



CLAY COUNTY BOARD OF COMMISSIONERS
Commission Chambers, Fort Gaines, Georgia
Minutes

Regular Meeting
July 7, 2009
7:00 p. m.
Amended

1) Call to Order and Opening Prayer

Chairman David Shivers called the meeting to order at 7:00 p. m. Commissioner James Davenport gave the opening prayer. Vice-Chairman Barry Waters, Commissioners Walt Killingsworth, Radar Fair and James Davenport were in attendance as well as County Attorney Bill Mills, Administrator Pam Ward, Sheriff Roger Shivers, Code Enforcer Mitch Ellis, EMS Director Ron Brown, Public Works Director Bobby Dupree and County Clerk Adria Williams.

2) Agenda Approval

The following items were removed from the agenda:

- 7a. South of the Border – Fred Cannon
- 8l. Review and discussion on suggested ordinance for "gray water" – Commissioner Waters

The following items were added to the agenda:

- 7a. Decision on Alcoholic Beverage License Revocation Hearing for Mr. King
- 8l. County Attorney opinion on Solid Waste Ordinance – employee opening accounts

Commissioner Fair motioned to approve the agenda with changes; second by Commissioner Davenport; motion carried.

3) Annual Appointments

- a. None

4) Presentations before the Board

- a. None

5) Minutes

- a. June 16, 2009
Chairman Shivers suggested changing under 2) Agenda Approval:
"8f. Discussion to rescind landfill fee increase of \$3.00"; to,
"8f. Discussion to rescind landfill fee increase to \$3.00"

Commissioner Killingsworth motioned to approve the minutes with changes; Commissioner Fair seconded motion; motion carried.

6) Correspondence Requiring Action

- a. None

7) Unfinished Business

- a. Decision on Alcoholic Beverage License Revocation Hearing for Mr. King
Commissioner Davenport motioned to accept Sheriff Shivers' recommendation for Mr. King's license to remain suspended until he installs video cameras. Commissioner Fair seconded the motion. Vice-Chairman Waters abstained. Motion carried.

8) New Business

- a. Appointment of two members to Golden Triangle Resource Conservation and Development Council



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- Volunteers: Joyce Sanders, Pam Ward
Commissioner Davenport motioned to appoint Joyce Sanders and Pam Ward to Golden Triangle Resource Conservation and Development Council. Commissioner Fair seconded the motion; motion carried.
- b. Appointment of Planning & Zoning Commission Board Member (replacing Gary Day)
Volunteers: Bill Koch, Joyce Sanders
Commissioner Killingsworth motioned to appoint Joyce Sanders. Commissioner Davenport seconded the motion; motion carried.
- c. Appointment to Economic Development Authority of Clay County (replacing Dan Gay)
Volunteers: Trey Anderson, Corderal Gilbert
Commissioner Fair motioned to appoint Trey Anderson and Corderal Gilbert. Commissioner Davenport seconded the motion. Vice-Chairman Waters voted nay. Motion carried.
- d. Award of Safety Action Plan 2009 (Bids open on 7/6/09)
Commissioner Killingsworth motioned to get two more bids. Commissioner Waters seconded the motion. Commissioners Davenport and Fair and Chairman Shivers voted nay. Motion failed. Commissioner Davenport motioned to accept the one bid. Motion died from lack of a second. After additional discussion, Commissioner Davenport motioned to accept the bid. Commissioner Fair seconded the motion. Commissioners Davenport and Fair and Chairman Shivers voted yea; Vice-Chairman Waters and Commissioner Killingsworth vote nay. Motion carried.
- e. Approval of final amended sublease for Go Fish/DNR and Clay County
Commissioner Fair motioned to accept Go Fish/DNR and Clay County. Commissioner Davenport seconded the motion. Motion carried.
- f. Re-appointment of New Horizon's Board Member – Ms. Laverne Chaffin
Commissioner Davenport motioned to re-appoint Ms. Chaffin. Commissioner Fair seconded the motion; motion carried.
- g. Consideration of replacement of dump truck for landfill and public works use
Commissioner Fair motioned to approve the pickup and discuss dump truck at a later meeting. Commissioner Davenport seconded the motion, and then withdrew. Motion died for lack of a second. Vice-Chairman Waters motioned to get more bids on the dump truck. Commissioner Killingsworth seconded the motion; motion carried.
- h. Approval of purchase of pickup for water system (budgeted)
Vice-Chairman Waters motioned to get more bids on the pickup. Commissioner Killingsworth seconded the motion; motion carried.
- i. Discussion on holiday pay for EMS personnel
Vice-Chairman Waters referenced the personnel Policies Section 9.3.1(B) which states that all full time employees will receive 8 hours of holiday pay. It was the opinion of the County Attorney that EMS personnel are entitled to holiday pay based upon their status as a full time employee and Section 9.3.1(B). Motion un-necessary. Vice-Chairman Waters requested the County Administrator retroactively pay the two county employees who did not receive Memorial Day holiday pay for the 8 hours due them.
- j. Request Board's Pleasure in response for interview from Sue Jones
Commissioner Killingsworth motioned to deny. Second by Commissioner Davenport. Vice-Chairman Waters voted nay. Motion carried.
- k. Update on newly combined River Valley Regional Commission – Chairman Shivers
Chairman Shivers attended the meeting July 1, 2009 in Buena Vista. The Commission consists of lower Chattahoochee Regional Development Center and Lower Flint combined. Meetings are every fourth Wednesday at 10:30 a. m. except for December and July. Chairman Shivers designated Vice-Chairman Waters as a delegate when Chairman Shivers is unable to attend the meetings. Vice-Chairman Waters accepted.
- l. County Attorney Opinion on Solid Waste Ordinance
County Attorney will return a written opinion.
- m. Adoption of Ordinance 09-013 Creating Official Form of Minutes
Commissioner Fair motioned to adopt Ordinance 09-013 format. Commissioner Killingsworth seconded the motion; motion carried.



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- 9) **Comments from the Public**
Lindsey Jerome Smith – Concerned with the law being enforced equally and fairly; expressed concern about possible racial profiling by the County Sheriff's Department.
- 10) **Comments from Department Heads & Constitutional Officers**
Sheriff Shivers – Concerned with the Secondary Ambulance Unit being Surplused
Administrator Ward – Composed RFP to request bids for the Secondary Ambulance
- 11) **Administrator Comments, Reports & Recommendations**
Administrator Ward- Concerning the County Annex: Waiting on two more bids for the Heating and Air System possible replacement.
- 12) **Comments from the Board**
Vice-Chairman Waters asked that New Resident Checklist be removed from the County Website and changed, provided the Board with copies of the from the Lower Chattahoochee Regional Development Center (LCRDC) documentation and illustrated the Middle Flint/LCRDC merged budget from the LCRDC meeting and the Board of Health's adoption of their regulation for "Gray Water". Vice-Chairman Waters expressed appreciation on his behalf to the County Clerk for the "complete and comprehensive" minutes, and distributed letters of an Open Records Request to the Board on behalf of Mrs. Waters and asked that the original letter be initialed, date/time stamped and returned.
- 13) **Invoices to Be Approved**
Commissioner Davenport motioned to approve invoices. Commissioner Killingsworth seconded the motion; motion carried.
- 14) **Consent Agenda - None**
- 15) **Executive Session (If Needed)**
- 16) **Continuing Business as a result of Executive Session (If needed)**
- 17) **Adjourn**
The meeting adjourned at 8:45 p. m.

David Shivers, Chairman

Date

I HEREBY AFFIRM THAT I AM THE COUNTY CLERK AND THAT THIS IS A TRUE AND CORRECT COPY OF THE JULY 7, 2009 MEETING OF THE CLAY COUNTY BOARD OF COMMISSIONERS.

Adria Williams, County Clerk

Date