

**CONCORDIA PARISH POLICE JURY
REGULAR MEETING
August 8, 2016
6:00 P.M.**

The Police Jury of Concordia Parish met this day in regular session convened. There were present the following members:

Whest Shirley Vice-President, Presiding

Members: Jerry Beatty, Carey Cook, Willie Dunbar, Joe Parker,
Adam Probst, Tommy Tiffie and Jimmy Wilkinson

Absent: Jimmy Jernigan

Secretary Treasurer: Kevin M. Friloux

Invocation: Mr. Cook

Pledge of Allegiance: Mr. Wilkinson

A motion was made by Mr. Parker seconded by Mr. Probst to approve the minutes of the regular meeting of July 25, 2016 as mailed. Motion carried.

Mr. Friloux informed the jury that the members of the finance committee had discussed consideration of a refunding of the 2007 sales tax bonds with the parish bond counsel. After hearing from Mr. Alan Offner of Foley Judell the committee recommended moving forward and approving the resolution as presented by Mr. Offner. The jury accepted the report as presented.

Mr. Friloux read aloud the following: Notice of Public Meeting. Notice is hereby given that at its meeting to be held on Monday, September 12, 2016 at 6:00 P.M. at the Police Jury Room of the Courthouse, Room 2, 4001 Carter Street, Vidalia, Louisiana, the Police Jury of the Parish of Concordia, State of Louisiana, plans to consider adopting of a resolution ordering and calling an election to be held within the Parish of Concordia to authorize the renewal of an ad valorem tax.

The recitation of the notice was acknowledged by the jury.

A motion was made by Mr. Parker seconded by Mr. Wilkinson to adopt the following resolution:

The following resolution was offered by Mr. Parker and seconded by Wilkinson:

RESOLUTION

A resolution giving preliminary approval to the issuance of not exceeding Five Million Eight Hundred Thousand Dollars (\$5,800,000) of Sales Tax Refunding Bonds of Sales Tax District No.

1 of the Parish of Concordia, State of Louisiana; providing certain terms of said Bonds; making application to the State Bond Commission for approval of said Bonds; and providing for other matters in connection therewith.

WHEREAS, Sales Tax District No. 1 of the Parish of Concordia, State of Louisiana (the "Issuer") has heretofore issued \$6,900,000 of its Sales Tax Bonds, Series 2007 (the "Series 2007 Bonds"); and

WHEREAS, in order to provide debt service savings, the Issuer desires to prepay all or any portion of the Issuer's outstanding Series 2007 Bonds pursuant to the provisions of Chapter 14-A of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority (the "Act"), through the issuance of its refunding bonds; and

WHEREAS, pursuant to the Constitution and statutes of the State of Louisiana, Sales Tax District No. 1 of the Parish of Concordia, State of Louisiana (the "Issuer"), is authorized to levy a one and one-half percent (1-1/2%) sales and use tax pursuant to an election held in the Issuer on October 15, 2005 (the "Tax"); and

WHEREAS, pursuant to the authority of the aforesaid election, the Issuer adopted an ordinance on October 24, 2005 (the "Tax Ordinance"), providing for the levy and collection of the Tax; and

WHEREAS, pursuant to the authority of the aforesaid election and the Tax Ordinance, the Issuer is now levying and collecting the Tax; and

WHEREAS, in accordance with the Tax Ordinance, 95% of the net avails or proceeds of the Tax (after the reasonable and necessary costs and expenses of collection and administration thereof have been paid therefrom) (the "Net Revenues of the Tax for Road Purposes") shall be available for appropriation and expenditure by the Issuer solely for the public road purposes designated in the proposition authorizing the levy of the Tax, which includes the payment of bonds for road purposes authorized to be issued in accordance with Louisiana law; and

WHEREAS, pursuant to the Act, and subject to the approval of the State Bond Commission, the Issuer desires to accomplish the refunding by authorizing the issuance of not exceeding Five Million Eight Hundred Thousand Dollars (\$5,800,000) of its Sales Tax Refunding Bonds, in one or more series (the "Bonds"), to be payable from and secured by an irrevocable pledge and dedication of the Net Revenues of the Tax for Road Purposes; and

WHEREAS, the Issuer has no other outstanding bonds or other obligations of any kind or nature payable from or enjoying a lien on the Net Revenues of the Tax herein pledged, except \$2,913,000 of Sales Tax Refunding Bonds, Series 2015 (the "Outstanding Parity Bonds"); and

WHEREAS, the Net Revenue Taxes of the Tax for Road Purposes is expected to produce \$1,410,000 in the calendar year in which the Bonds are issued, and the maturities of the Bonds and the Outstanding Parity Bonds have been arranged such that the total amount of principal and interest falling due on the Bonds and the Outstanding Parity Bonds in any year will not exceed 75% of the Net Revenues of the Tax for Road Purposes in the year in which the Bonds are issued; and

WHEREAS, Sales Tax District No. 1 of the Parish of Concordia, State of Louisiana wishes to accomplish the prepayment by authorizing the issuance of the Bonds pursuant to the Act for the purpose of prepaying all or any portion of the Issuer's outstanding Sales Tax Bonds, Series 2007, and paying the costs of issuance of the Bonds, the Bonds to be payable from the Net Revenues of the Tax for Road Purposes, to mature no later than March 1, 2036, and to bear interest at a rate or rates not to exceed four per centum (4%) per annum; and

WHEREAS, the Issuer desires to make application to the State Bond Commission for approval of the issuance of the Bonds;

NOW, THEREFORE, BE IT RESOLVED by the Police Jury of the Parish of Concordia, State of Louisiana (the "Governing Authority"), acting as the governing authority of Sales Tax District No. 1 of the Parish of Concordia, State of Louisiana (the "Issuer"), that:

SECTION 1. Preliminary Approval of the Bonds. Preliminary approval is given to the issuance of not exceeding Five Million Eight Hundred Thousand Dollars (\$5,800,000) aggregate principal amount of Sales Tax Refunding Bonds of the Issuer (the "Bonds"), pursuant to Chapter 14-A of Title 39 of the Louisiana Revised Statutes of 1950, as amended, and other constitutional and statutory authority, the Bonds to be issued for the purpose of prepaying all or any portion of the Issuer's outstanding Sales Tax Bonds, Series 2007, and paying the costs of issuance of the Bonds. The Bonds, together with the Outstanding Parity Bonds described in the preamble hereto, shall be payable from and secured by an irrevocable pledge and dedication of 95% of proceeds of the one and one-half percent (1-1/2%) sales and use tax being levied and collected by the Issuer pursuant to an election held in the Issuer on October 15, 2005 (the "Tax"), subject to the prior payment of the reasonable and necessary costs and expenses of collecting and administering the Tax. The Bonds shall bear interest at a rate or rates not to exceed five per centum (5%) per annum, to be determined by subsequent resolution of this Governing Authority at the time of the sale of the Bonds, and shall mature in annual installments due no later than March 1, 2037. The Bonds shall be issued in fully registered form, shall be sold to the purchasers thereof at a price of not less than 99% of par, plus accrued interest, if any, and shall have such additional terms and provisions as may be determined by this Governing Authority.

SECTION 2. State Bond Commission. Application is hereby made to the State Bond Commission, Baton Rouge, Louisiana, for its consent and authority to issue and sell the Bonds within the parameters set forth above, and a certified copy of this resolution shall be forwarded to the State Bond Commission on behalf of the Issuer requesting the prompt consideration and approval of this application.

SECTION 3. Compliance with State Bond Commission Regulation. By virtue of applicants/issuer's application for, acceptance and utilization of the benefits of the Louisiana State Bond Commission's approval(s) resolved and set forth herein, it resolves that it understands and agrees that such approval(s) are expressly conditioned upon, and it further resolves that it understands, agrees and binds itself, its successors and assigns to, full and continuing compliance with the "State Bond Commission Policy on Approval of Proposed Use of Swaps, or other forms of Derivative Products Hedges, Etc.", adopted by the Commission on July 20, 2006, as to the borrowing(s) and other matter(s) subject to the approval(s), including subsequent application and approval under said Policy of the implementation or use of any swap(s) or other product(s) or enhancement(s) covered thereby.

SECTION 4. Employment of Bond Counsel. This Governing Authority finds and determines that a real necessity exists for the employment of special counsel in connection with the issuance of the Bonds, and accordingly, Foley & Judell, LLP, of New Orleans, Louisiana, as Bond Counsel, is hereby employed to do and perform work of a traditional legal nature as bond counsel with respect to the issuance and sale of the Bonds. Said Bond Counsel shall prepare and submit to this Governing Authority for adoption all of the proceedings incidental to the authorization, issuance, sale and delivery of such Bonds, shall counsel and advise this Governing Authority as to the issuance thereof and shall furnish their opinions covering the legality of the issuance of the Bonds. The fee of Bond Counsel for each series of the Bonds shall be fixed at a sum not exceeding the fee allowed by the Attorney General's fee guidelines for such bond counsel work in connection with the issuance of each such series of revenue bonds and based on the amount of the Bonds actually issued, sold, delivered and paid for, plus "out-of-pocket" expenses, said fees to be contingent upon the issuance, sale and delivery of the Bonds. The President of this Governing Authority is hereby authorized and directed to execute,

and this Governing Authority hereby agrees to and accepts the terms of, the engagement letter of Bond Counsel on file with the Secretary of the Police Jury. A certified copy of this resolution shall be submitted to the Attorney General of the State of Louisiana for his written approval of said employment and of the fees herein designated, and the President of the Governing Authority is hereby empowered and directed to issue vouchers in payment for the work herein provided for upon completion of the work herein specified and under the conditions herein enumerated.

SECTION 5. Appointment of Municipal Advisor. The Issuer hereby retains Trinity Capital Resources, LLC, of Baton Rouge, Louisiana, to act as its Municipal Advisor (“MA”) pursuant to the provisions of the Dodd-Frank Wall Street Reform and Consumer Protection Act and the rules promulgated thereunder by the Securities and Exchange Commission. The Issuer hereby acknowledges that it is represented by the MA and will rely upon the advice of the MA with respect to the Bonds. The fee to be paid the MA shall be payable solely from the proceeds of the Bonds when and if issued, and the amount thereof shall be subject to the approval of the State Bond Commission. The President of the Governing Authority is hereby authorized and directed to execute a contract with the MA.

SECTION 6. The Governing Authority hereby acknowledges that it has named Foley & Judell, L.L.P. of New Orleans, Louisiana, as Bond Counsel for the Bonds, and in connection therewith, the President is hereby authorized and directed to execute, and the Governing Authority hereby agrees to and accepts the terms of, the engagement letter of Bond Counsel attached hereto as Exhibit A.

This resolution having been submitted to a vote, the vote thereon was as follows:

MEMBERS:	YEAS:	NAYS:	ABSENT:	ABSTAINING:
Carey H. Cook	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Joseph Parker	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Willie J. Dunbar	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Adam Probst	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Whest Shirley	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Jerry Beatty	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Jimmy Wilkinson	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Jimmy Jernigan	<u> </u>	<u> </u>	<u> X </u>	<u> </u>
Tommy Tiffie	<u> X </u>	<u> </u>	<u> </u>	<u> </u>

And the resolution was declared adopted on this, the 8th day of August, 2016.

 /s/ Kevin Friloux
Secretary-Treasurer

 /s/ Whest Shirley
Vice-President

Ms. Stephanie Kirk of the Louisiana National Guard Youth Challenge program was present to address the jury. Ms. Kirk informed the jury of the mission of Youth Challenge which is to provide an alternative educational program for adolescents outside of the traditional school setting. The program offers the students the opportunity to learn self-discipline, leadership and responsibility, while working to obtain a high school general equivalency diploma. Ms. Kirk left brochures and applications for the jury and members of the audience. The jury thanked her for her attendance.

Mr. Philip Smith was present to address the jury. Mr. Smith informed the jury of a problem he was having in obtaining water service from the Lake St. John Waterworks District. After hearing Mr. Smith's presentation a motion was made by Mr. Parker seconded by Mr. Beatty to turn the matter over to the district attorney for review and recommendation. Motion carried.

A motion was made by Mr. Tiffie seconded by Mr. Cook to authorize the vice-president to sign all documents relative to the sale of adjudicated properties through Civic Source. Motion carried.

A motion was made by Mr. Wilkinson seconded by Mr. Beatty to approve the awarding the work of cleaning and clearing nine properties previously cited in violation of parish ordinances to A +, LLC in the amount of \$5,400. Motion carried.

A motion was made by Mr. Parker seconded by Mr. Wilkinson to approve payment to Jordan Kaiser & Sessions for \$40,600 for payment for design work for the parish drainage project subject to GOHSEP approval and payment. Motion carried.

A motion was made by Mr. Beatty seconded by Mr. Wilkinson to table consideration of an appointment to the Concordia Recreation District No. 1. On a roll call vote called by the vice-president, the vote on the motion was as follows: Mr. Cook—NO, Mr. Parker—NO, Mr. Dunbar—NO, Mr. Probst—YES, Mr. Beatty—YES, Mr. Wilkinson—YES, Mr. Tiffie—YES. Motion carried.

A motion was made by Mr. Cook seconded by Mr. Probst to reappoint Mr. Warren Enterkin to the Concordia Parish Waterworks District No. 1. Motion carried.

A motion was made by Mr. Parker seconded by Mr. Tiffie to approve the following alcoholic beverage permits:

Will's Place, 367 Bayou Drive, Ferriday—Class "A" Beer & Liquor (Renewal)

Spokane Resort, 4269 Hwy 568, Ferriday—Class "A" Beer (Renewal)

Marsala Beverage Limited Partnership, 6647 Hwy 84 W, Ferriday Wholesale Beer & Liquor (Renewal)

The Landing, 175 Bodark, Monterey—Class "A" Beer & Liquor (Renewal)

Motion carried.

A motion was made by Mr. Beatty seconded by Mr. Tiffie to ratify the purchase orders as presented. Motion carried.

A motion was made by Mr. Wilkinson seconded by Mr. Beatty to add an item to the agenda, that being a request by Delta Charter School. Motion carried.

A motion was made Mr. Wilkinson seconded by Mr. Beatty to approve a request by Delta Charter School to grade the school's parking lot. Motion carried.

A motion was made by Mr. Tiffie seconded by Mr. Parker to approve the superintendent's materials request as presented and as follows: 28 yards of washed gravel for Deer Park, 7 yards of washed gravel for Doty Road, 49 yards of pitrun gravel for Foreman Road, 42 yards of pitrun gravel for Boggy Bayou Road, 50 yards of pitrun gravel for Ferguson Road and 42 yards of pitrun gravel for Grigsby Road. Motion carried.

A motion was made by Mr. Tiffie seconded by Mr. Cook to approve the superintendent's ditch maintenance request as follows: Bodark ditch, Wildcow ditch and Ellis ditch. Motion carried.

There being no further business a motion was made by Mr. Parker seconded by Mr. Probst that the meeting be adjourned. Motion carried.

Kevin M. Friloux, Secretary Treasurer