

MINUTES OF THE LEE COUNTY COMMISSION, REGULAR TERM, FEBRUARY 24, 2025

The Lee County Commission convened in regular session at the Courthouse in Opelika, Alabama, Monday, February 24, 2025, at 5:00 p.m. The Pledge of Allegiance was recited, followed by an invocation by Commissioner Langley.

The Chairman declared a quorum and officially opened the meeting with the following members recorded as being present: Judge Jere Colley, Chairman, and Commissioners Doug Cannon, Ross Morris, Jeff Drury, Tony Langley, and Richard LaGrand.

John Sophocleus addressed the Commission thanking them for the work sessions but feels there is redundancy within the session. He discussed garbage billing and stated there was one commissioner who realized the source of the problem was wrongful dumping. He stated Mr. McDonald's estimate of 30-35 percent of what was going into the dumpsters was wrongful dumping was accurate and feels those numbers will come to fruition. He also stated he would speak more on that issue during the public hearing later in the meeting. He said the county needs to get out of the garbage business and allow the four businesses operating previously to go back to work. There was a time citizens paid for access to county dumpsters, and stated he could make the Commission aware of a county where it was well done in how it monitored who had access to dumpsters and who did not. He also requested a copy of his garbage billing contract to provide the USPS for its mail fraud investigation. He stated he continues to watch his credit score but if the county turns his account over to a collections agency for a bill he states he has not contracted for, then he will have something actionable. Also, he stated if his cart was taken, he could then request a criminal investigation and take the county to small claims court. He said it was wrong and needed to stop.

Lance Farrar said he was there to speak about the public hearing for trash and the green bin dumpsters which were taken away. He stated the initial problem the county was informed about was unlawful dumping. He agreed that it was an issue and felt it could be corrected with an attendant at the sites or some type of restricted access. He said he and others offered to explain the process and perhaps get cameras, lights and attendants and were told by the county those items were too expensive. He stated since the time of the contract for ADSI, the county has paid \$6,420,776.13 from April 2022- February 2025. He said that amount does not include the creation of the commission billing office, its staff and its overseeing of a private corporation using public resources. He asked how much more exposure will Lee County have to this malfeasance.

Michael Messer spoke saying he will also be speaking during the public hearing on trash but wanted to speak about the proposed roundabout with Auburn. He said he wanted to provide

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his input and asked why the county is splitting 50/50. If Auburn has $\frac{1}{4}$ and the county $\frac{3}{4}$, then the county should be paying $\frac{3}{4}$. He also stated the roundabout is needed as traffic in that area does back up and something needs to be done there.

Judy Lockhart said she provided greetings from the Family Enrichment Center in Loachapoka. She read a letter from the Center which stated in part: Dear Commissioner Cannon and members of the Lee County Commission, on behalf of the Family Enrichment Center of Loachapoka, I want to express my sincere gratitude for your invaluable support in securing a computer grant from Mid-South RC&D. Your efforts and dedication have made a meaningful impact, and we deeply appreciate your commitment. A special thank you to Commissioner Doug Cannon for your leadership and advocacy throughout this process. Your dedication to ensuring access to technology and education for local organizations like the Family Enrichment Center is truly commendable. We are also grateful for the Commission's ongoing commitment to the Family Enrichment Center. Your continued partnership strengthens our ability to uplift and empower individuals and families throughout Lee County. It is through the efforts of dedicated public servants like you Commissioners that we can create lasting, positive change in our community. Again, we thank you for your unwavering support. We look forward to continuing to work together to serve the people of Lee County with the Family Enrichment Center. Please know that your efforts are making a difference, and we truly appreciate all that you do every day and every year. With deepest gratitude, signed by Georgia R. Bass, chairperson for the Family Enrichment Center and Board Member Judy Lockhart reporting.

Susan Bolt thanked the Commission for bringing citizen comments back into public record so citizens unable to attend have an opportunity to see what other citizens' concerns are. She also wanted to discuss the trash situation. She stated she was having a difficult time understanding the crossover from where the county is paying for personnel for a private contract. In minutes from July 2023, she said it was stated streamlining the collection process needed to happen to minimize the burden on the county's general fund. She asked why the county's general fund was being used to pay salaries for bill collection staff for a private company and questioned the pay grades for the staff and the CFO and if it's a county obligation or a personal company obligation.

Brian Davis addressed the Commission saying he retired to Smiths Station in 2018 after 24 years in the military. He stated that although he and his wife are very happy there, over time the freedoms they had appeared to get attacked or diminished, referring specifically to the removal of public dumpsters. He said he and his neighbors are self-reliant, but that reliance depends on them having a choice and the option to exercise that. He said civil liberties can erode quicker than people think; he stated he would like the government to not encumber their path to do the things they consider to be freedom of choice. He said that could be the use of a public dumpster or contracting with another local business. He said he did not contract with ADSI and still receives

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letters for the bins and service. He said he would like to see freedom of choice restored and to see the Commission restore rights and liberties back to the citizens.

Judge Colley recognized the elected officials in attendance: Sheriff Jay Jones, Revenue Commissioner Oline Price and Loachapoka Mayor Rickey Holder. News media in attendance: Opelika-Auburn news reporter Alex Husting.

Commissioner LaGrand, who stated he was a strong supporter of both the Community Market and the Food Bank of East Alabama, introduced Martha Henk, Food Bank Executive Director and Steve Reeves, Food Bank Board Chair, who presented a funding proposal for the Community Market. She stated Lee County has a large number of food-insecure citizens. The Food Bank of East Alabama serves a seven county-service area with 200 agencies and operates a food pantry which is the Community Market. The Market, created in 2002, is currently housed in a 4,700 sq ft building and operates similar to a grocery store in that it allows its patrons to pick the food they would like and provides access to the full array of food offered by the Food Bank. The location also provides access to other much-needed resources available in the area. With the growth of the county, the population needing service has also grown. The current location is no longer adequate for their needs, so they have purchased a parcel near downtown Opelika on which to build a larger facility. The Food Bank has launched a \$3.9 million capital campaign and has already raised \$1.6 million. Construction on the 15,000 sq ft building will take approximately 9 months and consist of a grocery store, warehouse space, office space, and a meeting area for workshops with community partners. She stated that in 2023 it was estimated that 13.4% of Lee County's population, or 23,020, was food insecure or lacked reliable access to food; in 2024 that number increased to 15.5% or 27,270 people, which is a 16% increase in one year. On average, 1,160 people are helped each month. Since 2007, the Commission's contribution to the Community Market has been less than \$3,000 a year and for the past 10 years it's been \$2,650. In comparison to that she said the City of Auburn is \$25,000 and the City of Opelika \$23,000. Community Market assisted 2,233 households last year, with 35% of those living outside the cities of Auburn and Opelika. She stated 45% of participants in the brown bag program are county residents. The cities of Auburn and Opelika have granted the Community Market \$100,000 for its capital campaign. They are requesting Commission support in the amount of \$100,000 a year for three years. Commissioner LaGrand stated he had a concern regarding the water tower located on the parcel. Mr. Reeves said he understands the water tower is iconic to the City of Opelika and Lee County and there are no immediate plans to remove the tower. He stated they are open to suggestions and options. He said painting the tower would cost \$30,000 and there would also be maintenance costs to consider but they were open to suggestions and options that would not require the tower to be taken down. Commissioner LaGrand also asked when construction might begin with Ms. Henk stating they are looking at a groundbreaking on March 24th. Commissioner Langley asked if the Market grew the vegetables it supplied or if many were donations; she stated a large portion is donated through a federal

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program called LFPA as well as O Grows and USDA and 25% of what is distributed is fresh fruits and vegetables.

Parks Director Ryan Norris gave a presentation on the reopening of the Loachapoka Community Park. Mr. Norris thanked Beasley Construction, the Lee County Highway Department and the Parks Department for all their work in completing the park. He said it could not have been possible without the Commission and the Town of Loachapoka coming to an agreement in 2022. He also thanked Commissioners LaGrand and Cannon and Loachapoka Mayor Ricky Holder for leading the effort to have the park reopen. Commissioner LaGrand thanked the Town of Loachapoka, the Lee County Rec Board and the Commission for their support and ensuring the project was completed. Mr. Holder thanked the Commission for its support as well and thanked everyone involved with the project. Mr. Holder also took a moment to thank EMA and the Family Enrichment Center for their assistance during the recent snow event.

Copies of the items on the Consent Agenda sent to the Commissioners in their packets included: listings of claims to be approved and ratified, procurement card transactions listing and a copy of the minutes from February 10, 2025. Commissioner Cannon made a motion, seconded by Commissioner Morris, to approve the consent agenda items as provided. The motion carried unanimously.

Commissioner Drury made a motion, seconded by Commissioner Cannon to approve the following resolution to appoint Richard Key, II to the Smiths Station Water & Sewer Authority. The motion carried unanimously.

BE IT RESOLVED, the Lee County Commission does hereby appoint Richard Key, II to the Smiths Station Water & Sewer Authority to fill the unexpired six-year term from February 28, 2021, until March 1, 2027.

Commissioner Langley made a motion, seconded by Commissioner LaGrand to approve the following resolution to appoint Jasmine Stoneback to the Lee County Cemetery Preservation Commission. The motion carried unanimously.

BE IT RESOLVED, the Lee County Commission does hereby appoint Jasmine Stoneback to the Lee County Cemetery Preservation Commission to serve the unexpired four-year term from October 1, 2024, until September 29, 2028

The next item presented concerned the Bulk Route, Amnesty Days and cost of Solid Waste. Commissioner Cannon said that after discussions held in the previous work sessions,

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another work session is necessary. He also stated Commissioner Drury would be holding a town hall meeting on the issue to hear from his constituents and feels it is important to listen to the voters about what they would like to do. Ms. Leverette asked if there was any additional information the Commission would like to have as it continues to examine the issue.

Commissioner Cannon said he felt he had enough information from what had been provided with Commissioner Drury thanking Ms. Leverette, CFO Anna-Kate Padgett, County Engineer Justin Hardee and Environmental Services Director John McDonald for providing the information. Commissioner Cannon made a motion to hold a work session before the next Commission for further discussion on the issue. The motion was seconded by Commissioner Drury and passed unanimously.

The next item concerned the public hearing for proposed Environmental Fee Changes by the Lee County Health Department. Judge Colley opened the public hearing at 5:45 p.m. There being no citizens requesting to speak, the public hearing was closed at 5:46 p.m. Commissioner Cannon made a motion to approve the schedule fee changes with Commissioner Morris seconding. The motion carried on a 4-1 vote with Commissioner LaGrand voting no.

Mr. Hardee then brought up submission of the final plat for Quail Rise Subdivision which was tabled at the previous meeting at the request of Commissioner Langley after concerns were raised by adjacent property owners. He stated the surveyor of the development was in attendance to answer any questions as was Eric Parten, the administrator for the county's National Flood Insurance Program. He stated the development is located off Lee Road 158 and 252 and would utilize existing road frontage.

Mr. Carl Bergman spoke stating he had several concerns with the development. He said he wanted to reiterate the issues addressed by his wife at the last meeting. He said one of the major issues they deal with is the drainage and natural flooding that occurs. He said that while he realizes it's not a designated flood zone, during heavy rainfall flash flooding can occur which floods the bottom portion of his driveway. When those flash floods occur there is a tremendous amount of pressure and debris washed into the creek there and washed downstream which clogs the bridge and causes water to go onto his property. He stated removal of trees and vegetation would cause even more standing water and flooding issues. Creating the plots proposed would exacerbate the situation. He also questioned how the area was able to pass the perc testing given the amount of moisture retained in the areas and his parcel passed but only barely. He stated that area used to be used for duck hunting and the ground is extremely wet on both sides of the creek. He suggested a third-party disinterested independent source should conduct the inspection; in addition, he stated his leach system for his septic has a hard time draining. If septic were to back up into someone's new home, they would drain the gray water and the only place it can go is the creek which feeds into Lake Harding. He also discussed the increased traffic from the construction and development will increase the wear and tear on the roadways. In addition, he asked what the impact would be on taxes if the City of Opelika

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potentially expanded their boundaries to include that area. He also questioned the lot size, as there were limitations when his parcel was developed and questioned the buildable area on of the proposed lot sites.

Mr. Nathan McBride, the surveyor for the developer, stated there were no restrictions on the property which was formerly owned by Weyhauser. He said he did understand the flooding concern. He presented the National Wetland Flooding Inventory map as well as a contour map showing the house located on a knoll. He stated every lot had been tested by a soil professional and met the Health Department's regulation for an on-site septic system with a passing Perc test. He said all the lots have sufficient buildable area, and the questioned Lot 5 has a buildable area outside the wetland limits of three times the minimum lot sizes required by the state. Mr. McBride also said the contractors will be required to follow best management practices for erosion control which is monitored by the Building Inspection Department. He said the developer will also not be clear-cutting the parcel but clearing just enough trees for the homesites. He did state Mr. Bergman's driveway does flood as it traverses parallel with the creek and is located on the lowest portion of the lot with the flooding attributed to overtopping and beaver dams.

Commissioner Langley asked if each individual lot had passed their own Perc test with Mr. McBride stating the tests have not been submitted to the Health Department because there are no addresses for the lots. Once the plat is on record, addresses will be provided for each test and submitted and based on their experience will pass conventionally. Commissioner Cannon asked Mr. Hardee if a permit would have to be turned in before a building permit could be obtained with Mr. Hardee agreeing, saying health department approval is needed whether it would be a conventional or non-conventional system but that would be required before any building permit was issued. Commissioner Drury asked if the plat meets the Highway Department standards. Mr. Hardee stated yes, based on the regulations the Commission currently has in place. Should any adjacent property owner feel damage has occurred due to improper construction practices they can contact ADEM for water quality concerns.

Mr. John Williams from Mountain Springs Baptist Church stated the church had just found out about the development and were concerned about what it might mean for their property. Mr. Hardee said as the church property is located across Lee Road 158 the letter was simply giving notice of the development and does not require any easement or right-of-way access from their property.

Mr. Peter Byrd questioned if a traffic study had been conducted given the increased traffic. Mr. Hardee stated that based on the amount of lots and the shared driveways accessing Lee Road 158, it was determined that a traffic study was not needed. Mr. Byrd asked if the Lee County Access Management Policy goes into effect if there are more than 100 vehicles a day. Mr. Hardee said the access management policy does not necessarily call for a traffic study and the proposed subdivision did not require one to be done. On a question from Commissioner Langley, Assistant County Engineer Patrick Harville discussed the traffic study requirements from the access management policy. He stated with the subdivision fronting an arterial road or major collector and there being 10 different driveways accessing Lee Road 158, you wouldn't do a traffic impact study. If, however, it was coming off a smaller road and going to only one

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intersection, then traffic would be looked at but not typically when you have traffic spread throughout multiple driveways and accessing a road such as Lee Road 158. Commissioner Langley made a motion to approve the plat which was seconded by Commissioner Drury. The motion passed unanimously.

The final item of old business concerned the public hearing for the Lee County Solid Waste Management Plan with Judge Colley opening the hearing at 6:15 p.m. Mr. Hardee introduced Eric Sanderson with CDG, the consulting firm who assisted with the plan's development. Mr. Sanderson stated the solid waste management plan was a comprehensive document outlining how a county will reduce, manage and dispose of its solid waste over a 10-year period. The plan serves as a road map for the county's waste management strategies, helping to guide decision making and establish criteria for future actions. The State requires all counties to develop and maintain a SWMP in accordance with the Alabama Solid Waste and Recyclable Materials Management Act which mandates that local governing bodies have a plan for managing solid waste generated within their jurisdictional boundaries. In addition, the plan must address aspects including current waste generation and management practices, projected future waste volumes, recycling and waste reduction strategies, and facility needs and capacity planning. CDG worked closely with the county officials to ensure all necessary components are included and that the plan reflects the specific needs of Lee County.

Mr. Sanderson stated the approval process for this updated plan includes a public hearing, to gather input from the community members; evaluation and potential incorporation of public comments into the plan; final approval of the plan by the county and final submission of the plan to ADEM for approval.

Micah Messer was the first citizen to address the Commission. He stated the plan involves many things that have been debated for the last several years including dumpsters, curbside pickup, and bulk pickup. He said this topic was important to the people in his area and stated the citizens of the County did not vote in curbside pickup and have since replaced several commissioners on this commission as a direct action against that vote. He added that citizens previously had the choice of purchasing their service to provide curbside pickup from multiple private entities. In addition, he said that although curbside was supposed to reduce littering on the roads, it has instead made it worse in some areas. He stated the citizens want their dumpsters back, and billing from a private contractor to stop. He said if the county would like more money, it should put forth a vote of the people for more taxes to pay for a service the county would provide, as was intended by local government.

John Sophocleus spoke and stated the county previously had a problem with wrongful dumping but while trying to solve that problem a new one was created. He presented five steps for consideration by the Commission which included: 1- Having County Attorney Stan Martin to identify the exit cost of dissolving the Arrow/Meridian monopoly contract and have him identify the cost of dissolving former Commissioner Robert Ham's truck lease purchased to do what was promised that Arrow/Meridian would be doing. 2- Undo the vote to use county resources to send out fraudulent bills through the United States Postal Service as a collected for

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a third party which is Arrow/Meridian. He said Lee County individuals did not contract with Arrow/Meridian it was the county, so it is obliged to pay this monopoly contract. Please end these fraudulent mailings because when this thing goes to a class action suit, \$11 million is in jeopardy. 3- Reopen the county dumpsters who wish to resume their voluntary paying for them via the Lee County tax collection office. He stated that when he was a resident of South Carolina, windshield decals were given as proof of voluntary payment of the garbage fee and granting access to a dumpster or facility. 4- Once property owners are able to dispose of their rubbish at the restored county dumpsters or contract with some private curbside service, Arrow/Meridian must remove the trash cans from those not contracted with them. He said he understood the Commission could do its monopoly contract, but he said it couldn't use his tax dollars to pay the monopolist and then double bill and send him a bill. Transition the billing to Arrow/Meridian for those who want to voluntarily contract with them and transfer the newly created billing clerks, chief clerks, into maintaining Lee County dumpster's integrity. 5- Consider using the newly created positions to address the wrongful dumping problem and officially request Lee County Law Enforcement/Sheriff Jay Jones to provide a plan such as lights or cameras to address the wrongful dumping. He stated the county spent \$60,000 putting cameras on private trucks to protect them but wouldn't spend the money on resources and cameras to protect the dump sites. In closing he stated it was good to see the spirit of the Commission change and said it was time to start undoing the wrongs, and curbside pickup was one of the big wrongs that has come from the Commission.

Lance Farrar addressed the Commission next. He stated what he wanted to speak about had already been addressed. He reiterated the problem was unlawful dumping and the Commission was provided the option and opportunity to give the Sheriff the necessary resources such as cameras and attendants at sites to address the issue. He said the citizens were told it was too expensive; however, the County has spent \$6.4 million just to ADSI which did not include the \$60,000 in cameras put onto the trucks. He also said that amount did not include the new Commission billing office and its five positions. He stated defamation, libel and slander is a crime in Alabama and read from section 6.5-182 saying in an action for libel or slander, the plaintiff must prove, unless it shall be admitted by the defendant, the facts showing that the alleged defamatory matter was published or spoken of by the plaintiff. He stated claiming citizens are delinquent could violate that section as the citizens have not contracted with this private entity, but the commission has. He said he hoped the Commission would make the right decision and open the dumpsters again, stop double billing and stop defaming citizens.

Steve Causey spoke saying several years ago during an event discussing bringing in an outside company and doing away with the dumpsters former Commissioner Robert Ham stated illegal dumping was costing the county an extra \$800,000 a year. He said the contract the Commission now has is costing over \$3 million a year. He stated when adding up the \$200,000-something being paid to the private company, the billing office, the free garbage days that are not free, the metric ton tipping fees, and the maintenance and upkeep on the leased trucks he feels the Commission will find out that it is costing the taxpayers of Lee County a good bit more money than what it cost in the three years prior to the contract. He said the old system did not cost the citizens as much as it's costing them now.

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Judge Colley closed the hearing at 6:34 p.m.

John McDonald stated he would recommend bringing this item back before the Commission at another meeting and take all of the citizens' comments into consideration. Commissioner Cannon said he would like to open it up to additional citizen comments. The motion to table was made by Commissioner Langley seconded by Commissioner Drury and passed unanimously.

The first item of new business is adding a holiday for Good Friday. Commissioner Langley presented the item and stated that upon looking at the current holidays adding Good Friday would be a more deserved holiday given its meaning and recommended replacing the current Columbus Day holiday on October 13 with the Good Friday holiday on April 18. Commissioner Morris asked about the balance of holiday, with Ms. Leverette stating there are more holidays toward the end of the year than the beginning. Commissioner Langley said he wanted to discuss it now because Easter is approaching and the need to adjust the holiday schedule and notify employees. Commissioner Morris asked if there would be any issue with switching the holiday, with Ms. Leverette saying the only issue might be a child-care issue as although most schools are open for Columbus Day, some do use that as their fall break but not enough to not consider moving forward with changing. She also stated the concern would be that it is adding another Friday holiday and there are departments that take an additional holiday when holidays are on Friday, and it would just need to be made clear the holiday is that Friday not the Wednesday or Thursday before. The motion was made by Commissioner Langley to replace the Columbus Day holiday with Good Friday and seconded by Commissioner Drury. The motion passed unanimously.

Sheriff Jones presented a Special Events Retail license application for Premium Pours, LLC for a one-day event to be held at Stone & Ivy on Saturday, March 1. Commissioner Langley made a motion, seconded by Commissioner Morris to approve the following Resolution approving the Special Events Retail license application as presented. The motion passed unanimously.

BE IT RESOLVED, the Lee County Commission hereby approves the special events retail license for Premium Pours LLC for a one-day event on March 1 at Stone & Ivy, located at 2611 Columbus Parkway, Opelika, Alabama.

Sheriff Jones presented a Special Events Retail license application for Greenawalt Hospitality for a one-day event to be held at Legacy at Serenity Farms on Friday, March 21. Commissioner LaGrand made a motion, seconded by Commissioner Langley to approve the following Resolution approving the Special Events Retail license application as presented. The motion passed unanimously.

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BE IT RESOLVED the Lee County Commission hereby approves the special events retail license for Greenawalt Hospitality for a one-day event on March 21 at Legacy at Serenity Farms, located at 1995 West Farmville Road, Auburn, Alabama.

Sheriff Jones presented an application for the transfer of a restaurant retail liquor license from Locals located in District 3. Sheriff Jones said no objections have been made for the transfer of the license. Commissioner Drury made a motion, seconded by Commissioner Langley, to approve the following Resolution for issuance of the license to Locals.

BE IT RESOLVED, the Lee County Commission hereby approves the application for a transfer of a restaurant retail liquor license application from Locals located at 5409 Summerville Road, Suite 1, Phenix City, Alabama.

Revenue Commissioner Oline Price presented the Revenue Payment Kiosk. She stated they are now ready to move forward with the installation of the payment ATM and its housing. She said it is a two-step process, with the first step being the opening of the ATM kiosk on March 10. Opelika will be the test site with Auburn and Smiths Station following later. The kiosk's building will be located close to the building, near the curb and on ground level, allowing for those with limited access to be able to utilize it and will be well-lit as it will have its own lighting. She said everything will connect from underneath so no cutting through brick or concrete will be necessary. In addition, it is using monies from the Mandatory Liability Insurance Fund so no county funds are being used; construction of the building to house the kiosk should not go over \$15,000. The ATM kiosk was purchased with the previous year's funds. Commissioner Langley asked if a camera was located in the kiosk; Ms. Price stated yes and added the ATM also does not take cash. Commissioner Cannon asked when the other sites would open, with Ms. Price stating Auburn was anticipated to open 30 days after Opelika's and would be located at the front door right as enter the building. She said citizens could use it to renew car tags and will print out the decals; pay property taxes; and renew manufactured home licenses. Judge Colley asked if you would be charged a credit card transaction fee. Ms. Price said it would be the same transaction fee as if you came into the office so a 2.5% fee versus a 3% online fee. Commissioner Cannon made a motion seconded by Commissioner Morris to authorize the installation of the Revenue Payment Kiosk Building. The motion passed unanimously.

Ms. Leverette presented the professional services agreement for designing the Smiths Station Annex. She stated that as discussed in the work session, there is a need for an annex for the citizens to utilize to conduct their county business as the current space in the Smiths Station City Hall is no longer feasible. She said this agreement would simply be to authorize work on a design; the fee schedule would be based on an hourly fee schedule and would go towards the contract so if a decision were made not to continue the project the work completed would have

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already been paid for. Commissioner Drury stated he had been in discussion with Ms. Price about the needs in Smiths Station as well as several of the councilmen and Mayor concerning the possibly of long-term lease. He said the proposed building would be located next to the current City Hall and would match their existing building, but the Council needs dimensions and something to visualize. In addition to Revenue and Probate, he stated he had spoken to Sheriff Jones about the possibility of an office there as well as Circuit Clerk Mary Roberson.

Commissioner Morris asked if the parcel being proposed was large enough with Commissioner Drury stating yes as the parcel consist of a few acres. The building would also be owned by the County and utilize a shared parking lot. Commissioner Drury also noted funding for this could possibly be for next year's budget so it was important to have preliminary drawings to know what amount might be needed. Commissioner Drury made a motion to authorize the County Administrator and the County Attorney to work with architect Randy Wilson on a professional services agreement to obtain design services until a decision is made on the annex project. The motion was seconded by Commissioner LaGrand and passed unanimously.

Mr. Hardee presented the Intergovernmental funding agreement for the construction of a roundabout at Society Hill Road and Moore's Mill Road. He stated the current four-way stop is not functioning at the level of service needed and the transition to a roundabout would improve traffic flow. He said the agreement is between Lee County and the City of Auburn, with the city committing to cover up to 50% of the construction cost but not to exceed \$500,000. He said the county has budgeted \$600,000 of its Rebuild Alabama funds for this project as well and feels confident the project will come in within that cumulative amount. He also stated that attorneys for the city and the county attorney have reviewed the agreement. Commissioner Morris made a motion to authorize the chairman to execute the funding agreement which was seconded by Commissioner Cannon. The motion passed unanimously.

Next, Mr. Hardee presented the proposed dirt road paving policy. He stated what was included in the packet was a draft based on conversations with commissioners and aspects that had been discussed. He said that per discussion in the work session, there was interest in adding items to the draft including percentages of the commission districts based on the dirt road miles and dirt road percentage each district has. Commissioner Cannon said the original agreement stated the commissioners in that district picked the roads based on percentages; he said he thought it should state the citizen has to have the majority of the people living there and do a petition to the Commission and no right-of-way being purchased. Mr. Hardee said he could incorporate a citizen petition into the next draft and said the Highway Department wouldn't have control over where citizens petition for their roads and what districts petitions are coming from; he said it would be up to the Commission to decide on how to regulate it should more petitions come in for any one district, as although funds could be left, if multiple projects are approved then a district could then get more of the percentage of the funds. Commissioner

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Cannon stated he felt during budget planning the monies should be allocated based on percentages and into a pot. If those funds aren't used this year, it could be rolled over to the next so the percentage stays with the district. Commissioner Morris asked if the dirt roads are graded. Mr. Hardee stated they are not, as those surfaces can change with every rain event. Discussion was had amongst the Commissioners regarding if funds could be swapped between districts to allow for projects to be completed with Mr. Hardee saying yes, that had also been done under previous programs. As more discussion was needed, Commissioner Cannon made a motion to table this item until the next meeting with a second by Commissioner Drury. The motion passed unanimously.

Mr. Hardee then presented the proposed resurfacing projects for Fiscal Year 25. He stated a location map and a listing of the projects was included in the packets. The projects selected were based on the grading system and the available funds, the restrictions on the funds in different categories, grant programs, the MPO funding and the Rebuild Alabama funds. He requested approval by the Commission which would allow the Department to begin the work necessary for a construction cycle starting this spring. Commissioner LaGrand said that as stated in the work session he was pleased to see three roads in District 5 listed, but he would like to see additional roads from his District added to the list. Commissioner Cannon stated he would like to see additional roads from his district as well but unfortunately there isn't enough funding for it. He stated District 1 had two projects and there were three projects combined for District 2 and 5. Commissioner Morris stated Commissioner Langley had 12 projects but also 49% of the roads. Commissioner Drury said he was getting 13% of the funds but has 23% of the roads.

Commissioner Morris asked a question regarding the ranking. Mr. Hardee stated the Department uses a weighted grade with the ranking showing where it would be on the list. He said some of the roads may be listed higher because they are connected to a lower road in the list, but generally speaking a lower ranking is bad. He gave an example of Lee Road 312 which has a road ranking of seven while Lee Road 313 has a ranking of 100; however, because 313 is off 312 they recommend completing that one as well since the contractor will be working near there. He also stated the weighted grade system used is 80% of the roadway condition plus 20% of the traffic counts to give a ranking out of 100 to determine where the money needs to be spent; the current system isn't looking at commission districts specifically, but the Commission could certainly choose to change the system if it wishes. Commissioner Langley made a motion to approve the list which was seconded by Commissioner Cannon. Commissioner Canon also stated they would need to look at the budget for the upcoming year to determine where more funds can come from to allow more roads to be paved. The motion passed on a vote of 4-1 with Commissioner LaGrand voting against.

Mr. Hardee presented the last item, a determination of the public nature of a non-maintained right-of-way on Lee Road 353 located in District 4. Included in the packets was the location map, sketch of the right-of-way, fact sheet and information from Mr. Martin on what the

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commission can take into consideration when making the determination of a public road. Also included is the opinion of the attorney for the property owners requesting the vacation where they state their opinion that it is not public in nature but private following research they have conducted. He stated adjacent property owners are all in agreement and wish to vacate the right-of-way, which is not county-maintained. Commissioner Langley said he had reviewed all the information and felt that portion was private, especially as it was not maintained by the county. He added that in looking at it and using Mr. Martin's determination point it would clearly be considered a private drive. Commissioner Langley then made a motion to deem Lee Road 353 as private which was seconded by Commissioner LaGrand. The motion passed unanimously.

There being no other business, Commissioner Cannon made a motion seconded by Commissioner Langley to adjourn. The meeting adjourned at 7:12 p.m.