



**CLAY COUNTY BOARD OF COMMISSIONERS**  
Commission Chambers, Fort Gaines, Georgia  
**MINUTES**

**Public Hearing- Alcoholic Beverage License Revocation**  
**December 1, 2010**  
**6:00pm**

**1) Call to Order**

Chairman Shivers called the public hearing to order at 6:00 p.m. Chairman David Shivers, Vice Chairman Barry Waters, Commissioners James Davenport and Radar Fair were in attendance. Commissioner Walt Killingsworth was not in attendance. Chairman Shivers stated that Vice Chairman Waters didn't think that the public hearing was legal; he opened the floor to him to give explanation. Vice Chairman Waters stated the three points of order for the rationale:

1. The Public Hearing on the issue of revocation or suspension of the alcohol license for the South of the Border was, 11/23/2010. As the Board of Commissioners failed to meet its responsibility to produce a quorum, the hearing was cancelled; according to the legal opinion of the ACCG Counsel General, the issue is closed: neither revocation nor suspension are warranted
2. This Public Hearing was neither scheduled nor sanctioned by this Board; the rescheduling of the Public Hearing by the Chairman violates Board Policies as outlined in *The Reference Meetings Organization and Public access for Counties(ACCG)*- adopted, 09/07/2010, Reference Page 9, (d) *Public Hearings*.
3. Additional to these conflicts, this hearing violates Sec. 111.20 Suspension, revocation, denial of renewal or transfer, paragraph (A) as the date of service of the notice received by the applicant is less than three days prior to the hearing.

Chairman Shivers apologized to the applicant as well as the attendees of the hearing for not notifying them that there wouldn't be a hearing; he would have if the information presented was given to the Board earlier.

**2) Cynthia Brooks DBA South of the Border  
Revocation of Alcoholic Beverage License**

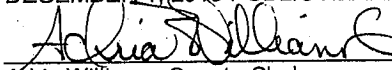
**3) Adjourn**

Adjournment was at 6:03 p.m.

  
David Shivers, Chairman

12/8/2010  
Date

I HEREBY AFFIRM THAT I AM THE COUNTY CLERK AND THAT THIS IS A TRUE AND CORRECT COPY OF THE DECEMBER 1, 2010 PUBLIC HEARING OF THE CLAY COUNTY BOARD OF COMMISSIONERS.

  
Adria Williams, County Clerk

12/8/2010  
Date