



JEFFERSON DAVIS PARISH SCHOOL BOARD AGENDA
203 E. PLAQUEMINE STREET
JENNINGS, LOUISIANA
(337) 824-1834
AGENDA MEETING
THURSDAY, OCTOBER 17 , 2019 AT 6:00 P.M.

FILE: BCB - SCHOOL BOARD MEETING RULES OF PROCEDURE
 An individual speaker who appears at a School Board meeting to speak on an agenda item must register prior to the meeting, and will be allotted three (3) minutes to speak on the agenda item prior to School Board discussion on the agenda item.

I. CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE.

II. ROLL CALL FOR DETERMINATION OF A QUORUM.

ARC	BORD	BOUL	BRUC	CAP	DEES	DOB	DOISE	LEGER	SEG	SING	PERRY	TROUT
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III. APPROVAL OF THE SCHOOL BOARD MINUTES OF THE REGULAR MEETING ON SEPTEMBER 19, 2019.

MOTION BY:	SECONDED BY:	PUBLIC COMMENT	DISCUSSION	VOTE
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IV. VOTE TO CHANGE THE ORDER OF TOPICS TO BE ADDRESSED AND TO ADD NEW ITEMS NOT ON THE ORIGINAL AGENDA.

MOTION BY:	SECONDED BY:	PUBLIC COMMENT	DISCUSSION	VOTE
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V. RECOGNITION OR PRESENTATIONS:

1. Argent Advisors - Performance of the Investment Portfolio for the previous Year.

PRESENTATION

- A. Approve the recommendation of the Director of Finance to renew the Investment Manager contract of Argent Advisors for another two-year period beginning November 1, 2019 and ending October 31, 2021.

MOTION BY:	SECONDED BY:	PUBLIC COMMENT	DISCUSSION	VOTE
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VI. BOARD COMMITTEE REPORTS:

- A. Finance - David Troutman, Chairman
- B. Insurance - David Doise, Chairman
- C. Building & Grounds - James Segura, Chairman
- D. Policy- Jody Singletary, Chairman
- E. Transportation- Greg Bordelon, Chairman
- F. 16th Section-Charles Bruchhaus, Chairman
- G. Ward II (Ad Hoc) - Donald Dees, Chairman
- H. Legislative Liaison - Donald Dees, Chairman
- I. Food Service Committee - Malon Dobson, Chairman

VII. SALES TAX REPORT - Amber Hymel, Tax Collector.

VIII. NEW BUSINESS:

1. Approve the following non-faculty coaches upon completion of LHSAA coaching course certification and Board policy requirements.
 - A. Lexi Hagen, LAHS softball coach.
 - B. Christopher Monceaux, LAHS softball coach.

MOTION BY:	SECONDED BY:	PUBLIC COMMENT	DISCUSSION	VOTE
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2. Grant permission to Tina Coleman, Child Nutrition Supervisor to surplus the following item and send to the next available auction:
 1. Surplus Milk Cooler, Beverage -Air model SM34N (WHS)

MOTION BY:	SECONDED BY:	PUBLIC COMMENT	DISCUSSION	VOTE
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3. Adopt the following ordinance:

ORDINANCE

An ordinance providing for the continued levy within Sales Tax District No. 1 (Jennings) of the Parish School Board of the Parish of Jefferson Davis Parish, State of Louisiana, effective January 1, 2027, of a one-half of one percent (1/2%) sales and use 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 upon the sale of services in said District, levying and providing for the assessment, collection, payment and dedication of the proceeds of said tax and the purpose for which the proceeds of the tax may be expended, such tax having been authorized at a special election held in the District on March 30, 2019.

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 elections held on March 30, 2019, the Parish School Board of the Parish of Jefferson Davis, State of Louisiana (the "Governing Authority"), acting as the governing authority of Sales Tax District No. 1 (Jennings) of the Parish School Board of the Parish of Jefferson Davis Parish, State of Louisiana (the "District"), is authorized to levy and collect within the District from and after January 1, 2027, a one-half of one percent (1/2%) sales and use tax (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 upon the sale of services as defined in applicable statutory authority, pursuant to the following proposition which was approved at said election held on March 30, 2019:

PROPOSITION (SALES TAX RENEWAL)

In the event of the passage of School District No. 2 of Jefferson Davis Parish, Louisiana Bond Proposition, shall Sales Tax District No. 1 (Jennings) of the Parish School Board of the Parish of Jefferson Davis, State of Louisiana (the "District"), be authorized to continue to levy and collect a tax of one-half of one percent (1/2%) (the "Tax"), for a period of fourteen (14) years from January 1, 2027 (an estimated \$1,430,000 reasonably expected at this time to be collected from the levy of the Tax for an entire year), 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 District, all as defined by law, with the proceeds of the Tax (after paying the expenses of collecting and administering the Tax), to be expended within School District No. 2 of Jefferson Davis Parish, Louisiana ("School District No.2"), to pay a portion of the costs of constructing and improving public school buildings and facilities therein and acquiring land, equipment and furnishings therefor, and/or to pay any bonded indebtedness of the District or School District No. 2?

WHEREAS, in compliance with the aforesaid constitutional and statutory authority and said special election of March 30, 2019, it is the desire of this Governing Authority to provide for the levy and collection of the Tax and to provide for distribution of the proceeds thereof and other matters in connection therewith as hereinafter provided in this ordinance;

NOW, THEREFORE, BE IT ORDAINED by the Parish School Board of the Parish of Jefferson Davis, State of Louisiana, acting as the governing authority of Sales Tax District No. 1 (Jennings) of the Parish School Board of the Parish of Jefferson Davis Parish, State of Louisiana (the "District"), thereof, that:

SECTION 1. Imposition. Pursuant to the authority of a special election held in Sales Tax District No. 1 (Jennings) of the Parish School Board of the Parish of Jefferson Davis Parish, State of Louisiana on March 30, 2019, the Tax is hereby levied 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 upon the lease or rental of tangible personal property and on the sales of services in the District as defined by law. The Uniform Local Sales Tax Code, as enacted by Act 73 of the 2003 Regular Session of the Louisiana Legislature and as it may be amended, shall apply in the assessment, collection, administration and enforcement of the Tax, the provisions of which are hereby incorporated by reference. The levy and collection of the Tax will be a continuation of the similar sales and use tax previously authorized to be levied by the District.

SECTION 2. Rate of Tax, The Tax is levied at the rate of one-half of one percent (1/2%) of the sales price of each item or article of tangible personal property when sold at retail in the District, the Tax to be computed on gross sales for the purpose of remitting the amount of tax due to the District, and to include each and every retail sale. The Tax is levied at the rate of one-half of one percent (1/2%) of the cost price of each item or article of tangible personal property when the same is not sold but is used, consumed, distributed, or stored for use or consumption in the District, provided there shall be no duplication of the Tax, The Tax is levied at the rate of one-half of one percent (1/2%) of the gross proceeds derived from the lease or rental of tangible personal property, as defined by law, where the lease or rental of such property is an established business, or part of an established business, or the same is incidental or germane to the said business, or of the monthly lease or rental price paid by lessee or rentee, or contracted or agreed to be paid by lessee or rentee to the owner of the tangible personal property. The Tax is levied at the rate of one-half of one percent (1/2%) of the amount paid or charged for taxable services, as defined by law, performed in the District.

SECTION 3, Effective Date, The Tax shall be effective on January 1, 2027.

SECTION 4. Term. The Tax shall remain in effect for fourteen (14) years (January 1, 2027 through December 31, 2040).

SECTION 5. Purposes. The proceeds of the Tax shall be used for the purposes set forth in the proposition approved by the voters in the special election held in the District on March 30, 2019, authorizing the Tax, which proposition is set forth in the preamble hereto.

SECTION 6. Vendor's Compensation. For the purpose of compensating the dealer in accounting for and remitting the Tax levied by this ordinance, each dealer shall be allowed two percent (2%) of the amount of Tax due and accounted for and remitted to the District's collector in the form of a deduction in

submitting its report and paying the amount due by the dealer, provided the amount due was not delinquent at the time of payment, and provided the amount of any credit claimed for taxes already paid to a wholesaler shall not be deducted in computing the commission allowed the dealer hereunder.

SECTION 7. Exclusions 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 each 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.

SECTION 8. Interest. The interest on unpaid Taxes provided for by La. R.S. 47:337.69 shall be at the rate of one and one-fourth percent (1-¼% per month.

SECTION 9. Delinquency Penalty. The delinquency penalty, as provided by La. R.S. 47:337.70, shall be five percent (5%) per month on the unpaid amount of the Tax due for each thirty-day period, not to exceed five thirty-day periods.

SECTION 10. Penalty for False or Fraudulent Return, Penalty as provided by La. R.S. 47:337.72 shall be fifty percent (50%) of the Tax found to be due,

SECTION 11. Negligence Penalty. The penalty provided by La. R.S. 47:337.73 shall be five percent (5%) of the Tax or deficiency found to be due, or ten dollars (\$10.00), whichever is greater,

SECTION 12. Penalty for Insufficient Funds Check. The penalty provided in La, R.S. 47:337.74 shall be an amount equal to the greater of one percent (1%) of the check or twenty dollars (\$20.00).

SECTION 13. Attorney Fees. The collector is authorized to employ private counsel to assist in the collection of any taxes, penalties or interest due under this ordinance, or to represent him in any proceeding under this ordinance. If any taxes, penalties or interest due under this ordinance are referred to an attorney at law for collection, an additional charge of attorney fees, in the amount often per centum (10%) of the taxes, penalties and interest due, shall be paid by the tax debtor,

SECTION 14. Penalty for Costs Incurred. As provided by R.S. 47:337.75, and under the circumstances set forth therein, a penalty shall be added to the amount of Tax due in an amount as itemized by the Collector to compensate for all costs incurred in making an examination of books, records or documents, or an audit thereof, or in the holding of hearings or the subpoenaing and compensating of witnesses.

SECTION 15. Distrain Penalty. The penalty as provided by R.S. 47:337.76 in cases where the distraint procedure is used in the collection of the Tax shall be ten dollars (\$10.00).

SECTION 16. Limits on Interest, Penalty and Attorney Fees. Should the interest, penalties or attorney fees herein, or the combined interest, penalties and attorney fees be declared to be in excess of limits provided by other law, including relevant jurisprudence, then the maximum interest, penalties and attorney fees allowed by such other law shall apply.

SECTION 17. Collector. The Tax levied by this ordinance is authorized to be collected by a "Collector" which term shall mean the Jefferson Davis Parish School Board.

SECTION 18. Powers of Collector. The Collector is hereby authorized, empowered and directed to carry into effect the provisions of this ordinance, to appoint deputies, assistants or agents to assist it in the performance of its duties, and in pursuance thereof to make and enforce such rules as it may deem necessary.

SECTION 19. Agreement to Collect Tax on Vehicles. With regard to the collection of the Tax on any motor vehicle, automobile, truck, truck-trailer, trailer, semi-trailer, motor bus, home trailer, or any other vehicle subject to the vehicle registration license Tax, this Governing Authority, acting through the President of the Governing Authority and on behalf of the Parish, is authorized to enter into an agreement or agreements with the Vehicle Commissioner, Department of Public Safety and Corrections, for the collection of the Tax on such vehicles, as provided by R.S.47:303(B).

SECTION 20. Revenues of Tax. All taxes, revenues, funds, assessments, moneys, penalties, fees or other income which may be collected or come into the possession of the Collector under any provision or provisions of this ordinance relating to the Tax shall be promptly deposited by the Collector for the respective accounts of the School Board in the special funds heretofore established and maintained for the deposit of such proceeds, which fund is a separate bank account established and maintained with the regularly designated fiscal agent of the School Board, provided, however, any amount which is paid under protest or which is subject to litigation may be transferred to a separate account established by the Collector with said fiscal agent pending the final determination of the protest or litigation.

In compliance with the said special election of March 30, 2019, authorizing the Tax, after all reasonable and necessary costs and expenses of collecting and administration of the Tax has been paid as provided for above, the remaining balance in said special fund shall be available for appropriation and expenditures by the Governing Authority solely for the purposes designated in the applicable proposition authorizing the levy of the Tax.

SECTION 21. Severability. If any or more of the provisions of this ordinance shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this ordinance, but this ordinance shall be construed and enforced as if such illegal or invalid provisions had not been contained herein. Any constitutional or statutory provision enacted after the date of this ordinance which validates or makes legal any provision of this ordinance which would not otherwise be valid or legal, shall be deemed to apply to this ordinance.

SECTION 22. Uniform Sales Tax Controlling. If any provision of this ordinance shall be in conflict with the provisions of the Uniform Local Sales Tax Code, the provisions of the Uniform Local Sales Tax Code shall be controlling.

SECTION 23. Effective Date. This ordinance shall be in full force and effect immediately upon its adoption, being an ordinance affecting the public peace, health and safety.

SECTION 24. Publication and Recordation. This ordinance shall be published in one issue of the official journal of this Governing Authority as soon as is reasonably possible. A certified copy of this ordinance shall be recorded in the mortgage records of the Parish of Jefferson Davis, State of Louisiana.

The final adoption of the foregoing ordinance having been duly moved and seconded, the roll was called and the following vote was taken and recorded:

YEAS:

NAYS:

ABSENT:

ABSTAINING:

And the ordinance was declared adopted on this, the 17th day of October, 2019.

 /s/ Kirk Credeur
 Secretary

 /s/ Phillip Arceneaux
 President

MOTION BY:	SECONDED BY:	PUBLIC COMMENT	DISCUSSION	VOTE
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4. Approve the following out-of-state travel requests - at no expense to the Board:
- A. JHS Foreign Language Club to travel to Houston, TX to the Houston Market Place on February 20, 2020.
 - B. EHS FCCLA student, Richland Manuel (State FCCLA Vice-President) to travel to Dallas, TX from 11/15/19 to 11/17/19 to attend the National FCCLA Fall Cluster meeting.

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5. Accept the 2018-2019 Louisiana Compliance Questionnaire for Audits of Governmental Agencies at the request of Mike Gillespie, CPA, APAC, external auditors of the School Board, as recommended by the Director of Finance.

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VIII. INFORMATION

1. Condolences are extended to the families of:
- 1. Dale Hotard, Principal who retired in 1978, with 20 years of service.

IX. PERSONNEL CHANGES

X. JEFFERSON DAVIS PARISH EDUCATIONAL UPDATE BY CURRICULUM SUPERVISOR.

XI. SUPERINTENDENT’S COMMENTS NOT REQUIRING BOARD ACTION

XII. EXECUTIVE SESSION

- A. Motion to enter into Executive session.
- 1. To discuss Superintendent renewal contract.

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- B. Motion to resume in regular session.

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XIII. ADJOURN

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IN COMPLIANCE WITH STATE LAW, A COPY OF THIS AGENDA WAS POSTED IN A CONSPICUOUS PLACE AT THE MEETING PLACE OF SAID BOARD THURSDAY, OCTOBER 10, 2019 BY 4:00 P.M.

IN ACCORDANCE WITH THE AMERICAN WITH DISABILITIES ACT, IF YOU NEED SPECIAL ASSISTANCE, PLEASE CONTACT DEBBIE AT 337-824-1834 DESCRIBING THE ASSISTANCE THAT IS NECESSARY.