

PROCEEDINGS OF A SPECIAL MEETING OF THE
NATCHITOCHE PARISH POLICE JURY
HELD MONDAY, JUNE 27, 2011

10:00 A.M.

The Police Jury of the Parish of Natchitoches, State of Louisiana, met in special session in the Police Jury Board Room of the Natchitoches Parish Courthouse, on Monday, June 27, 2011 at ten (10:00) o'clock a.m.

The invocation was given by Juror Johnny Martin and the Pledge of Allegiance led by President Longlois.

There were present: Honorable Gerald Longlois, President, Police Jurors: Chris Paige, David Dollar, William Hymes, Charles Huggins, Johnny Martin, Tom Collier, Jessie Hoffpauir, Mimi Stoker and Fred Jacobs.

There was absent: J. D. Garrett and Charles Huggins.

President Longlois stated that the purpose of this meeting was to meet with the Blue Ribbon Charter Commission and authorize publication of the Home Rule Charter Plan as submitted by the Blue Ribbon Charter Commission.

He then recognized Mr. Dollar who asked to add authorizing the President to sign the IESI contract since Mr. Townsend, Mr. Veuleman and Mrs. Hamilton had worked out the issues and made the appropriate changes.

On motion by Mr. Dollar, duly seconded by Mr. Collier, that the Natchitoches Parish Police Jury, in regular and legal session convened, does hereby authorize the President to sign the IESI contract.

Motion Carried

Mr. Dollar then stated that the Jury has just gotten the contract today but he thought Mr. Townsend, Mr. Veulemand and Mr. Longlois has worked everything out with the changes. He stated that it was one or two issues like changing the word "shall" to "may" and things such as this. He stated that Mr. Townsend, Mr. Veuleman and Mrs. Hamilton have made the appropriate changes.

President Longlois then recognized Mr. Jessie Hoffpauir who stated t hat this sets a bad precedent when a special meeting is called and lists what is on the agenda and now adds something. He stated that problem with the last garbage contract was nobody read the contract. Mr. Collier stated that at the last meeting the Jury talked about the contract and Mr. Hoffpauir was not at the meeting. He stated that the Jury talked at length on the pros and cons of the contract. Mr. Collier also stated that he had asked Mr. Townsend at the last meeting if everything had been taken care of and then stated that he would like to make the motion to accept the contract. Mr. Hoffpauir then told the Jury that it was not personal but he felt it was not a good idea to add this matter to the agenda at a special called meeting because of the poor turn out.

Mr. Jacobs stated that he agreed with Mr. Hoffpauir but the Jury has been on this matter for six (6) months and it was only a few sentences that were changed. He then stated that if Mr. Collier were going to make the motion he would second the motion. President Longlois then stated there were two issues that were changed. One was changing "shall construct three compactor" which was holding the Jury to this and due to the Jury's financial situation, the Jury did not want this in the contract. The other issue was deteriorating of roads leading to the compactor sites in which Mr. Townsend had informed that almost all the roads leading to the sites were state roads and not parish road. He stated that Mr. Townsend also stated that the Parish roads leading to the compactor sites were gravel roads and could easily be upkeep. Mr. Hymes stated that at the last meeting the Jury discussed this matter and he would like to second the motion.

Mr. Paige came in and stated that he wished the Jury would not rush into this matter. Mr. Dollar stated tat he agreed with Mr. Hoffpauir but also understood that the Jury is under the force of the agreement and has been since January. Mr. Dollar also stated that the Jury owes to their departments, citizens and IESI to finalize the agreement. He went on to say that if this was a brand new agreement and was being drop on this Jury, he would not be ready to vote. Mr. Dollar then stated that these two changes were made would benefit the parish and he was ready to formalize. Mr. Paige stated that he would like to go on record as stating before signing the contract to make sure none of the rural jurors had any complaints and if they don't, he did not see why the city jurors should beat this matter up. He then asked if any of the rural jurors had any questions about the IESI contract. Since there was no questions, the following action was taken:

On motion by Mr. Dollar, duly seconded by Mr. Collier, that the Natchitoches Parish Police Jury, in special and legal session convened, does hereby authorize the President to sign the IESI contract.

Motion Carried

President Longlois then read Item #5, Consider authorizing the publication of the Home Rule Charter as submitted to the Police Jury by the Blue Ribbon Charter Commission.

President Longlois then recognized Mr. Paige who asked if anything had changed since the last time the Jury met on this matter. Mr. Longlois stated that he had spoken with the District Attorney and was advised that the Jury should publish the charter. Mr. Paige then stated that the Jury could have taken care of this matter if this was taken care of the last time. Mr. Paige then stated that if Mr. Longlois was saying that the Legal Advisor has told him the Jury should publish the charter with everything in it, then the Jury should publish it at the cost of approximately \$1,300.00.

Mr. Hymes stated that the Jury was on the consensus that the Blue Ribbon Charter Commission has far exceeded their authority by trying to redistrict the Parish. He stated that at all of the Jury's meeting that the Blue Ribbon Charter Commission was discussed, they were never charged to redistrict the Parish. He stated what needs is either some state authority, police jury authority, attorney general's authority or some type of higher authority to go ahead and respond to make sure the Jury is taking the right steps by publishing something that the Jury did not commissioned the Blue Ribbon Charter Commission to do. Mr. Paige stated that he would like to go ahead and publish the charter and then discuss item #6 and was in favor of item #7.

Mr. Hymes stated that he was wondering if the Charter Commission's redistricting plan was in line with the 1965 Voting Rights Act which increases representation instead of decreasing representation.

Mr. Hymes also stated by looking at the second minority district at 66% was at has left him and the community concerned. He stated that he was also ready to vote on Mr. Dollar's motion but wanted the Jury to keep in mind some of the issues they are concerned about with this plan. After this discussion, the following action was taken:

On motion by Mr. Dollar, duly seconded by Mr. Paige, that the Natchitoches Parish Police Jury, in special and legal session convened, does hereby authorize the publication of the Home Rule Charter as submitted to the Police Jury by the Blue Ribbon Charter Commission.

Motion Carried

President Longlois then read Item #6 on the agenda, involving submitting the Home Rule Charter to the U. S. Justice Department for pre-clearance in order to place the proposition on the October 22nd ballot. He then recognized Mr. Paige who asked if the District Attorney had advised the Jury on this matter. Mr. Longlois stated that by law the Jury had to pursue this matter. Mr. Dollar then stated that according to the Revised Statute , this was the next step to send the Charter to the Justice Department to get pre-clearance for the October 22nd election Mr. Dollar also stated that he sees Agenda Item #6 as a step to give the Jury the information before it could be put on the ballot. He then stated that the Charter must be pre-cleared by August 29th and the Justice Department would either say you got something right or you got something wrong but it needs to take the next step to give it to the public.

Mr. Paige then asked what was the recommendation of the District Attorney. Mrs. Hamilton stated that Mr. Kyzar told them that when he got back from the conference he and Mr. Harrington would get together and have a recommendation for the July meeting. Mr. Hoffpauir then stated that the reason the Jury was publishing the charter was to give the public a chance to read and make comments. He stated that it would be premature to send it to the Justice Department.

Mr. Hoffpauir then stated if the District Attorney advised the Jury to vote on this matter the Jury should do so and if he did not advised the Jury should wait on him to do so. Mr. Dollar stated that he did not mind this kick down the road as long as the Jury is aware that Van may have an opinion and the Attorney General may have an opinion but the Jury has to do this because it is mandatory and state law said the Jury must do it at the next election. Mr. Hoffpauir then stated that the Federal law said you couldn't do it until the Voting Rights act is in compliance. He also stated the Jury should wait until they have all their ducks in a row and then the Jury could legally call the election. Mr. Hymes stated that the Legal Advisor has asked the Jury to wait until he gets back and they should follow this request. He stated that he needed to make sure that any move the Jury makes should be according to the law. President Longlois then stated that when talking to the District Attorney, he stated that the Jury would have to send the charter to the Justice Department.

Mr. Hoffpauir then stated any reapportionment plan must be drawn up by the governing authority, the Police Jury. He stated that he did not mind sending the charter but not the reapportionment plan. He stated that the Jury does not send all these plans to the Justice Department. He stated once the Charter passed then they could send the plan to the Justice Department. Mr. Dollar then stated that Mr. Hoffpauir just hit the nail on the head and there are two different processes and the Jury is required by state law to submit the plan to the Justice Department for pre-clearance to see if the charter meet the necessary requirements to go before the voters. No redistricting will occur unless it passes. The Jury will not have two plans and there will not be a 11 member plan or a five member plan, it has meet all the guidelines to pre-cleared in order to be place on the October 22nd ballot. If it fails, then the 11 members running in October will be the Jury and if the Charter passes it will be interesting to see what will happen. But the five member district won't go into effect until the Justice Department pre-clears the plan. Mrs. Stoker then asked what the motion was? Mr. Dollar stated that he motion to send the charter to the Justice Department. Since Mr. Dollar motion did not get a second, Mr. Paige made a motion to table sending the charter to the Justice Department. 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 special and legal session convened, does hereby table submitting the Home Rule Charter to the U. S. Justice Department for pre-clearance in order to place the proposition on the October 22nd ballot.

On a roll call vote, the vote was thereon as follows:

YEAS: Paige, Hymes, Collier, Hoffpauir, Stoker, Jacobs
and Mr. Longlois.

NAYS: Dollar, Martin

ABSENT: Garrett and Huggins

With the vote being seven (7) yes and two (2) no, the motion to table sending the Home Rule Charter to the Justice Department passed.

Motion Carried

President Longlois then asked Mr. Jim Gregory, member of the Charter Commission if he had any questions. Mr. Dollar asked Mr. Gregory if he would relay to the Commission to be available for the District Attorney. Mr. Gregory stated that he had talked to the District Attorney last week and told him he had a lot of research he had done. He stated that the Charter Commission was given advice from the former Police Jury Association Attorney and they would work closely with the District Attorney concerning this matter. President Longlois invited the Charter Commission to the next Police Jury meeting.

On motion by Mr. Hymes, duly seconded by Mr. Paige, that the Natchitoches Parish Police Jury, in special and legal session convened, does hereby table authorizing sending a letter to the U. S. Justice Department in opposition to the Home Rule Charter due to Blue Ribbon Charter Commission exceeding their authority by including a redistricting plan in the Charter.

Motion Carried

Since there were no other business to come before the Jury, a motion was made by Mr. Dollar, duly seconded by Mr. Hoffpauir, that the Natchitoches Parish Police Jury, in special and legal session convened, does hereby adjourn until its next regular or called meeting.

Motion Carried

ATTEST:

Gerald Longlois, President

Catherine Hamilton,
Parish Administrator