

OFFICIAL PROCEEDINGS
ST. JOHN THE BAPTIST PARISH COUNCIL
TUESDAY, JANUARY 27, 2009
CHAIR RONNIE SMITH
VICE CHAIR CHERYL MILLET

The Council of the Parish of St. John the Baptist, State of Louisiana, met in Regular Session in the Joel McTopy Chambers, LaPlace, Louisiana on Tuesday, January 27, 2009, at 6:30 PM.

CALL TO ORDER:

PRESENT AT ROLL CALL: Ronnie Smith, Councilman District VI, Danny Millet, Councilman District II, Dale Wolfe, Councilman-at-Large, Div. A, Haston Lewis, Councilman District I, Charles Julien, Councilman District III, Cheryl Millet, Councilwoman District VII, Steve Lee, Councilman-at-Large, Div. B, Darnel C. Usry, Councilwoman District V, Jaclyn Hotard, Councilwoman District IV

ABSENT: None

Councilman Julien led the Prayer. Councilwoman Usry led the Pledge of Allegiance.

Bill Hubbard, Parish President, was present.

Legal Counsels Jeff Perilloux and Kerry Brown were present.

Ronnie Smith - Presentation

Councilman Smith stated, *"As you all know I took over the chair of the council at our last meeting so I felt it only appropriate to present Ms. Jaclyn Hotard Council Chairman in appreciation for all your hard work and dedication given throughout the year to the St. John the Baptist Parish Council 2008. She is well deserving of this."*

Councilwoman Hotard stated, *"I guess you felt bad since you told the Times Picayune that I wasn't feeling well because I was losing the chairmanship. Thank you very much. I appreciate the council giving me the opportunity for that year to serve as your chairman. I am sure Ronnie will do a wonderful job. Thanks again."*

Bill Hubbard - State of the Parish

Bill Hubbard, Parish President, addressed the council and the residents of the parish about what has gone on in 2008. We are hearing about the national economy and fortunately for our parish we have not really felt that as much as the rest of the nation due to the industrial expansions that we have going on and Marathon is a big part of that. He went over a pretty long list of accomplishments that happened in 2008 briefly commenting on the Za Montz Sewerage Lift Station Upgrades and the Garyville Northern lift station. There has been 60,000 liner feet of sewer line smoke testing in the parish and 20 miles of ditches and canals have been cleaned in 2008. We have improved the grass cutting and the weed spraying, expanding on the weed spraying portion of our

canal upgrades and upkeep. The Edgard Water Intake pump project moved forward after twelve months of delay. At our very first meeting the council approved the construction of a new animal shelter and Carrollwood Drive has been repaved and is complete. Working with the sheriff we put on a third inmate work crew. We have begun a very aggressive abandoned houses campaign, last year and the last several months we have torn down at least five homes and I have a list of ten more to get in the next month or so. We have opened back up the Homer "Boogie" Joseph Center in Reserve. The violations department has gotten really aggressive. During the hurricane we installed pumps in certain key locations to avoid flooding in District VI, Reserve, Garyville that was a success. Also we got with a contractor to aid us with our technology in the parish. We re-negotiated that contract it saves us money and improves reliability of our government. We have instituted an aggressive non-payment utility disconnect policy which sometimes is controversial but it needed to be done. So we handled that. The Civic Center, with the Council's help, we have expanded the marketing budget and we have also contacted the high schools in the area and each high school will get one free event per year at our civic center. We started a recycling program in the parish and it has been very successful. We now have to increase the pick-ups because the residents are using this program and we are very thankful for that. We have instituted a Laserfiche program, where now all of our documents are electronically available for your viewing on computers. The GPS system on our vehicles has been installed and more is to come. The phone system for the parish, it had been many years since the parish had gotten a new phone system. We have one now and we are very happy to report that the DA's office is now going to join our system. That saves roughly \$70,000 per year. Working with our new District Attorney we have expanded the Keep St. John Beautiful Program and the parish has partnered up with the program. We are going to be putting inserts, newspaper articles in our local newspaper and we are also going to make sure that the parade routes are properly supplied with trash receptacles. Last year we also had several special issues that we had to deal with Hurricanes Gustav and Ike. That was a challenge. We were able to clean all of our drain lines, which cost us approximately four million dollars but we are going to be reimbursed 90% from the federal government. So even though it was a bad and hard time we took advantage of the situation by doing what we could with what we had. We also had the Garyville incorporation. We also cut the overtime last year by \$200,000.00. The Andouille Festival moved from the Percy Hebert Building over to the Civic Center site on Highway 51. Nine thousand more residents attended that festival, we are very thankful for that. Also in 2009 we are going to expand the Andouille Festival. We are going to get a little marketing company and try and get some bigger name bands to grow that festival. We opened up the National Guard Readiness Center, the Veterans Clinic and a host of other businesses throughout the parish. We streamlined the permitting process. We have weekly administration meetings that have been very successful. Our work order system is now being used properly with a host of other things. Please see attached 2008 Review.

Bill Hubbard/Fire Department - 24/7 parish wide program

Bill Hubbard stated, "Our Fire Department, early last year, had thirteen full time members. We now have over thirty full time firefighters in the entire parish Edgard, the West Bank, Garyville,

Reserve and LaPlace. We have 24/7 coverage. The volunteer fire departments are working very well with us. All five departments are flushed with their budgets and we are looking forward to expanding some of the areas out here in LaPlace in the next year or so. That pretty much raps up 2008. I am looking forward to 2009. We appreciate everybody's corporation. Thank you."

Consent Agenda

Items: Approval of Minutes January 13, 2009, Regular Meeting; Parade Permit Approval - Krewe of Tohwahaphash - 2/21/09 - 1:00 PM; Parade Permit Approval - Krewe of du Monde - 2/22/09 - Noon; Civil Service Board Re-appointment of Lanard Robinet - Xavier University Appointee and Tammy Y. Houston - Southern University Appointee; added item - Ronnie Smith - Appointment of Valencia Green to the South Central Planning Commission.

MOTION: Councilman Julien moved and Councilwoman Hotard seconded the motion to approve the amended consent agenda consisting of Approval of Minutes January 13, 2009, Regular Meeting; Parade Permit Approval - Krewe of Tohwahaphash - 2/21/09 - 1:00 PM; Parade Permit Approval - Krewe of du Monde - 2/22/09 - Noon; Civil Service Board Re-appointment of Lanard Robinet - Xavier University Appointee and Tammy Y. Houston - Southern University Appointee; added item - Ronnie Smith - Appointment of Valencia Green to the South Central Planning Commission. The motion passed unanimously.

PUBLIC HEARING ON ORDINANCES:

08-74 (Tabled 1-13-09) An ordinance to request a Re-subdivision of a portion of the John Esperros Tract into Tracts herein designated as Tract A, Tract B, Tract C, Tract D, Tract E, Tract F, Tract Row, Parcel Y & M V, Parcel L & A and dedicate a 96' x 50' portion of Garden Grove of the John Esperros Tract. (Cypress Property Management - Esparros PZ 08-028) (B. Hubbard)

MOTION: Councilwoman Usry moved and Councilman Millet seconded the motion to remove Ordinance 08-74 from the table. The motion passed unanimously.

MOTION: Councilwoman Usry moved and Councilman Millet seconded the motion to accept Ordinance 08-74. The motion passed unanimously.

08-75 (Tabled 1-13-09) An ordinance to change the zoning classifications from R-1 to I-1 for a portion of Tract C, and from MHD to I-1 and C-3 for Tract E as shown on a survey map by Riverlands Surveying, of a portion of the John Esparros Tract situated in Sections 37, 53, 54, 55 and 56, T-11-S, R-7-E, LaPlace, St. John the Baptist Parish, Louisiana.(Cypress Property Management, LLC - Esparros PZ 08-008) (B. Hubbard)

MOTION: Councilwoman Usry moved and Councilwoman Millet seconded the motion to remove Ordinance 08-75 from the table. The motion passed unanimously.

MOTION: Councilwoman Usry moved and Councilman Julien seconded the motion to accept Ordinance 08-75. The motion passed unanimously.

08-80 (Tabled 1-13-09) An ordinance to amend ordinance 92-33 to change the consumer price index used to calculate the annual consumer price index adjustment from "The National Consumer Price Index published by the United States Bureau of Labor Statistics which shows a rise or decrease in the cost of living index for New Orleans, LA over the level of such cost of living in the previous year, to the U.S. city average 12-month percentage change in the Water and Sewer and Trash Collection Service Group of the Consumer Price Index for Urban Wage Earners and Clerical Workers (CPI-W) compiled by the Bureau of Labor Statistics. (B. Hubbard)

MOTION: Councilman Lee moved and Councilman Millet seconded the motion to remove Ordinance 08-80 from the table. The motion passed unanimously.

Councilman Lee stated, "In discussion I would like to ask that our administration make some comments on this particular ordinance."

Bill Hubbard stated, "Thanks members of the council. Roughly a year ago when we were all sworn into office, we were given our budgets and when we took office we had a \$1.3 million dollar deficit in this water fund. Now throughout the last year we have hired our accounting firm to do a study on different rates throughout the different parishes and give us ideas on what needed to be done to overcome this deficit. This is something that most of the time when I come to the council I have ideas, plans and projects that I am excited about bringing to you and I feel that I always inform everybody of what is going on. Well this is one of those nights where I just have to do my job and this is what we are presenting to the council. There are two ordinances to help the parish government come out of this now 41.5 million dollar hole. Mr. McTopy the Chief Administrative Officer, will get into the nuts and bolts of the ordinances. He has done a detailed thorough study on this. If you have any questions just please feel free to ask us anything that you feel like you need to know. Thank you."

Pat McTopy, Chief Administrative Officer, stated, "I was privileged to be the first Utilities Director many, many years ago. During that time in the four years that I was director, we didn't raise water or sewer rates and in fact we were able to lower gas rates. I am here to tell you tonight that we are in a bind and we have to do something in order to keep our cash flow position and to maintain the level of services that we have. As Mr. Hubbard stated, we engaged Rebowe & Associates, our auditors, to perform a study for us to evaluate the system. In their report, the council was given a copy of this report. It indicated that we have been operating at a substantial loss for each of the last three years. The revenues have not kept up with expenses. In fact we have had a loss in 2005 of one million sixty-eight thousand dollars. In 2006 we had a loss of six hundred fifty-six thousand dollars and in 2007 we had a loss of one million three hundred nineteen thousand dollars. We cannot continue to operate the system with these losses. It is going to affect the services that we provide and ultimately the parish's bond rating. The accountants agree in their report that some changes to the revenue rate structure is called for. They also agree that the CPI based index that we use for the sewer system is consistent and would be appropriate for the parish to use on the water system. We have done what we could over the last year to cut expenses to try to live within the means and we just can't. We have cut overtime. We are running our non-payment disconnect very aggressively. Our finance department can't pay the bills on time. If

you go into our Finance Manager's office he has stacks of checks on the floor that he cannot release. He cannot release payment to the vendors because there is no money in the account. We cannot make the distributions to some of the other accounts such as sewerage, mosquito control and ambulance that are also part of the utility bills. We cannot make them timely on a monthly basis like we should because we need the money in the utility system fund to pay the bills. I am not exaggerating these are facts. Mr. Hubbard has addressed some of the issues that we have done to help alleviate the problems but it is not enough to correct the problem. This problem has been several years in the making and it is not going to be corrected over night even if the council approves these ordinances tonight. It is going to take several months of the increased cash to get us out of this position. Now as you recall we have had two recent emergencies. We had the situation at the Ruddock Water Well where the screen was allowing sand to get into the impellers and corroding them and that was \$200,000.00. We have the situation at the Edgard water plant and although we have grants to cover some of the dollars, we are going to fall short. Traditionally there is a capital improvement account that could be called upon to pay these extreme items, these unusual non recurring items but the capital improvement fund is depleted as well as the system operating fund. We have over a million dollars in priority work to our water towers that needs to be done. As you recall Henry DiFranco's firm was authorized to do a study of all of our water tanks and based upon that study he has come up with one million dollars in priority work that has to be done to maintain these water towers to prevent them from rusting and corroding. We have got a significant number of fire hydrants that must be worked on and it takes dollars to repair these hydrants. We have reviewed the possibility of using some of the fire department taxes to pay for the fire hydrants but we can't do that under the bond proposition. The NANO system, Ralph will give you a report on that later, has been started up and hopefully we won't run into any issues that will require it to be shut down, but there is going to be significant increased costs in operating that system in terms of chemical supplies and in terms of electrical consumption. Now the CPI change that we are asking you to approve tonight is to change the method of calculation of the CPI, which is currently the New Orleans area average for all consumers. We are asking that we change it to a national average of water, sewerage and garbage. The same as we have been using for many years to calculate our sewerage. Historically there is very little difference between the two, less than 1%, so it is not as if we are after a big money grab. It is just a few extra dollars that will help us keep up with the rising cost of inflation. This year for whatever reasons the increase is more significant. I think the sewerage, water, garbage index will call for a 6.7%, the water that we traditionally use is only 1.1%, so there is about a 5.6% difference. Now how is that going to effect the average customer and I know the public is very concerned about that, as we all are, but the average customer using the flat rate is going to pay an estimated .60 cents per month extra. If you all approved this tonight the average customer using a flat rate will cost .60 cents. A person using 8,000 gallons per month, his increase would be approximately \$1.37. The other ordinance that we are going to ask you to adopt tonight would raise the costs by approximately \$1.00 per thousand gallons of the largest customers. It is not going to affect the vast majority of customers in the parish. It should not affect any residents. In fact it is going to affect about 2.3%, only 2.3% of the customers, about 379 of them. It is going to raise them \$1.00 a thousand and bring them in line with our neighboring parish of St. Charles. As indicated in the

accountant's letter, this problem has developed over the last few years. It is not something that came up overnight and every opportunity that I have had I told the council that we had to address this at some point and as I said earlier even if we adopt it we are not going to miraculously tomorrow have additional funds. It is going to take several months to build up our reserves. So in conclusion no one ever wants to ask for a rate increase. We would never ask for a rate increase if it wasn't needed. In this case it is needed. I feel it is justified and we are asking for your support."

Councilman Julien asked, "How do we rank in terms of our neighbors St. Charles and St. James?"

Pat McTopy stated, "That is a good question. I was provided a copy of a study that was performed last spring. It compared the water and sewer rates of many parishes throughout the state probably forty or fifty I would guess. St. John in that study was a little bit below the medium. Clearly there were a number of parishes less than us. Clearly there were a number of parishes higher than us, but we were a little below the medium. I understand some of the council were concerned about Kenner. In Kenner they only pay \$1.00 a thousand or \$1.00 something a thousand and the water is a lot less in Kenner. You have got to understand the way different communities collect their revenues and make their improvements. Kenner most likely has some type of property or sales tax that subsidizes because there is no way they can sell water at \$1.00 per thousand, there have got to be subsidizing it somewhere, they would be selling it at a lost. Our system is financed primarily by user fees."

Bill Hubbard stated, "Charles just to be a little more specific. Even with this \$1.00 per thousand increase in consumer price index we are lower than St. Charles parish and we will be about half of what St. James Parish is. We are still way under St. James."

Councilwoman Millet stated, "I am probably going to stand alone on this one but things are tough all over for everybody. I know that we are in a deficit. I know that this problem has been going on for some time but in my heart I just cannot vote for this. I just cannot do it."

Councilman Smith stated, "No this is not something that I want to do, this is something that I have to do. If I do not vote for this increase and get additional funds in it is going to all turn for the worse. It could even get to the point that we have to start laying employees off that work in that department and I definitely don't want to see that happen. So to my constituents this is something that I feel has to be done. Thank you."

MOTION: Councilman Lee moved and Councilman Millet seconded the motion to accept Ordinance 08-80. The motion passed with 8 yeas and 1 against (Cheryl Millet).

08-81 (Tabled 1-13-09) An ordinance establishing rates for the cost of water charged by the parish and/or consolidated waterworks district No. 1 to users of said waterworks system in the following rate tiers.
(B. Hubbard)

MOTION: Councilman Lee moved and Councilwoman Usry seconded the motion to remove Ordinance 08-81 from the table. The motion passed unanimously.

MOTION: Councilman Lee moved and Councilman Millet seconded the motion to accept Ordinance 08-81. The motion passed with 8 yeas and 1 against (Wolfe).

INTRODUCTION OF ORDINANCES:

09-01 An ordinance to request to Rezone Lot H-1, Square 5, Woodland Plantation subdivision to show the change in the current zone of Zone R-1 to Zone C-2 (Area 1) & (Area 2) to remain zoned C-2, LaPlace, St. John the Baptist Parish, Louisiana (LaPlace Realty PZ 08-010) (B. Hubbard)

09-02 An ordinance to change the current zone of Lots J-4 and J-5 of the Triche Tract & Aline Plantation from Zone R-1 to Zone MHD situated in Section 28, T-11-S, R-7-E, LaPlace, St. John the Baptist Parish, Louisiana (PZR-08-007-Jesal Desai) (B. Hubbard)

COMMITTEE REPORTS:

Councilman Smith stated, "*Prior to requesting that the council approve the finance minutes, we have to select the Chair and Vice-Chair for the finance committee. At this time I would like to appoint Mr. Steve Lee to be the Finance Chair and Mr. Charles Julien to be the Vice-Chair of the Finance Committee.*"

MOTION: Councilwoman Hotard moved and Councilman Millet seconded the motion to appoint Mr. Steve Lee as Chairman of the Finance Committee and Mr. Charles Julien as Vice-Chair. The motion passed unanimously.

MOTION: Councilwoman Hotard moved and Councilman Millet seconded the motion to accept the recommendation of the finance committee. The committee approved to award the bid for concrete sidewalks, driveways and streets parish wide removal and replacement to the low bidder Byron E. Talbot, approved to award the bid for electrical miscellaneous repairs to Riverbend Electric in the amount of \$3,799.00, approved to award the bid for the road improvement program for 2009 to Coastal Bridge, approved to award the bid for corrugated metal, polyethylene (PE) & polyvinylchloride (PVC) culverts to F&G Supply Company, award the bid for the annual fuel requirements for 2009 to Siarc Oil Company, award the bid for liquid chlorine and sulfur dioxide to DPC, (tabled item Authorization to execute an engineering services contract with Buchart Horn Inc. for design work at US 61 and Belle Terre Blvd and US 61 & 51 to relieve traffic congestion), approved to grant administration authorization to acquire two tractors and cutters for the Public Works Department, approved to grant administration authorization to enter into an engineering services agreement with Principal Engineering Inc. for design services for the Woodland Drive bridge repairs, and approved to authorize administration to re-advertise for submersible pumps. The motion passed unanimously.

DEPARTMENT/ENGINEER REPORTS:

Dale Wolfe - Personnel Matters

There were no personnel matters.

Haston Lewis/Dale Wolfe - Request Union Pacific to repair the rail road crossing at LA 640 leading to LA 3127 in Edgard

Councilman Lewis stated, "I want to ask Mr. Hubbard or Mr. McTopy if they made any contact with anyone from the rail road company about fixing that track?"

Pat McTopy stated, "Mr. Lewis had brought to my attention at the last council meeting that the condition of the crossing was in dire need of repairs. So I suggested to him that we put it on the agenda and have the council pass a motion authorizing administration to contact the rail road, Union Pacific, and request that they make repairs for public safety and convenience."

MOTION: Councilman Lewis moved and Councilman Wolfe seconded the motion to authorize administration to contact and request Union Pacific to repair the rail road crossing at LA 640 leading to LA 3127 in Edgard. The motion passed unanimously.

Councilman Smith stated, "I have one addition to the department and engineer reports. I have Mrs. Sheila Butler here from Entergy. This is going to be self explanatory."

Elois Joseph, Director of Health and Human Services, stated, "We have Mrs. Sheila Butler, the customer service manager for St. John and St. James Parish. She would like to make a presentation to my office and also to Paul Oncale, Director of Public Safety."

Sheila Butler, Entergy, stated, "Good Evening". Mrs. Joseph and her staff, a few months ago, applied for a grant which was a hurricane relief fund grant. I am happy tonight to say that it was approved. It is my pleasure to present to Mrs. Joseph a check in the amount of \$25,000.00. This will be used to assist with some of the homes that were damaged by Hurricane Gustav. At Entergy we are very happy to help in this project. I would like to also say that if there is anyone else who would like to apply for grants, you can go to our website at www.entergy.com and all of the guidelines are there for you. Please apply, we encourage all organizations."

Elois Joseph stated, "Thank you Sheila. I would also like to thank Myra Valentine. She was the one who wrote the grant."

Sheila Butler stated, "For Mr. Oncale, we have another presentation here. This is a check in the amount of \$1,500.00. This one is for the hurricane preparedness video that Entergy along with his office will get together on."

Paul Oncale stated, "Thank you very much we appreciate it."

Councilman Smith stated, "Mrs. Butler, on behalf of St. John Council and its residents, we would like to thank Entergy for everything that you do for our parish."

Councilwoman Hotard asked, "Mrs. Joseph how do we determine how the money is going to be spent to assist the residents that need it?"

Elois Joseph stated, "Right now we have a housing preservation grant, we are going to put those two grants together. We advertise on channel 15 and we also send letters out to church's and different areas."

Councilman Millet asked, "What type of qualifications do they need for that?"

Elois Joseph stated, "Income eligibility, very low and moderate. The information is on the website and our office can be called at anytime. We will be glad to answer any questions."

OLD BUSINESS:

There was no old business.

NEW BUSINESS:

Stacey Cador - Approval of the Purchasing and Policy Procedures

Stacey Cador, Director of Human Resources, stated, "The purchasing policy and procedures places our purchasing policies in line with public bid laws and also lays out an internal process for purchasing items not covered by the public bid law and for procuring services. This policy has been approved by the Civil Service Board at the last meeting. We are asking for your approval tonight."

MOTION: Councilwoman Millet moved and Councilman Lee seconded the motion to approve the Purchasing and Policy Procedures. The motion passed unanimously.

CORRESPONDENCE/COUNCIL BRIEFS

Councilman Millet stated, "I would like to thank our Economic Development Department. I think it was January 8th, they had a forum for the tri-parishes and I thought it was very good. I wish more people would have shown up for it. I think Mrs. Remondet did a great job on it."

Councilwoman Millet stated, "I just have a comment. I want to let people know that there was a time a few months ago where there was some unnecessary allegations that I thought were brought against our character. I want to let everyone know that it has been cleaned up and I am back where I am supposed to be and I will not represent the people of District VII in any other way than the way I feel best. I just want to let you know that all actions have been cleared and I never did anything wrong to begin with."

Councilman Smith stated, "I would like to thank Mrs. Elois Joseph and her crew for the great job that you did for the Presidents inauguration, for the prayer breakfast and for the ball. It was really lovely and very nice. You had a lot of people come out and again thank you for putting that together for us. The second item that I have is there was an accident a few days ago that took the lives of two young ladies and a young child was hurt. I would like to ask everyone to take a moment of silence to pray for this family in their troubled times."

PRESIDENT'S REMARKS

Bill Hubbard stated, "I would just like to thank the council for spending time with the administration over the last several weeks on these two ordinances. They were some things that needed to be done that even though sometimes we just don't enjoy doing what we have to do, we did what we had to do. I just appreciate everybody's time that they took to spend with us."

MOTION: Councilman Lee moved and Councilwoman Hotard seconded the motion to go into executive session. The motion passed unanimously.

EXECUTIVE SESSION:

Employee Back Pay

Dale Wolfe - Personnel Matters

Property/Casualty Insurance Agent - 1) Claims, any/all property, casualty, and Workman comp claims 2) Claims, procedures and disposition 3) Coverage's, any/all material changes

Cable Franchise Negotiations

Any and all pending legal matters.

MOTION: Councilman Lee moved and Councilwoman Millet seconded the motion to go back into regular session. The motion passed unanimously.

Councilman Lee stated, "As a result of executive session I would like to make a motion on behalf of the council that we employ Grace Sexton as a consultant to represent the council on any and all ethics issues."

MOTION: Councilman Lee moved and Councilwoman Hotard seconded the motion to employ Grace Sexton as a consultant to represent the council on any and all ethics issues. The motion passed unanimously.

ADJOURNMENT:

At 7:38 PM, Councilman Millet moved and Councilwoman Usry seconded the motion to adjourn. The motion passed unanimously.

/s/Ronnie Smith
COUNCIL CHAIR

/s/Jackie Landeche
Council Secretary