

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

DADE COUNTY COMMISSION
REGULAR MEETING
JANUARY 6, 2011

1 MR. RUMLEY: We'll go ahead and call
2 the meeting to order. Robert, we'll go ahead and
3 ask you to -- go ahead and ask Robert to lead us in
4 the prayer and Pledge.

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

7 MR. RUMLEY: Thank you, Robert. This
8 is the regularly scheduled meeting of the Dade
9 County Commission which takes place at the same time
10 on the first Thursday of every month. Proper notice
11 of this meeting was given in the legal organ of Dade
12 County or the Dade County Sentinel and has been
13 posted in the hallway of the Administrative
14 Building. At this time, I need a roll call. Mr.
15 Smith?

16 MR. SMITH: Here.

17 MR. RUMLEY: Mr. Cervelli?

18 MR. CERVELLI: Here.

19 MR. RUMLEY: Mr. Pittman?

20 MR. PITTMAN: Here.

21 MR. RUMLEY: Mr. Goff?

22 MR. GOFF: Here.

23 MR. RUMLEY: The chair is present.

24 Also, I appreciate all of you being here tonight.
25 We've got a good crowd, had a real good crowd and

1 then the library left. I don't know what they would
2 have done if we had given them some money, may have
3 had a square dance here. We do appreciate all of
4 you. We appreciate people taking an interest.

5 Let's move down to number two, our
6 district commissioner's committee report. Before we
7 get into that, we also -- this being the first
8 meeting, we always before we've had committees. You
9 know, we had Peter on finance and Robert is our
10 parks and roads and we've got -- of course, Lamar
11 was our building person and Scottie, you showed some
12 interest, would like to be on the building
13 committee. Now, Robin, in the past, I can't
14 remember, is this something we had to vote on? It's
15 just kind of an appointment, isn't it?

16 MR. ROGERS: You can appoint that.

17 MR. RUMLEY: We could have talked about
18 that at the work session, but it's better to do it
19 now. So ole Mitchell over here, that leaves him
20 with the sewer, so -- not really. It leaves him
21 with our transfer station. That's a pretty tough
22 job, but I would also like to ask you, if you would,
23 kind of share the building with Scottie also because
24 you are -- that's your expertise if you don't mind.

25 MR. SMITH: I don't know about

1 expertise.

2 MR. RUMLEY: Well, I mean, that's what
3 you do. I mean, you're familiar with it. So if
4 that's fine -- because I used to do it with the road
5 with Leroy Smith.

6 MR. PITTMAN: Have two on just about
7 everything.

8 MR. RUMLEY: Yeah. If that's the case,
9 we'll go ahead and do that. Scottie, do you want to
10 go ahead and start and I'll bring you up to date on
11 the new building. Mitchell, I know you don't
12 really -- unless you've got something you want to
13 say pertaining to our transfer station because
14 you -- I know this is new.

15 MR. SMITH: Not right now.

16 MR. RUMLEY: So the next meeting we'll
17 have, we'll expect about a thirty-minute report from
18 you. Scottie, go ahead.

19 MR. PITTMAN: Everything has been quiet
20 as usual. I mean, there's not a whole lot going on
21 at the transfer station. And Mitchell, I'll work
22 with you any way I can. We can even share the
23 transfer station and the buildings. We can both
24 stay on both committees since you're new at it.
25 That's -- I don't have anything else to report.

1 MR. RUMLEY: Robert?

2 MR. GOFF: Well, I would like to
3 welcome Mitchell, first of all, to the Commission
4 and look forward to serving with him for the next
5 two years at least. But as everybody knows at the
6 parks and recreation, there's not a lot that goes on
7 in the winter. There is, I think, a lot of people
8 that go down and walk, so that is available to them,
9 something that the County makes available to anyone,
10 not just seniors, but whoever goes down. It is
11 maintained well even in the winter months.

12 As far as our roads, we just had a
13 white Christmas. If everybody prayed and wanted
14 one, you got it. We survived it. I don't think
15 Billy really wanted it, but, again -- and it seems
16 like this has been the year or two for it with all
17 the floods and winds. I mean, it's been a rough
18 time overall for the two years, but with a very
19 small crew of people. Of course, the sheriff's
20 department, the fire departments, everyone gets
21 involved in getting things back to as close to
22 normal as we can, but this snow was really -- didn't
23 catch us off guard. They said we would get it, but
24 a lot of times we don't believe it, but we did get
25 it, and some ice with it. So my hats off to every

1 employee that we have that worked. Those that
2 cleaned off around here, you know, getting
3 everything to come back after the new year. And so
4 someone mentioned -- the gentleman that was in here
5 at the work shop mentioned the senior building and
6 those people down there. You should -- if you're
7 not -- you know, he was talking to us as
8 commissioners, but if you haven't been in and you
9 have a little bit of time, it's a great place to go
10 in and see some of the things that those seniors do
11 with the art that they have displayed down there
12 that they have painted and just different things
13 that goes on in the year and it does mean a lot to
14 them for somebody to come by and talk to them and
15 greet them because they're not bashful. They'll ask
16 you to stay. They might even ask you to have a meal
17 with them.

18 I'm thankful, just thankful for all
19 that we have to offer through the county and the
20 state and the federal and all the entities that are
21 involved. But just thank you, too, for being here
22 tonight and become a part of this meeting.

23 MR. RUMLEY: Okay. Thank you, Robert.
24 Peter?

25 MR. CERVELLI: I want to also welcome

1 Mitchell. I look forward to our time together and
2 feel free to help you and ask for your help as well.
3 And I want to wish everybody a happy new year. I
4 know you had a snowy Christmas like we did and I
5 hope it didn't crimp the style of your family's
6 celebrations.

7 Now to get on with the fun stuff.

8 Local option sales tax discussion, we collected
9 \$145,000 of local option sales tax in December and
10 as you know, just to restate this, that goes right
11 to our general fund, so we spend that on our
12 day-to-day activities. That's about \$1,000 more
13 than we collected the month before. It's lower this
14 year than it was last year and the year before. In
15 fact, we're moving backwards in terms of
16 collections. I thought our trend was going up.
17 It's not. If I averaged out the year 2010 for
18 our -- with our November check, I would have said we
19 were going to be five percent over what we collected
20 the year before. Well, when the December check came
21 in, we dropped down to about three and a quarter
22 percent the year before, so it really made an impact
23 on collections. I hope that's not a trend, but
24 right now in terms of sales tax collections in our
25 county, I can't speak for anywhere else, it doesn't

1 look like there's much improvement coming. In fact,
2 we're just barely holding our own in terms of the
3 numbers.

4 We collected about \$1.8 million for the
5 year. As I said, that's about three percent more
6 than the year before, so it's not a little bit of
7 money, but it is not certainly what we had hoped.

8 In terms of our special local option
9 sales tax, the percentages are the same because it's
10 calculated the same way. We collected \$180,000 in
11 December in terms of the check we got from the
12 state. That's \$43,000 less than we had budgeted for
13 in terms of how we thought we would collect this
14 money for this S.P.L.O.S.T, where we would be at
15 this point in our collections and I think we may
16 have made our goal twice in terms of the number of
17 months in terms of collecting that S.P.L.O.S.T
18 revenue. So it's time to reforecast what we think
19 we're going to collect all in this six-year
20 S.P.L.O.S.T. The original hope was about
21 \$16 million. I'm going to propose for the
22 commissioners to think on and see if they agree that
23 we take 2010 as a base year and assume that at best,
24 we may grow two percent over what we did the year
25 before. We grew three percent in the year before

1 that, so this is going to be a very conservative
2 proposal and it may be too conservative, but I'm not
3 sure. We don't want to spend money we don't have.
4 So that could impact our projections by as much as
5 \$4 million by the end of the six-year S.P.L.O.S.T.
6 So I think we've got to look at the numbers, look at
7 how we propose how we thought we were going to spend
8 those dollars and see whether that forecast is too
9 conservative and, of course, as time goes on, as the
10 numbers change and they get better, we can recast
11 the budget. But I think it's time to step back and
12 say we're not going to collect \$16 million and so
13 that will be something for all of us to consider.

14 MR. RUMLEY: Well, based on 2010, we're
15 not going to.

16 MR. CERVELLI: Well, that's correct.

17 MR. RUMLEY: Like you said, that's
18 something we have to handle year to year, you know.
19 Hopefully, this year, the next year will pick up.
20 No one can predict that.

21 MR. CERVELLI: It's looking good. In
22 terms of our budget, we've closed the books on
23 November 2010. That's about 42 percent of our
24 fiscal year. We've attained about 41 percent of
25 revenue, so that's good and our expenses are down

1 from about 41. We're down about 35-and-a-half
2 percent of expenses. So people are managing to the
3 budget. Property tax revenue is starting to come
4 in, so that is not in these numbers. I think we got
5 a check yesterday for a million five from the tax
6 commissioners, so we'll see our revenue percentage
7 jump dramatically, but that's just an anomaly
8 because it comes in in the middle of the year.

9 So all budgets are pretty much meeting
10 expectations. There are a couple of little
11 anomalies, but I think we can work through those.
12 So in terms of budgeting, we're doing okay so far.

13 I also want to thank the road crew for
14 those of us that live on Lookout Mountain. You and
15 the sheriff's department and 911, you may have an
16 opportunity to do it again this weekend, I
17 understand. It's supposed to snow tomorrow and
18 Saturday and Channel 3 said maybe up to five inches.
19 I hope that's not true, but we may see you again and
20 I thank you for all your work.

21 The last thing I'm going to turn over
22 to the county executive to talk about that, we
23 talked a little bit about the impact of the
24 furlough. We've got some employees on furlough and
25 I do say some. My only comment is I'm disappointed

1 in terms of where we are in terms of what we've been
2 able to save versus what we did during the last
3 furlough. It's not an insignificant amount of money
4 and I really want us to realize this is being
5 carried on the backs of only a certain percentage of
6 employees in the county.

7 MR. RUMLEY: What Peter is speaking of,
8 we actually -- last year a little bit over 174,000,
9 I think, Don, wasn't it, that we actually saved?
10 That's not an exact amount, but that's with our
11 power bill savings. This time we've been actually
12 in furlough -- in the furlough mode since October,
13 second pay period in October and actually the
14 savings we tallied up and it's a little bit over
15 \$30,000 is all we've saved. The reason being is the
16 actual -- your elected officials, elected -- the
17 sheriff's department, Jan, Jane and all that, that
18 was their choice to furlough. We furloughed
19 everyone that we could -- that we had authority to
20 furlough, which is our department and the assessor's
21 and the road department and all and that's pretty
22 much the best we can do. We've actually cut down 36
23 hours, so we're going to go off, if everyone agrees,
24 the furlough this pay period, which tomorrow will be
25 the last Friday that we shut down and we'll go back

1 to our regular time and hopefully next year when we
2 try to do this in the winter months, we can go back
3 in and have -- and for whatever reason, that's their
4 call because they are elected officials just like
5 myself and the rest of the commissioners. We can
6 control their budget, but we can't control certain
7 decisions they make and that's up to them for
8 whatever reason, you know.

9 So that's pretty much all I'm going to
10 say on that because that's -- you know, I was
11 disappointed, too. I hoped we'd hit at least
12 100,000. But you figure 30, around 30,000, that
13 would be an employee right there if we had not done
14 this. That's the way I look at it. I feel good
15 about what we've done, the people that have actually
16 given their money, you know, or time and money.
17 Does anyone want to comment about it? That's fine.
18 It's pretty well cut and dry. What was that figure
19 last year quoted there?

20 MR. CERVELLI: 171.

21 MR. TOWNSEND: It's under tab 11. 171,
22 it's 171,000.

23 MR. RUMLEY: Yeah, 171. That's not
24 counting the electricity. We had like 6,000
25 savings. Well, 5,300 in savings, so it's close to

1 that. But anyway, we'll give it a shot next year
2 and we may even have to go into it in the
3 summertime. I mean, if things get worse, you know,
4 I mean, we -- we've got a lot of things we want to
5 do to actually help us and help the County as far as
6 savings toward our spending. If it means going back
7 into it, we'll go into it. We'll have another
8 heart-to-heart with our elected officials and, you
9 know, and hopefully they'll see the light.

10 But anyway, I'll go ahead and give my
11 report here for this past month. We had a good
12 meeting toward the first of the month with Tom
13 Graves. Peter and I went over to North Georgia
14 College. It was on a Saturday and it was pertaining
15 to economic development and soliciting business in
16 our northwest Georgia area and it was well worth the
17 travel over there and we came back with a lot of
18 knowledge, you know, especially on a federal level.
19 It was real informative. Not really good news, but
20 it was some things that are real, real numbers and
21 it was really worth it.

22 We -- actually I've been spending a lot
23 of time this month involved in our hospital
24 transition with different meetings and phone
25 conversations with Hutcheson and that's coming to a

1 head by the 15th from what I understand. They'll
2 all be hopefully settled the way it looks right now.
3 That's been a pretty good process for the full
4 length of time that they've had. Erlanger had done
5 a great job in the due diligence in coming in and
6 trying to make things work and Hutcheson has worked
7 very well with them, too.

8 We had -- also, I met with Jeff Mullis
9 several times this month pertaining to different
10 issues with the county. We've got the issue that
11 we've talked about the last couple of months about
12 the red light at the schoolhouse, one on Sand
13 Mountain. We've got a warning light we're trying to
14 get up on the top of the mountain at Burkhalter.
15 Also another warning on down where Johnny's --
16 Buddy's Texaco and that's Johnny's, just past it
17 there's a real prone -- accident prone area right in
18 there. So hopefully we can work with him. He's the
19 chairman of our Department of Transportation now and
20 if there's ever a time that we're going to actually
21 pull things into the county, it would be a good
22 time, especially on the roads.

23 Also, it's going to be a good --
24 hopefully, a good four years for us pertaining to
25 our governor. He seems like a real nice guy, real

1 nice fellow. He does know where we're at. He's
2 been here many times yearly and so I don't think --
3 I think he's going to be a person we can talk to and
4 he'll be more on our side than any governor that
5 I've been around or known since my adult life
6 anyway. I guess the next would be Lester Maddox.
7 Lester Maddox was a person that came up many times
8 to Dade County.

9 MR. CERVELLI: He stayed over here,
10 didn't he, eat at Wright's Restaurant?

11 MR. RUMLEY: Oh, yeah. He was in the
12 county many, many times and he was instrumental in
13 bringing a lot of the money back into our county and
14 that's what it takes. You know, you've really got
15 to have that hands on person there that you can
16 actually pick up the phone and call. You may not
17 talk to him right then, but have somebody that will
18 call you back and you can talk to in person and I
19 think he's that person.

20 As I said, we've had a lot of inclement
21 weather this month. Billy, we keep saying this over
22 and over, but Billy and our road crew, 911, our
23 sheriff's department. It's been a real trying
24 December. As Peter said, it looks like we've got
25 more coming. We're just now getting into this.

1 Billy, did they deliver salt today?

2 MR. MASSENGALE: They'll be here first
3 thing Monday morning.

4 MR. RUMLEY: We've got about, what,
5 14,000 pounds you said? We're not out by far.
6 We've got enough to handle another incident.
7 Actually, there was salt actually in stock the first
8 winter storm we had in 2000 -- well, when I came in
9 in 2009, excuse me, that we had bought when I was
10 commissioner back in 2000. So that shows you that
11 there's not been a lot of winter up to now. It
12 seems like we kind of brought the winter with us
13 when Robert and Peter and I came in here.

14 But other than that, we had -- we have
15 had our water -- our normal water board meeting in
16 December and all construction that we've got right
17 now going on, I think they're pretty well finished
18 on Sand Mountain, finishing up. They're fixing to
19 start or started the line in Slygo and that's going
20 to be a great improvement. We've got the pumps
21 going up Lookout Mountain. That's going real
22 smooth, especially for the board working in the
23 middle of winter.

24 The jail kitchen, I really don't have
25 anything more to report on that. I do have a

1 meeting Friday -- let's see, no, next Thursday with
2 the people that are doing the design, actually the
3 drawings. We did have to have a stamped set of
4 drawings, little more in depth than just a standard
5 architectural drawing because we are building onto a
6 penal institution, which is a jail, and that comes
7 under a whole different type of guideline, but I
8 will report. We'll have something definite the next
9 meeting to report on that. It's going good. So
10 just bear with us on that. Hopefully we'll have
11 that up and running in a couple of months. Other
12 than that, have you got anything you want to add?
13 Anything?

14 MR. GOFF: Well, as somebody mentioned
15 earlier, the legislature will go back in next week
16 and we will be or I will be reporting on what's
17 coming up as we go along or as they go along that
18 affects the county, just to give you an idea because
19 they're our representatives is who they're talking
20 about to call and if there's something that you feel
21 like you need to speak to them about. And also, on
22 this, we're talking about money. We can't help the
23 weather and they're not helping us at the gas pumps
24 anymore. So we keep talking about -- and, you know.
25 I mean, everybody keeps talking about the funds not

1 coming in and with that, that affects so much of
2 what we do in the county is the fuel that we're
3 having to pay more for and hopefully it spikes and
4 stops.

5 MR. RUMLEY: One other thing I touched
6 on real quick, I mentioned at the last meeting that
7 I actually am a member now of the North Georgia
8 Community Action, which has been a vacant spot for
9 many, many years in Dade County and I did attend my
10 first meeting in December and it was really an eye
11 opening meeting, you know. They have their meeting
12 in Dalton and I got my packet, you know, as far as a
13 board member. I just want to read real quick what
14 the North Georgia Community Action is and it's
15 something that I kind of knew, but I didn't really
16 realize what their purpose is. It says the
17 corporation is specifically in -- mobilizing human
18 and financial resources of the nation to combat
19 poverty in the United States. This corporation
20 shall comply with all requirements of the grantor
21 agencies. Corporation shall work with the three
22 significant groups in your community and that will
23 be the poor, public sector and the private sector to
24 seek out identity and eliminate the causes of
25 poverty within this coverage area. The corporation

1 will assist the entire community to be more
2 responsive to the needs and interests of the poor,
3 mobilizing available resources and bringing about a
4 greater institutional sensitivity. The corporation
5 will plan and develop a system of priorities among
6 projects, activities and areas as needed for the
7 most effective and efficient use of resources. The
8 corporations shall not accumulate profit, so it's a
9 nonprofit. It's just something we're trying to get
10 involved with here that possibly we've been missing
11 out on pertaining to our poor and elderly people to
12 bring back money in the county.

13 I'll give you a report as I go to these
14 meetings every month and let you know kind of where
15 we stand and they actually have ten counties that
16 this North Georgia Community Action is involved
17 with. North Georgia Community Action has been
18 around for many years. I mean, like since the '80s,
19 early '80s anyway I know. The way you sign up for
20 that is down at the Senior Building and Suzy Durham
21 is the lady you see. There's a lot of different
22 programs that you might qualify for from insulating
23 your house, windows, anything pertaining to energy.
24 There's a lot of stuff that really a lot of Dade
25 County is not realizing that this group does.

1 So please, you know, get the word out.
2 If you know someone, your neighbor. A lot of people
3 have a lot of pride and they won't make that step
4 forward to ask for help. Try to encourage them to
5 go down and talk to these people. All they can do
6 is say no, but hopefully they'll say yes, we can
7 help you.

8 That's pretty much all I've got to say
9 tonight. Do we have a representative from the City
10 tonight, Barton Harris?

11 Okay. Don, go ahead and give us our
12 financial report, if you would.

13 MR. TOWNSEND: In the general fund, we
14 have a balance of 216,688. Federal asset fund for
15 U.S. Treasury \$285; special sheriff's fund, \$6,508;
16 drug abuse education fund, \$62,264; supplemental
17 juvenile services fund, \$17,590; victim assistance
18 fund, \$4,169; jail fund, \$17,263; federal asset fund
19 Department of Justice, \$3,660; payroll account,
20 \$64,911. 2004 S.P.L.O.S.T funds remaining,
21 \$146,117. 2009 S.P.L.O.S.T funds project account
22 \$302,152. Proceeds account, 141,525; construction
23 account, 43,119.

24 We do have one investment in 99,000
25 which will mature, I think, on February -- it's

1 right here, February 2nd -- February 4th. So we'll
2 be allowing that to come in and we'll have a balance
3 of 142,119. I believe we received a bill today,
4 didn't you, Mr. Chairman, for 118,000 or 100
5 something thousand for Construction Consultants; is
6 that right?

7 MR. RUMLEY: Do what now?

8 MR. TOWNSEND: Construction
9 Consultants, didn't we receive a bill today?

10 MR. RUMLEY: It was last week. It's
11 the final.

12 MR. TOWNSEND: We've got funds there to
13 cover that.

14 And then under fire department
15 S.P.L.O.S.T leases we have expensed \$99,352 each for
16 New Salem, South Dade and Trenton, and the fire
17 departments S.P.L.O.S.T. bonds remaining we have
18 two. Davis has a balance of \$4,847 and West Brow,
19 \$22,266.

20 The only investment we have currently
21 is the \$99,000 investment with the construction
22 account, which again, will mature on the 4th. We'll
23 probably be taking that money out to use it for the
24 final S.P.L.O.S.T bill, final bill for the
25 courthouse. I should say the courts facility. I'm

1 trying to stop saying courthouse. It's hard to do
2 after 200 years or whatever. So anyway, as far as
3 the general fund, Commissioner Cervelli went over
4 some of the columns, but, again, revenues less
5 expenses for November was \$291,448 and revenues less
6 expenses year-to-date with the balance of \$361,090.
7 We attained 40 percent, almost 41 percent of our
8 revenues and expenses, again, were down. Thank
9 goodness. However, we had a couple of really big
10 hits in December. We have our building insurance
11 that we have to pay and that's well over \$100,000,
12 so we'll see that hit next month.

13 For the commissioners, if you'll note
14 toward the back of tab number one, you'll see the
15 detail of the S.P.L.O.S.T and the local option sales
16 tax as well. I was going to show the public tonight
17 basically everything that Peter was saying. In
18 2008, December 2008 -- let's look at S.P.L.O.S.T.
19 2008, December 215,687 and then -- December of 2008
20 we had 269,484 and in December 2009, \$211,000 and in
21 December of 2010, unfortunately, 181,000, so there
22 is a decrease. However, for all of 2009 we've
23 collected \$2.18 million and all of 2010 we did
24 collect 2.25, just a little bit of an increase, but
25 we'll take it. It's actually 3.41 percent increase

1 over the year. And following those pages, pages six
2 and seven of your packet, you'll see there's some
3 graphs and those are year-end kind of numbers, so
4 it's a little bit better to look at once a year.
5 Behind that is the worksheets for S.P.L.O.S.T.
6 tracking information, the detail behind all the
7 S.P.L.O.S.T dollars and expenses mostly associated
8 with the court facility. I believe that concludes.

9 MR. RUMLEY: Thank you, Don. Are there
10 any questions for Don? If not, I'll entertain a
11 motion to approve our financial report.

12 MR. PITTMAN: I make a motion we
13 approve the financial report as read.

14 MR. RUMLEY: Okay. Do I hear a second?

15 MR. GOFF: I'll second.

16 MR. RUMLEY: We have a second. I'll
17 call a vote. Mr. Cervelli?

18 MR. CERVELLI: Yes.

19 MR. RUMLEY: Mr. Goff?

20 MR. GOFF: Yes.

21 MR. RUMLEY: Mr. Pittman?

22 MR. PITTMAN: Yes.

23 MR. RUMLEY: Mr. Smith?

24 MR. SMITH: Yes.

25 MR. RUMLEY: The chair votes yes.

1 Okay. Robin, do you have anything you want to go
2 over with us as far as any reports pertaining to Rex
3 Blevins, anything to report there?

4 MR. ROGERS: No. I don't have anything
5 to report. I have had further discussions with the
6 attorneys that represented the County in filing in
7 Atlanta and I'll be getting a recommendation for the
8 County in the next few days.

9 MR. RUMLEY: Okay. Unfinished
10 business, I think we've already covered everything.
11 Okay. We'll go ahead and read this and I'll ask you
12 to actually read the -- go over the consent agenda.
13 Reading of the minutes of the previous month's
14 regular meeting will not be required since all
15 Commissioners have been furnished with copies in
16 advance. The minutes are public record and
17 available for review in the county executive's
18 office here in our Administrative Building. The
19 minutes are included in the consent agenda. At this
20 time, Don, if you would go over our consent agenda
21 and then I'll ask for a motion to approve.

22 MR. TOWNSEND: We have approval of the
23 previous meeting minutes and we have an appointment
24 of Doug Anderton to the Northwest Georgia Joint
25 Development Authority. It will be a two-year term.

1 Resolution R-05-11, agreement for the equipment
2 lease purchase for Chevron, the resolution for Green
3 Campus Partners, LLC, financing the energy services
4 contract, it was recommended and approved through --
5 by Chevron. Under Resolution R-03-11, resolution
6 designating Commissioner Robert Goff as our county
7 legislative coordinator for the Association of
8 County Commissioners of Georgia through Resolution
9 R-02-11, resolution to authorize county officials'
10 signatures and others on county financial accounts
11 and, again, that's by Resolution R-01-11 and a
12 resolution for the abandonment of county roadway
13 known as Heygood Road and by Resolution R-04-11.

14 MR. RUMLEY: Okay. Thank you. Is
15 there any questions, any changes or anything? Okay.
16 I'll entertain a motion to approve our consent
17 agenda.

18 MR. GOFF: I make a motion we approve
19 the consent agenda as read.

20 MR. RUMLEY: Do I hear a second?

21 MR. PITTMAN: I'll second.

22 MR. RUMLEY: I'll call a vote. Mr.
23 Cervelli?

24 MR. CERVELLI: Yes.

25 MR. RUMLEY: Mr. Goff?

1 MR. GOFF: Yes.

2 MR. RUMLEY: Mr. Pittman?

3 MR. PITTMAN: Yes.

4 MR. RUMLEY: Mr. Smith?

5 MR. SMITH: Yes.

6 MR. RUMLEY: Mr. Rumley votes yes.

7 Thank you.

8 At this time I want to open the
9 commission floor here for -- entertain a motion
10 pertaining to our vice chair. This is something
11 that we have to do when we have elected -- in
12 January following an election where we have a new
13 person come on. So do I hear anyone that we want to
14 nominate or actually --

15 MR. PITTMAN: I do have a
16 recommendation. I recommend that we consider
17 nominating Robert Goff for the position of vice
18 chairman. Robert has done a -- in my opinion, he's
19 done a really good job the two years he's been here.
20 He's got a lot of time he can devote to the office.
21 He goes to Atlanta on several -- he's been on
22 several occasions and in my opinion, he would make a
23 good vice chairman.

24 MR. RUMLEY: Okay. Any discussion, any
25 comments, Mitchell?

1 MR. SMITH: No.

2 MR. PITTMAN: And I had a talk with
3 Robert. He said he would consider it.

4 MR. RUMLEY: Better more than
5 considering. Okay. I'll entertain a motion.

6 MR. ROGERS: Mr. chairman, we may need
7 a second.

8 MR. CERVELLI: I'll second.

9 MR. RUMLEY: Okay. I'll call a vote as
10 per se Robert Goff being our chairman -- or vice
11 chairman of the board.

12 MR. PITTMAN: Yeah. You don't want to
13 make him chairman.

14 MR. RUMLEY: I don't know. Sometimes I
15 would give it to him. I'll call a vote. Mr.
16 Cervelli?

17 MR. CERVELLI: Yes.

18 MR. RUMLEY: Mr. Goff?

19 MR. GOFF: Yes.

20 MR. RUMLEY: Okay. Mr. Pittman?

21 MR. PITTMAN: Yes.

22 MR. RUMLEY: Mr. Smith?

23 MR. SMITH: Yes.

24 MR. RUMLEY: And the chair votes yes.
25 That's good. I appreciate that.

1 Okay. Let's move down to number eight,
2 anyone want to come up and talk to us for five
3 minutes or whatever it takes, feel free to come up
4 to the podium. Anybody? Come on up.

5 THE WITNESS: It's my understanding
6 that the County now manages the water department,
7 correct?

8 MR. RUMLEY: No. We have a place on
9 the board. I'm actually chairman of the board of
10 the Water Authority. But they have a board that
11 manages the Water Authority.

12 THE WITNESS: Okay. Well, a few days
13 ago, one of my renters called me approximately I'm
14 thinking around 9:00 in the morning and he informed
15 me that on getting up, that he didn't have water
16 pressure. And then I guess the water pressure
17 varied and he did have water pressure and so when he
18 told me this, I went over and turned my sink on and
19 I have no water pressure and then it started spewing
20 air and then I get water and then I have no water
21 pressure again and then I get back water pressure,
22 but it's noticeably a little less, which I thought,
23 well, maybe the main line, whatever is going on, was
24 the problem here.

25 So Kevin Smith there that rents -- his

1 property that he rents is on the back side of Fagan
2 Place, the very highest point, upper point. I'm
3 going to ask you did you experience no pressure,
4 then pressure, then etc?

5 MR. SMITH: It started out as blowing
6 air and then there's nothing and then a little bit
7 of water and then nothing and then the water kicked
8 back in about an hour and a half after I noticed it.

9 MR. FAGAN: So after that did we
10 proceed to go -- I said, somewhere around here
11 there's a water main broke, there's something
12 happening. I went out to my property, looked for
13 water, visible water. There's no water that I can
14 see. We drive out to New England Road, Creek Road
15 to Sarah Chapel Road and we see a huge plume of
16 water spraying across the road, so I said there's
17 the problem. So I get out and asked the gentleman,
18 I said, what's going on. He said, we lost a main.

19 MR. RUMLEY: Oh, the water company was
20 on the job there.

21 MR. FAGAN: On the job at the time.
22 Well, I get -- as you and I recall last year that in
23 the wintertime, I acceptably get a noticeably higher
24 bill, pay it, because I tell people when it gets
25 down to teens, leave a drop in your faucet and I

1 know some renters are not paying for water, so it
2 might be a discernible stream. So however,
3 everybody I've asked them to be conservative of
4 water because -- well, on getting my water bill, do
5 you have any idea how long it takes by the time they
6 actually go and read the meter? I know in Atlanta,
7 I had a large swimming pool. When I first put my
8 pool in, I filled up my pool. It held 15,000
9 gallons of water and the water company called me and
10 said, you've got a problem. This bill, if you'll
11 look at these bills, this bill is typically correct,
12 \$200. This bill is 200. They're all -- and then it
13 goes up in the winter to 300. This last bill is
14 \$834.

15 MR. RUMLEY: That's for how many
16 months?

17 MR. FAGAN: That's for one month. If
18 you want to look at the bill, the balance is paid
19 forward to zero. I went to the lady at the water
20 company and I said why -- how do you explain. She
21 said, you have a massive leak on your property. I
22 said, well, if I had -- so at this point in time,
23 I'm still looking for visible water. Now, as you
24 recall, last year I got an exorbitant bill. They
25 put in a new meter. I never did find the leak, but

1 I went ahead and paid the bill. But that
2 approaching the two months was \$900. Now, what I'm
3 saying here is how long from the time they -- if I'm
4 running a utility company and working and somebody's
5 bill is 200, 250, suddenly it's 800, would you not
6 call the person since their number is on the check
7 that they wrote for the bill and say there's a
8 massive problem down here because the cost of
9 processing water to the county or to that business
10 or the establishment, you would think we're losing
11 150,000 gallons of water. Would that require just
12 inadvertently just, well, just go ahead and mail the
13 bill out.

14 MR. RUMLEY: Well, the meter reader,
15 you know, when he read it should have come up and
16 explained to you it was humming or whatever, you
17 know, if it was that bad a leak I would say.

18 MR. FAGAN: Well, on finding the leak,
19 but when we did find the leak -- because the
20 water -- they didn't -- she alleged to me basically
21 that they went and cut everybody's meter off before
22 they repaired the leak. If that would be the case,
23 then why would the people on my property not have
24 water pressure where, in fact, when they lost the
25 water, the water came down off the hill. I lost a

1 water heater and the unit next to us because it
2 syphoned it off. Now, I'm not asking that the
3 County or the water company -- I'll take care of
4 that. I'll take care of the cost of going and
5 finding this, but on finding it, when we dug it out
6 with a backhoe -- as a matter of fact, there was a
7 leak. But I have a pool over with the hose running
8 wide open, it takes me two days to fill my swimming
9 pool. That much water, if the geographical
10 location -- is there a pond below the water? How
11 many feet below it would you say it is?

12 THE WITNESS: Probably about 15.

13 MR. FAGAN: Is there a road there in
14 front of right where the water leak was? Was there
15 any visible water in the street? What I'm saying is
16 when I tried to explain this to her, the water --
17 when they lost the water, the water drained down the
18 system. When they got it fixed again, it went back
19 up the system and then when it pressurized the water
20 line, it blew a schedule forty street --

21 MR. RUMLEY: Slip joint.

22 MR. FAGAN: Blowed it sideways. It was
23 visible. Now, they come out there and told me,
24 well, you're losing 14,000 gallons a day. How many
25 days did I lose 14,000 gallons? How many weeks ago

1 was it when they had the leak? How many days ago
2 when we went and observed the leak they were fixing?
3 Was it two or three weeks ago?

4 THE WITNESS: About three weeks ago.

5 MR. FAGAN: So the point I'm making is
6 they're saying we have no responsibility about what
7 we did. Had they cut my meter off, first of all,
8 when they did it about three years ago, I
9 immediately went up and turned the faucets on in the
10 yards because I didn't want the --

11 MR. RUMLEY: Let the air out.

12 MR. FAGAN: Let the air out as they
13 filled it back up. They called me and told me.
14 They did not cut that meter off, because if they
15 had, it wouldn't have drained all the water off that
16 hill. Now, we bled the air out of those lines out
17 there, but you could visibly see when we got to it.
18 It's been there for 15 years.

19 MR. RUMLEY: Well, the meter though --
20 a new meter, if I'm not mistaken -- you need to
21 bring this to the Water Board meeting. It's got a
22 check valve in it to keep the water from running
23 backwards. That air -- how far down the hill was
24 your leak?

25 MR. FAGAN: About 35, 40 feet from the

1 meter.

2 THE WITNESS: There was not a leak at
3 the time the house was blowing air.

4 MR. RUMLEY: When they turned it on.

5 THE WITNESS: Well, whenever they had
6 busted the main or were fixing the main, I got up at
7 6:00 that morning to go deer hunting, went in and
8 turned the faucet on and it was blowing air at 6:00
9 in the morning. I know we had water at 3:00 in the
10 morning and at 6:00 we didn't and then 7:30, between
11 7:30 and 8:00 before we had water back again.

12 MR. FAGAN: Now, if the check valve
13 worked, if the check valve worked, I would just
14 assume when that occurred --

15 MR. RUMLEY: It's not letting -- that's
16 something -- this is something we need to actually
17 bring up at the Water Board meeting. That's why we
18 moved it here and have it open. We advertise it.
19 That way I've got people there that know. We have
20 our people there, Doug and the people that are --
21 Eddie. You know, they can actually answer these
22 questions, you know. This is -- you know, and I
23 will definitely address it tomorrow with them. I'll
24 find out what's going on, but you need to go ahead
25 and get on this agenda our third Friday and be here

1 that morning for this Water Board meeting. That's
2 why we moved this thing out in public and it's
3 televised.

4 MR. FAGAN: Friday morning will be --

5 MR. RUMLEY: Friday at 10:00.

6 MR. FAGAN: Tomorrow morning?

7 MR. RUMLEY: No, the third Friday.

8 MR. FAGAN: The third Friday of the
9 month. Yeah. Well, when I explained to her, you
10 know, I come up here and I don't complain about my
11 bills. I pay my bills. But when she basically told
12 me that I was lying, that they didn't have a leak.
13 And I said, look -- and she is not very
14 professional. I can assure you of that because you
15 don't just go out and tell somebody, no, we didn't.
16 No, you're just making that up. I said, lady, I'm
17 not making this up. We saw this with our own eyes.

18 MR. RUMLEY: Just if you would do that
19 and I will take it up in the morning with Doug
20 because I wasn't aware of that. You just -- I'll go
21 ahead and put you on the agenda. You won't even
22 have to call. We'll expect you to be there and
23 we'll answer these questions and I'll have the
24 people that you talked to here at this meeting and
25 we'll get to the bottom of it. That's the best way

1 to handle it.

2 MR. FAGAN: Yeah. I think it's a
3 little unreasonable for the fact that I think it was
4 something that was happening with their system that
5 caused this problem. Had I put in a new house -- do
6 you remember last year when I finished the new
7 house, there was a question. I said, okay, I just
8 laid 150 feet of new water line, maybe there's a
9 leak. We dug that entire line up. There was a
10 leak, but this main has been there scheduled 40-bale
11 couplings for 15 years. For it to just all of a
12 sudden implode from water being inside it in chert
13 clay, the longer that clay lays there, the harder
14 that ground gets. I've seen it hold together
15 without even having glue on it.

16 MR. RUMLEY: So it is glue fittings
17 then? It's glue?

18 MR. FAGAN: Yeah. And the side broke
19 out of it. So I need to be here the third Friday?

20 MR. RUMLEY: Third Friday. If you want
21 me to, I'll call you and remind you. We have it
22 every third Friday just like we do this Commission,
23 rain, sleet or snow. If it's -- we're going to have
24 it here right here in this meeting room at 10:00 in
25 the morning. Okay.

1 MR. FAGAN: I think I can remember to
2 be here.

3 MR. RUMLEY: Well, you know, I just
4 thought if you were like me, you might forget, but I
5 will call you.

6 MR. FAGAN: You know, I just paid my
7 property taxes, so I run that place on a budget. So
8 when you pay \$5,000 in property taxes and then you
9 get an \$800 water bill, I was thinking that lady
10 could actually -- if everybody just got a water bill
11 like this and paid it, we could get her all kinds of
12 help at the library.

13 MR. RUMLEY: All right. Thank you.
14 Anyone else want to come up and talk to us tonight?
15 Y'all grab you some coffee and donuts before you
16 leave there. Anyone else? Okay. If not, I need a
17 motion to go into executive session just for a
18 little while. We won't be long. I've got a couple
19 of things I need --

20 MR. PITTMAN: I make a motion to go
21 into executive session.

22 MR. RUMLEY: Do I hear a second.

23 MR. CERVELLI: Second.

24 MR. RUMLEY: Mr. Cervelli?

25 MR. CERVELLI: Yes.

1 MR. RUMLEY: Mr. Pittman?

2 MR. PITTMAN: Yes.

3 MR. RUMLEY: Mr. Goff?

4 MR. GOFF: Yes.

5 MR. RUMLEY: Mr. Smith?

6 MR. SMITH: Yes.

7 MR. ROGERS: Mr. Chairman, you need to
8 say the reason.

9 MR. RUMLEY: Personnel.

10 MR. TOWNSEND: Who seconded?

11 MR. RUMLEY: Peter.

12 (Thereupon, the Commissioners
13 retired into executive session.)

14 MR. RUMLEY: Okay. I'll entertain a
15 motion to come out of executive session.

16 MR. SMITH: I make a motion to come out
17 of executive session.

18 MR. RUMLEY: Do I hear a second?

19 MR. PITTMAN: I'll second.

20 MR. RUMLEY: Okay. I'll call a vote.

21 Mr. Smith?

22 MR. SMITH: Yes.

23 MR. RUMLEY: Mr. Pittman?

24 MR. PITTMAN: Yes.

25 MR. RUMLEY: Mr. Goff?

1 MR. GOFF: Yes.

2 MR. RUMLEY: Mr. Cervelli?

3 MR. CERVELLI: Yes.

4 MR. RUMLEY: Okay. We had an executive
5 discussion on personnel and no vote was taken, so
6 that finalizes that. Anyone want to comment on
7 anything pertaining to our meeting up to now,
8 regular meeting? If not, I'll entertain a motion to
9 adjourn.

10 MR. CERVELLI: So moved.

11 MR. RUMLEY: I have a motion. Do I
12 hear a second?

13 MR. GOFF: I'll second.

14 MR. RUMLEY: Okay. I'll call a vote.
15 Mr. Cervelli?

16 MR. CERVELLI: Yes.

17 MR. RUMLEY: Mr. Goff?

18 MR. GOFF: Yes.

19 MR. RUMLEY: Mr. Pittman?

20 MR. PITTMAN: Yes.

21 MR. RUMLEY: Mr. Smith?

22 MR. SMITH: Yes.

23 MR. RUMLEY: The chair votes yes.

24 END OF MEETING

25

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 January, 2011;

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 January, 2011.

16
17
18
19
20 Erin M Flatt
21 Erin M. Flatt, TN licensed
22 Court Reporter.
23 Tennessee LCR Number: 307
24
25