

MINUTES
POINTE COUPEE PARISH POLICE JURY
April 9, 2013

The Pointe Coupee Parish Police Jury met in regular session at 5:00 p.m. on Tuesday, April 9, 2013, 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, Justin Cox, Glenn Cline, Albert Dukes, Mrs. Janet Vosburg, Mr. Kurt Jarreau and Mrs. Melanie Bueche, President. Arrived after roll call: Mr. Allen Monk.

ABSENT: None.

President Bueche asked that Mr. Joseph Bergeron, former Police Juror, who is ill and in the hospital, be remembered in prayer.

APPROVAL OF MINUTES

Juror Cox reported on the minutes about the resolution approving the purchase of two (2) trailers at the last meeting for \$10,665.00, which is what the Jury voted on and was not stated in the minutes they received. He objected to the fact that Mr. Bello changed the minutes in regards to the purchase of the trailers after it was typed and submitted to Jurors as a draft. He stated the amount needed to be corrected and the total cost is actually \$21,330.00 for both trailers.

Parish Administrator Jimmy Bello explained and apologized for not clearly stating the price was per trailer. This item will be placed on the agenda for approval at their next meeting.

In response to Juror Cox, Secretary Martin and Parish Administrator Bello explained it was an error as to why the resolution was changed in the minutes Jurors received. Secretary Martin did correct the minutes to read what the Jury approved prior to this meeting.

Juror Young questioned a section in the minutes regarding Juror Cox presenting a document at the last meeting titled official misconduct and corrupt practices. He stated he thinks it was inappropriate and was not an item placed on the agenda and should not be part of the official minutes.

Juror Cox stated the document he presented was relative to the topic that was being discussed on the agenda.

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

RESOLVED, That the minutes of the regular meeting of March 26, 2013, be accepted as written and be published in the official journal, pending approval by Assistant District Attorney John Wayne Jewell whether a document submitted by Juror Cox at the last meeting should be removed from the minutes.

Substitute motion by Mr. Cox and seconded Mr. Jarreau:

RESOLVED, That the minutes of the regular meeting of March 26, 2013, be accepted as written and be published in the official journal.

The President called for a roll call vote on the substitute motion that resulted as follows:

YEAS: Messrs. Cox, Cline, A. Dukes, Mrs. Vosburg and Mr. Jarreau.

NAYS: Messrs. Pourciau, Nelson, Olinde, C. Dukes, Young and Mrs. Bueche.

PRESENT,

NOT VOTING: Mr. Monk.

ABSENT: None.

On a vote of 5-6-1, the motion failed.

The President called for a roll call vote on the original motion that resulted as follows:

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

Mrs. Bueche.

NAYS: Messrs. Cox, Cline and Jarreau.

PRESENT,

NOT VOTING: Mr. Monk.

ABSENT: None.

On a vote of 8-3-1, the motion carried.

EMPLOYEES ANNIVERSARY SERVICE AWARDS (TOMMY LEONARD & MICHEL MECHE)

Juror Monk presented a service award to employee Michel Meche for his 5th anniversary of dedicated service as an employee of the Police Jury. Juror Monk announced a service award for employee Tommy Leonard, who was not present, for his 5th anniversary of dedicated service.

Juror Cox recognized Assistant DA John Wayne Jewell, who responded to Juror Young's request about the minutes. Attorney Jewell stated that if a discussion took place at a meeting whether it was on the agenda or not, is not important, but if it is allowed to be discussed it should be in the minutes.

15 MINUTE OF PUBLIC COMMENTS

There were no public comments.

DISCUSSION OF 911 ADDRESSING

OEP Director Don Ewing gave an update on the 911 addressing system in the parish. He asked the Jury's permission to review a road prior to the Jury naming any roads in the parish.

UPDATE AND DISCUSSION OF GRANT GIVEN TO LOCAL EMERGENCY PLANNING COMMITTEE (LEPC)

Chairman George Miller reported on grants awarded from LA Department of Transportation & Development and Exxon Mobile to the Local Emergency Planning Committee (LEPC) to perform a commodity flow study of pipelines in the parish. He requested approval of the Jury to setup an account to deposit the grant funds and disbursement of checks for the committee.

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

RESOLVED, That the Police Jury support and assist the Local Emergency Planning Committee (LEPC) with their grants from LA Department of Transportation & Development and Exxon Mobile to perform a commodity flow study of pipelines in the parish.

Unanimously carried.

UPDATE ON ROOF REPAIR PROGRAM

Mr. Mark Tizano of Providence Technical Services gave an update on the LRA--CDBG Roof Repair Program in the parish. He reported 67 of 137 homes had roof repairs. Juror C. Dukes asked Mr. Tizano to give an update, if available, at their next meeting on the affidavit of clear titles for some of the homes awaiting roof repairs.

ALLOW THE SMALL CLAIMS COURT TO HANDLE UNCOLLECTED DEBTS

Constable George Miller requested approval of the Jury to allow the Constables and Justices of the Peace to handle uncollected utility debts in their small claims court. Constable Miller, along with other Constables and Justices of the Peace, explained the process and fees that will be assessed for collecting the debts. After discussion, the following resolution was offered:

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

RESOLVED, That the Constables and Justices of the Peace be allowed to handle uncollected

utility debts for the Jury in small claims court.

Unanimously carried.

REQUEST FROM H.O.P.E. MINISTRY OF POINTE COUPEE

Mrs. Daisy Breaux, Director of H.O.P.E. Ministry of Pointe Coupee, Inc., requested approval from the Jury to sell clothes at the Food Pantry. She presented a letter from Society of St. Vincent de Paul stating there will be no conflict from St. Vincent de Paul Thrift Store with H.O.P.E. Ministry selling clothes at the Food Pantry once a month.

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

RESOLVED, That H.O.P.E. Ministry of Pointe Coupee, Inc. be allowed to sell clothes (garage sale) at the Food Pantry once a month.

Unanimously carried.

DISCUSSION OF MILLAGE RATE OPINION

Attorney Dannie Garrett of Butler & Snow Law Firm reported on his research and stated in accordance with the LA Constitution Art. VI § 26, the Police Jury has the authority to levy 3.42 mills instead of 1.71 of general ad valorem taxes, without a vote of the people, within the municipalities of Livonia and New Roads which has a population exceeding one thousand inhabitants, and which provides and maintains a system of street paving. Attorney Garrett stated this is not taking monies out of the municipalities budget. He presented a draft resolution to the Jury for their consideration.

Juror Jarreau agreed that the City of New Roads and Town of Livonia should have been paying the 1.71 mills since the Jury passed the parishwide tax for paving roads. He stated what needed to be considered is the fact that both municipalities, Livonia and New Roads, in a sense will have two (2) taxes being imposed on their municipalities, the Drainage Maintenance Fee and the millage increase of 1.71.

After discussion, the Jury agreed to place the resolution on the agenda of their next meeting and invite the Mayors from Livonia and New Roads to attend.

DRAINAGE MAINTENANCE FEE

President Bueche stated that Juror Jarreau wants to go on record that he is not infavor of the Drainage Maintenance Fee. He wants to move on, accepts it; that's his stand and they certainly respect it.

DISCUSSION OF VIOLATIONS BY EMPLOYEES OF THE PERSONNEL POLICY MANUAL

Juror A. Dukes stated the discussion of violations by employees of the Personnel Policy Manual was scheduled at the last meeting to be discussed in executive session, but since the Jury did not approve going into executive session, this is the reason he brought it to open session regarding the Parish Administrator and the handling of an accident that occurred December 11, 2012 resulting in damages to a dump truck.

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

RESOLVED, That the discussion of violations by employees of the Personnel Policy Manual be referred to the Personnel Committee.

Substitute motion by Mr. A. Dukes and seconded by Mr. Cox:

RESOLVED, That the Jury proceed with discussion of violations by employees of the Personnel Policy Manual in open session.

The President called for a roll call vote on the substitute motion that resulted as follows:

YEAS: Messrs. Cox, A. Dukes and Jarreau.

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

ABSENT: None.

On a vote of 3-9, the motion failed.

The President called for a roll call vote on the original motion that resulted as follows:

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

NAYS: Messrs. Cox and A. Dukes.

ABSENT: None.

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

COMPOSING MINUTES OF POLICE JURY MEETINGS

President Bueche commented on updating the resolution adopted by the Jury in 2009 for composing minutes of Police Jury meetings.

Juror C. Dukes commented that the bill for published minutes in 2012 was \$5,700 and that detailed dialogue should be eliminated from the minutes and should reflect resolutions, etc.

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

RESOLVED, That detailed information be eliminated from the Police Jury minutes.

Unanimously carried.

LIGHTING CONDITIONS AT THE TENNIS COURTS

In response to a request Juror A. Dukes received from Mr. Ronald Plauche, Juror Vosburg stated the lighting conditions at the tennis courts at False River Recreation Parish are being reviewed by the Recreation Committee and will be discussed at their next meeting.

RESIGNATION OF MR. CHARLIE BONNETTE FROM THE FALSE RIVER REGIONAL AIRPORT COMMISSION

President Bueche commented on a letter of resignation received from Chairman John C. "Charlie" Bonnette from the False River Regional Airport Commission with 23 years of service. Airport Manager Yvonne Chenevert explained how appointments of members are made by the Jury and City of New Roads to the commission. The Jury agreed to advertise in the official journal for interested persons to serve on the commission.

RESOLUTION--APPROVE CHANGE ORDERS NO. 1 & 2 FOR ROAD MAINTENANCE & REHABILITATION PROGRAM

Parish Engineer Kevin Gravois presented Change Orders for the Road Maintenance and Rehabilitation Program (Contracts 1 & 2) for approval of the Jury.

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

RESOLVED, That upon the recommendation of Professional Engineering Consultants Corporation, that Change Orders No. 1 (North) and No. 2 (South) for Contracts 1 & 2 for additional funds for the Road Maintenance and Rehabilitation Program be approved and Mrs. Melanie L. Bueche be authorized to execute the Change Orders.

Unanimously carried.

RESOLUTION--ENDORSEMENT OF BIONITROGEN LOUISIANA HOLDINGS, LLC IN THE ENTERPRISE ZONE PROGRAM

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

RESOLUTION STATING THE POINTE COUPEE PARISH POLICE JURY'S ENDORSEMENT OF BIONITROGEN LOUISIANA HOLDINGS, LLC TO PARTICIPATE IN THE BENEFITS OF THE LOUISIANA ENTERPRISE ZONE PROGRAM

WHEREAS, the Louisiana Enterprise Zone Act 901 of 1981, Act 337 of 1982, Act 433 of 1987, Act 1024 of 1992, Act 581 of 1995, and Act 624 of 1997, Act 647 of 1997, and Act 977 of 1999; and

WHEREAS, the Louisiana Enterprise Zone Program offers significant incentives for economic development to some of the most distressed areas in the Parish of Pointe Coupee; and

WHEREAS, the business is located within Census Tract 9520.00, Block Group 1 which is a designated Enterprise Zone; and

WHEREAS, the Parish of Pointe Coupee states this endorsement is in agreement with the Overall Economic Development Plan for the Parish of Pointe Coupee; and

WHEREAS, the attached Enterprise Zone map has been marked to show the location of the business being endorsed; and

WHEREAS, in accordance with the Louisiana Enterprise Zone Program requirements the Parish of Pointe Coupee agrees:

1. To participate in the Enterprise Zone Program.
2. To assist the Department in evaluating progress made in any Enterprise Zone within its jurisdiction: Therefore be it

RESOLVED, That the Pointe Coupee Parish Police Jury in, regular and legal session convened on April 9, 2013, that BioNitrogen Louisiana Holdings, LLC and their project, is endorsed to participate in the Louisiana Enterprise Zone Program; and be it

RESOLVED further, That if any provision or item of this resolution or the application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this resolution which can be given effect without the invalid provisions, items or applications and to this end the provisions of this resolution are hereby declared severable; and be it

RESOLVED further, That all resolutions or parts thereof in conflict herewith are hereby repealed.

Unanimously carried.

RESOLUTION--SPONSORSHIP OF ECONOMIC DEVELOPMENT SUMMIT

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

RESOLVED, That the Police Jury sponsor the Economic Development Summit in the amount of \$200.00.

Unanimously carried.

RESOLUTION--AWARD BID FOR THE OPERATIONS OF CONCESSIONS FOR PARKS & RECREATION

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

RESOLVED, That the bid submitted by Salvadore Genusa, Sr. at 27.5% of gross profit sales made to operate concessions at False River Recreation Park be accepted.

Unanimously carried.

RESOLUTION--AWARD PROPOSAL FOR GENERAL LIABILITY/PUBLIC OFFICIAL INSURANCE

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

RESOLVED, That the proposal submitted by Smith-LBA Insurance in the amount of \$180,922.00 for General Liability and Public Official Insurance for the Police Jury be accepted.

Substitute motion by Mr. A. Dukes and seconded by Mr. Cox:

RESOLVED, That the proposal submitted by Risk Services of LA, Inc. Insurance in the amount of \$174,000.00 for General Liability and Public Official Insurance for the Police Jury be accepted.

The President called for a roll call vote on the substitute motion that resulted as follows:

YEAS: Messrs. Cox, A. Dukes and Jarreau.

NAYS: Mr. Cline, Mrs. Vosburg, Messrs. Pourciau, Nelson, Monk, Olinde, C. Dukes, Young, and Bueche.

ABSENT: None.

On a vote of 3-9, the motion failed.

The President called for a roll call vote on the original motion that resulted as follows:

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

NAYS: Messrs. Cox and A. Dukes.

ABSENT: None.

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

COMMITTEE REPORTS:

PUBLIC UTILITIES

Chairman Nelson reported on a Public Utilities Committee meeting held April 8, 2013. Copies of the minutes were given to each Juror for their review.

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

RESOLVED, That the Utility Billing Policies and Procedures with amendments to include the collection of a solid waste deposit fee of \$50 and to invoke cut-offs after non-payment after 60 days along with providing listings to Constables and Justices of the Peace be accepted; and be it

RESOLVED further, That the Police Jury utilizes the Constable and Justices of the Peace Small Claims Court to handle any uncollectible utility debts; and be it

RESOLVED further, That the Police Jury ratifies the temporary employment of Ms. Beatrice Greenhouse in the Public Utilities Department from September 1, 2010 thru January 22, 2013; and be it

RESOLVED further, That the hiring of a full-time employee in the Public Utilities Maintenance Department be referred to the Personnel Committee; and be it

RESOLVED, further, That the request from Pointe Coupee Parish Waterworks District No. 1 Board asking the Jury to compensate employees of the Jury to attend their monthly meetings be denied.

Substitute motion by Mr. Cox and seconded by Mr. A. Dukes:

RESOLVED, That the Utility Billing Policies and Procedures with amendments to include the collection of a solid waste deposit fee of \$50 and to invoke cut-offs after non-payment after 60 days along with providing listings to Constables and Justices of the Peace be accepted; and be it

RESOLVED further, That the Police Jury utilizes the Constable and Justices of the Peace Small Claims Court to handle any uncollectible utility debts; and be it

RESOLVED further, That the hiring of a full-time employee in the Public Utilities Maintenance Department be referred to the Personnel Committee; and be it

RESOLVED, further, That the request from Pointe Coupee Parish Waterworks District No. 1 Board asking the Jury to compensate employees of the Jury to attend their monthly meetings be denied.

The President called for a roll call vote on the substitute motion that resulted as follows:

YEAS: Messrs. Cox, Cline, A. Dukes, Mrs. Vosburg and Mr. Jarreau.

NAYS: Messrs. Pourciau, Nelson, Monk, Olinde, C. Dukes, Young and Mrs. Bueche.

ABSENT: None.

On a vote of 5-7, the motion failed.

The President called for a roll call vote on the original motion that resulted as follows:

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

NAYS: Messrs. Cox, Cline, A. Dukes and Jarreau.

ABSENT: None.

On a vote of 8-4, the motion carried.

EXECUTIVE SESSION--PENDING LITIGATION - JUSTIN COX VS. JIM BELLO, JOHN GOSSERAND AND MEL BUECHE

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

RESOLVED, That the Police Jury convene in executive session at 7:09 p.m. for pending litigation - Justin Cox vs. Jim Bello, John Gosserand and Mel Bueche.

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

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

NAYS: None.

PRESENT,

NOT VOTING: Mr. Cox.

ABSENT: None.

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

Motion by Mrs. Vosburg seconded by Mr. Pourciau:

RESOLVED, That the Police Jury return to open session at 7:35 p.m.

Unanimously carried.

As a result of executive session, the following resolution was offered:

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

RESOLVED, That the proposal made by the Police Jury's Attorney Leo Hamilton, as announced by Attorney John Wayne Jewell, to end the lawsuit by paying the attorney's fees and court cost for plaintiff Justin Cox be accepted.

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

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

NAYS: Messrs. Nelson and Young.

PRESENT,

NOT VOTING: Mr. Cox.

ABSENT: Messrs. A. Dukes and Jarreau.

On a vote of 7-2-1-2, the motion carried.

Motion by Mr. C. Dukes and seconded by Mr. Pourciau, the meeting adjourned at 7:39 p.m.

Gerrie P. Martin
Secretary

Melanie L. Bueche
President