



## CLAY COUNTY BOARD OF COMMISSIONERS

Commission Chambers, Fort Gaines, Georgia

Minutes  
Amended

April 6, 2010  
Regular Meeting  
7:00 p.m.

1) **Call to Order and Opening Prayer**

Chairman David Shivers called the regular meeting to order at 7:00 p.m. with an opening prayer. Chairman David Shivers, Vice Chairman Barry Waters, and Commissioners James Davenport and Radar Fair, Sr. were in attendance as well as County Administrator Spencer Mueller, County Attorney Bill Mills, Sheriff Roger Shivers, Public Works Director Bobby Dupree, EMS Director Ron Brown, County Code Enforcer Mitch Ellis, Deputy Clerk Lori McMullen, and County Clerk Adria Williams. Commissioner Walt Killingsworth was not in attendance.

2) **Agenda Approval**

The following item was added to the agenda:

8d. Discussion and Referral of the Body Art Ordinance to the County Attorney

Motion made to approve the amended agenda with the addition of item 8d by Vice Chairman Waters. Motion seconded by Commissioner Davenport; motion carried.

3) **Annual Appointments - None**

4) **Presentations before the Board**

a. Recognition Award to Genia Johnson

Chairman Shivers, on behalf of Clay County Board of Commissioners, presented a proclamation award to Ms. Johnson. Ms. Johnson thanked the Board for the award, EMS Director Ron Brown, and Vice Chairman for writing such a nice letter

b. Sherri Baker & James Coleman – Permission for One Day Festival in County

Motion made to approve the one day festival by Commissioner Fair. Motion seconded by Vice Chairman Waters; motion carried. Sub motion made for the Board to issue letter of permission by Vice Chairman Waters. Motion seconded by Commissioner Davenport; motion carried. Sub motion made to allow Clay County EMS to be on site for time frame of 5:00 p.m. to 3:00 a.m. on July 2<sup>nd</sup> by Vice Chairman Waters. Motion seconded by Commissioner Davenport, motion carried.

5) **Minutes**

a. March 16, 2010 Regular Meeting

The following amendment was made to the March 16, 2010 regular meeting minutes:

Under line item 7a) Samuel Freeman – Palace Club- Alcoholic Beverage License, change "Motion made to amend the motion by Vice Chairman Waters to include the board giving the applicants the right information needed before they come before the Board again; motion denied.", to "Motion made to amend the motion by Vice Chairman Waters to include the Board giving the applicants the right information needed before they come before the Board again; motion died from lack of a second."

Motion made to approve the March 16, 2010 regular meeting minutes as amended by Vice Chairman Waters. Motion seconded by Commissioner Fair; motion carried.

b. March 30, 2010 Special Called Meeting

Motion made to approve the March 30, 2010 special called meeting minutes as written by Vice Chairman Waters. Motion seconded by Commissioner Fair; motion carried.

6) **Correspondence Requiring Action**

a. None

7) **Unfinished Business**

a. Adoption of Resolution for an Amendment to Title XI, Business Regulations, Chapter III, Alcoholic Beverages, Division 3, Section III

Motion made to postpone by Vice Chairman Waters. Motion seconded by Commissioner Fair; motion carried. Resolution amendment will have to re-advertise and be placed on the May 4, 2010 agenda.

b. Samuel Freeman – Palace Club- Alcoholic Beverage License

Motion made to approve by Vice Chairman Waters. Motion seconded by Commissioner Davenport; motion carried.

c. Emergency Preparedness Review and Training- Schedule Workshop Date

Date to be set at April 20, 2010 meeting.



## CLAY COUNTY BOARD OF COMMISSIONERS

Commission Chambers, Fort Gaines, Georgia

Minutes  
Amended

- d. Discussion on Clay County Chamber of Commerce Request  
Discussion postponed until the April 20, 2010 meeting.
- e. Discussion on Temporary Storage for Willie Walker  
Motion made to grant permit to move mobile home to new temporary location until final determination by the Board by Vice Chairman Waters. Motion seconded by Commissioner Fair; motion carried.
- f. Discussion Ellis McCoy- Property Owner Authorization  
Motion made to amend the Ordinance to include conditions on yard sales by Commissioner Fair. Motion dies from lack of a second.  
Motion made to turn over to the Planning and Zoning Commission for definition of a yard sale by Commissioner Fair. Motion made to amend the motion to include RVRC for input by Vice Chairman Waters. Motion seconded by Commissioner Davenport; motion carried.
- g. Discussion on Water System Resolution 08-018  
Motion made to move forward by Commissioner Fair. Motion seconded by Commissioner Davenport; motion carried.

### 8) New Business

- a. Accident Auto Repair Claim- Debbie James  
Motion made for the Board to pay Ms. James' deductible and let her insurance pay the rest by Commissioner Fair. Motion seconded by Commissioner Davenport; motion carried. The County Attorney advised writing a joint check to Ms. James and Cunningham Body Shop and Wrecker.
- b. Discussion on Lifelink of Georgia- National Donate Life Month Proclamation  
Motion made to support the effort of LifeLink by Commissioner Fair. Motion seconded by Vice Chairman Waters; motion carried.
- c. Discussion Lower Chattahoochee Direct Service Local Match Contract  
Motion to put on hold until the new budget is done by Commissioner Fair. Motion died from lack of a second. Motion made to include the \$750.00 amount with the \$3329 and stretch over four installments by Vice Chairman Waters. Motion seconded by Commissioner Fair; motion carried.
- d. Discussion and Referral of the Body Art Ordinance to the County Attorney  
Motion made to refer draft to the County Attorney for finalization by Vice Chairman Waters. Motion seconded by Commissioner Davenport; motion carried.

### 9) Comments from the Public

Gary Day- Inquired about the status on Pop's Deli  
Ken Penuel- Updated the Board on the status of various projects for the SW GA Authority, Phenomenon Trail, Gateway Grant, and Development Authority.

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

None

### 11) Administrator Comments, Reports & Recommendations

County Administrator Mueller informed the Board of the \$14,438.51 from One Georgia, approval to proceed with the increase in height of the antenna, and \$171,000.00 from the Energy Efficient Grant Code Red Update- Not resolved; cost is \$5000.00. A three county option reduces the cost by \$1000.00; still waiting on response from other counties.  
Secure Tech Systems Panic Button Maintenance Update- Suggested keeping the system like it is and county maintaining the system. Motion made for the County to maintain the Secure Tech System going forward by Vice Chairman Waters. Motion seconded by Commissioner Davenport; motion carried.  
GA DOT Section 5311 for FY2011- paperwork complete, documents need to be signed by the Chairman and a resolution must be adopted. Motion made to approve authorization of the resolution and like to underscore the Chairman's concern to ensure items are in the Commissioners' Books and on agenda by Vice Chairman Waters. Motion seconded by Commissioner Davenport; motion carried.  
SPLOST- informed the Board to consider putting the SPLOST referendum on the November ballot. The County Attorney stated that the decision needs to be decided by the next meeting but no later than the first meeting in May. Motion made to move forward with the SPLOST referendum for the November election by Vice Chairman Waters. Motion seconded by Commissioner Fair; motion carried.



## CLAY COUNTY BOARD OF COMMISSIONERS

Commission Chambers, Fort Gaines, Georgia

Minutes  
Amended

**12) Comments from the Board**

Chairman Shivers informed the Board of a letter from Byron Bell in reference to his term expiration on the Hospital Authority Board. He wishes to fulfill another term and to be included as one of three nominees to the Hospital Authority. Vice Chairman Waters and Ken Penuel volunteered to be the second and third nominees for the Hospital Authority. Motion made to submit the three names as nominees by Commissioner Davenport. Motion seconded by Commissioner Fair; motion carried.

Commissioner Davenport stated that he feels that Constitutional Officers should be allowed to speak at their given time. Vice Chairman Waters stated that it is time for the Chairman to take charge of the meetings. The County Administrator suggested going to one meeting per month and one work shop session. The Chairman stated there would be no time for public input for the regular meeting.

**13) Invoices to Be Approved**

Motion made to pay the bills by Vice Chairman Waters. Motion seconded by Commissioner Fair; motion carried.

**14) Consent Agenda**

**15) Executive Session (If Needed)**


**16) Adjourn**

There being no further business, the regular meeting adjourned at 9:30 p.m.

  
\_\_\_\_\_  
David Shivers, Chairman

5/5/2010  
\_\_\_\_\_  
Date

I HEREBY AFFIRM THAT I AM THE COUNTY CLERK AND THAT THIS IS A TRUE AND CORRECT COPY OF THE APRIL 6, 2010 REGULAR MEETING OF THE CLAY COUNTY BOARD OF COMMISSIONERS.

  
\_\_\_\_\_  
Adria Williams, County Clerk

5/5/2010  
\_\_\_\_\_  
Date