a building that wasn't owned by the
12 County and I can't remember of any expenditure that
13 we've made on a facility on any of these.

14 We've done a little work for just about
15 everybody where we go in and fix a pothole in the
16 driveway or fix a parking lot or something like
17 that, but we've not made any expenditure, any real
18 expenditure of S.P.L.O.S.T money on any of the
19 facilities. But I'll be glad to come out and talk
20 with you about that and I'm sure Ms. Moore would
21 join me.

22 MS. MOORE: Could I respond?

23 MR. BRANDON: Certainly.

24 MS. MOORE: I was at that meeting and
25 we did talk about that and I said that I would go

1 and check that out. I didn't know if S.P.L.O.S.T
2 could be used for that and but that I would check
3 that out and see if we could. But, in fact, just
4 what Ben has said is true at this particular time in
5 that the County doesn't own it. And on the
6 property, I know that you had to go through several
7 property owners there, you know, to get your
8 property where the new building is going to be built
9 and but yet the consensus was there that night that
10 you didn't want to deed it to the County and that
11 you wanted to keep it in the West Brow Fire
12 Department and also we talked about that night was,
13 I believe, with Aubrey Black and some others there.
14 He was going to provide some services there where
15 you were going to put a culvert in in the new
16 location and we did -- I did get with our Commission
17 and Billy Massengale and we did get that done and I
18 believe that whole total cost would have been
19 probably -- if they had to go out and hire someone
20 to do it, it would have been around \$4,000.

21 And so just in our agreement to make
22 the fire departments, that would be part of it that
23 would be included if any fire department needed
24 something, you know, a culvert or anything like
25 that, that they could provide help with it. And

1 when I did check that, that was the S.P.L.O.S.T law
2 at this time. But what you're asking Ben and me to
3 do is to find a way to help you all build that
4 building. And I'd like to commend West Brow
5 community for the people that have gone out and
6 gotten the donations and pledges. It's just been
7 great how that community has come together for that,
8 but they are short. And right now I don't know the
9 answer other than, you know, deeding it to the
10 County. I know South Dade, I believe they lease
11 that to the County. It -- they lease it from the
12 County and I believe New Salem has their own and
13 Davis is trying to get one and New Home Community
14 Center, is that --

15 MR. PITTMAN: It's community owned.

16 MS. MOORE: But that's all I know about
17 it right now unless we could find something further.

18 MR. BALL: All I'm saying is I came in
19 on the tail end of it. So there might be a small
20 group that wants to own it. There might be a lot
21 more people that if there are other ways to get
22 there, owning the property outright to me may not be
23 the answer. I might be the odd man out on it, but
24 before I dedicate 2 or 3 or \$4,000 of my personal
25 money to do that, I want to make sure that there

1 aren't other opportunities there that all the
2 citizens and not just four needs to know about.

3 MR. BRANDON: I think the thing you run
4 into, Gary, is that even if you were to say, okay,
5 we're going to deed this over to the County, you
6 still face the hurdle of getting -- putting it on
7 the S.P.L.O.S.T. referendum and having that pass and
8 I think you -- I share your view of -- from what
9 I've heard currently, the sentiment about the
10 referendum and that's what we're working on right
11 now, trying to come up with a list of projects that
12 are going to be a lot more acceptable hopefully to
13 the populous because there are some -- there are a
14 lot of good projects on there. I'll certainly be
15 happy to come out and talk with you next week.

16 MR. PITTMAN: Can I say something about
17 that?

18 MR. BRANDON: Yes, sir. The chair
19 recognizes Commissioner Pittman.

20 MR. PITTMAN: I've heard the same
21 complaint -- I've been on the Commission over five
22 years and I've heard it every time the S.P.L.O.S.T.
23 comes up, all the money is spent down Highway 11.
24 The majority of the money is spent on buildings, on
25 the recreational fields. So this S.P.L.O.S.T., me

1 and Lamar talked to Robin about ways we could help
2 each community and unless we own the property and
3 the building, we can't spend the money legally. So
4 the only community that does not have a community
5 center is Davis. So I had that added to the
6 S.P.L.O.S.T. And I was told by some of the same
7 people that say that we never spend money out in the
8 communities, that the Davis Community Center being
9 on the S.P.L.O.S.T. would cause it to fail and there
10 wasn't really a dollar amount beside it at that
11 time. We're probably at -- we're looking at around
12 \$100,000 maybe. And if somebody would vote against
13 the S.P.L.O.S.T over \$100,000, take away all their
14 fire department money, all the road money, that just
15 doesn't figure out in the long run.

16 I think what you're talking about,
17 Mr. Ball, I think that's a good idea. I think all
18 the communities should look at ways to get the money
19 in their area, but I've talked to people in New Home
20 and they refuse to sign the property over to the
21 County because they think that us five tyrants are
22 going to come out and tell them how to put fires
23 out. It's not going to happen. You know, we've got
24 people in each community that run their fire
25 departments, run their community centers and do a

1 good job.

2 I encourage you to talk to Sarah and
3 Ben and try to find a way to get the S.P.L.O.S.T
4 money and I would support that. I would take part
5 of the money that's on mine and be willing to give
6 it to West Brow so we wouldn't have to add any more
7 money. That's all I've got to say.

8 UNIDENTIFIED CITIZEN: Well, a
9 community center is supposed to be the people of the
10 community. I mean, they're supposed to -- if they
11 want to build it, let them build it. If they don't,
12 don't. How much is it going to cost for the County
13 to upkeep?

14 MR. BRANDON: We're getting off topic.
15 If you want to come up and do citizen
16 participation --

17 UNIDENTIFIED CITIZEN: We're talking
18 about community centers. We're not getting off
19 topic.

20 MR. BRANDON: I understand. And it's
21 an issue and I've heard your argument as well from a
22 lot of people. It's a legitimate argument. Any
23 other citizen participation?

24 MR. LOWERY: I was just going to say --

25 MR. BRANDON: The chair recognizes

1 Commissioner Lowery.

2 MR. LOWERY: I was just going to say
3 North Dade did turn their fire department over to
4 the County. They trusted us and we have done what
5 we said we would do with them. We got -- there are
6 good volunteers down there, too. You've got to
7 develop some trust for the Commission. Our
8 department did and I'm proud that they did. It's
9 worked out good for them.

10 MR. BRANDON: Seeing no further citizen
11 participation and there being no further business
12 before this session of the Dade County Commission, I
13 declare the meeting adjourned. Thank you.

14
15 END OF MEETING
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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 6th day of
10 March, 2008;

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 31st day of March, 2008.

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.