

MINUTES
POINTE COUPEE PARISH POLICE JURY
February 14, 2012

The Pointe Coupee Parish Police Jury met in regular session at 5:00 p.m. on Tuesday, February 14, 2012, at the Courthouse Annex in New Roads, Louisiana.

President Melanie Bueche called the meeting to order and directed Secretary Gerrie Martin to call the roll:

PRESENT: Messrs. John Pourciau, Clifford Nelson, Kyle Olinde, Cornell Dukes, Russell Young, Glenn Cline, Albert Dukes, Mrs. Janet Vosburg, Mr. Kurt Jarreau and Mrs. Melanie Bueche, President. Arrived after roll call: Mr. Justin Cox.

ABSENT: Mr. Allen Monk.

APPROVAL OF MINUTES

Motion by Mr. Pourciau and seconded by Mrs. Vosburg:

RESOLVED, That the minutes of the regular meeting of January 24, 2012, be accepted as written and be published in the official journal.

Unanimously carried.

CERTIFICATES OF APPRECIATION TO NRG ENERGY, INC./LA GENERATING, LLC, H.O.P.E. MINISTRY, COUNCIL ON AGING & VOLUNTEERS AND CERTIFICATE OF RECOGNITION TO JENNIFER VOSBURG AS PRESIDENT OF LA GENERATING

Juror Nelson presented a certificate of recognition from the Jury to Mrs. Jennifer Vosburg for being promoted to President of NRG Energy, Inc.

Juror Nelson presented certificates of appreciation from the Jury to Anna Vosburg, Justin Vosburg (Grandchildren of Juror Vosburg) and Tavian Hurst (Grandson of Juror Nelson), along with gift cards from himself, as volunteers for providing helping hands to assist with distributions of the donated items to the needy for the holiday season.

Juror Nelson presented certificates of appreciation to H.O.P.E. Ministry of Pointe Coupee, Inc., Director Becky Bergeron and Mrs. Simone Laurent of Pointe Coupee Parish Council on Aging and Mr. Abe Burrell of NRG for their financial contributions and outstanding service to the citizens and Parish of Pointe Coupee for donations to the needy for the holiday season.

PUBLIC HEARING--AN ORDINANCE TO AMEND CHAPTER 19 OF THE PARISH CODE OF ORDINANCES TO ADD ARTICLE III, SECTION 19-22 PERMIT & SURETY BOND FOR ACCESS TO PARISH ROADS

A public hearing to obtain input from citizens concerning an ordinance relative to roads and bridges to require permits and security for the use of parish roads in instances of heavy trucks and equipment, and to further provide with respect thereto was held at 5:13 p.m., Tuesday, February 14, 2012 at the Police Jury Meeting Room, Courthouse Annex, 160 East Main Street, New Roads, Louisiana.

After discussions from Jurors and Assistant District Attorney John Wayne Jewell, the adoption of the ordinance was deferred and referred to the Public Works Committee for revisions. The Jury agreed to reintroduce the ordinance at their next meeting.

PRESENTATION ON WAL-MART NEW ROAD

City of New Roads Mayor Robert Myer and Engineer Gerald Babin of PEC made a presentation on the development of the new road, Memorial Boulevard, to access the new Wal-Mart Super Center at New Roads. Mayor Myer requested approval of the Jury to allocate \$450,000.00 as their share of the cost to fund the construction of the road.

Brian Pangburn of The Pangburn Group, Inc. presented a sketch and reported on the development of their new three-floor office building on the corner of Major Parkway and Memorial Boulevard.

Motion by Mrs. Vosburg and seconded by Mr. A. Dukes:

RESOLVED, That the Police Jury allocate \$450,000.00 as their share of the cost to fund construction of the new road, Memorial Boulevard, with the City of New Roads for the Wal-Mart Super Center at New Roads.

The President called for a roll call vote that resulted as follows:

YEAS: Messrs. Pourciau, Olinde, C. Dukes, Cox, Cline, A. Dukes, Mrs. Vosburg, Mr. Jarreau and Mrs. Bueche.

NAYS: Mr. Young.

PRESENT,

NOT VOTING: Mr. Nelson.

ABSENT: Mr. Monk.

On a vote of 9-1-1-1, the motion carried.

Mayor Myer reported on the City's plans to perform an extension to Douglas Park. He also reported on their future plans to construct a business park in the city.

Mayor Myer requested approval of the Jury to share the cost of \$450,000.00 with the City of New Roads to fund construction of the Martin Drive outlet to Cherry Street at New Roads, which is the highest populated area in the city. He informed the Jury that the City has allocated \$250,000.00 for this project. Juror Nelson stated that the Jury and the City have been discussing this project for more than 25 years. After discussion, the following resolution was offered:

Juror C. Dukes asked that sidewalks along Railroad Street be considered and included in the above project.

Motion by Mr. Nelson and seconded by Mr. C. Dukes:

RESOLVED, That the Police Jury allocate \$250,000.00 as their share of the cost with the City of New Roads to fund construction of the Martin Drive outlet to Cherry Street at New Roads.

Unanimously carried.

UPDATES ON PECAN ACRES DRAINAGE PROJECT

Floodplain Administrator Cletus Langlois gave an overview and update on the Pecan Acres Drainage Project at New Roads, and explained the funding process for the application that has been submitted to GOSHEP.

Mrs. Sylvia Williams, a resident of Pecan Acres Subdivision, requested the update on the drainage project that was given by Mr. Langlois, who also responded to questions from Mrs. Williams about the project.

After a lengthy discussion, Juror A. Dukes and Mr. Langlois announced that a meeting with the residents will be scheduled to discuss and explain details of the drainage project.

Juror Pourciau left the meeting at 6:55 p.m.

RENEWAL OF DENTAL INSURANCE

Insurance Agent Claude Jarreau of Wright and Percy Insurance Agency presented a proposal for 2012 from Always Care for renewal of the dental and vision insurances for parish employees.

Motion by Mr. A. Dukes and seconded by Mr. Cline:

RESOLVED, That the proposal submitted by Always Care for renewal of the dental and vision insurances for parish employees be accepted.

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Unanimously carried.

DEPARTMENT OF NATURAL RESOURCES ENERGY GRANT

Mr. Bruce Hoffman of GeoExchange & Consultants, Inc. reported on a cost estimate of \$48,365.00 for the Lighting Retrofit project for the offices in the Courthouse Annex Building as part of the Energy Efficiency Program, LA Department of Natural Resources Energy Grant.

Motion by Mr. C. Dukes and seconded by Mr. Nelson:

RESOLVED, That GeoExchange & Consultants, Inc. be authorized to proceed with the Lighting Retrofit project for the offices in the Courthouse Annex Building for the Energy Efficiency Program, LA Department of Natural Resources Energy Grant at a cost estimate of \$48,365.00.

Unanimously carried.

Mr. Hoffman gave an update on the funding for the HVAC renovations at the Courthouse and Courthouse Annex Buildings for the Energy Efficiency Program.

Mr. David Bonaventure of Kalmans Marshall Engineering presented their engineering analysis for the HVAC renovations at the Courthouse and Courthouse Annex Buildings, and recommended that the Jury not move forward with the project. Also, he recommended pursuing a two million-dollar grant that has been allocated to the parish for some of the concepts discussed in the project and to possibly reduce any recurring operating cost.

Motion by Mrs. Vosburg and seconded by Mr. Young:

RESOLVED, That the Police Jury retain the services of Kalmans Marshall Engineering to perform a study of HVAC and Energy Efficiency Renovations for the at the Courthouse and Courthouse Annex Buildings for the Energy Efficiency Program.

Unanimously carried.

ANNUAL POYDRAS FUNDS FINANCIAL REPORT

The annual Poydras Funds Financial Report, prepared by Commissioner Stephen David, was presented to each Juror for their review. Juror A. Dukes stated that if any Jurors have questions about the report to contact Commissioner David.

APPROVAL OF SIDELINE VARIANCE FROM 8 FT. TO 5 FT. FOR VALUE OF RIVER PROPERTY & SIZE OF LOT FOR DAVID HUVAL, JR. AT VENTRESS

Juror Olinde requested approval of the Jury to grant a sideline variance from 8 ft. to 5 ft. for value of river property and size of lot for Mr. David Huval, Jr. at Ventress.

Motion by Mr. Olinde and seconded by Mr. C. Dukes:

RESOLVED, That a sideline variance from 8 ft. to 5 ft. for value of river property and size of lot for Mr. David Huval, Jr. at Ventress be granted, pending approval of the neighbors.

Unanimously carried.

AWARD RFQ FOR HAZARD MITIGATION GRANT PROGRAM/FEMA - ENGINEERING & LAND SURVEYING FOR LA DRAINAGE IMPROVEMENTS PHASE I PROJECT (LA HWY. 81 AT LOTTIE)

Motion by Mr. Cox and seconded by Mr. Young:

RESOLVED, That Request for Qualifications submitted by Patin Engineers and Surveyors, Inc.

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to provide engineering and land surveying services for the LA Hwy. 81 East, Lottie, Louisiana Drainage Improvements, Phase I of the Hazard Mitigation Grant Program - FEMA Federal Assistance Program be accepted.

Unanimously carried.

PARISH ADMINISTRATOR'S REPORT:

Motion by Mr. Young and seconded by Mr. Nelson:

RESOLVED, That Ms. Maylie Young be reimbursed \$529.24 paid for repairs to her automobile damaged by a broken speed bump on Williams Lane at Morganza be approved.

Unanimously carried.

The Jury denied a request for replacement of one (1) rim and tire at a cost of \$500.00 on a vehicle damaged by a speed bump for Mr. Derek Prevost, who alleges he was driving at a high speed.

Motion by Mr. Nelson and seconded by Mr. Cox:

RESOLVED, That the proposal submitted by LEO, LLC in the amount of \$15,000.00 to prepare a GIS-based Suitability Analysis to support Economic Development and Strategic Sites Inventory Development parishwide be accepted; and be it

RESOLVED further, That Mrs. Melanie L. Bueche be authorized to execute the proposal with LEO, LLC for the Police Jury.

Unanimously carried.

Motion by Mr. A. Dukes and seconded by Mr. Cox:

RESOLVED, That the Mrs. Melanie L. Bueche be authorized to execute a commercial lease agreement between the Police Jury and New Roads Shopping Center, Inc. for the rental of the old Magnolia Café to relocate the Food Pantry at a cost of \$550.00 per month; and be it

RESOLVED further, That the lease agreement between the Police Jury and Mr. James Boulanger, Sr. for rental of office space for the Food Pantry be terminated.

Unanimously carried.

Juror C. Dukes asked that a letter of appreciation be sent to Mr. Boulanger for allowing the Jury use of office space for the pantry. Juror A. Dukes asked that H.O.P.E. Ministry also send Mr. Boulanger a certificate of appreciation.

Motion by Mr. Nelson and seconded by Mrs. Vosburg:

NOTICE OF
INTRODUCTION OF ORDINANCE AND PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the following ordinance has been introduced before the Police Jury of the Parish of Pointe Coupee, Louisiana, and that a public hearing will be held relative thereto at 5:00 p.m., Tuesday, February 28, 2012, at the Police Jury Meeting Room, Courthouse Annex, 160 East Main Street, New Roads, Louisiana, after which said ordinance may be considered for adoption. All interested persons are urged to attend.

AN ORDINANCE

Increasing the monthly service charge for solid waste collection and disposal, and further providing with respect thereto.

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BE IT ORDAINED by the Police Jury of the Parish of Pointe Coupee, Louisiana:

Section 1. Section 21-22 of Chapter 21 of the Code of Ordinances of the Parish of Pointe Coupee, Louisiana, is hereby amended and re-ordained by increasing from \$14.50 to \$18.00 the monthly service charge used to partially defray expenses incurred by the Police Jury in collection and disposal of solid waste.

Section 2. All ordinances or parts thereof in conflict herewith are hereby repealed.

Section 3. Should any provision of this ordinance, or the application thereof, be held invalid, such invalidity shall not affect the validity of the remaining portions of this ordinance.

Unanimously carried.

Motion by Mr. Nelson and seconded by Mrs. Vosburg:

NOTICE OF
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NOTICE IS HEREBY GIVEN that the following ordinance has been introduced before the Police Jury of the Parish of Pointe Coupee, Louisiana, and that a public hearing will be held relative thereto at 5:00 p.m., Tuesday, February 28, 2012, at the Police Jury Meeting Room, Courthouse Annex, 160 East Main Street, New Roads, Louisiana, after which said ordinance may be considered for adoption. All interested persons are urged to attend.

AN ORDINANCE

Increasing the charge to customers of the parish natural gas distribution system, and further providing with respect thereto.

BE IT ORDAINED by the Police Jury of the Parish of Pointe Coupee, Louisiana:

Section 1. The charge to customers of the Pointe Coupee Parish natural gas distribution systems is hereby increased by thirteen and one-half (13.5) cents per mcf over the current charge.

Section 2. All ordinances or parts thereof in conflict herewith are hereby repealed.

Section 3. Should any provision of this ordinance, or the application thereof, be held invalid, such invalidity shall not affect the validity of the remaining portions of this ordinance.

Unanimously carried.

Motion by Mr. Cox and seconded by Mrs. Vosburg:

RESOLVED, That an invoice in the amount of \$7,350.00 submitted by Mougeot Architecture for professional design services of Phase II new building of the Sheriff's Office Work Release Building be approved for payment, which will be reimbursed by the LA Division of Administration, Facility Planning and Control.

Unanimously carried.

Parish Administrator Bello presented a Gustav/Ike Project Status Report prepared by Hunt, Guillot & Associates, LLC for each Juror.

EXECUTIVE SESSION

Assistant District Attorney John Wayne Jewell advised the Jury that the investigation of the scrap metals have been turned over to the Attorney General's Office for investigation on today.

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Motion by Mr. A. Dukes and seconded by Mr. Jarreau:

RESOLVED, That the Police Jury convene in executive session at 8:30 p.m. to obtain an update from the District Attorney on the scrap metal investigation.

The President called for a roll call vote that resulted as follows:

YEAS: Messrs. A. Dukes and Jarreau.

NAYS: Messrs. Cox, Cline, Mrs. Vosburg, Messrs. Nelson, Olinde, C. Dukes, Young and Mrs. Bueche.

ABSENT: Messrs. Pourciau and Monk.

On a vote of 2-8-2, the motion failed.

Juror A. Dukes expressed his displeasure and anger at the Jury for not wanting a report from the District Attorney and Jurors not being informed about the developments surrounding the scrap metal investigation, besides what has been reported by the media.

There were mixed opinions and disagreements among some of the Jurors about wanting to obtain information about the above investigation and others wanting to wait until the Attorney General's Office completes its investigation and submit their findings to the Jury.

RESOLUTIONS:

Motion by Mr. Olinde and seconded by Mr. C. Dukes:

RESOLVED, That Mrs. Melanie L. Bueche be authorized to sign the Cooperative Endeavor Agreement between Pointe Coupee Parish Police Jury and Pointe Coupee Parish Tourist Commission to fund the commission an amount of \$13,500.00 for operation.

Unanimously carried.

Motion by Mr. Olinde and seconded by Mr. Young:

RESOLVED, That Mrs. Melanie L. Bueche, be authorized to execute the third amended cooperative endeavor agreement between the Pointe Coupee Parish Police Jury and the Louisiana Division of Administration - Facility Planning and Control for \$855,000.00 for the Pointe Coupee Sheriff Office Work Release Program (FP&C Project No. 50-J39-08B-02).

Unanimously carried.

Motion by Mr. Cline and seconded by Mrs. Vosburg:

RESOLVED, That the Secretary be authorized to advertise for bids in the official journal for various materials (asphalt, culverts, gravel and limestone) that are required by the Police Jury for 2012.

Unanimously carried.

Motion by Mr. Cox and seconded by Mr. Cline:

RESOLVED, That an invoice in the amount of \$5,835.00 submitted by BBI Architects for professional services for the Fordoche Community Center Additions and Renovations for the LRA--CDBG Ike/Gustav Disaster Recovery Program be approved for payment; and be it

RESOLVED further, That an invoice in the amount of \$33,568.17 submitted by Professional Engineering Consultants Corporation for engineering services for the Master Drainage Plan for

the LRA--CDBG Ike/Gustav Disaster Recovery Program be approved for payment; and be it

RESOLVED further, That an invoice in the amount of \$2,346.13 submitted by Professional Engineering Consultants Corporation for engineering services for the Facility Generators for the

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LRA--CDBG Ike/Gustav Disaster Recovery Program be approved for payment; and be it

RESOLVED further, That invoices (Interim Billing No. 21) totaling \$3,962.78 from Hunt, Guillot & Associates, LLC for professional services for the LRA--CDBG Ike/Gustav Disaster Recovery Program be approved for payment; and be it

RESOLVED further, That an invoice in the amount of \$996.93 submitted by Professional Engineering Consultants Corporation for engineering services for the Community Water Enrichment Fund - Island Road Water Main Extension Project for Pointe Coupee Parish Waterworks District No. 1 be approved for payment.

Unanimously carried.

PERSONNEL COMMITTEE

The minutes of the Personnel Committee meeting held February 7, 2012, were given to each Juror for their review.

Motion by Mr. Cox and seconded by Mr. Jarreau:

RESOLVED, That Section 8.2: B, Types of Disciplinary Action of the Police Jury Personnel Policy Manual be amended as follows:

Typically, the following five (5) basic forms of disciplinary action will be considered:

Levels of Reprimands

Level 1 - Verbal Counseling: Enforced by Supervisors

Verbal Counseling is an effort to eliminate possible misunderstandings of policies/procedures and to explain what constitutes proper conduct. The primary goal shall be to coach and educate the employee to prevent future violations.

Level 2 - Written Reprimand: Enforced by Supervisors

A Level 2 written reprimand is considered a formal warning resulting from serious conduct of performance problems or a previous problem that has not been resolved through verbal counseling. The employee is explained the seriousness of the offense and that further misconduct may result in suspension without pay or termination.

Level 3 - Written Reprimand/Single Shift Suspension Without Pay: Enforced by Department Head

A severe formal warning resulting from repeated serious conduct or performance problems, or a previous problem that has not been resolved through verbal or Level 2 written counseling. The employee is explained the seriousness of the offense and that further misconduct may result in a multi-day suspension without pay or termination.

Level 4 - Disciplinary - Multi-Day Suspension Without Pay: Enforced by Parish Administrator

An employee may be removed from his/her position for a specified number of shifts as a result of a more serious policy violation or because of continued conduct or performance problems. The employee is explained the seriousness of the offense and that further misconduct will likely

result in termination of employment.

Level 5 - Termination of Employment: Enforced by Parish Administrator

The employee is discharged as the result of a serious offense or the repeated occurrence of less

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serious offenses.

RESOLVED further, That some specific policies have progressive discipline procedures documented while others have specific consequences documented due to the seriousness of the offense, and those policies will remain as stand-alone policies in regards to disciplinary action; and be it

RESOLVED further, That all personnel file entries will remain in the employee's file indefinitely, and the schedule of progressive disciplinary action will be taken based on entries that occurred within 365 days of the most recent occurrence (i.e., if an employee is tardy today, today will be counted in addition to any other tardiness with 365 days); and be it

RESOLVED further, That Section 8.3: Appeals, Item A & B of the Police Jury Personnel Policy Manual be amended to include the following, pending legal advice from Attorney John Wayne Jewell:

- A. Formal disciplinary action taken under this section or other types of formal adverse action may be appealed in writing directly to the Parish Administrator within 24 hours of the action taken. The adverse action may be stayed pending decision on the appeal or may take effect at any time after issuance of notice as determined by the Parish Administrator.
- B. If an appeal is denied by the Parish Administrator or if the formal disciplinary action taken under this section or other types of formal adverse action was applied by the Parish Administrator, the employee may appeal the action taken within 72 hours by writing directly to the Chairman of the Personnel Committee.
- C. The Personnel Committee, following careful examination of all available information, shall approve, disapprove, modify or rescind any disciplinary actions taken or proposed and shall have final and immediate effect.

RESOLVED further, That Parish Administrator Jimmy Bello be authorized to solicit information, including a budget, from consulting companies to develop a Supervisor's Training Program for the Police Jury and present at the next Personnel Committee meeting; and be it

RESOLVED further, That upon adoption of the full Jury, Parish Administrator Jimmy Bello will immediately inform employees that are in the said mentioned positions that the organizational chart will revert to its previous structure, the move will take effect in 30 days from that point; and be it

RESOLVED further, That all departments will work eight-hour days in the week that a paid holiday is given; and be it

RESOLVED further, That employees will continue to stockpile the scrap materials and that the materials will be sold in accordance with the LA Revised Statue, and any funds that are received by a Jury employee shall be given to the Treasurer for deposit in the appropriate established Jury account; and be it

RESOLVED further, That lodging for training, conferences and meetings in the Baton Rouge area will not be allowed.

Unanimously carried.

Juror C. Dukes voiced concerns about certain levels of the disciplinary actions and reprimands not being approved by the full Jury, if there is no appeal process.

ECONOMIC DEVELOPMENT COMMITTEE

The minutes of the Economic Development Committee meeting held February 6, 2012, were mailed February 14, 2012

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to each Juror for their review.

Juror C. Dukes announced Chairman Monk was attending a Cotton Textile Expo in Raleigh, North Carolina, representing the Jury and the Economic Development Committee.

Motion by Mr. C. Dukes and seconded by Mr. Olinde:

RESOLVED, That the Police Jury submits a letter of support to the Louisiana Public Service Commission on behalf of the Pointe Coupee Cab Company, Inc.; and be it

RESOLVED further, That the Police Jury establishes a heavy road load permit consisting of different tiers.

Unanimously carried.

Motion by Mrs. Vosburg and seconded by Mr. Cline, the meeting adjourned at 8:40 p.m.

Gerrie P. Martin
Secretary

Melanie L. Bueche
President