

MINUTES OF THE LEE COUNTY COMMISSION, REGULAR SESSION, MAY 8, 2023

The Lee County Commission convened in regular session at the Courthouse in Opelika, Alabama, Monday, May 8, 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, Tony Langley and Richard LaGrand. Elected Officials in attendance: Sheriff Jay Jones. News media in attendance: Opelika-Auburn News reporter John West.

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 a copy of the April 24, 2023 minutes. Additionally, the announcement of three vacancies on the Lee County Planning Commission and two vacancies on the East Alabama Health Care Authority was made. Commissioner Long made a motion, seconded by Commissioner Cannon, to approve the consent agenda items as presented. The motion carried unanimously.

Under old business, Commissioner Langley made a motion to approve the following Resolution appointing Jacob Geiger as the District 4 representative to the Lee County Recreation Board, replacing Houston Black whose term expires October 14, 2024. The motion was seconded by Commissioner Cannon and carried unanimously.

BE IT RESOLVED, the Lee County Commission hereby appoints Jacob Geiger as the District 4 representative on the Lee County Recreation Board until October 14, 2024, to fulfill the unexpired term of Houston Black.

Chief Administrative Officer Holly Leverette again discussed the agreement with ThreatAdvice for cybersecurity education and awareness. Mrs. Leverette said she and Information Services Director Amanda Sides have been looking into the cybersecurity issue for several months. Mrs. Sides said it is an interactive system with gamification, which rewards the employees for their participation. ThreatAdvice will provide rewards and incentives, not the county. Mrs. Leverette said it will also help in getting insured through County Risk Services since they indicated this year the cybersecurity policy will be a separate stand-alone policy. Mrs. Leverette said the proposal allows for 150 authorized users to begin using the website and services per the county's agreed upon service plan. Mrs. Leverette said it will provide employees with the necessary cybersecurity knowledge and skills to help prevent a cyber-attack and keep the county's information secure. Mrs. Leverette recommended the Commission authorize the Chairman to sign the proposed agreement for an annual cost of \$5,400. Commissioner Long made a motion, seconded by Commissioner Langley to authorize the Chairman to sign the agreement as presented. The motion carried unanimously.

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Norman Messer of Lee Road 183 appeared concerning repaving Lee Roads 182 and 183. Mr. Messer said for safety reasons especially on Lee Road 182, he is asking the county to look at repaving it due to the condition of the edges of the road and where parts of the roadway are solid patches. Additionally, he said another safety issue is due to the big trucks travelling to Waste Away, since it is difficult to pass the trucks in certain areas on the roadway coming and going to Waste Away. Judge English explained that the Highway Department has a grading system in place to utilize the tax dollars for resurfacing in the best way. County Engineer Justin Hardee agreed saying Mr. Messer gave a good evaluation of Lee Roads 182 and 183 concerning the base patches. Mr. Hardee said Lee Road 182 and Lee Road 183 are not on the schedule for this year or next year's resurfacing list. Further, Mr. Hardee said once grading is finished this year, he is not sure how the roads will come out. Mr. Messer said he is aware of the grading system but was unaware if the condition of the roads had been brought to the forefront recently.

Commissioner Cannon presented the following Resolution in consideration of increasing the salary of the Probate Judge. Commissioner Cannon made a motion to approve the following Resolution. The motion was seconded by Commissioner Morris and carried unanimously.

RESOLUTION

WHEREAS, the salary of the Lee County Probate Judge is set by local bill, not by the County Commission; and

WHEREAS, Lee County is the eighth largest county in Alabama and the third fastest growing county in the state, according to the 2020 Census; and

WHEREAS, the Probate Judge is the county's chief election official and draws a salary lower than that of approximately twenty-three of his counterparts; and

WHEREAS, the Probate Judge is responsible for the administration of the Lee County Probate Office, including Probate Court, conduct of elections, deed and mortgage recording, boat, hunting, fishing, business and driver licenses, and marriage certificates; and

WHEREAS, the Alabama Legislature has not authorized an increase in this salary since 2000. The Probate Judge has received 18 cost-of-living adjustments provided to all county employees in the last 22 years, ranging from 1% to 5.75%, and has a current salary of \$129,855, and is now the fifth highest-paid Lee County employee.

NOW, THEREFORE, BE IT RESOLVED, by the Lee County Commission, that the Lee County Legislative Delegation is asked to pass a local act setting the Lee County Probate Judge's salary at \$150,000, to take effect October 1; and

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to each of the nine members of the Lee County Legislative Delegation.

Commissioner LaGrand asked Mr. Hardee to discuss the process for placing speed bumps on roads in the county. Mr. Hardee said he previously discussed the issue with Commissioner

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LaGrand. Mr. Hardee said in part speed bumps are traditionally placed in residential settings, but the resulting issue is from the noise they make which comes from a car's undercarriage. Mr. Hardee said he has an interdepartmental policy which requires the following: 1) a plat of the subdivision; 2) the number of lots in the subdivision; 3) indicate on the plat the preferable location of the speed bumps; and 4) signatures of 2/3 of the homeowners affected by the speed bumps. Mr. Hardee said then the request is brought before the Commission for their input and action. Also, Mr. Hardee said the citizens who requested the speed bumps must purchase the first set which are installed and maintained by the Highway Department. Commissioner LaGrand questioned the cost of the speed bumps. Mr. Hardee said the speed bumps recommended by the Highway Department cost between \$1,000 to \$1,500 for a set; they are better designed and are more durable. Commissioner LaGrand questioned if there is a co-op whereby the county could help a citizen with the cost and asked if signs are erected. Mr. Hardee said he is not aware of a co-op, but acknowledged that the county erects signs saying, "Speed Bumps Ahead". Judge English questioned how many subdivisions contain speed bumps. Mr. Hardee said there are very few since the speed bumps do not solve the issues as much as citizens think they will. Judge English questioned Commissioner LaGrand if the situation was due to speed. Commissioner LaGrand said both speed and the main issue is that a car ended up in a lady's house.

Sheriff Jones presented the following Resolution recognizing National Law Enforcement Memorial week from May 15 to May 19, 2023. Sheriff Jones mentioned the names of the six officers from Lee County already on the memorial, including: Officer Henry Hart, OPD; Lee County Sheriff Buck Jones; Lt. Brenton Truitt, OPD; Sergeant Roger Motley, OPD; Deputy James Anderson, LCSO; and Officer William Buechner, APD. Additionally, Sheriff Jones mentioned that next week is National Corrections Officers Week, which he will present at the next meeting. Commissioner Morris made a motion, seconded by Commissioner Cannon recognizing National Peace Officers Memorial Day next week. The motion carried unanimously.

RESOLUTION

WHEREAS, the United States Congress, by joint resolution, established National Police Week to pay special recognition to pay special recognition to those law enforcement officers who have lost their lives in the line of duty in the service of protecting others; and

WHEREAS, in 1962, President John F. Kennedy proclaimed May 15 as National Peace Officers Memorial Day and the calendar week in which May 15 falls as National Police Week; and

WHEREAS, in 2023, the names of 556 peace officers killed in the line of duty will be added to the National Law Enforcement Officers Memorial in Washington D.C., 224 of whom lost their lives in service in 2022 and prior to 2022, 332 were lost in history until now; and

WHEREAS, 8 of those peace officers who lost their lives in the line of duty in 2022

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served communities in the State of Alabama; and

WHEREAS, since 1889, 6 peace officers serving in Lee County have lost their lives in the line of duty;

NOW, THEREFORE, BE IT RESOLVED, that the Lee County Commission recognizes the service and sacrifice of our nations' peace officers and specifically those peace officers who lost their lives serving the citizens of Lee County and jointly recognizes May 15, 2023, as National Peace Officers Memorial Day.

Next, Sheriff Jones presented an educational reimbursement request from Deputy Vintel Thomas. Sheriff Jones said the courses have been reviewed and pertain to his assigned duties. Commissioner Cannon made a motion, seconded by Commissioner Long, to approve the educational reimbursement request as presented. The motion carried unanimously.

Last, Sheriff Jones presented an application for the transfer of an alcohol license from Liberty Express Food Mart in District 4. Sheriff Jones said no objections have been made for the transfer of the license. Commissioner Langley made a motion, seconded by Commissioner Long, to approve the following Resolution for issuance of the license for Liberty Express Food Mart.

BE IT RESOLVED, the Lee County Commission hereby approves the application for a transfer of a retail beer and retail table wine application from Liberty Express Food Mart located at 10 Lee Road 189, Opelika, Alabama.

Mr. Hardee presented final plat approval for Halawakee Creek Landing, Phase 2 Subdivision located in District 4 for Commission consideration. Mr. Hardee said the final 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 255 and Lee Road 357. Adjacent property owners were notified of the development by letters sent out April 27, 2023. Mr. Hardee said it consists of 5 lots, with no new roadways. Commissioner Langley made a motion, seconded by Commissioner Cannon to approve the final plat for Halawakee Creek Landing Subdivision, Phase 2 as presented. The motion carried unanimously.

Last, Environmental Services Director John McDonald presented a Resolution transferring nine open top containers to the City of Opelika at \$2,000 per container. Mr. McDonald said the containers were previously used at the disposal sites and are no longer needed. The City of Opelika inquired about the containers for their recycling program. Commissioner LaGrand made a motion, seconded by Commissioner Morris to authorize the Chairman and Chief Administrative Officer to sign the Resolution as presented. The motion

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carried unanimously.

RESOLUTION

WHEREAS, the Lee County Commission of Alabama, (the “County”) has items of tangible personal property, nine (9) Open Top Containers, County Property Numbers 319, 332, 430, 503, 540, 1395, 1947, 2510, 2511, no longer needed for public purposes; and

WHEREAS, §11-14-2 of the Code of Alabama of 1975 authorizes the governing body to dispose of unneeded personal property; and

WHEREAS, the City of Opelika, Alabama, (the “City”) is in need of nine (9) Open Top Containers.

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

1. That the following items of personal property owned by the Lee County Commission are not needed for public purposes:
 - One (1) Open Top Container, County Property Number 319
 - One (1) Open Top Container, County Property Number 332
 - One (1) Open Top Container, County Property Number 430
 - One (1) Open Top Container, County Property Number 503
 - One (1) Open Top Container, County Property Number 540
 - One (1) Open Top Container, County Property Number 1395
 - One (1) Open Top Container, County Property Number 1947
 - One (1) Open Top Container, County Property Number 2510
 - One (1) Open Top Container, County Property Number 2511
2. That the Chairman and Chief Administrative Officer are hereby authorized to transfer and convey said Open Top Containers owned by the Lee County Commission described in Section 1 above to the City of Opelika, Alabama, at a rate of two thousand dollars (\$2,000) per Open Top Container paid to County by City upon delivery.
3. That any person or persons designated and authorized by the Chairman or Chief Administrative Officer to act in the name and on behalf of the County are authorized to do or cause to be done or performed in the name and on behalf of the County such other acts and to execute and deliver or cause to be executed and delivered in the name and on behalf of the County such other notices, certificates, assurances, or other instruments or other communications under the seal of the County or otherwise, as they or any of them deem necessary, advisable, or appropriate in order to carry into effect the intent of the provisions of this Resolution.
4. That this Resolution shall take effect upon its passage and adoption by the County Commission.

At approximately 5:30 p.m., Commissioner Long made a motion to adjourn, seconded by Commissioner Morris and carried unanimously.