

**MUNICIPAL MINUTES, TOWN OF CHURCH POINT, STATE OF LOUISIANA,  
REGULAR MEETING MAY 5, 2008**

**ATTENDANCE**

**MAYOR:** Roger Boudreaux

**CHIEF OF POLICE:** Albert Venable, Sr.

**ALDERMEN:** Errol Comeaux – (Ward 5), Aimia Doucet (Ward 4), Gary Duplechin (Ward 3), Kevin Fontenot (Ward 2), Debra Thomas (Ward 1),

**ABSENT:**

**ADMINISTRATIVE STAFF:** Charles Labbe (Municipal Clerk), John Larson (Water Works Director), Brad Andrus (Legal Counsel)

**COMMENCEMENT**

**Call to order.**

Mayor Boudreaux called the Regular Council Meeting to order.

**Invocation and Pledge of Allegiance**

The Mayor opened the meeting with an invocation and the Pledge of Allegiance.

**Reading and approval of the minutes of the previous meeting**

It was moved by Doucet, seconded by Fontenot to accept the minutes as written.

The vote was as follows:

YEAS: Comeaux, Doucet, Thomas, Fontenot, Duplechin

NAYS: None

ABSTAIN: None

*Motion unanimously adopted.*

**Engineering Report**

Upon the recommendation of Tim Mader, Town Engineer it was moved by Doucet, seconded by Duplechin to authorize Partial Payment #2 of \$53,113.50 to Griner Drilling.

The vote was as follows:

YEAS: Comeaux, Doucet, Thomas, Fontenot, Duplechin

NAYS: None

ABSTAIN: None  
*Motion unanimously adopted.*

### **Referendum Replacing Town Property Tax with a Sales Tax**

The following resolution was offered by Ms. Thomas and seconded by Ms. Doucet:

#### **RESOLUTION**

A resolution ordering and calling a special election to be held in the Town of Church Point, State of Louisiana, to authorize the levy of a sales and use tax therein; making application to the State Bond Commission in connection therewith; and providing for other matters in connection therewith.

BE IT RESOLVED by the Mayor and Board of Aldermen of the Town of Church Point, State of Louisiana (the "Governing Authority"), acting as the governing authority of the Town of Church Point, State of Louisiana (the "Town"), that:

SECTION 1. Election Call. Subject to the approval of the State Bond Commission, and under the authority conferred by Article VI, Section 29 of the Constitution of the State of Louisiana of 1974, the applicable provisions of Chapter 5, Chapter 6-A and Chapter 6-B of the Louisiana Election Code, and other constitutional and statutory authority, a special election is hereby called and ordered to be held in the Town on **SATURDAY, JULY 19, 2008**, between the hours of six o'clock (6:00) a.m., and eight o'clock (8:00) p.m., in accordance with the provisions of La. R.S. 18:541, and at the said election there shall be submitted to all registered voters qualified and entitled to vote at the said election under the Constitution and laws of this State and the Constitution of the United States, the following proposition, to-wit:

#### **PROPOSITION (SALES TAX)**

**SUMMARY: ONE PERCENT (1%) SALES AND USE TAX WITH THE PROCEEDS TO BE DEDICATED AND USED FOR ANY LAWFUL CORPORATE PURPOSE, INCLUDING THE OPERATION OF SENIOR CITIZEN PROGRAMS AND TO PAY THE COST OF CONSTRUCTING AND MAINTAINING CAPITAL IMPROVEMENTS, SAID TAX TO BE IN LIEU OF AND REPLACE A SEVEN (7) MILLS AD VALOREM TAX NOW BEING LEVIED FOR GENERAL PURPOSES, WITH THE PROCEEDS OF THE TAX TO BE SUBJECT TO BEING FUNDED INTO BONDS.**

Shall the Town of Church Point, State of Louisiana (the "Town"), under the provisions of Article VI, Section 29 of the Constitution of the State of Louisiana of 1974, and other constitutional and

statutory authority, be authorized to levy and collect a tax of one percent (1%) (the "Tax"), upon the sale at retail, the use, the lease or rental, the consumption, and the storage for use or consumption of tangible personal property and on sales of services in the Town, in the manner provided by State law, with the proceeds of the Tax (after paying the reasonable and necessary expenses of collecting and administering the Tax) (the estimated amount reasonably expected to be collected from the levy of the Tax for one entire year being \$550,000), to be dedicated and used for any lawful corporate purpose, including the operation of senior citizen programs; and to pay the cost of constructing and maintaining capital improvements; the Tax to be in lieu of and replace a seven (7) mills ad valorem tax now being levied by the Town for general purposes; and shall the Town be further authorized to fund the proceeds of the Tax into bonds to be issued from time to time to pay the cost of capital improvements to the extent and in the manner permitted by the laws of Louisiana?

SECTION 2. Publication of Notice of Election. A Notice of Special Election shall be published in the *Church Point News*, a weekly newspaper of general circulation within the Town, published in Church Point, Louisiana, and being the official journal of the Town, once a week for four consecutive weeks, with the first publication to be made not less than forty-five (45) days nor more than ninety (90) days prior to the date of the election, which Notice shall be substantially in the form attached hereto as "Exhibit A" and incorporated herein by reference the same as if it were set forth herein in full.

SECTION 3. Canvass. This Governing Authority shall meet at its regular meeting place, the Town Hall, Church Point, Louisiana, on **MONDAY, AUGUST 4, 2008, at SIX-THIRTY O'CLOCK (6:30) P.M.**, and shall then and there in open and public session proceed to examine and canvass the returns and declare the result of the said special election.

SECTION 4. Polling Places. The polling places set forth in the aforesaid Notice of Special Election are hereby designated as the polling places at which to hold the said election, and the Commissioners-in-Charge and Commissioners, respectively, will be the same persons as those designated in accordance with law.

SECTION 5. Election Commissioners; Voting Machines. The officers designated to serve as Commissioners-in-Charge and Commissioners pursuant to Section 4 hereof, or such substitutes therefor as may be selected and designated in accordance with La. R.S. 18:1287, shall hold the said special election as herein provided, and shall make due returns of said election for the meeting of the Governing Authority to be held on Monday, August 4, 2008, as provided in Section 3 hereof. All registered voters in the Town will be entitled to vote at the special election, and voting machines shall be used.

SECTION 6. Authorization of Officers. The Town Clerk is hereby empowered, authorized and directed to arrange for and to furnish to said election officers in ample time for the holding of said election, the necessary equipment, forms and other paraphernalia essential to the proper holding of said election and the Mayor and/or Town Clerk are further authorized, empowered and directed to take any and all further action required by State and/or Federal law to arrange for the election, including but not limited to, appropriate submission to the Federal Department of Justice under Section 5 of the Federal Voting Rights Act of 1965, as amended.

SECTION 7. Furnishing Election Call to Election Officials. Certified copies of this resolution shall be forwarded to the Secretary of State, the Clerk of Court and *Ex-Officio* Parish Custodian of Voting Machines of Acadia Parish and the Registrar of Voters of Acadia Parish, as notification of the special election, in order that each may prepare for said election and perform their respective functions as required by law.

SECTION 8. Application to State Bond Commission. Application is made to the State Bond Commission for consent and authority to hold the special election as herein provided, and in the event said election carries for further consent and authority to levy and collect the sales and use tax provided for therein. A certified copy of this resolution shall be forwarded to the State Bond Commission on behalf of this Governing Authority, together with a letter requesting the prompt consideration and approval of this application.

The vote was as follows:

YEAS: Doucet, Thomas, Fontenot, Duplechin

NAYS: None

ABSTAIN: Comeaux

And the resolution was declared adopted on this, the 5th day of May, 2008.

\_\_\_\_\_/s/ Charles A. Labbe  
Boudreaux  
Town Clerk

\_\_\_\_\_/s/ Roger  
Mayor

**Introduction of Speed Limit Ordinance**

It was moved by Doucet, seconded by Comeaux to introduce an ordinance setting 15 MPH speed limits on Happy St. and Wildflower Lane.

The vote was as follows:

YEAS: Comeaux, Fontenot, Duplechin, Doucet, Thomas

NAYS: None

ABSTAIN:

*Motion unanimously adopted.*

### **Executive Session**

It was moved by Doucet, seconded by Fontenot to convene in Executive Session to consider allegations regarding a Town employee.

The vote was as follows:

YEAS: Comeaux, Fontenot, Duplechin, Doucet, Thomas

NAYS: None

ABSTAIN:

*Motion unanimously adopted.*

Upon returning from Executive Session it was moved by Doucet, seconded by Comeaux to reconvene in Regular Session.

The vote was as follows:

YEAS: Comeaux, Fontenot, Duplechin, Doucet, Thomas

NAYS: None

ABSTAIN:

*Motion unanimously adopted.*

Town Attorney, Brad Andrus, summarized the Executive Session stating that the allegations regarding the employee were unfounded.

### **Adjourn**

It was moved by Doucet, seconded by Thomas to adjourn the meeting.

The vote was as follows:

YEAS: Comeaux, Doucet, Thomas, Fontenot

NAYS: None

ABSTAIN: None

*Motion unanimously adopted.*

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ROGER BOUDREAUX, MAYOR

ATTEST:

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CHARLES A. LABBE, MUNICIPAL CLERK