



## CLAY COUNTY BOARD OF COMMISSIONERS

Commission Chambers, Fort Gaines, Georgia

Minutes

July 15, 2008

7:00 p.m.

Revised

### Call to Order and Opening Prayer

The Clay County Board of Commissioners meeting was called to order at 7:00 p.m. by Chairman Gerald Anderson. In attendance were Chairman Anderson, Commissioners McCoy, Shivers, Killingsworth, and Waters. Also in attendance were Administrator Ward, County Attorney Mills, Public Works Director Dupree and EMS Director Brown. The meeting was opened in prayer by Commissioner McCoy.

### Agenda Approval

Item 7b was moved to new business as 8a. Discussion on compliance issues.  
Addition of Request for Public Records Form as item 8b  
Addition of Request for Reappointments to Economic Development Authority as 8i.

Motion by Commissioner Waters to adopt agenda with changes. Seconded by Commissioner McCoy. Motion Carried.

### Annual Appointments

None

### Presentations before the Board

a. None

### Minutes

a. Regular Meeting – 07.01.08 – minutes postponed for changes to be made by Commissioner Waters. Motion was seconded by Commissioner McCoy. Motion Carried.

### Correspondence Requiring Action

a. None

### Unfinished Business

a. Consideration for adoption of contract with Men of Clay for Services to the County

Attorney Mills provided a new contract for consideration. Motion to accept contract by Commissioner Shivers and seconded by Commissioner Waters. Motion Carried.

### New Business

a. Commissioner Waters on four motions and Resolutions 08-016 and 08-017 potentially being "non compliant" (No backup provided for review prior to agenda publication.)

Commissioner Waters felt procedures were improperly followed as per the open meetings act therefore nullifying motions and resolutions made during the 2.19.08 meeting. Commissioner Waters motioned to defer to county attorney for opinion. Commissioner McCoy seconded the motion. Motion carried. The Board asked for copies of the Commissioners research to be sent to the attorney as well as the Board.

b. Commissioner Waters on concerns of validity of "Request for Public Records" form.

Commissioner Waters is concerned about asking a requestor to sign an open records request document for an oral request because it then becomes a written request. Commissioner Anderson suggested we put a check box on the form indicating if it is oral or written. Ms. Ward is to work with county attorney to perfect the form.

c. Appointment for unexpired term to Southwest Georgia Regional Technology Authority  
i. Advertisement attached  
ii. For Consideration: Mayor Sam Johnson



## CLAY COUNTY BOARD OF COMMISSIONERS

Commission Chambers, Fort Gaines, Georgia

Minutes

Commissioner Waters made a motion to appoint Mayor Sam Johnson as the Clay County representative to the Southwest Georgia Regional Technology Authority. Motion seconded by Commissioner McCoy. Motion carried.

- d. Resolution 08-025 Amendment to FY08 Budget to recognize and assign revenue.

Motion to accept resolution 08-025 by Commissioner Waters. Commissioner Shivers seconded the motion. Motion carried.

- e. Consideration for purchase of accounting software from Edmunds and Associates

After much discussion, Commissioner Anderson requested software presentations be made from other vendors with a deadline of August 5<sup>th</sup> in order to meet implementation deadline of October 1.

- f. Request from Tri-Rivers Waterway Development Association for annual dues.

Commissioner McCoy motioned to continue membership and approve annual dues. Motion was seconded by Commissioner Waters. Motion carried.

- g. Discussion on water rates for churches

- i. Commercial rate @\$65.00 per month minimum
- ii. Residential rate @ \$13.00 per month minimum
- iii. No Charge

Motion was made to charge churches at the regular residential rate by Commissioner McCoy. Commissioner Shivers seconded the motion. Commissioner McCoy, Anderson, Shivers and Killingsworth voted in favor. Commissioner Waters voted nay.

- h. Discussion pertaining to numerous citizen concerns about increased crimes.

A number of thoughts and general discussion was held. Board was open to suggestions. A suggestion was made to hold a town hall meeting. The Chairman will speak with the Mayor to see if he will be willing to work with us to hold a town hall meeting.

- i. Request for re-appointment of Economic Development Authority of Clay County board members as follows: Ken Penuel, Bill Kenyon, Mitch Ellis and Raymond Morris. Motion was made by Commissioner Waters to approve appointments. Motion was seconded by Commissioner McCoy. Motion Carried.

### Comments from the Public

Phil Wills – Mr. Wills thought the open records form was a good idea. He also encouraged the board to purchase the software due to the risk of the current software failing. He also agrees with comments on city/county cooperation.

Bill Koch – Mr. Koch stated concerns about the Board of Assessors and the appearance of potential conflict of interest. Commissioner Waters made a motion to have the county attorney investigate any impropriety. Commissioner Shivers seconded the motion. Motion carried.

Roosevelt Gilbert – Mr. Gilbert was confused about process to move trailers. Mr. Gilbert requested temporary storage for 120 days for two trailers on Belles Rest. Motion was made to approve request by Commissioners Waters. Motion seconded by Commissioner McCoy. Motion carried.

Ken Penuel – Mr. Penuel discussed tax issues of the Board of Education. Requested the Board of Commissioners get involved to find out what is going on with the BOE at the 7/21/08 meeting at 6:00 p.m.



**CLAY COUNTY BOARD OF COMMISSIONERS**

Commission Chambers, Fort Gaines, Georgia  
Minutes

Bill Koch – Mr. Koch stated that those residents 66 years old and older don't pay the education taxes on their personal residence.

**Comments from Department Heads & Constitutional Officers**

Mr. Dupree stated the road crew had started some of the work on Pebble Shores.

**Administrator Comments, Reports & Recommendations**

Administrator Ward presented the addendum to the CDBG Social Services contract to add a connector between the social services building and the Health Dept. parking lot. Contractor provided a price of \$9,850. Commissioner McCoy motioned to accept the addendum. Commissioner Waters seconded the motion. Motion carried.

Administrator Ward advised the board the Zetto voting house did not have water. Ms. Ward spoke with Dan Giles who agreed to let us continue tapping on his well for water. The existing water line will have to be replaced. Commission agreed this was best solution to get water to voting house.

Ms. Ward attended the first meeting of the FEMA Flood Plain Mapping. This process will take about another year to complete.

The county has a new attorney located in Fort Gaines. Mr. Terry Marlowe will be practicing part time with an office located on Commerce Street.

**Comments from the Board**

Commissioner Anderson commented on complaints of "slimy" (soft) water and that chlorination was improving.

Commissioner McCoy asked if we had made any progress on the flooding problem on Gilbertville Rd. area. Bobby Dupree reviewed. Commissioner Anderson suggested we contact USDA for funding opportunities.

**Invoices to Be Approved**

Motion by Commissioner Barry Waters to pay the bills. Commissioner Killingsworth seconded the motion. Motion carried.

**Consent Agenda**

- a. None

**Executive Session (If Needed)**

None

**Adjourn**

Meeting was adjourned at 8:40 p.m.

Walter McCoy  
Gerald Von Anderson III, Chairman  
William McCoy - vice chair

8-19-08  
Date

I HEREBY AFFIRM THAT I AM THE COUNTY ADMINISTRATOR AND THAT THIS IS A TRUE AND CORRECT COPY OF THE July 15, 2008 MEETING OF THE CLAY COUNTY BOARD OF COMMISSIONERS.

Pam Ward  
Pam Ward, County Administrator

8-19-08  
Date