

MINUTES OF THE LEE COUNTY COMMISSION, REGULAR SESSION, SEPTEMBER 9, 2024

The Lee County Commission convened in regular adjourned session at the Courthouse in Opelika, Alabama, Monday, September 9, 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, Gary Long, Tony Langley and Richard LaGrand. Elected officials in attendance: Sheriff Jay Jones. News media in attendance: Opelika-Auburn news reporter Alex Husting.

Jimmie Dickie gave a presentation on East Alabama Mental Health, first by saying their name has changed to Integrea Community Mental Health System. Mr. Dickie thanked the Commission for allowing him to speak before them and thanked them for their continued support. Mr. Dickie gave a brief overview of the history of Lee County Mental Health Center which began in 1960 as a private nonprofit organization. In 1967 the Alabama Legislature passed Act 310, creating an official mechanism for municipalities and localities to jointly incorporate public nonprofit community mental health centers with the purpose of contracting with the Alabama Department of Mental Health to serve the comprehensive needs for specific geographical areas. That process was completed in 1973, and the East Alabama Mental Health Board was formed. Mr. Dickie said the designated catchment area includes Lee, Russell, Chambers and Tallapoosa counties. The original incorporators, which included Lee County, each appoint three members to the governing Board of Directors. The Board of Directors, through the executive committee, delegates daily operation of the system of care to the chief executive director. Mr. Dickie said as the demand for mental health services from individuals and community partners has grown exponentially over the past several years, one of their chief tasks became improving visibility. The goal is to ensure that those who need us know what is offered and how to efficiently and effectively access services. As of August 1, they began doing business as Integrea Community Mental Health System. The name Integrea was chosen to emphasize integration of services. Mr. Dickie said to achieve the greatest outcomes possible, a comprehensive array of integrated services in integrated settings must be offered. Mr. Dickie said they provide and integrate a full range of mental health and substance use services, and do not refuse services to anyone based on a lack of insurance, inability to pay, or because individuals' needs may be too severe or intense. Mr. Dickie said while they do operate some programs targeted toward special populations, they serve the community across the entire lifespan. Mr. Dickie said their services include: 8 outpatient offices; 19 residential facilities; 60 schools; an inpatient stabilization facility; and 2-day treatment facilities. Mr. Dickie said the following numbers shows services provided to Lee County residents over the past 12 months, they include: 1) the organization serviced 4,234 Lee County residents (and their families); 2) provided 1,328 inpatient bed days at the crisis stabilization unit; 3) provided more than 15,000 hours of outpatient clinical services and more than 2,000 hours of outpatient psychiatric services; 4) secured funding effective October 1, 2024 to operate the Stepping Up Program with the goal of reducing recidivism and instances of inappropriate incarceration; 5) expanded access to 24-hour crisis care through mobile crisis teams and emergency services; and 6) 49% of the Lee County citizens served have no insurance, and very limited ability to pay for the services received, which leaves unreimbursed, uncompensated

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care of more than \$1.4 million. Mr. Dickie said their primary goal over the next two to five years is to invest intentionally in further developing and expanding the continuum of services, where significantly increased demand has resulted in inefficient and inappropriate utilization of other community resources. Last, Mr. Dickie said their specific strategies include: 1) being a crisis and diversion center; 2) implementation of the Certified Community Behavioral Health Clinic (CCBHC) model; and 3) expanding the substance use system of care. Judge English thanked Mr. Dickie for the presentation saying he understands and is involved daily with these services through Probate Court.

Jennifer Tidwell of Valley Haven School said on behalf of their Director Craig Brown he wanted to thank the Commission for their continued support over the last 30 years. Ms. Tidwell said she is over the Early Intervention program at the school. Ms. Tidwell said that currently 26 of the 54 adults at the school are from Lee County. Ms. Tidwell said the funds the Commission allocates helps the school receive Federal funding. Ms. Tidwell said the school provides activities for the students, such as a yearly prom, sports which includes both a basketball and a baseball team. Lastly, Ms. Tidwell said the school provides services for students from Lee, Randolph and Chambers counties.

EMA Director Rita Smith said she has two items. First, she invited everyone to attend the groundbreaking ceremony for the Smiths Station Community Safe Room on Thursday, September 12, 2024 at 10 a.m. ET/ 9 a.m. CT at 2336 Panther Parkway.

Next, Mrs. Smith introduced Leigh Krehling with the City of Opelika, Allison Duke with the Opelika Police Department and Jessica Henderson of the Lee County Sheriff's Office as members of the Lee County Public Information Officers Task Force. Mrs. Smith said they all attended the National Information Officers Association's Annual Conference August 25–28, 2024 in Clearwater, Florida. Mrs. Smith said she and Mrs. Krehling were invited to speak at the conference on Lee County's 2019 tornadoes, saying her expenses were paid for being on the agenda. Mrs. Smith said the main question they were asked was how the news media was kept outside the damaged area. Mrs. Smith said she told them Sheriff Jones and his staff handled that, and there were no problems with it. Mrs. Smith recognized Mrs. Kehling who said it is an honor to serve on the task force with Mrs. Smith. Next, Mrs. Smith recognized Allison Duke who is a finalist for the "Best Use of Video" award for a recruitment video she submitted.

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 August 12 and August 26 minutes. Also, first reading of the following boards was made: 1) David Jackson to the Beulah Utilities Board; 2) Debra Beil to the Horseshoe Bend Regional Library; and 3) Dennis Clanton, Kimberly Deal-Johns, Tom "Mac" Morris, Camilla Tindal and Tiffany Hilyer to the Lee County Cemetery Preservation Commission. First reading of the vacancy on the Lee

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County Recreation Board was moved under “Old Business” since two people submitted a Citizen Interest form for consideration. Commissioner Cannon made a motion, seconded by Commissioner Morris, to approve the consent agenda items as provided. The motion carried on a vote of 4:0, with Commissioner Long abstaining.

Judge English said first reading of a vacancy on the Lee County Recreation Board for District 4 is necessary. The Commission Office received two Citizen Interest forms, one from the current appointee Jacob Geiger and one from Matt Young. Commissioner Langley made a motion, seconded by Commissioner Long, to reappoint Jacob Geiger as the District 4 representative on the Lee County Recreation Board. The motion carried unanimously.

Next, Chief Administrative Officer Holly Leverette presented an amended award for the ARPA funded Broadband Expansion Phase II Grant. Mrs. Leverette said after meeting with a BEAM representative, an IAC Consultant and County Engineer Justin Hardee it was determined that due to rights-of-way issues, several routes should be excluded from the original award. Mrs. Leverette presented maps with the routes highlighted. Judge English asked that both sets of maps be emailed to the Commissioners. Mrs. Leverette said all the maps were emailed to everyone on Friday, September 6 for review prior to the meeting. Mrs. Leverette said removing these roads would reduce the total projects from \$2,974,702.73 to \$2,195,532.24 in a reduction of \$779,170.49. Judge English questioned what would be done with the approximately \$780,000 which was allocated for broadband. Mrs. Leverette said it would need to be reallocated, possibly for mental health. Commissioner LaGrand asked Mrs. Leverette to provide new maps. Mrs. Leverette said she would get with a representative from SAIN Associates to produce new maps. Commissioner Cannon made a motion, seconded by Commissioner Morris, to authorize the Chairman to sign the following Resolution amending the awarded ARPA funded broadband expansion grants Phase II as presented. The motion carried unanimously.

**RESOLUTION AWARDING LEE COUNTY AMERICAN RESCUE PLAN ACT (ARPA)
FUNDED BROADBAND EXPANSION GRANTS**

WHEREAS, Lee County, Alabama (the “County”) has received American Rescue Plan Act fiscal recovery funds (“ARPA funds”) and is charged with ensuring that such funds are expended in accordance with state and federal law; and

WHEREAS, following completion of a grant application process for previously identified priority unserved and underserved areas awarded by the County (“Phase I”) the Lee County Commission voted unanimously to allocate up to \$3,407,639.00 of ARPA funds for an expansion of broadband fiber optic infrastructure in unserved and underserved portions of the County to be identified by the internet service providers as part of a second phase of applications (“Phase II”), which were subsequently approved, advertised and solicited; and

WHEREAS, following receipt of grant applications and recommendations for approval

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from a team of County officials and employees the Lee County Commission awarded broadband expansion grants totaling \$2,974,702.73 to R.M. Greene, Inc., dba BEAM to cover the South Central, Southeast, East Central, and Northeast project areas; and

WHEREAS, prior to execution of subrecipient agreements for these projects, County staff, consultants, and BEAM representatives met to discuss potential impediments and efficiencies with the projects as initially contemplated and, after discussion as to the better course of action, have amended the routes and costs and recommend that the projects be amended as follows:

- (1) The awarded broadband expansion grant for the “South Central” project was reduced from \$722,627.29 to \$594,863.41; and
- (2) The awarded broadband expansion grant for the Southeast project was reduced from \$1,168,459.83 to \$828,679.50; and
- (3) The broadband expansion grants for the East Central and Northeast projects were combined into one project, and the combined award of \$1,083,615.61 was reduced to \$771,989.33; and

WHEREAS, upon review and agreement of the recommendation from the evaluation team to amend the projects, the Lee County Commission wishes to proceed with the above-referenced grant projects and further finds these projects to be a reasonable, necessary, and eligible use of the county’s ARPA funds.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY as follows:

1. The County hereby conditionally awards and allocates up to \$2,195,532.24 of funds to support the broadband expansion grant projects to R.M. Greene, Inc., dba BEAM.
2. The County is hereby directed to continue negotiations with R.M. Greene, Inc., dba BEAM, to establish one or more subrecipient agreements covering the above-listed projects consistent with this resolution and the terms and conditions of the County’s ARPA Award.
3. The Chairman is hereby delegated to enter into a subrecipient agreement(s) with R.M. Greene, Inc., dba BEAM, if the agreement(s) is consistent with this resolution and if, in his discretion, the terms and conditions are in the best interest of the County.
4. Upon execution of the subrecipient agreement(s), the Chairman is hereby authorized to expend ARPA funds for costs of the projects in accordance with the terms of this Resolution and the subrecipient agreement(s).
5. Expenditure of these funds, as authorized by this Resolution, shall be contingent on the continued appropriation and availability of ARPA funds for this purpose and in no event shall be used for any costs associated with the projects that are not obligated on or before December 31, 2024, and expended on or before December 31, 2026.

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of the September 9, 2024, meeting of the Lee County Commission.

Under new business, Sheriff Jones presented a Special Events Retail license for Ocie and Belles LLC located in District 5. Sheriff Jones said at a previous meeting Premium Pours was granted a special events retail license at the same venue for the same date, but they withdrew their

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application. Sheriff Jones said this is for a one-day event on September 20, 2024 at Twenty-One Acres on Wire Road. Commissioner LaGrand made a motion, seconded by Commissioner Langley, to approve the Special Events license for Ocie and Belles LLC for the one-day event on September 20, 2024 at Twenty-One Acres. The motion carried unanimously.

BE IT RESOLVED, the Lee County Commission hereby approves the Special Events Retail license for a one-day event on September 20, 2024 for Ocie and Belles LLC for the event at 5505 Wire Road, Auburn, Alabama 36832.

Next, Sheriff Jones presented educational reimbursement requests from Deputy Hayden Greenlee and Sergeant Jeff Snyder. Sheriff Jones said the courses pertain to their current positions. The courses for Deputy Greenlee are 1) Victimology CMJ3307 and 2) Introduction to Terrorism HLS2301. The courses for Sergeant Snyder are 1) Courts and Courtroom Procedure BCJ4302; 2) First Line Supervision BCJ3309; and 3) Special Issues in Criminal Justice BCJ4305. Commissioner Cannon made a motion, seconded by Commissioner LaGrand to approve the educational reimbursement requests as presented. The motion carried unanimously.

Mr. Hardee presented final plat approval for a division of Parcel A on Lee Road 278 for Commission consideration. Mr. Hardee said it has been reviewed and meets the minimum requirements of the *Lee County Subdivision and Land Development Regulations*. The road is adjacent to Lee Road 278 in District 4. Mr. Hardee said adjoining property owners were notified by letters mailed on August 28, 2024, so they may attend and voice their support, opposition, or to obtain more information. Mr. Hardee asked if anyone was in attendance to address the issue. After hearing no comments, Mr. Hardee said the request is for the division of Parcel A into three lots with no new infrastructure. Commissioner Langley made a motion, seconded by Commissioner Long to approve the division of Parcel A on Lee Road 278 as presented. The motion carried unanimously.

Mrs. Leverette presented a Resolution for an allocation of ARPA funds for administrative costs. Mrs. Leverette said, consistent with Treasury guidance, the county can obligate administrative and legal costs, including audit costs to ensure Lee County's compliance with ARPA terms and conditions. The proportionate share of administrative costs for the completion of the county's federal single audit by the Department of Examiners of Public Accounts and relating to the expenditure of ARPA funds to be obligated is approximately \$50,000. Commissioner Morris made a motion, seconded by Commissioner Cannon to authorize the Chairman to sign the following Resolution to allocate the ARPA funds for up to \$50,000 for administrative costs. The motion carried unanimously.

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**RESOLUTION FOR ALLOCATION OF AMERICAN RESCUE PLAN ACT FUNDS
FOR ADMINISTRATIVE COSTS**

WHEREAS, Lee County, Alabama (“the County”) has received American Rescue Plan Act state and local fiscal recovery funds (“ARPA funds”) and is charged with ensuring that such funds are expended in accordance with state and federal law; and

WHEREAS, these funds may be used to cover costs associated with administrative requirements of the County’s ARPA award; and

WHEREAS, consistent with the Frequently Asked Questions and recent guidance issued by the United States Department of Treasury, the County certain administrative and legal costs, including, specifically, audit costs, to ensure the County’s compliance with ARPA terms and conditions are considered to be obligated for the purposes of meeting the December 31, 2024, obligation deadline; and

WHEREAS, the Lee County Commission (“Commission”) has determined that covering the proportionate share of costs to the Department of Examiners of Public Accounts to complete the County’s federal single audit(s), as required by ARPA terms and conditions and Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, codified in 2 C.F.R. Part 200, is a necessary, eligible, and reasonable use of these funds.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION as follows:

- 1) The Commission hereby allocates ARPA funds to cover up to \$50,000.00 to the Department of Examiners of Public Accounts for federal single audits for the proportionate share of administrative costs relating to the expenditure of ARPA funds as required by federal regulations.
- 2) The County Administrator is hereby authorized to expend ARPA funds to support these administrative requirements, including audit fees incurred after December 31, 2024, as appropriately reported and estimated in the County’s January 30, 2025, obligation and expenditure report.
- 3) Expenditure of these funds, as authorized by this Resolution, shall be contingent on the continued appropriation and availability of ARPA funds for this purpose and in no event shall be used for any costs associated with the project that do not fit within the ARPA definition of “obligated” on or before December 31, 2024, and are not expended on or before December 31, 2026.

Next, Mrs. Leverette presented an agreement for the county’s written consent to transfer the county’s Asset Management Agreement from PFM Asset Management LLC (PFMAM) to US Bank Asset Management (USBAM). Mrs. Leverette said the change is due to the acquisition of PFMAM by USBAM in 2021, PFMAM has been operating as a wholly owned subsidiary of USBAM. USBAM and PFMAM are separate legal entities and maintain separate registrations as investment advisers with the U.S. Securities and Exchange Commission (SEC). Upon the consolidation, USBAM and PFMAM will become a single legal entity and a single SEC-registered investment advisor. The PFMAM entity will be dissolved and its registration with the SEC will be withdrawn. USBAM will be the continuing legal entity and registered investment adviser that will serve PFMAM clients following consolidation. USBAM will service PFMAM’s public sector and related clients under the PFMAM brand name, operating as a division of USBAM. Lee County is one of PFMAM’s public sector clients who will remain under the

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PFMAM brand name. Because PFMAM will become a part of USBAM, the Consolidation will not involve an actual change in control of PFMAM. Although the Consolidation will not involve a change of control or an “assignment” of the county’s agreement with PFMAM, inclusive of any investment management and advisory agreement and/or arbitrage rebate consulting agreement, PFMAM is providing the county with notice of the Consolidation and is seeking the county’s written consent to transfer the county’s Asset Management Agreement to USBAM. Mrs. Leverette asked the Commission to authorize the chairman to sign the client consent to transfer the county’s Asset Management Agreement to USBAM. Commissioner Long questioned if County Attorney Stan Martin had reviewed the paperwork, saying he was uncomfortable with it. Mr. Martin said he had not but would be happy to review it. Mrs. Leverette said the item could be moved forward. Upon agreement, Judge English moved the item forward to the next agenda.

Last, Safety/Governmental Relations Coordinator Wendy Swann presented for Commission consideration the Safety Incentive Verification form for the current year. Mrs. Swann said to qualify for the discount, the ACCA has tasked the members to meet several guidelines for the coverage year including: 1) appoint a Safety Coordinator, create a safety committee, complete Safety Coordinator training, conduct two county-wide safety meetings, four departmental safety meetings and maintain documentation; 2) Implement and Enforce drug/alcohol policies and procedures; 3) Conduct Employee Orientations for all employees; 4) Implement and Enforce a return to work/modified duty policy; 5) Implement and Enforce a written seat belt policy; 6) Implement and enforce a wireless communications devices policy; 7) Complete Public Officials and/or Administrative Staff loss prevention training; 8) Complete Sheriff’s Office ACCA-sponsored Training Program: sending two correctional officers to three of four AJTA courses and two deputies to safety training; 9) Complete Road and Bridge Department training – R&B Safety Director and one road supervisor attend supervisor training; and 10) Cooperate with Fund’s Risk Management program. Mrs. Swann said all requirements to qualify for the SIDP discount have been met for the current year. The Safety Committee continues to meet on a regular basis and addresses items including departmental safety concerns, trainings, quarterly reviews of accidents/losses and discusses any findings from walk through reviews by County Risk Services. Commissioner LaGrand made a motion, seconded by Commissioner Long to authorize the Chairman to sign the Safety Incentive Verification form for the current year. The motion carried unanimously.

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