

**MINUTES
POINTE COUPEE PARISH POLICE JURY
March 13, 2012**

The Pointe Coupee Parish Police Jury met in regular session at 5:00 p.m. on Tuesday, March 13, 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. Clifford Nelson, Allen Monk, Kyle Olinde, Justin Cox, Glenn Cline, Albert Dukes, Mrs. Janet Vosburg, Mr. Kurt Jarreau, Mrs. Melanie Bueche, President. Arrived after roll call: Jurors John Pourciau and Russell Young.

ABSENT: Mr. Cornell Dukes.

APPROVAL OF MINUTES

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

RESOLVED, That the minutes of the regular meeting of February 28, 2012, be accepted as written and be published in the official journal.

Unanimously carried.

EMPLOYEE ANNIVERSARY SERVICE AWARDS

Juror Nelson presented a service award to employee Clarence Bowie for his 15th anniversary of dedicated service as an employee of the Police Jury.

Juror Cox presented a service award to employee Crystal Lorio for her 5th anniversary of dedicated service as an employee of the Police Jury.

15 MINUTES OF PUBLIC COMMENTS

There were no public comments received.

PUBLIC HEARING--TO AMEND PARAGRAPH (B) OF SECTION 22-32 OF CHAPTER 22 OF THE PARISH CODE OF ORDINANCES TO THE LAND SUBDIVISION PROVISIONS BY DECREASING THE MINIMUM LOT WIDTHS AND SIZES

A public hearing to obtain input from citizens concerning an ordinance to amend Paragraph (B) of Section 22-32 of Chapter 22 of the Parish Code of Ordinances to the land subdivision provisions by decreasing the minimum lot widths and sizes and to further provide with respect thereto was held at 5:19 p.m., Tuesday, March 13, 2012 at the Police Jury Meeting Room, Courthouse Annex, 160 East Main Street, New Roads, Louisiana.

Attorney John Wilbert, III commented on problems with occurring setbacks of five feet between property lines along False River, that are too small. He was informed that this ordinance did not pertain to setbacks lines, but the size of lots.

There were no objections received orally nor written.

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

RESOLVED, That the amendment to Paragraph (B) of Section 22-32 of Chapter 22 of the Parish Code of Ordinances to the land subdivision provisions by decreasing the minimum lot widths and sizes in the parish be adopted.

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

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

NAYS: None.

ABSENT: Mr. C. Dukes.

On a vote of 11-0-1, the motion carried.

INTRODUCTION OF AN ORDINANCE TO AMEND SECTION 15-9 OF CHAPTER 15 OF THE PARISH CODE OF ORDINANCES FOR REIMBURSEMENT OF JAIL INMATES FOR MEDICAL, PSYCHIATRIC & DENTAL EXPENSES

Parish Administrator Bello introduced the following ordinance for consideration of the Jury and schedule a public hearing at their next meeting.

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

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, March 27, 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

To rescind and re-ordained Section 15-9 of the Code of Ordinances of the Parish of Pointe Coupee to establish a policy for co-payments for certain medical expenses for health care services for inmates housed at the Pointe Coupee Parish Detention Center and otherwise to provide with respect thereto.

WHEREAS, LSA-R.S. 15:705(C)(1) provides that the governing authority of each parish is authorized to obtain reimbursement from an inmate for his medical and dental expenses and may require co-payments be made by inmates upon receiving medical or dental treatment; and

WHEREAS, LSA-R.S. 15:705(C)(3) provides that the governing authority shall establish written rules for the collection from the inmate and the reimbursement by the inmate for such medical expenses; and

WHEREAS, IV-013 of the Basic Jail Guidelines issued by Governor Kathleen Babineaux Blanco on March 22, 2004, in conjunction with the Louisiana Department of Public Safety and Corrections and Louisiana Sheriff's Association allows a facility's medical reimbursement plan for non-state inmates to be used in obtaining reimbursement or co-payments from state inmates in custody of the facility without further approval from the Department of Public Safety and Corrections; and

WHEREAS, the Pointe Coupee Parish Police Jury desires to rescind the policies for reimbursement by jail inmates for medical, psychiatric and dental expenses established in ordinance adopted by the Pointe Coupee Parish Police Jury on November 11, 1997, and included in Chapter 15 of the Code of Ordinances as Section 15-9 and implement new policies in accordance with the authority granted by LSA R.S. 15-701 et. seq.

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

Section 1. Section 15-9 of Chapter 15 of the Code of Ordinances of the Parish of Pointe Coupee, Louisiana, is hereby rescinded and re-ordained to read as follows:

Sec. 15-9. Reimbursement by jail inmates for medical, psychiatric and dental expenses.

POLICY: It is the policy of the Pointe Coupee Parish Police Jury to reduce frivolous or non-essential medical services through an inmate medical co-payment policy for health

care services while maintaining that no inmate will be denied medical care because of their inability to pay co-payments or make reimbursements.

PURPOSE: To collect reimbursement from all inmates for medical services through a co-payment policy without denying any inmate medical care due to their inability to pay.

PROCEDURE:

A. DEFINITIONS:

1. *Inmate* shall mean any person confined to a parish correctional facility and includes all inmates, both parish inmates and inmates sentenced to the Department of Public Safety and Corrections who are in the custody of the sheriff.
2. *Co-Payment* is a fee collected from an inmate's account for specific healthcare services requested by that inmate.
3. *Healthcare Services* include medical (physician), dental (dentist), prescription medication and over-the-counter (OTC) medication.
4. *Over the Counter (OTC) Medication* includes the following non-exclusive list of medications, which do not require a prescription; aspirin, Tylenol, Orajel, anti-fungal cream, antibiotic ointment, Maalox, Milk of Magnesium, Ichthammal ointment 20% and hemorrhoid ointment.
5. *Dose* is the dosage as recommended by a physician or the manufacturer.

B. PROCEDURE:

1. All inmates shall be notified of the co-payment policy during orientation and when a request for healthcare services is made.
2. The following co-payments shall be charged to an inmate's drawing account where the inmate initiates the request in accordance with the Health Care Services policy:
 - a. Medical (physician) visits/services - Total actual cost, or any portion thereof.
 - b. Dental (dentist) visits/services - Total actual cost, or any portion thereof.
 - c. Prescription medication - Total actual cost, including refills of such prescription medication.
 - d. Over-the-counter (OTC) medication - 50 cents per dose.
 - e. Ambulance calls - Total actual cost.
 - f. Sick call with emergency medical technician, LPN or RN - \$10.00 co-payment.

If the inmate does not have the full amount of the co-payment in their drawing account, the entire balance shall be debited from the account, resulting in a negative balance.

3. Inmates shall not be charged for the following:
 - a. Health care required by Pointe Coupee Parish Police Jury upon intake or

as follow-up for contagious diseases.

- b. Court-ordered health care.
- 4. The Medical Administrator shall maintain records of all co-payments made pursuant to this policy, including details of all requests, appointments and prescription medications.
- 5. Pointe Coupee Parish Police Jury is authorized to freeze assets in an inmate’s drawing account and prohibit withdrawals therefrom until co-payments are paid, regardless of the source of the assets contained in the drawing account.
- 6. Any inmate who is transferred to another facility or discharged shall remain liable for any reimbursement authorized under this sub-section.

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.

Pointe Coupee Parish Sheriff’s Office
Medical Charge Form

_____ Sick Call	\$ 5.00
_____ Doctor Visit	\$ 7.00
_____ Dentist Visit	\$ 7.00
_____ Mental Health Evaluation	\$ 7.00
_____ Over the Counter Meds/Supplies	\$ 2.50
_____ Prescription Handling Fee	\$ 5.00
_____ Hospital Emergency Visit	\$10.00
_____ Lab Work & X-Rays	\$ 5.00

_____ D.O.C. _____ Parish Offender
Offender Name

_____ Duty Nurse _____ Offender Signature

Officer Charging Account

Unanimously carried.

INTRODUCTION OF AN ORDINANCE TO AMEND CHAPTER 4, SECTION 4-2 THRU 4-5 OF THE PARISH CODE OF ORDINANCES FOR ANIMALS & FOWLS

Parish Administrator Bello presented and reported on the following ordinance for animals and fowls in the parish for consideration of the Jury and schedule a public hearing at their next meeting:

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

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, March 27, 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

Regulating the ownership and possession of dogs and cats; including requirements for containment, care, vaccination, and registration, prohibiting running at large; authorizing seizure and impounding in certain instances; establishing fees and penalties; and further providing with respect thereto.

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

Section 1. Article I of Chapter 4 of the Code of Ordinances of the Parish of Pointe Coupee, Louisiana, is hereby amended and re-ordained so as to amend Articles 4-2 thru 4-5 thereof to read as follows, viz:

CHAPTER 4 ANIMALS AND FOWL

ARTICLE I. KEEPING OF DOGS AND CATS

SEC. 4-2 RESPONSIBLE DOG OWNERSHIP

1. CONTAINMENT

(a) All dogs shall be securely contained/confined to their owner's property. The dog owner shall protect the public from his/her dogs. The assumption of liability is upon the dog owner for any accident, harm, or injury caused.

(b) All dogs shall be securely leashed when off of the owner's property, and under the care or supervision of a person who is physically capable of controlling the dog.

(c) Parents who allow their child to lead a dog in public access areas assume all liability for any accident, harm, or injury caused.

(d) Owners walking their dog(s) in public areas are required to pick up and properly dispose of stool waste deposited from their dog(s).

(e) Owners of dogs found at large by animal control authorities must produce documentation, upon demand, of the dog's immunizations as required by the state.

2. DOGS AT LARGE

(a) Any owner who allows his/her dog to run at large shall be fined fifty dollars (\$50.00) for the first violation.

(b) The second violation shall incur a fine of one hundred dollars (\$100.00).

(c) The third violation shall incur a fine of three hundred dollars (\$300.00).

(d) The fourth violation by the owner shall cause the dog to be confiscated by the Animal Control Authorities and the owner shall incur a fifty dollar (\$50.00) impoundment fee and a per day boarding

fee of twenty dollars (\$20.00). After evaluation of the temperament of the animal by qualified personnel, the animal will either be placed into a responsible home, or humanely euthanized.

- (e) Nothing in sections (a) through (d) above shall pertain to owners who are at the time hunting or working with dogs. Hunting dogs means dogs used in the sport of hunting legal wild game. Working dog means dogs used to control livestock or trained dogs used by any state or local law enforcement agency.
- (f) Any dog(s) whose owner cannot be identified that is found running at large on the streets or other public places subject to the jurisdiction of the parish or trespassing or running or being on any property other than the property of the owner or keeper thereof, shall be seized and taken into custody by the peace officers of the parish or any other person designated by the parish police jury. "At large" shall mean any animal off the property of its owner and not under the direct control of the responsible owner. Hunting and stock dogs while being worked by a responsible person shall not be defined as "at large". Any dog deemed to be "at large" shall be impounded and held and maintained by said officials for a period of five (5) days excluding Sundays and holidays in order to allow the owner or keeper to come forward and claim said dog(s). If any dog is wearing a collar bearing a tag showing the name and address of the owner, it shall be impounded and designated person or peace officer so seizing and impounding the dog shall immediately thereafter by telephone and/or by written notice by certified mail, return receipt requested, notify the owner at the address disclosed by the tag on the collar. The owner or keeper shall within seven (7) days from receipt of the notice to claim the dog.
- (g) Upon reclaiming of a dog by the owner, the owner shall pay to the parish as reimbursement for expenses of the seizure of said dog(s) the amount of fifty dollars (\$50.00) each together with a fee of twenty dollars (\$20.00) per day as an impounding fee representing the expenses for the care and maintenance of said animal(s). All dogs shall be inoculated at the expense of the owners or keepers before being released from impoundment. A fee for said inoculation shall be charged which represents the actual cost to the parish.
- (h) If a dog is without identification or is not claimed within the prescribed period in accordance with the provisions of this section, the dog shall be placed into a responsible home or humanely euthanized. No provision hereof shall be construed as requiring and compelling the officials or any employee of the parish to impound all dogs seized under the conditions hereinabove set forth, said impoundment to be at the discretion of said officials. Should the owner be identified they shall be assessed an impoundment fee of fifty dollars (\$50.00) and twenty dollars (\$20.00) per day of care.
- (i) Dangerous dogs means any dog which when unprovoked, on two separate occasions within the prior thirty–six month period, engages in any behavior that requires defensive action by any person to prevent bodily injury when the person and the dog are off the property of the owner of the dog; or any dog which, when unprovoked, bites a person causing an injury; or any dog which, when unprovoked, on two separate occasions within the prior thirty-six month period, has killed, seriously bitten, inflicted injury, or otherwise caused injury to a domestic animal off the property of the owner of the dog. It is unlawful for any person to own a dangerous dog without properly restraining or confining the dog. Whoever violates this provision shall be fined not more than three hundred dollars (\$300.00).
- (j) It is unlawful for any person to own a vicious dog. A "vicious dog" means any dog which, when unprovoked, in an aggressive manner, inflicts serious bodily injury on or kills a human being and was previously determined to be a dangerous dog. Violation of this Section shall be fined not more than five hundred dollars (\$500.00) or imprisoned for not more than six months, or both. The provisions of this section do not apply to any dog which is owned or under the service of any state or local law enforcement agency.
- (k) In the event a peace officer or designated employee of the parish comes upon a vicious dog or one which said official has probable cause to believe is infected with a dread disease, such as rabies, then and in that event impoundment shall not be necessary and said official may humanely destroy vicious dogs or cats as well as all dogs and cats suffering from an obvious infectious disease, contagious disease or severe injury. No healthy dog or cat shall be humanely destroyed until five

(5) days have elapsed since the dog or cat was impounded and then not unless the owner or agent or someone who will pay the charges and accept the dog or cat is not found. However, a diseased or injured animal may be humanely destroyed immediately and prior to the five (5) days if in the opinion of a veterinarian or other qualified official its condition is such that imminent destruction is necessary as a humane gesture and for the protection of other animals which the impounded animal may contact.

(l) Abandonment of any animal shall be subject to a five hundred dollar (\$500.00) fine per animal, and/or up to three months jail time, or, a five hundred dollar (\$500.00) fine per animal and community service not to exceed six months per animal abandoned; said fine and sentence to be at *the discretion of the Court*.

(m) All fines and fees shall be remitted to the Pointe Coupee Parish Police Jury located at 160 E. Main St. New Roads, La. 70760. Payment shall be in the form of check or money order.

SEC. 4-3 MINIMUM STANDARD OF CARE OF ANIMALS

- (a) All animals are required to be provided with appropriate food and clean water daily, sufficient shelter from the weather and proper veterinarian care.
- (b) Cruelty to animals shall not be tolerated and shall be administered as defined in Louisiana Revised Statutes R.S. 14:102.1 thru 14:102.4.
- (c) Dog fighting or training and possession of dogs for fighting is prohibited and shall be administered as defined in Louisiana revised Statutes R.S. 14:102.5 thru R.S. 14:102.7.

SEC. 4-4 REGISTRATION OF ANIMALS IN THE PARISH

1. Definitions.

The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them herein, except where the context clearly indicates a different meaning:

Cat means any feline animal over three months of age.

Dog means any canine animal over three months of age.

Keeper means any person other than the owner harboring or having in his possession any dog or cat.

Licensed veterinarian means a practicing veterinarian who is licensed by the State Board of Veterinary Medicine.

Owner means anyone who owns, possesses, keeps, trains, harbors or permits a dog on or about his premises.

Society means the state Society for the Prevention of Cruelty to animals.

2. Dog or cat license required.

Each owner or keeper of a dog or cat within the Parish of Pointe Coupee which is over three months old shall annually cause such dog or cat to be registered for one year. The registration shall be in the form as prescribed and furnished by the Parish; the registration number shall coincide with the rabies vaccination registration number which appears on the dog tag.

3. Charge for dogs or cats tags; exception

It shall be unlawful for any person to own, keep, maintain, harbor, or possess any dog or cat in the parish if it is three months of age or older unless such dog or cat shall be caused by the owner or keeper to wear around its neck a collar, harness, or other suitable material to which shall be securely attached a tag in the form prescribed by the parish, and on which shall appear the tag number. Only one such tag may be caused to be worn on such collar, harness or other material, and on it will be inscribed the vaccination register number, which number will be identical with the tag number. Such tag shall be furnished annually by the parish upon payment of the sum of (a) \$6.00 for each spayed or neutered dog or cat which is six months or older; or (b) \$12.00 for each unspayed or unneutered dog or cat which is six months or older. If any such tag shall become lost the owner or keeper of such dog or cat shall forthwith obtain a duplicate or substitute tag at a cost of \$2.00 upon proving such loss. The tag required by this section shall not be issued unless the dog or cat is vaccinated at the time of the issuance of the tag. The tag fee covers the cost of the tag only; any fee charged for the anti-rabies vaccine and/or its injection shall be over and above the tag fee and is

payable to the veterinarian for this service.

For persons owning multiple animals, in lieu of the regularly required annual registration of each individual animal, multiple animals may be registered under a Breeder and/or Kennel registration. This registration shall be in addition to the annual rabies vaccination, shall be required for each animal over the age of six (6) months and shall be obtained from the Parish of Pointe Coupee. The annual cost of such registration shall be \$25.00 for up to 5 animals; \$35 for 6 to 10 animals; and, \$50 for 10 animals and over.

Owners of Hunting and Working dogs shall register their animals with the Pointe Coupee Police Jury located at 160 E. Main St. New Roads, La. 70760.

Failure to register animals as set forth herein shall result in a fine of \$50.00 per animal plus all court costs and may also subject the owner to removal of their animals.

4. Preparation and expiration date of tags; issuance by veterinarian; record of tags issued to be kept.

The parish shall cause to be made suitable tags, consecutively numbered, which tags shall be issued only by a licensed veterinarian acting as agent of the parish, and be required for every dog or cat over three months old, and remain valid for one year from the date of its issuance. Before any such tag is delivered to the owner or keeper of the dog or cat, the veterinarian shall make a record of the name and address of the person who owns or has charge of the dog or cat to which the tag is to be attached, which information shall be furnished by the applicant, a brief description of the dog or cat and the registered number assigned.

5. Counterfeiting; improper use of tags.

No person shall:

- (a) Counterfeit or imitate the license or vaccination tags as provided for in this article;
- (b) Put on a dog or cat any such counterfeit or imitation tag; or
- (c) Use such a tag on a dog or cat for which it was not issued.

6. Improper removal of tag.

No person shall maliciously or wantonly remove or cause to be removed, directly or indirectly, any tag from the dog or cat of another person. Violation of this section shall result in a fine of fifty dollars (\$50.00).

7. Anti-rabies vaccination required.

It shall be unlawful for any person to own, keep, maintain, harbor or possess any dog or cat in the parish unless such dog or cat, if it is over three months old, is vaccinated with approved anti-rabies vaccine by a licensed veterinarian and a tag evidencing such vaccination is affixed to the collar or harness as provided in section 5. Veterinarians shall not issue a license or tag unless the dog or cat has been properly vaccinated. Hunting and working dogs are exempt from this section.

8. Dogs or cats to be vaccinated every 12 months.

The owner or keeper of every dog or cat over three months old shall at his expense have such dog or cat vaccinated by a licensed veterinarian with approved anti-rabies vaccine at least once every 12 months, under health rules and regulations as prescribed by the state.

9. Dogs not to run, roam or be at large.

No dogs, licensed or unlicensed, shall be permitted to run, roam or be at large upon any street, alleyway, common or public square or public place within the parish. Each owner or keeper of a dog shall have such dog securely confined within his yard or enclosure or secured by a chain at all times, except that a dog properly licensed under this article may be allowed outside of such enclosure if under a secure leash and accompanied by its owner or keeper.

SEC. 4-5 ANIMAL BITES

All dogs or cats involved in bites upon humans or any domestic animal shall be impounded for a period of no less than 10 days. And shall not be released until all impoundment and boarding fees are remitted

and (if) required rabies vaccine is administered by a licensed veterinarian. All animal bites upon humans shall be reported to the local health office.

Section 2. All ordinances or parts thereof in conflict herewith, including but not limited to Sections 4-2, 4-3, 4-4 and 4-5 of Chapter 4 of code of ordinances of the Parish of Pointe Coupee, 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.

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

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

NAYS: Mr. Young.

ABSENT: Mr. C. Dukes.

On a vote of 10-1-1, the motion carried.

APPROVE DANNIE P. GARRETT, III OF BUTLER, SNOW, O'MARA, STEVENS & CANNADA, PLLC AS SPECIAL COUNSEL FOR THE JURY

Parish Administrator Bello presented the following resolution for approval of the Jury:

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

WHEREAS, the Pointe Coupee Parish Police Jury utilizes the services of the Office of the District Attorney for the 18th Judicial District as its legal advisor in accordance with LRS 42:261, et seq.; and

WHEREAS, the Pointe Coupee Parish Police Jury also has come to rely on the knowledge and particular expertise of Dannie P. Garrett, III, in his capacity as the General Counsel to the Police Jury Association of Louisiana, in the areas of governmental law particular to local governments, and specifically a local government operating as a Police Jury; and

WHEREAS, Dannie P. Garrett, III no longer serves as the General Counsel to the Police Jury Association of Louisiana, but rather is in private legal practice, currently with Butler, Snow, O'Mara, Stevens & Cannada, PLLC; and

WHEREAS, the Pointe Coupee Parish Police Jury deems access to the knowledge, expertise and legal representation that could be provided by Dannie P. Garrett, III to be crucial to the efficient operation of the Pointe Coupee Parish Police Jury; and

WHEREAS, the Pointe Coupee Parish Police Jury from time to time issues bonds and/or enters into other forms of indebtedness which requires the engagement of special counsel to do and perform comprehensive legal work and coordinate professional work with respect to the issuance of the aforesaid bonds or other forms of indebtedness; and

WHEREAS, the Pointe Coupee Parish Police Jury declares that there exists a necessity to engage Dannie P. Garrett, III of Butler, Snow, O'Mara, Stevens & Cannada, PLLC as special counsel to supplement and augment the representation that the Pointe Coupee Parish Police Jury receives from the District Attorney for the 18th Judicial District Court; and

WHEREAS, the Pointe Coupee Parish Police Jury intends to compensate Dannie P. Garrett, III of Butler, Snow, O'Mara, Stevens & Cannada, PLLC at the rate of \$175.00 per hour for his advice, counsel, and any needed litigation or representation of the Pointe Coupee Parish Police Jury before any Court or Federal or State agency, and, in the occasion that the Pointe Coupee Parish Police Jury is in need of comprehensive legal work and coordinate professional services in the issuance of bonds, a fixed sum not to exceed the maximum fee allowed by the Attorney General's fee guidelines, based on the amount of said bonds actually issued, sold, delivered and paid for, plus "out-of-pocket" expenses, all in accordance with a written Engagement Letter:

Therefore be it

RESOLVED, That the Pointe Coupee Parish Police Jury declares the necessity exists to engage Dannie P. Garrett, III of Butler, Snow, O'Mara, Stevens & Cannada, PLLC as special counsel for the reasons and for the compensation set forth in this resolution; and be it

RESOLVED further, That the Pointe Coupee Parish Police Jury urges Attorney General Buddy Caldwell to approve this request for special counsel, promptly and under the terms set forth herein.

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

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

NAYS: Mr. Young.

ABSENT: Mr. C. Dukes.

On a vote of 10-1-1, the motion carried.

APPROVE SIDELINE VARIANCE AT 7499 ISLAND ROAD AT VENTRESS DUE TO A HARDSHIP TO VALUE OF RIVER PROPERTY FOR GOSSERAND CONSTRUCTION, LLC

Juror Olinde requested approval of the Jury to grant a sideline setback variance from 8 ft. to 5 ft. due to a hardship to value of river property and size of lot for Gosserand Construction, LLC at Ventress.

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

RESOLVED, That a sideline setback variance from 8 ft. to 5 ft. at 7499 Island Road at Ventress due to a hardship to value of river property for Gosserand Construction, LLC be granted, pending written approval is received from the neighbors.

Unanimously carried.

APPROVAL OF THE JURY TO ATTEND THE NACO ANNUAL CONFERENCE AT PITTSBURGH IN JULY

Juror A. Dukes inquired if any other Jurors were interested in attending the NACo Annual Conference at Pittsburgh in July and requested approval to travel and attend the conference. Juror A. Dukes was informed all out of state travel was cancelled by the Jury.

2012 GOALS SETTING - CONCEPT INTRODUCTION

Juror Cox gave a PowerPoint presentation to explain the Jury setting goals for 2012 and concept introduction for setting goals for a better Pointe Coupee. Juror Cox asked the Jury to consider scheduling a workshop in the future to set their goals.

PARISH ADMINISTRATOR'S REPORT:

Parish Administrator Bello requested approval of the Jury to cancel a tax lien of \$732.11 on property of Olivia B. Smith Estate c/o Catherine Smith for non-payment of grass cutting fees to clean Lot 16 in Cedar Lane Subdivision at Morganza.

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

RESOLVED, That the tax lien on property of the Olivia B. Smith Estate c/o Catherine Smith be cancelled; and be it

RESOLVED further, That Parish Administrator Jimmy Bello be authorized to setup a payment plan with Ms. Catherine Smith to satisfy the \$732.11 balance owed to the Jury.

Unanimously carried.

Motion by Mr. Monk and seconded by Mr. Pourciau:

RESOLVED, That the District Attorney be authorized to file a lawsuit against Carriere Construction Company of Church Point, Louisiana for non-payment of \$3,621.20 for damages occurred on April 20, 2011 to the parish 2-inch poly main gas line on Oakland Road at Lakeland.

Unanimously carried.

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

RESOLVED, That the low proposal submitted by SunRise Roofing and Construction, LLC in the amount of \$5,600.00 to repair the roof on the courthouse be accepted.

Unanimously carried.

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

RESOLVED, That the low proposal submitted by LaCour Tree Service in the amount of \$1,000.00 for removal of the damaged magnolia tree at the side of the courthouse be accepted.

Unanimously carried.

AMEND AGENDA

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

RESOLVED, That the Agenda be amended to include the following:

Parish Administrator's Report:

- Allocate \$95,000.00 from LRA--CDBG Ike/Gustav Disaster Recovery Program Minor Home Repair Project to complete the LRA--CDBG Livonia Pavilion Project.
- Authorize the advertisement for bids for the LRA--CDBG Ike/Gustav Disaster Recovery Program - Town of Fordoche Community Center Expansion Project.
- Approve request of Mr. Rick Falgout to place a vending machine in the courthouse.
- Authorize PEC to advertisement for bids for new generators for the water and sewer districts for LRA--CDBG Ike/Gustav Disaster Recovery Program.
- Accept low proposal for removal of pine trees at rear of courthouse.

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

YEAS: Messrs. Cox, Cline, A. Dukes, Mrs. Vosburg, Messrs. Jarreau, Pourciau, Nelson, Monk, Olinde, Young and Mrs. Bueche.

NAYS: None.

ABSENT: Mr. C. Dukes.

On a vote of 11-0-1, the motion carried.

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

RESOLVED, That \$95,000.00 be allocated from the LRA--CDBG Minor Home Repair Project to complete the LRA--CDBG Ike/Gustav Disaster Recovery Program Livonia Pavilion Project as designed.

Unanimously carried.

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

WHEREAS, the plans and specifications for the LRA--CDBG Ike/Gustav Disaster Recovery Program for the Town of Fordoche Community Center Expansion have been completed and the architect reports that the project is now ready to advertisement for bids subject to securing approval from the Office of Community Development: Therefore be it

RESOLVED, That the secretary is hereby authorized to schedule the advertisement for construction bids, contingent upon securing approval of the plans and specifications from the Office of Community Development; and be it

RESOLVED further, That the bids are to be received at the office of the Police Jury at the date and time as established by the Police Jury.

Unanimously carried.

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

RESOLVED, That the request of Mr. Rick Falgout to place a vending machine in the courthouse be approved.

Unanimously carried.

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

RESOLVED, That Professional Engineering Consultants Corporation be authorized to advertise for bids for new generators for Waterworks Districts No. 1, Waterworks Districts No. 2, False River Waterworks Corporation, Sewerage District No. 3A, Sewerage District No. 4 and Sewerage District No. 6 for LRA--CDBG Ike/Gustav Disaster Recovery Program.

Unanimously carried.

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

RESOLVED, That the low proposal submitted by Rocky Tree Service in the amount of \$1,000.00 for removal of three Pine trees at the rear of the courthouse be accepted.

Unanimously carried.

Mr. David Bonaventure of Kalmans Marshall Engineering gave a presentation and report on the Energy Retrofit Plan for large parish buildings that would consist of the retrofit of the air conditioning systems and lighting in all buildings. He reported that the LA Department of Natural Resources has allocated 2.7 million to the parish at a 0% 10-year loan. After discussion, the following resolution was offered:

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

RESOLVED, That Kalmans Marshall Engineering be authorized to proceed with the Energy Retrofit Plan, on behalf of the Police Jury, and secure necessary funds with the LA Department of Natural Resources for parish buildings.

Unanimously carried.

RESOLUTIONS:

Assistant District Attorney John Wayne Jewell and Attorney Raedtha Vasquez of Jones & Walker, LLP reported and presented the following resolution for approval of the Jury:

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

Authorizing the Parish of Pointe Coupee to enter into an agreement with Wal-Mart Real Estate Business Trust through which use of and access to La. Hwy. 1 parish property and Wal-Mart property would change in certain events, and to further provide with respect thereto.

WHEREAS, the Parish of Pointe Coupee owns a certain lot (Parish Lot) of ground situated on La. Hwy. 1 (Hospital Road) which is presently used by the Louisiana Department of Motor Vehicles; and

WHEREAS, Wal-Mart Real Estate Business Trust (Wal-Mart) owns property contiguous to said lot on which it is to commence construction of a Super Center; and

WHEREAS, in order for Wal-Mart to obtain certain approvals from the Louisiana Department of Transportation and Development (DOTD), it is necessary that an alternate access route for the Parish Lot to access Hospital Road be acquired through the Wal-Mart property in the event DOTD terminates the present access route; and

WHEREAS, Wal-Mart has, in exchange for certain covenants, use restrictions and servitudes, offered a suitable alternative route.

THEREFORE, BE IT RESOLVED by the Pointe Coupee Parish Police Jury that it enter into an agreement with Wal-Mart Real Estate Business Trust substantially in the form of the agreement attached to this resolution, with such changes as approved by Police Jury President Melanie L. Bueche and Wal-Mart Real Estate Business Trust; and

BE IT FURTHER RESOLVED that Melanie L. Bueche, President of this Police Jury, be and she is hereby authorized to execute said agreement on behalf of the parish and this Police Jury.

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

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

NAYS: Mr. Young.

ABSENT: Mr. C. Dukes.

On a vote of 10-1-1, the motion carried.

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

RESOLVED, That the Pointe Coupee Parish Police Jury supports the efforts to meet the new state guidelines and standards for the St. James Youth Center; and be it

RESOLVED further, That a letter of support from the Police Jury be sent to State Senator Rick Ward and State Representative Major Thibaut to encourage their assistance in the efforts to meet the new state guidelines and standards for the St. James Youth Center.

Unanimously carried.

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

WHEREAS, bicycle tourism is a growing industry in North America, presently contributing approximately \$47 billion a year nationally to the economies of communities that provide facilities for said tourism; and

WHEREAS, the American Association of State Highway and Transportation Officials (AASHTO) has designated a corridor running east - west through south-central Louisiana to be developed as United States Bicycle Route 90 (USBR 90); and

WHEREAS, the Baton Rouge Advocates for Safe Streets (BRASS), Bike Walk MS, Bike Texas, and Adventure Cycling Association (ACA), with the cooperation of the Louisiana Department

of Transportation and Development and other stakeholders, have proposed a specific route to be designated as USBR 90, a map of which is herein incorporated into this resolution by reference; and

WHEREAS, the proposed USBR 90 traverses through eleven (11) parishes, one of which is Pointe Coupee Parish, and is expected to provide a benefit to local residents and businesses; and

WHEREAS, the Pointe Coupee Parish Police Jury has duly considered said proposed route and determined it to be a suitable route through Pointe Coupee Parish and desire that the route be formally designated so that it can be appropriately mapped and signed, thereby promoting bicycle tourism in Louisiana: Therefore be it

RESOLVED, That the Pointe Coupee Parish Police Jury hereby express our approval and support for the development of USBR 90 and request that the appropriate government officials take action to officially designate the route accordingly as soon as possible; and be it

RESOLVED further, That the Pointe Coupee Parish Police Jury supports the posting and maintenance of signs for said bicycle route once said designation has been made.

Unanimously carried.

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

RESOLVED, That Mrs. Melanie L. Bueche, President, be authorized to execute a Right-of-Way Agreement between the Pointe Coupee Parish Police Jury and Entergy to give Entergy permission to bury their power lines in False River Regional Airport's Runway Protection Zone (RPZ) of Runway 18, located along Pointe Coupee Road on the north end of the airport property at New Roads, Louisiana.

Unanimously carried.

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

RESOLVED, That an invoice in the amount of \$30,651.40 submitted by SJB Group, LLC for professional engineering & surveying services for the New Roads Sewer Improvements Backup Pumps/Sewer Lift Station 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 \$38,315.11 submitted by Mougeot Architecture, LLC for professional design and surveying services for the School Board Hardening Project for the LRA--CDBG Ike/Gustav Disaster Recovery Program be approved for payment.

Unanimously carried.

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

RESOLVED, That Mr. Alton Warr, Sr. be appointed to serve as a member of the Pointe Coupee Community Housing and Development Organization, Inc. in Police Juror District 6.

Unanimously carried.

COMMITTEE REPORTS:

ECONOMIC DEVELOPMENT COMMITTEE

The minutes of the Economic Development Committee meeting held March 6, 2012, were mailed to each Juror for their review.

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

RESOLVED, That Parish Administrator Jimmy Bello be allowed to continue the Economic Development courses over the next two years to receive a certification.

Unanimously carried.

PERSONNEL COMMITTEE

The minutes of the Personnel Committee meeting held March 6, 2012, were given to each Juror for their review.

Jurors Cline, Monk and A. Dukes inquired about why the salary for the Beaver Trapper/Animal Control Officer was changed from the advertised annually salary of \$22,667.00 (Step III) to \$24,769.00 (Step IV), and why the on-call pay for the officer is being implemented, after the on-call pay was removed, January 1, 2012.

Chairman Cox explained that Mr. LeCoq is being employed with 12 years of experience as an Animal Control Officer, has numerous certifications needed and is a law enforcement officer, which is the justification for the committee setting the salary at a Step IV pay grade.

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

RESOLVED, That Mr. Troy LeCoq be employed as Beaver Trapper/Animal Control Officer at a Grade 203, Step IV pay grade, and will receive on-call and certification pay when it occurs and/or obtained as with any other on-call employees and position relevant certified employees, contingent upon a legal opinion from Assistant District Attorney John Wayne Jewell that it is legal for the Jury to employ Mr. Troy LeCoq at an annually salary set by the committee instead of the advertised salary; and be it

RESOLVED further, That if an employee loses any tool or equipment over the cost of \$100.00, the Jury has the right to hold that employee responsible for replacement of the tool or equipment; and be it

RESOLVED further, That if a pattern of irresponsible loss occurs by an employee, that employee will be held accountable for the full replacement cost and subject to disciplinary action; and be it

RESOLVED further, That all office staff employees and supervisors be allowed to attend a three-hour seminar conducted by Decision Drivers, LLC on March 19, 2012 at Lafayette; and be it

RESOLVED further, That beyond the pertinent office staff and appointed officials of the Jury, the Public Works Director and Public Utilities Director (or their appointed representative if they are not able to attend) are the only employees that are required to attend regular meetings of the Jury; and be it

RESOLVED further, That if a particular employee's attendance is required at a regular meeting, they will be summoned by the appropriate person; and be it

RESOLVED further, That employees be allowed lodging expense if a conference, etc. is more than 60 miles from the Police Jury Office; and be it

RESOLVED further, That Mrs. Melanie L. Bueche be authorized to sign a Cooperative Endeavor Agreement between the Police Jury and the Pointe Coupee Parish School Board to retrieve scrap metal from the Welding Department at Livonia High School; and be it

RESOLVED further, That a representative of the School Board shall be present at all times during the transport of the scrap metal and handle all issues and/or arrangements.

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

YEAS: Mr. Cox, Mrs. Vosburg, Messrs. Jarreau, Pourciau, Nelson, Monk, Olinde, Young and Mrs. Bueche.

NAYS: Mr. Cline.

ABSENT: Messrs. A. Dukes and C. Dukes.

On a vote of 9-1-2, the motion carried.

AMEND AGENDA

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

RESOLVED, That the Agenda be amended to include the following:

Discuss dependent upon employment experience.

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

YEAS: Messrs. Pourciau, Nelson, Monk, Olinde, Young, Cox, Cline, Mrs. Vosburg, Mr. Jarreau and Mrs. Bueche.

NAYS: None.

ABSENT: Mr. C. Dukes and A. Dukes.

On a vote of 10-0-2, the motion carried.

DISCUSSION DEPENDENT UPON EMPLOYMENT EXPERIENCE

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

RESOLVED, That the guidelines for future advertisements for position vacancy announcements be amended to include the wording “dependent upon employment experience.”

Unanimously carried.

Motion by Mr. Olinde and seconded by Mr. Young, the meeting adjourned at 7:40 p.m.

Gerrie P. Martin
Secretary

Melanie L. Bueche
President