

May 29, 2019

On Wednesday, May 29, 2019 at 9:00 a.m., the Police Jury of Sabine Parish, State of Louisiana met in open and special called session.

The Agenda was as follows:

1. Call to Order
2. Roll Call
3. Prayer
4. Pledge of Allegiance
5. Amend the Agenda
6. Adopt the Agenda
7. Accept the Minutes of the Previous Regular Meeting, May 14, 2019
8. Consider Adopting an Ordinance Providing a Sales Tax Exemption for WATCO-Sabine Council on Aging, Inc.
9. Authorize July 4, 2019 Holidays
10. Consider Waiver of Vacation Policy for Thomas Roy Webb
11. Consider Cooperative Endeavor Agreement with Pine Belt.
12. Consider Cooperative Endeavor Agreement with the Town of Many
13. Adjournment

1. Call to Order

President Ronald L. Bison called the meeting to order.

2. Roll Call

The roll was called by the Secretary Treasurer. The following jurors were present: Willes Funderburk, "Charlie" Brown, William E. Ruffin, "Ronny" Bison, Ricky "K-Wall" Sepulvado, and "Randy" Byrd.

The following jurors were absent: Mike McCormic, Eric Garcie and Kenneth M. Ebarb

3. Prayer

Prayer was led by Mr. William E. Ruffin.

4. Pledge of Allegiance

The Pledge of Allegiance was led by Mr. "Charlie" Brown.

5. Amend the Agenda

There was no amendment to the agenda.

Police Jury President, Ronald L. Bison, allowed a period of public comment on any item on the agenda. Mr. Bison advised everyone that they would be allowed to comment later during the meeting on particular agenda items, if they desire. There were no public comments at this time.

6. Adopt the Agenda

Resolution No. 8319

Motion by Ruffin and seconded by Brown to adopt the agenda.

The voting was as follows:

Yeas: 6 Nays: 0 Absent: 3: McCormic, Garcie, Ebarb

7. Accept the Minutes of the Previous Regular Meeting, May 14, 2019

All Police Jurors have previously been provided a written copy of the minutes of the regular meeting held on May 14, 2019.

Resolution No. 8320

Motion by Sepulvado and seconded by Byrd to accept the minutes of the regular meeting held on May 14, 2019.

The voting was as follows:

Yeas: 6 Nays: 0 Absent: 3: McCormic, Garcie, Ebarb

8. Consider Adopting an Ordinance Providing a Sales Tax Exemption for WATCO-Sabine Council on Aging, Inc.

During the regular meeting of the police jury on May 14, 2019, Mr. Ebarb expressed his concern that the sales tax exemption for WATCO should be executed by the Sabine Council on Aging, Inc. rather than the Sabine Parish Police Jury.

This item was tabled pending an opinion from the District Attorney as to whether the police jury or the Sabine Council on Aging, Inc. should execute the tax exemption. Secretary Treasurer Weatherford has discussed the matter with District Attorney Don Burkett. It is Mr. Burkett's opinion that an ordinance amending Ordinance No. 3 of 2012 should be executed by the Sabine Parish Police Jury.

Secretary Weatherford provided all jurors a copy of a draft ordinance to amend Ordinance No. 3 of 2012 to provide a tax exemption for certain repairs.

ORDINANCE 7 of 2019

AN AMENDMENT TO ORDINANCE NO. 3 OF 2012

An ordinance amending an ordinance adopted by the Police Jury of the Parish of Sabine, State of Louisiana, on December 19, 2012, providing for the continued levy of a one-fourth of one percent (1/4%) sales and use tax within the Parish of Sabine, State of Louisiana to provide funds for administering, acquiring, constructing, improving, maintaining, supporting and operating authorized activities, services, programs and/or facilities of/for and by the Sabine Council on Aging, Inc.; and providing for other matters in connection therewith.

WHEREAS, under the provisions of Article VI, Section 29 of the Constitution of the State of Louisiana of 1974, and other constitutional and statutory authority and pursuant to an election held in the Parish of Sabine, State of Louisiana, on December 8, 2012, the Parish of Sabine, State of Louisiana (the "Parish"), acting through the Police Jury of the Parish of Sabine, State of Louisiana, as its governing authority (the "Governing Authority") adopted an ordinance on December 19, 2012 (the "Prior Ordinance") levying , after October 1, 2013, a one-fourth of one percent (1/4%) sales and use tax (the "Tax") within the parish; and

WHEREAS, Section 47:305.50(E)(2) of the Louisiana Revised Statutes of 1950, as amended, provides that a political subdivision may, by ordinance, provide that a sales and use tax imposed by the political subdivision shall not apply to parts or services used in the fabrication, modification, or repair of rail rolling stock; and

WHEREAS, the Police Jury of Sabine Parish, State of Louisiana desires to stimulate industry within the Parish and now wishes to amend the Prior Ordinance to provide that the Tax shall not apply to certain repairs of railcars:

NOW THEREFORE BE IT ORDAINED by the Police Jury of the Parish of Sabine, State of Louisiana in special called session convened that SECTION 7 entitled "Exclusions and Exemptions" of the Prior Ordinance is hereby amended as follows:

SECTION 7. Exclusion and Exemptions. The Governing Authority adopts none of the optional exclusions or exemptions allowed by State sales and use tax law, nor does this Governing Authority adopt any exclusions or exemptions authorized by legislation enacted under Article VI, Section 29(D)(1) of the Constitution of the State of Louisiana of 1974, that are not allowed as an exclusion or exemption

from State sales and use tax. Included within the base of the Tax is every transaction, whether sales, use, lease or rental, consumption, storage or service, with no exclusions or exemptions except for those mandated upon political subdivisions by the Constitution or statutes of the State of Louisiana, including the Act. Notwithstanding the foregoing, the furnishing of repairs, including parts, to railcars when the repaired railcar is delivered to the customer in another state, either by common carrier or the repair dealer's own vehicle, shall be excluded from the levy of the Tax imposed by this ordinance.

BE IT FURTHER ORDAINED by the Police Jury of the Parish of Sabine, State of Louisiana that SECTION 7 entitled "Exclusions and Exemptions" is hereby amended to add the following:

SECTION 7(1) "Sale of Services" shall not include the furnishing of repairs, including parts, to railcars when the repaired railcar is delivered to the customer in another state either by common carrier or the repair dealer's own vehicle.

BE IT FURTHER ORDAINED that all other ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

BE IT FURTHER ORDAINED that this ordinance shall be in effect June 1, 2019 and it shall be published one time in the Official Journal of the Parish of Sabine, State of Louisiana, along with any other minutes of the meeting.

The foregoing ordinance having been offered upon a motion by Sepulvado and seconded by Brown was then submitted to an official vote and the vote thereupon was recorded as follows to wit:

Yeas: Willes Funderburk, "Charlie" Brown, William E. Ruffin, "Ronny" Bison, Ricky "K-Wall" Sepulvado, and "Randy" Byrd.

Nays: 0

Abstain: 0

Absent: 3: "Mike" McCormic, Eric Garcie, and Kenneth M. Ebarb

Thereupon, the President declared this ordinance adopted on this the 29th day of May 2019, at the special called meeting of the Police Jury of the Parish of Sabine.

s/Ronald L. Bison
Ronald L. Bison
President

s/William E. Weatherford
William E. Weatherford
Secretary Treasurer

9. Authorize July 4, 2019 Holidays

July the 4th, a scheduled holiday, is on a Thursday this year. Many employees have requested that the police jury consider granting the following Friday, July 5th, as an additional paid holiday.

Resolution No. 8321

Motion by Ruffin and seconded by Byrd to declare and grant Friday, July 5, 2019, as a one-time paid holiday only for full-time, permanent employees of the Sabine Parish Police Jury (excluding compactor station workers who get Thanksgiving Day and Christmas Day as authorized by Resolution No. 6739; October 20, 2010, but are excluded from other holidays by Resolution No. 5486 adopted November 17, 2004).

The voting was as follows:

Yeas: 6 Nays: 0 Absent: 3: McCormic, Garcie, Ebarb

10. Consider Waiver of Vacation Policy for Thomas Roy Webb

Resolution No. 7997 of December 20, 2017 generally places a cap on the amount of annual leave an employee can accumulate to the greater of thirty (30) days (240 hours) or the employee's accumulated annual leave as of December 31, 2017. Any unused annual leave in excess of this cap is forfeited on the employee's anniversary date.

The jurors discussed providing a one-time waiver of this policy for Mr. Thomas Roy Webb due to extenuating circumstances. It was the consensus of the jury to adhere to the established policy and no action was taken.

11. Consider Cooperative Endeavor Agreement with Pine Belt.

The Pine Belt Multi-Purpose Community Action Agency, Inc. has requested \$2,000 to provide services for the summer feeding program in Sabine Parish. There are three sites; two in Many and one in Zwolle.

Resolution No. 8322

Motion by Sepulvado and seconded by Brown to authorize President Ronald L. Bison to execute a cooperative endeavor agreement to provide \$2,000 to the Pine Belt Multi-Purpose Community Action Agency, Inc for the summer feeding program in Sabine Parish.

The voting was as follows:

Yeas: 5 Nays: 0 Abstain: 1: Ruffin Absent: 3: McCormic, Garcie, Ebarb

12. Consider Cooperative Endeavor Agreement with the Town of Many

The Jurors were provided copies of a draft cooperative endeavor agreement for the milling and adding of flex base to McFarland and Henry Streets and a draft cooperative endeavor agreement for replacing two 48-inch culverts on Detention Center Road.

Road Superintendent Bobby Hughes briefly described the scope of both projects and the contributions to be made by the police jury and the Town of Many.

Resolution No. 8323

Motion by Ruffin and seconded by Byrd to authorize President Ronald L. Bison to execute cooperative endeavor agreements with the Town of Many, Louisiana for the milling and adding of flex base to McFarland and Henry Streets and for replacing two 48-inch culverts on Detention Center Road.

The voting was as follows:

Yeas: 6 Nays: 0 Absent: 3: McCormic, Garcie, Ebarb

13. Adjournment

Resolution No. 8324

Motion by Ruffin and seconded by Sepulvado to adjourn.

The voting was as follows:

Yeas: 6 Nays: 0 Absent: 3: McCormic, Garcie, Ebarb

s/William E. Weatherford
William E. Weatherford
Secretary Treasurer

s/Ronald L. Bison
Ronald L. Bison
President