

MINUTES OF THE LEE COUNTY COMMISSION, REGULAR TERM, NOVEMBER 8, 2021

The Lee County Commission convened in regular session at the Courthouse in Opelika, Alabama, Monday, November 8, 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 Cannon. Elected Officials in attendance: Sheriff Jay Jones. News media in attendance: Opelika Observer reporter Hannah Lester and Opelika-Auburn News reporter Tim Nail.

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 October 25 meeting. Announcement was made for an opening on the Beulah Utilities Board and an opening on the Lee County Cemetery Preservation Commission. Also, an additional listing of claims for ratification was presented prior to the meeting. Commissioner Ham made a motion, seconded by Commissioner Cannon to approve the consent agenda items as presented. The motion carried unanimously.

Second reading for the five names to serve on the Zoning Review Board was made. Judge English said the following five people have agreed to serve, they are: 1) Lisa Sandt; 2) Daniel Wyatt; 3) Dr. Bill Hutto; 4) Justin Hardee, County Public Works Director; and 5) Joel Hubbard, Interim Planning Director. Commissioner Long made a motion, seconded by Commissioner Ham to approve the following Resolution appointing the Zoning Review Board members. The motion carried unanimously.

BE IT RESOLVED, the Lee County Commission hereby appoints the following to the Zoning Review Board. They are: 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 discussed the need to move forward with the contract with Arrow Disposal for curbside pickup and transport. Judge English reminded the Commission the bid was awarded in June and stated the vendor would like to see it move forward as prices are rising. The vendor is seeking a guarantee of at least 18,000 households, and Judge English said we have more customers than that currently and felt we would be safe in guaranteeing that number. Mr. Hardee and Mr. McDonald agreed. Commissioner LaGrand questioned if the current transportation vendors could continue to service their customers in the county and for how long. Judge English said at this time they could continue the service; but could not give a timeframe as to how long they could continue it. Commissioner LaGrand questioned several times how long the vendors would be able to continue their service. Judge English said several legal issues have to be resolved before a timeframe can be given. Commissioner Ham made a motion, seconded by Commissioner Long to authorize Judge English to sign the final contract

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with Arrow Disposal for curbside collection and transportation services. Judge English pointed out that there is one more paragraph in the draft version presented that needs to have wording finalized about number of households, etc. The motion carried on a vote of 3-1 with Commissioner LaGrand voting "No".

Judge English asked the Commission how they wanted to proceed in the selection of the county administrator's replacement. Judge English questioned if they wanted to interview the top 3 or 4 candidates. All of the Commissioners agreed to proceed and to interview the top 3 candidates. Judge English said each commissioner was given copies of the 14 applications and asked each Commissioner to provide him the names of their top 3 candidates, then any who received three or more recommendations will be interviewed. No action was necessary by the Commission at this time.

At approximately 5:30 p.m. Judge English opened the floor for a Public Hearing on Redistricting and presented a large map for viewing. First, Billy U. Allen of the NAACP Branch 5038 said he would like to receive a clearer copy of the map presented tonight. Judge English said he had provided a copy of the map to Bill Lee, a NAACP representative. Mr. Allen asked the members of the NAACP in the audience to stand, and eight members were present. Mr. Allen said he supports the redistricting efforts in Lee County as long as the lines are drawn fairly and justly.

Next, Joshua Lewis appeared stating he was in full agreement with NAACP President Billy U. Allen. Mr. Lewis echoed that the redistricting be done in an equitable way with public input. Mr. Lewis stated he was looking forward to working together with the Commission.

Next, John Andrew Harris said he was here for sentimental reasons in support of the first black Commissioner Mr. Albert Chambers. Mr. Harris said he was campaign manager for Mr. Chambers. Mr. Harris said he is aware of how redistricting works and said everything needs to be placed on the table and done fairly.

Last, John Sophocleus said he would request that the Commission ask the State for more representation since the county only has 5 districts, saying more representation nets results.

With no more comments, at approximately 5:35 p.m. Judge English closed the Public Hearing on redistricting indicating no action is needed tonight, but it will be addressed at the November 22 meeting.

Sheriff Jones presented the following Resolution for Commission consideration. Sheriff Jones became emotional speaking about the reason he is asking for Commission support, since it affects his department and employees directly. Sheriff Jones said the Resolution keeps guns out of the hands of criminals. Sheriff Jones said the law has been in place for more than fifty years and it helps law enforcement. Sheriff Jones said the way it

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helps law enforcement is that criminals will not get a permit legally, so when law enforcement stops them and the person is in possession of a weapon, then law enforcement can legally detain and hopefully stop any criminal activity from happening. Sheriff Jones said Opelika Police Chief Shane Healey is in attendance tonight also to show his support of the Resolution. Further, Sheriff Jones said the fee generated from the pistol permit can only be used for law enforcement purposes and noted the pistol permit fees and its use are audited by the State of Alabama Examiners of Public Accounts. Sheriff Jones said the funds are primarily used for training and education for law enforcement. Sheriff Jones noted that the recent incident with Deputy Ponds who was shot during a traffic stop, told Sheriff Jones he was spared further injury due to the recent training he received by the Sheriff's Office. Sheriff Jones pointed out that part of the cost of that training was paid from concealed carry permit fees. Commissioner Ham said if the Resolution would help the Sheriff's Office, he would make the motion to pass the Resolution presented. The motion was seconded by Commissioner Long and carried on a vote of 3-0-1, with Commissioner LaGrand abstaining.

RESOLUTION

WHEREAS, the Lee County, Alabama County Commission is fully supportive of the Second Amendment to the United States Constitution and simultaneously recognizes its duty to protect the welfare and safety of all Lee County citizens; and

WHEREAS, the Lee County Commission has the legal, moral, and ethical responsibility to assist the Lee County Sheriff in his duty to protect the safety and welfare of the citizens of Lee County; and

WHEREAS, the Lee County Commission recognizes and fully supports the efforts of the Lee County Sheriff in protecting public safety in Lee County; and

WHEREAS, it is the legal duty of the Lee County Sheriff to issue concealed carry pistol permits to all Lee County residents who are duly qualified under the law to possess a concealed pistol; and

WHEREAS, the Lee County Commission recognizes the importance of the Lee County Sheriff's ability to prevent unqualified persons from possessing a concealed carry pistol permit and fully supports his ongoing efforts to do so; and

WHEREAS, any effort by the Alabama Legislature or any other entity to eliminate the necessity of citizens to obtain a concealed carry pistol permit or any effort to curtail the Lee County Sheriff's ability to ensure that only qualified persons receive and keep a concealed carry pistol permit is dangerous to our citizens, to our law enforcement officers and is contrary to good public policy; and

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WHEREAS, any effort by the Alabama Legislature or any other entity to eliminate the necessity of citizens to obtain a concealed carry pistol permit or any effort to further curtail the Lee County Sheriff's ability to ensure that only qualified persons receive and keep a concealed carry pistol permit would result in a substantial negative impact on public safety.

WHEREAS, it is the sworn duty of the Lee County Sheriff to protect and prevent harm to the law abiding citizens of Lee County. Any substantive change to, or the elimination of the current law utilized by all law enforcement officers to further the investigation and arrest of persons engaged in criminal acts, will act to hinder the Sheriff's ability to fulfill this sacred duty.

NOW, THEREFORE, BE IT RESOLVED by the Lee County Commission as follows:

We fully support the Second Amendment to the United States Constitution and the protections it affords to all citizens of Lee County by its application and reaffirm our obligation to promote public safety for all Lee County citizens; and

We fully support the Lee County Sheriff and his office in the effort to promote and ensure the safety and welfare of the citizens of Lee County; and

We hereby denounce and strongly oppose any effort by the Alabama Legislature or any other entity or organization, to affect the Lee County Sheriff's ability to provide for the safety and welfare of all Lee County citizens by eliminating the necessity for obtaining a concealed carry pistol permit. We also denounce and strongly oppose any further weakening or further restriction of the Lee County Sheriff's ability to determine which Lee County residents are duly qualified to possess and keep a concealed pistol. We further denounce any action which would result in substantial changes or the elimination of the existing and highly effective law, the application of which serves to aid law enforcement in protecting the citizens of Lee County.

Judge English said Sheriff Jones has an ABC License Application that needs to be added to the Agenda for Commission consideration. Judge English said it requires unanimous consent to be added. Commissioner Long made a motion, seconded by Commissioner Ham to add the item to the agenda. The motion carried unanimously.

Sheriff Jones presented an ABC application for a Special Events License from Trinity Hospitality Group. Sheriff Jones said it is for an event to be held on November 12, 2021 at Twenty One Acres located in District 5. Sheriff Jones said the venue is a barn type structure with adjoining patio and an enclosed bar/service area. Commissioner Long questioned the max capacity of 100. Sheriff Jones said that is correct, but said it is an outdoor event on the patio area. Commissioner LaGrand made a motion, seconded by Commissioner Cannon to approve the following Resolution for a special events license for Trinity Hospitality Group.

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BE IT RESOLVED, the Lee County Commission hereby approves a Special Events License for Trinity Hospitality Group for an event to be held November 12, 2021 at 5505 Wire Road, Auburn, Alabama.

Prior to adjourning, Judge English shared that a twelve-page Attorney General's Opinion issued to Chief Examiner Rachel Riddle of the Examiners of Public Accounts says that any county expending funds from American Rescue Plan funds must ensure such expenditures are consistent with the Alabama Constitution. The opinion further added that any provisions in the Alabama Constitution that would be pre-empted under federal law must be determined by a federal court.

At approximately 5:50 p.m., Commissioner Ham made a motion to adjourn. The motion was seconded by Commissioner Ham and carried unanimously.