

# *Village of Folsom*

## *Mayor - Bettye M. Boggs*

*Aldерwoman - Paulette Lee*  
*Andree Core - Municipal Clerk*

*Aldерwoman - Jill Mathies*

*Ronnie*

*"Beau" Killingsworth - Chief of Police*

*Alderman - Lance Willie*

*Delbert G. Talley - Village Attorney*

### **Public Hearing**

**7:00 p.m.**

**April 11, 2016**

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

Mayor Boggs called the meeting to order and the municipal clerk established a quorum. The innovation of a founding father's prayer was read by Jasmine Brown who also led the pledge of allegiance.

Item #1 – Ordinance - Flextime / Exempt Position for Municipal Clerk. Mayor Boggs stated we have an ordinance for the village clerk flextime that has already been introduced.

#### CHAPTER 6 NO. 2016-1

AN ORDINANCE AMENDING THE VILLAGE OF FOLSOM CODE OF ORDINANCES CHAPTER 6 TO PROVIDE FOR FLEXTIME FOR EMPLOYEES CLASSIFIED AS EXEMPT FROM PAYMENT OF OVERTIME PURSUANT TO THE FAIR LABOR STANDARDS ACT (FLSA) AND TO CLASSIFY THE POSITION OF VILLAGE CLERK AS EXEMPT.

Mayor Boggs read the ordinance and asked for any discussion from the board. There was no discussion from the board or citizens on this item. There was a motion to close the Public

Hearing by Alderman Willie, it was seconded by Alderwoman Mathies and the motion carried. (3 yeas; 0 nays)

## **General Meeting**

**April 11, 2016**

*(Following Public Hearing. The quorum was established in the preceding Public Hearing.)*

Approval of Agenda – Alderman Willie made a motion to amend the agenda to add sewer rates. It was seconded by Alderwoman Mathies and the motion carried. (3 yeas; 0 nays)

Approval of Financial Statements – Alderwoman Mathies stated that she would like to state publicly that there are some items that are extremely over budget. Mayor Boggs replied that we are all aware of that. Alderwoman Mathies informed that she would approve the financial statements but to withhold all spending from these accounts. There was a motion to approve the financial statements by Alderwoman Mathies, seconded by Alderman Willie and the motion carried. (3 yeas; 0 nays)

Approval of Minutes – Mayor Boggs requested the approval of the minutes from December, January and March. Alderwoman Mathies stated she would approve the minutes with the changes that she has requested to be made. She indicated that the corrections requested by Alderwoman Mathies were not received so the minutes did not get corrected. Alderwoman Mathies said that she had sent them and received a read receipt from everyone. Mrs. Core confirmed that she did receive the corrections from Alderwoman Mathies but they have not been done yet. She informed that she will correct them and send for review by the end of the week.

Alderwoman Lee stated she sent a correction to be made to the minutes to include a request made by Alderman Willie. She said her request was to include employee work hours in the safety plan since this discussion was not in the minutes. Alderman Willie made a motion to approve the December, January, and February minutes, with the requested changes made. It was seconded by Alderwoman Lee and the motion carried. (3 yeas; 0 nays)

Alderwoman Mathies announced the clerical mistake that was made on the minutes and asked if we would like to inform our citizens. Mayor Boggs announced that the incorrect minutes were published in this weeks edition of the St. Tammany Farmer and they apologized for this mistake. Mayor Boggs said that the minutes published were from March 2015 and the correct minutes for March 2016 will be republished at no cost in the next edition. Mayor Boggs stated that she had a suggestion that as soon as the minutes go out that they review and turn in any corrections to be made. She said if we can get these corrections in then we will be able to approve the minutes in a timely manner.

### **Old Business**

Item #1 – Ethics Policy. Mayor Boggs stated that this is an introduction to this ordinance and we will hold a public hearing next month. Mayor Boggs read the ordinance and informed that we have received the approval from state auditors to adopt it. There was no discussion and will be presented at the next meeting to adopt the state ethics policy.

Item #2 – Ordinance, Safety Plan. Mayor Boggs informed that this plan has been in progress for awhile. She stated that it will be tabled to give the board time to review it. Alderman Willie asked if we had a list of the personnel that would be on the safety team. Alderwoman Lee informed that this was done and is located in the back of the policy. Mayor Boggs asked Mr. Talley a question on how we would need to draw up the ordinance. Mr. Talley confirmed that we could do the ordinance and not include all the lengthy information of the safety plan. Alderman Willie made a motion to be tabled it and present it at the following meeting. It was seconded by Alderwoman Lee and the motion carried. (3 yeas; 0 nays)

Item #3 – Ordinance, Chapter 6 (Personnel Policy). Mayor Boggs asked if we had anything to present for this ordinance tonight. Alderwoman Mathies stated that they did not and asked Mr. Talley if he had a chance to review the corrections she sent to revise policy. She said that the main problem was due to the policy not stating null and void in terms to replace the old Chapter 6 policy. Mr. Talley replied that he did not review this yet. He stated that he did not remember about this and Alderwoman Mathies apologized for not reminding him. Mr. Talley said that we can repeal certain parts and keep certain parts of this policy. And we also have the attorney general opinion on which parts that need to be deleted. Alderwoman Mathies said that due to the lengthy process and with board approval she would like to take this off the agenda until further notice. She informed that she is in the process of updating it but there still is a lot of work that needs to be done. Mr. Talley offered to help in anyway and to please come by his office anytime. Mayor Boggs stated that we will take this off the agenda until we have a final copy.

Item #4 – Ordinance, Flextime/ Exempt Position – Village Clerk. Mayor Boggs presented the above ordinance from the public hearing. Alderwoman Mathies stated that she does not agree with some of the wording on the ordinance. She has researched this and has received conflicting opinions. Mayor Boggs stated that this ordinance was introduced, a public hearing held, and she asked for a motion to approve the ordinance. Alderwoman Mathies stated that her disagreement is really not in reference to the flextime but her concerns are regarding the exempt vs. non exempt status of the position.

Mayor Boggs stated the attorney from the Louisiana labor board contacted her and agreed that this position was exempt. Mayor Boggs informed Alderwoman Mathies that the attorney has sent an email and proper documentation for this information. Mayor Boggs stated that every source other than Mr. Strobel has agreed that this position is exempt. She said we have been through this for months consulting with the LMA, the attorney for LMA and FSLA, and no one has agreed that this is a non-exempt position. A motion was made by Alderman Willie to table the ordinance. There was no second to the motion. Mayor Boggs stated there are three people sitting at this table and for each person to make up their mind. She asked for each of them to make a decision and the majority will rule. A discussion followed.

Alderman Willie stated that he wants to table it and he is not comfortable passing an ordinance knowing that Alderwoman Mathies did not agree. Mayor Boggs replied that she does not have to vote for it and that is why you have an odd number of legislative representatives. Mayor Boggs said that we have been researching this for months. Alderwoman Lee replied that she was not ready to make this position an exempt position. She said her concerns are regarding the possibilities of the salary requirements to be raised on exempt employees. Mayor Boggs informed her that this would not apply and asked for Mr. Talley to clarify this information. Alderwoman Lee informed Mr. Talley that she appreciates his information but she does not want to go through this again. Mayor Boggs stated that she would like Mr. Talley to address this once again so it can be reported appropriately.

Mr. Talley explained that all we are trying to do is what has been done for many years. He referred to the attorney general opinions which has been addressed in previous meetings. He said that Mr. Strobel's problem was that he thought the clerk's position was an employee position, and that she is an officer and not an employee. He said none of this is going to make a bit of difference and it all comes down to the classification of the position. He stated this is an exempt position and if they do not want it then don't do it. He informed this will eventually be addressed by the auditors and we need something in writing. A discussion was held on some confusion regarding the motion to table the ordinance. Mayor Boggs said we can table it for now and she will continue giving the clerk flextime.

Alderman Willie confirmed that he made a motion to table it and not to put back on the agenda unless they ask for it. He stated we will also keep providing the village clerk with the flextime, it was seconded by Alderwoman Lee. Mayor Boggs asked Alderman Willie to repeat it for the records and he repeated his motion to table the item. Mr. Talley commented that he has to give his opinion that that is a violation of the law. He states that the attorney general says we have to have written policies and procedures.

Mayor Boggs said we cannot wait for the auditors to come in and tell us we are doing wrong. She asked can we not just pass it the way it is. A discussion followed. Mayor Boggs again stated the clerk is an officer of the municipality and she is not an employee. Alderwoman Lee stated her concern is if she is not an employee then would they still receive employee benefits. Mayor Boggs informed that officers of the municipality are granted hospitalization and benefits. Alderman Willie stated he did not have a problem with this ordinance but it would not pass tonight.

Mr. Ken Wilt commented that he felt the confusion was due on the wording. He stated that hourly employees are always non exempt and exempt are not hourly employees. Mayor Boggs replied this is correct and that she is a salary employee that is an exempt position. A discussion followed on the clerk position as an officer not being an employee. Alderwoman Lee stated she has been informed in some municipalities other clerks are non-exempt employees. Terri Landry stated to go online and that information was incorrect. She informed that she has done research on this topic and that all clerks are exempt. She said this is the law and it is a rule. She informed the board to go online and you can find all this information.

Mr. Talley said that there should be no confusion and that none of these concerns will be an issue. There was more discussion on the information the board has been given. Alderwoman Mathies stated her concerns are there are certain stipulations on what the clerk responsibilities are to qualify them as an exempt position. She said that Andree did not fit into all of these things and she sent an email regarding this information. Mayor Boggs replied that she had no idea on this information and that she is an executive administrator. A discussion followed with Mr. Talley on the position and the status that she is an officer for the village. Alderwoman Lee stated that we need to table this for one more month. She asked for Mayor Boggs to give them all the emails and information received so they can review it. Alderwoman Lee made a motion to table the ordinance. It was seconded by Alderman Willie and the motion carried. *(2 yeas, 1 opposed)*

Item #5 – Ordinance – Credit Card Policy. Mayor Boggs stated we have had this credit card policy on the agenda for several months now. She said if we are not able to get these items available to present then we do not need to keep including them on the agenda. Mayor Boggs asked if anyone has a credit card policy to be presented tonight. Alderwoman Mathies stated that the revisions were sent to Mr. Talley and she was waiting on his response. Mr. Talley said he received her revisions but they did not confirm if the police department would be involved in this policy. Alderwoman Mathies stated this policy would be for all departments and Mr. Talley replied that he did not believe we have an agreement on that. He said he understood that there were real problems regarding including the police department and having them use the credit cards. Alderwoman Mathies stated she was not aware of any problems. Mayor Boggs stated we obviously need to spend more time on this policy. A discussion followed.

Mayor Boggs informed that Alderman Willie made a suggestion to exempt gas credit cards from this policy. She stated that by doing this the policy would be ready. Alderwoman Mathies stated that we said we did not want to exempt the gas credit cards from this policy. Mayor Boggs informed that gas credit cards operate totally different than bank credit cards and we have discussed this for months now. Alderman Willie stated that the only reason he wanted to exempt them was for the police department not to have to sign out a card everytime. Alderwoman Mathies explained the two different ways our credit cards are operating at the moment. A discussion followed on the use of gas credit cards and changes needed to the maintenance department process.

Mayor Boggs said we no longer have two different systems and we talked about this last month. She stated that the maintenance department has changed this process and using the same process as the police department. Alderwoman Mathies said that she does not see what the problem is and they are ready to complete this policy. Mr. Talley stated we will have to have another public hearing and he wants to make sure he has the correct information. Mayor Boggs said our problem is that we are bringing things to the table before we are finalizing them. She said everytime we do a public hearing it costs the village money because we have to advertise it. Our budget is over for publications and she is suggesting that we do our homework before bringing items to the table. Mayor Boggs said we just keep tabling all these items every month and this is costing the village money. Alderwoman Mathies stated that we are not asking for these ordinances to be drawn up. Mayor Boggs asked if they can get together to work on these and they agreed to meet. Alderwoman Lee asked if there was a problem after last meeting because she was informed that the maintenance department was not doing the new process. She

requested that they start doing the new policy regarding the credit cards now. Mayor Boggs replied it would not be a problem and that they were already in the process of switching this process. Mrs. Core confirmed that every employee has a pin number and the pin is required to make any purchases on the cards. Alderman Willie made a motion to table the policy, it was seconded by Alderwoman Mathies and the motion carried. ( 3 yeas, 0 nays)

Item #6 – Alcohol Permits. Mayor Boggs stated that they had three permits to be brought for approval. The permits are for El Milagro, Don Juan Restaurant, and Phillip Food Mart LLC. She confirmed that they are up to date on their sales tax and asked for approval for permit to sell alcohol beverages. A motion was made by Alderman Willie to approve the Beer and Liquor permit for all three permits, seconded by Alderwoman Mathies and the motion carried. (3 yeas, 0 nays.)

### **New Business**

Item #1 – Utility Adjustments. Mayor Boggs presented the utility adjustment for Wayne Wactor and asked if there were any questions. Mayor Boggs informed that we had contacted him after noticing his bill was extremely high. She informed there was a break on our side and it has been fixed. Alderman Willie made a motion to approve the adjustment, seconded by Alderwoman Lee and the motion carried. (3 yeas, 0 nays.)

Item #2 – Inspection Fees. Alderwoman Lee said she asked to put this item on the agenda but it was not ready to present. She stated concerns that the village does not receive anything from our collection fees and she would like to look into increasing fees. Mayor Boggs confirmed the village does not receive anything from what is collected in fees. Alderman Lee said to table this item and will present at the next meeting.

Item #3 – Municode. Alderwoman Mathies presented information informing what Municode company can provide the village regarding our ordinances. She said they will go through all of our ordinances and give recommendations on the ones that need to be revised. She informed that after meeting with them the approximate time will take twelve to eighteen months to complete. The cost would be around \$11,000 and they offer this payment to be collected within two budget years. Alderwoman Mathies informed she has met with our village CPA Minda to see if this would be an option. Minda informed her she could include the half price amount of \$6,000 in our upcoming budget and she agreed that the village could afford this purchase.

Mayor Boggs asked if Municode was related or part of the Louisiana Municipal Association. Alderwoman Mathies replied that this is the company the LMA recommended. She informed that they are a separate company that is recommended through our association. Alderwoman Mathies advised everyone to go online to view how other municipalities utilized the service and ordinances. Mayor Boggs stated she has reviewed ordinances from other municipalities that use Municode. She would like them to be aware that you do not have to use them on every ordinance. She said that her understanding through LMA is that we can adopt just certain sections that only apply to our needs. She stated we do not need them come in and redo

every ordinance. She asked they contact them for information to revise certain sections in our ordinances and it may not cost as much.

Mayor Boggs said we have strong ordinances and she did not see the need to revise everything. Alderwoman Mathies replied this is also a organized collection and online database for us. She said that Municode does review and advise but they also offer way more than just that. This is a program we can utilize and review other municipalities and adopt ordinance that are already done. Alderwoman Mathies stated she was not sure on what Mayor Boggs has said but she will look into it. Mayor Boggs gave examples of specific ordinances that we do not need to revise, due to their being pertinent only to the needs of the village. Alderwoman Mathies said that Mr. Talley has said that we do have a lot of old ordinances that will be very time consuming to correct them all. She stated that the reality of our board getting this completed within the next few years would be almost impossible. Giving this to a company to do this would save the village a lot of money and time on Mr. Talley. Mayor Boggs asked do you want to look into this more. Alderwoman Mathies replied yes and she would like for us to start budgeting for this. Mayor Boggs asked for any discussion on this item and there was no discussion.

Item #4 – Proclamation – Child Abuse Prevention Month. A proclamation dedicating the month of April as Child Abuse Prevention Month in the Village of Folsom was presented by Mayor Boggs. Alderman Willie made a motion to accept the proclamation and it was seconded by Alderwoman Lee. *(3 Yeas, 0 Nays)*

Item #5 – Proclamation – Volunteers of America. A proclamation dedicating the 5<sup>th</sup> day of April as National Service Recognition Day was made by Mayor Boggs. Alderman Willie made a motion to accept the proclamation and it was seconded by Alderwoman Mathies. *(3 Yeas, 0 Nays)*

Item #6 – Proclamation – Fair Housing Month. A proclamation dedicating the month of April in the Village of Folsom as Fair Housing Month was made by Mayor Boggs. Alderman Willie made a motion to accept the proclamation and it was seconded by Alderwoman Lee. *(3 Yeas, 0 Nays)*

Item #7 – Community Events. Alderwoman Mathies said she and Alderwoman Lee have met with a gentleman to organize a movie night in the community. She informed they are looking into doing a few events through the year and possibly organizing a future committee. A discussion followed different ideas and events. Alderman Willie asked how we could fund this event and if we could use the balance from the past community fundraiser. Mayor Boggs replied that there was some money left in the Economic Fund and that it could be used to fund this event. Alderwoman Mathies indicated that we could contact local business to donate and we could advertise that this is sponsored by them.

Alderwoman Mathies stated the entire cost is \$150 for this event. Alderwoman Lee and Alderman Willie agreed to move forward with scheduling this event for April 29<sup>th</sup>. Alderwoman Lee asked Mr. Talley would this be covered by our insurance and he replied that it would be since it would take place on village property. Mayor Boggs said that while getting a committee

together she would like to start participating in the Keep Folsom Beautiful program. She stated that the village has done this in the past but it is going to take a committee to do so. Mayor Boggs announced she would like to thank our maintenance department for their hard work on the new beds at town hall.

Item #8 – Sewer Rates. Alderman Willie addressed he would like to notify the public of some problems to our sewer system. He stated that he has met with Jay Pittman and Scott to try to fix some of these problems. We have bad problems with infiltration and they need to be fixed before it gets much worse. Alderman Willie stated that the other way to fix these problems is to take a loan out. He informed that our sewer is in a 45 % deficiate and that our water department is currently carrying the sewer department. He stated that our sewer cannot remain like this and in order to get a loan our sewer department must be able to carry itself. Alderman Willie stated in order to do this we must increase our water rates throughout a period of time.

Alderman Willie stated the increase of sewer rates will be addressed at our next meeting. He wanted to announce this so the citizens can be informed ahead of time. Alderman Willie asked Jay Pittman our village engineer to address any information. Mr. Pittman requested permission to go ahead and allow him to submit an application to the USDA. He stated that they can work through any issues that progress but the sooner he can apply the better off we will be. He stated he will need a general approval from the board tonight. Mr. Talley stated that they could do this by resolution since they were going into a contract. Mayor Boggs asked some questions regarding the rates and what information would be needed for the application.

Jay Pittman informed this is just the basics to apply for the loan. He informed you will receive a letter of conditions months later that you can choose to agree or not at that time. Alderman Willie stated this is not not an eay fix. He stated that we are looking at a 2.5 million dollar loan to fix this problem. Mr. Greg Boggs stated if we don't deal with our infastructure issues it is going to get worse. It is going to get more expensive and we will end up with DEQ and EPA fines on top of it. He feels that this is something that we as a municipality havd to deal with it. Alderman Willie stated that no alderman wants to inform anyone that we are increasing rates but he knows this is something we have to do.

Mayor Boggs stated we have a responsibility to care for those in the future and we need to plan for five to ten years down the road. A question from the audience was if we needed to repair the entire system. Mayor Boggs replied we will need to go into our drain with an camera system to be able to diagnose where these issues are and repair them. Mayor Boggs said she was happy to announce that another municipality has offered to loan us their equipment and man power to help us. Alderman Willie stated we are not the only municipalty that is doing this now and Folsom has always had the lowest water and sewer rates in the state. He said this is a necessity and not a want. Mayor Boggs thanked Mr. Pittman for all his time and hard work in helping the village with this situation.

Announcements: Alderman Willie asked to make an announcement if anyone was interested in serving on our planning and zoning committee. He did not know if we had anyone that has asked or is interested in in this position. Mayor Boggs stated she does have a few people

that have contacted her and she has to meet with the board to discuss. Mayor Boggs said she plans to present her recommendation at the next general meeting.

A question from the audience was asked to put a speed bump on Village Farms Ln. due to a specific automobile. Mayor Boggs said she is glad this is brought up because they have had several complaints. She is going to contact our police department to resolve this problem. Mayor Boggs also stated her concern with children on motorized carts going up and down Village Farms and will contact Chief Killingsworth and look into this problem.

An issue concerning directional lighting in a subdivision was addressed by Mr. Mike Darsan. He said that he would like to get it resolved and it is why he came to the public meeting. He said St. Tammany Parish has an ordinance on halogen spot light/flood lights and they should be located behind a meter. He wanted the village to look into getting a similar ordinance. Mayor Boggs replied that she contacted WST and they came out to reposition the light. Mr. Darsan said he was here tonight because that has not happen. Alderwoman Willie asked what was the actual problem and he replied that the light is a safety issue shining in his driveway from his neighbor. Mayor Boggs informed him to remove the light the cost is \$4,000 and he disagreed saying WST informed him there would be no cost. Mayor Boggs said she would be glad to sit down and discuss this privately. A discussuion followed.

Mr. Darsan offered to pay for the light to be moved to another location and Mayor Boggs informed she has offered to move the light. She said it is also a security light for the property and does not understand why this has all the sudden become a problem after 12 years. A discussion followed. Greg Boggs replied that WST put this light in and it has correctly been in this exact location for over the past twelve years. Mr. Talley stated this was not on the agenda. Alderman Willie said that he has the right to speak because this is open to the public right now. Mayor Boggs informed Mr. Darsan she would be more than happy to contact WST again and he agreed this would resolve the problem.

Adjournment: There was a motion to adjourn the meeting by Alderman Willie, seconded by Alderwoman Mathies 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 April 11, 2016.*

*Attest:*

*Andree Core, Municipal Clerk*