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DADE COUNTY COMMISSION  
REGULAR MEETING  
DECEMBER 4, 2008

1 MR. BRANDON: Before we begin, as we  
2 always do, we'll have the invocation and Pledge of  
3 Allegiance.

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

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

15 MR. LOWERY: Here.

16 MR. BRANDON: Ms. Moore?

17 MS. MOORE: Here.

18 MR. BRANDON: Mr. Pittman?

19 MR. PITTMAN: Here.

20 MR. BRANDON: Mr. Young is not here.  
21 He called and said he wouldn't be able to be here  
22 tonight. The chair is present. We have a forum  
23 and, therefore, a legal meeting.

24 The reading of the minutes of the  
25 November 2008 regular meeting will not be required

1 since all commissioners have been furnished copies  
2 in advance. The minutes are public record and  
3 available for review in the county manager's office.  
4 The minutes are included in the consent agenda with  
5 a list of other items that we discussed in the  
6 meeting as well. I'll read them at this time.

7 Also included in the consent agenda or  
8 the regular agenda as amended, minutes from the  
9 November regular meeting and special-called meeting,  
10 approval of new county employees, approval of  
11 monthly invoices as presented, approval of the  
12 indigent defense agreement, the rejection of all  
13 RFPs regarding the ambulance agreement or ambulance  
14 service, the approval to merge EMS, EMA and E911 as  
15 one and to be called Dade Emergency -- Dade  
16 Department Emergency Services, approval of  
17 application to obtain Dade County EMS license from  
18 the State, approval of Alex Case as director of Dade  
19 County Emergency Services, approval of Dr. James  
20 Creel, Jr., M.D. as Dade EMS medical director,  
21 approval of Price Pharmacy as the EMS medical  
22 supplier per agreement, approval of DCA Neighborhood  
23 Stabilization Program agreement to allow us to apply  
24 for a grant, approval of placing a green sign on the  
25 back of Tide Lane and to remain as a County road,

1 approval of ordinance to reduce the speed limits on  
2 Burkhalter Gap Road, approval of installation of low  
3 flow sampling equipment as recommended by S&ME. Do  
4 I have a motion that we approve the consent agenda?

5 MR. PITTMAN: I make a motion we  
6 approve the consent agenda.

7 MR. BRANDON: I have a motion. Is  
8 there a second?

9 MR. LOWERY: Second.

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

12 MR. LOWERY: Yes.

13 MR. BRANDON: Mr. Pittman?

14 MR. PITTMAN: Yes.

15 MR. BRANDON: Ms. Moore?

16 MS. MOORE: Yes.

17 MR. BRANDON: And the chair votes yes.  
18 Moving into administrative, do any of the district  
19 commissioners have a report?

20 MR. LOWERY: I don't have a report. I  
21 would just like to --

22 MR. BRANDON: Chair recognizes District  
23 One Commissioner Lamar Lowery.

24 MR. LOWERY: Thank you. I appreciate  
25 everybody bringing food and seeing these people off

1 on their last meeting. So I really appreciate  
2 everybody coming and doing that. That's all I had.

3 MR. BRANDON: Anyone else? Hearing  
4 none, the -- the only executive update I have is I  
5 wanted to ask everyone to not worry about the little  
6 delay we've had in the ambulance service agreement.  
7 After discussing this with the county attorney and  
8 with Alex, we decided it was in the best interest of  
9 the County to do a little further negotiation and  
10 reject all the bids that we had gotten and I expect  
11 we will have this done by mid to late next week at  
12 the latest. We will have ambulance service. You  
13 won't dial 911 and not have anybody come and pick  
14 you up if you fall off the tractor or something. So  
15 don't worry about that. We will have service from  
16 one of these fine companies before the end of the  
17 year.

18 Moving on to appearances, we will ask  
19 is Mayor Harris here? No. Don't see him. We also  
20 have -- that was the only appearance we had, I  
21 guess.

22 Moving on to fiscal matters if I can  
23 find my report. I don't have one. Let me borrow  
24 yours. All right. It must be a sign from somebody.  
25 The drug education fund balance of \$35,110; federal

1 asset fund, \$2,518; special services fund, \$35,818;  
2 jail fund, \$33,173; juvenile services fund, \$13,138;  
3 victim assistance fund, \$2,123; payroll account,  
4 \$90,460 and the general fund, \$364,259.

5 Moving on over to -- go down to the  
6 S.P.L.O.S.T 2004 fund, we have a total remaining  
7 balance of \$812,872 in the bond account and  
8 \$1,107,558 in the principal and interest fund  
9 balance which is used to pay the bond. On down to  
10 the 2009 S.P.L.O.S.T funds, we have -- if I read  
11 this correctly, in the tax proceeds funds, we have  
12 \$142,579; construction account, \$2,961,540 and  
13 construction fund investments, \$240,048 for a total  
14 of \$3,201,588.

15 Moving on over to the page that we like  
16 to keep pretty close track of, which is how we're  
17 doing on revenue and expenses for the year.  
18 Year-to-date through November, we're at  
19 85.16 percent of revenue, which means that we're a  
20 little bit short of revenue year-to-date. We should  
21 be through November at 92 percent, roughly  
22 92 percent on revenue. We're short. That's an  
23 indication of how much we're down on collections on  
24 sales taxes. The good news is we are also -- while  
25 we don't have money coming in, we also aren't

1 spending much because through November, we're at  
2 81.56 percent on expenses where it should also again  
3 be at 92 percent year-to-date. So we are under  
4 budget on the expenses and unfortunately under  
5 budget on revenue as well.

6 Moving on to item number five, I'll ask  
7 the county attorney if we have any outstanding legal  
8 matters?

9 MR. ROGERS: No, there's nothing new.

10 MR. BRANDON: The never-ending lawsuit  
11 over the freeze?

12 MR. ROGERS: Nothing. There's been no  
13 new development on that one.

14 MR. BRANDON: Well, it was outstanding  
15 when I got here and it will be outstanding when I  
16 leave, so we fought them off for four whole years on  
17 this. Maybe it will stay there.

18 Unfinished business, I don't believe we  
19 have any to my knowledge. I'll ask the other  
20 Commissioners if we have any unfinished business  
21 that they know of? There is no new business as a  
22 result of the work session. We're up to citizen  
23 participation. I know we have at least one because  
24 she's already told me at this point she'll take off  
25 her media hat and put on her citizen hat and come up

1 and address us.

2 MS. THERRIEN: Thank you for giving me  
3 the opportunity to address this one more time. Was  
4 there any decision made on rescinding no dogs  
5 walking in the park for three months?

6 MR. BRANDON: Well, we gave the -- all  
7 the Commissioners a chance to think about it and  
8 I'll open the floor up at this time if you want to  
9 give your opinion on that.

10 MR. LOWERY: I don't have a problem  
11 with it myself. It would be worth a try.

12 MR. PITTMAN: I don't have a problem  
13 with it either as long as they're -- I mean, you  
14 would need them on a leash.

15 MS. THERRIEN: There is a leash law in  
16 the city and county both.

17 MR. LOWERY: There's not a leash law in  
18 the county.

19 MS. THERRIEN: There's not? Okay.  
20 Would that be the deciding factor then to make sure  
21 that they were leashed animals and well behaved?

22 MR. LOWERY: I don't know how you're  
23 going to govern that.

24 MS. THERRIEN: Well, I might not be  
25 able to deliver on it, but I could put out -- really

1 what I wanted to do was start getting people  
2 interested in this and have one big get-together  
3 where we could start walking, see how it turns out.  
4 Right now people do not walk their dogs in county or  
5 City parks because it's just not allowed.

6 MR. BRANDON: Have you talked to the  
7 City about this, about --

8 MS. THERRIEN: I really have not spoken  
9 with the City because my main concern was doing it  
10 over near the four fields on that nice walking track  
11 there, which I realized even if we were to go -- I  
12 do walk my dog. You might have seen me walk my dog  
13 through the city. She's on a leash and she's beside  
14 me. She's in the parades. You know, she'll go  
15 anywhere. But for the purposes of doing it as an  
16 exercise on a regular basis, I'm looking at the  
17 County parks more than the City.

18 MR. PITTMAN: As long as we don't have  
19 any complaints from the ball players or as long as  
20 there's not a whole lot of waste left.

21 MS. THERRIEN: Well, like I said, I'll  
22 put up the little doggie bags, you know, the pick-up  
23 bags.

24 MR. BRANDON: I would ask the county  
25 attorney, is there any county ordinance prohibiting

1 dogs at the recreation facilities?

2 MR. ROGERS: I looked following the  
3 last meeting and didn't find any.

4 MR. BRANDON: So since there is no  
5 prohibition against it except the possibility -- I  
6 guess there's never been a prohibition against it.

7 MS. THERRIEN: It says no dogs on the  
8 signs.

9 MR. PITTMAN: It says no skateboards  
10 either, but you see a lot of them out there.

11 MR. BRANDON: Since there's no  
12 ordinance against it, I'm not sure why we would need  
13 to vote to allow you to do it.

14 MS. THERRIEN: All right. Then we'll  
15 just -- I'll just go ahead with that and plan.

16 MR. PITTMAN: Thank you, Connie, for  
17 obeying the signs.

18 MS. WOOTEN: I've been walking mine  
19 down there for years.

20 MS. THERRIEN: You're taking your dog  
21 to the four fields and --

22 MS. WOOTEN: I take mine down there  
23 anytime I go, every time I go.

24 MR. PITTMAN: She doesn't obey signs,  
25 Connie.

1 MS. WOOTEN: There's other people that  
2 have them down there at the ball games. You just  
3 probably don't go to the ball games, so you don't  
4 see them.

5 MS. THERRIEN: I have gone to the ball  
6 games with some of our church members' grandkids and  
7 all, but I've never seen dogs there. And, of  
8 course, I see the sign that says no dogs, so I've  
9 never brought my dog.

10 MS. WOOTEN: Well, I just don't read  
11 the sign, I guess.

12 MS. THERRIEN: All right. So what  
13 we'll do is we'll go ahead with it and just ignore  
14 that sign that says no dogs.

15 MR. BRANDON: I would assume if there's  
16 not a problem, if nobody complains, I mean, I think  
17 you're good to go. Since we don't have an ordinance  
18 against it, there's no reason to vote to allow you  
19 to do something that's already not against the law.

20 MS. WOOTEN: They could vote to take  
21 the signs down.

22 MS. THERRIEN: Spray paint the sign.  
23 No. We don't do that. Thank you. I appreciate it.

24 MS. MOORE: I have a question.

25 MR. BRANDON: There are questions. Do

1 you want to come back up?

2 MS. MOORE: I have a question of the  
3 Commission. She mentioned that there was a leash  
4 law in the City, but not one in the County. So  
5 should we not look at having a leash law at the  
6 park?

7 MR. PITTMAN: Maybe at the park, yeah.  
8 That may not be a bad idea. We'll have --

9 MS. THERRIEN: Maybe the sign --

10 MR. BRANDON: Possibly at the park,  
11 yes.

12 MS. THERRIEN: Maybe at -- what if the  
13 sign was changed from no dogs to no unleashed dogs  
14 or all dogs on leash? I mean, because if the sign  
15 is sitting there, wouldn't people tend to think that  
16 there were no dogs allowed? So if they're leashed  
17 dogs, that would --

18 MR. ROGERS: What the typical rule  
19 about dogs is it's called a one bite rule and so if  
20 you -- if your dog has bitten someone once, then  
21 you'll know it has a dangerous propensity and so in  
22 that case, the owner that brought the dog to the  
23 park would have some, but as far as whether the  
24 County would have some, I mean, if the County was  
25 aware that there were dangerous dogs being brought

1 there and that sort of thing, we would have a  
2 problem with it, but as long as you were not aware  
3 that there's been one bite, then I don't --  
4 liability would be a stretch for the County.

5 MS. THERRIEN: Most people who have  
6 dangerous or aggressive dogs don't tend to walk them  
7 in public.

8 MR. ROGERS: The Commission -- my  
9 thought, the Commission may want to consider some  
10 ordinance or regulation regarding leashing dogs at  
11 the park and that might address all concerns.

12 MR. BRANDON: I'm going to make that  
13 recommendation to Chairman Rumley as soon as he gets  
14 back to town.

15 All right. Any other citizen  
16 participation? Seeing none, and we don't have an  
17 executive session and there being no further  
18 business before the County Commission, the  
19 Commission stands adjourned. Thank y'all very much.  
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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 4th day of  
 10 December, 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 29th day of December, 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.

