

MINUTES OF THE LEE COUNTY COMMISSION, REGULAR SESSION, OCTOBER 28, 2024

The Lee County Commission convened in regular session at the Courthouse in Opelika, Alabama, Monday, October 28, 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 and Coroner Daniel Sexton. News media in attendance: Opelika-Auburn news reporter Alex Husting.

Lee County Engineer Justin Hardee said prior to the Commission meeting an Open House and Ribbon Cutting was held for the new Engineering Facility. Mr. Hardee said the official opening of the facility to the public will be November 18, 2024. Mr. Hardee said he is proud to have a new facility for the public but especially for his employees. Mr. Hardee said he was employed in January 2002 and at that time the County Engineer Neal Hall expressed a need for a central facility. Mr. Hardee said now 22 years later it has come to fruition. Mr. Hardee said the new state-of-the-art facility is located on approximately 21 acres which includes: an administrative building, a central maintenance facility, pole barns to cover their equipment from the elements, a sign shop for making new signs and for sign repairs, a CRS 2 and tar tank area for the pothole patching operation, and a herbicide area. Mr. Hardee said previously they utilized a little under 10 acres housing the administrative personnel on Orr Avenue, the county shop on Auburn Avenue and four individual camps throughout the county. Mr. Hardee said he wanted to thank several people, especially the Commissioners, for authorizing the expenditure of funds for the project. Mr. Hardee thanked Architect Randy Wilson, and the builder Gamble Winter Construction. He especially wanted to thank Assistant County Engineer Patrick Harvill who took on the project from the beginning and was the point of contact with the architect and builder; saying he did a fantastic job ensuring everything went according to plan. Mr. Hardee thanked both the chief administrative officer and chief financial officer for their help in finding the necessary funds to be debt free on the project.

Copies of the items on the Consent Agenda sent to the Commissioners in their packets included: listings of claims, procurement card transactions listing and a copy of the October 15, 2024 minutes. Commissioner Cannon made a motion, seconded by Commissioner Long, to approve the consent agenda items as provided. The motion carried unanimously.

Under Old Business, Commissioner Long said after reviewing County Attorney Stan Martin's memorandum concerning Oliver Trails Subdivision, he said he is satisfied with the explanation. Commissioner Long said he has nothing further to discuss and that no action is necessary at this time.

MINUTES OF THE LEE COUNTY COMMISSION, REGULAR SESSION, OCTOBER 28, 2024

Next, Mr. Hardee said final plat approval for Pine Meadow Subdivision is back before the Commission after several citizens expressed concerns at the last meeting. Mr. Hardee said the subdivision meets the *Lee County Subdivision and Land Development Regulations*. The subdivision is located in District 5 adjacent to Lee Road 129 and Lee Road 175 with no new infrastructure. Commissioner LaGrand asked if there was anyone in attendance on the matter. After no response, Commissioner LaGrand made a motion, seconded by Commissioner Long to approve the final plat for Pine Meadow Subdivision. The motion carried unanimously.

Sheriff Jones asked the Commission to reclassify two positions for the Sheriff's Office. Sheriff Jones said he would like to reclassify a booking officer position to a purchasing agent position. Sheriff Jones said growth in daily jail operation warrants this change. Sheriff Jones said the reclassification would be a salary reduction from Pay Grade 112 to Pay Grade 111. Next, Sheriff Jones said there is a need to reclassify a School Resource Officer (SRO) position to an SRO/K9 Officer position. Sheriff Jones said the department was awarded the Sheriff Larry Amerson K9 Scholarship for 2024 resulting in the acquisition of a fully trained K9 at no cost to the county (a \$30,000 value) to be assigned to the SRO Division. Sheriff Jones said due to the training requirements of the position he feels it warrants a salary increase from a Pay Grade 114 for an SRO Deputy to Pay Grade 115 for an SRO Deputy/K9 Handler. Commissioner Long made a motion, seconded by Commissioner Langley to authorize the reclassification of the two positions, for a purchasing agent and an SRO Deputy/K9 as presented. The motion carried unanimously.

Sheriff Jones presented an agreement with Axon Enterprises for body worn cameras and equipment maintenance for Commission consideration. Sheriff Jones said the equipment ties in with their current equipment and includes equipment upgrades every 2½ years which will provide the department with the latest technology. Further, he said storage of the information will shift totally to a digital platform with the latest cloud-based technology, which will be beneficial in retaining the footage. Sheriff Jones said the Sheriff's Office will initially receive 20 body worn cameras, but a total of 40, if funds are available. The total amount of the 6-year agreement for the cameras, equipment and installation is \$978,827.78, with the first payment totaling \$98,503.66 will be due in January 2025. Sheriff Jones said there is an additional cost of \$58,582.01 for the interview rooms which includes cameras, equipment and installation. Commissioner Cannon questioned if this is a budgeted expenditure. Sheriff Jones deferred to CFO Anna-Kate Padgett who said it is, most is allocated in the current operational budget with a portion in the capital budget. Commissioner Cannon made a motion, seconded by Commissioner Morris, to authorize the Chairman sign the agreement with Axon Enterprises for body worn cameras and maintenance as presented. The motion carried unanimously.

MINUTES OF THE LEE COUNTY COMMISSION, REGULAR SESSION, OCTOBER 28, 2024

INTENT TO PIGGYBACK OFF COOPERATIVE PROCUREMENT

Sourcewell Contract #101223-AXN

This agreement (“the Agreement”) is hereby made this 15th day of October, 2024, by the Lee County Commission (“Agency”) and Axon Enterprises, Inc. (“Axon”). Collectively, Agency and Axon are the “Parties”.

WHEREAS, the Agency is desirous of having Axon provide Public Safety Video Surveillance Solutions with Related Equipment, Software, and Accessories, as herein described; and

WHEREAS, Axon is a party to Contract No. 101223-AXN with Sourcewell dated February 6, 2024, related to “Public Safety Video Surveillance Solutions with Related Equipment, Software and Accessories” (the Sourcewell Contract”) which is incorporated herein by reference; and

WHEREAS, Axon has agreed to provide goods and services within the scope of the Sourcewell Contract to the Agency at the same prices chargeable to Sourcewell; and

WHEREAS, the goods and/or services required by the Agency and that the Agency seeks to obtain from Axon are within the scope of the Sourcewell Contract; and

WHEREAS, it is the purpose of this Agreement to describe the formal rights and obligations of the Parties;

NOW, THEREFORE, WITNESSETH that, for the consideration herein indicated, and in consideration of the mutual promises and covenants set forth in this Agreement, the Parties Agree as follows:

1. The Parties intend to utilize the Sourcewell Contract for the goods and services detailed in the Quote attached hereto as Exhibit B and incorporated herein by reference (the “Quote”).
2. The Parties agree that the terms and conditions outlined under the attached Exhibit A – Addendum to Sourcewell Agreement shall apply and are hereby incorporated as part of this Agreement.
3. In the event the term of the subscriptions specified on the Quote extends past the termination or expiration of the Sourcewell Contract, the terms and conditions of the Sourcewell Contract shall remain in full force and effect as it applies to the Quote and will continue in effect for such order until the term of that Quote expires or the order is cancelled or terminated in accordance with the terms of this Agreement or the Sourcewell Contract.

This Agreement, together with Sourcewell Contract #101223-AXN, and the Exhibits attached hereto, constitute the entire agreement between the Parties relating to the subject matter of this Agreement. All prior understandings, agreements, correspondence and discussion of the Parties are merged into and made a part of this Agreement. To the extent that the terms of the document conflict, the terms of this Agreement shall control.

This Agreement may be executed by the Parties by facsimile and in counterparts, each of which shall be deemed an original and all of which together shall constitute one and the same instrument. (Exhibits A and B are available in the Commission Office).

MINUTES OF THE LEE COUNTY COMMISSION, REGULAR SESSION, OCTOBER 28, 2024

Sheriff Jones presented a Memorandum of Understanding with HealthPlan Freedom, Inc. for inmate medical insurance. Sheriff Jones said the Affordable Care Act (ACA) of 2010 has undergone numerous modifications since it passed. Sheriff Jones said an element of the ACA is medical cost coverage for inmates who are awaiting sentencing. Sheriff Jones said the coverage applies to inmates whose income is below the government established poverty level. The coverage applies to off-site medical expenses only, which include hospital, doctor and prescription medication costs. Sheriff Jones said standard deductibles still apply but the detention center medical expenditures would decrease significantly, since there is no cost to the county to participate. Sheriff Jones said they have engaged HealthPlan Freedom, Inc. by MOU to administer the ACA Insurance program. Additionally, after release an inmate has the option to continue the coverage. Upon this presentation, Commissioner Cannon made a motion, seconded by Commissioner Long, to authorize Sheriff Jones to enter into the agreement with HealthPlan Freedom, Inc. to administer the ACA Insurance program at no cost to the county. The motion carried unanimously.

Sheriff Jones presented the results of Bid #2025-01 for uniform dry cleaning. Sheriff Jones said out of five bids mailed only two were returned. The two bids were from Main Street Cleaners of Opelika and Wade Cleaners of Columbus, Georgia. Sheriff Jones said the low bidder is Wade Cleaners of Columbus, Georgia. Sheriff Jones said the vendor will pick-up and drop-off uniforms weekly at the Sheriff's Office. Commissioner Morris made a motion, seconded by Commissioner Cannon to approve the lowest responsive bid from Wade Cleaners for uniform laundry and dry cleaning as presented. The motion carried on a vote of 4-1 with Commissioner LaGrand voting "No", saying he likes to support local vendors.

Next, Sheriff Jones presented the results of Bid #2025-02 for fleet vehicle oil changes. Sheriff Jones said out of seven bids mailed, four were returned. Sheriff Jones recommended the low bid of Precision Auto Tune be accepted. Commissioner LaGrand made a motion, seconded by Commissioner Langley to award Bid #2025-02 to the lowest responsive bid from Precision Auto Tune for fleet vehicle oil changes. The motion carried unanimously.

Mr. Hardee said the final plat for Replat and Subdivision of Lots 1A and 2A Salem Ridge Plat No. 2 has been reviewed and meets the minimum requirements of the *Lee County Subdivision and Land Development Regulations*. Mr. Hardee said the proposed subdivision is located in District 4 adjacent to Lee Road 154 and Lee Road 155. Mr. Hardee said adjacent property owners were notified of the development by letters mailed on October 17, 2024, so they may attend and voice their support, opposition, or obtain more information. Mr. Hardee acknowledged there were several in the audience to address this issue.

First, Bryan Stone appeared before the Commission saying the property originally was going to be a Boat & RV Storage facility, but after examining the location, he found a better

MINUTES OF THE LEE COUNTY COMMISSION, REGULAR SESSION, OCTOBER 28, 2024

commercial site on Highway 280 for that purpose. Mr. Stone said now they are going to build two houses on this lot with an adjoining driveway. Ms. Viola Colquitt, who has a lot on Highway 280 in the subdivision, said she was told no one would build behind her property. Ms. Colquitt said people use the road like it is a speedway, saying she is not in favor of another subdivision off Lee Road 155. Judge English explained that if the plat meets the county's subdivision regulations the county must approve it. Mr. Hardee said the shared driveway access off Lee Road 155 meets county standards. Judge English said it helps us understand the situation if people offer their opinions. Commissioner LaGrand said he values her opinion, especially concerning children playing in the area. Next, Ms. Ashley Douglas spoke saying she does not believe there is enough room to accommodate two households sharing the same driveway. Ms. Douglas said she purchased her home in December and was told nothing would be built there. Ms. Douglas questioned if another entrance could be used to access the houses. Judge English again reiterated that the plat meets the county requirements. Mr. Hardee said the shared width of the two driveways is 60 feet, where a normal driveway is about 12 to 15 feet wide; saying it meets county standards. Judge English said it is up to the developer to determine where the driveway is placed, not the county. Mr. Stone said he has owned the property for a year and decided to utilize five acre lots for the development, saying he never indicated or said nothing would be built on the lot. Mr. Stone said he wants to be a good neighbor, saying two houses on 10 acres should be sufficient. Judge English questioned if True South LLC was the entity that told Ms. Douglas nothing would be built there. Ms. Douglas said it was Houston Homes.

After this discussion, Commissioner Langley said he believes 60 feet is ample room for two lots to share one driveway. Commissioner Langley made a motion, seconded by Commissioner Long to approve the final plat for replat and subdivision of Lots 1A and 2A Salem Ridge Plat No. 2. The motion carried on a vote of 4-1 with Commissioner LaGrand voting "No".

County Administrative Officer Holly Leverette said with the completion of the 2024 fiscal year, the need to carry over certain funds budgeted in FY2024 need to be carried over into the FY2025 Budget. Most of these items are for purchases that have been delayed as a direct result of adverse global supply chain issues or where items have not come in before the end of the fiscal year. Also, there is a proposed listing of capital items to be included in the FY2025 Budget based on the budget work session held on October 15, 2024. Additionally, funds totaling \$5,143,386.66 need to be moved from the General Fund to the Capital Projects Fund specifically for items in the Capital Projects Fund. Judge English questioned if the carryover of \$16 million includes the \$5 million. Mrs. Leverette said some of it was and some of it wasn't. Commissioner Cannon asked if the amount is 23% of reserves. Mrs. Leverette concurred, saying upon the direction of the Commission, there is \$15 million in county reserves. Commissioner Cannon made a motion, seconded by Commissioner Morris to approve and replace the FY2025 Budget for budgeted items carryover, FY2025 Capital Budget and Capital Projects Fund transfers as presented. The motion carried on a vote of 3-1-1 with Commissioner Long voting "No" and Commissioner LaGrand abstaining.

MINUTES OF THE LEE COUNTY COMMISSION, REGULAR SESSION, OCTOBER 28, 2024

REPLACEMENT FY2024-2025 Commission Budget

<u>Commission Funds</u>	<u>Carryover**</u>	<u>Revenues</u>	<u>Expenditures</u>	<u>Transfers In / (Out)</u>	<u>Increase/ (Decrease)</u>
General Fund	10,169,858	46,807,673	42,843,583	(14,133,949)	0
SRO	939,937	1,695,000	2,634,937		0
Recreation	776,365	1,615,000	1,985,649	(405,716)	0
General Fund – Total	11,886,160	50,117,673	47,464,169	(14,539,664)	0
Gasoline Tax Fund	772,595	2,332,000	8,697,709	5,593,114	0
RRR Gasoline Tax Fund	1,314,443	3,188,000	4,502,443		0
Rebuild Alabama Act Fund	632,449	2,000,000	2,632,449		0
Federal Aid Exchange Fund		400,000	400,000		0
Highway – Total	2,719,487	7,920,000	16,232,601	5,593,114	0
Reappraisal Fund	960,455	1,500,000	2,460,455		0
Refuse Disposal Fund	400,209	3,852,300	6,009,587	1,757,078	0
Capital Improvement Fund	86,608	760,000	846,608		0
Judicial Facilities Fund		492,500	90,500	(402,000)	0
Capital Projects Fund			5,143,387	5,143,387	0
Operational	16,052,919	64,642,473	78,247,307	(2,448,085)	0
Debt Service					
2004/12 Debt Service - Jail Expansion		732,311	1,297,400	565,089	0
2010/19 Debt Service - Bridge Program			536,200	536,200	0
2013/21 Debt Service - JC Expansion			613,658	613,658	0
2018 Debt Service - Recreation & Facilities			733,138	733,138	0
Total County Commission Funds:	16,052,919	65,374,784	81,427,703	0	0

** = Funds available above restricted, reserved and designated fund balances for one-time expenditures like capital equipment or projects

Judge English said EMA Director Rita Smith is out due to the recent hospitalization of her husband so her agenda items will be carried forward.

Parks Director Ryan Norris presented a recommendation for an update to the Lee County Parks Rental Agreement. Mr. Norris said on September 28 there was an incident at the Beauregard Park involving the Opelika Dawg Pound group where park equipment was damaged. Mr. Norris said three individuals in attendance broke into a locked shipping container, removed the infield machine from the container, and removed the Land Master UTV from the container,

MINUTES OF THE LEE COUNTY COMMISSION, REGULAR SESSION, OCTOBER 28, 2024

without permission. Mr. Mr. Norris said the individuals proceeded to drive the UTV through the gravel parking lot and other open areas of the park and damaged the UTV totaling \$183.98. Additionally, there are two previous instances, involving the same group, of damages to the park totaling \$144.55. Commissioner Long questioned the invoice in the packets from Ace Hardware. Mr. Norris said that was a repair from a previous incident. Mr. Norris said he would like the Commission to suspend the agreement with Opelika Dawg Pound group and ban them from using the park facilities until the 2026 season. Commissioner Langley said since the 2024 season is almost done, he would recommend the group be banned for the upcoming 2025 season. Mr. Norris asked for clarification if the Commission wishes to terminate the remainder of the 2024 season, suspend play for the 2025 season with a return in the 2026 season. Commissioner Langley confirmed. Mr. Norris said he would keep his eyes and ears open over the next season to see if this group's record improves. Commissioner Langley made a motion, seconded by Commissioner Cannon to terminate the 2024 Agreement with the Opelika Dawg Pound group and restrict the group from renting fields until the 2026 season. The motion carried unanimously.

Solid Waste Director John McDonald had a conflict today, so Mr. Hardee handled the update on the 4th Quarter Disposal Day held October 5, 2024. Mr. Hardee said the event was successful in collecting approximately 44.89 tons of trash and bulk items. Additionally, the department was able to separate 7.5 tons of trash to be recycled. Mr. Hardee thanked the Lee County Sheriff's Office for providing deputies for visibility at the locations. Mr. Hardee thanked the Lee County Board of Education for allowing the department to use three school locations at Beauregard, Beulah and Loachpoka. Mr. Hardee said the two other drop-off locations were at the Bottle in Auburn and our Motts location in Smiths Station. Mr. Hardee said the next free disposal date has not been determined.

Human Resources Director Lisa Ruffin asked the Commission to approve a funding request from the Contingent fund for supplies for the upcoming Health and Benefits Fair scheduled for November 12, 2024. Mrs. Ruffin said there are several items that need to be purchased to include a banner, packaged snacks and other miscellaneous items. Mrs. Ruffin said the banner can be used for several years. Commissioner LaGrand made a motion, seconded by Commissioner Morris to authorize up to \$600 from the Contingent fund for the 2024 Health and Benefits Fair to purchase a banner and necessary supplies. The motion carried unanimously.

Lastly, Commissioner Long introduced his family in attendance for his last Commission meeting. First, he introduced his wife Brenda, saying in February they will have been married 50 years. Commissioner Long said it has not always been easy. They successfully raised two daughters, Brandy and Lindsay. Commissioner Long said Brandy begged him two years ago to quit, he said he told her to pray about and he would do God's will. Commissioner Long said he never had sons, but has been blessed with two sons-in-law, Jason Flowers and Adam Littleton.

MINUTES OF THE LEE COUNTY COMMISSION, REGULAR SESSION, OCTOBER 28, 2024

Also, he said he has four incredible grandchildren, including one in attendance, Kendall, for whom he recently had the honor of officiating at her wedding. Commissioner Long said the Lord blessed him to serve 16 years on the Commission. Commissioner Long said he would like to say he is going to miss serving on the Commission, but said he is ready to be home on Monday nights. Commissioner Cannon thanked Commissioner Long for his support after he was elected to the Commission, saying he learned a lot from Commissioner Long. Commissioner Morris said Commissioner Long has a heart for service. Judge English said he would miss sitting alongside Commissioner Long, saying he is leaving in January also.

At approximately 6:05 p.m., as his last motion, Commissioner Long made a motion, seconded by Commissioner Cannon to adjourn. The motion carried unanimously.

Judge English reminded everyone according to Code of Alabama §11-3-1 the next county commission meeting will be held on Wednesday, November 13, 2024 and will be the organizational meeting.