

**PROCEEDINGS OF THE POLICE JURY OF THE PARISH OF NATCHITOCHES,
STATE OF LOUISIANA, TAKEN A REGULAR MEETING HELD, MONDAY,**

July 13, 2009

5:00 P. M.

The Police Jury of the Parish of Natchitoches, State of Louisiana, met in regular and legal session in their regular meeting place, the Police Jury Board Room of the Natchitoches Parish Courthouse, on Monday, July 13, 2009 at five o'clock (5:00) p.m.

The Invocation was given by Juror J. D. Garrett, followed by the Pledge of Allegiance led by Juror Mimi Stoker.

There were present: The Honorable Fred Jacobs, Vice-President, Police Jurors: Gerald Longlois, Chris Paige, J. D. Garrett, William Hymes, Charles Huggins, Tom Collier Jr., Jessie Hoffpauir and Mimi Stoker.

There were absent: David Dollar and Johnny Martin.

The Police Jury of the Parish of Natchitoches was then duly convened as the governing authority of said parish by the Vice-President who stated that the Police Jury was ready for the transaction of business.

Vice President Jacobs then recognized Ms. Shantell Hardison who told the Jury that she had applied to the Planning Commission for the rezoning of property to be used for weddings, reunions and birthday parties. Mrs. Hamilton then stated that she had submitted a letter to the President requesting the Jury to appeal the Planning Commission Decision. Vice-President Jacobs then recognized Mrs. Young, Planning Director, who told the Jury that Ms. Hardison had submitted an application to the Planning Commission to rezone the old Wholesale Unlimited building for an entertainment center. The Planning Commission heard her application and there were four (4) residents within the 300 feet that appeared at the meeting. Mrs. Young then stated out of the 20 letters that were sent four had opposed and one was in support. After a brief discussion, the following action was taken:

On motion by Mr. Hymes, duly seconded by Mr. Longlois, that the Natchitoches Parish Police Jury, in regular and legal session convened, does hereby set a public hearing at the August's meeting to hear any and all comments or objections in overturning the Planning Commission to approve the final application submitted by Ms. Shantel Hardison to rezone Lots E & F of Payne Subdivision, Unit #1 located in Section 4, T9N, R7W on LA Highway 6 East from B-2 to B-3 to develop an amusement entertainment center.

Motion Carried

Vice President Jacobs then recognized Mr. Fred Terasa who told the Jury that he was going to talk about a piece of property at Vienna Bend, an investment property that belongs to he and his wife. Mr. Terasa stated that two doors down from his property, within 300 feet, is a blighted home that has been there four or five years. He went on to say that the other night he was out cleaning the pool when heard some goats and thought his neighbor

was trying to get goats back there but was unable to see because the grass was so high. Mr. Terasa also stated that Mrs. Young could also tell the Jury of the many properties she has received complaints about. He also stated that he had talked to the owner personally but he was unwilling to do anything because the other neighbor complaints all the time. Mr. Longlois then stated that everything Mr. Terasa had described was even worse in his opinion. He stated that the owners just closed the doors and walked out. Mrs. Stoker then stated that she had received some complaints like that in her area. She also stated that it was her understanding that there is a state ordinance that supercedes any parish ordinance that we adopt. Mrs. Stoker also stated that the ordinance is in place but the problem is enforcement. Assistant District Attorney Kip Fair then stated that the Jury have no ordinance in place at this time. He stated once the ordinance recommendation comes from the Planning and Zoning, the Building Inspector will determine if the property does not meeting the minimum building standards. Mr. Fair then stated if the Jury wanted to follow through with this they would have to create an ordinance. He also stated that the Planning Commission would make the recommendation to the Jury.

On motion by Mr. Hymes, duly seconded by Mr. Collier, that the Natchitoches Parish Police Jury, in regular and legal session convened, does hereby adopt the minutes of the combine meeting of the Work Session/Regular meeting held Monday, June 15, 2009.

Motion Carried

Vice President Jacobs then stated that the next item on the agenda was the discussion of impact fees for Roads. He then recognized Mr. Longlois who told the Jury in doing some research and talking to Penny and the Road Supervisor there was nothing that covers us as far as the destroying of the roads. Mr. Longlois stated that we have nothing in place when our bridges and roads are being messed up. He also stated that there were quite a few parishes that were having the same problem as Natchitoches including DeSoto Parish. Mr. Longlois stated that DeSoto Parish was having problems with damages to their roads after receiving the money from the mineral rights. He said he was told that the trucks from these companies were tearing up their roads in DeSoto Parish. He concluded his statements by saying that the Jury needed to take care of our roads and bridges by having the person or company who causes damages to the roads repair them. Relative to this, the following action was taken:

On motion by Mr. Longlois, duly seconded by Mr. Hymes, that the Natchitoches Parish Police Jury, in regular and legal session convened, does hereby set a public hearing to hear any and all comments or objections relative to adopting a road impact ordinance.

Motion Carried

On motion by Mr. Hymes, duly seconded by Mrs. Stoker, that the Natchitoches Parish Police Jury, in regular and legal session convened, does hereby combine the Regular Meeting with the Work Session Meeting on a permanent basis.

Motion Carried
With
Mr. Paige
Mr. Collier
"opposing"

Vice President Jacobs then stated the next item on the agenda was to discuss video bingo in Natchitoches Parish. Mrs. Hamilton told the Jury that Mrs. Young had several people come to her office inquiring about video bingo. She stated since the Parish did not have an ordinance she brought it to the Jury for discussion. Mr. Huggins then stated that he had brought this up before. He told the Jury that the only thing different between video bingo and video poker is the icon in the machine. He also stated that according to the ordinance you have truck stops that want to have video bingo. He concluded his remarks by stating that the people and some of the Jurors might not understand just what they would be voting on in this ordinance. Mrs. Hamilton then stated that it was brought up for discussion because several persons had approached Mrs. Young in the Planning Commission. She stated that the ordinance was a duplicate of the City with changes to fit the parish. She also stated that it was only for discussion. Mr. Hoffpauir then stated that often times I am puzzled the way we do business here. He said we had a gentleman a while ago asking for an ordinance to cut grass. Mr. Hoffpauir also stated that no one person needed a 20-page report but some influential person comes in and want video bingo where they will make money we then have a staff put together a 20 page thing. Mrs. Stoker then stated that she did not think it was coming from anybody and Mr. Hoffpauir stated it was coming from somebody. Mrs. Hamilton then stated again that several people had approached Mrs. Young about Video Poker and after talking with Mr. Fair, he said we could look at the City Ordinance and this is a copy of the ordinance that had been changed for the parish. Mr. Fair then stated that most of the surrounding parishes is currently addressing this issue. He stated that several parishes have already addressed the issue and have an ordinance in place. Mr. Fair stated the key revenue for the ordinance is to generate revenues and that Planning and Zoning would still have to approve the permit and the Parish will receive the income. After a lengthy discussion, the following action was taken:

On motion by Mr. Longlois, duly seconded by Mr. Paige, that the Natchitoches Parish Police Jury, in regular and legal session convened, does hereby set a public hearing for next month's meeting to hear any and all comments or objections relative to the discussion of adopting an ordinance to allow video bingo in the Parish of Natchitoches.

Motion Carried
With
Mr. Hoffpauir
"opposing"

After reading the next item, Vice President Jacobs then recognized Mrs. Iris Harper, Tourist Director, who asked the Jury if they could waive the process and re-appoint Mrs. Harris. Mrs. Harper stated that she realize she should have started the process a month or two ago and needed her to be reappointed in order to make sure he would have a quorum at meetings. Mrs. Hamilton then stated that in checking with the DA she would serve until her reappointment or someone else being appointed. Vice President Jacobs then recognized Mrs. Ella Marie Harris who asked the Jury to consider her for reappointment to the Tourist Commission Board. Relative to this, the following action was taken:

On motion by Mr. Paige, duly seconded by Mr. Longlois, that the Natchitoches Parish Police Jury, in regular and legal session convened, does hereby start the process to appoint/reappoint someone to the Natchitoches Parish Tourist Commission Board due to Mrs. Ella Marie Harris term expiring.

Motion Carried

Vice-President Jacobs then recognized Mr. Longlois to discuss bridge inspections. Mr. Longlois told the Jury that he did not know how many bridges there were in the Parish until he started looking into the inspections. He stated that there are 86 bridges in the Parish and four of them are closed. Mr. Longlois then told the Jury that a tonnage limit sign should be placed on the bridges. Mrs. Stoker then stated that if this was on the agenda she wanted to offer a resolution just like the Clark Road Bridge for the bridge on the Eight Mile Loop road. After a brief discussion, the following action was taken:

On motion by Mr. Longlois, duly seconded by Mr. Hymes, that the Natchitoches Parish Police Jury, in regular and legal session convened, does hereby authorize the Director of Public Works to place tonnage limit signs on all briges.

Motion Carried

Vice-President Jacobs then stated that the next item of business was to discuss waiving full or partial building Code fees to Parish residents who suffer losses during a natural disaster. He then recognized Mrs. Corrine Young, Planning Director, who told the Jury that the Planning Commission had not come up with a plan to benefit all the citizens of the Parish. She asked

that the Jury give them more time to come up with something a little bit better to benefit everyone. Mr. Paige then asked Mrs. Young if she was asking to table this matter until you have something. Mr. Hoffpauir then asked if she was going to come up with something that can be grandfathered? Mrs. Young then stated that she did not think we could do that, especially with the building fees. After a brief discussion, the following action was taken

Vice President Jacobs then read the next item on the agenda concerning amending the annual leave policy. He then recognized Mrs. Hamilton who told the Jury that she was trying to set something in motion to keep the Jury from having to fund annual leave to employees who receive funds from grant funding. Mrs. Hamilton she took a copy of the proposed annual leave policy to the District Attorney to make sure it was legal. She then stated that the District Attorney told her it looked pretty good but other wording may need to be added. Mrs. Hamilton then told the Jury that this was to start the process and would have to be adopted at the next month meeting after a public hearing. She also stated that by adopting this policy, it would be able to keep the Jury from being responsible for employees leave time that is funded by grant monies. Mrs. Stoker then asked if this policy would go into effect on January 1, 2010? She also stated that this was one of those things that we could transfer expenses directly to a plan. Mrs. Stoker also stated that we had to protect the Jury. Relative to this, the following action was taken:

On motion by Mrs. Stoker, duly seconded by Mr. Longlois, that the Natchitoches Parish Police Jury, in regular and legal session convened, does hereby start the process to amend Section 6.2 - Annual leave and adding Item C of Section 5 - Conditions of Employment of the NPPJ Personnel Policy and Procedures Manual.

Motion Carried

Vice President Jacobs then read the next item on the agenda. He then recognized Mrs. Debbie Miley, Parish Treasurer, who told the Jury that the Highway Department is still in the process of trying to get the money for the pothole patcher. She then stated that based on a meeting with Mr. Fair we need to go ahead and pay for the pothole and in order to do so the Jury needed to revise the budget. She stated that she had adjusted the line item in order to pay for the pothole patcher. Mrs. Miley stated that she had also adjusted the sale tax budget and that we were still in the process of getting the money for the pothole patcher. Relative to this, the following action was taken:

On motion by Mr. Hymes, duly seconded by Mr. Collier, that the Natchitoches Parish Police Jury, in regular and legal session convened, does hereby revise Fund 101 and Fund 114 of the Police Jury 2009 Budget in order to pay for the pothole patcher.

Motion Carried

Vice President Fred Jacobs then recognized Mrs. Hamilton who told the Jury that back in May they had approved replacing a compressor in the Live Oak building in the amount of \$6,400.00 with the understanding that the compressor was still under warranty. Mrs. Hamilton then stated as it turns out the compressor was not under warranty and the cost to replace the compressor was \$10,500.00. She then asked the Jury to approve the new amount since the compressor was not under warranty. Relative to this, the following action was taken:

On motion by Mr. Paige, duly seconded by Mr. Hoffpauir, that the Natchitoches Parish Police Jury, in regular and legal session convened, does hereby approve the replacement of a HVAC compressor in the Live Oak Annex in the amount of \$10,500.00.

Motion Carried

Vice President Jacobs then stated that he was going to skip Item #15 and go to the next item on the agenda. He then recognized Mr. Earl Townsend, Director of Public Works, who told the Jury that he had received two quotes on the repair of the Eight Mile Loop Bridge. Mr. Townsend stated that he asked three companies but only received responses from two. Mr. Townsend then told the Jury that the Eight Mile Loop bridge was having the same problem as the Clark Road Bridge. He stated that the way the bridge was built similar to the same structure as the Clark Road Bridge with wooden piles and deck. He stated that the bridge has concrete piling and decking and the caps are wood. Mr. Townsend went on to say that they do not make the concrete decking anymore and Mr. Creamer of Jerald Creamer Enterprises is the only one who could handle the job. He also stated that Mr. Creamer was the lowest proposal and asked the Jury to approve that proposal. After a brief discussion, the following action was taken:

On motion by Mr. Paige, duly seconded by Mrs. Stoker, that the Natchitoches Parish Police Jury, in regular and legal session convened, does hereby adopt a resolution authorizing the President and/or Vice-President to proceed seeking funding for the Eight Mile Loop Bridge in the same manner as the Clark Road Bridge.

Motion Carried

On motion by Mr. Hoffpauir, duly seconded by Mrs. Stoker, that the Natchitoches Parish Police Jury, in regular and legal session convened, does hereby approve the report of the Director of Public works for emergency expenditures for the period of June 16, 2009 through July 13, 2009 in the amount of **\$2,475.85**.

Motion Carried

On motion by Mr. Paige, duly seconded by Mr. Hoffpauir, that the Natchitoches Parish Police Jury, in regular and legal session convened, does hereby approve expenditures for the period of June 16, 2009 through July 13, 2009 in the amount of **\$799,571.04**.

Motion Carried

Vice President Jacobs then recognized Mrs. Harris who presented the report of the Office of Community Services. Mrs. Harris then told the Jury that they had the report of June 1-30 of 2009. Mrs. Harris went over the report with the Jury by item number. She stated the block grants paid mostly the administrative staff cost. She also told the Jury that she had applied for the AARA Stimulus money but has not received the appropriate signatures. Mrs. Harris then told the Jury they had serviced 248 seniors through the food program in the month of June. Relative to this, the following action was taken:

On motion by Mr. Hymes, duly seconded by Mr. Garrett, that the Natchitoches Parish Police Jury, in regular and legal session convened, does hereby accept the report of the Office of Community Services.

Motion Carried

Vice-President Jacobs then recognized Mr. Mark Thomas, CPA of Johnson, Thomas and Cunningham, told the Jury that once a year every governmental institute in the State of Louisiana has to have a financial examination. Mr. Thomas stated that little ones have reviews and smaller ones have a confirmation but the big ones like the Police Jury has to have a real audit. He stated that the Louisiana Legislative Auditor's Office use to do all of the audits and it got to big for them. So, in 1984 they decided not to do all of them anymore and told the Police Juries, Cities and towns that there audit will have to done by a local CPA. Mr. Thomas then stated that the process works when the Jury signed an engagement letter with our firm about a year ago, it then went to the Louisiana Legislative Auditor and once approved we no longer work for the Jury but the Legislative Auditor's Office. He stated that the report is not brought for the Jury approval because it has been sent to the Legislative Auditor. Mr. Thomas then stated that a lot of people get the idea that auditors come in to look for bad things and to look for crime but in fact that is not the purpose. He stated that an auditor come in and take the financial record and go through them using samples test expenditures in the revenues and present financial statement that we can give an opinion on. Mr. Thomas told the Jury that whenever you do anything using this process and if there are some bad things it is a good possibility they would pop up. If that happens we bring them to your attention. Mr. Thomas then stated that in this report, we have a clean opinion and do not have any allegation of any criminal activity. He said if you look at the general fund, it shows a cash balance of \$327,000.00 and that is because we put all the Police Jury payrolls such as road maintenance, library, court funds and general fund into an account called the payroll fund. At the end of December, the 31st, we had to put the money somewhere so we put it in the general fund so it makes it looks as though general fund had a cash balance of \$350,00 when actually they only had a cash balance of \$280,000.00. Mr. Thomas then told the Jury the General Fund had a cash balance of \$280,000 in the bank, \$90,000.00 of which came about with the mineral lease. He then told the Jury that they get the majority of the funds in December, January and February. Mr. Thomas went on to tell the Jury that they ended the year in the black in the tune of \$236,000.00 but should remember we was not able to pay the inmate cost. He also told the Jury that he had received a letter from the Legislative Auditor's office saying that the Jury was having trouble and that he was glad the Jury has a plan to work it out. He went on to say that the only reason the Jury ended in the black is because you cut cost. As for the audit, Mr. Thomas stated that the first finding is in the OCS office that has run into excessive spending revenue. He said last year audit had a comment that OCS was running into trouble. Since they did not come out of it, the Jury now at the end of December 31, 2008, have several months of really big cash expenses and big fund differences and between the two the cash is the amount of money you have in the bank. Some of the funds that have deficits are, Head Start, OHD LIHEAP, CSBG, Child Care Food Program, Weatherization, Senior Companion and the Summer Feed Program.

Mr. Thomas stated that Head Start can probably come out of their deficits but he was not sure about the other programs and would be extremely difficult to do so. He then stated that rather or not we get any of the money back, the Police Jury is responsible for any expenses by these grants or programs. So if they do not get the money back, the Police Jury will fund the deficits of these programs. Mr. Thomas then told the Jury that the second finding was that Head Start has had expenditures in excess of revenues for several years which has caused deficit cash balances and deficit fund balances. Mr. Thomas told the Jury that OCS should consult with the Regional Office to discuss this problem and inquire about how to prepare the Federal Financial Report SF 269.

Vice President Jacobs then recognized Ms. Beverly Washington who stated that a lot of things has been going on in Finance. She also stated that it was their job to present the financial information to management. Mrs. Washington then told the Jury for years they have made it aware that their fringe was making them go over but no one seems to listen. She said they even sent it to Dallas making them aware that they were not funding them enough for the rate the Jury has in place. They were then told by Dallas to write for a \$100,000.00 grant but they did not get the funds. Mrs. Washington then stated that Head Start will have their money back. Dallas told them to write for a one time funding for the amount they are in the hole and get it to them by the 17th of this month. OCS accountant Beverly Washington also reported to the police jury that most of the deficit will be cleared with monies to be collected in 2009 grant request. She then stated some of the OHD LIHEAP deficit will be cleared when the agency receives its second funding in August. Some other programs related to Head Start-related programs such as deficits of \$1,140 for training and CACFP food program deficit of \$10,788 have also been cleared as well as the summer feeding program. Mrs. Washington also stated that some programs may not be able to recoup funds such as the Community Services Block Grant Program with a \$53,941.00 deficit, Senior Companion with a deficit of \$25,895.00 and the Weatherization Program with a \$21,416 deficit. In order to clear these deficits, she stated they are planning on having major fundraisers and other ways to help with these funds. Ms. Washington then told the Jury that the main problem was funding fringe benefits of health insurance and retirement totaled \$455,000. She stated that those costs have risen dramatically over the past few years. Ms. Washington then presented some ways that may prevent the deficits from reoccurring. She went on to say that the first proposal would be that all Head Start employees take a one-month reduction in salary with the remaining salary be redistributed over 12 months. Ms. Washington said the second proposal is for employees to begin paying half of their health insurance instead of having Head Start fund the whole amount. As for OCS, she then proposed having all OCS employees take a 5 percent salary cut along with paying half of their health insurance premium. She then stated that the Senior Companion Program employees should conduct major fundraising events to pay off their deficits and pay half of their health insurance premium.

Vice President Jacobs then recognized Mrs. Harris who submitted an eight-point plan to the Jury that included such steps as closely monitoring overdrafts and deficits on monthly basis, ensuring that all departments participate in the plan and submitting monthly financial statements to the Police Jury. Mrs. Harris also told the Jury that she has been talking to Mrs. Hamilton and Debbie to try and work something out. She said we are trying to look at the whole approach to see what we can do and Mrs. Hamilton is making sure it is legal. She also said that they are going to oversee expenditures for the funds and take quick action of expenses to eliminate overdrafts and being in the hole. Mrs. Harris then told the Jury that the information she presented was a draft proposal of the plan that needs to be approved. She also stated that she would get the figures and present the final plan to the Jury later.

Vice President then recognized Mr. Hoffpauir who told Mrs. Harris that he would like to as a representative of his district thank you and Mrs. Washington for the effort you all are making in the mistakes that were made. He told her that when you are the boss of something the blame come to the top and he saw that she had accepted the responsibility for that and are looking for solutions. He told her just see that it does not happen again. He then stated that I would like to commend her and her staff for getting on top of this stuff. He said little things will turn into a monster if you let it. Mr. Hoffpauir told her that he did not know a lot about those programs and as long as they are doing what they are talking about getting everything in line and keeping everything above board and in open view. He went on to say that he did not think they should have ever been in a situation where they could not get for any reason information on payroll or anything else. He said he thought it was a terrible thing but we could not blame all of this on that. In conclusion, Mr. Hoffpauir stated that as a group we need to get this thing together and take care of it and he know that we would do so.

Vice President Jacobs stated that he would go around the table and asked Jurors if they had anything to state. He then asked the Parish Administrator if she had anything. Mrs. Hamilton then told the Jury they needed to authorize adding the Vice-President to sign any and all contracts, requests for funds when signature is required, and/or any other legal documents necessary to provide the above services on behalf of the Natchitoches Parish Police Jury Office of Community Services. Relative to this, the following action was taken:

On motion by Mr. Hoffpauir, duly seconded by Mr. Hymes, that the Natchitoches Parish Police Jury, in regular and legal session convened, does hereby add to the agenda authorizing adding the Vice-President to sign any and all contracts, requests for funds when signature is required, and/or any other legal documents necessary to provide the above services on behalf of the Natchitoches Parish Police Jury Office of Community Services.

Motion Carried

On motion by Mr. Paige, duly seconded by Mr. Stoker, that the Natchitoches Parish Police Jury, in regular and legal session convened, does hereby adding the Vice-President to sign any and all contracts, requests for funds when signature is required, and/or any other legal documents necessary to provide the above services on behalf of the Natchitoches Parish Police Jury Office of Community Services.

Motion Carried

On motion by Mr. Longlois, duly seconded by Mr. Garrett, that the Natchitoches Parish Police Jury, in regular and legal session convened, does hereby adjourn until the next regular or called meeting of the Natchitoches Parish Police Jury.

Motion Carried

Attest:

David Dollar, President

Catherine Hamilton,
Parish Administrator