

**OFFICIAL PROCEEDINGS**  
**ST. JOHN THE BAPTIST PARISH COUNCIL**  
**TUESDAY, JANUARY 11<sup>TH</sup>, 2011**  
**CHAIR RONNIE SMITH**  
**VICE CHAIR CHERYL MILLET**

The Council of the Parish of St. John the Baptist, State of Louisiana, met in Regular Session in the Rudolph Soraparau Chambers, Edgard, Louisiana on Tuesday, January 11<sup>th</sup>, 2011, at 6:30 PM.

**CALL TO ORDER:**

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

**ABSENT:** Danny Millet

Councilman Julien led the Prayer. Councilwoman Hotard led the Pledge.

Legal Counsels Judge Tom Daley, William O'Reagan and Kerry Brown were present.

**Consent Agenda**

**Items:** Approval of Minutes December 14<sup>th</sup>, 2010, Regular Meeting (Carry over 12-28-10); added to the consent agenda Parade Permit Approval – Martin Luther King Day Parades on the East & West Bank

**MOTION:** Councilman Julien moved and Councilman Lee seconded the motion to approve the amended consent agenda items consisting of Approval of Minutes December 14<sup>th</sup>, 2010, Regular Meeting; Parade Permit Approval – Martin Luther King Day Parades on the East & West Bank. The motion passed with Councilman Danny Millet absent.

**PUBLIC HEARING ON ORDINANCES:**

**10-38** (Public Hearing Held) (Carry over 12-28-10) An ordinance providing for the rededication of a sales tax within St. John the Baptist Parish Sales Tax District, of a one percent (1%) sales and use tax upon the sale at retail, the use, the lease or rental, the consumption, and the storage for use or consumption, of tangible personal property and upon the sale of services in said District, authorized at an election held in said District. (N. Robottom)

Pat McTopy, CFO, stated, *"As you recall the voters recently approved a re-dedication of a portion of the sales tax funds. This ordinance is required to implement the wishes of the voters."*

**MOTION:** Councilwoman Millet moved and Councilwoman Usry seconded the motion to approve Ordinance 10-38. The motion passed with Councilman

Danny Millet absent.

**10-39** (Public Hearing Held) (Carry Over 12-28-10) An ordinance to add the nomenclature "Stella C. Tasso" to the existing N.W. 15<sup>th</sup> Street in Reserve, LA (N. Robottom)

Paul Oncale stated, *"Councilman Millet, who is absent tonight, called me back in early December. He wanted to do a nomenclature on N.W. 15<sup>th</sup> Street in honor of Mrs. Tasso who was the first principal at the old Reserve Rosenwall School and administration recommends approval."*

**MOTION:** Councilman Julien moved and Councilman Morris seconded the motion to approve Ordinance 10-39. The motion passed with Councilman Danny Millet absent.

**10-40** (Public Hearing Held) (Carry Over 12-28-10) An ordinance amending ordinance 10-33 relative to the Annual Operating Budgets for the St. John the Baptist Parish Utility System Fund and Sales Tax District for the fiscal year beginning January 1, 2011 and ending December 31, 2011. (P. McTopy)

Pat McTopy stated, *"This ordinance implements the prior ordinance 10-38 that you recently adopted. Essentially it appropriates funds from the sales tax district into the parish utilities system fund."*

**MOTION:** Councilwoman Usry moved and Councilwoman Millet seconded the motion to approve Ordinance 10-40. The motion passed with Councilman Danny Millet absent.

**INTRODUCTION OF ORDINANCES:**

**11-01** An ordinance to re-zone proposed lots 1A & 2A & a portion of Godchaux Sugars Railroad R.O.W. Sq. C. Cornland Addition A into Lots 1A & 2A rezoning from C-1 to R-1 (PZR-1002) (N. Robottom)

**11-02** An ordinance granting approval to further extend the valid period of time of Conditional Subdivision Approval for an additional twelve (12) months for Coles Landing Subdivision, Phase IV, Lots 148 through 208, and Parcels D, F, G & H, situated in Section 91, T-11-S, R-7-E, LaPlace, St. John the Baptist Parish for 12 months (M. Henderson)

**11-03** An ordinance granting approval to further extend the valid period of time of Conditional Subdivision Approval for an additional twelve (12) months for Praise Place Subdivision, Lots 27 through 83 and Parcels V-1, V-2 and V-3, on East 22<sup>nd</sup> Street, situated in Section 46 and 47, T-11-S, T-7-E, Reserve, St. John the Baptist Parish. (M. Henderson)

**11-04** An ordinance granting approval to further extend the valid period of time of Conditional Subdivision Approval for an additional twelve (12) months for Heron Bay Subdivision formerly Pleasure Bend Resort Subdivision, Lots 354 through 466, T-13-S, R-18-E, a private development, located on Des Allemands Boulevard, Pleasure Bend, St. John the Baptist Parish. (M. Henderson)

**11-05** An ordinance providing for the incurring of debt and issuance of

Eight Hundred Thousand Dollars (\$800,000) of Certificate of Indebtedness, Series 2011, of the Parish of St. John the Baptist, State of Louisiana; prescribing the form, terms and conditions of said Certificates; designating the date, denomination and place of payment thereof in principal and interest; authorizing the agreement with the Paying Agent; providing for the acceptance of a commitment for the purchase of said Certificates; and providing for other matters in connection therewith (N. Robottom)

**COMMITTEE REPORTS:**

Councilman Lee stated, *"The finance committee met at 6:00 this evening to conduct any and all business not only for our 1/11/11 but for our carry over meeting from 12/28/10. We had quite a few items involving bid openings and approvals. This is all a matter of record. I would ask at this time for one of my fellow council members to make a motion to ratify actions taken at that meeting."*

**MOTION:** Councilman Morris moved and Councilwoman Usry seconded the motion to accept the recommendation of the finance committee. The committee approved to take the bids for Persimmon St./St. Joan of Arc drainage improvements under advisement, approved to award the bid for HVAC Repairs (ARRA Weatherization Program) to Howard Mechanical Systems of LaPlace at \$60.00 an hour, approved to to award the bid for Electrical Repairs (ARRA Weatherization Program) to D & G Electrical of Destrehan at \$44.00 an hour, approved to award the bid for Plumbing Repairs (ARRA Weatherization Program) to Brotherhood Way General Contractors of Kenner at \$65.00 an hour, approved to table the bid award for 2011 removal & replacement of concrete sidewalks, driveways & streets, approved to to table the award for drainage excavations of the parish ditches – 2011 Annual Contract, approved to to award the low bid for 2011 Road Improvements – Asphalt – to Coastal Bridge Co., LLC of Baton Rouge, approved to to award the low bid for HHS Building renovations and additions to Lanco Construction Co. of LaPlace, approved to to grant administration authorization to award and sign the contract with the low bidder J.A. Jack Julius, Jr. Inc. of Marrero for \$1,127,000.00 for the Central Library Addition, and approved to to grant administration authorization for the renewal of the Firefighter's Medical, Dental and Life Insurance with Humana as presented by the Massad Group for the 2011 Calendar year. The motion passed with Councilman Danny Millet absent.

**DEPARTMENT/ENGINEER REPORTS:**

**Haston Lewis/Cheryl Millet – Update on West Bank/East Bank Farmer's Market**

Julia Remondet, EDC, stated, *"I wanted to report on the West Bank Farmer's Market. The administration is finalizing a Joint Use Agreement with DOTD to use their property here at the foot of the bridge for the proposed farmer's market on the West Bank. The parish is currently waiting for letters of no objection from ten various agencies. I think as of this morning we were short one letter. We give them thirty days to supply these letters. Also we had a visit Friday with DOTD and we have gotten a conceptional approval of the project on the site from DOTD and we are working closely with them. In that meeting since this is a federal grant we are seeking DOTD realizes we have some of the*

same requirements so to cut that time down they are going to accept our letters on their behalf as well. So we feel like we have made great progress on that. The grant is written and will be submitted by February 1<sup>st</sup> because we have to give these agencies so many days to supply those letters. So we are real pleased with the progress on that."

Councilman Lewis asked, "I understand that you said you are trying to get a grant for that? I thought we already had the money. How long have we been dealing with this right now?"

Julia Remondet stated, "Since March but we did not have a grant. We didn't have the funds to pay for it. We always proposed doing a USDA grant."

Councilman Lewis stated, "I don't know if you had proposed it but I thought that as long as we have been having Economic Development we always find money to do everything else except to do economic development. I thought this was economic development. We should have put this in the budget. This is about two years now that we have been dealing with this. I know I have been talking to you on it. I don't know who we need to talk to to get this on the move because on the East side of the bridge there is a little restaurant over there and it didn't take that lady very long to get that restaurant moving and it looks like we are a governing body and we can't get it moving. Plus with the amount of money that we collect for economic development I don't know why we have to wait for a grant to get this money when we have people that need to work and do something and we keep dragging our feet. I think we need to go into the EDC money and get that money and build that thing. We are not talking about a world of money and they have been collecting too much money to not really have anything to show for it. I hope we make a move on it."

Julia Remondet stated, "To the best of my knowledge it has always been a grant that we were applying for. I am not saying it is right or wrong that is the interpretation I had of it but it has been since March. It is up to you how you want to do that."

Councilman Smith asked, "Mrs. Remondet how much is the grant being written for?"

Julia Remondet stated, "\$99,999.00."

Councilman Smith asked, "So \$100,000.00 and that is going to cover the East and the West Bank or just the West Bank?"

Julia Remondet stated, "Just the West Bank facility but that would help speed that along if we didn't have to wait for a grant but still there are other approvals for that property that it needs federal approval as well so. Sir you mentioned a business on the West Bank. There have been several issues where they have had joint use agreements where they have used state property for different ventures and I think the state has been stung on that so that is why that process is sort of lengthy at this time."

Councilman Lewis stated, "I would like for you to give me an update on that every month because I am going to try to get this off of the

ground."

Councilman Julien asked, "How much money was Mr. Lewis looking for to get it off of the ground? Was it the \$99,999.00?"

Julia Remondet stated, "That is the amount of the grant we were applying for yes."

Councilman Julien asked, "Have we already started the process of dealing with the Federal Government?"

Julia Remondet stated, "The state handles that part and yes they have submitted something I believe."

Councilman Morris stated, "We are talking about the West Bank. How much would a total be for the East and the West Bank?"

Julia Remondet stated, "East Bank as I said a grant was supposedly written or submitted to the Delta Regional Authority. I have never seen that grant or a copy of it or even know how much they were applying for but it was denied as far as I understand and that was only by accident. I received no letter saying anything about it."

Councilman Smith asked, "Let me see if I got this right, we applied for a grant for the East Bank and it was denied, correct? So as of right now we have no money to start the Farmer's Market on the East Bank. Am I correct?"

Councilwoman Usry asked, "We don't even have land do we?"

Julia Remondet stated, "I never worked on the East Bank project that was handled by another part of the administration so I am very unfamiliar with it and I found out it was denied by accident."

Councilman Smith asked, "Is that other part of the administration here?"

Julia Remondet stated, "No they are no longer with us but I did speak to the individual who wrote the grant and I was told it was denied."

Councilman Smith asked, "You may not be able to answer this and please excuse me if I am out of turn, Mrs. Robottom who is handling the East Bank now, if that person is gone?"

Natalie Robottom stated, "Until Mrs. Millet raised the issue of the East Bank Farmer's Market I was not familiar with it as a plan. Since I have been here we have been working on the West Bank Farmer's Market if the council so chooses to expedite us using EDC funds while we await the grant, that is something that you can do however we still have to go through the process of having the joint use agreement signed, getting letters of support from our residents and farmers and there are other things required that again if we can use grant funds that are specific for this kind of use I would rather use that and leave the funds that we have for something we need. Until this item came up on the agenda it had never been addressed in my office, since then we have found out that through Bayou Land this council through Resolution directed them to apply for a Delta Regional Authority Grant and that

was denied but we are going to pursue other avenues for the East Bank just like we are going to continue to work on the farmer's market for the West Bank."

Councilman Smith asked, "Mrs. Robottom is it possible for you to give us an update at the next council meeting on exactly how much money we are looking for, the amount of the grant, so that we can find out how much money we need?"

Natalie Robottom stated, "What I can tell you for the West Bank grant which is very important there is no cost for the property so that makes it very attractive. We are only going to have to put stalls and a parking area for our vendors as well as our residents to purchase. On the East Bank I am not familiar with a site or a location and we will have to get a little bit more information on that. We will be happy to pursue some other avenues and again it is always up to the council if they choose to dedicate a certain amount of funding for that we will oblige and continue to work on it but I need to get more information and obviously this was done prior to us arriving and there was no information given to me regarding an East Bank Farmer's Market."

Councilman Morris stated, "Can at the next meeting we have this item placed back on the agenda and at that time administration can give us a total or an estimate of how much that would cost for the East Bank and an estimate for the West Bank?"

Natalie Robottom stated, "The \$99,999.00 is sufficient for the West Bank at this time. We have a conceptual drawing that was presented to DOTD with a lay out on the property that they are going to allow us to use which is sufficient. It is a good starting point. If we want to add after that we would be welcome to do that but we want to try and see with the ten stalls how that works out. I will be happy to meet with Mrs. Millet and obviously we can look back in some of the records from people who were here previously to see where they were targeting for a Farmer's Market and if there is a land purchase necessary or if there is some other type of agreement we may be able to enter into to get the property."

Councilwoman Millet stated, "From my understanding it was going to be at the Hwy. 51 Park that is where they were going to put it."

Councilwoman Usry stated, "They had also spoken about the Lasseigne corner."

Natalie Robottom stated, "So there were a couple of options. Give us an opportunity to study that and we will get back with you."

Councilman Smith stated, "Mrs. Robottom one other question, Mrs. Remondet may be able to answer this, do you have any idea about roughly how long it is going to take to get that approval on the West Bank to go through."

Natalie Robottom stated, "What we have been told preliminary that there is support for our grant. There is a time frame and we plan to have it submitted by February 1<sup>st</sup>. They have already conceptually approved what we are doing and pretty much committed those funds to us it is just a matter of going through the process through USDA."

Councilman Smith stated, "Okay I am not concerned about the money because we can always go into EDC. My concern is the land use agreement and everything else that we are waiting on. Do you have any idea how long that is going to take?"

Julia Remondet stated, "We need to submit a formal architectural drawing. We had one that was done in house which was very good and we were waiting for the grant funds to come in because you have to put 20% down on the building to get the drawing of this metal building so that would probably be needed before the final okay but with the grant writer attending the meeting with us with DOTD there is some duplication of efforts that the state goes through in approvals that they are going to use our letters of no objection towards their program so it could cut that time down to maybe thirty to forty days maybe but they are very excited about the project."

Councilman Smith stated, "Mrs. Remondet, I understand they are excited but we have been waiting for this for I don't know how long and all I am asking is I am trying to see if there is a way to cut through some of the red tape and get it started now. Whatever that building costs if we need 20% can we take that money out of EDC to move forward that is what I am saying."

Julia Remondet stated, "Yes we can. If we are not worried about getting the grant funds first we can put the 20% down and get that drawing but we were working on the grant basis."

Councilman Smith stated, "I mean I am only one councilman but I see Mr. Lewis is trying to move this forward and I would love to do anything we can to help him get that started on the West Bank."

Mike Carmouche, Projects Manager, stated, "We had a meeting this Friday with DOTD. We have been having ongoing discussions with them. We had a team go up Friday. We gave them all of our information. They were very impressed. They had no idea we were that prepared. The state is ready and willing to go. If it was the state we would have it tomorrow but it is federal property so they have to give the go ahead. Once that is done we can start."

Councilman Smith asked, "Is there anything we can do to speed it up?"

Mike Carmouche stated, "As soon as the federal government gives the state the authority we are good to go."

Councilwoman Hotard asked, "I wanted to know if we could get with that cost analysis, how much will it cost us to actually maintain the project because we will have to figure that into the budget as well. To touch on what Ronnie said as far as the federal government is there anybody that we can contact, some of our congressional delegates in Washington to say hey can you assist us with this or even our lobbyist or someone who can try and help us push this along?"

Councilman Lewis stated, "You know I thought all this land was state land. The lady that has the restaurant she dealt with the state to get that and let me tell you something over there on the site we are talking about the electricity is right there, the water and sewer lines

are right there and the roads are in. The only thing you are really talking about is putting a building there. They have people selling under and around the bridge every day. You can't see when you pass there for the trucks sitting out there everyday. It shouldn't be a big deal to get that going. Then we got a department in our budget that says we have economic development, I thought this was economic development, it looks like its not. I don't know what it is."

Natalie Robottom stated, "Mr. Lewis we are having those exact conversations. We have already decided if 20% was needed to get the drawings. They have been directed to get that. Our problem with the federal government is that there are steps and it is not that they are being disagreeable but there is a sequence of events that have to take place and that process has been started. We are not holding up because of the funds. If we needed 20% for the drawing, we have already done that. In addition to the restaurant, we also secured property for the Wallace Park. So this is not an unfamiliar process but it is a process and we are encouraging our EDC department and project manager to work diligently to get it done. We anticipate having these funds and starting on our Farmer's Market by the end of the year."

Councilwoman Millet asked, "Have we met with the farmers that are going to be using these stalls?"

Julia Remondet stated, "We do have letters of support. For the grant we needed letters of support from farmer's, crafters and the general public. We have secured letters for that. We worked with the county agent with that as well and USDA planned to come in and help them take their products to a different level as well in other markets."

Councilwoman Millet asked, "Once this project gets started and underway are we going to eliminate the ones under the bridge?"

Julia Remondet stated, "We hope we will. We have gotten some of them to sign for it as well."

Councilwoman Usry asked, "Are we going to charge people? How are we going to get the money to maintain it?"

Julia Remondet stated, "We have visited several farmers markets in the region and we have gotten their rules and regulations on how they operated and we sort of picked and chose through that and developed a draft form of rules and regulations. Yes we will charge but a minimal fee."

Councilwoman Usry asked, "I mean enough to pay the electric, water and those types of charges?"

Julia Remondet stated, "Yes. I mean it isn't open all day every day so it would be minimal."

Councilman Lee stated, "Just one quick comment, I think all this sounds good. I am speaking specifically about the East Bank now. Twenty-four years on the council, no less than three times I have made the attempt, Haston you have been here, to put a Farmer's Market on the East Bank. I wouldn't expect this administration to recognize that. Three times and I survived all three because I have been on the council for six terms

believe me many of these vendors wanted to run me out of St. John Parish because of it. So I say let's move with caution on this. It is not as simple as it seems to be. It sounds like the administration is addressing it. Address it cautiously and make sure we understand what our objectives are because the intention of course is to help our vendors, farmers and other wise on the East Bank but as Mr. Lewis said earlier on the West Bank, they want to be where they want to be so it isn't going to be as easy as we may think it is to build them a spot because God knows what myself and some of the previous council offered them was something that I dreamed they could never possibly say no to but they did. So before we go over board and spend a lot of money and buy land and consider this as something that everybody has bought into I suggest that we look at it very closely because we have enough issues on our plate that the public is crying for. Sometimes we think the public wants these issues and they really don't. So I would hope we would take our time on this and be very diligent in the preparation before we spend any money on it."

**OLD BUSINESS:**

**Haston Lewis – (Carry Over 12-14-10) Overturn of Planning and Zoning's denial of a trailer placement for Susan Dugas – 164 Phoenix Lane – LaPlace**

Councilman Lewis stated, "I would like to make a motion that we overturn planning and zoning on the denial of the trailer for Mrs. Dugas on Phoenix Lane."

Councilwoman Usry asked, "Is that the property that she is going to lease?"

Councilman Lewis stated, "I couldn't tell you if she is leasing it or not."

Mike Henderson, P&Z director, stated, "There was some question about ownership. If I recall correctly she did have some paperwork from the owner authorizing her to place a trailer there. From a planning and zoning situation it was a zoning issue not a land issue."

Councilwoman Usry asked, "I just wanted to know if just one trailer would be put on that lot?"

Susan Dugas, 3265 Hwy 18, stated, "We plan on out right purchasing this property from the previous or current owners as cash. My mobile home is a 2007 home. The off sets that were given to me by planning and zoning put us exactly where we need to be with no problems and no issues. The only problems that we ran into from what I understand is that there was a zoning issue being as it was residential instead of a mobile home area. So I am not quite sure what happened but when you go to the neighborhood there are five mobile homes there and one house. So I am not sure what happened as far as the zoning but from what I understand I clear and would be able to fit there with no problems."

Councilwoman Millet asked, "Mr. Henderson can you explain to me why it was denied?"

Mike Henderson stated, "There were some questions about the fact that

*she didn't own the property at the time and the fact that there were some issues surrounding zoning."*

*Councilwoman Millet asked, "It is zoned residential. Was that the primary reason?"*

*Mike Henderson stated, "That is why we recommended denial yes."*

*Councilman Lewis stated, "I went down the street and everything down there is trailers like she said except one of them."*

*Councilwoman Millet stated, "Because they were all brought before the council and over turned."*

*Councilman Smith stated, "No that isn't what happened. Let me explain what I was informed, not on this issue. When you have a street there is a 400 foot radius that they look at to determine the number of houses and trailers in that area."*

*Mike Henderson stated, "Your ordinance doesn't really talk about making decisions based on numbers but it is just information for the parish council and the planning commission to help make decisions on the number of houses versus the number of stick homes in a particular area. So we do have a 400 foot radius around the location to determine what the numbers are."*

*Councilman Smith stated, "That radius could actually go over to the next street and if you have all homes on the next street and it goes over into the next street okay now you have more homes than you have trailers and if it goes over to the street on the other side and there are all homes down that street then all of a sudden they are saying that it is not compatible but the street that she is actually looking to go on has all trailers and one house on it."*

*Mike Henderson stated, "The compatibility part of your ordinance refers to the type of mobile home, roof line, vinyl siding and those types of issues. What I use as a criteria for placement and what as an administration we look at what an area is zoned. Is it zoned for trailers or is it zoned homes and it is just outside of my authority to say okay it is zoned residential however there are a lot of trailers on this street so go ahead and put a trailer, that is just outside of my authority so that is how we get to where we are."*

*Councilwoman Hotard stated, "I just wanted to kind of touch on what Cheryl said what happened also too is before zoning came into affect you did have streets that had homes and trailers. Once zoning came into effect it made all of those area R-1 so if there were empty lots they could no longer place a trailer on those empty lots unless they got a variance or it was over turned at the council level. So a lot of those trailers may have been there before the parish zoning took affect not something that we turned over but before those areas were actually zoned residential."*

*Mike Henderson stated, "Hopefully some of the recent grants that we received the resiliency grant and the land use grant that we received recently we will be able to look at those areas and make a recommendation back to the council about some areas that may have been*

zoned R-1 but possibly should have been zoned differently. So that is another good thing too."

Councilwoman Usry asked, "There were no objections right?"

Mike Henderson stated, "No."

**MOTION:** Councilman Lewis moved and Councilman Morris seconded the motion to overturn Planning & Zoning's denial of a trailer placement for Susan Dugas – 164 Phoenix Lane – LaPlace. The motion passed 7 yeas, 1 absent (Danny Millet) and 1 against (Cheryl Millet).

**Raydell Morris – Housing Authority Commissioners removal, request for review**

Councilman Morris stated, "We have been dealing with this for several months now. I think two and a half. I think we need to finalize it or we need to make a decision on it one way or another. I think the proper notices were sent out by our secretary."

Judge Tom Daley, Legal Counsel, stated, "Before we can take any official action the first cause of business is to open up a due process hearing for the commissioners. They have requested an opportunity to address the council with regard to the removal motion. What is on the agenda today is if the council will re-affirm that motion after they have an opportunity to address the council which they have requested."

Councilman Smith asked, "So Mr. Daley at this time we need to make a motion to do anything or just allow them to speak?"

Tom Daley stated, "It is an agenda item. What I would suggest is that the chair recognize each commissioner individually and give that commissioner and/or their counsel an opportunity to present to the council why the prior council action should be not affirmed or affirmed."

Councilman Smith stated, "Thank you. The first commissioner Mr. Allen Smith."

There was no answer or response when Mr. Allen Smith's name was called.

Councilman Smith asked, "The second commissioner Mrs. Paula Hart."

There was no answer or response when Mrs. Paul Hart's name was called.

Councilman Julien asked, "As we are calling, would we call for the commissioner or would we also ask for their counsel?"

Councilman Smith stated, "I am calling for the commissioner unless they are not here and have an attorney present, if that attorney is here to speak for that commissioner they are welcome to do that. Mrs. Hart is not here either. (Councilman Smith continued calling) Mr. Arthur Smith."

Arthur Smith, 192 E. 12<sup>th</sup> Street, Edgard, stated, "I have my legal counsel who wants to ask a few questions and will be speaking on my behalf."

Winston DeQueer, attorney representing several of the commissioners, stated, "I first want to begin by addressing the notice that was sent to the commissioners. Particularly the one sent to Mr. Smith and it is a very vague notice. We are here to defend ourselves but we are not really sure what we are defending ourselves from. It says based on the October 15<sup>th</sup>, 2010 consolidated review of the St. John the Baptist Housing Authority that was issued by HUD and details finding that the St. John the Baptist Parish Housing development was in direct violation of the act of 1937 in the code of regulations; in the handbooks and quality housing and work responsibility act of 1998 and or changes in occupancy regulations said report further indicated that the authority failed all six functional indicators. I am not sure what the commissioners are here to defend themselves from. What did each of them do? I have read the report and the report details and indicates a failure of the staff. It says that the staff didn't make the correct report. The staff didn't keep appropriate records. The staff didn't do various things. I am very uncertain of what we are defending ourselves from. In addition the period covered by the audit report is the period of 2008/2009, the federal fiscal year which runs September to October. One of your members was a member of the commission at that time. Certainly he would be disqualified from participating and it is my understanding that it was he who made the motion to bring those persons forward and because of that conflict he is disqualified from making that motion. Now the commissioners that I represent stand prepared to defend themselves. In fact four of them were only on the board for four months during the period of that report. During the period that most of that report covered they were not even on the board. So they should be given some absolute notice of you did this wrong, you did that wrong, this is the cause for you. Additionally it indicates that they want to remove all of the commissioners and I urge the commission that with regard to the statute it talks about removal of a commissioner, not all of them which means that you have to find particular cause for each commissioner. So I would urge the parish body tonight that before they take this up, if they choose to take this up, that they issue to each commissioner a notice detailing to that commissioner exactly what that commissioner did wrong. I don't know if any of you are familiar with the federal regulations but you could spend a couple of days reading the act of 1937 with regard to housing and urban development and the code of federal regulations and after reading it for several days you would be amazed at what it contains and you would be uncertain about what parts of that act that you are actually accusing these commissioners of violating. I would urge the commission before it begins to take up any actions with regards to Mr. Art Smith, I don't see anything in here that says he did anything particularly wrong with regards to the act. So before we begin I would ask the commission to number one consider if the motion is even valid because I think the gentleman who made the motion had a conflict of interest and under the code of ethics was disqualified not just from voting tonight but from participation in any action with regards to that issue. Secondly I would ask you to confer with your counsel with regards to the vagueness or the lack of specificity because these people really don't know what they are here to defend themselves from. I met with them and questioned them about the various things in that audit report and I may also say and I am sure this council is familiar with audit reports. Audit reports are hearsay. The auditor comes in he looks at the records and he writes a report. You are not given an opportunity to defend

yourself. It is a bunch of allegations. This council cannot take the audit report and say you have violated this law based upon the audit report. You have to actually show that they violated that part of the law. So I would ask you to reconsider your notice, reconsider the charges and if you choose to go forward to give these people some very specific things that they did wrong and the four people that have only been on the board for four months during this period to be very specific about what they did wrong or what they should have done differently. I would like to ask the commission to address those issues before we get started because we really would like to know what we are defending ourselves from."

Councilman Smith asked, "Mr. Daley it is your recommendation that we do what Sir?"

Tom Daley stated, "These commissioners have asked for a due process hearing to defend themselves against the removal action. The matter was placed on the agenda to give them the opportunity to do so. This council decides whether or not they have adequately defended themselves or not. The notice says that for the reasons set forth in a very detailed audit report by HUD which was addressed by Mr. Oliver Rose who presented himself to the council that the commission was not functioning adequately. He said he wouldn't make any personal recommendations but he said that the report indicates that the commission and the authority fail in all aspects. I think that the commissioners have all received the report. The report requests that the chairman of the commission respond to the report. I have personally ask that the attorney for the commission give us any and all responses that have been made to the HUD report and have received none. It is at the pleasure of the council how they wish to proceed."

Councilman Lee stated, "We are dealing rather loosely now I am assuming. This is the first time we have ever dealt with something like this. I want to make something clear or at least clear up in my mind some weeks ago this council voted to remove the entire board. That action has been taken. It was my understanding and again I certainly could be wrong on this that we had to give this board due process, the ability to come in front of us and defend themselves. It is not our responsibility, I wouldn't think, to reiterate other than those comments made by our counsel as to that being our reason and obviously that is our reason it was mentioned a number of times in the minutes that was our reason for dismissal of the entire board. So my question here or my comment and if I am wrong I would like someone to correct me on that is our actions have been taken. I don't believe any additional action from this council is necessary unless we choose to over ride the decision that we made before. This is what I came to this meeting believing this evening and I still believe this so if I am wrong I would like counsel to dispute those comments."

Tom Daley stated, "Mr. Lee the state statute gives the commissioners, should they request it, an opportunity to present to the council and then the council after hearing that presentation must move to re-affirm the prior action or can move to negate the prior action."

Councilman Lee asked, "So it does require us to vote on it again?"

Tom Daley stated, "Yes Sir."

Councilwoman Hotard asked, "I just wanted to ask in regards to what the legal counsel for some of the board members has said that he is challenging whether or not it was improper for the previous commissioner who now serves on the council to actually make the motion that it was a conflict of interest and that may make that action invalid is that correct?"

Tom Daley stated, "I haven't researched that issue and I am not prepared to give you a studied answer on it. As we all know ethics issues are sometimes less than straight forward. I don't think that the current councilman has any economic interest, that is usually the issue with regards to the ethic rules but Councilwoman Hotard I am not trying to dodge it but that is the first that anyone has raised an ethic conflict to my knowledge and I haven't been in a position to be able to evaluate it with any research."

Councilwoman Hotard asked, "In your legal opinion do you believe it is something that we need to take into consideration before we take any additional action?"

Tom Daley stated, "Well prudence always says that it doesn't hurt to look things up but I will say this I am not prepared to debate the allegations that have been raised. I was unaware of any violation of the ethics rules based on the prior council action and that issue hasn't been raised previously as a defense to the removal action."

Councilwoman Hotard asked, "Let me ask you this as far as the jurisdiction over the actual housing authority board does the council still have jurisdiction over the board and if so how much longer will the council actually have that jurisdiction over the board?"

Tom Daley stated, "The issue of jurisdiction is based on the census data. This week I contacted the Public Information Officer for the federal census who advises me that the county census numbers will not be released until February at the earliest. Until those numbers are officially released we have no basis to change the jurisdictional authority. It is with the council right now and we have no factual basis to adjust it. Once those numbers are released, I was told this week that the earliest they would be released is sometime in February, no sooner and it could be early March but they wouldn't commit to a date other than no earlier than February."

Councilwoman Hotard asked, "Do you advise us to take action on it if there are questions of whether or not there could be some conflicts of interest in the way that the council previously voted to remove the board members?"

Tom Daley stated, "Nothing is going to change jurisdictionally between now and the next council meeting. There was already an application to continue this matter whether or not the council wishes to proceed is up to you and not up to me."

Councilman Smith asked, "Mr. DeQueer at this time are you going to represent you said four commissioners. Are you going to represent them together all at once or how are you going to represent them sir?"

Winston DeQueer stated, "Well first I would really like to separate them out because we have commissioners in two different categories."

Councilman Smith stated, "Sir that is fine. I have called for Mrs. Paula Hart nobody answered. I called for Mr. Allen Smith and nobody answered. We only have three people left. At this time you are there for Mr. Art Smith so there are only two people left after him and you said you are representing four of the commissioners."

Winston DeQueer stated, "I would like to first ask that Mr. Smith be told exactly what he did wrong."

Councilman Smith stated, "Sir at this time and I am not trying to interrupt you what the council duties are now is for the commissioners to explain to the council why they feel they should not be removed because they have already been voted on to be removed. So at this time sir what they should be doing is explaining to us why they feel we should leave them there."

Winston DeQueer stated, "I do understand your position and I don't dispute the position that you are taking and I would simply if I could have about a minute or so put our position on the record so that it is understood where we are. With regards to removing them for cause, everybody has heard the word due process. Due process means that before you can be deprived of something, something taken away, particularly by a government agency you have to be given notice, an opportunity to defend yourself and the burden is on the government agency seeking to do the deprivation. I have read the statute and I am very familiar with it. You did follow the process of the statute but once we appealed you didn't make a finding of cause for which they could defend themselves. It is my belief that tonight the burden is on this council to say this is the cause, to show proof of the cause and to allow them to respond. That is how due process works. Now we are willing to go with whatever this council sets we have no choice but I would go forward by saying first you have to find a finding that there is just cause and that just cause cannot be based on a here say report from an audit, with that I am prepared to go forward with each of the people and I would like to say with regards to them the members that were only on the board four months during this report audited should be in a totally different category from those who were on the board for a period longer than the period covering that entire report period. The other thing is we need a determination as to who is voting. We certainly believe that one of your members is certainly disqualified."

Councilman Julien asked, "Would it have to be more specific in that we say Mr. Smith, hypothetically, Mr. Art Smith is accused of taking or embezzling monies from the housing board or housing authority? It would have to be more specific than opposed to just coming and saying we want to have you removed, we put the process in play and now we are just removing you. It would have to be more specific on each individual?"

Winston DeQueer stated, "That is correct."

**MOTION:** Councilwoman Usry moved and Councilwoman Hotard seconded the motion to take a recess. The motion passed with Councilman Danny Millet absent.

**MOTION:** Councilman Lee moved and Councilman Lewis seconded the motion to go back into regular session. The motion passed with Councilman Danny Millet absent.

Councilman Smith stated, "At this time Mr. DeQueer I need you to tell us what four commissioners you are representing."

Winston DeQueer stated, "Tonight I will be representing Priscilla James, Evelyn Williams and Arthur Smith. I have been in contact with the others and was supposed to meet them here tonight and I understand that one isn't here due to illness and I haven't talked to the other so although I believe I will represent them I will not appear for them because they are not here."

Councilman Smith stated, "Thank you sir. So it is actually three people Mr. Arthur Smith, Mrs. Priscilla James and Mrs. Evelyn Williams correct?"

Winston DeQueer stated, "Correct."

Councilman Morris stated, "I was under the impression that is what he was doing now."

Councilman Smith stated, "I just wanted to get clarification for the record who he was representing that is all. Mr. DeQueer what I think we need to do now is we are going to give you your say for those three people. You can state what you need to state on their behalf then what the council is going to do is pass a motion and make a decision on what we are going to do with this item."

Winston DeQueer stated, "In getting started I went back and looked at the statute for removal and it is title 40 section 537. It says a commissioner of a local housing authority may be removed for neglect of duty, misconduct in office or conviction of a felon. The end that is all. I went back and read the notice that was sent to each of the commissioners. At no point in the notice does it accuse any of quote neglect of duty, conviction of a felony or misconduct. First off the notice doesn't state cause, now I am going to leave that technical part alone because that is what you have to decide if there is cause technically I don't think there can be but secondly with regards to Mr. Arthur Smith standing behind me, Mr. Smith was appointed to the commission 6/22/09 - he took his office sometime after that. This report cuts off September 30<sup>th</sup> or October 1<sup>st</sup>, 2009. He would have been on that commission for three months. I also went back and looked at your notice and your notice doesn't accuse these commissioners of any action post the audit report. There is no notice that they did anything wrong after the audit report. So to say that they are a dysfunctional commission or to say that they failed to do what they were supposed to do it isn't included in the notice. The notice simply says that during the period of the audit that ended at the end of the federal fiscal year 2009 you had six failed indicators. Mr. Smith will speak. He was only on that commission for three months. He is only going to speak about whatever happened in three months and the council is prohibited from considering anything after that and I will remind that you have to find if he has been convicted of a felony, misconduct in office or what have you."

Arthur Smith stated, "You know I have been around a long time and I've been a thorn in some of you guys side but it is a shame that it comes to this and the people that really need service are the ones that are getting hurt. I don't mind getting off of the commission that isn't a problem for me. My problem stems when you accuse me without giving me due process. First you vote to take me off that smears my name. It is like telling you Mr. Ronnie Smith you are a child molester and you go to court and you are proved innocent but you know what people will be saying he could have done it. People will always look at you and say he could have done it and that is what you have done to me. My reputation and told me that he did something wrong on that board. That is wrong to begin with. Now if you want me off I will gladly walk away but you are going to clear my name. That is number one. You are going to clear my name because I have not done anything wrong. Now you want to know why I need to stay on this commission because I am one of the only people that you can say fights for the people. I have done some positive things. Yes I yell and scream but if yelling and screaming gets you off of the board than Mr. Wolfe would have been off of the council years ago. So I have done everything that I am supposed to do for the people. I don't go there. I don't go to that office. I am the only one that looks at the budget to try and get the money squared away. I am the only one that when we were having problems with our previous ED I fought until we were proven correct. I fought this thing diligently. I fight for what I believe is right with an open mind. You prove me wrong I will turn around but in the present state and you are talking about something that happened before my time, before I was put on this board. You are talking about things that happened and you want to hold me responsible for things that didn't happen on my watch is totally wrong. When I tried to correct some of the deficiencies as I was finding them out. I tried to correct that. Now there are a lot of deficiencies that still need to be corrected and things happened in that facility that weren't suppose to happen. You were having theft. You were having mismanagement and those are things that I tried to correct. I brought my expertise to that board to correct some of these things and there isn't a person that can truthfully tell you that I did not try to do that. There isn't a tenant in those facilities that will tell you I don't listen and I will try to solve their problems without interfering in the day to day operations of those things. Mr. Wolfe is sitting right there. He has only been on the job for a few months. He can tell you I don't interfere in his day to day operations but if there is a problem, I try to get the problem resolved. Now if you want to remove me for doing the right thing than you sleep with that, let God handle you for that because I am not here to judge you. I am only here to defend myself and I don't know what I am defending myself against. No one has told me you have done this wrong or you have done that wrong. No one has come to me and said Mr. Smith you know what, you are not doing a good job because you have done this or that wrong and I think everybody should have an opportunity to face their accuser as a matter of fact it is a constitutional right that I get an opportunity to face my accuser and I get an opportunity to defend myself but what am I defending myself Mr. Smith? I don't know. Give me due process; give me an opportunity to defend myself. You would give that to anybody else out here. Everybody deserves to live by the constitution of the United States and that is due process of the law. As Mr. DeQueer has said you remove a commissioner for three causes, no one has said you mismanaged, I certainly didn't commit a felony. I haven't done any of those things and I myself would like to stay on the board but you know what if I

have to fight to serve and to make this thing happen then I will do that but I am also going to fight so that you guys do not smear my name anymore, do not put my name on this thing. If you speak about me in a negative way you are wrong. You are absolutely wrong. Each and everyone of you need to look into your hearts and figure hey am I doing the right thing for these people? Are you treating me right? Treat me the same way you would want to be treated. That is all I have to say. If you feel that you have done the best that you can do and you have treated me right and that Art Smith is no good than so be it but I will tell you this I will not go down without a fight."

Winston DeQueer stated, "With regards to Mrs. James, I would like to point out that Mrs. James has been a board member for a longer period of time. There is no issue about that however with regards to her I would like to indicate that during her service which she indicates to me is about five or six years I think she just started her second term. During her service she has had as I have counted about four or five interim or permanent executive directors. The executive directors are the persons that run the staff. I would say in her defense that that in and of itself shows the instability within the management of the institution, not the directorship, but the management of the institution. Mrs. James will speak for herself, I will remind you that you have to find the same things misconduct, conviction of a felony or neglect of duty. None of those are mentioned in her notice and I will let her address you."

Priscilla James, 209 Little Hope Street, "I am a long life resident of Garyville, Louisiana and I was appointed as a commission in 2001 by Councilman Cleveland Farlough. The reason why I am serving on the board and still is serving on the board is to give back to the community, to help the people of St. John the Baptist Parish public housing, making sure that the tenants are being treated fairly and equally and that they get what is due to them. I also would like to make sure that our executive director follows all of the HUD regulations, policies and to maintain an approved and acceptable budget for the HUD. We the board have worked hard to improve the St. John the Baptist Parish housing but for the last eight months it also has been very difficult because we had no director to maintain and monitor the day to day operations and to maintain a complete and acceptable budget and we the board are being blamed for something that we had no control of. There have been a lot of improvements throughout the agency. The board has been communicating and working together as a board focusing on the same issues and concerns of the tenants, looking for a solution together. Also we tried hard to work with our newly elected director, Mr. Wolfe regarding finance and a budget to get it out of the red zone but unfortunately our ED, Mr. Wolfe he refuses to work with or cooperate with the board. He has limited the board from receiving what is needed to correct errors from the past. This is a big problem for us but this can be worked on. I am asking for you to please give the board the opportunity to continue on to work with the agency and the executive director for another six months or so, so that we can continue to correct the problems and move the St. John the Baptist Parish Housing forward in a positive way getting it to where it needs to be or where it once was positive rent collection, decrease vacancy, positive and acceptable budget, an experienced accountant, green space, activities for the children, after school care, just a clean and safe environment. The reason why I think I should remain on the board is because we the board

will continue to work hard with the agency and the executive director to resolve and solve problems and issues concerning our tenants together and to make sure we obtain and maintain an acceptable and approved budget and to obtain passing PH scores per HUD regulations and as a result of the initiative and policies implemented by the board in the past ninety days this board is proud to announce the following accomplishments the agency collected 99% of rent due for the month of November, the agency collected 108% of rent due for the month of December. In compliance with contract provisions instituted by the board a plan has been developed to balance the agencies budget and to reduce outstanding debt. If given the opportunity this current board is prepared to take aggressive action to turn this agency around. We have developed a recovery plan which will be fully implemented within the next thirty to sixty days. We are going to establish policies for conducting a personal assessment at all levels to determine the employees efficiency and competency, assess the office for productivity based on HUD goals and standards, complete assessments of confirmation as it says in HUD policies, requests all available technical and personal support from HUD, retain a short term counsel to advise the agency on needed improvements in the fiscal policy and budget management, initiate immediate action to secure available grants as well as property, develop revenue guaranteed for tax brake incentives and because after all getting rid of this board it won't be the solution to the problem at hand but it will create more problems for the future. I heard someone say or mention God. God is and God always will be."

Winston DeQueer stated, "With regards to Mrs. Williams, I will urge the same thing with regards to the notice that she was given as I did for the others that it doesn't contain any of those specifics. Also with regards to Mrs. Williams she is a new member of the board, the audit report shows that she was appointed on May 11<sup>th</sup>, 2010 and took office at some point after that which means that at most she was on the board approximately four months during the period of the audit."

Evelyn Williams, 156 E. 13<sup>th</sup> Street, stated, "The reason that I should be on the board is because I have been a tenant in Reserve Oaks all my life. It just tears me up to see that we can't come together and get this thing right. I have been in the projects since they were doing good and I have been in there at bad times. When I got on the board it was like a blessing to me because I had, I am a people person and I always contribute to everything so I am saying okay Lord you are putting me on the Housing Authority Board use me to do what you need me to do. So when I get on the board it is chaos. We don't have an executive director. Money has been stolen. The audit isn't right. So we needed to get an executive director and we hired Mr. Wolfe. Mr. Wolfe came in. We sat with him and made arrangements to do what is right and then all of a sudden I get asked to get off of the board. I feel like I don't want to get off of the board and I refuse to get off of the board because I am a tenant of Reserve Oaks. I know what it is to live back there. I know what it is to hear gun shots at night and for your neighbor's house to run into your house. I have been back there when people have taken the money and done the right thing with it. The money is there. It isn't us the board. I just got on the board and God knows I don't steal. I don't have to steal because God is good to me. In me being there I know God is going to reveal who has stolen the money or he is going to let us know where the money is and I suggest that before

I got on the board the money was missing and there were other members that were on the board. So I am trying to work on calling the past members and getting them subpoenaed to come in and talk to us and let us know where they put the money at. One says it is in the bank. One says it is here. One says it is there. It is all hear say. I don't want to go by hear say. I want to be able to talk to the commissioners that were on before I got there. What they are doing is throwing a rock and hiding their hand. They fired everybody that would let us know where to start from. They got Mr. Johnson before that. The same board there is a lot of money missing we can't find out where the money is at. The same board got rid of him two months before he was to retire, with severance pay plus retirement. So that is money down the drain. They took and they paid themselves for services. My service is free. My service is free. I am back there because I don't know much about the board business but guess what I am going to give it 100%. I am going to make sure that the members that are on the board with me are going to do the right thing or I will be the one standing against them. I am going to stand up for something, I ain't going to fall for nothing and for them to accuse me of the money or I really don't know what I am being accused of. I feel like I am being robbed of an opportunity of a life time to serve my community. I am not just on the board. I walk through that housing development and find out the needs of people and not just in Reserve Oaks. I go to Garyville, across the river in Edgard, LaPlace if they need me my number is posted. I get problems from people every day about Reserve housing but since Mr. Wolfe has been there he has been doing a great job, to me. Even the members that I have on the board with me, I am not going to say it is a perfect board because they are looking at little things that they shouldn't be looking at and the big picture they let go undone. Mr. Wolfe came in there with a board corrupted before. He came in there with an office all out of balance. Since I have been here he has been doing a good job. He has been doing what he needs to do to take care of HUD obligations that they gave him and he has been doing what he needs to do for the tenants. He has been filling houses. He has been collecting rent. He has been doing what he has to do. Now he can't do what we want him to do and it isn't going to all happen in one day. It takes time. This is just little stuff but the big problem comes from the people that were on the board before us. Raydel you the one that wants to get us off of the board but you are a part of the problem that we are dealing with because you were on the board. Before tonight you never once came to me talking about if I am mad with you or if I am your friend. I don't get mad because God takes care of my battles. The thing is you came to me tonight saying you know where the money is at. They paid one person too much. Then they paid another person too much or they paid the same person twice. You could have came to me before with that and you shouldn't have come to try and get us off of the board. You should have came as a former board member if you care about the people in the housing development. You should have came as a former board member and got in there with all four of us and talked to us and helped us to get back on the right track. It isn't all about just money. It is about the people back there. If the people that are on the board do the right thing with the money, then we wouldn't even be on a platform on TV, the money will speak for itself. Yes I was disappointed in this because I knew you knew where the money was at and the rest of you know where it is at. Now just like you are accusing me but my hand wasn't in the pot (crowd laughing). It isn't funny. It is not funny at all. This is ridiculous. You are putting people on this board to help other people and they take and do what

they want with the money. I don't find it amusing. I get up out of my bed. I am sick. I just got bit by a dog three months ago. I am missing shots and everything to come and try to take care of something that you all destroyed and just try to go on with. My name is on face book saying I haven't paid my rent. I have been living back there for thirty-six years and I haven't ever been late with my rent all because you all have people going in the office. They have access to the office putting business out that don't make any sense. If I owed the Housing Authority \$3,000.00 I should have been out of there. I would have put myself out. The things that you all need to address you don't. I am saying what I am saying because I love the housing authority. If you put me off of the board or not it is not going to stop me for working for the housing authority. I am not working for money. I am working because I love people. I am working because that is what God put me here to do, to help somebody else cross over. I was just in an uproar. I do everything I can for the housing authority. Mr. Wolfe I will work with you if I am on the board or not. Whatever you need me to do I am going to do it and the tenants in Reserve to if I have to continue to knock on doors. I don't find it amusing they are trying to accuse me of something I haven't done. All I did was gave my services for nothing. Nobody paid me. They asked if I wanted to be on the board and I say yes. They put me on the board so I am in a learning process but when I get in there I don't know all of this is going on. I am thinking I am on this board I am going to learn something educational for me. I get in there they got people stealing here, people stealing there, people aren't paying rent, the computers aren't right, they are doing what they want. It isn't just the board. They got rid of the ED. When they got rid of the ED HUD should have come in right then and there instead of letting it go to the ground and Mrs. Johnson did misuse the credit card but guess what you could look and see what she did with the money. They said they found she was getting her nails done but you can go in the back of that project and see where her money went at. She didn't leave out of there with any money and when she left the people before made sure nothing was left there. When you look at the reports and the findings you find everything with negatives. Negative here 2008 or 2005, well I wasn't on the board in 2005 for the negative report. When they got rid of Mr. Johnson everything started becoming negative. I am going to cut it short. The reason I need to be on the board is because I am determined to find where the money is at. I am hoping and praying just like you all make a decision on us tonight you also make a decision on subpoenaing the board members before us where we can come together in a meeting and try to handle this situation instead of trying to get rid of the board. If you get rid of us it is just like getting rid of the ED. Who will Mr. Wolfe have to work with him? If that is good and they figure they can work without board members or without somebody helping Mr. Wolfe then that is on the people but the people are not in there. They are tenants but they are not in there knowing what he has to deal with and I felt like getting rid of us as a board is just cutting his head completely off and not really caring about the tenants. It is not about Mr. Wolfe. It is about the tenants back there. If we can't get the board up and running, it is just like Katrina done came back through there because everyone is going to need somewhere to stay. So if you leave me on the board or not I am still going to do what I have to do but there is a lot of crookedness that was going on but it isn't going on now. We are taking the little bit that we got and we are putting it together and trying to work it as a package. I try to do anything I can to help Mr. Wolfe and the board

members. Yes we have some board members not doing what they are supposed to do but guess what they can be evicted too. I know I need to be on it. They have some of them that just want to go around and meet behind the street and go back biting. I don't back bite. They have a bunch of them that want to back bite and do things without each other but we have to do it together. If we come together as one we can work this thing with Mr. Wolfe."

Winston DeQueer stated, "I think the council pretty well understands what our position is. These people were pretty helpless. Most of them were not on the board during the time of the audit and we would put on a much better and more specific defense if we knew what we were doing. I asked the commission to look at the notice and look at the law and I don't think the notice nor what you have heard tonight is going to give you cause to find that they have been convicted of a felony, misconduct in office or neglect of duty. I thank you very much for your time and attention."

Councilman Morris stated, "I make a motion to re-affirm the prior council action to remove: Allen Smith, Paula Hart, Priscilla James, Arthur Smith and Evelyn Williams from the St. John the Baptist Housing Commissioners based on the negligent operation of the Housing Authority as set forth in the HUD Assessment conducted June 22, 2010 through August 16, 2010 which was delivered to the Parish President and circulated to the Parish Council and for the reason set forth by Mr. Oliver Rose in his presentation to the parish council at it's December 14<sup>th</sup>, 2010 meeting."

Councilman Lee stated, "First of all before I go anywhere I would like to say thank you to the board for their time served. This is a board that not a lot of people know a lot about. I am going to tell you why. It is regulated by the Federal Government. We have a small responsibility. We, the parish government, have a very small responsibility but if you read the newspaper and you listen to the people on the street, you would swear that we ran this entire operation. So I want to be real clear and up front for all the people out there listening. This is run by HUD. It is a federal operation not one red cent of St. John the Baptist Parish money goes from our coffers into theirs. Number two, I am not under any circumstances questioning the integrity of this board or any of its individuals because I have a tremendous amount of respect for those people that are willing to serve for nothing. You heard a number of them say this. I will confirm it. They serve for nothing. No stipend. No nothing. We have probably a dozen boards that this council oversees and that each council member has an appointment on. The majority of those receive a stipend. Not this one. Not one red cent. They volunteer their time. There is no doubt in my mind that they have given their best effort to do a very difficult job. For the record, I reiterate this is a federally run program. It is there money. I believe, as a twenty-four year councilman, I have said it no less than a dozen times over the years. Mr. Lewis has heard it. Mr. Wolfe has heard it. I expect more out of HUD, out of the feds because it is their money and it is there responsibility. However, approximately twelve years ago the state legislature passed a law, which has become known as the Bobby Fauchaux law. I want the public to understand this. That law transferred the responsibility of board approval from the parish president to this council. It put it on our backs. I was angry about it twelve years ago.

I'm still angry about it today that I as one council member carry such a heavy weight but yet I have no responsibility over one red cent of this federal money. There is nothing I can do with that budget to send more money from the feds to help these people that genuinely need it. So it has always been a frustration for this six term council member because I believe it is wrong but that is the way it is. I will tell you that this, according to our District Attorney, will be our last time to act as a council and to accept or to handle this responsibility and that is of dealing with either removing and/or appointing a board. People sometimes it is just necessary to start over and to start fresh and that is just the way it is. I believe that from the bottom of my heart. As a result of HUD's comments, as Mr. Morris said the gentleman from HUD that spoke lengthy and scathingly about the board, I thought a little too much as a matter of fact but he was talking about an entity or a body not people, not these five people that gave their time and were trying hard. HUD's audit was scathing. I believe that the time has come and the issue is one of negligence and I am using the word negligence. Not that this was intentional, not that they didn't give it their best or they didn't try their hardest or that this is a bunch of bad people because it isn't. Anybody willing to do that, I am proud of but these reports that I read at length tell me they need more help from the federal government, from HUD. I hope we send a message to HUD that we need more help there but the issue here being one of negligence and cited by the audit and cited by, even though off the record, a HUD official. We have a new director. I believe it is responsible now to employ a new board. I would reiterate one more time that it is the responsibility of this council to either dismiss this board or leave them there and if we dismiss them to replace this board. It is an awesome responsibility because it affects a lot of lives. Whatever happens, regardless of how this vote comes down, I will reiterate. I challenge, I beg, I plead with HUD to step up to the table and to generate a true partnership, a federal partnership with their money and with our local talent so that the people that need this assistance in St. John Parish will get it. As you can tell I am rather emotional about this myself, basically this needed to be said for the education of the public. I second the motion. I voted for it last time because I believe it is time that we start fresh and start over and we hold HUD responsible. Those are my comments. Thank you."

Councilman Julien stated, "In this process, the thing that I think is most important and the thing that I think we need to factor in is how will the move affect the individuals who live in these developments. Mr. Lee said negligence. Maybe the board needs more training. Maybe the board wasn't as prepared to deal with or tackle the issues at hand but I don't think that it was done intentionally. When we look at fairness if we say what crime did you commit to say that we will remove you, the three individuals for sure were not there to commit anything or any acts. When we look at I have seen Mrs. James go into houses herself, clean the houses, paint the houses, volunteering her time like no other commissioner has. Mrs. Williams I have seen her whenever we have tragic situations Mrs. Williams is there volunteering her time, giving her time to the community. I believe that and I am going to stomp down Dale Wolfe to support her. If Dale needs help, if she is there or not, she will help. She will work for the community. As we are looking at this, if we remove the entire board, we are still going to have to come back and retrain another board. I recommend that we say that this board has to go through some training sessions to become more knowledgeable about

the working. The issues that we have, we have different political views at some times. We may not all agree. I don't always agree with Mr. Art Smith but I will say that he is a hard working individual. When we look at the situation with political views sometimes people just don't agree. Does that mean that we come to say let's remove an entire board. I just don't think that is what we are supposed to do. Especially if there is no proof that these individuals have done wrong. When we look at, as I said the big picture, the big picture is the residents. How will this move affect the residents? I ask the council members to take this into consideration when casting your votes. How will it affect the residents that live there and that is the most important thing. We can't ask for HUD to come in and fight for the people of St. John Parish when we have people from St. John that are preparing to fight for us. They may need help in certain areas. We may have to direct them but the bottom line is there are people that are working hard, we know for sure three of those people were not there when this stuff was going on. Thank you."

Councilman Lewis stated, "The first thing I would like to say is that I don't think that we should remove this board unless we have another board to put in place. We need to make sure that the next board that we put in place knows more about housing than this board here knew. If they don't know more than we are going to run into trouble again. Plus we need to make sure we know where the housing is and how much money they have to run the housing authority because if they go in there and they don't know it still isn't going to be run right. I think if we are going to remove this board, come up with another board but make sure if we come up with another board that these people have to go to training and then we will change it but in the mean time I don't think we need to remove this board. I think we should wait another thirty days before we make a move and know exactly where we are going. I don't think we should just move it and let the housing sit like that because you are going to sit another two weeks and nothing is going to happen again. Who will be in charge then, nobody? I think we need to wait about thirty days. I think we need to make sure that who we put there, they know why they are there and do what they need to do and have a staff to run it because without the right staff to run it you are going to still be in the same shape that you are in."

Councilman Morris stated, "Well I guess I started this and I guess I will finish it. A lot of things have been said. This is not personal against the individual board members. I think they are great members. I think as a team it isn't working. I brought this up. The only reason I brought this issue up was after reading the report as a commissioner I look for signs from this board. In my opinion, this board should have taken that report and flipped it page by page and address it. To date this agency still doesn't have an operating budget after we brought it up and I brought it up a month and a half ago. To date none of these board members can tell you how much funds they have to operate with. What is their expenditure? To me that is a problem. If you don't know what is coming in your house, how can you manage to pay your light bill? If you don't know what is coming in. This isn't personal. Mr. Oliver said this isn't the place for on the job training. When you come to this job you are dealing with millions of dollars. I can't train you how to deal with ten thousand dollars if you don't know. You should know. So I think this council needs to be aware of who they put on the board. Another sign, some of them said that the money was spent, what I

look at is they don't know and don't understand the operating procedures. When I left the board we authorized the contracts. The contracts were administered after I left the board. This is where the funds were spent. For those of you who don't know where the funds were spent I will tell you because you have to do your homework, you just can't come to the meeting. The funds were spent, a contractor repairing the houses, sent in an invoice for three hundred and something thousand dollars. He was paid but some kind of way he was paid twice. The contractor sent the funds back to the agency. Instead of putting it in a dedicated fund, where when we got another bill from the contractor it would be spent and you could pay the bill, it wasn't. It was put in general fund. It was spent to pay light bills, water bills, just operating funds. When you have dedicated funds, they can only be spent on what they are dedicated for. That is where the money is. To date this board has not addressed the funding, the miss-spending of the funds that was to be dedicated funds. So this is the sign and I use my knowledge of it. So yes I take the shots. I have the target on my back. I started it. I would like to vote now to finish it."

Councilwoman Millet stated, "I think that these people need to be commended for the time that they have given, the service that they have given freely of themselves. Do they have the knowledge they needed? I don't know. I am not privy to the housing authority board. I am not privy to HUD's regulations. I do know that anyone who voluntarily serves their community to the best of their ability should not be put before this council and before this public. This is something that we voted these people in and I think that we need to stand behind our decision to vote them in. I don't see that they have done anything illegal to be removed and because they give themselves so freely and give their time, I have to stand behind them."

Councilwoman Usry stated, "I really don't know the board members at all. I voted to support them. However after reading the audit report and I cannot blame you all for the report at all. I just think it is time for a clean sweep. You might be re-appointed. I have no idea but I thank you for the job that you have done. I think you are very sincere hearing you talk for the first time at a meeting. I think you are sincere in trying to help the public but I think it is time for a clean sweep."

**MOTION:** Councilman Morris moved and Councilman Lee seconded the motion to re-affirm the prior council action to remove: Allen Smith, Paula Hart, Priscilla James, Arthur Smith and Evelyn Williams from the St. John the Baptist Housing Commission based on the negligent operation of the Housing Authority as set forth in the HUD Assessment conducted June 22, 2010 through August 16, 2010 which was delivered to the Parish President and circulated to the Parish Council and for the reason set forth by Mr. Oliver Rose in his presentation to the parish council at it's December 14<sup>th</sup>, 2010 meeting. The motion passed with 5 yeas (Hotard, Smith, Lee, Usry, Morris), 3 against (Lewis, Julien, Cheryl Millet) and 1 absent (Danny Millet).

Councilwoman Hotard excused herself from the meeting.

**NEW BUSINESS:**

**Pat McTopy – (Carry over 12-28-10) Approval of the St. John the Baptist**

### **Parish – Identity Theft Prevention Program**

Pat McTopy, CFO, stated, "In 2008, the Federal Trade Commission issued regulations requiring financial institutions and other creditors to develop and implement written identity theft prevention programs. St. John Parish Utilities because of its credit extensions is considered to be a creditor under the regulations. As such the parish auditors have recommended that we adopt an identity theft program. So we are here tonight to present it to the council and recommend that it be adopted."

**MOTION:** Councilwoman Usry moved and Councilwoman Millet seconded the motion to grant administration approval of the Identity Theft Prevention Program. The motion passed with Councilman Danny Millet and Councilwoman Hotard absent.

### **CORRESPONDANCE/COUNCIL BRIEFS**

Councilman Julien stated, "January 17<sup>th</sup>, is the march for Dr. Martin Luther King. The Bethlehem Missionary Baptist Church and the New Pilgrim Baptist Church is inviting the public to march in the Dr. King march and rally. It will be held Monday, 1-17-11; line up starts at 8:00 AM at ESJ elementary school. The march begins at 9:00 AM and will proceed to the Percy Hebert Building. The rally will follow. We are asking everyone to come out and walk with us in celebration of Dr. King's birthday. Happy New Year to those I haven't seen."

Councilwoman Millet stated, "I just want to welcome home our troops. I want to thank the administration for putting up welcome home signs. They have personally called me and said thank you very much for it because it makes them feel like they are appreciated for the sacrifices that they have made on our behalf. I just want to welcome them home."

Councilman Smith stated, "I would like to wish Happy New Year to anyone I haven't seen or spoken to. As Mr. Julien said, the West Bank Civic Association is also sponsoring a march and memorial program in honor of Dr. King and his legacy on Monday, January 17<sup>th</sup>, 2011. The memorial march will begin at 11:00 AM and will move towards the Edgard Courthouse. The program will begin immediately after the march at the West Bank Community Center. They are asking for everyone to come out and enjoy the march."

### **PRESIDENT'S REMARKS**

Natalie Robottom stated, "I would also like to wish everyone a very happy and prosperous New Year. I would like to announce that we were visited by Captain Nicholas with the ferry system. It is scheduled to start Monday. We questioned if it would on a holiday and he said he didn't think there was any reason it wouldn't but either Monday or Tuesday the ferry will be operating. On Monday through Fridays from 5:00 AM until 8:45 PM. The 5:00 AM trip begins in Reserve and the 8:45 PM begins in Edgard. I am hoping to ride the ferry across Monday for the celebration. As we have done in previous years, the parish is collecting live Christmas trees. So we are asking our residents to put them out curbside. We are going to continue through January 13<sup>th</sup>, picking them up and delivering them to the turtle cove environmental research station at South Eastern. Please help participate in that project. We would also like to mention for those participating in our

recycling program, we are having some problems with some of the materials being placed outside of the bends. What we have found on occasion when we go to move the bends they are empty but with materials on the outside. So we encourage you to participate but we need you to be sure and put your materials in the bends so they can be hauled off. We were fortunate enough to have the author of "American uprising the untold story of America's largest slave revolt". 2011 marks the 200<sup>th</sup> year anniversary of the largest slave revolt, which started in St. John Parish. There is a marker on Main Street because it involved the Woodland Plantation. Mr. Rassmusden was actually at the LaPlace Central Library last Friday with a packed crowd for the discussion of the history as well as a book signing. I want to thank Mr. Robert Becnel who purchased nine copies for our parish libraries and I was able to deliver those to Mr. DeSoto. So again Mr. Becnel we want to thank you. There will be additional activities commemorating that anniversary so I will keep you posted as they occur. This Saturday, 1-15-11, between 5:30 PM and 8:00 PM, I will be the featured server at New Orleans Hamburger & Seafood. Please come out and support our St. John Theatre. We are looking forward to it and again the theatre receives profits from the tips and some of the sales. Everyone has mentioned the Martin Luther King celebrations, just a reminder our parish offices will be closed. There is one additional celebration. They will have mass here on the West Bank at 11:00 AM in honor of Mr. King and I have been asked to speak, so again that will be taking place. I want to quickly congratulate Mr. Julien, Coach Timmy Bird and Riverside for sponsoring the first annual Sugar bowl prep basketball tournament. It was very well attended. There were teams from California, Texas, Pennsylvania and of course a host of teams from around the area. It was very well organized and seemed to be enjoyed by all. We will keep you posted on the Farmer's Market and again Happy New Year."

Councilman Lee stated, "Just one thing, I would like to acknowledge the passing of a long time citizen of St. John Parish and a long time school board member. I hope that the council and the public keeps his family in their prayers that being Dowie Gendron. He passed away a few days ago. He was a wonderful member of the parish for many years. I would like to thank him and his soul for all of his dedication to this parish."

**EXECUTIVE SESSION:**

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 8:48 PM, Councilwoman Usry moved and Councilwoman Millet seconded the motion to adjourn. The motion passed with Councilwoman Hotard and Councilman Danny Millet absent.

/s/Ronnie Smith  
COUNCIL CHAIRMAN

/s/Jackie Landeche  
Council Secretary

