

MINUTES OF THE LEE COUNTY COMMISSION, REGULAR TERM, APRIL 14, 2025

The Lee County Commission convened in regular session at the Courthouse in Opelika, Alabama, Monday, April 14, 2025, at 5:00 p.m. The Pledge of Allegiance was recited, followed by an invocation by Commissioner Morris.

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 and Commissioner Tony Langley. Absent was Commissioner Richard LaGrand.

Peter Byrd discussed again his request for the most recent traffic study for Lee Road 106. He stated he had sent an email on Feb. 22, 2025, to County Engineer Justin Hardee requesting a traffic analysis and guidelines the Highway Department had used to conduct the April 29, 2024, analysis on Lee Road 106, which the Department has refused to provide. He provided the Commission with a copy of an analysis conducted by the Department which showed a combined daily average of 622vpd. He provided the counts of three previous analyses - one conducted in 2011 by the City of Auburn Planning Commission which showed 630vpd could be anticipated; another done in 2013 by the developers P.E. Rod Tarochi stated 123vpd would be generated from East Lake Subdivision exceeding the county's 100vpd and requiring turn lane improvements; in 2014 the Highway Department study showed 94 vpd. He stated that the study prompted a letter in April 2015 from the Department which allowed the developer's bond to expire and required no turn lane improvements to protect the traveling public. He then stated a fourth analysis conducted by the Department in April 2024 found a combined daily average of 622vpd. He also questioned the analysis of a ½ bus when two busses travel that roadway each morning and afternoon. He stated that it would be difficult to determine if anything else could be fraudulent with the Highway's Department's analysis if the guidelines being used are not known. He said if the Commission cannot trust the Engineer to follow paving requirements given legislation that has been proposed, how can it trust him to follow traffic study procedures if the guidelines are not made public. He stated other agencies' guidelines are available, including Auburn, ALDOT and the Federal Highway Department and asked the Commission to make the county's available as well.

Judy Lockhart thanked the Commission for its recognition of the student athletes from the various schools for their accomplishments and stated as a former educator how much that meant to the students and their families. She then provided an update on the Loachapoka Family Enrichment Center and stated the building had been utilized as a shelter for area residents during the recent severe weather and thanked EMA Director and her team for assisting with the set-up. In addition, she stated the Center would be holding a Boys and Girls Mentorship program during the month of April and invited the Commission to stop by between 9-11 a.m. each Saturday. She

MINUTES OF THE LEE COUNTY COMMISSION, REGULAR TERM, APRIL 14, 2025

stated there are between 30-40 children involved in the program. With the usage of the building increasing, she requested the paving of Day Lily Street to address travel concerns. She closed by stating a dumpster is needed in Loachapoka, as the citizens do not want to travel 8-10 miles to Waverly. She stated a dumpster in the area would greatly benefit all citizens, especially the elderly.

Karen Gaston thanked the Commission for the work it does for the County and its citizens. She also wanted to voice her concerns over a proposed dumpster site on Robin Street in Loachapoka. She stated the roadway is a narrow road and in poor condition as well as being in a residential neighborhood. She said she couldn't imagine living in that area with dumpster traffic coming in and that it would damage the quality of life.

John Sophocleus addressed the Commission and stated he was a fan of the work sessions and the tweaking that had been done to them. He expressed support for the legislation that has been sent to Gov. Kay Ivey to ban PBMs (Pharmacy Benefit Managers). He again requested a copy of customer contract 01-981 0 for a UPS mail fraud investigation. He stated the sooner the county can get out from under the fraudulent mailings, the quicker atonement begins and the less it would cost the county in class-action which by his estimate was \$12 million. He offered his insight to any Commissioner seeking advice regarding risk and management; also, if any Commissioner would like to know how other areas he's lived monitored wrongful dumping he would be more than happy to discuss that. He said Commissioner Drury had already spoken to him regarding that issue.

Josh Rowell expressed his opposition to the dumpster site on Robin Street in Loachapoka and presented a petition signed by 43 neighbors. He said he had been in contact with Commissioner Cannon and understands an alternate location is being looked at. He stated he understands there is a need for a dumpsite and is not against having one, just not in the original proposed location of Robin Street.

Laura Fuller invited the Commission to attend the 74th National Day of Prayer which will be held at noon, Thursday, May 1, in the Courthouse Square. She stated it is a non-denominational prayer and praise gathering. She said President Truman in 1952 signed into law that a National Day of Prayer would be held in the United States with President Reagan in 1988 setting the date as the first Thursday in May. She stated the mayors of Auburn, Opelika, Smiths Station and Loachapoka would be attending and offering prayers for their localities. She also said prayers would be held for the state, nation and world. The event should last 45 minutes; Commissioner LaGrand will be broadcasting the event over Hallelujah 1520 as well as 88.7 FM The Well.

MINUTES OF THE LEE COUNTY COMMISSION, REGULAR TERM, APRIL 14, 2025

Lakiesha Young Hicks said she was hoping to receive an update on the broadband from Commissioner LaGrand who was not able to be at the meeting. She asked if an update were still possible with County Administrator Holly Leverette responding that she could have more information at the next meeting. In general, however, Ms. Leverette stated the ISPs had until the end of 2026 to complete their ARPA projects. Ms. Leverette said she would reach out to them to find out projected start dates but that in general, the projects were 12-month projects so she would anticipate them to start in the next few months. Ms. Hicks asked if the Commission was encouraging the ISPs to begin as soon as possible with MS. Leverette stating there is constant communication but at the mercy of the ISP's schedule. Ms. Hicks asked what would happen if a project didn't get completed; Ms. Leverette said there are claw-back provisions in the agreements. Ms. Hicks stated she wanted to make sure both Loachapoka and Beauregard projects stayed in the forefront as there had been instances of unknown individuals on property but without internet, security cameras will not work.

Judge Colley recognized the elected officials in attendance: Sheriff Jay Jones. News media in attendance: Alex Husting with the Opelika-Auburn News.

Greg Nichols presented a progress report on East Alabama Health's behavioral health project or the freestanding psychiatric hospital which the Commission and community have supported. He stated the current psychiatric unit has 28 beds and in a snapshot from October 2024 to March 2025 the unit experienced above 80 percent occupancy rate with some days showing a capacity of more than 100 percent. When that occurs, it means patients are being held in the emergency department waiting on a bed. He stated the inpatient bed demand for the months of January, February and March were 85, 90 and 81 percent; when demand is below 90 percent it's because of semi-private beds with only female beds available but male beds needed, etc. He presented images of the construction of the new 40-bed private room facility; the new facility will provide greater space for group activities and education as well. He stated construction which began in June 2024 is ahead of schedule and should finish in September 2025. State surveys will be completed in late 2025 with the facility ready for occupancy in late 2025-early 2026. Mr. Nichols said he wanted to provide a progress update to let the Commission know the monies have been spent wisely and that it is a good project that will benefit the community. Judge Colley stated it was his understanding the current unit would be converted to a geriatric unit upon completion of the new facility. Mr. Nichols said yes, and the Certificate of Need Board approved the request in February so there will be an additional 20 beds for geriatric psych in the current space. He said by this time next year will have the additional 12 beds for adults and adolescents and 20 beds for the geriatric side.

MINUTES OF THE LEE COUNTY COMMISSION, REGULAR TERM, APRIL 14, 2025

Samantha Godsy with Horseshoe Bend Regional Library provided an update on services and expenditure of funds. Those include: development of a brochure explaining services available including bookmobile services, homebound deliveries, and deliveries to childcare facilities and senior centers. The Library has also worked with the Lee Russell Council of Governments and the Area Agency on Aging on disbursement of flyers to individuals utilizing home health workers and Meals on Wheels; in addition, they have partnered with the AAA to determine if additional centers need bookmobile stops, monthly delivery of library material or homebound deliveries to the seniors they serve. A temporary seasonal storyteller has been hired for the summer which will allow for weekly story times at child care facilities throughout Lee County. The Library will also be soft-rolling out a new homebound delivery service to families with a new member either through birth, adoption or foster care and would be available for a limited time of 6-12 months. The program will roll out in Fall 2025 or by Fiscal Year 2026. Commissioner Morris asked how areas outside of Auburn and Opelika are being served. Ms. Godsy stated the majority of the childcare facilities it serves are located in Auburn and Opelika, however the primary area of homebound deliveries is in the Smiths Station and Salem areas. She stated they are working on expanding deeper into all areas through the distribution of the flyers as opposed to just word of mouth. In addition, a meeting has been set up with the Family Enrichment Center to discuss the possibility of adding a second Bookmobile stop to further service the community of Loachapoka. She stated a brief survey will be sent soon to the Commissioners asking for feedback on how the Library can invest more specifically in the areas each Commissioner represents. She said the more detail provided the more the Library can ensure it is using the tax dollars appropriately and to the fullest extent.

Ed Brown, chair of the Lee County Commission Relay for Life team, introduced Jan Carlock, the co-leader for the Relay for Life Lee County, for a presentation on Relay for Life. Ms. Carlock stated the RFL is the American Cancer Society's No. 1 fundraiser and the goal for Lee County is \$125,000. Currently, the County as a whole has raised \$25,000. She said one-in-four people will be diagnosed with cancer and encouraged everyone to support the Lee County Commission's team at the RFL event on May 2, at the Courthouse Square; in addition, she said she hoped everyone would buy a purple bow to help with this year's theme of "Paint the Towns Purple." Mr. Brown then read a proclamation to recognize May 2nd as Lee County Relay for Life Campaign Day. A motion to recognize the Lee County Campaign Day was made by Commissioner Morris which was seconded by Commissioner Langley. The motion passed unanimously.

RECOGNIZING MAY 2ND AS LEE COUNTY RELAY FOR LIFE CAMPAIGN DAY

WHEREAS, the American Cancer Society is dedicated to eliminating cancer as a major health problem by preventing cancer, saving lives and diminishing suffering from cancer through research, education, advocacy and service; and

WHEREAS, for 40 years Relay for Life has been a signature fundraising event for the

MINUTES OF THE LEE COUNTY COMMISSION, REGULAR TERM, APRIL 14, 2025

American Cancer Society and has united communities across the globe; and

WHEREAS, Relay for Life is an opportunity to celebrate survivors, remember loved ones lost and take action to fight back against cancer; and

WHEREAS, since the first Relay for Life event in 1985, more than \$6.9 billion has been raised through Relay events across the globe with more than 1,200 communities in 35 countries participating; and

WHEREAS, each year hundreds of Lee County residents join in teams to raise thousands of dollars for the American Cancer Society culminating in a night full of laughter, tears and recognition of all who have been touched by this disease; and

WHEREAS, Lee County will hold its annual Relay for Life campaign on Friday, May 2, 2025, at Courthouse Square in Historic Downtown Opelika.

NOW, THEREFORE BE IT RESOLVED, that the Lee County Commission does hereby proclaim the date of Friday, May 2, 2025, as Lee County Relay for Life Campaign Day.

Adopted this the 14th day of April.

County Engineer Justin Hardee stated the Highway Department wanted to bring attention to National Work Zone Awareness Week which is April 21-25. The week is sponsored by the US Department of Transportation and the Federal Highway Administration to highlight the importance of being as safe as possible in construction zones and the dangers of distracted driving. Injuries and fatalities can often be prevented by paying attention to both workers and drivers. Statistics show fatal numbers have decreased from 124 in 2001 to 94 in 2022. There were an estimated 37,000 work zone injuries in 2022 which represented a 10 percent decrease from 2021 and lower than any other year since 2015. It is hoped that awareness campaigns such as this will continue to reduce the rate of fatalities and injuries

EMA Deputy Director Austin Jones presented additional information regarding EMA calls. He provided the Commissioners with a packet of information which outlined the role of EMA – prepare, mitigate, response and recovery. He stated 25 percent of the calls it received were for support of fire, EMS and law enforcement with the remaining 75 percent being preparedness measures. Those measures included an operational plan which is updated every two years as well as the threat hazard identification. Also included was information regarding staging locations, equipment, etc. and a survey of how other counties function and operate. Mr. Jones provided a breakdown and said EMA had: 149 calls for service-included alerts issued, resources coordinated and response to scenes; 11 pre-planned events – include PR events where informing citizens, threat-mitigation events where provided barricades, communication, etc.; 10 Emergency Operations Center activations – special event standbys where activating for potential events or severe weather, ensuring citizens, public safety and public works resources are secured; and 39 training engagements – school drills and both tabletop and full-scale exercises, trainings attended, housed and conducted such as CPR and ICS (incident command system). All instances were

MINUTES OF THE LEE COUNTY COMMISSION, REGULAR TERM, APRIL 14, 2025

broken down by month and week and included call types, role, time frame, vehicles involved, etc. Judge Colley requested a listing of pre-planned events with Mr. Jones saying he would provide that information to the Commission. Commissioner Drury asked a question about the \$460,000 grant dollars secured with Mr. Jones stating that the amount was just so far in 2025. He said EMA discusses with partners where gaps might be and looks for grant opportunities to address those gaps and vulnerabilities; he also said these were just EMA grant funds and not any received by other agencies.

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 March 31, 2025. Also included was a listing of travel requests and the announcement of three vacancies on the Lee County Planning Commission – two in District 3 and one in District 4. Commissioner Cannon made a motion, seconded by Commissioner Morris, to approve the consent agenda items as provided. The motion carried unanimously.

Under Old Business, Commissioner Cannon presented the land purchase item. He stated the item needed to be tabled and made a motion requesting it. The motion to table was seconded by Commissioner Morris and passed unanimously.

Commissioner Cannon discussed the Highway Department Operating Hours. He stated the Commissioners and Engineers have been meeting to discuss how to ensure staff is available for citizens on Fridays and have agreed to alter hours of operation. Commissioner Cannon made a motion that beginning April 28, 2025, the County Engineer will implement a schedule to ensure the Highway Department would be open and operational on Fridays with the exception of county approved holidays. The motion further stipulates that the schedule should ensure that all departments within the Highway Department are operational with the exception of the Road Crews, its supervisors, superintendents and support staff who will remain on the current 4-day schedule. On weeks that contain a county approved holiday all employees will work 8-hr days, so they are on the same holiday schedule as all other county departments. Commissioner Morris stated this was a good compromise and appreciated the work and effort put in by all involved. Commissioner Drury seconded the motion which passed unanimously.

With the absence of Commissioner LaGrand and at his request, Commissioner Cannon made a motion which was seconded by Commissioner Morris to table the Beauregard and Loachapoka Internet Issues item. The motion passed unanimously.

MINUTES OF THE LEE COUNTY COMMISSION, REGULAR TERM, APRIL 14, 2025

Mr. Hardee presented the final plat approval for Magnolia Estates, Phase I, located off Lee Road 175 in District 5, which had been tabled from the last meeting. Included in the packets was a location map and a copy of the plat which consists of 11 lots with no new infrastructure, and five shared driveways. Mr. Hardee stated the smallest lot will be two acres and adjacent property owners were notified of the development by letters sent on March 20, 2025, so that they may attend and voice their support, opposition, or obtain more information. Judge Colley questioned if there was anyone in attendance on Magnolia Estates. There were none. Mr. Hardee stated that he had spoken to Commissioner LaGrand regarding this subdivision which is located in his district, and he had not received any calls in opposition. Commissioner Cannon made a motion, seconded by Commissioner Morris, to approve the item. The motion passed unanimously.

Under New Business, Mr. Steve Penland presented a request for a wreath laying for Memorial Day 2025. Mr. Penland stated at the T.K. Davis Justice Center a four-war memorial is located at the entrance and lists all names of service members from World War I, World War II, Korea and Vietnam from Lee County who were killed in action. He said both the cities of Auburn and Opelika have Memorial Day services, but the county does not. He asked if the county could have a wreath placed at the Memorial to honor these soldiers from Lee County. Commissioner Drury made a motion seconded by Commissioner Morris to purchase a wreath for the Memorial. The motion passed unanimously. Judge Colley asked what the process would be with Ms. Leverette saying the Commission could use contingency funds for the purchase of the wreath.

Sheriff Jones presented a Special Events Retail license application for Premium Pours LLC for a one-day event to be held at Twenty-One Acres on Friday, April 25. Commissioner Cannon 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.

BE IT RESOLVED the Lee County Commission hereby approves the special events retail license for Premium Pours LLC for a one-day event on April 25 at Twenty-One Acres, located at 5535 Lee Road 137, Auburn, Alabama.

Mr. Hardee presented a request for the county to accept an access road into the maintenance system. He stated the Department had been approached by Mr. Spud Warr with Warr Development Company with a request to accept maintenance of an access road off of US Highway 280 which provides access to his and eight other businesses. He said the road, which is located in District 3, is a tenth of a mile long. Some repairs to the road have already been completed by Mr. Warr and has met with engineers on what additional immediate repairs would be needed for the remainder of the road in order for the county to consider its acceptance. Mr. Hardee said that information has been submitted to the Highway Department for review and was

MINUTES OF THE LEE COUNTY COMMISSION, REGULAR TERM, APRIL 14, 2025

included in the packets. Mr. Warr is seeking assurance the county will accept the road contingent upon the repairs being done. Commissioner Drury stated he had spoken to Mr. Warr, and it was his understanding other businesses located there would be willing to donate to assist in bringing the road up to county standards as long as the assurance was there that the county would accept the road. Mr. Hardee presented a resolution to accept the road into the county maintenance system, pending it meets the agreed upon specifications. Commissioner Drury made a motion to adopt the resolution which was seconded by Commissioner Langley. The motion passed unanimously.

RESOLUTION OF THE LEE COUNTY COMMISSION

WHEREAS, the Lee County Highway Department has been approached by Mr. Spud Warr, with Warr Development Company Inc., about accepting and maintaining the access road into his business off U.S. 280 in Section 15, Township 18 North, Range 29 East, Lee County, AL; and,

WHEREAS, this road has never been accepted by the Lee County Commission for maintenance by the Lee County Highway Department; and,

WHEREAS, the Lee County Highway Department has never performed any maintenance on this road; and,

WHEREAS, the Lee County Commission recognizes that certain improvements should be made to this road prior to accepting maintenance responsibility,

NOW, THEREFORE, BE IT RESOLVED that the Lee County Commission commits that it will accept the approximately 617 foot-long road and right-of-way for County maintenance contingent upon the improvement by others to include a travel roadway with not less than twenty-four (24) feet of asphalt approximately four (4) inches thick, one (1) foot shoulders on each side, an eight (8) inch thick crushed concrete base, proper ditches and crossdrains, and a 60' right-of-way, all to the satisfaction of the Lee County Commission.

DATED THIS THE 14th DAY OF APRIL 2025

There being no other business, Commissioner Cannon made a motion seconded by Commissioner Langley to adjourn. The meeting adjourned at 6:13 p.m.