

**MINUTES**  
**CLAY COUNTY BOARD OF COMMISSIONERS**  
**Regular Meeting**  
**July 17, 2007**

Present were Chairman Gerald Von Anderson III, Commissioner Willie McCoy, Commissioner David Shivers, Commissioner Walton Killingsworth and Commissioner Barry Waters. Also present was County Administrator, Pam Ward and County Clerk, Teresa Smith.

**Call to Order and Opening Prayer**

Chairman Anderson called the meeting to order at 7:00pm in the Commission Chambers, Clay County Courthouse Annex, Fort Gaines, Georgia. Commissioner McCoy opened the meeting with a prayer.

**Presentations Before the Board**

- a. Mrs. Helen Isom - St. Luke Church Rd. - Francis Cook, Jerry Spann, Irene Thornton, Lawrence Hanks and Hawthorn Hanks - all spoke on making it a priority to pave St. Luke Church Rd. at least 1.2 miles from the church to the beginning of the hardtop. The Board of Commissioners agreed to concerted effort with the church members to obtain funding to pave the road.

**Minutes**

Minutes of July 3, 2007 regular minutes - Motion by Commissioner Shiver to approve the minutes of the July 3, 2007 regular meeting with changes. Second by Commissioner Waters. All in favor, motion carried.

**Correspondence for consideration & action**

There was none

**Unfinished Business**

1. Zoning
  - a) Chattahoochee Land Management - Commissioner Killingsworth retracted his recusal regarding CLM re-zoning. Chairman Anderson abstained from voting, Commissioner Waters abstained from voting. Motion by Commissioner Shivers to approve Resolution 07-015 Zoning Amendment Resolution, Section 1 - Zoning Change from A-1 to C-1, Section 2 - Conditional Use Authorization for I-1 Area. Second by Commissioner McCoy, Commissioner Killingsworth voted Nay. Chairman Anderson declared the motion passed. Commissioner Waters stated that under, 53 Charter, Section 11, the Board needs 3 members in concurrence. Attorney Mills stated there have been at least 3 changes in 53 Charter and he would have to investigate this matter. Chairman Anderson stated that until then the motion would be considered passed.
  - b) Tom Stallings - Side set-backs- Motion by Commissioner Waters to approve the side set-back from 10' to 7'. Second by Commissioner Shivers. All in favor, motion carried.
  - c) Walter Wesley - Re-zoning from A-1 to C-1 - Auto Mechanic. Motion by Commissioner Shivers to deny the re-zoning from A-1 to C-1, to approve it would adversely affect adjacent properties. Second by Commissioner Waters. All in favor, motion carried.
  - d) Billy Jones - A-1 to C-1 - Fabrication Welding Shop. Motion by Commissioner Waters to approve the re-zoning from A-1 to C-1 with the provision for screening from public view. Second by Commissioner McCoy. All in favor, motion carried.
  - e) Kimberly & Pedro Vidal - Front and side yard set-backs. Motion by Commissioner Waters to approve from and side yard set-backs. Second by Commissioner McCoy. All in favor, motion carried.
2. Resolution 07-016 - Amendment of Zoning Section XV, Chapter 154 Section 154.057 - Changing lot sizes. Motion by Commissioner Waters to approve Resolution 07-016, change the word and to or. Second by Commissioner McCoy. Commissioner Shivers voted nay. Motion carries.
3. Follow up report on Gymnasium - Structural integrity - Administrator Ward updated the

Commissioners on the findings of the Structural Engineer. There is several findings that Public Works Manager, Bobby Dupree and his crew can fix. The more complicated scope of work will be let for bids.

### **New Business**

- a. Request for continuing membership dues to Tri Rivers Waterway Development Association. Motion by Commissioner Waters to approve \$250 dues to Tri River Waterway Development Association. Second by Commissioner Shivers. All in favor, motion carried.

### **Comments from the Public**

Mr. Jim Wilson submitted a revised RFP for the Court House Annex ADA renovations.

Jodie Rustin inquired if there is a second vote that is required to approve CLM re-zoning application. Chairman Anderson replied that "Yes, there would be a second vote". The question presented to the County Attorney, Bill Mills, does the vote this evening with 2 yea, 1 nay and 2 abstain is it passed?

Carolyn Copelan inquired when the Planning & Zoning Commission business meetings are scheduled. Administrator replied the third Tuesday of the month.

### **Comments from the Department Heads**

Chairman Anderson asked EMS Director, Ron Brown, how the back-up ambulance running after the repairs? Ron Brown answered that it was in the shop again for repairs on the water pump.

### **Comments from the Administrator**

Pam Ward, County Administrator - Change Order from Donald Smith Drilling. Motion by Commissioner Shivers to approve the change order that will remove the contractor liability to do the site work at the well, and let the Clay County Road Dept. do the work. Second by Commissioner McCoy. All in favor, motion carried.

### **Comments from the Board**

There was none

### **Invoices to be Approved**

Motion made by Commissioner Waters to approve the bills. Second by Commissioner Shivers. All in favor; motion carried.

### **Consent Agenda**

There was none

### **Executive Session**

Motion by Commissioner Waters to go into Executive Session at 8:30pm. Second by Commissioner Shivers. All in favor, motion carried.

Motion by Commissioner McCoy to come out of Executive Session at 8:47pm. Second by Commissioner Waters. All in favor, motion carried.

### **Action taken after Executive Session**

Draft a letter to Donald Smith Well Drilling regarding their contractual requirement to pull the electrical wiring to the pump at the county well.

### **Adjournment**

Motion by Chairman Anderson to adjourn at 9:00PM. All in favor.

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Gerald Von Anderson III, Chairman

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Date

I HEREBY AFFIRM THAT I AM THE ACTING CLERK AND THAT THIS IS A TRUE AND CORRECT COPY OF THE July 17, 2007 MEETING OF THE CLAY COUNTY BOARD OF COMMISSIONERS.

\_\_\_\_\_  
Teresa Smith, County Clerk

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Date