

MINUTES
POINTE COUPEE PARISH POLICE JURY
March 11, 2014

The Pointe Coupee Parish Police Jury met in regular session at 5:00 p.m. on Tuesday, March 11, 2014, at the Courthouse Annex in the Police Jury Meeting Room, New Roads, Louisiana.

President Melanie Bueche asked that Mrs. Frances Bartee, who passed away, be remembered in prayer. She served as the parish representative and President of the Capital Area Resource Conservation & Development(RC&D) Council and active member of the community. She also asked that Mr. Wilfred Joseph, who passed away, be remembered in prayer. He was the brother of Mrs. Gail Hurst.

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

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

ABSENT: Messrs. John Pourciau and Allen Monk.

ADOPT MINUTES OF FEBRUARY 25, 2014 MEETING

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

RESOLVED, That the minutes of February 25, 2014 meeting be adopted as presented and published in the official journal.

Unanimously carried.

15 MINUTES OF PUBLIC COMMENTS

There were no public comments.

DISCUSSION OF DEVELOPMENT OF A SECTION 8 HOUSING PROGRAM IN THE PARISH

Mr. Roberto Macedo of Roberto Macedo & Associates discussed the development of a Section 8 Housing Program in the parish. Mr. Macedo reported no new funds were available from the Housing & Urban Development (HUD) because of a federal deficit to develop a Section 8 Program. He will advise the Jury whenever funds become available. He reported residents that live outside the City of New Roads may participate in the Housing Choice Program.

UPDATE ON THE NEW OFFICE OF TOURISM OFFICERS & NEW BUSINESS WITH THE CHAMBER OF COMMERCE

Pointe Coupee Parish Tourist Commission Director Jeanie Andre updated and introduced to the Jury the new officers, Mrs. Pat Dial, President; Mrs. Augusta Ladmirault, Vice President and Mr. Wilmer Moore, Secretary-Treasurer. Mrs. Andre gave a report on tourism in the parish and their accomplishments in 2013. She reported on the new business with the Chamber of Commerce with the Film Point and Film Pointe Coupee Consultants to film in the parish. She thanked the Jury for their continued support.

Juror Cox entered the meeting at 5:22 p.m.

Parish Administrator Jimmy Bello presented a proposed drawing of a new tourist center in the parish that was designed by Architect David Mougeot.

Mrs. Dial asked the Jury to support their campaign in locating a building or property for a new tourist center in the parish.

INTRODUCTION OF AN AMENDMENT TO THE MOBILE HOME PARK ORDINANCE

Juror Vosburg reported on an amendment needed to the Mobile Home Park Ordinance.

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

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 25, 2014, 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 Article IV of Chapter 22 of the code of ordinances of the Parish of Pointe Coupee, Louisiana, relative to mobile home parks, to define what constitutes a mobile home park, to provide for maximum density, and to further provide with respect thereto.

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

Section 1. Sections 22-1, 22-2 and 22-3 of Article IV of Chapter 22 of the code of ordinances of the Parish of Pointe Coupee, Louisiana, are hereby re-numbered as Sections 22-2, 22-3 and 22-4.

Section 2. Section 22-1 of Article IV of Chapter 22 of the code of ordinances of the Parish of Pointe Coupee, Louisiana, is hereby ordained to read as follows:

“ARTICE IV. MOBILE HOME PARKS

Section 22-1. Mobile Home Parks Defined.

A mobile home park is defined as four (4) or more mobile homes per acre.”

Section 3. Sub-section 1 of Section 22-4 of Article IV of Chapter 22 of the code of ordinances of the Parish of Pointe Coupee, Louisiana, is hereby amended and re-ordained to read as follows:

“Section 22-4. Minimum Standards

All mobile home parks must comply with the following minimum standards in order to be approved:

1. All parks shall have a minimum area of three (3) acres fronting on a public roadway; a minimum frontage of two hundred (200) feet; and a maximum density of twelve (12) sites per acre.”

Section 4. Sub-sections 1 thru 7 of Section 22-4 of Article IV of Chapter 22 of the code of ordinances of the Parish of Pointe Coupee, Louisiana, are hereby renumbered as Sub-sections 2 thru 8.

Section 5. 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 6. All ordinances or parts thereof in conflict herewith are hereby repealed.

Unanimously carried.

ACCEPT THE QUOTE FROM DOGGETT MACHINERY SERVICES WITH A LEASE PRICE OF \$3,890.89 PER MONTH PLUS TAX FOR A 2014 JOHN DEERE 290G LC EXCAVATOR, PENDING INFORMATION ON THE EVALUATION OF THE TRADE-IN ON THE CURRENT MACHINE

Parish Administrator Bello presented and reported on a quote from Doggett Machinery Services in the amount of \$3,890.89 per month (plus tax) to lease a 2014 John Deere 290G LC Excavator with a trade-in price of \$25,000.00 at a cost of \$3,647.51 per month. This will include a 72-month warranty or 6,000 hours on the machine. Mr. Grant Gustin of Doggett Machinery Services was available to answer questions from Jurors and was asked to provide additional finance information. After discussion, the Jury referred this matter to the Finance Committee for review at their next meeting.

CONSIDERATION OF SECURITY CHANGE AT POLICE JURY MEETINGS

Juror A. Dukes discussed consideration of security change at Police Jury meetings and asked that the Chief of New Roads Police Department rotate and have a diversity of police officers when providing security at meetings. Sergeant Shane Fabre, who was appointed by the Chief of Police to attend the meetings, responded and stated officers have been rotating at meetings.

RESOLUTION TO ENCOURAGE PRESIDENT BUECHE TO REMOVE JUROR TED NELSON FROM THE PUBLIC UTILITIES COMMITTEE

Juror Cox stated because President Bueche is a member of the committee and will assure all the objectives are met, he asked that the removal of Juror Ted Nelson from the Public Utilities Committee be tabled.

DISCUSSION OF PREPARATIONS FOR REPLACEMENT OF RETIRING PARISH ADMINISTRATOR

Juror Cox discussed preparations for replacement of retiring Parish Administrator. He explained his thought process of this important position and why he placed this matter on the agenda. He also commented on the job description for this position that was given to each Juror for their review.

Parish Administrator Bello stated he will continue working and will retire in June of 2015.

After discussion, the following resolution was offered:

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

RESOLVED, That the discussion of preparations for replacement of the retiring Parish Administrator be referred to the Personnel and Finance Committees.

Unanimously carried.

DISCUSSION AND CLARIFICATION OF ROBERT'S RULES OF ORDER REGARDING MOTIONS TO RESCIND OR AMEND SOMETHING PREVIOUSLY ADOPTED

Juror A. Dukes discussed clarification of Robert's Rules of Order regarding motions to rescind or amend something previously adopted by the Jury. He stated it has always been understood that if a Juror was not on the prevailing side of voting on a motion, they could not bring an issue back up or place on the agenda. He stated Jurors were told last month this was not correct.

Jurors were given a copy of written documents from Assistant District Attorney John Wayne Jewell explaining Robert's Rules of Order for motion to reconsider, that has to be made by someone from the prevailing side of the previous motion at the same meeting. The motion to rescind can be made by any Juror at another meeting.

DISCUSSION OF WHY THE STORY ABOUT THE HSD#1 BOARD WAS NOT PUBLISHED IN THE BANNER

In response to Juror A. Dukes' discussion of why the story about the HSD#1 was not published in The Banner, Editor Tommy Comeaux of The Pointe Coupee Banner presented a letter to members of the Jury and its attorneys. Juror A. Dukes asked Secretary Martin to read the following letter in its entirety and be included in the minutes:

"Tommy Comeaux, editor

The Pointe Coupee Banner

New Roads, La., 70760

To all members of the Pointe Coupee Parish Police Jury and its attorneys,

Given this item on the Police Jury's agenda for its meeting Mar. 11, "15. Discussion of why no story about the HSD #1 Board was not published in the Banner," placed on the agenda at the request of Juror Albert "Dewey" Dukes, it seems obvious to me that he and likely others on the jury do not understand the First Amendment.

The last time I looked at a map, I am sure we are all in the United States of America, where the U.S. Constitution and its amendments serve as the supreme law of the land. The First Amendment provides not only individuals but the press, in fact, maybe especially the press, with the guarantee of free speech and by extension, freedom from the intimidation of government or elected officials.

The First Amendment reads, "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances."

Challenges to the First Amendment have been numerous and are well documented in encyclopedias, textbooks and law books, most notably Near v. Minnesota (1931) and The New York Times v. United States (1971). In both cases—and many others—the Supreme Court ruled that the First Amendment protected against what it called "prior restraint," or pre-publication censorship.

By logical extension, these rulings would also apply to the issue Mr. Dukes questions in his agenda item, what he believes to be the non-publication of an article on the Health Services District issue. As a member of "the press" as it is defined by the First Amendment, The Banner nor I have any obligation to explain the content or timing of the publication of an article.

For each of you, though, I will say that it has always been our intention to publish an article on the matter due to its relevance to the community and the controversy that surrounded it. And even this bit of information is more than what I am required to provide to an elected body such as the one of which all of you are members or legal representatives.

The way I interpret the agenda item, indeed, the way any intelligent human being would interpret Mr. Dukes' insistence to discuss this matter in a public forum is nothing short of intimidation and further proof of what several have already said about him in previous meetings, most notably attorney Jerry D'Aguila, who said at a meeting not long ago in regard to Mr. Dukes, "He's a bully. That's his MO."

If you jurors decide you still intend to discuss this issue at Tuesday's meeting, this is the only reply or response you will receive from me or The Banner. You, none of you, have any right to question my or The Banner's actions, especially the ones who have in the past several days sent me thinly veiled threats via email or text.

Respectfully,

Tommy Comeaux, editor

The Pointe Coupee Banner"

Juror A. Dukes stated that he is disturbed because Mr. Comeaux called him a bully for asking about a story that should have run the next day because of its relevance. He asked that the qualifications of the official journal be placed on the agenda of their next meeting. He also stated he plans to send a letter to the owner of The Banner and a copy to the Federal Communications Commission (FCC) with information surrounding the story and this matter.

Juror Vosburg announced and congratulated The Banner for receiving an award for being the best newspaper in the state.

DISCUSSION OF LETTER RECEIVED FROM DOCTORS ABOUT THE HSD#1 BOARD

Juror A. Dukes asked that the discussion of a letter received from doctors about the HSD#1 Board be continued until he reviews the information he received and requested from the hospital. He asked that each Juror be given copies of the information. He stated there is a bill moving through the legislature, that wasn't stopped, and the Jury has time to revisit this matter.

RESOLUTIONS:

REAPPOINT MR. J. A. RUMMLER TO THE ATCHAFALAYA TRACE COMMISSION

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

RESOLVED, That Mr. J. A. Rummler be reappointment to serve as a member of the Atchafalaya Trace Commission for a term of March 19, 2014 thru March 19, 2017.

Unanimously carried.

COMMITTEE REPORTS:

PERSONNEL

Chairman C. Dukes reported on a Personnel Committee meeting held March 6, 2014. Copies of the minutes were mailed to each Juror.

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

RESOLVED, That Ms. Amy Igoe be employed as a Groundskeeper, Pay Grade 201, Step 1 at an annual salary of \$20,808.00; and be it

RESOLVED further, That Mr. Walter Francis Dawson, III be employed as a Laborer, Pay Grade 201, Step 1 at an annual salary of \$20,808.00.

Unanimously carried.

In regards to his inquiry at the Personnel Committee meeting, Juror Young requested legal advice from Assistant District Attorney Jewell aboutif any actions can be taken against a whistle blower to prevent false allegations from reoccurring in regards to the Legislative Auditors report. Attorney Jewell will research this matter further.

Motion by Mr. Nelson and seconded by Mr. Olinde, the meeting adjourned at 6:49 p.m.

Gerrie P. Martin
Secretary

Melanie L. Bueche
President