



## CLAY COUNTY BOARD OF COMMISSIONERS

Commission Chambers, Fort Gaines, Georgia

Minutes  
Amended

September 1, 2009  
Regular Meeting  
7:00 p.m.

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

Chairman David Shivers called the regular meeting to order at 7:00p.m. Commissioner Davenport gave the opening prayer. Vice-Chairman Barry Waters, Commissioners Walt Killingsworth, Radar Fair, Sr. and James Davenport were all in attendance as well as Public Works Director Bobby Dupree, Clay County Code Enforcer Mitch Ellis, Accounts Payable Clerk Patty Ellis, and County Clerk Adria Williams.
- 2) **Agenda Approval**

The following item was added to the agenda:

  - 8e. Amend the August 18<sup>th</sup>, 2009 meeting motion by Commissioner Killingsworth to allow County Attorney Bill Mills to hire Perry & Walters, LLP.

Commissioner Fair motioned to approve the agenda with changes. Vice-Chairman Waters seconded the motion; motion carried.
- 3) **Annual Appointments**
  - a. None
- 4) **Presentations before the Board**
  - a. None
- 5) **Minutes**
  - a. Regular Meeting – August 18, 2009  
Vice-Chairman Waters motioned to postpone approving the minutes. Commissioner Fair seconded the motion. Motion carried.
- 6) **Correspondence Requiring Action**
  - a. From River Valley Regional Commission – Application for US Dept. of Energy Funds to convert and/or replace petroleum powered vehicle fleets  
Vice-Chairman Waters motioned to postpone application for US Dept. of Energy Funds to convert and/or replace petroleum powered vehicle fleets until the September 15, 2009 meeting. Commissioner Fair seconded the motion; motion carried.
- 7) **Unfinished Business**
  - a. Discussion on billing procedures – post card versus envelope  
Vice-Chairman Waters motioned to table the issue. Commissioner Killingsworth seconded the motion; motion carried.
  - b. Consideration of change of account type from sweep to money market  
Vice-Chairman Waters motioned to postpone until the September 15<sup>th</sup>, 2009 meeting. Commissioner Davenport seconded the motion; motion carried.
  - c. Resolution 09-035 – Gray Water Ordinance  
Vice-Chairman Waters motioned to adopt Resolution 09-035 – Gray Water Ordinance. Commissioner Fair seconded the motion; motion carried.

Actions pending which require additional information:

  - i. Nuisance Abatement Ordinance (pending official ordinance)  
No change.
  - ii. Discussion/action on per diem Allowance  
Vice-Chairman Waters motioned to approve the \$40.00 per diem (for day before meeting travel expense) for the Clay County Board of Equalization. Commissioner Fair seconded the motion. Commissioner Killingsworth voted nay. Motion carried.
  - iii. Discussion on appointing County Guardian for indigent probate (further research from attorney needed)  
Discussion tabled.
- 8) **New Business**
  - a. Resolution 09-038 Amendment to the Drug and Alcohol Testing Policy for the Clay Co. Transit  
Vice-Chairman Waters made a motion to adopt Resolution 09-038 Amendment to the Drug and Alcohol Testing Policy for the Clay Co. Transit. Commissioner Fair seconded the motion; motion carried.



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- b. Resolution 09-041 amending the FY09 budget  
Vice-Chairman Waters made a motion to postpone adopting Resolution 09-041 Amending the FY09 Budget until the per diem changes are applied to the Board of Equalization. Commissioner Killingsworth seconded the motion; motion carried.
  - c. Review of Mutual Aid Response Agreement between Clay EMS & Georgetown-Quitman EMS  
Discussion tabled until further information gathered.
  - d. Final adoption of Challenge Partnership Agreement between US Army Corps of Engineers, Department of Natural Resources and Clay County for construction and maintenance of Phenomenon Trail.  
Vice-Chairman Waters made a motion to adopt the Challenge Partnership Agreement. Commissioner Fair seconded the motion; motion carried.
  - e. Amend the August 18<sup>th</sup>, 2009 meeting motion by Commissioner Killingsworth to allow County Attorney Bill Mills to hire Perry & Walters, LLP.  
Vice-Chairman Waters made a motion to amend the August 18<sup>th</sup>, 2009 motion by Commissioner Killingsworth, "motioned to allow County Attorney Bill Mills to hire Perry & Walters, LLP, Albany, GA.", to "motioned to hire Perry & Walters, LLP, Albany, GA, to respond for Clay County in the matter Donald Smith v. Clay County, as recommended by the County Attorney Bill Mills."
- 9) **Comments from the Public**  
Ken Penuel- Mr. Penuel gave the Board an update on the Phenomenon Trail and also informed the Board of his working on the Gateway Grant. He asked the Board to consider being a sponsor if the grant is approved.  
Jamie Wilson- Mr. Wilson wanted to know the effective date for Resolution 09-035 Gray Water Ordinance and if he could receive a copy.
- 10) **Comments from Department Heads & Constitutional Officers**  
None
- 11) **Administrator Comments, Reports & Recommendations**  
None
- 12) **Comments from the Board**  
Vice-Chairman Waters provided the Board with information from the Bioterrorism: Mass Prophylaxis Preparedness & Planning Course, asked if a yearly evaluation would be done on the County Administrator, and to be provided with a copy of the County's Emergency Contact list.
- 13) **Invoices to Be Approved**  
Vice-Chairman Waters motioned to approve the invoices. Commissioner Fair seconded the motion; motion carried.
- 14) **Consent Agenda**  
a. Reappointment of Mr. Art Fuller to DFCS Board for July 1, 2009 through June 30, 2014  
Vice-Chairman Waters made a motion to approve the consent agenda. Commissioner Fair seconded the motion; motion carried.
- 15) **Executive Session (If Needed)**
- 16) **Continuing Business as a result of Executive Session (If needed)**
- 17) **Adjourn**  
The regular meeting was adjourned at 8:00 p.m.

David Shivers  
David Shivers, Chairman

10-20-2009  
Date

I HEREBY AFFIRM THAT I AM THE COUNTY CLERK AND THAT THIS IS A TRUE AND CORRECT COPY OF THE SEPTEMBER 1, 2009 REGULAR MEETING OF THE CLAY COUNTY BOARD OF COMMISSIONERS.

Adria Williams  
Adria Williams, County Clerk

10-20-2009  
Date