

MINUTES
POINTE COUPEE PARISH HOME RULE CHARTER COMMISSION
March 21, 2016

The Pointe Coupee Parish Home Rule Charter Commission met in regular session at 5:00 p.m. on Monday, March 21, 2016 at the Courthouse Annex in the Police Jury Meeting Room, New Roads, Louisiana.

Chairman Lyles called the meeting to order and directed Secretary Gerrie Martin to call the roll:

PRESENT: Messrs. Alden Andre, Price Gay, Mrs. Gail Hurst, Messrs. Jeremy LaCombe, Jacques LaCour, Cletus Langlois, Richard Maciasz, Albert Sneed and Jimmy Lyles, Chairman. Arrived after roll call: Messrs. Albert Dukes, Cornell Dukes and Jeremy LaCombe.

OTHERS

PRESENT: Messrs. James Fairchild, Dannie Garrett and Tommy Comeaux.

ABSENT: None.

PUBLIC COMMENTS

There were no public comments.

ADOPT MINUTES

Motion by Mr. Maciasz and seconded by Mr. Andre:

RESOLVED, That the minutes of March 7, 2016 meeting be accepted as written and be published.

Unanimously carried.

Attorney Garrett explained that the Jury's Resolution Committee discussed and clarified the attendance requirements of the Charter Commission that was supposed to be applicable to all absences no matter whether excused or unexcused. The recommendations will be to the Jury for approval at its meeting on March 22, 2016. The resolutions states a member cannot miss more than four (4) meetings and currently two (2) members have four (4) and one (1) member has three (3) absences.

DISCUSSION AND CONSIDERATION OF ARTICLE III AS PRESENTED PERTAINING TO THE PARISH COUNCIL

Attorney Garrett discussed and reviewed a draft of Article III as presented pertaining to the Parish Council. He commented on reviewing Section 4.02 about the term for members of the Parish Council.

Motion by Mr. Maciasz and seconded by Mr. Gay:

RESOLVED, That the members of the parish council shall take office on the second Monday in January.

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Unanimously carried.

Motion by Mr. Maciasz and seconded by Mrs. Hurst:

RESOLVED, That Article III – Parish Council in its entirety as presented with necessary corrections be adopted.

Unanimously carried.

Finances

Attorney Garrett discussed and gave an overview of the financial procedures for the parish council. Upon discussion by the commission, the following resolutions were offered:

Motion by Mr. Andre and seconded by Mr. Gay:

RESOLVED, That the parish council operates on a calendar fiscal year of January 1 – December 31.

Unanimously carried.

Motion by Mrs. Hurst and seconded by Mr. Sneed:

RESOLVED, That an operating budget be presented 90 days before the end of the fiscal year.

Unanimously carried.

Motion by Mr. LaCour and seconded by Mr. Andre:

RESOLVED, That the operating and capital budgets be split.

Unanimously carried.

Motion by Mr. Langlois and seconded by Mr. Gay:

RESOLVED, That the proposed operating budget must be finally adopted before the end of the fiscal year, if not, the budget proposed by the Parish President becomes the budget for the succeeding year.

Unanimously carried.

Amendment to the Budget

Motion by Mr. Andre and seconded by Mr. C. Dukes:

RESOLVED, That it is mandated that at the end of each fiscal year revenues in excess of what was projected in the final adopted budget shall automatically be deposited into a rainy day fund, and expenditures from the rainy day fund can only be made upon

request of the Parish President and a 2/3 vote of the full council.

Unanimously carried.

Motion by Mr. C. Dukes and seconded by Mrs. Hurst:

RESOLVED, That one half percent (1/2%) of total budget revenues must be budgeted into the reserve fund as a separate line item unless the balance of the reserve fund at the end of the preceding fiscal year exceeds three (3) months general operating expenses of the parish exclusive of debt services, expenditures will require a request by the Parish President and a two third (2/3) vote of the full council to expend reserve funds.

Unanimously carried.

Motion by Mr. Langlois and seconded by Mr. Maciasz:

RESOLVED, That the procedures for amendment to budget are as follows:

- Council may amend by ordinance in the same manner as adoption.
- May make emergency appropriations by emergency ordinance and borrow money if no revenue available, but borrowing must be paid back in following year's budget.
- If president estimates deficit to be occurring, shall report to council and make recommendations for remediation **XLGBA** (denotes difference from Local Govt. Budget Act).
- Council may reduce an appropriation by ordinance at any time, except for required debt service **XLGBA**.
- President may transfer unencumbered appropriation from one budget item to another at any time during fiscal year; except he may not transfer to or from salary account unless approved by ordinance adopted by council.

Unanimously carried.

DISCUSSION AND CONSIDERATION OF INITIATIVE AND REFERENDUM

Attorney Garrett explained the initiative and referendum and after discussion, the following resolution was offered:

Motion by Mr. Andre and seconded by Mr. Gay:

RESOLVED, That the initiative and referendum not be included in the charter.

Unanimously carried.

Chairman Lyles commented on the commission completing the charter by the end of April; bring awareness to the public in May, present to the Jury the first of June, and present to the Secretary of State by June 22 and be placed on the election ballot in November.

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Mr. Andre commended the commission for their support and accomplishment of approving a rainy day fund and reserve fund.

SET NEXT MEETING DATE AND AGENDA ITEMS

The next meeting will be April 4, 2016 at 5:00 p.m.

Agenda item will be as follows:

- Discussion and consideration of Article V - Finance.
- Discussion and consideration of Amendment and Repeal of Charter.
- Discussion and consideration of General and Miscellaneous.
- Discussion and consideration of action for Transition Procedures

OPEN DISCUSSION

There was no open discussion.

Motion by Mr. Andre and seconded by Mrs. Hurst the meeting adjourned at 7:05 p.m.

Jimmy Lyles, Chairman