

OFFICIAL PROCEEDINGS
ST. JOHN THE BAPTIST PARISH COUNCIL
TUESDAY, MAY 25th, 2021
CHAIRMAN KURT BECNEL
VICE-CHAIR MICHAEL WRIGHT

The Council of the Parish of St. John the Baptist Parish, State of Louisiana, met in Regular Session in the St. John the Baptist Parish Government Complex Chambers, LaPlace, Louisiana on Tuesday, May 25th, 2021, at 6:30 PM.

CALL TO ORDER:

PRESENT AT ROLL CALL: Lennix Madere, Jr., Councilman-at-Large, Div. A, Kurt Becnel, Councilman District I, Warren Torres, Jr., Councilman District II, Tammy Houston, Councilwoman District III, Tyra Duhe-Griffin, Councilwoman District IV, Robert Arcuri, Councilman District V, Tonia Schnyder, Councilwoman District VI, Thomas Malik, Councilman District VII

ABSENT: Michael Wright

Councilman Malik led the Prayer. Councilman Madere led the Pledge.

Legal Counsel Keith Green Jr. and Christopher Cortez were present.

PUBLIC COMMENT - AGENDA ITEMS ONLY (3 minutes per citizen)

There was no public comment.

Jaclyn Hotard - Proclamation - May as Lupus Awareness Month

Jaclyn Hotard, Parish President, read the Proclamation - May as Lupus Awareness Month.

Jaclyn Hotard - Proclamation - June as Safety Month

Jaclyn Hotard, Parish President, read the Proclamation - June as Safety Month.

Jaclyn Hotard - Recognition - Jared Butler

Jaclyn Hotard stated, *"Thank you, Mr. Butler's mother did reach out to us, and they had a commitment come up. So, we can remove this item and we'll replace it on the agenda when Mr. Butler's available."*

CONSENT AGENDA:

ITEMS: Approval of Minutes - May 11th, 2021, Council Meeting; Permit Approval - Annual Juneteenth Walk - Saturday, June 19th - 8:00 AM starting at Home Depot

MOTION: Councilwoman Houston moved and Councilman Madere seconded the motion to approve consent agenda items consisting of Approval of Minutes - May 11th, 2021, Council Meeting; Permit Approval - Annual Juneteenth Walk - Saturday, June 19th, 2021 - 8:00AM starting at Home Depot. The motion passed with Councilman Wright absent.

REPORTS:

President's Report

Jaclyn Hotard - Monthly Financial Report (April 2021)

Jaclyn Hotard stated, "Thank you Chairman and members of the Council. The financial report was submitted to all of the Council members."

Tom Malik - Finance Committee Report

Councilman Malik stated, "Yes sir Mr. Chairman, the finance committee met prior to this meeting and it consisted of 8 members of council present. The Finance Committee approved the following Resolutions R21-69, R21-70, R21-71, R21-72, R21-73, R21-74, R21-75, R21-76, and R21-77."

PUBLIC HEARING AND ADOPTION ON ORDINANCES/NEW BUSINESS:

21-15 (Public Hearing Held) An Ordinance amending ordinance 21-14 relative to the annual operating budgets for St. John the Baptist Parish General Fund, Special Revenue Funds, Enterprise Funds, and Capital Project Funds for the fiscal year beginning January 1, 2021 and ending December 31, 2021 (J. Hotard)

Councilwoman Duhe-Griffin stated, "Yes, thank you. I wrote my questions down, so, I'm going to...the changes that are going to be made for this year, are they going to be the same as next year? Like for example: I'm not opposed to any of the salary increases I want to state that; but are they, do we need a resolution or an ordinance for them? Does the salary increases expire December 31st of 2021?"

Robert Figuero stated, "No they would not. It'd be just like any other salary, once you get that salary raise then that is your salary for the next year going into the next budget as well."

Councilwoman Duhe-Griffin stated, "Okay. The note that was made on the budget was because the salaries were being increased because of market value, market-let me just make sure I get it correct. I can't see it it's kind of light."

Robert Figuero stated, "It says to market value, increase due to market value."

Councilwoman Duhe-Griffin stated, "So, a comprehension study was conducted to support that amount that was requested?"

Robert Figuero stated, "I'll default to the Parish President."

Jaclyn Hotard asked, "Can you clarify what kind of study, a comprehension?"

Councilwoman Duhe-Griffin stated, "I...compensation study. I'm sorry a compensation study or salary study. Was one done to justify the increases of the changes in the budget?"

Jaclyn Hotard stated, "No, and in fact, one of the increases came after...upon a discussion that you and I had where you mentioned that you felt like this was warranted. But, looking across..."

Councilwoman Duhe-Griffin interrupting stated, "Absolutely for the record, just want to say I'm not opposed of it."

Jaclyn Hotard stated, "No, I just I know, we're just putting everything on the record about the thought process of how we got to where we are. But looking at other comparable positions, you know of other parishes that was done, and in many cases some of our even salaries if you will that there's no changes being made are still behind some of our counter parts. So yes, that was done."

Councilwoman Duhe-Griffin stated, "Uhm. So, I have well...this might sound like a silly question, but for a compensation study, do you know when, was the last time they had one for the parish government and administration?"

Jaclyn Hotard stated, "I've seen it, I couldn't tell you the last time that there was actually a salary study done. But there was one done and I could provide it to you I don't remember the last time that it was done, but in some cases there were some salaries that were comparable - like at a good range, and there were some that were actually under, and we still are under. It's funny because I'll get calls sometimes from neighboring parish presidents where we're higher on some, so we are able to take some of their qualified folks, we just recently got a good equipment operator, who was one of our residents who was good working in another parish, but in many of the instances there are cases where a lot of our...not a lot, some of our positions are actually significantly lower than some of those areas. Some of those other parishes. You know I never like to do a comparison let's say in Orleans, right, they're a large budget and large operation, but when we look at the needs of our residents you know we have a lot of similar needs if you will."

Councilwoman Duhe-Griffin stated, "Okay. Do you think a compensation study is needed at this time?"

Jaclyn Hotard stated, "I mean I don't think it's a bad idea to do it, depending on what the actual overall goal is. And what we will actually do with the results of that study. I don't like to just do a study just to do a study, I think that's wasteful, and especially when a lot of this information is available for public consumption. You know previously you would need a study to look at salaries, whereas now in 2021, most of the information is available in the public domain. So, you don't necessarily need a, expert in salaries when you can pick up the phone and call parishes that are your size, you know similarly situated and get that information yourself."

Councilwoman Duhe-Griffin stated, "Ok! And the goal was to make sure that we are paying in the increases that we do have, even now or in the future, that they are justified and that we have done a study and so my goal is whatever increase that this government or administration ask for, that we have something to compare it to, and we can say that 'yes' we are um...

Jaclyn Hotard stated, "Being responsible."

Councilwoman Duhe-Griffin stated, "We're being responsible, and that we can justify why we are paying the parish government or administration fair market value for their services."

Jaclyn Hotard stated, "Uhm and you know studies, I guess with salary studies that works both ways too, because you'll learn that you are like I said, we are able to take some folks from other places because we are higher in a lot of departments. Even our lowest base salary is much higher than neighboring parishes for an entry level. Let's say, a maintenance person, is several dollars an hour higher than other parishes, so you know looking at a comprehensive salary study you're going to find a little bit of both. You're going to find that you're going to have some people who are much lower than what the market dictates, and that you'll have some people who are higher than what you know the market dictates."

Councilwoman Duhe-Griffin stated, "Ok, alright thank you."

Councilwoman Houston stated, "I just wanted to say that as I looked over the budget, I guess the Library portion of working in the library working all those years came out. Cause I did look the information up and the job title, and we were below the medium, even the medium when it came to salaries for that particular position. So sometimes I think we get lost in looking at the person instead of the job, the position. So, at this at that at this time I did think that should be some elevation to that particular job title. Because of what I said what I looked and found as the medium level of salary."

Jaclyn Hotard stated, "Thank you, and many of our positions like I said are that way and of course, I never want to wish any harm on myself or anybody you know, we could all...something could happen to any one of us tomorrow. So, it's always about you know that particular position and what type of skill set is required to do a particular job and that definitely goes into consideration."

Councilwoman Schnyder stated, "Yes, I have a couple of questions, comments, concerns. We're saying that we giving salary increases because of the market value. I recall back in December 2019 when Ms. Robottom was still in office and she presented the budget, and Mrs. Hotard I believe you suggested and made a motion to increase the new Directors coming in, because of market value to get them up to par. And one of the raises that we're giving now received a raise last year as well, and here we are a year later we're giving another raise to the same person. So, how do we justify that and how do we explain that to our employers who are only getting a small, small raise?"

Jaclyn Hotard stated, "I think some of your fellow Council members answered that question for you. Because even though this individual, maybe in that same position, this is about the position itself and not about an individual. The second part of your question is, at the end of 2020 this Council chose to spend you know maybe a half a million dollars on or close to on raises for employees and none of the department heads received an increase. And so, and the particular case that we're speaking about is specific to position, not an individual, and so that's why that decision you know was made."

Councilwoman Schnyder stated, "Just to clarify, I'm not speaking about an individual, or I'm speaking about a position we did grant a raise last year because we thought that made it up to market value."

Jaclyn Hotard stated, "That was the year before last."

Councilwoman Schnyder stated, "2019 if for a 2020 budget!"

Jaclyn Hotard stated, "2020 budget. But in the 2020 budget, when everyone else did receive an increase, none of these individuals none of these positions received an increase."

Councilwoman Schnyder stated, "So the Planning & Zoning Director didn't receive an increase?"

Jaclyn Hotard stated, "No department head received an increase when all of the employees received an increase. In 20 for effective in the 2021 budget, we gave a 3% increase to all the civil service employees, not one of your department heads received it."

Councilwoman Schnyder stated, "Not 2021 I'm saying for 2020, when and you first took office the one salary increases on the 2021 budget already received a increase last year. A ten thousand-dollar (\$10,000) increase."

Jaclyn Hotard stated, "That was in, no what I'm saying is in 2019, we increased some of the positions, not all. They received that increase in 2020, then in the 2020 budget we gave increases to all of the civil service employees, however, we did not give an increase to any department head employees that became effective January 1, 2021."

Councilwoman Schnyder stated, "Let me clarify that, make sure we understand it correctly. You didn't give the raise in 2020, in the 2019 budget for 2020 an increase was made?"

Jaclyn Hotard stated, "Correct."

Councilwoman Schnyder stated, "And here we are in 2021 another increase is made to that same Director?"

Jaclyn Hotard stated, "In one instance yes."

Councilwoman Schnyder stated, "That's what I'm saying, we give a Director 2-years in a row, an increase in salary?"

Jaclyn Hotard stated, "Um-hum."

Councilwoman Schnyder asked, "So how do we justify that? Because I thought the first increase was because of market value."

Jaclyn Hotard stated, "They were, and like I said if we could look at all of them, I believe that many if not all of the department heads, the market value for those jobs, you know if I just look at other parishes, they're below. And in fact, in this particular position, it is significant it is the lowest position of that level that we have, the lowest one. And so, looking at the amount of skill the amount of you know just so much that goes into that particular department, knowing that it is the lowest, it probably should've been increased a little bit more than what it was in 2019. And you know looking at that now, is, this is why I'm bringing this before you now."

Councilwoman Schnyder asked, "Because it wasn't increased enough? Correct?"

Jaclyn Hotard stated, "And I still, you want me to be honest with you? I still

don't think it's enough, a lot of them. You know I look at what when you want professionals with a certain level of even specialized training and those types of things. The amount of time that many of these individuals do put in, most of whom whenever it hits the fan, they're the ones that get the phone call at 8, 9 o'clock at night...

Councilwoman Schnyder interrupting stated, "I guess I want you to explain, explain why we're having increases back to back."

Jaclyn Hotard stated, "And it's not in every single department..."

Councilwoman Schnyder interrupting stated, "No, just that one we're talking about the market value on."

Jaclyn Hotard stated, "Yes, and it's the lowest. And I still think again if you look at every parish from here on down, you're going to find that we're still much, much lower. In many of them, many of them."

Councilwoman Schnyder stated, "I have another question about...I have another question, not about the salary about the budget. I think Mr. Figuero and I we speak briefly about it today about the fire truck that's on the amended budget cause I didn't find any documentation to support it. I saw we paid \$1.4 Million Dollars for a new fire truck, and back in November 2019, the Council approved a lease agreement for one point-not to exceed \$1.385 Million for the truck. And the fire department came back in February of 2020 before this council and request we do a District Attorney's office do a form of opinion. And Robert told me that the District Attorney said we couldn't do a lease, we agreed to purchase it? Did the Council agree to purchase it and did we agree to go over the amount that we said not to exceed the \$1.385. Cause I didn't receive a copy of the opinion from the District Attorney's office. I think our secretary requested a copy today, but we didn't I didn't receive it. Can you clarify that for me please?"

Jaclyn Hotard stated, "Thank you Councilwoman, and I'll clarify as much as I can and legal may have to. In 2019 the Council actually approved a lease purchase, so the lease was just a mechanism of the purchase of the vehicle, it wasn't going to be a lease that we were going to return this vehicle, it was actually a lease purchase. Once the District Attorney's determined that, that vehicle if you will, wasn't I don't want to speak on behalf of you, then we'd move forward with simply a purchase. We brought it before the council in Ordinance 20-04, is when we amended the budget so that we could actually purchase the new fire truck, which was contained in the document that the council approved, everyone was here. So, in 2019 it was a lease purchase as contained in the legal report, it was a lease purchase of a fire truck, the lease was just the vehicle that they were using to actually using to purchase the fire truck. But at the end of the lease, we were going to own the equipment, it was not going to be a lease where you give the equipment back and all of that was captured in the legal report and the administrative report. So, the authorization had already been given to purchase a fire truck, and so again as I stated in Ordinance 20-04 is when we had the budget amendment. The reason why the budget amendment is coming before you today, is because we purchased the fire truck in 2020, however, the truck was not actually delivered and money tendered for the truck until 2021 which will happen, for a lot of different reasons depending on the time the of the year. But, specifically with a fire truck, because what it takes to put together a fire truck it takes some time. So, was purchased in 2020, after the Council approved that amendment

and then the truck was not delivered or received until our inventory until 2021. And the auditors will require you to reflect that on your books and the year that it was received and paid for."

Councilwoman Schnyder stated, "Right, I get that part. I'm still I'm trying to see where we actually agreed to go pass the \$1,385,000 that was agreed on in November 2019."

Robert Figuero stated, "Ordinance 20-04, there was budget amendments issued for the 2020 budget. And one of the amendments, which was on Page 11, Line item 38, was Capital Outlay Equipment, it increased the budget from \$110,000 to \$1,495,589,000. So, one million four hundred ninety-five, five hundred eighty-nine thousand, and again the explanation was to purchase the new fire truck. So, in that ordinance that's when the council had approved to go beyond the 1.3 and authorize the 1,495,589, in order to purchase the vehicle. And that was Ordinance 20-04, and it was 8 years and 1 absent according to the documentation. And that was on the 16th of April 2020."

Councilwoman Schnyder stated, "Okay, cause I'm looking at the motion from 11/12/19. It just says, 'Lease Agreement', it doesn't say 'Lease Purchase Agreement'."

Jaclyn Hotard stated, "In the Legal report, it specifies and actually in some of the dialogue it's specified, but in your legal report it actually specifies that it's a Lease Purchase of a fire truck. And that was the intent in at the time it was a Lease Purchase it wasn't a Lease. And then really the whole process behind the Lease, so that it could be budgeted over 5 years. Purchasing the same piece of equipment, but able to spread that out over 5 years instead of having to tap into all of the cash..."

Councilwoman Schnyder interrupting stated, "One lump sum."

Jaclyn Hotard stated, "Well when that wasn't an option, we had still already received authorization from the Council in 2019, to purchase the fire truck, so I'm...whenever they got the final number is when we asked the Council to amend the budget for the difference between what was originally budgeted and what the actual fire truck was going to cost. The purchase of the fire truck took place, but the fire truck didn't get delivered until 2021. That's why we're having to make that amendment now, but all of that was done in order."

Councilwoman Schnyder asked, "Why did Legal say we couldn't do a Lease Agreement?"

Jaclyn Hotard stated, "I don't remember at the time."

Councilman Becnel stated, "Mr. Green,"

Keith Green, Jr. stated, "Good Evening, and unfortunately we're not prepared to speak on the fire truck issue, we didn't know this was going to be an issue. Ms. Schnyder I would love if you would have called me, and we could have actually talked about this in more detail. But what I can tell you is a...if there would have been anything that legal would have said not to, we would not have said don't do a Lease Agreement, but what we would have done is, we would have had maybe some issues with maybe the language of the Lease Agreement, and we would

have provided recommendations, as far as any changes to be made to that lease agreement. But specifically, I don't know off the top of my head, but I can definitely get back with you on that."

Councilwoman Schnyder stated, "Thank you. I did reach out to our secretary and she sent some..."

Jackie Landeche interrupting stated, "I sent you an email."

Councilwoman Schnyder stated, "Email about it."

Keith Green, Jr. stated, "She did send a request this afternoon but we were preparing for the meeting today, so we didn't get around to getting that to her, but we'll definitely have that for her in the morning."

Councilwoman Schnyder stated, "Ok."

Keith Green, Jr. stated, "Yes ma'am."

Jaclyn Hotard stated, "And whatever the reason was whenever Legal made the recommendation, we followed their recommendation and proceeded with the purchase of the fire truck, and the reason for the budget amendment both budget amendments in 2020, so that we could purchase the fire truck and then in 2021, because we actually spent those funds in 2021, even though the council duly authorized that expenditure in 2020."

Councilwoman Schnyder stated, "Okay, I did request a copy of that as well, but I think secretary said we couldn't put our hands on it."

Jaclyn Hotard stated, "Thank you."

MOTION: Councilwoman Houston moved and Councilman Madere seconded the motion to approve Ordinance 21-15. The motion passed with 7 Yeas (Madere, Becnel, Torres, Houston, Duhe-Griffin, Arcuri, Malik), 1 Absent (Wright), and 1 Abstaining (Schnyder).

Kurt Becnel - Selection of the Official Journal for St. John the Baptist Parish Government

MOTION: Councilman Malik moved and Councilman Madere seconded the motion to appoint the L'Observateur as the Official Journal for St. John Parish Government. The motion passed with Councilman Wright absent.

INTRODUCTION OF ORDINANCES:

There were no ordinances to introduce.

MOTION: Councilman Madere moved and Councilman Malik seconded the motion to go into Executive Session to discuss Stephen Hughes and Jennifer Hughes, et al vs. St. John the Baptist Parish, Docket No. 73600 and Louis and Shirley Cook vs. St. John the Baptist Parish, et al., Docket No. 73038. The motion passed with Councilman Wright absent.

EXECUTIVE SESSION:

Stephen Hughes and Jennifer Hughes, et al vs. St. John the Baptist Parish, Docket No. 73600

Louis and Shirley Cook vs. St. John the Baptist Parish, et al., Docket No. 73038

MOTION: Councilwoman Duhe-Griffin moved and Councilwoman Schnyder seconded the motion to go back into regular session. The motion passed with Councilman Wright absent.

MOTION: Councilman Malik moved and Councilman Madere seconded the motion for the parish attorneys to negotiate a settlement in accordance with our attorneys' recommendation in the case of Stephen Hughes and Jennifer Hughes, et al vs. St. John the Baptist Parish, Docket No. 73600. The motion passed with Councilman Wright absent.

MOTION: Councilman Malik moved and Councilwoman Duhe-Griffin seconded the motion for the parish attorneys to negotiate a settlement in accordance with out attorney's recommendations in the case of Shirley and Louis Cook vs. St. John the Baptist Parish, et al., Docket No. 73038. The motion passed with Councilman Wright absent.

CORRESPONDENCE/COUNCIL BRIEFS:

ADJOURNMENT:

At 8:04 PM, Councilwoman Houston moved and Councilman Madere seconded the motion to adjourn. The motion passed with Councilman Wright absent.

/s/Kurt P. Becnel
COUNCIL CHAIRMAN

/s/Jackie Landeche
Council Secretary