

DADE COUNTY COMMISSION

REGULAR MEETING

JULY 11, 2013

1 EMS. Thank you again. We appreciate serving you
2 all.

3 MR. RUMLEY: We appreciate y'all. Any
4 questions? All right. See if there's anyone out
5 there. Lionel, do you want to come up and talk to
6 us tonight?

7 MR. AUSTIN: I'm good.

8 MR. RUMLEY: Sheriff, do you have
9 anything else you want to add? Les, the sheriff
10 told me you're going to have a report here about
11 thirty minutes on the jail.

12 MR. LES: Well, I'm the new jail
13 administrator, so anything that goes from there
14 comes through me.

15 MR. RUMLEY: If there's nothing other,
16 we'll go ahead and adjourn the work session. We'll
17 take about a five-minute break and we'll come back
18 and go into our meeting.

19 (Thereupon, a brief recess was
20 taken.)

21 MR. RUMLEY: We'll go ahead and call
22 the meeting to order. It's July 11th, 2013. I
23 appreciate all of you being here. We'll begin the
24 meeting tonight, as usual, with our invocation and
25 Pledge of Allegiance. Don, would you care to lead

1 us in prayer and Pledge of Allegiance tonight since
2 Robert is out?

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

5 MR. RUMLEY: This is the
6 regularly-scheduled meeting of the Dade County
7 Commission, which takes place at the same time on
8 the first Thursday of every month. We did have to
9 adjust that this month. First time in history, I
10 think. But it has been posted in the hallway of the
11 Administrative Building and advertised in our legal
12 organ. At this time I do need a roll call.
13 Mr. Bradford?

14 MR. BRADFORD: Here.

15 MR. RUMLEY: Mr. Pittman?

16 MR. PITTMAN: Here.

17 MR. RUMLEY: Mr. Smith?

18 MR. SMITH: Here.

19 MR. RUMLEY: And the chair is present.
20 Mitchell, do you want to give us your report?

21 MR. SMITH: The only thing I want to do
22 tonight is thank everybody for their cards and
23 condolences at the loss of my mother.

24 MR. RUMLEY: Okay. I sure hate it.
25 Our prayers are with you and your family. We all

1 know that Mitchell did lose his mother a week or so
2 ago and she was a great lady. She will be missed.
3 Scottie?

4 MR. PITTMAN: Well, not a whole lot
5 going on at the transfer station or the ball fields
6 right now, but apparently we've had quite a bit of
7 damage on my end of the county. Hartline Road is
8 impassable at the time. Billy and the road crew
9 will be working on that. Hopefully, it will not
10 take too long to get it repaired.

11 MR. RUMLEY: The biggest thing is the
12 tile. Billy, what is the estimated time on getting
13 the tile?

14 MR. MASSENGALE: Two weeks expedited.
15 If we have no problem, we're looking at at least two
16 weeks.

17 MR. PITTMAN: We'll be working on that.
18 And Billy also said Coal City sustained quite a bit
19 of damage. Coal City, for people that don't know --
20 and I was one of those people when I first got
21 elected. Coal City is a part of Dade County, but
22 you cannot get to it through Dade County by road.
23 You have to go down to the South Pittsburg area,
24 Jasper area to get into Coal City. So it provides a
25 challenge to our road crew to keep that road up and

1 when it gets totally washed away, it's going to
2 provide even more of a challenge to repair.
3 Hopefully -- again, hopefully, they'll be able to
4 take care of that and get those people some kind of
5 passable road in the near future.

6 MR. RUMLEY: Allan?

7 MR. BRADFORD: I really don't have a
8 lot, but the transfer station, I would like to thank
9 Ray for keeping his trustees down there. We hear a
10 lot of people talking about that and they really
11 appreciate that. Again, I would like to thank
12 Billy. He's a lot younger than me, but he looks a
13 lot older. I think all these roads are beginning to
14 get torn up and it's driving him crazy, but he's
15 doing a great job with what we have to do with.
16 That's it.

17 MR. RUMLEY: Okay. It's been a busy
18 month or actually a month and a couple of weeks.
19 One of the big topics in the county is, of course,
20 our driver's license people. The clock is ticking
21 down on that. I talked to them yesterday and
22 actually made a call today to the main headquarters.
23 They're supposed to be here actually -- they were
24 shooting for the 15th, which it looks like it's
25 going to be the 19th before they get their actual

1 circuits set over there. Once the circuit is set,
2 which is a state -- I'm not sure what all that
3 consists of, but it's actually the last piece of the
4 puzzle. They're shooting for an opening date of the
5 29th. Of course, we'll put -- we'll advertise and
6 put it in the paper because it will be a big day.
7 We'll have a ribbon cutting. Right now that's
8 what -- a couple of hours ago I talked to them.
9 They said the 29th looks like it's going to be the
10 opening day.

11 We did -- Robert and I did go to
12 Atlanta. I reported we were going to Atlanta to try
13 to actually secure some funds for our roads,
14 emergency road repair. We did that and we were
15 fortunate enough in getting \$200,000 dedicated to
16 this. It really helped us a lot. They came up
17 yesterday, DOT from Atlanta. We spent most of the
18 day, from 10:00 to about 4:30 yesterday reviewing
19 the roads that actually we had repaired and the ones
20 we had not repaired. We did mention two other ones,
21 two others drops over in Creek Road and I did
22 contact them this morning and actually e-mailed them
23 pictures of what we actually lost last night. I'm
24 not sure we'll be able to get any money out of DOT,
25 but we will follow up on that. There's a couple of

1 other agencies that I'm working with right now and
2 hopefully we can get some emergency funds for our
3 roads, to help replace some of the money we've spent
4 and have spent and are spending.

5 Also, while we were at the Department
6 of Transportation, at GDOT, we did bring the red
7 light back up at the high school, something we've
8 been working on a couple of years. It's getting
9 more and more real now. They've had another study
10 there that they require, taken care of week before
11 last. They did request Monday some of the deeds at
12 the property there, some copies to show how wide the
13 right-of-way is. Also, I feel real good that we'll
14 be seeing that in the near future. I don't know
15 whether it will be up before school starts, but
16 things are looking good there with the DOT on that.
17 That will be a great aid for traffic. It won't be a
18 full-time light as far as working 24/7. It will
19 only be used in the mornings and evenings when
20 school is out and also during special school events.
21 So the resource officer will be able to control it
22 at his convenience.

23 We have been working with DOT and we've
24 got some more leg work to do on this, but we were
25 contacted about probably, I don't know, six or eight

1 months ago by some parents and since then, there
2 have been a couple more people that's got involved
3 in this. We're trying to get recognition signs
4 between -- on each end of the county and also the
5 city, coming into the city on both ends of the
6 different teams at our high school that have went to
7 actually state champion -- won state champion. As
8 you know, we had some girls -- the girls softball
9 team did real well this past year. We will -- but
10 anyway, there's a little more to that than just
11 going out and putting signs up. We've got some
12 procedures to go through. Look for that to happen
13 probably toward the fall. A lots of towns and a lot
14 of cities you go through, they do have that.
15 They've got their high school, middle school,
16 whatever, they've got their track record there,
17 especially if they had a state championship team.
18 So just bear with us on that.

19 Also, Robert Goff and myself, we
20 attended a meeting in Canton back a few weeks ago
21 and we came back with quite a bit of knowledge
22 pertaining to Obamacare and it's -- of course, you
23 can read it. It's -- and reread it and you can come
24 up with something different every time. It really
25 got us to thinking about indigent care here in the

1 county and actually the importance of our hospital
2 here as far as it being in Georgia. Because there's
3 really a chance that when this does take effect,
4 that our indigent -- not only our jail indigent, but
5 our people in the county will have to go to a
6 Georgia hospital, not a Tennessee hospital to
7 receive indigent care. So, you know, that's -- of
8 course, our closest hospital would be Hutcheson, or
9 Erlanger at Hutcheson. So as y'all know, we
10 actually have met with Erlanger. We went to a
11 meeting there at Erlanger the other night and they
12 have actually agreed to go into a contract, lease
13 agreement with the hospital. Of course, that
14 agreement is not finalized by far. Have you heard
15 anything on that, Robin?

16 MR. ROGERS: No.

17 MR. RUMLEY: I haven't heard anything
18 since the meeting. It was a really good move,
19 positive move because, of course, the reason that
20 we've actually held out on our end of it is actually
21 the bond payments themselves, you know, it was kind
22 of unsecured. Well, with this agreement with
23 Erlanger, it will be assured, you know, payment of
24 the bond payments, plus I think they were figuring
25 roughly a couple of hundred thousand dollars over

1 that. Bond payments are about 3.2 million roughly
2 is what they said it would be a year. So if that
3 lease agreement meets, you know, our approval and
4 our attorneys and if all that is covered, you know,
5 I think it would be a win-win for Dade County. If
6 not, I would not be for it at all because it would
7 be putting our taxpayers at risk and that's not what
8 we're here for.

9 The Obamacare is going to really --
10 there's going to be a lot of changes and there will
11 be a lot of people -- a lot of people that it's
12 going to help. There's going to be a lot of people
13 that it's going to hurt. Just from reading what --
14 at that seminar reading what we have. Let me see if
15 I have anything else here.

16 Okay. As we mentioned, the driver's
17 license people will be here hopefully on the 29th.
18 They will be here two Mondays a month and, of
19 course, they'll be located here in the justice
20 building. So we are going to actually send a memo
21 out to all departments that, you know, all of our
22 county people that park here, you know, out in this
23 area. This is going to be a very busy area right
24 here as far as parking, people coming in and out.
25 And especially for our elderly and all. We're going

1 to ask them to actually designate parking here on
2 the end of the building or even at the gazebo
3 because especially on those Mondays that we have
4 these people here, whether it's the first and third
5 Monday, we really need to be accommodating, you
6 know, to where the citizens can come in and park.

7 We can't really make them park, you
8 know, but I think most people will get on board with
9 it and do that. I've got a feeling they're going to
10 be swamped, you know, the first few months they're
11 here, you know, and hopefully forever. But so we do
12 want to stress to our people there to try to do
13 that.

14 Have you got anything to add, Mitchell?
15 Anything, Scottie?

16 MR. PITTMAN: On the driver's license
17 troopers that are coming over, you may have
18 mentioned, is it strictly to renew license?

19 MR. RUMLEY: They'll handle everything.
20 They can't do the --

21 MR. BRADFORD: Motorcycles go to
22 Dalton, don't they?

23 MR. RUMLEY: -- motorcycles or the
24 CDLs. They won't be able to do the testing -- I
25 mean, the driver's manual driver's test. They'll be

1 able to do everything else, all written exams and
2 all. That's why they're putting so many stations in
3 there is to try to help accommodate the Lineman
4 School, which is funding a big portion of this. So
5 you'll be able to get -- pretty much anything you
6 can get in Lafayette, in Rock Springs, you'll be
7 able to get here. And you say motorcycles go where?

8 MR. BRADFORD: They go to Dalton is
9 what I heard.

10 MR. PITTMAN: You've been working on
11 this, I know, for a while now. It's a really good
12 thing for the county.

13 MR. RUMLEY: And Mullis has helped us a
14 lot. Actually, we started working on this back when
15 Greg Dozer was a commissioner back two years ago and
16 he was over the state and he actually insinuated
17 they were working on some portables unit like blood
18 mobile, you know, to come in and set up. All that
19 fell through. The funding fell through on that. We
20 went back down, I don't know, six months ago or so
21 and we really got serious with it. They told us the
22 funding -- we had a new commissioner, too. His
23 second in command is actually a commissioner now.
24 We worked with him and the assistant commissioner
25 and came up with this plan. It's going to be a

1 win-win for Dade County. No doubt about it.

2 Okay. Have you got anything, Allan,
3 you want to add?

4 MR. BRADFORD: Not on that. On this I
5 do.

6 MR. RUMLEY: Also, too, Allan and I
7 were talking before the meeting and the DOT, as we
8 said, they were here yesterday all day and we looked
9 at many roads and the DOT, we did bring them down
10 136, which is something that Allan and I have been
11 working on since he came in, you know, heavily with
12 DOT and also a year ago we brought that up to them.
13 There was something mentioned, I don't know, in one
14 of the articles, someone said DOT had no idea that
15 -- about this problem.

16 MR. BRADFORD: There was an article
17 July 3rd where the representatives said that DOT had
18 never been notified of this situation and I've have
19 several calls where people want to know if I've
20 never called. But I've got all the names and
21 numbers of the people that I have called to verify
22 this. I am trying to get them to come back and
23 repair what they've done because it's very
24 dangerous. I don't know how many people realize how
25 many campers come off that mountain, but Cloudland

1 Canyon is a very expensive place -- I mean, visited
2 area and people bring their campers out and if you
3 see them hit that one spot, it looks like they go
4 two foot and there's going to be a bad accident. So
5 I've been working on that, but I want people out
6 there that are listening to be aware that we have
7 been calling and that did come up July 3rd.

8 That's been going on for four or five months. Ted
9 and I probably a year or so ago discussed 136. But
10 if they don't do something with it real quick --
11 they're talking about not doing anything until next
12 fall. What's going to happen, they're going to end
13 up shutting that road down for a year or so because
14 they're going to have to do so much work to it.

15 MR. RUMLEY: If it slides, that will
16 happen.

17 MR. BRADFORD: And you talk about an
18 inconvenience for the people that live in Dade
19 County. It's going to be rough for people that live
20 in this area and people that come across that
21 mountain every day. Thankfully, we're getting
22 Burkhalter fixed in case that does happen. I just
23 want everybody to be aware that it's been worked on
24 for at least five or six months really hard.

25 MR. RUMLEY: Okay. All right. Let's

1 move down. We've already taken care of our
2 appearances. We don't have anyone from the library
3 tonight, I don't think. I don't think Marshanna is
4 here.

5 Have you got anything else you want to
6 say, Sheriff, any of y'all? Okay. I appreciate
7 y'all being here, by the way. Okay. Don, our
8 monthly financial report.

9 MR. TOWNSEND: All right. As June
10 30th, 2013, the General Fund had a negative balance
11 of \$66,923; Federal Asset Fund, U.S. Treasury, \$288;
12 Sheriff's Special Fund, \$36,138; Drug Abuse
13 Education Fund, \$55,788; Supplemental Juvenile
14 Services Fund, 21,681; Victim Assistance Fund, \$61;
15 Jail Fund, \$15,538; Federal Asset Fund, Department
16 of Justice, \$742.

17 Payroll account, \$39,241; construction
18 account for S.P.L.O.S.T, \$14,376. Projects account,
19 \$73,276. Proceeds account, \$721,928. See the next
20 page is the department level revenues as well as
21 expenses and this is through May 31st, 2013. The
22 budget attained so far should have been
23 91.67 percent. The revenues attained for the year
24 is 88.38 percent and the expenses attained was
25 97.5 percent. That's as of May 31st. So June is

1 going to be about ten percent more, so we're going
2 to be over about -- right now it looks like five to
3 seven percent over, which means in expenses, under
4 Georgia law, we'll have to utilize fund balance or
5 something to come up with some money there. So
6 that's coming up next month.

7 General fund, cash projections, revenue
8 less expense for May, the actual was negative
9 \$214,110. Budget was short \$177,021. So that was
10 under -- over negative, \$37,089. Revenues less
11 expenses year-to-date is short \$836,121. Budget
12 wise, that's only \$423 and so that's a total of over
13 835,698.

14 The report following that is the
15 project variance report, which just backs up the
16 numbers that I just read to you. Following that
17 report is the collection from the Dade County Tax
18 Commissioner. And this is through -- this is as of
19 June 10th. This is what was collected through May
20 31st and in her department, Jane Moreland's office
21 collected -- they collected up at 92.39 percent,
22 which is pretty good because that's 2,412,000 out of
23 -- I'm sorry, 2,460,000 on property tax out of a
24 budgeted 2,412,000. At the bottom, you see they're
25 short right now \$255,000 just on the current

1 collections. But when we get June in, we'll see
2 that those numbers did go up a little bit more and I
3 think they're going to come in here with close to
4 100 percent.

5 Local option sales tax for the month of
6 June, again, was down. It peaked back in March at
7 165,000 for local option sales tax, but as far as
8 June 2013, we only collected \$140,076 compared to
9 last June 2012. Last June it was 166,000. So you
10 can see that's a great difference just in local
11 option sales tax. Since we're talking about millage
12 rate tonight, we use our local option sales,
13 100 percent of it goes to reduce the millage rate,
14 so just in case you didn't know that.

15 Special purpose local option sales tax,
16 again, it was down. We hoped to collect on average
17 about 200 to 210,000 a month. We collected for
18 June, 175,000. So these reductions in sales tax
19 couldn't happen at a worse time. Summertime, we had
20 a major, you know, things going on with the roads,
21 natural disasters. It's just a hard time. Again,
22 last June, 2012, compared to that was 207,000. So
23 quite a bit of money. And that concludes the
24 report.

25 MR. RUMLEY: Okay. Any questions for

1 Don? Okay. If we have no comments or questions, I
2 will entertain a motion to approve the financial
3 statements presented by Mr. Townsend.

4 MR. BRADFORD: Make a motion.

5 MR. RUMLEY: Do I hear a second?

6 MR. PITTMAN: Second.

7 MR. RUMLEY: I'll call a vote. Mr.
8 Bradford?

9 MR. BRADFORD: Yesterday.

10 MR. RUMLEY: Mr. Goff? Mr. Pittman?

11 MR. PITTMAN: Yes.

12 MR. RUMLEY: Mr. Smith?

13 MR. SMITH: Yes.

14 MR. RUMLEY: The chair votes yes.

15 Okay. Robin, do you have anything to
16 report to us on any legal issues or maybe the
17 Preserve or anything that you've had?

18 MR. ROGERS: On the Preserve, there's
19 been a few things happen this past month.
20 Cornerstone Community Bank filed a motion for relief
21 from the State to allow it to -- essentially was a
22 request that the property be auctioned. That motion
23 was scheduled to be heard, in fact, today and it was
24 rescheduled and reset for August 8th. We are in
25 the process of filing a similar motion, which I

1 anticipate will be heard at the same time. It's not
2 necessarily anticipated that that motion would go
3 forward and actually be heard or would be granted,
4 but it is a way of putting pressure on the process
5 to get a resolution to it. So that's why we're
6 doing that.

7 MR. RUMLEY: Okay. So as far as time
8 goes, it's still just kind of a lengthy thing?

9 MR. ROGERS: It still is.

10 MR. RUMLEY: Because what a time it
11 would be great to have the money come in on our
12 share and plus the school board could use it, too.
13 It's a shame, but okay. We'll keep you posted on
14 it.

15 Unfinished business, I don't think we
16 have any of that. Don, do you want to go over our
17 consent agenda and we'll entertain a motion to
18 approve?

19 MR. TOWNSEND: On the consent agenda,
20 we have approval of previous meeting minutes,
21 approval of employee head count report,
22 intergovernmental agreement with the City of Trenton
23 and Board of Elections, Resolution R-42-13,
24 recording of right-of-way deeds and other documents
25 for county road Robert Ryan, Jr. Road. Resolution

1 R-43-13, approval of FTA drug and alcohol testing
2 policy. Resolution R-45-13, fiscal year '14
3 agreement for transportation with Northwest Georgia
4 Regional Commission, formerly known as Meals on
5 Wheels agreement.

6 Resolution R-46-13 fiscal year 104
7 amendment to accommodate millage rate rollback rate
8 and Resolution R-47-13, approval of tax anticipation
9 note for additional proceeds of 700,000 to be
10 processed through the Bank of Dade. Resolution
11 R-48-13, accounting -- approval of accounting policy
12 and procedures manual.

13 MR. RUMLEY: Any questions for Mr.
14 Townsend? Any correction? Okay. The reading of
15 the minutes of last month's regular meeting and any
16 special-called meeting will not be required since
17 all commissioners have been furnished in advance.
18 The minutes are public record and available for
19 review in the County Commission office. The minutes
20 are included in the consent agenda and will be
21 considered for approval. Do I hear a motion to
22 approve the consent agenda?

23 MR. SMITH: Motion to approve.

24 MR. RUMLEY: Okay. Do I have a second?

25 MR. PITTMAN: Second.

1 MR. RUMLEY: Okay. I'll call a vote.
2 Mr. Bradford?

3 MR. BRADFORD: Yes.

4 MR. RUMLEY: Mr. Goff? Mr. Pittman?

5 MR. PITTMAN: Yes.

6 MR. RUMLEY: Mr. Smith?

7 MR. SMITH: Yes.

8 MR. RUMLEY: And the chair votes yes.
9 Okay. Thank you. Anyone else want to say anything
10 to us? Billy, do you have anything you want to get
11 off your chest?

12 MR. MASSENGALE: Pray it slacks up on
13 the rain.

14 MR. RUMLEY: I know it. We've got
15 another couple of inches, I think, coming from what
16 I understand, so maybe -- I don't know. We'll just
17 have to see. No executive session. Anyone got any
18 more comments here. If not, I'll entertain a motion
19 to adjourn.

20 MR. BRADFORD: Make a motion.

21 MR. PITTMAN: Second.

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

24 MR. BRADFORD: Yes.

25 MR. RUMLEY: Mr. Pittman?

1 MR. PITTMAN: Yes.

2 MR. RUMLEY: Mr. Smith?

3 MR. SMITH: Yes.

4 MR. RUMLEY: The chair votes yes. The
5 meeting is adjourned.

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END OF MEETING

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REPORTER'S CERTIFICATE

STATE OF TENNESSEE:

COUNTY OF HAMILTON:

I, Erin M. Flatt, LCR #307, CCR, licensed court reporter and notary public, in and for the State of Tennessee, do hereby certify that the above meeting was reported by me and that the foregoing 58 pages of the transcript is a true and accurate record to the best of my knowledge, skills, and ability.

I further certify that I am not related to nor an employee of counsel or any of the parties to the action, nor am I in any way financially interested in the outcome of this case.

I further certify that I am duly licensed by the Tennessee Board of Court Reporting as a Licensed Court Reporter as evidenced by the LCR number and expiration date following my name below.

In witness whereof, I have hereunto set my hand and affixed my notarial seal this 29th of July, 2013.

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Erin M. Flatt, LCR #307
Expiration Date: 6/30/2014
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Expires: December 21, 2014.