

**FINANCE COMMITTEE MEETING**  
**SEPTEMBER 12<sup>TH</sup>, 2017**  
**Chairman Lennix Madere**  
**Vice-Chairman Michael Wright**

Members: Larry Sorapuru, Jr., Kurt Becnel, Julia Remondet, Lennix Madere, Marvin Perrilloux, Larry Snyder, Michael Wright, Thomas Malik, Jaclyn Hotard

**PRESENT:** Kurt Becnel, Julia Remondet, Lennix Madere, Larry Snyder, Thomas Malik, Marvin Perrilloux, Larry Sorapuru, Michael Wright, Jaclyn Hotard

**ABSENT:** None

**PUBLIC COMMENT - AGENDA ITEMS ONLY (2 minutes per citizen)**

Tom Watkins, SCPDC Attorney, stated, "I am not sure if I am premature in making this request or not but I am here on behalf of SCPDC relative to agenda item #1 I think which is the proposed contract. Mr. Kevin Belanger, who is the CEO of the commission offers his apologies for not being here today and asked me to be in his stead to make the request of the council that in consideration of the DA's opinion that was rendered which found that some of the proposed terms were in violation of the law and that it was a gratuitous donation. We are requesting that the council table the consideration of the contract. It is our intent and desire to request an Attorney General's opinion to view the various issues involved.."

Councilwoman Hotard stated, "Really quickly a point of order for the chairman just to put this on the record the item is currently on the table. I definitely want to allow you to make an introduction if legal wants to chime in. I don't want to discuss the item too much unless the council so chooses to remove the item off of the table because it is a tabled item and there is no discussion and I will yield to legal at this point but I don't want to get into a discussion on a tabled item."

Legal concurred and the meeting continued.

**BID OPENING REPORT/AWARDS:**

**Alexandra Carter - (Tabled 08-22-17) Authorization to amend the Cooperative Endeavor Agreement (CEA) between St. John the Baptist Parish and South Central Planning and Development Commission (SCPDC)**

**MOTION:** Councilman Madere moved and Councilman Sorapuru seconded the motion to remove the authorization to amend the Cooperative Endeavor Agreement (CEA) between St. John the Baptist Parish and South Central Planning and Development Commission (SCPDC) from the TABLE for discussion. The motion passed unanimously.

Councilman Madere stated, "Mrs. Carter can you read what the parish president had to say."

Alexandra Carter stated, "The Parish has a legal responsibility to implement this program for the safety of our residents and businesses, but due to conflicting opinions regarding the proposed CEA, we respectfully request this item remain tabled until the Louisiana AG's Office can review and render a written opinion as

to the legality of the issues raised by the DA. As previously stated, we will continue to work with SCP&DC to honor the current CEA until this issue is resolved. Attached, please find a response to Legal Opinion No. 17-0001. We hope to convene a meeting next week with the DA's Office to further discuss the CEA and review the recent recommendations."

Councilman Madere stated, "Here are a few things that I would like to say concerning that. The first one is this says that the parish has a legal responsibility. This council has a legal responsibility. This council is the one that approves contracts. The council. Any ordinance or any law that we put in place to protect the citizens of SJBP. So it isn't the parish it is the council that has the right. The second thing is we have a legal opinion that was presented to us by the DA that represents this Council and this parish. The next thing is we have had this discussion over and over again. The lawyer that represents SCPDC, it was told to us that SCPDC worked for us right, that was told to us at a meeting."

Alex Carter stated, "We pay them for services."

Councilman Madere stated, "I am just quoting what he said that he worked for us and that SCPDC worked for us. We have a contract so they work for us and I do believe they have a legal contract already with us until the year 2020. Is that a fact?"

Alex Carter stated, "That is a fact and as of right now there is a proposed amendment to that existing contract."

Councilman Madere stated, "I understand that but it is up to the council if we want to accept those changes and I think that information was given to us by our legal representation that was not legal for us to do and we were advised by their lawyer who was supposed to be working for us since they work for us agreeing with them and I don't see why this council should have to wait on an opinion from the Attorney General when we have an opinion from our lawyer. They have an opinion from their lawyer and we have one from ours. So their lawyer and the company are asking us to go against our legal advice."

Alex Carter stated, "It is absolutely a difficult position and we recognize that and that is why we are asking for your patience in terms of reviewing what the materials are that we have on the table. There are 10 other parishes that have adopted the CEA whose attorneys have agreed that this is not in fact illegal and so there are conflicting opinions on the table. What we are asking today is that we defer this until we can get the Attorney General's opinion to settle the matter but then also if SCP is willing and I think is understandably going to be working with us with an existing contract the 80/20 payment structure until such a time."

Councilman Madere stated, "We don't have to rehash the contract I know all about it. I know what it is. We have been doing this for several months and I don't think we need to rehash the contract. If it comes down to paying \$27,000.00 for services that haven't been rendered yet and the last time I spoke to you it also comes down to the fact that this company lost funding of a grant and they are basically trying to make that money up by \$27,000.00 up front money from other parishes and we have 64 parishes in Louisiana I think and all of them are not involved with this and they all have to go by the same rules and regulations that are set forth by the state of Louisiana and the federal government. So it isn't like we all have to be involved in this and I do believe we have a contract and I

am not in favor of going against our legal advisors to go along with someone else's legal advisors."

Alex Carter stated, "And I think that is the idea behind the AG opinion. We are not asking you to side with SCP or to make a decision at this point but then to have a third party objective or third party decision that weighs in so that there is more information on the table to consider."

Councilman Madere stated, "I don't think we need a third party to be coming in here every time someone disagrees with our legal advisors."

Alex Carter stated, "I would just caution this is a very big decision. It impacts our budget and our operating abilities and that is why administration is recommending that we wait until we have this opinion."

Councilman Madere stated, "I am going to tell you two budget impacts. It impacts our budget and it impacts their budget because if they don't get the \$27,000.00 they have a budget problem okay and this parish is not in the business of relieving the pressure off of someone else and if they hadn't lost that grant funding the contract that was signed by them in January would still be in effect. So the only reason I see that they want a new contract is because they need extra funding and I am not willing as a councilman to fund someone else's business when we already have a signed contract until the year 2020. That is my opinion on it and that is the only reason why I took it off of the table to have a discussion and it is the legal responsibility of this council to protect the citizens of SJBP and that includes the amount of money that is being spent."

Councilwoman Remondet stated, "I just want to clarify a few things so it doesn't look like we were thinking all out of the box with SCP. The grant that ended they didn't lose it, it ended. It was a temporary grant to help the communities to restructure their communities to be able to have insurance companies come in and insure the home owners because we had no standard code, we needed to follow the national building code and this was more or less a restructuring grant so that we could get on our feet and get these things going so insurance companies can say we are following these standards so we know the homes are going to be built to a certain caliber and we can come in and say our investments are worth it. So to say that they lost their grant isn't exactly the correct word, it strictly ended. It was a ten year grant and that is it. You only get to start once in ten years they are not going to give you another ten year grant so in that respect I wanted to correct those statements and I understand what you are saying but all the parishes wouldn't be a part of SCP because we are not their planning district. We have so many parishes within our planning region that we are assigned to by the federal government Jefferson Parish and Orleans are in the regional planning authority they would not team up with us they might do the same thing in Orleans and Jefferson I have no idea how they handle their permits but they will not be a part of SCP because they are not assigned to it that is just a couple of statements that I wanted to get clear on that as far as how it works out and that we were not just thinking willy nilly of some crazy idea these are the reasons why these things exist."

Councilman Snyder stated, "We are part of the Regional Planning Authority of New Orleans also so that is no big thing there. Mr. Madere has a point. We have the legal opinion and we have people that are here at home that we pay for these opinions and we have that opinion. The AG opinion is an opinion. It is an opinion just like our DA has an opinion and if we really want to go by the law then we have to go to court with this thing and that is the final part but the AG is just

like us and most of the state do follow but we don't have to follow that opinion. We have our attorney here our DA, they are lawyers, intelligent people, informed people and experienced people in dealing with these things. If we can't go to them and trust them then what are they here for and Mr. Madere is right we have an agreement with these people for the next three years, we just signed it in January. If that was a contract for a house or a car they wouldn't change it now unless it would benefit them so if we change the contract it isn't going to benefit the parish, it is going to benefit them and if they get it that is fine but I agree with Mr. Madere let's put this thing behind us we already have an opinion. Who asked for an opinion anyhow? We didn't ask for an opinion."

Alex Carter stated, "SCPDC asked."

Councilman Snyder stated, "SCPDC asked for the opinion so now they are trying to run our government for us..."

Alex Carter stated, "The reason for that is that they have 10 other contracts that have been approved with other municipalities that now are sort of questioned so they had to establish legitimacy and should this be in fact illegal they are going to have to amend those. So they are looking for a second opinion on this for their own clarity but I would say to this effect of it being extended to 2020 keep in mind if you look in the response that was issued last night and is attached to your booklet the code council, the advisory code council if they vote to take us out of this program because we are not paying they are the ones that can vote to enact the procedures to terminate this contract. So they have all adopted this new prorata share payment structure. So I don't think it is wise and I want to make sure that we all understand that if we continue to go 80/20 I don't think that we can assume that that's going to be able to happen until 2020. The advisory council is going to have to say we have one of the group who is not paying at the same rate that we all are paying and we can't maintain this program in this fashion. So there is a mechanism in place to have our contract terminated inside of the three year period. I am not saying that is what is going to happen but we need to be aware that there are provisions in place should that proceed. Also at the last meeting we talked a little bit about how much this would cost and we did some digging. We called six other parishes. We found out what the cost was going to be this is attached in the response it is exhibit five. We worked with finance to see what our benefits were this is something we spent a lot of time on and I want you guys to really consider this is potentially a \$250,000.00 increase in what we are paying SCP now so that is the difference in cost and who will bear those cost because if we are asking SCP instead of using the prorata share to increase our permit fees that is going to be their only option and right now we are looking at continuing it or having them go back to the drawing table and find out another way of structuring this payment or starting their own department that is going to be a deficiency of approximately \$250,000.00 and where those cost will be born and that is why we are asking with all seriousness to allow the AG to weigh in because we do need I think the highest level of authority to weigh in on this because if we are not sure 110% we may be doing and spending time on something that may have been completely unnecessary and I want to make sure before I start restructuring how we spend our time that it is necessary and I think administration understands that and I am not trying to push, I don't want to push, I just want to ask for your patience and allow us to get as much information as possible so that you can make the most informed decision about this contract when in fact it comes to and that SCP is willing to continue with the 80/20 until we get to that point."

Councilman Snyder stated, "I appreciate that input but I still think the line

item that you sent to us about the cost is bloated. I really do. I don't know where you got your information from and I am sure you did a lot of studying and digging and got the information but I looked at that thing and to me it looks bloated. Now I don't know what is going to happen with the AG we don't have any problem with the work that SCP does we want the public to understand that we don't have any problems with their work. We just have a problem with the way they want us to pay them and we are not in agreement with that and that is my final word on it."

Councilman Madere stated, "I appreciate everything that Mrs. Remondet but regardless of if they lost it or the funding ran out they need money and that is the bottom line. They need money that is why they came with the idea to restructure the contract. If the grant or money wouldn't have run out we wouldn't be having this conversation and that is the bottom line and the bottom line with me is that I am not willing to spend \$27,000.00 a month on maybe that maybe they are going to do something and then also if they don't do anything we don't get our money back. I have a district that is flooding. I can buy a lot of culverts with \$27,000.00 a month to take care of the people in my district and I am not willing to give \$27,000.00 on a maybe or a possible and that is the bottom line and I know I am not going to do it and I am not going to vote for it."

Alex Carter stated, "Just to clarify, just so you understand fully the option to consider it a payment or non-payment it may be incomplete because at the end of the day building code compliance is required by state law. We have to perform these services regardless of if we agree to go into a contract with SCP or amend this contract. So the cost will be born no matter what decision we make because either we are doing it through SCP or we doing it through a third party contractor or we are doing it ourselves. If we do it ourselves we are looking at a \$250,000.00 increase that was a conservative estimate because I feel a responsibility I don't want to be called up at a budget meeting and it is over..

Councilman Madere stated, "I understand but listen to what I am saying. They are not the only ones that do this type of work. If we do not agree with them and we do not give them this contract with what they want and they decide to put us out that is on them but they are not the only one that performs these type of services and I am more than sure there is another company that would take a 80/20 split and take the contract that they have. So the ball is in their court. I am not changing the contract that is already in existence. I am not giving them \$27,000.00 when I need things in my district. I am not giving that away and if they want to exit out of it then that is on them but there are other companies around that would come in here and take the same contract that they have and do the job."

Tom Malik asked, "Who bears the legal responsibility in event of an error or omission from SCP?"

Alex Carter stated, "They do. They have their own liability insurance and maintain their own lawyers and they actually hear appeals to the building codes and their own interpretations within their own public hearing process."

Councilman Sorapuru stated, "I know we have been shuffling the cards with this for about 3-4 months now and I think that this council needs to take a hard look at what we have and where we need to go. I don't feel we should be held hostage by the AG or any code council no disrespect to those two positions. The DA has made it clear that she gave us her opinion on where we should go so we are going to look closely at ourselves and our numbers and buckle down and make some

decisions right quick, as soon as possible and not be held hostage to any outside agency and it is no disrespect to SCP or the AG but we have the responsibility to move this parish forward and I am asking the council let's get together and make this decision as soon as possible."

Councilwoman Hotard stated, "I just want to say really quickly and you are right Larry we have talked about this for a few months and I guess my point of frustration will be that we have been talking about this for so long and I think that the biggest miss-step in all of this and I am not pointing a finger at anybody but it seems like there was either a lack of communication or an assumption that communication had taken place and now we are at this point. I look at this contract and I look at the prepayment and the prorata share and I agree how do you pay for something that you haven't received or if you don't receive it are you going to get your money back but I also know that the way it has been presented has kind of been a take it or leave it and as a business owner if I were sitting in SCP's shoes and I don't want to speak for them but as a person who runs a business if I knew that my contract wasn't going to be accepted even if it had been excepted by 10 other parishes but I had 1 parish that isn't going to accept this I probably would have started thinking well maybe pay me a month ahead or a month after I have provided services and then I am always providing services a month prior to you actually sending me a payment and there is really only a 30 day lapse in there but it is still accomplishing the same thing but it is not a gratuitous donation is what we are being told which seems like it is because we are paying for something that we don't know if we are going to receive. We have all of the data. We know what we are getting at this point but it is still pure speculation because we don't know what is going to happen tomorrow. So that is my frustration is that there has never been a meeting of the minds. SCP, the parish administration we know we have to implement the building codes. I was here in 2005 when Katrina hit and it was either implement this uniform building code or you basically are not going to be able to insure homes in SJBP. We can't do that either. It is the same as with the FEMA flood maps we either accept these base flood elevations or nobody gets flood insurance and thank God we did because look at what happened with Isaac. So we know we need this but the frustration again is why didn't everyone get together and put forward another solution on the table even if it meant that SCP had to go back to some of the other parishes because guess what Mr. Snyder brought up a good point we have this AG opinion out here if we probably wouldn't have asked for it if I am one of those other parishes and I have a parish DA saying that I am entered into a contract that could be a gratuitous donation as part of the constitution I am not even fooling around with the AG office because you are right it is just an opinion and we can get 10 opinions on the table I almost would have to say let's go to court and find it out because if I am one of those other parishes or one of those other councils I don't want to have voted on something that is improper and I wasn't aware of. So everybody has some interest in this and that is where more of the frustration is coming from. We have attorneys all over. We have administration and SCP, everybody should have been sitting down at the table and saying lets figure this out or lets come forward with another recommendation like I said as a business owner I wouldn't want to walk away from this but I would have to bring something else to the table that would be legal, acceptable and accommodate everything instead of us as council members we hear about it every other Tuesday or what comes through on an email we don't have the benefit of being in the office from 8-5 we don't have that benefit but I am just frustrated that there appears that there was either miscommunication or lack of communication or the assumption that some communication has taken place and we are in no better shape today then we were when this first was placed on the agenda and Alex you are very thorough it is not even at you whether it is just

the landscape on this I am not sure but just from an outsider every two weeks you read an article in the paper and you scratch your head like what is really going on and this to me has gotten so far out of control on something that we know we need either from SCP or from someone else but we are still just not in a better situation and it is almost always from a breakdown of communication from somebody and I am still surprised with SCP that they haven't and I don't want to blame them but with us it is either take it or leave it, either pay us upfront for something you don't know you are going to get or we are not going to do anything and that as a business owner is mind blowing to me."

Alex Carter stated, "Just to that point because we do speak with Kevin Belanger and Tom Watkins on a regular basis as we go through this and administration shares your frustration because there has been a lot of energy and time and work spent on clarifying a lot of points. I think the DA's office and the administration have worked together to address a lot of items and that this is just the last item and at the last council meeting the opinion was rendered and it was a surprise to the administration to be fair we did not expect that this was going to continue to be a problem and at that meeting we were charged with providing a response and so over the last three weeks we have drafted that response, completed research and backed up the legitimacy of this organization and the program and that was a lot of effort but it may seem like there is silence and nobody is talking to each other but in fact we are really just trying to respond to the request and at this point I think there is a need for an outside opinion for our office but also so that this decision can be made as informed as possible because it is a lot that hangs in the balance and it is difficult and everybody is working hard on it it is just that we are the only parish that is fighting this issue and it may be an issue but it is difficult to firmly grasp that when it is only us and so we want to reduce that level of risk in following through by looking for an outsider opinion and I would say that the administration is not asking for it, we are not trying to counter the DA. We just want to make sure 150% that this is in fact a problem before we renegotiate with SCP and to this point they have been amendable to the idea of renegotiating they are just I think hesitant to do that with 11 parishes without having confirmation that this is in fact an issue from other than one source."

Councilwoman Hotard stated, "The AG office is not going to give SCP the 100% certainty that they are looking for. It is only going to give them another opinion and so even though the opinion from the DA's office maybe was a surprise the fact that there was a question of the legitimacy of this payment it wasn't a surprise two weeks ago. We knew it. They knew it. You all knew it and SCP knew it months ago and so if I am SCP even at that point when I have a DA's office that is telling me this might be problematic they've got a vested interest to make sure that all of these other parishes haven't entered into a gratuitous donation because what if there is a challenge in court and it hasn't been done properly well guess what now you really have some homework to do instead of again way back in the beginning when it was first brought up that this could be problematic I would have been at the DA's doorstep with suggestion #2, #3, #4 what if we set up a payment structure this way? Is this legal? How can we make this work to serve the citizens of SJPB and allow us to cast a vote that also shows that we are being good stewards of the tax payers dollars and it doesn't seem like that has happened because again the only proposal on the table is the one that was on the table months ago that we already said that it was a potentially a gratuitous donation and again if I was SCP I probably would have been in court already if I have 11 contracts or 12 and they are being questioned that they could be illegal. I am not waiting on anybody else I would have been in court already and said I need a judge to tell me what I need to do and like I said it wasn't a surprise

that this was problematic and I would have been at the DA's doorstep to say let's work this out and SCP again has a vested interest in this."

Alex Carter stated, "I really did just want to point out that we did have meetings with the DA. We planned on meeting Friday but with Irma approaching that had to be re-evaluated. So there has been meetings, phone calls and extensive discussions with the back and forth with documents and I know you guys realize that and I appreciate your patience with this as we continue to work with them but I would like to point out that in the contract even in the opinion there are points that the DA makes that says further should these things be amended this could be permissible so the administration and I think SCP continues to hold out hope that we can get this thing to a point to where this illegal issue goes away and so that is I think why SCP hasn't gone back to the drawing board and restructured this payment because that is going to translate into renegotiating the contract with all of these other parishes should they not have to do that I think they are a business they don't want to create work for themselves, I can't speak for them but I think at this point we continue to work with the DA to try and address the points that are in her opinion but the first priority of administration was to provide a response which was her request so at this point we are moving forward, we want to set up a meeting sometime either this week or next week and see if we can't get to those points and see if we can't amend it together so that we don't have any miscommunication whatsoever about what their expectation is in terms of what needs to be in that contract to get it to you where it can be adopted and if we can do that in advance of the AG opinion that would be great."

Councilwoman Hotard stated, "I hear what you are saying but let's say for example if the AG office or really a judge I think it is going to come down to a judge because even admitting it is an opinion you said that SCP they don't want to do this if they don't have to make all of these changes but once you have a judge to come out and say you have entered into a gratuitous donation you don't have a choice and so again I am just thinking from a business owner you don't wait until a judge says that 10 of your contracts are invalid to figure out how you are going to make them valid you know already or at least you are working towards the plan B just in case if you want to not go into bankruptcy as a business that is just a prudent decision and in the recommendation from the DA office right if we have other ways to make this contract valid or not a donation it almost seems like are we really attempting to do that if we are still asking for another opinion and maybe it is just covering all of the bases but again if it comes out that SCP and all these other parishes have entered into contracts that they shouldn't have then they will really be scrambling to make them all work and we have been tabling this for too many months now and this is just too long."

Councilman Madere stated, "Okay I am going to go back Mr. Snyder is 100% right, Ms. Hotard is 100% right and I do believe that I am 100% right. Here is what I am going to tell you first of all Ms. Hotard says if SCP wanted to do business with us and we have an opinion that the contract that they offered us is not legal then they should have been running and trying to figure out a way to answer that question and SCP has been knowing about that particular problem for as long as we have been talking about this because I have received emails from the DA office telling us exactly what is going on and what is the problem and we have been knowing about this problem and their only solution to us was to take it or leave it. That is the only thing that they did. They didn't change not one single thing they didn't say like Ms. Hotard just said do the work and we pay you after. If you don't work that month you don't get paid but all I see is \$27,000.00 every month if you do something or not that is the problem. They need to correct that

problem and my suggestion is come back with a better offer that doesn't pay upfront money or keep the contract that you have with the 80/20 split and that is the bottom line. It should be non-discussion. If they don't then exercise their right and pull out and we can exercise our right to find another company to do exactly what they are doing."

Councilman Becnel stated, "Let me just give you my opinion. I have been a business man for 35 years and I tell you what everybody has a point in here and it is good but you know what I don't like first of all the DA gave their opinion, we as a council are supposed to follow that advice. Now they may have disagreed in what SCP had in there and that was okay but I think we are always going to follow the advice of the DA and you know what to me is idiotic and stupid is all this stalling and delaying my favorite phrase. We are never going to get anywhere. We are stuck in the mud. The DA passed an opinion and we are going to keep following it and respect that opinion and Alex you do a great job but all of this stalling and delaying has me frustrated and that is all I have to say."

Councilman Perrilloux stated, "I was never in favor of this contract in the first place and it goes back to what Ms. Hotard said if we had question marks from the first time then we should have went back to the table and renegotiated with something else but you didn't. You just assumed and I even talked to Kevin about the same issues. I asked if I give you \$27,000.00 a month and you don't do anything am I going to get it back and I was told no he is going to give me credit for the following year. I don't want credit. I didn't send you credit. I sent you money and I want it back and he couldn't answer that and so from then on I wasn't pleased with the contract because he didn't want to negotiate something else. So I am done with it. I am done with it. He had enough time. It has been months Mr. Green went back and investigated all kind of stuff that happened in Ascension Parish and the last AG gave their opinion about it and now we want to continue. If all of these flags are going up then I would have to say what Ms. Hotard said I have to go back and look at what I am doing because it might not be right and change it but they didn't. They just assumed I am going to get this money from 10 parishes over 4 million dollars a year and I am good and I told you earlier I don't show up for work and tell them I am behind because of my bills can you send me extra money you know what they are going to tell me to find another job. I am not going to make your budget come out of the red into the black when we have all of these problems in SJB. I am not."

Councilman Wright stated, "I just want to make a final comment and what I have been saying for the last few months and I think we are spinning our wheels going to get an AG opinion because if it comes back and says it is a gratuitous donation we have a problem. If they say it isn't we still have a problem because the DA office still disagrees. So I think instead of going to the AG you either have to look at either going to court over it or get everybody to the table and draft a new agreement because we know what our two options are go to court or bring everybody to the table and redraft the agreement and that is it. So I think we are spinning our wheels and wasting our time going to the AG office. So I make a motion to table this item."

Councilwoman Hotard stated, "Michael I couldn't have said it better he is right even if the AG opinion says that it is not proper then you can't do it and even if they say that it isn't a gratuitous donation but our DA is cautioning us against it, we are not going to do it that way either because it is still just two opinions and so the only way to have it resolved is through court or to draft the agreement I think what happened in the beginning is when we were the last parish to come on board it seems like there was this mindset of well all the

other parishes did it so it can't be problematic or they wouldn't have done it and I do think those council members acted in good faith just as when we take votes we are acting in good faith. So I believe that there was really no rush to alter the agreement because there seemed like it was going to be made that we could enter into it because all of the other parishes had done it and so again I would have put some of that on SCP and I believe they do an excellent job I know we can't do this I have been there so it is not about that but everybody just stating that the way the payment structure is put into place is not something we are going to live with unless a judge says this is it. Like I said, he couldn't have said it better no matter what comes out of the AG office, as long as our DA is advising all 9 of us that this doesn't pass the smell test we are not going to enter into it that way. So I would implore both of you to go back to the drawing board if that means you bring this in front of a judge or go back to the parishes or whatever it is that you need to do because we do want to continue this program. We know we need to but we also need to do it as good stewards of the parish."

Alex Carter stated, "All I wanted to point out is that at this point administration is not recommending that you approve this tonight. We are recommending that we table it to get the AG opinion but also to meet with the DA's office next week to talk about those points that we can amend in the CEA to make it permissible which is our best case scenario."

**MOTION:** Councilman Wright and Councilman Malik seconded the motion to TABLE the authorization to amend the Cooperative Endeavor Agreement (CEA) between St. John the Baptist Parish and South Central Planning and Development Commission (SCPDC). The motion passed with 7 yeas and 2 against (Madere & Sorapuru).

**LaVerne Toombs - (Tabled 08-22-17) Authorization to enter into a Servitude Agreement with Delta Land Services, L.L.C.**

LaVerne Toombs stated, "Administration requests this item be tabled until the September 26<sup>th</sup> Council meeting until the Parish Engineer can ensure that all of his recommendations have been satisfied."

This item will remain tabled.

**Jean Stewart/LaVerne Toombs - Authorization to advertise a Request for Qualifications (RFQ) for a Feasibility Study and Conceptual Plan for a Passenger Rail and Multi-Modal Transit Center**

LaVerne Toombs stated, "This is a requirement of the grant and Administration recommends approval."

**MOTION:** Councilman Perrilloux moved and Councilman Wright seconded the motion to grant administration authorization to advertise a Request for Qualifications (RFQ) for a Feasibility Study and Conceptual Plan for a Passenger Rail and Multi-Modal Transit Center. The motion passed unanimously.

**Alexandra Carter - Authorization to enter into an employment contract with Henry Joseph for Code Enforcement**

Alexandra Carter stated, "The current contract is expiring and this is a one (1) year extension. It includes a 3% increase which is consistent with the pay scale approved by the Council. The contract document was reviewed and approved by Legal Counsel and Administration recommends approval."

**MOTION:** Councilman Becnel moved and Councilwoman Hotard seconded the motion to grant administration authorization to enter into an employment contract with Henry Joseph for Code Enforcement. The motion passed unanimously.

**Cain Dufrene - Authorization to enter into a Memorandum of Understanding (MOU) with the St. John Parish Sheriff's Office for the construction of a new Westbank Public Safety Complex**

Cain Dufrene stated, "This MOU establishes a commitment between the Parish (Office of Fire Services) and the Sheriff's Office to collaborate on design and construction of a joint facility in Wallace. The agreement was initially drafted with assistance from attorneys for the Sheriff's Office and DA and was reviewed and approved by Legal Counsel. Administration recommends approval."

**MOTION:** Councilman Perrilloux moved and Councilman Wright seconded the motion to grant administration authorization to enter into a Memorandum of Understanding (MOU) with the St. John Parish Sheriff's Office for the construction of a new Westbank Public Safety Complex. The motion passed unanimously.

**Cain Dufrene - Authorization to execute an agreement with Sizeler Thompson Brown Architects Regional Design Group, LLC for the Westbank Public Safety Complex**

Cain Dufrene stated, "Administration requests this item be tabled until a CEA between the Sheriff and Parish is drafted and approved."

**MOTION:** Councilman Perrilloux moved and Councilman Snyder seconded the motion to TABLE the authorization to execute an agreement with Sizeler Thompson Brown Architects Regional Design Group, LLC for the Westbank Public Safety Complex. The motion passed unanimously.

**Stacey Cador - Authorization to advertise a Request for Proposals (RFP) for Occupational Medicine Services**

Stacey Cador stated, "This request is to solicit proposals for employee health/occupational medicine services. The current contract with Ochsner LaPlace Medical Center expires October 31, 2017. Administration recommends approval."

**MOTION:** Councilman Becnel moved and Councilwoman Remondet seconded the motion to grant administration authorization to advertise a Request for Proposals (RFP) for Occupational Medicine Services. The motion passed unanimously.

**Stacey Cador - Authorization to renew the Parish Facilities Flood Insurance Policy with Seattle Specialty**

Stacey Cador stated, "This renewal through Riverlands Insurance Services, Inc. includes the Sewer Plant on Woodland Drive, the ARC, East Bank Council on Aging Building, and REGALA Concession Stand and Gymnasium. The annual premium of \$21,477 reflects a \$657 increase over the expiring annual premium and will be funded through each of the associated department funds. Administration recommends approval."

**MOTION:** Councilman Sorapuru moved and Councilman Becnel seconded the motion to grant administration authorization to renew the Parish Facilities Flood Insurance Policy with Seattle Specialty. The motion passed with 8 yeas and 1

abstaining (Wright).

**Stacey Cador - Authorization to renew the Parish's Dental Insurance coverage with Delta Dental**

Stacey Cador stated, "This renewal through the Kennedy Financial Group is for an additional two (2) year period beginning January 1, 2018 with no increase over the expiring premium. Administration recommends approval."

**MOTION:** Councilwoman Hotard moved and Councilman Wright seconded the motion to grant administration authorization to renew the Parish's Dental Insurance coverage with Delta Dental. The motion passed unanimously.

**Stacey Cador - Authorization to renew the Parish's Group Health Insurance with Humana**

Stacey Cador stated, "This renewal through Tatje Insurance and Financial Products is for an additional one (1) year period beginning January 1, 2018 with no increase over the expiring premium. The offer of a zero percent increase secured by Tatje is contingent on the Parish not initiating an RFP process. Should the Parish engage in an RFP process, Humana's medical underwriting would then reserve the right to re-rate the account based on the group's claims history for the most recent 12-month period. Administration recommends approval of the proposal to renew."

**MOTION:** Councilwoman Hotard moved and Councilman Wright seconded the motion to grant administration authorization to renew the Parish's Group Health Insurance with Humana. The motion passed unanimously.

**Adjournment**

**MOTION:** Councilman Wright moved and Councilman Perrilloux seconded the motion to adjourn the finance meeting. The motion passed unanimously.