

MINUTES OF THE LEE COUNTY COMMISSION, REGULAR TERM, AUGUST 9, 2021

The Lee County Commission convened in regular adjourned session at the Courthouse in Opelika, Alabama, Monday, August 9, 2021. 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, Robert Ham and Richard LaGrand. The Pledge of Allegiance was recited, followed by an invocation by Commissioner Ham. Elected Officials in attendance: Sheriff Jay Jones, Revenue Commissioner Oline Price and Coroner Bill Harris. News media in attendance: Opelika Observer reporter Hannah Lester and Opelika-Auburn News reporter Alex Hosey.

Copies of the items on the Consent Agenda sent to the Commissioners in their packets included: listings of claims, procurement card transaction listing and minutes of the July 26 meeting. Also, two additional listings were placed on the Commissioner's desk prior to the meeting. Commissioner Ham made a motion, seconded by Commissioner Long to approve the consent agenda items as presented. The motion carried unanimously.

Commissioner Brown presented the following ideas outlining the process the Commission should consider taking for the Rescue Plan funds. Commissioner Brown said spending of the Rescue Plan Funds is a top priority of the commission and she feels is an obligation to our community. Commissioner Brown stated she feels that since the Commission has been approached by several organizations and community leaders, she would like to be able to give a qualified answer on the plan for utilizing the funds. First, Commissioner Brown said she would like for citizens to be aware that currently the commission is in the budget process and the first priority is to pass the FY2021-2022 budget, then, once finished with the budget process, the Commission will continue with the planning for the rescue plan funds. Commissioner Brown stated greatest priorities should be on the following, in the order given: 1) infrastructure, including: water, sewer and possibly broadband services; 2) public safety; and 3) community aid. Commissioner Brown suggested that during the budget process, she would like each department to present ideas or needs that could be utilized with these funds. Commissioner Brown feels that broadband is extremely important to many people, especially to those that do not currently have access. Commissioner Brown said she understands the State is planning an allotment for broadband services to remote and underserved areas, so at this time, the county, before making any commitments, should wait to see what the State plans to do. Last, Commissioner Brown discussed outside agencies that may want to request funding from the rescue funds. Commissioner Brown suggested creating a one-page document for those agencies to complete and return by September 30, 2021, to Governmental Relations/Safety Coordinator Wendy Swann. Commissioner Brown proposed the one-page document contain the following information: 1) who you are; 2) what your organization does for the community; and 3) what are your organizations greatest needs as related to COVID-19. After more discussion, the Commission agreed with Commissioner Brown, to first get the FY2021-2022 budget passed and afterwards tackle the rescue funds.

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County Administrator Roger Rendleman presented the following COVID-19 Policies that were implemented due to recent COVID-19 variant outbreaks and asked the Commission to ratify the action. Mr. Rendleman stated based on CDC guidelines, all employees have been asked to wear masks. Additionally, Mr. Rendleman stated an additional 80 hours of sick leave has been granted to every county employee. Commissioner Brown made a motion, seconded by Commissioner Ham to ratify the COVID-19 Policies as follows. The motion carried unanimously. On the second requested action, Commissioner Long made a motion, seconded by Commissioner Ham to grant all county employees 80 hours of sick leave and raise the maximum sick leave accrual from 1,040 hours to 1,120 hours to update the Personnel Policy. The motion carried unanimously.

COVID-19 POLICIES

Due to the rapid rise in COVID cases, hospitalizations, and low vaccination rates; the following policies are necessary for the continuity of County operations.

- A. All employees are to wear a mask or shield covering their mouth and nose indoors around other people.

According to the CDC, the Delta variant of COVID-19 is highly contagious compared to previous versions and can be carried by the vaccinated. We need to minimize the risk of exposure and particular the amount and time of that exposure. Since we have no idea who has or who hasn't been vaccinated, we need to unfortunately go back to some level of masking and distancing.

Employees failing to practice such safety measures are in violation of Group One Offense under 11.4.1 A. (6).

Repeated failure to practice and/or absolute disregard to such safety measures are in violation of Group Two Offense under 11.4.2 A. (12) "Violation of safety practices that might endanger the life or health of the employee or others".

Repeated failure and/or absolute disregard should be a suspension without pay at a minimum.

(For Sheriff Service Employees, enforcement and discipline determination is solely the discretion of the Lee County Sheriff)

- B. All personnel who are directly impacted by COVID-19 in the following ways:
1. If you are experiencing COVID-19 symptoms (according to Center for Disease Control guidance like fever, cough, shortness of breath) and seeking a medical

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diagnosis for COVID-19. If positive for COVID-19, see number 2. If negative for COVID-19, follow standard sick leave policies.

2. If you tested positive for COVID-19, you shall self-isolate immediately.

Without Symptoms: If you continue to have no symptoms, you are to return to work after 10 days have passed since you had a positive test.

With Symptoms: You are to return to work after meeting the following conditions:

- 10 days since symptoms first appeared and
- 24 hours with no fever without the use of fever-reducing medications and
- Other symptoms of COVID-19 are improving*

**Loss of taste and smell may persist for weeks or months after recovery and need not delay the end of isolation.*

Severe Illness (requiring Hospitalization): You are to return to work after meeting the same conditions as **With Symptoms** (above); **except for**, the first condition will be 10 days after released from the hospital.

If you are still experiencing Post-COVID Complications, the standard FMLA policies and procedures apply.

3. If you have had close contact with someone with COVID-19, you are to quarantine. The CDC defines close contact as exposures adding up to a total of 15 minutes spent 6 feet or closer to an infected person.

After your last exposure, you are to return to work after 7 days if you receive a negative test, or after 10 days without a test and no development of COVID-19 symptoms. (If you develop symptoms, follow number 2. above)

However, anyone who has had close contact with someone with COVID-19 and who meets the following criteria does **NOT** need to stay home.

- **Fully Vaccinated**
- **OR**
- *Had COVID-19 illness within the previous 3 months **and***
- *Has recovered **and***
- *Remains without COVID-19 symptoms (for example, cough, shortness of breath)*

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Appropriate Documentation will be required for each of the above. Types of documentation are copy of orders, proof of tests and/or written certifications.

Providing false documents or misleading and false statements associated the above are Group Two Offenses under 11.4.2 A. (5) and (6).

In addition, anyone who is staying home is being paid to follow orders and instructions for public health and safety reasons. Failure to follow those orders and instructions is a Group Two Offense under 11.4.2 A. (7).

Such actions in this section are grounds for the employee's dismissal from employment.

(For Sheriff Service Employees, enforcement and discipline determination is solely the discretion of the Lee County Sheriff)

- C. Every Employee (including new hires) will have 80 hours added to their sick leave balances intended for such use however not specifically designated. The maximum cap for sick leave balances will be increase from 1040 to 1120.**

Reporting to work knowingly sick with COVID-19 is a violation of Group Two Offense under 11.4.2 A. (12) "Violation of safety practices that might endanger the life or health of the employee or others". Such action is grounds for the employee's dismissal from employment.

As far as enforcing Policy A, apply reasonable measures. Encourage your employees to always have their masks with them in our facilities and keep their distance from others the best they can. If they are in an office, room, large area by themselves, it is fine to not have the mask on; however, they need to be prepared to place their mask on over their mouth and nose when they encounter others.

When you see one of your employees not making any effort to distance and especially not mask, give them a couple of verbal warnings (please note date and time). The third time they fail to comply with Policy A be sure to give them a written warning.

The fourth time of failing to comply with Policy A (or just an absolute disregard) will be a three-day unpaid suspension. Be sure to document each occurrence and take witness statements.

Be sure to be consistent in enforcing the policy as long as it is in place.

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Tamarcus Milner spoke about The Curtis House and its mission in the community. Mr. Milner stated The Curtis House is a non-profit organization founded by Representative Jeremy Gray. Mr. Milner stated a ribbon-cutting was held recently to showcase the house, which has been completely rebuilt. Mr. Milner stated The Curtis House is a place that citizens of all ages can utilize. They provide a variety of resources for the local community including: 1) a community greenhouse/gardens; 2) wellness programs including yoga and other class options pertaining to healthy living; 3) partnering with Southern Union to provide job training; 4) provide legal services for the elderly; 5) training programs geared toward young professionals; 6) provide scholarship opportunities for participants that complete the program; 7) numerous other programs provided for the community. Mr. Milner stated he had provided his appropriation request to Mr. Rendleman. Commissioner LaGrand thanked Mr. Milner for attending tonight, stating he enjoyed attending the recent ribbon cutting at The Curtis House.

Revenue Commissioner Oline Price asked the Commission to reconsider an educational reimbursement request that was previously submitted and denied. Mrs. Price stated upon looking at the course description she questioned whether or not it qualified for the program, but after talking to the professor, she feels it qualifies and pertains to Ms. Preston's current job duties. Mrs. Price further indicated Ms. Preston made an "A" in the course and was a standout participant according to the professor. Commissioner Ham stated he questioned it first since it was a transportation course, but after reading the course description, he feels it meets the requirements. Commissioner Long made a motion, seconded by Commissioner LaGrand to approve the educational reimbursement request for Hannah Preston. The motion carried unanimously.

Sheriff Jones presented an application for a retail beer and retail table wine license for The Quick located in District 5. Sheriff Jones indicated this is a license transfer and no objections were noted. Commissioner LaGrand made a motion, seconded by Commissioner Ham to approve the following Resolution for The Quick. The motion carried unanimously.

BE IT RESOLVED, the Lee County Commission hereby approves the retail beer and retail table wine license for The Quick located at 571 Lee Road 53, Auburn, Alabama.

Sheriff Jones presented an application for a special events retail license for Legacy at Serenity Farms located in District 1. Sheriff Jones noted the venue is a barn type structure with an adjoining patio and an enclosed bar/service area with a design capacity of 300 maximum occupants. The event is a single day event set for Thursday, September 23, 2021. Sheriff Jones stated no objections were noted. Commissioner Cannon made a motion, seconded by Commissioner Ham to approve the following Resolution for Legacy at Serenity Farms. The motion carried unanimously.

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BE IT RESOLVED, the Lee County Commission hereby approves the special events retail license for Legacy at Serenity Farms located at 1995 W. Farmville Road, Auburn, Alabama (Waverly, AL).

Mr. Hardee presented Lee County's 2022 County Transportation Plan for Commission consideration. Mr. Hardee stated the plan is part of the transparency and accountability requirements for the Rebuild Alabama Act passed in 2019. The plan outlines the projects Lee County plans to construct utilizing the additional revenue from the Rebuild Alabama Act gasoline tax increase, as well as the Federal Aid Exchange program funds. The format of the plan has been developed by the Association of County Engineers of Alabama (ACEA) and approved by the State auditors to comply with the law. Once passed, the plan will be posted in the Lee County Courthouse, the Commission Office, the Highway Department and on Lee County's website for citizens to access the plan. This will be the third year of implementation of the Rebuild Alabama Act and noted there is some carry-over from last year. Mr. Hardee stated they have used the same prioritization process used for local funds in selecting roads for resurfacing while also following the requirements required by the Rebuild Alabama Act for expenditure of the Federal Aid Exchange Funds. Mr. Hardee stated the county has until August 31st to approve the CTP for proceeding in accordance with the law. Commissioner Ham noted that it looks pretty evenly distributed across the county. Commissioner Long made a motion, seconded by Commissioner Ham to approve Lee County's 2022 County Transportation Plan as presented. The motion carried unanimously.

Mr. Hardee discussed the establishment of 25 mph speed zones in Lee County Subdivisions. Mr. Hardee stated State law establishes a speed on all paved county roads of 45 mph and on county dirt roads a 35 mph speed limit. Further, the law gives the County Commission the authority to lower the speed limits on streets and roads under their jurisdiction. Throughout the years, the Highway Department has approached the Commission about lowering the speed limit on certain roads that are typically in subdivisions or are short in length. Typically, this has been done when a request has been made by a citizen for a particular road. Several meetings back Commissioner Brown requested that the Highway Department investigate proactively compiling a list of roads that met similar conditions to what we typically received requests for lowering the speed limit. The Highway Department has compiled a list of roads and created a map of roads that are within subdivisions in the county, have not already had their speed limit lowered by the County Commission, and/or are less than 0.5 miles in length. Mr. Hardee noted there are about 658 roadways. Additionally, Mr. Hardee stated County Attorney Stan Martin drafted a resolution to go along with this list for consideration. Mr. Hardee suggested the Commission take time to review the information and come back at the last meeting in August for approval. Commissioner Brown thanked Mr. Hardee for looking into this matter stating she was surprised at the number. Commissioner Brown also questioned

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if all the signs would have to be replaced and questioned the cost of doing so. Mr. Hardee affirmed stating not all have speed limit signs, but that they will have to order and replace the signs as prudently as possible. Commissioner Brown questioned if he had an estimated cost to replace them. Mr. Hardee stated he does not, but that his office budgets for replacement signs and it will be covered in his budget. Last, Commissioner Brown questioned Sheriff Jones if it is worth the time and energy. Sheriff Jones stated his concern is public safety and he feels it is worth the time and energy if it prevents accidents. Judge English questioned some of the roads listed that are over ½ mile. Mr. Hardee stated those roads are in subdivisions that were previously addressed by the Commission. Commissioner Ham questioned the significance of being less than ½ mile. Mr. Hardee stated the wording is ½ mile or less and/or within a platted subdivision. After more discussion, the Commission agreed to table the matter until the last August meeting.

Mr. Hardee stated a citizen had approached the Lee County Highway about reducing the speed limit on Lee Road 319. Mr. Hardee stated the road is 1.560 miles long and has 15 horizontal curves. Of those 15 curves, only 6 have a recommended advisory speed higher than 20 mph and none exceed a 35 mph advisory speed. Due to the curvature of the road, the Highway Department recommends that the speed limit be reduced from 45 mph to 20 mph on Lee Road 319. The Highway Department recommends this is a reasonable and safe maximum speed limit. Commissioner Long made a motion, seconded by Commissioner Cannon to reduce the speed limit from 45 mph to 20 mph on Lee Road 319. The motion carried unanimously.

Mr. Hardee presented the results of the timber sale, cutting and removing trees from 21 acres for the Central Maintenance facility located at the corner of Williamson Avenue and Society Hill Road. Mr. Hardee explained the necessity of selling the timber for the future development. Mr. Hardee stated the invitations to bid were mailed to 42 timber buyers and only one was received from WJ Sorrell Lumber Company of Saco, Alabama for \$17,500. Mr. Hardee stated based on the type and amount of timber at the site, the Highway Department feels the bid is reasonable and recommends the Commission award the bid to WJ Sorrell Lumber Company. Commissioner LaGrand questioned if there is a projected date to start construction on the project. Mr. Hardee stated not at this time since they are currently in the design process. Commissioner Brown questioned where the timber proceeds will go. Mr. Rendleman indicated the proceeds will be placed in the Capital Projects fund. Commissioner Brown made a motion, seconded by Commissioner Ham to award the bid to WJ Sorrell Lumber Company to remove the timber and the proceeds of \$17,500 will be remitted to Lee County. The motion carried unanimously.

Judge English asked the Commission to add an item to the agenda to appoint a commissioner as the ACCA Legislative Representative for Lee County. Commissioner Long

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made a motion, seconded by Commissioner Brown to add the item to the agenda. The motion carried unanimously. Commissioner Ham nominated Commissioner Cannon as the Commission representative. Commissioner Cannon questioned what it entails. Commissioner Ham stated he had been on the legislative committee for a number of years and said the job will be to serve as the Commission representative to attend the updates from the ACCA of upcoming legislation and then report the information back to the entire Commission. Commissioner Long made a motion, seconded by Commissioner Brown to appoint Commissioner Cannon as the ACCA Legislative representative for Lee County. The motion carried unanimously.

After Judge English announced that Mr. Rendleman cancelled the budget work session. Commissioner Ham at approximately 6:11 p.m. made a motion to adjourn. The motion was seconded by Commissioner Long and the motion carried unanimously.