

**MINUTES
POINTE COUPEE PARISH POLICE JURY
May 22, 2012**

The Pointe Coupee Parish Police Jury met in regular session at 5:00 p.m. on Tuesday, May 22, 2012, at the Courthouse Annex in New Roads, Louisiana.

President Bueche and Jurors welcomed Juror Monk, who had surgery and been ill. Juror Monk thanked Jurors and others for their prayers and support during his illness.

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

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

ABSENT: Mr. Glenn Cline.

APPROVAL OF MINUTES

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

RESOLVED, That the minutes of the regular meeting of May 8, 2012, be accepted as written and be published in the official journal.

Unanimously carried.

CERTIFICATE OF APPRECIATION TO PENNY OLINDE FOR DEVELOPING THE EMBROIDERY DESIGN OF POINTE COUPEE PARISH ON THE LOUISIANA QUILT IN HONOR OF THE 200TH ANNIVERSARY OF LOUISIANA

President Bueche presented a certificate of appreciation to Ms. Penny Olinde for developing the embroidery design of Pointe Coupee Parish on the Louisiana quilt in honor of the 200th Anniversary of Louisiana.

RESOLUTION--EXPRESSION OF SYMPATHY FOR EMILE DAVID, JR

Juror Olinde presented an expression of sympathy resolution to the family of Mr. Emile David, Jr.

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

WHEREAS, God in His infinite wisdom has called to his eternal reward Mr. Emile "Slick" David, Jr.; and

WHEREAS, Mr. Emile "Slick" David, Jr. was a native of False River and resident of Erwinville and West Baton Rouge Parish for 72 years; and

WHEREAS, his presence will be sadly missed by his family and friends: Therefore be it

RESOLVED, That this Pointe Coupee Parish Police Jury does and hereby extends to the family of Mr. Emile "Slick" David, Jr. this resolution of sympathy in the loss of their loved one.

Unanimously carried.

15 MINUTES OF PUBLIC COMMENTS

President Bueche read a letter from Mayor Robert Myer of the City of New Roads thanking the Jury, administration and employees for their assistance with developing the parking lot at the old cotton gin for their "Market at the Mill" event held this month.

PUBLIC HEARING--ORDINANCE TO ACQUIRE FULL OWNERSHIP OF ADJUDICATED PROPERTY

A public hearing to obtain input from citizens concerning an ordinance to acquire full ownership interest of adjudicated property designated as Lot #3 of Square #6 of the Second Addition to Morningside Subdivision at New Roads and to further provide with respect thereto was held at 5:16 p.m., Tuesday, May 22, 2012 at the Police Jury Meeting Room, Courthouse Annex, 160 East Main Street, New Roads, Louisiana.

Assistant District Attorney John Wayne Jewell commented and explained the reason for the ordinance. There were no objections received orally nor written.

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

RESOLVED, That an ordinance to acquire full ownership interest of adjudicated property designated as Lot #3 of Square #6 of the Second Addition to Morningside Subdivision at New Roads be adopted.

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

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

NAYS: None.

ABSENT: Messrs. Cox and Cline.

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

APPROVAL OF BENCHMARK SURVEY

Floodplain Administrator Cletus Langlois gave a PowerPoint presentation on the Pointe Coupee Parish Benchmark Survey Report that was prepared by Chustz Surveying, Inc. He stated a copy of the report is on our website and on file in the Jury Office for public view. The Jury thanked Chustz Surveying, Mr. Langlois and Parish Administrator Jimmy Bello for developing said report.

CONSIDERATION OF A RESOLUTION MAKING APPLICATION TO THE STATE BOND COMMISSION FOR CONSENT AND AUTHORITY TO ISSUE, SELL AND DELIVER NOT EXCEEDING \$1,070,000 OF CERTIFICATES OF INDEBTEDNESS, SERIES 2012, OF THE PARISH OF POINTE COUPEE, STATE OF LOUISIANA TO PROVIDE FUNDING FOR AN ENERGY EFFICIENCY PROJECT AND PROVIDING FOR OTHER MATTERS IN CONNECTION THEREWITH

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

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

A resolution making application to the State Bond Commission for consent and authority to issue, sell and deliver not exceeding \$1,070,000 of Certificates of Indebtedness, Series 2012, of the Parish of Pointe Coupee, State of Louisiana to provide funding for energy efficiency projects, and providing for other matters in connection therewith.

WHEREAS, the Budget for the Parish of Pointe Coupee, State of Louisiana (the "Issuer"), for the fiscal year ending December 31, 2012 shows an estimated excess of revenues, including fund balances, over statutory, necessary and usual charges and all other expenses for such fiscal year including the beginning balance in the budget, in the total amount of \$363,107 which sum is available for the payment of principal and interest on the hereinafter described Certificates of Indebtedness; and

WHEREAS, the surplus reflected for the current fiscal year is sufficient to meet the maximum principal and interest requirements in any future year on the indebtedness herein authorized and

this Parish Police Jury will herein obligate itself and its successors in office to budget and set aside annually adequate funds for the payment of the Certificates of Indebtedness (hereinafter described) in principal and interest in future years; and

WHEREAS, Section 1430 of Title 39 of the Louisiana Revised Statutes of 1950, as amended (R.S. 39:1430), authorizes the Issuer to make and enter into contracts dedicating the excess of annual revenues of subsequent years from any source above statutory, necessary and usual charges to the payment of the cost of public improvements and other obligations which are to be borne by the Issuer under such contracts; and

WHEREAS, the Issuer now desires to incur debt and issue not exceeding One Million Seventy Thousand Dollars (\$1,070,000) of its Certificates of Indebtedness, Series 2012, in the manner authorized and provided by the aforesaid Section of the Louisiana Revised Statutes of 1950, as hereinafter provided, for the purpose of constructing and/or acquiring energy retrofit projects for the courthouse, courthouse annex, detention center and civic center of the Issuer on land owned by the Issuer for use by governmental entities, including the necessary equipment and furnishings therefor and paying the costs of issuance; and

WHEREAS, the Issuer is not now a party to any other contract pledging or dedicating its excess annual revenues above statutory, necessary and usual charges, except with respect to the Issuer's Certificates of Indebtedness, Series 2004 of the Parish of Pointe Coupee, State of Louisiana, issued in the original principal amount of \$480,000 pursuant to an ordinance adopted on March 23, 2004, of which \$215,000 is outstanding.

NOW, THEREFORE, BE IT RESOLVED by the Pointe Coupee Parish Police Jury, State of Louisiana (the "Governing Authority"), acting as the governing authority of the Parish of Pointe Coupee, State of Louisiana (the "City" or "Issuer"), as follows:

SECTION 1. That application be and the same is hereby formally made to the State Bond Commission for consent and authority for the Issuer to issue, sell and deliver not exceeding \$1,070,000 of Certificates of Indebtedness, Series 2012, of the Issuer (the "Certificates"), all in the manner provided by Section 1430 of Title 39 of the Louisiana Revised Statutes of 1950, as amended for the purpose of constructing and/or acquiring energy retrofit projects for the courthouse, courthouse annex, detention center and civic center of the Issuer on land owned by the Issuer for use by governmental entities, including the necessary equipment and furnishings therefor and paying the costs of issuance in connection with the issuance of the Certificates (the "Project"). Said Certificates will mature over a period not exceeding ten (10) years and will bear interest at a rate or rates not exceeding one-half of one percent (0.50%) per annum (which includes an administrative fee of ½% per annum on the outstanding principal of the Certificates). Said Certificates shall be secured by and payable from a pledge and dedication of the excess of annual revenues of the Issuer above statutory, necessary and usual charges in each of the fiscal years including the date of their issuance and each principal payment date.

By virtue of the Parish's application for acceptance and utilization of the benefits of the Louisiana State Bond Commission's approval resolved and set forth herein, it resolves that it understands and agrees that such approval is expressly conditioned upon, and it further resolves that it understands, agrees and binds itself, its successors and assigns to, full and continuing compliance with the "State Bond Commission Policy on Approval of Proposed Use of Swaps, or other forms of Derivative Products Hedges, Etc.", adopted by the Commission on July 20, 2006, as to the borrowing(s) and other matter(s) subject to the approval(s), including subsequent application and approval under said Policy of the implementation or use of any swap(s) or other product(s) or enhancement(s) covered thereby.

SECTION 2. That a certified copy of this resolution shall be forwarded to said State Bond Commission by the Issuer's bond counsel, together with a letter requesting the prompt consideration and approval of this application.

SECTION 3. This Governing Authority finds and determines that a real necessity exists for the employment of special bond counsel in connection with the issuance of the Certificates of

Indebtedness, and accordingly, Foley & Judell, L.L.P., as Bond Counsel, are hereby employed to do and perform comprehensive legal and coordinate professional work as bond counsel with respect to the issuance and sale of the Certificates of Indebtedness. Said Bond Counsel shall prepare and submit to this Governing Authority for adoption all of the proceedings incidental to the authorization, issuance, sale and delivery of such Certificates of Indebtedness, shall counsel and advise this Governing Authority as to the issuance and sale thereof and shall furnish its opinion covering the legality of the issuance of the Certificates of Indebtedness. The fee of Bond Counsel shall be fixed at a sum not exceeding the maximum fee allowed by the Attorney General's fee schedule for comprehensive, legal and coordinate professional work in the issuance of revenue bonds and based on the amount of bonds actually issued, sold, delivered and paid for, plus "out-of-pocket" expenses, said fees to be contingent upon the issuance, sale and delivery of said Certificates of Indebtedness.

SECTION 4. Employment of Local Associate Counsel. Mr. John Wayne Jewell, Attorney at Law, New Roads, Louisiana is hereby employed as local associate counsel of the Parish to perform all legal services as local associate counsel in connection with the proposed issuance of the Certificates of Indebtedness. The fee for such services shall be computed at an hourly rate not exceeding the amount provided by the guidelines for such services as approved by the Attorney General of the State of Louisiana, plus out-of-pocket expenses.

SECTION 5. A certified copy of this resolution shall be submitted to the Attorney General of the State of Louisiana for his written approval of said employment of Bond Counsel and Local Special Counsel and of the fees herein designated, and the Parish Administrator is hereby empowered and directed to issue vouchers in payment for the work herein provided for upon completion of the work herein specified and under the conditions herein enumerated.

SECTION 6. Prior to the delivery of the Certificates, the Issuer anticipates that it may pay a portion of the costs of the Project from general fund or other available moneys, which Certificates will be issued for the purposes set forth in the preamble to this resolution. Upon the issuance of the Certificates, the Issuer reasonably expects to reimburse any such expenditures from a portion of the proceeds of the Certificates. Any such allocation of proceeds of the Certificates for reimbursement will be with respect to capital expenditures (as defined in United States Treasury Regulation 1.150-1[b]) and will be made upon the delivery of the Certificates and not later than eighteen (18) months after the later of (i) the date such expenditure was paid or (ii) the date on which the Project was placed in service.

Unanimously carried.

POLICY FOR HAULING OFF OLD CULVERTS

President Bueche stated that the Jury currently has a policy to haul off old culverts that was prepared by Chairman Cox and the Personnel Committee. She also stated that a question could have been easily asked of Treasurer Becky Mayeux about whether scrap metal was sold in 2012, and did not understand the purpose of these two items being placed on the agenda. She stated that at the instruction of the District Attorney, the Jury was not to discuss this subject until the matter had been resolved by the Attorney General's (AG) Office.

Juror A. Dukes stated that the Jury does not have a policy for hauling off old culverts, and he is being informed that the Jury is leaving old culverts in the fields and not hauling them at the Maintenance Facility.

Juror Cox commented on the current culvert policy that requires old culverts to be picked up and dispose of based upon the requirements of the state statute established. He reported on forwarding information he obtained from the AG's Office to Attorney John Wayne Jewell for review and to craft a legal document as it relates to culverts. After discussion, the Personnel Committee was asked to revise the policy to include hauling off old culverts.

DISCUSSION OF SCRAP METAL SOLD IN 2012

Juror A. Dukes stated that the AG's Office is conducting a criminal investigation into the scrap metal sold and as a Police Jury they should enforce their Personnel Policy Manual and the only way the Jury can enforce the manual in this issue is if there was a resolution giving someone the authority to sell the scrap metal and use the monies the way they choose. He stated that he had asked and there is no resolution by the Jury giving someone the authority to sell the metal, and he asked that the Personnel Policy Manual be enforced.

President Bueche informed the Jury that she promised the district attorney that the Jury would not discuss the sell of scrap metal until the investigation by the AG's Office was complete. **Juror A. Dukes responded and stated that she does not have the authority to make that type of promise.** After discussion, Juror A. Dukes was informed no scrap metal was sold in 2012, and any other questions will have to be addressed by Treasurer Mayeux.

Juror Cox reported that at the recommendation of the Personnel Committee, the Jury adopted a resolution at its meeting on February 14, 2012 that employees will continue to stockpile the scrap materials and the materials will be sold in accordance with the LA Revised Statute, and any funds that are received by a Jury employee shall be given to the Treasurer for deposit in the appropriate established Jury account.

NAME A PRIVATE ROAD LEE DRIVE OFF OF CROCHET STREET AT MORGANZA FOR E911 PURPOSES

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

RESOLVED, That a private road be named Lee Drive off of Crochet Street at Morganza for E911 purposes.

Unanimously carried.

PARISH ADMINISTRATOR'S REPORT:

Parish Administrator Bello gave an update and presented a cost estimate report for the Jury's consideration of contracting roadside grass cutting and roadside spraying in the parish. After discussion, the following resolution was offered:

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

RESOLVED, That the Parish Administrator be authorized to advertise for bids for the contracting of roadside grass cutting in the parish.

Unanimously carried.

Parish Administrator Bello gave an update on repairs to the pump in Pecan Acres Subdivision at New Roads and that a temporary pump is being rented to service the subdivision until the pump is repaired.

Juror A. Dukes asked that an emergency be declared to authorized the Parish Administrator to take necessary actions to the pump in the event of a disaster.

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

RESOLVED, That an emergency be declared and the Parish Administrator be authorized to take the necessary actions to repair the pump in Pecan Acres Subdivision.

Unanimously carried.

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

RESOLVED, That the proposal, that met all the specifications, submitted by Southland Engine Company, Inc. in the amount of \$11,414.21 to purchase an infield machine for PC Parks & Recreation be accepted.

Unanimously carried.

Juror Vosburg announced that NRG will donate \$5,000.00 to purchase materials and their employees will provide the necessary labor to erect a fence at PC Parks & Recreation. The Jury agreed to send a letter of thanks to NRG.

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

RESOLVED, That Pan American Engineers of Alexandria be authorized to submit all invoices for various projects of the LRA--CDBG Hurricane Gustav/Ike Disaster Recovery Program to the state for payments without approval of the Police Jury, since contracts have been approved and awarded by the Police Jury.

Unanimously carried.

RESOLUTION--APPROVE INVOICES FOR KALMANS MARSHALL ENGINEERING, INC. FOR THE ENERGY RETROFIT PROJECT, SJB GROUP, LLC FOR SEWER IMPROVEMENTS BACK UP PUMPS/SEWER LIFT STATIONS AND HUNT, GUILLOT & ASSOCIATES, LLC FOR LRA--CDBG PROGRAM, NEAL CONSTRUCTION CO. FOR CWEF ISLAND ROAD WATER MAIN EXTENSION FOR WWD#1 & PEC FOR ROAD MAINTENANCE & REHABILITATION PROGRAM

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

RESOLVED, That an invoice in the amount of \$28,948.50 submitted by Kalmans Marshall Engineering, Inc. for professional services for the Energy Retrofit Project be approved for payment; and be it

RESOLVED further, That invoices in the amount of \$1,875.28 and \$5,000.00 submitted by SJB Group, LLC for the Sewer Improvements Back Up Pumps/Sewer Lift Stations Project for the LRA--CDBG Ike/Gustav Disaster Recovery Program be approved for payment; and be it

RESOLVED further, That invoices (Interim Billing No. 25) totaling \$10,151.89 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 \$2,849.00 as the final retainage, with a clear lien certificate, submitted by Neal Construction Company for the Community Water Enrichment Fund (CWEF) Island Road Water Main Extension for Pointe Coupee Parish Waterworks District No. 1 be approved for payment; and be it

RESOLVED further, That an invoice in the amount of \$19,986.62 submitted by Professional Engineering Consultants Corporation for engineering services for the Road Maintenance & Rehabilitation Program (Contracts 1 & 2) be approved for payment.

Unanimously carried.

COMMITTEE REPORTS:

CIVIC CENTER COMMISSION

Jurors Vosburg and C. Dukes did not have a report from the Civic Center Commission.

Motion by Mr. Nelson and seconded by Mr. Young, the meeting adjourned at 6:19 p.m.

