

**OFFICIAL PROCEEDINGS**  
**ST. JOHN THE BAPTIST PARISH COUNCIL**  
**TUESDAY, JULY 24<sup>th</sup>, 2012**  
**CHAIR LUCIEN GAUFF**  
**VICE CHAIR JACLYN HOTARD**

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, July 24<sup>th</sup>, 2012, at 6:30 PM.

**CALL TO ORDER:**

**PRESENT AT ROLL CALL:** Lucien Gauff, III, Councilman-at-Large, Div. A, Jaclyn Hotard, Councilwoman-at-Large, Div. B, Lennix Madere, Councilman District III, Marvin Perrilloux, Councilman District IV, Larry Snyder, Councilman District VI, Cheryl Millet, Councilwoman District VII, Michael Wright, Councilman District V, Art Smith, Councilman District I, Ranney J. Wilson, Councilman District II

**ABSENT:** None

Councilman Gauff led the Prayer. Councilman Wright led the Pledge.

Legal Counsel Jeff Perilloux, Tom Daley, Billy O'Regan and Vercell Fiffie were present.

**Randy Vincent - Presentation - Phillip Rebowe, Carr, Riggs & Ingram - Final Audit of 2011 budget**

Phillip Rebowe was present and gave a brief presentation on the final audit of the 2011 budget for the parish.

**Jaclyn Hotard - Presentation - Wayne Wright - Congressman Cedric Richmond's Office**

Wayne Wright, Congressman Cedric Richmond's Office was present and gave a brief presentation on a small business summit & expo that the congressman will be hosting. The event will take place on August 22<sup>nd</sup> and August 23<sup>rd</sup>, 2012 at Delgado's City Park Campus in the Student Life Center, Building 23, New Orleans, LA. This is a free two-day interactive small business summit & expo which will host representatives from federal and local agencies to help answer all questions for business marketing and strategies.

**Consent Agenda**

**Items:** Approval of Minutes July 10<sup>th</sup>, 2012, Regular Meeting; Xavier University appointment of Reginald A. Starks to the Civil Service Board

**MOTION:** Councilman Perrilloux moved and Councilman Smith seconded the motion to approve the consent agenda items consisting of Approval of Minutes July 10<sup>th</sup>, 2012, Regular Meeting; Xavier University appointment of Reginald A. Starks to the Civil Service Board. The motion passed unanimously.

**PUBLIC HEARING ON ORDINANCES:**

**12-32** (Public Hearing Held) An ordinance to adopt the millage rates (N. Robottom)

**MOTION:** Councilman Smith moved and Councilman Madere seconded the motion to accept Ordinance 12-32. The motion passed unanimous.

**12-33** (Public Hearing Held) An ordinance to amend the Code of Ordinances of St. John the Baptist Parish as follows: by adding to Chapter 113, Article V Division 6 - Dirt Pits, Ponds and Borrow Pits (M. Wright)

**MOTION:** Councilman Wright moved and Councilwoman Hotard seconded the motion to accept Ordinance 12-33. The motion passed unanimously.

**INTRODUCTION OF ORDINANCES:**

**12-34** An Ordinance to amend Section 32-26(h) of the St. John the Baptist Parish Code as follows: Garbage Can/Container pick-up (L. Snyder)

**12-35** An Ordinance to re-zone lot TW-1 and Lot TW-2 of a portion of the Louis Sorapuru Tract to show the change in the current zone of Zone C1 & R-1 to Zone R-4, situated in Section 43, T-12-S, R-19-E, Lucy, St. John the Baptist Parish, Louisiana (PZR-12-1018) (N. Robottom)

**12-36** An Ordinance to re-subdivide a portion of the John Esparros Tract into a lot herein designated as Lot A of the John Esparros Tract situated in Section 31 & 32, T-11-S, R-7-E, LaPlace, St. John the Baptist Parish, Louisiana (PZS-12-1041) (N. Robottom)

**COMMITTEE REPORTS:**

Councilwoman Hotard stated, *"At this time I would like to ask that the council accept the recommendation of the finance committee."*

**MOTION:** Councilman Wright moved and Councilman Perrilloux seconded the motion to accept the recommendations of the finance committee. The motion passed unanimously.

**DEPARTMENT/ENGINEER REPORTS:**

**MOTION:** Councilwoman Hotard moved and Councilwoman Millet seconded the motion to suspend the rules and move Mr. Wilson's item to the beginning of department/engineer reports. The motion passed unanimously.

**Ranney Wilson - Fire Department issues and concerns**

Councilman Wilson stated, *"I spoke with Mr. Boucvalt earlier today. My concern was the time clock as we have here for the parish employees to be the same for the fire fighters and also drug testing as are our employees like any other employee. I know we are in a deficit in the*

*budget right now maybe someone can give me an idea of how we are going to get out of that situation."*

*Jobe' Boucvalt stated, "Good questions and administration totally agrees with you. We feel the need to put time clocks in and we are in the process of doing that. We have PMI presently looking at the software and purchasing the time clocks and they will be put at the paid fire stations. Regarding the drug testing we agree with you also and we are going to put the paid firemen into that program for drug testing we are working out the details right now."*

*Councilman Wilson stated, "There was one other issue the maintenance work that those crews are supposed to do on a 24-hour period I understand they are 24 hours but there is at least an 8-hour period that they should be maintaining equipment, maintaining the buildings and the alarms. From what I understand that isn't being done and I would like administration to look into that also."*

*Councilman Snyder asked, "I was just wondering Mr. Wilson, what are the reasons for having the time clock and the drug testing?"*

*Councilman Wilson stated, "Well we have it for all of our employees. I don't see why it should be any different for the paid firemen. They are employees also and I think they should go through the same thing our employees go through."*

*Councilwoman Hotard asked, "I guess some of the calls I received were as a result of the media running the story about the fire department and then I received calls afterwards about fire stations being closed or anything like that. So for me I would just like to clear up some of the rumors that may be out there about our fire services. Are we going to discontinue any services? Are we going to have less services for our residents those were some of the concerns that I received from residents."*

*Jobe' Boucvalt stated, "Let me first start off by saying there are rumors out there and at no time did this administration state that they were going to close any fire stations or reduce jobs. We are in need of our volunteers and our paid firemen. They do a great job like any department we have issues and we are working on them. We don't plan to reduce anything at this time I don't think we ever said that we would but we do have to look at some of our issues and we have been doing that. Both the paid and volunteer fire departments budgets have a lot of money in them we just have to look at how we are going to approach it and come up with a good plan and that's what we are presently doing. I have given out some packets at the request of some Council members who wanted some information and I understand you need time to look at that. We will move slowly with it. I don't think we need to panic. So for the residents that you want me to address at this time we are not closing any fire stations but we're looking at how we are going to address our issues but we do not have to panic because we do have a big fund balance."*

*Councilwoman Hotard asked, "Another question that I had the report as you know was very lengthy, it was like 80 something pages that we just received it so I haven't had an opportunity to go through the entire thing but I did see on the report the inclusion of a district fire*

chief and that had been some of the concerns for a while. I know it was one of the recommendations that came out of the PAC committee. Is the administration moving towards having a district fire chief to oversee both the paid and the volunteer fire departments?"

Jobe' Boucvalt stated, "Yes Mrs. Robottom did ask me to look at that after I was hired here and we have been looking at it closely and the way I feel today is that I think we need a little more time before we hire this person to oversee this program because that person would probably be in the same boat I am in right now. I think we need to have a plan, come up with a good plan and decide what we want to do and once we decide what we want to do and how we are going to do it then I think hiring that person and adding more money into the budget to do that I think would give that person a better chance of succeeding and I just didn't want to hire somebody two or three months ago and set them up for failure. That is just my position. I have talked with Mrs. Robottom about it to some degree. I think in all fairness to her I need to let her think about it a little bit and give me some direction but that is where we stand right now. That is my recommendation."

Councilman Wright stated, "Just to kind of express my concerns on what you just said, I think if we did hire somebody to oversee it all they would have that knowledge and experience to be able to tell us where we need to make cuts or where we need to make adjustments to save the money. I know we do have a lot of money in the budget but still at the end of the day we are losing money and I do want the public to know for the record I was upset with this whole situation. The PAC committee came out with a recommendation two years ago and it took this Council finding out through a news report what was going on with reporters coming around and investigating. So I just want to let administration and the public know my very, very severe dissatisfaction with this. I was very disappointed and I think it could have been handled a lot sooner and I think we need to take action now. So maybe at the next meeting when Mrs. Robottom gets back we can maybe look at a plan to take quicker action rather than putting it off."

Jobe' Boucvalt stated, "Correct I agree with you Councilman Wright. I did try to get to a lot of the Council people. I was getting the calls. I had to deal with it a little bit and then of course Mrs. Robottom and it was unfortunate the way it happened. As a past Councilman I understand what happens in the questions you all get asked on the street and I will do my best to do a better job of getting to you all sooner with concerns that maybe I have. So that way we don't run into these problems anymore but I do understand you."

Councilman Wright stated, "It was just my concern that the fire department was running into a deficit and this Council didn't know until somebody started digging around. That administration failed to notify the Council when they first took office to say look we have had this problem for years we need to take action on it now and that was my biggest concern."

Jobe' Boucvalt stated, "Sure completely understandable sir."

Councilman Wright asked, "So can we maybe get something together for the next meeting because I would really like to start taking action a lot quicker on this than waiting."

Jobe' Boucvalt stated, "Yes sir and for a little more clarification, Mrs. Robottom asked me to put a priority on this a few months back and we have been talking about it and we are moving along at a pretty good pace and I think there is a need to start having some dialogue on it and let you all know what I have been working on and what I have been working on with my fire chiefs. They've been making some good recommendations and things we can do and I think we are at the point where we need to move forward at a little faster pace."

Councilman Wright stated, "Please keep the Council notified with everything that is going on and you have done a good job of that so far but just please let it continue."

Councilman Smith stated, "Mr. Wright basically said the same thing I wanted to say. I just think we need to move a little faster and get some things done. If we are going to continue this at the next meeting we need to have something that we can take action on. If we are going to hire a chief or do this or that we need to act on it now."

Councilman Madere stated, "Once again I was very upset myself as were the people in my district. I received some phone calls from some unknown sources and I am going to keep that quiet and I also was upset to find out that there was a recommendation two years ago by the PAC committee as to what should have been done. Whenever someone presents a plan if you are not going to implement that plan then you should have a plan in place and I think that after two years we should have had something in place if we were not going to use the plan that was recommended. Now that this has all come to a head now we're getting a plan. I think this plan should have been implemented two years ago if you were not going to use the one that was recommended and now I hope the new plan that we are going to try to implement once we do this study doesn't take two years. We need to get it done and get it straight right now and I think this Council is pro-active when we see a problem we want to have it solved and not take two years, three years or four years to get a problem or situation straightened out that is what I was concerned about. I have some other issues to talk about later on similar to that."

Councilman Wilson asked, "Mr. Boucvalt you mentioned speaking with the district chiefs is that paid people or the volunteer chiefs?"

Jobe' Boucvalt stated, "Actually what I said was the fire chiefs and that is a volunteers."

Councilman Perrilloux stated, "Mr. Boucvalt I was upset to because everybody was calling me saying you need to hurry up and get home and watch the news at six o'clock that is what I was told but restructuring the fire department is that in this packet that I received or is there more information than in this packet tonight because I haven't had time to review it. You said you were going to do some restructuring or look at changing some things?"

Jobe' Boucvalt stated, "Oh no we have been working on what kind of plan that we need to propose and just for a little bit of clarification it may be the same thing that the PAC committee recommended. We are not saying we are not following what the PAC committee wants. I have been

researching what the committee said and some recommendations that I'm going to come up with. I think the only thing I stated was that I didn't want to move forward with hiring the superintendent just yet until we made sure that what we were going to present to the Council that this Council was in favor of. I wanted to make sure we gave the yall all of the information that you needed and the tools you need to make a good decision and that may be recommendations from me or maybe some different options of some things we can do. So that is what I meant by what I said."

Councilman Perrilloux stated, "Okay is that going to be presented at the next meeting or are you still putting the packet together. Are you going to give us time to look over and discuss it?"

Jobe' Boucvalt stated, "No sir I want to go with the pace y'all need. I gave you that packet it is just information on the four fire departments. We can go at the pace that the Council sees fit."

Councilman Perrilloux stated, "Yes because I don't want to be rushed into anything I want make sure we do this right."

Jobe' Boucvalt stated, "No sir I don't plan on coming back and presenting anything if this Council is not ready, absolutely not."

Councilman Snyder stated, "You know like everyone else I was I don't know if I was surprised or what I was when I was told that the newspaper was doing an investigation and wanted to know some things but I don't quite understand everything I know about this situation. Do we have a total of 5, 6 or 7 independent fire districts and they all function separately and they have their own accounting systems and do we have volunteer people and paid people working together because my understanding that is a big issue there. Anyone of those two questions you can start off with."

Jobe' Boucvalt stated, "Sure we have actually the LaPlace fire department, Reserve fire department, Garyville fire department and the West side fire department and that is the volunteers and the equipment. The  $\frac{1}{4}$  cents sales tax was passed and broken up my Council districts for each of those departments. Then we came along and pass another  $\frac{1}{4}$  cents sales tax the higher paid firefighters. So that is your fifth department, the Department of fire services and that is paid budget for paid volunteers which are divided amongst the parish two on the West Bank, two in Garyville, two in Reserve and six in LaPlace."

Councilman Snyder stated, "Two persons per shift?"

Jobe' Boucvalt stated, "Three shifts working 24 hours a day, one shift on Monday, the next shift on Tuesday, the next shift on Wednesday and then the first shift comes back on the fourth day."

Councilman Snyder asked, "And we have qualified people working with those people doing the same job?"

Jobe' Boucvalt stated, "That is correct. Volunteers work out of you have your LaPlace volunteers and they work under the Fire Chief in LaPlace, Reserve, Garyville and the West Bank are the same."

Councilman Wilson stated, "The budget is running into a deficit with the paid. The first sales tax that was passed was for the volunteer fire department to upgrade their units, their buildings and I don't know legally whether we can touch those funds for the purposes other than what the people voted for and that is where we are going we need to get some facts straight first. I would like to ask Mr. Martin to come up and shed some light on this situation. Mr. Martin fill us in and fill the Councilman and on what procedure happened for the first ¼ cents sales tax."

Hugh Martin, Bond Attorney, stated, "The first ¼ cents sales tax as was discussed before relates to funding, fire protection in the parish in cooperation with the volunteer fire department as you know you heard the number that you have. It provided that you had a ¼ cents sales tax that would be levied in conjunction with the volunteer fire department of the parish pursuant to an agreement between them and the parish for so long as the volunteer fire departments run satisfactory fire protection for the parish that they could recommend to you all and operating budget and capital improvement budget as to how the money would be spent in their areas. That is the way that tax has operated since. Those money that can be used for expenditures for equipment and building fire stations and things of that nature capital improvements primarily and it can be funded into bonds and each one of those fire districts over the year's cents 1984 has had some little bond issue for their portion of the revenues. Some of them have built fire stations. Some have acquired fire trucks and firefighter equipment, hoses and things of that nature and they continue to do that. That money is dedicated for those purposes. The second tax which is more recent is also a 1/4 cents sales tax and it is to fund a paid fire department and anticipated that would be funded originally with a limited number of paid firemen which is what it's done now and that money can be used for training and benefits for the paid firemen and whatever expenses are entailed in promoting and supporting the paid fire department it cannot be used for capital improvements such as building a new station or buying a new fire engine. It is training and operation of a paid fire department that is it in a nutshell. To make any major changes in the way the money can be spent we would have to look at what the plan is to be sure but in all probability it would require rededication of some of these taxes. In other words if you wanted to change the use in which the money could be put different from what is in the proposition now it would require an election. It would be possible to submit something if it were necessary which would not put the tax that you have now in jeopardy but be able to change it if the voters agreed with the proposed change but I think that is premature now because I don't know now if that would be necessary it is going to depend on what the plan is. I will be happy to work with a group that you only put together and that is the reason why I'm here tonight they thought there may be some questions that came up that I could throw some light on."

Councilman Smith stated, "Mr. Martin how much does that 1/4 cents sales tax bring in?"

Hugh Martin stated, "I don't have that, Mr. Lucia may have that."

Vince Lucia, Finance Manager, stated, "In this particular year now we have budgeted \$2,238,000.00 for a ¼ cents sales tax. That is what is in the present budget here and in 2011 with the audit information you are

given earlier we collected \$2,085,000.00 for  $\frac{1}{4}$  cent."

Councilman Smith stated, "My biggest problem right now is the \$2 million that we collect it is disproportionately distributed because some districts give 14% and I wasn't prepared to discuss this because I thought we were going to do this at the next meeting but since it is all opened up now if this was proportionately distributed you wouldn't have problems with some of the districts will. The money is just disproportionally distributed where this is one parish, that money should go into one fund to support all fire districts. I mean support everybody as one because my little \$10.00 house is worth just as much as the \$50 million house across the river in LaPlace. So when you disproportionately service me with the funds I cannot provide the same fire protection because in my district I have four fire stations that are not manned with volunteers nor paid firefighters and that is a problem. I will save that discussion for what we come back next week. I just wanted to put it out there that that was part of the problem."

Councilman Wilson stated, "This volunteer fire department has been working for the last 50 years as well as they could ever do. I think we have one of the finest fire departments in the country especially for a volunteer fire department they have upgraded their equipment over the years. They have maintained their money and they have budgeted for future expenditures on half-million dollar pieces of equipment, ladder trucks and things of that nature. Back when I was a kid they didn't have all of the communications that we have today Godchaux Sugar used to put their signal out from the towers and it would tell a firemen what area of the fire was in. They had a special code that they went by when they blew the whistle but I wanted to make sure that the money just cannot be taken out of the first  $\frac{1}{4}$  cent sales tax that was made particularly for that issue and that's where my concerns were and it will take as Mr. Martin said another election by the public to change."

Councilman Snyder stated, "I would just like to find out next week when we get here how do we get to the point where some of these fire departments aren't such a large deficit? That is what I don't understand if we know how much money we have coming in then we should budget for that amount. So how did he get \$700,000 in the deficit for one fire department and we have a budget that you have been in business for long time. You should be all to anticipate how much income you will have from the  $\frac{1}{4}$  cent sales tax and it seems like to me that this is someone's pet peeve and the people know they're going to get paid the parish is going to take care of their responsibilities so they just spend money it seems like and some of our departments have millions of dollars in the bank and some need millions of dollars just to keep the lights on that is the part I don't quite understand there. I think in two weeks when we come back here we need some of those answers."

Councilman Gauff stated, "I think that is we are asking. We are going to ask for plan. I think our biggest concern is that it seems we have five or six different departments when actually I think the voters thought they were voting for one plan where money would be utilized if there wouldn't be this deficit. So I think we're all looking for answers to see how these monies can be designated, our bills be paid off and that we shouldn't be operating with such a deficit in getting these reports for the news and media."

Councilman Wilson stated, "Going back to the first issue that was presented to the people it was for the purchase of new equipment and building fire stations. Some of those departments have saved their money, they didn't spend all their money at one time and they have saved it over the years because one piece of equipment might be a half \$1 million dollars. They don't get that in one year but they saved throughout those years with all that planned out already and that is how they are going to do it. Yes you have some problems and I don't know who's would really solve these problems will but if they budget all the money out now they would not be the money there to upgrade, maintain and keep up with the fire stations and maintaining the fire department if you take those funds away."

Councilman Gauff stated, "I think that is understood. I think the biggest issue is it seems we have a fund, some sort of slush fund on one hand and then on the other hand there is this \$7-\$800,000 deficit and the voters of St. John the Baptist parish or looking at why is that and maybe from this report when we get back at the next meeting you will have answers to this and we will have ideas of whether we should be going to one fire department, five different fire departments and whether monies are used for a new truck when actually we have five new trucks or if we have new stations or upkeep will have a better understanding of how the monies are used so hopefully we will get some answers in the next couple of weeks."

Councilman Wilson stated, "Please make sure that this item is carried over to the next agenda."

**Michael Wright - Update on Peavine Boat Launch Dredging/Permit acquisition**

Councilman Wright stated, "I have gotten a lot of calls and I know a lot of councilmembers have as well. I know we are working on a permit to dredge the Peavine boat launch but can you give us an update for the public as far as where we are on that."

Theresa Rodgers stated, "It has been a slow process but where we are with that is that it is in the information gathering stage and is being handled by our capitols projects administrator, Mike Carmouche. The research required includes provision of the location, purpose of request, impact, topography, cubic yardage of spoiled to be removed, and the point of location for spoil disposal. It appears that the quantity of yardage of spoiled that will need to be taken off-site is a factor and utilization of a site in close proximity is being investigated. The state lands permit is already in place and was obtained in May of 2010 from the Louisiana wildlife and fisheries department. This permit provides approval for the removal of fill materials from state water bottoms. An office of community development grant for Gustav/Ike recovery funds was awarded for this project and an environmental review will also need to be conducted and this is just in the exploratory stage but this is a very expensive project and we are going to seek additional grant funding for this if possible."

Councilman Wright stated, "Thank you and I would also ask that administration and Mr. Carmouche kind of keep me in the loop in communication with this I would appreciate that."

Councilman Gauff asked, "I am going to ask that you keep all of us informed on that because we are all affected by our constituents who try to use the boat launch."

Councilwoman Millet stated, "Have you contacted the Pontchartrain levee district to see if we could get some assistance with dredging this area. The bottom line is we have a boat launch the people cannot use. So why don't you just close it rather than leaving it there and people think they can get out and they get stuck out there. What is the point either we can do it or we can't do it but there is a lot recreation going on out here and the little boats can get through but the larger boats get stuck. So what do you do you put a sign that says big boats can't go through but little ones can? I am being realistic here and what you are talking about this might be years before the launch can be used again. So maybe we need some cooperative help with the Pontchartrain levee district because they don't have to go through the rhetoric that we do."

Theresa Rodgers stated, "We can certainly explore that option we can contact them this week and put a meeting together and discuss it that is a very good idea."

Councilman Wilson stated, "In the area of the boat launch it needs to be extended further out to keep the silt from coming in and having to haul it off site when they could just throw it back on the other side where hundreds of yards when I was a young man it went way out there and has been eaten up over the years and these people lost a lot of it a lot of the property that they had their and I don't see why we can't just dump it back in those areas and use that."

Theresa Rodgers stated, "One of the issues is a lot that is private property. So even though there has been erosion of land if you look at the tracts of land owned by those landowners it extends into what is now water and that is considered private property. So we would have to acquire in order to deposit the spoils there."

Councilman Wilson asked, "How about just getting permission?"

Theresa Rodgers stated, "Or permission."

Councilwoman Hotard stated, "Just to kind of echo what Michael said on the fire issue this is something that I know I have gotten a lot of calls about it. It is in my area now. So if administration can put something together with the Pontchartrain levee district sooner than later and make sure that we stay informed. It is always best when we get the information internally first instead of hearing it from the residents and we are the last to know. So I would really like to put a sense of urgency on the administration to go ahead and set the meetings up and do what we need to do to fast track this and say okay is this something that is a project that is realistic for completion you know in the short term or is it something that we need to look at other alternatives."

Theresa Rodgers stated, "We will make the call tomorrow."

Councilman Snyder stated, "Yes you said this is a very expensive project, what are we talking about here in numbers?"

Theresa Rodgers stated, "The grant amount is more than \$335,976.00 and it has been projected by capital projects that it is going to cost more than that to complete this project."

Councilman Snyder asked, "That is just the grant amount but the project itself may go into the millions?"

Theresa Rodgers stated, "Oh no I don't think it's going to go into the millions. I just think it may possibly exceed this grant amount."

Councilman Snyder stated, "Okay and this grant is coming from?"

Theresa Rodgers stated, "From the office of community development from the Gustav/Ike recovery funds."

Councilwoman Hotard stated, "When you said a lot of money I guess in the big scheme of what we do here that isn't really a lot of money. If you could get a more definite figure to us for the project I don't know if Chuck or who had that original estimate but get that over to the Council and we can all look at some funding options."

#### **Art Smith - Heron Bay Project**

Councilman Smith stated, "This is a project in Pleasure Bend that has been going on since 2010 and we could never get the two sides together publicly so we can, what I am trying to accomplish here tonight is that Ms. Sutherland give Mr. Fields exactly what they need and what they have to do to get their permit and get that ball rolling so that when leave from here they have a good clear understanding of everything that they need. This is a worthwhile project that they are doing back in Pleasure Bend and if anyone has ever been back there they would know that that is an up-and-coming area. So Ms. Sutherland if you would just tell the Field's, I see they are here, exactly what they need to do to get their permit and get their project going so that we don't have all of this back and forth all the time. So that we can put the ball in their court to do as they choose."

Angelic Sutherland stated, "Mr. Smith actually this project started initially in the 70's and then in 2004 it actually kind of changed and so we are actually going back to like 2004 instead of 2010 but the developers of the Heron Bay subdivision attend the June 20 planning and zoning administration meeting to discuss the final approval of the subdivision. Upon receipt of their revised final plans the request for final approval will be scheduled for the planning commission meeting because Heron Bay is a proposed private subdivision legal counsel has requested a maintenance bond for money to be deposited into making this account to assist the owners with future maintenance and repairs of the streets and sewer system. Their sewer system and their streets are designated as private, their water is designated as public so parish is going to obviously provide water meters and is providing the water which is purchased through St. James parish and also to maintain their meters. They actually submitted last week their revised draft of their final plan to see if that is in fact what they needed before they went ahead and submitted the hardcopies. I believe my manager Mrs. Vaughn contacted them today by e-mail to let them know that what we had asked them to put in their revised plans is actually in there. So now they

just need to get to us according to ordinance however many copies of their plan that they need to submit so that we can go ahead and send them to the August planning commission meeting."

Steven Field, Pleasure Bend Resorts, LLC, stated, "I purchased that subdivision with my wife in 2004 and at that time it was a permitted subdivision with final plats filed in 1986 with approximately 20 lots already sold and with the understanding that we could go forward with developing the subdivision. In 2004 we had a Council meeting at which time the Council said that they would like to have the subdivision be private and it was primarily for the issues of the first filing of pleasure Bend resorts down in that area. Apparently the parish had to come through and rebuild roads. We were requested at that time to go through and develop another final plat and at that time the parish engineer defined the status of the roads and how they needed to be built and what we had to do to comply. We have since gone through all of the parish inspection, built the roads to the parish standards and thought at the time two years ago when we submitted our plat that we were at a preliminary/final plat just like was done in 1986/1987 with the lots began to be sold. We found out at that time that that was not the case and we had to go through everything as it is today and that is where we are at this point when we found out this last July when we submitted our final plat. We went through some revisions at the request of the parish at that time we were told that the water system had to be private too when we went to our latest administrative meeting we were told that that would not work that we had to pull that out, so we pulled it out and as Ms. Sutherland said apparently the final plat is now okay. Our problem now is that we are being told that our subdivision has to remain private which means that we get no benefits from the parish yet we still have to put up the money for parish take over if that ever occurs. To me it feels like double jeopardy in the 2004 Council meeting that we initially took the subdivision under bonding was discussed and it was advised that bonding of private subdivisions is not with the parish should be doing. They have no responsibility. They should not have to require a bond. We went forward with that understanding and now the proposals to us are that we need to put up money in escrow and the last comment that I heard was in perpetuity to pay for these roads if they ever fail. We in May offered under letter as owners to take care and guarantee the roads in the wastewater treatment plant until such time that the homeowners Association was stable enough meaning enough lots were sold and houses were built to take care of all the financial responsibilities. We feel that if it is private and we get no benefits we shouldn't be taxed and we shouldn't be asked for the bond. That is where we stand today. The subdivision by the way has been built and completed as of December 2010 and we still do not have the authority to have complete subdivision access. We have people in the audience here today that have lots that are ready to build, materials sitting on the property that we cannot get building permits for because last July we thought our approval was going to be achieved by October or November, then it was going to be January, now it is July again and we still haven't even going through another planning commission meeting. So we are respectively asking for your help to release the bond issue which apparently is the last thing according to Ms. Sutherland that we need to deal with that we can go forward."

Councilman Gauff stated, "I am sorry. We really weren't prepared for

*this type of discussion. This was supposed to be an update on what was going on with the project but this has really caught all of us off guard as to what is going on."*

*Steven Field stated, "I apologize I needed to get that off my shoulders now I am ready to tell you that it is going well, the roads are in, the sewer is in, the water is in, the sewerage treatment plant is in, the utilities are there. We actually have two houses that are built that are ready for final occupancy permit that were issued last year with the idea that by January we would be through all of this permitting process and the subdivision would be going."*

*Councilwoman Hotard asked, "What else is required for them to achieve or accomplish what it is I guess the final approval of the subdivision or whatever they are looking for just so that we could have an understanding?"*

*Angelic Sutherland stated, "Their plans are ready. Once they submit the hard copies to us with the changes that we recommended which they have already made according to the electronic copy that they sent us the draft copy. They will be sent to the planning commission and at that point the planning commission makes a recommendation to approve the final subdivision then comes to the Council for you guys to approve it."*

*Councilwoman Hotard stated, "Based on what he stated if he satisfies those requirements would be the recommendation of your office to give the final approval?"*

*Angelic Sutherland stated, "To the planning commission? Our recommendation would base on legal counsel which recommended that they put money in an escrow account for maintenance bond."*

*Councilwoman Hotard asked, "Is that something that we require everyone to do and who was it from legal counsel maybe they can chime in?"*

*Angelic Sutherland stated, "Tom has left already and I don't think Billy was involved."*

*Councilwoman Hotard stated, "Tom is the one who sent you the information? Okay this is brand-new to me to is that a requirement?"*

*Angelic Sutherland stated, "It is a private subdivision and the parish ordinance doesn't allow for private subdivisions and that was the reason."*

*Councilman Smith asked, "What is the amount of that bond?"*

*Angelic Sutherland stated, "I am not sure what the amount of the bond is. I think the Fields have tried to enquire about getting a maintenance bond. I don't know if that is something that they can achieve or if that would satisfy the purpose and that is why it was also suggested that they may be put some money in an escrow account. They will have a homeowners association but we were asking if they could put money up front in this account and that way it will guarantee that if 10 years down the road at some point they cannot maintain their streets and their sewer system then the parish would have some money in*

*an account that would be in the name of the homeowners Association if we were forced to go in and take it over."*

*Councilwoman Hotard asked, "Is this something that is part of ordinances? Is there something that would let us know what the amount of this bond is?"*

*Angelic Sutherland stated, "No our ordinances do not allow for private subdivisions. This was a recommendation based on the facts based on the circumstances that are already put into the work before we got here to where the private subdivision was approved for preliminary and conditional."*

*Councilman Gauff asked, "Do we have any other private subdivisions?"*

*Angelic Sutherland stated, "Not to my knowledge unless they were created before when the parish was allowing private subdivisions."*

*Councilman Gauff asked, "What classifies the private from the public?"*

*Angelic Sutherland stated, "If it is the public subdivision, if it is dedicated and turned over to the parish the parish has to maintain the roads, the streets, the lights, the infrastructure, the water, sewer, etc."*

*Councilman Gauff asked, "I know but they are in St. John Parish why wouldn't they fall under the same guidelines?"*

*Angelic Sutherland stated, "If you are creating something that does not rise up to the standards that are required by the parish ordinances did they are not going to be public and maybe your engineer, Chuck, can come up here and explain that a little further."*

*C.J. Savoie, Parish Engineer, stated, "I have been the parish engineer for over 20 years and they did have private subdivisions a long time ago but then they were done away with. We don't have private subdivisions anymore but I do not recall us ever having a bond. I understand where the Dist. Atty. is coming from he is coming from a point of assurance for the public in case anything happened in the subdivision or with the owners of the subdivision and it ended up back in the parish's lap so to speak that they would have some funds to complete the maintenance but the fact is that when we approved this subdivision way back when it was as I recall there was a special sewer system that was put into this subdivision. It was a vacuum type system which we have no equipment or means to maintain and it is a good sewer system and it is used in a lot of coastal areas because of the ground, the high water table and so forth. It is a good sewer system but the problem is is that we are not set up to maintain it and the truth be known we really don't want it at this point because we have nothing to maintain it. So we really don't want the sewer system nor the subdivision but the streets were approved and they agreed to build them according to the ordinances but they also agreed to maintain them. So they agreed to maintain the streets, maintain the sewer system. The water system we need a right-of-way or access for the utilities to be able to go and read meters because the water system is being purchased by the parish and supplied to the residents there and each of the residents have a meter and we read the meters so we need a access. As*

far as all of the other items that needed to be completed for approving this subdivision, they have all been done. So it is just an issue of what the District Atty. has come up with as far as having some assurance. I think they were looking for some possible alternative on a per lot basis or something and he told me that but I don't know if that has come to fruition. I don't know what to say about it anymore because of the fact that I don't think that this parish really wants this subdivision back at this point in time so we are kind of caught between a rock and a hard place because we are requiring something on one hand and on the other hand we are giving them rules of why we want them to do something but we really don't want the subdivision as far as the parish engineer is concerned."

Councilwoman Millet asked, "I just have one question. In 2004 everything was okayed and approved and now everything is not okay and approved. Is that because of Katrina and the changes that have taken place because back then he had his subdivision approved and now he is trying to get it approved again?"

Chuck Savoie stated, "No one part of this subdivision was already approved this is an extension to that subdivision."

Steven Fields stated, "When we purchased the subdivision we were handed from the previous owner a final plat for what we are building that was approved in 1986/1987 that has our lot layouts. We had to stay with those same lot layouts and it was approved by the parish we have the signatures and I have copies I can distribute to you tonight. I guess my problem that I see is that in 2004 we came up with this the Council at that time said make it private because as your engineer said we don't want anything to do with it, we get up here today and it is no you have to do everything as though the parish would take over the streets and the sewer system but it is still private and you have to do everything and I feel that it is double jeopardy. We are not getting the benefit of the parish taking it over if we have to go through all the bonding and issues. We are happy to maintain private maintain everything and we will guarantee it. We have written letters guaranteeing as owners. We have written letters saying the owners association will guarantee and set up funds. We had one comment where the parish wanted to control the funds and our response there is if the parish controls those funds the parish has to assume the liability for every action or inaction that it takes and we don't think that is appropriate either. So we are requesting that we follow through with what we originally agreed to in 2004 to maintain it private and we will take care of everything."

Councilwoman Hotard stated, "I guess that makes it a little clearer if it is all possible but so what you are saying is that you all want to maintain your subdivision as private but the parish is telling you that you have certain guidelines that you have to follow but in that same sentence they are saying we are going to make you follow these guidelines but it is still your private subdivision. Is that it? And your claim is why should we follow your guidelines if you are telling me that you don't want it and it is private."

Steven Fields stated, "That is correct. If we are going to maintain our own streets why should we pay taxes to the parish to maintain them?"

Councilwoman Hotard stated, "Right and that makes sense. I know we have a lot of private drives I'm not familiar with the private subdivision but we do have private drives where they do maintain their own roads, their sewerage and water and take care all that. What is different with this subdivision that we are trying to set certain guidelines on them but they are still private?"

Angelic Sutherland stated, "Again they are not being prevented from going to the planning commission and again who approves their final plans would be the planning commission and the Council. So it is up to the planning commission and the Council if you choose to approve it without these bonds or money in escrow and so we are not requiring that for them to submit their application to move forward and go-ahead but of course if that is our recommendation from legal then that would be included in our recommendation to the planning commission but again you have the last word. So if you choose to let them go ahead and approve it without that then that is your right. I don't think they were being required to do things necessarily. I think the district attorney was looking forward and planning ahead for 10 years from now if something does happen where they cannot you know we have homeowners associations in a lot of subdivisions around here my subdivision included where a lot of people don't pay dues and so if people don't pay dues to go into the maintenance account to take care of your streets and other private infrastructure then who pays for it?"

Councilwoman Hotard asked, "What do we do now with all the private streets that we have the parish doesn't pay for any of the infrastructure do we require those residents to escrow any money?"

Angelic Sutherland stated, "Not that I'm aware of. We don't allow private streets anymore either. So the ones that they have now were approved at that point."

Councilwoman Hotard stated, "It sounds like the one that he has has been approved also. What was it approved?"

Angelic Sutherland stated, "In 2004 but I wasn't here."

Councilwoman Hotard stated, "What I am saying is and I'm just putting the pieces together is the same as the private roads that we have now although you say we don't allow it anymore but they were approved that way so they still operate that way and it seems that this is the same situation that they were approved the way that they are and they are trying to continue to operate that way but we are putting a restriction on them but we are not enforcing it on other people who have private drives."

Angelic Sutherland stated, "I think most of your private drives are mostly like family."

Councilwoman Hotard stated, "No I am thinking of one right now and they have a bunch of different people on it and they take care of it Goshen Lane is the one I am thinking of. They take care of their own road. They have their own water and sewerage and it is all different people that live on the street."

Angelic Sutherland stated, "Maybe you want to ask you if somebody from

*public works can speak on that because they maintain the streets and the road and everything."*

*Councilwoman Hotard stated, "I just to make sure that whatever we are doing we are applying it fairly and evenly and it seems to me that it is not just that the dialogue tonight that we are saying that this subdivision here that was approved the way it was now they have to follow certain guidelines that some of our other private drives don't."*

*Jeff Perrilloux, legal counsel, stated, "I want to clarify that the approval that they received in 2004 was preliminary approval. They did not get final approval on the subdivision that is what they are seeking now for apparently the past year or so and I believe if I heard Ms. Sutherland correctly that they're waiting on some additional documentation in order to allow this to be placed on the planning and zoning commission meeting at which time administration will make a recommendation it may be based on some advice from the district attorney but they are prepared to make a recommendation depending on what happens in the planning and zoning commission meeting will then determine whether or not it will come to the Council with a recommendation of approval or a recommendation of denial. So my suggestion would be to let it run its course and deal with it when it gets before the Council."*

*Councilwoman Hotard stated, "Thank you. I see Mr. Rayneri waving his hand here, do you have anything you want to add into this?"*

*Virgil Rayneri, Utilities Director, stated, "Just to second what Chuck mentioned, the wastewater system is a nightmare. We have no facilities to repair their wastewater system. We are not planning to repair their wastewater system. We are not planning to operate their wastewater treatment plant. It is not the same system whatsoever. It was never approved as the wastewater system that is the reason why I believe this bond came from in case something happens. Their wastewater system could be a white elephant. I believe it is."*

*Councilman Madere stated, "Basically before it seems more like an assurance that the parish is looking for down the road in case something happens so that they would have the funds to take care of this system that they are talking about. Just like Ms. Hotard, my concern was to make sure that everyone is treated fairly regardless of what the system is and I know it may be a nightmare and I understand that but the key issue here is the process being handled fairly as far as the money issue and the bond. We are projecting that maybe 10 or 15 years from now they may decide to back out and we may be stuck like he said with a white elephant but that is something that would have to be handled down the line and it seems as though even if they put this bond issue I can't speak directly for administration but just based upon what I'm hearing administration would recommend not to approve just drawing from it. The process does have to work its way out until it comes to the Council but based upon what I'm hearing so for it is basically money for assurance of what could happen down the road."*

*Councilman Snyder asked, "What is the bond amount that we are asking for?"*

*Councilman Gauff stated, "She doesn't know they asked that all ready."*

Angelic Sutherland stated, "I think at this point the bond is kind of out. I think they spoke with different companies to see if that was even a possibility and I don't think that there is a type of bond that would accommodate what they're looking for and that was kind of why we switched to putting money into an escrow account. We didn't necessarily come up with a figure. We were asking them to decide what they would like to put up or kind of give us a figure but that was never necessarily decided on. It was more of or you willing to do this?"

Councilman Snyder asked, "So we don't have an amount? So they can come to us and say we will put up \$10,000 since we didn't ask them for certain amount of money to put up."

Angelic Sutherland stated, "At that point I would consult with the district attorney with maybe the parish engineer to what is a suitable amount."

Councilman Snyder asked, "How do we treat the private trailer parks? Are they the same? Is this issue the same except the fact that they have homes and not trailers?"

Angelic Sutherland stated, "Well with the mobile home parks you have an actual zoning district. So they have to follow the requirements that are in the code of ordinances and they have to submit their plans and go through the same preliminary, conditional and final approval phase through the planning commission and through the Council."

Councilman Snyder asked, "Can't they do the same thing?"

Angelic Sutherland stated, "They are not a mobile home park."

Councilman Snyder stated, "I know that but don't they go through some of the same things or did they?"

Angelic Sutherland stated, "Yes they did. They went through preliminary conditional so far."

Councilman Snyder asked, "All of that is okay?"

Angelic Sutherland stated, "It was approved and usually what happens is your preliminary plans are just a rough outline of what you plan to do it is a conceptual phase and then your conditional is where you put more detail into it as you get conditional you can start installing your infrastructure and then you go through your final phase and along the way you get approved for preliminary, you get approved for conditional and along with that goes recommendations where you may need to make certain changes before you can go through and future final approval that is where we are at right now. Your final may not be the exact same thing that was approved the preliminary."

Councilman Snyder stated, "So in other words we can just lead these people on and get to the almost final and say no we need \$3 million bond or in escrow. What I am saying is that it seems like I heard this man say that they have a couple of homes that have been built. They have streets in. They have sewerage in. They have everything in. So they must have gotten something from the parish saying move forward."

Angelic Sutherland stated, "You are correct they got their conditional and preliminary approval."

Councilman Snyder stated, "So now we are holding it up because they don't want to put in escrow but we won't tell him what the escrow is."

Angelic Sutherland stated, "We have been in communications with them for the escrow. Again I stated that once they submit their final revised plans to us we will forward it to the planning commission for them to hear it and consider it and then to the Council. I am not holding about based on that money in the escrow account but that may possibly influence our recommendation to the planning commission and the Council."

Councilman Perrilloux stated, "My recommendation is to this Council that I think we should let this run its course and see what happens before we say the wrong thing. Let it go through the stages, the commission, the DA and legal because we are jumping the gun we are trying to make a decision on something that we don't know what is going to happen. So I think we should let this go its course then go to commission then the Council and we stop debating on it and let's move on with something else to take the recommendation of our attorney."

Councilman Smith stated, "All I wanted was the Field's to understand what they have to do to move forward because this thing has been lingering on for years and it's time for them to move on. As I understand it, they present you the hard copy of their final plans, it will then be put on the agenda for the next planning commission meeting were you guys will make a recommendation. Is that all that has to happen now or does something different have to happen?"

Angelic Sutherland stated, "Yes their revised set of plans and they were forwarded the ordinance where it stipulates how many or what they have to produce and then they will be forwarded to the planning commission."

Councilman Smith asked, "Dr. Fields do you understand that? You present just when she asked you the additional hard copies and then you would be placed on the agenda. So get your hard copies you will be placed on the agenda you will ultimately end up here."

#### **Art Smith - Updated Maintenance Plan for Parks & Recreation**

Councilman Smith stated, "I have spoken with Mr. Jones and Mr. Vincent on this subject and a lot of our questions were answered in the finance committee meeting with the plans and doing that. So basically if he tells us he's going to keep-up the bathrooms and cut the grass I'm satisfied."

#### **Art Smith - Master Drainage Plan**

Comes with that stated, "I put that on from the last meeting and I asked Brian to give us a copy of the plan that was done in 2002 we spent over \$1 million to get that done. As I understand Jackie has copy for each of us but it isn't broken down in districts as I requested and I'm going to ask you to go back and redo this by districts so that we

can study this and come back and ask questions."

Brian Nunes, Director of Public Works, stated, "I have Mr. Shread here from the firm that did the master plan but it isn't as simple as breaking it down into districts because of the way the program runs. It runs more with watersheds and major outfall canals and those don't necessarily lie on district lines. If Mr. Shread wants to speak on how to break it down, it just isn't something that is as simple as breaking it out into districts. I think on the East Bank there may be 14 or 15 and there's probably a similar number on the West Bank and it isn't as easy as just breaking it down into districts. What we are doing though right now is that we are getting them all reproduced and everyone will have a complete copy of the entire plan."

Councilman Smith asked, "Can we have them at least a week or so before the meeting so that we can study it and then ask questions? Please don't give it to us the night of the meeting."

Brian Nunes stated, "We should have them by Thursday."

Councilman Madere stated, "I know we have a master plan for the whole parish from 2002 and I know you are aware of what happened last week because you were out there with me at 10:30 or 11:00 walking in water and district 3 up to our knees and also we went to some individual homes who have water in their homes and I have been saying this since January about district 3 and I know each Councilman here has the same problem but in district 3 it was really magnified the other night that we have a big drainage problem where I know people are going to say we got a lot of water in a little amount of time I understand that but if the canals were clean, all the culverts were blown out by the railroad tracks and if we have proper elevation and proper culverts down the street we wouldn't have had the incidents that we had Thursday night and when I spoke with you you agreed exactly to those comments. My thing is to this Council and to this administration this has been going on for years and I even made the comment I can get an agenda from 1979, 1980, 1999 I even started to bring some pictures that I took of flooding in district 3 in the 80's and I started to pass them out to everyone in fool you and let you believe this was Thursday night but these are pictures I took since the 80's and no plan seems to have worked. I made all kind of comments. I even said during meetings ago whatever it takes grants, borrowing money, residents chipping in or whatever we have to get started. I don't want to be sitting here talking about this next year or two years later talking about the same thing over and over again. These people want results. I want results. This whole Council wants results. Plan after plan after plan we need to get something done and get it done right we have to improve the way we clean canals we can't clean canals every six months we can have different size culverts down the street these are things we cannot have and these are things that need to be improved and like I said I would be talking about this in 2014. Now we have to come up with a plan. We talk about a plan for the fire department. We talk about the plan for the recreation Department. We talked about a plan for drainage. One of these plans have to start working and I am definitely going to stay on top of district 3 to make sure that we get something going and I am sure these other Council members are going to do the same thing for their area but we have to come up with a plan that is actually going to work, how to maintain them, how to keep it open and how to make sure

that the water isn't bottlenecking and backing up and I also found out of the hurricane preparedness meeting they had a couple of weeks ago that the highest point in St. John parish is on E. 12th St. by the fire department is 22 feet, the River Road is 15 feet, Airline Highway is 10 feet and Highway 51 is 5 feet in Laplace and like I said before several meetings ago water runs downhill so if these things are clean and open there is no way Reserve should be flooding, LaPlace needs to look out if we open it up and have it the way it should be. Water drains downhill but Thursday night water backed up and into people's homes."

#### **Jaclyn Hotard - Water Quality report**

Councilwoman Hotard stated, "If I could have Mr. Rayneri just come and give us a little information. I put this item on the agenda we received the consumer confidence report a couple of weeks ago to the residents homes and there were some items that the parish received violations for and I had some questions to the administration because these were different items then what was on the administrative order they were duplicated but the administrative order as it was understood by me from administration they looked at a five year period so some of the items were not part of this administration but with this consumer confidence report the calls that I received from residents were some failure to report violations just last year and I tried to get some information from administration and I was unable to obtain it so that is the reason I put this item on the agenda. Just to share with the residents what happened I understand that even though we missed some of the reports there were still no violations but just to ease some of the residents that we aren't not sampling water or anything like that just to let them know what happened and why received the report and in the future if it is possible I know this report is generated annually but if we know that there were going to be other items in the report, other violations the Council can be notified ahead of time. I know it is generated by our utilities department if that is possible so that when we do get questions we know how to answer them and not have to go through this."

Virgil Rayneri stated, "The Consumer Confidence Report (CCR) is an annual requirement that describes Water Districts 1, 2, and Pleasure Bend for 2011. It contains annual data, with the language in the report specified by the Department of Health and Hospitals. Much of the information is educational and references the types of materials that can be found in surface and subsurface water. In Water District #1 in the spring of 2011, there was an error in sampling protocol (employee error) for which a Public Notice was issued to residents alerting them to the "failure to monitor" but also indicating water quality was normal. This information is included in the CCR along with the Department of Health and Hospitals' survey report for minor issues which have been corrected with the exception of a new requirement which is in litigation with other parishes. This has absolutely nothing to do with the administrative order that we had been issued that was on the West Bank. This is the East Bank and like it says here in the report itself the only violation that we had was a sample protocol that happened twice was my employee who wasn't following proper protocol and as of that moment we issued a public notice which goes to every home in district 1 that was issued sometime around July so this issue was reported to the citizens of district 1 last year and what happens is that it has to be repeated on the CCR because it is part of last years.

*It is a copy of the same error that was done last year."*

Councilwoman Hotard stated, "So none of these items were cited in the administrative order? Is that what you're saying?"

Virgil Rayneri stated, "No."

Councilwoman Hotard stated, "Okay and so the reason why they were on the report is that when the annual report was generated those violations get added to the report."

Virgil Rayneri stated, "Yes the annual report has to coincide with the violations that happened during that period but the public notice has to go when the violation occurs."

Councilwoman Hotard asked, "What water plant did you have the failure to monitor violations?"

Virgil Rayneri stated, "This is in district 1 it wasn't the water plant. The water quality is fine. What happened is is we did not follow the proper protocol. We caught the same sample twice and we missed one."

Councilwoman Hotard asked, "Did both of them happen at the same location on the West Bank?"

Virgil Rayneri stated, "It was two different periods of time."

Councilwoman Hotard asked, "But they were both at the same locations on the West Bank though?"

Virgil Rayneri stated, "No this is on the East Bank, district 1 is water on the East Bank. I'm sorry I was thinking about water districts not Council districts."

Councilwoman Hotard asked, "So did both of them happen at the same location?"

Virgil Rayneri stated, "No."

Councilwoman Hotard asked, "Okay where did each of them happen?"

Virgil Rayneri stated, "They were both in Garyville."

Councilman Perrilloux asked, "I know a few weeks ago we had a failure at Ruddock. You are saying a protocol before we put that water back in service what is the protocol?"

Virgil Rayneri stated, "Depending on if it is raw water or potable water in this particular case it was raw water and all we have to do is put the system back in service because it gets decontaminated and treated at the treatment plant by station three."

Councilman Perrilloux asked, "Now the protocol before we put it back in our main system we get the sample, bring it to the lab and sample it to we have a letdown station somewhere to let the water run on the ground until it becomes and sample before we put it back into the public?"

Virgil Rayneri stated, "Yes sir for example when you have a boil out advisory like at this particular time I think we have two ongoing because we had to break into the system to do repairs if it is a brand-new sectional line we have to coordinate it and make sure it is done properly. Then we have to flush the system for 24 hours then we come back catch a sample, then the sample goes to the Metairie lab which is a DHH authorized lab. Then it incubates for 24 hours after that period they will run the sample, then call us and when the sample comes back good we can lift the boil advisory."

#### **Cheryl Millet - Code Enforcement Officers**

Councilwoman Millet stated, "I put this on the agenda because I understand we have several code enforcement officers who are currently operating without a contract and I am reading that administration is working on this and hopefully within the next 2 to 3 weeks will take care of this and I'm just making sure that this does not go 2 to 3 more months."

Angelic Sutherland stated, "I am currently working on a proposal regarding all the code enforcement officer contracts to present to the Council and hopefully the proposal will be submitted to you guys within the next 2 to 3 weeks."

Councilwoman Millet stated, "So the proposal will be submitted to us in 2 to 3 weeks so the code enforcement officers that are operating without a contract will continue to do so until?"

Angelic Sutherland stated, "We present the proposal and you determine how you will proceed with it and then we will go from there."

Councilwoman Millet stated, "I know some of these contracts have been out since March. How much more time do you think is required to do this and I am not saying anything other than the fact that contract that are going to expire should be renewed prior to expiration. You knew this was coming. It is not new and why are these particular I don't want to lose the code enforcement offices that we have that are doing a wonderful job and I worry about that which is why I'm concerned about how much time you're going to take and what is going to happen to these officers."

Angelic Sutherland stated, "I think they were all hired at different times so their contracts are staggered. One was in February, one was in April, one was in May and then the fourth one was in August. So we are aware. They are operating on a month-to-month basis at this time and then once we present the proposal to the Council you can determine what high you want to award those contracts at that point."

Councilwoman Hotard asked, "So right now we have three code enforcement officers that are working without a contract?"

Angelic Sutherland stated, "They are month-to-month. There are operating under the same terms of their contract just a month-to-month basis."

Councilwoman Hotard stated, "So they are operating without a contract?"

*If the contract is expired and you are still working then means you are working without a contract. I just wanted to make sure I heard it right. So I guess in August they will all be working without a contract?"*

Angelic Sutherland stated, "Yes the last one will expire in August."

Councilman Madere asked, "So when we do get the proposal for the contracts and they are presented to the Council for our approval. And then we would either maintain the code enforcement officers that we have or go out and find new ones? My question is next time all the contracts will be expired at the same time instead of having them all staggered was that done for any particular reason?"

Angelic Sutherland stated, "I agree and that is kind of why we held off on when the first one expired because we wanted them to all be at the same time. I don't know how somewhere along the way years ago when they started becoming staggered I'm not sure how that happened but that was the recommendation of ours too that they start all at the same time and expire at the same time. It would also help with training purposes if we want to train people."

Councilwoman Hotard stated, "Angelic kind of touched on that. That is how we got to all of the terms being staggered was because one resigned, we didn't want to give them a three month contract and we started them on an annual contract so the terms are staggered."

**OLD BUSINESS:**

**Theresa Rodgers - (Tabled 07-10-12) Authorization to execute the Assumption of Federal Obligations Agreement for the St. John the Baptist Airport with the Port of South Louisiana**

The administration request that this item remain tabled.

**NEW BUSINESS:**

**Stacey Cador - Addition of Deputy Director/Chief of Staff (Grade 11) and Utilities Program Coordinator (Grade 7) to the Civil Service Pay Scale**

Stacey Cador stated, "Administration is seeking approval to add the title "Deputy Director/Chief of Staff" to Grade 11 of the Pay Scale. The move is to aptly title the position and to assign a pay classification commensurate with the level of responsibility and specialized training and credentials required for the position. While the Parish has referred to this position as the Asst. Director of Public Safety, the position has been recognized by the State as well as the U.S. Department of Homeland Security as the Deputy Director/Chief of Staff for years now. Upon proper credentialing, an individual in this position has full decision-making authority to declare an emergency, act as on-scene commander, evacuate residents, and run the Emergency Operations Center if necessary. These actions would be sanctioned by the State and Federal governments as compliant with the Louisiana Disaster Act. The Civil Service Board approved this measure at its July 11, 2012 meeting."

Councilman Snyder asked, "Is there any reason why the federal government looks at this title differently than what we do?"

Stacey Cador stated, "To be honest with you sir I don't know how the title assistant director came about. I am assuming it started once the pay scale was adopted but I have a job description from 1999 after the federal government mandated that the position be nim compliant which is the original job description was in 1999 with the title of deputy director/Chief of Staff and it was amended in 2003 to reflect nims compliance. So I am sorry but I am at a loss as to how the title kind of shifted."

Councilman Snyder asked, "So we have today a Deputy Director?"

Stacey Cador stated, "According to the parish we have an assistant director."

Councilman Snyder asked, "So we have an assistant director which is grade?"

Stacey Cador stated, "Grade 10."

Councilman Snyder asked, "So we want to go with a more up-to-date name like whatever the homeland security asked us to do and that would be a grade 11?"

Stacey Cador stated, "Yes sir. The move is twofold. One to properly title the position as it is recognized by the state and federal government and to assign a paid classification that reflects the level of responsibility, specialized training and credentials that I jobholder is expected to fulfill in order to hold this position."

Councilman Snyder stated, "Okay so we want to go to a grade 11 from a grade 10? Why did the civil service board want to go to a grade 11? We have someone doing the same job right now that is a grade 10 and we're just changing the name."

Stacey Cador stated, "Actually this initiative was not enacted by the civil service board they simply approved the measure that the administration proposed to the civil service board but they did not initiate this change."

Councilman Snyder asked, "So they didn't initiate the change but they put them in the grade level?"

Stacey Cador stated, "No sir. It was what administration recommended."

Councilman Snyder stated, "Oh it was what administration recommended."

Stacey Cador stated, "Yes they did not initiate this."

Councilman Smith stated, "I guess we have had some dialogue on this thing amongst ourselves the last few days and now I'm hearing this was changed in 2003. So we are nine years later making this change. I don't think our government should move that slow. It took us nine years to realize that oh you know what the state has now changed the title. Somebody wasn't doing their homework or they were afraid to make the

changes at that time or whatever. So now we are stuck with this decision that we have to make. This is about Ms. Gilmore. That is her position we can't dance around it. So we need to make a decision tonight that we are going to approve what the civil service board has done. We are doing this tonight nine years later and we're going from a grade 10 to a grade 11 which I have no problem with but also we want to be sure that if we are going to do this that we go back and look at everyone else on our staff to be sure that they are in their right grade. If we are moving this to put someone in that grade because of the responsibility we should look at our staff as a whole and let's treat our people equally because that's what we just said with Mr. Fields. We want to be sure we are treating everybody the same let's go back and look at everybody else's salary to be sure that they are in the right grade and that they are getting what they should be getting. We shouldn't just be doing this as a one-time basis if you come above it get it done and treat everybody the same. Also when this position is open I would like to see one of our people get a first shot we need to create opportunities for our people to move up the ladder that is my main goal to make sure that our people, our ranking people have an opportunity to move up the ladder and that is going to motivate them to want to do the job if they know what the requirements are in advance they can start preparing themselves, we can start training them and they can start going to classes to get this thing done so they have an opportunity for those positions that is what I want to ensure and I also want to ensure that we look at everybody not just this one position let's open this up and look at everybody and make sure that everybody is getting where they should be according to civil service."

Councilman Madere stated, "I agree with Mr. Smith and once again I don't have a problem with moving up to a grade 11 because if this was done in the previous administration or nine years ago the individual would probably be at a grade 11 anyways right now. Basically it should've been done nine years ago that is just an example of some of the comments I made I don't want this to be an administration or a counsel that waits nine years to take action this is something that should've been done nine years ago. It is well-deserved. The title has already been in place with the state and the federal government and we still are nine years later talking about something that should've been handled a long time ago. It is the burden of this Council to approve it. I don't want to shy away from that it is good. I just want to reiterate again that this Council and this administration will have to be proactive in everything and not sit back and be passive we have to react and get things done and I think nine years later is too late. We need to get it done."

Stacey Cador stated, "May I just clarify that grade 11 has not been in existence for nine years."

Councilman Smith stated, "I just have one final comment Mrs. Cador if you can give me a report it doesn't have to be at the next meeting but a report of the entire staff to assure me that they are in their right grade level and getting their right pay on the pay scale. So that way I don't have constituents call me tomorrow to say hey I should be in grade 11 or grade 5, they need to understand if we get this report then we will make the adjustments of where they need to be and everything else I think it would benefit all of us because all of our constituents will be calling tomorrow once they see this and say hey what about me."

*If we can get that report and you can assure me that everybody is in their right grade level then we can say according to the civil service and Mrs. Cadore this is where you belong for years and everything else. Can I get that?"*

Stacey Cadore stated, "Yes sir."

*Councilwoman Hotard stated, "I would like to say really quickly we haven't had a meeting but the Council did form an equalization committee some years ago. We haven't met in a while but it is something that if you all would like to do we can meet as a committee and make some recommendations to the administration of some things we would like to see. Jackie does have a copy of the actual equalization chart so that you can see where everybody is and where all of the grades are and I do know that the administration and even past administrations they have taken a look at some jobs at one time we moved water plant operators each of them up a grade to try and attract more candidates. So they have made adjustments to the equalization chart throughout the years."*

*Stacey Cadore stated, "Yes ma'am heavy equipment operators, equipment operator as you mentioned the water plant operators, payroll clerk so we have come to the Council and the civil service board from time to time to reclassify positions as we feel the need to. There has been a resounding cry from this Council, the past Council, as well as the civil service board over the years for us to reevaluate positions and determine if there are any existing positions that need to be placed in grade 11. We are here today after that reevaluation. I am not saying that it is going to end there but we did answer the call."*

*Councilman Snyder asked, "What criteria did you use to say that this should be a grade 11 instead of a grade 9?"*

*Stacey Cadore stated, "As I stated the level of responsibilities, specialized training and credentials that a jobholder needs in order to perform the duties of this position."*

*Councilman Wilson stated, "The person that is in this position has been here for a very long time and she has been the backbone of that department. She has broken-in several directors in her years. She has been here a long time and she certainly deserves it."*

Councilwoman Hotard called for a question.

**MOTION:** Councilman Wright moved and Councilman Madere seconded the motion for the addition of Deputy Director/Chief of Staff (Grade 11) to the Civil Service pay scale. The motion passed unanimously.

*Stacey Cadore stated, "Administration is also seeking approval to add the title "Utilities Program Coordinator" to Grade 7 of the Pay Scale. The state requires the Parish to have a non-domestic wastewater program. This includes businesses that introduce different substances and regulated materials into the Parish's wastewater collections system. This program has to be closely managed by individual yearly permits and routine sampling required to comply with State regulations. In order for our program to fulfill local and state mandates, it is imperative to have a coordinator to maintain continuity and enforcement*

of the program. Previously, the program was limited to several industries; however, all businesses that supply non-residential water must now be included. We now have approximately 180 businesses in the program and are continuing to work on the remaining businesses in the Parish that have not been implemented into the program. The Civil Service Board approved the addition of this position to Grade 7 of the Pay Scale also at its July 11, 2012 meeting."

Councilwoman Millet asked, "Can you give me the pay scale from 1 to 10 on what this grade 7 is? I don't have that information in front of me."

Stacey Cador stated, "You mean the pay range? The starting pay is \$14.99 and the max out is \$20.07."

Councilwoman Millet asked, "Depending upon their ability and what level they get hired at or what step?"

Stacey Cador stated, "Depending on their job-related experience yes ma'am but the maximum in hire rate would be step eight which would be \$17.18."

Councilwoman Millet stated, "Thank you very much."

Stacey Cador stated, "I apologize and I thank you for your patience."

**MOTION:** Councilwoman Hotard moved and Councilman Smith seconded the motion for the addition of Utilities Program Coordinator (Grade 7) to the Civil Service pay scale. The motion passed unanimously.

#### **PRESIDENT'S REMARKS**

Theresa Rodgers stated, "Good Evening, Congratulations St. John Theatre on the opening weekend of Seussical, a musical based on the books of Dr. Seuss and a show for all ages. This coming weekend will hold its final performances at St. John Theatre on July 25-28 at 7:30 p.m. Tickets can be purchased in advance at Allied Express or one hour before the show at the theatre box office. River Parish Hospital will be hosting a Community Blood Drive tomorrow, Wednesday, July 25 from 11:30 to 3:00 p.m. in the River Parish Hospital Medical Pavillion. For more information, please call 985-653-1644. We have one remaining Hurricane Preparedness Public Meeting to be held Monday, July 30 at the LaPlace Library beginning at 6:30 p.m. Questions on hurricane preparedness, evacuation, survival kits, and other important information will be available. Helpful brochures will also be available for resident's information. A basketball camp for boys and girls ages 7-14 will be held July 30th - August 2, 2012 at REGALA Gymnasium. Coach Errol Gauff, St. Thomas Aquinas Basketball Head Coach will run the camp in two groups. Ages 7-10 will work between 8:30 a.m. and 11:30 a.m. and ages 11-14 will work from 1:30 p.m. to 4:30 p.m. The camp will emphasize defending, dribbling, passing, shooting. The afternoon group will also have 3 on 3 play and work on offensive and defensive transition. Interested participants can sign-up at the Parks and Recreation Department or send in the registration form with the

registration fee of \$40.00. For more information contact the office at 985-652-9569. The deadline to register is July 27th. The new sports store, Geaux for the Gold located in LaPlace next to New Orleans Hamburger and Seafood will hold a ribbon cutting Monday, July 30 at 10:30 a.m. All are welcome to attend to see what they have to offer in preparation for football season. Beginning Wednesday, August 1, residents will begin to receive a NACo Prescription Discount Card enclosed in their utilities bills. By using the card residents will have the opportunity to purchase prescriptions at a lower price depending on insurance coverage. The program is sponsored throughout the United States by the National Association of Counties (NACo) through a partnership with CVS Caremark. With no enrollment costs or membership fees, residents will simply present the card at a participating pharmacy when filling or refilling prescriptions to get the discount and save money. The card may be used by all residents regardless of age, income or existing health coverage. Only one card per family is needed and there are no restrictions or limits on how many times it can be used. In addition to savings for your family, participants can use the discount cards for pet prescriptions. For your safety and if the prescriptions were obtained with the NACo card, the program will alert pharmacists when one medication may have an interaction with another medication the cardholder is taking. St. John the Baptist Parish participating pharmacies are CVS Pharmacy, Gem Drugs, The Medicine Shoppe, Walgreens, Walmart, and Winn-Dixie. Please keep the enclosed NACo Prescription Discount Card to use at your next pharmacy visit. If you have any additional questions about the program or if you would like to print a card or receive a card electronically, please visit [www.caremark.com/naco](http://www.caremark.com/naco), call toll-free at 1-877-321-2656, or call the Health and Human Services Office at 985-536-4955. Abilities First, located at 3217 Highway 51 in LaPlace will hold a grand opening on Saturday, August 4 at 10:30 a.m. All are invited to attend to tour the facility. Abilities First is set up to assist adults 21 years or older with developmental disabilities. Free vocational services including life skills, sewing skills, and career development services will be available. For more information, please attend the grand opening or call 985-359-1777. Their website is currently under maintenance; however, in the future please visit [abilitiesfirstinc.com](http://abilitiesfirstinc.com). The St. John Sugar Queen Pageant is currently accepting applications for the 2012 pageant to be held on August 11, 2012 at St. John Theatre. Girls ages 17-23 are eligible to participate. Please contact the 2011 Queen, Chrissy Carter or Pageant Director Sue Cancienne on facebook for more information. The queen will compete for the Louisiana State Sugar Title in New Iberia in September and travel to various festivals and pageants across the state. Congressman Cedric Richmond is hosting a Small Business Summit and Expo- a free two-day interactive summit and expo in conjunction with Delgado Community College. The Summit will be held Wednesday, August 22 from 5:30 p.m. to 9:00 p.m. and the expo will be held on Thursday August 23<sup>rd</sup> from 9:00 a.m. to 4:00 p.m. Due to

limited space, please register in advance at [richmond.house.gov/smallbusiness](http://richmond.house.gov/smallbusiness).

Councilwoman Hotard excused herself from the meeting at 9:05 PM

#### **CORRESPONDANCE/COUNCIL BRIEFS**

Councilman Smith stated, "First I would like to congratulate Mr. Jones and his baseball team on a successful season in bringing home the gold. I hope you're other team wins and I'm looking forward to seeing them at one of our meetings so that we can personally congratulate them. I also want to give thanks to the Sheriff's office for helping me we passed out the ordinance on noise and loitering and it started enforcing that. They passed it out to the bars in my district we started it this weekend and we've gotten some results. We're looking forward to school starting and the curfew ordinance coming into effect. I would like to thank Mrs. DeFrancesch for opening up the clerk of courts office late on Wednesdays that was one of the things that she and I had a long discussion about. She agreed to give it a try and if it is successful we will look at asking especially planning and zoning to open up later during the weekdays so that people don't have to miss work to come get permits done. I think we are in the service business and we need to be able to service people when it is at their convenience and not having to miss work to get some things done."

Councilman Madere stated, "Also I would like to congratulate Mr. Jones. I communicated with him several times through e-mails and once again it is the parents, the kids and the coaching staff and the recreation department as a whole that brought the championship to St. John parish. Also I would like to ask the residents of St. John parish and district 3 to help us with the drainage issue. I am asking individuals to help by not throwing so much trash in the ditches and the canals that all causes problems so if we could get that little help and we can get the railroad and everyone else to pitch in and do what they are supposed to do we can avoid some of these problems that we seem to be going through when we have a little rain issue. Everyone have a wonderful weekend and stay safe."

Councilman Perrilloux stated, "I would like to echo the same thing congratulate the baseball teams for bringing the gold back, the coaches for doing a fantastic job and the parents for their dedication to the kids and to Terrance for being a leader new days are ahead. I want to say congratulations to the West St. John Rams who went to Indianapolis with the seven on seven they almost brought it back but it was just a privilege for them to go there and do a fantastic job. So congratulations to them."

Councilman Snyder stated, "I would just like to reiterate what those guys were saying about our baseball team. The thing that sticks out mostly with eight-year-old teams actually our eight-year-old team has a few six-year-olds playing on the team and when you play teams like Florida or Georgia they have nine-year-olds because of the way the dates fall on their birthday. I played in that tournament last year in South Haven and we had some six and seven-year-olds in our eight and under team and we played a team from Florida that had mostly nine-year-olds that was unique in our little eight-year-old team because we had

some six-year-olds. I had a six-year-old great nephew who played on that team. The kids did a tremendous job on hanging in there winning the consolation bracket. So congratulations to that eight-year-old team, the coaches, the parents and Mr. Jones and our recreation Department for getting those kids ready to go up there and play ball."

Councilwoman Millet stated, "I just want to kind of follow up on what Mr. Madere was saying about the drainage issues and just kind of remind everybody to check the drains outside your house and the culverts to make sure that they are clean. I passed a few of them today and pine needles of falling, winds are blowing and they are jamming up and the streets are going to clog up if you are able to keep the drains clean if you can get yours done if you see that your neighbors isn't done and they needed just walk across the street and take care of it. It is all for our own safety and to make sure our streets drain properly. So be aware of that."

Councilman Madere stated, "One thing I failed to mention when the rain episode started I was also at a meeting that Mrs. Eliza Eugene had at the Laplace library for the businesses in St. John parish and it was very informative and I think the small business people that attended the seminar got a lot out of it and it also showed them how they could get some loans to help their businesses. So I think that was very beneficial and I wanted to mention that."

Councilman Gauff stated, "I would also like to congratulate the recreation department. To the youth of the parish the baseball team for bringing home the gold, thanks to the parents for their dedication. I would like to say happy birthday to Mr. Madere because tomorrow is his birthday."

There was no executive session.

**EXECUTIVE SESSION:**

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 Agreement

Any and all pending legal matters

**ADJOURNMENT:**

At 9:15 PM, Councilman Snyder moved and Councilwoman Millet seconded the motion to adjourn. The motion passed with Councilwoman Hotard absent.

/s/Lucien Gauff, III  
COUNCIL CHAIRMAN

/s/Jackie Landeche  
Council Secretary