

MINUTES OF THE LEE COUNTY COMMISSION, REG. ADJ. TERM, JUNE 28, 2021

The Lee County Commission convened in regular adjourned session at the Courthouse in Opelika, Alabama, Monday, June 28, 2021, at 5:00 p.m. The Pledge of Allegiance was recited, followed by an invocation by Commissioner Brown.

During citizens communication, Circles Opelika Director Regina Meadows appeared before the Commission with an update of their program and handed a flyer to each Commissioner. Ms. Meadows stated they will be having their annual yard sale on August 14, 2021 to benefit the emergency loan program they offer. Commissioner Brown questioned Ms. Meadows if she has reached out to both the Opelika and Auburn Chambers of Commerce. Ms. Meadows stated she has not, but upon the recommendation, intends to contact them.

Next, Peter Byrd appeared before the Commission stating upon his review of the claims listing he noticed an invoice from PELA GeoEnvironmental and another invoice from Starnes Davis Florie, for over \$37,000, he said he does not know what he is looking at, questioning if anything was included in the Commissioner's packets or if the website has a summary of the work performed.

Mr. Byrd also questioned the number of chairs in the Commission chambers stating everyone has had their shot and questioned if more chairs could be added to accommodate more people.

Next, John Sophocleus appeared again before the Commission stating he supports curbside pickup and mentioned an article by Opelika-Auburn News reporter Mike Eads, who possibly is on his way to Texas. Mr. Sophocleus applauded Environmental Services Director John McDonald on addressing illegal waste disposal. Mr. Sophocleus said he would ask the Commission to give the Sheriff's Office the ability to give citations for wrongful dumping.

Next, Ernest Griggs of Loachapoka appeared before the Commission asking that the Commission allow the Lee County Recreation Board to partner with Loachapoka on their walking trail. Mr. Griggs asked the Commission to support Mr. Weeden's request for funding of programs at Loachapoka school since Lee County will not have to utilize additional funds to purchase land for a park in Loachapoka.

The Chairman declared a quorum and officially opened the meeting with the following members recorded as being present: Judge Bill English, Chairman, and Commissioners Doug Cannon, Sarah Brown, Gary Long and Richard LaGrand. Absent: Commissioner Robert Ham. Elected Officials in attendance: Sheriff Jay Jones. No news media attended the meeting.

EMA Director Rita Smith recognized Billy Browdy for receiving his Intermediate Certification by the Alabama Association of Emergency Managers (AAEM). Second, Ms.

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Smith recognized Austin Jones in receiving the award for “EMA Rookie of the Year” at their recent conference. Ms. Smith stated Mr. Jones is definitely not a rookie, but that he received the award based on nominations from herself and other first responders in Lee County. Last, Ms. Smith recognized Jonathan Gaddy, the State EMA Deputy Director and Chief of Staff, who was in attendance to recognize Ms. Smith for obtaining her Local Emergency Manager certificate at the recent conference. Mr. Gaddy thanked Ms. Smith and her staff for the job they perform for Lee County.

Chief Financial Officer Neil Cyriac and Governmental Relations/Safety Coordinator Wendy Swann gave a presentation before the Commission, including an overview of the American Rescue Plan Act (ARPA) and outlined eligible and ineligible activities and projects that could be funded with those federal dollars. In addition, the presentation mentioned the support options available to the county regarding these projects which included staying in-house or joining a program such as the one offered by the Association of County Commissions of Alabama, known as the IAC (Investing in Alabama Counties). Pros and cons of each option were outlined included the need for additional staff if the Commission chooses to keep everything in-house. Mrs. Swann mentioned that there is an ACCA deadline of July 16, 2021, should the Commission decide to join the IAC.

Copies of the items on the Consent Agenda sent to the Commissioners in their packets included: listing of claims, Blackbaud procurement card transaction listing and minutes of the June 14 meeting. Commissioner Long made a motion, seconded by Commissioner Cannon to approve the consent agenda items as presented. The motion carried unanimously.

Commissioner Brown made a motion, seconded by Commissioner Cannon to approve the following Resolution to appoint Stanley T. Tucker to the East Alabama Health Care Authority Board. Commissioner Brown stated that she had communicated with Mr. Tucker about this appointment. The motion carried unanimously.

RESOLUTION

BE IT RESOLVED, the Lee County Commission hereby appoints Stanley T. Tucker to the D-2 (Chambers County) position on the East Alabama Health Care Authority Board to serve a six-year term from September 30, 2021, until September 30, 2027.

County Engineer Justin Hardee again presented the final plat for Ridge Grove Farms Subdivision. Mr. Hardee stated he met with the couple who attended the last meeting about their concerns but told them their concerns are not regulated by the Highway Department or the

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County Commission. Mr. Hardee stated the plat meets the minimum requirements of the *Lee County Subdivision and Land Development Regulations* and recommends approval. Commissioner Long stated he talked earlier to Commissioner Ham who said he would approve it. Upon the recommendation, Commissioner Long made a motion, seconded by Commissioner Brown for final plat approval for Ridge Grove Farms Subdivision. The motion carried unanimously.

Loachapoka Principal/Athletic Director Albert Weeden appeared to update the Commission on their youth programs. Mr. Weeden made a proposal to the Commission for funding their recreation programs from flag football to cheerleading for \$65,000. Mr. Rendleman stated the Lee County Recreation Board member for that district has the authority to approve Rec. Board funds for recreation purposes in Loachapoka. Mr. Rendleman stated the funds are under County Commission control, but allocations are made by the Lee County Recreation Board, clarifying the funds can only be used for public purposes, not to individuals, for youth recreation purposes. Mr. Weeden stated he will definitely go through the Recreation Board for his funding request.

Judge English asked the Commission to carry forward the item concerning the new tax levies so he can further research them.

Human Resources Director Erica Norris presented an educational reimbursement request for Revenue Commissioner employee Hannah Preston. Ms. Norris stated one class, Purchasing/Supply Management, is being presented for Commission approval. Ms. Norris reminded the Commission the student must obtain a “B” or better in the course to be reimbursed. Commissioner LaGrand made a motion, seconded by Commissioner Brown to approve the educational reimbursement request as presented. The motion carried unanimously.

Chief Administrative Officer Roger Rendleman presented a budget adjustment request for the Lee County Highway Department. Mr. Rendleman explained that the Highway Department sold ten dump trucks and other items at auction and received more than anticipated. Mr. Rendleman recommended the Commission amend the Gasoline Tax Fund 2021 Budget for \$232,000 to recognize the excess proceeds from the sale and allocate it for additional equipment needs of the Highway Department. Commissioner Cannon made a motion, seconded by Commissioner Long to amend the Gasoline Tax Fund 2021 Budget for \$232,000 to recognize the proceeds. The motion carried unanimously.

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Last, Mr. McDonald presented for Commission consideration a one-year contract extension for animal control services with Animal Health Center and Opelika Animal Hospital. Mr. McDonald stated all parties are in agreement to extend the current contract an additional year beginning October 1, 2021 until September 30, 2022. Commissioner LaGrand made a motion, seconded by Commissioner Cannon to approve a one-year contract extension for animal control services with Animal Health Center and Opelika Animal Hospital. The motion carried unanimously.

Judge English announced at approximately 6:00 p.m. the Commission needs to adjourn into Executive Session to discuss potential litigation. Judge English stated Mr. Martin and Mr. Rendleman need to attend and asked Mr. Hardee to be on standby. No official action is anticipated at the conclusion. Commissioner Long made a motion, seconded by Commissioner Brown to adjourn into Executive Session. The motion carried unanimously.

After the Executive Session, Commissioner LaGrand made a motion to authorize the law firm of Starnes Davis Florie LLP and the Lee County Attorney, Stanley A. Martin, and Martin Law, LLC, to initiate or file any legal action or action, including injunctive or other relief, to enforce the Lee County Zoning Regulations and/or the Lee County Subdivision Regulations or to prevent the potential violation of such Zoning Regulations and/or Subdivision Regulations; to initiate or file any legal action or action seeking injunctive or other relief for any anticipated public nuisance in connection with the proposed Shady Grove Quarry; to initiate or file any other legal action or action seeking injunctive or other relief the attorneys deem appropriate; and to appeal, to the fullest extent allowed by law, any decision of the Alabama Department of Environmental Management granting air or water permits associated with the proposed Shady Grove Quarry. The motion was seconded by Commissioner Cannon and passed unanimously.

At approximately 6:35 p.m. Commissioner Brown made a motion, seconded by Commissioner Long to adjourn. The motion carried unanimously.