

MINUTES OF THE LEE COUNTY COMMISSION, REGULAR TERM, JANUARY 14, 2019

The Lee County Commission convened in regular session at the Courthouse in Opelika, Alabama, Monday, January 14, 2019 at 5:00 p.m. The Pledge of Allegiance was recited, followed by an invocation by Commissioner Lawrence.

The Chairman declared a quorum and officially opened the meeting with the following members recorded as being present: Judge Bill English, Chairman, and Commissioners Johnny Lawrence, Gary Long, Robert Ham and Richard LaGrand. Absent: Commissioner Sheila Eckman. Elected officials in attendance: Sheriff Jay Jones. News media in attendance: Opelika Observer owner/reporter Michelle Key, Opelika-Auburn News reporter Timothy Noordermeer, and Channel 9 reporter Rico Mitchell.

County Administrator Roger Rendleman introduced Neil Cyriac the new Chief Financial Officer. Mr. Rendleman indicated that Julie, his wife, wished to thank the Commission for allowing the position to be filled. Further, Mr. Rendleman stated due to the growth of Lee County since he began in 2001, he feels the position is necessary. Mr. Rendleman thanked the Commission for allowing this addition to the professional staff. Judge English and the Commission gave a warm welcome to Mr. Cyriac.

Copies of the items on the Consent Agenda sent to the Commissioners in their packets included: two listings of claims, procurement card transactions from December and minutes of the December 10 meeting. Announcement of vacancies on the following boards was made: 1) one opening on Beauregard Water Authority; 2) two openings on Loachapoka Water Authority; 3) two openings on Smiths Water & Sewer Authority; 4) two openings on East Alabama Mental Health; and 5) one opening on Industrial Development Authority in District 4. Commissioner Lawrence questioned the public media output on advertising the board openings and stated additional means may be necessary to generate interest. Judge English stated the positions are advertised through the media and on the county website. Mr. Rendleman stated another means would be to announce the vacancies among target groups. Commissioner Lawrence stated he had attended Auburn's Council meeting and suggested to reach out to see how they were generating interest in their board vacancies. Commissioner Lawrence stated he wanted to find a way to engage people who may be interested in serving, but perhaps are unaware of the vacancies. Commissioner Ham interjected that he has seen the apathy of citizens; stating many are not willing to make a commitment to engage in the community. Further, Commissioner Ham indicated he would like to create a policy or criteria which can be used for being on a Board more than the two current requirements; 1) being a resident; and 2) being a registered voter in Lee County. Commissioner Ham suggested that Commissioner Lawrence spearhead the project to update the policies for the appointment of board members. Commissioner Lawrence made a motion, seconded by Commissioner Ham to approve the consent agenda items as presented. The motion carried unanimously.

Judge English presented a revised version of a proposed resolution received from Youth Infrastructure Coalition Vice President Justus Armstrong, concerning the Interstate 14 extension. Judge English stated he would do whatever the Commission wishes, and noted he made revisions to the original Resolution just in case anyone wished to proceed. Judge English stated he had discussed the I-14 extension concept with County Engineer Justin Hardee. Mr. Hardee indicated that upon looking, there are 44 county roads it potentially would impact from the Opelika city limits to Phenix City if the plan comes to fruition. Additionally, Commissioner Long stated there are numerous homes and businesses with driveways along US Hwy 280 which are a concern to him. Mr. Hardee indicated he did not include homes or businesses in his figure, only county roads. Commissioner Ham indicated he may be in support of this proposal in the future, but he felt it would impact negatively some citizens of Lee County and at this time could not support it. Commissioner LaGrand agreed with Commissioner Ham, stating he would like more

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details. Judge English stated he would draft a letter to Mr. Armstrong indicating the Commission's stance on the project. No action was taken by the Commission.

Sakana Jackson appeared before the Commission to request Lee Road 56 be paved. Judge English explained the Commission adopted a policy approximately 10 years ago that no dirt roads would be paved, since the county is not adequately maintaining the existing paved roads in the county. Commissioner LaGrand stated he and Mr. Hardee met with Ms. Jackson and stated another issue on the road is people riding four-wheelers and heavy construction equipment tearing up the road. Commissioner LaGrand questioned Sheriff Jones if his department could look into those issues. Ms. Jackson indicated she was before the Commission to ask that the road be paved, not concerns of the four-wheelers or the construction traffic. Commissioner LaGrand questioned Mr. Hardee if the recycled asphalt product or RAP could be utilized on this dirt road, especially in the bad spots. Mr. Hardee indicated he would check to see if the product is available and if so, would get the highway superintendent to look at utilizing it on this road. Additionally, Mr. Hardee indicated he discussed the issue with Ms. Jackson and suggested she contact her local representatives and ask them to pursue a fuel tax increase, which has not happened in over 26 years. Commissioner Ham thanked Ms. Jackson for taking her time to appear before the Commission.

Commissioner Ham stated he had recently heard a presentation by Kologik and wanted to share the information with the Commission. Commissioner Ham introduced Baron Huber of Kologik. Mr. Huber stated the system is a technology-based public safety solution for data interoperability by making it possible for multiple sources of intelligence to effectively speak to one another to enhance safety among officers, schools and communities. Commissioner Lawrence questioned whether the company provides cell phones or if a person uses their personal phone. Mr. Huber stated the company does not provide cell phones, and, further stated a computer or laptop could be used instead of a cell phone. Commissioner Lawrence stated that may be an issue, since there are areas of the county that do not have cell service and/or cable service. Mr. Huber stated it was originally intended for schools, but the system has been utilized in hospitals, and in city and government offices. Commissioner Ham thanked Mr. Huber for his presentation. No action was taken by the Commission.

Judge English presented a request for an easement for power distribution facilities at the Smiths Station Park. Mr. Rendleman stated it is an easement to run power to the new light poles at the ball fields at the Smiths Station Plaza. Commissioner Long made a motion to authorize the Chairman to sign the easement for power distribution facilities at the Smiths Station park, as presented. The motion was seconded by Commissioner Ham and carried unanimously.

Mr. Hardee stated a citizen had requested the speed limit be reduced on Lee Road 413. Mr. Hardee indicated the Highway Department had conducted a traffic study and recommends the speed limit be reduced from 45 MPH to 25 MPH. Commissioner Lawrence questioned the length of the road. Mr. Hardee stated it is less than ½ a mile in length. Upon the recommendation, Commissioner Ham made a motion, seconded by Commissioner LaGrand to reduce the speed from 45 MPH to 25 MPH on Lee Road 413. The motion carried unanimously.

Sheriff Jones presented a restaurant retail liquor license application for The Boathouse located in District 4. Sheriff Jones stated this is a transfer, formally Riverbends Grill. Sheriff Jones stated there were no objections to the issuance of the license received. Commissioner Ham made a motion, seconded by Commissioner LaGrand to approve the following Resolution for the retail liquor license application for The Boathouse. The motion carried unanimously.

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BE IT RESOLVED, the Lee County Commission does hereby approve the restaurant retail liquor license application for The Boathouse located at 50 Lee Road 344, Salem, Alabama.

Sheriff Jones presented a retail beer and retail table wine license application for The Store 4 Marathon located in District 4. Sheriff Jones stated there were no objections to the issuance of the license received. Commissioner Ham made a motion, seconded by Commissioner Lawrence to approve the following Resolution. The motion carried unanimously.

BE IT RESOLVED, the Lee County Commission does hereby approve the retail beer and retail table wine application for the Store 4 Marathon located at 5740 US Hwy 29 North, Opelika, Alabama.

Last, Sheriff Jones presented a retail table wine license application for Tri Mart located in District 5. Sheriff Jones stated there were no objections to the issuance of the license received. Commissioner LaGrand made a motion, seconded by Commissioner Ham to approve the following Resolution. The motion carried unanimously.

BE IT RESOLVED, the Lee County Commission does hereby approve the retail table wine application for Tri Mart located at 2040 Lee Road 137, Suite A, Auburn, Alabama.

Commissioner Long made a motion at approximately 5:55 PM to adjourn. The motion was seconded by Commissioner Lawrence and carried unanimously.

MINUTES OF THE LEE COUNTY COMMISSION, REG. ADJ. TERM, JANUARY 28, 2019

The Lee County Commission convened in regular adjourned session at the Courthouse in Opelika, Alabama, Monday, January 28, 2019 at 5:00 p.m. The Pledge of Allegiance was recited, followed by an invocation by Judge English.

Judge English announced the passing of former Lee County Engineer Harry Ennis, on Saturday, January 26, who also served as County Commissioner in District 3 for eight years from 2000-2008.

Commissioner Ham introduced Point Broadband General Manager Bruce Schoonover. Mr. Schoonover gave an overview of Point Broadband. Mr. Schoonover stated the company is not new to the telecommunication business; only new to the Lee County market. Mr. Schoonover stated they are wishing to expand services to the county. Mr. Schoonover stated he wished he could share the plans, but he would like to come back before the Commission once the plans are solidified. Commissioner Ham asked Mr. Schoonover to keep him in contact of the progress. Commissioner Eckman questioned if the company has been in contact with Loachapoka. Mr. Schoonover stated they have not, but that they are interested in working with them. Commissioner Ham indicated that Point Broadband is very charitable. Mr. Schoonover indicated they took over the business from the City of Opelika on November 8. Mr. Schoonover stated citizens can go to the website, www.point-broadband.com and put in their address to see if service is available in their area. Further, Mr. Schoonover shared their toll-free number 800-844-40POINT and local number (334) 748-9800 to call and check service area. Commissioner Ham thanked Mr. Schoonover for attending.

The Chairman declared a quorum and officially opened the meeting with the following members recorded as being present: Judge Bill English, Chairman, and Commissioners Sheila Eckman, Johnny Lawrence, Gary Long, Robert Ham and Richard LaGrand. News media in attendance: Opelika Observer owner/reporter Michelle Key and Opelika-Auburn News reporter Timothy Noordermeer.

Copies of the items on the Consent Agenda sent to the Commissioners in their packets included: two listings of claims and first reading of Susan Anderson to the Horseshoe Bend Regional Library board. Judge English previously emailed the minutes of the January 14 meeting to each Commissioner. Further, an additional list of claims for ratification was given to each Commissioner prior to the meeting. Commissioner Lawrence made a motion, seconded by Commissioner Long to approve the consent agenda items as presented. The motion carried unanimously.

County Engineer Justin Hardee discussed setting a speed zone on Lee Road 66. Mr. Hardee stated that due to the upcoming bridge replacement project on Lee Road 65, he would recommend the Commission set a reduced speed limit of 25 MPH for the dirt portion of Lee Road 66, which is the detour route. Mr. Hardee stated the Highway Department will erect signs along the route indicating the new posted speed and will maintain the signs for the life of the project. Further, Mr. Hardee indicated that once the project is complete the speed limit will return to 35 MPH on Lee Road 66. Commissioner Eckman indicated she had given Highway Department Administrator Debra Brooks an email list of the nearby residents, so they can be emailed updates concerning the project. Further, Commissioner Eckman stated she had ridden the entire dirt road while talking with a friend on her cell phone; she stated cell service dropped once, but she was able to call back and resume the conversation to the end of the detour route. Judge English concurred he had done the same and cell service dropped once while he was traveling the road. Mr. Hardee indicated he has been in communication with the contractor who stated on February 11 they will begin by setting-up the crane, which will take a few days. Mr. Hardee asked the contractor to allow the residents to use the bridge as long as possible.

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Commissioner Ham questioned if the Sheriff's Office could patrol the area once bridge is closed to enforce the reduced speed limit. Captain Meadows indicated he would look into it. Judge English questioned the length of the bridge. Mr. Hardee stated the total length is 270 feet; 130 feet actually over the creek. Commissioner Lawrence questioned the timeframe of the project. Mr. Hardee stated it is approximately 6-8 months normally, but if weather becomes an issue it could be 9-12 months. The bridge work will be done by the contractor, then the Highway Department will perform the approach work as the contractor is finishing. Mr. Hardee indicated the Highway Department has worked previously with the contractor and have been able to work each side independently as the contractor completed their work. Judge English also questioned if the contract included a performance incentive. Mr. Hardee indicated that there is no incentive for the contractor to complete the project early; but stated there are liquidated damages if the contractor goes beyond the contracted date of about \$1,500-\$2,000 per day. Commissioner Lawrence also questioned the length of the dirt portion. Mr. Hardee stated it is a little over five miles long. Commissioner Lawrence stated the residents were concerned that if something happened on the dirt road, that they would be unable to identify their location. Commissioner Lawrence stated he had talked to 911 and questioned Mr. Hardee whether the Highway Department could erect mile marker signs on the road. Mr. Hardee indicated he understands the concern for the detour and further stated he would talk with 911 about mile markers. Judge English stated perhaps the mile marker signs could be placed on the speed limit signs being erected. Mr. Hardee indicated he does not plan on putting that many speed limit signs on the road.

Scott Marks called and asked that the Lee Road 599 be removed from Agenda. Mr. Hardee stated he talked with Mr. Marks who indicated he would not attend the meeting.

Commissioner Ham stated he had been approached by several constituents wanting to honor Coach Weldon Parkman for valuable life lessons the coach taught them as young men. Commissioner Ham requested that the Commission authorize the Highway Department to erect the signs that were purchased. Commissioner Long made a motion, seconded by Commissioner Eckman authorizing the Highway Department to erect the signs provided. The motion carried unanimously. Commissioner Eckman questioned if the sign meets guidelines. Mr. Hardee stated they did since the signs are informational, which are white and green.

Mr. Hardee stated the Highway Department applied for funding through the High-Risk Rural Roads (HRRR) program in July 2018. Mr. Hardee explained that the program was established by the Federal Highway Administration in 2007 to address statewide fatality rates on rural roads. Part of the program's focus is addressing unprotected bridge ends. These are locations where a bridge does not have approach guardrail that meets today's safety requirements. The program provides funding on a 90/10 split of federal funds to county match. Lee County's application included seven unprotected bridges ends on rural roads in our system. On January 11, Lee County received notice the application was approved at all seven sites at a total construction cost estimate of \$87,673.78, with a federal amount of \$78,906.40. A 10% match of \$8,767.38 will be paid by the county. Mr. Hardee explained that the Highway Department will begin plan preparation immediately to meet the September 2019 deadline to obligate the funds or they could be rescinded. Mr. Hardee explained that no Commission action is necessary.

Mr. Hardee presented a request for assistance from the Lee County Board of Education. Mr. Hardee explained that the board is requesting that the Highway Department haul donated material from a designated location to the ballfields located adjacent to Smiths Station Jr. High School. Mr. Hardee stated the request could be handled by two employees and two dump trucks and take approximately ½ day. Judge English asked if the county would not be reimbursed. Mr. Hardee said no and that the only out-of-pocket expense would be the fuel expense.

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Commissioner Long made a motion, seconded by Commissioner Ham to allow the Highway Department to provide assistance to the Board of Education as indicated. The motion carried unanimously.

Captain Craig Meadows presented the bid results on Bid #5 for dry cleaning. Captain Meadows stated that the Sheriff's Office received two bids and recommends the Commission award the bid to Fifth Avenue Cleaners. Commissioner Lawrence made a motion, seconded by Commissioner Long to accept the lowest responsive bid submitted by Fifth Avenue Cleaners. The motion carried unanimously.

Commissioner Ham made a motion at approximately 5:45 PM to adjourn. The motion was seconded by Commissioner LaGrand and carried unanimously.

MINUTES OF THE LEE COUNTY COMMISSION, REGULAR TERM, FEBRUARY 11, 2019

The Lee County Commission convened in regular session at the Courthouse in Opelika, Alabama, Monday, February 11, 2019 at 5:00 p.m. The Pledge of Allegiance was recited, followed by an invocation by Commissioner Long.

John Sophocleus extended an invitation to everyone, specifically the Commissioners, to attend the Lee County Voters League meeting to hear Secretary of State John Merrill on March 4 at 6:00 PM at the Bethesda Baptist Church located at 201 South 4th Street in Opelika. Next, Mr. Sophocleus asked the Commission to pass a Resolution to remove the street signs named for Mike Hubbard. Last, Mr. Sophocleus thanked Commissioner Ham for working with Beauregard Water Authority to resolve the issues.

Commissioner Lawrence distributed a handout on the fuel tax he received from the ACCA District meeting he attended last week. Commissioner Lawrence stated he would like the Commission to provide consistent information to share with citizens on a potential increase in gas taxes. Commissioner Lawrence stated legislation needs to be considered to increase the fuel tax. Additionally, he reminded the Commissioners of the upcoming ACCA County Day at the Legislature on May 1.

The Chairman declared a quorum and officially opened the meeting with the following members recorded as being present: Judge Bill English, Chairman, and Commissioners Sheila Eckman, Johnny Lawrence, Gary Long, Robert Ham and Richard LaGrand. News media in attendance: Opelika Observer owner/reporter Michelle Key and Opelika-Auburn News reporter Timothy Noordermeer.

Copies of the items on the Consent Agenda sent to the Commissioners in their packets included: two listings of claims and procurement card transactions from January. The minutes of the January 28 meeting were emailed to each Commissioner prior to the meeting. Further, an additional list of claims for ratification was given to each Commissioner prior to the meeting. First reading of the following boards were made: 1) Sheri Todd and Mark Aderholt on the Loachapoka Water Authority; 2) Mary P. Henry and Joseph Walden on the Smiths Water Authority and 3) Judge Bill English and Dr. Anne Penney on the East Alabama Mental Health.

Judge English moved first reading for Beauregard Water Authority to old business, because it has one vacancy and two citizen interest forms received, they are: 1) current board member Larry Patterson, and 2) Wes Goodson. Since no citizen interest form was received on the vacancy in District 4 on the Industrial Development Board the item was carried forward. Commissioner Lawrence questioned if Joe Lovvorn, his appointee, submitted a resignation. Commissioner Lawrence believes his slot is vacant too. Commissioner Long made a motion, seconded by Commissioner Lawrence to approve the consent agenda items as presented. The motion carried unanimously.

Judge English explained that since two citizen interest forms were received for one vacancy on the Beauregard Water Authority board, so Commission action is necessary. Commissioner Ham presented first reading to appoint Wes Goodson to serve on the Beauregard Water Authority board. The motion was seconded by Commissioner Lawrence and carried unanimously.

Second reading of Susan Anderson to the Horseshoe Bend Regional Library board was made. Commissioner Lawrence made a motion, seconded by Commissioner Eckman to approve the following Resolution. The motion carried unanimously.

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BE IT RESOLVED the Lee County Commission does hereby appoint Susan Anderson to serve on the Horseshoe Bend Regional Library board until October 10, 2020, to fulfill the unexpired term of Iris Batchelor.

Commissioner Eckman discussed an email received from a constituent concerning a request for maintenance records for Lee Road 66. Commissioner Eckman felt that it would put an unnecessary burden on County Engineer Justin Hardee and his staff to gather the information requested. Mr. Hardee indicated the information would not be hard to obtain since the Highway Department utilizes a tracking system for day-to-day operations, which would include the requested maintenance information. Mr. Hardee indicated the records are maintained especially for storm related damages. Commissioner Eckman agreed that if the information is available, would request that Mr. Hardee supply the requested information.

Judge English presented the Annual Levy of Alcoholic Beverages for FY2019-2020 and stated there were no changes. Commissioner Lawrence made a motion to approve the following Resolution to set the Annual Levy of Alcoholic Beverages for FY2019-2020. The motion was seconded by Commissioner Eckman and carried unanimously.

BE IT RESOLVED by the Lee County Commission that the County license levies for the sale of liquor, beer and wine for the fiscal year beginning October 1, 2019 to be set in the following amounts:

010 Lounge Retail Liquor – Class I	\$150.00
011 Lounge Retail Liquor – Class II (Package)	150.00
020 Restaurant Retail Liquor	150.00
031 Club Liquor – Class I	150.00
032 Club Liquor – Class II	375.00
040 Retail Beer – (On or Off Premises)	75.00
050 Retail Beer - (Off Premises Only)	75.00
060 Retail Table Wine – (On or Off Premises)	75.00
070 Retail Table Wine – (Off Premises Only)	75.00
080 Liquor Wholesale	500.00
090 Wholesale Beer Only	275.00
100 Wholesale Table Wine Only – 14.9% or Less	275.00
110 Wholesale Table Wine & Beer Combined	375.00
120 Warehouse License	100.00
130 Additional Warehouse – Wine, Beer or Both	100.00
140 Special Events Retail	75.00
150 Special Retail License – 30 Days or Less	100.00
160 Special Retail – More than 30 Days	250.00
170 Retail Common Carrier	150.00
200 Manufacturer	500.00
210 Importer	250.00
220 Brewpub	500.00
230 International Motor Speedway	3,000.00

Commissioner Lawrence asked the Commission to consider the following Resolution supporting the ALDOT roundabout project at Farmville Road, specifically in support to lower the speed from 55 MPH to 45 MPH from SR-147 (North College Street) to US Highway 280. After discussion, Commissioner Eckman made a motion, seconded by Commissioner Lawrence to approve the following Resolution. The motion carried unanimously.

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RESOLUTION

WHEREAS, the Lee County Commission recognizes that it is in the best interest of Lee County for the Alabama Department of Transportation to construct a Roundabout at SR-147 (North College Street) and CR-72 (Farmville Road); and,

WHEREAS, the SR-147 (North College Street) and CR-72 (Farmville Road) Roundabout Project is proposed for funding under the Highway Safety Improvement Program administered by the Federal Highway Administration and the Alabama Department of Transportation.

NOW THEREFORE, BE IT RESOLVED, the Lee County Commission of Opelika, Alabama hereby endorses the SR-147 (North College Street) and CR-72 (Farmville Road) Roundabout Project; and

BE IT FURTHER RESOLVED that Lee County Commission formally requests that the Alabama Department of Transportation consider reducing the speed limit on SR-147 (North College Street) between SR-267 (Shug Jordan Parkway) and Highway 280 from a maximum speed of 55 MPH to a maximum of 45 MPH.

ADOPTED AND APPROVED by the Lee County Commission of Opelika, Alabama, this the 11th day of February 2019.

Mr. Hardee presented for Commission consideration a contract with Volkert, Inc. for construction engineering and inspection services for a bridge replacement project over Soap Creek in District 4. Mr. Hardee informed the Commission that this is the last ATRIP project and is an 80/20 match. Commissioner Ham made a motion, seconded by Commissioner Long to authorize Judge English to sign the necessary paperwork with Volkert, Inc. for construction engineering and inspection services for the replacement of a bridge structure on Lee Road 249 over Soap Creek (Federal Aid Project No. ACBRZ61135(015)). The motion carried unanimously.

Commissioner Eckman made a motion at approximately 5:40 PM to adjourn. The motion was seconded by Commissioner Lawrence and carried unanimously.

MINUTES OF THE LEE COUNTY COMMISSION, REG. ADJ. TERM, FEBRUARY 25, 2019

The Lee County Commission convened in regular adjourned session at the Courthouse in Opelika, Alabama, Monday, February 25, 2019 at 5:00 p.m. The Pledge of Allegiance was recited, followed by an invocation by Commissioner Ham.

During citizens' communication, Ken Busby appeared before the Commission asking them to reconsider the fuel tax resolution before voting. Mr. Busby stated the tax would affect poor people the most. Further, Mr. Busby stated he believes the State should do a better job with the resources they have. Before closing, Mr. Busby again asked the Commission to step back and reconsider the resolution addressing an increase in the fuel tax.

Next, Chris Black asked the Commission to place him on the next agenda for police lighting and emergency lighting. Judge English asked Mr. Black to provide his contact information to Deputy Administrator Alice McCall.

The Chairman declared a quorum and officially opened the meeting with the following members recorded as being present: Judge Bill English, Chairman, and Commissioners Sheila Eckman, Johnny Lawrence, Gary Long, Robert Ham and Richard LaGrand. News media in attendance: Opelika Observer owner/reporter Michelle Key and Opelika-Auburn News reporter Timothy Noordermeer.

Dr. Elizabeth Yorke gave a PowerPoint presentation updating statistics on euthanasia and adoption rates and presented an update on the SNYP Program. Dr. Yorke stated she is pleased that the overall euthanasia rates have decreased from her first presentation in July. Further, Dr. Yorke stated the volunteer position, which she is currently maintaining, needs to be manned full-time, possibly by the new animal control officer to be employed by Lee County. Dr. Yorke stated it would consume approximately 25% of the work load for a person to maintain the website and to post pictures of the animals picked up by the department. Further, Dr. Yorke stated the SNYP Program needs to have further promotion, since she feels it is not being advertised and utilized as much as it could be. Dr. Yorke stated further promotion is forthcoming and hopes that will increase its use. Dr. Yorke stated the process is cumbersome on individuals since it involves many trips for an animal to receive services. Dr. Yorke stated the service takes three or more trips, including: 1) individual must sign up for the service; 2) go back to drop off their pet; and then 3) go back to pick-up their pet after surgery. Dr. Yorke stated the process should be simplified by allowing all veterinarians to accept applications and/or develop an online application, and to provide transportation of an animal from one location. Dr. Yorke presented the following recommendations for Commission consideration: 1) assign a county employee to include advertising animals picked up and to coordinate rescue transport; 2) perform a Target Zero assessment – to decrease shelter intake and increase live release rates; and 3) vaccinate on intake to reduce spread of disease. Additionally, Dr. Yorke presented recommendation for a two-year plan, which includes: 1) review and implement Target Zero recommendations; 2) implement a TNR cat program to reduce overpopulation; 3) establish a stable funding mechanism; and 4) a dedicated animal shelter facility. Last, Dr. Yorke recognized the following for their continued support of the efforts of the committee, they include: 1) Commissioners Ham and Eckman; 2) Dr. Gary Hunt and Ally Scroggins of the Opelika Animal Hospital; 3) Dr. Buddy Bruce and Sidney Hornsby Dodd of the Animal Health Center; and 4) Environmental Services Director John McDonald.

Commissioner Ham recognized Dr. Buddy Bruce and Dr. Gary Hunt who were in attendance. Dr. Buddy Bruce stated that February had a 91.1% total live outcome rate, because of networking with rescue agencies and he stated that is the way to go because it works. Dr. Bruce indicated that the problem area is with cats and bulldogs. Dr. Bruce stated that the big area needing help is the cat population. Further, Dr. Bruce asked the Commissioners to contact him if they have any questions. Commissioner Eckman interjected that foster families are necessary for the process too, since foster families help during the transition from the time it

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takes for a rescue facility to pick up the animals to transfer them to other states for adoption. Dr. Hunt concurred with Dr. Bruce and thanked Dr. Yorke for what she is spearheading. Further, Dr. Hunt agreed that the spay and neuter program is not being advertised well enough. Dr. Hunt suggested placing advertisements in the newspapers and, if possible, place something in the tax bills. Commissioner Ham indicated that he had talked with Superintendent McCoy about sending pamphlets out with Lee County school students, which may help spread the word.

Copies of the items on the Consent Agenda sent to the Commissioners in their packets included: two listings of claims, and minutes of the February 11 meeting. Commissioner Ham made a motion, seconded by Commissioner Lawrence to approve the consent agenda items as presented. The motion carried unanimously.

Commissioner Eckman made a motion, seconded by Commissioner Ham to approve the following board appointments. The motion carried unanimously.

BE IT RESOLVED, the Lee County Commission does hereby reappoint Sheri Todd and Mark Aderholt to the Loachapoka Water Authority Board to each serve a six-year term from March 1, 2019 until March 1, 2025.

BE IT RESOLVED, the Lee County Commission does hereby reappoint Mary P. Henry and Joseph Walden to the Smiths Water Authority Board to each serve a six-year term from March 1, 2019 until March 1, 2025.

BE IT RESOLVED, the Lee County Commission does hereby appoint Wes Goodson to the Beauregard Water Authority Board to serve a six-year term beginning March 1, 2019 until March 1, 2025.

BE IT RESOLVED, the Lee County Commission does hereby reappoint Bill English and appoints Dr. Anne Penney to the East Alabama Mental Health Center Board to each serve a six-year term from April 1, 2019 until April 1, 2025.

Judge English discussed a letter he received from the Alabama Council on Human Relations concerning a vacancy on the Community Action Partnership of Lee County. Judge English informed that the vacancy was for a county elected official and asked each Commissioner to consider serving.

County Administrator Roger Rendleman submitted a change order for Smiths Station ballfield and plaza. Mr. Rendleman explained that the general contractor was authorized to remove rock from one of the areas for a future field at an estimated expense of about \$25,000. The site subcontractor removed much more rock, at an estimated total expense of \$130,000. Additionally, there is apparently even more rock still on site that will need to be removed in the future, at an estimated expense of another \$50,000.

Mr. Rendleman explained that by the time the architects received the verification reports from the Geotech engineer, the increased rock removal had already been done. Mr. Rendleman stated in order to keep the project moving, and to recognize the value the county received from the additional rock removal, a change order of \$75,000 is being requested. Further, the original \$25,000 contingency allowance will be applied, bringing the total payment to \$100,000, to pay for the \$180,000 rock removal issue. Mr. Rendleman stated, on a positive note, the county receives a future value at a discounted cost. Mr. Rendleman further stated this action will avoid potentially drawing out the project, that would most likely include legal action with additional costs. Commissioner Long made a motion, seconded by Commissioner Ham to approve a change order for \$75,000 associated with the rock removal at the Smiths Station recreation park. The motion carried unanimously.

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Next, Mr. Rendleman requested the Commission consider a budget adjustment for the Courthouse Annex Project. Mr. Rendleman stated he needs to move \$100,000 in cash to cover the remaining expected expenditures since the final phase of the project is nearing. Mr. Rendleman recommended the Commission authorize the transfer of \$50,000 from the general fund and \$50,000 from the Capital Improvement Fund into the Capital Projects fund and amend the budget accordingly. He emphasized that this is still a little under the project budget. Commissioner Lawrence made a motion, seconded by Commissioner Long to authorize the transfer as presented. The motion carried unanimously.

Assistant County Engineer Patrick Harvill presented the following Resolution for Commission consideration in support of the statewide gas and diesel fuel tax proposed by Governor Kay Ivey. Mr. Harvill indicated that the exact amount of the tax and distribution is not listed because it is not known yet, as that will be up to the legislative body to determine but added that the new revenue would be used to repair roads and bridges in the county. Mr. Harvill asked the Commission to consider adopting the following Resolution prior to the legislative session which begins March 5. Commissioner Ham stated he supports increase since there has not been an increase since 1992. Commissioner Ham further stated the roads and bridges are inadequate and need addressing for the safety of the citizens. Commissioner Ham made a motion, seconded by Commissioner Eckman to approve the following Resolution in support of an increase in the statewide gas and diesel fuel tax. The motion carried on a vote of 4-1 with Commissioner LaGrand voting "No".

RESOLUTION

WHEREAS, the condition of Alabama's roads and bridges is, by any measure, inadequate for the safety of drivers, inhibits economic growth, and creates delays and unnecessary automobile repairs for Alabama's citizens; and

WHEREAS, a Task Force established by President Pro Tempore Del Marsh evaluated the specific needs to reduce traffic delays, plan for future growth, and enhance economic opportunities in every community in Alabama by investing in new resources to make improvements in our transportation system; and

WHEREAS, in 2017, Governor Kay Ivey highlighted the need for investment in Alabama's infrastructure during her first month in office and identified such improvements as a priority during her inaugural address on January 14, 2019, stating: "Improving our infrastructure is more than an investment in our roads and bridges; it's an investment in economic development, public safety and local communities. It has been nearly three decades since we last made any changes to our current funding, and the challenge has grown with the passing of time. Now is the time to increase our investment in infrastructure – now is the time to solve this problem;" and

WHEREAS, the Association of County Commissions of Alabama and its affiliate organization, the Association of County Engineers of Alabama, recently completed a statewide study on the inadequacy of funding to maintain roads and bridges in a manner that will provide safe and efficient transportation for Alabama motorists; and

WHEREAS, this study shows that current funding is so inadequate that Alabama's county roads are being resurfaced on a 114-year cycle, when the useful life of a resurfaced road does not exceed 15 years, and that more than 45 percent of the county-maintained bridges statewide are at least 50 years old; and

WHEREAS, the Alabama Legislature will begin its 2019 Regular Session on March 5, 2019, and legislation to provide additional revenue for road and bridge projects has been identified as the top priority by Governor Kay Ivey, House Speaker Mac McCutcheon and Senate President Pro Tempore Del Marsh; and

WHEREAS, the primary function of the Lee County Commission is to provide for the safety, economic growth, and highest possible quality of life for the citizens of this county, and the members of the Lee County Commission believe this proposal would have a monumental impact for the residents of the county; and

NOW, THEREFORE, BE IT RESOLVED by the Lee County Commission that it does hereby voice its public support for legislation to increase the rate of Alabama's gasoline and

MINUTES OF THE LEE COUNTY COMMISSION, REG. ADJ. TERM, FEBRUARY 25, 2019

diesel fuel taxes in order to provide substantial new revenue to be utilized on road and bridge repairs and renovation at the county level during the 2019 Regular Legislative Session.

BE IT FURTHER RESOLVED that a copy of the Resolution be forwarded to the Governor, the Lieutenant Governor, the Speaker of the House of Representatives, the chairs of the Senate and House Rules Committees, and the members of the Lee County Legislative Delegation.

IN WITNESS WHEREOF, the Lee County Commission has caused this Resolution to be executed in its name on this 25th day of February 2019.

Next, Mr. Harvill presented the results of Bid #4 for a new track mounted compact radius hydraulic excavator with a mulching head. Mr. Harvill stated out of nine bid invitations mailed, only three were returned. Mr. Harvill recommended the Commission award the bid to the lowest responsive bid received from Cowin Equipment Company, Inc. of Montgomery, Alabama for \$198,366. Commissioner Lawrence made a motion, seconded by Commissioner Long to accept the bid for a hydraulic excavator from Cowin Equipment Company. The motion carried unanimously.

Environmental Services Director John McDonald presented the following Recycling Grant for Commission consideration. Judge English questioned if Lee County was the host entity this year. Mr. McDonald answered in the affirmative. Mr. McDonald further stated that this year the City of Auburn is not participating, since they are implementing city-wide recycling containers. Commissioner Long questioned why the City of Auburn is included in the Resolution. Mr. McDonald explained they are included because they continue to be a member of the cooperative partnership. Commissioner Eckman made a motion to support the Resolution and authorize the Chairman to sign the necessary paperwork. The motion was seconded by Commissioner Lawrence and carried unanimously.

RESOLUTION

WHEREAS, the Alabama Department of Environmental Management has the authority to award grants under the Alabama Recycling Fund Grant Program to which collective governments are more likely to be funded;

WHEREAS, Lee County will partner with the City of Opelika, the City of Auburn, and Auburn University in securing the grant funds to further recycling efforts so as to divert materials from the landfill and to protect the environment; and

WHEREAS, this grant application focus' on the purchasing equipment to further our recycling efforts.

BE IT RESOLVED by the Lee County Commission, Alabama as follows;

1. Authorization for participation in a partnership committee.
2. Authorization is given to submit a Grant Application under said program.
3. Authorization is given to the Commission Chairman to sign any and all documents to secure said grants.

APPROVED AND ADOPTED, this 26th day of February 2018.

Commissioner Long made a motion at approximately 6:05 PM to adjourn. The motion was seconded by Commissioner Lawrence and carried unanimously.

MINUTES OF THE LEE COUNTY COMMISSION, REGULAR TERM, MARCH 11, 2019

The Lee County Commission convened in regular session at the Courthouse in Opelika, Alabama, Monday, March 11, 2019 at 5:00 p.m. The Pledge of Allegiance was recited, followed by an invocation by Judge English.

During citizens' communication, Commissioner Lawrence stated that he would like to emphasize the necessity for being prepared and being notified of weather events due to the recent tornadoes in the county. Commissioner Lawrence shared two ways citizens may obtain notifications: 1) by cell phone (go to www.leecoema.com and sign up for Leecoalerts); and 2) obtain a weather radio. Commissioner Lawrence emphasized being informed and being prepared because it could make a difference and save a life.

Loachapoka Family Enrichment Board Member Gerri Young updated the Commission on the Enrichment Center's activities. Ms. Young shared that beginning in December, they provided toys for over 100 children; in February, they hosted a community Valentine Ball; on March 17, at 7:00 am, they will host a fishing rodeo; in April, they host a mentoring program which is for both boys and girls; in May, they host a Mother-Daughter Banquet; in June, a Father-Son event will be held; and in July, the annual summer enrichment program begins. Ms. Young stated she wanted to inform the Commissioners of the ongoing programs the Loachapoka Enrichment Center is providing for individuals in the community.

Judge English noted this is the first meeting held in the new upstairs Commission chambers, due to the anticipated crowd attending.

The Chairman declared a quorum and officially opened the meeting with the following members recorded as being present: Judge Bill English, Chairman, and Commissioners Sheila Eckman, Johnny Lawrence, Gary Long, Robert Ham and Richard LaGrand. News media in attendance: Opelika Observer owner/reporter Michelle Key and Opelika-Auburn News reporter Timothy Noordermeer.

Sheriff Jones recounted the events of last Sunday, March 3. Sheriff Jones stated that his office began receiving calls around 2:15 pm and stated, without being called, his staff were already on the scene, additionally, he stated he has the pleasure of working with this type of dedicated staff. Further, Sheriff Jones stated all are aware of the catastrophic devastation in the Smiths Station and Beauregard areas that took place on that date. Sheriff Jones stated the first and foremost concern was for individuals, and stated his staff attended to people, administering first aid and carrying the injured to treatment. Sheriff Jones stated he was humbled and extremely proud of how everyone stepped into action. Further, Sheriff Jones stated it was fitting that the members of the Sheriff's Office were on the back row, which illustrates "they have your back." Sheriff Jones stated his department is currently providing security for the areas hit by the tornadoes. Sheriff Jones recognized each member in attendance, they included: Michelle Smith, Autumn Smith, Dispatcher Donna Phillips, Captain Corey Welch, Captain Chris Wallace, Deputies Heather Kinzalow, Lee McLeroy, Jessica Daley, David Gamper, Casey Fuller, Jason Black, Dakota Smith, Dave Tompkins and Investigator Jimmy Taylor.

Commissioner Ham stated he had phone calls from all over stating what a leader Sheriff Jones is. Commissioner Ham personally thanked the Sheriff for his leadership. Judge English said the Sheriff did an admirable job representing Lee County dealing with what became a media circus, and Kathy Carson displayed considerable leadership in dealing with the mass of volunteers, including professionals from other counties, volunteer disaster relief agencies, and civilians.

Next, EMA Director Kathy Carson stated they presently are in recovery mode. Ms. Carson stated currently there are two "VRC" volunteer reception areas: 1) in Beauregard at

MINUTES OF THE LEE COUNTY COMMISSION, REGULAR TERM, MARCH 11, 2019

Providence Baptist Church; and 2) Smiths Station at the City Hall and Long Warehouse, which is winding down. Ms. Carson stated the next step in each area is to open "DRC" disaster recovery centers, which open in about a week. Ms. Carson stated they have been receiving help from all over the nation. Ms. Carson stated she has seen groups from all over; including, Colorado, Wisconsin, Louisiana and many others; some are major relief agencies and some small groups coming to help. Further, Ms. Carson stated the EMA staff has received massive amounts of EMA assistance from other counties, since they had to grow really big, really fast to assist with all the needs. Ms. Carson stated a NOAA weather radio event will be held on Wednesday, March 13 at Academy Sports. Additionally, Ms. Carson noted that 200 weather radios will be given away, hopefully, to those that suffered great loss during the tornadoes. GIS Coordinator Ken Busby provided a visual presentation of before and after pictures of the damage to the homes and landscapes from the tornadoes. Mr. Busby indicated that one house was blown approximately 30 feet from its foundation.

Next, State EMA Director Brian Hastings spoke to the Commission but first wished to express his condolences and stated he was sorry for the loss of lives. Director Hastings stated they are here to mobilize State assets and assist the local agency. Further, he stated they are transitioning from search and rescue to recovery operations. Director Hastings stated he had been contacted by the Commander of the National Guard, who had not received a request for assistance, but Director Hastings informed them that their services are not needed at the present time. Director Hastings stated Alabama is strong, and all agencies are working together. Commissioner Ham thanked Director Hastings and his staff for their leadership and direction. Commissioner Ham stated Ms. Carson had a plan in place and Director Hastings and his staff have provided guidance. Further, Director Hastings stated education and awareness are key in these weather events. He commended the Sheriff's Office and the fire departments and stated they all become Emergency Managers in these situations.

Next, Commissioner Ham recognized Federal Coordinating Officer Gerald Stolar. Mr. Stolar began by stating on behalf of his staff, their thoughts and prayers are with those that lost family members. Mr. Stolar stated they have registered 376 households for federal assistance. Further, \$512,000 in housing assistance has been provided. Mr. Stolar stated he has over 200 staff members on the ground in Alabama. Mr. Stolar stated he and Brett Howard are registering survivors. Further, he stated they are not here to take over, but are here to provide technical assistance. He provided several methods of reporting, they are: 1) call 1-800-621-3362; 2) go to disasterassistance.com; or 3) download the FEMA app on phone. Mr. Stolar stated his staff on the ground are working closely with Ms. Carson and the other agencies. Mr. Stolar reiterated that FEMA is here to assist as needed, they are not here to take over. Mr. Stolar referred to the Stafford Act which provides for rebuilding of infrastructure, and assistance to citizens. Last, Mr. Stolar gave an analogy of the legs of a chair which made up the elements necessary to get Lee County back better and stronger, they are: 1) Federal agency; 2) local EMA Agency; 3) other local agencies; and 4) the citizens of Lee County.

Judge English paused and read the 23 names of those that perished in the tornadoes, they include: Armondo "AJ" Hernandez, 6; Charlotte Ann Miller, 59; David Dean, 53; Emmanuiel Jones, 53; Eric Jamal Stenson, 38; Felicia Woodall, 22; Florel Tate Stenson, 63; Henry Lewis Stenson, 65; Irma Gomez-Moran, 41; James Henry Tate, 86; Jimmy Lee Jones, 89; Jonathan Marquez Brown, 9; Maggie Delight Robinson, 57; Mamie Roberts Koon, 68; Marshall Lynn Grimes, 59; Mary Louise Jones, 83; Mykala Waldon, 8; Raymond Robinson, Jr., 63; Ryan Pence, 22; Sheila Creech, 59; Taylor Thornton, 10; Tresia Robinson, 62; and Vicki Braswell, 69. Judge English asked for a moment of silence to remember each of those named.

Copies of the items on the Consent Agenda sent to the Commissioners in their packets included: two listings of claims, procurement card transactions from February, and minutes of the February 25 meeting. Commissioner Lawrence made a motion, seconded by Commissioner Ham to approve the consent agenda items as presented. The motion carried unanimously.

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Commissioner Ham asked that the item to discuss the statewide gas and diesel tax Resolution be removed.

Ralph Cotton who wished to address logging truck damaging Lee Road 177 was not in attendance.

Chris Black, owner of Coosa River Riverside, had requested to discuss police and emergency lighting was not in attendance. He had previously been referred to the Sheriff's Office.

Assistant County Engineer Patrick Harvill discussed the necessity of awarding a contract for disaster debris removal and debris removal monitoring services. Mr. Harvill stated that once he was notified of the tornadoes in the county, every foreman in his department was notified and each responded and employees that were contacted came in to work. Mr. Harvill stated that the department worked through the evening on Sunday night cleaning roadways after first responders had worked cutting the trees that had fallen on the roads. Mr. Harvill stated every road, except those with power lines down, were cleared from edge-to-edge. Mr. Harvill stated after surveying the damage, he determined his crew could not handle 24 miles of destruction and he called on neighboring Chambers, Russell and Elmore counties to assist in removing the debris from the rights-of-way. He indicated that they each sent 2 dump trucks and operators. Mr. Harvill indicated that through today, his department has hauled 450 dump truck loads of 20 cu. yards (each load), and Environmental Services hauled 18 roll-off truckloads of C&D, for a total of 8,000 cu. yards of debris. Mr. Harvill indicated that the contractor could haul 150 cu. yards of debris per load, which equates to 7½ of our dump truck loads. Mr. Harvill stated the Highway Department, which is not equipped to handle this volume of debris, has been out removing as much debris as possible. Therefore, Mr. Harvill stated he would ask the Commission to authorize Judge English to sign the contracts for debris removal and debris monitoring tonight. Mr. Harvill stated the bid is a joint bid for Region 4, which includes Lee County, by the Association of County Commissions of Alabama for disaster debris removal and debris removal monitoring services which was awarded last year, and all Lee County has to do is authorize the activation of it. Mr. Harvill asked the Commission to authorize KDF Enterprises LLC of Springville, Alabama for disaster debris removal and Tetra Tech, Inc. of Maitland, Florida for debris removal monitoring services. Mr. Harvill indicated that FEMA had reviewed and approved the contracts before the award last year, and also since the tornadoes. Mr. Harvill indicated that once the agreement has been signed, the company has indicated they will be able to start tomorrow.

Commissioner Ham commended Mr. Harvill for his performance as Acting County Engineer during this disaster, and others concurred. Judge English informed those in attendance that County Engineer Justin Hardee was at that very moment attending the visitation for his mother's funeral and asked those in attendance to remember the Hardee family in their prayers.

Chip Starr, D & J Enterprises, first commended the Commission and those in attendance for their response to the recent tornadoes. Mr. Starr stated their company has two divisions: 1) road construction, and 2) disaster recovery. Mr. Starr stated he understands the Commission can utilize the ACCA contract, but he would suggest that the Commission pursue other options and put out an RFP for services. Mr. Starr stated according to the Stafford Act the Commission can look at local preference. Mr. Starr stated D & J Enterprises has over 200 people employed in Lee County with their company. Mr. Starr stated he does not feel that their company was given a local preference; they are an Alabama company with an Alabama license and have been in business since 1987. Mr. Starr asked the Commission to consider all their options. Further, Mr. Starr stated he would hate to see federal dollars leave the county. Mr. Starr thanked the Commission for their consideration.

MINUTES OF THE LEE COUNTY COMMISSION, REGULAR TERM, MARCH 11, 2019

Next, Mr. Jason McDaniel, Southeastern Disaster Relief Services, stated he has been a resident of Lee County all his life. Mr. McDaniel stated his company was established in 2011. Mr. McDaniel stated his company's main purpose is helping with temporary housing and stated they currently are working in Texas, North Carolina and Florida. Mr. McDaniel stated he is familiar with contractors in this field since he is from the area. Mr. McDaniel stated he is willing to work whether by volunteering or by contract. Mr. McDaniel thanked the Commission for the opportunity to speak.

Commissioner Ham thanked Mr. Starr and Mr. McDaniel. Then, Commissioner Ham made a motion, seconded by Commissioner Long to authorize the Chairman to sign the agreement with KDF Enterprises LLC for debris removal services and the agreement with Tetra Tech Inc. for debris monitoring services. The motion carried unanimously.

Governmental Relations Coordinator Wendy Swann asked the Commission to set-up a Complete Count Committee to insure Lee County has a successful census in 2020. Mrs. Swann explained that each Commissioner is being asked to appoint two members from their respective districts to form the initial outreach committee. Mrs. Swann stressed that an accurate counting of citizens is needed to ensure continued funding of vital programs and for Congressional representation. Mrs. Swann indicated the kick-off begins April 2019, but the actual census count begins on April 1, 2020. County Administrator Roger Rendleman indicated the Commission just needs to start thinking of people in their respective districts, who are active and would be willing to assist in this process. Commissioner Eckman questioned how the appointees would help. Mrs. Swann indicated she is unsure at this time. Mrs. Swann stated Yolanda Fears is familiar with the process because she worked with the census process during the 2010 Census. Commissioner Lawrence questioned what the time commitment will be. Mrs. Swann indicated she is unsure at this time, but it would be a year-long process. Further, Commissioner Lawrence questioned if they would still need to use the process used for appointing board members by policy. Mr. Rendleman responded that the Commission could if they wanted to.

Prior to closing the meeting, Commissioner Ham recognized GIS Coordinator Ken Busby for the information he provided. Further, Commissioner Ham recognized Beulah Fire Chief Keith Padgett for his performance in manning a search and rescue group. Commissioner Ham stated they were unaware of the severity of the storm when they were putting units together. Commissioner Ham wanted to thank each of them for their service.

Commissioner LaGrand stated he had attended the funerals of the two youngest members of the community that lost their lives to the tornadoes. Also, he mentioned that a candlelight vigil was being held at 6:00pm tonight at Beauregard High School to remember all of the ones who lost their lives in the tornadoes.

Commissioner LaGrand made a motion at approximately 6:05 PM to adjourn. The motion was seconded by Commissioner Ham and carried unanimously.

MINUTES OF THE LEE COUNTY COMMISSION, REG. ADJ. TERM, MARCH 25, 2019

The Lee County Commission convened in regular adjourned session at the Courthouse in Opelika, Alabama, Monday, March 25, 2019 at 5:00 p.m. The Pledge of Allegiance was recited, followed by an invocation by Commissioner Lawrence.

During citizens' communication, John Sophocleus addressed the Commission about several items. Mr. Sophocleus first questioned if the Commission would continue meeting in the new chambers. Judge English answered in the affirmative. Next, Mr. Sophocleus questioned the VPD study performed on Lee Road 106, since he recently experienced a harrowing incident of a vehicle pulling out in front of him and questioned if something bad would have to happen before anything was done about the intersection. Last, Mr. Sophocleus wished to say EMA employee Ms. Rita Smith, who will be recognized later in the meeting, represented Lee County well in handling the media during the recent tornadoes.

Peter Byrd requested information on the Smiths Station ballfield change order. Mr. Byrd stated being a former contractor he would like to look at the change order presented before the Commission at the last meeting concerning the rock removal. Mr. Byrd stated he felt that the county should not be at risk over a subcontractor removing more rock than was stated in the contract. Mr. Byrd further questioned if his question can't be addressed then he would request being placed on the next Agenda. Judge English directed Mr. Byrd to get with County Administrator Roger Rendleman for the requested documents.

The Chairman declared a quorum and officially opened the meeting with the following members recorded as being present: Judge Bill English, Chairman, and Commissioners Sheila Eckman, Johnny Lawrence, Robert Ham and Richard LaGrand. Absent: Commissioner Gary Long. News media in attendance: Opelika Observer owner/reporter Michelle Key, Opelika-Auburn News reporter Timothy Noordermeer, and Channel 9 reporter Rico Mitchell.

County Engineer Justin Hardee gave an update on the storm recovery efforts. Mr. Hardee stated he wished to thank his staff who stepped up during the aftermath of the tornadoes. Mr. Hardee stated the Highway Department was able to work with the Environmental Services Department to remove the debris with the road equipment, which is not designed to remove the debris, but was able to remove 500 loads of vegetative debris to the chert pit. Mr. Hardee reported that since KDF has been deployed, they have removed 100,000 cubic yards of vegetative debris and over 1,000 tons of construction and demolition (C&D) waste from the rights-of-way. Further, Mr. Hardee indicated that Tetra Tech is monitoring and documenting each load, to be sure it qualifies for reimbursement under FEMA guidelines. Mr. Hardee stated the agencies have been impressed with Lee County's capability in handling the debris, but that it is being brought in faster than it can be burned, which must follow ADEM guidelines. Mr. Hardee wished to personally thank the Sheriff's Office, EMA, Environmental Services Department, Building Inspection Department, and the Volunteer Fire Departments during this process. Additionally, Mr. Hardee wished to personally thank Assistant County Engineer Patrick Harvill for stepping up to the plate while Mr. Hardee was out for personal reasons.

Next, EMA Director Kathy Carson stated she wholeheartedly agreed with Mr. Hardee's sentiments. Ms. Carson indicated the State and Federal agencies were surprised with the amount of support coming from both Auburn and Opelika to help following the tornadoes. Ms. Carson reiterated that immediate needs were attended to first, and donations began coming in immediately as well. Ms. Carson indicated FEMA was on the ground by Wednesday following the disaster declaration by President Trump. Further, Ms. Carson stated as of today there have been 668 people registered with FEMA. Ms. Carson stated 12 individuals have received the maximum award for a total of \$482,296. Ms. Carson stated it will be a long road ahead to rebuild, but thanks to East Alabama Medical Center for laying the foundation by implementing the MEND Foundation. Last, Ms. Carson gave an update on the damage assessment survey and

MINUTES OF THE LEE COUNTY COMMISSION, REG. ADJ. TERM, MARCH 25, 2019

presented the following: **226** homes destroyed; **136** homes received major damage; **245** homes received minor damage; and **153** homes were affected in some way (for example; fences down/damaged, etc.)

Ms. Carson recognized Emergency Management Specialist/Master Public Information Officer Rita Smith for her work following the tornadoes. Ms. Carson also read a letter from ALEA recognizing Ms. Smith. Ms. Carson stated Ms. Smith had a dream to get certified as a Master Public Information Officer and she succeeded due to her hard work and dedication. Ms. Smith stated it is a pleasure to serve the citizens of Lee County. Commissioner LaGrand stated he was extremely proud of Ms. Smith since he had attended most of the press conferences that were held following the tornadoes. Commissioner Ham agreed with Commissioner LaGrand.

Veterans Outreach Agent Jamie Popwell gave an update on the progress of outreach to date. Mr. Popwell stated he hit the ground running and has been educating those in Lee County on the resources available to local veterans by sharing information at local civic groups in the community. Mr. Popwell stated he had gotten off-track to help in the tornado cleanup, but recently hosted a home buying workshop for veterans.

Lisa Blair, CEO/President of the Servium Group, Inc. gave a brief presentation about the services her company can provide during the recovery process from the recent tornadoes. Ms. Blair stated the company has been serving local and state governments for 22+ years offering comprehensive services to implement and manage disaster recovery funding through all phases of recovery. The Servium Group helps maximize FEMA requests for eligible costs critical to long-term funding. Additionally, they stressed the importance of documentation and the importance of coordination between the state and local levels. Further, they stated their company will work as an advocate between state and federal officials to ensure the community receives the resources to fully recover. Last, Ms. Blair thanked the Commission for their time.

Copies of the items on the Consent Agenda sent to the Commissioners in their packets included: two listings of claims, and minutes of the March 11 meeting. Commissioner Ham made a motion, seconded by Commissioner LaGrand to approve the consent agenda items as presented. The motion carried unanimously.

Mr. Hardee presented a High-Risk Rural Road (HRRR) Resolution for Commission consideration. Mr. Hardee explained that this is the next step in the process which is a 90/10 split between the Alabama Department of Transportation and Lee County. Commissioner Ham made a motion, seconded by Commissioner Lawrence to approve the following Resolution. The motion carried unanimously.

RESOLUTION

WHEREAS, the County Commission of Lee County, Alabama is desirous of constructing or improving, by force account, by contract or both, sections of road included in the Lee County Road System and described as follows:

Installation of guardrail end anchors at seven (7) bridge locations in Lee County as depicted by the location map, utilizing High Risk Rural Road (HRRR) funding.

Location map available at the Lee County Highway Department.

WHEREAS, the County agrees to all of the provisions of the County-wide agreement executed between the State and the County covering preliminary engineering by State forces and equipment on the project, and

MINUTES OF THE LEE COUNTY COMMISSION, REG. ADJ. TERM, MARCH 25, 2019

WHEREAS, the County agrees to all of the provisions of any agreement which has been executed or will be executed covering the construction of the project.

Done at the regular adjourned session of the Lee County Commission, this 25th day of March 2019.

Mr. Hardee discussed the need to adjust the monitoring contract awarded at the last meeting. Mr. Hardee stated an adjustment needs to be made in the percentage of payment allowed by the monitoring contract. Mr. Hardee explained that currently the contract caps the monitoring activities to 15% of the debris removal services cost. This 15% was established by the ACCA, in conjunction with FEMA to not have an open-ended hourly contract and to tie the monitoring to the debris removal operations. Mr. Hardee stated he met with FEMA representatives and discussed the situation with them and pursuant to the contract terms an adjustment can be made that will not jeopardize FEMA reimbursement of county funds. Mr. Hardee stated an adjustment can be made by the Commission and would recommend it be increased from 15 percent to 25 percent. Mr. Hardee stated he would get with County Attorney Stan Martin to make the addendum to the contract. Commissioner Lawrence stated he was confused and questioned if the volume of material was driving the change. Mr. Hardee stated that since the county is self-performing some of the services (vegetative debris) then the monitoring percentage should increase. Mr. Hardee explained that a monitor is assigned to each truck for the safety of the county. Additionally, several monitors are at the chert pit and one is stationed at the landfill for the C&D debris. Judge English questioned if there is a hard deadline. Mr. Hardee stated yes, that at least two staggered passes should be done. Commissioner LaGrand questioned if it goes over 25%. Mr. Hardee stated he does not think it will, but if he sees it is getting close, he will come back before the Commission to adjust it again. After more discussion, Commissioner Eckman made a motion, seconded by Commissioner Lawrence to increase the percentage from 15 to 25 percent, upon review and satisfaction of County Attorney Stan Martin. The motion carried unanimously.

Commissioner Ham stated the Beaugard Volunteer Fire Department purchased a piece of property adjacent to the proposed recreation facility in Beaugard and asked the Commission to allow the Highway Department to assist with the driveway installation. Commissioner Ham stated it would require driveway pipe and two to three loads of gravel placed for the entrance. Commissioner Ham made a motion, seconded by Commissioner Eckman to authorize the Highway Department to install the pipe and gravel at the entrance of the new location for the Beaugard Volunteer Fire Department. The motion carried unanimously.

Building Inspector Joel Hubbard presented a request to waive building permit fees for those affected by the recent tornadoes. Judge English questioned how the verification process would work. Mr. Hubbard indicated they have access to the property records, which list the name of owner for the parcel. Further, Judge English suggested that the process should verify either a rebuild or renovation of property that was previously located on the property, not for a new build in the area. Mr. Hubbard stated procedures are in place to verify each situation. Mr. Hubbard stated this is only waiver for the permit fee, not for the inspections. Further, Mr. Hubbard stated there may be a few unusual circumstances that may need to come back before the Commission for their approval. After more discussion, Commissioner Ham made a motion, seconded by Commissioner LaGrand to approve the building permit waivers as discussed. The motion carried unanimously.

Mr. Hardee presented the results of Bid #7 for various motor grader blades. Mr. Hardee explained that the bid will be split between the two bidders: Thompson Tractor Company and Tractor and Equipment Company. Commissioner Ham made a motion, seconded by

MINUTES OF THE LEE COUNTY COMMISSION, REG. ADJ. TERM, MARCH 25, 2019

Commissioner LaGrand to approve the split bid for motor grader blades. The motion carried unanimously.

Sheriff Jones presented a retail beer and retail table wine license application for Express Food Mart located in District 4. Sheriff Jones stated there were no objections to the transfer of the license as presented. Commissioner Ham made a motion to approve the following Resolution. The motion was seconded by Commissioner Lawrence and carried unanimously.

BE IT RESOLVED, the Lee County Commission does hereby approve the retail beer and retail table wine (off premise) license application for Express Food Mart located at 10 Lee Road 189, Opelika, Alabama.

Judge English suggested the Commission table the retail liquor license application for Backyard Bar 'N Grill located in District 3 until the next meeting, due to the absence of Commissioner Long. The Commission agreed to move the item to the next Agenda.

Judge English stated Mr. Rendleman indicated an executive session is necessary to discuss a potential real estate transaction. Mr. Rendleman stated only he and the Commissioners needed to attend. Mr. Rendleman stated the session should last approximately 10-15 minutes and official action is anticipated afterward. Commissioner Lawrence made a motion, seconded by Commissioner Eckman at approximately 6:25 p.m. to adjourn into Executive Session. The motion carried unanimously.

Upon reconvening after the Executive Session, Commissioner Lawrence made a motion to reject the offer presented on the proposed real estate transaction. The motion was seconded by Commissioner Ham and carried unanimously.

Commissioner Eckman made a motion at approximately 6:35 PM to adjourn. The motion was seconded by Commissioner Lawrence and carried unanimously.

MINUTES OF THE LEE COUNTY COMMISSION, REGULAR TERM, APRIL 8, 2019

The Lee County Commission convened in regular session at the Courthouse in Opelika, Alabama, Monday, April 8, 2019 at 5:00 p.m. The Pledge of Allegiance was recited, followed by an invocation by Commissioner Long.

During citizens' communication, C. F. Davis distributed a copy of the items he wanted to address before the Commission. First, Mr. Davis questioned how the decision was made to develop the MEND Foundation. Second, Mr. Davis questioned the amount of funds that have been donated for tornado victims. Mr. Davis stated his purpose to question these items is transparency. Further, he questioned the determining factors on the safe room grants. Mr. Davis questioned why black non-profit organizations have been scrutinized over white non-profit organizations. Last, Mr. Davis questioned why the bond money was returned on the Green Chapel road issue.

Small Business Administration Public Affairs Specialist Julie Garrett appeared to update the Commission on the loan status. Ms. Garrett stated the amount of approved SBA disaster loans currently totals \$1,649,200. Ms. Garrett stated 35 loans have been approved and another 49 people have been referred to the SBA for a disaster loan but have not applied. Ms. Garrett asked the Commission and the media to get the word out to the public that the deadline to apply for an SBA disaster loan is May 6. Ms. Garrett stated that 85% of loans have been processed, which means, there are another 15% of people who may qualify for an SBA loans but have not applied. Ms. Garrett stated there are several ways to contact the SBA, including: 1) in person at their temporary location at Southern Union which is open daily between 8:00 AM - 5:00 PM; 2) call the SBA directly at 1-800-659-2955; or 3) apply online at disasterloan.sba.gov. Ms. Garrett encouraged all individuals that are eligible to take advantage of these disaster loans, even if they have insurance, since the funds may be used for things not covered by insurance, such as, fencing or fence repairs.

Peter Byrd thanked the Commission for providing some of the documents requested on the Smiths Station ballfield change order. Mr. Byrd also stated he appreciated the cooperation of the Commission by placing the item on the agenda, but at this time he has not had an opportunity to review the information received.

James Floyd of the Loachapoka Family Enrichment Center thanked the Commission for their continued support of the program. Mr. Floyd reported that 31 youth participated in the fishing rodeo on March 30 and one participant caught 17 fish. Additionally, in March the Senior Citizens' enjoyed a program on vein restoration. Mr. Floyd stated the Youth Mentoring Basketball program kicked off last weekend. Mr. Floyd mentioned two upcoming programs, working with EAMC Nutrition Department, which includes: 1) a diabetes prevention program and 2) an online food shopping and delivery program by Wright's Market. Commissioner LaGrand thanked Mr. Floyd and stated he had visited the Enrichment Center and commented that the seniors take the exercise program seriously. Mr. Floyd agreed.

The Chairman declared a quorum and officially opened the meeting with the following members recorded as being present: Judge Bill English, Chairman, and Commissioners Johnny Lawrence, Gary Long, Robert Ham and Richard LaGrand. Absent: Commissioner Sheila Eckman. News media in attendance: Opelika Observer owner/reporter Michelle Key, and WTVM reporter Matthew Clegg.

County Engineer Justin Hardee gave an update on the storm debris removal progress. Mr. Hardee stated there has been approximately 150,000 cubic yards of vegetative debris and about 3,500 tons of construction and demolition (C&D) debris has been removed from the

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county rights-of-way. Mr. Hardee wished to put that amount of debris removal in perspective by equating it to two football fields filled 4-5 stories high. Mr. Hardee stated he has been working with the contractor to complete the first pass and stated they are planning a second pass, which will start after the Easter holiday. Mr. Hardee stated the second pass would tentatively start on Tuesday, April 23. Mr. Hardee stated he plans to come back before the Commission to discuss whether a third and final pass of debris removal will be scheduled. Additionally, Mr. Hardee stated he would look at the timeframe to maximize FEMA reimbursement and also to help citizens who continue with their clean-up. Commissioner Lawrence questioned how they would pick-up the mobile home frames and over-sized tree stumps which are still there. Mr. Hardee stated the company will utilize different hydraulic equipment to pick up the large stumps and other debris. Mr. Hardee reminded the Commission that all debris must still be moved to the right-of-way for pick-up by the contractor. Commissioner Ham questioned the six-month deadline. Mr. Hardee stated for FEMA reimbursement, there is a six-month window from the March 5 declaration date. Judge English stated the deadline would fall somewhere around Labor Day. Mr. Hardee stated he wishes to discuss the deadline with Commissioners Long, Ham and LaGrand in hopes of being able to serve the citizens as long as necessary in the areas affected by the tornadoes.

Copies of the items on the Consent Agenda sent to the Commissioners in their packets included: two listings of claims, procurement card transactions from March and minutes of the March 25 meeting. Prior to the meeting an additional listing of claims for Commission approval was placed on each Commissioner's desk. Commissioner Ham made a motion, seconded by Commissioner LaGrand to approve the consent agenda items as presented. The motion carried on a vote of 3-0-1 with Commissioner Long abstaining.

Sheriff Jones presented a restaurant retail liquor license application for Backyard Bar N Grill located in District 3, carried over from the last meeting. Sheriff Jones stated this is a transfer from the former establishment known as the Outfield. Commissioner Long made a motion, seconded by Commissioner Ham to approve the following Resolution. The motion carried unanimously.

BE IT RESOLVED, the Lee County Commission does hereby approve the retail liquor license application for Backyard Bar N Grill located at 7633 Lee Road 240 Suite A, Phenix City, Alabama.

Mr. Rendleman presented a request for an extension on the contract to sell the old Beauregard recreation property. Mr. Rendleman stated just prior to the meeting he received a call from the potential buyer who indicated they are unable to receive financing for the property and will not need the extension. So, Mr. Rendleman indicated the contract will expire and the property will go back on the market for sale. Commissioner Ham questioned if a realtor is involved. Mr. Rendleman stated no realtor was involved since the potential buyer had approached the county about purchasing the property on his own. Commissioner Ham questioned Mr. Rendleman if he will obtain a realtor. Mr. Rendleman stated he would solicit for one and see what they propose.

Commissioner Lawrence announced a dedication date of the Bennie G. Adkins Meeting Center on Friday, April 26 at 1:00 PM. Commissioner Lawrence invited all citizens and the news media to attend. Commissioner Lawrence thanked Mr. Rendleman for his help on the project.

Commissioner LaGrand addressed a litter issue on Lee Road 188 in Loachapoka. Commissioner LaGrand stated he and Mr. Hardee drove the area and Mr. Hardee indicated that a litter crew will be out later this week.

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Mr. Hardee announced that this week is Work Zone Awareness Week. Mr. Hardee stated it is set each year by the State. This year's theme is "Drive Like You Work Here". Mr. Hardee stated in 2017 there were 21 fatal crashes with 24 fatalities in work zones. Mr. Hardee stated he was surprised that the number of fatalities from 2016 to 2017 almost doubled. Mr. Hardee stated the work the road department does is dangerous even on a good day. Further Mr. Hardee asked for the public's awareness and asked the media to advertise it too. Judge English asked Assistant County Engineer Patrick Harvill to raise his hand and told those assembled that Patrick's counterpart in a neighboring county was killed in a work zone accident several years ago. Judge English thanked Mr. Hardee for bringing attention to this matter.

Mr. Rendleman questioned the Commission on the Railroad Avenue property. Mr. Rendleman indicated that the buildings had served the county well, especially during the construction of the new Courthouse Annex. Mr. Rendleman stated the following are still utilizing the offices, they are: 1) the Veterans Affairs Office; 2) the Lee County Cemetery Preservation Commission; and 3) the Genealogical Society of East Alabama. Mr. Rendleman asked the Commission's guidance as far as what they wish to do with the three buildings, either put them up for sale or possibly lease to sell. Mr. Rendleman stated the Veterans Service Office will move to the Meeting Center but questioned the other two groups. Judge English questioned if there are currently any prospects to lease the building. Mr. Rendleman stated he has been contacted by two separate real estate agencies about the property. Commissioner Lawrence questioned if the buildings were in reasonable condition or would they need to be refurbished before placing up for sale. Mr. Rendleman indicated the location has more value than the buildings. Mr. Rendleman stated there are no future plans for the buildings since the new annex should account for future growth and he would recommend selling the property. Commissioner Ham indicated the property worries him due to the age of the buildings. Last, Mr. Rendleman suggested that the two remaining groups could utilize space at the county property on Auburn Street.

Last, Commissioner LaGrand asked to add an item to the Agenda. Commissioner LaGrand made a motion, seconded by Commissioner Ham to add a special events license for Christine's LLC. The motion to add the item to the agenda carried unanimously. Sheriff Jones presented a special events license application for a one-day event to be held at 21 Acres, an event venue, located on Lee Road 137 or Wire Road. Commissioner LaGrand made a motion to approve the following Resolution. The motion was seconded by Commissioner Ham and unanimously approved.

BE IT RESOLVED, the Lee County Commission does hereby approve a special events license for Christine's LLC for a one-day event on April 19 located at 5505 Lee Road 137, Auburn, Alabama.

Commissioner Ham made a motion at approximately 5:40 PM to adjourn. The motion was seconded by Commissioner Lawrence and carried unanimously.

MINUTES OF THE LEE COUNTY COMMISSION, REG. ADJ. TERM, APRIL 29, 2019

The Lee County Commission convened in regular adjourned session at the Courthouse in Opelika, Alabama, Monday, April 29, 2019 at 5:00 p.m. The Pledge of Allegiance was recited, followed by an invocation by Commissioner Ham.

During citizens' communication, Commissioner Richard LaGrand read a press release from the Samaritan's Purse about a Mobile Home Replacement Program. Commissioner LaGrand indicated they will be replacing a limited number of destroyed mobile homes in partnership with homeowners. Commissioner LaGrand stated applications will be available at First Baptist Church in Opelika in the John 3:16 building or a homeowner may contact the Church at (334) 744-7326 for more information.

Peter Byrd signed up for citizens' communications, so Judge English questioned Mr. Byrd if he would like to address the Commission at this time or wait for his turn on the agenda. Mr. Byrd stated he did not know he was on the agenda and indicated he has not received all the information he wants. Mr. Byrd said he will submit a request for additional documents and stated he is able and willing to pay for the cost of copies. Judge English asked Mr. Byrd to contact Deputy Administrator Alice McCall when he wants to be placed on the agenda.

Mr. Bickerstaff introduced himself as the new president of the Lee County Voters League. Mr. Bickerstaff asked to be placed on the next agenda to discuss the west-end of the county about roads and about the growth in that area. Mr. Bickerstaff requested the Lee County Voters League be added to the agenda too.

The Chairman declared a quorum and officially opened the meeting with the following members recorded as being present: Judge Bill English, Chairman, and Commissioners Sheila Eckman, Johnny Lawrence, Gary Long, Robert Ham and Richard LaGrand. News media in attendance: Opelika Observer owner/reporter Michelle Key, and Opelika-Auburn reporter Timothy Noordermeer.

Veterans Agent Assistant Jamie Popwell presented the Commission a flag that was found among the debris after the tornadoes hit Lee County on March 3, 2019. Mr. Popwell stated he was given the flag by a citizen who told Mr. Popwell he would know what to do with it. Mr. Popwell stated he took the flag to John Oliver, owner of Cameragraphics, who took the flag and framed it in the shadowbox and had a plaque made as a reminder of that day. The plaque was inscribed with the following: "This flag was found by rescuers buried in debris along Highway 51 near Lee Road 38 in the aftermath of Lee County's worst natural disaster on record. A devastating EF-4 tornado that claimed the lives of 23 people on March 3, 2019. This symbol is dedicated to them, Lee County Strong."

Commissioner Lawrence presented the following Resolution in recognition of the members of the Auburn University Equestrian team who recently won the title as 2019 National Champions after beating Georgia on April 23 in Waco, Texas. Commissioner Lawrence recognized each member of the equestrian team who were in attendance, along with their Coach Greg Williams, and his wife, Sandy. Commissioner Lawrence read the following resolution and presented it to Coach Williams.

RESOLUTION

WHEREAS, the Auburn University Equestrian team won the 2019 National Collegiate Equestrian Association Championship defeating Georgia 8-7 breaking a tie with a thrilling final ride; and

WHEREAS, this title capped off a record-breaking season where the Tigers finished

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with a perfect record of 18-0, the first undefeated season of any equestrian program in the country and the program's sixth overall and third in the last four years; and

WHEREAS, the records continue for this team as it had 12 student-athletes earn 19 NCEA All-American honors, a record for an NCEA team since its recognition began in 2011; and

WHEREAS, in addition to the team championship the Tigers also earned two titles in Equitation on the Flat and Hunter Seat and had three members earn Most Outstanding Performer in Team and Event Championships and eight members named to the NCEA All-Championship Team; and

WHEREAS, the Tigers also earned several Southeastern Conference accolades including Coach of the Year, three Rider of the Year honors, two Freshman Rider of the Year awards and six others receiving event recognition; and

WHEREAS, this is the 17th year for Auburn Equestrian and for its coach Greg Williams who has amassed a 156-57 overall record six NCEA Championships, two Southeastern Conference titles, three Southern Equestrian Conference crowns, five NCEA Hunt Seat championships, one NCEA Western championship and one NCEA Equitation on the Flat Championship; and

WHEREAS, the members of the 2018-19 team are seniors Ashton Alexander, Caitlin Boyle, Betsy Brown, Lauren Diaz, Ali Fratessa, Hayley Iannotti, Kelsey Jung, Kennedy Knapic, Alex Ladove, Blair McFarlin, Mackenzie Michaels, Emma Paul, Megan Rauh, Casey Schmitz; juniors Sydney Hoffa, Kara Kaufmann, Becky Kozma, Haley Pembroke, Anna Claire Smith, Lillian Wagner, Caroline Walker; sophomores Emma Crosbie, Anna Enos, Terri-June Granger, Deanna Green, Carly Hoft, Caroline Hudon, Ericka Koscinski, Taylor Searles, Taylor St. Jacques, Helen Ulrich and Freshmen Ellie Becker, Emma Brown, Peyton Hall, Haylee Jerkins, Meghan Knapic, Emma Kurtz, McKayla Langmeier, Charlie Sue Pates and Jessica West. Coaching staff includes Head Coach Greg Williams, Assistant Coach Mary Meneely and Associate Coach Jessica Braswell; the support staff is comprised of Connor Mielke, Morris Henry, Anthony Kincy, Malcolm Hardmon, Karen Straub-Stanton, Basia Drilling, Brad Rapacz and Kendra Willard.

NOW THEREFORE, BE IT RESOLVED that the Lee County Commission hereby honors the Auburn University Equestrian Team for its National Title and outstanding achievements during the record-breaking 2018-19 season.

Copies of the items on the Consent Agenda sent to the Commissioners in their packets included: two listings of claims, and minutes of the April 8 meeting. Prior to the meeting County Administrator Roger Rendleman stated he just received a request for payment of services from KDF Enterprises for debris removal and Tetra Tech for monitoring services. Mr. Rendleman deferred to Assistant County Engineer Patrick Harvill on the matter. Mr. Harvill indicated he would like for the contractors be compensated for their work performed indicated on the invoices. Mr. Harvill stated KDF Enterprises submitted an invoice totaling \$1,503,305.63 for services performed from March 13 to April 11, 2019. Tetra Tech, the monitoring company, has reviewed all the invoices and approved the payment to KDF Enterprises. Further, Mr. Hardee noted that the invoice for Tetra Tech for \$208,163.25 is for services from March 13 to March 29, 2019. Commissioner Ham complimented both companies on their performance in cleaning up the debris following the tornadoes. Commissioner Ham made a motion, seconded by Commissioner Lawrence to approve the consent agenda items along with the two additional invoices presented for payment today. The motion carried unanimously.

Judge English presented the following canvass and declaration of results on the ad valorem taxes renewed by a Special Election held February 19, 2019. Commissioner Lawrence made a motion, seconded by Commissioner LaGrand to authorizing the following election results. The motion carried unanimously.

MINUTES OF THE LEE COUNTY COMMISSION, REG. ADJ. TERM, APRIL 29, 2019

DECLARATION AND REPORT OF RESULTS OF
A SPECIAL ELECTION FOR THE CONTINUANCE
AND RENEWAL OF THE LEVY OF A
1.5 MILL COUNTYWIDE TAX IN LEE COUNTY UNDER
AMENDMENT NO. 324 TO THE
CONSTITUTION OF ALABAMA OF 1901

Pursuant to Section 17-12-15 of the Code of Alabama 1975, as amended, the Board of Canvassers (consisting of the Sheriff of the County, in person or by deputy, the Judge of Probate and the Clerk of the Circuit Court and herein called "the Board") assembled at the Lee County Courthouse, on Friday, March 1, 2019, at the hour of 12:00 noon (this date being the "second Friday next after the election" held on February 19, 2019), to canvass and declare the results of the special election for the renewal and continuation of the levy of a special countywide tax, at the rate of **1.5 mill** on each dollar of the assessed value of taxable property, for a period of thirty (30) consecutive years beginning with the levy for the tax year that will begin on October 1, 2021 (for which first tax year taxes will become due and payable on October 1, 2022), pursuant to Amendment No. 324 to the Constitution of Alabama of 1901, in Lee County, Alabama, held on February 19, 2019. The Board did at the said meeting canvass the returns of the said election and ascertained and determined, and does hereby declare and report, that the result of the said canvass was as follows:

3,492 FOR proposed taxation

389 AGAINST proposed taxation

As a result of the said canvass, this Board has determined and does hereby declare and report that there were cast at the said election a total of **3,881** votes, of which **3,492** votes were cast for the proposed taxation, and **389** votes were cast against the proposed taxation, resulting in a majority of the qualified electors of the County voting at said election on the question of the proposed taxation voting in favor of said proposed taxation.

It is hereby ordered (a) that the original of this declaration shall be recorded by the Judge of Probate of the County in a book provided for such purpose, (b) that a copy hereof shall be published one time in *Opelika-Auburn News*, a newspaper published and having general circulation in Lee County, Alabama, and (c) that the said tax shall be levied and collected as provided by the laws of the State of Alabama.

Dated this 29th day of April 2019.

DECLARATION AND REPORT OF RESULTS OF
A SPECIAL ELECTION FOR THE CONTINUANCE
AND RENEWAL OF THE LEVY OF VARIOUS
AD VALOREM TAXES FOR PUBLIC SCHOOL
PURPOSES IN LEE COUNTY

Pursuant to Section 17-12-15 of the Code of Alabama 1975, as amended, the Board of Canvassers (consisting of the Sheriff of the County, in person or by deputy, the Judge of Probate and the Clerk of the Circuit Court and herein called "the Board") assembled at the Lee County Courthouse, on Friday, March 1, 2019, at the hour of 12:00 noon (this date being the "second Friday next after the election" held on February 19, 2019), to canvass and declare the results of the special election for the renewal and continuation of the levy of a special countywide school tax, at the rate of **1 mill** on each dollar of the assessed value of taxable property, for a period of twenty-eight (28) consecutive years beginning with the levy for the tax year that will begin on October 1, 2021 (for which first tax year taxes will become due and payable on October 1, 2022), pursuant to Section 269 of Article XIV of the Constitution of Alabama of 1901, in Lee County, Alabama, held on February 19, 2019. The Board did at the said meeting canvass the returns of the said election and ascertained and determined, and does hereby declare and report, that the result of the said canvass was as follows:

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3,562 FOR proposed taxation

392 AGAINST proposed taxation

As a result of the said canvass, this Board has determined and does hereby declare and report that there were cast at the said election a total of **3,954** votes, of which **3,562** votes were cast for the proposed taxation, and **392** votes were cast against the proposed taxation, resulting in more than the requisite three-fifths of the qualified electors of the County voting at said election on the question of the proposed taxation voting in favor of said proposed taxation.

The Board also met to canvass and declare the results of the special election for the renewal and continuation of the levy of a special countywide school tax, at the rate of **4 mills** on each dollar of the assessed value of taxable property, for a period of twenty-eight (28) consecutive years beginning with the levy for the tax year that will begin on October 1, 2021 (for which first tax year taxes will become due and payable on October 1, 2022), pursuant to Section 1 of Amendment No. 3 to the Constitution of Alabama of 1901 and proceedings taken under the said Constitution, in Lee County, Alabama, held on February 19, 2019. The Board did at the said meeting canvass the returns of the said election and ascertained and determined, and does hereby declare and report, that the result of the said canvass was as follows:

3,428 FOR proposed taxation

422 AGAINST proposed taxation

As a result of the said canvass, this Board has determined and does hereby declare and report that there were cast at the said election a total of **3,850** votes, of which **3,428** votes were cast for the proposed taxation, and **422** votes were cast against the proposed taxation, resulting in a majority of the qualified electors of the County voting at said election on the question of the proposed taxation voting in favor of said proposed taxation.

The Board also met to canvass and declare the results of the special election for the renewal and continuation of the levy of a special district school tax, at the rate of **3 mills** on each dollar of the assessed value of taxable property, for a period of twenty-seven (27) consecutive years beginning with the levy for the tax year that will begin on October 1, 2022 (for which first tax year taxes will become due and payable on October 1, 2023), pursuant to Section 2 of Amendment No. 3 to the Constitution of Alabama of 1901 and proceedings taken under the said Constitution, in School District No. 3 (the boundaries of which include all the area lying within the County less and except the area within the corporate limits of the Cities of Auburn and Opelika) in Lee County, Alabama, held on February 19, 2019. The Board did at the said meeting canvass the returns of the said election and ascertained and determined, and does hereby declare and report, that the result of the said canvass was as follows:

871 FOR proposed taxation

230 AGAINST proposed taxation

As a result of the said canvass, this Board has determined and does hereby declare and report that there were cast at the said election a total of **1101** votes, of which **871** votes were cast for the proposed taxation, and **230** votes were cast against the proposed taxation, resulting in a majority of the qualified electors of the said district voting at said election on the question of the proposed taxation voting in favor of said proposed taxation.

The Board also met to canvass and declare the results of the special election for the renewal and continuation of the levy of a special district school tax, at the rate of **3 mills** on each dollar of the assessed value of taxable property, for a period of twenty-seven (27) consecutive years beginning with the levy for the tax year that will begin on October 1, 2022 (for which first

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tax year taxes will become due and payable on October 1, 2023), pursuant to Amendment No. 382 to the Constitution of Alabama of 1901 and proceedings taken under the said Constitution, in School District No. 3 (the boundaries of which include all the area lying within the County less and except the area within the corporate limits of the Cities of Auburn and Opelika) in Lee County, Alabama, held on February 19, 2019. The Board did at the said meeting canvass the returns of the said election and ascertained and determined, and does hereby declare and report, that the result of the said canvass was as follows:

866 **FOR** proposed taxation

232 **AGAINST** proposed taxation

As a result of the said canvass, this Board has determined and does hereby declare and report that there were cast at the said election a total of **1098** votes, of which **866** votes were cast for the proposed taxation, and **232** votes were cast against the proposed taxation, resulting in a majority of the qualified electors of the said district voting at said election on the question of the proposed taxation voting in favor of said proposed taxation.

The Board also met to canvass and declare the results of the special election for the renewal and continuation of the levy of a special district school tax, at the rate of **5 mills** on each dollar of the assessed value of taxable property, for a period of twenty-seven (27) consecutive years beginning with the levy for the tax year that will begin on October 1, 2020 (for which first tax year taxes will become due and payable on October 1, 2021), pursuant to Amendment No. 309 to the Constitution of Alabama of 1901 and proceedings taken under the said Constitution, in School District No. 3 (the boundaries of which include all the area lying within the County less and except the area within the corporate limits of the Cities of Auburn and Opelika) in Lee County, Alabama, held on February 19, 2019. The Board did at the said meeting canvass the returns of the said election and ascertained and determined, and does hereby declare and report, that the result of the said canvass was as follows:

822 **FOR** proposed taxation

216 **AGAINST** proposed taxation

As a result of the said canvass, this Board has determined and does hereby declare and report that there were cast at the said election a total of **1038** votes, of which **822** votes were cast for the proposed taxation, and **216** votes were cast against the proposed taxation, resulting in a majority of the qualified electors of the said district voting at said election on the question of the proposed taxation voting in favor of said proposed taxation.

The Board also met to canvass and declare the results of the special election for the renewal and continuation of the levy of a special district school tax, at the rate of **5 mills** on each dollar of the assessed value of taxable property, for a period of twenty-eight (28) consecutive years beginning with the levy for the tax year that will begin on October 1, 2021 (for which first tax year taxes will become due and payable on October 1, 2022), pursuant to Amendment No. 147 to the Constitution of Alabama of 1901 and proceedings taken under the said Constitution, in School District No. 3 (the boundaries of which include all the area lying within the County less and except the area within the corporate limits of the Cities of Auburn and Opelika) in Lee County, Alabama, held on February 19, 2019. The Board did at the said meeting canvass the returns of the said election and ascertained and determined, and does hereby declare and report, that the result of the said canvass was as follows:

807 **FOR** proposed taxation

213 **AGAINST** proposed taxation

As a result of the said canvass, this Board has determined and does hereby declare and report that there were cast at the said election a total of **1020** votes, of which **807** votes were cast

MINUTES OF THE LEE COUNTY COMMISSION, REG. ADJ. TERM, APRIL 29, 2019

for the proposed taxation, and **213** votes were cast against the proposed taxation, resulting in a majority of the qualified electors of the said district voting at said election on the question of the proposed taxation voting in favor of said proposed taxation.

The Board also met to canvass and declare the results of the special election for the renewal and continuation of the levy of a special district school tax, at the rate of **3 mills** on each dollar of the assessed value of taxable property, for a period of twenty-eight (28) consecutive years beginning with the levy for the tax year that will begin on October 1, 2021 (for which first tax year taxes will become due and payable on October 1, 2022), pursuant to Section 2 of Amendment No. 3 to the Constitution of Alabama of 1901, in School District No. 2 (the boundaries of which include all the area in Lee County lying within the corporate limits of the City of Auburn) in Lee County, Alabama, held on February 19, 2019. The Board did at the said meeting canvass the returns of the said election and ascertained and determined, and does hereby declare and report, that the result of the said canvass was as follows:

1703 **FOR** proposed taxation

136 **AGAINST** proposed taxation

As a result of the said canvass, this Board has determined and does hereby declare and report that there were cast at the said election a total of **1839** votes, of which **1703** votes were cast for the proposed taxation, and **136** votes were cast against the proposed taxation, resulting in a majority of the qualified electors of the said district voting at said election on the question of the proposed taxation voting in favor of said proposed taxation.

The Board also met to canvass and declare the results of the special election for the renewal and continuation of the levy of a special district school tax, at the rate of **3 mills** on each dollar of the assessed value of taxable property, for a period of twenty-eight (28) consecutive years beginning with the levy for the tax year that will begin on October 1, 2021 (for which first tax year taxes will become due and payable on October 1, 2022), pursuant to Section 1 of Amendment No. 3 to the Constitution of Alabama of 1901, in School District No. 1 (the boundaries of which include all the area in Lee County lying within the corporate limits of the City of Opelika) in Lee County, Alabama, held on February 19, 2019. The Board did at the said meeting canvass the returns of the said election and ascertained and determined, and does hereby declare and report, that the result of the said canvass was as follows:

951 **FOR** proposed taxation

70 **AGAINST** proposed taxation

As a result of the said canvass, this Board has determined and does hereby declare and report that there were cast at the said election a total of **1,021** votes, of which **951** votes were cast for the proposed taxation, and **70** votes were cast against the proposed taxation, resulting in a majority of the qualified electors of the said district voting at said election on the question of the proposed taxation voting in favor of said proposed taxation.

It is hereby ordered (a) that the original of this declaration shall be recorded by the Judge of Probate of the County in a book provided for such purpose, (b) that a copy hereof shall be published one time in *Opelika-Auburn News*, a newspaper published and having general circulation in Lee County, Alabama, and (c) that the said taxes, to the extent approved by the voters at the said election, shall be levied and collected as provided by the laws of the State of Alabama.

Dated this 29th day of April 2019.

MINUTES OF THE LEE COUNTY COMMISSION, REG. ADJ. TERM, APRIL 29, 2019

Mr. Hardee presented a proposed Memorandum of Agreement with the Alabama Department of Transportation (ALDOT) for debris removal services along state rights-of-way affected by the March 3 tornadoes. Mr. Hardee stated he had forwarded the MOA to the Federal Emergency Management Agency (FEMA) for concurrence that the work, if performed by Lee County, will be eligible for FEMA reimbursement. Mr. Hardee stated as of today, he has not received a response from FEMA. Mr. Hardee indicated the State Highway Department removed debris from the state roads immediately following the tornadoes to open the state roads for use by the traveling public. The state is considering the remaining debris to be private property debris and will agree to allow the pick-up of that material by the county. Mr. Hardee indicated the remaining debris on the state rights-of-way of AL 51 and AL 169 equals approximately \$40-\$50,000 of which FEMA, if approved, would reimburse 75% of the costs. Mr. Hardee stated this would leave Lee County with a \$10,000+ local share not reimbursed by FEMA or possibly the entire cost if it is not approved for reimbursement. Mr. Hardee deferred any legal questions to County Attorney Stan Martin. Commissioner Eckman stated she has concerns of the county doing debris removal on the state roadways. Mr. Martin stated he had concerns of the MOU since it is an open-ended agreement. Mr. Martin stated he could draft something else to submit to the state, because, as Commissioner Eckman addressed, he too has concerns of the county working on the state rights-of-way without some agreement in-hand. Commissioner Lawrence questioned if there is a time crunch and if a decision must be made tonight. Mr. Hardee indicated he needed direction from the Commission, but a decision is not necessary tonight. Further, Mr. Hardee stated he would again like to discuss the timing of the next round of debris pick-up with the Commission, especially, if it will include picking up the debris on the state rights-of-way. Further, Mr. Hardee stated he had talked to other counties who had the same issue with the state, and he indicated some counties indicated they were reimbursed by FEMA, but those counties had signed the same agreement that is before the Commission tonight. Mr. Hardee stated he would like to receive confirmation that FEMA will approve it, prior to picking up the debris on the state roadways.

After more discussion, Judge English stated he would bring it back before the Commission after further investigation, and, see if Mr. Hardee gets a response from FEMA. Judge English further questioned when the "State of Emergency", as stated in the MOU, expires. Mr. Hardee stated he would have to get with EMA Director Kathy Carson on that question. Commissioner Eckman questioned if a different agreement could be presented to ALDOT or if the contract presented must be signed. Mr. Hardee stated that other counties have been presented with a "take it or leave it" scenario. Commissioner Lawrence questioned: 1) the county's liability, and 2) reaction from FEMA. Mr. Hardee stated if the work is done without an agreement then Lee County would be responsible for the entire amount for the debris removal. Mr. Hardee indicated if KDF Enterprises performs the cleanup that the county would have limited liability; but, first, the county must have the authority to pick-up debris along the state rights-of-way. Commissioner LaGrand stated he would like to wait on the agreement, since he is not comfortable with some of the wording in it. Commissioner Long asked the Commission when considering this issue, to also look at the situation on Lee Road 880, which has a wall of debris that was bulldozed onto it, during the cleanup after the storms. Commissioner Long stated Lee Road 880 is a public road not maintained by the county. Commissioner Lawrence questioned who told them to put it on Lee Road 880. Commissioner Long said he was told it was done by the Alabama Forestry Department, since they were out with their equipment moving debris for several weeks following the tornadoes. Judge English stated the agreement from ALDOT was pre-dated, and he is not comfortable with that and questioned Mr. Hardee if he has a recommendation. Mr. Hardee stated the agreement with ALDOT has been presented, unless a counter agreement can be approved by FEMA, authorizing the Chairman to sign it or if the county is willing to sign an agreement with the State to pick-up on the state rights-of-way. Commissioner Long once again questioned Lee Road 880 since there is not another entity to deal with, Lee County could authorize, but will not be eligible for FEMA reimbursement because they are very picky on what you can do. Commissioner Lawrence asked, if possible, to verify with the Alabama Forestry Department who told them to place the debris on Lee Road 880. Commissioner Long asked Mr. Hardee for an estimate to remove the debris on Lee Road 880. Mr. Martin questioned the state policy of treating the debris as private on state rights-of-way.

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Mr. Peter Byrd indicated he will ask for additional documentation before deciding whether he wants to present anything before the Commission. Judge English directed Mr. Byrd to let Ms. McCall if he wishes to be placed on an agenda in the future.

Judge English stated that approximately 50 mobile homes will be donated by Samaritan's Purse. He stated he received a letter from Samaritan's Purse suggesting the county seek funding for a grant to repair/replace septic systems for those homes. Commissioner Lawrence questioned the amount of the county match. Commissioner Ham indicated there is no match and the grant would be for those homeowners that qualify to help replace or make repairs to the septic systems. Commissioner Ham made a motion, seconded by Commissioner Long to authorize Lee-Russell Council of Governments to move forward with the grant process through a CDBG application to replace/repair the septic systems for the 50 donated mobile homes. The motion carried unanimously.

The agenda item concerning Bid #8 for 6 or more digital in-car video systems was moved the next Agenda.

Mr. Hardee presented a final plat Halawakee Ridge Subdivision, Phase II for Commission approval. Mr. Hardee indicated the plat has been reviewed and meets the minimum requirements of the *Lee County Subdivisions and Land Development Regulations*. The proposed subdivision is located adjacent to Lee Road 260. The adjacent property owner(s) were notified of the development by letters mailed on April 10, 2019. Upon this presentation, Commissioner Ham made a motion, seconded by commissioner Lawrence to approve the final plat for Halawakee Ridge Subdivision, Phase II. The motion carried unanimously.

Commissioner Lawrence made a motion at approximately 6:15 PM to adjourn. The motion was seconded by Commissioner Long and carried unanimously.

MINUTES OF THE LEE COUNTY COMMISSION, REGULAR TERM, MAY 13, 2019

The Lee County Commission convened in regular session at the Courthouse in Opelika, Alabama, Monday, May 13, 2019 at 5:00 p.m. The Pledge of Allegiance was recited, followed by an invocation by Judge English.

During citizens' communication, Peter Byrd again addressed the Commission concerning documents he requested concerning a change order for the Lee County Park at Smiths Station approved by the Commission at the February 25 meeting. Mr. Byrd requested two additional items: 1) a copy of the change order approved by the Commission; and 2) a copy of the schedule of values. Further, Mr. Byrd asked to be placed on the May 28 Agenda.

The Chairman declared a quorum and officially opened the meeting with the following members recorded as being present: Judge Bill English, Chairman, and Commissioners Sheila Eckman, Johnny Lawrence, Gary Long, Robert Ham and Richard LaGrand. Elected Official(s) in attendance: Sheriff Jay Jones. News media in attendance: Opelika Observer owner/reporter Michelle Key, and Opelika-Auburn reporter Timothy Noordermeer.

Judge English recognized Roger Rendleman for receiving the 2019 Administrator of the Year Award from the Alabama Association of County Administrators at their recent conference. Judge English questioned Julie Rendleman, Roger's wife, how he reacted to the news. Mrs. Rendleman stated he was fine until he saw their daughter in the room. Mr. Rendleman stated his daughter is very special to him. Judge English questioned how long he has been a county administrator, and Mr. Rendleman responded 18 years. Mr. Rendleman stated he was selected by submittal of letters from his staff, Commissioners and church leaders, most of whom are in the room tonight. Mr. Rendleman thanked the Commission for their support. Judge English congratulated Mr. Rendleman and stated the recognition was impressive and overdue.

EMA Director Kathy Carson recognized her staff for their hard work during the aftermath of the March 3 tornadoes, including: Deputy Director Johnny Langley, Master PIO Rita Smith, Training Officer & CERT Volunteer Coordinator Jeremy Jones, and the newest member, IT & Communications Officer Austin Jones. Ms. Carson stated that she did not have to ask anyone to help, because each one was willing to help where needed. Ms. Carson presented each with a certificate for their dedicated service. Ms. Carson added that Jeremy Jones recently received an Award for Integrity from the BBB in Columbus, Georgia.

County Engineer Justin Hardee recognized Assistant County Engineer Jake Lashley for receiving the Spirit of the Class Award by his peers in the 2018-2019 Leadership Lee County class. Mr. Hardee stated Mr. Lashley came to work three years ago as an EIT and took and passed the P. E. test on his first try and now is an assistant county engineer. Mr. Hardee stated Mr. Lashley shows the same dedication to his work, always with a smile and a positive attitude. Mr. Lashley took on a leadership role helping with the class project by overseeing the repairs to the Lee County Humane Society building. Mr. Lashley thanked the Commission for allowing him to attend Leadership Lee County and stated it was an opportunity for him to learn all the community has to offer. Mr. Lashley stated he better understands why Lee County is such a wonderful place to live considering what it offers.

Copies of the items on the Consent Agenda sent to the Commissioners in their packets included: two listings of claims, procurement card transactions from April and minutes of the April 29 meeting. Prior to the meeting an additional list of claims for Commission approval was placed on each desk. Commissioner Lawrence made a motion, seconded by Commissioner Eckman to approve the consent agenda items along with the additional list presented for payment today. The motion carried on a vote of 4-0-1 with Commissioner Ham abstaining.

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Sheriff Jones presented the results of Bid #8 for in-car video systems. Sheriff Jones reported that only three bids were returned out of 11 bid packets mailed. Sheriff Jones recommended the Commission award the bid to the lowest responsive bid from Watchguard. Sheriff Jones indicated this is a budgeted item. Commissioner LaGrand questioned why the highest bid was so much higher than the other two. Sheriff Jones stated they had questioned it also, and the company stated the bid amount was correct. Upon Sheriff Jones' recommendation, Commissioner Ham made a motion, seconded by Commissioner Lawrence to accept the bid from Watchguard for in-car video systems at \$4,795 per unit. The motion carried unanimously.

Mr. Hardee asked that the next item be moved to later in the Agenda, since a representative from the State would be arriving from out of town.

Mr. Hardee discussed third and final round of debris clean-up with the Commission. Mr. Hardee indicated the KDF representative was in attendance and would address any questions. Mr. Hardee further stated that the contractor was currently in the final stages of the 2nd pick-up. Mr. Hardee stated he would suggest that a long break occur before the third round begins. Commissioner Ham suggested the Commission consider taking a month break, with the 2nd round ending this week, to begin the third and final round in a month or around June 14. After looking at a calendar, Mr. Hardee stated since the 14th falls on a Friday, he would ask the date to be moved to Monday, June 17. Mr. Hardee stated a list of roads would be devised and coordinated with the contractor for the final pickup. Mr. Hardee stated it would need to be advertised through EMA and media outlets that it will be the final pass. Mr. Hardee stressed it would be the final round of debris clean up in both the Beauregard and Smiths Station area. Commissioner Long questioned how long it would take the contractor to complete the third round. KDF Representative Chad Harrison stated they can do approximately four loads a day, and stated he thinks it will take about a week to 10 days to complete. Mr. Hardee stated two weeks maximum. Commissioner Ham indicated that everyone wins doing it this way. Commissioner LaGrand questioned the pickup schedule. Mr. Hardee reiterated that the 2nd round will end on Friday of this week. Then the contractor and monitoring service would resume the final round of pick-up on Monday, June 17, working all week days, to pick up loads more efficiently, to wrap up the debris cleanup. After this discussion, Commissioner Ham made a motion, seconded by Commissioner Long to end the second round of pickup on May 17, take a month break, then have the contractor resume the final round on June 17 until completed, road by road, as scheduled with the contractor. The motion carried unanimously.

Lindsay Bickerstaff appeared before the Commission to address several issues. Mr. Bickerstaff indicated he would like to have a question and answer session. First, Mr. Bickerstaff stated he did not know the policy and proceeded to ask Sheriff Jones what action would be taken if an elected official tells a lie. Sheriff Jones indicated that once a complaint is filed, then an investigation would begin. Next, Mr. Bickerstaff questioned Judge English why there are no blacks working at either the Waverly or Farmville polling locations. Judge English stated they had no volunteers in those areas and asked Mr. Bickerstaff to provide names of individuals willing to work in the two locations and he would try to get them appointed. Next, Mr. Bickerstaff questioned Commissioner Eckman, who represents his area, why there are no warning sirens in the Mt. Pelia area. Mr. Bickerstaff stated that he had been told there were no funds available, and he further stated he had been asking for a siren in that area for seven years. Mr. Bickerstaff questioned where a shelter is in Loachapoka. Commissioner Eckman indicated a shelter is located in Waverly, not Loachapoka. EMA Director Kathy Carson stated that is the only shelter in Lee County. Mr. Bickerstaff questioned when a siren could be located near Mt. Pelia on Lee Road 70. Ms. Carson stated a siren cost approximately \$25,000 and stated she would be happy to speak with Mr. Bickerstaff about other options. Ms. Carson reminded him that sirens only provide notification to warn individuals out of doors of an approaching storm,

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but further indicated there are much better ways to be notified of a weather event. Next, Mr. Bickerstaff addressed Lee Road 78 where the Church cemetery is located. Mr. Bickerstaff indicated that the road has not been worked and stated it is hard to get to the cemetery and even harder to turn around once a person is back there. County Engineer Justin Hardee indicated that there is a portion of Lee Road 78 that is no longer county maintained; but stated he would be happy to ride out and look at it to determine if the county still maintains the portion Mr. Bickerstaff is discussing. Last, Mr. Bickerstaff questioned how the Commission decides which district money goes into. Judge English stated that the county does not divide the money by districts. Mr. Bickerstaff stated nothing is being voted on for the children in his area. Commissioner Lawrence stated that the Lee County Recreation Board gives direction on recreation money, the Commission does not control it. Mr. Bickerstaff once again stated he is concerned about the area around Mt. Pelia, not just in Loachapoka, but on the west side of Lee County. Commissioner Ham indicated that he and Commissioner LaGrand are looking for a parcel of land for recreation in that area. Commissioner Ham asked Mr. Bickerstaff to notify him if he is aware of anyone wishing to sell a parcel of land for recreation purposes. Mr. Bickerstaff thanked the Commission for their time.

Mr. Hardee went back to the Agenda item concerning storm debris removal along state roadways. Mr. Hardee indicated the following were in attendance on the matter, including: ALDOT Deputy Director of Operations George Conner, FEMA Representative David Johnson and State EMA Representative Kelly Alexander. Further, Mr. Hardee indicated that ACCA Executive Director Sonny Brasfield and ACCA Governmental Affairs Manager Chase Cobb were unavailable to attend tonight. Mr. Hardee stated County Attorney Stan Martin presented an alternate proposal to the State for the county to pickup debris on the state rights-of-way. Mr. Martin was unable to attend tonight, but Allen Martin is here to address any questions from the Commission. Mr. Hardee stated he would like to come to a resolution so that the debris along Alabama Highways 51 and 169 can be picked up. Allen Martin stated he had talked with ALDOT Chief Counsel Bill Patty who is in agreement to the substance of the agreement, but indicated the State does not provide indemnity, which is a constitutional issue. Judge English questioned paragraph #4 and indicated that the county is in fact an agent of the State and questioned Mr. Conner who had added it. Mr. Conner indicated that General Counsel Mr. Patty had included it. Mr. Rendleman stated under the Dillon Rule, the county is treated as an agent of the State; a county can only do what the state authorizes it to do. Commissioner Lawrence questioned if the document allows the county to access the state rights-of-way. Judge English answered in the affirmative. Commissioner Ham indicated the state is willing to address the issue as a whole once the current legislative session is over. Commissioner Ham stated this is not a unique situation, something uniform and consistent needs to be developed for the future to be sure that these types of things are eligible for FEMA reimbursement. FEMA Representative David Johnson concurred that once an agreement is in place, FEMA would reimburse the county 75% of eligible costs. Commissioner LaGrand questioned the timeframe. Mr. Johnson stated six months from date of disaster declaration. Mr. Hardee reminded the Commission that the remaining 25% would be shared between the county and the state at 12.5% each. Mr. Conner concurred that the state EMA would pick up 12.5% of the eligible costs. Mr. Hardee emphasized that it is only for Alabama Highways 51 and 169, with the bulk of the debris on Highway 51. Commissioner Ham thanked each agency for working with Lee County. Commissioner Lawrence questioned the timing of the pickup. Mr. Hardee stated he discussed it with the contractors and that the Commission can consider it tonight whether they want it to be picked up immediately or wait until the final round in June. Commissioner Ham made a motion, seconded by Commissioner Lawrence authorizing Judge English to sign the agreement once the wording meets their approval, with the removal of the storm debris on Alabama Highways 51 & 169 beginning as soon as the agreement is in place. The motion carried unanimously.

Mr. Hardee presented a plat for Lumpkin Division of Parcel 3, Hallawakee Beach Subdivision for Commission approval. Mr. Hardee stated this is dividing one parcel into three parcels. Mr. Hardee indicated there are no roadways or infrastructure involved. Further, Mr.

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Hardee stated it meets the minimum requirements of the *Lee County Subdivisions and Land Development Regulations*. The proposed subdivision is located adjacent to Lee Road 364 and Lee Road 913. The adjacent property owner(s) were notified of the development via letters mailed on May 2, 2019. Upon Mr. Hardee's recommendation, Commissioner Ham made a motion, seconded by commissioner Eckman to approve the final plat for Lumpkin Division of Parcel 3, Hallawakee Beach Subdivision. The motion carried unanimously.

Mr. Rendleman presented a request for a student intern in the engineering department. Mr. Rendleman explained that the intern program is not covered in the current policy, so it must be presented to the Commission for approval. Mr. Rendleman stated the current intern in that department is graduating, so the department would like to continue the program. Commissioner Lawrence made a motion, seconded by Commissioner Ham to approve the position of student intern for the engineering department as presented. The motion carried unanimously.

Commissioner Lawrence made a motion at approximately 6:05 PM to adjourn. The motion was seconded by Commissioner Long and carried unanimously.

MINUTES OF THE LEE COUNTY COMMISSION, REG. ADJ. TERM, MAY 28, 2019

The Lee County Commission convened in regular adjourned session at the Courthouse in Opelika, Alabama, Tuesday, May 28, 2019 at 5:00 p.m. The Pledge of Allegiance was recited, followed by an invocation by Commissioner Lawrence.

During citizens' communication, Lindsay Bickerstaff questioned the process of being added to the Agenda. Mr. Bickerstaff attended the last meeting and indicated he thought that old business would be continued, and he would like to possibly be placed on the next Agenda. Judge English asked Mr. Bickerstaff to get with Deputy Administrator Alice McCall about being added to the next Agenda.

The Chairman declared a quorum and officially opened the meeting with the following members recorded as being present: Judge Bill English, Chairman, and Commissioners Sheila Eckman, Johnny Lawrence, Gary Long, Robert Ham and Richard LaGrand. Elected Official(s) in attendance: Revenue Commissioner Oline Price and Sheriff Jay Jones. News media in attendance: Opelika Observer owner/reporter Michelle Key, and Opelika-Auburn News reporter Timothy Noordermeer.

County Engineer Justin Hardee recognized the Lee County Building Inspections Department upon their latest Insurance Service Office (ISO) review. Mr. Hardee stated that the department was evaluated in February by the ISO to determine the level of service provided to our citizens, which would be reflected in the rating received. Mr. Hardee indicated the last time the department was evaluated was seven years ago. This rating, combined with the ratings for the volunteer fire departments in our county, is used in determining insurance premiums for our citizens. Mr. Hardee recognized Building Official Joel Hubbard and his staff on receiving an improved rating score from the previous Class 5 to the current Class 4 rating for both residential and commercial properties. Mr. Hardee explained the scale is from 1-9, the lower the number the better the rating. Mr. Hardee stated the department has worked hard to ensure the rebuilding of the Beauregard and Smiths Station areas affected by the March 3 tornadoes, is done with all the current safety standards and regulations. Mr. Hardee again wanted to publicly recognize Mr. Hubbard and his entire department for their hard work and dedication to the citizens of the county. Mr. Hardee shared that Mr. Hubbard intends to continue to improve services to lower the ISO rating. Judge English questioned whether residents would need to notify their insurance carriers in order to get the lower rates. Mr. Hardee stated he did not have the details, but he would check with Mr. Hubbard. Commissioner Ham stated the Fuller Group had a positive interaction with the department, since they were able to build three homes in 6 days, and stated the department did a marvelous job, and did not slow the progress down a bit.

Judge English indicated that an item was not in the packets; but wanted to recognize an email addressed to Mr. Hardee from ACCA Executive Director Sonny Brasfield, who praised Mr. Hardee's efforts in obtaining the recent agreement with the State to clean-up the debris on the State rights-of-way. Judge English indicated that the praise from Mr. Brasfield did not come lightly, and publicly congratulated Mr. Hardee.

Copies of the items on the Consent Agenda sent to the Commissioners in their packets included: two listings of claims and minutes of the May 13 meeting. The announcement of three vacancies on the Lee County Communications District Board (E911) was made. The three members are: Anne Grady, George Dyer and Lee Roy Kelley. Commissioner Lawrence made a motion, seconded by Commissioner Eckman to approve the consent agenda items as presented. The motion carried unanimously.

MINUTES OF THE LEE COUNTY COMMISSION, REG. ADJ. TERM, MAY 28, 2019

Peter Byrd again addressed the Commission concerning the Smiths Station park change order. Mr. Byrd read a three-page statement containing detailed information on his request for information on the change order and stated he still has not received it. Judge English indicated that since there is no change order, he obviously cannot be given a copy of something that does not exist. Mr. Byrd continued to argue his point, but Commissioner Ham and other members of the Commission stated Mr. Byrd was still angry about the situation at Lee Road 106 and East Lake Subdivision. Mr. Byrd indicated that he only wants transparency and he feels that others should be concerned about it too. After more discussion, Judge English moved on to the next Agenda item.

Sheriff Jones presented a restaurant retail liquor license application for Mi Ranchito in District 4. Sheriff Jones stated this is a new license. Commissioner Ham stated the location has a beer and wine license. Sheriff Jones stated there were no objections to the issuance of the license. Commissioner Ham made a motion to approve the following Resolution, seconded by Commissioner Lawrence to approve the following Resolution. The motion carried unanimously.

BE IT RESOLVED the Lee County Commission hereby approves a restaurant liquor license for Mi Ranchito located at 7931 Alabama Highway 51, Opelika, Alabama.

Revenue Commissioner Oline Price gave her annual Report of Insolvencies, Errors and Taxes in Litigation for the Tax Year 2018 and Uncollected Insolvencies and Taxes in Litigation for previous years, as required by Code of Alabama 1975, Sections 40-5-23 & 40-5-29. Commissioner Ham made a motion to adopt the following resolution, seconded by Commissioner Lawrence, and unanimously carried:

BE IT RESOLVED by the Lee County Commission that the reports filed by Oline W. Price, Lee County Revenue Commissioner, of Insolvencies, Errors and Taxes in Litigation for the Tax Year 2018 and Uncollected Insolvencies and Taxes in Litigation for previous years, be and is hereby approved, and that the Chairman is hereby authorized to sign same; and that said Revenue Commissioner be and she is hereby allowed credit for taxes listed in these reports.

Mr. Hardee presented the following Federal Aid Resolution for resurfacing Lee Road 243 in District 3, from Lee Road 223 to Lee Road 298, approximately 2.9 miles. Mr. Hardee explained this will be an 80/20 split, with 80% of the funding from the Columbus-Phenix City MPO and 20% match from Lee County. Commissioner Long made a motion, seconded by Commissioner Ham to approve the following resolution. The motion carried unanimously.

WHEREAS, the County Commission of Lee County, Alabama is desirous of constructing or improving, by force account, by contract or both, a section of road included in the Lee County Road System and described as follows:

Full depth reclamation with cement, resurface, traffic stripe and other safety improvements on Lee Road 243, from the junction of Lee Road 223, then Northwesterly approximately 2.912 miles to the junction of Lee Road 298.

WHEREAS, the County agrees to all of the provisions of the County-wide agreement executed between the State and the County covering preliminary engineering by State forces and equipment on the project, and

WHEREAS, the County intends to apply for Federal Aid funds for the construction of the above referenced project, and

WHEREAS, the County agrees to all of the provisions of any agreement which has been executed or will be executed covering the construction of the project.

MINUTES OF THE LEE COUNTY COMMISSION, REG. ADJ. TERM, MAY 28, 2019

Done at the regular session of the County Commission of Lee County, this 28 day of May 2019.

Mr. Hardee presented the final plat of Willow Heights Subdivision, Phase I for approval. Mr. Hardee indicated the plat has been reviewed and meets the minimum requirements of the *Lee County Subdivision and Land Development Regulations*. The proposed subdivision is located adjacent to Lee Road 40. The adjacent property owner(s) were notified of the development by letters mailed on May 16, 2019. Mr. Hardee asked the Commission to grant the final plat approval for Willow Heights Subdivision, Phase I. Upon his recommendation, Commissioner LaGrand made a motion, seconded by Commissioner Lawrence to approve the final plat for Willow Heights Subdivision, Phase I. The motion carried unanimously.

Last, Mr. Hardee presented the 2019 full-depth reclamation, resurfacing and traffic stripe bid results. Mr. Hardee stated this bid is for a minimum of 9.0 miles of full depth reclamation, resurfacing and traffic stripe on various public road in the county. Mr. Hardee stated the projects will be funded 100% with county funds. Mr. Hardee stated two proposals were received. Upon review of the two proposals, the Highway Department recommends the Commission award the projects to D & J Enterprises, Inc. of Auburn, Alabama. Commissioner Lawrence made a motion, seconded by Commissioner Long, to award it to the lowest responsive bidder, D & J Enterprises, Inc. The motion carried unanimously.

Mr. Rendleman asked the Commission to approve a network and access system analyst position. Mr. Rendleman explained that there is a need for a network and access system analyst to improve and expand the physical access controls with the completion of the new Annex building. Mr. Rendleman explained that the position will be filled internally and there is no increase necessary in the budget. Mr. Rendleman requested the Commission approve the creation of a Network and Access Control Analyst position and set the pay rate at a Pay Grade 18. Upon this recommendation, Commissioner Long made a motion, seconded by Commissioner Ham to approve the recommendation for the creation of a Network and Access Control Analyst position at a Pay Grade 18. The motion carried unanimously.

Mr. Rendleman presented a request from Revenue Commissioner Oline Price for an internship position in the Revenue Commissioner's office. Mr. Rendleman stated it will be a paid position for June, July and ½ of August. Further, Mr. Rendleman stated there are sufficient funds to cover the position due to a vacancy in a funded position. Upon this explanation, Commissioner Eckman made a motion, seconded by Commissioner Lawrence to authorize the paid intern position for three months at a Pay Grade 9, Step A in the Revenue Commissioner's Office. The motion carried unanimously.

Last, Mr. Rendleman requested the Commission amend the 2019 Budget for the following items. Mr. Rendleman explained that since the implementation of the procurement card program in FY2011, the county has received annual rebates from our purchasing activity. Over \$218,000 has been received since the inception of the program. In FY2014, \$60,000 of the rebate was split 50/50 between the Highway Department and the Sheriff's Office for equipment purchases. Now, Mr. Rendleman recommended that \$150,000 of the purchasing rebate be split three ways. Mr. Rendleman explained that the Sheriff's Office graciously purchased Automated External Defibrillators (AED) for the Justice Center complex and for the Courthouse. In response, with the first \$50,000 of the rebate funds, Mr. Rendleman asked to equip more county facilities with AED's. Further, Mr. Rendleman requested that the remaining \$100,000 be split between the Sheriff's Office and the Highway Department, since those two departments, by their level of purchasing activity, utilize the procurement program the most.

Additionally, the Highway and the Environmental Services Departments would like to

MINUTES OF THE LEE COUNTY COMMISSION, REG. ADJ. TERM, MAY 28, 2019

utilize proceeds from a recent sale of surplus property and reinvest the funds into needed capital equipment. The Highway Department would like to utilize \$146,000 and the Environmental Services Department would like to utilize \$3,000 from the proceeds of the sale. Mr. Rendleman requested the Commission amend the FY2019 Budget as follows:

<u>GENERAL FUND</u>	debit	credit
Building Maintenance capital outlay	50,000	
Environmental Services capital outlay	3,000	
Sheriff's Office capital outlay	50,000	
Operational Transfer outlay	50,000	
Designated Fund Balance P-Card		114,535
Miscellaneous Revenue		35,465
Proceeds from sale of fixed assets		3,000
<u>GASOLINE TAX FUND</u>		
Highway Road Department capital outlay	196,000	
Operating Transfer In		50,000
Proceeds from sale of fixed assets		146,000

Upon Mr. Rendleman's recommendation, Commissioner Ham made a motion, seconded by Commissioner Lawrence to amend the 2019 Budget as presented. The motion carried unanimously.

Commissioner Eckman made a motion at approximately 6:00 PM to adjourn. The motion was seconded by Commissioner Lawrence and carried unanimously.

MINUTES OF THE LEE COUNTY COMMISSION, REGULAR TERM, JUNE 10, 2019

The Lee County Commission convened in regular session at the Courthouse in Opelika, Alabama, Monday, June 10, 2019 at 5:00 p.m. The Pledge of Allegiance was recited, followed by an invocation by Judge English.

During citizens' communication, Fred Watson of the Beauregard Youth Association addressed concerns about the plans for the Beauregard Park for ballfields which show no restroom facilities. Mr. Watson stated currently they have that situation at the fields located out there now, so the new fields would be useless until bathroom facilities are addressed. Judge English asked Mr. Watson to get with County Administrator Roger Rendleman to discuss the issue.

The Chairman declared a quorum and officially opened the meeting with the following members recorded as being present: Judge Bill English, Chairman, and Commissioners Sheila Eckman, Johnny Lawrence, Gary Long, Robert Ham and Richard LaGrand. Elected Official(s) in attendance: Sheriff Jay Jones and Auburn Mayor Ron Anders. News media in attendance: Opelika Observer owner/reporter Michelle Key, and Opelika-Auburn News reporter Timothy Noordermeer.

Jack Galassini, President of Concerned Citizens Organized for Police Support (CCOPS) stated that Lee County has been beset by many tragedies in 2019 from devastating tornadoes, to police officers being shot, and the death of a police officer. In each of these circumstances members of law enforcement were at the forefront of each incident. Mr. Galassini stated the CCOPS organization has three primary goals, they are: 1) provide interaction between citizens and law enforcement; 2) use public service announcements to convey the sacrifices that law enforcement makes each day they serve; and 3) to honor the best that serve in this capacity. Mr. Galassini stated the organization is recognizing officers for their outstanding performance from each of the following: 1) the Alabama Law Enforcement Agency (ALEA); 2) the City of Opelika; 3) the City Auburn; and, 4) the Lee County Sheriff's Office.

First, Trooper Jacob Smith was recognized by Captain Lee McWaters. Next, Opelika Officer Lt. Johnathan Clifton was recognized by OPD Captain Shane Healey. Next, Lee County Sheriff's Deputy Greg Sumner was recognized by LCSO Sgt. Heather Kinzlow. Last, Auburn Officer Brandon Keefe Luck was recognized by APD Sgt. James Pescia. Members of the appropriate Kiwanis Clubs presented each recipient a plaque. Judge English and the Commission congratulated and thanked each for their service and dedication. Judge English asked all present that are involved in law enforcement to stand and be recognized.

Copies of the items on the Consent Agenda sent to the Commissioners in their packets included: two listings of claims, procurement card transactions from May, and minutes of the May 28 meeting. Commissioner Long made a motion, seconded by Commissioner Ham to approve the consent agenda items as presented. The motion carried unanimously.

County Engineer Justin Hardee stated the last round of storm debris removal will begin a week from today, on June 17, in Smiths Station and Beauregard. Mr. Hardee stated a list will be made and marked off once the storm debris is removed from each particular road. Mr. Hardee wanted to emphasize that once the road is marked off the list, there will not be another pick-up on that road. Mr. Hardee stated he would ask that the news media and EMA to emphasize this fact and let the citizens know that this will be the final pass. Judge English questioned if the Commission could be given the list as it is completed. Mr. Hardee stated the list will be made as the roads are done.

MINUTES OF THE LEE COUNTY COMMISSION, REGULAR TERM, JUNE 10, 2019

Mr. Hardee presented the right-of-way entry Agreement with Norfolk Southern for Commission consideration. Mr. Hardee stated County Attorney Stan Martin had reviewed and is satisfied with wording of it. Mr. Hardee stated for the Highway Department to go onto the railroad's right-of-way for resurfacing projects, the agreement must be in place. Mr. Hardee stated that Assistant County Engineer Patrick Harvill had been working on the agreement for over six months to explain that it is not a simple process.

Mr. Rendleman presented the bid results for the Justice Center large courtroom finish out. Mr. Rendleman stated two bids were returned and he would recommend the lowest responsive bid of Whatley Construction of \$2,127,700 be awarded. Mr. Rendleman stated the county has done work with them before and were pleased with their work. Commissioner Lawrence made a motion, seconded by Commissioner Ham to award the bid to Whatley Construction for \$2,127,700 for the Justice Center large courtroom finish out. The motion carried unanimously.

Commissioner Lawrence made a motion at approximately 5:30 PM to adjourn. The motion was seconded by Commissioner Long and carried unanimously.

MINUTES OF THE LEE COUNTY COMMISSION, REG. ADJ. TERM, JUNE 24, 2019

The Lee County Commission convened in regular adjourned session at the Courthouse in Opelika, Alabama, Monday, June 24, 2019 at 5:00 p.m. The Pledge of Allegiance was recited, followed by an invocation by Commissioner Long.

During citizens' communication, Montrey Thompson approached the Commission concerning Lee Road 2119 in Rolling Hills Subdivision. Mr. Thompson stated he was representing their Homeowners Association and indicated that all the members of the association want Lee Road 2119 repaved to meet their standards. Judge English questioned County Engineer Justin Hardee about the road. Mr. Hardee indicated that this is an agenda item under New Business. Judge English asked Mr. Thompson to wait to discuss it at that time without a time restraint.

John Andrew Harris concurred with Mr. Thompson and stated the road is in terrible shape and he was here on behalf of Marshall Carter, his brother-in-law. Judge English asked Mr. Harris to hold his comments on that road until the item is addressed on the Agenda.

On another issue, Mr. Harris invited all in attendance to the Lee County Voters League meeting, Monday, July 1 at 5:00 PM. Mr. Harris stated Eddie Cochran is the invited speaker who is going to discuss organizing the community to increase voter turnout for upcoming elections. In addition, Mr. Harris invited all in attendance to the Voters League meeting on August 5 for a meeting to organize the community, churches and social clubs to work together toward a common goal of increasing voter turnout.

The Chairman declared a quorum and officially opened the meeting with the following members recorded as being present: Judge Bill English, Chairman, and Commissioners Sheila Eckman, Johnny Lawrence, Gary Long, Robert Ham and Richard LaGrand. Elected Official(s) in attendance: Sheriff Jay Jones. News media in attendance: Opelika Observer owner/reporter Michelle Key, and Opelika-Auburn News reporter Timothy Noordermeer.

East Alabama Food Bank board member Ann Whittelsey introduced East Alabama Food Bank President Paul Grisham. Mr. Grisham thanked the Commission for allowing him to make the presentation before the Commission. Mr. Grisham stated he is the only board member that lives in the unincorporated part of the county, in District 5. Mr. Grisham recognized other board members in attendance, they included: Judy Jones and Clifford Jones, and Executive Director Martha Henk. Mr. Grisham requested the Commission consider making a \$25,000 allocation, over a three-year period, to their capital campaign. Mr. Grisham turned the presentation over to Mrs. Henk. Mrs. Henk stated the Food Bank has been in their current building since 2002 and after discussing the issue with the Board it was determined they were at a point of looking for a new location, since the current building is at capacity and due to wetlands behind it, they are unable to enlarge it. Mrs. Henk stated the City of Auburn approached them about a building acquired from a bankruptcy but stated it needs considerable renovations. Mrs. Henk stated that is the reason for the capital campaign, which started with the board members contributing, then the employees were approached to donate and now the community is being asked to participate. Mrs. Henk stated both the Cities of Auburn and Opelika have each agreed to contribute \$50,000. Commissioner Ham questioned if they had secured a loan. Mrs. Henk stated the building was purchased from Auburn for \$900,000, and, stated they have stepped out on faith since they have already started the renovations, which hopefully will be completed in October. Commissioner Lawrence questioned surrounding agencies. Mrs. Henk stated the City of Valley committed \$10,000; City of Tuskegee committed \$15,000 and Tallapoosa County has been approached about contributing \$15,000. Judge English stated that their request would be put into the upcoming budget discussions. Mrs. Henk thanked the Commission for their consideration.

MINUTES OF THE LEE COUNTY COMMISSION, REG. ADJ. TERM, JUNE 24, 2019

Copies of the items on the Consent Agenda sent to the Commissioners in their packets included: two listings of claims and minutes of the June 10 meeting. First reading of three openings on the Lee County Communications District (E911) board was made. The three include: the reappointments of George Dyer and Lee Roy Kelley and the appointment of Barbara Patton, to replace Anne Grady who resigned. Commissioner Ham questioned the \$100,000 allocated to the airport project on the ratify listing. Mr. Rendleman stated it is a 20-year commitment of \$2M but stated he did not know exactly when it terminates. Commissioner Lawrence made a motion, seconded by Commissioner Eckman to approve the consent agenda items as presented. The motion carried unanimously.

Judge English presented for Commission discussing a request he received from several county employees in various departments who want to ask the Commission to grant Friday, July 5 as a county holiday, in addition to the July 4 holiday. Judge English stated he presented the item, but, has no recommendation for or against it. Additionally, Judge English stated it is a State holiday, which means the Justice Center will be closed. Commissioner Lawrence questioned Sheriff Jones and Mr. Hardee, Environmental Services Department, since those two departments are mainly affected on a holiday. Mr. Hardee deferred the question to County Administrator Roger Rendleman. Mr. Rendleman stated it was the worst year to ask. Mr. Rendleman explained that this will be the first year that the General Fund will overspend the budget, mainly due to the March 3 tornado event. Mr. Rendleman further explained that even though there will be a 75% reimbursement, it can take several years to receive it. Further, Mr. Rendleman stated he is overly cautious, especially if another event like March 3 happens again. Further, Mr. Rendleman stated it cost approximately \$80,000 to fund the holiday. Commissioner LaGrand stated he understands the budget, but it is also about the employees and stated he would like to figure out a way to grant the additional day. Commissioner Lawrence concurred. Mr. Rendleman stated he was only trying to shed light on the county's financial condition, especially if faced with another situation like March 3, and stated at some point the answer has to be "No", but he agreed that \$80,000 would not break a \$43M budget. Commissioner LaGrand made a motion, seconded by Commissioner Lawrence to grant Friday, July 5 as an additional county holiday. The motion carried unanimously.

Mr. Thompson and Mr. Carter addressed the Commission about Lee Road 2119 in Rolling Hills Subdivision. Mr. Thompson presented pictures to the Commission to show them the condition of the roads. Mr. Thompson stated he appeared before the Commission in 2018 and at that time the Highway Department came out and filled-in the potholes and made improvements to the entrance of the subdivision. Mr. Thompson stated now only a year later, the road is in horrible condition and stated he and others feel it is affecting their property values. Mr. Thompson indicated that the Homeowners Association have banded together and would like for the Commission to approve the re-paving of the road. Mr. Hardee stated he and Commissioner Ham had looked at the subdivision earlier. Mr. Hardee stated he concurs with Mr. Thompson. Mr. Hardee added that after looking at the subdivision and the grading performed by the Highway Department, the subdivision gets a grade of 82. The resurfacing program looks at roads with a grade of 80 and below. Therefore, this subdivision will not be part of the resurfacing program anytime soon. Mr. Hardee stated he would send out the Highway Superintendent tomorrow to look at the potholes and to send a crew to address any issues.

Judge English asked the Commission to consider adding an item that was left off the Agenda, since Mr. Bellamy had contacted the Commission Office prior to the deadline. Commissioner Ham made a motion, seconded by Commissioner LaGrand to add the item. The motion to add the item to the agenda carried unanimously. Mr. Bellamy asked the Commission to consider paving the dirt portion of Lee Road 246. Mr. Bellamy stated he has lived on the road for 57 years; he stated normally years bring about change, but this road has stayed the same. Additionally, Mr. Bellamy questioned why fire hydrants are not on the road. Mr. Bellamy stated the residents on Lee Road 179, have paved roads and fire hydrants, and stated it does not make

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any sense to him. Mr. Hardee stated the Commission voted in 2010 to do away with dirt road paving, so that is the reason that the road is the same. Commissioner Ham stated he would find out the date of the next water board meeting and would let him know and would attend with Mr. Bellamy. Further, Mr. Bellamy stated that the county could close the road as far as he was concerned, since all types of unwanted activity happens at the end of it. Mr. Hardee stated the Highway Department routinely addresses drainage issues, potholes and cuts limbs and bushes on the dirt road but has no plans to resurface it. Mr. Bellamy also questioned what, if anything, can be done about the loggers coming in and out of the road, especially after it rains. Mr. Hardee questioned if Mr. Bellamy called the Highway Department when it happened, and Mr. Bellamy responded in the affirmative. Commissioner Ham stated he would like to look at a logging policy later to address this issue.

Mr. Rendleman discussed the bids received for the Beaugard recreation project. Mr. Rendleman stated the bids came in higher than expected, so after considering several scenarios, he needs direction from the Commission. Mr. Rendleman stated the bid came in at \$3.8M and if things go the same for the Beulah project he would estimate it around \$3.1M, which is over \$6M, but there is only \$5.1M available for both projects. Mr. Rendleman discussed four options for the Commission consideration: 1) reject the Beaugard bid and pull the Beulah bid, then send out Phase 1 site work on both projects. Once the sites are prepared, determine how to proceed based on funding available at that time; 2) go ahead and proceed with the Beaugard bid, then pull the Beulah bid. Then send out a bid for phase 1 site work for Beulah with possibly an alternate for one field; 3) reject the Beaugard bid and pull the Beulah bid and wait until enough funds are collected for both sites; and 4) on the Beaugard bid, provide value engineering; proceed with Beulah bid with an addendum for reduction in the scope. Mr. Rendleman stated that possibly any action by the Commission could wait until the last meeting in July to make any award. After discussion, the Commission agreed to look at Option #4 presented by Mr. Rendleman at the next meeting.

Next, Mr. Rendleman presented the bid results for the renovation of the first floor of the Courthouse. Mr. Rendleman stated three bids were received on June 11, from: 1) Whatley Construction - \$1,606,712; 2) Beasley Construction Services, Inc. - \$1,932,000; and 3) Lett Construction, Inc. - \$1,994,000. Mr. Rendleman stated there was a \$387,288 or 24% spread between the high and low bids. Mr. Rendleman stated this caused concern, but after speaking to the contractor and the architect regarding the project, he would recommend the contract be awarded to Whatley Construction as the bid is responsive. Commissioner Lawrence made a motion, seconded by Commissioner Ham to award the bid to Whatley Construction for \$1,606,712. The motion carried unanimously.

Mr. Rendleman presented an Educational Reimbursement request for Human Resources Technician Martecia Rogers. Mr. Rendleman stated this employee is from his department and recommends approval. Mr. Rendleman reminded the Commission that reimbursement will occur if a "B" or higher is received. Commissioner Eckman made a motion, seconded by Commissioner Lawrence to approve the educational reimbursement request for Mrs. Rogers. The motion carried unanimously.

EMA Director Kathy Carson discussed a letter of intent for a Hazard Mitigation Grant. Ms. Carson stated as a result of FEMA DR-4419, Lee County has an opportunity to apply for Hazard Mitigation funding to mitigate the impacts of future hazards. Ms. Carson stated the HMGP FEMA Shelter Grant program allows individuals to apply for grants to reimburse up to 75% of the cost of a new shelter with a \$4,000 maximum award. The individual homeowner is responsible for the 25% matching funds, not the County. Ms. Carson asked the Commission for approval to proceed with a Letter of Intent to file for HMGP grant funding to be used toward individual safe rooms/shelters offered to the public with priority to the following: 1)

MINUTES OF THE LEE COUNTY COMMISSION, REG. ADJ. TERM, JUNE 24, 2019

families/individuals who suffered fatalities and/or severe injuries as a result of the March 3, 2019 tornadoes; 2) families/individuals who lost their homes during the March 3, 2019 tornadoes; and/or 3) families/individuals in the highest areas of vulnerability as identified in the 2018 Population Vulnerability analysis performed by Dr. Phil Chaney. After discussion, Commissioner Ham made a motion, seconded by Commissioner Lawrence to authorize Ms. Carson to submit a letter of intent for a Hazard Mitigation Grant. The motion carried unanimously.

Judge English announced at 6:25 PM that Commissioner Ham requested the Commission adjourn into executive session to discuss job performance. Judge English asked Commissioner Ham who should attend, approximate time frame, and if any action will be necessary at the conclusion. Commissioner Ham indicated only Commissioners should attend, the session will last approximately five minutes, and no formal action is anticipated. Commissioner Ham made a motion, seconded by Commissioner LaGrand to adjourn into Executive Session. The motion carried unanimously.

Upon reconvening from the Executive Session, Commissioner Lawrence made a motion at approximately 6:35 PM to adjourn. The motion was seconded by Commissioner Long and carried unanimously.

MINUTES OF THE LEE COUNTY COMMISSION, REGULAR TERM, JULY 8, 2019

The Lee County Commission convened in regular session at the Courthouse in Opelika, Alabama, Monday, July 8, 2019 at 5:00 p.m. The Pledge of Allegiance was recited, followed by an invocation by Commissioner Ham.

The Chairman declared a quorum and officially opened the meeting with the following members recorded as being present: Judge Bill English, Chairman, and Commissioners Sheila Eckman, Gary Long, Robert Ham and Richard LaGrand. Absent: Commissioner Johnny Lawrence. News media in attendance: Opelika Observer owner/reporter Michelle Key, and Opelika-Auburn News reporter Timothy Noordermeer.

Copies of the items on the Consent Agenda sent to the Commissioners in their packets included: two listings of claims and Procurement card transactions from June and minutes of the June 24 meeting. Announcement of three openings on the Lee County Department of Human Resources Board was made. Commissioner Ham made a motion, seconded by Commissioner LaGrand to approve the consent agenda items as presented. The motion carried unanimously.

Commissioner Ham presented the following Resolution for three appointments to the Lee County Communications District (E911) board. The motion was seconded by Commissioner Eckman and carried unanimously.

BE IT RESOLVED, the Lee County Commission hereby appoints Barbara Patton and reappoints Lee Roy Kelley and George Dyar to the Lee County Communications District (E911) board to each serve four-years until July 24, 2023.

Ms. Margaret Young called prior to the meeting and stated she would not attend due to illness.

County Administrator Roger Rendleman presented an agreement for a Classification and Pay Plan review. Mr. Rendleman stated 2007 was the last time a study had been performed. Mr. Rendleman stated he received five proposals on June 7. After review of the proposals by Mr. Rendleman and HR Director Erica Norris, Mr. Rendleman stated they came to the same conclusion and recommends the Commission approve the agreement from Evergreen Solutions for \$48,000. Commissioner Eckman questioned how long the study would take. Mr. Rendleman stated approximately four months, which would conclude at the end of October. Mr. Rendleman stated the Commission needs to plan for it in the upcoming budget. Commissioner Long made a motion, seconded by Commissioner Eckman to approve the proposal for a Classification and Pay Plan review from Evergreen Solutions for \$48,000. The motion carried unanimously.

Next, Mr. Rendleman discussed the bid for the replacement of the Salem Hill communications tower. Mr. Rendleman stated bids were received June 26 and only one was returned. Mr. Rendleman stated several vendors expressed interest in bidding but didn't. Therefore, Mr. Rendleman stated under the Public Works Law the Commission can reject the bid and negotiate downward. Judge English questioned if this is a budgeted item. Mr. Rendleman stated it is not. Mr. Rendleman indicated that he had hoped it would be a public/private partnership, but that did not occur. Mr. Rendleman indicated that it needs replacing due to structural integrity. Commissioner Ham explained that a company had taken a drone and surveyed the tower and had found a lot of corrosion and the guide wires were replaced at that time. Mr. Rendleman stated they need to negotiate something to replace the tower. Judge English questioned if another tower could be placed somewhere else, like at the park in Beulah. Commissioner Ham indicated service needs to be provided where there is little to no service, as is known by the Sheriff's Office, in certain parts of the county. Upon further discussion,

MINUTES OF THE LEE COUNTY COMMISSION, REGULAR TERM, JULY 8, 2019

Commissioner Ham made a motion, seconded by Commissioner LaGrand to reject the bid and allow for negotiations. The motion carried unanimously.

Judge English asked if the Commission wished to consider an item concerning a request from the City of Opelika to waive the rental fee at the meeting center. Commissioner LaGrand made a motion, seconded by Commissioner Ham to add the request to the agenda. The motion carried unanimously.

Mr. Rendleman stated the request came from the Community Relations Department for use for a Crime Commission public forum. Commissioner LaGrand stated he was in favor of waiving the fee. Then, Commissioner LaGrand made a motion, seconded by Commissioner Ham to waive the rental fee at the meeting center for use by the City of Opelika. The motion carried unanimously.

Judge English announced at 5:22 PM that Commissioner Ham requested the Commission adjourn into executive session to discuss job performance. Judge English asked Commissioner Ham who should attend, approximate time frame, and if any action will be necessary at the conclusion. Commissioner Ham indicated the Commission and County Attorney Stan Martin should attend, the session will last approximately five minutes, and no formal action is anticipated. Commissioner Ham made a motion at 5:20 PM, seconded by Commissioner LaGrand to adjourn into Executive Session. The motion carried unanimously.

Upon reconvening from the Executive Session, Commissioner ?? made a motion at approximately 5:55 PM to adjourn. The motion was seconded by Commissioner ?? and carried unanimously.

MINUTES OF THE LEE COUNTY COMMISSION, REG. ADJ. TERM, JULY 29, 2019

The Lee County Commission convened in regular adjourned session at the Courthouse in Opelika, Alabama, Monday, July 29, 2019 at 5:00 p.m. The Pledge of Allegiance was recited, followed by an invocation by Commissioner Lawrence.

During citizens' communication, Chad Harrison extended his appreciation to the Commission for contracting with KDF Enterprises in the debris cleanup following the March 3 tornadoes. Mr. Harrison stated he hoped they were able to relieve some of the burden the county endured after the tornadoes, especially with the debris clean-up. Mr. Harrison stated they met their goals and hope their reputation speaks for itself. Mr. Harrison asked if the Commission would consider providing a letter of recommendation on their job performance for future clients. Commissioner Ham stated he would recommend KDF Enterprises and stated the company is good at what they do. County Engineer Justin Hardee echoed Commissioner Ham's sentiments and indicated that anytime there was an issue the company quickly addressed it. The Commission agreed to provide a recommendation letter at their request.

The Chairman declared a quorum and officially opened the meeting with the following members recorded as being present: Judge Bill English, Chairman, and Commissioners Sheila Eckman, Johnny Lawrence, Gary Long, Robert Ham and Richard LaGrand. Elected Officials in attendance: Sheriff Jay Jones. News media in attendance: Opelika Observer owner/reporter Michelle Key.

Copies of the items on the Consent Agenda sent to the Commissioners in their packets included: two listings of claims and minutes of the July 8 meeting. Announcement of openings on the following Boards was made, including: one opening on each of the following: 1) Youth Development Center, 2) Lee County Public Building Authority, 3) East Alabama Health Care Authority, 4) Horseshoe Bend Regional Library. Also, two openings on the Lee County Recreation Board, one representative from District 4 and one from District 5. Judge English reminded that this was just the announcement and that they would be eligible for first reading in thirty days. Commissioner Long made a motion, seconded by Commissioner Lawrence to approve the consent agenda items as presented. The motion carried unanimously.

County Administrator Roger Rendleman again discussed the bid for the Beauregard Park. Mr. Rendleman explained that since the bid had a 45-day window, the time was used to evaluate the bid on the Beulah Park project and to make a decision on the best way to proceed on both projects, as discussed at the last meeting. Mr. Rendleman stated after reviewing the bid on the Beulah Park project and the Beauregard Park Phase I bid, value engineering of \$296,121 was determined and Hudmon Construction agreed to reduce their bid by that amount for a total of \$3,462,379. After discussion, Commissioner Lawrence made a motion, seconded by Commissioner Long to award the contract to Hudmon Construction for the Beauregard Park Phase 1 project. The motion carried on a vote of 4-0-1 with Commissioner Ham abstaining.

Commissioner Long asked that the item concerning Smiths Station Fire & Rescue be moved to the August meeting.

Commissioner Lawrence discussed the Regional State Leadership Days in Washington, D.C. on October 17, 2019. Commissioner Lawrence stated last year several Commissioners attended which was the first time he could recall being invited for this event. Commissioner Ham stated he felt it was very beneficial since issues were discussed one-on-one with White House staff at the Federal level. Commissioner Lawrence made a motion, seconded by Commissioner Eckman to authorize travel for any Commissioner wishing to attend the Regional State Leadership Days in Washington, D.C. The motion carried unanimously.

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Sheriff Jones presented the results on Bid #11 for equipment and installation on four patrol vehicles. Sheriff Jones stated four bids were returned and after review, recommended the Commission award the bid to Mobile Communications, Inc. of Columbus, Georgia as the lowest responsive bid received. Commissioner Eckman made a motion, seconded by Commissioner LaGrand to accept the bid from Mobile Communications, Inc. for \$37,612 for equipment and installation on four patrol units. The motion carried unanimously.

Mr. Rendleman presented the following budget adjustments associated with the March 3 tornadoes. Mr. Rendleman stated the debris removal from the tornadoes will total around four million dollars. Mr. Rendleman stated with the Presidential declaration for a Federal Disaster, the county will anticipate 75% reimbursement from the federal government. Mr. Rendleman explained he would like to recognize a portion of the reimbursement requests which have been finalized and submitted in order to stay within our annual budget and not completely exhaust fund reserves. Mr. Rendleman stated there is no definite timeline on when to expect the funds; however, the funds can be recognized now as a receivable. This will assist the departments that are overbudget in areas like overtime, which is a direct result of the March 3 tornadoes. In addition, the action will prevent the county from overspending the annual budget, which would be a violation of State law. Mr. Rendleman explained that the adjustments being proposed are not a full accounting of the costs associated with the March 3 event, they are reasonable estimates of a portion of the costs for budgeting purposes only. Mr. Rendleman indicated that the county should see something within 45-60 days of submission. Mr. Rendleman requested to adjust the 2019 Fiscal Year budget as follows:

<u>General Fund</u>		
Contracted Services	\$1,597,000	
Outsourced Services	35,400	
Overtime Sheriff's Office	90,000	
Overtime EMA	19,500	
Overtime Environmental Services	2,850	
Grant Revenue-Federal Assistance		\$1,744,750
<u>Gasoline Tax Fund</u>		
Overtime County-wide Roads	32,250	
Overtime Engineers Office	7,500	
Overtime County Shop	1,916	
Grant Revenue-Federal Assistance		41,666

Commissioner Ham made a motion, seconded by Commissioner Lawrence to approve the adjustments as presented by Mr. Rendleman. The motion carried on a vote of 4-0-1 with Commissioner LaGrand abstaining.

Mr. Rendleman presented a budget amendment for the HVAC replacement project Phase II at the detention facility. Mr. Rendleman reminded the Commission that the bid was awarded in August 2018, and at that time he indicated the use of reserve funds to complete this critical project would be necessary. Mr. Rendleman stated since the contractor is nearing the end of the project, \$737,000 needs to be allocated to complete the funding. The project totaled \$1,267,000. Mr. Rendleman stated a settlement with the previous inmate phone provider was reached regarding the way the commission on the service was being calculated. Mr. Rendleman stated he would like to utilize the settlement amount of \$194,000, along with this year's phone commissions of \$145,000 to complete the replacement project. Further, Mr. Rendleman stated the remaining \$398,000 would be funded from the reserve fund balance in the General fund. Upon this recommendation, Commissioner Ham made a motion, seconded by Commissioner LaGrand to approve the recommendation for the HVAC replacement project Phase II at the detention facility. The motion carried unanimously.

MINUTES OF THE LEE COUNTY COMMISSION, REG. ADJ. TERM, JULY 29, 2019

Mr. Rendleman presented the list of outside agencies for the upcoming FY2020 Budget. Mr. Rendleman asked for guidance on which agencies (if any) the Commission would ask to present during budget work sessions. Mr. Rendleman stated this would help to determine the number of work sessions needed. Commissioner Eckman questioned the amount discussed previously by the East Alabama Food Bank. Commissioner Lawrence stated he recalled they were asking for a commitment of \$25,000 over three years or approximately \$8,300/per year. Commissioner Eckman suggested they return to clarify their request whether it is \$25,000 for three years or a total of \$25,000 split over three years. Commissioner Ham replied he understood they were asking for \$25,000 split over three years and asked Mr. Rendleman to adjust the amount on the appropriation list to reflect 1/3 over three years to the East Alabama Food Bank. Commissioner Lawrence questioned the Alternative Sentencing Board (ASB) increase and questioned the savings from utilizing the program. Mr. Rendleman stated the ASB program is in conjunction with Court Referral Program and since the program is expanding there is need for an additional staff member. Mr. Rendleman asked the Commission to consider the upcoming prison reform and provide the funding for the Alternative Sentencing Board to continue their diversion program. Sheriff Jones indicated the program includes Veterans Court too. After more discussion, the Commission agreed to invite only those agencies that requested a 30% or greater increase in their appropriation.

Mr. Rendleman presented a proposed lease renewal for the satellite office at the Smiths Station Government Center. Mr. Rendleman stated the agreement is for the same terms as before with no increase. Commissioner Long indicated that the satellite office is well utilized, always a line at the tag office. Commissioner Long made a motion, seconded by Commissioner Ham to approve the three year renewal of the Smiths Station Satellite lease renewal agreement with the City of Smiths Station. The motion carried unanimously.

Mr. Rendleman asked that a Commission representative be selected for the 2019-2020 ACCA Legislative Committee. Mr. Rendleman reminded the Commission that every county has a representative. Commissioner Ham stated that Commissioner Lawrence served last year and would recommend he continue as Lee County's representative. Commissioner Ham made a motion, seconded by Commissioner Long to reappoint Commissioner Lawrence to the ACCA Legislative Committee. The motion carried unanimously.

Environmental Services Director John McDonald presented a three year renewal contract for disposal of solid waste with Advanced Disposal Services Alabama LLC. Mr. McDonald stated the contract is effective from March 1, 2020 to February 28, 2023, and the terms were the same as last time. Judge English stated he was relieved to see the renewal presented for consideration after hearing of the potential national merger of the two solid waste competitors in our market area. After more discussion, Commissioner Lawrence made a motion, seconded by Commissioner Ham to authorize the Chairman to sign the three year contract renewal with Advanced Disposal Services Alabama LLC for disposal services. The motion carried unanimously.

Chief Financial Officer Neil Cyriac presented the 2018 Fiscal Year Unaudited Financial Statements to the Commission. Mr. Cyriac discussed the main sections of the financials and stated he would submit a letter to the State Examiners of Public Accounts that the financial statements are ready for their review. Mr. Rendleman stated the financial statements would not be prepared this early if not for Mr. Cyriac's work, because of all the projects going on in the county at this time.

Commissioner Eckman made a motion at approximately 5:50 PM to adjourn. The motion was seconded by Commissioner Lawrence and carried unanimously.

MINUTES OF THE LEE COUNTY COMMISSION, REGULAR TERM, AUGUST 12, 2019

The Lee County Commission convened in regular session at the Courthouse in Opelika, Alabama, Monday, August 12, 2019 at 5:00 p.m. The Pledge of Allegiance was recited, followed by an invocation by Judge English.

The Chairman declared a quorum and officially opened the meeting with the following members recorded as being present: Judge Bill English, Chairman, and Commissioners Sheila Eckman, Johnny Lawrence, Gary Long, Robert Ham and Richard LaGrand. Elected Officials in attendance: Sheriff Jay Jones. News media in attendance: Opelika Observer owner/reporter Michelle Key and Opelika-Auburn News reporters Timothy Noordermeer, along with Hannah Lester, who will begin covering the meetings as well.

Copies of the items on the Consent Agenda sent to the Commissioners in their packets included: two listings of claims, procurement card transactions from July and minutes of the July 29 meeting. First reading to reappoint Bill White, Gina Ivey and Vicki Hudson to the Board of Directors of the Lee County Department of Human Resources was made. Commissioner Lawrence made a motion, seconded by Commissioner Ham to approve the consent agenda items as presented. The motion carried unanimously.

Judge English said County Administrator Roger Rendleman wanted an item added to the Agenda to consider a proposal from Frazer Lanier to refinance the 2010 Bridge Bond Issue. Commissioner Lawrence made a motion, seconded by Commissioner Eckman to add the item to the Agenda. The motion carried unanimously. Mr. Rendleman stated Frazer Lanier representative Bob Young presented a refinancing opportunity on the 2010 Bridge Bond Issue, which has ten years remaining, to save approximately \$300,000 over 10 years. Mr. Rendleman explained that these are Build America Bonds, which are taxable; however, the program allows a rebate from the Internal Revenue Service with each debt service payment; which equates to a tax-free municipal bond issue. Mr. Rendleman asked the Commission to consider adopting the following Resolution to authorize Frazer Lanier to prepare necessary documents to position the county to enter the municipal bond market for the purpose of refunding the 2010 Bridge Bond issue. Judge English thanked Mr. Young for bringing the matter to the county's attention especially with a \$300,000 savings. Commissioner Lawrence made a motion to adopt the following Resolution and authorize the Chairman to sign the necessary documents with Frazer Lanier to enter the bond market. The motion was seconded by Commissioner Ham and carried unanimously.

WHEREAS, Lee County, Alabama (the "County"), acting by and through its governing body, the County Commissioner (the "Commissioner"), is considering the issuance of approximately \$5,335,000 General Obligation Warrants, Series 2019 (the "Series 2019 Warrants") in order to refund and retire the County's Taxable General Obligation Warrants, Series 2010-A; and

WHEREAS, the County hereby engages The Frazer Lanier Company, Incorporated ("Frazer Lanier"), as Investment Banker, to assist the County with the issuance of such Series 2019 Warrants;

NOW, THEREFORE, BE IT RESOLVED by the County Commission of Lee County, Alabama, as follows:

1. Frazer Lanier is hereby directed to proceed with preparation of all documents and information necessary to prepare the County to enter the market for the issuance of the Series 2019 Warrants.
2. Should the County, in its sole discretion, elect not to proceed with the issuance of the Series 2019 Warrants, no fees nor expenses shall be charged by Frazer Lanier to the County.

MINUTES OF THE LEE COUNTY COMMISSION, REGULAR TERM, AUGUST 12, 2019

Mr. Rendleman reported that bids for the Beulah Park Phase I project were received on July 24, 2019. Mr. Rendleman stated four bids were returned and the lowest responsive bid was submitted by Sports Turf Company, Inc. for \$3,060,000. Commissioner Lawrence asked if the local preference rule could be utilized on this bid. Mr. Rendleman explained the local preference pertains to Alabama's competitive bid law, which allows a 5% local preference, for goods and services. Mr. Rendleman explained the local preference allowance does not apply with public works contracts, which cover construction or renovation projects. Mr. Rendleman further stated as far as his research, the bidder submitted a responsive bid and their references have been checked and are very good, so there is no justifiable reason to award the bid to the next lowest bidder. Commissioner Lawrence stated he was only trying to keep the dollars in Lee County. After more discussion, Commissioner Eckman made a motion, seconded by Commissioner Lawrence to award the bid for the Beulah Park Phase I to Sports Turf Company, Inc. of Whitesburg, Georgia for \$3,060,000. The motion carried on a vote of 4-0-1 with Commissioner Ham abstaining.

Next, Mr. Rendleman discussed a loan authorization for the recreation projects in Beauregard and Beulah. Mr. Rendleman indicated a need to supplement the \$5,000,000 in bond financing with a \$2,000,000 seven-year bank loan to proceed with the two park projects. Mr. Rendleman stated he received quotes ranging from 2.15% to 2.37% with varying terms like prepayment penalties, etc. Mr. Rendleman stated based on rate and terms, he would recommend Southern States Bank at 2.15% without any prepayment penalty or origination fees. Mr. Rendleman stated the annual debt service will be approximately \$575,747, which includes both the bond financing and the bank loan. Mr. Rendleman stated he is anticipating a projected revenue of \$750,000 per year, which means there may be a margin of \$174,253 for operations and small capital projects. Mr. Rendleman requested the Commission authorize the execution of the loan documents with Southern States Bank for supplemental financing of the Beauregard Park and Beulah Park projects. Upon this request, Commissioner LaGrand made a motion, seconded by Commissioner Eckman to authorize a \$2,000,000 seven-year loan with Southern States Bank for the Beauregard and Beulah Park projects. The motion carried on a vote of 4-0-1, with Commissioner Ham abstaining.

County Engineer Justin Hardee presented the proposed Lee County 2019 County Transportation Plan (CTP). The plan is part of the transparency and accountability requirements for the Rebuild Alabama Act passed earlier this year. Mr. Hardee stated the plan outlines the projects Lee County plans to construct utilizing the additional revenue from the Build Alabama Act gasoline tax increase, as well as the Federal Aid Exchange program funds. Mr. Hardee stated the format of the plan has been developed by the Association of County Engineers of Alabama (ACEA) and approved by the State auditors for compliance with the law. Once passed, this plan will be posted at the Lee County Courthouse, the Commission Office, the Highway Department and on the county's website for citizens to access. Further, Mr. Hardee explained that since this is the first year of implementation of the Rebuild Alabama Act, Lee County has been conservative with the anticipated revenue and has selected projects totaling that estimate utilizing the same prioritization process used for our local funds in selecting roads for resurfacing. The projects include: 1) resurfacing and traffic striping Lee Road 56 from the dirt road portion of Lee Road 56 to the Auburn city limits; 2) resurfacing and traffic striping Lee Road 57 from Lee Road 137 to Alabama Highway 14; 3) resurfacing and traffic striping Lee Road 58 from Lee Road 57 to Lee Road 61; 4) resurfacing and traffic striping Lee Road 124 from pavement joint on Lee Road 124 to Lee Road 401; and 5) resurfacing and traffic striping Lee Road 188 north from the bridge over Saugahatchee Creek to Lee Road 81. Judge English asked if there were any bridges on the list. Mr. Hardee indicated that bridges are eligible under this program, but not included in this project because our earlier bridge bond projects already addressed these bridges. Judge English further questioned the cost to pave a mile of roadway. Mr. Hardee stated it cost approximately \$175,000/per mile. Judge English questioned why the roads listed are approximately \$185,000/per mile or an additional \$10,000. Mr. Hardee explained that there are unknowns when resurfacing roads and indicated it is a conservative

MINUTES OF THE LEE COUNTY COMMISSION, REGULAR TERM, AUGUST 12, 2019

estimate in case they run into any issues. Mr. Hardee explained that in the event the gas tax revenues exceed our estimate, the county will have the ability to amend the CTP, to add projects as funding allows. Additionally, the public works contract for the projects in the CTP allows the county to add projects as needed. Mr. Hardee stated the Commission has until August 31 to adopt the CTP. Commissioner LaGrand stated he is excited about the program and would like to vote on it tonight and not wait until the last August meeting. Commissioner LaGrand made a motion, seconded by Commissioner Lawrence to approve the Lee County Transportation Plan as presented by Mr. Hardee. The motion carried unanimously.

Next, Mr. Hardee presented the results of the bid proposal for striping and pavement markers for various public roads in the county. Mr. Hardee stated one bid was returned. Mr. Hardee recommended the Commission accept the lone bid from Hornsby Striping for \$283,256.80. Mr. Hardee indicated the county has worked many times with this company and stated they do good work. Further, Mr. Hardee stated it is within the amount budgeted. Upon his recommendation, Commissioner Eckman made a motion, seconded by Commissioner Lawrence to award the bid for striping and pavement markers to Hornsby Striping Company Inc. of Tuskegee, Alabama. The motion carried unanimously.

EMA Director Kathy Carson discussed the recent purchase of a Polaris vehicle and rescue equipment for \$24,968.70 which is a grant funded 100% by the Alabama Department of Homeland Security. Ms. Carson indicated it is fully equipped with a medical rescue skid that has the capability of carrying medical personnel, a patient and medical equipment, such as a Stokes basket, a spine board and medical bags. Ms. Carson stated the unit has power steering, automatic transmission, four-wheel drive and all-terrain tires. Ms. Carson stated the unit will be maintained by EMA, but will be available for 24/7 delivery, as required by an event. Ms. Carson stated law enforcement, fire and medical response units may request the use of the unit for special events, and training will be provided to the driver(s) of the unit. Commissioner Ham questioned where the unit will be stored. Ms. Carson stated it will be housed at the Lee County Shop along with the SMORT unit. Ms. Carson informed the Commission that the Polaris is available for inspection in the parking area outside.

Commissioner Eckman made a motion at approximately 5:35 PM to adjourn. The motion was seconded by Commissioner Lawrence and carried unanimously.

MINUTES OF THE LEE COUNTY COMMISSION, REG. ADJ. TERM, AUGUST 26, 2019

The Lee County Commission convened in regular adjourned session at the Courthouse in Opelika, Alabama, Monday, August 26, 2019 at 5:00 p.m. The Pledge of Allegiance was recited, followed by an invocation by Commissioner Long.

The Chairman declared a quorum and officially opened the meeting with the following members recorded as being present: Judge Bill English, Chairman, and Commissioners Sheila Eckman, Johnny Lawrence, Gary Long, Robert Ham and Richard LaGrand. Elected Officials in attendance: Sheriff Jay Jones, Judge Russell Bush, Judge Jacob Walker, Judge Chris Hughes, District Attorney Brandon Hughes and Smiths Station Mayor Bubba Copeland. News media in attendance: Opelika Observer owner/reporter Michelle Key and Opelika-Auburn News reporter Hannah Lester.

Opelika Main Street Director Ken Ward made a presentation before the Commission requesting new funding of \$5,650 for upcoming projects in the downtown area. Mr. Ward stated that since 1987 Opelika Main Street has helped transform a once struggling downtown into a destination area with thriving shops and restaurants. Mr. Ward stated the program is the oldest in the State. Since inception, over \$28 million dollars in private money has been invested into downtown and over 27 new businesses have located in the downtown area. Mr. Ward stated Opelika Main Street helps empower local downtown business owners, giving them tools they need to be successful and to drive the local Lee County economy. Each year Main Street's programs and events draw thousands of tourists into Lee County, providing much needed revenue for schools, roads and law enforcement. Mr. Ward thanked the Commission for allowing him to attend to present the funding request. Judge English stated the Commission would consider the request during budget discussions.

Copies of the items on the Consent Agenda sent to the Commissioners in their packets included: two listings of claims and minutes of the August 12 meeting. First reading to reappoint members to the following boards were read, including: 1) East Alabama Medical Center – William H. (Bill) Scott, III; 2) Horseshoe Bend Regional Library – Roberta Greene; 3) Public Building Authority – Randy Price; and 4) Lee County Youth Development Center – George Ervin. Commissioner Ham made a motion, seconded by Commissioner Eckman to approve the consent agenda items as presented. The motion carried unanimously.

Commissioner Eckman presented the following Resolution to reappoint Bill White, Gina Ivey and Vicki Hudson to the Lee County Department of Human Resources Board. The motion was seconded by Commissioner Ham and carried unanimously.

BE IT RESOLVED, the Lee County Commission hereby reappoints Bill White, Gina Ivey and Vicki Hudson to the Lee County Department of Human Resources Board to each serve six-year terms from September 1, 2019 to September 1, 2025.

County Administrator Roger Rendleman presented the following Resolution for Commission consideration. Mr. Rendleman stated the Resolution authorizes Frazer Lanier to market the warrants and authorizes Judge English to sign the purchase contract with Frazer Lanier, provided that the final pricing does not produce more than \$5.5 million in warrants and the true interest cost does not exceed 3.0%. Mr. Rendleman explained that a formal Warrant Resolution containing all the pricing terms will be presented at the September 9 meeting, with a closing date of September 12. Upon the presentation, Commissioner Lawrence made a motion, seconded by Commissioner Long to approve the following Resolution and authorize Judge English to sign the necessary documents as presented. The motion carried unanimously.

RESOLUTION

**A Resolution Authorizing the Issuance of
General Obligation Warrants, Series 2019**

RECITALS

WHEREAS, Lee County, Alabama (the “County”) has heretofore issued its Taxable General Obligation Warrants, Series 2010-A (the “Series 2010-A Warrants”) for the purpose of financing additions and improvements to the County’s road and bridge facilities. The Series 2010 Warrants are currently outstanding in the aggregate principal amount of \$5,055,000;

WHEREAS, the County intends to refund all of the outstanding Series 2010-A Warrants, and for such purpose to issue the Warrants herein authorized;

WHEREAS, the County proposes to issue its General Obligation Warrants, Series 2019 (the “Series 2019 Warrants”) in an aggregate principal amount not to exceed \$5,500,000 to refund the Series 2010-A Warrants;

WHEREAS, the Series 2019 Warrants will be sold to The Frazer Lanier Company Incorporated (the “Underwriter”) pursuant to a warrant purchase agreement (the “Warrant Purchase Agreement”) between the County and the Underwriter;

WHEREAS, a preliminary official statement (the “Preliminary Official Statement”) has been prepared for delivery to prospective purchasers of the Series 2019 Warrants for the purpose of marketing the Series 2019 Warrants. After execution of the Warrants Purchase Agreement, a final official statement describing the terms and conditions of the Series 2019 Warrants will be prepared for distribution to the purchasers of such warrants;

WHEREAS, in order to take advantage of, or protect against, changing market conditions, the County wishes to authorize the Chairman of the County Commission to execute the Warrant Purchase Agreement and obligate the County with respect to the Series 2019 Warrants in advance of the next County Commission meeting. If the Series 2019 Warrants are marketed and sold prior to the next County Commission meeting, the County Commission will ratify and approve the pricing set forth in the Warrant Purchase Agreement pursuant to a Warrant Resolution and Order duly adopted by the County Commission; and

WHEREAS, the governing body of the County wishes to memorialize its consent and authorization for the issuance of the Series 2019 Warrants as follows and to authorize the execution and delivery of the Warrant Purchase Agreement by adopting this resolution.

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

1. **Approval of Issuance of Series 2019 Warrants.** The County Commission hereby authorizes the issuance and sale of the Series 2019 Warrants in an aggregate principal amount not to exceed \$5,500,000 at such maturities and other terms as may be negotiated with the Underwriter and hereby acknowledges that the Underwriter has the authority to sell such Warrants on behalf of the County. The Series 2019 Warrants shall be general obligations of the County.
2. **Authorization of Offering Documents.** The County does hereby approve and authorize the form of Preliminary Official Statement with respect to the Series 2019 Warrants that has been presented to the County Commission at the meeting at which this resolution is adopted, with such changes and additional terms as the Chairman of the County Commission or the County Administrator (each, an “Authorized Officer”) shall approve. Any Authorized Officer is hereby authorized to oversee the completion of the Preliminary Official Statement, and the distribution of the Preliminary Official Statement to prospective purchasers. Any Authorized Officer is hereby authorized and directed to oversee the preparation of a final Official Statement in the name and on behalf of the County with such changes or additions thereto or deletions therefrom as any Authorized Officer shall approve, which approval shall be conclusively evidenced by his delivery of such document.
3. **Approval of Warrant Purchase Agreement.** The Chairman of the County Commission is hereby authorized and directed to execute and deliver the Warrant Purchase Agreement on behalf of the County, on such terms as the Chairman of the County

MINUTES OF THE LEE COUNTY COMMISSION, REG. ADJ. TERM, AUGUST 26, 2019

Commission may deem appropriate and as are consistent with this resolution, and such Warrant Purchase Agreement shall constitute a binding obligation of the County; provided, however, that

- (a) The Series 2019 Warrants shall be issued as fixed rate warrants. The Series 2019 Warrants may be issued as serial warrants, term warrants or any combination thereof.
 - (b) The aggregate principal amount of the Series 2019 Warrants may not exceed \$5,500,000; and
 - (c) The all-in true interest cost with respect to the Series 2019 Warrants may not exceed 3.0%.
4. **Other Documents.** Any Authorized Officer is hereby authorized to execute and delivery any or all other documents necessary or convenient to carry into effect the intent of the provisions of this resolution; provided, however, that the County Commission shall adopt a formal authorizing ordinance for the final approval of the Warrants at the first County Commission meeting following the sale of the Series 2019 Warrants.

ADOPTED and APPROVED on this 26th day of August 2019.

Commissioner Long deferred discussion of the Smiths Station Fire & Rescue to Assistant Chief Daniel Sexton. Chief Sexton reminded the Commission of the presentation made before the Commission six years ago and of the issues concerning ambulance service in the Smiths Station area. Chief Sexton stated the relationship has improved 100% from that time and they wanted to let the Commission know of the cooperation between their department and EAMC EMS services. Judge English responded, "Wow". Commissioner Lawrence stated he was pleased to hear this. Commissioner Eckman questioned Mr. Sexton on the number of ambulances stationed in the area. Chief Sexton stated they have an ambulance and the majority of the time EAMC EMS has an ambulance there as well. Judge English was happy to hear this information.

Mr. Rendleman presented the FY2020 contract for emergency medical services with East Alabama Medical Center. Mr. Rendleman stated he attended a meeting at EAMC along with Auburn representative Bill James and Opelika representative Joey Motley. Mr. Rendleman stated EAMC presented information supporting the increase of operating expenses by \$26,000 and capital expenses of \$30,000. Mr. Rendleman stated the capital increase is reasonable based on the age of the fleet and the operational request falls in line with some of the same issues the county is facing with recruiting and retaining quality employees. Mr. Rendleman stated he has gotten communication from both cities and they are supportive of the request too. Director Sharon Gess stated Mr. Rendleman covered their funding request, adding they are looking to add to their fleet since one ambulance has over 300,000 miles and four others have over 200,000 miles. Further, on the operating side, they are trying to compete with salaries because currently they have an 18% turnover rate, which is an improvement from 2018 which was a 30% turnover rate. Commissioner Lawrence stated he is happy to see that EAMC has increased their funding to EMS as well. Commissioner Lawrence also stated from his experience in the fire department it is a good idea to replace the units on a staggered replacement cycle. Ms. Gess agreed stating they will purchase two new units over the next two years, especially due to the population growth, they need to grow their fleet to accommodate it. Commissioner Lawrence questioned the number of units they currently operate. Mr. Bayles responded seven units, which he feels should be increased. Commissioner Ham stated that the three entities have stepped up, which he believes is a bargain. Commissioner Ham made a motion, seconded by Commissioner LaGrand to authorize the Chairman to sign the contract as presented to increase the funding \$56,000 for a total of \$375,476. The motion carried unanimously.

Mr. Rendleman presented information for the upcoming budget work sessions. First, Mr. Rendleman discussed the Alternative Sentencing Board requesting the largest increase in their

MINUTES OF THE LEE COUNTY COMMISSION, REG. ADJ. TERM, AUGUST 26, 2019

appropriation by \$30,000 to be utilized to hire a program administrator. District Attorney Brandon Hughes stated this is a diversion program to keep individuals out of jail and to return productive citizens back into society. Mr. Hughes stated 130 individuals have successfully graduated from the program. Further, there is a 3% re-offense rate of those that have completed the program, which is unheard of. Judge Chris Hughes covers the Veterans Court and Judge Jake Walker covers the Drug Court. Mr. Hughes stated the appropriation increase will provide a much needed program administrator to run it. Mr. Hughes thanked the Commission for their time and consideration. Mr. Rendleman added that the increase is a bargain, since their staff is your staff too, including himself, Wendy Swann and Neil Cyriac. Mr. Rendleman added that the Court Referral Program started out with the county contributing \$120,000 to the program and now only \$40,000 is appropriated annually. Mr. Rendleman stated these upfront costs are necessary for the growth of the program, especially in light of the upcoming prison reform issues. Mr. Rendleman stated he strongly recommends the increase to support the program. Commissioner LaGrand agreed to support the increased funding due to the growth in the county. Commissioner Ham agreed especially after the information received at the annual conference on prison reform.

Next, Judge English recognized Charles Mitchell representing the Lee County Historical Society requesting an increase in the appropriation by \$5,590 from \$9,410 to \$15,000. Mr. Mitchell gave a brief history about the Historical Society which was started in 1968 by Dr. Alexander Nunn. Mr. Mitchell stated their purpose is preservation, restoration, publication and education. Mr. Mitchell stated the group relies on the yearly Pioneer Day event held every October, but last year, due to the rain, they were unable to make-up the necessary revenue for their needs. Further, they received the Fred's Feed and Seed Store, which they want to refurbish for a music hall. Mr. Mitchell stated in addition to Pioneer Day, they host a number of other events including: Loachapoka Field Day, for area students; 2nd Saturdays, run entirely by volunteers; Music Festival event; and a popular event, the "Back in Time" dinner, which serves an authentic meal and entertainment from the 1850's. Mr. Mitchell thanked the Commission for their time.

Valley Haven School Board Executive Director Craig Brown appeared before the Commission requesting an increase of \$2,856 from \$7,144 to \$10,000 to Valley Haven School. Mr. Brown stated they serve both adults and children and currently 39 of their 77 individuals are from the Lee County area. Mr. Brown indicated the reason they are requesting an increase is because the State Special Education Trust fund money is being cut. Commissioner Lawrence reiterated the fact that the organization uses local dollars to leverage federal dollars and asking for an increase in local money because the State is decreasing their funding. Mr. Brown concurred and thanked the Commission for allowing him to attend.

Domestic Violence Intervention Executive Director Tina Evans appeared before the Commission requesting a \$1,500 increase in their appropriation from \$4,500 to \$6,000. Ms. Evans thanked the Commission for the opportunity to attend and gave a scenario of a woman who was savagely beaten and the services that they offer which includes: clothing, food, and shelter services. Ms. Evans stated they also leverage federal dollars with their local match. Further, Ms. Evans stated the City of Opelika also contributes to the Domestic Violence Intervention Center program. Ms. Evans stated Commission consideration would be appreciated.

Mr. Rendleman requested the Commission to set budget work sessions. Mr. Rendleman stated that due to the pay and classification study he would recommend the Commission not pass the FY2020 budget until sometime in November. Mr. Rendleman stated it is an unusual request, and for the first since he has been here, asked the Commission to consider passing a continuing Resolution to continue to use the current FY2019 Budget until the pay and classification study is completed by the end of October. Commissioner Lawrence made a motion to set budget work sessions on September 9 and 30 immediately following the regularly scheduled meetings. The

MINUTES OF THE LEE COUNTY COMMISSION, REG. ADJ. TERM, AUGUST 26, 2019

motion was seconded by Commissioner Long. Judge English questioned if the continuing budget Resolution will need to be presented at the September 30 meeting. Mr. Rendleman answered in the affirmative. Commissioner Ham asked that everyone to be sure to attend the work sessions as scheduled. After discussion, the motion carried unanimously.

Last, Mr. Rendleman discussed the necessity of adding a job description for a Compactor Operator II, due to the major differences between that and a backhoe operator or a boom truck operator. Mr. Rendleman stated the Compactor Operator II will start at a Pay Grade 9. Commissioner Lawrence made a motion, seconded by Commissioner Ham to approve the Compactor Operator II position at a Pay Grade 9. The motion carried unanimously.

County Engineer Justin Hardee announced to the Commission that the ALDOT district office will hold their annual meeting with elected officials on September 10 in Salem.

Commissioner Ham made a motion at approximately 5:55 PM to adjourn. The motion was seconded by Commissioner Lawrence and carried unanimously.

MINUTES OF THE LEE COUNTY COMMISSION, REGULAR TERM, SEPTEMBER 9, 2019

The Lee County Commission convened in regular session at the Courthouse in Opelika, Alabama, Monday, September 9, 2019 at 5:00 p.m. The Pledge of Allegiance was recited, followed by an invocation by Commissioner Ham.

The Chairman declared a quorum and officially opened the meeting with the following members recorded as being present: Judge Bill English, Chairman, and Commissioners Sheila Eckman, Johnny Lawrence, Gary Long, Robert Ham and Richard LaGrand. Elected Officials in attendance: Sheriff Jay Jones. News media in attendance: Opelika Observer owner/reporter Michelle Key and Opelika-Auburn News reporter Hannah Lester.

Judge English recognized Commissioner LaGrand for completing the Alabama Local Government Training Institute (ALGTI) new Commissioner training. Judge English stated it is a 50-hour course mandated by the State where a new commissioner must get the certification within two years of a commissioners' initial election date. Judge English congratulated Commissioner LaGrand and encouraged him to continue his training to receive his advanced certification, which is an additional 70 hours of training.

Next, Judge English stated that Commissioner Lawrence received recognition for his 16 years of service on the Commission at the 91st ACCA Annual Convention a few weeks ago. Judge English stated Commissioner Lawrence received a memento for his service.

Executive Director Bill Hutto gave a PowerPoint presentation updating the Commission on the airport. Dr. Hutto thanked the Commission for the invitation. Dr. Hutto stated the airport began in 1930 by a private company and today is owned by Auburn University and known as the Auburn University Regional Airport, with a community partnership advisory board which includes: Auburn University; the City of Auburn; the City of Opelika and the Lee County Commission. Dr. Hutto stated since 2005, when the master plan was approved, total improvements equal \$45,254,825, which were funded 95% by the FAA and 5% by the State. Dr. Hutto stated other improvement projects on the horizon include additional hangars, resurfacing/repaving projects and tarmac expansion. Dr. Hutto stated the addition of the aviation program through Auburn University, which is growing rapidly, continues to necessitate further improvements to the airport. Dr. Hutto thanked the Commission for their continued support.

Veterans Service Officer Jamie Popwell presented a three-page semi-annual report to the Commission. Mr. Popwell reiterated the fact that his purpose is to bring awareness of veteran issues through meetings, speaking engagements and daily interaction with businesses and residents in Opelika, Auburn, and Lee County. Mr. Popwell stated that he helps local veterans in many areas including, but not limited to, the following: 1) employment/job placement; 2) education benefits/scholarships; 3) financial assistance; 4) mental health assistance; 5) workshops; 6) mentorship; 7) VA claims; and 8) other, such as most recently, helping a veteran's family with funeral arrangements. Mr. Popwell thanked the Commission for their continued support of the Veterans Outreach program.

Copies of the items on the Consent Agenda sent to the Commissioners in their packets included: two listings of claims, procurement card transactions from August and minutes of the August 26 meeting. Commissioner Ham questioned County Engineer Justin Hardee about the herbicide purchase of over \$61,000 from Helena Chemicals. Mr. Hardee stated the amount is correct indicating, with this purchase, he is looking to change the mowing cycle from two times to only one per year, in addition there would be an increase in the herbicide applications to control the growth. Mr. Hardee explained only mowing once a year would free up six employees. After the explanation, Commissioner Ham made a motion, seconded by

MINUTES OF THE LEE COUNTY COMMISSION, REGULAR TERM, SEPTEMBER 9, 2019

Commissioner Long to approve the consent agenda items as presented. The motion carried unanimously.

Commissioner Eckman made a motion, seconded by Commissioner Lawrence to approve the following Resolution to reappoint William H. (Bill) Scott, III to the East Alabama Health Care Authority Board as a Chambers County representative. The motion carried unanimously.

BE IT RESOLVED, the Lee County Commission does hereby reappoint William H. (Bill) Scott, III to the East Alabama Health Care Authority to serve a six-year term from September 30, 2019 until September 30, 2025.

Next, Commissioner Eckman made a motion, seconded by Commissioner Lawrence to approve the following Resolution to reappoint Roberta Greene to the Horseshoe Bend Regional Library Board. The motion carried unanimously.

BE IT RESOLVED, the Lee County Commission does hereby reappoint Roberta Greene to the Horseshoe Bend Regional Library Board to serve a four-year term from October 1, 2019 until October 1, 2023.

Next, Commissioner Eckman made a motion, seconded by Commissioner Lawrence to approve the following Resolution to reappoint Randy Price to serve on the Lee County Public Building Authority Board. The motion carried unanimously.

BE IT RESOLVED, the Lee County Commission does hereby reappoint Randy Price to the Lee County Public Building Authority to serve a four-year term from September 30, 2019 until September 30, 2023.

Last, Commissioner Eckman made a motion, seconded by Commissioner Lawrence to approve the following Resolution to reappoint George Ervin to the Lee County Youth Development Board. The motion carried unanimously.

BE IT RESOLVED, the Lee County Commission does hereby reappoint George Ervin to the Lee County Youth Development Center Board to serve a four-year term from September 30, 2019 until September 30, 2023.

Judge English reminded Commissioners Ham and LaGrand they each have an opening in their respective District on the Lee County Recreation Board. Commissioner LaGrand stated he has someone in mind to fill his opening.

County Administrator Roger Rendleman presented the following Resolution for Commission consideration. Mr. Rendleman stated the Resolution is to finalize the refunding of the 2010 Build America Bonds. Further, Mr. Rendleman explained that after going to market yesterday, the county ended up with a savings of \$409,393 over the next 11 years, which is a net present value of \$375,798. Commissioner Long made a motion, seconded by Commissioner LaGrand to approve the following Resolution and authorize Judge English to sign the necessary documents as presented. The motion carried unanimously.

LEE COUNTY, ALABAMA

RESOLUTION AND ORDER

MINUTES OF THE LEE COUNTY COMMISSION, REGULAR TERM, SEPTEMBER 9, 2019

**A RESOLUTION AUTHORIZING THE ISSUANCE OF
GENERAL OBLIGATION WARRANTS, SERIES 2019
IN THE PRINCIPAL AMOUNT OF \$4,835,000**

**Adopted by
the County Commission of
Lee County
on
September 9, 2019**

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**A RESOLUTION AUTHORIZING THE ISSUANCE OF
GENERAL OBLIGATION WARRANTS, SERIES 2019
IN THE PRINCIPAL AMOUNT OF \$4,835,000**

BE IT RESOLVED AND ORDERED BY THE COUNTY COMMISSION OF LEE COUNTY, as follows:

ARTICLE 1

Definitions

SECTION 1.1 Definitions and Use of Phrases

For all purposes of this Resolution and Order, except as otherwise expressly provided or unless the context otherwise requires:

(i) The terms defined in this Article have the meanings assigned to them in this Article and include the plural, as well as the singular, and vice versa.

(ii) The terms “herein”, “hereof” and “hereunder” and other words of similar import refer to this Resolution and order as a whole and not to any particular Article, Section or other subdivision.

“**Authorized Denominations**” shall mean \$5,000 or any larger amount that is a multiple thereof.

“**Book Entry System**” shall mean the book entry system maintained by DTC for the registration, transfer, exchange and payment of debt obligations.

“**Business Day**” shall mean any day other than a Saturday, a Sunday or a day on which banking institutions are required or authorized to close in the city where the Office of the Paying Agent is located.

“**Continuing Disclosure Agreement**” shall mean the disclosure agreement with respect to the Warrants to be entered into by the County pursuant to Rule 15c2-12 adopted by the Securities and Exchange Commission.

“**County**” shall mean Lee County, Alabama, a political subdivision of the State of Alabama.

“**Debt Service**” shall mean the principal, premium (if any) and interest payable on the Warrants.

“**Debt Service Fund**” shall mean the fund established pursuant to *Section 6.1*.

“**Defaulted Interest**” shall have the meaning stated in *Section 3.4*.

“**DTC**” shall mean The Depository Trust Company and its successors and assigns.

“**Enabling Law**” shall mean Section 11-28-1, *et seq.* of the Code of Alabama (1975).

“**Escrow Fund**” shall mean the irrevocable trust fund for the benefit of the holders of the Series 2010-A Warrants established pursuant to the Escrow Agreement.

“**Escrow Trustee**” shall mean Regions Bank.

“**Federal Securities**” shall mean direct obligations of the Department of the Treasury of the United States of America.

“**Financing Participant**” shall mean the County, the Paying Agent and the Escrow

MINUTES OF THE LEE COUNTY COMMISSION, REGULAR TERM, SEPTEMBER 9, 2019

Trustee.

“**Holder**”, when used with respect to any Warrant, shall mean (i) if the Book Entry System is in effect, the beneficial owner of such Warrant on the records maintained pursuant to the Book Entry System, and (ii) if the Book Entry System is not in effect, the person in whose name such Warrant is registered on the Warrant Register maintained by the Paying Agent.

“**Interest Payment Date**”, when used with respect to any installment of interest on a Warrant, shall mean the date specified in such Warrant as the fixed date on which such installment of interest is due and payable.

“**Internal Revenue Code**” shall mean the Internal Revenue Code of 1986, as amended.

“**Moody’s**” shall mean Moody’s Investors Service, Inc.

“**Office of the Paying Agent**” shall mean the office where the Paying Agent performs its duties under this Resolution.

“**Original Purchaser**” shall mean the original purchaser of the Warrants from the County identified in *Section 7.1*.

“**Outstanding**”, when used with respect to the Warrants, shall mean, as of the date of determination, all Warrants authenticated and delivered under this Resolution and order, except:

- (a) Warrants cancelled by the Paying Agent or delivered to the Paying Agent for cancellation,
- (b) Warrants for whose payment or redemption money in the necessary amount has been deposited with the Paying Agent for the Holders of such Warrants, provided that, if such Warrants are to be redeemed, notice of such redemption has been duly given pursuant to this Resolution and order or provision therefor satisfactory to the Paying Agent has been made; and
- (c) Warrants in exchange for or in lieu of which other Warrants have been registered and delivered under this Resolution and order.

“**Paying Agent**” shall mean the agent of the County appointed as such pursuant to *Section 3.8* for the purpose of paying Debt Service on the Warrants.

“**Post-Default Rate**”, when used with respect to Debt Service payable on any Warrant, shall mean the interest rate applicable to the Warrant.

“**Principal Payment Date**”, when used with respect to any Warrant, shall mean the date specified in such Warrant as the fixed date on which the principal of such Warrant is due and payable.

“**Purchase Agreement**” shall mean the purchase agreement entered into by the County and the Original Purchaser with respect to the sale of the Warrants.

“**Qualified Investments**” shall mean, to the extent permitted by applicable law for investments by the County:

- (a) Federal Securities.
- (b) Obligations of any of the following federal agencies, which obligations represent the full faith and credit of the United States of America:
 - i. Farmers Home Administration.
 - ii. General Services Administration.
 - iii. U.S. Maritime Administration.
 - iv. Small Business Administration.
 - v. Government National Mortgage Association (GNMA).
 - vi. U.S. Department of Housing and Urban Development (HUD).
 - vii. Federal Housing Administration (FHA)

MINUTES OF THE LEE COUNTY COMMISSION, REGULAR TERM, SEPTEMBER 9, 2019

(c) U.S. dollar denominated deposit accounts and certificates of deposit with banks or savings associations which are qualified public depositories un Chapter 14A of Title 41 of the Code of Alabama 1975.

(d) Interests, however evidenced, in any common trust fund or other collective investment fund maintained by any national or state chartered bank, trust company or savings association having trust powers, or securities of or other interests in any open-end or closed-end management type investment company or investment trust registered under the Investment Company Act of 1940, as from time to time amended, so long as (i) such fund meets the requirements of Section 11-81-21(5) of the Code of Alabama 1975 and (ii) such fund is rated by at least one Rating Agency in one of the three highest rating categories.

For purposes of this definition, rating categories are determined without regard to qualifiers, such as “+” or “1” (for example, ratings of “A-1”, “A-2”, “A-“ and “A+” are considered part of the same rating category). Any investment requiring a rating shall be a Qualified Investment if the required rating is applicable on the date such investment is made. If the County receives notice from the Paying Agent that the required rating is no longer applicable to any such investment, or if the County has actual knowledge that the required rating is no longer applicable, the County shall promptly give instructions for liquidation of such investment and shall give directions for reinvestment of the proceeds of such investment in another investment that is a Qualified Investment.

“**Rating Agency**” shall mean Moody’s and any other nationally recognized securities rating agency.

“**Regular Record Date**” for the interest payable on any Interest Payment Date on the Warrants shall mean the 15th day (whether or not a Business Day) of the month next preceding each Interest Payment Date for such Warrant.

“**Resolution**” or “**Warrant Resolution**” shall mean this Resolution and Order by the County providing for the issuance of the Warrants.

“**Series 2010-A Warrants**” shall mean the County’s \$8,120,000 Taxable General Obligation Warrants, Series 2010-A, which are currently outstanding in the aggregate principal amount of \$5,055,000.

“**Special Record Date**” for the payment of any Defaulted Interest on the Warrants shall mean the date fixed by the Paying Agent pursuant to *Section 3.4*.

“**Tenor**”, when used to describe the distinguishing characteristics of a Warrant or group of Warrants, shall mean the series designation, maturity date, interest rate and CUSIP number of such Warrant or group of Warrants. Warrants of the same Tenor have the same series designation, maturity date, interest rate and CUSIP number.

“**Warrant Payment Date**” shall mean each date (including any date fixed for redemption of the Warrants) on which Debt Service is payable on the Warrants.

“**Warrant Register**” shall mean the register or registers for the registration and transfer of the Warrants maintained by the County pursuant to *Section 3.4*.

“**Warrants**” shall mean the County’s \$4,835,000 General Obligation Warrants, Series 2019, which are being authorized pursuant to this Resolution.

ARTICLE 2

Representations and Warranties

SECTION 2.1 Findings, Representations and Warranties

The County Commission makes the following findings, representations and warranties as the basis for the undertakings on its part herein contained:

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(a) The County has heretofore issued the Series 2010-A Warrants for the purpose of financing additions and improvements to the County’s road and bridge facilities. The Series 2010-A Warrants are currently outstanding in the aggregate principal amount of \$5,055,000. The Series 2010-A Warrants are eligible to be refunded as of April 1, 2020. The Series 2010-A Warrants are “Build America Bonds” and are entitled to an interest subsidy from the United States Treasury. The County acknowledges that by refunding the outstanding Series 2010-A Warrants, it is foregoing any future interest subsidy payments. On the date of issuance of the Warrants, the County will submit Form 8038-CP to the Secretary of the Treasury indicating it is no longer eligible to receive any such interest subsidy payments with respect to the Series 2010-A Warrants.

(b) It is advantageous and in the public interest for the County to refund all of the outstanding Series 2010-A Warrants in the amount of \$5,055,000, and for such purpose to issue the Warrants herein authorized.

(c) In order to provide for the refunding of the Series 2010-A Warrants, the County and Regions Bank, an Alabama banking corporation (the “Escrow Trustee”), will enter into an Escrow Trust Agreement dated as of September 1, 2019 (the “Escrow Agreement”), simultaneously with the issuance of the Warrants. Pursuant to the Escrow Agreement an irrevocable trust fund (referred to in the Escrow Agreement as the “Escrow Fund”) will be established for the benefit of the holders of the Series 2010-A Warrants. Proceeds of the Warrants will be deposited in the Escrow Fund and will be invested in certain direct obligations of the United States Treasury. The principal and interest on the escrow securities, without reinvestment, together with the initial cash balance in the Escrow Fund remaining after investing in such securities, will be sufficient to pay the remaining debt service requirements on the Series 2010-A Warrants until and including April 1, 2020, when all remaining Series 2010-A Warrants will be called for redemption.

(d) Immediately after the issuance of the Warrants the total indebtedness of the County chargeable against the debt limitation for the County prescribed by the Constitution of the State of Alabama will not be more than 5% of the assessed valuation of taxable property within the boundaries of the County for the last fiscal year (ended September 30, 2018).

ARTICLE 3

The Warrants

SECTION 3.1 Authorization of Warrants

Pursuant to the authority to do so contained in the applicable provisions of the constitution and laws of Alabama, including particularly the Enabling Law, the County hereby authorizes the issuance of the Warrants for the purposes specified in *Article 2*.

SECTION 3.2 Amount and Terms

(a) The Warrants shall be entitled “General Obligation Warrants, Series 2019”. The maximum aggregate principal amount of the Warrants that may be Outstanding is limited to \$4,835,000.

(b) The Warrants shall be issuable as fully registered warrants without coupons in the denomination of \$5,000 or any multiple thereof.

(c) The Warrants shall be issued as registered warrants without coupons. The Warrants shall be numbered separately from 1 upward. In order to facilitate the Book Entry System, a single Warrant certificate for all Warrants of the same Tenor shall be delivered to the Paying Agent. The Warrants shall be substantially in the form required by *Section 3.5*.

(d) The Warrants shall mature on April 1 in years and amounts (each such maturity date being herein called a “Principal Payment Date”) and shall bear interest at fixed rates as set forth in the following table:

Year of Maturity (April 1)	Principal Amount Maturing	Applicable Fixed Rate	Initial CUSIP Number
2020	\$ 445,000	3.00%	523408HK1

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2021	380,000	3.00	523408HL9
2022	390,000	4.00	523408HM7
2023	405,000	3.00	523408HN5
2024	415,000	4.00	523408HP0
2025	430,000	3.00	523408HQ8
2026	440,000	2.00	523408HR6
2027	455,000	5.00	523408HS4
2028	475,000	4.00	523408HT2
2029	490,000	4.00	523408HU9
2030	510,000	4.00	523408HV7

(e) The Warrants shall be dated as of the date of initial issuance of the Warrants.

(f) Interest on the Warrants shall be payable in arrears on April 1 and October 1 in each year, beginning on April 1, 2020 (each such date being herein called an "Interest Payment Date").

(g) The Warrants shall bear interest from their date, or the most recent date to which interest has been paid or duly provided for. Interest shall be computed on the basis of a 360-day year with 12 months of 30 days each.

(h) Interest shall be payable on overdue principal on the Warrants and (to the extent legally enforceable) on any overdue installment of interest on the Warrants at the Post-Default Rate.

(i) Payment of Debt Service on the Warrants shall be made in such coin or currency of the United States of America as at the time of payment is legal tender for the payment of public and private debts.

SECTION 3.3 Book Entry System

(a) Except as provided in *Section 3.4*, the ownership, transfer, exchange and payment of Warrants shall be governed by the Book Entry System administered by DTC.

(b) While Warrants are in the Book Entry System the following provisions shall apply for purposes of this Resolution and order and shall supersede any contrary provisions of this Resolution and order:

(i) DTC shall be the Holder of the Warrants on the Warrant Register maintained by the Paying Agent.

(ii) Notwithstanding the fact that DTC may hold one or more Warrant certificates for purposes of the Book Entry System, the term "Warrant" shall mean each separate security credited to a beneficial owner (or entitlement holder) pursuant to the Book Entry System, and the term "Holder" shall mean the person identified pursuant to the Book Entry System as the beneficial owner of the related security.

(iii) The terms and limitations of this Resolution and order with respect to each separate Warrant shall be applicable to each separate security registered under the Book Entry System.

(iv) All notices under this Resolution and order to Holders of Warrants from any other Financing Participant shall be delivered by such Financing Participant to DTC for distribution by DTC in accordance with the Book Entry System.

(v) All payments of Debt Service on the Warrants shall be made by the Paying Agent through the Book Entry System, and payment by such method shall be valid and effective fully to satisfy and discharge the County's obligations with respect to such payments. All such payments shall be valid and effective fully to satisfy and discharge the County's obligations with respect to such payments.

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(c) If the County and the Paying Agent concur that it would be in the best interests of the Holders of the Warrants for the Book Entry System to be discontinued (in whole or in part), such Book Entry System shall be discontinued (in whole or in part) in accordance with the rules and regulations of the Book Entry System. In addition, the Book Entry System may be discontinued (in whole or in part) at any time by the County acting alone in accordance with the rules and regulations of the Book Entry System.

(d) If the Book Entry System is discontinued, (i) a physical certificate or physical certificates shall be executed, authenticated and delivered to each beneficial owner, or entitlement holder, under the Book Entry System in accordance with such person's ownership of Warrants, (ii) such certificates shall be registered in the Warrant Register maintained by the Paying Agent, and (iii) the remaining provisions of this Article shall govern the registration, transfer, exchange and payment of Warrants.

SECTION 3.4 Alternate Provisions for Transfer and Payment

(a) If the Book Entry System is discontinued, the provisions of this Section shall control the registration, transfer, exchange and payment of Warrants.

(b) Payment of Debt Service on the Warrants shall be made as follows:

(i) Payment of interest on the Warrants which is due on any Interest Payment Date shall be made by check or draft mailed by the Paying Agent to the persons entitled thereto at their addresses appearing in the Warrant Register. Such payments of interest shall be deemed timely made if so mailed on the Interest Payment Date (or, if such Interest Payment Date is not a Business Day, on the Business Day next following such Interest Payment Date).

(ii) Payment of the principal of (and premium, if any, on) the Warrants and payment of accrued interest on the Warrants due upon redemption on any date other than an Interest Payment Date shall be made only upon surrender thereof at the office of the Paying Agent.

(iii) Upon the written request of any Holder, the Paying Agent shall make payments of Debt Service by wire transfer, provided that (1) such request contains adequate instructions for the method of payment, and (2) payment of the principal of (and redemption premium, if any, on) such Warrants and payment of the accrued interest on such Warrants due upon redemption on any date other than an Interest Payment Date shall be made only upon surrender of such Warrants to the Paying Agent.

(c) The County shall cause to be kept at the office of the Paying Agent a register (herein sometimes referred to as the "Warrant Register") in which, subject to such reasonable regulations as it may prescribe, the County shall provide for the registration of Warrants and registration of transfers of Warrants entitled to be registered or transferred as herein provided. The Paying Agent is hereby appointed as agent of the County for the purpose of registering Warrants and transfers of Warrants as herein provided.

(d) Upon surrender for transfer of any Warrant at the office of the Paying Agent, the County shall execute, and the Paying Agent shall authenticate and deliver, in the name of the designated transferee or transferees, one or more new Warrants of the same maturity and interest rate, of any Authorized Denominations and of a like aggregate principal amount.

(e) At the option of the Holder, Warrants may be exchanged for other Warrants of the same maturity and interest rate, of any Authorized Denominations and of a like aggregate principal amount, upon surrender of the Warrants to be exchanged at the office of the Paying Agent. Whenever any Warrants are so surrendered for exchange, the County shall execute, and the Paying Agent shall authenticate and deliver, the Warrants which the Holder making the exchange is entitled to receive.

(f) All Warrants surrendered upon any exchange or transfer provided for in this Resolution and order shall be promptly cancelled by the Paying Agent.

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(g) All Warrants issued upon any transfer or exchange of Warrants shall be the valid obligations of the County and entitled to the same security and benefits under this Indenture as the Warrants surrendered upon such transfer or exchange.

(h) Every Warrant presented or surrendered for transfer or exchange shall contain, or be accompanied by, all necessary endorsements for transfer.

(i) No service charge shall be made for any transfer or exchange of Warrants, but the County may require payment of a sum sufficient to cover any tax or other governmental charge that may be imposed in connection with any transfer or exchange of Warrants.

(j) The County shall not be required (i) to transfer or exchange any Warrant during a period beginning at the opening of business 15 days before the day of the mailing of a notice of redemption of Warrants and ending at the close of business on the day of such mailing, or (ii) to transfer or exchange any Warrant so selected for redemption in whole or in part.

(k) Interest on any Warrant which is payable, and is punctually paid or duly provided for, on any Interest Payment Date shall be paid to the person in whose name that Warrant is registered at the close of business on the Regular Record Date for such Interest Payment Date.

(l) Any interest on any Warrant which is payable, but is not punctually paid or duly provided for, on any Interest Payment Date (herein called "Defaulted Interest") shall forthwith cease to be payable to the Holder on the relevant Regular Record Date solely by virtue of such Holder having been such Holder; and such Defaulted Interest shall be paid by the County to the persons in whose names such Warrants are registered at the close of business on a special record date (herein called a "Special Record Date") for the payment of such Defaulted Interest, which shall be fixed in the following manner. The County shall notify the Paying Agent of the amount of Defaulted Interest proposed to be paid on each Warrant and the date of the proposed payment (which date shall be such as will enable the Paying Agent to comply with the next sentence hereof), and at the same time the County shall deposit with the Paying Agent an amount of money equal to the aggregate amount proposed to be paid in respect of such Defaulted Interest or shall make arrangements satisfactory to the Paying Agent for such deposit prior to the date of the proposed payment, such money when deposited to be held in trust for the benefit of the persons entitled to such Defaulted Interest as in this subsection provided. Thereupon, the County shall fix a Special Record Date for the payment of such Defaulted Interest which shall be not more than 15 nor less than 10 days prior to the date of the proposed payment and not less than 10 days after the receipt by the Paying Agent of the notice of the proposed payment. The Paying Agent shall promptly notify the County of such Special Record Date and, in the name and at the expense of the County, shall cause notice of the proposed payment of such Defaulted Interest and the Special Record Date therefor to be mailed, first-class postage prepaid, to each Holder at his address as it appears in the Warrant Register not less than 10 days prior to such Special Record Date. Notice of the proposed payment of such Defaulted Interest and the Special Record Date therefor having been mailed as aforesaid, such Defaulted Interest shall be paid to the persons in whose names the Warrants are registered on such Special Record Date.

(m) Subject to the foregoing provisions of this Section, each Warrant delivered under this Resolution and order upon transfer of or in exchange for or in lieu of any other Warrant shall carry all the rights to interest accrued and unpaid, and to accrue, which were carried by such other Warrant and each such Warrant shall bear interest from such date that neither gain nor loss in interest shall result from such transfer, exchange or substitution.

(n) All Warrants surrendered for payment, redemption, transfer or exchange, shall be promptly cancelled by the Paying Agent. The Paying Agent may destroy cancelled certificates. No Warrant shall be authenticated in lieu of or in exchange for any Warrant cancelled as provided in this Section, except as expressly provided by this Resolution.

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SECTION 3.5 Form of Warrant

The Warrants and the authentication certificate shall be substantially in the form attached as *Exhibit 3.5*, with such appropriate insertions, omissions, substitutions and other variations as are required or permitted by this Resolution.

SECTION 3.6 Execution, Registration and Authentication

(a) Physical certificates evidencing the Warrants shall be executed on behalf of the County by the Chairman of the County Commission under the County's seal reproduced thereon and the certification of registration of each Warrant as a claim against the Debt Service Fund shall be executed by the Treasurer of the County. The signature of any of these officers on the Warrants may be manual or, to the extent permitted by law, facsimile. Warrants bearing the manual or facsimile signatures of individuals who were at any time the proper officers of the County shall bind the County, notwithstanding that such individuals or any of them shall have ceased to hold such offices prior to the authentication and delivery of such Warrants or shall not have held such offices at the date of such Warrants.

(b) No Warrants shall be secured by, or be entitled to, any lien, right or benefit under, this Resolution or be valid or obligatory for any purpose, unless there appears on such Warrant a certificate of authentication substantially in the form provided for herein, executed by the Paying Agent by manual signature, and such certificate upon any Warrant shall be conclusive evidence, and the only evidence, that such Warrant has been duly authenticated and delivered hereunder.

SECTION 3.7 Persons Deemed Owners

(a) If the Book Entry System is in effect, the ownership of the Warrants shall be determined pursuant to the rules and regulations of the Book Entry System.

(b) If the Book Entry System is terminated, the registered Holder of each Warrant shall be treated as the owner of such Warrant for purposes of this Resolution and order.

SECTION 3.8 Paying Agent

(a) Regions Bank, an Alabama banking corporation, is hereby appointed "Paying Agent" for the purpose of paying Debt Service on the Warrants on behalf of the County. By its acceptance of such duties hereunder, the Paying Agent shall accept and agree to perform the duties required by this Resolution, subject, however, to the following conditions:

(i) The Paying Agent shall undertake to perform such duties and only such duties as are specifically set forth in this Resolution, and no implied covenants or obligations shall be read into this Resolution against the Paying Agent.

(ii) In the absence of bad faith or negligence on its part, the Paying Agent may conclusively rely, as to the truth of the statements and the correctness of the opinions expressed therein, upon certificates or opinions furnished to the Paying Agent and conforming to the requirements of this Resolution; provided, however, that in the case of any such certificates or opinions which by any provision hereof are specifically required to be furnished to the Paying Agent, the Paying Agent shall be under a duty to examine the same to determine whether they conform to the requirements of this Resolution.

(iii) No provision of this Resolution shall be construed to relieve the Paying Agent from liability for its own gross negligence or willful misconduct, except that no provision of this Resolution shall require the Paying Agent to expend or risk its own funds or otherwise incur any financial liability in the performance of any of its duties hereunder, or in the exercise of any of its rights or powers, if it shall have reasonable grounds for believing that repayment of such funds or adequate indemnity against such risk or liability is not reasonably assured to it.

(iv) The Paying Agent may consult counsel on any matters connected herewith and shall not be answerable for any action taken or failure to take any action in good faith on the advice of counsel, provided that its action or inaction is not contrary to any express provision hereof.

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(v) The Paying Agent need not recognize a Holder of a Warrant as such without the satisfactory establishment of his title to such Warrant.

(vi) Any action taken by the Paying Agent at the request of and with the consent of the Holder of a Warrant will bind all subsequent Holders of the same Warrant and any Warrant issued hereunder in lieu thereof.

(vii) The Paying Agent may be a Holder or a pledgee of any of the Warrants as if not Paying Agent hereunder.

(viii) The Paying Agent shall not be liable for the proper application of any moneys other than those that may be paid to or deposited with it.

(ix) The Paying Agent shall not be liable to pay or allow interest on any moneys to be held by it under this Resolution or otherwise to invest any such moneys, except as specifically required by this Resolution or as may be required by law or other written agreement between the County and the Paying Agent.

(x) The Paying Agent may make any investments permitted or required hereby through its own investment department, and any Qualified Investments issued or held by it hereunder shall be deemed investments and not deposits.

(xi) The Paying Agent shall, upon reasonable request, inform the County of the amount at the time on deposit in any of the special funds or accounts created hereunder.

(xii) The recitals of fact herein and in the Warrants are statements by the County and not by the Paying Agent, and the Paying Agent is in no way responsible for the validity or security of the Warrants or the validity of the security afforded hereby.

(b) The Debt Service on the Warrants shall, except as otherwise provided herein, be payable at the Office of the Paying Agent.

(c) The Paying Agent may resign and be discharged from the duties hereby created by causing written notice specifying the effective date of such resignation to be forwarded by registered or certified mail, postage prepaid, to the County. Unless the effective date of the Paying Agent's resignation shall coincide with the appointment of a successor Paying Agent by the Holders of the Warrants as herein provided, such date shall be at least thirty (30) days after the date on which notice to the County shall have been mailed.

(d) If the bank designated as Paying Agent pursuant to subsection (a) of this Section shall resign or shall become incapable of acting or shall be adjudged a bankrupt or insolvent or a receiver of it or of its property shall be appointed or any public officer shall take charge or control of it or of its property or affairs for the purpose of rehabilitation, conservation or liquidation, then, in any such case, the County shall appoint a successor Paying Agent. Any successor Paying Agent must be a commercial bank with trust powers, must have capital and surplus of not less than \$25,000,000, must be subject to supervision or examination by federal or State of Alabama authority, and must have a corporate trust office within the State of Alabama. The County shall give notice of the appointment of any such successor Paying Agent by registered or certified mail to the Holders of Warrants as their names and addresses appear in the Warrant Register.

(e) Any corporation into which the Paying Agent may be merged or with whom it may be consolidated, or any corporation resulting from any merger or consolidation to which the Paying Agent shall be a party, or any corporation succeeding to all or substantially all of the corporate trust business of the Paying Agent, shall be the successor of the Paying Agent hereunder, without the execution or filing of any paper or any further act on the part of any of the parties hereto. In case the registration certificates with respect to any Warrants shall have been executed by the Paying Agent then in office, any successor by merger or consolidation to such Paying Agent may adopt the registration of such Warrants and deliver such Warrants with the same effect as if such successor Paying Agent had itself registered such Warrants.

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(f) Subject to the provisions of any separate agreement with the Paying Agent, the County shall pay to the Paying Agent from time to time reasonable compensation for all services rendered by it under this Resolution, including its services as Paying Agent for the Warrants, and also all its reasonable expenses, charges, counsel fees and other disbursements and those of its attorneys, agents and employees, incurred in and about the performance of its duties hereunder.

SECTION 3.9 Payments Due on a Day Other than a Business Day

If any payment on the Warrants is due on a day which is not a Business Day, such payment shall be made on the first succeeding day which is a Business Day with the same effect as if made on the day such payment was due.

SECTION 3.10 Cancellation

All Warrants surrendered for payment, redemption, transfer or exchange shall be promptly cancelled by the Paying Agent. No Warrants shall be registered in lieu of or in exchange for any Warrant cancelled as provided in this Section, except as expressly provided by this Resolution.

ARTICLE 4

Redemption of Warrants

SECTION 4.1 General Applicability of Article

(a) The Warrants shall be redeemable in accordance with the redemption provisions specified in the form of the Warrants set forth in *Exhibit 3.5*.

(b) Warrants shall be redeemed in accordance with the mandatory redemption provisions of the Warrants without any direction from or consent by the County. Warrants shall be redeemed in accordance with the optional redemption provisions of the Warrants only upon direction of the County.

SECTION 4.2 Election to Redeem; Notice to Paying Agent

The election to exercise any right of optional redemption shall be evidenced by a certified resolution of the governing body of the County delivered to the Paying Agent not less than 3 days prior to the date when notice of such redemption must be given to affected Holders (unless a shorter notice is acceptable to the Paying Agent). An election to redeem shall specify (a) the principal amount, series and maturity of Warrants to be redeemed (and, if less than all Warrants of a series and maturity are to be redeemed and the Warrants of such maturity have more than one applicable interest rate, the series, maturity and interest rate of Warrants to be redeemed), (b) the redemption date, and (c) any conditions to such redemption specified in accordance with the provisions of *Section 4.4(d)*.

SECTION 4.3 Selection by Paying Agent of Warrants to be Redeemed

(a) Except as otherwise provided in the specific redemption provisions for the Warrants, if less than all Outstanding Warrants are to be redeemed, the principal amount of Warrants of each series, maturity and interest rate to be redeemed may be specified in the notice of election to redeem, or, in the absence of specification in such notice, shall be selected by the Paying Agent by lot or by such other method as the Paying Agent shall deem fair and appropriate; provided, however, that the principal amount of Warrants of each series, maturity and interest rate to be redeemed may not be larger than the principal amount of Warrants of such series, maturity and interest rate then eligible for redemption and may not be smaller than the smallest Authorized Denomination.

(b) Except as otherwise provided in the specific redemption provisions for the Warrants, if less than all Warrants with the same series, maturity and interest rate are to be redeemed, the particular Warrants of such series, maturity and interest rate to be redeemed shall be selected by the Paying Agent from the Outstanding Warrants of such series, maturity and interest rate then eligible for redemption by lot or by such other method as the Paying Agent shall deem fair and appropriate and which may provide for the selection for redemption of portions (in Authorized Denominations) of the principal of Warrants of such series, maturity and interest rate of a denomination larger than the smallest Authorized Denomination.

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(c) The Paying Agent shall promptly notify the County in writing of the Warrants selected for redemption and, in the case of any Warrant selected for partial redemption, the principal amount thereof to be redeemed.

(d) For all purposes of this Resolution, unless the context otherwise requires, all provisions relating to the redemption of Warrants shall relate, in the case of any Warrant redeemed or to be redeemed only in part, to the portion of the principal of such Warrant which has been or is to be redeemed.

SECTION 4.4 Notice of Redemption

(a) Notice of redemption shall be given to affected Holders of the Warrants not less than 20 days prior to the redemption date. If the Book Entry System is in effect, such notice shall be given to DTC by such method as shall be specified in the rules and regulations of the Book Entry System. If the Book Entry System has been terminated, such notice shall be given by registered mail to each Holder of Warrants to be redeemed at his address appearing in the Warrant Register.

(b) All notices of redemption shall state:

(i) the redemption date,

(ii) the redemption price,

(iii) the principal amount of Warrants to be redeemed, and, if less than all Outstanding Warrants are to be redeemed, the identification (and, in the case of partial redemption, the respective principal amounts) of the Warrants to be redeemed,

(iv) that on the redemption date the redemption price of each of the Warrants to be redeemed will become due and payable and that the interest thereon shall cease to accrue from and after said date, and

(v) any conditions to such redemption specified in accordance with the provisions of **Section 4.4(d)**.

(c) Notice of redemption of Warrants to be redeemed at the option of the County shall be given by the County or, at the County's request, by the Paying Agent in the name and at the expense of the County. Notice of redemption of Warrants in accordance with the mandatory redemption provisions of the Warrants shall be given by the Paying Agent in the name and at the expense of the County.

(d) A notice of optional redemption may state that the redemption of Warrants is contingent upon specified conditions, such as receipt of a specified source of funds, or the occurrence of specified events. If the conditions for such redemption are not met, the County shall not be required to redeem the Warrants (or portions thereof) identified in such notice, and any Warrants surrendered on the specified redemption date shall be returned to the Holders of such Warrants.

SECTION 4.5 Deposit of Redemption Price

Prior to any redemption date, the County shall deposit with the Paying Agent an amount of money sufficient to pay the redemption price of all the Warrants which are to be redeemed on that date. Such money shall be held solely for the benefit of the persons entitled to such redemption price.

SECTION 4.6 Warrants Payable on Redemption Date

(a) If notice of redemption is given and any conditions to such redemption specified pursuant to **Section 4.4(d)** are met, the Warrants so to be redeemed shall, on the redemption date, become due and payable at the redemption price therein specified, and from and after such date (unless the County shall default in the payment of the redemption price) such Warrants shall cease to bear interest. Upon surrender of any such Warrant for redemption in accordance with said notice, such Warrant shall be paid by the County at the redemption price. Installments of interest due prior to the redemption date shall be payable to the Holders of the Warrants registered as such on the relevant Interest Payment Date according to the terms of such Warrants and the provisions of **Section 3.3** or **Section 3.4**.

(b) If any Warrant called for redemption shall not be so paid upon surrender thereof for redemption, the principal (and premium, if any) shall, until paid, bear interest from the redemption date at the Post-Default Rate.

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SECTION 4.7 Warrants Redeemed in Part

(a) If the Book Entry System is in effect, partial redemption of any Warrant shall be effected in accordance with the Book Entry System.

(b) If the Book Entry System has been terminated, any Warrant which is to be redeemed only in part shall be surrendered at the Office of the Paying Agent (with, if the County or the Paying Agent so requires, due endorsement by, or a written instrument of transfer in form satisfactory to the County and the Paying Agent duly executed by, the Holder thereof or his attorney duly authorized in writing), and the County shall execute and the Paying Agent shall authenticate and deliver to the Holder of such Warrant, without service charge, a new Warrant or Warrants of the same series, of the same maturity and of any Authorized Denomination or denominations, as requested by such Holder in an aggregate principal amount equal to and in exchange for the unredeemed portion of the principal of the Warrant so surrendered.

ARTICLE 5

**Source of Payment; Pledge and
Assignment of Pledged Payments**

SECTION 5.1 General Obligation

The indebtedness evidenced and ordered paid by the Warrants shall be a general obligation of the County for the payment of Debt Service on which the full faith and credit of the County are hereby irrevocably pledged, pro rata and without preference or priority of one Warrant over another. The County hereby covenants and agrees to levy and collect taxes, to the maximum extent permitted by law, at such rate or rates as shall make available tax proceeds which, when added to the revenues of the County from other sources available for such purposes, will be sufficient to pay the reasonable expenses of carrying on the necessary governmental functions of the County and to pay Debt Service on the Warrants as the same shall become due and payable.

SECTION 5.2 Provision for Payment of Warrants

(a) If Debt Service on Warrants is paid in accordance with the terms of the Warrants and this Resolution, then all covenants, agreements and other obligations of the County to the Holders shall thereupon cease, terminate and become void and be discharged and satisfied. In such event, the Paying Agent shall pay to the County any surplus remaining in the Debt Service Fund.

(b) Warrants shall, prior to the maturity or redemption date thereof, be deemed to have been paid within the meaning and with the effect expressed in subsection (a) of this Section if:

(i) in case such Warrants are to be redeemed on any date prior to their maturity, either (1) the Paying Agent shall receive evidence that notice of such redemption has been given in accordance with the terms of this Resolution or (2) the County shall confer on the Paying Agent irrevocable authority for the giving of such notice on behalf of the County,

(ii) there shall have been deposited with the Paying Agent cash and/or Federal Securities which (assuming due and punctual payment of the principal of and interest on such Federal Securities) will provide money sufficient to pay when due the Debt Service due and to become due on such Warrants on and prior to the redemption date or maturity date thereof, as the case may be, and

(iii) such Federal Securities are not subject to redemption prior to their respective maturities at the option of the issuer of such Federal Securities.

All cash and/or Federal Securities so deposited with the Paying Agent shall be held in trust and applied by the Paying Agent solely to the payment of Debt Service on such Warrants as the same shall become due and payable. At such time as any Warrant shall be deemed paid as aforesaid, it shall no longer be secured by or entitled to the benefits of this Resolution, except for the purpose of any payment from such cash and/or Federal Securities deposited with the Paying Agent and the purpose of transfer and exchange as herein provided.

(c) Any trust established pursuant to this Section may provide for payment of less than all Warrants outstanding or less than all Warrants of any remaining maturity.

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(d) If any trust provides for payment of less than all Warrants with the same maturity, the Warrants of such maturity to be paid from the trust shall be selected by the Paying Agent by lot by such method as shall provide for the selection of portions (in Authorized Denominations) of the principal of Warrants of such maturity of a denomination larger than the smallest Authorized Denomination. Such selection shall be made within 7 days after such trust is established. This selection process shall be in lieu of the selection process provided for in *Section 4.3(b)* if and to the extent that the Warrants payable from such trust are to be redeemed prior to maturity. After such selection is made, the Warrants that are to be paid from such trust (including the Warrants issued in exchange for such Warrants pursuant to the transfer or exchange provisions of this Resolution) shall be identified by a separate CUSIP number or other designation satisfactory to the Paying Agent. The Paying Agent shall notify Holders whose Warrants (or portions thereof) have been selected for payment from such trust and shall direct such Holders to surrender their Warrants to the Paying Agent in exchange for the Warrants with the appropriate designation. The selection of the Warrants for payment from such trust pursuant to this Section shall be conclusive and binding on the Holders, the County and the Paying Agent.

ARTICLE 6

The Debt Service Fund

SECTION 6.1 The Debt Service Fund

(a) There is hereby established a special fund entitled “General Obligation Warrants, Series 2019 Debt Service Fund” (herein called the “Debt Service Fund”). Money in the Debt Service Fund shall be used solely for the payment of Debt Service on Warrants as the same shall become due and payable.

(b) Not later than the third Business Day prior to each Warrant Payment Date, the County shall deposit into the Debt Service Fund an amount equal to the Debt Service on the Warrants that will be due and payable on such Warrant Payment Date.

(c) If on any Warrant Payment Date the balance in the Debt Service Fund is insufficient to pay the Debt Service on the Warrants due and payable on such date, the County shall immediately pay into the Debt Service Fund the amount that is necessary to make the balance in the Debt Service Fund equal to the amount of Debt Service due and payable on such Warrant Payment Date.

SECTION 6.2 Transfer of Funds

The County shall collect the taxes, revenues and other general funds of the County and deposit the same in the County’s general fund. The County shall transfer or cause to be transferred from the general fund to the Debt Service Fund monies in the amounts and at the times required by *Section 6.1*.

SECTION 6.3 Investment of Debt Service Fund

(a) The County may cause any money on deposit in the Debt Service Fund not then needed for the payment of Debt Service on the Warrants to be invested or reinvested by the Paying Agent in Qualified Investments. All such investments must mature or be subject to redemption at the option of the Holder on or prior to the respective date or dates when cash funds will be required for purposes of the Debt Service Fund. Any investment made with money on deposit in the Debt Service Fund shall be at the written direction of the County and shall be held by or under control of the Paying Agent and shall be deemed at all times a part of the Debt Service Fund.

(b) All interest accruing on such investments and any profit realized therefrom shall be deposited in the Debt Service Fund and shall be credited to the deposits required by *Section 6.1*; any losses resulting from liquidation of investments shall be charged to the Debt Service Fund and shall be added to the next ensuing deposit specified in *Section 6.1*. The Paying Agent shall sell and reduce to cash a sufficient portion of such investments whenever the cash balance in the Debt Service Fund is insufficient to pay Debt Service on the Warrants when due.

(c) Any investment of money in the Debt Service Fund may be made by the Paying Agent through its own bond department, investment department or other commercial banking department providing investment services. Any certificate of deposit issued by, or other interest bearing deposit with, the Paying Agent shall be deemed an investment rather than a deposit requiring security, to the extent required by applicable law.

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ARTICLE 7

Sale and Delivery of Warrants

SECTION 7.1 Authorization of Financing Documents

(a) The Preliminary Official Statement dated August 26, 2019, with respect to the Warrants and the distribution of the Preliminary Official Statement to prospective purchasers of the Warrants is hereby authorized, ratified and approved.

(b) The Warrants will be sold to The Frazer Lanier Company, Incorporated (the "Original Purchaser") for a purchase price of \$5,346,481.90 (which represents the face amount of the Warrants less underwriter's discount of \$38,680.00, plus original issue premium of \$550,161.90).

(c) The Commission hereby authorizes, ratifies and approves the Purchase Agreement dated August 28, 2019 between the County and the Original Purchaser and the delivery of the Warrants to the Original Purchaser pursuant to the Purchase Agreement.

(d) The Commission hereby authorizes, ratifies and approves the Escrow Agreement dated September 1, 2019, between the County and the Escrow Trustee and the delivery of the proceeds of the Warrants to the Escrow Trustee for deposit in the Escrow Fund and payment of the Series 2010-A Warrants in accordance with *Section 7.2*.

(e) The Commission hereby authorizes, ratifies and approves the final Official Statement dated August 28, 2019 with respect to the Warrants (the "Official Statement"). The Official Statement is substantially in the form of the Preliminary Official Statement with the final pricing terms included in this Resolution.

(f) The Chairman and the County Administrator, and any other officers of the County and any person or persons designated or authorized by the Chairman or County Administrator to act in the name or on behalf of the County, or any one or more of them, are hereby authorized to execute and deliver:

(i) the Warrants in the form required by this Resolution, for authentication by the Paying Agent and delivery to the Original Purchaser;

(ii) a Continuing Disclosure Agreement substantially in the form included in the Preliminary Official Statement with such changes or additions as shall be approved by the officer executing such Agreement; and

(iii) documentation with respect to the issuance of the Warrants to be filed with the Department of Examiners of Public Accounts pursuant to Section 11-8A-1 et seq. of the Code of Alabama.

(g) The officers of the County and any person or persons designated and authorized by any officer of the County to act in the name and on behalf of the County, or any one or more of them, are authorized to do and perform or cause to be done and performed in the name and on behalf of the County such other acts, to pay or cause to be paid on behalf of the County such related costs and expenses, and to execute and deliver or cause to be executed and delivered in the name and on behalf of the County such other notices, requests, demands, directions, consents, approvals, orders, applications, certificates, agreements, further assurances, or other instruments or communications, under the seal of the County, or otherwise, as they or any of them may deem necessary, advisable or appropriate in order to carry into effect the intent of the provisions of this Resolution and to demonstrate the validity of the Warrants, the absence of any pending or threatened litigation with respect to the Warrants and the transactions contemplated by this Resolution, and the exemption of interest on the Warrants from federal and State of Alabama income taxation.

SECTION 7.2 Application of Proceeds

The proceeds from the sale of the Warrants to the Original Purchaser shall be applied for the following purposes and in the following order:

(a) The amount specified by the County Administrator in the closing statement for the Warrants shall be retained by the Original Purchaser, on behalf of the County, and shall be used by the

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Original Purchaser to pay expenses of issuance of the Warrants identified in the closing statement. Within 14 days after the issuance of the Warrants the Original Purchaser shall deliver to the County Administrator a report identifying expenses of issuance so paid by the Original Purchaser. Any portion of the Warrants that was retained by the Original Purchaser and not used to pay expenses of issuance shall be returned to the County when the report is delivered.

(b) The balance of such proceeds shall be delivered to the Escrow Trustee on behalf of the County and shall be deposited in the Escrow Fund to provide for the refunding of the Series 2010-A Warrants in accordance with the terms of the Escrow Agreement.

SECTION 7.3 Redemption of Series 2010-A Warrants

The County hereby calls the outstanding Series 2010-A Warrants maturing on April 1, 2021, and thereafter in the amount of \$5,055,000 for redemption on April 1, 2020, and hereby directs the Commission Chairman and the County Administrator to take all action necessary to effect such redemption. The County is not in default on the payment of the principal of or interest on the Series 2010-A Warrants.

ARTICLE 8

Miscellaneous

SECTION 8.1 Agreement to Pay Attorneys' Fees

If the County should default under any of the provisions of this Resolution and the Holder of any Warrant should employ attorneys or incur other expenses for the collection of any payments due hereunder or the enforcement of performance or observance of any agreement or covenant on the part of the County herein contained, the County will (to the extent legally enforceable) on demand therefor pay to such Holder the reasonable fees of such attorneys and such other expenses so incurred.

SECTION 8.2 Provisions of Resolution and Order a Contract

The terms, provisions and conditions set forth in this Resolution shall constitute a contract between the County and the Holders of the Warrants and shall remain in effect until the Debt Service on the Warrants shall have been paid in full or provision for such payment has been made in accordance with *Article 5*.

SECTION 8.3 Severability Clause

If any provision in this Resolution or in the Warrants shall be invalid, illegal or unenforceable, the validity, legality and enforceability of the remaining provisions shall not in any way be affected or impaired thereby.

SECTION 8.4 Notices to Holders; Waiver

(a) Notices and other communications to DTC or Holders pursuant to this ordinance must be in writing except as otherwise expressly provided in this ordinance. Any specific reference in this ordinance to "written notice" shall not be construed to mean that any other notice may be oral, unless such oral notice is specifically permitted by this ordinance under the circumstances.

(b) If the Book Entry System is in effect, notices and other communications to Holders will be delivered to Holders through the Book Entry System and shall be deemed delivered to Holders upon receipt by DTC. If the Book Entry System is terminated, notices and other communications to Holders may be delivered to such Holders at their address as it appears in the Warrant Register.

(c) Any notice to DTC or a Holder shall be deemed given when received by DTC or the Holder, as the case may be, or when sent to DTC or the Holder, as the case may be, by certified mail.

(d) Any defect in a notice to any particular Holder shall not affect the sufficiency of notice with respect to other Holders.

(e) Notice to any Holder required by this ordinance may be waived in writing by such Holder, either before or after the event, and such waiver shall be the equivalent of such notice.

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SECTION 8.5 Repeal of Conflicting Provisions

All ordinances, resolutions and orders or parts thereof in conflict with this Resolution are to the extent of such conflict, hereby repealed.

SECTION 8.6 Effect of Headings and Table of Contents

The Article and Section headings herein and in the Table of Contents are for convenience only and shall not affect the construction hereof.

SECTION 8.7 Covenant Regarding Tax Exemption

The Chairman of the County Commission is hereby authorized to execute a Tax Certificate and Agreement in connection with the issuance of the Warrants. The County hereby agrees to comply with all covenants on its part contained in such Tax Certificate and Agreement.

Adopted this 9th day of September 2019.

Pam Kelley called prior to the meeting and asked that her item concerning garbage pickup service be moved to the meeting on September 30.

Sheriff Jones presented a request to apply for grant funds totaling \$22,767 through the Edward Byrne Memorial Justice Assistance Grant (JAG). Sheriff Jones stated the funds will be used to purchase equipment as specified by the Sheriff's Office. The application will be submitted to the United States Department of Justice Bureau of Justice Assistance. Commissioner Lawrence made a motion, seconded by Commissioner Eckman to authorize the Lee County Sheriff's Office to apply for the JAG Grant of \$22,767. The motion carried unanimously.

Sheriff Jones presented an application for a one-time special event for Twenty One Acres. Sheriff Jones stated the events at this location are sorority formals and includes music scheduled on September 13, 2019. Further, Sheriff Jones stated it is an open-air pavilion with design capacity of 200 occupants. Sheriff Jones reminded the Commission that a similar request was approved in April at the same location. Commissioner LaGrand made a motion, seconded by Commissioner Ham to approve the following Resolution granting a special retail license for Twenty One Acres.

BE IT RESOLVED, the Lee County Commission does hereby approve the Special Retail License application for Twenty One Acres located at 5505 Lee Road 137, Auburn, Alabama.

County Engineer Justin Hardee presented the following Federal Aid Resolution for Commission consideration. Mr. Hardee stated this is for resurfacing Lee Road 243, from Lee Road 223 to Lee Road 248, approximately 2.879 miles. Mr. Hardee explained this is an amendment to a resolution passed by the Commission on May 28, 2019, that will reduce the scope of the project from ending at Lee Road 298 to ending at Lee Road 248. The portion of Lee Road 243, between Lee Road 248 and Lee Road 298, is not functionally classified as a collector route and therefore is not eligible for these federal funds. The project will be funded on an 80/20 split, with 80% of the funding coming from the Columbus-Phenix City MPO and a 20% match by Lee County. Further, Mr. Hardee stated there may be a way to use county funds to finish the portion of Lee Road 243 that is being removed from this project. Commissioner Long made a motion, seconded by Commissioner Ham to approve the following Resolution. The motion carried unanimously.

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WHEREAS, the County Commission of Lee County, Alabama is desirous of constructing or improving, by force account, by contract or both, a section of road included in the Lee County Road System and described as follows:

Full depth reclamation with cement, resurface, traffic stripe and other safety improvements on Lee Road 243, from the junction of Lee Road 223, then Northwesterly approximately 2.879 miles to the junction of Lee Road 248.

WHEREAS, the County agrees to all of the provisions of the County-wide agreement executed between the State and the County covering preliminary engineering by State forces and equipment on the project, and

WHEREAS, the County intends to apply for Federal Aid funds for the construction of the above referenced project, and

WHEREAS, the County agrees to all of the provisions of any agreement which has been executed or will be executed covering the construction of the project.

DONE at the regular session of the County Commission of Lee County, this 9th day of September 2019.

Mr. Hardee presented for Commission consideration a preliminary plat for approval for Hornet Flats Subdivision, Phase II. Mr. Hardee stated the plat has been reviewed and meets the minimum requirements of the *Lee County Subdivision and Land Development Regulations*. The proposed subdivision is located adjacent to Lee Road 165 and Lee Road 123. The adjacent property owners were notified of the development via letters sent out August 29, 2019. Judge English questioned if Lee Road 123 is the one-lane road and whether it would be able to handle additional traffic. Mr. Hardee stated that portion on Lee Road 123 had been approved at a previous meeting. Commissioner LaGrand made a motion, seconded by Commissioner Ham to approve the preliminary plat for Hornet Flats Subdivision, Phase II. The motion carried unanimously.

Mr. Hardee presented the following results on Bids #12-#18 for FY2019-2020 Highway Department maintenance bids:

Bid#12-Bales of Grass Hay-----	Parker Grassing, Inc.
Bid#13-Cement Mortar Flowable Backfill-----	Fairburn Ready Mix
Bid#14-Gasoline-----	Petroleum Traders Corp. W.H. Thomas Oil Co., Inc.
Bid #15-Grader Cutter Edges (Southeastern Region)-----	Thompson Tractor Co. Valk Manufacturing Co.
Bid #16-Maintenance Stone-----	Martin Marietta Vulcan Materials Wadley Crushed Stone Co., LLC
Bid #17-Cold Mix-----	Advanced Asphalt Products Chris Clark Grading & Paving
Bid #18-Ready Mixed Concrete-----	Fairburn Ready Mix

Commissioner Ham made a motion, seconded by Commissioner Long to award Bids #12-#18 as presented. The motion carried unanimously.

The following vendors awarded a one (1) year extension period on bids as stated in the bids under Section 2.1:

First Extension (FY 2018-2019)	
Bid #03-Diesel Fuel-----	W. H. Thomas Oil Co., Inc.

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Bid #05-Emulsified Asphalt-----Ergon Asphalt & Emulsions, Inc.
Bid #07-Picked up at the Plant Bituminous Treatment-----East Alabama Paving Co.

Commissioner LaGrand made a motion, seconded by Commissioner Lawrence to award the bid extensions for FY2018-2019 as presented. The motion carried unanimously.

First Extension (FY 2018-2019) Southeast Region
Bid #01-Tied Concrete Block Erosion Control Mat-----GroGreen Solutions, LLC
Premier Concrete Products
Bid #07-Grader Cutting Edges (2019)-----Tractor and Equipment Co.

Commissioner Ham made a motion, seconded by Commissioner Eckman to award the bid extensions for FY2018-2019 as presented. The motion carried unanimously.

Governmental Relations/Safety Coordinator Wendy Swann presented a request of \$1,200 for food, supplies and overtime for those working at the upcoming Benefits Fair which will be held October 16 at the Meeting Center. Judge English questioned the amount requested. Mrs. Swann indicated it is the same amount which has been requested for several years. Mrs. Swann explained the majority is for paying overtime for those working during the event. Judge English then questioned Mr. Rendleman of the amount allocated to the Contingency account. Mr. Rendleman responded \$12,000 annually. Commissioner Lawrence made a motion, seconded by Commissioner LaGrand to allocate \$1,200 from the Contingency fund for benefits fair expenses. The motion carried unanimously.

Last, Mrs. Swann presented the ACCA's Safety Incentive Discount Program verification form for Commission approval. Mrs. Swann explained that all necessary requirements to qualify for SIDP discount have been met for the current year. Additionally, Mrs. Swann stated the Safety Committee meets on a regular basis and addresses items including departmental safety concerns, trainings, quarterly review of accidents/losses and discusses findings from the yearly walkthrough review by Meadowbrook. Mrs. Swann requested the Commission authorize the Chairman to sign the verification form as presented. Commissioner Ham made a motion, seconded by Commissioner Lawrence to authorize the Chairman to sign the necessary paperwork for the ACCA's Safety Incentive verification form for the current year. The motion carried unanimously.

Commissioner Lawrence made a motion at approximately 6:08 PM to adjourn into a budget work session. The motion was seconded by Commissioner Ham and carried unanimously.

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The Lee County Commission convened in regular adjourned session at the Courthouse in Opelika, Alabama, Monday, September 30, 2019 at 5:00 p.m. The Pledge of Allegiance was recited, followed by an invocation by Commissioner Lawrence.

During citizens' communication, Lee County Firefighter's Association President Josh Datnoff wanted to inform the Commission of a grant received for breathing apparatus, thanks to Congressman Mike Rogers, for three volunteer fire departments in Lee County and one in Chambers County. The grant is a regional grant for breathing apparatus totaling \$508,571.42 with a 5% match. Chief Datnoff stated the volunteer fire departments have the funds to cover the match. The agencies receiving grant funding are: in Lee County: 1) Farmville Volunteer Fire Department; 2) Salem Volunteer Fire Department; and 3) Southwest Lee County Fire Protection Authority. In Chambers County: 1) Huguley Fire Department (mutual aid). Chief Datnoff stated they are currently in the process of ordering the needed equipment. Commissioner Eckman congratulated Mr. Datnoff on receiving this grant.

Wilbur Jackson stated he and several people in attendance would like to ask Commission assistance concerning an issue on Lee Road 2727. Mr. Jackson stated a mobile home park they live in has been sold and they are being told to vacate the premises within thirty days. Mr. Jackson stated others, who own their mobile homes, were given 90 days to vacate. Judge English questioned what Mr. Jackson thought the Commission could do. Mr. Jackson stated they were told by the City of Auburn to come to the Commission for assistance. Commissioner Lawrence questioned County Administrator Roger Rendleman if he knew of anything the Commission can do in this situation. Mr. Rendleman stated the Commission has no authority on private matters. Judge English stated it is a private property dispute with private citizens and suggested they obtain legal representation. Commissioner LaGrand questioned if they had received an eviction notice. Mr. Jackson stated a notice was left on their door to vacate the property within 30 days, if that is a notice. Commissioner Eckman stated she has been contacted about the situation and stated she feels it refers to the state property rights laws.

Next, Mr. Lindburgh (L.B.) Jackson spoke on the matter and stated the property is within the Auburn Planning Jurisdiction and questioned the Commission in an instance whereby a hardship is placed on the individuals. Mr. Jackson mentioned a similar situation where residents were displaced, and the City of Auburn assisted in 50% of the move. Mr. Jackson stated the residents were not property notified and asked the Commission to make the property owner abide by the law. Mr. Jackson stated if the owner asks for a tax incentive, and receives it, then the property owner will have a responsibility to those that were displaced. Judge English stated any tax incentive would be provided by the City of Auburn, not Lee County. Mr. Jackson stated the property was within the police jurisdiction and the fire jurisdiction of the City of Auburn; and questioned the legal jurisdiction.

The Chairman declared a quorum and officially opened the meeting with the following members recorded as being present: Judge Bill English, Chairman, and Commissioners Sheila Eckman, Johnny Lawrence, Gary Long, Robert Ham and Richard LaGrand. Elected Officials in attendance: Sheriff Jay Jones, Revenue Commissioner Oline Price and Senator Randy Price. News media in attendance: Opelika Observer owner/reporter Michelle Key and Opelika-Auburn News reporter Hannah Lester.

Judge English presented the following Proclamation recognizing the Pilot Club International Founders Day on behalf of Pilot Club member Julie Stanley.

PROCLAMATION

WHEREAS, in 1921, a group of civic-minded business leaders established an international service organization in Macon, Georgia; and

WHEREAS, the founding members combined their diverse talents in ‘friendship and service’ to improve the quality of life in communities throughout the world; and

WHEREAS, Pilot International is comprised of nearly 7,000 Pilot club members and 7,500 Anchor club members worldwide; and

WHEREAS, the mission of Pilot International is to influence positive change in communities throughout the world. To do this, we come together in friendship and give people an outlet for service. We focus on preparing youth and young adults for service; encouraging brain safety and health; and supporting those who care for others; and

WHEREAS, Pilot International furthers the organization’s humanitarian efforts through scholarships and grants to support research, education and community care-giving programs; and

WHEREAS, Pilot International partners with Project Lifesaver and Brain Injury Association of America; and

WHEREAS, Pilot Clubs throughout the world are dedicated to meeting the needs of their communities through volunteerism; now

THEREFORE, it is fitting that the achievements and contributions of this worthwhile international organization, its clubs and members, be recognized on their anniversary by proclaiming October 18, 2019 as Pilot International Founders Day.

Next, Judge English stated he had received a plaque, on the Commissions behalf, from the Lee County Clergy Appreciation Committee recognizing the Commission for Outstanding Service provided to Lee County residents during the aftermath of the March 3, 2019 tornadoes.

Also, Judge English recognized Commissioner Ham for receiving the “John Dear” Tractor Award from the Lee County Clergy Appreciation Committee. Judge English stated it was for the use of his wife Elizabeth’s John Deere tractor for the clean-up efforts after the tornadoes.

Last, EMA Director Kathy Carson recognized Rita Smith for receiving her FEMA Master Public Information Officer certification. Ms. Carson stated Ms. Smith is one of only two in the State of Alabama and one of 65 in the United States to hold this certification. The program included 104 hours of course work, two research papers and a verbal presentation. Ms. Carson thanked the Commission for providing this opportunity for Ms. Smith. Ms. Smith personally thanked each Commissioner and the Chairman for their support. Judge English thanked Ms. Smith for achieving this certification. Commissioner Ham thanked Ms. Smith for her dedication during the March 3 tornadoes and for her professionalism.

Copies of the items on the Consent Agenda sent to the Commissioners in their packets included: two listings of claims and minutes of the September 9 meeting. Announcement of one opening on the Beulah Utilities District Board was made. Prior to the meeting, an additional list of claims was presented for Commission approval. Commissioner Long made a motion, seconded by Commissioner Lawrence to approve the consent agenda items as presented. The motion carried unanimously.

Pam Kelley asked the Commission to grant permission for her business, PK’s Sanitation Service, to provide garbage pickup service in the Bleeker community. Ms. Kelley stated she has a copy of her contract which will be given to each customer. County Engineer Justin Hardee stated Environmental Services Director John McDonald had talked to Ms. Kelley about providing this service to county residents, which would be picked up from the resident and transported to the county collection sites. Mr. Hardee reminded the Commission of issues in the past when these type vendors fill up the collection sites in a short period of time. Further, Mr.

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Hardee questioned the Commission about other options currently being discussed concerning garbage collection. Mr. Hardee asked Ms. Kelley to submit a copy of the contract as well as her application. Mr. Hardee requested that the Commission allow Mr. McDonald an opportunity to review the paperwork and to follow-up with the health department and bring the item back before the Commission at the next meeting for further discussion. The Commission agreed to carry the item forward.

Mathan Holt appeared before the Commission to discuss a landlocked parcel off Lee Road 188. Mr. Holt first congratulated the Commission on the new Commission chambers and commended them on the addition to the Courthouse as well. Mr. Holt stated he was not personally involved, he is trying to help resolve some issues among property owners. Mr. Holt stated the issue concerns a portion of Lee Road 3, which is a public road, but not county maintained. Mr. Holt stated he is familiar with the area, since he remembers as a child riding his bicycle on that road. Mr. Holt questioned if Lee Road 3 is a public road, not county maintained, and questioned whether the road has been abandoned or vacated by the county. Commissioner Long questioned if the road was a dead-end. Mr. Holt stated it is not a dead-end road. Judge English added that Mr. Holt is questioning whether the southern portion of the road below Lee Road 393 is public or not, that the portion north of Lee Road 393 is public, is paved, and is maintained by the county. Commissioner Lawrence directed the question to Mr. Hardee. Mr. Hardee responded that the road has not been formally abandoned or vacated. Mr. Hardee stated Lee County maps, which are produced by the State Highway Department, from 1983 and 1992 show the southern portion of Lee Road 3, but the maps from 2001 and 2009 do not show the southern portion of Lee Road 3. Further, Mr. Hardee stated one of his highway supervisors has personal knowledge that Lee Road 3 has not been maintained by Lee County for over 20 years. Commissioner Eckman questioned the condition of Lee Road 3. Mr. Holt stated that the road is not completely passable and there are trees located in the middle of portions of the road.

Keith Kolander, who owns property on the southern portion of Lee Road 3, stated he feels that Lee Road 3 is not a public road. Mr. Kolander stated he was contacted by Mr. Holt about the item being on the agenda, and stated he feels he is being blindsided. Mr. Kolander stated a locked gate was on the road in the early 70's to late 80's and unless a person had a key, the road was not accessible by the public. Mr. Kolander stated against his wishes, Mr. Hughes has been maintaining part of the road. Mr. Hughes spoke up and stated he has been maintaining the road for 23 years. Mr. Kolander stated he has offered alternative access so Mr. Hughes can access his property. Mr. Kolander questioned if Lee Road 3 is a public road. County Attorney Stan Martin passed out a sheet to the Commission with considerations on determining whether a road is public or private, which is a determination to be made by the Commission, based on the facts. Mr. Martin stated the considerations take into account the use and character of the road.

Rusty Jones owner of 24.75 acres on the road, stated he uses Lee Road 3 exclusively to access his property and has not been offered another option to access it. Further, if Lee Road 3 is vacated it would cut him off from his parcel. Judge English questioned Mr. Jones if Lee Road 3 was passable to his property. Mr. Jones responded that the road is passable until you get to Mr. Johnson's property north of him. Mr. Kolander responded he has no further comments until he seeks legal representation.

Mrs. Mary Hughes stated she and her husband began building their home in August 2018 and have not been able to get electricity installed until the issue of Lee Road 3 is resolved. Mrs. Hughes questioned if they have legal access to Lee Road 3 or not. Mrs. Hughes stated her heart skipped a beat when she heard that further research needs to be done, which means another two weeks will pass before a decision is made. Mrs. Hughes explained that they are only trying to get in a position to move forward on their house, which at the moment, is at a standstill.

Judge English explained that the possible actions the Commission could take on Lee Road 3, are: 1) reaffirm the public status of Lee Road 3 without county maintenance; 2) find that it is a private road; 3) begin the process to vacate the southern portion of Lee Road 3; or

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4) reaffirm the public status of Lee Road 3 and begin county maintenance.

Last, Mr. William Hughes spoke on the issue stating a year ago he began building his home and has accessed it by Lee Road 3, which he personally keeps cut to his property. Mr. Hughes indicated he needs to run electricity to his house and stated somebody needs to make a decision. Commissioner Eckman questioned Mr. Kolander if the option is still available to Mr. Hughes along the fence line. Mr. Kolander responded in the affirmative, if Lee Road 3 is closed to public traffic. Judge English moved the item to the next agenda for further discussion.

Mr. Hardee presented a funding agreement between the City of Opelika and Lee County for the construction of a roundabout at the intersection of Lee Road 54 (Society Hill Rd) and Gateway Drive. Mr. Hardee stated the funding agreement would require the county to reimburse the city the cost for 50% of the central portion of the roundabout itself and 100% of the cost of necessary improvements to Lee Road 54, up to a maximum of \$200,000 for the entire project. The City of Opelika would pay for 50% of the central portion of the roundabout itself and 100% of the cost of necessary improvements to the other three legs of that intersection. Also, once the project is complete the agreement transfers maintenance responsibility and liability for the entire intersection to the city. As it stands currently, although only one approach leg of the intersection is the responsibility of the county due to annexations by the city, the county is still responsible for maintenance and liability for the entire intersection. Mr. Hardee stated roundabouts are becoming more popular and are safer for the traveling public. Mr. Hardee stated funds have been budgeted and stated he may look at other intersections in the county which may benefit by a roundabout after we gain some experience with this one. Judge English questioned if he had looked at the La-Z-Bee intersection. Mr. Hardee stated that is one. Commissioner Eckman questioned if the roundabout will be the same size as the one in Tiger Town. City of Opelika Engineer Scott Parker stated it will be the same size as the one at Tiger Town and the one on Frederick Road. Commissioner Long made a motion, seconded by Commissioner LaGrand to authorize the Chairman to sign the funding agreement with the City of Opelika for the construction of a roundabout at the intersection of Lee Road 54 and Gateway Drive. The motion carried unanimously.

Next, Mr. Hardee presented a final plat approval for Phase II of Magnolia Ridge Subdivision located in District 5. Mr. Hardee stated it has been reviewed and meets the minimum requirements of the *Lee County Subdivision and Land Development Regulations*. The proposed subdivision is located adjacent to Lee Road 401 and Alabama Highway 169. The adjacent property owner(s) were notified of the development by letters sent out on May 31, 2019. Upon the presentation, Commissioner LaGrand made a motion, seconded by Commissioner Ham to approve the final plat approval for Phase II of Magnolia Ridge Subdivision. The motion carried unanimously.

Mr. Hardee presented a preliminary plat approval for Phase V in Haley Woods Subdivision, located in District 5. Mr. Hardee stated the preliminary plat has been reviewed and meets the minimum requirements of the *Lee County Subdivision and Land Development Regulations*. The proposed subdivision is located adjacent to Lee Road 2087 and Lee Road 2191. The adjacent property owner(s) were notified of the development by letters sent out September 18, 2019. Commissioner LaGrand made a motion, seconded by Commissioner Lawrence to approve the preliminary plat for Phase V in Haley Wood Subdivision. The motion carried unanimously.

Mr. Rendleman requested the Commission adopt the FY2019 personnel and operational budgets for the initial FY2020 Budget. Mr. Rendleman explained that a budget needs to be approved so that the county can continue to operate day to day until the results of the pay and benefits study, currently underway, can be considered along with other budget requests for the

MINUTES OF THE LEE COUNTY COMMISSION, REG. ADJ. TERM, SEPTEMBER 30, 2019

FY2020. Mr. Rendleman stated the budget is anticipated to be finalized in November. Upon this request, Commissioner Lawrence made a motion, seconded by Commissioner Long to authorize the FY2019 personnel and operational budgets for the initial FY2020 Budget. The motion carried unanimously.

Fiscal Year 2019-2020
County Commission Budget

<u>Commission Funds</u>	Carryover**	<u>Revenues</u>	<u>Expenditures</u>	Operating Transfers In / (Out)	Increase/ (Decrease)
General Fund	0	33,578,549	28,648,141	(4,905,989)	24,419
Gasoline Tax Fund	0	2,232,000	5,135,085	2,903,085	0
RRR Gasoline Tax Fund	0	2,943,047	3,105,730	162,683	0
Reappraisal Fund	578,350	885,445	1,463,795		0
Capital Improvement Fund		550,000	550,000		0
Judicial Facilities Fund		430,000		(430,000)	0
Operational	578,350	40,619,041	38,902,751	(2,270,221)	24,419
Debt Service					
2004 Debt Service - Jail Expansion		715,025	1,294,850	579,825	0
2010 Debt Service - Bridge Program			544,881	544,881	0
2013 Debt Service - Justice Center Expansion			662,090	662,090	0
2018 Debt Service - Recreation & Facilities			483,425	483,425	0
TOTAL County Commission Funds	578,350	41,334,066	41,887,997	0	24,419

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

Next, Mr. Rendleman asked that if the Commission decides to go ahead and set the amounts for the outside agencies for the Fiscal Year 2020, with the passage of the initial Fiscal Year 2020 budget, to authorize the Chairman to execute funding agreements with outside agencies for the approved agencies and amounts. After discussion, Commissioner Lawrence made a motion, seconded by Commissioner Ham to approve funding only for the agencies highlighted in green on the list provided by Mr. Rendleman. The motion carried unanimously.

The agencies and amounts approved at this time are as listed below.

Contract Agencies:

Lee-Russell Council of Governments	\$153,300
Additional: Match funds for buses	\$15,050
EAMC Emergency Medical Services	<u>\$375,476</u>
Total Contract Agencies:	<u>\$543,826</u>

Appropriation Agencies:

Lee County Alternative Sentencing Board	\$70,000
East Alabama Food Bank	<u>\$8,333</u>
(One-time capital request over three years)	
Total Appropriation Agencies	<u>\$78,333</u>

TOTAL OUTSIDE APPROPRIATIONS \$622,159

Last, Mr. Rendleman stated that since there will be no merit increases, that the Commission grant additional annual leave days as has been done in the past based on annual evaluation. The basis would be: employee must obtain at a minimum “Meets Standards” for one annual day; “Exceeds Standards” for two annual days; and “Consistently Exceeds Standards: for

MINUTES OF THE LEE COUNTY COMMISSION, REG. ADJ. TERM, SEPTEMBER 30, 2019

three annual days. The motion to approve was made by Commissioner Eckman and seconded by Commissioner Lawrence. The motion carried unanimously.

Ms. Carson informed the Commission that grant funding has been approved for individual storm shelters to local homeowners. Ms. Carson stated the funds were approved due to the recent tornadoes in Lee County. Ms. Carson stated her office will hold meetings beginning October 8 to inform the public of the grant availability and provide applications to interested citizens and guide them in submitting the application for the grant. Ms. Carson stated priority will be given in the following manner: 1) if a person suffered or lost a family member in the March 3 tornadoes, or 2) if a person is located in the highest area of vulnerability according to Dr. Cheney's study. Commissioner Lawrence questioned if these are state or federal funds and if there is a cap. Ms. Carson stated these are federal funds and are capped at a maximum of \$4,000. Ms. Carson stated the total grant funds equal \$442,786, which includes a match of 25%, which is the responsibility of the individual homeowner. Ms. Carson stated approximately 110 citizens will be eligible to apply for the funds. Judge English questioned Ms. Carson that there is no obligation by the county. Ms. Carson answered in the affirmative, said that these funds will not pass through EMA but go directly to the applicants if approved.

Commissioner Lawrence read the following Resolution in recognition of all Purple Heart recipients in attendance and those that live in Lee County.

RESOLUTION

WHEREAS, Lee County and its citizens have great respect, admiration and the utmost gratitude for all men and women who have selflessly served their country and this county in the Armed Forces; and

WHEREAS, the contributions and sacrifices of the men and women from Lee County that served in the Armed Forces has been vital in maintaining the freedoms and way of life enjoyed by our citizens; and

WHEREAS, the Lee County Commission seeks to honor these individuals who have paid the highest price for freedom by placing themselves in harm's way for the good of all; and

WHEREAS, Purple Heart is the oldest military decoration in present use and was initially created as the Badge of Military Merit by General George Washington in 1782; and

WHEREAS, the mission of the Military Order of the Purple Heart is to foster an environment of goodwill among the combat-wounded veteran members and their families, promote patriotism, support legislative initiatives, and most importantly-make sure we never forget; and

WHEREAS, many citizens of Lee County are recipients of the Purple Heart Medal as result of being wounded or killed while engaged in combat with an enemy force, construed as a singular meritorious act of essential service; and

WHEREAS, the Lee County Commission appreciates the sacrifice our Purple Heart recipients made while defending freedom and believes specific recognition be accorded them in appreciation of their courage and to demonstrate the honor and support they have earned; and

NOW THEREFORE, BE IT RESOLVED that the Lee County Commission hereby declares Lee County as a Purple Heart County, honoring the service and sacrifice of our men and women in uniform wounded or killed by the enemy while service to protect the freedoms of all Americans.

After reading the Resolution, Commissioner Lawrence recognized Commander Van Daughtry of the Alabama Chapter of Purple Heart and a Purple Heart recipient. Commander Daughtry presented a plaque to the Commission recognizing Lee County as a Purple Heart County. Commander Daughtry stated the State of Alabama has the highest suicide rate among veterans at 22 per day. Commander Daughtry asked each person in attendance, when you see a veteran thank him/her for their service, you may save that person's life. Judge English thanked Commander Daughtry for his presentation.

MINUTES OF THE LEE COUNTY COMMISSION, REG. ADJ. TERM, SEPTEMBER 30, 2019

Following a picture opportunity with the Purple Heart recipients and other veterans in attendance, Judge English announced at 6:30 PM the Commission will adjourn into executive session concerning a potential real estate transaction. Judge English stated Attorney Stan Martin and Mr. Rendleman should attend, the session will last approximately 20 minutes and official action is anticipated at its conclusion. Commissioner Long made a motion, seconded by Commissioner LaGrand to adjourn into executive session. The motion carried unanimously.

After the Executive Session, Commissioner Ham made a motion, seconded by Commissioner Lawrence, to authorize Mr. Rendleman to accept the offer to purchase the county's property in the 500 block of South Railroad Ave at the county's appraised value. The motion carried on a vote of 4-1, with Commissioner Eckman voting "No".

After the Executive Session, Commissioner Lawrence made a motion at approximately 7:00 PM to adjourn into a budget work session. The motion was seconded by Commissioner Eckman and carried unanimously.

MINUTES OF THE LEE COUNTY COMMISSION, REGULAR TERM, OCTOBER 15, 2019

The Lee County Commission convened in regular session at the Courthouse in Opelika, Alabama, Tuesday, October 15, 2019 at 5:00 p.m. The Pledge of Allegiance was recited, followed by an invocation by Judge English.

During citizens' communication, Wilbur Jackson appeared before the Commission once again asking for assistance on the situation in Windover Farm Mobile Home Park in Auburn. Mr. Jackson stated that some of the mobile home residents were provided assistance in moving their mobile homes, but others were offered nothing. Mr. Jackson stated he feels there should be assistance for these citizens since it is creating a hardship for them. Mr. Jackson asked the Commission to look into the situation and reach out to the citizens.

Next, Mr. John Andrew Harris stated he was here on behalf of the residents of the mobile home park too. Mr. Harris stated several residents attended the Lee County Voters League meeting and the residents told him nothing had been done to help them. Mr. Harris stated it is in the county and indicated he had talked with County Attorney Stan Martin about it. Mr. Harris asked the Commission to allow Mr. Martin to write a letter on behalf of the Commission to get something done. Judge English thanked Mr. Harris for his attendance.

Mr. Lindsay Bickerstaff spoke on the situation too. Mr. Bickerstaff stated he was in attendance at the Lee County Voters League meeting and the residents were asking if the property is in the city or in the county. Mr. Bickerstaff questioned Commissioner LaGrand. Commissioner LaGrand answered that the mobile home park is in the county. Further, Commissioner LaGrand stated he understands it is a hardship on the residents. Commissioner LaGrand suggested that Mr. Bickerstaff ask the residents to put in writing exactly what they (the residents) are requesting from the landlord. Next, Mr. Bickerstaff questioned Commissioner Eckman on the recreation land that had been recommended to the Commission in the Roxana community. Mr. Bickerstaff stated Commissioner Eckman had indicated the property was too hilly for recreation purposes. Commissioner Eckman responded that she was advised by the county engineer and others that the property brought before the Commission was not suitable for recreation purposes. Mr. Bickerstaff stated that it would not take too much to level the land that had been brought before the Commission on Lee Road 72. Last, Mr. Bickerstaff thanked County Engineer Justin Hardee for the work done to make a turnaround at Mt. Pelia Church and stated it has helped tremendously.

Last, Mr. Lindburgh (L.B.) Jackson spoke again on the mobile home situation and stated the mobile home property is within the Auburn Planning Jurisdiction, the Auburn fire district, but outside the city limits in the county. Mr. Jackson stated it is his understanding notices have been sent by snail mail, but residents have not received them. Mr. Jackson stated the tenants are suffering a hardship and victims of "genderfication" (gentrification?). Mr. Jackson further said the City of Auburn stated they would be involved if the property is annexed into the city, but until that time, the property is located in the county, and if a tax incentive is granted the county should give it. Judge English explained again that the cities can grant tax abatements in their planning jurisdictions, and that the county had not given one. Mr. Jackson spoke until the three-minute timer sounded.

The Chairman declared a quorum and officially opened the meeting with the following members recorded as being present: Judge Bill English, Chairman, and Commissioners Sheila Eckman, Johnny Lawrence, Gary Long, Robert Ham and Richard LaGrand. Elected Officials in attendance: Sheriff Jay Jones and Revenue Commissioner Oline Price. News media in attendance: Opelika Observer reporter Morgan Bryce and Opelika-Auburn News reporter Hannah Lester.

Sheriff Jones recognized Corrections Deputy Ashley Ogletree as the recent recipient of the "COPS" Award from the local Kiwanis clubs. Sheriff Jones stated Ms. Ogletree was nominated by her supervisor, Captain Corey Welch, who was in attendance for this recognition. Ms. Ogletree thanked Sheriff Jones for the recognition and also thanked the Commission.

MINUTES OF THE LEE COUNTY COMMISSION, REGULAR TERM, OCTOBER 15, 2019

Copies of the items on the Consent Agenda sent to the Commissioners in their packets included: two listings of claims, procurement card transactions from September and minutes of the September 30 meeting. First reading of Jerry Southwell (D4) and John L. Johnson (D5) to the Lee County Recreation Board was made. Commissioner LaGrand made a motion, seconded by Commissioner Lawrence to approve the consent agenda items as presented. The motion carried unanimously.

Judge English questioned if Ms. Pam Kelley was in attendance to address the next agenda item. After no response, Judge English questioned Mr. Hardee if his department would be addressing the issue. Mr. Hardee deferred the item to Environmental Services Director John McDonald. Mr. McDonald stated he had not heard from Ms. Kelley and was waiting to receive her health department clearance letter. Mr. McDonald stated he had contacted the Lee County Health Department himself; but has yet to hear back from them. Judge English asked Ms. McCall to wait to add the item to the Agenda until Ms. Kelley asks for it to be added.

Commissioner LaGrand discussed the item concerning Lee Road 3. Commissioner LaGrand stated he and Mr. Hardee had been out and looked at it. Commissioner LaGrand made a motion to reaffirm the public nature of Lee Road 3, despite the fact that the county has not maintained the southern portion of that road in many years. The motion was seconded by Commissioner Lawrence and carried unanimously. Keith Kolander questioned if the entire road from Lee Road 188 to Lee Road 393 is all public. Judge English answered in the affirmative.

Revenue Commissioner Oline Price asked the Commission to re-nominate Goode Dorman to the Lee County Board of Equalization since he has agreed to serve another term. Judge English stated the Code says the Commission shall submit the names of three persons for consideration by the Governor. Commissioner Lawrence questioned the Commission's board appointment policy of announcing the vacancy for 30 days. Mr. Rendleman stated this appointment has not been handled in that manner in the past. After discussion, Commissioner Lawrence made a motion, seconded by Commissioner Ham to re-nominate Goode Dorman to the Board of Equalization. The motion passed unanimously.

Mr. Hardee presented for approval a final plat of a re-subdivision of Parcel B-100 of Steven W. Corbett property. Mr. Hardee stated the parcel has been reviewed and meets the minimum requirements of the *Lee County Subdivision and Land Development Regulations*. The proposed subdivision is located adjacent to the intersection of Lee Road 379 and Lee Road 250. The adjacent property owners were notified of the development via letters sent October 3, 2019. Commissioner Ham made a motion, seconded by Commissioner Long to approve the final plat for a re-subdivision of Parcel B-100 of Corbett property division. The motion carried unanimously.

Sheriff Jones presented an application for a one-time special event for Twenty One Acres. Commissioner LaGrand questioned the nature of the event. Sheriff Jones stated the events at this location are sorority formals and includes music scheduled on September 13, 2019. Further, Sheriff Jones stated it is an open-air pavilion with design capacity of 200 occupants. Sheriff Jones reminded the Commission that a similar request was approved in September at the same location. Commissioner LaGrand made a motion, seconded by Commissioner Eckman to approve the following Resolution granting a special retail license to Twenty One Acres.

BE IT RESOLVED, the Lee County Commission does hereby approve the Special Retail License application for Twenty One Acres located at 5505 Lee Road 137, Auburn, Alabama.

MINUTES OF THE LEE COUNTY COMMISSION, REGULAR TERM, OCTOBER 15, 2019

Emergency Management Agency Director Kathy Carson informed the Commission of an Emergency Management Performance Grant (EMPG) for Commission approval. Ms. Carson stated this grant is a federal grant for operation support totaling \$60,590. Judge English questioned if this goes to support her budget. Ms. Carson answered in the affirmative. Commissioner Ham made a motion, seconded by Commissioner LaGrand to authorize the Chairman to sign the necessary agreements for the EMPG totaling \$60,590. The motion carried unanimously.

Next, Ms. Carson presented an EMPG Grant from the State totaling \$12,000 which supplements the salary of the EMA Director. Commissioner Lawrence made a motion, seconded by Commissioner Eckman to authorize the Chairman to sign the necessary agreements for the EMPG totaling \$12,000. The motion carried unanimously.

Governmental Relations Coordinator Wendy Swann presented a request from Business Alabama Magazine for purchase of an advertisement in the publication as done before. Mrs. Swann stated the magazine focuses on Lee County every two years. Mrs. Swann stated in 2015 the Commission agreed to purchase a ½ page advertisement and in 2017 a ¼ page advertisement was approved. After discussion, Commissioner Lawrence made a motion to authorize a ½ page vertical advertisement for \$1,845 in the Business Alabama Magazine. The motion was seconded by Commissioner Eckman and carried unanimously.

Mr. McDonald gave an update on the recycling department and ADEM Grants. Mr. McDonald reported that 2,600 tons had been recycled this year, an increase of 230 tons from last year. Further, Mr. McDonald stated the ADEM Grant had been approved this year for trailers for cardboard recycling. Commissioner Ham questioned if Mr. McDonald's department is still utilizing the scrap tire program. Mr. McDonald answered in the affirmative and stated they receive tires from the City of Opelika too. Commissioner Ham thanked Mr. McDonald.

Ms. Carson announced and invited all in attendance to join her at the Skywarn Storm Spotter training class being held by the National Weather Service tonight at 6:00 PM at Southern Union. Ms. Carson apologized for the short notice but stated she didn't realize at the time that Monday was a holiday.

Judge English announced at 5:36 PM that Commissioner Long requested an executive session concerning a potential real estate transaction. Judge English stated Attorney Stan Martin, Mr. Rendleman, Mr. Hardee and Assistant Engineer Patrick Harvill needed to attend. The session was expected to last approximately 20 minutes and no official action is anticipated at the conclusion. Commissioner Long made a motion, seconded by Commissioner Lawrence to adjourn into executive session. The motion carried unanimously.

Upon reconvening the Executive Session, Commissioner Lawrence made a motion at approximately 6:25 PM to adjourn. The motion was seconded by Commissioner Eckman and carried unanimously.

MINUTES OF THE LEE COUNTY COMMISSION, REG. ADJ. TERM, OCTOBER 28, 2019

The Lee County Commission convened in regular session at the Courthouse in Opelika, Alabama, Monday, October 28, 2019 at 5:00 p.m. The Pledge of Allegiance was recited, followed by an invocation by Commissioner Ham.

During citizens' communication, David Scott Johnson of Lee Road 393, came before the Commission to discuss the situation on Lee Road 3. Mr. Johnson stated the Commission made an error in the action taken at their September 30 meeting. Mr. Johnson stated several items concerned him on the issue: 1) he was not notified the item was on the agenda for discussion; 2) he and Mr. Kolander purchased their properties in 1978 and since that time the road has been overgrown with trees and undergrowth; and 3) that 70-80% of the road no longer exists, except for the portion used by Mr. Hughes. Mr. Johnson stated as of October 15, he and Mr. Kolander have hired legal counsel on the matter. Further, Mr. Johnson asked the Commission to reverse the action taken at the meeting on September 30. Commissioner Eckman questioned where Mr. Johnson's property is in relation to Mr. Kolander's property. Mr. Johnson stated his property is located at the northern end of the southern portion of Lee Road 3. Judge English questioned Mr. Johnson if his property access is off Lee Road 393. Mr. Johnson answered in the affirmative.

The Chairman declared a quorum and officially opened the meeting with the following members recorded as being present: Judge Bill English, Chairman, and Commissioners Sheila Eckman, Johnny Lawrence, Gary Long, Robert Ham and Richard LaGrand. Elected Officials in attendance: Sheriff Jay Jones. News media in attendance: Opelika Observer reporter Michelle Key and Opelika-Auburn News reporter Jasmyne Ray.

Elizabeth & Emily Jordan and Claire & Mylia Reagan appeared in era appropriate attire and invited the Commission and the audience members to the third annual "Back in Time" Historical Celebration which will be held at Pioneer Park in Loachapoka from 5:00 PM until 8:00 PM on December 14, 2019. Each presented a synopsis of the information that will be presented at the "Back in Time" event. They stated the event begins with delicious appetizers, a silent auction, following a period appropriate multi-course meal, and ending with dessert and coffee. Elizabeth Jordan stated character actors and actresses will visit each table and provide up close and personal opportunities for guests to honor the people of Alabama. This educational entertainment will provide event participants a special glimpse "Back in Time". At the conclusion, they provided Judge English and each Commissioner a flyer about the event and gave them sweet potatoes. Judge English thanked them for attending and stated he was looking forward to the event.

Next, Sheriff Jones honored several Sheriff's Office employees on their recent promotions. Sheriff Jones recognized Corporal Erin Pierce, Lieutenant Dennis Harrell, Captain Jimmy Taylor and Lieutenant Daniel Scivicque. Sheriff Jones stated their combined experience represents over 60 years of law enforcement. Sheriff Jones stated each has demonstrated leadership qualities and each uphold the standards set by the Lee County Sheriff's Office. Judge English reminded Sheriff Jones that each must make a speech.

County Engineer Justin Hardee recognized Joey Hundley, who is retiring after 25 years of dedicated service in the Highway Department. Mr. Hardee stated Mr. Hundley began working for Lee County in October 1994 as a Project Engineer and currently serves as the Special Projects Coordinator. Additionally, Mr. Hardee stated Mr. Hundley is a mentor and a friend. Judge English asked Mr. Hundley if he wished to say a few words. Mr. Hundley stated 25 years ago he received a letter, which he almost did not open, because he thought it was a rejection letter, but stated he was glad to receive the good news of being offered a job with Lee County. Mr. Hundley stated the job provided support for his family and said it has been an experience. Judge English and the Commissioners thanked Mr. Hundley for his service to Lee County.

MINUTES OF THE LEE COUNTY COMMISSION, REG. ADJ. TERM, OCTOBER 28, 2019

Copies of the items on the Consent Agenda sent to the Commissioners in their packets included: two listings of claims and minutes of the October 15 meeting. First reading to reappoint James Majors to the Beulah Utilities District Board was made. Commissioner Lawrence made a motion, seconded by Commissioner Long to approve the consent agenda items as presented. The motion carried unanimously.

Second reading of Jerry Southwell (D4) and John L. Johnson (D5) to the Lee County Recreation Board was discussed. Commissioner Ham asked to move first reading of Houston Black instead of Jerry Southwell to the Lee County Recreation Board to the next meeting. Commissioner LaGrand made a motion to approve the following Resolution to reappoint John L. Johnson (D5) to the Lee County Recreation Board. The motion was seconded by Commissioner Ham and carried unanimously.

BE IT RESOLVED the Lee County Commission does hereby reappoint John L. Johnson as the District 5 appointee to the Lee County Recreation Board to serve a five-year term from October 28, 2019 to October 14, 2024.

John Andrew Harris again appeared before the Commission to ask if they would look to see if there is a way to help to resolve the issue for the residents of Windover Farm Mobile Home Park in Auburn. Mr. Harris first recognized a few residents in attendance and asked each to speak before the Commission about the situation.

First, Wilbur Jackson stated the residents understand the park will close October 31, but it is his understanding the residents have not been given proper notification of the closure. Further, Mr. Jackson stated that the gates have been locked and the residents have only one access point in and out of the park.

Next, Ms. Alicia stated she has lived in the United States for 22 years, and in this mobile home park for eight years. Ms. Alicia stated it is her understanding the owner has sold the property and has given her and other residents three months to move out. Ms. Alicia, of Hispanic descent, stated she is 71 years old and unable to move out, due to financial constraints, and stated others in the park are in the same predicament as she is.

Next, Ms. Shanitra Spinks stated she has lived in the mobile home park less than a year and stated she is unable to move in the three-month timeframe given, due to financial difficulty. Ms. Spinks stated three months ago, she had to borrow money to move into the park and now is being forced to move again. Ms. Spinks asked if a letter is written, if a request could be made to the owner to give the residents an additional two months to move.

Next, Lindburg B. Jackson stated as of today, no one legally notified the residents or served them with an eviction notice. Mr. Jackson stated the residents have contacted an attorney for legal assistance on the matter. Mr. Jackson asked the Commission to see if these residents are in an opportunity or empowerment zone.

Mr. Harris summed up their appeal and asked for Commission assistance. Mr. Harris stated he talked to County Attorney Stan Martin about the situation. Mr. Harris asked the Commission to authorize Mr. Martin to write a letter and make the landowner "do right". Commissioner Lawrence questioned Mr. Martin what, if any, authority the Commission has in writing a letter to the landowner. Mr. Martin stated he is not aware of any authority. Commissioner Lawrence further stated the county does not even know the name of the landowner or whether the land has been sold or not. Auburn City Council member Connie Fitch Taylor stood and stated the property has been sold. Mr. Martin stated he talked to Commissioner LaGrand about the issue earlier today. Judge English questioned Mr. Jackson's statement that they have an attorney. Mr. Jackson clarified stating the citizens have written a letter to an attorney, but no response has been received. Commissioner Ham questioned if the property is in an opportunity zone. Mr. Harris answered in the affirmative.

Last, C. L. Davis appeared and stated the dismantling of people in this manner is inhumane and illegal. Mr. Davis stated the Auburn Industrial Park is directly behind the trailer park and suggested the sale is for selfish gain. Mr. Davis stated it is incumbent on this board, voted in by the people, to take a stand in the matter. Further, Mr. Davis stated money has been

MINUTES OF THE LEE COUNTY COMMISSION, REG. ADJ. TERM, OCTOBER 28, 2019

exchanged under the table. Last, Mr. Davis stated this is a humanitarian issue.

Commissioner Eckman wished to state that no money has gone under the table and the Commission has no control over the situation. Commissioner Eckman stated she is tired of Mr. Harris bringing people here when he knows the Commission has no control over such matters.

Commissioner LaGrand questioned if Mr. Martin could research to see whether the property is in an empowerment zone or an opportunity zone. Commissioner LaGrand asked Mr. Martin to report his findings back to the Commission.

County Administrator Roger Rendleman presented a change order for the HVAC replacement at the detention center. Mr. Rendleman stated the final phase of the HVAC replacement is complete and change order #1 is needed to close out the contract. Mr. Rendleman stated the contingency allowance of \$80,000 has a balance of \$52,272.49. Mr. Rendleman requested the Commission approve change order #1 for \$52,272.49 to reduce the original cost of the contract from \$1,267,000 to \$1,214,727.51. Upon this request, Commissioner Ham made a motion, seconded by Commissioner Eckman to approve change order #1 for a reduction of \$52,272.49 on the HVAC replacement project at the detention center. The motion carried unanimously.

Chief Appraiser Richie LaGrand appeared before the Commission asking that they authorize the Chairman to sign the aerial photography contract with Kucera International, Inc. for photogrammetrist services. Mr. LaGrand stated this is a joint venture between Lee County, Auburn University, the City of Auburn and the City of Opelika. Mr. LaGrand indicated the aerial photography is done every three years. Further, Mr. LaGrand stated in the future they will ask the City of Phenix City and the City of Smiths Station to join the partnership to share in the cost. Commissioner Eckman questioned if it will be done in the winter. Mr. LaGrand answered in the affirmative, since it is easier to see some areas at that time. Mr. LaGrand stated the total cost of the contract is \$504,716, each entity's share follows: Lee County - \$217,075.22; City of Auburn - \$182,809.96; City of Opelika - \$92,976.59; and Auburn University - \$11,854.23. Commissioner Ham made a motion, seconded by Commissioner Long to authorize the Chairman to sign the Aerial Photography Contract with Kucera International, Inc. for photogrammetrist services. The motion carried on a vote of 4-0-1 with Commissioner LaGrand abstaining.

Commissioner Lawrence reported on his trip to Washington, D.C. to attend the Alabama, Florida, Georgia State Leadership Day. Commissioner Lawrence stated on October 17 the group met with White House Staff and other representatives from Alabama, Florida and Georgia. Commissioner Lawrence stated after attending a brief overview, they attended an interactive session where they were able to discuss specific issues and needs. Commissioner Lawrence stated he stopped by FEMA Headquarters to thank them for their assistance during the March tornadoes. Commissioner Lawrence stated he met with Associate Administrator for the Office of Response & Recovery Jeff Byard who was heavily involved after the tornadoes hit Lee County. Commissioner Lawrence reported that Mr. Byard stated he is going to form a committee of local officials to share with other officials how to prepare for an emergency and what to expect afterwards. Further, Commissioner Lawrence stated Mr. Byard specified Alabama would be part of the pilot program. Commissioner Ham thanked Commissioner Lawrence for the update and stated Sheriff Jones would be a great candidate for the pilot program as mentioned. Commissioner Lawrence agreed. Commissioner Eckman thanked Commissioner Lawrence for taking the time to thank FEMA Officials for the assistance provided to Lee County after the March tornadoes.

Judge English recognized Attorney Robbie Hyde who announced at 5:55 PM that an Executive Session is necessary. Mrs. Hyde stated County Attorney Stan Martin, Mr. Rendleman and Kathy Carson need to be in attendance. The session is anticipated to last approximately 30 minutes to an hour and no official action is expected at the conclusion. Commissioner Long

MINUTES OF THE LEE COUNTY COMMISSION, REG. ADJ. TERM, OCTOBER 28, 2019

made a motion, seconded by Commissioner Lawrence to adjourn into executive session. The motion carried unanimously.

Upon reconvening the Executive Session, Commissioner Long made a motion at approximately 7:30 PM to adjourn. The motion was seconded by Commissioner Lawrence and carried unanimously.

MINUTES OF THE LEE COUNTY COMMISSION, REGULAR TERM, NOVEMBER 12, 2019

The Lee County Commission convened in regular session at the Courthouse in Opelika, Alabama, Tuesday, November 12, 2019 at 5:00 p.m. The Pledge of Allegiance was recited, followed by an invocation by Commissioner Long.

During citizens' communication, Oscar Penn spoke on the Windover Mobile Home Park issue. Mr. Penn stated the residents are under a hardship by being displaced from the mobile home park. Mr. Penn stated Commissioner LaGrand should consult with lawyers on what can be done for the residents since they are under an undue hardship. Commissioner LaGrand stated the item will be addressed later the Agenda.

Next, C. F. Davis stated he was here on the matter of old business concerning the Windover Mobile Home Park. First, he questioned why the EMA Director was placed on administrative leave, and then questioned why there was no public address to let the citizens know what is going on. Secondly, Mr. Davis addressed Commissioner Eckman's question of why he and others keep appearing before the Commission on the mobile home issue. Mr. Davis stated because it is a jurisdictional issue and the Commission should be able to address the matter. The 3-minute timer went off and Mr. Davis kept talking, and insisted he still had 25 seconds to voice his concerns. Judge English asked if any Commissioner would allow Mr. Davis to finish. Commissioner LaGrand agreed to allot 25 seconds to him. Mr. Davis stated Commissioner LaGrand should be aware of the situation and of how to deal with it. Commissioner LaGrand cut him off after the 25 seconds were up.

The Chairman declared a quorum and officially opened the meeting with the following members recorded as being present: Judge Bill English, Chairman, and Commissioners Sheila Eckman, Johnny Lawrence, Gary Long, Robert Ham and Richard LaGrand. Elected Officials in attendance: Coroner Bill Harris and Sheriff Jay Jones. News media in attendance: Opelika Observer reporter Michelle Key and Opelika-Auburn News reporter Hannah Lester.

Copies of the items on the Consent Agenda sent to the Commissioners in their packets included: two listings of claims, procurement card transactions from October and minutes of the October 28 meeting. First reading to appoint Houston Black to the Lee County Recreation Board for District 4 was made. Commissioner Ham made a motion, seconded by Commissioner LaGrand to approve the consent agenda items as presented. The motion carried unanimously.

Second reading to reappoint James Majors to the Beulah Utilities District Board was made. Commissioner Ham made a motion, seconded by Commissioner Lawrence to approve the following Resolution for the reappointment. The motion carried unanimously.

BE IT RESOLVED the Lee County Commission does hereby reappoint James Majors to the Beulah Utilities District Board to serve a four-year term from December 1, 2019 to December 1, 2023.

John Andrew Harris again appeared before the Commission concerning Windover Farm Mobile Home Park in Auburn. First, Mr. Harris noted that he was here again to ask assistance of the Commission. Mr. Harris stated he talked with city council members who indicated they would stay all night to hear from their constituents. Mr. Harris stated he was involved with the Holiday Mobile Estates Park situation and stated the residents in that park received relocation money from the City. Mr. Harris stated the Commission needs to stand up for the citizens in the community and help them. Mr. Harris further stated the property has been sold, but it has not been recorded. Judge English confirmed the transaction has not been recorded. Mr. Harris stated that a person does not have to record a deed just because they sell their property. Commissioner LaGrand stated that Mr. Penn tried to call him out on the issue. Commissioner

MINUTES OF THE LEE COUNTY COMMISSION, REGULAR TERM, NOVEMBER 12, 2019

LaGrand stated research has been done, facts received, and a conclusion made. Commissioner LaGrand stated he talked to Phillip Dunlap who stated the City of Auburn did not participate in the Holiday Mobile Estates Park issue; Mr. Dunlap stated the transaction was a private agreement between the seller and the buyer, whereby the buyer, not the city, agreed to assist those having to relocate. Commissioner LaGrand further stated he was not going to give the citizens false hope; and stated that was not the way to do it. Mr. Harris indicated he talked to the city manager, at the time, indicated city representatives met with the owner about the issue. Commissioner LaGrand stated he talked to Economic Development Director Phillip Dunlap who told him otherwise. Commissioner Eckman stated the two situations are different, since one occurred in the city limits of Auburn and this one is in the county. Mr. Harris stated the city assured the citizens, in this case, if the property was in the city, they would help them. Mr. Harris further asked that the Commission allow the county attorney to write a letter to the property owner on behalf of the residents. Commissioner Ham reiterated that the dialog needs to be held between the residents and the property owner, as was done with the Holiday Mobile Estates issue.

C. F. Davis spoke again on the issue and stated he had tried to talk with Mr. Painter, the owner of the property, but was unable to communicate with him. Mr. Davis stated the owner is ruthlessly overturning people where they live. The Commission is the overseer on a private-based transaction by constituents and voters. Mr. Davis stated the Commission was catering to private companies. Mr. Davis indicated that items were being done behind closed doors; getting things passed; favors underneath the table. Mr. Davis asked the Commission to do something about this displacement of constituents. Commissioner Lawrence questioned Mr. Davis on the number of times he tried to contact the property owner. Mr. Davis indicated he placed a phone call to the property owner on October 12 and then tried to approach Mr. Painter in person but indicated Mr. Painter did not accept his invitation. Commissioner Lawrence questioned where is the situation today on November 12? How many people in the park that can't be relocated? Mr. Davis stated people must have money to do everything and approximately 186 residents had just pick-up and leave with no financial provisions. Mr. Davis indicated this is under the jurisdiction of the Commission.

Ms. Shanitra Spinks stated the residents tried to talk to Mr. Painter early in the process, but that he dodged them and stated he does not want to speak with any of the residents.

Mr. Lindburg Jackson stated an attorney recommended that the residents band together and sent a certified letter to Mr. Painter to set up a meeting at his convenience. Mr. Jackson stated he received a message that if the residents were not out in 8 days, then they would be charged \$50 per day until they were out.

Commissioner LaGrand stated that he would meet with the property owner and talk with him about the situation. Once again, there was no action to be taken by the Commission.

Demetrious Ligon was not in attendance concerning Lee Road 722. Commissioner LaGrand stated the item is being researched and he would like to request the item be moved to the next agenda.

Judge English stated the engineer's five-year contract is up for renewal in May 2020 or not. Commissioner Lawrence stated Mr. Hardee replaced Mr. Hall after his retirement and feels that Mr. Hardee has moved the department forward in a good way. Further, Commissioner Lawrence stated Mr. Hardee has been involved on many levels being strongly involved in improving roads across the State, not just in Lee County. Commissioner Eckman stated she appreciates Mr. Hardee for being a great communicator, not only with the Commission, but also with citizens. Commissioner Ham also recognized Assistant County Engineer Patrick Harvill and Highway Department Administrator Debra Brooks who are both an integral part of the department. Mr. Hardee stated those two are Lee County staff, not his staff, but agreed they both go above and beyond. Commissioner Long made a motion, seconded by Commissioner Ham to renew Mr. Hardee's contract for another five-year term. Upon vote taken, the motion passed unanimously to renew Mr. Hardee's contract.

MINUTES OF THE LEE COUNTY COMMISSION, REGULAR TERM, NOVEMBER 12, 2019

Mr. Hardee presented the 2020 Rebuild Alabama Act annual grant program application for Commission consideration. Mr. Hardee stated the act stipulates that ALDOT shall create an annual grant program for no less than \$10,000,000; and projects will be awarded through a competitive project selection process administered by ALDOT. Mr. Hardee stated ALDOT has capped the maximum funding available to any project in FY2020 at \$250,000, and the funds are available for one-year from the notice of award. Applications are due by November 30, 2019, and sponsoring agencies selected to receive funding shall be notified no later than January 31, 2020. Mr. Hardee explained that due to a relatively short timeframe to design, let, and award the project, the Highway Department would like to apply for funding to resurface a portion of Lee Road 188. Commissioner Eckman made a motion, seconded by Commissioner Lawrence to authorize the Chairman to sign a letter of intent to apply for the RAA Grant Program funds for Lee Road 188 as discussed. The motion carried unanimously.

Mr. Rendleman asked the Commission to consider adopting the FY2020 Budget at the next meeting. Mr. Rendleman asked the Commission to consider funding the outside appropriations since some agencies are getting worried whether they will receive funding or not. Mr. Rendleman stated three departments will be making budget presentations tonight, they are: Board of Registrars, Information Services and Coroner's Office.

First, Registrar Cindy Thrash appeared before the Commission requesting two new items and a capital purchase. First, Mrs. Thrash asked the Commission to grant approval of a temporary employee to help during the upcoming Presidential election, as has been done in the past. Second, Mrs. Thrash requested additional meeting days, due to the Presidential election. Mrs. Thrash informed the Commission that Senators Price and Whatley are working to pass legislation to increase their days to 5 days a week. Mrs. Thrash stated Lee County Registrars are only allowed 168 working days, whereas surrounding counties are allowed more working days; for instance, Chambers-180 days; Tallapoosa-220 days; and Macon-216 days. Last, under capital requests the department is asking for a new computer for the administrative assistant.

Judge English questioned whether the Board has adopted an official "work day" for the office, or how many hours a registrar must work to get a day's pay. Mrs. Thrash answered that a work day is considered a full day if a registrar works four hours or more. Judge English asked Mrs. Thrash to forward the board's definition of a work day to Mr. Rendleman.

Next, Bill Harris presented information on the requested increase for the Coroner's Office. Mr. Harris asked for a personnel increase of \$45,822 and capital request of \$55,800. Mr. Harris stated it was a full-time job with a part-time salary. Commissioner Lawrence indicated Mr. Harris had requested more than \$130,000 for personnel and capital, which almost doubles his current budget. Commissioner Lawrence suggested that Mr. Harris bring a proposal to implement the requests over several years. Commissioner Lawrence asked Mr. Harris to come back with a list of priorities so the Commission can consider them by the priority list. Commissioner Lawrence stated he has a great respect for the Coroner's Office especially since the March tornadoes. Mr. Harris stated he just would like to get up to speed with other counties. Mr. Harris asked the Commission to seriously consider his budget requests. Commissioner Eckman questioned the necessity for armored vests. Mr. Harris proceeded to give an example of being behind police tape alongside uniformed officers after a homicide investigation, and him being the only person without a protective vest. Mr. Harris stated he had requested three laptops, but now only one is needed, since a SMORT grant paid for two laptops. Judge English questioned the number of death cases per year and asked Mr. Harris to give him those numbers.

Last, Information Services Director Tim Parson stated his department is not requesting an increase in the operational portion; his capital requests involve replacing old and outdated equipment. Commissioner Ham questioned if the only server is located at EMA. Mr. Parson stated the one located there is the data center and another server is located at the Sheriff's Office. Judge English announced that Mr. Parson will be retiring at the end of December. Commissioner Eckman questioned how many years he has been employed with Lee County. Mr. Parson stated 39 years; he started October 1, 1980.

MINUTES OF THE LEE COUNTY COMMISSION, REGULAR TERM, NOVEMBER 12, 2019

Next, Judge English questioned if the Commission wants to level fund the outside agencies. Mr. Rendleman presented a spreadsheet which was provided to each Commissioner showing level funding and which agencies requested an increase. Commissioner Ham stated he would like to keep level funding for all agencies, stating times are good now, but not always, so, if an increase is granted now, the funds may not be available to keep it at that rate in the future. Judge English suggested the Commission, at the very least, approve the agencies that have not requested an increase. Commissioner Lawrence made a motion, seconded by Commissioner Long to approve level funding for those agencies that did not request an increase. Commissioner Lawrence questioned if any of the agencies were represented tonight. Mr. James Floyd of the Family Enrichment Center and Ms. Suzie Anderson of the Horseshoe Bend Regional Library were in attendance and addressed the Commission.

Mr. Floyd stated if it is between level funding or waiting to get approval for a \$205 requested increase, he would ask the Commission to go ahead and level fund the Enrichment Center.

Ms. Suzie Anderson stated in past years the Horseshoe Bend Regional Library had been allocated \$36,000 from Lee County, so they would request the Commission consider an increase of \$1,408 for their services. Ms. Anderson stated they received a federal grant to purchase a new bookmobile. The increase is to fund operations, since State money is restricted. Ms. Anderson stated the bookmobile makes 47 stops in Lee County serving the elderly and young children. Ms. Anderson stated their stops include daycares, nursing homes and a stop at Providence Baptist Church. Ms. Anderson stated this is an investment in the future. Commissioner Ham agreed the bookmobile provides a valuable service to the residents of Lee County. Commissioner Eckman thanked Ms. Anderson for the emails she shares with her. After this discussion, Commissioner Lawrence amended his motion, and Commissioner Long amended his second, to grant these two agencies their requested increase, and level fund the remaining agencies. The motion passed unanimously.

Appropriation Agencies:

Airport Terminal Project	\$100,000
Dept. Human Resources (Local)	\$4,725
Lee County Health Department	\$118,168
East Alabama Mental Health	\$64,050
Auburn University Airport FAA projects	\$30,000
Judicial Volunteer Program	\$12,000
Alabama Cooperative Extension	\$106,542
Lee County Conservation District	\$2,572
Lee County Firefighters Association	\$4,000
Valley Haven School	\$7,144
Horseshoe Bend Library	\$25,000
East Ala. Services for the Elderly	\$9,526
Domestic Violence Intervention Center	\$4,500
Child Advocacy Center of East Alabama	\$13,500
American Red Cross - Lee Co Chapter	\$11,973
Community Market	\$2,650
Auburn Daycare Association	\$5,557
Museum of East Alabama	\$6,650
Lee County Historical Society	\$9,410
Jean Dean RIF Kiwanis	\$1,588
Family Enrichment Center of Loachapoka	\$31,705
The Salvation Army of Lee County	<u>\$2,500</u>
Total Appropriation Agencies:	<u>\$573,760</u>

Judge English announced there will not be an Executive Session since EMA Director Kathy Carson submitted her resignation today, effective December 31, 2019, and, stated Ms. Carson will receive a severance package. Commissioner Ham made a motion, seconded by Commissioner Lawrence to accept Ms. Carson's resignation effective December 31, 2019 along with the severance package. The motion carried unanimously.

MINUTES OF THE LEE COUNTY COMMISSION, REGULAR TERM, NOVEMBER 12, 2019

Commissioner Ham recognized Jeremy Jones who was in attendance along with his wife Beth. Jeremy Jones suffered a stroke approximately two months ago; and has made tremendous improvements since then. Commissioner Lawrence asked if they wanted to share their exciting news which will be coming in May. Mr. Jones stated they are expecting their first child in May.

Commissioner Long made a motion at approximately 6:35 PM to adjourn. The motion was seconded by Commissioner Lawrence and carried unanimously.

MINUTES OF THE LEE COUNTY COMMISSION, REG. ADJ. TERM, NOVEMBER 25, 2019

The Lee County Commission convened in regular adjourned session at the Courthouse in Opelika, Alabama, Monday, November 25, 2019 at 5:00 p.m. The Pledge of Allegiance was recited, followed by an invocation by Commissioner Lawrence.

During citizens' communication, C. F. Davis addressed the Commission on the EMA Director issue from the last meeting.

Barry Johnson of Lee Road 722 appeared before the Commission stating that Mr. Ligon is unable to attend the meeting, so he and Rev. Tommy Collier were addressing the condition of Lee Road 722. Mr. Johnson stated he has pictures of the road for the Commission to look at it. Commissioner Eckman asked Mr. Johnson to give the pictures to her so she could pass them around. Mr. Johnson stated he and others had been maintaining the road up until now, and they want the Commission to authorize the Highway Department to begin maintaining it. Mr. Collier stated that the District 5 Commissioner had come down and looked at the road, during Mr. Hall's tenure, and indicated that Mr. Hall stated if there were three or more families on the road, then the county would begin maintaining the road. Mr. Collier stated there are about five families living on the road now. Mr. Collier stated he would like help from the county in getting the road fixed. County Engineer Justin Hardee stated he and Commissioner LaGrand recently met with Mr. Collier and Mr. Ligon on Lee Road 722. Mr. Hardee stated the dirt portion of the road is not county maintained and the rights-of-way has not been granted to the county. Mr. Hardee stated in August 2008, the condition of the road was brought before the Commission. Mr. Hardee asked to be given an opportunity to research the minutes for any additional information. Mr. Hardee indicated that as of today, the dirt portion of Lee Road 722 is not maintained by the county.

Mr. Harry Painter thanked the Commission for their handling of the Windover Farms Mobile Home Park issue from the last few meetings and stated that he has turned the matter over to the court system.

The Chairman declared a quorum and officially opened the meeting with the following members recorded as being present: Judge Bill English, Chairman, and Commissioners Sheila Eckman, Johnny Lawrence, Gary Long, Robert Ham and Richard LaGrand. Elected Officials in attendance: Sheriff Jay Jones and Coroner Bill Harris. News media in attendance: Opelika Observer reporter Michelle Key and Opelika-Auburn News reporter Jasmyne Ray.

Copies of the items on the Consent Agenda sent to the Commissioners in their packets included: two listings of claims and minutes of the November 12 meeting. Additionally, a listing of claims for ratification were placed on the Commissioners' desks prior to the meeting. Commissioner Lawrence made a motion, seconded by Commissioner Long to approve the consent agenda items as presented. The motion carried unanimously.

Second reading to appoint Houston Black to the Lee County Recreation Board as the District 4 representative was made. Judge English noted Commissioner Ham stated he would be late to the meeting, so Commissioner Long made a motion, seconded by Commissioner LaGrand to approve the following Resolution to appoint Mr. Black to the Lee County Recreation Board. The motion carried unanimously.

BE IT RESOLVED the Lee County Commission does hereby appoint Houston Black to the Lee County Recreation Board as the Beulah representative for District 4, to serve a five-year term from November 25, 2019 to October 14, 2024.

MINUTES OF THE LEE COUNTY COMMISSION, REG. ADJ. TERM, NOVEMBER 25, 2019

John Andrew Harris again appeared before the Commission concerning Windover Farms Mobile Home Park in Auburn. First, Mr. Harris addressed Commissioner LaGrand about questioning the City of Auburn helping with the Holiday Mobile Estates issue. Mr. Harris stated the members of the city council he talked to all stated they helped in the situation. Mr. Harris stated they did pay the residents to relocate. Mr. Harris stated the city manager at that time was Doug Watson. Mr. Harris further mentioned that Economic Development Officer Phillip Dunlop, mentioned by Commissioner LaGrand at the last meeting, was not aware of the arrangements. Next, Mr. Harris mentioned that Windover Farm mobile park has been locked by the owner; and stated a person cannot be denied access to their property. Mr. Weldon Jackson spoke about the locked entrances stating there were originally three entrances at Windover Farms, but today only one is open. Commissioner Lawrence informed them that the park is actually in District 2, not District 5, and questioned if the trailer park currently is open or closed. Mr. Jackson stated it is open. Commissioner Lawrence stated he thought the trailer park was closing November 1, 2019. Commissioner LaGrand concurred that his understanding is that it would close on November 1, 2019. Commissioner Lawrence reiterated the statement made by Mr. Painter, that this is a civil issue, and further, the Commission is not allowed on private property. Mr. Harris asked the Commission to be sympathetic with those still in the trailer park. Mr. Harris stated his understanding is they are being charged \$50 per day and asked the Commission to assist those that are still there. Mr. Harris stated he was involved with the Holiday Mobile Estates situation and that the City of Auburn met and talked with the land owner. Commissioner LaGrand questioned what the Commission can do for the residents. Mr. Harris indicated those people remaining need financial assistance to move out. Shameka Spinks, one of the remaining residents, stated there are 5-6 people left, she asked the Commission to help those remaining, and stated Mr. Painter is locking the gate on them and they have nowhere to go and no money. Commissioner Lawrence stated the Commission has no authority to get involved in the first place and questioned Mr. Rendleman if he is aware of any authority. Mr. Rendleman concurred that the Commission has no authority to help citizens in a private civil matter. Mr. Harris indicated the Commission could talk to the owner of the trailer park and tell him the residents need assistance to help them move out. Mr. L. B. Jackson spoke and stated a letter was mailed over a month ago to the owner requesting that he meet with the residents to discuss their situation, but nothing was returned. Mr. Jackson stated safety is the main issue in this matter, whether determined by a court or not. Further, Mr. Jackson indicated that someone should have jurisdiction over them. Commissioner Lawrence questioned the use of "we", asking what group it refers to. Mr. Jackson indicated he is speaking of the Auburn planning jurisdiction, then stated the city referred them to the Commission since the property is in the county. Ms. Connie Taylor addressed the term "we", stating that from the beginning it was believed that the trailer park was located inside the city limits of Auburn. The city manager indicated the property was located in District 1, but later they understood it to be in District 5. Ms. Taylor stated originally, she was going before the City of Auburn officials for assistance, but once she found that it was in the county, then they decided to appear before the Commission for assistance. Ms. Taylor questioned if the Commission could talk to Mr. Painter about offering assistance. Once again, Mr. Davis spoke and questioned the Commission's motive by saying Mr. Painter had stood up during citizens communications thanking them for their support. Mr. Davis questioned Commissioner LaGrand if he had initiated a discussion with Mr. Painter. Commissioner LaGrand indicated that the first time he saw Mr. Painter was at the last meeting, and, stated he did sit down and talk with Mr. Painter. Mr. Davis questioned once again and asked if the Commission does not have any interest to reach out to Mr. Painter. Commissioner Lawrence directed Mr. Davis to turn around and ask Mr. Painter himself, since he is in the audience. Mr. Davis questioned if Mr. Painter would address the issue. Mr. Painter stated, for the record, that he has not sold his property. Mr. Painter stated he has lost money on the trailer park and indicated that more people don't pay their rent than those that pay. Therefore, Mr. Painter stated he made a business decision to close it. Further, Mr. Painter stated the matter has been taken to civil court. Mr. Painter and Mr. Davis exchanged a few words, so the Chairman decided to move forward. Once again, there was no action to be taken by the Commission.

MINUTES OF THE LEE COUNTY COMMISSION, REG. ADJ. TERM, NOVEMBER 25, 2019

Commissioner Ham questioned if the Commission would consider allowing him to create a five-member selection committee, comprised of one Commissioner and 4 individuals to search for a new EMA Director. Judge English asked if Auburn and Opelika would be included since they contribute to the EMA budget. Commissioner Ham answered in the affirmative. Commissioner Lawrence stated once the committee has selected the top candidates, those names would be presented to the Commission for their consideration. Commissioner Ham stated he would like to appoint Commissioner Lawrence to be the Commission representative, if all agreed. Commissioner Eckman questioned if the guidelines they will follow in the process will be shared with all the Commissioners. Commissioner Lawrence answered in the affirmative. Judge English stated he had talked to State EMA who had suggested the position be advertised with both the state AAEM association as well as the national IAEM association. Commissioner Ham agreed to his suggestion. Commissioner Ham made a motion to form a five-member selection committee, with Commissioner Lawrence the Commission appointee, to begin the search for a new EMA Director. The motion was seconded by Commissioner Eckman and carried unanimously.

Commissioner Ham asked on behalf of the Lee County Kiwanis Club for use of the large room at the Lee County Meeting Center on December 22 and 23. As has been done in the past, they will be using the room to package food and wrap gifts for approximately 40 needy families in the community. Commissioner Eckman made a motion, seconded by Commissioner Lawrence to allow the Lee County Kiwanis Club to utilize the Lee County Meeting Center as presented by Commissioner Ham. The motion carried unanimously. Commissioner Ham invited all in attendance to come help in the packing and wrapping gifts for the event.

Sheriff Jones moved the item concerning educational reimbursement to the next agenda.

Sheriff Jones reported on Bid #1 for 60 or more computers. Sheriff Jones stated five responsive bids were returned. Sheriff Jones indicated that the lowest bidder did not meet the bid specifications, so he would recommend that Bid #1 be awarded to the lowest responsive bid received from Mobile Communications of Columbus, GA for \$2,977.08/per unit. Commissioner Lawrence made a motion to award Bid #1 for 60 or more computers to Mobile Communications. The motion was seconded by Commissioner Ham and carried unanimously.

Governmental Relations/Safety Coordinator Wendy Swann presented the following proposed FY2020 holiday schedule for Commission consideration. Commissioner Lawrence again wished to express his opposition to recognize Columbus Day as a holiday, since it honors someone less than honorable. After noting his concern, Commissioner Lawrence made a motion, seconded by Commissioner Eckman to approve the following FY2020 holiday schedule as presented and to move the regularly scheduled Commission meeting dates as noted. The motion carried unanimously.

New Year's Day	Wednesday, January 1, 2020
Martin Luther King, Jr. Day	Monday, January 20, 2020
Presidents' Day	Monday, February 17, 2020
Memorial Day	*Monday, May 25, 2020
Independence Day	Friday, July 3, 2020
Labor Day	Monday, September 7, 2020
Columbus Day	*Monday, October 12, 2020
Veterans' Day	Wednesday, November 11, 2020
Thanksgiving	Thursday, November 26, 2020
	Friday, November 27, 2020
Christmas	Thursday, December 24, 2020
	Friday, December 25, 2020

*Normal Commission Meeting Days

Note: Monday, May 25 meeting moved to Tuesday, May 26, 2020

Monday, October 12 meeting moved to Tuesday, Oct. 13, 2020

MINUTES OF THE LEE COUNTY COMMISSION, REG. ADJ. TERM, NOVEMBER 25, 2019

County Administrator Roger Rendleman presented the preliminary FY2020 Budget for Commission consideration. Mr. Rendleman stated two versions of the budget were included in the packets and asked the Commission for direction. After discussion, the Commission agreed to allow Mr. Rendleman to work with version II, which had a much smaller deficit, and bring it back at the next meeting for official action.

Before adjourning, Commissioner Lawrence stated that Alabama suffered a great loss with the death of Lowndes County Sheriff John Williams. Commissioner Lawrence stated at the next meeting he would like to present a Resolution to honor his service. Commissioner Lawrence stated Sheriff Williams served in the United States Marine Corps and served in law enforcement over 40 years. Sheriff Jones concurred sharing a story that Sheriff Williams was one of the first ones on the scene following the March tornadoes asking how he could help. Sheriff Jones stated Sheriff Williams had a love for law enforcement.

Commissioner Lawrence made a motion at approximately 6:07 PM to adjourn. The motion was seconded by Commissioner Eckman and carried unanimously.

MINUTES OF THE LEE COUNTY COMMISSION, REGULAR TERM, DECEMBER 9, 2019

The Lee County Commission convened in regular session at the Courthouse in Opelika, Alabama, Monday, December 9, 2019 at 5:00 p.m. The Pledge of Allegiance was recited, followed by an invocation by Judge English.

During citizens' communication, C. F. Davis addressed the Commission about being on the next Agenda. He questioned, once again, the issue involving EMA Director Kathy Carson, stating as a taxpaying citizen he has a right to know the reasons she was given a severance package and the reason she was the only person removed from her position. Mr. Davis again questioned if this is "hush" money to cover up other issues. The Commission made no response.

Next, John Sophocleus a columnist with the Alabama Gazette, stated he did not know that Mr. Davis would be addressing the Commission on a similar request. Mr. Sophocleus stated he is writing an article and wanted to see if the Commission would give an explanation on the resignation of former EMA Director Kathy Carson before he goes to press. The Commission made no comment.

The Chairman declared a quorum and officially opened the meeting with the following members recorded as being present: Judge Bill English, Chairman, and Commissioners Johnny Lawrence, Gary Long, Robert Ham and Richard LaGrand. Absent: Commissioner Sheila Eckman. Elected Officials in attendance: Sheriff Jay Jones and Coroner Bill Harris. News media in attendance: Opelika Observer reporter Michelle Key and Opelika-Auburn News reporter Hannah Lester.

Sheriff Jones recognized Deputy Jarrod Foley on his promotion in August from Corporal to Sergeant in the Patrol Division. Sheriff Jones apologized that he overlooked Deputy Foley when he recognized fellow deputies during the November 12 meeting. Sheriff Jones stated Deputy Foley transferred from the Maintenance Department and has been a dedicated and committed member of the Sheriff's Office since his transfer. Sheriff Jones also noted the reason Deputy Foley is sporting a full beard, which is a policy violation, but Sheriff Jones explained that the deputies had to pony up financially if they wanted to participate in "No Shave November"; they did by raising \$2,800 of which ½ was given to the East Alabama Food Bank and the other ½ was given to the Girls Ranch. Sheriff Jones stated his office likes to support local organizations.

Next, Judge English surprised Sheriff Jones by presenting a service plaque to Sheriff Jones recognizing him for his service on the ACCA Self-Insurance Board of Directors. Sheriff Jones stated he served a 7-year term, which was a privilege for him to serve.

Copies of the items on the Consent Agenda sent to the Commissioners in their packets included: two listings of claims and minutes of the November 25 meeting. Additionally, a listing of claims for approval were placed on the Commissioners' desks prior to the meeting. Commissioner Ham made a motion, seconded by Commissioner Long to approve the consent agenda items as presented. The motion carried unanimously.

Sheriff Jones presented an educational reimbursement for Corrections Officer D'metrius Hill. Sheriff Jones stated Officer Hill works in the jail kitchen and is pleased that he is continuing his education through the program. Sheriff Jones recommended the Commission approve this request. Commissioner Lawrence made a motion, seconded by Commissioner Ham to approve the educational reimbursement request presented. The motion carried unanimously.

MINUTES OF THE LEE COUNTY COMMISSION, REGULAR TERM, DECEMBER 9, 2019

County Administrator Roger Rendleman presented an amended FY2019-2020 Budget for Commission consideration. Mr. Rendleman stated the budgeted expenditures are \$10 million higher than the previous year. Of that amount, almost half (\$4.9 million) is recognizing funds for recreation that have been accumulating since November 2014 for the construction of over \$7 million in recreation projects currently underway. The remainder of those expenditures are associated with actual revenue growth. Mr. Rendleman further explained that budgeted revenues are \$4.5 million higher than the previous year. Mr. Rendleman stated \$1.4 million is associated with the new Rebuild Alabama Act and \$500,000 with improvements to the Simplified Sellers Use Tax (SSUT). The remaining \$2.6 million is attributed to economic growth with the county's expanding tax base, which is the main reason for the ability to address the pay and classification study project that will be completed soon with an implementation cost of approximately \$1.5 million. This project will address some pay range compression issues caused by several years of not being able to fund merit raises, but more importantly being more competitive in the job market. For example, the starting base pay for a deputy will increase 11.5% from \$38,016 to \$42,396. In addition to this project, the budget will also fund seventeen new positions, as follows: 9-Deputies; 2-Communication Officers; 2-Highway Dept. positions; 2-Building Maintenance positions; 1-Environmental Services position and 1-Revenue Commissioner's Office position. The amended budget also includes \$3,475,894 in capital equipment and one-time purchases funded by monies available in funds above designations and reserves. Commissioner Lawrence made a motion, seconded by Commissioner Long to approve the amended FY2019-2020 Budget. The motion carried unanimously.

Fiscal Year 2019 - 2020
County Commission Budget

<u>Commission Funds</u>	<u>Carryover**</u>	<u>Revenues</u>	<u>Expenditures</u>	<u>Operating Transfers In / (Out)</u>	<u>Increase/ (Decrease)</u>
General Fund	2,044,000	31,062,250	27,377,459	(5,728,791)	0
SRO	491,557	935,854	1,427,411		0
Recreation	4,219,574	900,000	4,851,837	(267,737)	0
General Fund - Total	6,755,131	32,898,104	33,656,707	(5,996,528)	0
Gasoline Tax Fund	670,000	2,271,000	6,130,329	3,189,329	0
RRR Gasoline Tax Fund	1,582,351	2,907,700	4,522,044	31,993	0
Rebuild Alabama Act Fund		1,000,000	1,000,000		0
Federal Aid Exchange Fund		400,000	400,000		0
Highway - Total	2,252,351	6,578,700	12,052,373	3,221,322	0
Reappraisal Fund	513,155	1,239,613	1,752,768		0
Refuse Disposal Fund	32,080	3,358,300	4,345,365	954,985	0
Capital Improvement Fund		570,000	570,000		0
Judicial Facilities Fund		450,000		(450,000)	0
Operational	9,552,717	45,094,717	52,377,213	(2,270,221)	0
Debt Service					
2004 Debt Service - Jail Expansion		715,025	1,294,850	579,825	0
2010 Debt Service - Bridge Program			544,881	544,881	0
2013 Debt Service - Justice Center Expansion			662,090	662,090	0
2018 Debt Service - Recreation & Facilities			483,425	483,425	0
Total County Commission Funds:	9,552,717	45,809,742	55,362,459	0	0

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

MINUTES OF THE LEE COUNTY COMMISSION, REGULAR TERM, DECEMBER 9, 2019

Judge English discussed cancelling the second December meeting, as has been done the last six years. Judge English stated he had talked to the Sheriff, Revenue Commissioner, County Engineer and County Administrator, and all indicated there were no pressing items at this time that would necessitate a second December meeting. Commissioner Ham made a motion, seconded by Commissioner Long to cancel the last December meeting. The motion carried unanimously. Judge English announced the next Commission meeting will be held January 13, 2020.

Governmental Relations/Safety Coordinator Wendy Swann asked the Commission to begin thinking about people they would like to appoint to a "Complete Count Committee" for the purpose to promote and encourage responses to the 2020 Census, because April 1 is quickly approaching. Commissioner Ham questioned how many are needed. Mrs. Swann suggested that each Commissioner appoint at least two members from their respective areas. Mrs. Swann indicated this is an appointment, with no compensation. Commissioner Ham questioned since he thought in the past they were paid. Mrs. Swann stated that actual census takers are compensated, but committee members are not. The Commission took no action at this time.

Commissioner Eckman was not in attendance due to family illness, so her report on the Mid-South RCD Council was moved to the next meeting.

Commissioner Lawrence made a motion at approximately 5:21 PM to adjourn. The motion was seconded by Commissioner Long and carried unanimously.