

# Local officials ask for Shelby's help in waiving federal regulation currently holding up construction of new hospital

By Tommy Campbell  
The Choctaw Sun

**BUTLER** — In 29 years of representing the people of Alabama in the U.S. Congress, Senator Richard Shelby has held more than 1,000 public meetings.

Shelby's visit to Choctaw County on Saturday was No. 1,367, to be exact.

"I enjoy 'coming home' to meet people face to face," the Tuscaloosa Republican said during a Feb. 10th "town meeting" at the Butler Senior Citizens Center.

Shelby, who represented this area first as a Democratic member of the U.S. House of Representatives and was later elected to the Senate, is now Alabama's senior federal lawmaker.

He spoke on a variety of topics including the war in Iraq, taxes, problems with illegal immigration, and the already-contentious 2008 race for the White House.

Alabama's economy is the best it has been in 50 years, he said.

"But we've got to sustain it, and create conditions that give people an incentive to invest in the state," he said.

Four years ago, America had great military success in Iraq, Shelby said.

"We thought it was over with, but the truth was, it was just beginning," he said. One of the problems he said, is that this is a much different war than any America's military has ever been called on to fight.

Shelby said that President Bush's plan to send 20,000 to 30,000 additional troops to the region may or may not be enough to do the job.

"That is a tough, tough situation over there," he said. But, he was quick to add, he does not believe America should "cut and run" under any circumstances.

"I won't ever vote to cut off funding for our troops when they are in harm's way," he said. "I would like to see success and stability in the region, and the sooner the better."

Shelby also expressed concerns about Iran and North Korea, both of which he said will have to be dealt with at some point down the road.

"We could bring every one of our soldiers home right now and I can promise you, those problems are not going away," he said. "This is something that will challenge us for the next 100 years, in my opinion. Iran wants to be the 'big boy on the block', and so does North Korea."

On the topic of immigration, Shelby pointed out local resident Barry Catrett, who is legally married to a woman from the Philippines but who has been fighting a mountain of "red tape" and bureaucratic paperwork for more than a year in

order to get permission for his wife to join him in Choctaw County.

"He's having a problem getting his wife out of the Philippines legally, he said. "If she were coming here illegally, it wouldn't be a problem, nobody would blink an eye, but Barry wants to do it properly, and legally, and this is what he gets."

Shelby promised that his office would make some phone calls to try to speed the process along.

He said that, right now, there are an estimated 12 million illegal immigrants in the United States.

"I agree that immigration reform is needed, but that's one of the things where President Bush and I do not see eye to eye on," he admitted.

Shelby said he believes America must take additional steps to secure its borders with Mexico.

Supt. of Education Sue Moore told Shelby that if America doesn't educate its children, they will not be able to compete in a global market.

"The No Child Left Behind Act has some good points, but it's not perfect," she said. "I agree that we need accountability, but we also need federal funding to help us with implementing these requirements."

Moore said that NCLB creates a "Catch 22" for special-needs children and the schools they attend.

"There needs to be a 'sliding scale' because what happens is it puts schools in a 'needs improvement' group just because of a very small sub-group of children that must be tested with the rest of the children," she said.

Shelby agreed that NCLB isn't flexible enough.

"Local schools ought to have some leeway when it comes to children's abilities," he said. "If you are testing everybody at the same level, you are surely penalizing somebody."

Not every child is going to be a doctor, lawyer, mathematician or rocket scientist, he said, nor are they all destined to become clerks, waitresses or salespeople.

"We need all of them, and that is why flexibility at the local level is so important," he said, adding that he does not believe the federal government should be in the business of dictating to local school systems what is best for their students.

"I think we should do what we can, and I support flexibility in the No Child Left Behind Act," he said.

Sarah Raye, a Choctaw County native who now works with Career-Technical Education programs at the State Dept. of Education, said she is grateful that Congress reauthorized the Perkins Act, which provides federal funding to

the states for vocational and technical programs.

"It is critical that Alabama continues to receive these funds," she said. "We have some great programs that will not be able to continue without this small amount of federal funding."

However, she added, there are some good career-technical courses in local schools that are working, but others need to be re-examined.

"They need to be revamped, removed, or 're' something," she said. "They need to come out of the last century."

Isney resident Ware Mason said that it is a shame that the Choctaw County is home to the first oil well in the state of Alabama, yet has not one single mile of four-lane highway in the entire county.

Shelby said that Alabama gets more federal highway dollars now than it ever has, but that the Congress does not specifically " earmark" money for individual road-building projects.

Mason was particularly concerned about U.S. 84, which runs near his home, and urged Shelby to do whatever he can to see that the major east-west thoroughfare is four-laned.

"West Alabama has never had its fair share of state resources," Shelby agreed, and told the crowd that they need to stay on local legislators to see that the regional funding inequity in Montgomery is addressed.

"Well, there's no doubt in my mind that the taxes from Choctaw County's oil resources are not being properly spent in our area," Mason said.

Dr. Keith Guinn, speaking of the need for better health care facilities, said that it is tough to properly treat people when the nearest emergency room or 24-hour hospital is almost 40 miles away.

Probate Judge D'Wayne May, Butler Mayor Ben Smith, and Commissioner Henry Lovette all asked Shelby to intervene on behalf of Rush Health Systems, Inc., which has announced plans to build a Critical Access Hospital in Choctaw County.

May said that the former Choctaw General Hospital — which was owned by Rush — closed in the early 1990's, leaving the county without an emergency room or a 24-hour health-care facility.

The Critical Access Hospital program allows hospitals to build such facilities in underserved areas, but the holdup is a federal regulation that says such a hospital cannot be built within 35 miles of another hospital. The site chosen by Rush for the new hospital is the old Choctaw Co. High School property which, to everyone's consternation, is only about 34 miles from Hill Hospital in York.

"This is really important to the people of Choctaw County, and we would appreciate anything your office can do to speed this along in Washington," May said. Officials have requested a waiver of the regulation, but have so far not received a response.

An alternate site has been identified on Ala. 17 south of Butler, but the "in town" site would be far better because it has immediate access to existing water, sewer, gas, and electric utilities. The more rural site could be used but at a much greater expense because a water tank would have to be installed, as well as a septic system.

"It would also help the economy," May told Shelby.

"We need it, badly," Commissioner Lovette said. "There's no way to judge what the economic impact would be for our people."

Mayor Smith agreed, saying that seven counties in Alabama has no hospital or 24-hour emergency healthcare facility.

"And here we have a hospital that WANTS to come here and we can't get this hitch worked out," Smith said.

The mayor said the town hopes to have another new industry breaking ground within a month or so that will employ between 100-200 people.

"We need that hospital if we hope to continue to attract new business and keep what we already have," he said.

Shelby was quick to agree, and said that his office would help in any way it can.

"Companies look at the quality of your healthcare facilities," he said. "If I were the head of a large company, I would have to ask myself, would I want to go to a county that doesn't have a hospital?"

Shelby warned that with a Democratically-controlled Congress,

people should be wary of nationalized healthcare insurance proposals that are on the horizon.

"The new wrinkle is that now it is corporate America that is pushing this, because these big companies want to drop the healthcare plans their employees have and drop these costs on you, the taxpayer," he said.

Dan Melvin said that its already happening in Choctaw County with retirees at the Georgia Pacific mill at Pennington.

"They have reneged on deals that were made with their retirees regarding health insurance," he said, citing his own father as an example. "I don't understand how they can get out of this deal that was made with these people."

Shelby said that one of the main problems in such areas is lobbyists for large corporations who spend enormous sums of money trying to influence changes in the tax codes.

Local pastor and volunteer fireman James Bonner said he is concerned about two issues, federal judges that legislate from the bench, and fears that federal funding for volunteer fire departments will be cut in the new budget.

Shelby said that two years ago when the U.S. Supreme Court ruled that a governmental entity could take a person's property and give it to a company that wants to build a private business, he believes the Justices far overstepped their Constitutional authority.

"They said that the government can come in and condemn your property and take it and give it to some company that wants to build a shopping mall," he said.

The Constitution allows for the acquisition of private property in cases of public need, for projects such as roads, bridges, or other public-works projects, but not for private, for-profit deals,

he said.

"I don't believe the government should be taking someone's property and giving it to someone else," he said.

He also chided Supreme Court Justices and Federal Judges for their judicial activism, or legislating from the bench.

"I believe that religious beliefs should be protected," he said.

"Our schools are between a rock and a hard place," Bonner said. "They are afraid of what these federal judges are going to push down their throats next."

Shelby said that if another Supreme Court justice retires within the next year and a half, President Bush will get to nominate a successor.

"I believe that, even with a Democrat majority, we could get an acceptable conservative person confirmed by the Senate," he said.

He also added that the government has no authority to tell a person they cannot practice their faith.

On Bonner's other concern, Shelby said that he will continue to work to keep funding for local fire departments in the National Homeland Security budget, but admitted that it will be more of a fight as time goes by.

"Our volunteer fire departments play a vital role in protecting our people," he said.

EMA Director Bill Gibson also addressed possible cuts in the 2008 federal budget for homeland security projects on the local level.

"We must get serious about establishing secure funding for these needs," he said. "We must have the proper tools to properly serve our people, and that takes money."

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