



CLAY COUNTY BOARD OF COMMISSIONERS

Commission Chambers, Fort Gaines, Georgia

Minutes
Amended

June 1, 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. Commissioner Radar Fair, Sr. gave the opening prayer. Chairman David Shivers, Vice Chairman Barry Waters, and Commissioners James Davenport, Radar Fair, and Walt Killingsworth were all in attendance as well as County Administrator Spencer Mueller, County Code Enforcer Mitch Ellis, Blue Cross Blue Shield Representative Sam Clinkscales, Accounts Payable Clerk Lori McMullen, and County Clerk Adria Williams.

2) Agenda Approval

The following change was made to the agenda:

8a. Cynthia Brooks- South of the Border- Alcoholic Beverage License Application, to

8a. Cynthia Brooks- South of the Border- Alcoholic Beverage License Application- To Set Public Hearing Date

The following item was added to the agenda:

8i. Discussion on Census Workers and Access to County Records

Motion made to approve the agenda with stated amendments by Vice Chairman Waters. Motion seconded by Commissioner Fair; motion carried.

3) Annual Appointments - None

4) Presentations before the Board

a. Irene Patterson- Pebble Shores Drive- Property Tax Issue

Mrs. Patterson expressed her concern that County residents are not being treated uniformly and equal for property tax assessments. She asked the Board if there was anything they could do and suggested the County having a performance review done on the office that the County uses for tax assessments.

Motion made to review the information and discuss at the next meeting by Vice Chairman Waters. Motion seconded by Commissioner Davenport; motion carried.

b. Wilbert Bertrand- Meals on Wheels Update

Mr. Bertrand provided the Board with an update on Meals on Wheels. He stated that Meals on Wheels and Senior Services are both under Direct Services. Commissioner Killingsworth asked if Clay County was paying more than the other counties. Mr. Bertrand replied that the amount of pay is determined by the size of the county. Commissioner Killingsworth asked if the other counties are paying a portion of the electric bill. Mr. Bertrand stated no. The food is being prepared here; the electric bill wouldn't be much less. If it is not done in Clay County, they would lose 16 employees. Direct Services pays all salaries and funds all of the food for the meals.

c. Sam Clinkscales- Group Health Insurance Renewal and Other Options

Mr. Clinkscales provided the Board with the new health care insurance premium rates for Blue Cross Blue Shield as well as the rates for additional health care insurance carriers. If a decision is not made by July 1, the rate will increase to \$526.37.

Motion made to postpone making a decision until the next meeting by Vice Chairman Waters. Motion seconded by Commissioner Davenport; motion carried.

5) Minutes

a. May 18, 2010 Work Session

Motion made to approve the May 18, 2010 Work Session minutes by Vice Chairman. Motion seconded by Commissioner Fair; motion carried.

b. May 18, 2010 Regular Meeting

Motion made to approve the May 18, 2010 Regular Meeting minutes by Commissioner Fair. Motion seconded by Commissioner Killingsworth; motion carried.

c. May 20, 2010 Work Session

Motion made to approve the May 20, 2010 Work Session minutes by Commissioner Fair. Motion seconded by Commissioner Killingsworth. Vice Chairman Waters abstained. Motion carried.

d. May 25, 2010 Work Session

Motion made to approve the May 25, 2010 Work Session minutes by Commissioner Fair. Motion seconded by Commissioner Davenport. Vice Chairman Waters abstained. Motion carried.



CLAY COUNTY BOARD OF COMMISSIONERS

Commission Chambers, Fort Gaines, Georgia

Minutes
Amended

6) Correspondence Requiring Action

- a. None

7) Unfinished Business

- a. Emergency Preparedness Review and Training- Schedule Workshop Date
Vice Chairman Waters stated that he has contacted all principal parties and is awaiting a list of dates of availability so he can schedule a date and time with the EMA; work is in progress.
Postponed until the next meeting.
- b. Discussion on Bagby Park
Motion made to meet June 9, 2010 at 5:00 p.m. by Commissioner Fair. Motion seconded by Commissioner Davenport; motion carried.

8) New Business

- a. Cynthia Brooks- South of the Border- Alcoholic Beverage License Application
Motion made to have public hearing July 6, 2010 at 6:30 p.m. by Vice Chairman Waters. Motion seconded by Commissioner Fair; motion carried.
- b. Discussion on Fee System for all County Parks
Motion made to table, for further information, until the next meeting by Commissioner Fair. Motion seconded by Commissioner Killingsworth; motion carried.
- c. Discussion on Coroner Death Certificates- Monthly Submittal
Motion made to have the Chairman speak with the Coroner about submitting death certificates in a timelier manner by Vice Chairman Waters. Motion seconded by Commissioner Killingsworth; motion carried.
- d. Discussion on Water Contract Expirations
Motion made to pursue action against those delinquent \$300.00 or more by Vice Chairman Waters. Motion seconded by Commissioner Fair; motion carried.
- e. Flood Damage Prevention Ordinance Authorization
Motion made to authorize the Chairman to sign Flood Damage prevention Ordinance by Vice Chairman Waters. Motion seconded by Commissioner Fair; motion carried.
- f. RVRC Planning and Zoning Technical Assistance Contract
Motion made to deny by Commissioner Fair. Motion seconded by Vice Chairman Waters. Chairman Shivers and Commissioner voted nay. Commissioner Davenport abstained. No action.
Motion made to approach the City of Fort Gaines to see if they will share the cost of RVRC fees and approach RVRC for reconsideration of their yearly fee by Vice Chairman Waters. Motion seconded by Commissioner Davenport; motion carried.
- g. Discussion on GA Forestry Commission Increase Request
Motion made to approve the GA Forestry Commission invoice 2011-030 in the amount of \$7766.00 by Vice Chairman Waters. Motion seconded by Commissioner Davenport; motion carried.
Motion made to authorize Chairman to sign all three Memorandum of Understandings by Vice Chairman Waters. Motion seconded by Commissioner Davenport; motion carried. Vice Chairman Waters amended his motion to include attaching a copy of the memorandums to the minutes.
- h. Fort Gaines Lions Club Request
Motion made to approve the contract for services for \$500.00 by Vice Chairman Waters. Motion seconded by Commissioner Davenport; motion carried.
- i. Discussion on Census Bureau Workers and Access to County Records
Motion made for Census workers to request open records request for information needed by Vice Chairman Waters. Motion seconded by Commissioner Fair; motion carried.

9) Comments from the Public

Ken Penuel- informed the Board of a grant request for \$35,000.00 for Go Fish.

10) Comments from Department Heads & Constitutional Officers

11) Administrator Comments, Reports & Recommendations

The County Administrator informed the Board of the following:

1. Revised 2009 Auditor's Report completion
2. Co Road 63- Hatcher Road- Closing



CLAY COUNTY BOARD OF COMMISSIONERS

Commission Chambers, Fort Gaines, Georgia

Minutes

Amended

12) Comments from the Board

Vice Chairman Waters inquired about the requests from the May 18, 2010 Work Session. The request on Meals on Wheels Update has been fulfilled. The other three requests have not been met. They should be added to the June 15, 2010 agenda. The Accounts Payable Clerk stated that she has explanations when the budget is discussed.

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) FY2011 Budget Planning

Motion made to meet June 22, 2010 and June 29, 2010 at 5:30 p.m. for a public hearing on the FY2011 budget by Commissioner Davenport. Motion seconded by Commissioner Fair; motion carried.

17) Adjourn

There being no further business the regular meeting adjourned at 10:00 p.m.

David Shivers

David Shivers, Chairman

7-21-2010
Date

I HEREBY AFFIRM THAT I AM THE COUNTY CLERK AND THAT THIS IS A TRUE AND CORRECT COPY OF THE JUNE 1, 2010 REGULAR MEETING OF THE CLAY COUNTY BOARD OF COMMISSIONERS.

Adria Williams

Adria Williams, County Clerk

7-21-2010
Date

For

COOPERATIVE AGREEMENT
BETWEEN
GEORGIA FORESTRY COMMISSION
AND
COUNTY COMMISSIONERS OF

Clay COUNTY

THIS AGREEMENT hereby entered into this 15th day of June, 2010, by and between the GEORGIA FORESTRY COMMISSION of the State of Georgia, by and through its Director acting as its agent, hereinafter referred to as "COMMISSION", and Clay COUNTY, under the provisions of the "Forest Fire Protection Act", approved February 23, 1949 (Ga. L. 1949, p. 937), as amended, particularly by an Act approved February 7, 1950 (Ga. L. 1950, p. 101), and Act approved March 3, 1955 (Ga. L. 1955, p. 309) and House Bill No. 1055 enacted by the 2010 session of the General Assembly of Georgia approved by the Governor.

WITNESSETH:

WHEREAS, Clay COUNTY has petitioned COMMISSION for financial and technical aid in establishing and maintaining a forestry program,

NOW THEREFORE, for and in consideration of the mutual benefits and advantages to be derived from such a cooperative agreement, and in cooperation with and supplemental to the COMMISSION and its forestry program, the sufficiency of which is hereby acknowledged, the parties hereto agree:

1. THE COUNTY COMMISSIONERS AGREE:

- a. That COMMISSION may exercise direct supervision over such forestry program;
- b. To deposit with COMMISSION to be spent as herein provided, a sum in dollars equal to the number of commercial private forest acres embraced and comprised within said County (the number of forest acres in each County to be based upon the most recent United States Forest Service forest survey for Georgia), multiplied by ten cents (.10), as the County's share of the cooperative cost of the forestry program for the fiscal year, said amount to be paid in advance as follows (indicate one):
monthly _____ quarterly _____ semi-annually _____ annually X
and said payment to be made by the tenth day of the period covered as above indicated;
- c. That Unit Forestry personnel shall be employed and dismissed by the COMMISSION as it may deem advisable;
- d. To cooperate with COMMISSION in general educational work;
- e. That the District Manager shall be responsible directly to the COMMISSION for all activities within the organization;
- f. That any additional monies that may be needed by a County for extra service above that granted for basic service to similar areas and like conditions will be provided by said County without obligation from the State; and

2. THE COMMISSION AGREES:

- a. To keep necessary records, etc., so that an examination of the forestry program can be made at any time;
- b. To operate the forestry program as effectively and efficiently as possible within the confines of the budget; and
- c. To do general forestry educational work within the area covered by this agreement.

3. THE PARTIES MUTUALLY AGREE:

- a. That the COMMISSION is hereby designated as the owner of all property, improvements and equipment purchased under this cooperative agreement, and should this agreement be terminated, as hereinafter provided, by either or both of the parties hereto, title to all improvement and equipment so purchased shall rest with the COMMISSION;
- b. That if, at any time, this agreement is terminated by either party for any reason, all unexpended County funds shall be refunded to said County, after all outstanding obligations have been paid;
- c. That should the County at any time fail to make payments promptly, the COMMISSION reserves the right to refuse to continue the operation of the unit forestry program;
- d. That all work covered by this agreement shall be under the direction and supervision of the COMMISSION, subject to the provisions of this agreement and the laws of the State and Federal Government now or hereafter enacted relative to forestry;
- e. That should adjoining units need assistance in controlling a large forest fire or large number of fires, assistance will be given on request to said County by COMMISSION or its designated agent, provided equipment and manpower are not needed on an active fire or fires within its own unit;
- f. That this agreement shall be subject to all the provisions of the Act of the General Assembly of Georgia referred to as the "Regional Forest Fire Protection Compact" (Ga. L. 1953, Nov. - Dec. Sess., p. 49; Ga. Code Ann., Ch. 43-9), more particularly but not limited to the provisions therein made of the cooperative temporary lending of facilities and equipment by participating units and States; and

g. That this agreement shall be subject to all provisions and conditions which may be made in the future by law, and no vested rights shall be acquired by any party hereto as against any such change made by law.

THIS AGREEMENT becomes binding on the date it is signed by both parties hereto and shall continue in force and effect until terminated by either or both parties upon sixty (60) days written notice by one to the other.

THE PROVISIONS contained within this agreement shall not be implemented until July 1, 2010, being the date upon which H. B. No. 1055, enacted by the 2010 Session of the General Assembly of Georgia and approved by the Governor on May 12, 2010 becomes effective.

IN WITNESS WHEREOF, the parties hereto have caused this agreement to be executed on the date written opposite each signature.

BOARD OF COMMISSIONERS,
Clay COUNTY, GEORGIA

BY: David D. Shuman
CHAIRMAN

6-1-2010
DATE

GEORGIA FORESTRY COMMISSION,

BY: John E. Harris
DIRECTOR

6/14/2010
DATE