

OFFICIAL PROCEEDINGS
ST. JOHN THE BAPTIST PARISH COUNCIL
TUESDAY, JUNE 23, 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, June 23, 2009, at 6:30 PM.

CALL TO ORDER:

PRESENT AT ROLL CALL: Danny Millet, Councilman District II, 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, Richard "Dale" Wolfe, Councilman-at-Large, Div. A, Ronnie Smith, Councilman District VI

ABSENT: None

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

Bill Hubbard, Parish President, was present.

Legal Counsels Jeff Perilloux, Kerry Brown and Barry Landry were present.

Consent Agenda

Items: Approval of Minutes June 09, 2009, Regular Meeting; Permit Approval - Christian Block Party, June 27th from Noon till 6:00 PM - Corner of Anthony Monica & Historic East

MOTION: Councilwoman Millet moved and Councilman Millet seconded the motion to approve the amended consent agenda consisting of Approval of Minutes June 09, 2009, Regular Meeting; Permit Approval - Christian Block Party, June 27th from Noon till 6:00 PM - Corner of Anthony Monica and Historic East. The motion passed unanimously.

PUBLIC HEARING ON ORDINANCES:

09-23 (Public Hearing Held) An ordinance to re-zone a portion of the Celestin Jacob Tract from MHD to R-1, situated in Sections 41 & 89, T-11-S, R-7-E, Reserve, St. John the Baptist Parish, Louisiana (B. Hubbard)

MOTION: Councilman Millet moved and Councilman Julien seconded the motion to approve Ordinance 09-23. The motion passed unanimously.

09-24 (Public Hearing Held) An ordinance providing for the incurring of debt and issuance of \$430,000 of Revenue Bonds, Series 2009, of the Parish of St. John the Baptist, State of Louisiana; prescribing the form, terms and conditions of said Bonds; designating the date, denomination

and place of payment of said Bonds; providing for payment thereof in principal and interest; authorizing the agreement with the Paying Agent; and providing for other matters in connection therewith.(B. Hubbard)

MOTION: Councilman Lewis moved and Councilman Julien seconded the motion to approve Ordinance 09-24. The motion passed unanimously.

INTRODUCTION OF ORDINANCES:

09-25 An ordinance amending Section 33:20 of the St. John the Baptist Parish Zoning Ordinance to amend the definitions of "mobile home", "manufactured housing" and to provide a definition for "Modular Home". (B. Hubbard)

09-26 An ordinance amending Chapter 28 - *Utilities* - of the St. John the Baptist Code of Ordinances, to correct, clarify and amend certain Sections, as shown: (B. Hubbard)

09-27 An ordinance granting approval to further extend conditional approval of River Oaks Subdivision, Phase V, being a portion of LaPlace Plantation, located south of proposed Woodland Drive right-of-way, west of Vicknair Canal, east of St. Andrews Blvd. and north of River Oaks Subdivision, Phases II and III, in Sections 66 and 67, T-11-S, R-7-E, LaPlace, St. John the Baptist Parish, Louisiana till July of 2010. (B. Hubbard)

09-28 An ordinance providing for the incurring of debt and issuance of Twenty Nine Million Five Hundred Thousand Dollars (\$29,500,000) of General Obligation Bonds, Series 2009, of the Parish of St. John the Baptist, State of Louisiana; prescribing the form, terms and conditions of said Bonds; designating the date, denomination and place of payment of said Bonds; providing for the payment thereof in principal and interest; authorizing the agreement with the Paying Agent; and providing for other matters in connection therewith. (B. Hubbard)

09-29 An ordinance granting approval to further extend the conditional approval of Belle Terre Commercial Subdivision, Phase 2, Parcel B, Lots 23-49 and Parcel C, Lots 10-44, Phase 3, Parcel D, Lots 1-39, Parcel DS-2 and Parcel E, Lots 1-42, and Parcel DS-3 situated in Sections 69 & 70, T-11-S, R-7-E, LaPlace, St. John the Baptist Parish, Louisiana till May of 2011. (B. Hubbard)

COMMITTEE REPORTS:

Councilman Lee stated, "*At 6:15 this evening the finance committee met to conduct the finance business for the parish. At this time I would ask for a motion of full council to endorse the actions taken by the finance committee. In discussion there is one item that will require a resolution by full council and that would be something that I ask that we take up as new business later on in the meeting.*"

MOTION: Councilwoman Millet moved and Councilwoman Usry seconded the motion to accept the recommendation of the finance committee. The committee approved to accept administrations recommendation and award the contract to Civil Construction, LLC in the amount of \$730,963.00

(400,000 gallon Potable Water Ground Storage Tank) approved to grant administration authorization to execute a cooperative endeavor agreement with the Port of South Louisiana providing for the financing, construction and renovations of the Reserve Airport, approved to grant administration authorization to advertise for health, dental and life insurance proposals, and approved totake the five (5) proposals for Administrative Consulting Services be taken under advisement. The motion passed unanimously.

DEPARTMENT/ENGINEER REPORTS:

Dale Wolfe - Personnel Matters

There were no personnel matters at this time.

Dale Wolfe - (Carry Over 04-14-09) Discussion Code Enforcement Officers

Councilman Wolfe stated, *"I spoke to Mr. Hubbard and he advised me to get with Mr. McTopy. So just put it on the agenda for the next meeting. We will resolve it one way or the other."*

Ronnie Smith/Henry DiFranco - Update on Woodland Drive Bridge

Councilman Smith stated, *"Please be advised that this is also coming from Councilwoman Millet and Councilwoman Usry."*

Henry DiFranco, Principal Engineering, stated, *"The design was completed a few weeks ago. The plans were reviewed by the parish and are currently out for public bid. The bids will be opened on Monday, July 6th. We expect at the bid opening to do whatever is in our power to expedite the contract. The contractor will still have to obtain his bonds. We will have to get him under contract. We expect that to take roughly fourteen (14) days with another week or so to mobilize and start construction. So with all that figured the construction should start around the end of July or the first of August."*

Councilman Smith stated, *"Thank you Mr. DiFranco. I just wanted to give an update to the residents of that area that are slowing down to a creep when they get to that bridge and wondering why. I just wanted to let them know how much longer we will have to put up with that little nuisance. I appreciate it."*

OLD BUSINESS:

Pat McTopy - Resolution R09-11 - (Tabled 6-9-09) A Resolution authorizing an agreement for services by and between St. John the Baptist Parish and Choice Title, Inc. for the establishment and implementation of policies and procedures to sell adjudicated properties

MOTION: Councilwoman Hotard moved and Councilman Millet seconded the motion to remove Resolution R09-11 from the table. The motion passed unanimously.

Pat McTopy stated, *"This would allow the parish president to execute a contract with Choice Title, Inc. whereby the parish would begin the*

process of purging the adjudicated properties off of the roles and putting the properties back into commerce something that we have never been able to do in St. John Parish in the past. I think one of the concerns of the council was their involvement and participation and I would point out that the agreement requires council approval before any of the properties are even offered for sale and council approval of an ordinance authorizing the sale. So, at least two (2) ordinances would be required for each property."

Councilman Wolfe asked, "How much will this contract cost the parish?"

Pat McTopy stated, "Mr. Wolfe there is not a finite number that I can point to. By example, we awarded the contract tonight for the water tank. That is a finite number. We know exactly what it is going to cost assuming there are no unforeseen changes. This contract it depends on how many properties that are marketed. If it is determined that 90% of the properties are in the wetlands or in what we call paper subdivisions and we are not going to deal with them then we would have no expenses. On the other hand those that we deem to have value or those that we deem are marketable there is a set schedule. There is an hourly rate for their services and there is a flat rate for other services. If you like I can go over some of those numbers that are in the book."

Councilman Wolfe stated, "It is sort of hard to vote on something that you aren't sure how much it is going to cost the parish. It is just a question of how we are going to go about doing this. I would much prefer having two (2) companies doing it instead of one (1). Now if we can tonight vote on half of this contract, I can understand that but I want to be sure that we are doing everything that is within the law and that we are being fair to the people that are purchasing these properties. I can foresee some folks getting together and purchasing properties. Most of those properties will be in the black community. We have lost a lot of property over the years because of not paying the taxes or not knowing that those taxes were due. I want to make sure and make certain that we are being fair to the black community. I want to make sure that we minimize folks getting together and buying all the properties up and coming back and selling them at triple the cost of what they bought it for. I really need to have another company along with this company."

Councilman Lewis stated, "According to what Mr. McTopy is saying we are going to have a copy of every part of the property that is in your district and you will be able to look over it to see what is what. I definitely want to look over the properties in my district to make sure that everybody that has land is contacted. Like Dale said a lot of people lost their land through taxes. Even some of the deals where we go and cut grass at and send them a bill and they don't pay it some of that is probably property like that. I want to make sure those people don't lose their property."

Councilman Julien stated, "I share some of the same concerns Mr. Wolfe does but I would like possibly included in the contract that the people whose property may be adjudicated are the first people who will be able to redeem their property or given an opportunity to pay the back taxes. We don't want to create a situation where a person's property is being taken. I saw a guy in the newspaper and it was appalling. He may have

owed \$1,300.00 of back taxes and now we are taking his house. We are not in the business of running a real estate company. One of the issues that I have in my district is blighted property. We need to find a way to deal with the blighted property. I think that is one of the issues that could be handled here. I think that is one of the largest number of complaints that I get in my district. I need to find a way to deal with that. Another thing we need to do is make sure that we advertise properly so that people who may not have had a succession and have people out of state that think someone else is paying the taxes and they are not being paid and now all of a sudden we are taking their property. I think that we want to create a situation where we are not selling the property for profit. What we don't want to do is get into a situation where people's property after a while, are being taken. I think that the best government is the government that governs least according to Thomas Jefferson. So what we want to do is we want to take ourselves out of that. I don't think we really want to go into the real estate business but I do want the blighted property in my district dealt with. I just have some things that I think would be good and I ask my fellow council members to join me in asking for these things as safeguards for the tax payers as they will be the ones footing the bill."

Councilman Smith stated, "I agree with everything that everyone has said except right now what we are doing is simply hiring someone to write a guideline. The guideline that that company is writing doesn't go into affect until we say it does. So whoever we hire be it Choice Title or whoever we hire we have the right to go to that company and tell them some of the steps that we would like to have put into the way the process is handled. Everything that you just said Mr. Julien, I agree with 100%. Those things need to be brought to whoever we hire and we need to advise them that hey we would like to see this in, could you put this in so that this can happen? We are not sitting here about to hire somebody that is going to take someone's property tomorrow. What we are doing is simply hiring a company right now to get this process started and I think that is the first step in this whole business. If we don't take this first step then we can't go anywhere with the blighted property or with any other property that we have to move. So whether it be Choice Title or whoever we deem that we want to do the contract I just think we need to move forward and get somebody to start the process."

Councilman Wolfe stated, "Ronnie I am just sick and tired every meeting sitting here giving folk's contracts. I think we have a minority set aside. We need to stick to that and give some of our minorities some contracts. Every time we sit here we are giving somebody a contract. I don't have any problem with that. I want my share too and right now I want my share. I would like to make a substitute motion to give half to Choice Title and the other half to a minority contract."

Councilman Lewis stated, "Second."

Councilman Smith asked, "Mr. Wolfe do you have a certain minority company in mind?"

Councilman Wolfe stated, "No. I am coming up with the minority company at the next meeting if this motion is successful."

Councilman Smith stated, "Okay I have a motion on the floor oh excuse me a substitute motion on the floor to give half of the contract to Choice Title and half to an unspecified minority company at this time. I am sorry it is just a motion, not a substitute motion."

MOTION: Councilman Wolfe moved and Councilman Lewis seconded the motion to give half of the contract to Choice Title and half to an unspecified minority company at this time.

Councilman Lee stated, "I was going to yield to the administration to give their explanation because they are the ones who made the presentation but now we have a motion so it is our opportunity to speak. I reiterate my position of two (2) weeks ago and that is that my soul purpose of supporting this is to give us the opportunity to do just what Mr. Julien said and that is clean up the parish and clean up the blighted property. I gave the council a couple of examples two (2) weeks ago of how over the years we looked for ways to tear down crack houses and old buildings that were dangerous to our children and so on. It cost us literally thousands of dollars to accomplish this because we didn't have the know how to do it. I commended the administration two (2) weeks ago. I am going to commend them again tonight and also the expertise of Choice Title to come together and make it possible for us to clean up the parish that is my sole intent behind this. It is not to take anybody's property. I assure you the checks and balances are there to prevent that from happening but at some point and time we have got to have the tools to be able to do what we want to do for our parish. After twenty (20) years of sitting on this council or close to, someone came up with an idea. I applaud Hubbard for that and Choice Title and McTopy and whoever else was involved because they have a process here that I believe works. I strongly support it and I ask this council to support the administration and hold them responsible for doing this and let us be the checks and balances to protect our constituency to make sure their properties aren't taken but also to protect the integrity of the surrounding properties and I go back to those crack houses I was talking about or the house that has been sitting next door to the neighbors for four (4) years and we can't get banks to honor whose property it is and we can't do anything with them. This is where I am coming from and from what I have read and the discussions I have had with the administration and others this is their purpose. I think it is an excellent opportunity. I am going to support the administration's proposal and that is to incorporate the contract with Choice Title to do just that."

Councilwoman Millet stated, "I just want to make sure I have this understanding correctly. This is a situation where we are allowing them to create the steps and the process in order to bring it to us to approve it. This is actually not doing anything other than we are not selling or taking anything right now we are just giving a proposal to have this taken care of. Is that correct?"

Pat McTopy stated, "Yes."

Councilman Julien stated, "Well I think that we all realize that this is something that we need to deal with as Mr. Wolfe has come with an alternate motion. I am with a different idea - it is basically saying the same thing that we are going to get rid of the blighted houses. We want to do the same thing. The only thing Mr. Wolfe is basically asking

at this point is that we give a portion of the contract to Choice and a portion of the contract to a minority business. I think that we just have to look at a parish that is 50% black and we have to say we want to operate in good faith and our fellow council members I'll go 110% with Mr. Wolfe that we need this contract. As Mr. Wolfe has come with another idea of how to do the same thing, parting the work, giving another person another contract then I think that we have to look at that. I think that we have to ask ourselves are we doing the right thing? Are we trying to be fair with everyone? In saying that, I yield to Mrs. Usry."

Councilwoman Usry asked, "If we are developing the procedures how will two (2) companies come up with the same procedure?"

Councilman Wolfe stated, "It is very simple. We on record have gone with two (2) companies or more and worked in cooperation together. We just hired a firm to do the proposals. We have a person on staff doing proposals. So how can a person on staff, to answer your question and for you to think about it, how can a person on staff, write proposals for this parish and work with another company doing the same thing? I don't understand what you are saying."

Councilwoman Usry asked, "Are you talking about grants?"

Councilman Wolfe stated, "That is exactly right."

Councilwoman Usry stated, "Well I can understand that."

Councilman Wolfe asked, "You can't understand this though?"

Councilwoman Usry stated, "No because we are only developing a procedure."

Councilman Wolfe stated, "Yeah right. The procedure that we are developing we have agencies within the parish that can come up with procedures. We don't need this company to come up with procedures. We have Planning and Zoning. We have Code Enforcement. They can come up with the same procedures. You see ya'll go out in left field and become darkened with your thoughts and you want to put it the way you want to put it."

Councilwoman Usry stated, "No sir. I can't understand..."

Councilman Wolfe stated, "As if Choice Title is the only qualified company that can do this. I say that we have minority companies that can do the same thing."

Councilwoman Usry stated, "I am not saying that they can't. I just want to know how will we come up with one (1) procedure? Will the two (2) companies get together and write a procedure?"

Councilman Wolfe stated, "That is exactly right."

Councilwoman Usry stated, "Okay."

Councilman Julien stated, "I think that is a good idea. I think we have to find a way to negotiate and show good faith to the tax payers so

people won't feel disgruntled. They won't feel like it is a favor or something. I just think that these council members have to think on that."

Councilwoman Usry stated, "I thought they were going to make suggestions to us and then we would be the final say with the procedures?"

Councilman Julien stated, "We will be the final say. I understand where Mr. Wolfe is going too. So I understand both sides."

Councilman Smith asked, "Mr. Wolfe would you yield to the administration to give us their point of view on this? Or would you prefer to speak first?"

Councilman Wolfe stated, "Not yet. Someone mentioned cleaning up the parish. As if they care. The parish in terms of abandoned houses and properties they are in District I, District II, District III and part of District IV. It has nothing to do with some of the representatives that are here. I have yet to hear them, before now, talking about cleaning up the parish okay. Secondly this is not the first time this topic has come up. It came up before under Nickie Monica. I didn't hear them preaching then. They didn't say a word. Now it is a great idea and it is things that we waited on to do. Nickie Monica, it came up under him. He didn't act on it. This council didn't act on it. So ain't nobody sitting up here don't know what is going on. I am asking that this council and administration include minorities into some of these contracts. I am not going to sit here and let you all do what you want to do hire your friends. My friends go left undone. That is not going to happen. I am going to expose the wrong that is going on and I am going to expose the wrong that is going on. Now if you all want to do what you all want to do and take care of your friends good, you will pay the penalty. I dare say, you will pay the penalty. We pay taxes. You can find all kind of excuses and ask all kind of crazy questions that you have done before to justify your wants and your needs to help your friends. I have friends too. This mouth won't close forever."

Councilman Smith asked, "Is that it Mr. Wolfe?"

Councilman Wolfe stated, "Yes."

Bill Hubbard, Parish President, stated, "I can't compete with that, that's for sure. Just as a point of interest to the council and I do hear what all the council members are saying. I do always take your points of view into consideration. I had a great meeting with Whitney Joseph, the tax assessor, in the last week. He gave me some good information that we should look into when we come up with these policies and procedures. I think it is important that we include him since we are dealing with adjudicated properties that have gone through the tax role system. I just wanted to let the council know that we had had that meeting and discussion with Whitney and I agreed to include him in on any discussions. Of course Mr. Julien you came up with some good points just the other day when we were talking in my office. Absolutely the owners of those properties should be contacted. I think that needs to be in the policy. As far as what you have to vote on right now, I don't even know what you are voting on right now, just splitting the contract between two (2) unspecified and Choice Title for

the policies and procedures? It is the council's pleasure. I mean usually on construction and engineering contracts we do that kind of thing. This contract is a little different to where we are just coming up with policies so maybe two (2) companies can come together and come up with some procedures and policies if Mr. Wolfe would forward that company name to us we will be glad to talk to them as well."

Councilman Wolfe stated, *"If this motion passes I surely will."*

Councilman Lewis stated, *"I don't think we are going to have any problem dividing that contract. I am going to tell you why because every parish that does it has their own policy that has to be within law so I don't see where the problem is going to be at."*

Councilman Lee stated, *"In show of good faith, again I have heard some things here tonight that I absolutely cannot believe but never the less I stand by my comments made earlier. What my intentions are what they are all about so if this is what the council feels then I have no problem or if some members feel that way I have no problem making a substitute motion that we do just that and divide it up but I don't want to wait on this for another fifteen (15) years. I've got a proposal out there. Somebody is ready to do it. I assure you there are properties in Division B and I have discussed these issues with my partners and if we want to split it that is fine. I make a motion that we accept, a substitute motion, that we accept administration's recommendation and employ Choice Title to set procedures forth for properties in Division B."*

Councilman Wolfe stated, *"I will second that."*

Councilman Lee stated, *"You got it."*

Councilman Wolfe asked, *"In Division B? Second."*

Councilman Lee stated, *"Yes absolutely. In discussion, if ya'll don't want it cleaned up in your division you don't have to have it. I want Division B cleaned up. If ya'll don't care that is fine."*

Councilman Wolfe stated, *"Don't say that."*

Councilman Lee stated, *"I can say what I want. I listened to you Mr. Wolfe. It is my turn alright. So that is how strongly I feel about this. I am not going to be chastised for having good intentions in trying to help my fellow council members and my fellow people and partners in Division B. So I have got a substitute motion."*

Councilman Wolfe stated, *"I seconded it. He is going to take care of Division B. We are going to take care of Division A."*

Councilman Smith stated, *"Okay I have a substitute motion on the floor now by Mr. Lee and a second by Mr. Wolfe."*

Councilman Wolfe stated, *"Read that motion please."*

Councilman Smith stated, *"The substitute motion made by Mr. Lee states that they are going to hire Choice Title for Division B and whatever company you come up with Mr. Wolfe will be hired for Division A."*

Councilman Lee stated, "That is not my motion."

Councilman Smith asked, "So you are saying we are only going to take care of half of the parish right now?"

Councilman Julien asked, "Is that what we are saying?"

Councilman Smith stated, "Then I am not voting for that."

Councilman Julien asked, "Are we going to divide the parish?"

Bill Hubbard stated, "This is something that has been going on for probably twenty (20) or thirty (30) years. Like Mr. Wolfe said, Nickie might have brought it up but guess what it didn't go any where. I don't know if Arnold Labat or Lester Millet or the past parish presidents brought it up or what the past councils have done. This is the first step. Hey if we want to divide this contract up. Let's divide it up. Let's get this thing moving. We do have blighted properties. I don't know where all the properties are at but I do know that we have four (4) code enforcement officers that work everyday they are out there. We have torn down so many houses, dragged away so many cars. We are on top of it. This is just one of the things that we can do to clean up our parish. We all want a clean parish. This is part of the step. Let's get this thing moving. You want to divide it up eight (8) ways? Let's roll eight (8) ways."

Councilman Wolfe stated, "Just two (2)."

Councilman Smith stated, "This is getting utterly out of control and it is unnecessary. All we are trying to do right here is hire somebody to write some procedures. We have one company up. Mr. Wolfe has another company that he is going to specify at the next meeting. I am telling you what I feel that we should do. We should hire Choice Title and the unspecified company who Mr. Wolfe is going to bring up at the next meeting, give us the name at the next meeting, hire these two (2) people, let them get together and work as a team. Guess what? Choice Title might not have all the answers. A minority company might not have all the answers. If they get together they could probably come up with the best procedures. So my recommendation is that we hire that company Choice Title and the company that Mr. Wolfe wants to bring in. Hire those two (2) companies together. Let them work together and come up with procedures that we can adopt and make adjustments to so that we can move on with this."

Councilman Lee stated, "Mr. Chairman with that in mind I withdraw my substitute motion."

Councilman Smith stated, "His motion is withdrawn Mr. Wolfe. Your motion is still on the table."

Councilwoman Usry stated, "I call for a question."

Councilman Smith stated, "There has been a call for a question, all debate or comment has to stop. I need you to use your lights. We are voting on the question to stop discussion and vote."

The question passed 8 yeas and 1 abstaining (Cheryl Millet).

Councilman Smith stated, "Now we are going to go with Mr. Wolfe's original motion of hiring Choice Title and another company to be named at the next council meeting to work together and come up with procedures for us."

Councilman Lee stated, "Have madam secretary read it please."

Jackie Landeche, Council Secretary, stated, "Councilman Wolfe moved and Councilman Lewis seconded the motion to use Choice Title for half of the contract and a minority company for half of the contract, whichever company he (Wolfe) brings to us within the next three (3) weeks. So it would be half of the resolution the contract would go to Choice Title and half of it to go to a minority company. Is that correct Mr. Wolfe?"

Councilman Wolfe stated, "Yes it is."

MOTION: Councilman Wolfe moved and Councilman Lewis seconded the motion to grant half of the contract for the establishment and implementation of policies and procedures to sell adjudicated properties to Choice Title, Inc. and half to a minority company that Mr. Wolfe will name at the next Council meeting, that being July 14, 2009 in Edgard. The motion passed with 7 yeas, 1 abstaining (Cheryl Millet) and 1 against (Lee).

*** Please note at the July 14th, 2009 Council Meeting Councilwoman Usry and Councilwoman Hotard changed their yea vote to a nay vote. The motion still carries with 5 yeas, 3 nays (Lee, Hotard, Usry), and 1 abstaining (Cheryl Millet).**

NEW BUSINESS:

Bill Hubbard/Paul Oncale - Resolution R09-12 - A resolution for the St. John the Baptist Airport Airfield lighting and nav aids improvements

Paul Oncale, Director of Public Safety, stated, "There is a project on the book for St. John the Baptist Airport for airfield lighting and navigational aid improvements. The grant funds have been made available by the FAA in the amount of about \$644,000.00. One of the requirements in order to receive the money is the governing authority of this parish has to adopt a resolution giving the parish president the authority to sign all agreements for this project. Therefore administration recommends that this council adopt Resolution R09-12."

MOTION: Councilman Millet moved and Councilman Julien seconded the motion to approve Resolution R09-12 - A resolution for the St. John the Baptist Airport Airfield lighting and nav aids improvements. **WHEREAS**, the St. John the Baptist Parish Council owns, operates and maintains the St. John the Baptist Parish Airport, and; **WHEREAS**, the Airfield Lighting system has deteriorated from years of service and is problematic for maintenance, and; **WHEREAS**, the Parish has submitted an application to the Federal Aviation Administration (FAA) to provide Airport Improvement Program (AIP) grant funding for AIRFIELD LIGHTING AND NAV AID IMPROVEMENTS, and; **WHEREAS**, the proposed project cost of \$643,983.00 shall be funded by 95% Federal and 5% LA DOTD State grant

funds under the Airport Improvement Program, **NOW THEREFORE BE IT RESOLVED**, by the St. John the Baptist Parish Council, that the grant offer be accepted and that the Parish President, shall have the authority to sign all Federal and State grant agreements required for this project as approved by the FAA and the LA DOTD. The motion passed unanimously.

Hugh Martin/Julia Remonet - Resolution R09-13 - A resolution authorizing the Parish President and the Council Secretary of the Parish of St. John the Baptist, State of Louisiana, to execute a preliminary agreement with Duck Ice, Inc. granting its preliminary approval with respect to the financing of certain facilities; and providing for other matters in connection with the foregoing.

Bill Hubbard stated, "This is something that I am recommending that the council approve. Last year during the hurricanes I had the opportunity to work with Mr. Duck and his ice factory over there. I know that he has a specialized business on the West Bank of St. John. This is something that we can do to help spur some growth for his business to start off with and then we have negotiated with Mr. Duck and we are ongoing in negotiations to help him get FEMA certified. He is the only ice house in the tri-parish area. It is a great project for St. John the Baptist. This would help him hire ten (10) new employees. I am recommending that the council approve this. I am excited about it. This is the first economic development project that I have been able to bring up to the council for the West Bank. Mr. Hugh Martin can fill you in with all the financial details. I think we should roll with this. It is good for Mr. Duck. It is good for the parish."

Hugh Martin, Legal Counsel, stated, "If you have any questions. This project is one (1) of the few that we can actually use our economic development funds for economic development. There are a lot of restrictions on what we can do under state law but we are going to work this out. This resolution authorizes an agreement between Duck's Ice, Inc. and the parish to have that accomplished."

Councilman Wolfe asked, "Can we have him stand just to let the audience know who he is?"

Mr. Duck stated, "Thank you I appreciate that."

Bill Hubbard stated, "Don't thank them yet they haven't voted on it yet Mr. Duck."

Councilman Lewis stated, "I just want to let you all know that Duck's Ice has been around quite a while. They are not an overnight business. This man has worked hard to get where he is. If you don't think his business is very important when Katrina passed you know what happened to him St. Charles came in and took the truck and everything. That is how important his business is. We had to wait to be the last ones. While during this last storm it was a little bit better over here and he was able to operate. You won't be sorry that you helped this fellow with his business."

Councilman Julien stated, "I want to commend Mrs. Julia Remonet and administration for making this happen. Mr. Duck has been around since 1969. As you all can see we are always fighting over contracts, so I

think that this is a great thing. I want to commend the administration and Mrs. Remondet."

Councilman Wolfe stated, *"It's a pleasure Duck."*

MOTION: Councilman Lewis moved and Councilman Wolfe seconded the motion to approve Resolution R09-13 - A resolution authorizing the Parish President and the Council Secretary of the Parish of St. John the Baptist, State of Louisiana, to execute a preliminary agreement with Duck Ice, Inc. granting its preliminary approval with respect to the financing of certain facilities; and providing for other matters in connection with the foregoing. WHEREAS, it is the desire of the Parish of St. John the Baptist, State of Louisiana (the "Issuer" or the "Parish"), to encourage the location of and addition to industrial enterprises within the Parish under the authority of Sections 991 to 1001, inclusive, and Section 1430 of Title 39 of the Louisiana Revised Statutes of 1950, as amended (the "Act"), and other constitutional and statutory authority supplemental thereto; and WHEREAS, Duck Ice, Inc. (the "Company"), proposes to finance the acquisition, construction and installation of an industrial facility consisting of additions and improvements to an ice manufacturing and bagging plant, constituting nonresidential real property to be located in the geographical limits of the Parish (the "Project"), as described in Exhibit A attached to the Preliminary Agreement attached hereto, and has requested that the Parish utilize the aforesaid authority and grant preliminary approval with respect to the financing of the Project through the issuance of its revenue bonds (the "Bonds") in the manner hereinafter provided; and WHEREAS, this Parish Council has concluded that the acquisition, construction and installation of the Project will benefit the welfare and economy of the Parish and that it is in the public interest to encourage the construction of the Project; and WHEREAS, following issuance of the Bonds, the Company intends to use proceeds of the Bonds to fund additional costs of acquisition, construction and installation of the Project and to fund a portion of the costs of issuance of the Bonds; and WHEREAS, this resolution is intended to be an official action of the Parish and a declaration of intent to reimburse in accordance with the provisions of Treasury Regulations, Section 1.150-2; and WHEREAS, it is now the desire of this Parish Council to authorize the Parish President and the Council Secretary to execute an appropriate agreement evidencing the understanding of this Parish Council with respect to granting its preliminary approval of the financing of the Project through the issuance of the Bonds hereinafter described. The motion passed unanimously.

Councilman Smith stated, *"We have another Resolution that Mr. Lee spoke about earlier. It is Resolution R09-14 - A Resolution granting the Parish President authorization to execute a cooperative endeavor agreement with the Port of South Louisiana providing for the financing, construction and renovations of the Reserve Airport. I am opening that up to the public for comment."*

MOTION: Councilman Lee moved and Councilman Millet seconded the motion to approve Resolution R09-14 - A Resolution granting the Parish President authorization to execute a cooperative endeavor agreement with the Port of South Louisiana providing for the financing, construction and renovations of the Reserve Airport. **WHEREAS**, the Constitution of the State of Louisiana and the Local Services Law of

the State of Louisiana provide for local governmental subdivisions and political subdivisions to engage in cooperative endeavors for public purposes with any public or private association, corporation or individual; and **WHEREAS**, the Parish presently owns the St. John the Baptist Airport (the "Airport"), located in Reserve, Louisiana; and **WHEREAS**, pursuant to Chapter 30 of Title 34 of the Louisiana Revised Statutes of 1950, as amended, the Port is authorized to acquire and operate airports within its territorial jurisdiction, which territorial jurisdiction includes the Parish, and pursuant to Section 2:609.1 of the Louisiana Revised Statutes of 1950, as amended, the governing authority of the Parish is entitled to transfer its operational interest in the Airport to the Port; and **WHEREAS**, House Bill 1287 (the "House Bill") of the 2008 Regular Session of the Louisiana Legislature, which was adopted in accordance with Article VII, Section 10, of the Constitution of the State of Louisiana, is the appropriation for the expenditure of State funds, and said House Bill contains a line item appropriation for the benefit of the Port in the amount of Five Hundred Thousand and no/100 dollars (\$500,000.00) for use in designing and paying approximately 10% of the costs of completing the expansion of the runway at the Airport (the "Runway Project"); and **WHEREAS**, the Department of the Treasury, State of Louisiana is responsible for monitoring the expenditure of funds under the House Bill, and the Port has entered into a Line Item Appropriations Cooperative Endeavor Agreement with the Department and executed by the Port on June 24, 2008 (the "Line Item Appropriations CEA"), relating to the appropriation made to the Port under the House Bill; and **WHEREAS**, the Port lacks the legal authority to spend funds to complete the Runway Project at the Airport unless it obtains operational rights to or an ownership interest in the Airport; and **WHEREAS**, the Port is obligated under the Line Item Appropriations CEA to enter into a cooperative endeavor agreement with the Parish to acquire facilities located at the Airport and take other actions necessary to complete the Runway Project; and **WHEREAS**, the Parish and the Port desire to undertake other capital improvements at the Airport (such additional capital improvements together with the Runway Project being referred to herein as the "Projects"); and **WHEREAS**, the Port expects that the funds necessary to complete the Projects will come from federal or other grants or loans that are available to the Port or the Parish or from other sources (such additional funding together with the funding available through the Line Item Appropriations CEA being referred to herein as the "Funding"); and **WHEREAS**, the Port and the Parish both agree that the completion of the Projects will enhance economic and other development opportunities in the Parish and the areas served by the Port by creating a full intermodal service port necessary to recruit new industry in South Louisiana, thereby serving the public purpose; and **WHEREAS**, to accomplish the Projects and obtain other benefits, the Port now desires to become the exclusive operator of the Airport, and the Parish desires to have the Port become the exclusive operator of the Airport; and **WHEREAS**, the governing authorities of both the Port and the Parish, acting pursuant to the relative official actions set forth above, have approved the execution of this CEA and accepted its benefits and agreed to its obligations. **NOW THEREFORE BE IT RESOLVED**, that the St. John the Baptist Parish Council, hereby authorize Parish President, Bill Hubbard, to sign the cooperative endeavor agreement with the Port of South Louisiana providing for the financing, construction and renovations of the Reserve Airport. The motion passed unanimously.

CORRESPONDENCE/COUNCIL BRIEFS

Dale Wolfe - Discuss email received from constituents

Councilman Wolfe stated, "I take no pleasure in reading this email. First of all I would like to say that this email was given to me from a constituent who asked me to look into it. I have. We have met on the email. We are going to try and resolve this. To the white community, to the black community we should be about love and loving each other. When I read this email and make my statement it doesn't mean that all white folks are bad or that all black folks are bad. I was elected by whites and blacks. So I don't have any hang-ups about people other than when you have a small minority of people coming together and writing an email such as this. This is sad. It is pitiful. I would say that these three (3) men should pay the price. We had one of the participants, he is in business. I would like to commend the administration for canceling all the business that we do with this gentleman and his business because of this email. I guess you would have to be in my shoes or our shoes to really feel what we feel in terms of this email. It is an insult. It tries to separate the white community and the black community. When someone reads and writes something such as this and sends it to their so called friends or associates and laughs about it, it is no laughing matter. I just think that this should make us come together even closer. If not we are going to catch hell in St. John the Baptist Parish. I make no bones about how I feel about this. I feel that we shouldn't stop until this business is closed. We shouldn't stop until folks understand that we aren't going to take this sort of message. I am about to read about the love bug. I am borrowing Mr. Haston's glasses to read this, hopefully I can make it. It says 'After an intensive study scientist discovered that love bugs are the niggers of the insect world. The facts to support their findings are listed below. The similarities are astounding. First of all they are black. Secondly they love cars. Third they serve absolutely no purpose. They stick together and we are going to try and do that in this case. We are going to try and stick together. People hate to see them coming. People are forever trying to figure out how to get rid of them. Boy this is sad. They are usually found in large numbers in the south. They aggravate white people. They are constantly screwing and making more of them. The saddest part is no one cares when they die.' Someone said that one of the gentlemen that is on this list didn't do it. I got a call from one of the gentlemen on this list saying Dale you know me, you know me better than that. I told him I know of him. I don't really know him. I also said that if this isn't correct then show me and prove to me that you weren't involved in this. I haven't heard from him yet but some folks in support of him say he didn't do it and www is world wide. You could go to barefoot Africa and write an email to Reserve, Louisiana so that doesn't tell me that he wasn't involved in it. Mr. Chairman, I think they have a young lady, usually when we put something on the agenda and someone from the audience wants to speak we give them three (3) minutes to make their presentation. So I will yield at this time to this young lady."

O.J. Breech stated, "I am the spokesperson for a group called The Concerned Citizens Coalition. They asked me to come tonight and speak on their behalf in reference to this email that was put out. I am just going to read this statement. People who have had the chance to view

this email should be appalled. This email was sent out by the Fire Chief of LaPlace and he is also a very profitable business owner...

Bill Hubbard stated, "That is not right. No if we are going to let this lady talk than I want the facts and only the facts. She has made a mistake already and this could harm somebody in the community."

Councilman Smith stated, "I am going to turn to our attorney."

O.J. Breech asked, "Could he state to me what the fact was that I said that was incorrect?"

Jeff Perilloux, Legal Counsel, stated, "She is entitled to say her opinion if you all allow her to do so. She cannot talk about specific individuals at this point in time."

Councilman Smith asked, "Mr. Perilloux is that we as a council, as a parish or is that we as a public. I want to clarify that."

Jeff Perilloux stated, "My advice to the council is very simple. I think she is entitled to say her opinion as I have already mentioned. I would be very careful about stating things that are reported to be facts when in fact they may not be accurate."

Councilman Smith stated, "Thank you Mr. Perilloux."

O.J. Breech stated, "Before I go on I would like to get some clarification if that is possible. I know that I was told that you cannot mention names but names of the business or titles we are allowed to mention. Is that correct?"

Jeff Perilloux stated, "You can say whatever you want on camera but whatever you say if it is not accurate then you run the risk of potential defamatory suits. So I would be very careful about what you say unless you know that you have the facts. That is all I can tell you. If the council, at their pleasure, want to let you speak that is fine."

O.J. Breech asked, "Can I ask one more question? Was this person fire chief or president? That is very new to me. I have not known many places where there is a difference but I know there was either fire chief or president. I tell you what I will say high ranking official in the LaPlace Fire Department. Would that be accurate? Would that be accurate Mr. Perilloux?"

Jeff Perilloux stated, "Again I am not going to..."

Councilman Wolfe stated, "That is very accurate."

O.J. Breech stated, "Okay high ranking official at the LaPlace Fire Department and also a very profitable business owner of a business called Allied Express. A majority of Allied Express's customers are African American. I will state for the record also where I am getting my facts is I am holding the forwarded message with it saying from and the persons name who I am not allowed to mention. I do have a copy of the actual facts which is considered a legal document and it does show who it was forwarded from, the many persons it was forwarded from and

to whom the recipients are. So I am basing it upon that information. I will continue to say that with a majority of Allied Express's customers being African American yet this is what he thinks about a large segment of the people who have made his business a profitable one as well as who may or may not pay his salary. It is enormously disturbing. It is offensive and it is hurtful to know that this high ranking official in the fire department whose job is to protect and serve all of the people in this district share these types of views of black people. How can black people feel confident in how well they will be served if their addresses popped up on this high ranking official's radar at the fire department? I seriously doubt that he would be in any kind of a rush to save the day for any of us. We shudder just thinking about his obviously shared views from reason number three (3) which I will repeat is they serve absolutely no purpose. Also reason number six (6) people are forever trying to figure out how to get rid of them and especially number ten (10) that nobody cares when they die. This high ranking official at the fire department business which is Allied Express is a shipping, bill payment and ticket master center. He also has a notary service there. Most of his customers using this service are African American. Surely our government could not approve of such a scoundrel representing himself as a reputable person worthy of performing public service. Just as disturbing are some of the forwarded names that this official thought would be interested in this type of despicable racist email. Do they share these horrendous racist views because they too are beneficiaries of black patrons. The recipients of this high ranking official of the fire department felt comfortable enough to share these racist views with high ranking bank officials, notaries, loan officers, insurance agents and possibly some relatives of other parish officials. It is important to know with whom we spend our money. We are sick and tired of financing the perpetuation of racism. It is time for us to be more discriminating about with whom we do business and with whom we entrust our lives and our money. This high ranking official has made it perfectly clear that our money helps to keep people with those kinds of attitudes and positions to feel safe and financially comfortable enough to disrespect us by expressing and spreading these racist beliefs. This council must send its own message to this high ranking official and the community that it will not tolerate any kind of behavior like this on the part of any public official. It is not acceptable to let this high ranking official take the easy way out by resigning, keeping the benefits, if there are any, that are paid by the very community that he has no problem insulting and fading away with no public record of his egregious behavior. He must be fired immediately and those who were recipients of this garbage must distance themselves from this high ranking officials message by publicly rebuking him and making it clear that those views are not their views and that they will not tolerate being associated with them in any way. For those that refuse to disassociate themselves with this high ranking official's garbage than decent people of all races must and shall take appropriate actions to express their outrage. Tonight we demand that the council fire the high ranking official and take away any benefits that he might have had because he has violated the public's trust. I have spoken tonight on behalf of the Concerned Citizen's Coalition which is made up of the River Region Multi-cultural Chamber of Commerce, the NAACP of St. John the Baptist Parish, the NAACP of St. James Parish, the West St. John Civic Association, the St. John Action Group and some ministers from the river region area. I thank you for your time."

Councilman Wolfe stated, "I think we have said enough. I would like to thank administration for taking action in terms of accepting that individual's resignation, taking action in terms of not doing business with that individual. I appreciate that Bill. I want to thank everybody for coming out here tonight to participate."

Councilman Julien stated, "I just think that when we see these issues concerning contracts or whatever that race is a sensitive issue, whatever we are doing in St. John that is a sensitive issue. We have social issues tied to all the decisions that we make. So from a social stand point we have to realize that when we make some of these decisions we have to be careful about what we say and what we do. From a cultural stand point, what we have to do is to prepare ourselves to look at things from a different perspective. If you are insulted as a black person ask yourself why? If you are insulted as a white person ask yourself why? When we look at all these different things again it boils back to social and cultural issues. So what we have to do is if we are more tolerant of each other than we will be able to make better decisions. Thank you."

Councilman Lewis stated, "The thing that hurt me about the entire thing is I would like to know what really brought this on because I didn't think we had problems in this parish that would bring something like that on. I hope it is the beginning and the end."

Councilman Millet stated, "As a council member, I don't believe any of us believe that email and I would like to go on record saying this."

Councilman Julien stated, "I probably wouldn't have said anything but my fellow council members and I get along well. I mean if you see the facts in front of you what we are not going to be is in denial. We like people and sometimes the people that we like make mistakes. When they make mistakes what we cannot do as a community is justify or make up excuses like I don't believe. If you didn't do it your name wouldn't be there. If you didn't do it your name would not be on the world wide web."

Councilman Smith stated, "I would just like to wish everybody a Happy 4th of July. It is independence week and it is very appalling that something like this would come up at this time of year but it is what it is."

Councilwoman Millet stated, "I just want to remind everyone about the 4th of July celebration that the parish has planned for the Veteran's luncheon on July 3rd as well as the fireworks display at St. Peter's Church."

Councilman Wolfe asked, "Are we allowed to burn? I mean are we allowed to shoot fireworks? I know they have a burn policy statewide."

Paul Oncale stated, "The fireworks have not been banned."

Councilman Smith stated, "Also be advised that there is a fireworks display on the West Bank also right by the court house."

PRESIDENT'S REMARKS

Bill Hubbard stated, "I am speechless."

There was no executive session.

EXECUTIVE SESSION:

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

Any and all pending legal matters.

ADJOURNMENT:

At 7:35 PM, Councilman Julien moved and Councilman Wolfe seconded the motion to adjourn. The motion passed unanimously.

/s/Ronnie Smith
COUNCIL CHAIR

/s/Jackie Landeche
Council Secretary