

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

The Pointe Coupee Parish Police Jury met in regular session at 5:00 p.m. on Tuesday, November 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. John Pourciau, Clifford Nelson, Allen Monk, Kyle Olinde, Cornell Dukes, Russell Young, Justin Cox, Glenn Cline, Albert Dukes, Mmes Janet Vosburg and Melanie Bueche, President.

ABSENT: Mr. Kurt Jarreau.

APPROVAL OF MINUTES

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

RESOLVED, That the minutes of the regular meeting of October 23, 2012, be accepted as written and be published in the official journal.

Unanimously carried.

AMEND AGENDA

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

RESOLVED, That the Agenda be amended for inclusion of the following:

- Solid Waste Consultant Report. (John Nix)
- Renewal of Commercial Dumpsters Contract with Progressive Waste. (PA Bello)
- Approve Certificate of Substantial Completion for New Recreation Pavilion at Glaser's Park.

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

YEAS: Messrs. Pourciau, Nelson, Monk, Olinde, C. Dukes, Young, Cox, Cline, Mmes Vosburg and Bueche.

NAYS: Mr. A. Dukes.

ABSENT: Mr. Jarreau.

On a vote of 10-1-1, the motion failed because it was not a unanimous vote.

Parish Administrator Jimmy Bello reported on a miscommunication between himself and the secretary resulting in Mr. John Nix, who was at the meeting, not being placed on the agenda to give the solid waste consultant report.

EMPLOYEE ANNIVERSARY SERVICE AWARD (PERCY STATION)

President Bueche presented a service award to employee Percy Station for his 5th anniversary of dedicated service as an employee of the Police Jury.

15 MINUTES OF PUBLIC COMMENTS

There were no public comments received.

APPOINTMENT OF A NINE PANEL CHARTER COMMISSION TO ESTABLISH A HOME RULE CHARTER FOR POINTE COUPEE PARISH, YES OR NO

Juror Young commented on the appointment of a nine panel Charter Commission to establish a Home Rule Charter for Pointe Coupee Parish. Other Jurors made comments on this matter and after discussion, the following resolution was offered:

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

RESOLVED, That the Police Jury does not appoint a nine panel Charter Commission to establish a Home Rule Charter for Pointe Coupee Parish.

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

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

NAYS: Mr. Cline and Mrs. Vosburg.

ABSENT: Mr. Jarreau.

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

POLICE JURY WORKSHOP

Juror Cox reported 10 Jurors were in attendance and gave an overview of topics discussed at the Police Jury Workshop held October 30, 2012.

INTRODUCTION OF 2013 BUDGET

CPA Tommy LeJeune of Faulk and Winkler, LLC gave an introduction and a brief overview of the 2013 Budget of the Police Jury.

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

RESOLVED, That upon introduction of the 2013 Budget of the Police Jury that a public hearing be scheduled for Tuesday, December 11, 2012 at 5:00 p.m. to review and adopt the budget.

Unanimously carried.

The Jury agreed to introduce an ordinance to consider implementing a Drainage Impact Fee and a 4% increase in gas and solid waste user fees at their December 11, 2012 meeting.

REPORT ON VETERANS AFFAIRS

Mr. Al Leger of the LA Department of Veterans Affairs gave a report on the services and financial assistance they provide to veterans in the parish. Mr. Leger introduced Mrs. Tammy Delatte who operates the office in Pointe Coupee twice a week from 9:00 a.m. to 3:00 p.m.

COMMENTS ABOUT THE POLICE JURY EMPLOYEES

President Bueche made comments and commended all the Police Jury employees for the outstanding service they provide for the Jury and to the citizens of the parish.

INTRODUCTION OF AN ORDINANCE TO AMEND CHAPTER 15 OF THE CODE OF ORDINANCES TO REGULATE THE DISCHARGE OF FIREARMS WITHIN CERTAIN AREAS

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

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

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, December 11, 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 amend Chapter 15 of the Code of Ordinances of the Parish of Pointe Coupee, Louisiana to regulate the discharge of firearms within certain areas, to provide penalties and to further provide with respect thereto.

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

Section 1. Chapter 15 of the Code of Ordinances of the Parish of Pointe Coupee, Louisiana, is hereby amended and re-ordained so as to add thereto a new section to be designated as Section 15-12 to read as follows, viz:

Section 15-12. Regulation of the discharge of firearms.

A. Definitions

1. Firearms: Guns, pistols, revolvers, rifles, shotguns and other barreled weapons which utilize combustible propellants.

2. Prohibited Areas:

- (a) Any public park, play ground, school, church or other public gathering places used by the public;
- (b) Any public street or roadway; and
- (c) Within 500 feet of any residence.

3. Law Enforcement Officers: Law enforcement officers of any governmental agency, federal, state, parish and/or municipal, legal recognized military organization and private employed security personnel and others who are authorized to carry firearms in the performance of their official duties.

B. It shall be unlawful for any person to discharge any firearm within a prohibited area as defined herein, except by law enforcement officers when in performance of their duties, and except other persons acting in the necessary defense of life or property.

C. Any person violating any provision of this section shall upon conviction be fined not more than five hundred dollars (\$500.00) or imprisoned for not more than thirty (30) days, or both.

Section 2. If any section, part, paragraph, sentence or clause of this ordinance should be declared invalid or unenforceable, such invalidity or defect shall not affect the remaining sections, paragraphs, parts, sentences, or clauses hereof and, to this end, the several provisions hereof are declared to be severable.

Section 3. All ordinances or parts thereof in conflict herewith are hereby repealed.

Unanimously carried.

INTRODUCTION OF AN ORDINANCE TO AMEND CHAPTER 10 OF THE CODE OF ORDINANCES FOR THE NATURAL GAS POLICY, RATES AND CHARGES

At the request of Juror Cox, 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, December 11, 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

An Ordinance amending Chapter 10 of the Code of Ordinance of the Parish of Pointe Coupee, Louisiana, establishing user rates and related requirements relative to the Pointe Coupee Parish Natural Gas System, 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 10 of the Code of Ordinance of the Parish of Pointe Coupee, Louisiana, is hereby amended by adding the following Sections thereto, viz:

Sec. 10-1. Meters Required.

All premises, residential or commercial, using the parish natural gas system shall be equipped with adequate natural gas meter(s) furnished by the Police Jury but paid for by the consumer in the tap fee.

Sec. 10-2. Service by Authorized Personnel Only.

Only personnel authorized by the parish may make any connection to or tamper in any way with any natural gas line between the source of natural gas and a customer service valve.

Sec. 10-3. Rates.

The natural gas rates and charges to all natural gas customers or users of the parish natural gas system shall be as set by the Police Jury from time to time to assure safety and maintenance of the system. The following rates are hereby established:

- All natural gas service connections will be charged a flat minimum rate per connection in the amount of \$10.00 per month. Consumers will be billed \$3.135 per MCF used, plus the current cost per MCF.
- Additional charges to the flat minimum rate are as follows.
 - o Late Penalty Charge of 10% of balance due assessed for any outstanding past due balance.
 - o Disconnect Charge \$10.00
 - o Reconnect Charge \$40.00 first notice, \$60.00 for second notice & \$80.00 for third notice.
 - o To connect natural gas, all fees owed to the Police Jury for said property must be paid in full.
 - o Tap fee \$150.00
 - o Meter Deposit \$125.00
- Charges for services will be assessed on the 12th of the month for customers of Natural Gas Utility 1 each month and are due by the 22nd of that month. Charges for services will be assessed on the 8th of the month for customers of Natural Gas Utility 2 each month and are due by the 18th of that month. If there is a balance due on the 23rd for customers of Natural Gas Utility 1 or 19th for customers of Natural Gas Utility 2, a late penalty fee will be assessed. If an account has a balance due in excess of 2 billing cycles of a month, a shutoff notice will be sent to the customer. The bill must be paid in full by the last day of the month at 1pm in order to avoid service disconnection. If a service is disconnected due to failure to pay as stated above, the balance due, disconnect, and reconnect charges

must be paid in full before service is reconnected. The new monthly charge will be assessed when the natural gas is reconnected. There are no prorated charges/adjustments.

Sec. 10-4. Deposits.

A service deposit as set by the Police Jury from time to time shall be paid prior to service installation to insure payment of all bills. When service to the applicant is discontinued permanently, this deposit, less any amount still due for natural gas service, shall be refunded without interest.

Section 2. If any section, part, paragraph, sentence or clause of this ordinance should be declared invalid or unenforceable, such invalidity or defect shall not affect the remaining sections, paragraphs, parts, sentences, or clauses hereof and, to this end, the several provisions hereof are declared to be severable.

Section 3. All ordinances or parts thereof in conflict herewith are hereby repealed.

Unanimously carried.

CONCERNS ABOUT POLLING PLACE AT WATERLOO FIRE STATION AT VENTRESS

Juror Nelson reported on concerns and an incident that occurred at the polling place at Waterloo Fire Station at Ventress on November 6, 2012. Messrs. Lawrence Smith, Greg Johnson, Roosevelt Gremillion and Chris Houston, members of Fire District No. 5 Board, appeared before the Jury to address the concerns. Juror Nelson reported on the fire department honoring the signed agreement with members of Fire District No. 5 Board of Commissioners allowing the Jury access to the fire station a week prior to an election.

AWARD BID FOR CDBG–DRA VILLAGE OF MORGANZA SEWER POND RESTORATION

Mrs. Karla Weston of Civil Design & Construction, Inc. reported and presented the following resolution for approval:

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

WHEREAS, the Pointe Coupee Parish Police Jury received the following Bids on Monday, October 22, 2012 for the Morganza Sewer Pond Restoration, OCD/DRU Project No. 39PARA2303:

CONTRACTOR	BASE BID
1. Neal Construction Company	\$300,540.00
2. Spinks Construction, Inc.	\$304,900.00

WHEREAS, the Bids have been checked and tabulated by Civil Design and Construction, Inc., with a recommendation of award being made to the low bidder; and

WHEREAS, the Engineer’s Recommendation of Award has been made contingent upon the following:

1. Contemporaneous execution of a deductive change order totaling \$89,540 reducing the contract value to a total of \$211,000; and
2. Documentation from Village of Morganza as to availability of \$20,000 LGAP grant funds allocated to this project; and
3. Receipt of concurrence in the contract award from the State of Louisiana, Division of Administration, Office of Community Development; and
4. Receipt of Verification of Contractor Eligibility from the State of Louisiana, Division of Administration, Office of Community Development (OCD); and

5. Receipt of approval from OCD of reallocation of \$83,875 from other OCD Budget Line Items to this project (included within this figure is a \$20,000 contingency line item):
Therefore be it

RESOLVED, That the contract for said construction is hereby awarded to the low bidder, Neal Construction Company for the Base Bid of \$300,540; and be it

RESOLVED further, That the award of said contract is hereby made contingent upon the following:

1. Contemporaneous execution of a deductive change order totaling \$89,540 reducing the contract value to a total of \$211,000; and
2. Documentation from Village of Morganza as to availability of \$20,000 LGAP grant funds allocated to this project; and
3. Receipt of concurrence in the contract award from the State of Louisiana, Division of Administration, Office of Community Development; and
4. Receipt of Verification of Contractor Eligibility from the State of Louisiana, Division of Administration, Office of Community Development (OCD); and
5. Receipt of approval from OCD of reallocation of \$83,875 from other OCD Budget Line Items to this project (included within this figure is a \$20,000 contingency line item); and be it

RESOLVED further, That the President is hereby authorized to execute contracts and change orders between the Pointe Coupee Parish Police Jury and the successful bidder.

Unanimously carried.

REALLOCATE FUNDS FROM CDBG–DRA PARISH WIDE DRAINAGE PROGRAM TO CDBG–DRA VILLAGE OF MORGANZA SEWER POND RESTORATION

Grant Administrator Thomas David, III of Pan American Engineers reported and presented the following resolution for approval:

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

WHEREAS, Bids were received on October 22, 2012 for the Village of Morganza’s Sewer Pond Restoration project out of funds allocated from the Pointe Coupee Parish Disaster Recovery Program/CDBG, with a Base Bid amount totaling \$300,540; and

WHEREAS, funds allocated for construction total \$150,775; and

WHEREAS, the Base Bid exceeds funds allocated for construction by an amount totaling \$149,765; and in order for the contract to be awarded to the successful bidder, funds within the Disaster Recovery Program/CDBG need to be re-allocated so that sufficient funds are placed in the Village of Morganza’s Sewer Pond Restoration project budget line item prior to the award of the contract: Therefore be it

RESOLVED, That the following budget transfer is authorized:

- Re-allocate from the Parish Wide Drainage Program a total of \$150,000 for a total of funds reallocated to be \$150,000.

RESOLVED further, That the Budget Summary Sheet for the Disaster Recovery Program/CDBG for the projects noted be amended as follow, all subject to OCD approval:

<u>Category</u>	<u>Project</u>	<u>Current Budget</u>	<u>Proposed Revised Budget</u>
INF	Village of Morganza's Sewer Pond Restoration Project	\$ 156,995	\$ 306,995
INF	Parish Wide Drainage Projects	\$6,364,974	\$6,214,974
	Total	\$6,521,969	\$6,521,969

Unanimously carried.

REQUEST LA DOTD TO TRANSFER THE OLD MELVILLE FERRY LANDING TO THE POLICE JURY FOR THE PORT COMMISSION

Parish Administrator Bello reported on a request from the Port Commission asking the Jury to request LA Department of Transportation & Development (DOTD) to transfer the old Melville Ferry Landing to the Jury for the commission.

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

RESOLVED, That the Louisiana Department of Transportation and Development has abandoned and closed the Melville Ferry Landing in Pointe Coupee Parish; and be it

RESOLVED further, That the Pointe Coupee Parish Police Jury hereby requests the Louisiana Department of Transportation and Development to transfer ownership of approximately 1775 feet of Louisiana State Highway 10 near the Melville Ferry Landing, between Louisiana State Highway 417 and the Atchafalaya River, to the Parish of Pointe Coupee.

Unanimously carried.

PAUPER FUNERALS

At the request of Parish Coroner Harry Kellerman, Parish Administrator Bello requested approval of the Jury to advertise for proposals for indigent burial - basic services for pauper funerals in the parish.

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

RESOLVED, That Parish Administrator Jimmy Bello be authorized to advertise for proposals annually in the official journal for indigent burial - basic services for pauper funerals in the parish.

Unanimously carried.

TRANSITIONAL DUTY POLICY

Parish Administrator Bello presented and requested approval of the Jury to adopt a Transitional Duty Policy, which provides employees who have an occupational injury/illness, and are unable to return to full duty immediately, with safe, timely, transition from point of injury to temporary transitional position and to return to regular work duties.

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

RESOLVED, That a Transitional Duty Policy for employees of the Pointe Coupee Parish Police Jury be adopted.

Unanimously carried.

RESOLUTIONS:

APPROVE GROUP HEALTH INSURANCE RENEWAL FOR RETIREES

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

RESOLVED, That the renewal of the Humana Medicare Advantage Employer Plan for group health insurance for retirees be approved, effective January 1, 2013.

Unanimously carried.

RESCIND RESOLUTION ADOPTED 10/23/12 APPOINTING ROSEMARY RUMMLER TO THE CAPITAL AREA GROUND WATER CONSERVATION COMMISSION AND APPOINT ROSEMARY RUMMLER TO THE BARATARIA TERREBONNE NATIONAL ESTUARY PROGRAM (BTNEP) MANAGEMENT CONFERENCE TO REPLACE J. A. RUMMLER, WHO RESIGNED

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

RESOLVED, That the resolution adopted October 23, 2012 appointing Mrs. Rosemary Rummler to the Capital Area Ground Water Conservation Commission be rescinded; and be it

RESOLVED further, That Mrs. Rosemary Rummler be appointed to serve as a member of the Barataria Terrebonne National Estuary Program (BTNEP) Management Conference to replace Mr. J. A. Rummler, who resigned.

Unanimously carried.

APPOINT A MEMBER (MELBA AGUILLARD) TO FIRE DISTRICT NO 3 BOARD TO REPLACE ADAM WEGER, WHO RESIGNED

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

RESOLVED, That Mrs. Melba Aguillard be appointed to serve as a member of the Board of Commissioners for Pointe Coupee Parish Fire Protection District No. 3 to fill the unexpired term of Mr. Adam Weger, who resigned.

Unanimously carried.

ACCEPT PROPOSAL FROM HIGHWAY 1 AUTO SALVAGE FOR THE PURCHASE OF SURPLUS VEHICLES

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

RESOLVED, That the proposal in the amount of \$1,850.00 submitted by Highway 1 Auto Salvage for the purchase of the following surplus equipment be accepted:

#26 - Chevy pickup (utility) 8032	\$400.00
#20 - 1997 F150 pickup 3353	\$300.00
#9 - 1999 F250 pickup 8158	\$400.00
#807 - 1997 F150 pickup 7279	\$350.00
#4 - F150 pickup	\$200.00
#21 - Dodge pickup	\$200.00

Unanimously carried.

Motion by Mr. Pourciau and seconded by Mr. Nelson, the meeting adjourned at 6:55 p.m.

Gerrie P. Martin
Secretary

Melanie L. Bueche
President