

## SCHOOL BOARD PROCEEDINGS

The Avoyelles Parish School Board met in special session Monday, March 4, 2013, at 9:00 a.m. at the School Board Office with the following members present:

Michael Lacombe, President; Darrell Wiley, Vice-President; Freeman Ford, Carlos A. Mayeux, Jr., James Gauthier, Shelia Blackman-Dupas, Lizzie Ned, Van Kojis, and Cynthia "Cindy" Hill.

Absent: None.

An Invocation was offered by Board Member Lizzie Ned.

The meeting opened with the Pledge of Allegiance to the flag of the United States of America led by Board Member James Gauthier.

1. On motion by Carlos A. Mayeux, Jr., seconded by James Gauthier, the Board adopted the minutes of the regular Board meeting held Tuesday, February 5, 2013, as printed and mailed to Board members and published in The Weekly News, official journal of the Board. MOTION CARRIED.

2. Mr. Wilfred Ducote, Sales Tax Collector, reported that sales tax collections for the month of January, 2013 totaled \$762,910.63. Mr. Lemoine stated that of this amount the 1.5% sales tax totaled \$654,492.55 and the 0.25% totaled \$108,418.08.

3. Mr. Wilfred Ducote, Transportation Supervisor, presented a transportation data report for the month of February, 2013.

4. Mr. Carlos A. Mayeux, Jr., Chairman of the Finance Committee, presented the following report:

### Finance Committee Report February 19, 2013

The Finance Committee of the Avoyelles Parish School Board met Tuesday, February 19, 2013, at 4:30 p.m. at the School Board Office with the following members present:

Carlos A. Mayeux, Jr., Chairman; Shelia Blackman-Dupas, Van Kojis, Freeman Ford, Michael Lacombe, President; and Dwayne Lemoine, Superintendent. Also present were James Gauthier, Darrell Wiley, Lizzie Ned, and Cindy Hill, Board Members; Thelma Prater, Assistant Superintendent; Mary Bonnette, Director of Finance; Sharon Hargis, Food Service Supervisor; and Steve Marcotte, Maintenance Supervisor

1. Upon motion by Shelia Blackman-Dupas, seconded by Van Kojis, the Finance Committee recommended to approve requests for overnight travel as presented by Superintendent Dwayne Lemoine. MOTION CARRIED.

2. Mr. Steve Marcotte, Maintenance Supervisor, addressed the Finance Committee regarding a funding source to partially replace the roof at Marksville Elementary School main building.

Upon motion by Freeman Ford, seconded by Shelia Blackman-Dupas, the Finance Committee recommended to utilize up to \$60,000 of contingency funds to complete the roof replacement project at Marksville Elementary School. MOTION CARRIED.

3. Mr. Tom Hudson and Ms. Carmel Breaux, representatives of Norris Insurance Consultants, addressed the Finance Committee regarding a method to handle the renewals of the Board's property and casualty insurance policies for 2013-2014.

Upon motion by Van Kojis, seconded by Michael Lacombe, the Finance Committee recommended to allow Norris Insurance Consultants to negotiate Property Insurance rates with the current carrier for the 2013-2014 fiscal year and to advise the Board of results. MOTION CARRIED.

Mrs. Breaux mentioned that they would consult with the current general liability carrier to proposed rates for the 2013-2014 fiscal year and advise the committee of the results as well as any dividend available. She also advised the committee that their firm was available to provide additional services regarding the Board's worker's compensation insurance consulting for an additional fee of \$2000.

4. Mrs. Lizzie Ned, Board Member, addressed the Finance Committee regarding substitute pay.

The Finance Committee agreed to consider reviewing substitute pay in the process of preparing the 2013-2014 budget.

5. Mrs. Mary Bonnette, Director of Finance, reviewed the Title XIX (nursing) Budget.

Mrs. Bonnette informed the committee Medicaid collections have been withheld since January, 2012 due to funding changes at the state and federal levels. A beginning fund balance of \$264,749 coupled with the projected deficit of \$127,610 is estimated to result in a \$137,139 ending fund balance.

Upon motion by Freeman Ford, seconded by Van Kojis, the Finance Committee recommended to approve the 2012-2013 revised Title XIX budget. MOTION CARRIED.

6. Mrs. Mary Bonnette, Director of Finance, reviewed the Food Service Budget. A beginning fund balance of \$904,022 is estimated to result in an ending fund balance of \$688,316.

Upon motion by Van Kojis, seconded by Shelia Blackman-Dupas, the Finance Committee recommended to approve the 2012-2013 revised Food Service Budget. MOTION CARRIED.

7. Mrs. Mary Bonnette, Director of Finance, requested approval of an amendment to Schneider Contract for energy efficiency services.

Upon motion by Van Kojis, seconded by Shelia Blackman-Dupas, the Finance Committee recommended to approve an amendment to the energy efficiency contract with Schneider Electric at a savings of approximately \$40,000. MOTION CARRIED.

The Finance Committee respectfully recommends the adoption of this report.

Carlos A. Mayeux, Jr., Chairman  
Finance Committee

Upon motion by Carlos A. Mayeux, Jr., seconded by Cindy Hill, the Board adopted the Finance Committee Report as presented. MOTION CARRIED.

5. Mr. Van Kojis, Chairman of the Building and Lands Committee, presented the following report:

Building and Lands Committee Report  
February 19, 2013

The Building and Lands Committee of the Avoyelles Parish School Board met Tuesday, February 19, 2013, at 5:00 p.m. at the School Board Office with the following members present:

Van Kojis, Chairman; Lizzie Ned, Darrell Wiley, Cindy Hill, James Gauthier, and Dwayne Lemoine, Superintendent. Also present were Freeman Ford, Carlos A. Mayeux, Jr., and Shelia Blackman-Dupas, Board Members; and Steve Marcotte, Maintenance Supervisor.

1. Superintendent Dwayne Lemoine addressed the Building and Lands Committee regarding a land swap in the Bayou Jeansonne area.

Assistant District Attorney Mike Kelly presented to the Board a land swap offer of 22 acres for 11 acres located at Lanuit from Knight Oil Company of Lafayette, Louisiana.

Attorney Kelly stated that he is prepared to submit the proper paper work to the Legislature should the Board authorize him to pursue the land swap.

2. Superintendent Dwayne Lemoine addressed the Building and Lands Committee regarding a method to sell surplus computers within the schools. The committee recommended that a policy be developed for the sale of surplus computers to the students and refer the matter back to the Building and Lands Committee.

3. Mr. Steve Marcotte, Maintenance Supervisor, presented an update on the Bordelonville School.

4. Mr. Steve Marcotte, Maintenance Supervisor, presented an update on the transition building at Avoyelles High School.

5. Mr. Arthur Lovall addressed the committee regarding leasing/purchasing Bunkie Middle School. A presentation was made by Mr. Lovall regarding his interest in leasing the Bunkie Middle School gymnasium. Mr. Lovall was advised to speak to Assistant District Attorney Anthony Salario.

Upon motion by Lizzie Ned, seconded by Darrell Wiley, the Building and Lands Committee recommended that Assistant District Attorney Salario research the legalities to lease the Bunkie Middle School gymnasium.

The Building and Lands Committee respectfully recommends the adoption of this report.

Van Kojis, Chairman  
Building and Lands Committee

On motion by Van Kojis, seconded by Lizzie Ned, the Board adopted the Building and Lands Committee Report as presented by Chairman Kojis. MOTION CARRIED.

6. Mr. James Gauthier, Chairman of the Education Committee, presented the following report:

Education Committee Report  
February 19, 2013

The Education Committee of the Avoyelles Parish School Board met Tuesday, February 19, 2013, at 5:30 p.m. at the School Board Office with the following members present:

James Gauthier, Chairman; Shelia Blackman-Dupas, Carlos A. Mayeux, Jr., Lizzie Ned, Michael Lacombe, President; and Dwayne Lemoine, Superintendent. Also present were Darrell Wiley, Board Member; Irma Andress, Director of Federal Programs; Susan Welch, Supervisor of Secondary Education; Randy Littleton, Supervisor of Elementary Education; and Karen Williams, Supervisor of Special Services.

1. Mrs. Karen Williams, Supervisor of Special Services, presented an update on the State Performance Plan/Annual Performance Report Data.

2. Mr. Randy Littleton, Supervisor of Elementary Education, presented an update on DIBELS testing and benchmark data collected from Discovery Education.

3. Mrs. Susan Welch, Supervisor of Secondary Education, presented a graphic of the GEE scores of the various schools from 2005 to present.

The Education Committee respectfully recommends the adoption of this report.

James Gauthier, Chairman  
Education Committee

On motion by James Gauthier, seconded by Shelia Blackman-Dupas, the Board adopted the Education Committee Report as presented by Chairman Gauthier. MOTION CARRIED.

7. Mr. Freeman Ford, Chairman of the Executive Committee, presented the following report:

Executive Committee Report  
February 26, 2013

The Executive Committee of the Avoyelles Parish School Board met Tuesday, February 26, 2013, at 4:30 p.m. at the School Board Office with the following members present:

Freeman Ford, Chairman; Carlos A. Mayeux, Jr., Cindy Hill, Darrell Wiley, and Dwayne Lemoine, Superintendent. Mr. Michael Lacombe, President, was absent. Also present were James Gauthier, Van Kojis, and Lizzie Ned, Board Members; Thelma Prater, Assistant Superintendent; Irma Andress, Director of Federal Programs; Sharon Hargis, Food Service Supervisor; and Debbie Bain, Supervisor of Child Welfare and Attendance.

1. The Executive Committee discussed the age requirement for substitute teachers.

Upon motion by Darrell Wiley, seconded by Cindy Hill, the Executive Committee recommended that the policy regarding the age requirement for substitute teachers remain unchanged. MOTION CARRIED.

2. Mr. Steve Marcotte, Maintenance Supervisor, presented a job description for School Food Service Warehouse Technician/Maintenance Crew Member, for the committee's consideration.

Upon motion by Carlos A. Mayeux, Jr., seconded by Darrell Wiley, the Executive Committee recommended to approve the job description for School Food Service Warehouse Technician/Maintenance Crew Member. MOTION CARRIED.

3. Mrs. Irma Andress, Director of Federal Programs, presented an update report on the Homeless Program.

The Executive Committee did not take any action on this matter.

4. Superintendent Dwayne Lemoine presented proposed policies on plaques for newly constructed buildings for the committee's consideration.

Upon motion by Darrell Wiley, seconded by Carlos A. Mayeux, Jr., the Executive Committee recommended that the Board approve the following policy for building plaques on new construction projects, as follows:

Building Plaques on New Construction Projects

Because the practice on construction of government buildings is to recognize elected officials and others for their efforts and public service in providing new and/or improved facilities to the public, the Board wishes to have plaques installed on new construction projects encompassing the names of persons at the time of hiring of the architect as reflected in the Board minutes providing the following information:

(1) The name of the school building; (2) The date at which the architect was hired, (3) The names of the Board members existing on the Board as per the date at which the architect was hired, President, Vice-President, and Members (in order of number of years on the Board); (4) The Superintendent; (5) Architect; (6) Contractor; and (7) Principal.

MOTION CARRIED.

5. Mrs. Debbie Bain, Supervisor of Child Welfare and Attendance, presented proposed changes to the Student Handbook for the 2013-2014 school year.

Upon motion by Darrell Wiley, seconded by Carlos A. Mayeux, Jr., the Executive Committee recommended that the Board accept the proposed changes to the Student Handbook, as proposed by Supervisor Bain.

The motion was adopted by the following vote: Ayes: Carlos A. Mayeux, Jr., Cindy Hill, and Darrell Wiley. Chairman Ford was in favor of all of the items, with the exception of the "Stealing and Possession/Use of Tobacco Products" policies because he felt it was not in the best interest of the school system.

6. Mr. Charles Riddle, District Attorney, addressed the committee regarding a tax compact to be signed with the Tunica-Biloxi Tribe.

Upon motion by Darrell Wiley, seconded by Cindy Hill, the Executive Committee that the Board sign the tax compact with the Tunica-Biloxi Tribe. MOTION CARRIED.

7. Mr. Charles Riddle, District Attorney, also addressed the committee regarding a "specialist lawyer" for sales tax cases.

Upon motion by Carlos A. Mayeux, Jr., seconded by Darrell Wiley, the Executive Committee recommended that Mr. Wilfred Ducote, Sales Tax Collector, provide additional information to the Board regarding this matter.

The Executive Committee respectfully recommends the adoption of this report.

Freeman Ford, Chairman  
Executive Committee

A motion was offered by Freeman Ford, seconded by Carlos A. Mayeux, Jr., that the Board adopt the Executive Committee Report as presented by Chairman Ford.

The motion was adopted by the following vote:

Ayes: Freeman Ford, Carlos A. Mayeux, Jr., James Gauthier, Michael Lacombe, Darrell Wiley, Lizzie Ned, Van Kojis, and Cindy Hill.

Nays: None.

Abstained: Shelia Blackman-Dupas. Mrs. Dupas stated that the reason she abstained from voting was because she needed additional time to review the changes to the Student Handbook.

8. On motion by Freeman Ford, seconded by Darrell Wiley, the Board agreed to enter into an agreement with the Tunica Biloxi Biloxi Tribe on the payment of sales tax from Burger King. MOTION CARRIED.

9. Mr. Van Kojis, Board Member, addressed the Board regarding the recent purchase of a plaque for LaSAS multipurpose gymnasium. Mr. Kojis stated that after researching the cost of the plaque and the agreement for the construction of the multipurpose gymnasium for LaSAS, the agreement indicated that the Board paid for the plaque - not the architect.

Mr. Kojis, therefore, offered a motion, seconded by Darrell Wiley, to rescind the motion that the Board purchase another plaque for the LaSAS multipurpose gymnasium.

The motion was adopted by the following voter:

Ayes: Freeman Ford, Carlos A. Mayeux, Jr., James Gauthier, Shelia Blackman-Dupas, Michael Lacombe, Darrell Wiley, Van Kojis, and Cindy Hill.

Mr. Ford stated that the reason he voted "aye" was that he was concerned about spending public monies. The Board members who voted "aye" were in agreement with Mr. Ford's statement.

Nays: Lizzie Ned

10. On motion by Carlos A. Mayeux, Jr., seconded by Shelia Blackman-Dupas, the Board granted permission to advertise for bids for an auditor for the 2012-2013 fiscal year. MOTION CARRIED.

11. On motion by Freeman Ford, seconded by Shelia Blackman-Dupas, the Board granted permission to advertise for bids for (1) milk/milk products/juice, (2) bread, (3) supplies and equipment, (4) non-hazardous waste disposal, (5) grease trap maintenance, (6) staples/canned goods and meat, and (7) produce. MOTION CARRIED.

12. Superintendent Dwayne Lemoine presented personnel changes for the Board's review, as follows:

**PERSONNEL CHANGES**

**BUNKIE ELEMENTARY SCHOOL:** Resignation of Sharonda Randall, teacher, effective February 15, 2013.

**LAFARGUE ELEMENTARY SCHOOL:** Resignation of June Nation, teacher, effective August 1, 2013, for the purpose of retirement.

**PLAUCHEVILLE ELEMENTARY SCHOOL:** Correction in Date: Resignation of Charlene Kelone, teacher, effective at the end of the day March 21, 2013; and resignation of Rebecca DeValCourt, food service technician, effective May 23,2013, for the purpose of retirement.

**AVOYELLES HIGH SCHOOL:** Resignation of Joey Gauthier, teacher, effective May 28, 2013, fr the purpose of retirement.

**LOUISIANA SCHOOL FOR THE AGRICULTURAL SCIENCES:** Appointment of Kenneth Marsh, (retired) teacher, effective February 4, 2013 through May 22, 2013.

**MARKSVILLE HIGH SCHOOL:** Appointment of Billy Stroud, teacher, effective February 8, 2013 through May 22, 2013. ADDENDUM(S)  
3/4/2013

**MARKSVILLE ELEMENTARY SCHOOL:** Appointment of Lillie D. Armand, speech therapist, effective April 2, 2013 through May 22, 2013, replacing Jeanie Ackridge.

13. On motion by Freeman Ford, seconded by Van Kojis, the Board unanimously agreed to consider a matter under miscellaneous business. MOTION CARRIED.

The Board President called for public comment and there being none, on motion by Freeman Ford, seconded by Van Kojis, the Board unanimously agreed to add the item to the agenda under miscellaneous business due to time constraints.

On motion by Lizzie Ned, seconded by Cindy Hill, the Board agreed to advertise to lease the Bunkie Middle School Gymnasium and the Mansura Middle School Gymnasium. MOTION CARRIED.



14. On motion by Freeman Ford, seconded by Shelia Blackman-Dupas, the Board unanimously agreed to consider a matter under miscellaneous business.

The Board President called for public comment and there being none, on motion by Freeman Ford, seconded by Shelia Blackman-Dupas, the Board unanimously agreed to add the item to the agenda under miscellaneous business due to time constraints.

On motion by Carlos A. Mayeux, Jr., seconded by James Gauthier, the Board agreed to advertise for bids for the renovation of Riverside Elementary School bathroom additions. MOTION CARRIED.

15. On motion by Darrell Wiley, seconded by Shelia Blackman-Dupas, the Board unanimously agreed to consider a matter under miscellaneous business.

The Board President called for public comment and there being none, on motion by Darrell Wiley, seconded by Shelia Blackman-Dupas, the Board unanimously agreed to add the item to the agenda under miscellaneous business due to time constraints to apply for E-Rate. MOTION CARRIED.

On motion by Carlos A. Mayeux, Jr., seconded by James Gauthier, the Board granted permission to apply for E-Rate funding for the fiscal year 2013-2014. MOTION CARRIED.

16. President Michael Lacombe expressed his thanks to the students who assisted in setting up the artwork for the Louisiana School Boards Association Convention.

Superintendent Dwayne Lemoine expressed his thanks to the principals, sponsors, and students who assisted in preparing centerpieces for the Louisiana School Board Association Convention.

17. Mr. Mike Kelly, Assistant District Attorney, addressed the Board regarding a proposed resolution to employ the firm of Rainer, Anding, McLindon and Talbot as special tax counsel to the Avoyelles Parish School Board.

A motion was offered by Freeman Ford, seconded by Carlos A. Mayeux, Jr., to add this item to the Executive Committee and to approve the resolution, as follows:

Resolution Employing Rainer, Anding, McLindon and Talbot  
Attorneys at Law  
As Special Tax Counsel to the  
Avoyelles Parish School Board

The following resolution was offered by Freeman Ford, and seconded by Carlos A. Mayeux, Jr., at a meeting of the Avoyelles Parish School Board held on the 4<sup>th</sup> day of March, 2013, Marksville, Louisiana.

WHEREAS, the Avoyelles Parish School Board (“School Board” hereafter) administers the sales and use tax ordinances in effect in Avoyelles Parish, Louisiana, and the Uniform Local Sales Tax Code (ULSTC) adopted as Act 73 of 2003 and other laws, and collect sales and use taxes for all local taxing authorities within the Parish, and

WHEREAS, it is necessary that the School Board retain special counsel with expertise in sales and use tax law to represent it with respect to a lawsuit filed against the School Board captioned *Pharmed Holdings, Incorporated versus Avoyelles Parish Sales and Use Tax, Wilfred Ducote, Administrator*, Docket 2013-8822B, 12<sup>th</sup> Judicial District Court, Parish of Avoyelles, and with respect to a claim for refund received by the School Board by letter dated December 27, 2012 from Omnicare, Incorporated and signed by Donna Lecky, as well as to provide general legal advice, consultation and representation in lawsuits and in other sales and use tax issues as the need may arise from time to time in the future and as assigned by the School Board, and

WHEREAS, because of the specialized nature of the above captioned ordinances and other laws and the specialized nature of sales and use tax litigation, a real necessity exists for the employment of special counsel to represent the School Board, and, in turn, the other local taxing authorities within Avoyelles Parish, and

WHEREAS, it is the desire of the School Board to retain the law firm of Rainer, Anding, McLindon, and Talbot of Baton Rouge, Louisiana, (“Law Firm” hereafter) as a law firm that has special expertise and experience in prosecuting and defending sales and use tax cases and in providing local sales and use tax legal advice to local taxing authorities such as the School Board and the taxing authorities it represents, and to retain the services of the said Law Firm pursuant to the applicable provisions of the sales and use tax statutes of the State of Louisiana and the above referred to ordinances in effect in Avoyelles Parish, Louisiana, and

NOW THEREFORE BE IT RESOLVED that the Law Firm be and is hereby employed by the School Board as special counsel to the School Board with reference to the above cited sales and use tax statutes and ordinances to provide legal representation to the School Board with respect to the taxpayers described hereinabove and to undertake the prosecution and/or defense of any other legal proceedings involving sales and use tax matters as may be brought from time to time in the future against the School Board, or any of the taxing authorities they represent, and to undertake the defense of any legal proceedings involving sales and use tax filed against any of the same, as may be required from time to time, and for providing general legal advice and consultation to the School Board in the administration of the above referred to statutes and ordinances as the need may arise from time to time as assigned by the School Board, and that the fee of said Law Firm is to be that as provided by the applicable provisions of the sales and use tax statutes and ordinances, including the Uniform Local Sales Tax Code administered by the School Board, in accordance with law, or the sum of \$175.00 per hour, or such other hourly rate as may be established by the Louisiana Attorney General, to be paid monthly, together with all reasonable expenses incurred by said Law Firm in connection with the providing of such legal services, the specific fee arrangement to be decided on a case-by-case basis, jointly by the School Board and the Law firm in advance of such legal services being rendered.

BE IT FURTHER RESOLVED that neither the School Board nor the Law Firm shall have the authority to discontinue, dismiss, compromise, or otherwise dispose of a sales and use tax claim against a taxpayer doing business in Avoyelles Parish, or a claim brought by a taxpayer doing business in said Parish, against the School Board without the concurrence of the School Board and the Law Firm.

THE FOREGOING having been submitted to a vote, and a quorum being present, and by majority vote in favor thereof, the foregoing resolution was declared adopted.

18. On motion by Freeman Ford, seconded by Van Kojis, the Board agreed to go into Executive Session for the purpose of discussing pending litigation (Avoyelles Parish School Board versus United States of America, United States Department of the Interior for the Use and Benefit of the United States Fish and Wildlife Service, et al, Docket Number 08-1374); and for the purpose of discussing pending litigation (Avoyelles Parish School Board versus Jacob B. Bordelon, et al, Docket Number 2008-2493 on the docket of the Twelfth Judicial District Court.)

On motion by Carlos A. Mayeux, Jr., seconded by Van Kojis, the Board reconvened in open public session at approximately 11:30 a.m. MOTION CARRIED.

On motion by James Gauthier, seconded by Darrell Wiley, the Board authorized Magistrate Hanna to explore the possibility of a trade involving Section 16 properties for other revenue producing properties on behalf of the Avoyelles Parish School Board in Docket Number 08-1374. MOTION CARRIED.

On motion by Freeman Ford, seconded by Carlos A. Mayeux, Jr., in the case of Jacob B. Bordelon, et al, Docket Number 2008-2493, the Board authorized the District Attorney's office to negotiate a settlement as discussed in Executive Session. MOTION CARRIED.

There being no further business, on motion by Van Kojis, seconded by Cindy Hill, the meeting was adjourned.

AVOYELLES PARISH SCHOOL BOARD

Michael Lacombe, President

Dwayne Lemoine, Secretary-Treasurer

