



CLAY COUNTY BOARD OF COMMISSIONERS

Commission Chambers, Fort Gaines, Georgia
Amended Minutes

February 16, 2010
Regular Meeting

- 1) **Call to Order and Opening Prayer**
Chairman David Shivers called the regular meeting to order at 7:00 p. m. Commissioner Radar Fair gave the opening prayer. Chairman David Shivers, Vice-Chairman Barry Waters, and Commissioners James Davenport, Radar Fair, Sr. and Walt Killingsworth were in attendance as well as County Attorney Bill Mills, Sheriff Roger Shivers, Deputy Locke Shivers, RVRC Representative Allison Slocum, and County Clerk Adria Williams.
- 2) **Agenda Approval**
Motion made by Vice-Chairman Waters to add the following items to the agenda:
 - 8c. Discussion and Possible Actions on Non-Compliance Issue of the Open Meetings Act and Minute's Summary
 - 8d. Motion to rescind January 19, 2010 Motion Authorizing Chairman to have Supervisor AuthorityMotion seconded by Commissioner Davenport; motion carried.
- 3) **Annual Appointments - None**
- 4) **Presentations before the Board**
 - a. Allison Slocum- River Valley Regional Commission
Ms. Slocum presented the Board with an updated version of the Service Delivery Strategy Resolution to be signed by the Chairman and Clerk. She also explained the 2010 CDBG Application Conflict of Interest form that the Commissioners had to complete.
 - b. Latoya Childs- Palace Club
Ms. Childs, bookkeeper for the Palace Club, requested clarification of the Clay County Code regarding closing time for nightclubs and for the Board to restate the decision on the closing hours at the January 19th meeting. The County Attorney stated the establishment was to be vacated no later than 2:30AM as per state and county statute. As to any other concerns expressed about the issue discussed at the, 01/09/2010, meeting, the Chairman stated that we would have to listen to the tape. Deputy Locke Shivers informed the Board that the Palace Club occupational tax and alcoholic beverage license expired Dec. 31, 2009. The applicant will have to reapply for an alcoholic beverage license.
- 5) **Minutes**
 - a. February 2, 2010 Zoning Public Hearing
Motion made to approve the February 2, 2010 Zoning Public Hearing by Commissioner Davenport. Call for vote by Chairman unanimous; motion carried.
 - b. February 2, 2010 Regular Meeting
The following items were amended:
 - 8g. "Vice-Chairman Waters motioned to have River Valley look into grant possibilities.", to
 - 8g. "Vice-Chairman Waters motioned to have RVRC look into possible government applications for the Homeland Security Grant."
 - 8c. "The additional compensation was not authorized by the Board.", to
 - 8c. "The additional compensation was not authorized by the Board. Chairman Shivers pointed out that the Board did approve the paychecks at the prior meeting."Commissioner Fair stated he wanted to verify his withdrawal of a motion. Motion by Vice-Chairman Waters to postpone approving the minutes until Commissioner Fair has a chance to listen to the tape of the Feb. 2nd regular meeting minutes. Motion seconded by Commissioner Killingsworth; motion carried.
 - c. February 8, 2010 Special Called Meeting
Motion made to approve the February 8, 2010 Special Called Meeting by Commissioner Fair. Motion seconded by Commissioner Davenport. Vice-Chairman Waters abstained. Motion carried.
- 6) **Correspondence Requiring Action**
 - a. None
- 7) **Unfinished Business**
 - a. Follow up on Edmunds Software System
Vice-Chairman Waters read the email from Bob Edmunds- County not responsible for the \$8885.00 invoice. Issue resolved.
 - b. Call for vote on Marcus Haralson Permit for Conditional Use of a Mobile home.



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Motion made by Commissioner Davenport to approve the Conditional Use Permit for Mobile Home. Motion seconded by Commissioner Fair; motion carried.

c. Status Report on Pop's Gourmet Deli

If it becomes necessary to remove the contents of the store: Motion made by Vice-Chairman Waters "Based on the decision of the store owner", to authorize Bobby Dupree, Public Works Director, in the removal and storage of the contents of the store. Motion seconded by Commissioner Davenport. All in favor; motion carried.

Motion made by Vice-Chairman Waters to authorize the County Attorney to investigate the situation with the property owner and report back to the Board and to see if there are any liquidation companies that might purchase the collateral. Motion seconded by Commissioner Fair; motion carried.

8) **New Business**

a. Secure Tech Systems Panic Buttons Maintenance Proposal

Motion made by Vice-Chairman Waters to authorize the Sheriff Department to renegotiate the Secure Tech Systems quote and report back to the Board. Motion seconded by Commissioner Fair; motion carried.

b. Permission to Install Utilities Drop Box

Issue tabled until the March 2, 2010 meeting.

c. Compliance Issue- Minutes Summary

Vice-Chairman Waters addressed violations of the Open Meetings Act stating that the Board is responsible for making sure the summary of the minutes are correct. For future meetings all motions will be restated by the Commissioner that made the motion.

d. Rescinding of January 19th Motion Authorizing Chairman to have Supervisor Authority

Motion made by Vice-Chairman Waters to rescind the January 19th motion authorizing the Chairman as Supervisor until a County Administrator's hired. Motion seconded by Commissioner Fair; motion carried.

9) **Comments from the Public**

Gary Day- County citizen concerned that the situation with Pop's Deli could cost the taxpayers of the county.

10) **Comments from Department Heads & Constitutional Officers**

Sheriff Shivers updated the Board on the status of the Courthouse floor. The floors aren't as bad as he thought them to be. Mr. Trey; Crozier, who performed the repairs, will provide the Board with an estimate to complete the repairs remaining.

11) **Administrator Comments, Reports & Recommendations**

12) **Comments from the Board**

Vice-Chairman Waters informed the Board of his being notified by the County Administrator the IRS has placed a lien against Clay County in the amount of \$30,000 plus; this a result of the 941s not being filed.

Vice Chairman Waters informed the Board, for the record, the total salary for the new administrator will be, \$47,740.52.

Vice Chairman Waters informed the Board of information received from the various conferences and meetings he has attended. From the Legislative Conference:

1. Georgia Department of Human Services.
20,000 Jobs for Georgia
Energy Star Rebate
2. Legislative Update
HR 1237 Coroners as Constitutional Officers

Vice Chairman Waters showed the Board what he procured from the EMS Region 7 Council and forwarded to the Superintendent of Schools: Updated Health/Medical binders for school use.

Vice Chairman Waters gave an update to the Board on Clay County's EECBG update (Energy Efficiency Conservation block Grant) application; still pending. May have additional information mid-March.

Vice Chairman Waters provided the Board and County Office a copy of a DVD containing the presentation video and materials from the Golden Triangle meeting he attended on; EBT/Farmer's Market.

Vice Chairman Waters requested an update on the status of the Systematic Alien Verification for Entitlements (SAVE) Program as there are new requirements.



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Chairman Shivers informed the Board of hearsay of Stewart County pulling out of the joint E911 and about meeting with other County Commission Chairmen to discuss the possibility of a joint EMS.

Commissioner Fair expressed his concern with the dirt roads in the county being washed out.

13) Invoices to Be Approved

Motion made by Commissioner Fair to approve the invoices. Motion seconded by Vice-Chairman Waters; motion carried.

14) Consent Agenda

15) Executive Session (If Needed)

16) Adjourn


There being no further business the regular meeting adjourned at 8:55 p.m.



David Shivers, Chairman

4-7-2010
Date

I HEREBY AFFIRM THAT I AM THE COUNTY CLERK AND THAT THIS IS A TRUE AND CORRECT COPY OF THE FEBRUARY 16, 2010 MEETING OF THE CLAY COUNTY BOARD OF COMMISSIONERS.



Adria Williams, County Clerk

4-7-2010
Date