

OFFICIAL PROCEEDINGS
ST. JOHN THE BAPTIST PARISH COUNCIL
TUESDAY, May 25th, 2010
CHAIR RONNIE SMITH
VICE CHAIR CHERYL MILLET

The Council of the Parish of St. John the Baptist, State of Louisiana, met in Regular Session in the Joel S. McTopy Chambers, LaPlace, Louisiana on Tuesday, May 25th, 2010, 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, Ronnie Smith, Councilman District VI, Cheryl Millet, Councilwoman District VII, Jaclyn Hotard, Councilwoman District IV, Danny Millet, Councilman District II, Dale Wolfe, Councilman-at-Large, Div. A, Steve Lee, Councilman-at-Large, Div. B

ABSENT: None

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

Legal Counsel Jeff Perilloux was present.

Ronnie Smith – Acknowledgement – Riverside Basketball State Championship Division 2A – Timmy Byrd – Coach of the year

Councilman Smith introduced the Riverside Basketball State Championship Division 2A team and their Coach Timmy Byrd, who was also named Coach of the year. Mrs. Robottom presented Coach Byrd and the team with a plaque for their accomplishments. Coach Byrd thanked the council and the administration for this honor and commented what a blessing all of the players have been this basketball season. He also thanked their parents for the respect and knowledge that all the boys bring to the court.

Bob Lang – Candidate US Senate

Bob Lang gave a brief presentation to the council, administration and parish of St. John the Baptist on his candidacy for U.S. Senate. He has lived in Nachotish, LA since 1958. He is running as an independent and will fight for the rights of our country. He asked for our consideration and support.

Consent Agenda

Items: Approval of Minutes May 11th, 2010, Regular Meeting; Permit Approval – Eucharistic Procession – St. Joan of Arc Church – Sunday, June 6th, 2010 at 6:00 PM; Permit Approval – Community Block Party 2010 Choice Int'l Community Dev. Corp. – Saturday, June 26th, 2010 at Noon

Rev. Gregory Taylor with Choice International Family Outreach Worship Center invited everyone to come out to the Taking it to the Streets Block Party 2010. There will be many special guest speakers, food, fun,

games, music and much more. He commented that this is more geared to the youth of our community and putting them on the right path. The Block Party will be on Saturday, June 26th from Noon until 6:00 PM at 388 Historic East Street in Garyville. Please come out and enjoy yourself.

MOTION: Councilwoman Hotard moved and Councilman Millet seconded the motion to approve the consent agenda items consisting of Approval of Minutes May 11th, 2010, Regular Meeting; Permit Approval – Eucharistic Procession – St. Joan of Arc Church – Sunday, June 6th, 2010 at 6:00 PM; Permit Approval – Community Block Party 2010 – Choice Int’l Community Dev. Corp. – Saturday, June 26th, 2010 at Noon. The motion passed unanimously.

PUBLIC HEARING ON ORDINANCES:

10-13 (Public Hearing Held) An ordinance amending the title of Section 113:558 of the St. John the Baptist Parish Code of Ordinances by adding the following language, as shown: *Sec. 113-558. Design standards for off-premise signs.* (M. Henderson)

Mike Henderson, Planning & Zoning, stated, *“In our effort to re-codify the ordinances, some of the ordinances were actually grouped together, specifically the one that deals with signs. Inadvertently we left out the section that deals with off premises signs. We thought it was important to do something to clarify that so that there was no confusion as far the design standards. So we present the ordinance in an effort to clarify that in our code.”*

MOTION: Councilman Lee moved and Councilman Millet seconded the motion to approve Ordinance 10-13. The motion passed unanimously.

10-14 An ordinance authorizing the issuance of One Million Four Hundred Thousand Dollars (\$1,400,000) of Public Improvement Bonds, Series ST-2010B, of the St. John the Baptist Parish Sales Tax District; prescribing the form, terms and conditions of said Bonds; providing for the payment thereof; awarding said Bonds to the purchaser thereof; authorizing the execution of a Loan and Pledge Agreement and other loan documents with the Louisiana Department of Environmental Quality (the “Department”); providing for the delivery of the Bonds to the Department; and providing for other matters in connection therewith. (N. Robotom)

The above ordinance was removed from the agenda at the request of Bond Attorney Hugh Martin.

INTRODUCTION OF ORDINANCES:

10-15 An ordinance granting approval to further extend the valid period of time of Conditional Subdivision approval an additional twenty-four (24) months from the end of the twelve (12) months provided by Parish Code of Ordinance to July, 2012. (S. Lee)

10-16 An ordinance authorizing the Parish President to execute an Act of Sale to sell Lots 18, 19, and 20 on Cardinal Street, Cali Subdivision LaPlace, Louisiana, St. John the Baptist Parish for

the price and sum of \$30,000.00 and under such other terms and conditions deemed fit and proper by the Parish President in her discretion, and upon review by legal counsel. (N. Robottom)

10-17 That Section 2:5 of Sub-Chapter A, "In General" of Chapter 2 of the St. John the Baptist Parish Code of Ordinances is hereby amended to provide for a change in polling place for Precincts 4-8, 7-2, 7-3, 7-4, 7-5 and 7-7. (N. Robottom)

10-18 An ordinance to amend the Zoning Ordinances relative to Residential zoning. (C. Millet)

COMMITTEE REPORTS:

Councilman Lee stated, *"At 6:00 PM this evening the finance committee met. We conducted the financial business of St. John the Baptist Parish. We opened bids and awarded bids. At this point I would ask for a motion from one of my fellow council members to ratify the actions taken by the finance committee."*

MOTION: Councilwoman Millet moved and Councilwoman Usry seconded the motion to accept the recommendation of the finance committee. The committee approved to take the bids for Sewer Manhole Restoration Project Phase I under advisement, approved to award the bid for Dry Chlorine Granular to Thatcher Chemical of Florida for \$154.71 per 100# drum and the 3" Bio-Sanitizer Disinfecting Tablets to Shipyard Supply for \$139.00 per 100#, approved to award the bid for the Greenwood Bridge Replacement Project to Grey Construction Co. in the amount of \$440,980.00, approved to award the bid for the Water Storage Tank repair & Rehab Priority Group 2 to Blastco Inc. out of Texas in the amount of \$877,250.00, approved to award the bid for Generator Installation Ruddock Well #2, Station #2, Station #3 to Central Electric of Monroe with a bid amount of \$341,000.00, approved to accept administration's recommendation for the sale of the parish property on Cardinal Street to Rising Star Baptist Church for \$30,000.00, approved to grant administration authorization to go out for bids for the West Bank Park Pavement Improvements Project, approved to grant administration authorization to amend the Bond Management Contract agreement with Crescent Engineering Group, LLC and C.J. Savoie Consulting Engineers, Inc., approved to grant administration authorization to make a budget amendment to accommodate the summer feeding program and the summer camp recreation program transportation, approved the ratification of legal fees in conjunction with the John Millet vs. St. John the Baptist Parish, approved to grant administration authorization to move forward and negotiate the cost and purchase the entrance signs throughout the parish, approved to grant administration authorization to sign an agreement with River Parishes Tourist Commission, and removed item (Agreement to enter into a Professional Services Contract with St. John the Baptist Parish Government and Kerry D. Brown, LLC for special projects), The motion passed unanimously.

DEPARTMENT/ENGINEER REPORTS:

Dale Wolfe - Personnel Matters

There were no personnel matters at this time.

Dale Wolfe – Review/Cancellation of Contracts

Councilman Wolfe stated, "I would like to remove this item from the agenda temporarily at this time."

Dale Wolfe – (Carry Over) Update on development of Lucy satellite park

Marie Brown-Mercadel, Chief Administrative Officer, stated, "Funding for the Lucy Park, was included in the 2002 Bond Issue." In 2006 the council transferred \$84,500.00 of the funds to complete upgrades to the Harold Scott Roussel Park. A property acquisition is required. Administration will work to secure additional funds once a site has been identified."

Councilman Lewis stated, "I have one problem with that. I think we need to put some money in that area there to look for a park for the Lucy site. Lucy doesn't have a playground or anything. They had money in 2002 and they used the money that was supposed to buy the land for the park they used it somewhere else. I don't think that was fair. Once you vote on something, to me it should go to what you voted for. I think we should look down the road to give these kids some type of playground because they don't have anything in the vicinity."

Marie Brown-Mercadel stated, "We are open to doing that. If you have a recommendation for a site and let us know we will be happy to work with you."

Councilman Lewis stated, "I will get with you all."

Councilman Wolfe stated, "I think Haston and I need to get with administration and some of the parties involved in terms of recreation for the Lucy Park. Since administration is new, I just think a meeting is necessary."

Charles Julien – (Carry Over) Update on Sewer issue – Walterine Breaux – 140 W. 14th Street, Reserve

Councilman Julien stated, "I spoke to Councilman Millet and he said at this point that there is a lawsuit. I was wondering if our attorneys knew anything of a lawsuit being filed."

Jeff Perilloux, Parish Attorney, stated, "I don't know anything about a lawsuit. I am not aware of one."

Councilman Julien asked, "I was wondering if administration has had an opportunity to look into the issue."

Pat McTopy stated, "This matter has been looked into by the parish legal advisors for a number of years. It is my understanding that the parish legal advisor indicated that there was no way to provide sewerage to the site because we do not have a servitude to get to the site. There is a strip of land owned by a private property owner between this trailer and the parish road. The private property owner will not and has not allowed the parish or the home owner to put that line in. So that is where we are at. We did our best to provide

services there. Legal Counsel has spent quite a bit of time, you have spent time on it and several other council members have spent a lot of time but we just do not have a servitude."

Councilman Julien stated, "Okay you say on the West side is where the gentleman's property is running for administration on both sides of their houses behind the lady we might be able to run something. What I don't think is fair is for us to sit idle while a person is without water and sewerage basically living as a homeless person and we not act on it. Mr. McTopy is saying that it has been this way for years. I don't even know if the trailer has been there for two years because when I came in it had been there but I think that administration should act on it to see what we can do in good faith. I just don't think that Mrs. Breaux has been dealt with in good faith at this point. So if you all would please look into it so that we can see if we can resolve this issue for her."

Cheryl Millet – Census update

Councilwoman Millet stated, "I am just wondering if we have any preliminary numbers yet on the census returns that have been sent in on our parish?"

Buddy Boe stated, "We have requested from the Regional Planning Commission who has been heading up the regional census effort for the Greater New Orleans region for our updated numbers. They are putting together an update per parish. They didn't have numbers for us immediately. We requested this a week ago. Once we get that update for St. John not only will we let you know but we will put those figures on our website and begin a marketing campaign to drive up those numbers."

Councilwoman Millet stated, "That was my concern. I just want to make sure that people realize how important it is to get this census information out. Just let me know where we stand and what we have to do in order to make sure that this is being taken care of."

Buddy Boe stated, "They said that we should have it by the end of the week."

Charles Julien – Update on lights for 3179

Marie Brown-Mercadel stated, "Refined cost estimates are pending state approval by Entergy. The administration requests consideration in allowing Entergy to absorb the costs because what they are going to do is be building a development there soon near the Praise Place Subdivision and the parish wants to be able to absorb the remaining cost but if we were to go out right now and install lights there it would cost us about \$200,000.00. So we really want to wait until the development is there so that we will not have to pay that entire amount."

Councilman Julien asked, "Do we have any idea of about how long that might take?"

Natalie Robottom, Parish President, stated, "Not yet. We will check on it and get you an update for the next council meeting."

Councilman Julien stated, "Okay I will carry that item over."

Charles Julien – Update on ditch digging and drainage in Reserve area

Marie Brown-Mercadel stated, "We are scheduling a meeting with the drainage contractor to discuss the work schedule. We are going to review the priority list by district with the Public Works Director and Council members so that we can prioritize the order in which we will complete these projects."

Councilman Julien asked, "So do I need to submit another list or what do I need to do to expedite this process?"

Natalie Robottom stated, "I think you have been in contact with Mr. Bailey."

Councilman Julien stated, "Yes I have."

Natalie Robottom stated, "We are going to meet with him as well. He gave us a list of streets that we needed to pay attention to but he hasn't gotten that list from everybody. So we are just trying to make sure that we have everybody's priority list."

Councilman Julien stated, "I have been in constant contact with Mr. Bailey. He is doing a great job in trying to expedite everything. I am just trying to let administration know some of the needs we have in that district."

Natalie Robottom stated, "I think the meeting is scheduled either this week or early next week."

Councilman Smith stated, "Mrs. Robottom and Mrs. Mercadel on that issue for myself, my concern is that Hurricane Season is less than a month away. I have something else to touch on about that. My main concern is the ditches being dug and we are running into other issues if we have something that comes this way."

Marie Brown-Mercadel stated, "We will expedite those meetings so that we can get this work going."

Councilman Smith stated, "Thank you I appreciate it. Before we get to old business I have a couple of issues. Is Mr. Oncale here? Paul I have a quick question. Every time you turn on the television, radio or open up a newspaper we are hearing about this oil spill out in the Gulf. Is there anyway that this could affect us and if it is a possibility are we doing anything to prepare ourselves for this?"

Paul Oncale, Director of Public Safety, stated, "I am on daily conference calls seven days a week. Every afternoon we have a conference call with the state, BP and the Coast Guard and everybody involved with the oil spill. Basically there is very little possibility of it getting to Lake Pontchartrain. Parish President Kevin Davis in St. Tammany and the Mayor of New Orleans are supposed to have a plan. They have forty-seven thousand feet of boom on the shore line ready to deploy if needed."

Councilman Smith stated, "Thank you Sir. There is one other thing. I am

sure we have some constituents in the parish that probably make a living off of shrimping and oysters and that kind of stuff that is being affected. Is there anyway that we can have a link put on our website, if it isn't up there yet?"

Paul Oncale stated, "It is already up there."

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

Julia Remondet, Director of EDC, stated, "If you go to our website you will see we have all the information about the oil spill. It shows how the commercial fishermen can work for BP at this time to help with the clean up efforts. There is also SBA information for any and all businesses not only the fishing community that are impacted by the lack of seafood and restaurants and what not to apply for SBA loans for these emergency needs."

Councilman Smith asked, "My one other concern about that is, with the economy being the way it is right now, there are going to be a lot of clean up jobs. If you get any contact information or anywhere that our constituents can apply for those jobs could you put that information on the website if it isn't there please?"

Julia Remondet stated, "We do have that but I will make sure that Jackie has it to put in your slots. It does have a link to the work force investment for you to be able to work for BP."

Councilman Smith stated, "Thank you. Mr. Oncale my other question for you was simply hurricane evacuation update. Could we update the public right quick on what we have done and where we stand?"

Paul Oncale stated, "Basically we have West Carroll Parish with a contract in place for point to point sheltering. Just last week I received the contract from Monroe for point to point sheltering. So that would be two places for St. John to go. It is being reviewed right now by the administration. Once they review it I plan on making a trip to Monroe for signatures and that will be in place. We also have agreements with the School Board for the busses and all of that is in place also."

Councilman Smith stated, "Thank you. Is Ms. Elois Joseph still here? Ms. Elois about two meetings ago I asked you about the blue tarps that are still on houses from Katrina and Gustav. You said you were looking into it. Do you have an update on that?"

Elois Joseph stated, "We have a meeting tomorrow in Baton Rouge with the LRA and I will be getting more information but we haven't set up anything yet. Also with the oil spill, our office can help with rent, mortgage, food and light payments too."

Councilman Smith stated, "Thank you. When you get some updates on the blue tarps and what we can do could you please let me know."

Elois Joseph stated, "As soon as I get it I will forward it to you."

Councilman Smith stated, "I have one other question. Do you have anything, because I know last year we did a program for box fans? We

are not even in summer time yet and it has reached 90+ degrees already two days this week. Do we have anything planned to possibly do a box fan program or anything like that so that we can see if we can help the elderly? Could we look into if there are any grants or anything out there that we can do to help the elderly?"

Elois Joseph stated, "I don't know of anything now but I will look into it. I will get our grant writer, Myra, to see if there are any grants out there that can assist with that."

Councilman Smith stated, "Thank you. I just like to be pro-active in case there is something that we can do prior to that heat really hitting us."

OLD BUSINESS:

Dale Wolfe – (Carry Over) Override Planning and Zoning trailer placement denial for Sandy Gregoire – 238 Redbud Street

Councilman Wolfe stated, "At this time I would like to make a motion to approve."

MOTION: Councilman Wolfe moved and Councilman Julien seconded the motion to override Planning and Zoning's denial and grant a trailer placement permit to Sandy Gregoire – 238 Redbud Street. The motion passed with 6 yeas and 3 neas (Danny Millet, Cheryl Millet, Usry).

Dale Wolfe – (Carry Over) Override Planning and Zoning trailer placement denial for Roderick Williams – Jack Street – LaPlace

Councilman Wolfe stated, "So move for approval."

MOTION: Councilman Wolfe moved and Councilman Julien seconded the motion to override Planning and Zoning's denial and grant a trailer placement permit to Roderick Williams – Jack Street – LaPlace. The motion passed with 6 yeas and 3 neas (Danny Millet, Cheryl Millet, Usry).

Stacey Cador – (Carry Over) Employee handbook

Stacey Cador, Director of Human Resources, stated, "At this time the administration wishes to remove this item from the agenda to allow for more time for the current administration, department heads and council to review the handbook prior to approaching the council for adoption."

Dale Wolfe – Alfred Songy

Mr. Songy wasn't present at the meeting.

PRESIDENTIAL VETO

Councilman Smith stated, "We had a motion that was passed at the May 11th, 2010 regular council meeting to renew janitorial and grass cutting contracts for three years. Our Parish President, Mrs. Robottom, has in fact vetoed this item and at this time it is on the council to let the veto go through or to override the veto. Are there any comments from my fellow council members prior to us voting on this?"

Councilman Lewis stated, "I think it was the last year after we had the problem with the president. They took all the contracts that we had of the people that were for Mr. Hubbard and we got rid of all of those contracts then. Well it happened that the grass cutting contract got caught in that same environment like if we were doing something wrong with those contracts there. Those contracts, especially the guys in my area, have been working for the parish for the last I would say fifteen or twenty years. Those contracts were always renewed with no problems because of the way they are written. You can go and look at one of those contracts and see how much those guys are charging. If they are charging three hundred, you can easily bid two ninety-nine and get the contract but the law lets you renew those contracts and even gives you as much as a 5% increase. Those guys have been getting that with no trouble. I don't know for what reason that those contracts piled up this time to go out for bids. All we are doing is putting the little fellow out of business because those guys just got those contracts renewed a couple of years ago and in the last year I think we had increased their work. When these contracts first came about I remember I was on the council we couldn't get any grass cut over there by the courthouse. They had grass all over the place. I went in there and I talked to the president at that time and he said why don't you get somebody to bid some small contracts and we got those guys. They have been out there. They are doing a good job. They don't ask for a pay raise. Gas has gone up and everything. Now today they are all running for their life. Sure other people under bid them. They got people they are not going to be able to hire. They have equipment that they have bought. They have a lot of problems. I can't vote to knock these guys out. I think these people should have a good chance since they have been here. I can tell you something being a business person because I ran through this same thing when I was doing the contract. The guy put in my contract. I went ahead and talked to the people involved. They thought it was wrong. I was doing my work. I was doing what I was supposed to be doing. Why get somebody to work their tale off and then when it comes time for them to make a little money now we are going to juggle all the little people's contracts together. We are going to put them out so that the big fellow can take it. I guess later on he is going to give it out to them and have them work for next to nothing. Do you think that is right? I cannot support that."

Councilman Wolfe stated, "Well first of all we must understand what is going on. Some of us up here really don't understand what is going on. Some of us up here really don't care about our constituents. These people have gone out and updated their equipment. They got in debt so that they can do a good job for St. John the Baptist Parish. I made some phone calls today. One individual called me back but that's okay. I told a young man today. I am getting confused can I take a five minute recess because I want to lay all the cards out on the table."

MOTION: Councilwoman Hotard moved and Councilman Lewis seconded the motion to have a five minute recess. The motion passed unanimously.

MOTION: Councilman Julien moved and Councilman Lewis seconded the motion to go back into regular session. The motion passed unanimously.

Councilman Wolfe stated, "As I was saying these contractors have updated their equipment. They have gone into debt in order to do their

work properly. I think these contracts at the last meeting we had seven for and one against and one absent. That tells you right there that it passed. I don't know what brought on the change or what will bring on the change but I think it is an injustice to the contractors that we have. The local contractors have been doing a good job. We have never had a write up on either one of the contractors. I think they should continue. I think there are contracts available for contractors that are interested in coming into the parish and doing business. This is a professional service contract. We go out for quotes. We hire whomever we want to from those quotes and that is just the way it is. I just think it is a shame that we don't feel the same way about our local contractors, our good local contractors. I don't know the reasoning for the veto. I don't care. I dare say we have contractors that we can depend on. Contractors that have been doing a service for this parish and we should commend them and applaud them in terms of doing good work. Again there are contracts available, janitorial contracts and grass cutting contracts available for whoever wants to come and give quotes to. I don't see any need to veto. I don't see any need to turn these contractors down. It is a shame. We should be ashamed to even consider it. Thanks to the council members that I called that didn't return my phone call. What goes around comes around."

Councilman Julien stated, "I had an opportunity to speak with administration concerning the contracts. After speaking to the parish president, she said that she could probably go if we would extend it for six months. Maybe we can have a compromise and maybe extend instead of the six months and extend for a year. It would give you an opportunity to see and show good faith to the contractors as well as allow you all to evaluate what we have in the contractors and as they have invested monies give them the opportunity to reap some of their monies back and give you a chance to look at it and I just think that maybe a year might be able to compromise and everybody can work together. Just consider."

Councilman Lewis stated, "If we get rid of these contractors, it is going to be hard for small contractors around here to start off because they are the only ones that we have. I think we need to make sure that we take care of them alright especially when they work well. Don't cut them or mend their contracts together and give it to somebody else. Protect them. Let them grow. We will have better contractors. We always say buy local. How about hiring local people and let them grow. We have economic money how many times are we helping local businesses. We need to wake up around here."

Councilman Wolfe stated, "Ronnie in closing I just have to say this. One of the council members told me something that kind of disturbed me and I am not going to say what it was but I really didn't appreciate it. It seems to me that some folks are talking and trying to make something out of nothing. I have been here thirty-four years. I have never done anything wrong and I don't intend to do anything wrong. To that council member, I don't appreciate it and he will hear from me after the meeting. I really didn't appreciate that comment."

MOTION: Councilman Wolfe moved and Councilman Julien seconded the motion to override the Presidential Veto. The motion failed with 5 yeas (Wolfe, Julien, Lewis, Hotard, Smith), 3 neas (Usry, Danny Millet, Cheryl Millet) and 1 abstaining (Lee).

Councilman Wolfe stated, "Ronnie explain to the public what is going on in terms of the veto."

Councilman Smith stated, "What just happened was we passed a motion last week to extend those grass cutting and janitorial contracts for three years. Mrs. Robottom, our parish president, decided against that idea and vetoed that motion. We tried to override her veto just now but didn't have six votes. We needed 2/3 majority of the council to vote to override that veto and that did not happen. So the veto passes, the override fails. So right now the motion that we made at the last meeting is nullified and no good."

Councilman Lee stated, "If I might and indulge me here. We have been dealing with this for some time because we have had a presidential election and we around this table here recognize that our contractors have been operating under the same conditions on an ongoing basis. I would hope that the administration would honor that for the time being. It is not that uncommon to have our contractors, if we are in the middle of negotiations or trying to attempt something, to have them to operate out of contract. For the contractors please know that if administration agrees to it they are still working tomorrow and the next day and the next day until further notice. So they will be operating as is but out of contract. Is that correct Mrs. Robottom?"

Natalie Robottom stated, "That is correct Mr. Lee and had we been able to make a motion our recommendation was to extend the current contracts and give administration the time to review the process as well as the overall needs of the parish. So at the next council meeting as we were unable to do it tonight, our recommendation will be to extend the existing contracts. We will work with the current council members. Initially our request was through December 31st. If a year's time works better we are obviously willing to compromise on that but please understand our concerns were about the process not necessarily about the contractors or the work that they did. The item was brought up without much notification however the process that was in place, it was my understanding was unclear and many of our contractors were unclear on their bidding. We want to revise that process not only for grass cutting and janitorial but for all of our services. So we would like the opportunity to visit with all of the contractors as well as the council members to take their input in developing a process that we think is fair and open and transparent but does also address the needs of our local contractors. So again at our next meeting we will be happy to work with you to extend the contracts for the year and then we do want to develop a RFP process, review the needs of the parish and then come back to the council for authorization to go out for RFP's."

NEW BUSINESS:

Ronnie Smith – Letter of refund

Councilman Smith stated, "I see we have Mr. Whitney Joseph and Mr. Bruno Burrell in the audience tonight. This item was brought to me by one of my constituents. It was brought to her attention that there was a possibility of an improper assessment done. I was advised that she contacted Mr. Nickie Monica's office and that Mr. Monica told her that she had to go back to the assessor's office to request a letter of

refund for the parish. All I am doing here is requesting that our attorney meet with you. You are welcome to speak sir."

Whitney Joseph, Parish Assessor, stated, "First of all I want to thank Miss Chrystal, the person that I think talked to you Mr. Smith about this. She has been working diligently with me. There are two bills that we are trying to get passed. Senate Bill 22 and 24, Senate Bill 22 addresses the citizens who are sixty-five years of age. Right now if you are 65 and you are making more than \$64,000.00 a year I am able to re-assess you if you make less than that I am not able to re-assess you. I am trying to get a bill that says that no matter how much money you make it won't affect you. I still would not be able to re-assess you. That is Senate Bill 22. That bill was introduced by Senator Alario of Westwego. I think if Mr. Smith remembers, we had a meeting with our state representative and senator along with Councilman Julien to address those two issues. We asked them to put those bills in, especially Senate Bill 24. Senate Bill 24 addressed the cap on re-assessment. My thing is if we keep doing what we are doing we are going to tax people out of their homes. I think we need to put a cap on re-assessment. I showed some demonstrations to the state representatives and senators and they didn't put the bill in but the Senator from Westwego did. I think that is what Miss Chrystal is talking about."

Councilman Smith stated, "That is not sir. What her concern is Mr. Joseph, everything that you said is exactly what she said. Her concern was we were re-assessed in 2008, her belief after speaking with you was that we were re-assessed in 2009."

Whitney Joseph stated, "Let me explain something to you. 2008 was the re-assessment year for the state of Louisiana. As you know Hurricane Katrina came through in 2005 which caused the houses to go up an amount that really I don't think the tax commission could even explain. People were buying houses for a ridiculous amount of money. Well I refused to do that. So I failed the ratio study. If you read in the newspaper, I went before the tax commission and I won the case for the parish. I wasn't under assessing the property. So we won that case. They told me that they would come back two years later to look and see what was going on and that is exactly what they did. In 2009 or 2010 they came back and they said well you know Mr. Joseph you failed again. Well what I did for the people of St. John is I had to re-assess. I pro-rated the taxes and I did that because I knew it was impossible for some people to pay those taxes. I wasn't about to let the sheriff send a person a tax bill for \$1,000.00. I wasn't going to do that. If you remember in Orleans Parish they had over 6,000 people who protested that. In St. Tammany they had 30. I refuse to do that. I talked to the chairman of the tax commission, Mrs. Googlium at the time. I told her what I was going to do she said Mr. Joseph you can't do that. Well Mrs. Googlium didn't elect me. The people of St. John the Baptist Parish elected me. I wasn't about to do that to them. So when they came back and what I did was I sent letters out to everybody, some people I did over a three year period. I gave them enough time to accumulate those funds and get their escrow account in order. That is why I did what I did. So when they came back those figures weren't right. So I did have to re-assess and I re-assessed this year. Those figures weren't right. I think what I did was in the best interest for the people of this parish. I always do that. Right now the homes are beginning to settle and I was right in what I did. I was right. I got some phone calls from people, just like

you did, thanking me for doing what I did. If we don't do something about that, trust me and I was under the impression when I met with you Mr. Smith because you were the chairman, I asked Mr. Lee to come but he couldn't come. I also contacted Mr. Wolfe and was unable to get in touch with Mr. Wolfe through no fault of his own, but I got Mr. Julien and you both came to that meeting. You know what we talked about at that meeting. It was in reference to taxing people out of their homes which I refuse to do. I think we need to do something about it because if we don't we will tax people out of their homes trust me. The train is coming and it is going to run over somebody. Every time I go to my office somebody is coming to me telling me Mr. Joseph I can't pay my taxes. What can we do? Well the present law states that I have to reassess and it is based on fair market value. I am saying that we need to put a cap on it. That is what we need to do ladies and gentlemen. I am glad I have the opportunity right now to talk because I want the people to see and hear me and listen and hear what I am saying. Call your state representatives and senators and ask them to support Senate Bill 22 and 24. I have been in constant contact with Mr. Monica. I am supposed to go and testify on behalf of those bills with some modifications. Senate Bill 24 we want to use the CPI, consumer price index and they want to use it on a copulative basis. I don't want to do that. I want to use the every four years 2%. Right now the average CPI over the last ten years has been 2.5%. If we do it like the bill originally says I will have to go 10% every four years or if the fair market value is lower I could use that also. My thing is I think we need to do 2% every four years that is a reasonable price. If you don't do that and do like we are doing right now over a sixteen year period your taxes could double in value. I gave the example of a \$200,000.00 home were the tax was \$1,400.00 a year over a sixteen year period those taxes doubled. The people of this parish cannot afford that. Some of us can but most of us can't. The only thing that we can own in our lives is our home and we are going to be taxed out of that. We are going to lose our American dream which is to own our home."

Councilman Lewis asked, "I wanted to ask are houses assessed say my house is worth \$150,000.00 lot and all and say I paid \$40,000.00 for my lot and the house was \$110,000.00 the lot isn't going to burn down but they will charge me insurance to cover \$150,000.00. Do you assess the lot along with the house?"

Whitney Joseph stated, "Yes sir when you buy a house you have to buy the land that goes with it also. Now sometimes people buy homes like my grandmother did 100 years ago. She bought a house and put it on somebody else's property but normally today you buy the land and the building together so both of those things are assessed. The way re-assessment works is if you live in a subdivision where the homes are selling for \$150,000.00, I am talking about homes that are basically the same model and same square footage. I have to assess those houses based on that on what the selling price is. That is wrong. If somebody pays \$70,000.00 for a home and all of a sudden it's worth 150 your taxes are doubling or really you went from zero to 8 or 900.00 dollars a year. Some people can't afford that and some people can. That isn't fair. I don't think it is. I think a cap should be put on it. I have been going to homeowner association meetings explaining this law, explaining how this thing works. I am asking, call your representatives and senators and tell them to support Senate Bill 22 and 24 with some modifications. I am going up there to testify. One other thing I want

to say and I don't mean any malice by this. This item was put on the agenda, when I took office in 2005 I sent a letter to each council member. As a matter of fact I sent a letter to each elected official and I asked you to come by my office, come sit down and talk to me and find out what is going on. This item came on the agenda and not one council member called me. But you see God is good and I am smart. I have been doing this for thirty something years so there is nothing that you can surprise me with because I have been doing this for a long time and I think I know what I am doing. The point I am trying to make is that I should have been notified of this. I should have been notified. That is all I am saying. I don't want to throw any blame on anybody but I should have been notified. I think that is protocol and that is how elected officials are supposed to get along with each other. Don't put something on the agenda and then you tell me well you know let's start explaining what's going on. It's fine with me because I know what I am doing but I would appreciate it next time if you are going to have me here just give me some notification to let me know. Now if you have any questions or if anybody in the audience has any questions I will gladly answer those questions. I have an open door policy. You are welcome to come into my office anytime. I just had to say that."

Councilman Smith stated, "(Not completely able to hear microphone wasn't working) I placed this item on the agenda and the reason I didn't let you know about it was because I just wanted to have our attorney meet with you on this issue to get it resolved. The reason I let you speak Mr. Joseph is because you were here that is why I afforded you that courtesy."

Whitney Joseph stated, "As far as the refund is concerned, that is out of the question there is no way that you can get a refund based on taxes because the re-assessment was not illegally done. I have the information that the young lady also sent me. The re-assessment was not illegally done therefore there is no refund that can be given to anyone in the state of Louisiana as far as re-assessment is concerned. Let me say one other thing, an assessor can assess anytime he wants to, the law says every four years but an assessor can assess anytime he wants to and it is a good thing that he can because if property value drops that means I can make an adjustment which is a good thing. The law states that it is required that we do it every four years. It is required that we do it every four years. I invite all you council members to come over and find out what I do and it is important that you do that because your constituents come and ask you questions just like they ask me about ditch digging. They ask me about trailers. It is important that we know what each other does. We are all elected officials. I have an open door policy. Come in and talk to me. I have no problem sharing with you. I want to thank you for giving me the opportunity to speak. There was no malice intended with what I said."

Charles Julien – Override Planning and Zoning trailer placement denial for Mary Palmer – N.W. 2nd Street, Reserve

Councilman Julien stated, "I just want to put the community on notice that I plan to override the zoning."

Charles Julien – Override Planning and Zoning trailer placement denial for Shenita Johnson – N.W. 2nd Street, Reserve

Councilman Julien stated, "I want to put the community on notice that I intend to override it."

Hugh Martin – Resolution – R10-24 – A Resolution authorizing the Parish President and the Council Secretary of the Parish of St. John the Baptist, State of Louisiana, to execute an amendment to a preliminary agreement with Duck Ice, Inc. with respect to the financing of certain facilities; and providing for other matters in connection with the foregoing

Hugh Martin, Bond Attorney, stated, "Last year in order to assist this local industry the council adopted a preliminary resolution to assist the expansion of Duck Ice. The original concept was that there would be an industrial revenue bond issue to finance the project. Because of the size of the issue and the complexity and the problems which have occurred we have hardly gotten off of first base. There is still a desire to assist this company in its expansion so what we have done here is prepare an amendment to that agreement which instead of providing for the issuance of bonds we will use economic development money within certain restrictions permitted by the law to not violate the state constitutional provisions and go to a loan arrangement whereby the parish itself will advertise, have plans and specifications done, advertise for bids to establish the cost of the facility. The agreement before you would limit that financing to not exceeding \$450,000.00. We are hoping it is not that much but once the bids come in we can take another look at it. It would authorize the parish to do that to move this project forward. The benefits to the parish in employment if we do this is stimulating business also there is a requirement in the agreement in the event of another hurricane or similar disaster the parish would have the first claim on ice being purchased at a reasonable price and have it delivered and so forth provided to the parish. That is basically what this does. If you have any questions I will be happy to answer them."

MOTION: Councilman Lewis moved and Councilman Wolfe seconded the motion to approve Resolution R10-24. A resolution authorizing the Parish President and the Council Secretary of the Parish of St. John the Baptist, State of Louisiana, to execute an amendment to a preliminary agreement with Duck Ice, Inc. with respect to the financing of certain facilities; and providing for other matters in connection with the foregoing. The motion passed unanimously.

CORRESPONDENCE/COUNCIL BRIEFS

Councilman Wolfe stated, "I would like for you to allow me the same time you gave Mr. Joseph and that was a lifetime. I want to say here tonight to all of you that are here tonight. I don't want you to sympathize with me. I don't want you to take my side. I want you to take the right side. The election is over with. It was over with on May 1st. It is gone and done. I am here to work with administration not to work against administration. This has nothing to do with Mrs. Robottom. My name has been out there. They say that I am a racist. I don't have a racist bone in my body. They say I am about separating the black community. That was never my intention. I don't see black. I don't see white. I see people. I am sick and tired of some of these so called straight forward honest people character assassin and I could care less

the way they feel bar none. I am a man. I'm not a man-e. I am a man. You better respect me as a man. I give respect. I demand respect. We have some sick people here in St. John the Baptist Parish. Anytime they stoop so low to try and make someone something that he or she is not, it is sad. I am an elected official. I have been here thirty-four years. How can I be so bad now? For the last thirty-four years I have stood up for what is right. I have stood up for white folks, black folks, all folks. I have to be penalized because I ran for parish president. Your candidate won. So be it. I am happy. I am pleased. I have no bitterness towards Mrs. Robottom. Me and Mrs. Robottom are like two peas in a pod. If you tilt us we will separate but we will come back together. So again it is a crying shame that we have some low life people here in St. John trying to make Dale Wolfe a villain, which he is not. You get tired of people hitting you, kicking you and punching you. Again I'm a man. I'm a man. I'm a man and you're not going to take that from me. I'm not going to let you take it from me. My mouth is too big and I am too strong to fall for something like that. So right now I would like to say that I am concentrating on St. John Parish for the betterment of all people, everyone, black/white, short/tall, fat/fat, skinny/skinny. I am here to represent my division and all of St. John the Baptist Parish. So you all with all of those innuendoes trying to knock me down, I am going to get up. You know they have a song that goes we fall down but we get up. I will get up if you hit me down and I am going to try to kick you back down, whoever it is. I have gone through a lot. I have done nothing wrong. I don't deserve it but I can handle it. So if you all are getting fun out of doing what you want to do to me to kick me go ahead on and kick me. I can take the kick but my favorite words are what goes around, comes around. When your turn comes be able to take it, be a man, be a woman don't hide. We are going to have some issues on this board that are going to be very very difficult. Don't hide cowards! Don't hide. Stand up. You were elected to do a job. Do that job. Say yes or say no but don't hide. Don't worry about the ones that I called this week and didn't call me back. I won't be calling again and don't call me but I will represent my division. I will represent this parish. Whatever is needed, whatever is right I will be there but whatever is wrong don't even look for me? It is a shame that we take an oath of office. It is a shame every meeting we get up I pledge allegiance. What allegiance? Some of us need to be ashamed and I guess some of us don't appreciate what I am saying but I could care less. I don't care. I am living. I have my children, my grandchildren, my friends, my enemies. I know how to deal with each one. What we have done here tonight to our local contractors, the red lights that shined tonight, they need to go home and get on their knees and ask the good Lord to forgive me because I have done wrong. I have done wrong to these contractors. I have done wrong to these people that are trying to make a living in this parish. I have done wrong. There is grass that needs to be cut. There are buildings that need to be cleaned. So what is the urgency? If we fail to override vetoes guess what? Anything we do here, anything at anytime can be vetoed and the people we represent are in bad shape because we don't have the nerves, guts or justification to do some of the foolish things that we are doing. So to the people of St. John monitor us and monitor us well. Make sure we are doing what we said we are going to do and if we don't run us out of town. That is for all elected officials not just this council, all of us."

Councilman Lewis asked, "I missed the engineering report. I would like

for Mr. Savoie to come up and bring us up to date on the intake line at the Edgard water plant."

Chuck Savoie stated, "The pumps are back on now. They went on two days ago at 12:30. They are back in operation. The walkway is almost completed. They have some grating that still has to be put on the walkway. I am discussing with them right now to possibly put a lift so that they can lift the pumps out. They ran an air line in which to clean out the incoming intake line so that they wouldn't get any sand in the new pumps. So right now they are back in operation pumping."

Councilman Lewis stated, "Chuck I am glad you brought the walkway up. When I went back there I noticed where the pump was sitting and unless you finish the walkway off, it has been that way for years; you have to catch a boat to get to the thing. When the river rises they can't even get to it."

Chuck Savoie stated, "It is interesting that you bring that up because today I talked to Mr. Labat and we were talking about that. We looked up the price on what it cost the parish to put the walkway at Lyons water plant, which was a mandate by DHH. It ran about \$128,000.00 but that was back in 2004. This isn't as long. The distance is about 165 feet versus 300+ feet at Lyons. So we are looking into that as of today."

Councilman Lewis stated, "Chuck that is why I brought you out there because it looked like DHH didn't look at that one on the West Bank."

Chuck Savoie stated, "Obviously not, but that is one of the only things that they didn't look at."

Councilman Julien stated, "I would like to acknowledge one of the great volunteers of St. John Parish. Mrs. Morris stood to be recognized. I would also like to commend our parish president, Mrs. Brown-Mercadel and Mr. Wolfe for working out some issues that we had earlier in the week coming over from the last meeting. That is a tribute to you all trying to make things work for the parish. So thirty-four years Dale, you are appreciated if you realize it or not. There was a good thing going on in the compromise and as the council I am sure we appreciate it. Well I do. Thank you."

Councilwoman Millet stated, "I got a phone call yesterday from a constituent and I understand his dilemma. We have a lot of animals, dogs and we do have a leash law and people do use the leash law and they do walk their dogs. What they don't do is that they don't remember that when your dog leaves some poop in somebody else's yard, you should pick it up. It is a real common sense thing. When you walk your dog bring a plastic bag. It is your responsibility. It is not your neighbor's responsibility to clean up after your dog. So they asked me if I would please mention that because he is tired of stepping in poop when he cuts his grass."

Councilman Smith asked, "I have just one thing and I see Mrs. Poche is still here. Do you know when the swimming pools are opening and the hours of operation?"

Debra Poche stated, "They will open on June 7th. We have not decided the

hours as of yet."

Councilman Lee stated, "As you well know I very seldom use this time but tonight I am going to use my allotted five minutes. I have a lot to say tonight. First of all let me begin by thanking the hundreds of supporters for their confidence and support during the borage of ethic allegations made against me and other members of this council, as well as administrators, elected officials and appointed officials. I hold in my hand a lawsuit dated May 27th, 2007 from John Millet, son of Dave Millet, versus St. John the Baptist Parish against St. John the Baptist Parish and against Jaclyn Hotard. This suit was alluded to tonight by our District Attorney, Tom Daley. I am showing it to you because I am telling you the contents or the gist of this lawsuit on Mr. Millet's part was to attempt to prevent government from functioning. The gist was to create conflict of interest amongst council members so that those people that voted against Millet their vote would be thrown out, hence Millet believed that he would given and I say given because that is what he expects the writing agent for the parish for the health insurance. My opinion and I must say this many times, my opinion delusional, intimidating trash, it is ridiculous but that is what was attempted. However this is how and why Millet began his crusade to destroy the council members that did not vote for him. I ask you how could we possibly vote for someone like that? Millet, has filed dozens of allegations against myself, other council members, administration, officers and others. Ethics violations; I want to elaborate on this for just a second because not many people have any idea what ethic violations are. The ethics board is appointed by the governor responsible for enforcing the provisions of the ethics code. This board does not decide if a public official has violated any part of the code. They merely listen to the complaint and in Millet's case, a one sided story filled with lies, distortions and misrepresentations of the facts. Again this is my opinion but not only my opinion it is also the opinion of our special legal counsel that being Gray Sexton that this council chose to represent the entire council. By the way this will take two seconds, who is Gray Sexton? Gray Sexton is an attorney since 1966, served as the ethics board chief of staff for forty years until his resignation in July of 2007. No one knows more about the process or the ethic rules than Gray Sexton. His entire legal career and professional life have completely revolved around the ethics law, the application, enforcement, interpretation and affects. His knowledge and experience in this field are unmatched in Louisiana. Perhaps more importantly so is his understanding of the interpretation and the applicability of these rules in a reasonable common sense fashion. If charges are filed for a possible violation, the case is assigned to a panel of law judges to preside over. My side, as well as other council members, if it be, my side and theirs will be heard at that time. Unlike Millet I have honored the confidentiality rules of the ethics board. It is my opinion and that of our council attorney that Millet has violated these rules over and over again by publicly displaying private documents. Because of Millet's actions, our attorney has been forced to bring his irresponsible actions to the District Attorney's office for review. This issue is being considered by the Attorney General's office for possible criminal violations. In a letter from our attorney to Channel 8 News dated May 24th, we bring this matter to the attention that by airing Millet's confidential information that they too along with Millet could be violating a certain section of the ethics code. In closing John Millet is the son of Dave Millet make no

doubt about it. A long time political and business enemy of mine and I dare say many other council members and people in this room but he has certainly been my political enemy. It is my opinion that the Millet's sole purpose for these allegations, are of a selfish nature as was indicated in the lawsuit. It has nothing to do with good government. It is about Millet and his pocketbook. In a letter from the ethics board dated 8/5/09, it clearly states that my professional business actions do not violate any ethic laws. It is my opinion and that of other council members that Millet's intention is to eliminate council members that refuse to vote for him. Once again how could we possibly vote for someone like that? Our attorney, Gray Sexton, has assured me and my fellow council members that my actions in 2006 were not in violation of the ethics code therefore we will fight these allegations and charges vigorously, on behalf of myself and more importantly on behalf of this governing body. It is my opinion that John Millet is a delusional malcontent who has filed numerous unfounded accusations against myself and other elected and appointed officials because the council refused to be intimidated by his questionable tactics. Again I ask how could we possibly hire someone like this? I have been a professional insurance broker for over thirty years never have I had any complaints filed against me. I have been an elected official to six terms, not as many as you Mr. Wolfe but getting there, six terms on St. John the Baptist Parish Council. Aside from one person that being Millet and my opinion Millet alone, have never had allegations filed against me. Remember the old saying the apple doesn't fall far from the tree, does it Mr. Millet? In closing, in my twenty-four years as a council member in St. John Parish I have never, I repeat never, knowingly, willfully or intentionally violated any ethic laws, codes or any other laws. Thank you for indulging me and allowing me to say my piece tonight. It has been a long time coming. Thank you."

PRESIDENT'S REMARKS

Natalie Robottom stated, "I will be brief. I won't need anybody's five minutes. First of all I want to congratulate Riverside Boys Basketball team and their coach on their achievements again. I want to update the citizens concerning last weekend's events and thank Ms. Elois Joseph and her staff for hosting the first annual health and wellness fair on the front lawn. We had many residents who took advantage of that free and local health care provider services that were present. Tonight we renewed our contract with the tourist commission to manage and market the civic center. For those of you who aren't aware there is a movie being conducted there, a series actually, "Memphis Beat," which will air on TNT starting June 22nd. So the activity that you have seen around town will be on TV starting June 22nd. Just a reminder that hurricane season is upon us and we will be having several briefings internally to review our preparations and we are urging all of our families to begin preparing your emergency kits and for more information you can visit our website at www.sjbparish.com. We have also today received an offer from the Department of Social Services to come out and answer any questions from our residents with regard to emergency preparedness. We haven't as of yet but we may be scheduling town halls around St. John to let people know of some of the additional preparations we have made for emergencies and to have representation answer any questions they may have. We will be hosting many informational meetings in the month of June regarding the new flood insurance maps. This is very important. I think we also have drafted and are attempting to send letters to

areas that we know will be affected. We urge everyone in St. John to attend to determine if your flood zone is changing. The dates of the meetings are on Channel 15 and the parish website. The dates here for the central library will be June 16th from 6:00 until 8:00, June 23rd from 6-8, June 30th from 6-8 and there is also one scheduled for the West Bank on July 1st. Again it has been a very busy two weeks. I want to echo what Mr. Julien has said and to Mr. Wolfe we have met repeatedly you as well as some of my staff and Mrs. Mercadel, we are working to alleviate any concerns that any of you all may have to do what is best for St. John Parish. As you can tell by the results of this meeting we were successful in working those things out and we plan to continue to do so. I want to thank the council, the administration for working with us during this transition. For those of you who are attempting to get into us we are in meetings every hour back to back and it is very difficult to answer our phones when we are in meetings. So please bear with us. We are attempting to get the transition and continue our service to the residents of the parish at the same time and we look forward to working with all of you and will continue to be open and honest with you and try to communicate as often as possible our concerns and try to address yours in an expedited manner as well. Again thank you."

There was no executive session.

EXECUTIVE SESSION:

Dale Wolfe - Personnel Matters

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

Cable Franchise Agreement

Any and all pending legal matters

ADJOURNMENT:

At 8:09 PM, Councilman Wolfe moved and Councilwoman Hotard seconded the motion to adjourn. The motion passed unanimously.

/s/Ronnie Smith
COUNCIL CHAIR

/s/Jackie Landeche
Council Secretary