

MINUTES OF THE LEE COUNTY COMMISSION, REGULAR MEETING, JANUARY 9, 2023

The Lee County Commission convened in regular session at the Courthouse in Opelika, Alabama, Monday, January 9, 2023. 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 and Tony Langley. Absent: Commissioner John Andrew Harris due to illness. Elected Officials in attendance: Sheriff Jay Jones, Loachapoka Mayor Ricky Holder and Coroner Daniel Sexton. News media in attendance: The Observer reporter Hannah Lester.

EMA Director Rita Smith recognized Austin Jones, Clint Knox, Michael Holden, and Steven Holden for achieving their intermediate certifications which requires over 650 hours of training. Mrs. Smith stated she was proud of each of their accomplishments in obtaining their certification.

Next, Mrs. Smith recognized Douglas (Doug) Hubbard on his retirement from the department. Mrs. Smith presented Mr. Hubbard a plaque recognizing his over 16 years of service. Additionally, Mrs. Smith recognized that Mr. Hubbard served under four EMA Directors.

Environmental Services Director John McDonald gave an update on the completion of the first full month of running the new curbside collection system. Mr. McDonald said the disposal fee decreased from \$78,000 in December 2021 with a total of 2,907 tons to \$43,000 in December 2022 with approximately 1,575 tons. Mr. McDonald said the office has received 5,196 phone calls which is in addition to the department personnel's normal duties. Mr. McDonald said the interview process for two billing clerks has been completed. Commissioner Cannon questioned whether an additional phone line will be added. Mr. McDonald said according to the IT Department they are capped out on phone lines, so no additional lines can be added at this time.

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 the December 12, 2022 minutes. Additionally, another list of claims for ratification was presented prior to the meeting for Commission consideration. Commissioner Cannon made a motion, seconded by Commissioner Morris to approve the consent agenda items as presented. The motion carried unanimously.

Judge English gave second reading of Tara Barr to the Lee County Recreation Board as the District 2 representative. Commissioner Morris made a motion, seconded by Commissioner Long to approve the following Resolution reappointing Tara Barr to the Lee County Recreation Board. The motion carried unanimously.

MINUTES OF THE LEE COUNTY COMMISSION, REGULAR MEETING, JANUARY 9, 2023

BE IT RESOLVED, the Lee County Commission hereby reappoints Tara Barr to the Lee County Recreation Board as the District 2 county-wide representative to serve a five-year term from October 15, 2022 through October 15, 2027.

Next, Judge English gave second reading of Linda Holt to the Beulah Utilities District Board. Commissioner Langley made a motion, seconded by Commissioner Cannon to approve the following Resolution reappointing Linda Holt to the Beulah Utilities District Board to serve another four-year term. The motion carried unanimously.

BE IT RESOLVED, the Lee County Commission hereby reappoints Linda Holt to the Beulah Utilities District to serve another four-year term from December 1, 2022 through December 1, 2026.

Last, Judge English made second reading for the reappointment of Richard Key, II and Diane Carlton to the Lee County Youth Development Board. Commissioner Long made a motion, seconded by Commissioner Cannon to approve the following Resolution reappointing the two members.

BE IT RESOLVED, the Lee County Commission hereby reappoints Richard Key, II and Diane Carlton to the Lee County Youth Development Center Board to each serve a four-year term from October 1, 2022 through October 1, 2026.

County Administrative Officer Holly Leverette presented the bid results for the Lee County Engineering Complex. Mrs. Leverette said bids were opened on December 13, 2022, and three bids were received from the following: 1) Gamble Winter Construction-\$15,055,832; 2) J&L Contractors-\$15,268,000; and 3) Bailey Harris Construction-\$16,099,827. Mrs. Leverette said there was a difference of only \$212,168 in the two lowest bids which equates to less than a 10% difference, so she feels these are good numbers. Mrs. Leverette said Architect Randy Wilson is currently looking at value engineering saying they do not think the cost will go down. Additionally, Mrs. Leverette said she is looking at financing since currently we are short about \$3.5 million for the project. Judge English questioned Architect Randy Wilson about the bid results being more than the amount budgeted. Mr. Wilson said he is comfortable with the number, saying there is a \$50,000 site contingency, which may not be utilized since the county did such a good job on the grading. Mr. Wilson said the project will take approximately 1½ years to complete. The project includes an office building, a shop building, equipment parking shed, fueling station, kennel building, and a multi-use building for storage of asphalt emulsion, herbicides, and signs. Commissioner Cannon said he would recommend moving forward since prices are not getting cheaper and stated his goal is to pay for this project without having to finance it. Commissioner Cannon made a motion to award the contract to the lowest responsive bid of \$15,055,832.00 from Gamble Winter Construction, LLC of Auburn, Alabama for the Lee County Engineering Complex Project. The motion was seconded by Commissioner Morris and

MINUTES OF THE LEE COUNTY COMMISSION, REGULAR MEETING, JANUARY 9, 2023

carried unanimously.

Mr. Hardee took a moment to thank the Commission, Mrs. Leverette and especially Mr. Harvill for working together on this project. Mr. Hardee said they would not be where they are now on this project if it had not been for Mr. Harvill's work and again thanked him.

Next, Mr. Hardee said in accordance with Code of Alabama §23-1-433(f), at the first meeting in January of each year following the creation of the Rebuild Alabama fund, the county engineer shall present to the county commission a written report detailing the expenditures made from the fund the previous fiscal year; and, the report shall be entered into the minutes of the county commission meeting and shall be made available to the public for inspection, including posting on the county's website. Mr. Hardee deferred the presentation to Mr. Harvill. Mr. Harvill presented a report which included 11.038 miles for 10 road improvement projects totaling \$2,248,176.12. Mr. Harvill stated Sessions Subdivision which had been included in the FY2022 County Transportation Plan had to be removed due to construction costs increases. Mr. Harvill noted it has been included in the FY2023 County Transportation Plan below.

MINUTES OF THE LEE COUNTY COMMISSION, REGULAR MEETING, JANUARY 9, 2023

Project No.	Road #			Rebuild Alabama Funding	Method In Which Rebuild		Percent Complete	Original CTP (Yes or No)	CRAF or FAEF	CRAF Amount	FAEF Amount
		Project Length (miles)	Description of Work		Amount Expended Utilizing Competitive Bid Contracts	Amount Expended Utilizing Public Works Contracts					
			Beginning Balance							\$400,000.00	\$0.00
			Annual Revenue Received by County							\$2,000,000.00	\$400,000.00
			Rebuild Funds Received from Municipalities through MOUs							\$0.00	
RA-LCP 01-01-2022	673	0.219	FDR with County forces and Double Layer Surface Treatment	\$7,200.00	\$7,200.00		100.0%	Y	CRAF	\$7,200.00	
RA-LCP 01-02-2022	42	1.940	FDR with Cement, Resurfacing, and Traffic Striping from LR 043 to AL 51	\$490,061.82		\$490,061.82	90.0%	Y	CRAF	\$490,061.82	
RA-LCP 01-03-2022	117	2.280	FDR with Cement, Resurfacing, and Traffic Striping from LR 119 to LR 166	\$488,851.50		\$488,851.50	90.0%	Y	CRAF	\$488,851.50	
RA-LCP 01-04-2022	242	1.410	FDR with Cement, Resurfacing, and Traffic Striping from LR 240 to LR 239	\$303,774.00		\$303,774.00	90.0%	Y	CRAF	\$303,774.00	
RA-LCP 01-12-2022	807	0.263	FDR with Cement, Resurfacing, and Traffic Striping from LR 182 to LR 732	\$63,932.43		\$63,932.43	100.0%	Y	CRAF	\$63,932.43	
RA-LCP 01-13-2022	732	0.510	FDR with Cement, Resurfacing, and Traffic Striping from LR 158 to end of maintenance	\$96,585.27		\$96,585.27	100.0%	Y	CRAF	\$96,585.27	
RA-LCP 01-14-2022	733	0.606	FDR with Cement, Resurfacing, and Traffic Striping from LR 732 to end of maintenance	\$143,201.80		\$143,201.80	100.0%	Y	CRAF	\$143,201.80	
RA-LCP 01-15-2022	279	1.630	FDR with Cement, Resurfacing, and Traffic Striping from LR 158 to Prince's Bridge	\$389,798.32		\$389,798.32	90.0%	Y	FAEF		\$389,798.32
RA-LCP 01-16-2022	346	0.890	FDR with Cement, Resurfacing, and Traffic Striping from LR 379 to LR 348	\$217,819.98		\$217,819.98	90.0%	Y	CRAF	\$217,819.98	
RA-LCP 01-17-2022	339	1.290	FDR with County forces and Double Layer Surface Treatment	\$46,951.00	\$46,951.00		100.0%	Y	CRAF	\$46,951.00	
		11.04	Total Rebuild Funds Expended this Fiscal Year	\$2,248,176.12	\$54,151.00	\$2,194,025.12			Total CRAF/FAEF Remaining	\$541,622.20	\$10,201.68

Additionally, Mr. Harvill said there currently is a shortage of striping contractors in the state and the centerline and edgeline striping has yet to be completed on Lee Road's 42, 117, 242, 279 and 346. Mr. Harvill noted that Hornsby Striping is no longer in business; saying currently there is only one striping company statewide.

MINUTES OF THE LEE COUNTY COMMISSION, REGULAR MEETING, JANUARY 9, 2023

Next, Mr. Hardee presented a request to create a chief billing clerk position for the Environmental Services Department. Mr. Hardee said he feels the position is necessary due to the fact that the department continues to create and staff the new garbage fee billing department. Mr. Hardee said the chief billing clerk would supervise the billing clerks who collect the fees and reconcile the accounts with the quarterly payments and the chief clerk position would prepare and make daily deposits. Mr. Hardee said he compared this position with other positions in the county that supervise the collection of fees and would recommend the position be placed at a Pay Grade 115. Commissioner Long said he reviewed the job description and looked at the requirements and based on the number of phone calls they are getting he feels it is necessary. Commissioner Langley concurred saying he had been slammed with calls also. Commissioner Morris questioned the number of clerks this position would supervise. Mr. Hardee said it would be over two billing clerks, possibly three in the future, and would allow the current administrative assistants to get back to their normal duties. Judge English stated he understands that the department had to pull from other resources to help with the phone situation. Mr. Hardee said they have Animal Control personnel answering phone calls and helping to schedule bulk pickups. Mr. Hardee said the Highway Department staff and front office personnel have assisted in directing citizens where to go to pay their garbage fee bill. Judge English concurred saying his office had received numerous calls and he had received several emails as well. Commissioner Cannon questioned the timeframe in hiring clerks and hiring this position. Mr. McDonald said interviewing for the position would start tomorrow, if approved tonight, for internal applicants. Commissioner Long made a motion, seconded by Commissioner Langley to approve the chief billing clerk position at a Pay Grade 115. The motion carried unanimously.

Next, Mr. Hardee presented a Federal Aid Agreement for resurfacing Lee Road 379 from US Highway 280 to Lee Road 158. Mr. Hardee said the project totals 7.762 miles of resurfacing. Mr. Hardee said this is an 80/20 match with the total cost estimated at \$1,542,087.88 with a county match of \$308,217.58. Mr. Hardee said funds are budgeted for this project. Judge English said this is located in both District 3 and District 4. Commissioner Long questioned if the State is letting the bid and questioned who inspects it. Mr. Hardee said the State lets the bid, but the county inspects the project. Commissioner Langley questioned if a caution light will be added on from Lee Road 250 into Lee Road 379. Mr. Hardee said no caution light, but there will be additional signs. Commissioner Langley said there is a big issue at the top of the hill. Mr. Hardee stated there is no accident history showing necessity for a caution light. Judge English questioned the safety of the work zone with 5,000 vehicles per day. Mr. Hardee said it will be a moving work zone with one lane with our project engineer onsite for safety and to look at traffic control. Mr. Hardee said there is no specified timeline for the completion of the project. Commissioner Long questioned if the road will be milled. Mr. Hardee said no, it will be a traditional paving since it is not a full-depth reclamation project. At the conclusion, Commissioner Langley made a motion, seconded by Commissioner Long to authorize Judge English to sign the Federal Aid Agreement for resurfacing Lee Road 379 as presented. The motion carried unanimously.

MINUTES OF THE LEE COUNTY COMMISSION, REGULAR MEETING, JANUARY 9, 2023

RESOLUTION

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

That the County enter into an agreement with the State of Alabama, acting by and through the Alabama Department of Transportation relating to a project for:

Resurfacing on CR-379 from SR-38 (US-280) to CR-1558; Project#STPPC-4120(253); LCP 41-378-20; CPMS Ref#100067546.

Which agreement is before this Commission, and that the agreement be executed in the name of the County, by the Chairman for and on its behalf and that it be attested by the County Clerk and the official seal of the County be affixed thereto.

BE IT FURTHER RESOLVED, that upon the completion of the execution of the agreement by all parties, that a copy of such agreement be kept on file by the County.

Last, Mr. Hardee presented a speed limit reduction on Lee Road 668. Mr. Hardee said a citizen approached the Highway Department about decreasing the speed limit on Lee Road 668, which is a dead-end road that is 0.618 miles in length and its' primary function is to provide access to the approximately 28 lots that front the road. The current speed limit is 45 mph by state law but given the roadway geometry and the amount of residential development along the road, the Highway Department recommends the speed limit be reduced from 45 mph to 25 mph for Lee Road 668. The Highway Department recommends this is a reasonable and safe maximum speed limit. Upon this recommendation, Commissioner Cannon made a motion, seconded by Commissioner Morris to decrease the speed limit from 45 mph to 25 mph on Lee Road 668. The motion carried unanimously.

Mrs. Leverette presented for Commission consideration an agreement for architect services with McKee & Associates for the planning and development of the Loachapoka Community Park. Mrs. Leverette said the agreement is for construction document plans, permitting, construction administration assistance and associated cost estimate for the project. Commissioner Long questioned if they are the same ones who did the Beulah and Beauregard projects. Mrs. Leverette said no those were Foresite Group. Commissioner Cannon made a motion, seconded by Commissioner Morris to authorize Judge English to sign the agreement with McKee & Associates for professional services for the design, planning and development of Loachapoka Community Park. The motion carried unanimously.

Next, Mrs. Leverette presented a request to designate \$663,100 from the ARPA Revenue Replacement funds for the Engineering Complex Project. Mrs. Leverette stated this will come

MINUTES OF THE LEE COUNTY COMMISSION, REGULAR MEETING, JANUARY 9, 2023

from the \$10 million that was set aside for revenue replacement with less restrictive guidelines and recommends the Commission allocate the remaining \$663,100 to this project. Commissioner Cannon agreed as he reminded the Commission this is a project that we can see the long-term results of what was done with the money. Commissioner Long made a motion, seconded by Commissioner Cannon to designate \$663,100 from the ARPA Revenue Replacement funds for the Lee County Engineering Complex project. The motion carried unanimously.

Last, Mrs. Leverette presented a renewal agreement with Avenu Insights and Analytics, LLC for lodgings tax. Mrs. Leverette said it expires February 25, 2023, and this is a three-year renewal agreement. Judge English noted that this involves no new taxes, only a renewal for the collection of existing taxes. Commissioner Long made a motion, seconded by Commissioner Langley to authorize Judge English to sign the three-year renewal agreement with Avenu Insights and Analytics, LLC for lodgings tax revenue administration. The motion carried unanimously.

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