

MINUTES
CLAY COUNTY BOARD OF COMMISSIONERS
Regular Meeting
November 6, 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 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 Shivers opened the meeting with a prayer.

Amendments to the Agenda

Chairman Anderson requested the addition of one item to be added to tonight's agenda. Item to be added under new business, 7- i - Application for a Permit to Operate a Public Water System.

Motion by Commissioner Waters to add item 7 - i to the agenda. Second by Commissioner McCoy. All in favor, motion carried.

Presentations Before the Board

a. J.W. Durham - Zoning Application.

Motion by Commissioner Waters to approve the Conditional Use Variance for Mr. J.W. Durham as submitted. Second by Commissioner Shivers. Chairman Anderson voted to amend the motion to include a citation - failure to follow procedure. Commissioner Waters replied to let the motion stand as was stated. Motion stands as stated. All in favor, Commissioner McCoy voted yes, Commissioner Killingsworth voted nay. Motion carries as stated.

Motion by Commissioner Killingsworth to pull the application as it doesn't meet zoning requirements. Motion dies due to lack of second.

Minutes

Minutes of October 16, 2007 Regular Meeting - Motion by Commissioner Waters to approve the minutes of the October 16, 2007 Regular Meeting with changes. Second by Commissioner McCoy. All in favor, motion carried.

Correspondence for consideration & action

There was none

Unfinished Business

a. Resolution 07-015 - Amending Zoning Map from A-1 to C-1 with Conditional Uses on Hwy 27 Land Lots 4 & 5.

Motion by Commissioner McCoy to approve Resolution 07-015 - Amending Zoning Map from A-1 to C-1 with conditional uses. Second by Commissioner Shivers. Commissioner McCoy voted yea, Commissioner Shivers voted yea, Commissioner Waters abstained; Commissioner Killingsworth voted nay, Chairman Anderson abstained. No action taken.

b. Collection of unpaid ambulance bill in the amount of \$1,047.00 - Hardwick.

Motion by Commissioner Waters to treat the bill as we would any other person. Second by Commissioner McCoy. All in favor, motion carried.

c. Discussion of Cobb EMC Contract - Attorney Mills informed the Board of Commissioners that by signing the contract with Cobb EMC to install electricity to the well and the county paying for the installation does not relieve Donald Smith Well Drilling and Polyengineering from their contractual obligations and or any mediation.

Motion by Commissioner Shivers to approve the signing of the contract with Cobb EMC. Second by Commissioner Waters. All in favor, motion carried.

New Business

- a. Review and select Architect for Clay County Library renovations pursuant to grant application.

Motion by Commissioner Waters to accept the RFP from Jinright, Ryan & Lynn as Architect for Clay County Library renovations. Second by Commissioner Kjillingsworth. All in favor, motion carried.

- b. Ordinance 07-006 Amending Personnel Policy to clarify and eliminate confusion and conflict in code.

Motion by Commissioner Shivers to approve Ordinance 07-006 with changes, add to the ordinance, The County Administrator shall notify the Board of Commissioners at such time any raises are given. Second by Commissioner McCoy. Commissioner Waters voted nay, Commissioner Killingsworth voted nay, Chairman Anderson voted yes breaking the tie. Motion carried.

- c. Ordinance 07-007 Amending the Personnel Policy to allow granting of vacation and sick time.

Motion by Commissioner Shivers to approve Ordinance 07-007 allowing employees to donate vacation & sick time. Second by Commissioner Waters. All in favor, motion carried.

Will have Administrator review accumulation of sick leave with other County's and State.

- d. Discuss procedures for opting out of fluoridation process to county well – Attorney Mills – The Board of Commissioners will need to facilitate a referendum. Would need to be on next election cycle which would be July 2008, would need to be on the calendar no later than April 2008. Would need 83 votes to pass. Also stated that if the State of Georgia does not have grants to fund for equipment and supply of chemicals for six months the county does not have to do this.

- e. Approval and adoption of Joint Local Elected Officials for Workforce Area 14.

Motion by Commissioner Waters to postpone. Second by Commissioner McCoy. All in favor, motion carried.

- f. Resolution 07-027 Amending FY07 Fiscal Budget

Motion by Commissioner Waters to accept Resolution 07-027 – Amending FY07 Fiscal Budget. Second by Commissioner McCoy. All in favor, motion carried.

- g. Resolution 07-028 Revising the Service Delivery Strategy

Motion by Commissioner Waters to Accept Resolution 07-028. Second by Commissioner Shivers. All in favor, motion carried.

- h. Resolution 07-029 Adopting Solid Waste Management Plan.

Motion by Commissioner Shivers to accept Resolution 07-029 Adopting Solid Waste Management Plan. Second by Commissioner McCoy. All in favor, motion carried.

Comments from the Public

Gentleman from the audience inquired if the county should investigate the option of purchasing Insurance to cover legal fees for the Planning & Zoning aspects of the Board of Commissioners. Or elect to have a fund that would pay for legal fees.

Comments from the Department Heads

There was none

Administrator Comments, Report & Recommendations

There was none

Comments from the Board

Commissioner Waters asked Attorney Mills if there was any time limit on an open zoning application. Attorney Mills will look into it.

Chairman Anderson announced the Administrator was in Macon to receive the OneGeorgia Grant to purchase the Sutton Museum.

Ken Peneul stated that 38 county road signs were found in Early County for the Hwy 27 Corridor two for Clay County.
Commissioner McCoy light is out at the Pataula Fire House. County office will call Cobb EMC to install a 30 day wattage monitor.

Commissioner Killingsworth regarding the water situation. Administrator to see if there is a grant from Department of Community Affairs to dig existing wells deeper.

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

There was none

Action taken after Executive Session

There was none

Adjournment

Motion by Chairman Anderson to adjourn at 8:45PM. All in favor.

Willie McCoy
Gerald Von Anderson III, Chairman

Willie McCoy, Vice Chairman

I HEREBY AFFIRM THAT I AM THE COUNTY CLERK AND THAT THIS IS A TRUE AND CORRECT COPY OF THE November 6, 2007 MEETING OF THE CLAY COUNTY BOARD OF COMMISSIONERS.

Teresa Smith
Teresa Smith, County Clerk

11.20.07
Date

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Date