

REGULAR MEETING UNION PARISH POLICE JURY

Farmerville, Louisiana

April 2, 2019

The Union Parish Police Jury met this date in regular session in the Police Jury meeting room, Courthouse Annex, Farmerville, Louisiana with the following present: Charles Sawyer, Lanny Parker, Jerry W. Taylor, Glenn Hutto, Derek S. Kennedy, Nathan Futch, Stan Smith, Mike Jones and John Watley. Absent: None. Also present was Tracy Houck, Assistant District Attorney. The President called the session to order and welcomed all guests. Mr. Parker offered the invocation and Mr. Jones led the group in the Pledge of Allegiance to the Flag.

President Taylor welcomed the visitors in the audience and asked if anyone in the audience would like to register for public comment. The public was given the opportunity to comment on any item shown on the agenda.

Mr. Futch recognized Mr. Willis Andrews who recently had a 100th birthday celebration. Mr. Jones recognized the family of Doris Popwell who recently passed away. Mr. Sawyer thanked the jurors for remembering his family over the loss of his brother.

Mr. Taylor recognized Greg Gossler, Union Parish Homeland Security Director. Mr. Gossler recently got the Hazard Mitigation Plan updated which will allow two major parish projects to be considered for FEMA monies. Hopefully this will allow the Dean Road project and Scotts Hideaway project to progress.

After the opportunity for public comment was given, a Motion was made by Mr. Hutto, seconded by Mr. Jones and declared adopted by unanimous roll call vote of the Jury to approve the agenda with the following addition:

#21 – Update on Senate Bill 202 sponsored by Mike Walsworth

Motion Mr. Hutto, seconded by Mr. Watley to adopt the minutes of the March 5, 2019 regular meeting. Motion carried unanimously.

The Secretary/Treasurer presented the Budget to Actual Revenue and Expense report for March and explained to the jurors that the report reflects what has been budgeted for the year compared to what has been spent. The Secretary/Treasurer reported that during the course of the audit the auditors requested that we start using modified accrual basis accounting instead of cash basis accounting. Basically, this means we will recognize expenses as we accrue them and not when they are due. The Secretary/Treasurer consulted with the Finance Chairman to let him know the March Revenues and Expenditures Report might look slightly different, but it would only be for one month. Also, the Secretary/Treasurer pointed out that there were three (3) pay periods in March so the payroll looks higher than normal.

Motion Mr. Kennedy, seconded by Mr. Hutto to adopt the Revenues and Expenditures Report for the month of March 2019. Motion carried unanimously.

Motion Mr. Hutto, seconded by Mr. Sawyer to enter into a Public Hearing for the purpose of obtaining views on the housing and community development needs of Union Parish and discussion of application for funding under the State of Louisiana FY 2020/2021 LCDBG Fund. Motion carried unanimously. The President declared the public hearing open. Thomas Magee informed the jury that it is LCDBG funding time. There have been a few slight changes to the program. The program is no longer considering streets a priority. They are funding critical infrastructure in sewer and water projects. The size of the grant that you can apply for is sewer treatment @ 1.2 million; new sewer collection @ 1 million; existing sewer rehabilitation @ 1 million; drinking water @ 1 million and roads @ \$800,000. For several cycles now the parish has focused on drinking water. Sardis Water System is currently under an administrative order and we would like to take care of them. Sardis Water System has agreed to pay for engineering and admin services. That would be a good project for the jury to go after.
Motion Mr. Sawyer, seconded by Mr. Watley to close the Public Hearing. Motion carried unanimously. The President declared the hearing closed.

Motion Mr. Hutto, seconded by Mr. Sawyer to re-enter the Public Hearing for the purpose of obtaining views on the housing and community development needs of Union Parish and discussion of application for funding under the State of Louisiana FY 2020/2021 LCDBG Fund. Motion carried unanimously. The President declared the Public Hearing re-opened. Henry Schuler addressed the jury concerning Sardis Water System and their administrative order. The project request will be \$920,000 with the water system paying \$156,400. The system would be a carbon filtration system like the one that was installed for Holmesville, Pointe Wilhite, Union District 1 and Rocky Branch.
Motion Mr. Sawyer, seconded by Mr. Watley to close the Public Hearing. Motion carried unanimously. The President declared the hearing closed.

Motion Mr. Hutto, seconded by Mr. Watley to select a water project for the FY 2020/2021 Louisiana Community Development Block Grant Program and authorize the President to execute any necessary documents. Motion carried unanimously.

The following resolution was offered by Mr. Sawyer, seconded by Mr. Watley:

**UNION PARISH POLICE JURY
RESOLUTION # 2019-06
PROCUREMENT POLICY**

WHEREAS, the Union Parish Police Jury has been afforded the opportunity to apply and participate in the State of Louisiana 2020/2021 Community Development Block Grant Program administered by the Division of Administration; and,

WHEREAS, the STATE requires the establishment of uniform procedures in compliance with OMB Circular A-102;

NOW THEREFORE BE IT RESOLVED, by the Union Parish Police Jury, that the attached policy entitled "Procurement Procedures Relative to the LCDBG Program" is hereby adopted.

This resolution was offered by Mr. Sawyer, seconded by Mr. Watley and declared unanimously adopted on the 2nd day of April at its regular meeting where a Quorum was present.

s/ Paula Strickland
Paula Strickland
Secretary/Treasurer
Union Parish Police Jury

s/ Jerry W. Taylor
Jerry W. Taylor
President
Union Parish Police Jury

CERTIFICATE

I, Paula Strickland, Secretary-Treasurer of the Union Parish Police Jury, do hereby certify that the above and foregoing constitutes a true and correct copy of a Resolution passed, approved, and adopted by the Union Parish Police Jury on the 2nd day of April, 2019.

s/ Paula Strickland
Paula Strickland
Secretary/Treasurer

PROCUREMENT POLICY

These procedures are intended to serve as guidelines for the procurement of supplies, equipment, construction services and professional services for the LCDBG Program. These guidelines meet the standards established in 2 CFR 200.318 through 200.326 and state requirements.

CODE OF CONDUCT

No employee, officer, or agent of the Union Parish Police Jury shall participate in the selection or in the award or administration of a contract supported by LCDBG funds if a conflict of interest, real or apparent, would be involved. Such a conflict could arise if the employee, officer or agent; any member of his/her immediate family; his/her partner; or an organization which employs or is about to employ any of the above, has a financial or other interest in the firm selected for award.

No officer, employee or agent of the Union Parish Police Jury shall solicit or accept gratuities, favors or anything of monetary value from contractors or firms, potential contractors or firms, or parties to sub-agreements, except where the financial interest is not substantial or the gift is an unsolicited item of nominal intrinsic value.

Any alleged violations of these standards of conduct shall be referred to the Union Parish Police Jury Attorney. Where violations appear to have occurred, the offending employee, officer or agent shall be subject to disciplinary action, including but not limited to dismissal or transfer; where violations or infractions appear to be substantial in nature, the matter may be referred to the appropriate officials for criminal investigation and possible prosecution.

PROCUREMENT PROCEDURES

The director or supervisor of each department or agency of the Union Parish Police Jury responsible for procurement of services, supplies, equipment, or construction obtained with LCDBG funds shall review all proposed procurement actions to avoid the purchase of unnecessary or duplicative items. Such reviews shall consider consolidation or breaking out to obtain a more economical purchase. When determined appropriate by the Director or Supervisor, an analysis to determine which approach would be the most economical shall be undertaken.

The Union Parish Police Jury shall take affirmative steps to assure that small and minority firms, women's business enterprises, and labor surplus firms are solicited whenever they are potential qualified sources. The Union Parish Police Jury shall also consider the feasibility of dividing total requirements into smaller tasks or quantities so as to permit maximum participation by small and minority firms, women's business enterprises, and labor surplus firms. Where permitted by regulations, delivery schedules will be developed which will include participation by such businesses.

The Union Parish Police Jury shall assist the prime contractor whenever possible by providing copies of lists which identify qualified small and minority firms, women's business enterprises, and labor surplus area firms.

SELECTION PROCEDURES

ALL procurement carried out with LCDBG funds, where Union Parish Police Jury is a direct party, shall be carried out in a manner that provides maximum free and open competition. Procurement procedures will not restrict or eliminate competition. Union Parish Police Jury shall not place unreasonable requirements on firms in order for them to qualify to do business. Nor will Union Parish Police Jury encourage or participate in noncompetitive practices among firms. The Union Parish Police Jury is alert to organizational conflicts which would jeopardize the negotiation process and limit competition. Union Parish Police Jury will not require unnecessary experience or bonding requirements.

Pursuant to state law, all solicitations of offers shall incorporate a clear accurate description of the technical requirements for the material, service, or product to be procured. In competitive procurements, these descriptions shall not contain features which unduly limit competition. The description may include a statement of the qualitative nature of the material, product, or service and the minimum essential

characteristics and standards to which it must conform if it is to satisfy its intended use. Detailed product specifications shall be avoided whenever possible. A "brand name or equal" description may be used to define the performance or other salient requirements of procurement. The specific features of the named brand which must be met by offerors shall be clearly stated.

All solicitations of offers shall clearly set forth all requirements which offerors must fulfill and all other factors to be used in evaluating bids, proposals, or statements of qualifications.

Contracts shall be awarded only to responsible contractors/firms that possess the potential ability to perform successfully under the terms and conditions of the proposed procurement.

Consideration shall be given to such factors as the contractor's/firm's capacity, integrity, compliance with public policy, record of past performance, and financial and technical resources.

METHODS OF PROCUREMENT

Direct procurement by the Union Parish Police Jury shall be made by using one of the following methods depending on the type of service to be procured.

Micro-Purchase – Procurement by micro-purchase is the acquisition of supplies or services, the aggregate dollar amount of which does not exceed the micro-purchase threshold of \$3,000. To the extent practicable, the non-Federal entity must distribute micro-purchases equitably among qualified suppliers. Micro-purchases may be awarded without soliciting competitive quotations if the non-Federal entity considers the price to be reasonable.

Small Purchase Procedures. Relatively simple, informal procurement procedures will be used where the purchase of materials, supplies, equipment, and/or other property will not cost in the aggregate more than \$30,000, and for construction with a cost of not more than \$150,000, except where further limited by state law or LCDBG policy. The small purchase procedure can also be utilized to procure administrative consulting and other professional services costing not more than \$150,000. The only exception to professional services is for architectural/engineering services that must be procured through competitive negotiation. The procurement officer must obtain a minimum of three oral or written price or rate quotations from qualified sources. Documentation on all quotations received (whether oral or written) shall be made a part of the file.

Competitive Sealed Bids/Formal Advertising. Under this procedure bids are publicly advertised in accordance with the state's Public Bid Law. A firm fixed price contract (either lump sum or unit price) shall be awarded to the responsible bidder whose bid is lowest in price and that conforms to all the material terms and conditions of the advertisement for bids.

Competitive sealed bids can be used ONLY when the following criteria are met: (1) there are complete, adequate, and realistic specifications or purchase descriptions; (2) there are two or more responsible bidders who are willing and able to compete effectively; (3) the procurement can be made on a firm fixed-price contract and selection of the successful bidder can appropriately be made principally on the basis of price.

When formal advertising is used the following conditions shall be met:

- i. The advertisement for bids shall be publicly advertised in accordance with state law.
- ii. The advertisement for bids, including the specifications and pertinent attachments, shall clearly define the items or services needed in order for the bidders to properly respond to the advertisement.
- iii. All bids shall be opened publicly at the time and place specified in the advertisement for bids.
- iv. A firm fixed-price contract award shall be made by written notice to the lowest responsible bidder whose bid conforms to the advertisement for bids. Where specified in the bid documents, factors such as discounts, transportation costs, and life cycle costs shall be considered in determining which bid is lowest. Payment discounts shall only be used to determine low bid when prior experience indicates that such discounts are generally taken.
- v. Notwithstanding the above, any or all bids may be rejected when there are sound documented business reasons in the best interest of the LCDBG Program.

Competitive Negotiation: Requests for Proposals/Qualification Statements. This method may be used when formal advertising is not appropriate. Architectural and engineering services must be procured via requests for qualification statements; administrative consulting services must be procured via requests for proposals. Other professional services may also be procured by requests for proposals. The following procedures will be used for competitive negotiation:

- i. Requests for proposals or qualification statements must be advertised in a newspaper in the nearest metropolitan area in accordance with the rules of the state's LCDBG Program. All submittals will be honored and entered into the competition.
- ii. The package for proposals or qualification statements shall identify all significant evaluation factors or selection criteria, including the corresponding point system that will be used to rate the proposals/qualification statements.
- iii. The selecting official (or committee, if one is designated) shall review all proposals and statements received and make a technical evaluation of each. This shall also include a written statement that identifies the basis upon which the selection was made.
- iv. Contract award will be made to the responsible offeror whose submission is deemed most appropriate to the Union Parish Police Jury with consideration for price, qualifications, and other factors set by the local governing body. Unsuccessful offerors shall be notified in writing within ten working days of contract award. Documentation of notification shall be maintained in the contract selection file for the individual project.

v. Following the review of the qualification statements received, the most qualified competitor will be selected to enter into contract negotiation. This shall always include negotiation of price to insure cost reasonableness. At the conclusion of successful negotiation, the competitor shall be invited to enter into a contract.

Noncompetitive Negotiation/Sole Source. Noncompetitive negotiation shall be used when small purchase, formal advertising, or competitive negotiation procedures are not feasible.

Noncompetitive negotiation will involve solicitations of a proposal from only one source. This can also occur if solicitations under the competitive negotiation procedures result in only one proposal or qualification statement. Noncompetitive negotiation shall only be used when written authorization has been obtained from the state's Office of Community Development.

In order to qualify for this type of procurement, one of the following circumstances must apply:

- i. The item or service is available only from a single source;
- ii. It is determined that a public urgency or emergency exists and the urgency will not permit the delay beyond the time needed to employ one of the other three methods of procurement.
- iii. After solicitation of a number of sources, competition is determined to be inadequate.

CONTRACT PRICING

Cost plus percentage of cost and percentage of construction cost methods of contracting MUST NOT be used. Union Parish Police Jury shall perform cost or pricing analysis in connection with EVERY procurement action including contract modifications. Costs or prices based on estimated costs for LCDBG projects shall be allowed only to the extent that the costs incurred or the cost estimates included in negotiated prices are consistent with federal cost principals. Cost reimbursement, fixed price, per diem contracts, or a combination thereof may be utilized as appropriate.

A cost reimbursement type contract is most appropriate when the scope and extent of the work to be performed are not clearly defined. A cost reimbursement contract MUST clearly establish a cost ceiling which may not be exceeded without formally amending the contract, and must identify a fixed dollar profit that may not be increased unless there is a contract amendment that increases the scope of the work.

A fixed price contract is appropriate when the scope of work is very well defined and product oriented. A fixed price contract MUST establish a guaranteed price that may not increase unless there is a contract amendment that increases the scope of the work.

A per diem contract expected to exceed \$10,000 will not be considered unless Union Parish Police Jury has determined that a cost reimbursable or fixed price contract is not

appropriate. Cost and profit included in the per diem rate MUST be specifically negotiated and shown separately in the proposal. The contract must clearly establish a ceiling price that may not be exceeded without formally amending the contract.

The Union Parish Police Jury may use a multiplier type of compensation under either the cost reimbursement or fixed price contract. The multiplier and the portions of the multiplier applicable to overhead and profit must be specifically negotiated and separately identified in the contract.

PROCUREMENT RECORDS

The Union Parish Police Jury shall maintain records sufficient to detail the history of the procurement. The records shall include the following contract provisions and conditions, as applicable for construction contracts:

(A) Contracts for more than the simplified acquisition threshold currently set at \$150,000, which is the inflation adjusted amount determined by the Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council (Councils) as authorized by 41 U.S.C. 1908, must address administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties as appropriate.

(B) All contracts in excess of \$10,000 must address termination for cause and for convenience by the non-Federal entity including the manner by which it will be affected and the basis for settlement.

(C) Equal Employment Opportunity. Except as otherwise provided under 41 CFR Part 60, all contracts that meet the definition of "federally assisted construction contract" in 41 CFR Part 60-1.3 must include the equal opportunity clause provided under 41 CFR 60-1.4(b), in accordance with Executive Order 11246, "Equal Employment Opportunity" (30 FR 12319, 12935, 3 CFR Part, 1964-1965 Comp., p. 339), as amended by Executive Order 11375, "Amending Executive Order 11246 Relating to Equal Employment Opportunity," and implementing regulations at 41 CFR part 60, "Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor."

(D) Davis-Bacon Act, as amended (40 U.S.C. 3141-3148). When required by Federal program legislation, all prime construction contracts in excess of \$2,000 awarded by non-Federal entities must include a provision for compliance with the Davis-Bacon Act (40 U.S.C. 3141-3144, and 3146-3148) as supplemented by Department of Labor regulations (29 CFR Part 5, "Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction"). In accordance with the statute, contractors must be required to pay wages to laborers and mechanics at a rate not less than the prevailing wages specified in a wage determination made by the Secretary of Labor. In addition, contractors must be required to pay wages not less than once a week. The non-Federal entity must place a copy of the current prevailing wage determination issued by the Department of Labor in each solicitation. The decision to award a contract or subcontract must be conditioned upon the acceptance of the wage determination. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency. The contracts must also include a provision for compliance with the Copeland "Anti-

Kickback” Act (40 U.S.C. 3145), as supplemented by Department of Labor regulations (29 CFR Part 3, “Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States”). The Act provides that each contractor or sub recipient must be prohibited from inducing, by any means, any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which he or she is otherwise entitled. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency.

(E) Contract Work Hours and Safety Standards Act (40 U.S.C. 3701-3708). Where applicable, all contracts awarded by the non-Federal entity in excess of \$100,000 that involve the employment of mechanics or laborers must include a provision for compliance with 40 U.S.C. 3702 and 3704, as supplemented by Department of Labor regulations (29 CFR Part 5). Under 40 U.S.C. 3702 of the Act, each contractor must be required to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than one and a half times the basic rate of pay for all hours worked in excess of 40 hours in the work week. The requirements of 40 U.S.C. 3704 are applicable to construction work and provide that no laborer or mechanic must be required to work in surroundings or under working conditions which are unsanitary, hazardous or dangerous. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence.

(F) Rights to Inventions Made Under a Contract or Agreement. If the Federal award meets the definition of “funding agreement” under 37 CFR §401.2 (a) and the recipient or sub recipient wishes to enter into a contract with a small business firm or nonprofit organization regarding the substitution of parties, assignment or performance of experimental, developmental, or research work under that “funding agreement,” the recipient or sub recipient must comply with the requirements of 37 CFR Part 401, “Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements,” and any implementing regulations issued by the awarding agency.

(G) Clean Air Act (42 U.S.C. 7401-7671q.) and the Federal Water Pollution Control Act (33 U.S.C. 1251-1387), as amended—Contracts and sub grants of amounts in excess of \$150,000 must contain a provision that requires the non-Federal award to agree to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401-7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251-1387). Violations must be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA).

(H) Debarment and Suspension (Executive Orders 12549 and 12689)—A contract award (see 2 CFR 180.220) must not be made to parties listed on the government-wide exclusions in the System for Award Management (SAM), in accordance with the OMB guidelines at 2 CFR 180 that implement Executive Orders 12549 (3 CFR part 1986 Comp., p. 189) and 12689 (3 CFR part 1989 Comp., p. 235), “Debarment and Suspension.” SAM Exclusions contains the names of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority other than Executive Order 12549.

(I) Byrd Anti-Lobbying Amendment (31 U.S.C. 1352)—Contractors that apply or bid for an award exceeding \$100,000 must file the required certification. Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any Federal contract, grant or any other award covered by 31 U.S.C. 1352. Each tier must also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier up to the non-Federal award.

(J) See §200.322 Procurement of recovered materials.

(K) Pursuant to LRS 38:2227, public entities are required to obtain an attestation regarding past criminal convictions, if any, from each bidding entity responding to advertisements and letting for bids for public works contracts. The Past Criminal Convictions of Bidders form must be included in all bid documents and contracts for public works.

(L) Pursuant to LRS 38:2212.10, all bidders and contractors performing physical services with public entities must be registered and participate in a status verification system to verify that all employees in the state are legal citizens of the United States, or are legal aliens. The bidder/contractor must sign an attestation that they are complying with this law, and that all subcontractors will comply with this law.

(M) Pursuant to LRS 23:1726, bidders and contractors must certify that they are not being assessed penalties regarding unpaid worker's compensation insurance.

CONTRACT ADMINISTRATION

The Union Parish Police Jury shall maintain contract administration systems that insure contractors/firms perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders. The accepted performance of contractors/ firms will be a factor in subsequent contract negotiations and award. Remedial action by the Union Parish Police Jury through legal processes shall be considered in instances of identified significant nonperformance.

The following resolution was offered by Mr. Sawyer, seconded by Mr. Parker:

UNION PARISH POLICE JURY RESOLUTION # 2019-07 CITIZEN PARTICIPATION PLAN

WHEREAS, the Union Parish Police Jury has been afforded the opportunity to apply and participate in the State of Louisiana 2020/2021 Community Development Block Grant Program administered by the Division of Administration; and,

WHEREAS, the STATE requires Grantees to establish procedures to ensure adequate citizen participation with the program;

NOW THEREFORE BE IT RESOLVED, by the Union Parish Police Jury, that the attached policy entitled "Citizen Participation Plan", dated April 2, 2019 is hereby adopted.

This resolution was offered by Mr. Sawyer, seconded by Mr. Parker and declared unanimously adopted on the 2nd day of April at its regular meeting where a Quorum was present.

s/ Paula Strickland
Paula Strickland
Secretary/Treasurer
Union Parish Police Jury

s/ Jerry W. Taylor
Jerry W. Taylor
President
Union Parish Police Jury

CERTIFICATE

I, Paula Strickland, Secretary of the Union Parish Police Jury, do hereby certify that the above and foregoing constitutes a true and correct copy of a Resolution passed, approved, and adopted by the Union Parish Police Jury on the 2nd day of April, 2019.

s/ Paula Strickland
Paula Strickland
Secretary/Treasurer

CITIZEN PARTICIPATION PLAN

The Union Parish Police Jury has adopted the following Citizen Participation Plan to meet the citizen participation requirements of Section 508 of the Housing and Community Development Act of 1974, as amended. The Union Parish Police Jury is committed through adoption of this plan to full and total involvement of all residents of the community in the composition, implementation and assessment of its Louisiana Community Development Block Grant (LCDBG) Program. Attempts will be made to reach all citizens, with particular emphasis on participation by persons of low and moderate income, residents of slum and blighted areas and of areas in which funds are proposed to be used. A copy of this plan will be made available to the public upon request.

As part of the citizen participation requirements and to maximize citizen interaction, the Union Parish Police Jury shall:

- 1) Provide citizens with reasonable and timely access to local meetings, information and records relating to the state's proposed method of distribution, as required by the Secretary, and relating to the actual use

of funds under Title I of the Housing and Community Development Act of 1974, as amended;

- 2) Provide for public hearings to obtain views and respond to proposals and questions at all stages of the community development program. These hearings will consist of the development of needs and proposed activities and review of program performance. These hearings will be held after adequate notice, a minimum of five calendar days, at times and locations convenient to potential or actual beneficiaries with accommodations for persons with disabilities;
- 3) Provide for and encourage citizen participation with particular emphasis on participation by persons of low and moderate income who are residents of slum and blighted areas and of areas in which funds are proposed to be used;
- 4) Provide for technical assistance to groups representative of persons of low and moderate income that request such assistance in developing proposals;
- 5) Where applicable, identify how the needs of non-English speaking residents will be met in the case of public hearings; and
- 6) Provide for a formal written procedure which will accommodate a timely written response, within fifteen days where practicable, to written complaints and grievances.

Written minutes of the hearings and an attendance roster will be maintained by the Union Parish Police Jury.

PUBLIC HEARINGS

Notices informing citizens of any public hearings will appear in the official journal of the Union Parish Police Jury a minimum of five calendar days prior to the hearing. In addition, notices will also be posted in Union Parish Police Jury office and the hearing will be publicized through local community organizations, i.e., churches, clubs, etc., and/or dissemination of leaflets in the target area. Hearings will be held at times and locations convenient to potential or actual beneficiaries with accommodations for individuals with disabilities and non-English speaking persons. Whenever possible these hearings will be held within or near the target areas, at times affording participation by the most affected residents.

I. APPLICATION

First Notice/Public Hearing

The public hearing to address LCDBG application submittal will be held approximately seven calendar days prior to the deadline for submission of the application for the current funding cycle. The Citizen Participation Plan will be

available at the hearing. The public notice for this hearing will state that the following will be discussed:

- a) The amount of funds available for proposed community development;
- b) The range of activities that may be undertaken, including the estimated amount proposed to be used for activities that will benefit persons of low and moderate income;
- c) The plans of the Union Parish Police Jury for minimizing displacement of persons as a result of activities assisted with such funds and the benefits to be provided by the Union Parish Police Jury to persons actually displaced as a result of such activities; and
- d) The Union Parish Police Jury prior performance of LCDBG programs funded by the State of Louisiana. In addition, the notice shall state that all citizens, particularly low- and moderate-income residents of slum and blighted areas, are encouraged to submit their views and proposals regarding community development and housing needs. Those citizens unable to attend this hearing may submit their views and proposals to:

Union Parish Police Jury
P. O. Box 723
Farmerville, LA 71241

The notice will also state that accommodations will be made for disabled and non-English speaking individuals provided a five-day notice is received by the Union Parish Police Jury.

Second Notice

Seven calendar days, at a minimum, prior to the deadline for submittal of the application, a second notice shall appear in the official journal informing the citizens of the following:

- a) Proposed submittal date of the application;
- b) Proposed objectives;
- c) Proposed activities;
- d) Location of proposed activities;
- e) Dollar amount of proposed activities; and
- f) Location and hours available for application review.

In addition, the notice shall state "all citizens, particularly those affected by the proposed project, are encouraged to review the proposed application and submit any written comments on the application to:"

Union Parish Police Jury
P. O. Box 723
Farmerville, LA 71241

Negative comments received will be forwarded to the state's Office of Community Development, Division of Administration or the application will be withdrawn if necessary.

II. AMENDMENTS

Program amendments, which substantially alter the LCDBG project from that approved in the original application, shall not be submitted to the state without holding one public hearing in accordance with the procedures outlined within this Citizen Participation Plan. Minutes of the hearing will be submitted with the request for the amendment. All interested citizens, particularly the low and moderate income, elderly, handicapped, and residents of the project area, shall be made aware and have the opportunity to comment on proposed amendments and/or submit alternative measures.

III. GRANTEE PERFORMANCE

The Union Parish Police Jury will hold one performance hearing to solicit the public's opinion of the effectiveness of the LCDBG Program. The manner of notification will be the same as previously described for all public hearings. Notification will be made in the official journal approximately seven calendar days prior to the anticipated submittal of close-out documents to the state, and will indicate the date, time, and place of the performance hearing, and invite comments and opinions on the LCDBG activities implemented under the FY 2018/2019 LCDBG Program being closed out. The notice will also state that accommodations will be made for disabled and non-English speaking persons provided a day notice is received by the Union Parish Police Jury.

This notice shall invite all interested parties, particularly those low to moderate income residents in the target area to attend.

The hearing will be held no sooner than five calendar days from the publication date of said notice.

CONSIDERATION OF OBJECTION TO APPLICATION

Persons wishing to object to approval of an application by the state may make such objection known to:

Office of Community Development
Division of Administration
Post Office Box 94095
Baton Rouge, Louisiana 70804-9095

The state will consider objections made only on the following grounds:

- i. The application description of needs and objectives is plainly inconsistent with available facts and data;
- ii. The activities to be undertaken are plainly inappropriate to meeting the needs and objectives identified by the applicant; and
- iii. The application does not comply with the requirements set forth in the state's Annual Action Plan or other applicable laws.

Such objections should include both an identification of the requirements not met and, in the case of objections relative to (1) above, the complainant must supply the data upon which he/she relied upon to support his/her objection.

BILINGUAL

Whenever a significant number of persons and/or residents of blighted neighborhoods communicate with a primary language other than English attend public hearings, the Union Parish Police Jury will provide an interpreter for dissemination of information to them providing the Union Parish Police Jury is given sufficient notification of 5 day(s).

TECHNICAL ASSISTANCE

Technical assistance may be provided directly by the Union Parish Police Jury to any citizen, particularly to low- and moderate-income persons, residents of blighted neighborhoods and minorities, who request assistance in the development of proposals and statement of views concerning the LCDBG Program. The local officials, administrator and engineer will conduct informational meetings with the residents of the low to moderate income areas if a written request is received by the Union Parish Police Jury with at least a one-week notification. The person who conducts the technical assistance meetings will disseminate information on the program and answer all pertinent questions.

TIMELY ACCESS AND ADEQUATE INFORMATION

The Union Parish Police Jury shall provide timely disclosure of records, information and documents related to the LCDBG program activities. Documents will be made available for copying upon request at the Union Parish Police Jury, Monday thru Friday, 8:00 a.m. to 4:00 p.m. Such documents may include the following:

- 1) All meetings and promotional materials.
- 2) Records of hearings and meetings.
- 3) All key documents, including prior applications, letters, grant agreements, citizen participation plans, and proposed applications.
- 4) Copies of the regulations (final statements) concerning the program.

- 5) Documents regarding other important requirements, such as Procurement Procedures, Fair Housing, Equal Employment Opportunity, Uniform Act, Labor Provisions and Environmental Procedures.

CITIZEN COMPLAINT PROCEDURE

SECTION 1

It is the policy of the Union Parish Police Jury to review all complaints received by the Union Parish Police Jury.

SECTION 2

The following procedures will be followed on all complaints received by the Union Parish Police Jury:

- 1) The complainant shall notify the Secretary of the complaint. The initial complaint may be expressed orally or by written correspondence.
- 2) The Secretary will notify the President or designated representative of the complaint within 5 working days.
- 3) The President or designated representative will investigate the complaint and will report the findings to the Secretary within 5 working days.
- 4) The Secretary will notify the complainant of the findings of the President or designated representative in writing or by telephone within 10 working days.
- 5) If the complainant is aggrieved by the decision, he must forward the complaint in writing (if previously submitted orally) to the Secretary who will forward the complaint and all actions taken by the President or designated representative to the appropriate council committee for their review. This will be accomplished within 30 working days of receipt of the written complaint.
- 6) The reviewing council committee will have 10 working days to review the complaint and forward their decision to the complainant in writing.
- 7) If the complainant is aggrieved with the decision of the Committee, he must notify the Secretary in writing that he desires to be afforded a hearing by the Union Parish Police Jury. The complainant will be placed on the next regularly scheduled council meeting agenda. The Secretary will notify the complainant in writing of the date of the hearing.
- 8) The complainant must bring all relevant data, witnesses, etc., to the hearing. The Union Parish Police Jury, at the hearing, will review the complaint and forward within days a certified copy of the minutes of the meeting at which the hearing was conducted and a decision was rendered to the complainant. If a decision is not reached at the hearing, the Police Jury President will inform complainant of an appropriate date to expect a response. Within 15 working days of reaching a decision, the complainant will be notified in writing of the decision.

Complaints concerning the general administration of the LCDBG Program may be submitted in writing directly to the:

Division of Administration
Office of Community Development
Post Office Box 94095
Baton Rouge, Louisiana 70804-9095

SECTION 3

All citizen complaints relative to Fair Housing/Equal Opportunity violations alleging discrimination shall be forwarded for disposition to the:

Louisiana Department of Justice
Public Protection Division
Post Office Box 94005
Baton Rouge, Louisiana 70804

The complainant will be notified in writing within 10 days that, due to the nature of the complaint, it has been forwarded to the Louisiana Department of Justice.

or

Complainant may contact the Louisiana Department of Justice Public Protection Division directly at the Toll-Free Telephone number 1-800-273-5718 or 225-342-5521.

SECTION 4

The Secretary will maintain a file for the purpose of keeping reports of complaints.

SECTION 5

This policy does not invalidate nor supersede the personnel or other policies of the Union Parish Police Jury which are currently adopted, but is intended to serve as a guide for complaints.

SECTION 6

This policy may be amended by a majority vote at any of the Union Parish Police Jury regularly scheduled meetings.

ADOPTION

This Citizen Participation Plan is hereby adopted by Union Parish Police Jury in regular session on this the 2nd day of April, 2019.

s/ Paula Strickland

Paula Strickland, Secretary/Treasurer
Union Parish Police Jury

s/ Jerry W. Taylor

Jerry W. Taylor, President
Union Parish Police Jury

The following resolution was offered by Mr. Hutto, seconded by Mr. Futch:

RESOLUTION NO. 2019-08

RESOLUTION FOR ENTERING INTO AGREEMENTS ASSOCIATED WITH ADMINISTRATION AND ENGINEERING SERVICES FOR THE 2020/21 LCDBG FUNDING CYCLE

WHEREAS, the Union Parish Police Jury (“Parish”) desires to submit a fiscal year (“FY”) 2020/2021 Louisiana Community Development Block Grant (“LCDBG”) Public Facilities application (the “Application”); and,

WHEREAS, the Parish intends to use local funds (in order to gain 2 additional points in connection with the Application rating) to pay for administrative costs up to and including pre-agreement costs, administrative consultant fees, and any other administrative costs incurred by the Parish associated with the project; and,

WHEREAS, the Parish intends to use local funds (in order to gain 2 additional points in connection with the Application rating) to pay for engineering costs up to and including pre-agreement costs, basic engineering design, topographic surveying, project representation, construction phase services and any other engineering costs incurred by the Parish associated with the project; and,

WHEREAS, the Parish desires to enter into an agreement with Frye Magee, LLC (“Frye Magee”), to perform all administrative consulting services associates with the Application, which includes assistance with developing the Application, and thereafter performing all administrative consulting duties following a grant award; and,

WHEREAS, the Parish desires to enter into an agreement with Shuler Consulting Company (“Shuler”), to perform all engineering consulting services associates with the Application, which includes assistance with developing the Application, and thereafter performing all engineering consulting services, including basic engineering design, topographic surveying, project representation, construction phase services and any other engineering costs incurred by the Parish, following a grant award; and,

WHEREAS, the Parish is taking this action contingent upon the Parish receiving written commitment from the water system to pay for these services.

NOW, THEREFORE, BE IT RESOLVED BY THE UNION PARISH POLICE JURY, LOUISIANA:

1. This resolution is approved fully contingent upon the Parish receiving a written commitment from the Water System to pay for these services.

2. The Parish enters into an agreement with Frye Magee to develop and submit the Application, and thereafter to perform all administrative consulting duties following a grant award, fully contingent upon the Parish receiving a written commitment from the Water System to pay for these services.
3. The Parish enters into an agreement with Shuler to assist with the development of the Application, and thereafter to perform all engineering consulting services, including basic engineering design, topographic surveying, project representation, construction phase services and any other engineering costs incurred by the Parish, following a grant award, fully contingent upon the Parish receiving a written commitment from the Water System to pay for these services.
4. The President is authorized to execute respective agreements with Frye Magee and Shuler Consulting Company, as well as all related documents, to be on such other terms and conditions as he shall deem advisable, and to do any and all things necessary and proper to carry out this Resolution and to fulfill its objectives and purposes. This authorization is contingent upon the Parish receiving a written commitment from the Water System to pay for these services.
5. This Resolution shall become effective upon final adoption and signature of the Police Jury President. Said Resolution having been read and considered by a quorum of the Union Parish Police Jury, a record vote was taken and the following result was had:

YEA:	NINE
NAY:	NONE
ABSENT:	NONE

WHEREUPON, the presiding officer declared the above Resolution duly adopted in full on this the 2nd day of April, 2019.

ATTEST:

s/ Paula Strickland
 Paula Strickland
 Secretary/Treasurer
 Union Parish Police Jury

s/ Jerry W. Taylor
 Jerry W. Taylor
 President
 Union Parish Police Jury

CERTIFICATE

I, Paula Strickland, Secretary of the Union Parish Police Jury, do hereby certify that the above and foregoing constitutes a true and correct copy of a Resolution passed, approved, and adopted by the Union Parish Police Jury on the 2nd day of April, 2019.

s/ Paula Strickland
 Paula Strickland

A discussion was held concerning the Union Parish Airport. Request for Proposals were requested for obstruction removal. KSA Engineering presented the only proposal on obstruction removal. The obstruction removal is related to a few trees the state identified that need to be removed. **Motion Mr. Smith, seconded by Mr. Parker to accept KSA Engineering's proposal as the Obstruction Removal/Consultant Engineering Firm and authorize the president to execute any necessary documents. Motion carried unanimously.**

The following proclamation was offered by Mr. Sawyer, seconded by Mr. Watley:

PARISH OF UNION

PROCLAMATION #2019 - 01

WHEREAS, the 51st Anniversary of the National Fair Housing Law, Title VIII of the Civil Rights Act of 1968, during the month of April, is an occasion for all Americans—individually and collectively—to rededicate themselves to the principle of freedom from housing discrimination whenever it exists; and

WHEREAS, this law guarantees for each citizen that critical, personal element of freely choosing a home; and

WHEREAS, a fair housing law has been passed by the State of Louisiana and implementation of the law requires the positive commitment, involvement and support of each of our citizens; and

WHEREAS, the departments and agencies of the State of Louisiana are to provide leadership in the effort to make fair housing not just an idea, but an ideal for all our citizens; and

WHEREAS, barriers that diminish the rights and limit the options of any citizen to freely choose a home will ultimately diminish the rights and limit the options of all.

NOW, THEREFORE, I, Jerry W. Taylor, President of the Union Parish Police Jury do hereby proclaim the month of April, 2019, as FAIR HOUSING MONTH in the Parish of Union.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the Parish of Union, at the Parish Courthouse Annex in the Town of Farmerville, this 2nd day of April, 2019.

*Jerry W. Taylor, President
Union Parish Police Jury*

Attest:

*Paula Strickland, Secretary/Treasurer
Union Parish Police Jury*

Liz Pierre, North Louisiana Economic Partnership, addressed the jury concerning a Cooperative Endeavor Agreement between the Union Parish Police Jury and the North Louisiana Economic Partnership. Ms. Pierre spoke regarding the ACT Work Ready Community Initiative. To take part in the certification the area must participate in a two-day boot camp. NLEP has arranged to have instructors from ACT in Ruston on June 5 and June 6 for an intensive 2-day boot camp. The cost for each parish is approximately \$5,000. NLEP is contributing \$1,000 to each of the participant parishes and is asking the parish partners to contribute the balance. Ms. Pierre reported that they currently have made requests and have commitments from the Union Parish Chamber of Commerce, Downsville Charter School, D'Arbonne Woods Charter School, Union Parish School Board and the Town of Farmerville. **Motion Mr. Kennedy, seconded by Mr. Parker to enter into a Cooperative Endeavor Agreement with the North Louisiana Economic Partnership, send a police jury representative to the two-day boot camp and contribute \$500 to the North Louisiana Economic Partnership. Motion carried unanimously.**

A brief discussion was held on the D'Arbonne Lake Tainter Gate Opening and Closing Plan. Mr. Taylor addressed the jury regarding the D'Arbonne Lake Tainter Gate. DOTD is wanting to make a minor change to the plan. Currently they open the gates at 82.25 feet and they would like to open them at 82 feet in the future. It is a minor adjustment. **Motion Mr. Sawyer, seconded by Mr. Hutto to approve the proposed D'Arbonne Lake Tainter Gate Opening and Closing Plan. Motion carried unanimously.**

Motion Mr. Parker, seconded by Mr. Sawyer to approve travel and pay expenses for the Jurors and Secretary/Treasurer to attend legislative day in Baton Rouge on Wednesday, May 15, 2019. Motion carried unanimously.

Motion Mr. Watley, seconded by Mr. Hutto to approve the Town of Bernice request for one load of cold mix with the town paying for the cost of the materials. Motion carried unanimously.

Personnel Committee Recommendations:

Motion Mr. Jones, seconded by Mr. Kennedy to increase the Secretary/Treasurer salary by \$5,000 per year effective April 8, 2019. Mr. Kennedy addressed the jury and public and stated that by bringing her salary up to that amount it is still below what surrounding parishes pay. We are very fortunate we don't have to pay her by the hour because we would go broke in about 60 days. We are very thankful for her and as a matter of fact the comment that was made by our auditors was that if she ever leaves we want her. Mrs. Paula does an outstanding job for this parish. She is kind of like the unsung hero behind the scenes that just grinds it. Any number of us start getting text messages very early in the morning and Paula is already on the clock working. This raise is certainly well deserved and well earned. What we did is pull the salaries of 7 or 8 parishes around us and this number is still significantly less than other's salaries. We

want to keep her and the job she does is absolutely outstanding. **Motion carried unanimously.**

Equipment Committee Recommendations:

Motion Mr. Futch, seconded by Mr. Sawyer to purchase a Mini Hydraulic Excavator for \$58,566.60 from Louisiana CAT using the LGAP funds in the amount of \$42,800 and the parish to pay the remainder. Motion carried unanimously.

Senate Bill 202 Update

Mr. Taylor addressed the jury and stated that Senator Walsworth introduced Senate Bill 202 to split the judicial district of Union and Lincoln into two separate groups. This is just informational. Neither the judges nor the sheriff was aware of the bill.

In accordance with Ordinance 549, time for public comment was given. Mr. Reppond, 449 Duke Nolan Road, Farmerville, addressed the jury concerning the possibility of more incoming trash from Ouachita Parish when a change that Ouachita Parish has made takes effect in July.


Loye Albritton, 1379 Highway 828, Farmerville, addressed the jury concerning the dumpsters on Willie Brantley Road.

Judy Auger, 844 Alton Auger Road, Marion, addressed the jury concerning the Chip Mill Road. Mrs. Auger also asked the jurors how much money has been spent on road maintenance, why does it take so many men to clean out culverts and where is the Asphalt Zipper.


Lynn Ramsey, 167 Jerry Ramsey Road, Farmerville, addressed the jury concerning Jerry Ramsey Road. Mrs. Ramsey inquired about the status of the culvert replacement on Jerry Ramsey Road.

President Taylor addressed the audience and thanked everyone for their attendance and participation.

There being no further business to come before the Jury, the President declared the meeting adjourned upon motion by Mr. Parker, seconded by Mr. Watley on this the 2nd day of April, 2019.



PAULA STRICKLAND
Secretary/Treasurer
Union Parish Police Jury



JERRY W. TAYLOR
President
Union Parish Police Jury