OFFICIAL PROCEEDINGS OF THE
COUNCIL OF THE PARISH OF ST. JAMES, STATE OF LOUISIANA
TAKEN AT A REGULAR MEETING HELD ON SEPTEMBER 7, 2016

The Council of the Parish of St. James, State of Louisiana, met in regular session in the Council Chambers of the Parish Courthouse Annex in Convent, Louisiana, on Wednesday, September 7, 2016, at 6:30 p.m.

On roll call, the following were recorded present: Councilmen Jason Amato, Ryan Louque, Ralph Patin Jr., Clyde Cooper, Kendricks Brass, Edward Kraemer and Chairman Alvin St. Pierre.

Those also in attendance were: Linda Hubbell, Council Secretary; Timothy Roussel, Parish President; Chantal Waguespack, Director of Finance; Blaise Gravois, Director of Operations; Michelle Octave, Chief Administrative Officer; Bedar Warren, Director of Human Resources; Francis Hymel, Interim Director of Emergency Preparedness; and Chuck Long, Legal Advisor.

Councilman Amato offered the invocation and Councilman Brass led the Pledge of Allegiance.

The Honorable Alvin St. Pierre Jr., Chairman, duly convened the Council of the Parish of St. James, State of Louisiana, and stated that the Council was ready for the transaction of business.

MINUTES

On a motion offered by Councilman Louque and seconded by Councilman Kraemer, the minutes of the August 17, 2016 regular council meeting were approved as distributed, and the reading of these minutes dispensed with.

On a motion offered by Councilman Kraemer and seconded by Councilman Amato, the minutes of the August 23, 2016 special meeting were approved as distributed, and the reading of these minutes dispensed with.

DISBURSEMENT REPORT

The Distribution Report for September 8, 2016, totaling $675,167.07, was included with the resolution 16-142, a resolution to approve disbursement of funds to pay pending current invoices and payables.

PRESIDENT'S REPORT

President Roussel provided this report to the council.

1) Sugar Hill in Convent is back where it was prior to the tornado. In speaking to Mr. Mark Anderson, he stated the fact of how resilient the people of St. James Parish are. How quickly they come together to assist each other as best they can. I agree with Mr. Anderson…We received a "punch in the gut" and come out of it working to put the pieces back together. Then right down the road, we receive a "left hook" and again people came together to help one another. I wouldn't want to live anywhere else but St. James Parish. We are a "St. James Proud" community.
2) Mr. Mohon, having brought to our attention, the Attorney General's Opinion regarding the Home Rule Charter and the way the Parish Council should address its fiscal responsibilities, please review these AG Opinions rendered to St. James Parish and advise of any subject of any subject matter that will need action. I want to ensure that we are continuing to conduct Parish business compliant to the Home Rule Charter.
3) Noranda, Gramercy received their 4th extension of the Conditional WARN notice for the Gramercy alumina refinery which was sent to the Louisiana Workforce Commission earlier this afternoon. It is essentially the same as the prior extension with the exception of the new date and confirmation that the sales process is underway. We hope to be in a position to conclude that process during this extension period.
4) We recently received a signed order by US District Judge Jane Triche Milazzo stating that: "Considering Plaintiff's Unopposed Motion for Voluntary Dismissal; It is hereby ordered, that the above-captioned matter is HEREBY DISMISSED with prejudice, with each party to bear its own costs." This order was signed on August 29, 2016 and being all good news for St. James Parish in the Petroplex federal law suit case. Geiger, Laborde & Laperouse Law Firm had this to say, "We are happy to report that considering the court's ruling following the preliminary injunction hearing, the plaintiffs decided that they would dismiss the federal lawsuit filed against the Parish, the Parish Council, and both of you."
5) On the Youth Detention Center building & grounds – I spoke to someone at the AG's Office regarding the Youth Detention Center. The gentleman reported that his final opinion was in the mail and we will be OK with moving forward to sell the facility. We should receive the document any day now. Opinion: 16-0119 A parish governing authority may sell its surplus immoveable property provided it follows a procedure which insures that the public is informed of the proposed sale and that the sales price is equal to or greater than its fair market value. Although an appraisal is a common method used to determine "fair market value," it is nonetheless an inexact science. Thus, property may be sold for less than its appraised value provided the governing authority can document that the sales price is indeed reflective of the property's fair market value. Opinion Released: 8/29/2016
6) You will probably be receiving phone calls about tall grass issues as it has been difficult for us to maintain due to the recent flooding and now frequent rains.
7) FEMA has declared the East Bank of St. James Parish for Individual Assistance. They opened the DSNAP program at the West Bank Center on Tuesday and will stay opened until Saturday. So far, 122 residents has applied for assistance. You may ask why set up shop on the west bank while the majority of the event

was on the east bank; to answer, each & every year we take opportunity to prepare ahead of time for the hurricane season and draw up MOU's for these sites.

8) The Blind River Boat Club Bridge repairs will be part of our agenda tonight. We hired C J Savoie Engineers and LA Contractors was the low bidder. The St. James Boat Club group is very anxious is us getting this work done quickly, of course. We anticipate completing this project by the end of September barring any unforeseen holdups.

9) We are presently advertising for the culverts for the project under CN Railroad in Belle Rue Subdivision and the waterline interconnectivity between the Towns of Lutcher, Gramercy and St. James Parish.

10) We started "Neighbors helping Neighbors" Program surrounding the 2016 Historic Flooding through our Long Term Recovery Group of St. James Parish. We actually collected 4 truckloads of commodities. We took care of our flood victims 1st and sending the rest of products to a Multi-Agency Disaster Warehouse located in Baton Rouge. It will be operated as a State Volunteer Organizations Active in Disaster. Donations will be distributed out to support the efforts of non-profits, shelters, and parishes as they respond to the needs in their communities.

11) In a few minutes you will be faced with voting on the amended budget ordinance. I'd like to take this time to share my thoughts on this issue in regards to the DA's budget request portion of it:
Foundationally, I think we need to NOT lose sight on the fact that we need to be responsible, good stewards of taxpayers' dollars in all facets of our organization. We are the guys that are responsible to view things, ALL THINGS, from 30,000 feet up, per say. Bear with me for a few minutes....
History has it that it was this administration that made a move to increase the amount of funds going to the DA's Office. The DA only received $6,000 a month (within the statutory limits) for many years, and I'm talking about 15 or so years prior to 2012. It was then that we increased the distribution / grant to $7,000 per month. It was a short 3 years (2015) that it improved to $13,500 per month; more than doubled.
Statistics will show that Assumption Parish has more population (23,034) versus St. James (21,562). (Facts provided by the DA's Office)
Assumption has more arrests (929 in 2014) versus St. James (846 in 2014). 2013 will show a larger disparity. (Facts provided by the DA's Office)
Assumption has more juvenile arrests also (93 in 2014) versus St. James (81 in 2014). Again, 2013 will show you the same with a larger disparity. (Facts provided by the DA's Office)
Through the DA's own admission, the claim is that he has 2.7 ADA's serving St. James and Assumption. (Facts provided by the DA's Office)
Knowing all these facts, then I ask, "Why is his office only asking St. James Parish for additional funds and not Assumption Parish?" There has to be more to it. Again, in another phone conversation, Assumption Parish explained that at no time were they requested additional funds for 2016; not in making their budget, nor during this fiscal year. Keep in mind that Assumption Parish only pay the DA's Office $100,000 per year while we pay $264,000 annually. How can we, the Council and the administration, feel comfortable increasing the DA's budget even more with all what's in front of us?
The Clerk and Judges are both telling me that the reason they are requiring more financial assistance from St. James Parish is because of program changes made in the DA's Office; thus the DA receives more revenue and the Clerk & Judges less. Yet, the DA is demanding even more to build a larger scale operation, i.e. more hiring, increased compensation and benefits, and defray deficit.
How much should we consider while the DA requested $108,000 per year. By the time this ordinance is approved, more than ¾ of the year will have passed. Put this amount ($108,000) through a divisor & it comes to $9,000 a month.
In reference to the DA's letter (rec'd on June 9, 2016) in justifying his amount requested, he provided 4 items...
Item #1 – Defray the cost for the DA's deficit.... Are we really responsible for repairing the DA's deficit? ADA Chuck Long said that, "Apparently the Parish President spent too much money and wrote too many checks, thus the need for an amended budget." To me, it seems like the DA & ADA's spent too much money and wrote too many checks. Who does the repair on our deficit when and if that time comes? What are our options? What steps will we have to take to fix it? Will the DA release our granted funds that we provided in excess to the statutory requirements (if this happens to us)?
Let's run through the steps that we would have to entertain:
1) Cut spending
2) Freeze hiring
3) Freeze wages
4) Reduce hours
5) Then reduce the workforce
Item #2 – need for additional staff: We too, are in need of staff and, been holding back because we just do not know what will happen with the inventory tax. Please do not forget that if that goes away, we, St. James Parish Gov't, not schools Sheriff or Assessor, are $6.8 million behind the 8-ball and will be looking at cuts in service and lay-offs. According to Mr. Glenn Waguespack, our Assessor, this year coming we (St. James Parish Government alone) will be collecting / receiving $2.5 million less through inventory taxes due to the value per barrel of oil. Due to today oil problems we are back to a 2010 level.
Item #3 – Additional funds for increased employee cost and benefits and labor rules regarding overtime: We have 288 employees and do not have an OPEB (Other Post Employment Benefit) Trust fund to cover the liabilities (and it's at $6.5 million present day) established through fringe benefits outside of retirement

plans. We only can predict a possible forecast on what negative affect the US Department of Labor's new overtime rule will do to our bottom line. Shouldn't we start now to establish our OPEB Trust Fund to protect that liability? Shouldn't we also place money aside for the impending overtime rule taking effect in December 2016? It has been calculated that the new O/T rule can amount up to $172,000 in additional cost to our bottom line in our budget.

Item #4 – ever-increasing employee compensation: it was at one of our recent council meetings that a councilman complained about poor pay scales within our organization. Shouldn't we take care of our employees first, before we aid others with theirs?

All of the following areas of concern are real problems that governments face. We, in St. James Parish Government, are trying to be as fiscally responsible as possible being faced with even other major concerns such as East and West Bank Flood & Hurricane Protection, Drainage Improvements across the Parish, OPEB Trust Fund, Sewerage on East & West banks of the river, Hwy 20 upgrade, Master Recreation Plan and Evacuation Routes, to name a few.

Two burning questions, 1) "Are we tightening our belt because we want to accomplish these very important projects just mentioned, or to give it to anyone that asks?" 2) Council Chairman St. Pierre at the beginning of this long process stated that, "Why don't you just give ADA Mohon his money back and all this would go away." ADA Chuck Long after our last meeting inquired to the whereabouts in the budget is the money taken from ADA Mohon. He further stated that, "Bruce will be getting his money back even if it is through the DA's requested funds. So, in essence, shouldn't anyone making requests for additional revenue at least try to add clarity for the administration and the Council through a line item format with cost defined? This would help render justification, for sure!

I leave you with the following; "I am willing to continue to work with the DA and ADA's on any and all issues, but I will not sit by and let his politics get the best of this great Parish of St. James. We have too many other greater challenges to deal with such as the major items mentioned above along with present flooding and additional tropical activity.

Thank You ... May God Bless you and all of St. James Parish! Semper Fi !!!

PRESENTATIONS AND PUBLIC COMMENT - None

CORRESPONDENCE RECEIVED - None

APPOINTMENTS TO BOARDS AND COMMISSIONS

Councilman Cooper offered and moved for adoption **RESOLUTION 16-138, A RESOLUTION REAPPOINTING ZEB MAYHEW TO THE ST. JAMES PARISH ECONOMIC DEVELOPMENT BOARD.** Councilman Kraemer offered a second, and the resolution was unanimously adopted.

OLD BUSINESS

Councilman Amato requested $28,000 be added to the amended budget for engineering cost relating to a pilot pump project for District 2. Chairman St. Pierre also requested that $93,000 be added to the amended budget for the DA. Councilman Kraemer offered a motion to amend this ordinance to include both request. Councilman Brass offered a substitute motion to not amend this ordinance with Councilman Louque providing a second. Upon a roll call vote showing Louque, Patin, Brass voting for and Amato, Cooper, Kraemer and St. Pierre voting against, the substitute failed. Councilman Kraemer's motion, minus the $28,000 was then seconded by Councilman Cooper. Upon a roll call vote showing Cooper, Kraemer and St. Pierre voting for and Amato, Louque, Patin and Brass voting against, the motion failed. **ORDINANCE 16-14 - AN ORDINANCE ADOPTING THE AMENDMENT OF THE ANNUAL BUDGET OF REVENUES AND EXPENDITURES FOR THE FISCAL YEAR JANUARY 1, 2016 TO DECEMBER 31, 2016, PARISH OF ST. JAMES, STATE OF LOUISIANA,** having undergone the hearing process, was offered and moved for adoption by Councilman Amato and was seconded by Councilman Brass. After a roll call vote with all seven councilmen voting in favor, the ordinance was adopted.

ORDINANCE 16-15, AN ORDINANCE SETTING AND ADOPTING THE ADJUSTED PROPERTY TAX MILLAGE FOR THE YEAR 2016 LEVIED ON ALL TAXABLE PROPERTY WITHIN THE PARISH OF ST. JAMES, SATE OF LOUISIANA, having undergone the hearing process, was offered and moved for adoption by Councilman Louque and was seconded by Councilman Amato. After a roll call vote with all seven councilmen voting in favor, the ordinance was adopted.

ORDINANCE 16-16, AN ORDINANCE SETTING AND DESIGNATING THE ADOPTED PROPERTY TAX MILLAGE RATES FOR THE YEAR 2016 LEVIED ON ALL TAXABLE PROPERTY WITHIN THE PARISH OF ST. JAMES, STATE OF LOUISIANA, having undergone the hearing process, was offered and moved for adoption by Councilman Amato and was seconded by Councilman Patin. After a roll call vote with all seven councilmen voting in favor, the ordinance was adopted.

RESOLUTION 16-139, A RESOLUTION AUTHORIZING THE ST. JAMES PARISH PRESIDENT TO ENTER INTO A CONTRACT WITH THE LAW FIRM OF BUTLER SNOW, LLP TO PROVIDE LEGAL SERVICES IN REGARD TO THE ST. JAMES PARISH LAND USE PLAN AND LITIGATION OF THE ST. JAMES PARISH DISTRICT 5 MULTIPURPOSE BUILDING, was offered and moved for adoption by Councilman Louque. Councilman Cooper offered a second, and the resolution was unanimously adopted.

RESOLUTION 16-140, A RESOLUTION AUTHORIZING THE ST. JAMES PARISH PRESIDENT TO ENTER INTO A CONTRACT WITH THE LAW FIRM OF JONES WALKER, LLP TO PROVIDE

LEGAL SERVICES IN REGARD TO EMPLOYEE LABOR LAWS AND PERSONNEL CONCERNS AND PROCEDURES, was offered and moved for adoption by Councilman Kraemer. Councilman Amato offered a second, and the resolution was unanimously adopted.

NEW BUSINESS

RESOLUTION 16-141, A RESOLUTION TO APPROVE DISBURSEMENT OF PAYROLL FOR THE SEPTEMBER 9, 2016 PAYROLL, was offered and moved for adoption by Councilman Amato. Councilman Patin offered a second, and the resolution was unanimously adopted.

RESOLUTION 16-142, A RESOLUTION TO APPROVE DISBURSEMENT OF FUNDS TO PAY PENDING CURRENT INVOICES AND PAYABLES, was offered and moved for adoption by Councilman Kraemer. Councilman Louque offered a second, and the resolution was unanimously adopted.

RESOLUTION 16-143, A RESOLUTION AUTHORIZING THE PARISH PRESIDENT TO EXECUTE A JOINT AGREEMENT BETWEEN THE ST. JAMES PARISH SCHOOL BOARD AND THE ST. JAMES PARISH COUNCIL FOR THE COLLECTION OF SALES 7 USE TAX FOR THE PERIOD JULY 1, 2016 THROUGH JUNE 30, 2017, was offered and moved for adoption by Councilman Kraemer. Councilman Louque offered a second, and the resolution was unanimously adopted.

RESOLUTION 16-144, A RESOLUTION AUTHORIZING THE PARISH PRESIDENT TO ENTER INTO A CONTRACT WITH THE DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT FOR THE FEDERAL OFF-SYSTEM BRIDGE REHABILITATION PROGRAM, was offered and moved for adoption by Councilman Louque. Councilman Amato offered a second, and the resolution was unanimously adopted.

Councilman Brass offered and moved for adoption **RESOLUTION 16-145, A RESOLUTION CONGRATULATING THE 2015-2016 YVONNE'S DIRECTIONS IN DANCE COMPANY TEAM ON WINNING NUMEROUS AWARDS AND FOR HAVING A SUCCESSFUL COMPETITION SEASON.** Councilman Amato offered a second, and the resolution was unanimously adopted.

Councilman Brass offered and moved for adoption **RESOLUTION 16-146, A RESOLUTION TO CONGRATULATING THE 2015-2016 DANIELLE'S DANCE ACADEMY COMPANY TEAM ON WINNING NUMEROUS AWARDS AND FOR HAVING A SUCCESSFUL COMPETITION SEASON.** Councilman Kraemer offered a second, and the resolution was unanimously adopted.

After President Roussel provided an explanation, this resolution will be amended to include the District 4 committee member, Mr. Philip Creel. **RESOLUTION 16-147, A RESOLUTION APPOINTING MEMBERS TO THE ST. JAMES PARISH RECREATION MASTER PLAN STEERING COMMITTEE,** was offered and moved for adoption by Councilman Brass. Councilman Louque offered a second, and the resolution was unanimously adopted.

RESOLUTION 16-148, A RESOLUTION ACCEPTING THE BID OF LA CONTRACTING ENTERPRISES, LLC FOR THE ST. JAMES BOARD CLUB REPAIRS FOR THE APPROACH SLAP ON THE BRIDGE, was offered and moved for adoption by Councilman Amato. Councilman Louque offered a second, and the resolution was unanimously adopted.

RESOLUTION 16-149, A RESOLUTION AUTHORIZING THE EXECUTION OF THE APPROPRIATE CONTRACT WITH ARCADIS U.S., INC. TO PROVIDE PROFESSIONAL SERVICES IN SUPPORT OF GRANT WRITING, GRANT IMPLEMENTATION AND GRANT MANAGEMENT, was offered and moved for adoption by Councilman Amato. Councilman Patin offered a second, and the resolution was unanimously adopted.

A discussion took place regarding the recent sandbagging event which included the amount of bags that were filled, reimbursement for residents who purchased sand to protect their homes, and lessons learned.

At this time Councilman Brass led a discussion regarding the process to review the Home Rule Charter.

PROPOSED ORDINANCE 16-17, AN ORDINANCE ADOPTING THE AMENDMENT TO THE ANNUAL BUDGET OF REVENUES AND EXPENDITURES FOR OFFICE OF THE DISTRICT ATTORNEY, 23RD JUDICIAL DISTRICT FOR THE FISCAL YEAR JANUARY 1, 2016 TO DECEMBER 31, 2016 BUDGET OF THE PARISH OF ST. JAMES, STATE OF LOUISIANA, was introduced on a motion offered by Councilman Amato and seconded by Councilman Brass. After a roll call vote showing all in favor, the introduction of the ordinance was accepted and ordered filed with the Secretary for public inspection and publication of Notice of Public Hearing, which was scheduled for 6:00 p.m., Wednesday, September 21, 2015, in the Council Chambers of the Parish Courthouse in Convent.

At this time Chairman St. Pierre stated that Councilman Cooper had to leave. Councilman Cooper left the Chambers.

COUNCILMEN'S REPORT

COUNCILMAN AMATO – Councilman Amato requested a resolution be drafted for the next meeting to enter into a contact with T Baker Smith. He also requested an update on the Lutcher Fire Station. Mr. Gravois stated that all of the work has been complete except the doors, which are on special order.

COUNCILMAN LOUQUE – Councilman Louque thanked the Operations Department for continuing to work on the ditches after the flooding event.

COUNCILMAN PATIN – Councilman Patin thanked Mr. Gravois for assisting the elderly in his district. Councilman Patin stated that at a football game he spoke with a deputy and a mayor and they praised Mr. Gravois and the Department of Operation for their efforts during the flooding.

COUNCILMAN COOPER – Councilman Cooper was not in attendance at this time.

COUNCILMAN BRASS – Councilman Brass thanked Mr. Long for attending the meeting and asked him to pass on to the DA that they are looking forward to continuing to build their relationship. Councilman Brass requested the status of the Housing Assessment section of the Parish Wide Master Plan. Mr. Gravois stated a meeting was scheduled for 5:30 pm today and it will need to be rescheduled. Councilman Brass thanked everyone for submitting names for the Master Plan Steering Committee. He informed the council that he sent an email to Mrs. Octave, Mr. Gravois, and President Roussel to start the process to identify minority owned business to start a pool that the Parish can consider for future projects.

COUNCILMAN KRAEMER – Councilman Kraemer congratulated Brooke and Dallas Perque for the birth of their newborn daughter. He informed the council that the Sheriff's Blue Night will be this Friday at the St. James High football game. Deputies, fire fighters, and those who serve the community will be honored at the game. Councilman Kraemer commended those in leadership roles for their efforts with the flooding event.

BLAISE GRAVOIS – Mr. Gravois asked Councilman Brass if they should meet with the School Board as one of the first meetings regarding the Recreation Master Plan. Councilman Brass said that they should reach out to the committee members to let them know the path forward.

CHANTAL WAGUESPACK – Mrs. Waguespack had no comment.

BEDAR WARREN – Mrs. Warren had no comment.

FRANCIS HYMEL – Mr. Hymel had no comment.

MICHELLE OCTAVE – Mrs. Octave thanked everyone who came out and volunteered with the Neighbors Helping Neighbors campaign ensuring it was a huge success. She reminded the council that on Monday, September 12th there is an opportunity for small business to understand the process of being engaged with federal and state contracting, specifically for disaster related work.

At this time Mr. Gravois stated that the Parish lost a business owner, Rose, of Rose's Catering. Arrangements are this Friday at St. James Catholic Church.

CHAIRMAN ST. PIERRE –Chairman St. Pierre thanked Mr. Gravois regarding the complaints of the ditches in Gramercy and also for continuing to monitor the progress of the Gramercy Park building. Chairman St. Pierre reminded the council of the St. James High School ground breaking at 6pm on September 8th.

ADJOURNMENT

After determining there was no additional business to come before the council, on a motion offered by Councilman Amato seconded by Councilman Louque and carried, the meeting adjourned at 8:40 p.m.

Linda Hubbell

Linda Hubbell
Secretary