

Village of
Folsom

Mayor - Bettye M.

Boggs

Alderswoman - Paulette Lee
Andree Core - Municipal Clerk
Alderswoman - Jill Mathies

Ronnie

"Beau" Killingsworth - Chief of Police
Alderman - Lance Willie
Delbert G. Talley - Village Attorney

General Meeting
January 11, 2016
7:00 p.m.

Present: Mayor Bettye M. Boggs
Alderswoman Paulette Lee
Alderswoman Jill Mathies
Alderman Lance Willie
Attorney Delbert Talley
Municipal Clerk, Andree Core

The meeting was called to order by Mayor Bettye Boggs and the Municipal Clerk established the quorum. The invocation was led by Rev. Wendell Sams and it was followed with the pledge.

A motion by Alderswoman Mathies was made to amend the agenda to replace the municipal clerk exempt/ non-exempt status to the agenda. Mr. Talley stated that that is not on the agenda tonight. He said what is on the agenda is an ordinance to give the clerk flextime. He stated that we have been given our clerk flex-time as long as he has been the attorney and probably longer. He stated in his opinion and in others, she has never been considered to be non-exempt under the Fair Labor Standards Act. He stated the Attorney General has stated we need this in writing. Mr. Talley stated that he wrote a letter to Alderswoman Mathies and made it clear that he was going to ask the Attorney General for an opinion regarding whether the clerk is entitled to overtime under the Fair Labor Standards Act. He stated that in

his opinion she is not entitled to overtime but that we want to give her flex-time. He said that this is not on the agenda and he made it clear in the letter that he is going to ask for an AG opinion. He stated that there is a division of the Dept. of Labor that will give us an opinion to that question. He stated it is not on the agenda because we are awaiting an opinion on this matter to make sure that the ordinance being presented is correct in regard to exempt versus non-exempt status.

Alderwoman Mathies questioned a letter being sent and a discussion followed. Mr. Talley clarified that he sent a letter to Mr. Strobel informing him that this would not be on the agenda. Also, he said that he did reply to a letter from Alderwoman Mathies that questioned his opinion in which he indicated he was getting an attorney general opinion to clarify the matter. He stated he found out today that he can get a department of labor opinion which is better because that is federal law. He stated that this should not be on the agenda until the matter is clarified. Alderwoman Mathies stated that she asked the mayor today regarding this being taken off and the mayor replied that we would have to amend the agenda to have it discussed.

Mayor Boggs stated what we are going to discuss today is that she has issued flex-time to the municipal clerk. She stated that she has issued this flex-time based upon precedence from the previous board. She informed the board that we are going to proceed in this matter, get the opinion that we need and hopefully the board can come up with a sound policy and procedure that will address this matter so we have it in writing. Alderwoman Lee asked that we get the opinion of Mr. Don Strobel. Alderwoman Lee, Alderwoman Mathies, and Alderman Willie all stated yes to have Mr. Strobel speak at the meeting. Mayor Boggs stated that this item is not going to be put on the agenda. The mayor cited an attorney general opinion Item 050145 which states that the mayor may instruct the clerk to add or remove items from the agenda if not in conflict with the clerk's duties or any other procedures adopted by the board. She indicated this is an item that we deal with but we need to get all our information together before we deal with it. She indicated that they have been in communicated with Mr. Strobel, they have information from him and that it is being taken into consideration.

Mr. Talley stated that the other problem is that he received a letter received from Mr. Strobel and that was cc'd to the clerk and on it Mr. Strobel stated that if the municipal needs an attorney to call him. Alderwoman Mathies stated that she did not know he was asked not to come and that was not communicated with her and she had asked him to come. She indicated she was the one who put the request out to Mr. Strobel a week and a half ago. Therefore, she contacted him again and he stated that he was asked not to come and she informed him that this was not correct. Alderwoman Mathies stated she did not act unilaterally as she asked the board members their opinions and then acted by inviting him to the meeting. Mr. Talley stated that Mr. Strobel is on retainer with the Louisiana Municipal Association and we are a member and in a letter Mr. Strobel tells our clerk that he will help her to take legal action. He stated again it should not go on the agenda as the village has every right to protect ourselves.

Alderwoman Lee requested that we hear from Mr. Strobel. Mayor Boggs stated that we have the information from Mr. Strobel and she will be glad to share all the letters and emails some of which they already have. Mr. Talley stated that if they would like to take it into executive session, he will be glad to do so. Alderman Willie stated that we cannot go into executive session as he concurred that today with the LMA president. Mayor Boggs stated that she read the attorney general opinion regarding the agenda and she recommend that we move forward. Alderman Willie stated that this is a board of alderman meeting and they decide what goes on the agenda. Mayor Boggs said that she had just read an opinion regarding the agenda. Mr. Talley stated they are welcome to see Mr. Strobel and talk to him but it is his opinion that it should not be on the agenda tonight if there is implied litigation.

Mayor Boggs asked for any comments from the audience. Mr. Strobel introduced himself and said that he is on retainer to simply answer legal questions for the Fair Labor Standards Act. Mayor Boggs stated to him with all due respect this item is not on the agenda and she is going to take questions from the audience at this time. There were several questions from the audience. Mayor Boggs stated the whole emphasis is to give our clerk this flex time and she has done this today and we want to make sure

we are on solid ground legally before writing this ordinance. A comment from the audience was that if this matter is not on the agenda that we move on. Rev Wendell Sams also addressed the board and mayor on the functioning and operation of the town hall meetings.

Further discussion occurred and Mayor Boggs again asked for the approval of the agenda. A motion by Alderman Willie was made to approve the agenda. It was seconded by Alderwoman Lee and the motion carried. *(2 Yeas) Paulette Lee, Lance Willie and (1 abstain) Jill Mathies.*

The monthly financial statement was presented. Mayor Boggs asked for approval of financial statements for the past three months. Mayor Boggs stated that we have had a back log of the financial statement being approved and that we held a meeting with our CPA and she answered any questions regarding the budget. A motion was made by Alderwoman Lee to approve all the financial statements from November, October, and December, seconded by Alderman Willie and the motion carried. *(3 yeas, 0 nays.)*

Mayor Boggs presented the approval of December General Meeting minutes. Alderwoman Lee stated that she just received them this afternoon in her box and did not have a chance to review them. A motion was made by Alderwoman Mathies to table the approval of the minutes, seconded by Alderman Willie and the motion carried. *(3 yeas, 0 nays.)*

Old Business:

Item I – Team Waste Contract / Renewal

Mayor Boggs stated that our trial period for recycling is over and Team Waste has given us a proposal for six 96 gallons bins at town hall for pick up on Wednesdays at \$120.00 a month. Alderwoman Mathies stated that she inquired as to how many people we would have to have to sign up to do curbside. A discussion followed and that item will be addressed in the future. A motion to accept the proposal for six 96 gallons bins at town hall for pick up once a week at \$120.00 per month for a one year period with the option to cancel if we decide to add curbside pickup was made by Alderwoman Lee, seconded by Alderman Willie and the motion carried. *(3 yeas, 0 nays.)*

Item II – Mardi Gras Parade – Greg Saurage

Mayor Boggs introduced Mr. Greg Saurage to address the board regarding the upcoming Mardi Gras Parade. Mr. Saurage stated that he came to announce the King, Queen, and Grand Marshall tonight that his committee has chosen for the 2016 event. Mr. Saurage stated that he is honored to finally announce Chief David Pittman as the king this year. He wanted to inform everyone that over the years the committee has wanted the Chief but he has never asked him because he is such a humble man. He knew that the Chief would not do it but this year the committee asked for him to go ask him. Mr. Saurage stated that the Chief has led the parade for so many years that it will be quite different this year not having him leading it. He announced the Queen is Kay Lloyd Loup who has brought fitness back to Folsom. She use to work at Anytime Fitness but now has opened her own studio. The Grand Marshall is Tina Pierre who was elected for her time and hard work keeping our Folsom Farmer's Market going every year. Mr. Saurage stated that the theme this year will be "Countries of the World." Mr. Saurage thanked everyone for helping him in every way and he is looking forward to this year's parade.

Item III – Contract with Curtis Environmental

Mayor Boggs stated that we have a special contract with Curtis Environmental and stated that we discussed possibly looking into whether we still needed the contract on this basis. She informed the board that she and Mr. Roth have not been able to meet with Mike Curtis due to the Christmas holidays. Mr. Roth stated that he spoke with him and they are planning to meet with him within the next week or

so. Mayor Boggs stated that after their meeting she will have a written report presented with his opinion on where we are on this contract. Mayor Boggs asked for any discussion on this item and there was no discussion.

Item IV – Credit Card Policy –Ordinance Ch. 42 / NO. 2016-1

Mayor Boggs stated that work has been done on the policy for some time now and asked the board if they had any comment on the ordinance. Mayor Boggs read the Ordinance No. Chapter 42-2016-1: AN ORDINANCE PROVIDING POLICIES AND PROCEDURES REGULATING THE USE OF CREDIT CARDS AND RECORD KEEPING PROCEDURES TO BE ESTABLISHED. Mayor Boggs asked for any discussion from the board. There was motion to approve the introduction of the Ordinance by Alderwoman Mathies, seconded by Alderman Willie, and the motion carried. (3 yeas, 0 nays).

Item V – Resolution for Appointing Village Attorney for Mayor’s Court

Mayor Boggs read the Resolution stating that the Village Attorney will serve as prosecutor in Mayor’s Court when requested to do so. Mayor Boggs informed that this was from last month meeting with a few changes made to it. Alderman Willie stated that the correction would be that Mr. Talley cannot serve as the magistrate and a prosecutor at the same time.

Mr. Talley replied that we do not have a prosecutor and we would need one in order to adjust tickets. He said that the mayor cannot do this because she is presiding. He will serve as the prosecutor if approved. He also included that if the mayor and mayor pro tem could not be there then he would be available. Alderwoman Lee stated that she is confused on the role of the attorney and does not understand why we are doing this. Alderman Willie stated that he was informed that they can appoint another magistrate. There was a discussion of magistrate and prosecutor.

Mr. Talley stated that it was brought up due to several people wanting to discuss having tickets changed from moving to non-moving violations. He said we could not do this without having a prosecutor. A discussion followed and Mr. Talley presented an Attorney General opinion to inform the board on their questions. Alderwoman Lee stated that she would still like to further research on this before she makes a decision. She stated that for over twenty years we have been holding mayor’s court and now we all the sudden want to appoint someone. Alderman Willie made a motion that we approve the resolution appointing the village attorney as village prosecutor. Alderwoman Lee stated that she would like further consultation before making a decision. Mayor Boggs stated that the motion did not carry and we will revisit this next month.

New Business:

Item I – Utility Adjustments

Mayor Boggs stated that we have three utility adjustments. She stated that one of these is from the past month and all copies have been given to the board. Mayor Boggs informed the audience that these water and sewer adjustments have to be done in an open meeting.

Mayor Boggs stated the first adjustment is for Mr. Clarence Ennis where the customer should be credited for usage between August and October. The number of gallons of usage was stated and the customer should have been billed \$697.36 and should be credited amount of \$ 81.02 for amount he paid. The amount due at this time is \$616.34.

Mayor Boggs stated that the second adjustment is for the Pittman family and the maintenance department went out and meter was in error when it rolled over and it did start at zero. The customer needs to be should be \$ \$69.36 and the bill should be adjusted for \$45.07.

The last adjustment is from the previous month for Cassandra McGeachy regarding the wrong meter being read. Mayor Boggs stated that the house next store had the leak and the other customer is aware that she has leaks. Mayor Boggs stated that we are asking for this to be credited to the customer and then this will be charged to the correct customer. Alderman Willie stated that he would like the town to take care of any plumber bills for this customer due to this not being her fault. Mayor Boggs stated that we have not received any bills regarding this. Alderman Willie made a motion to approve all three adjustments, seconded by Alderwoman Lee and the motion carried. *(3 yeas, 0 nays.)*

Item II – Xerox Machine Contract

Mayor Boggs stated that the board was sent an email from our representative for a new Xerox copier. She informed the board that the new copier will actually cost less than the current copier. There has been trouble with the current machine and we have had to go without faxing or copying for several days. Mayor Boggs asked for the board's permission to go into a contract for a new copier. Alderman Willie stated that he would like for us to look into entering codes for every employee for a safety measure and in which can also save the town money for unnecessary expenses. Mayor Boggs informed that we will check into that and she agreed that it was a good idea. A motion was made by Alderman Willie to go into new contract for a new copier, seconded by Alderwoman Mathies and the motion carried. *(3 Yeas, 0 Nays)*

Item III – Louisiana Compliance Questionnaire for Audit Engagement

Mayor Boggs stated that we received this questionnaire from our auditors on the day of the December meeting and did not have time to review it and bring it to the table. She stated this is the questionnaire that our auditors require that we are required to complete. Mayor Boggs asked Mrs. Core a question regarding the previous mayor's name still being reported as Mr. Phillip Bickham. Mrs. Core replied that this survey and audit was for the previous fiscal year of 2014-2015 as well. Mayor Boggs stated that we are presenting this tonight and will need the board signatures before they leave this evening.

Item IV – Village of Folsom Audit 2014-15

Mayor Boggs stated that she is very pleased to present this annual audit and if anyone would like a copy of it we can provide it. Mayor Boggs stated that in the past the village had a number of audit findings and it took several years to correct them. She stated that Mr. Rob Furman was very complimentary of our new clerical staff and that the village was progressing with the audit findings. Mayor Boggs informed the board that she went to Covington to pick these up last week so the board would have them to review.

Alderwoman Lee asked a question regarding one finding on our auto insurance. Mayor Boggs explained that we have liability coverage on all villages. She stated that finding is on the collision and comp coverage that had not been renewed due to the age of our vehicles. Alderwoman Lee stated that her address was incorrect on page 53 and she would like to make note of this.

Mr. Talley commented that we would recommend that the board accept this tonight. Rev. Wendell Sams asked if he could request a copy of the audit. Mayor Boggs informed Rev. Sams that we have a signup sheet for anyone that would like the monthly financial statements or audits sent to him.

Motion was made by Alderman Willie to approve the audit with the corrections to be made on the address changes. It was seconded by Alderwoman Mathies and the motion carried. *(3 Yeas, 0 Nays)*

Item V – Street Lighting

Mayor Boggs stated that she emailed the board regarding this item for review and she asked the board for a recommendation regarding this item. Mayor Boggs stated that this is a request for lighting at this one particular residence in Village Trace on a pole on village property. She informed that there is no transformer near this pole and it would cost the village a total of \$ 610.00 plus the monthly fee of the bill.

Alderman Willie stated that if you do it for one person then you would have to do it for all. He has no problem if they are willing to pay the initial set up fee then he would be ok with the village paying the monthly fee. He stated that he feels the village cannot afford to pay the \$500 transformer fees for every pole and for every citizen who wants one. Alderwoman Lee stated that she agrees with Alderman Willie. Mayor Boggs stated that there are no street lights in Village Trace and the customer was requesting it for security reasons. Mayor Boggs stated that she would contact the home owner and let her know of this decision.

Alderman Willie stated that he would like to look into contacting all residences and possibly using our street and drainage funds to see if we can apply this fund. Mayor Boggs stated that this fund is designated for sales tax district three and it has to benefit that district. She is already working with others to get this account information and how we can properly use this fund.

Rev, Wendell Sams asked questions regarding how we would see how the village can financially afford the lighting. Alderman Willie stated that he is willing and offered to look into a grant and ways to make this work. He asked for us to contact our grant writer to see if he can find a grant and the mayor replied that we are already in the process and working on several grants. Alderwoman Lee asked when Mr. Kinlaw was due to come back and the mayor informed that is does not come on a regular basis. Alderwoman Lee said she would like to meet with him when he does regarding her interest in establishing a basketball court.

Announcements:

Mayor Boggs announced an upcoming mental health event that is going in the Village of Folsom. She stated that there are flyers if anyone is interested. The first meeting is for local business owners, community leaders, and pastors for this Saturday at town hall. The mayor stated that we have a lot of crime due to domestic violence and they are providing services for this population. The actual event will be in March and further information will be provided.

Mayor Boggs informed that COAST has expressed an interest in possibly building a Senior Center on the Moise property. She informed the board that we are in the negotiating process and she intends to attend their board meetings. She stated that this is an exploratory process but it would be very nice to have a senior citizen right here. Mayor Boggs also informed that more information on this will follow. We would still be looking into developing this are into a park but if so then we will be getting more information with our grant writer.

Alderwoman Lee asked if we can put off next month meeting due to beginning the on day before Mardi gras. Mr. Talley stated that they are set by ordinances and he does not believe this can be done.

Mayor Boggs commented to our audience that she appreciates their participation and she encourages everyone to come to our meetings. She stated that we are here to serve you. So, we are very interested in your being here and what you have to say.

Adjournment: There was a motion by Alderman Willie to adjourn the meeting, seconded by Alderwoman Lee and the motion carried (3 yeas, 0 nays).

Respectfully submitted,

Bettye M. Boggs, Mayor

I attest that the above is a true and correct copy of the minutes taken at the General Meeting held at Town Hall on January 11, 2016.

Attest:

Andree Core, Municipal Clerk