

MINUTES OF THE LEE COUNTY COMMISSION, REG. ADJ. SESSION, AUGUST 12, 2024

The Lee County Commission convened in regular adjourned session at the Courthouse in Opelika, Alabama, Monday, August 12, 2024. 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, Tony Langley and Richard LaGrand. Absent: Commissioner Gary Long. Elected officials in attendance: Sheriff Jay Jones, Revenue Commissioner Oline Price and Coroner Daniel Sexton. News media in attendance: Alex Huston from the O-A News, Hannah Goldfinger from The Observer and John West from Gator Media.

Samantha Brasher Godsy, the new director of the Horseshoe Bend Regional Library, made a presentation and updated the Commission on what services the HBRL provides to its member counties. The Regional Library serves four counties Lee, Tallapoosa, Elmore, and Coosa County and provides outreach services to all four counties. The outreach services include providing books to homebound individuals, senior centers, assisted living facilities and nursing homes monthly. They also visit daycares, preschools, and other facilities that take care of the youngest members in the community and provide them with educational content to be able to add to the curriculum of those organizations. In addition, the organization also visits the Lee County Youth Development Center every month giving all the children in attendance there the ability to come on the bookmobile and pick out books for themselves. She also shared that she would like to continue to grow the library's programs and membership beyond its registered 2,021 members in Lee County and maximize the monies they receive. Commissioner Cannon asked how much the library receives from its other member governments and Ms. Godsy stated the Lee County Commission has done between \$20,000 and \$25,000 a year; Tallapoosa averages about \$10,000 a year, and Elmore County averages about \$5,000 a year. She stated that Coosa County does not participate as a whole, simply because they are themselves underfunded, but the cities of Goodwater and Rockford in that county do participate, and they each give as much as they're able to give and that ranges usually between \$250 and \$500 for those very small towns.

John Reed with Alliance Insurance presented possible changes to the current employee benefits structure regarding life insurance. Ms. Leverette had requested he look at the current benefits to see what could be remarketed and improved. Mr. Reed stated the current provider Met Life has decided to increase its rate, so a quote request was sent to Reliance, Equitable, Mutual of Omaha, Guardian and Principal. Of those Equitable came in with the best overall rate and accidental death and dismemberment coverage. He said the rates are very similar for either the \$10,000 or the \$25,000 amounts, they are basically the same rates. The current coverage is \$10,000 which although not a great amount does help with expenses. Ms. Leverette asked what area municipalities offer and Mr. Reed stated it varies with one doing one times its annual salary, another at \$30,000 going up to \$150,000, another is at \$20,000. He said some larger municipalities like in Jefferson County, Mobile County, and Montgomery County are 1½-2 times employee annual earnings in life coverage. Commissioner Cannon asked how much is currently being paid at the \$10,000 amount and it is \$1,265; should the amount increase to \$25,000 it would increase yearly what the county pays by about \$16,000. Additional information regarding rates would be

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discussed in the evening's work session.

County Administrator Holly Leverette then made a presentation for an Employee Assistance Program or EAP offered by Deer Oaks. She stated that she and Human Resources Director Lisa Ruffin have been working on this issue and Lee County is the one of the only governing bodies without one as Opelika, Auburn, Auburn University, EAMC, all have these types of programs. An EAP would provide for additional counseling and mental health services for employees as well as their dependents. She stated Deer Oaks is a national and global company with 95% governmental clients including the City of Auburn and Mobile County. They have an established network already in the area with their work with Auburn and one of the things they provide is 24-7 counseling services. With the program you can choose either three or six sessions; pricing for both was included in your packet with three costing \$7,756 annually and six costing \$10,546 annually. This program is open to all employees not just those who participate in our benefits program. She said there's also a mobile app that can be utilized with various articles and resources, customizable educational webinars and they can also assist with supervisor training for substance abuse awareness.

Mr. John McDonald provided an update on the free disposal day held in July. The environmental services department collected more than 57 tons of items not typically collected during normal cart service as well as eight tons of recyclable materials. He thanked the Sheriff's Office for providing deputies for the event and the Board of Education for allowing the use of various school properties. In addition, he stated the department was mentioned in the Alabama PALS newsletter for its participation in the statewide cleanup month held last April.

Judge English provided a report from the IAC Board Meeting showing the status of Lee County's funding for what has been obligated and what has not, as well as upcoming deadlines.

Copies of the items on the Consent Agenda sent to the Commissioners in their packets included: listings of claims and a procurement card transactions listing and a copy of the July 29, 2024, minutes. Also announced were board vacancies including five slots on the Cemetery Preservation Commission, two on the Recreation Board with one from District 4 and one from District 5, one on the Horseshoe Bend Regional Library board, and one on the Beauregard Utilities District. Commissioner Cannon made a motion, seconded by Commissioner Morris, to approve the consent agenda items as provided. The motion carried unanimously.

Second reading of Dr. Lee Johnson to the East Alabama Health Care Authority was made. Commissioner Cannon made a motion, seconded by Commissioner Morris, to approve the following Resolution appointing Dr. Lee Johnson to the soon to be vacant position.

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BE IT RESOLVED, the Lee County Commission hereby appoints Dr. Lee Johnson to the C-2 position on the East Alabama Health Care Authority Board effective October 1, 2024 for a period of 6 years, replacing Dr. David Smalley.

Judge English discussed the compilation and summary report of the evaluations of the County Administrator, County Engineer and EMA Director. Judge asked if there was any action to be taken by the Commission. Commissioner Cannon stated he would like to implement some improvement plans. No action was taken.

Sheriff Jones presented the final draft of an inmate housing agreement with Autauga County to house some of their inmates in the Lee County Detention Center due to health conditions and circumstances that have made the Autauga County jail uninhabitable. The agreement covers the basics regarding obligations of both Lee and Autauga Counties. Commissioner Morris asked about the 12-month timeframe for the agreement; the Sheriff stated that Autauga County is working on re-opening the jail as soon as possible but the agreement is renewable pending the continued approval of the Commissions. Commissioner Cannon asked who was responsible for the health care of their inmates, with Sheriff Jones stating if it was minor or routine then that would be taken care of by Lee County as part of the per diem paid by Autauga County; if it was major, Autauga County would be billed directly by the service provider. Commissioner Cannon made a motion, seconded by Commissioner LaGrand, to approve the agreement. The motion passed unanimously.

Commissioner Morris stated a draft of the COO position had been developed and reviewed by County Attorney Stan Martin as well as employment attorney Robbie Hyde. He said Ms. Hyde came up with several points to consider and he worked with ACCA to overcome those potential issues. Commissioner Cannon asked if Ms. Hyde and Mr. Martin could work with Judge English on a revised job description and present to the Commission at its next meeting. Commissioner Morris pointed out that should the position move forward that it would not be a quick process, and he would like for those new members of the Commission who have not taken office yet to be involved as well. Commissioner Langley agreed, stating that he supported additional research and study on the issue before moving forward. Commissioner LaGrand said he also had questions and that although he was supportive of the idea, he wanted to make sure he knew what he was supportive of. Commissioner Morris made the motion to have Ms. Hyde and the Chairman work to address the issues pointed out in her research and come back to the Commission at its next meeting which was seconded by Commissioner Cannon. The motion passed unanimously.

Jamie Lowe with the Lee County Democratic Party and Lee Vanoy with the Lee County Republican Party presented a request to allow for the two political parties to use the Bennie Adkins Meeting Center lobby area for tables that would provide informational and promotional materials for their respective party. The tables would not be manned by and would be for a limited time

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from mid-September to the end of October. Ms. Leverette said space is available, however there is a distance requirement that prohibits campaigning less than 30 feet away from where voting occurs. Judge English pointed out the Commission would need to amend the meeting center policies and procedures as currently it states the area cannot be used by groups that are not 501c(3) non-profits or governmental agencies. In addition, under “Prohibited Activities” the policy states electioneering or campaigning for candidates is prohibited as well as activities in support of a candidate for re-election and posting or distributing any candidate information. Commissioner Morris made a motion for a one-time exception to allow the parties to have tables in the lobby area provided there is no campaigning or candidate information provided. The motion was seconded by Commissioner Cannon and passed unanimously.

Revenue Commissioner Oline Price presented an ad valorem tax abatement request for WM Renewable Energy. Ms. Price introduced Michael Beedie from the company to provide additional information. Mr. Beedie stated WM Renewable Energy owns and operates the Salem Waste Disposal Center in Lee County and as part of its sustainability initiative, will invest over a billion dollars in the next three to four years in renewable natural gas projects and recycling projects. The first of its kind in Alabama, the proposal is a close to \$57 million dollar investment which will create between 10-15 jobs. It is anticipated the project would start construction in November of this year and be completed by the end of 2025. Judge English asked how many of these type facilities does the company have with Mr. Beedie responding there are a few in the southeast region which is his coverage area. Mr. Leonard Feingold, also with WM, said there are 20 facilities that are either up and running or are under construction, and another 18 that are on the drawing board. Commissioner Cannon made a motion, seconded by Commissioner Langley, to approve the abatement. The motion passed unanimously.

Sheriff Jones presented three special events retail license applications from B & B Beverage Management for one-day events to be held on Friday, September 13, 2024; Friday, September 27, 2024; and Friday, November 1, 2024, all at 21 Acres. Sheriff Jones recommended granting the licenses for the event. Commissioner LaGrand made the following three motions, all seconded by Commissioner Langley, to approve the following Resolutions to approve the applications. The motions carried unanimously.

BE IT RESOLVED, the Lee County Commission hereby approves the special events retail license for B & B Beverage Management for a one-day events on September 13, 2024, at 21 Acres located at 5505 Lee Road 137, Auburn, Alabama.

BE IT RESOLVED, the Lee County Commission hereby approves the special events retail license for B & B Beverage Management for a one-day event on September 27, 2024, at 21 Acres located at 5505 Lee Road 137, Auburn, Alabama.

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BE IT RESOLVED, the Lee County Commission hereby approves the special events retail license for B & B Beverage Management for a one-day event November 1, 2024, at 21 Acres located at 5505 Lee Road 137, Auburn, Alabama.

Sheriff Jones presented an educational reimbursement request from Deputy Hayden Greenlee. Sheriff Jones said the request pertains to the deputies' current position. Commissioner Morris made a motion, seconded by Commissioner Langley, to approve the educational reimbursement requests as presented. The motion carried unanimously.

Ms. Leverette presented a request to amend the Level 2 Advancement Program which came out of the last classification study done several years ago and which had been approved to start effective July 3, 2021. She said the program was designed to provide entry-level positions room for advancement and promotion opportunities based on their employment time with the county and their performance during that time as a way to retain valuable employees in lower entry-level positions at a point where there is no growth. Since the program's inception in 2021, six qualifying positions have been created that need to be added to the list and two positions need to be removed. She said the two positions that need to be removed are compacter operator and disposal site operator, as disposal sites are now closed. The six positions to be added are park maintenance worker; billing clerk; procurement payment specialist; and purchasing agent, payroll accountant and a media community relations specialist for the Sheriff's Office. In addition, two positions listed within EMA - Emergency Management Communication Specialist and Emergency Planner will be corrected to Emergency Management Specialist. She also reiterated that employees can still qualify even if there isn't a level two position in the department's budget. Commissioner Cannon made a motion, seconded by Commissioner Morris, to amend the positions eligible for the Level 2 Advancement Program as presented effective the start of the next pay period, August 24, 2024. The motion passed unanimously.

County Engineer Justin Hardee gave the Commission a brief refresher on Rebuild Alabama and stated there he has heard discussion among the Commissioners about having more of a say in the selection process for road resurfacing projects. Because of that, the information is only being presented for consideration this evening with a vote to occur at the next Commission meeting. Assistant County Engineer Parick Harvill then presented the 2025 County Transportation Plan to meet the requirements of the Rebuild Alabama Act. The 2025 plan consists of 12 different projects, with 11 roads and one roundabout. He explained the process for selection includes having a county employee grade the condition of all the paved roads across the county looking at various factors including a condition grade and traffic count, which are then used to create a weighted grade. He said they start at the top of the list with the worst graded roads, regardless of Commission District, and try to fit the projects with the amount of money available each year. For this year, the Rebuild Alabama Fund generated \$2 million, and he anticipates it will generate \$2 million in FY 2025.

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We're showing \$500,000 in carryover. He said the county has also been in talks with the City of Auburn to work jointly on two of the projects. Mr. Harvill also provided a brief overview on what types of roads the various funds can be used on, stating the FAEF, or Federal Aid Exchange Fund, can only be used on roads classified as major and minor collectors and arterials which are all functionally classified by ALDOT. Local, low-volume roads are not eligible for these particular funds. He said the \$400,000 FAEF funds are being used on Lee Road 400, which is classified as a major collector and the remaining roads on the list are all local roads. Those are the Rebuild Alabama projects that are required to be approved every year by the end of the month of August. Also included in the packet was a listing of all the road projects the Department is looking at doing with its three funding sources. The primary funds used for resurfacing are Rebuild Alabama, Federal Aid Exchange fund and the Triple R fund or what we code as 117 Fund. Those funds can only be used on projects that are resurfacing, restoration and replacement type-projects, with the budgeted funds of \$2.5 million for Rebuild Alabama; \$400,000 for Federal Aid Exchange and the Triple R into two separate accounts with \$1 million to general resurfacing and \$490,000 for federal aid matching for grants or MPO funds. The roads listed are a ranking of the weighted grades for the worst roads and trying to match that to the proper funding. No action was to be taken at this meeting. Commissioner Cannon asked for the district where each of the road projects would be located to be added to the list.

Mr. John McDonald stated it was time to renew the garbage cart collection contract with Arrow Disposal Services, as the current contract ends in February and a contract extension was included in your packets. The six-month notification clause requires a decision by the end of August. A few minor changes were recommended by the County Attorney including a corrected typo and a sentence had been changed to "shall remain in full force and effect" rather than "unchanged." Mr. McDonald said the Environmental Services Department is requesting the Commission to grant the Chairman approval to sign an extension of the contract that would renew it for another three-year term. Ms. Leverette said there had been discussion on the possibility of starting cart collection and asked if there was a cart collection fee in the agreement. Mr. McDonald said there was a re-delivery fee but not a collection fee, but it was his understanding that was something that could be done with an amendment to the contract. Commissioner LaGrand said he had heard complaints from citizens, so for the contract to be extended, that a closer relationship would be developed with Arrow. Gentry Shows with ASDI asked that anyone please contact his office for any citizen complaint so they could address the situation. Commissioner Cannon said there had been discussion on bidding out the billing portion. He stated he would like to wait until the next meeting to vote on this issue in order to receive clarification on that topic.

There being no further action, Commissioner Langley made a motion, seconded by Commissioner Long, for the Commission to adjourn into a budget work session at 6:25 p.m.