

MINUTES OF THE LEE COUNTY COMMISSION, REGULAR MEETING, MAY 31, 2022

The Lee County Commission convened in regular session at the Courthouse in Opelika, Alabama, Tuesday, May 31, 2022. 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, Ross Morris, Gary Long, Robert Ham, and Richard LaGrand. The Pledge of Allegiance was recited, followed by an invocation by Commissioner Long. Elected official in attendance: Opelika City Council members Erica Norris and Todd Rauch, Lee County Revenue Commissioner Oline Price and Sheriff Jay Jones. News media in attendance: The Observer reporter Hannah Lester.

Opelika Chamber President Ali Rauch was introduced by Board Chair Sheriff Jay Jones to make a presentation on the Chamber's newest initiative "Forward Opelika." The initiative is a five-year strategic plan which would raise \$2.77 million through public and private partnerships that would focus on solutions to economic and workforce challenges that exist in the community and region. Mrs. Rauch stated that while the vast majority of funding for the project would come from private partners, funding is also being requested from public partners including the city and county. Mrs. Rauch asked the Commission to support the initiative with a \$250,000 lump sum allocation or spread over five years. Mrs. Rauch provided a packet of additional information regarding the initiative to the Commissioners for further review.

Judge English provided an update on the primary election stating the county had 67 total provisional ballots with 41 counted at noon today. Those ballots included 10 votes in the Senate District 27 race. Tallapoosa County had five ballots for that race and none from Russell County for that race. The final count stands at 8,373 for Jay Hovey and 8,372 for Senator Tom Whatley. Judge English stated he expects to hear more regarding that race in the future.

Copies of the items on the Consent Agenda sent to the Commissioners in their packets included: listings of claims, a procurement card transactions listing, and minutes of the May 9 meeting. First reading of Hayley Welsh to the East Alabama Health Care Authority Board position B-2 was presented. Commissioner Long made a motion, seconded by Commissioner Cannon to approve the consent agenda items as presented. The motion carried unanimously.

Commissioner Cannon made a motion to approve the following Resolution appointing Tom "Mac" Morris to the Lee County Cemetery Preservation Commission. The motion was seconded by Commissioner Ham and carried unanimously.

BE IT RESOLVED, the Lee County Commission hereby Tom "Mac" Morris to the Lee County Cemetery Preservation Commission from May 31, 2022, to September 30, 2024, to fulfil the unexpired term of Talitha Norris.

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Next, Chief Administrative Officer Holly Leverette presented the Commission with an American Rescue Plan Act working budget. Mrs. Leverette stated that following the work session she created percentages for the categories discussed and asked if there was any additional input from the Commissioners. Mrs. Leverette said she did add an item under the \$10 million government services side for parking lot lighting for the county's recreational parks. The lights at each park were not included on the construction plans stating it is a potential safety issue. Currently there is not an estimated cost for those lights; Parks Director Ryan Norris is researching costs at this time. Commissioner Cannon said after reviewing the figures he would like to adjust the water and broadband allocations from 63 percent and 15 percent to 50 percent and 25 percent. Commissioner Long asked if the county had been informed on what the broadband cost could be potentially; Mrs. Leverette stated that the county is still waiting to see what the state will do. She said the state will be treating those funds like a grant program whereby the cable companies could apply, and it would be up to the companies to decide where to use the funds awarded. Commissioner Ham asked how the county could use its funds for broadband. Mrs. Leverette said it had been recommended to set aside a set number and let IAC put a map together of the county where the state's money will go, and the county can come back in after and use its funds where it will be most economically feasible to possibly fill-in coverage gaps. Commissioner Long stated that not only do we not know what the broadband funding will be; the county currently doesn't know which of the water authority's projects are going to be accepted. Mrs. Leverette said that he was correct, because once the authorities submit their applications then they must go through a process to see if they qualify under the Treasury's guidelines. She also stated the county had received projects valued at more than the county's \$32 million ARPA allocation and the projects must be bid according to very specific guidelines. Commissioner Cannon said he would like to see an amount set aside for each water authority so they are aware of what projects could be done based on that amount. After much discussion regarding allocations for broadband, it was suggested to not allocate any additional funds other than what had previously been discussed at the work session and hold the remaining funds from Government Services for broadband. Mrs. Leverette suggested allocating to the water authorities' 58 percent instead of 63 and 20 percent for broadband and hold off allocating other funding at this time. Commissioner Morris stated he would like to allocate funding for the lights at each park once a quote is available and hold the remainder. Mrs. Leverette said no motion is necessary for those funds, but a motion is needed to allocate funds for the Highway Department complex and the increase in waste volume for Environmental Services. Mrs. Leverette said those allocations totaled \$7 million for the complex and reimbursing \$500,000 to Environmental Services Funds based on the volume increase and amount spent for that which depleted the funding for that period. Mrs. Leverette said the 7 percent for the Beauregard parks road was not included in the initial numbers since she wanted to verify with County Engineer Justin Hardee that the amount was sufficient. Mr. Hardee confirmed that it should be sufficient. Mrs. Leverette said if the Commission would like to allocate those funds as well it would need to be added as an agenda item. Commissioner Cannon made a motion, seconded by Commissioner Morris to approve both items. The motion passed unanimously.

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Revenue Commissioner Oline Price presented the annual report on litigations and insolvencies. The amount represents what has been assessed and collected and remitted less the insolvencies and exemptions/credits every year. Mrs. Price said this year the total assessed was \$163,680,881.30; collected and remitted \$138,675,554.21; and had credits of \$25,005,326.99. The credits were errors in assessments, insolvencies, bankruptcies, litigations, etc. The insolvencies are personal property that still haven't been collected or that have liens on them and some of them may be from prior years. Mrs. Price said the law has changed and she can only hold those insolvencies for a certain number of years before they are written off, but they continue to make efforts to collect on those. Mrs. Price said the new system for motor vehicles caught errors from the old system and for the first time ever she is out of balance more than \$1. Mrs. Price said the state owes the county \$5. Commissioner Cannon made a motion to adopt the following Resolution, seconded by Commissioner Long, and carried on a vote of 4-1 with Commissioner LaGrand voting "No".

BE IT RESOLVED by the Lee County Commission that the reports filed by Oline W. Price, Lee County Revenue Commissioner, of Insolvencies, Errors and Taxes in Litigation for the Tax Year 2021 and Uncollected Insolvencies and Taxes in Litigation for previous years are hereby approved, and that the Chairman is hereby authorized to sign same; and that said Revenue Commissioner be and she is hereby allowed credit for taxes listed in these reports.

Sheriff Jay Jones presented Bid #2022-07 for 20 or more folding AR-type rifles. Sheriff Jones said the Sheriff's Office does all it can to train and educate personnel to do the best job they can and best practices on all they do from A-Z. Sheriff Jones said if they can find an innovation that gives an advantage to protect the personnel and more importantly the public, they want to take advantage of it. Sheriff Jones said his department became aware about three months ago of a unique design in a folding type of rifle on AR platform. Sheriff Jones said this would give his department an advantage over the standard issue long-gun with situations where immediate action is required. Sheriff Jones said out of three bids mailed, two bids were returned. One from Gulf Coast Tactical and the bid from Walter Craig LE Division was a no bid. Sheriff Jones recommended the Commission accept the lone bid received from Gulf Coast Tactical in the amount of \$42,000. Commissioner Ham made a motion, seconded by Commissioner LaGrand to award the bid for 20 or more folding AR-type rifles for \$42,000 to Gulf Coast Tactical. The motion passed unanimously.

County Engineer Justin Hardee presented a request to lower the speed limit on Lee Road 307 in District 3. Mr. Hardee recommended to lower the speed limit from its current 45 mph to 30 mph for the safety of the traveling public and to allow the Highway Department to erect the appropriate signs on the roadway. Commissioner Long made a motion, seconded by Commissioner Ham to decrease the speed limit on Lee Road 307 from 45 mph to 30 mph. The motion carried unanimously.

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Next, Mr. Hardee presented a final plat approval for Gentry-Lee Road 37 Subdivision located in District 5. Mr. Hardee said the subdivision would create nine lots currently fronting Lee Road 37 with no new streets or proposed infrastructure. Mr. Hardee said he was seeking approval for the plat as it had been reviewed by staff and meets the subdivision regulations. Commissioner LaGrand made a motion to approve the final plat for Gentry-Lee Road 37 Subdivision as presented. The motion was seconded by Commissioner Morris and carried unanimously.

Last, Mr. Hardee also presented final plat approval for Broken Rock Subdivision located on Lee Roads 462 and 463 in District 4. Mr. Hardee said like the previous item, this plat would create three lots using existing road frontage with no new infrastructure. Mr. Hardee mentioned that adjacent landowners were notified of each of these plat approvals. Commissioner Ham made a motion, seconded by Commissioner Long to approve the final plat for Broken Rock Subdivision as presented. The motion carried unanimously.

Mrs. Leverette presented a change request for the ADEM Signatory Authority. She stated that as part of the Beulah Park construction project an ADEM permit was necessary. Mrs. Leverette said the county received that permit but as the project is over, the permit needs to be terminated. Mrs. Leverette said to do so she must be named as the duly authorized representative instead of Roger Rendleman who is currently listed. Commissioner Ham made the motion to approve the change with Commissioner Long seconding. The motion passed unanimously.

Commissioner Ham requested two items to be added to the agenda they are: 1) discussion of the Plainview Volunteer Fire Department, and; 2) job description for an Appraisal position. Commissioner Ham made a motion to add Plainview Volunteer Fire Department to the agenda for discussion. The motion was seconded by Commissioner Long and passed unanimously. Next, Commissioner Ham motion a motion to add the job description for the Appraisal position to the agenda. The motion was seconded by Commissioner Long and passed unanimously.

Commissioner Ham stated the Plainview Volunteer Fire Department has been struggling due to not having a fire chief nor firefighters. Commissioner Ham said Oak Bowery Fire Dept., a neighboring department located in Chambers County has been providing additional support but is not able to continue. Commissioner Ham said the coverage area is down to 70 houses due to annexations and district changes. Commissioner Ham said because of these changes the support from the fire fee has been reduced to \$3,500 a year which is not enough to support a volunteer fire department. Commissioner Ham said there is no easy short-term solution for the situation and that due to state law it is difficult for neighboring cities to

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provide support for those in the unincorporated areas. Commissioner Ham said they are working toward a solution with the state legislature, but that route will take time. Commissioner Ham said he wanted the Commission to be aware of the situation because additional discussion will need to be held with action taken regarding this issue. No action was taken on this item.

Revenue Commissioner Oline Price presented a job description for a certified mapper/GIS coordinator for her department. Mrs. Price said the department has not had a certified mapper since the retirement of Buddy Webster three years ago; she said she added the GIS coordinator component to the position because there is a need for one within the department. The position will be funded by appraisal funds, and said the position is ready for advertisement. Further, Mrs. Price said 87% of the salary will be funded by the state. Commissioner LaGrand requested to postpone the vote to allow more time to review the position request. No action was taken by the Commission.

Judge English thanked Amanda Sides and all the IT staff, Justin Hardee and the Highway Department staff; and Jerry Lynch and Building Maintenance staff for their support and assistance before and during the Primary Election.

At approximately 6:10 p.m. Commissioner Cannon made a motion, seconded by Commissioner Long to adjourn. The motion carried unanimously.