

MINUTES OF THE LEE COUNTY COMMISSION, REG. ADJ. TERM, OCTOBER 25, 2021

The Lee County Commission convened in regular adjourned session at the Courthouse in Opelika, Alabama, Monday, October 25, 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, Gary Long, Robert Ham and Richard LaGrand. The Pledge of Allegiance was recited, followed by an invocation by Commissioner Ham. Elected Officials in attendance: Revenue Commissioner Oline Price. There were no news media in attendance.

EMA Director Rita Smith shared updated figures for the FEMA Public Assistance Program which is our PA claims when awarded a Federal declaration the capita county-wide increased from \$3.89 to \$4.10 based on our current census population. Ms. Smith stated the maximum on a small project increased from \$132,800 to \$139,000 and the minimum on a small project increased from \$3,320 to \$3,500. Further, Ms. Smith said the threshold amount the county must meet for damages and debris is \$714,388.10. Further, Ms. Smith said this will be effective from October 1, 2021 until September 30, 2022. Commissioner Ham questioned the status of the debris removal contract. Ms. Smith stated she and County Engineer Justin Hardee have recently met on this and deferred the question to Mr. Hardee. Mr. Hardee stated the current contract expires October 31, 2021, a new contract will be in place through the ACCA, since bids were accepted, and the responsible counties have made awards in each Region. Commissioner Ham questioned how many counties are in our Region. Mr. Hardee said Lee County is in Region 4 and said about 9 or 10 counties are included in this Region. Commissioner Ham stated that was more than he likes, especially in a large event, but said he is glad to know the contract has been awarded in the event of a disaster.

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 September 27 meeting. Also, an additional listing of claims for ratification was presented prior to the meeting. Commissioner Cannon made a motion, seconded by Commissioner Long to approve the consent agenda items as presented. The motion carried unanimously.

Commissioner Long said he received a text message last week from Mr. McKoon who indicated he is unable to get 100% participation on Lee Road 321. Commissioner Long asked the Commission to allow him to meet with County Attorney Stan Martin and County Engineer Justin Hardee to discuss the county's options and come back before the Commission afterwards. The Commission agreed.

Mr. Hardee stated the Subdivision Regulation Amendments were presented for Commission consideration at the last meeting and he has not heard from anyone for any

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updates. Mr. Hardee presented a few adjustments that needed review of the Commission before he would ask for approval. Commissioner Long asked if they had received input on the changes from developers. Mr. Hardee answered in the affirmative stating that Mr. Harvill and Mr. Andrews both work closely with developers and they will make adjustments where applicable. Commissioner LaGrand said he like the amendment to Section 2-1-60 concerning surety bonds, which he felt was commendable, also, in adding the Planning Commission standards. Commissioner Long made a motion, seconded by Commissioner LaGrand to approve the Subdivision Regulation Amendments as presented. The motion carried unanimously.

Commissioner Ham stated a solution has been made for the Plainview Volunteer Fire Department. Commissioner Ham stated letters were mailed to 70 households and the citizens responded to keep the fire department in place. Commissioner Ham made a motion, seconded by Commissioner Long to authorize Mr. Martin to draw up a contract between Plainview Volunteer Fire Department and Oak Bowery Fire Department. The motion carried unanimously.

Revenue Commissioner Oline Price presented a new position for an Assessment/Real Property Specialist for her office. Mrs. Price stated due to the increase in abatements this person would handle those, in addition, they would help with the annual tax sale and scheduling the meetings for the Board of Equalization. Mrs. Price said this would be a specialized position and would require a special person to fulfill it. Judge English questioned if Chief Administrative Officer Roger Rendleman had reviewed the job description. Mr. Rendleman answered in the affirmative. Commissioner Cannon made a motion, seconded by Commissioner Ham to add the position to the current job classification for an Assessment/Real Property Specialist at a Pay Grade 201 in the Revenue Commissioner's Office. The motion carried unanimously.

Mr. Hardee presented final plat approval for Willow Heights Subdivision, Phase II in District 5. Mr. Hardee said the plat has been reviewed and meets the minimum requirements of the *Lee County Subdivision and Land Development Regulations*. The proposed subdivision is located adjacent to Lee Road 40. The adjacent property owners were notified of the development by letters sent out October 14, 2021. Mr. Hardee stated there are 12 lots, all with road frontage, so there are no new roads. Commissioner LaGrand made a motion, seconded by Commissioner Cannon to approve the final plat for Willow Heights Subdivision, Phase II as presented. The motion carried unanimously.

Mr. Rendleman presented the following FY2022 Budget amendments for Commission consideration. Mr. Rendleman said it is necessary to carryover certain funds budgeted in 2021

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into the FY2022 for capital items and other capital projects. Mr. Rendleman said most of the items for purchases have been delayed as a direct result of adverse global supply chain issues. The following adjustments are:

General Fund

Information Services	\$40,000
Building Maintenance	\$32,965
EMA	\$53,460
Sheriff's Office	\$200,323

Fund 100

Sheriff's Office	\$183,437
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Environmental Services Fund

Disposal	\$220,810
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Additionally, the following are funds designated for capital projects for various purposes to the Capital Projects fund as follows:

Fund 111 Gasoline Tax Fund	\$1,300,000
Fund 117 RRR Gasoline Tax Fund	\$1,200,000

These are designated for construction of a centralized Highway Department Facilities Complex on Williamson Avenue.

Fund 001 General Fund	\$2,500,000
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These are available funds above any reserves or designations for renovation of the original four courtrooms along with judicial suites at the Justice Center and a minimum-security barracks at the detention center. Mr. Rendleman said the estimated cost for all the projects are \$25 million. \$15 million for the Highway complex and \$10 million for the courtrooms and barracks. There will be a need for long-term financing and a phased approach for these projects, but these funds will allow for the design work and some initial phased work to proceed. Upon this presentation, Commissioner Long made a motion, seconded by Commissioner Ham to amend the FY2022 Budget for the capital purchases carryover and the transfer to the Capital Projects fund as presented. The motion carried unanimously.

Judge English made the following announcement of five names for the Zoning Review Board. Judge English thanked Mr. Hardee for pursuing the appointments. Mr. Hardee presented the following: 1) Lisa Sandt; 2) Daniel Wyatt; 3) Dr. Bill Hutto; 4) Justin Hardee, County Public Works Director; and 5) Joel Hubbard, Interim Planning Director. Judge English stated he has been looking for a Planning Director since Planning and Zoning was passed in Beat 13, with no success, so, Mr. Hubbard has agreed to serve as the Interim Planning Director. Commissioner Long questioned if Mr. Hubbard will be compensated for stepping into this role. Mr. Hardee stated Mr. Rendleman indicated that the Commission can set an amount for the additional duties placed upon him. Mr. Hardee said Mr. Hubbard understands he is only serving until the position is filled. Judge English further stated Mr. Hubbard will be wearing two different hats and the position is actively being recruited. Mr. Rendleman stated there is a

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policy in place that will cover if the Commission decides to grant additional compensation if Mr. Hubbard is required to do additional duties for a specified timeframe. Judge English reminded the Commission that this is first reading and that no action is needed tonight.

Judge English stated that since there is a two-week advertising requirement for the Public Notice on Redistricting, he would ask the Commission to set November 22 for another Public Hearing on Redistricting. Commissioner Long made a motion, seconded by Commissioner Ham to set the Public Hearing for redistricting for November 22. The motion carried unanimously.

Judge English said Mr. Martin indicated the Commission needs to hold an executive session to discuss a matter of current litigation. Judge English said the following should attend: Mr. Martin, Mr. Hardee, and Mr. Rendleman. Judge English indicated the session should last approximately 10-15 minutes and no official action is anticipated afterward. Commissioner Ham at approximately 5:35 p.m. made a motion to adjourn into Executive Session. The motion was seconded by Commissioner Long and carried unanimously. The Executive session ended at approximately 5:45 p.m.

Upon reconvening the public portion of the meeting, Commissioner Long made a motion, seconded by Commissioner Ham, to go back into Executive Session on another legal matter of possible litigation and asked for the additional presence of John McDonald in this one.

After the second Executive Session, Commissioner LaGrand made a motion, seconded by Commissioner Long to reset the public hearing on the Noise Ordinance for December 13, since the original public hearing had been set for November 29, but that meeting date had previously been rescheduled to November 22. The motion carried unanimously.

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